

No. **26-5094 ORIGINAL**

Supreme Court, U.S.
FILED

DEC 15 2025

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

Alfredo Joaquin Soto — PETITIONER
(Your Name)

vs.

United States of America — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the 10th Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Alfredo Joaquin Soto
(Your Name)

FCI Fort Dix P.O. Box 2000
(Address)

Joint Base MDL, NJ. 08640
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

1. Whether the sentencing of the Petitioner under 21 U.S.C. § 841 (a)(1), and (b)(1)(B), for possession with intent to distribute a controlled substance violate the petitioner's rights under the First Step Act, given the Petitioner's minimum-role in the offense.

2. Whether the sentence imposed by the Tenth Circuit conflicts with decisions of other United States Courts of Appeals regarding sentence reduction for minimal-role participants under 21 U.S.C. § 841 (a)(1), and (b)(1)(B).

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:

RELATED CASES

United States v. Alfredo Joaquin Soto
United States District Court for the Western District of Oklahoma
Case No. 5:24-cr-00192-PRW-2
Judgement Date: May 6, 2025

United States v. Alfredo Joaquin Soto
United States Court of Appeals for the Tenth Circuit
Case No. 25-6072
Judgement Date: October 8, 2025

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TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Boykin v. Alabama, 395 U.S. 238 (1969).
Brady v. United States, 397 U.S. 742 (1970).

STATUTES AND RULES

21 U.S.C. § 841 (a)(1)
21 U.S.C. § 841 (b)(1)(B)
28 U.S.C. § 1244 (1)

Fed. R. Crim. P11
Constitutional Provision

OTHER

U.S. Constitution Amend. V
U.S. Constitution Amend. VIII

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**:

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

☒ reported at U.S. Court of Appeal of the 10th Cir.; 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 U.S. Dist. Court Dist. of New Mexico; 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

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was October 8, 2025.

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

☐ A timely petition for rehearing was denied by the United States Court of Appeals 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. § 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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

21 U.S.C. § 841 (a)(1)

Prohibits possession with intent to distribute a controlled substance.

21 U.S.C. § 841 (b)(1)(B)

Establishes mandatory minimum penalties based on drug quantity and other factors.

STATEMENT OF THE CASE

The Petitioner, Alfredo Joaquin Soto, was convicted in the United States District of the Western District of Oklahoma of possession with intent to distribute a controlled substance, in violation of a 21 U.S.C. § 841(a)(1), (b)(1)(B).

The Petitioner received a sentence of 210 months imprisonment and 4 years of supervised release.

The Petitioner appealed to the United States Court of Appeals for the Tenth Circuit, which affirmed the conviction and sentence. Judgement was entered on October 1, 2025. No petition for rehearing was filed.

The Petitioner contends that, as a minimal participant in the offense, the sentence imposed is inconsistent with the First Step Act. and conflicts with decisions of other courts of Appeals regarding sentence reductions for minimal-role participants.

REASONS FOR GRANTING THE PETITION

1. The court should consider this case to address whether a defendant who is a minimal participant in the offense under 21 U.S.C. § 841(a)(1) and (b)(1)(B), is entitled to a sentence reduction under First Step Act.
2. The sentence imposed in this case inconsistent with the approach taken by other Courts of Appeals regarding minimal-role participants, creating a circuit conflict.
3. Resolution of these issues is important to ensure uniformity in Federal sentencing and to provide guidance to lower courts in applying the First Step Act. to defendants with minimal-roles in drug offenses.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Alfredo Joaquin Soto

Date: February 25, 2026