
No. ~~23-A401~~ 23-6835

**IN THE
SUPREME COURT OF THE UNITED STATES**

R. Allen Stanford,
Petitioner

v.

Ralph S. Janvey, et al
Respondents

**On Petition for a Writ of Certiorari from the
United States Court of Appeals for the Fifth Circuit**

**INDIVIDUAL APPLICATION TO JUSTICE SAMUEL A. ALITO
PURSUANT TO SUPREME COURT RULE 22.1 PRESENTING REQUEST
TO
HOLD PETITION FOR WRIT OF CERTIORARI IN ABEYANCE**

R. Allen Stanford
Petitioner, *pro se*
Reg.# 35017-183
FCC Coleman USP II
P.O. Box 1034
Coleman, Florida 33521

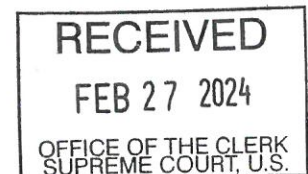


TABLE OF CONTENTS

TABLE OF AUTHORITIES	2
REQUEST TO HOLD PETITION FOR WRIT OF CERTIORARI IN ABEYANCE.....	3
ARGUMENT.....	3
CERTIFICATE OF GOOD FAITH	3
CERTIFICATE OF SERVICE	6

TABLE OF AUTHORITIES

CASES

<u><i>Bittner v. United States</i></u> , 143 S.Ct. 713 (2023)	5
<u><i>Chevron USA, Inc. v. Natural Resources Defense Council</i></u> , 467 U.S.837 (1984) 3, 4, 5.	
<u><i>Loper Bright Enterprises, et al v. Gina Raimondo, Secretary of Commerce, et al</i></u> , 143 S.Ct. 2429 (2023)	3, 4, 5.
<u><i>Relentless, Inc. et al v. Department of Commerce, et al</i></u> 144 S.Ct. 325 (2023) ...	3, 4, 5.
<u><i>Securities and Exchange Commission v. Securities Investor Protection Corporation</i></u> , 758 F.3d 357 (D.C. Cir. 2014)	5
<u><i>Securities and Exchange Commission v. Stanford International Bank.Ltd, et al</i></u> , No 3:09-cv-00298-N (N.D. Texas 2009)	4

REQUEST TO HOLD PETITION FOR WRIT OF CERTIORARI IN ABEYANCE

Pursuant to Rule 22, Petitioner R. Allen Stanford respectfully files this Application to Justice Samuel A. Alito, in which he respectfully requests that his pending Writ Of Certiorari be held in abeyance until such time as a decision has been made in *Loper Bright Enterprises, et al v. Gina Raimondo, Secretary of Commerce*, 143 S.Ct. 2429 (2023), and *Relentless, Inc. et al v. Department of Commerce, et al* 144 S.Ct. 325 (2023).

This request is justified by "intervening circumstances of a substantial or controlling effect" arising from the above cited cases which were consolidated because they presented the same or related statutory interpretation questions involving the landmark case, *Chevron USA, Inc. v. Natural Resources Defense Council*, 467 U.S. 837 (1984).

ARGUMENT

The questions presented by the Petitioner in his Writ of Certiorari are jurisdictional in nature, involve misapplication of both the federal venue and securities laws, and the unconstitutional confiscations of billions of dollars, all of which center on the Securities and Exchange Commission's (SEC) historically unprecedented abuses of its statutory interpretive authority, and responsibility; statutory interpretations that have far exceeded the reasonable "flexibility in certain circumstances" or "Chevron Deference" allowed by *Chevron USA, Inc. v. Natural Resources Defense Council*, 467 U.S. 837 (1984), and in fact have crossed into that which Justice Neil Gorsuch has characterized, quoting the former Dean of Harvard Law School, Roscoe Pound, as "administrative absolutism".

This request to hold Petition for Writ of Certiorari in abeyance is justified because this Court has granted certiorari and held extensive Oral Arguments in *Loper Bright Enterprises, et al v. Gina Raimondo, Secretary of Commerce, et al* 143 S.Ct. 2429 (2023), and *Relentless, Inc. et al v. Department of Commerce, et al* 144 S.Ct. 325 (2023), after consolidating these cases in order to revisit and possibly overturn the forty years of "**Chevron Deference**"; statutory interpretive "flexibility" that over the past forty years has not only proven unworkable but, in many cases, such as the one presented by this Petitioner, has effectively nullified the bedrock principles of statutory interpretation...exposing grave problems in the Separation of Powers context.

Accordingly, this request is not only justified, but urgent, because certiorari should not be decided prior to a resolution of *Loper Bright Enterprises, et al v. Gina Raimondo, Secretary of Commerce, et al* 143 S.Ct. 2429 (2023), and *Relentless, Inc. et al v. Department of Commerce et al* 144 S.Ct. 325 (2023); cases that present the same or sufficiently similar statutory interpretation questions focusing on the unconstitutionality of "**Chevron Deference**". At bottom, this request is justified because the jurisdictional issues presented by Mr. Stanford are too important from a constitutional perspective to be prematurely decided prior to any decision in these two consolidated cases; too important to Mr. Stanford himself, and too important to the tens of thousands of other individuals who have been financially harmed by the Securities and Exchange Commissions' gross abuses of "**Chevron Deference**" in the underlying "**main action**" case filed against Mr. Stanford and his global group of financial services companies, on February 16, 2009. See, *Securities and Exchange Commission v. Stanford International Bank, Ltd.*, Case No 3:09-cv-00298-N (N.D.Tex.)

Additionally, this request to hold this Petition for Writ of Certiorari in abeyance is further justified because the SEC has previously attempted to rely on "**Chevron Deference**" in a Stanford-related case involving billions of dollars and the statutory definition of a "customer" in 15 U.S.C. 78ggg(b), Securities Investor Protection Act (SIPA), 15 U.S.C. 78aaa, et seq.


Importantly, this attempt by the SEC was considered and resolutely denied by the D.C. Circuit Court of Appeals, and further review was not sought. See, *Securities and Exchange Commission v. Securities Investor Protection Corporation*, 758 F.3d 357 (D.C.Cir. 2014)

CONCLUSION

Because it is anticipated that the forty years of "**Chevron Deference**" permitted by *Chevron USA, Inc. v. Natural Resources Defense Council*, 467 U.S. 837 (1984), and affecting this internationally important case, will be swept away by the decisions in *Loper Bright Enterprises, et al v. Gina Raimondo, Secretary of Commerce, et al* 143 S.Ct. 2429 (2023), and *Relentless, Inc. et al v. Department of Commerce, et al*, 144 S.Ct. 325 (2023), and because "**Chevron Deference**", which typically works for the government and against the individual, a reality that conflicts with this Court's recent "rule of lenity" clarification in *Bittner v. United States*, 143 S.Ct. 713 (2023) (holding, statutes imposing penalties are to be "construed strictly" against the government and in favor of the individual), Petitioner R. Allen Stanford respectfully prays the Court will grant this request to hold his Writ of Certiorari in abeyance pending decisions in these "**Chevron Deference**" cases.

Date: February 22, 2024


Respectfully submitted,


R. Allen Stanford

Petitioner, *pro se*

CERTIFICATE OF GOOD FAITH

The Petitioner, R. Allen Stanford, hereby certifies that this Individual Request To Justice Samuel A. Alito to hold the pending Petition For Writ Of Certiorari In Abeyance is presented in good faith and not for delay.


R. Allen Stanford

R. Allen Stanford
Petitioner, *pro se*

CERTIFICATE OF SERVICE

I, R. Allen Stanford, Petitioner *pro se*, hereby certify under penalty of perjury that on this 22nd day of February 2024, I placed a copy of this 'Individual Request To Justice Samuel A. Alito in the U.S. Mail addressed to each of the parties listed below.


R. Allen Stanford

Petitioner, *pro se*

Solicitor General of the United States
Room 5614
Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

Kevin M. Sadler for Receiver Ralph S. Janvey
1001 Page Mill Rd.
Palo Alto, CA 94304

Jane A. Langford, TD Bank
50 Mine Brook Rd.
Bernardsville, NJ 07924

Wyatt E. Crowell, HSBC Bank
1441 Brickell Ave.
Miami, FL 33131

David R. Brooks, Independent Bank of Houston
7777 Henneman Way
McKinney, TX 75070

Security and Exchange Commission
Megan Barbero
100 F Street, N.E.
Washington, DC 20549