FILED
MAY 18 2026
OFFICE OF THE CLERK
SUPREME COURT, U.S.

No. 25-1394

In The Supreme Court of the United States

MICHAEL PRETE,
Petitioner,

v.

STATE OF RHODE ISLAND
Respondent.

On Petition For Writ Of Certiorari to the
Rhode Island Supreme Court

PETITION FOR WRIT OF CERTIORARI

Michael Prete
782 Boston Neck Road
Narragansett, RI 02882
May 18, 2026

QUESTIONS PRESENTED FOR REVIEW

Did this Court's ("SCOTUS") *Abney v. U.S.* (431 U.S. 651 (1977)) ruling overturn SCOTUS's holding in *Stack v. Boyle* (342 U.S. 1 (1951)) which declared Eighth Amendment violation appeals are permissible interlocutory appeals?

Since *Abney* didn't overturn *Stack* (and, therefore, Eighth Amendment violation appeals are still permissible interlocutory appeals), did the R.I. Supreme Court's ("RISC") decision (claiming Eighth Amendment violation appeals are NOT permissible interlocutory appeals) violate SCOTUS's binding precedent (binding precedent which has been repeated by ALL TWELVE U.S. Circuit Courts of Appeal)?

Did RISC's intentional defiance of SCOTUS's binding precedent unconstitutionally strip Petitioner of Due Process, Equal Protection, Etc. Guarantees?

Can RISC arbitrarily and under knowingly false pretenses, etc. invoke extreme inherent powers (created by SCOTUS) (which SCOTUS has warned are not to be abused, used arbitrarily, etc. (*see Degen v. U.S.*, 517 U.S. 820 (1996))) to avoid addressing its defiance of SCOTUS's binding precedent?

Did RISC violate Petitioner's Free Speech, Due Process, Equal Protection, Etc. Guarantees when, after Petitioner's motion for

reconsideration (rehearing) irrefutably demonstrated (and provided, among other things, an example from the U.S. First Circuit Court of Appeals) **how RISC's declaration of *Abney's* alleged ruling is contradictory to and in defiance of SCOTUS's binding precedent** (and all Twelve U.S. Circuit Courts of Appeal declarations of SCOTUS's binding precedent)**, RISC retaliated against Petitioner and, in addition to having unconstitutionally, etc. stripped Petitioner of his RI law license** (despite, as RISC's written decision admitted, Petitioner having not committed any violation, etc. and RISC has, to date, refused to reinstate Petitioner)**, out-of-nowhere RISC declared it "...will not entertain *ANY FILINGS* [by Petitioner]" (Emphasis Added) (despite RISC having ISSUED WRITTEN ORDERS indicating RISC WOULD entertain Petitioner's filings in the appeal and RISC HAVING *JUST* ENTERTAINED a filing (in the same appeal) by Petitioner** (e.g. Petitioner's response to Respondent's motion to dismiss (Petitioner's reconsideration motion sought RISC's reconsideration of their decision granting Respondent's motion to dismiss))) **as long as there was an outstanding warrant (despite that being the very subject matter of the appeal** (the sua sponte, unjustified, etc. revocation of Petitioner's Pre-Trial personal-recognizance bail (revoked while, as the court was repeatedly advised, Petitioner was in the midst of the Pre-Trial appellate process (appeal regarding foundational matters over the entire case's legality (e.g. U.S. Government (U.S. Secret Service ("USSS")) public records (records which are easily and readily available to ANY MEMBER OF THE PUBLIC AT ANY TIME (without even needing to make a FOIA Request (*see* herein))) conclusively demonstrated NO CRIME HAD BEEN COMMITTED by Petitioner (stated differently, prosecution opened a knowingly fraudulent case using knowingly forged documents (without the forged documents there'd be no case) (USSS evidence of the State's forgeries were presented in Petitioner's rehearing motion to RISC and RISC, out-of-nowhere, further violated SCOTUS binding precedent and refused to "entertain" Petitioner's filing))), etc.)) resulted in the immediate issuance of a bench warrant)) **<u>and arbitrarily summarily dismissed Petitioner's appeal, denied Petitioner's right to have his court filings heard, etc.?</u>**

Has RIJ's repeated violations of Petitioner's Constitutional Guarantees, defiances of SCOTUS's binding precedents, etc. (e.g. RIJ intentionally defying SCOTUS's *Stack*, *Abney*, etc. binding precedent, RIJ ruling Petitioner isn't entitled to exculpatory evidence, RIJ disallowing Petitioner from subpoenaing any defense witnesses, etc., etc., etc. (some briefly discussed herein)), etc. demonstrated that it's prima facie impossible for Petitioner to receive a fair process (hence the reason for Petitioner's Habeas Petition)?

PARTIES TO THE PROCEEDING BELOW

Petitioner is Michael Prete.

Respondent is the State of Rhode Island by and through the R.I. Attorney General's Office.

RELATED PROCEEDINGS

The following proceedings are related under this Court's Rule 14.1(b)(iii):

Prete v. State, No. 25-154 (United States Supreme Court)

Prete v. State, No. 25-148 (United States Supreme Court)

Prete v. State, No. 24A902 (United States Supreme Court)

In re Michael Prete, No. 24-1000 (United States Supreme Court)

Prete v. State, No. 24-614 (United States Supreme Court)

Prete v. Neronha, No. 1:25-cv-00677 (U.S. District Court for R.I.)

In Re: Michael E. Prete, No. SJC-13871 (Massachusetts Supreme Judicial Court)

In Re: Michael E. Prete, No. BD-2025-054 (Massachusetts Supreme Judicial Court)

State v. Prete, No. SU-2025-0106-CA (R.I. Supreme Court)

State v. Prete, No. SU-2024-0299-CA (R.I. Supreme Court)

State v. Prete, No. SU-2024-0235-CA (R.I. Supreme Court)

State v. Prete, No. SU-2024-0296-MP (R.I. Supreme Court)

State v. Prete, No. SU-2024-0259-MP (R.I. Supreme Court)

State v. Prete, No. SU-2024-0226-MP (R.I. Supreme Court)

State v. Prete, No. SU-2024-0152-MP (R.I. Supreme Court)

State v. Prete, No. SU-2024-0147-MP (R.I. Supreme Court)

State v. Prete, No. P2-2023-3243A (R.I. Providence County Superior Court)

State v. Prete, No. 32-2023-04666 (R.I. District Court)

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Rhode Island Supreme Court's ("RISC") unreported orders reproduced at App.A-B.

JURISDICTION

RISC's 10/24/25 dismissal order and 12/19/25 order denying rehearing. Justice Jackson extended time to 5/18/26. *See* No.25A950. This Court ("SCOTUS") has jurisdiction under 28 USC §1257(a).

LAWS INVOLVED

U.S. First Amendment:

> "Congress shall make no law...abridging the freedom of speech..."

U.S. Fifth Amendment:

> "No person shall be...deprived of life, liberty, or property, without due process of law..."

U.S. Eighth Amendment:

> "Excessive bail shall not be required...nor cruel and unusual punishments inflicted."

U.S. Fourteenth Amendment:

"No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

STATEMENT OF CASE INTRODUCTION

In 1951 (75 years ago), SCOTUS established Eighth Amendment violation appeals are permissible interlocutory appeals. *See Stack v. Boyle*, 342 U.S. 1 (1951).

Petitioner appealed a lower court ("LC") judge's (David Cruise) revocation (as LC's record reflected) (done sua sponte, unjustified, etc.) of Petitioner's Pre-Trial personal-recognizance bail (Cruise issued new bail at "Held Without Bail") and, resultingly, issuance of a bench arrest warrant.

Petitioner (Narragansett, Rhode Island resident of over 30 years) has no criminal record, had (prior to the police's illegal arrest) never been arrested, was (prior to the retaliation resulting from this case) a licensed attorney in Rhode Island and Massachusetts (Petitioner's property) (both since 2016 and both with unblemished records), has multiple degrees, has multiple honors, etc., etc. Further, the fraudulent prosecution (*see* herein) against Petitioner is for nonviolent, etc. charges (Petitioner's charged for two falsely alleged counterfeit bills (*see* herein)).

In continued defiance of SCOTUS binding precedent and despite Petitioner's efforts (*see* App.C), RISC continues to claim:

> "[SCOTUS] allows an appeal from other than a final judgment **SOLELY** on double jeopardy grounds." (Emphasis Added).

Using this knowingly false statement of federal law, RISC dismissed Petitioner's bail revocation appeal claiming, in contradiction to binding SCOTUS precedent, such appeals are impermissible interlocutory appeals.

Regarding the fraudulent charges against Petitioner, after the Smithfield, RI Police Department's ("SPD") knowingly illegal 7/25/23 arrest, illegal searches, sexual assaults, concealment of exculpatory evidence (to date), falsification of several documents, destruction of exculpatory evidence (documented), etc., etc., among other things, **RI COMMITTED FEDERAL FELONY CRIMES (FORGED DOCUMENTS (PROVEN VIA, EXAMPLE, U.S. SECRET SERVICE ("USSS"), ETC.)), ETC. TO DESTROY, ETC. PETITIONER.**

PUBLICLY AVAILABLE USSS EVIDENCE

(available online at https://www.secretservice.gov/sites/default/files/repor ts/2025-01/FOIA-Log-FY-2023.pdf) **conclusively demonstrates that the State committed multiple federal felony crimes to counterfeit, among other things, a letter/"Affidavit" dated 8/3/23** (which is itself unsigned, unnotarized, etc. (literally only typed on a computer and printed out)) **to make it appear as though USSS received, reviewed, and concluded that two bills were allegedly counterfeit.** The State then used that counterfeit letter/"Affidavit" as the basis of opening a fraudulent, etc. prosecution against Petitioner. Without State's forgery, the State would have no case.

Among others, RISC's justices were provided all below evidence and discussion.

Attached (which were forged (counterfeited), etc. by RI) are:

-Prosecution's Exhibit #11 (App.D): alleged USSS letter/"Affidavit" dated 8/3/23

-Prosecution's Exhibit #10 (App.E): alleged "COUNTERFEIT SUBMISSION REPORT" (No Emphasis Added) dated 8/1/23 (and its instructions) by SPD Detective Lieutenant Douglas S. Cerce Jr.

-Prosecution's Exhibit #7 (App.F): signed statement by Cerce Jr. entered on 8/1/23 at 3:50PM stating (in full):

> "A submission to the United States Secret Service US Dollars website was made for the 2 **SUSPECTED** counterfeit notes. Submission 111-2023-000321-W was made via the USSS portal." (Emphasis Added).

USSS declared to Petitioner in, not one but, TWO separate letters (both sent via e-mail) for two separate FOIAs (#20230784 and #20230856) that USSS DOESN'T HAVE ANY RECORDS OF ANY KIND (E.G. SUBMISSION (e.g. 111-2023-000321-W), TESTS, LETTER, ETC.) OF, ABOUT, CONCERNING, ETC. THE BILLS, ETC.

Both Petitioner's FOIA Requests and USSS's "No Records" response ARE PUBLICLY AVAILABLE ON USSS'S WEBSITE (https://www.secretservice.gov/sites/default/files/reports/2025-01/FOIA-Log-FY-2023.pdf (*see* pgs.70, 78)) (*See* App.G for relevant pages of USSS's Fiscal Year 2023 FOIA Log).

Attached are:

> -USSS's first FOIA e-mail letter dated 8/24/23 (App.H) (regarding FOIA #20230784) (covering the period of 7/25/23-8/10/23 (as clarified by USSS FOIA Officer Kevin Tyrrell's e-mail dated 8/25/23 (App.I))

-USSS's second FOIA e-mail letter dated 8/31/23 (App.J) (regarding FOIA #20230856) (covering the period of 8/1/23-8/25/23)

Both USSS FOIA e-mail letters definitively state:

> "The Secret Service FOIA Office searched all Program Offices that were likely to contain potentially responsive records, and no records were located."

Given that USSS has no records of any kind of a letter/"Affidaivit," a USSS portal submission, etc., per USSS, RI FORGED the alleged "Affidavit," USSS portal submission, etc. in order to bring its fraudulent, etc. prosecution against Petitioner.

WITHOUT THE FORGED LETTER /"Affidavit" DATED 8/3/23, THE PROSECUTION HAS NO CASE.

Since 10/19/23, ALL JUDGES (OF EVERY APPLICABLE RI JUDICIARY ("RIJ") LEVEL) HAVE KNOWINGLY LIED, FALSIFIED, ETC. (ALL DOCUMENTED), BEEN FULLY AWARE THROUGHOUT THIS PROCESS OF PROSECUTION'S CRIMINALLY FORGED DOCUMENT (WITHOUT WHICH, PROSECUTION WOULD HAVE NO CASE), ETC. YET HAVE, AMONG OTHER THINGS, DESPITE PETITIONER'S REPEATED

EFFORTS, AIDED AND ABETTED PROSECUTION'S FRAUD, ETC.

Petitioner's submissions at SCOTUS (Cases #24-614, 24-1000, 25-148/25-154), U.S. RI District Court (Case #1:25-cv-00677), Massachusetts Supreme Judicial Court ("SJC") (Case #SJC-13871), etc. (all incorporated by reference) provide some more of, among other things, the lengths they've gone to destroy, etc. Petitioner.

BRIEF BACKGROUND

Among other things, given State's forgery, Petitioner moved to dismiss State's knowingly fraudulent prosecution.

After multiple efforts by RIJ to obstruct, sabotage, etc. Petitioner's motion to dismiss (**e.g. in violation of R.I.G.L. §12-12-1.7, court rules (*see e.g.* R.I.Super.R.Crim.P.9.1 and 12(b)(5)), etc., clerk Stephen Burke e-mailed Petitioner expressly refusing to schedule Petitioner's properly filed motion; magistrate Patrick Burke (unknown if related to Stephen Burke) not only forcing an arraignment to occur (whereas Petitioner was only there for PRE-arraignment conference) (to the point of Burke, without Petitioner's consent, forcing an entry upon Petitioner TO ENSURE PETITIONER WAS FORCED INTO THE SYSTEM) but outright refusing to deal with Petitioner's Motion to Dismiss (despite**

court rules, Petitioner's repeated requests, despite Assistant AG Mark Benjamin (who filed knowing forgery) being present, etc.) prior to arraignment (that court session transcript is being withheld from Petitioner); despite knowing the court session was being recorded, seeing the AG's Office didn't oppose Petitioner's motion, admitting on the record that he knew Petitioner did NOT abandon or in any way rescind, etc. his motion to dismiss, etc., magistrate John McBurney made no decision on the motion and, instead, instructed the clerk to falsify the court record to reflect that Petitioner abandoned his motions; etc.), keeping Petitioner's EMERGENCY motion in limbo for over a month, etc., after Petitioner was forced to submit a complaint against McBurney, McBurney addressed Petitioner's motion but actively avoided addressing State's forgeries (to the point of McBurney making up things Petitioner never stated (either in person (all court sessions have been recorded) or in Petitioner's filings)) and denied Petitioner's motion to dismiss. Simultaneously, among other things, while effectively admitting police hadn't conducted any investigation into whether a crime had been committed (among other things, Petitioner was illegally arrested, etc.), McBurney denied Petitioner's motion that State produce known exculpatory evidence in its possession (some of which prosecution openly stated in its court filings (TO MCBURNEY) it was withholding without justification). In denying Petitioner's motion for exculpatory evidence, McBurney expressly stated "case law" says a defendant in a criminal prosecution isn't entitled to exculpatory evidence, etc. (not only has SCOTUS established DECADES ago the complete opposite (*see Brady v. Maryland,* 373 U.S. 83 (1963)), McBurney revealingly didn't cite to, refer to, or otherwise indicate what supposed "case law" supports his blatantly unconstitutional, etc. decision (because McBurney knew there's no case law or anything to support it)), prosecution didn't need to produce and was under no obligation to produce the CDs contained in prosecution's Information Charging Package ("ICP") (despite RIJ rules expressly stating that the ENTIRE ICP MUST be produced to Petitioner (without Petitioner needing to make a request) BEFORE Petitioner was arraigned (*see* R.I.Super.R.Crim.P.10)), etc. Further, among other things, in an unsuccessful attempt to prevent Petitioner from being able to appeal McBurney's decisions, McBurney refused to document his decisions (since, to appeal, Petitioner needs the decisions documented).

In RIJ, court rules state ANY Magistrate decision (no matter the issue (thus, there's no issue of interlocutory appeal)) may be appealed as a matter of right and must be heard by a justice within 48 hours of appeal. *See* R.I.Sup.Ct.Art.IX, Rule 2. Four MONTHS after Petitioner's Magistrate appeal was docketed and kept in limbo (undecided), a still unidentified individual (evidence suggests a clerk (*see* herein)) administratively closed (dismissed)

Petitioner's appeal by knowingly falsely claiming: "*No Transcripts were ordered*" (No Emphasis Added). Per court rules and court's appeal form, NO TRANSCRIPT IS REQUIRED for Magistrate appeals. *See id*. Petitioner appealed (as court rules permitted) the appeal closure to RISC.

People are creatures of habit.

TWO MONTHS after Petitioner's appeal to RISC had already been transferred to and docketed at RISC, LC clerk Anne-Marie DeCosta falsely submitted into RISC's record the following statement (signed by DeCosta):

> "No transcript request[ed for] 4/16/24"

The 4/16/24 date referenced by DeCosta is the date Petitioner's Magistrate Appeal was dismissed by an unidentified individual.

Note, even though there was no 4/16/24 court session listed for Petitioner's case, Petitioner DID request a transcript for any 4/16/24 court session. Petitioner's request is reflected in LC case docket (*see* Petitioner's "**REQUEST FOR AN APPEAL TRANSCRIPT**" (No Emphasis Added) filing dated 6/17/2024 (court timestamped 10:35AM)). Petitioner was later informed (via e-mail) that there's no 4/16/24 court session for Petitioner's case.

Unlike in LC (where LC clerks have the ability to close/dismiss LC matters on their own), DeCosta couldn't herself close/dismiss Petitioner's RISC docketed case. DeCosta was attempting to lay the foundation for RISC to have a way to dismiss Petitioner's appeal. Per RISC rules, if particular documents are not timely submitted, the appeal is procedurally dismissed.

In the midst of those matters, Petitioner continued to expose State's forgeries. On 6/20/24, Petitioner submitted a court filing identifying publicly available U.S. Secret Service evidence conclusively demonstrating that the State forged federal documents in order to bring its fraudulent prosecution. On 7/2/24, Petitioner submitted a court filing identifying specific federal felony crimes committed by the State for their forgeries.

Per RI Judicial Ethics Rules, a judge who has knowledge of a lawyer's violation or even just potential violation of the Rules of Professional Conduct is required to inform the appropriate authorities (*see e.g.* R.I.Sup.Ct.Art.VI, Rule 2.15).

Instead of, at a minimum, referring the matter to RI's Bar Disciplinary Counsel to conduct an investigation against prosecution given Petitioner's publicly available evidence of federal felony crimes brought to the judge's attention, LESS THAN 24 HOURS AFTER Petitioner's 7/2/24 court filing (identifying specific federal felony crimes committed by the State), judge Linda Rekas Sloan ("RS") (acting at the request of/in conjunction with prosecution) issued an order modifying Petitioner's bail and ordering Petitioner (an attorney) be psychologically evaluated (against his will and under threat of indefinite jailing until compliance) so RIJ can, as outlined in R.I.G.L. 40.1-5.3-3, proceed to bypass a trial on prosecution's fraudulent criminal case and, instead, lock Petitioner in a psych-ward for 13.33 years (as calculated by R.I.G.L. 40.1-5.3-3(j)), etc.

In the process BOTH RS AND prosecution specifically stated on the record (which was being audio recorded) that their actions were in DIRECT RESPONSE to Petitioner's 7/2/24 court filing regarding State's forgery (in which Petitioner specifically identified some federal felony crimes that have been committed by the State) (A.K.A. Freedom of Speech retaliation, etc.).

To attempt to farcically justify their blatant First Amendment retaliation, prosecution unabashedly stated, on the record, things like Petitioner allegedly delusionally thinks prosecution (who brought a criminal prosecution charging Petitioner under R.I.G.L. §11-7-3 (two counts) (which carries with it up to 20 years in prison with, by law, MANDATORY MINIMUM four years)) is trying to incarcerate/restrict Petitioner's liberty. Even more disturbing, RS (who, on 5/6/24 (less than two months earlier), read to Petitioner the charges against him (two counts of R.I.G.L. §11-7-3) and the penalties if found guilty (20 years in prison with, by law, MANDATORY MINIMUM four years)) fully agreed with prosecution that Petitioner allegedly delusionally thinks prosecution is trying to incarcerate/restrict Petitioner's liberty. Note, at that same 5/6/24 court session (where RS read to Petitioner the charges and the penalties), RS ALREADY tested Petitioner's competency (via RS questioning Petitioner) AND PETITIONER PASSED (the 5/6/24 court session was audio recorded (and subsequently transcribed)).

Petitioner appealed RS's order to RISC. Almost 25 years ago, SCOTUS ruled that appeals of orders regarding forced (involuntary) medical intrusion (which invoke defendant's "privacy and security" interests) are permissible interlocutory appeals. *See Sell v. U.S.*, 539 U.S. 166, 176-77 (2003). Also, at least three circuits have specifically found involuntary psychiatric examination orders are **immediately appealable**. *U.S. v. Berry*, 142 F.4th 184 (4th Cir. 2025); *U.S. v. Godinez-Ortiz*, 563 F.3d 1022 (9th Cir. 2009); *U.S. v. Weissberger*, 951 F.2d 392 (D.C. Cir. 1991).

ETC.

In the midst of those appeals, given the blatant, documented corruption in RI, Petitioner submitted a Habeas Petition ("HP") to SCOTUS (24-1000). HP was docketed on 3/20/25. Per SCOTUS's publicly available distribution schedule (which shows, in advance, when things will be distributed for conference.), on 3/26/25 HP was distributed for SCOTUS's conference for 4/17/25.

That same day (3/26/25), RIJ scheduled Petitioner for a frivolous Pre-Trial Conference ("PTC") for 4/14/25 to allegedly discuss a plea deal/set a trial date. Note, the judge presiding (Cruise) over the 4/14/25 PTC was aware, as documented in the court record, of the ongoing appellate nature of Petitioner's case (including one of Petitioner's appeals seeking dismissal of the entire case), the existence of HP, etc. What was RIJ's RUSH to schedule Petitioner for a PTC, during Holy Week, effectively HOURS before SCOTUS would decide upon HP, knowing Petitioner's case was still in the appellate process, etc.? Also note, by court rule (R.I.Sup.Ct.Art.I, Rule 4(b)), Petitioner has 20 days to file appeals to RISC yet PTC was scheduled to take place within 19 days. Further, RIJ's repeatedly provided Petitioner one MONTH before PTCs occur.

Petitioner filed a Notice of Appeal. The clerk's office accepted and filed Petitioner's notice within three hours.

In compliance with court rules, Petitioner e-mailed clerk Burke (the same clerk who explicitly refused (in defiance of RI law (*see e.g.* R.I.G.L. §12-12-1.7), court rules, etc.) to schedule Petitioner's emergency motion to dismiss for hearing and LIED that motions to dismiss could only be heard AFTER arraignment (court rules demonstrated motions to dismiss CAN be brought, heard, and decided upon before arraignment (*see* R.I.Super.R.Crim.P.9.1 and 12(b)(5)))) advising the minimal documents (consisting of only four documents (which were collectively 11 pages)) Petitioner needed transferred for the appeal. The documents were already in electronic format and ready to be sent at a click-of-a-button.

Per court rules, Petitioner cannot transmit himself (Petitioner has to depend on the clerk's office). With no transfer occurring, the matter being urgent, etc., Petitioner sent collectively seven e-mails (on which Petitioner cc'ed multiple members of the clerk's office (to attempt to ensure swift transmittal (as Burke demonstrated, the clerk's office responds to e-mails))) (repeatedly reminding the clerk's office of the matter's urgency, that PTC was scheduled for Monday, 4/14/25 at 10:30AM, etc.). The clerk's office ignored Petitioner.

Petitioner even attempted to himself e-mail the four documents directly to RISC's clerk but the RISC clerk e-mailed that they couldn't accept the documents from Petitioner.

Per RISC rules, immediately upon docketing Petitioner's appeal at RISC, PTC would no longer occur. The RISC appeal removes Cruise's jurisdiction and effectively creates an automatic stay (*see* R.I.Sup.Ct.Art.I, Rule 11(f)). Also note, RISC doesn't take long to docket a case upon electronic record receipt (which was only 11 pages).

Clerk Burke waited until 3:54PM on Friday afternoon, 4/11/25 before the Monday, 10:30AM PTC (in other words, two-and-a-half business hours before PTC (thus making it effectively impossible for Petitioner to attempt to obtain emergency relief from RISC)) to e-mail Petitioner stating he would NOT transmit the record because IN HIS VIEW (which, per court rules, Burke has no say in the matter) PTC wasn't appealable. The clerk's office has no discretion or power to make determinations about whether something is or isn't appealable (especially since clerk's office had ALREADY accepted Petitioner's Notice of Appeal). RISC's rules ORDERED clerk Burke to simply transmit the record (*see* R.I.Sup.Ct.Art.I, Rule 11(b)). Burke intentionally defied court rules to ensure Petitioner couldn't appeal.

Petitioner managed to swiftly e-mail back and provided, among other things, an example FROM PETITIONER'S OWN PREVIOUS RISC APPEAL REGARDING SIMILAR MATTERS showing **clerk Burke KNOWINGLY LIED**; such matters ARE appealable. Clerk Burke ignored Petitioner's additional e-mails trying to explain to Burke his duty to transfer the case record.

Clerk Burke's e-mail also stated the PTC wasn't an order.

Despite Petitioner not being under any obligation to FURTHER advise Cruise (**Petitioner had already voluntarily TWICE (within the previous month) formally provided (as documented in the court record) Cruise (both into the court record AND e-mailed directly to Cruise (personally)) with case Status Updates**), etc., and, given clerk Burke's refusal to transfer, Petitioner provided Cruise (via Petitioner's Third Emergency Letter to Cruise ("3L") (P2-2023-3243A)) with ANOTHER case Status Update (in other words, Petitioner provided Cruise with THREE case status updates within a month before PTC) AGAIN noting Petitioner's ongoing appeals, HP, etc.

Petitioner's 3L also reminded Cruise:

> "'As [RS (Cruise's predecessor)] has made clear:
>
> > '...pre-trial conferences [are] just to figure out whether there is going to be a plea or whether we're going to go to a trial.'
>
> As Defendant already informed Rekas Sloan, and as remains the same, given that Defendant's case remains on appeal:
>
> > '...until this case is fully heard on appeal [(including SCOTUS

(which Defendant already previously advised he would pursue))], [Defendant] can't make an informed decision.'

As such, your cancellation of all further proceedings for Case #P2-2023-3243A must continue until Defendant's appeals to SCOTUS and any further litigation (including, for example, SCOTUS's remanding of the case for further proceedings consistent with its order(s)) have fully concluded.' (No Emphasis Added).

As you also knew, among other things, Defendant's 'Second Emergency Letter to Associate Justice Cruise (P2-2023-3243A)' (Dated March 27, 2025) already specifically stated:

'In addition to things like evidence of Prosecution's fraudulent, etc. case, given that Defendant has ALREADY specifically advised you (with evidence) that the case remains on appeal (where Defendant is ultimately seeking dismissal of Prosecution's prima facie fraudulent, etc. case), Defendant CANNOT make an informed decision (and cannot be coerced, pressured, etc. to decide) as to how to proceed with this

> case (which, upon successful appeal, won't even exist) UNTIL ALL AVAILABLE OPTIONS HAVE BEEN FULLY ADDRESSED, etc....' (No Emphasis Added)."

Petitioner's 3L also informed Cruise of Petitioner's RISC Notice of Appeal of PTC (Petitioner provided a copy) and, despite Petitioner's RISC appeal, Petitioner being under no obligation to attend PTC (*see* herein), etc., Petitioner timely and properly requested postponement or, in the alternative (as allowed by Courtroom 4 Protocols ("C4P")), a virtual PTC.

C4P states litigants:

> "...should not appear in-person [at PTC] to simply ask for a new date" (No Emphasis Added).

C4P also states litigants can simply e-mail the court.

Petitioner's request (for postponement or, alternatively, a virtual PTC) was received by Cruise, his clerk, etc. via e-mail (e-mailed directly to Cruise (personally), Cruise's clerk, etc.) and court document submission.

Among other things, Petitioner's witnessed parties requesting (at PTCs) a three-month extension (all at once) to PTCs and, not only does prosecution agree, the court grants the request without hesitation, etc. (note, Petitioner has 90 days to appeal State court decisions to SCOTUS (*see* Sup.Ct.R.13.1) (thus, Cruise (knowing, among other things, Petitioner was appealing to SCOTUS, etc.) could've easily merely postponed matters until Petitioner's appeal (having to do with the case's entire foundation and, ultimately, leading to dismissal of the entire case) was concluded)).

Petitioner was ignored and Cruise swiftly revoked Petitioner's bail (Eighth Amendment violation) and issued a bench arrest warrant (posted online within 1 HOUR).

Per court rules, an arrest warrant can only be issued if there's "...probable cause to believe that an offense has been committed..." R.I.Super.R.Crim.P.4(a)(1). Cruise's arrest warrant states:

> "**Reason for Warrant**
>
> FTA [Failure to Appear] for Pretrial Conference" (No Emphasis Added).

According to Cruise, Petitioner's alleged offense was not appearing at a Pretrial Conference. However, if Petitioner wasn't required/ordered to appear (*see* herein), no offense occurred.

Petitioner's personal-recognizance bail states Petitioner "...must appear in court <u>**AS**</u>

REQUIRED..." (Emphasis Added). Court rules (R.I.Super.R.Crim.P.43 (titled "Presence of the Defendant")) clarify what those "required" appearances are: arraignment, trial, and imposition of sentence. PTC isn't one of the required events.

Don't take Petitioner's word for it. In this same case and prior to Cruise's bench warrant, Petitioner didn't appear at five different court sessions (including, but not limited to, a "Status Conference" (the effective identical equivalent to PTC)) and yet, because none of those sessions were an arraignment, trial, or imposition of sentence, no arrest warrant was issued.

Further, even RS inadvertently admitted (**ON THE RECORD**) **Petitioner DOES NOT have to appear for PTCs.**

Thus, unless Cruise issued an order specifically requiring Petitioner's presence, Petitioner wasn't required to appear at PTC. Not only is LC record devoid of any order, **clerk Burke's e-mail to Petitioner declared PTC wasn't an order.**

Note, the First Circuit has ruled a court has "no right to expect compliance" with a "transparently invalid" order. *In re Providence Journal Co.*, 820 F.2d 1342, 1347 (1st Cir. 1986), modified, 820 F.2d 1354 (en banc). Imagine here, where, per clerk and LC's record, there was NO ORDER.

In sum, despite there being no order, rule, etc. requiring Petitioner's presence at PTC, despite Petitioner's non-attendance therefore not being any offense/violation, despite Cruise knowing he had no probable cause that an offense had been committed, etc., Cruise sua sponte, illegally, etc. revoked Petitioner's bail (Eighth Amendment violation) (and issued an arrest warrant) and:

> "**Bond Set At**
>
> Held Without Bail" (No Emphasis Added).

On 4/15/25, Petitioner filed a Notice of Appeal of Cruise's bail revocation.

In an effort to prevent Petitioner from appealing Cruise's bail revocation; the clerk's office rejected Petitioner's Notice of Appeal filing claiming "wrong document." The Notice of Appeal form Petitioner used is the ONLY form RIJ uses (and is used for BOTH Civil AND Criminal cases). Petitioner's used that same form THREE times (e.g. just five DAYS earlier) in the same case without issue.

Petitioner submitted the same form twice more and each time rejected ("this is a civil document. wrong document used to file." and "THIS IS A CIVIL FORM NOT A CRIMINAL FORM" (No Emphasis Added)).

Petitioner e-mailed clerk Burke: notifying him of the improper rejections, asking why Petitioner's filings were being rejected, and asking to forward the alleged correct form (since no other form existed on RIJ's website). Clerk Burke did not reverse any rejection and ignored Petitioner.

Petitioner resorted to typing the appeal information (the same information contained in that same rejected form) onto and submitting a non-form piece of paper.

Petitioner's appeal of Cruise's arrest warrant was docketed at RISC on 4/17/25. On 4/17/25, Petitioner informed Cruise of the appeal docketing. Despite Cruise knowing that appeal docketing results in him losing jurisdiction, in violation of R.I.Sup.Ct.Art.I, Rule 11(f), Cruise refused to relinquish jurisdiction and sought (and continued to seek) enforcement of his arrest warrant (the subject of Petitioner's appeal).

On 5/12/25, before Petitioner submitted his required RISC Prebrief Statement, opposing counsel (Christopher Bush (a member of SCOTUS's Bar)) filed a motion to dismiss Petitioner's RISC appeal. Bush's motion was procedurally barred (as Bush admitted in other cases), etc.

Bush's motion demanded, in violation of SCOTUS binding case law, etc., that Petitioner's appeal must be dismissed because only claims of Double Jeopardy are permissible interlocutory appeals in criminal case matters (a statement **<u>in complete</u>**

__contradiction of SCOTUS jurisprudence and ALL TWELVE FEDERAL CIRCUIT COURTS (including the First Circuit (with jurisdiction over RI))__).

Bush's motion to dismiss mentioned that Petitioner's appeal was regarding an appeal "...of a[n outstanding] bench warrant that the Superior Court entered [on 4/14/25]..." Bush's motion to dismiss (which was only three double-spaced pages) repeated three times that Petitioner's appeal was regarding an appeal of an outstanding bench warrant. Note, Cruise's arrest warrant (the subject of Petitioner's appeal) is a single page document titled "**WARRANT**" (No Emphasis Added).

On 8/6/25 at 4:24PM, Petitioner submitted a request for extension of time (of 30 days) to file his <u>RISC Prebrief Statement</u>. Petitioner's motion required special permission from RISC's justices (per rules, RISC's clerk couldn't make the decision on the motion since Petitioner had used the automatic extensions allowed).

On 8/7/25 at 9:06AM, RISC's clerk's office docketed Petitioner's extension request.

On 8/26/25 at 9:59AM, after RISC's justices conferenced on Petitioner's extension request, RISC issued an order GRANTING Petitioner's requested 30-day extension to file his Prebrief Statement. Stated differently, on 8/26/25, RISC not only allowed

Petitioner's 30-day extension but, in doing so, entertained Petitioner's filing and acknowledged it would entertain Petitioner's forthcoming Prebrief Statement (despite there being an outstanding arrest warrant (as RISC was advised)).

On Friday, 8/22/25 at 4:26PM, Petitioner submitted a request for extension of time (of 30 days) to file <u>a response to Bush's motion to dismiss</u>. Petitioner's motion required special permission from RISC's justices (per rules, RISC's clerk couldn't make the decision on the motion since Petitioner had used the automatic extensions allowed).

On Monday, 8/25/25 at 9:49AM, RISC's clerk's office docketed Petitioner's request. On Tuesday, 8/26/25 at 12:42PM, despite knowing Petitioner wouldn't be allowed to any more extensions beyond the requested 30 days, Bush submitted an opposition to Petitioner's motion and effectively asked RISC to find some way to deny Petitioner's request and immediately dismiss Petitioner's appeal (which Bush's opposition again reminded RISC was regarding an appeal "...of a[n outstanding] bench warrant that the Superior Court entered on April 15..." (note, the warrant's actually dated 4/14/25)) and send the appeal back to LC.

Petitioner's extension request was conferenced on by RISC's justices. While RISC's justices conferenced on Petitioner's extension request (to file a response to Bush's motion to dismiss (which would, ultimately, argue that Petitioner's appeal shouldn't be dismissed)), on 9/5/25 Petitioner timely filed his RISC Prebrief Statement (in which, not only did Petitioner provide (as Exhibit #1) a copy of Cruise's arrest warrant, Petitioner made clear he was challenging the legality of Cruise's outstanding bench warrant (including, but not limited to, Cruise's falsification of the record in order to issue the bench warrant), the superior court clerk expressly refusing (in violation of RISC rules (*see* R.I.Sup.Ct.Art.I, Rule 11(b))) to transfer Petitioner's file to RISC to allow Petitioner to appeal prior to Cruise's bench warrant issuance, the superior court clerk intentionally repeatedly rejecting (on knowingly false grounds and to ensure Petitioner's couldn't appeal) Petitioner's notice of appeal (to initiate appeal) of Cruise's bench warrant, etc.

On 9/9/25, RISC issued an order GRANTING Petitioner's requested 30-day extension and RISC's 9/9/25 order specifically stated it took into consideration Bush's opposition (which repeatedly stated Petitioner's appeal was regarding an outstanding bench warrant and asking RISC to find some way to immediately dismiss Petitioner's appeal) (RISC: "The State's objection to the motion to extend time to file a response is duly noted."). Stated differently, on 9/9/25, RISC not only DECLINED to dismiss Petitioner's appeal (despite Bush requesting so and despite there being an outstanding arrest warrant (as BOTH Petitioner and Bush advised RISC)) and allowed Petitioner's 30-day extension but indicated it would entertain (review) Petitioner's forthcoming filing despite acknowledging a bench warrant (the subject matter of the appeal) was outstanding (as BOTH Petitioner and Bush advised RISC).

On 9/22/25, Petitioner timely filed a Memorandum in Opposition to Bush's Motion to Dismiss. Petitioner's Memorandum again reminded RISC of, among other things, SCOTUS binding precedent establishing Petitioner's appeal was a permissible interlocutory appeal, etc. (things RISC ALREADY KNEW) and advised Petitioner would appeal to SCOTUS if RISC defied SCOTUS precedent, etc.

On Friday, 10/24/25 at 1:29PM, RISC issued an order granting Bush's motion to dismiss (on the knowingly false basis that appeals like Petitioner's (bail/bail modification appeals (Eighth Amendment appeals)) are impermissible interlocutory appeals because SCOTUS's *Abney v. U.S.* (431 U.S. 651 (1977)) has declared that double jeopardy appeals are the ONLY permissible interlocutory appeals).

Before RISC's 10/24/25 dismissal, despite it being SCOTUS's practice to summarily reverse lower court decisions which directly contradict SCOTUS precedent (*see Chambers-Smith v. Ayers*, 145 S.Ct. 1632 (2025)), SCOTUS issued an order declining to reverse or otherwise address RISC's previous defiant decisions against Petitioner (25-148/25-154) (including, RISC's ruling that forced (involuntary) medical intrusion (which invoke defendant's "privacy and security" interests) are impermissible interlocutory appeals (despite SCOTUS having held the complete opposite nearly 25 years ago (as noted herein)). On 10/31/25, Petitioner moved for rehearing of SCOTUS's decisions.

On 11/17/25, Petitioner timely submitted a motion to reconsider to RISC. Petitioner's reconsideration motion not only made even more excruciatingly and unavoidably clear how RISC and Bush were defying, etc. SCOTUS, etc. (*see* App.C) but, among other things, Petitioner's reconsideration motion also submitted (thus making it unavoidable for RISC's justices to claim ignorance of):

> -Copies of publicly available U.S. Government (USSS) firsthand official evidence demonstrating:
>
> > -RI (including members of the RI AG's Office) committed federal felony crimes to bring a fraudulent prosecution against Petitioner, RI submitted to the court knowingly forged (counterfeited) documents, etc. (resultingly RISC not only had conclusive evidence of Petitioner's innocence (and RI's fraudulent prosecution) but RISC had knowledge of crimes committed by, among others, attorneys (which triggers judicial ethics rules which RISC is duty bound by (e.g. R.I.Sup.Ct.Art.VI, Rule

2.15 requires a judge who has knowledge of a lawyer's (in this case the prosecution's) violation or even just potential violation of the Rules of Professional Conduct (in this case, submitting knowingly forged documents, etc.) to inform the appropriate authorities.))).

-Petitioner's completely innocent

-ETC.

-Brief discussion reminding RISC that the above referenced evidence further demonstrated RISC's immediate summary disbarment of Petitioner (which occurred without Due Process, etc.) was retaliation against Petitioner for exposing crimes OF OTHERS.

It's been nearly TWO YEARS since Petitioner was indefinitely suspended (6/27/24) (effectively disbarred) for Petitioner exposing crimes OF OTHERS (as expressly admitted by RISC in its disbarment decision).

Providing further GLIMPSE into RISC, review (notice the type of conduct exhibited and length of suspension):

-**Example**: Keven McKenna was suspended for one year after RI finding McKenna had, among other things, deliberately tried to disrupt and delay a Workers' Compensation Court proceeding, failed to disclose income to a U.S. Bankruptcy Court, ignored a subpoena and operated his law practice under an unauthorized limited liability corporation.

-**Example**: Albert Watt was suspended for one year after RI finding Watt INTENTIONALLY commingled client funds with his personal funds AND CONVERTED THEM FOR HIS OWN USE (A.K.A. Embezzled client funds) (actions which SJC stated, in its reciprocal discipline action, were worthy of DISBARMENT)

-ETC.

Compare:

-**Petitioner:**

Action: **Exposing corruption of others**

(Free Speech consisting of exposing crimes by the State, etc.)

Consequences Imposed: **Effective disbarment**

-**Keven McKenna:**

Actions: **Among other things, disrupting and delaying court proceedings, concealing income to a Bankruptcy Court, ignoring a subpoena, and operating an unauthorized LLC**

Consequences Imposed: **One-year suspension**

-**Albert Watt:**

Actions: **INTENTIONALLY commingled client funds with his personal funds AND CONVERTED THEM FOR HIS OWN USE** (A.K.A. Embezzled client funds) (actions which SJC stated, in its reciprocal discipline action, were worthy of DISBARMENT)

Consequences Imposed: **<u>One-year suspension</u>**

Petitioner (who merely exposed the crimes of OTHERS) has, thus far, been suspended for TWICE the amount of time than those above referenced individuals (who committed crimes, defrauded institutions/clients, etc.).

-Brief discussion reminding RISC that RI's Chief Disciplinary Counsel ("RICDC") (Kerry Reilley Travers) has been openly, per Travers's signed letter admission, refusing (since 6/27/**<u>24</u>** (NEARLY TWO YEARS AGO (and counting))), to comply with RISC's order (and Disciplinary Rules) to investigate. Despite Travers's 6/24/25 signed letter acknowledging her duty to investigate (admitting having been under such duty since AT LEAST 6/27/**<u>24</u>**), despite Petitioner providing Travers with things like USSS FOIAs (conclusively demonstrating Petitioner committed NO CRIME), etc., Travers's 6/24/25 signed letter specifically stated "...the disciplinary investigation will be **<u>HELD OPEN</u>** until [RIJ has finished Petitioner]." (Emphasis Added).

> -Brief discussion of evidence of instead of Travers conducting her SIMPLE, RISC ORDERED investigation, **RI CROSSED STATE LINES, EASILY RECRUITED THE MASSACHUSETTS GOVERNMENT, ETC. TO RETALIATE (E.G. DISBAR, ETC.) AGAINST PETITIONER (all documented).**
>
> -ETC.

On Monday, 12/15/25 (SCOTUS's last official decision release before its holiday break), SCOTUS denied Petitioner's rehearings.

On Friday, 12/19/25 (immediately before RISC's OVER TWO WEEKS Christmas, New Years, etc. vacation), RISC issued an order denying Petitioner's motion to reconsider and stated:

> "[RISC] will not entertain ***ANY FILINGS*** while an arrest warrant is outstanding." (Emphasis Added). App.B.

Also on 12/19/25, maximizing torment, etc., Massachusetts disbarred Petitioner for exposing RIJ's, etc. crimes.

Setting aside, among other things, the inconsistency of RISC's statement with RISC's previous actions, according to RISC, LC may obstruct Petitioner's rights, falsify the record, etc. to sua sponte, unjustifiably, etc. revoke Petitioner's bail and issue a bench warrant on knowingly false pretenses (and, even on those false pretenses, with no crime, violation, etc. having been committed by Petitioner (as admitted by RS)) and Petitioner may not appeal the legality of the bench warrant until AFTER the warrant has been executed (only for the warrant execution to not only moot the matter (since Petitioner's appeal was seeking recission of the warrant and bail revocation) but for, among other things, RISC to subsequently (and in defiance of binding SCOTUS precedent) state (as it did on 10/24/25 when it granted Bush's motion to dismiss) appeal of the warrant is an impermissible interlocutory appeal and therefore STILL unappealable).

REASONS FOR GRANTING PETITION

1. RISC's Intentionally Defying SCOTUS's Binding Case-Law

A matter's appealability is "determined [by] the entire category to which a claim belongs." *See Digit. Equip. Corp. v. Desktop Direct, Inc.*, 511 U.S. 863, 868 (1994). *Stack* established bail/bail modification appeals (Eighth Amendment appeals) are permissible interlocutory appeals and may be reviewed before trial. *Stack* at 7. Justice R.Jackson also noted such matters can never be reviewed unless immediately appealed. *See Id.* at 12 (Jackson concurring).

As Cruise's bench warrant and LC's record reflects, Cruise revoked Petitioner's personal-recognizance bail and ordered Petitioner: "Held Without Bail."

Yet, despite case facts (bail modification) and law (bail modification appeals are permissible interlocutory appeals) being clear, etc., RISC defiantly claims (while citing to SCOTUS's *Abney v. U.S.*) SCOTUS has declared ONLY Double Jeopardy matters can be appealed interlocutorily and therefore SCOTUS has declared bail modification appeals are NOT permissible interlocutory appeals.

RISC's clearly false statement of federal law is also NOT a misunderstanding, misapplication, etc. especially given its obvious falsity, Petitioner's efforts to highlight to RISC its false statement of law (*see* App.C), RISC choosing to retaliate against Petitioner (*see* herein), etc.

<u>2. RISC's Knowingly Directly Contradicting ALL TWELVE U.S. Courts of Appeal ("USCA") (Including RISC's Own Circuit)</u>

Not only is RISC defying and directly contradicting SCOTUS binding case-law, RISC's knowingly directly contradicting ALL TWELVE USCAs (including RISC's own Circuit).

All twelve USCAs acknowledge SCOTUS's 75-year-old holding: bail/bail modification appeals (Eighth Amendment appeals) are permissible interlocutory appeals. *See e.g. U.S. v. Joseph*, 26 F.4th 528 (1st Cir. 2022); *U.S. v. Bescond*, 24 F.4th 759 (2d Cir. 2021); *U.S. v. Kuper*, 526 F.3d 94 (3d Cir. 2008); *U.S. v. Jefferson*, 546 F.3d 300 (4th Cir. 2008); *U.S. v. Brown*, 218 F.3d 415 (5th Cir. 2000); *U.S. v. Martirossian*, 917 F.3d 883 (6th Cir. 2019); *U.S. v. Henderson*, 915 F.3d 1127 (7th Cir. 2019); *U.S. v. Powers*, 622 F.2d 317 (8th Cir. 1980); *U.S. v. Howard*, 480 F.3d 1005 (9th Cir. 2007); *U.S. v. Tucker*, 745 F.3d 1054 (10th Cir. 2014); *U.S. v. Muzio*, 757 F.3d 1243 (11th Cir. 2014); *U.S. v. Williamson*, No.24-3014 (D.C. Cir. 12/12/25).

The First Circuit ("FUSCA") (with jurisdiction over RI), while acknowledging SCOTUS's permissible interlocutory appeals jurisprudence, pointed out:

> "[SCOTUS] has to date identified four types of orders that [are permissible interlocutory appeals under the collateral order doctrine] in criminal proceedings: [1] Stack v. Boyle, 342 U.S. 1...(1951)..." *Joseph* at 532.

Yet, again, despite the facts (bail modification) and law (bail modification appeals are permissible interlocutory appeals) being clear, etc., RISC defiantly claims (while citing to SCOTUS's *Abney v. U.S.*) SCOTUS has declared ONLY Double Jeopardy matters can be appealed interlocutorily and therefore SCOTUS has declared bail modification appeals aren't permissible interlocutory appeals.

Again, RISC's clearly false statement of federal law is also NOT a misunderstanding, misapplication, etc. especially given its obvious falsity, Petitioner's efforts to highlight to RISC its false statement of law (*see* App.C), RISC choosing to retaliate against Petitioner (*see* herein), etc.

<u>3. RISC's Intentionally Defying SCOTUS and Contradicting All Twelve USCAs to Exert Power It Wouldn't Otherwise Have</u>

To unknowing readers, Cruise's warrant issuance may seem like possible confusion, court processes, etc. Petitioner has court documented evidence demonstrating otherwise.

Sixty years ago, SCOTUS made clear that arrests convey the message that the individual has no choice but to submit to police's will and confess, etc. *Miranda v. Arizona*, 384 U.S. 436, 456-457 (1966). Moreover:

> "...the coercion inherent in custodial interrogation derives in large measure from an interrogator's insinuations that the interrogation will continue until a confession is obtained." *Minnesota v. Murphy*, 465 U.S. 420, 433 (1984).

RIJ prefers more direct approaches.

On 5/6/24:

-after RS had fraudulently issued a bench warrant (like Cruise's) for Petitioner's arrest for Cruise's same reason (failure to appear at PTC) (despite RS too having been repeatedly informed by Petitioner that Petitioner's case was in the appellate process (and only in the infantile stages (with many more stages to go)));

-after RS successfully had Petitioner arrested and JAILED FOR FOUR DAYS (where Petitioner didn't have food or water for four DAYS, was sleep deprived for three DAYS, was strip searched TWICE (even down to Petitioner's anus (and one strip search occurred in front of MULTIPLE guards and MULTIPLE inmates (in all, a minimum of a dozen, if not TWO DOZEN, people))) (people could visibly see the toll the ordeal took on Petitioner (e.g. on 5/6/24, Petitioner's leg began uncontrollably shaking aggressively (to the point of shaking Petitioner's body) (Petitioner had to press his leg hard against the table in front of him just to try to stop the shaking))) (Petitioner ended up getting very sick (for WEEKS)))

-after RS had Petitioner transported to the courthouse shackled in a chain gang

-after RS had Petitioner shackled by his hands and feet and perp-walked through the Providence courthouse

-despite Petitioner having not yet had a single Pre-Trial Conference

-despite Petitioner having not yet received (as RS would later acknowledge) from prosecution basic things like parts of ICP (which contained some exculpatory evidence and which, by court rule, Prosecution was required to provide Petitioner a copy of (PRIOR TO ARRAIGNMENT))

-ETC.

While Petitioner was shackled (hands and feet) before her, RS euphorically acknowledged Petitioner wasn't required to attend PTC (thus, Petitioner hadn't committed any violation to justify her arrest warrant), **RS LIED THAT PETITIONER WAS OUT OF OPTIONS AND HAD NO CHOICE BUT TO PLEA OR FACE UP TO 20 YEARS IN PRISON**, etc. RS's illegal demand of Petitioner's submission reached **THE POINT OF REFUSING TO RELEASE PETITIONER (AN ATTORNEY) FROM JAIL (because of her admitted illegal bench warrant) UNTIL PETITIONER AGREED TO MEET WITH PROSECUTION** (off-record, privately (in an isolated area), with no documentation/recordings, etc. (same prosecution which: committed federal felony crimes to bring a fraudulent prosecution against Petitioner, has refused to respond to Petitioner's e-mails since 8/4/23 (nearly THREE YEARS AGO) (and eventually BLOCKED Petitioner's e-mail addresses), etc.)) **AND ACCEPT A PLEA DEAL** (admitting to a crime which USSS evidence conclusively demonstrates never occurred).

"[The] State not only compelled an individual to appear..., but also sought to induce him to [relinquish his rights] by threatening to impose economic or other sanctions 'capable of forcing [relinquishment].'" *Minnesota* at 434 (quoting *Lefkowitz v. Cunningham*, 431 U.S. 801, 806 (1977)).

Despite Petitioner having been eventually released (among other things, only AFTER RS asked prosecution's permission to release Petitioner from jail (RS asked prosecution if they wanted to keep Petitioner in jail (all recorded))), RS and prosecution continued at the subsequent PTCs.

Putting these PTCs in context/providing extremely brief background:

> On 6/6/24, at Petitioner's **FIRST** PTC, among other things, RS attempted to coerce Petitioner into accepting to a plea deal despite, among other things, in the same court session, RS acknowledging prosecution was withholding basic things like parts of ICP

(which contained some exculpatory evidence and which, by merely court rule (let alone SCOTUS precedent, etc.), Prosecution was required to provide Petitioner a copy of (PRIOR TO ARRAIGNMENT)). Further, despite RS being informed that Petitioner had already formally submitted appeals in the case (e.g. regarding the case's entire foundation), not only didn't RS relent on her coercive attempts but, to continue to force Petitioner to plea, RS LIED that, while reviewing the court record on her computer, she couldn't find record of any appeal filed by Petitioner. As Petitioner's stated:

> "Setting aside that Rekas Sloan was personally notified on May 28, 2024 (and reminded on May 31, 2024) of the Defendant's Notice of Appeal submission, the Defendant has MULTIPLE printouts (time stamped both BEFORE and AFTER the June 6, 2024 Pre-Trial Conference) showing the Defendant's appeal is clearly reflected in the Court record. Attached (labeled 'Exhibit 6L1') is the Defendant's time stamped, accepted, etc. Notice of Appeal (Dated May 28, 2024) (which appears in the Court record). Further, when someone researches the Defendant's case (#P2-2023-3243A), the 'Case

Status' for the Defendant's case specifically states:

> 'Case Status: **05/28/2024 Notice of Appeal Filed**' (No Emphasis Added) (See attached labeled 'Exhibit 6L2')" (No Emphasis Added).

At a certain point during the 6/6/24 PTC, seeing how what they planned wasn't working, etc., prosecution basically asked (as subtly as he could (trying not to be too obvious and hoping that RS would pick up on the hint)) for RS to sanction Petitioner (e.g. have Petitioner disbarred, etc.).

Unfortunately for prosecution, as Petitioner's previously addressed, due to other circumstances, RS didn't pick up on the hints. However, amazingly just one week later, RISC, acting sua sponte and, as RISC later revealed, with no basis, commenced disbarment proceedings against Petitioner, provided Petitioner only three-business days-notice (whereas the process normally takes AT LEAST 95 days) (in the process, bypassing RI Disciplinary rules, refusing to provide Petitioner with Due Process (despite Petitioner's pleas (including basic things like Petitioner's request to be informed of what he was being accused)), etc.), and swiftly indefinitely suspended (disbarred) Petitioner in, as RISC's order expressly admits, retaliation of Petitioner exposing federal felony crimes of OTHERS.

Note, even after RIJ's extortion (in violation of court procedure, RIJ demanded that Petitioner pay TWICE for the same single transcript request (all documented)), RIJ is, to date, still withholding the 6/6/24 PTC transcript (among others) from Petitioner.

Petitioner's second PTC (on 7/3/24) was even worse. Among other things, not only did RS begin raising her tone, etc. when Petitioner merely attempted to invoke his Constitutional rights (thinking that by raising her tone Petitioner would suddenly cower into submission and willingly give up his rights) but, when it became clear their attempts to AGAIN coerce Petitioner into making a plea deal (despite knowing, among other things, Petitioner's case was in the appellate process) were unsuccessful, **prosecution** (making a premeditated, court rule prohibited ORAL motion, etc. (in an effort to, among other things, prevent Petitioner from preparing a defense, prosecution didn't submit its motion in writing (despite court rules requiring all motions be in writing (as prosecution itself had stated in an earlier court session in Petitioner's case)))) **and RS** (who, during the same 7/3/24 PTC, admitted she lacked authority/jurisdiction, etc. to grant such a motion) **initiated** (without evidence, in violation of RI Law, despite Petitioner's brief cross-examination of Prosecution uncovering Prosecution LIED (which RS has personal knowledge of), etc., etc.) **proceedings to, in violation of R.I.G.L. 40.1-5.3-3, bypass a trial on Prosecution's fraudulent criminal case and, instead, lock Petitioner up in a psych-ward for 13.33 years (as calculated by R.I.G.L. 40.1-5.3-3(j)), etc. by falsely claiming they had "concerns" about Petitioner's mental state.**

As Petitioner has exposed:

> "How could, IN ONE MOMENT, someone be of sound mental capacity (able to enter into a binding contract) BUT, IN BASICALLY THE VERY NEXT MOMENT (with nothing having changed except that same person not bending to the Government's coercion (of being forced to enter into the binding contact)), suddenly be declared (by THAT SAME GOVERNMENT THAT WAS EAGER TO COERCE THAT PERSON INTO THE BINDING CONTRACT) to not be of sound mental capacity?" (No Emphasis Added).

RS even specifically stated the order was in direct response to Petitioner's 7/2/24 filing exposing State's forgery (A.K.A. retaliatory, etc.).

As RIJ's demonstrated and as reflected in LC record, **these PTCs have been, among other things, used for purposes OTHER THAN what they're intended for.**

Compare RIJ illogically, repeatedly scheduling PTCs (despite knowing the case remained on appeal (**regarding the entire case's foundation**)) to the actions for Petitioner's: Magistrate Appeal (court rules required hearing within 48 hours) intentionally left in limbo for FOUR MONTHS (only for unidentified individual to corruptly shut it down on knowingly false pretenses), EMERGENCY Dismiss Motion kept in limbo for over a month (**RIJ intended not to deal with it (briefly discussed herein)**), Witness Subpoena Motions submitted almost TWO YEARS AGO and clerk refuses to schedule hearing, etc. ETC.

Among other things, Cruise's warrant issuance is meant for unconstitutional, etc. ulterior purposes. Since RS's, etc. 5/6/24-7/3/24 actions, among other things, several more government individuals (including across State lines), etc. have jumped onboard to aid and abet RI's federal felony crimes (all documented).

<u>RISC intentionally defying SCOTUS and contradicting all twelve USCAs is to ensure its and LC's use of powers they wouldn't otherwise have (being used to end Petitioner by any means necessary) are unobstructed.</u>

<u>4. To Avoid Acknowledging its Blatant Intentional Defiance of SCOTUS's Binding Case-Law and Contradiction of USCAs (Including Its Own Circuit), RISC Retaliated Against Petitioner</u>

Given Petitioner's repeated (unsuccessful) attempts (*see* RISC cases SU-2024-0235-CA, SU-2024-0299-CA) to highlight to RISC that SCOTUS has NEVER held what RISC claims, Petitioner's RISC motion for reconsideration ("MR") attempted a different approach. MR utilized the cross-examination technique of simple Yes/No questions (with answers (and case-law citations) provided) so the average person (let alone RISC justices) could see RISC's decision defies SCOTUS, etc.

Among other things, MR also discussed/demonstrated that RISC's defiance of federal law was aiding and abetting federal felony crimes committed by the prosecution in its knowingly fraudulent prosecution against Petitioner and MR provided evidence of State's crimes (*See* App.C-J).

Suddenly, out-of-nowhere, RISC not only denied Petitioner's MR, RISC took the drastic steps of explicitly stating:

> "**[RISC] will not entertain any filings while an arrest warrant is outstanding.**
>
> This matter shall be closed. The Clerk's Office is instructed to reject any further filings in this matter and to immediately remand the record to the Superior Court." (Emphasis Added). App.B.

Because Petitioner clearly laid out (in unambiguous language, with supporting evidence, etc.) not only that RISC's decision was in defiance of federal law (both SCOTUS and FUSCA (RI's own circuit)) but that RISC's illegal defiance was, among other things, aiding and abetting federal felony crimes being committed by prosecution, RISC retaliated against Petitioner and disentitled Petitioner from submitting "...any filings..."

Among other things, MR pointed out:

> "As Bush, RISC, etc. knew, had Appellant's RISC appeals proceeded in their normal course (and decided on their merits (**as the Constitution, RI Law, RISC's own rules, etc. REQUIRE**)), Bush and RISC would've been forced to address the federal felony crimes by the State, etc. which, in turn, among other things, would automatically clear Appellant of Prosecution's knowingly fraudulent case, lead to numerous people (e.g. AG, SPD, judges, etc.) being criminal charged,

etc. See below for more." (No Emphasis Added).

The disentitlement doctrine allows courts to decline to entertain claims/rule on motions. *Molinaro v. New Jersey*, 396 U.S. 365, 366 (1970) (per curiam). Especially given RIJ's already existing hostility, etc. towards Petitioner (*see* Petitioner's SCOTUS Cases), if RISC had wanted to disentitle Petitioner because of the outstanding warrant, RISC had multiple opportunities prior to MR (e.g. when Petitioner requested special permission to have more time to file his Prebrief Statement, when RISC conferenced on Petitioner's motion, when Petitioner requested special permission to have more time to file his response to opposing counsel's motion, when RISC conferenced on Petitioner's motion, when Petitioner filed his Prebrief Statement). Instead, despite being repeatedly advised, throughout, by opposing counsel and Petitioner of the outstanding bench warrant, RISC continued to entertain Petitioner's filings AND ISSUED WRITTEN ORDERS GRANTING Petitioner's motions (indicating RISC WOULD entertain Petitioner's further filings in the appeal). In fact, despite opposing counsel effectively asking RISC to find some way to deny Petitioner's motion and immediately dismiss Petitioner's appeal (which Bush's opposition again reminded RISC was regarding appeal "...of a[n outstanding] bench warrant...") and send the appeal back to LC, RISC DECLINED to do so (A.K.A. declined to disentitle) despite acknowledging opposing counsel's objection

(RISC: "The State's objection to the motion to extend time to file a response is duly noted."). Despite having motive, multiple opportunities, etc., **<u>RISC only disentitled Petitioner ONCE PETITIONER DEMONSTRATED (WITH EVIDENCE), AMONG OTHER THINGS, RISC'S ILLEGAL DEFIANCE WAS AIDING AND ABETTING FEDERAL FELONY CRIMES BEING COMMITTED BY PROSECUTION.</u>**

Thirty years ago, SCOTUS made clear:

> "Principles of deference counsel restraint in resorting to inherent power, and require its use to be a reasonable response to the problems and needs that provoke it." *Degen v. U.S.*, 517 U.S. 820, 823-24 (1996) (citations omitted).

FUSCA, in a case in which the court made overtly clear it detested the litigant and its irritation in having to find in favor of that litigant, made clear that logic like RISC's cannot stand:

> "That a debtor hasn't paid his state-court debts outside the bankruptcy process can't be the reason we decline to decide whether he's supposed to do so in the first place..." *In re Kupperstein*, 943 F.3d 12, 25 (1st Cir. 2019).

RISC claims because an arrest warrant (issued in the same case for which Petitioner has ALREADY been arraigned, etc.) remains outstanding, RISC will decline to decide whether the warrant (the byproduct of ordered bail revocation) is valid to begin with.

Even despite RISC's circular logic, SCOTUS has indicated:

> "...[appeal is permissible] if the petitioners, before disobeying the injunction, had challenged it [directly], and had been met with delay or frustration." *Walker v. City of Birmingham*, 388 U.S. 307, 318 (1967).

Here, where, per clerk and LC's record, there was NO ORDER, as Petitioner had already advised RISC and as noted herein, Petitioner attempted to appeal the matter PRIOR to the warrant issuance (Petitioner formally appealed but LC clerk REFUSED TO COMPLY WITH RISC'S ORDERS, expressly obstructed Petitioner's appeal, and acted to ensure Petitioner couldn't obtain emergency RISC relief) (*In re Providence Journal Co.*, 820 F.2d 1354, 1355 (1st Cir. 1987) (en banc)).

SCOTUS has warned:

> "[D]isentitlement is most severe and so could disserve the dignitary purposes for which it is invoked. The dignity of a court derives from the respect accorded its judgments. That respect is eroded, not enhanced, by too free a

> recourse to rules foreclosing consideration of claims on the merits." *Degen* at 828.

RISC arbitrarily, under knowingly false pretenses, etc. invoked extreme inherent powers (created by SCOTUS, which SCOTUS has warned are not to be abused, used arbitrarily, etc.) in order to avoid being forced to address inescapable, indisputable, unambiguous proof of its defiance of federal law, aiding and abetting federal felony crimes by RI, etc.

CONCLUSION

Government officials stole Petitioner's genuine $200, forged federal documents (committing federal felony crimes), forced Petitioner into the system (e.g. forced arraignment against Petitioner's will (while also refusing to deal with Petitioner's motion to dismiss, the State's forged documents, etc.)), destroyed Petitioner's reputation, career, etc. (e.g. disbarred Petitioner in BOTH RI and Massachusetts for the EXPLICITLY STATED REASON that Petitioner exposing (with evidence) crimes by government officials was unethical conduct), etc., etc., etc. and, DESPITE THEM KNOWING THERE HAS BEEN PROOF OF THEIR FEDERAL FELONY CRIMES (PROVEN *YEARS AGO* (INCLUDING *PRIOR* TO ARRAIGNMENT)), ETC., THEY CONTINUE TO, AMONG OTHER THINGS, ILLEGALLY, ETC. CONTROL, ETC. PETITIONER'S LIFE

<u>(AMONG OTHER THINGS, STRIPPING PETITIONER'S LIBERTY, ETC.) WITH THE GOAL OF CORRUPTLY ENDING PETITIONER, ETC.</u>

In 2022, at least five Justices (Roberts, Thomas, Alito, Kavanaugh, Barrett) not only acknowledged the continuing authority of SCOTUS's permissible interlocutory appeals jurisprudence but EXPANDED the class of permissible interlocutory appeals. *See Shoop v. Twyford*, 142 S.Ct. 2037, 2043 n.1 (2022).

That same year, **<u>FUSCA (jurisdiction over RI), while discussing SCOTUS's permissible interlocutory appeals jurisprudence</u>**, stated:

> "[SCOTUS] has to date identified four types of orders that [are permissible interlocutory appeals under the collateral order doctrine] in criminal proceedings: [1] Stack v. Boyle, 342 U.S. 1...(1951)..." *Joseph* at 532.

Of the limited classes of matters SCOTUS has specifically identified as permissible interlocutory appeals, *Stack* is SCOTUS's longest standing.

Per Sup.Ct.R.10:

> "...character of the reason [SCOTUS] considers [certiorari]:

> (b) a state court of last resort has decided an important federal question in a way that conflicts with the decision of another state court of last resort or of a United States court of appeals;
>
> (c) a state court...has decided an important federal question in a way that conflicts with relevant decisions of this Court."

Not only is RISC blatantly defying SCOTUS binding precedent (**TO EXERT POWER IT WOULDN'T OTHERWISE HAVE** (as demonstrated herein)) but **RISC's declaration that there's ONLY ONE AND CAN ONLY BE ONE exception (Double Jeopardy) directly contradicts and conflicts with ALL TWELVE USCAs (including RISC's own Circuit).**

As demonstrated by Petitioner (*see* App.C), RISC's clearly false statement of federal law (thus, wholly dependent on SCOTUS precedent) is NOT a misunderstanding, misapplication, etc. especially given its obvious falsity, Petitioner's efforts to highlight to RISC its false statement of law (*see* App.C), RISC choosing to retaliate against Petitioner (see herein), etc.

At least four Justices (Roberts, Alito, Gorsuch, Kavanaugh) have openly expressed concern/outrage over attempts to not comply with orders/precedent.

“[U]nless [SCOTUS] wish[es] anarchy to prevail..., a precedent of [SCOTUS] must be followed...” *Hutto v. Davis*, 454 U.S. 370, 375 (1982).

As Justice Alito recently noted:

> “Ordinarily, we would summarily reverse such a decision or, at the least, grant certiorari to bring the errant [court] back into alignment...litigants should not hesitate to seek certiorari if the [court] repeats this error.” *Chambers-Smith v. Ayers*, 145 S.Ct. 1632 (2025).

Respectfully
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May 18, 2026