

No. 25-2046

ORIGINAL

25-7573

Supreme Court, U.S.
FILED

FEB - 2 2026

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

James Michael Soderbeck — PETITIONER
(Your Name)

VS.

Tracy Beltz (Warden) — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

"us district court"
Eighth Circuit Court of Appeals Deem re-hearing - No: 25-2046 (0:24-cv-04659-PJS)
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

James Michael Soderbeck
(Your Name)

1101 Linden Lane (DOC)
(Address)

Faribault, MN, 55021
(City, State, Zip Code)

MN. Faribault, DOC.
(Phone Number)

QUESTION(S) PRESENTED

- 1) I need my United States District Court govern habeas corpus petition filed in a United States District Court pursuant to 28 U.S.C. § 2254 by a person in custody challenging My current custody under a state court judgment to be heard in the Supreme Court of the United States Washington, D.C. 20543. United States District Court of Minnesota File # (0:24-cv-04659-PJS).
- A) The Recommendation from non-party served to Magistrate Judge Schultz, from Ramsey County Attorney Peter R. Marker was for them to deem untimely. Chief Judge Patrick J. Schultz did just that Deemed Untimely! Then Judge Patrick J. Schultz gave Order granting Petitioner's Motion for leave to Appeal in forma Pauperis to the United States Eighth Circuit.
- B) The Eighth Circuit Deemed a rehearing upon filings were/and are timely AND Meritted.
- C) The rehearing was Denied, Has never been heard in the Court of law.
- 2) I was never legally found guilty in any court of law. Nor did I Plead guilty. There was no admitted guilt, Nor acceptance of guilt or plus No adjudication of guilt. Plea Deal was set aside. No trial or conviction. A illegal sentence was imposed. Violating all my Constitutional rights, was forced to proceed with No legal representation after Motion in open court was given. ~~Not to trial~~ ~~at legal sentence~~. For different legal representation.
- 3) On All levels of Court I proved I am not guilty of these criminal charges plus I was not convicted in the Court of law. Also my Constitutional Rights have been violated. As well as my Right to Due process.

I James M. Soderbeck am asking for a fair hearing on the full account of All the proceeding on these criminal charges. Please and Thank you James Soderbeck.

LIST OF PARTIES

☒ All parties appear in the caption of the case on the cover page.

☐ All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows: United States District Court, District of Minnesota

Soderbeck v. Beltz, No. 0:24-cv-04659-PJS-DTS

Judgment entered June 17, 2025. Granted Petitioner's motion for leave to appeal in forma pauperis

RELATED CASES

Soderbeck v. Beltz, No. 25-2046, Not sure of date, but Deem a rehearing - Then Denied the rehearing. So the 2254 Writ of Habeas Corpus was never heard.
"All other cases are listed in the 2254"; Judgment date around Dec. 4, 2025.

Habeas "James Soderbeck v. Rice County Court, Filed 10-22-24, Penalty; Refusal to Grant. Rice County District Court
Habeas "James Soderbeck v. Tracy Beltz, Filed No. 66-cv-24-1176, Date 5-30-2024 Rice County MN District Court
Habeas "James Soderbeck v. Tracy Beltz, File No. 66-cv-23-165, many Dates from 1-2-2023; 2024, Rice County District Court, M
Habeas "James Soderbeck v. Tracy Beltz, Filed Ramsey County, Date Oct. 10, 2022, Order returned Dec. 16, 2022.
Habeas "James Soderbeck v. Tracy Beltz, original file of Writ of Habeas Corpus in Rice County District Court, Filed 7-28-2021,
The order was sent to county of commit - Ramsey County District Court by the Rice Co. Judge! Never seen!
Upon Court File No. 62-CR-16-3123.
Appeal "Minnesota Court of Appeal" James Soderbeck v. State of Minnesota, Appeal No. A20-0632, Date 4-27-2020, Judgment
Affirmed. Date 4-12-2021, Filed for MN Supreme Court - would not review
James Soderbeck v. State of Minnesota, Appeal, # A20-0164 Date June, 25, 2020 Based upon Post-conviction
James Soderbeck v. State of Minnesota, Appeal # A19-0238 Filed 4-9-2019, Judgment-Opinion date 10-21-2019
Based upon Post-Conviction
James Soderbeck v. State of MN, Ramsey County - File # 62-CR-16-3123. Charged April 28, 2016
Attached - Record Transmitted to Appellate Court

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APPENDIX A Federal Court - United States District Court No. 0:24-cv-04659-PJS/BTS was
Never heard, United State Magistrate gave recommendation to Deen untimely upon Ramsey
county attorney's recommendation. United State Eight Circuit Deen timely and rehearing. The
rehearing was denied. Was All Electronically Filed. Eight Circuit No. 25-2046
APPENDIX B Ramsey County District Court of Minnesota file No. 62-CR-16-3123, The Transcripts are
Attached.

APPENDIX C

APPENDIX D

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TABLE OF AUTHORITIES CITED

CASES 62-CR-16-3123 Ramsey County District Court MN PAGE NUMBER

Attached pages 1-21 Highlighted Lines on Pre-Trial Transcripts, also letter to the Judge pages 3, 4, and 5. Sentencing Transcripts pages 6, 7, and 8. Disclosure of witnesses pages 9, 10, 11. prove I was sentenced illegally and with out a Conviction. Also No Plea Deal

STATUTES AND RULES Attachments show the Ramsey County District Court of Law brake the Rules of procedure also Mr. Soderbeck's Constitution Rights and Amendments. Aswell Mr. Soderbeck Right to a Fair Trial AND His right to Due process on all accounts. Plus a illegal sentence. Also with out a conviction in the court of law. Also made Mr. Soderbeck proceed in the Court of law without legal Representation after Motion for different legal Representation was given in open court of Law. All information of all proceeding are given upon my federal Pro-se Petition For Writs of Habeas Corpus Governed By 28 U.S.C. § 2254

OTHER Rice county Court District of Minnesota - File of ~~the~~ State Writ of Habeas Corpus 589.01 Filed different times to uptain A Writ to Court Plus Court date only to be Denied My Right to Due process. File No. 66-CV-23-165 Also File No. 66-CV-24-1176. Also Denied my Right to Proceed In Forma Pauperis Filed in the same Court 589.07 Penalty; Refusal to Grant a Writ and Habeas Corpus. File date 10-22-24

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☐ For cases from **federal courts:**

ADD STATE

The opinion of the United States court of appeals appears at Appendix 1A to the petition and is

- ☐ reported at 4, page after conclusion - 2 pages; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is

- ☐ reported at page B, after conclusion - 2 pages; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☐ For cases from **state courts:**

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

~~Not~~ ~~renew~~

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was Oct 3rd 2025 and Nov. 13 2025

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the ^{Eight Circuit} United States Court of Appeals on the following date: Nov. 13 2025, and a copy of the order denying rehearing appears at Appendix page C, After conclusion - 1 page

☐ An extension of time to file the petition for a writ of certiorari was granted to and including March 24th 2026 (date) on May 24th 2026 (date) in Application No. 25 A 2046.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from **state courts**:

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

STATEMENT OF THE CASE

On April 28, 2016 James Michael Soderbeck was arrested by his Bootcamp parole agent and the Ramsey county police department, Minnesota. James Soderbecks parole agent said James Soderbeck was unlawful and had confertation with the Ramsey County police. Nate Rybel, James Soderbeck parole agent revoked Mr. Soderbecks parole sent Mr. Soderbeck back to prison for being unlawful. Although not convicted of any new charges. One Derek Fitch, Assistant Ramsey County Attorney office served Notice by prosecuting Attorney of evidence and identification Procedures Pursuant to Rule 7.01, Disclosure by Prosecution Pursuant to Rule 9.01 and Demand for Disclosure Pursuant to Rule 9.02. Ramsey County District Court of Minnesota File No. 62-CR-16-3123.

Aldged a crime of a Rape. Charged James Michael Soderbeck of said crime of Rape against one Kari Dawn Nybakke. James Michael Soderbeck plead Not guilty and has maintained his innocents through-out all of the proceedings. I am Not guilty of the said crime nor was I legally convicted in the Court of Law. James Michael Soderbeck, has been illegally sentenced. With no Admittance of guilt, No acceptance of guilt or the Plea. Also no Adjudication of the guilt by the Judge Jennifer L. Frisch. Upon Pre-trial Transcripts, Also Presentence Investigation was waived on letter to Judge As well James Soderbeck letter to Judge set the Plea Deal aside, which was entered by Bruce Wenger Public Defender with-out James Michael Soderbecks consent. Mr. Wenger was Fired on many accounts.

Sentencing Transcripts also clearly showing a violation of Mr. Soderbecks Constitutional Rights. They show All statements made in said case ~~are irrelevant~~ are irrelevant, Not Admissible into the Court of Law. Plus there is no Transcribed copy's of said Victims statement up evidence disclosure made by Prosecuting Attorney Tanya O'Brien, Ramsey County Attorney's office. On the Transcripts they as show the Judge Jennifer L. Frisch Admitt on sentencing Transcripts page 8, Last page, Line 21-25 The Court: I don't set aside pleas, which you have not made, or you can go forward with sentencing. The Defendant: I would like to make a motion for different Representation. By not allowing New Representation upon the Motion, the immediate sentence was illegal. Plus Not Granting legal Representation is a clear Violation of my Constitutional Rights.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The Ramsey County District Court File # 62-CR-16-3123 shows in the Attached Transcripts on the Index to Appendices James Michael Soderbeck did Not Admitt guilt, the Judge Jennifer L. Frisch did Not Accept admission of the guilt itself. Plus did Not Adjudicate the guilt itself. Transcripts of Pre-Trial also show order of presentence investigation. If James Soderbeck was not to go through with it, was to stand Trial. Letter to Judge Frisch shows James Soderbeck set aside the Plea Deal, had every right to do so upon No Acceptance or No Adjudication. Also Fired Mr. Soderbeck Public Defender, for not disclosing evidence ^{AND} ~~or~~ representing properly. Sentencing Transcripts show all statements made to the court are Third party statements Not Admittable to the court of law. Plus the Court could Not present a Victims statement to legally have a court proceeding. Also shows Admission of the Judge Jennifer L. Frisch on page 8, Last book, Line 21-22, The court: I don't set aside Pleas, which you have Not made. Page 8, Last book, Line 24-25, The Defendant: I would like to make a motion for different representation. By Not allowing New legal representation is a clear Constitutional Rights Violation. Also A illegal sentence with No Plea Deal or Jury Trial conviction.

ON All Writ of Habeas Corpus Filings state AND Federal show all legal talk of All Statutory provisions involved. All presented upon United States District Court pursuant to 28 U.S.C. § 2254 File No. 0:24-cv-04658-PJS/DTS. was deemed untimely. Eighth Circuit, deemed timely AND a rehearing. The rehearing was denied. Now Appealing to you. I am not guilty of the said crime. Also the RN report is 100% Negative of all elements that are needed for a said crime. Since there was no crime deemed by Angela M. Carlson, RN at St. John's Hospital SANE 1575 Beam Ave. St. Paul, MN, 55109. How can there be any criminal charges or AND conviction when in fact there was Not a conviction. Judge Jennifer L. Frisch proceeded illegally with a illegal sentence. Thank for your time.

REASONS FOR GRANTING THE PETITION

I James Michael Soderbeck Am respectfully ASKING the Supreme Court of the United States to take All of the Filings into consideration. Please Allow my Petition for a Writ of Certiorari to be heard in the Supreme Court of the United States.

The United States Court of Appeal in the Eighth Circuit Deem a rehearing Case No. 25-2046 James Michael Soderbeck vs. Tracy Belte then the Court Denied hearing. James Michael Soderbeck is respectfully ASKING for my United States District Court govern Habeas Corpus Petition Filed in the United States District Court pursuant to 28 U.S.C. § 2254 by a person in custody challenging my current custody under a state Court judgement to be heard in the Supreme Court of the United States, Washington, D.C. 20543. United States District Court of Minnesota File No. D:24-cv-04659-PJS/DTS. Thank you for your time.

Respectfully,

James Soderbeck
1-30-2026

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted, James Michael Soderbeck

James Michael Soderbeck

Date: 1-30-2026