

24A 617

SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED
DEC - 9 2024
OFFICE OF THE CLERK

LOLA SHALEWA BARBARA KASALI
Petitioner

§ USDC: 4:21-cr-54

§ USCA: 21-20681

v.

§

UNITED STATES OF AMERICA
Respondent

§ USSC: Unassigned

MOTION FOR RELEASE ON BOND

The petitioner moves this Court to release her on bond pending the resolution of the discretionary appeal so she can go find and hire a attorney to represent her on this case.

The petitioner was convicted of 2 counts of making false statements to a financial institution 18 U.S.C. § 1014 and 2 counts of bank fraud 18 U.S.C. § 1344. The petitioner's case before the Court of Appeals for the Fifth Circuit was affirmed on August 20, 2024. Although, the Court of Appeals for the Fifth Circuit published a very flawed opinion, the petitioner's petition for a rehearing was denied on September 11, 2024. The petitioner's current deadline to file a petition for writ of certiorari is December 12, 2024. The petitioner requested a extension of time until February 10, 2025.

The petitioner is having trouble finding and hiring a attorney because of her lack of resources such as a phone and internet.

The petitioner's petition for writ of certiorari will focus on the petitioner's Fifth and Sixth Amendment right to be present at trial and right to effective assistance of counsel.

The petitioner was not visually, audibly, or physically present at her entire jury selection because of her ineffective counsel (which she objected to several times on the record) instructed the judge to proceed to jury selection and trial without her present. The judge intended to send her off to a office where she could hear the jury selection but that didn't happen. The petitioner was sent off to a room with two U.S. Marshals, where it was silent for nearly one hour until she was relocated to another office. During this time, the U.S. Marshals lied to the petitioner and told her that the proceedings had not began yet. The judge, court reporter, and counsel were not present in the room when the judge sent off the petitioner to the original office to "listen" to the jury selection. This is in direct violation of the petitioner's Fifth and Sixth Amendment right to be present at trial and right to effective assistance of counsel.

The petitioner was sentenced to 57 months and has served 44 months of her sentence. The petitioner is currently scheduled to be released on February 3, 2025, but may also be released sooner due to the miscalculation of her FSA credit. The petitioner was supposed to be released in December 2023. However, BOP staff incorrectly keyed her as FRP refusal twice totaling discredit of 276 days. FCI Dublin incorrectly keyed the petitioner as FRP refusal for a time period when she was housed at FCI Aliceville. She didn't have a FRP contract at FCI Aliceville. Therefore, she could not have possibly made FRP payments without a FRP contract. In addition, she was not learned because she was on suicide watch.

FCI Waseca also incorrectly keyed the petitioner as FRP refusal when she made all of her FRP payments on time and went out of her way to make additional payments to the Court. When the petitioner arrived at FCI Waseca, she was not in FRP refusal status. In anyway, the petitioner is expected to receive the 276 day credit that was incorrectly disallowed. That will place her at nearly 9 additional months of FSA credit and immediate release.

The petitioner does not have any pending charges.

The petitioner will be released before the resolution of this appeal.

The petitioner swears under oath to the statements in this motion.

The petitioner is requesting a hearing on this motion. The evidence is attached to this motion.

Respectfully submitted on December 6, 2024,

Lola Kasali

Lola Kasali #18011-579

Federal Correctional Institution - Waseca

P.O. Box 1731

Waseca, MN 56093

**Additional material
from this filing is
available in the
Clerk's Office.**