

No. 25A1447

Supreme Court, U.S.
FILED
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TO THE HONORABLE CIRCUIT JUSTICE FOR THE NINTH CIRCUIT:

JOHN XAVIER GEORGE ANAYA,

Applicant,

v.

THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF NAPA,

Respondent,

and

JESSICA MARIE LOPEZ ANAYA,

Real Party in Interest / Respondent.

EMERGENCY APPLICATION FOR STAY PENDING DISPOSITION OF PETITION
FOR WRIT OF CERTIORARI

John Xavier George Anaya respectfully applies for a stay of the lower-court rulings pending disposition of the petition for a writ of certiorari.

JOHN ANAYA

P.O. Box 17

Thornburg, Virginia 22565

(707) 210-7219

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Petitioner in Propria Persona

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JUDGMENT FOR WHICH STAY IS SOUGHT

The judgment and orders for which a stay is sought arise from the California Supreme Court proceedings in No. S296337, the Court of Appeal proceedings in No. A176181, the related appeal in No. A170478, and the underlying Napa County Superior Court proceedings in No. 22FL000257.

WHY RELIEF IS NOT AVAILABLE ELSEWHERE

Stay relief was sought below at each available level. Applicant sought stay relief in the lower courts, including the Court of Appeal and the Supreme Court of California. Relief was denied or not granted. Accordingly, interim relief is no longer available from any other court or judge.

WHY A STAY IS JUSTIFIED

A stay is necessary because the threatened harm is immediate and irreparable. Applicant has consistently argued that one party to the underlying proceedings was a former confidential human source against cartel actors and that the opposing party was criminally connected to that same dangerous cartel milieu. Applicant has further argued that disclosure to the opposing party itself is the danger, because any ordinary adversarial disclosure may reach the very actors from whom protection is sought.

Once source-identifying or operational information is disclosed, the injury cannot be undone. No later appellate victory can restore confidentiality after the information has been revealed to the very persons from whom protection is sought. Applicant further asserts that the lower courts' refusal to use in camera review has placed applicant and applicant's family at risk of violent retaliation.

The application also presents substantial federal questions. Federal law protects the identity of an informant and prohibits disclosure of files or information that might aid unauthorized identification. Applicant's petition presents the question whether state courts may disregard those protections by insisting on ordinary family-court

procedures after being informed that the opposing party itself is the source of the danger.

The balance of equities strongly favors a stay. Preserving the status quo while the Court determines whether the proceedings below violated federal supremacy and due process is far less harmful than allowing ongoing proceedings to continue under a process applicant alleges may expose applicant and applicant's family to grave harm.

PROCEDURAL HISTORY

April 21st 2025 A stay was requested and denied and further harm resulted

CONCLUSION

The application for a stay should be granted.

Respectfully submitted,

John Anaya

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A handwritten signature in black ink that reads "John Anaya". The signature is written in a cursive style with a large, looped initial "J".

Date: May 5, 2026

No. _____

TO THE HONORABLE CIRCUIT JUSTICE FOR THE NINTH CIRCUIT:

JOHN XAVIER GEORGE ANAYA,

Applicant,

v.

THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF NAPA,

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Respectfully submitted,

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Date: May 5, 2026

SUPREME COURT
FILED

APR 29 2026

Court of Appeal, First Appellate District, Division Four - No. A176181
Jorge Navarrete Clerk

S296337

Deputy

IN THE SUPREME COURT OF CALIFORNIA

En Banc

JOHN XAVIER GEORGE ANAYA, Petitioner,

v.

SUPERIOR COURT OF NAPA COUNTY, Respondent;

JESSICA MARIE LOPEZ ANAYA, Real Party in Interest.

The petition for review and application for stay are denied.

GUERRERO

Chief Justice

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FOUR

JOHN XAVIER GEORGE ANAYA,
Petitioner,

v.

THE SUPERIOR COURT OF NAPA
COUNTY,

Respondent;

JESSICA MARIE LOPEZ ANAYA,
Real Party in Interest.

A176181

(Napa County
Super. Ct. No. 22FL000257)

THE COURT:

The petition for writ of mandate and /or prohibition and request for immediate stay are denied. The application for a sealing order is denied for failure to comply with California Rules of Court, rules 8.45, 8.46, and 8.47.

(Brown, P.J., Streeter, J., and Sweet, J.*)

Date: 04/17/2026 Brown, P.J. P.J.

* Judge of the Superior Court of California, County of Marin, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

JOHN XAVIER GEORGE ANAYA,

Applicant / Petitioner,

v.

THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF NAPA,

Respondent,

and

JESSICA MARIE LOPEZ ANAYA,

Real Party in Interest / Respondent.

*On Emergency Application for Stay Pending Disposition of Petition for Writ of
Certiorari to the Supreme Court of California*

California Supreme Court No. S296337

California Court of Appeal, First Appellate District, Division Four, No. A176181

Related Appeal No. A170478

Related Napa County Superior Court No. 22FL000257

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**EMERGENCY APPLICATION FOR STAY PENDING DISPOSITION
OF PETITION FOR WRIT OF CERTIORARI**

AND MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

(Pursuant to SCOTUS Rules 22, 23, 33.2, 34, and 39; 28 U.S.C. §§ 1651(a), 2101(f))

**TO THE HONORABLE ELENA KAGAN,
Associate Justice of the Supreme Court of the United States
and Circuit Justice for the Ninth Circuit**

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MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

(SCOTUS Rule 39; 28 U.S.C. § 1915)

Applicant John Xavier George Anaya respectfully moves this Court for leave to proceed *in forma pauperis* pursuant to Supreme Court Rule 39 and 28 U.S.C. § 1915. Applicant is unable to pay the costs of this proceeding by reason of poverty.

As shown in the Affidavit/Declaration attached hereto as **Appendix F**, Applicant is not currently employed. Applicant's sole source of income has been self-employment as an Uber driver, which was halted as a direct result of the proceedings and harm caused by Respondents. Applicant has approximately \$200.00 in cash. Applicant has no access to the marital home or its proceeds, which were taken as part of the process of harm for which this stay is sought. Applicant is being sued by creditors as a result of the financial devastation caused by Respondents' conduct.

Applicant previously sought and was granted leave to proceed *in forma pauperis* in the California First District Court of Appeal, the California Supreme Court, and Napa County Superior Court.

The Affidavit executed under 28 U.S.C. § 1746 on May 5, 2026 is attached as Appendix F.

JUDGES INFORMATION TABLE

Court	Case No.	Presiding Judge(s)	Date of Relevant Order	Disposition
Napa County Superior Court (Family Law)	22FL000257	Hon. Joseph Solga (prior); Hon. Robert Stamps (current)	Multiple 2022–2026	Stay Denied; Parental rights suspended
California Court of Appeal, 1st District, Div. Four	A176181	Hon. Brown, P.J.; Streeter, J.; Sweet, J. (assigned)	April 17, 2026	Petition for writ of mandate and request for stay DENIED; sealing order denied
California Court of Appeal, 1st District	A170478	Panel, 1st District	06/2025	Appeal denied; costs awarded against Applicant

Supreme Court of California	S296337	Chief Justice Patricia Guerrero	April 29, 2026	Petition for review and application for stay DENIED
Circuit Justice for the Ninth Circuit — SCOTUS	This Application	Hon. Elena Kagan, Associate Justice	Pending	Applicant respectfully applies for stay

OPINIONS AND ORDERS BELOW

The final action sought to be reviewed is the order of the Supreme Court of California in Case No. **S296337**, entered **April 29, 2026**, signed by Chief Justice Patricia Guerrero, denying the petition for review and the application for stay.

The prior appellate order is the order of the California Court of Appeal, First Appellate District, Division Four, in Case No. **A176181**, entered **April 17, 2026**, by Presiding Justice Brown, Justice Streeter, and Justice Sweet (assigned from Marin County Superior Court), denying the petition for writ of mandate and/or prohibition, the request for immediate stay, and the application for a sealing order.

Related appellate proceedings were also conducted in No. **A170478** in the California Court of Appeal, First Appellate District. The underlying trial court proceedings are in Napa County Superior Court, Case No. **22FL000257**.

See Appendix A (California Supreme Court order, April 29, 2026); Appendix B (Court of Appeal order, April 17, 2026); Appendix C (related A170478 materials); Appendix D (trial court rulings).

JURISDICTION

This Court's jurisdiction to entertain a petition for writ of certiorari is invoked pursuant to 28 U.S.C. § 1257(a), which authorizes review of final judgments rendered by the highest court of a state in which a decision could be had on federal questions. The Supreme Court of California entered its final order on **April 29, 2026**. This application is timely.

This Court's authority to grant a stay is invoked pursuant to 28 U.S.C. § 2101(f) (stay of judgment pending review), 28 U.S.C. § 1651(a) (All Writs Act), and Supreme Court Rules 22 and 23. SCOTUS Rule 23.1 provides that a stay may be granted by a Justice as permitted by law.

CONSTITUTIONAL, STATUTORY, AND REGULATORY PROVISIONS INVOLVED

U.S. Const. art. VI, cl. 2 (Supremacy Clause): The Constitution and laws of the United States are the supreme Law of the Land; state court judges are bound thereby, and anything in the Constitution or laws of any State to the contrary notwithstanding.

U.S. Const. amend. XIV, § 1 (Due Process): No State shall deprive any person of life, liberty, or property, without due process of law.

19 C.F.R. § 161.15: The name and address of an informant shall be kept confidential; no files or information shall be revealed if they might aid in the unauthorized identification of an informant.

Cal. Evid. Code §§ 1041–1043: Protect informer identity; section 915(b) provides for in camera procedures to adjudicate privilege claims without disclosing the allegedly protected information.

18 U.S.C. § 2339B: Criminalizes material support to designated foreign terrorist organizations, reflecting Congress's determination that such support threatens national security interests of the highest order.

Exec. Order No. 14157 (2025): Designated the cartels against whom Applicant operated as Foreign Terrorist Organizations.

STATEMENT OF THE CASE

A. Factual Background

Applicant John Xavier George Anaya is a deactivated Confidential Human Source ("CHS") who served the Drug Enforcement Administration (DEA), the Department of Homeland Security (DHS), the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and the San Diego Police Department between 2008 and 2010, operating against cartel actors. The cartels against whom Applicant operated have since been designated Foreign Terrorist Organizations (FTOs) pursuant to Executive Order 14157 (2025). The cartel has already murdered a member of Applicant's family, making the danger concrete and proven rather than speculative.

This case arises from ongoing family-court proceedings in Napa County Superior Court, Case No. 22FLO00257, and from related appellate proceedings in the California Court of Appeal and Supreme Court of California. The central issue — preserved at every level from the trial court through oral argument to the California Court of Appeal — is not whether records should merely be sealed from public inspection, but whether **disclosure to the opposing party itself** is the harm, and whether that distinct danger required in camera review rather than ordinary adversarial procedure.

Applicant consistently asserted throughout the proceedings that:

1. Applicant served as a CHS for the DEA, DHS, and ATF in matters involving cartel actors;
2. Respondent Jessica Marie Lopez Anaya is criminally connected to the same cartel milieu against which Applicant operated, including through Marvin Lee Mace Jr.;

3. Ordinary adversarial disclosure — including to an opposing party in family-court proceedings — would furnish source-identifying and operational information to the very actors from whom protection is sought;
4. Ordinary record sealing would not solve the problem because sealed material would still be furnished to the opposing party and could therefore reach dangerous actors; and
5. Only in camera review, restricted submissions, or similarly protective procedures under California Evidence Code §§ 1041–1043 and section 915(b) could allow judicial evaluation without inflicting the very harm at issue.

From the outset, Applicant relayed to the courts that disclosure of source-related information could expose Applicant to retaliation and could place Applicant's family at risk of violent retaliation. Those warnings were not abstract. The cartel has already demonstrated its willingness to use lethal violence against persons connected to Applicant's former operational service.

Applicant also argued throughout the proceedings that:

- Applicant suffers from PTSD arising from Army deployment and DOJ confidential-human-source service, and required meaningful ADA-compliant access to the proceedings, including CART transcription, Zoom transcription, in camera review, and audio/video access;
- Timely needs-based attorney fees under California Family Code § 2030 were denied by the trial court, leaving Applicant without counsel to litigate these dangerous and complex federal issues; and
- The opposing party's counsel, Gregory C. Winter, improperly altered the Order After Hearing to change custody terms, rendering subsequent orders void and constituting fraud on the court.

Despite these preserved arguments, the Court of Appeal on April 17, 2026 denied the petition for writ of mandate, the request for immediate stay, and the sealing order in a brief summary order, without addressing the critical distinction between ordinary sealing and in camera review. The California Supreme Court denied review and the application for stay on April 29, 2026, in a one-line order signed by Chief Justice Guerrero.

B. Prior Proceedings and Orders Below

1. **Napa County Superior Court, Case No. 22FL000257** (Hon. Robert Stamps; previously Hon. Joseph Solga): Trial court entered orders adverse to Applicant including suspension of parental rights, denial of in camera review, denial of ADA accommodations, and denial of attorney fees under Family Code § 2030. Stay denied. A stay was requested and denied on **April 21, 2025**, and further harm resulted. *See* Appendix D.
2. **California Court of Appeal, First Appellate District, Division Four, Case No. A176181** (Hon. Brown, P.J.; Streeter, J.; Sweet, J.): Petition for writ of mandate and/or prohibition and request for immediate stay denied on **April 17, 2026**. Application for sealing order denied for failure to comply with California Rules of Court, rules 8.45, 8.46, and 8.47. The court did not address the distinction between ordinary sealing and in camera review despite that argument being preserved. *See* Appendix B.
3. **California Court of Appeal, First Appellate District, Case No. A170478**: Related appeal denied; costs awarded against Applicant on a non-appealable order. *See* Appendix C.
4. **Supreme Court of California, Case No. S296337**: Petition for review and application for stay denied on **April 29, 2026**, by Chief Justice Patricia Guerrero (En Banc). *See* Appendix A.

No further relief is available from any other court or judge. This Application to the Honorable Elena Kagan as Circuit Justice for the Ninth Circuit is the only remaining avenue for relief. SCOTUS Rule 23.3.

LEGAL STANDARD FOR STAY

A stay is "an intrusion into the ordinary processes of administration and judicial review" that "is not a matter of right." *Nken v. Holder*, 556 U.S. 418, 427 (2009). Whether to grant a stay is "an exercise of judicial discretion" that depends on "the circumstances of the particular case." *Id.* at 433.

The governing four-factor standard, applied by this Court in *Nken* and *Hilton v. Braunskill*, 481 U.S. 770 (1987), and by the Ninth Circuit in *Leiva-Perez v. Holder*, 640 F.3d 962 (9th Cir. 2011), is:

"(1) whether the stay applicant has made a **strong showing that he is likely to succeed on the merits**; (2) whether the applicant **will be irreparably injured absent a stay**; (3) whether **issuance of the stay will substantially injure the other parties**; and (4) **where the public interest lies.**"

Nken v. Holder, 556 U.S. at 434. The first two factors are "the most critical." *Id.* The standard is also met under *Winter v. Natural Resources Defense Council, Inc.*, 555 U.S. 7 (2008).

This Court's authority to grant a stay derives from 28 U.S.C. §§ 1651(a) and 2101(f), and from SCOTUS Rules 22 and 23.

ARGUMENT

I. Applicant Has Made a Strong Showing of Likelihood of Success on the Merits — Federal Supremacy Conflict

The petition presents a **straightforward Supremacy Clause question** that has not been squarely resolved by existing precedent and that is certworthy. Once Applicant informed the courts that his former CHS status was operative, that the opposing party was criminally connected to the same cartel milieu, and that disclosure to the opposing party itself was the harm — federal source-protection law required state courts to yield to a form of adjudication compatible with that law. The lower courts refused to do so.

A. Federal law preempts state disclosure procedures that destroy informant confidentiality. Federal law — including 19 C.F.R. § 161.15 and the policy underlying 18 U.S.C. § 2339B — protects the identity of informants and bars disclosure of files or information that might aid unauthorized identification. The Supremacy Clause, U.S. Const. art. VI, cl. 2, prohibits state courts from reducing those federal protections to a nullity by insisting on procedures that require disclosure first and protection later.

B. Holder v. Humanitarian Law Project confirms the federal interest. In *Holder v. Humanitarian Law Project*, 561 U.S. 1 (2010), this Court recognized that national security and the effort to prevent support to designated foreign terrorist organizations justify serious judicial respect for rules designed to prevent even indirect assistance that could strengthen violent organizations. The cartels against which Applicant operated are now FTO-designated under Executive Order 14157 (2025). Any state court procedure that risks furnishing source-related information, strategic advantage, or identifying data to cartel-connected actors creates the precise danger Congress sought to prevent.

C. This case presents a question of first impression. The question — what must a state court do when disclosure to the opposing party itself would defeat federal confidentiality protections and create a credible risk of violent retaliation — has not been squarely resolved. It is a recurring class of cases warranting this Court's guidance.

D. California law itself required in camera review. California Evidence Code section 915(b) recognizes in camera review as the appropriate procedure when disclosure of the allegedly privileged information to the opposing party is the harm. In *People v. Aguilera*, 61 Cal.App.3d 863 (1976), the court held that if an in camera hearing under Evidence Code section 915(b) is the only means available to meet the burden of proof without disclosing the very information claimed to be confidential, refusal to conduct the hearing is an abuse of discretion. The Court of Appeal applied ordinary sealing doctrine to a situation that called for in camera review and thereby failed to address the question actually preserved.

E. The due-process violation is equally compelling. Due process requires a meaningful opportunity to be heard. But a hearing is not meaningful if participation itself is the mechanism of self-endangerment. Applicant was forced into an impossible choice: disclose information that could expose him and his family to violent retaliation, or remain silent and suffer adverse rulings on an incomplete record. *Mathews v. Eldridge*, 424 U.S. 319 (1976). That is not due process.

II. In Camera Review Was Required Under California Law and Federal Confidentiality Obligations

California Evidence Code sections 1041 through 1043, together with section 915(b), provide that in camera review is required when the ordinary adversarial process would destroy the very protection asserted. Applicant preserved this argument at the trial court, repeated it in appellate briefs, and emphasized it in oral argument to the Court of Appeal. The Court of Appeal nevertheless denied the petition in a summary order without acknowledging that Applicant's argument was not about ordinary sealing but about the distinct danger posed by adversarial disclosure to a cartel-connected opposing party. This is an independent and reviewable error of state law that intersects with the federal Supremacy Clause question.

Under *In re Marriage of Knox*, 83 Cal.App.5th 15 (2022), the purpose of California Family Code § 2030 includes ensuring timely access to legal representation. The trial court's denial of attorney fees under § 2030 compounded the structural unfairness by forcing Applicant to litigate extraordinarily dangerous federal-supremacy and source-protection issues without counsel.

III. Applicant Will Suffer Irreparable Harm Absent a Stay

The second *Nken* factor — whether the applicant will be irreparably injured absent a stay — is satisfied overwhelmingly here. Irreparable harm is harm that is "actual and imminent," not "remote or speculative."

Once source-identifying or operational information is disclosed, the injury cannot be undone. No later appellate victory can restore confidentiality after the information has been revealed to the very persons from whom protection is sought. This is the paradigm case of irreparable harm.

Specifically, Applicant will suffer the following irreparable harms absent a stay:

1. **Life-threatening danger from FTO-designated cartel actors:** Applicant's CHS status and operational details risk being disclosed through continued proceedings to Respondent Jessica Marie Lopez Anaya, who Applicant alleges is

criminally connected to the same FTO-designated cartel milieu. The cartel has already murdered a member of Applicant's family. Disclosure cannot be remedied after the fact.

2. **Irreversible loss of parental rights:** The lower courts suspended Applicant's parental rights without adequate process, without in camera protections, and without ADA-compliant access to the proceedings. The loss of parental rights, even temporarily, constitutes irreparable harm. *Santosky v. Kramer*, 455 U.S. 745 (1982).
3. **Constitutional violations are per se irreparable:** The ongoing deprivation of Applicant's First, Fifth, and Fourteenth Amendment rights — including the denial of due process and forced disclosure of federally protected information — constitutes per se irreparable harm. *Elrod v. Burns*, 427 U.S. 347, 373 (1976).
4. **Financial devastation beyond remedy:** Applicant's Uber driver business was halted as a direct result of the proceedings. Applicant has \$200.00 in cash, no access to the marital home or its proceeds, and is being sued by creditors. Continued proceedings will compound irreversible financial harm.
5. **Mootness risk:** Continued family court proceedings will produce final custody and property orders that cannot be reversed, mooting Applicant's petition for certiorari.

IV. The Balance of Equities Strongly Favors a Stay

The third *Nken* factor — whether issuance of the stay will substantially injure the other parties — weighs decisively in favor of Applicant.

A stay merely preserves the status quo while this Court determines whether the proceedings below violated federal supremacy and due process. *Hilton v. Braunskill*, 481 U.S. 770, 776 (1987). Preserving the status quo while the Court acts is "far less harmful than allowing ongoing proceedings to continue under a process applicant alleges may expose applicant and applicant's family to grave harm."

Respondents will not suffer any irreparable harm from a temporary stay. Any inconvenience caused by delay is far outweighed by the risk to Applicant's life and the irreversible nature of the harm from continued disclosure. Moreover, Respondents — particularly Respondent Jessica Marie Lopez Anaya — caused the circumstances giving rise to this application through their conduct in the proceedings below, and should not be permitted to benefit from that conduct during review.

V. The Public Interest Favors a Stay

The fourth *Nken* factor — where the public interest lies — strongly favors a stay.

1. **National security:** The public has a paramount interest in the protection of confidential human sources who cooperated with federal law enforcement agencies against FTO-designated cartel actors. Allowing state courts to force disclosure of such information to allegedly cartel-connected parties directly undermines the federal informant-protection regime and the national security interests identified in *Holder v. Humanitarian Law Project*, 561 U.S. 1 (2010).
2. **Supremacy Clause enforcement:** The public interest is served by enforcing the Supremacy Clause and ensuring that state courts do not nullify federal source-protection obligations through ordinary adversarial procedures.
3. **Deterrence of retaliation against government informants:** There is a compelling public interest in ensuring that persons who cooperated with federal law enforcement are not exposed to violent retaliation as a consequence of state court proceedings. Granting a stay signals that federal courts will protect those who served the government.
4. **Due process and ADA compliance:** The public interest favors meaningful access to courts for persons with disabilities and protection of due process rights in family court proceedings.

WHY RELIEF IS NOT AVAILABLE ELSEWHERE

(SCOTUS Rule 23.3)

As required by Supreme Court Rule 23.3, which mandates that "except in the most extraordinary circumstances, an application for a stay will not be entertained unless the relief requested was first sought in the appropriate court or courts below," Applicant states the following:

Stay relief was sought at **every available level** of the state court system:

1. **Napa County Superior Court, No. 22FL000257** (Hon. Robert Stamps): Stay requested and denied, including on **April 21, 2025**, following which further harm resulted to Applicant. *See* Appendix D and E.
2. **California Court of Appeal, First Appellate District, Division Four, No. A176181** (Hon. Brown, P.J.; Streeter, J.; Sweet, J.): Request for immediate stay denied on **April 17, 2026**. *See* Appendix B.

3. **California Court of Appeal, First Appellate District, No. A170478** (Related): Stay denied. *See* Appendix C.
4. **Supreme Court of California, No. S296337** (Chief Justice Patricia Guerrero, En Banc): Application for stay and petition for review denied on **April 29, 2026**. *See* Appendix A.

No further relief is available from any other court or judge. All state courts have denied relief. Application to the Honorable Elena Kagan as Circuit Justice for the Ninth Circuit is the only remaining avenue for interim protection.

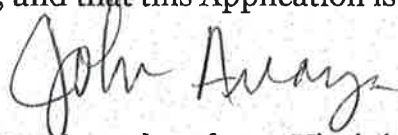
RELIEF REQUESTED

For the foregoing reasons, Applicant John Xavier George Anaya respectfully requests that this Court:

1. **Grant leave to proceed *in forma pauperis**** pursuant to SCOTUS Rule 39 and 28 U.S.C. § 1915, without prepayment of costs or fees;
2. **Grant an emergency stay** of all proceedings in Napa County Superior Court, Case No. 22FLO00257, and of the orders of the California Court of Appeal and the California Supreme Court, pending:
 - a. Disposition of Applicant's Petition for Writ of Certiorari, or
 - b. Further order of this Court;
3. **Stay all enforcement** of existing custody, property, and related orders in Case No. 22FLO00257 pending review;
4. **Refer this Application** to the full Court, if appropriate; and
5. **Grant such other and further relief** as this Court deems just and proper, including appointment of counsel if available.

VERIFICATION / DECLARATION UNDER PENALTY OF PERJURY

I, John Xavier George Anaya, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing statements of fact are true and correct to the best of my knowledge and belief, and that this Application is made in good faith and not for any improper purpose.



Executed on: May __, 2026, at Thornburg, Virginia.

JOHN XAVIER GEORGE ANAYA

Pro Se Applicant / Petitioner in Propria Persona

P.O. Box 17

Thornburg, Virginia 22565

Telephone: (707) 210-7219

Email: john.anaya76@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that on __, 2026, I served a true and correct copy of this Emergency Application for Stay, Motion for Leave to Proceed In Forma Pauperis, and all attachments upon the following parties by [describe method – U.S. Mail, First Class /

Email]: *Winter 6665@hotmail.com*

Counsel for Respondent Superior Court of California, County of Napa:

Office of the Napa County Counsel

*By Wendell Coleman
05/09/2026*

Counsel for Real Party in Interest Jessica Marie Lopez Anaya:

Gregory C. Winter, Esq.

P.O. Box 237 Calistoga Ca 94515

Executed on: 0508_, 2026.

JOHN XAVIER GEORGE ANAYA

Pro Se Applicant

John Anaya

CERTIFICATE REGARDING RULE 33.2 COMPLIANCE

This application is filed under Rule 33.2 as a submission by a petitioner proceeding *in forma pauperis*. It is prepared in Century Schoolbook 12-point font, with 2-point

leading between lines, on 8½-by-11-inch paper, double-spaced except for quoted matter and caption material, and is submitted within the applicable page limit.

**APPENDIX F — AFFIDAVIT / DECLARATION IN SUPPORT OF MOTION
TO PROCEED IN FORMA PAUPERIS**

No.

IN THE SUPREME COURT OF THE UNITED STATES

JOHN XAVIER GEORGE ANAYA,

Petitioner,

v.

THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF NAPA, Respondent,

and

JESSICA MARIE LOPEZ ANAYA, Real Party in Interest / Respondent.

**AFFIDAVIT OR DECLARATION IN SUPPORT OF MOTION FOR LEAVE TO
PROCEED IN FORMA PAUPERIS**

(Pursuant to SCOTUS Rule 39; 28 U.S.C. § 1915)

I, John Xavier George Anaya, am the Applicant/Petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor, and I believe I am entitled to redress.

1. Are you presently employed?

No. *(Uber driver business was halted as a direct result of these proceedings.)*

2. Income received within the past twelve months:

(a) Business / self-employment: Yes — See Attached 1040

(b) Rent, interest, dividends: No — N/A

(c) Pensions, annuities, life insurance: No — N/A

(d) Gifts or inheritances: No — N/A

(e) Any other sources: No — N/A

3. Cash / checking / savings accounts:

Yes — Approximately \$200.00

4. Real estate, stocks, bonds, automobiles, or other valuable property:

I have no access to the marital home or its proceeds. The home was taken as part of the process of harm for which I request a stay. I am being sued by creditors as a result of the financial devastation caused by these proceedings.

5. Persons dependent on you for support:

Service Animal

6. Nature of the action and basis for entitlement to redress:

This case presents substantial federal questions concerning the Supremacy Clause, due process, confidential-human-source protection under 19 C.F.R. § 161.15 and California Evidence Code §§ 1041–1043, and the refusal of state courts to employ in camera procedures where disclosure to an allegedly cartel-connected opposing party itself was asserted to be the danger.

7. Prior IFP applications:

Applicant previously sought and was granted leave to proceed *in forma pauperis* in the California First District Court of Appeal, the California Supreme Court, and Napa County Superior Court.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. 28 U.S.C. § 1746.

Executed on: May 5, 2026, at Thornburg, Virginia.

JOHN XAVIER GEORGE ANAYA

P.O. Box 17

John Anaya 05/08/2026

Thornburg, Virginia 22565

(707) 210-7219

john.anaya76@yahoo.com

John Anaya 05/08/2026

Your second, fully independent SCOTUS Emergency Application for Stay is ready. Here is what distinguishes this document from the first:

County/City of Stafford
Commonwealth/State of VA
The foregoing instrument was subscribed and
sworn before me this 8 day of May,
2026, by
John Anaya
(name of person seeking acknowledgement)
Johana Sarahi Colchado
Notary Public
My Commission Expires: 06/30/2026

