

AUG 28 2024

No.
24A227

BEFORE THE

Supreme Court of the United States

Justice Samuel A. Alito For the Fifth Circuit (26 U.S.C. 42)

TRENISS J. EVANS,

Plaintiff – Appellant

v.

SUPREME COURT OF NEW YORK, Trial Division, Criminal
Term, for the City of Manhattan, New York, Attn: Honorable
Ellen N. Biben, Administrative Judge; ALVIN BRAGG, District
Attorney for Manhattan, New York

Defendants-Appellees

APPEAL FROM AN ORDER OF THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS, CASE No. SA24CAO480-JKP

**Emergency Application for Stay Pending the Outcome of the Fifth Circuit
Court of Appeals Decision (Case No. 24-50465) and for an Injunction**

August 28, 2024

Treniss J. Evans III, *Pro Se*
c/o CondemnedUSA
PO Box 2357
Canyon Lake, Texas 78133
Telephone: (210) 571-2847
Treniss@CondemnedUSA.com

RECEIVED

AUG 30 2024

To The Honorable Samuel A. Alito, Jr., Associate Justice of The Supreme Court of The United States and Circuit Justice for The Fifth Circuit:

INTRODUCTION

I, Treniss J. Evans III, respectfully submits this emergency application for a stay of the ongoing state court proceedings in New York and the immediate issuance of an injunction pending the outcome of the Fifth Circuit Court of Appeals decision in Case No. 24-50465. This case raises significant concerns about preserving justice, fairness, and the foundational principles of our democratic institutions, which are currently under threat. Immediate intervention by this Court essential and crucial to prevent irreparable harm and to ensure that the rule of law is upheld. The potential harm if this Court does not intervene is grave and cannot be overstated.

The present circumstances are far more concerning, as the very individuals entrusted with upholding justice have, instead, weaponized the law for political gain. This is not merely a failure of duty; it is a dangerous manipulation of our legal system that demands this Court's immediate attention to prevent further erosion of public trust and uphold the integrity of the judiciary.

PARALLELS WITH THE NORMA JEAN ANDERSON ET AL. CASE

Norma Jean Anderson, et al. v. Donald Trump, et al., Opinion, U.S. Supreme Court, March 4, 2024, downloadable for free to all including the public, at https://www.supremecourt.gov/opinions/23pdf/23-719_19m2.pdf is not just instructive, but a stark precedent in understanding the current legal landscape and

its implications. In that case, the courts rightly recognized the dangers posed by state actors overstepping their bounds, emphasizing that even the appearance of impropriety must be scrutinized to maintain public trust in the judicial process. The actions of Alvin Bragg and Judge Merchan in the current proceedings present a similar, if not greater, threat to the integrity of the judicial process.

The parallels between *Anderson* and the current proceedings underscore the potential harm if this Court does not intervene. The urgency of this Court's intervention to prevent further harm and ensure that justice is served cannot be overstated.

The unanimous ruling in *Norma Jean Anderson* articulated that state-level interference in a federal election violates the Constitution, particularly the Supremacy Clause. This ruling is crucial because it prevents different states from creating inconsistent versions of federal law. While *Norma Jean Anderson* involved state-level election processes under Colorado law, it also implicated federal law. This Court must similarly vindicate federal concerns here.

Similarly, in *National Institutes for Family and Life Advocates, et al., v. Letitia James [Attorney General]*, Decision and Order, August 22, 2024, Case No. 24-CV-514 (JLS), the Western District of New York just issued a preliminary injunction against New York State enforcement of “Crisis Pregnancy Centers.” The Western District intervened in otherwise purely State level, State law proceedings because they violated the First Amendment to the U.S. Constitution.

I respectfully invoke *Norma Jean Anderson* to mandate the result sought in this petition. The version of federal law Bragg erroneously prosecuted in New York bears no relation to federal law as consistently interpreted by the Federal Election Commission (FEC). Therefore, the trial violates the principles outlined in *Norma Jean Anderson*, creating a local version of federal law not legislated by Congress, prosecuting a Manhattan-only “homegrown” local version of Federal law.

The Court should carefully notice these details in the indictment, where the prosecution admits that Trump used his personal funds, not campaign funds nor business funds. Accessible at: <https://www.politico.com/f/?id=00000187-4d9a-dc00-a3d7-4d9f97b40000> Neither Trump’s personal checking nor personal trust are “enterprises” within New York’s definition of alteration of business records. Penal Law § 175.00[1] There were no business records capable of being altered. Penal Law §175.05. Therefore, there is no crime, not even an expired misdemeanor. New York cannot use Federal law to support its prosecution where there is no violation.

The central role of a Manhattan-only version of Federal law is confirmed in the jury instructions: <https://www.nycourts.gov/LegacyPDFS/press/PDFs/People%20v.%> The prosecution attempts to offer New York election law, but that is pre-empted under the Supremacy Clause by Federal campaign finance law. Federal law, uniform nationally, cannot supply the “other crime” requirement for felony prosecution.

Here, accusations were ignored or rejected for over six (6), then candidate for President Donald Trump was charged after the Presidential election was well

underway. Trump was explicitly charged in the indictment with using his own money – the explicit accusation of the indictment – from his checking account and his personal, unlimited trust to repay an advance by his attorney to fund the purchase of the story rights from Stormy Daniels. Federal regulations from the FEC proscribe that a loan is not a campaign donation to the extent it is repaid. But the entire New York trial was about the manner in which Trump repaid Cohen.

Popular myths abound. Many people including government officials, prosecutors, and even judges believe that either campaign funds or business corporate funds were used of The Trump Organization. That is false. Michael Cohen served, and presented himself, as an independent private practice lawyer (not an employee) serving both The Trump Organization and Donald Trump as a personal individual in other matters. Inexplicably, Michael Cohen mailed his invoices to Donald Trump's place of business. However, the indictment is explicit, though tricky, that Cohen sent invoices to Donald Trump "through" The Trump Organization. Even District Attorney Alvin Bragg's indictment does not claim that Cohen invoiced the business. As a result, there were no business records to alter. There was no business. Cohen invoiced Trump as an individual and Trump paid with personal funds. No business records are at issue. New York's definition makes this clear.

Federal regulation demands that nothing is a campaign expenditure unless proven not to be personal. Opinion columnists argue the opposite, that everything is a campaign expenditure unless proven not to be. Federal regulation fears that

candidates will exploit personal interests with campaign funds, e.g., expensive suits, hair transplants, cosmetic surgery, dental work, a fancy car, getting engaged to a movie star, then holding a big October wedding, all on the excuse that these benefit the campaign in addition to himself. Wouldn't a trip to Aruba put the candidate in a more relaxed, upbeat frame of mind back on the campaign trail? Federal regulations require that anything that was not exclusively motivated by one's campaign is personal and may not be paid with campaign funds nor reported. Federal law and regulations govern. Under nationally uniform Federal law, there can be no "other crime" that can transform an expired New York misdemeanor (in 34 parts) into a live felony. The New York entire case stands on Federal law.

PRECEDENT OR EXAMPLE OF STAY OF STATE LAW PROCEEDINGS BECAUSE OF FEDERAL COMPONENT

Applicant suggests that this Court consider the precedent set in *Republican Nat. Comm., et al. v. Mi Familia Vota, et al.*, Record No. 24a164. In that case, the Court granted a stay on enforcing an Arizona state law due to pending federal law considerations. This is directly analogous to the relief requested here: a stay of state proceedings that involve significant federal law components pending proper adjudication by a federal court.

This Court's decision to stay the Arizona law's enforcement highlights the importance of federal oversight when state laws intersect with federal issues. Allowing state-level prosecutions that hinge on federal law interpretations without proper oversight risks inconsistent applications of federal law across different

jurisdictions. Such an outcome would undermine federal law's supremacy and erode public confidence in the uniform application of justice.

Applicant urges this Court to grant a similar stay here. An ostensibly State prosecution against the leading Presidential candidate, where partisan officials waited 6 years until the campaign was underway, depended on – and now looming sentencing depends upon – Federal law under the Federal Election Campaign Act of 1971 and implementing regulation by the Federal Election Commission. Without Federal law, there could be no prosecution in New York. The statute of limitations has long expired on the misdemeanor 34 counts of one single transaction.

The case against Trump rests entirely on a foundation of Federal law to turn an expired misdemeanor (34 slices of the same misdemeanor) into a charged felony.

Without claiming that the conduct offended Federal campaign finance law, there could be no prosecution. Put another way, the application of Federal law will come before this Court either way: (1) Before irreparable harm is done to the fabric of our democracy in the context of a looming Presidential election, or (2) After the damage has been done as a threat to democracy in ways that cannot be remedied.

BACKGROUND AND JUDICIAL IMPROPRIETY

The Applicant has faced a judicial process marred by clear misconduct, led by Judge Merchan. From the outset, Judge Merchan has deviated from established legal norms, issuing jury instructions that contradict New York state law and federal standards. This deliberate misapplication of law reflects a profound bias that has

compromised the fairness of the trial.

Moreover, Judge Merchan's conduct is further tainted by his daughter's role as a paid Democratic operative, which presents a direct conflict of interest that violates ethical standards. The judiciary's integrity depends on impartiality and the avoidance of even the appearance of bias. Judge Merchan's failure to recuse himself in light of this conflict undermines public confidence in the judicial process and sets a dangerous precedent for future cases.

IRREPARABLE HARM AND THE NEED FOR IMMEDIATE INTERVENTION

The Applicant will suffer severe and irreparable harm if this stay is not granted.

The ongoing prosecution, under the guise of legally flawed and politically motivated charges, will not only damage the Applicant's reputation and rights but also set a harmful precedent for the future of our judicial system. The misuse of federal campaign finance law in state court proceedings undermines the proper jurisdictional boundaries between state and federal law, and the improper conduct of Judge Merchan exacerbates the risk of a fundamentally unfair trial.

Without this Court's immediate intervention, the damage to the Applicant and the public's trust in the judicial system will be irreparable. The continued politicization of the judiciary must be halted, and the legal principles at stake in this case must be thoroughly reviewed before any further actions are taken.

NO HARM TO THE GOVERNMENT AND THE PUBLIC INTEREST

The government will suffer no harm by pausing these proceedings until all legal matters are fully adjudicated. Ensuring that the ongoing legal issues are resolved before proceeding with the trial will enhance public trust in the legal process and protect the integrity of our democratic institutions. Allowing this case to proceed under the current circumstances, marked by judicial impropriety and the misuse of federal law, will only undermine the rule of law and erode public confidence in the fairness of our courts.

The public interest is best served by ensuring that justice is not only done but is seen to be done. This Court's intervention is necessary to prevent the continued politicization of the judiciary and to restore the public's faith in the impartiality and fairness of the legal process.

A CALL TO HALT THE ABUSE OF THE LEGAL SYSTEM

The actions of Alvin Bragg and Judge Merchan represent a dangerous convergence of political ambition and judicial misconduct that must be stopped. This Court has a duty to intervene in this case to prevent further erosion of public trust in the judiciary. The politicized lawfare that has characterized these proceedings is an affront to the principles of justice and fairness that our legal system is built upon.

INJUNCTION APPROPRIATE

Federal courts can issue injunctions to prevent state court actions when there is a clear violation of federal rights or constitutional protections. This typically involves

a federal lawsuit where the plaintiff seeks to enjoin a state court proceeding on the grounds that the proceeding is unconstitutional or otherwise violates federal law.

Ex parte Young, 209 U.S.123 (1908), established that federal courts can prevent state actions infringing on federal rights. Although not explicitly stopping state trials, the principle allows federal courts to prevent state actions infringing on federal rights.

The federal court's jurisdiction is implicated as the ongoing state trial directly interferes with the federal electoral process. This interference extends beyond personal harm to Donald J. Trump and affects the democratic rights of voters, including myself. While my single vote is sacred, as are the rights of all voters, the process must stand beyond the pale and first recognize the process must be unfettered. In *Younger v. Harris*, 401 U.S. 37 (1971), the Supreme Court emphasized the importance of federal courts abstaining from interfering with state prosecutions, except in extraordinary circumstances. Such exceptional circumstances include instances where the state proceedings are conducted in bad faith or for harassment, evident in the politically motivated trial against Donald J. Trump. Usually, the matter could play out in the state court, and this case, much like *Norma Jean Anderson et al.*, would eventually be corrected. Sadly, Alvin Bragg knew that by the timing of this case, no such relief could be granted before the election, and the interference operation would be complete.

PROCEDURAL POSTURE AND HISTORY OF THE CASE

On or about June 8, 2024, I submitted a request for a stay to the Fifth Circuit Judge, the Honorable Samuel Alito. Without official court action, I consulted with the Clerk who specializes in these applications and was advised that the Supreme Court would want to see actions and details from the lower courts, such as the Fifth Circuit. Consequently, I proceeded with an appeal to the Fifth Circuit, attached and incorporated by reference.

Despite the urgency, the Fifth Circuit has not expedited the briefing schedule. Note that I filed my brief almost a month earlier than the deadline set by the Fifth Circuit. The record is extremely short.

However, the Respondent's brief will not be filed in time for the Fifth Circuit or this Court to consider the matter before September 18, 2024. Given the impending harm, I now turn to this Court again for relief, understanding that the decisions made here will have lasting consequences not only for this case but for the integrity of the judiciary and the future of our democracy. I am respectfully reminding the court of the deceitful conviction that must be corrected before the election.

THE EXPECTED DEGREES OF SEPARATION AND ETHICAL VIOLATIONS

Judicial ethics require a clear separation between a judge's personal interests and the cases they preside over. This principle is not merely a guideline; it is a fundamental safeguard to ensure that justice is administered without bias or the appearance of impropriety. Unfortunately, in this case, Judge Merchan's conduct, compounded by his daughter's role as a paid Democratic operative with a vested

interest in the outcome of this trial, has violated these ethical boundaries.

The expected degrees of separation in judicial ethics are designed to prevent this type of misconduct. These safeguards ensure that judges remain detached from external influences that could compromise their impartiality. By ignoring these ethical boundaries, Judge Merchan has violated the trust placed in him as a judicial officer and set a dangerous precedent that threatens the integrity of the entire judicial system.

IRREPARABLE HARM AND THE NEED FOR IMMEDIATE INTERVENTION

The Applicant will suffer severe and irreparable harm if this stay is not granted.

The continued prosecution of this case, under the guise of a legally flawed and politically motivated charge, will not only damage the Applicant's reputation and rights but will also set a harmful precedent for the future of our judicial system.

Misuse of federal campaign finance law in state court proceedings undermines the proper jurisdictional boundaries between state and federal law, and the improper conduct of Judge Merchan exacerbates the risk of a fundamentally unfair trial.

Without this Court's immediate intervention, the damage to the Applicant and the public's trust in the judicial system will be irreparable. The continued politicization of the judiciary must be halted, and the legal principles at stake in this case must be thoroughly reviewed before any further actions are taken.

NO HARM TO THE GOVERNMENT AND THE PUBLIC INTEREST

Pausing these proceedings until all legal matters are fully adjudicated will not harm the government and will enhance public trust in the legal process, protecting the integrity of our democratic institutions. Allowing the case to continue amid judicial impropriety and misuse of federal law undermines the rule of law and erodes confidence in the courts' fairness. The public interest demands that justice is not only done but seen to be done, necessitating this Court's intervention to prevent further politicization of the judiciary and restore faith in its impartiality.

A CALL TO HALT THE ABUSE OF THE LEGAL SYSTEM

These words are not written lightly or without careful consideration of their serious implications. But the abuse of the legal system in this case demands a strong response. The actions of Alvin Bragg and Judge Merchan represent a dangerous convergence of political ambition and judicial misconduct that threatens the integrity of our legal system and must be stopped. The Court must intervene to prevent further erosion of public trust and ensure that justice and fairness prevail. Politicized lawfare in these proceedings is an affront to the principles upon which our judiciary is built. Prompt action is needed to restore confidence in the judicial process and prevent further misuse of the legal system for political purposes. The public interest demands that this trial be halted until a comprehensive review is conducted, free from judicial bias and political interference.

INJUNCTION APPROPRIATE

Federal courts can issue injunctions to prevent state court actions when there is a

clear violation of federal rights or constitutional protections. This typically involves a federal lawsuit where the plaintiff seeks to enjoin a state court proceeding on the grounds that the proceeding is unconstitutional or otherwise violates federal law. *Ex parte Young* 209 U.S.123 (1908): This landmark case established the principle that federal courts can enjoin state officials from enforcing unconstitutional state laws. Although not specifically stopping state trials, the principle allows federal courts to prevent state actions infringing on federal rights.

The federal court's jurisdiction is implicated as the ongoing state trial directly interferes with the federal electoral process. This interference extends beyond personal harm to Donald J. Trump and affects the democratic rights of voters, including myself. While my single vote is sacred, as are the rights of all voters, the process must stand beyond the pale and first recognize the process must be unfettered. In *Younger v. Harris*, 401 U.S. 37 (1971), the Supreme Court emphasized the importance of federal courts abstaining from interfering with state prosecutions, except in extraordinary circumstances. Such extraordinary circumstances include instances where the state proceedings are conducted in bad faith or for harassment, evident in the politically motivated trial against Donald J. Trump. Typically, the matter could play out in the state court, and this case, much like *Norma Jean Anderson et al.*, would eventually be corrected. Sadly, Alvin Bragg knew that by the timing of this case, no such relief could be granted before the election, and the interference operation would be complete.

All forms of injunctions, stays, temporary restraining orders, or the like are subject to the same four factors, although phrased differently from jurisdiction to jurisdiction and between different situations. One recent statement of the four factors is found in *Nken v. Holder*, 556 U.S. 418 (2009).

A court considers four factors when deciding whether to stay an execution: "(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 interested in the proceeding; and (4) where the public interest lies." *Nken*, 556 U.S. at 433-34.

A) My Petition in the court below and in my opening appellate brief contends that the 9-0 March 2024 decision of the U.S. Supreme Court as Judicial Estoppel demanding Prohibition against the New York Supreme Court, Law Division, Trial Term, now. The Supreme Court found that the Colorado courts could not abuse Federal law in ways inconsistent from State to State within the adjudications of Colorado's State courts. See Opinion, per curiam, *Norma Jean Anderson, et al. v. Donald Trump, et al.*, U.S. Supreme Court, March 4, 2024, downloadable for free to all including the public, at [Supreme Court's website](#).

B) I as the Applicant and Appellant will be irreparably harmed along with the federally protected function of the U.S. Presidential election as an official proceeding. The election being disrupted cannot be undone or repaired in any way.

It is untenable that even if the result of an election proceedings were tainted the law could reverse the election and put a different candidate into office. The disruption and obstruction of the Presidential election as intentional and knowing election interference is causing harm to the Appellant and the Constitutional Republic by preventing the election from being carried out correctly and appropriately. As this Brief is being filed, much delayed already, the candidates for President are preparing to hold the first debate of the Presidential election in which one candidate has been restrained by an unconstitutional “gag order” (that is exceeding the criteria of “strict scrutiny” by vastly exceeding the scope of usual, typical, modest, narrowly focused gag orders). Therefore, the election is proceeding with one candidate muzzled by the Respondents-Appellees, thus directly disrupting the Presidential election. Arguably, this is a violation of 18 U.S.C. 1512(c)(2) by obstructing or impeding an official proceeding (the federal election).

C) The stay issuance will not injure the other parties interested in the proceeding, substantially or otherwise. The Respondents waited about six years before initiating the case and then brought the case for maximum disruption to the Federal presidential election. The statute of limitations for the misdemeanor version of falsifying business records expired while the Respondents waited. Then they had to concoct an “other crime” fiction of a Federal campaign finance law violation as a dodge to resurrect the expired misdemeanors. The Respondents themselves have confirmed that they do not believe there is any need to rush or to proceed with their case in New York other than to illegally and corruptly manipulate a pending

election. The public has an overriding interest in hearing from both candidates in the election. The Respondents have no interest in proceeding at the usual slow pace of litigation. The court systems are notorious for being slow, earning the epithet “The wheels of justice grind slowly but exceedingly fine.”

D) The public interest requires that the courts be trusted as instruments of justice not as bludgeons of injustice used to corrupt our nation’s elections. There is no public interest in dubious and corrupt court proceedings brought six years late purely for partisan electoral advantage to one candidate over the other.

AN EGREGIOUS ABUSE OF JUDICIAL POWER

Discussing Judge Merchan’s actions is necessary to highlight the extent of his ethical violations and biased conduct, which have corrupted what should be an impartial judicial process. This is not a series of mere errors; it is a deliberate pattern of misconduct that undermines the principles of justice this Court is sworn to uphold. The involvement of Merchan’s daughter as a paid Democratic operative creates a direct conflict of interest that further compromises the legitimacy of this trial. Ethical standards require a judge to avoid even the appearance of impropriety, especially when personal relationships could influence a case. By not recusing himself, Merchan has allowed his courtroom to serve as a platform for political retribution rather than justice. If this abuse of judicial power continues, it will signal that the law can be manipulated to serve the interests of a few, rather than upholding fairness for all. This Court must act to reaffirm the principles of justice

and ensure that the rule of law remains intact for future generations.

POLITICIZED LAWFARE AND THE ABUSE OF JUDICIAL POWER

Despite a lack of substantial evidence, Alvin Bragg's pursuit of Donald Trump reveals a misuse of federal campaign finance laws to create charges that cannot withstand legal scrutiny. His actions prioritize a partisan agenda over justice, undermining legal norms and public trust.

This case is not just about one man; it is about protecting the Constitution and the rights it guarantees. When justice is compromised for political gain, the rights of all citizens are at risk. The Court must act to safeguard voter rights and maintain the integrity of the electoral process.

THE IMPERATIVE OF PROTECTING THE ELECTION PROCESS

At the core of this case is a crucial issue: protecting the integrity of our electoral process. The unchecked actions of Alvin Bragg and Judge Merchan could have a greater impact on this national election by weaponizing the legal system against a political opponent during an election cycle. This represents a direct threat to the democratic values on which our nation is built.

This Court has a profound responsibility to shield the electoral process from any form of interference, especially when it stems from judicial overreach. Preserving the integrity of our elections is critical, and this case is a test of that commitment. It is imperative to ensure a fair and impartial legal process that does not influence the

election.

THE IMPERATIVE OF PROTECTING FAIR TRIALS AND DUE PROCESS

“At the foundation of our civil liberty lies the principle which denies to government officials an exceptional position before the law, and which subjects them to the same rules of conduct that are commands to the citizen.” *Burdeau v. McDowell*, 256 U.S. 465, 477 (1921) (Brandeis, J., dissenting). The idea that fair courts require equal rights of procedure has been a component of law for centuries. James Wilson, an original member of the Supreme Court, wrote that the concept of common law itself is grounded in equality of procedure. “[T]he same equal right, law, or justice,” wrote Wilson, is “due to persons of all degrees.” 2 *Collected Works of James Wilson* 749 (2007) (quoting Richard Woodeson, *Elements of Jurisprudence* (1783)).

The Framers rejected the lopsided court procedures of the British Star Chamber court of the seventeenth century. In *The Federalist* 78, Hamilton noted the toxicity of “unjust and partial laws.” Or, as Justice Stephen J. Field wrote in 1887, “[b]etween [the accused] and the state the scales are to be evenly held.” *Hayes v. Missouri*, 120 U.S. 68, 70 (1887).

Yet the New York Court in Trump’s case provided a one-sided trial in which the government had greater privileges in introducing evidence and greater ability to show its witnesses’ authority and expertise, and in which Trump had the burden of proving his innocence.

Equal court procedures are not simply an end but a means to accurate and sound court outcomes. “[O]ur adversary system presupposes,” wrote Justice Potter Stewart, that “accurate and just results are most likely to be obtained through the equal contest of opposed interests.”

PRAYERS FOR RELIEF

In light of the above, Applicant respectfully requests that this Court:

1. Issue a stay of the ongoing state court proceedings in New York, pending the final outcome of the Fifth Circuit Court of Appeals decision in Case No. 24-50465;
2. Grant an immediate injunction to prevent the enforcement of any state court orders based on federal campaign finance law while the Fifth Circuit reviews the case;
3. Order a full review of the New York trial case against Donald Trump, in light of the legal arguments and pending appellate review in the Fifth Circuit, particularly concerning the potential for election interference and the broader public importance of the case;
4. Grant such other and further relief as this Court deems just and proper.

CONCLUSION

The Applicant has demonstrated a substantial likelihood of success on the merits and has shown that irreparable harm will result without this Court’s immediate

intervention. The balance of equities and the public interest strongly favor the granting of the requested relief.

Therefore, the Applicant respectfully urges Justice Alito to grant this emergency application for a stay pending the outcome of the Fifth Circuit Court of Appeals decision in Case No. 24-50465, to issue the requested injunction, and to order a full review of the New York trial case in light of the pending appellate case.

Treniss Evans

Respectfully submitted,
Treniss J. Evans III
c/o CondemnedUSA
PO Box 2357
Canyon Lake, Texas 78133
Telephone: (210) 571-2847
Treniss@CondemnedUSA.com

CERTIFICATE OF COMPLIANCE

I certify that this motion complies with the word limitations at a total of 4,697 words and 20 pages and that this petition complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in a proportionally spaced typeface using Microsoft Word in 14-point Century Schoolbook style.

Treniss Evans

Treniss J. Evans, III, Pro Se

CERTIFICATE OF SERVICE

I certify that a copy of this Application with Attachments and all other motions, briefs, and documents have been served upon the Appellees / Respondents by U.S. mail, first-class mail, postage prepaid, on this 27th day of August, 2024.

Treniss Evans

Treniss J. Evans, III, Pro Se