No. 19-1244

IN THE

Supreme Court of the United States

———

ANTHONY JOHNSON,

Applicant,

v.

STORIX, INC.,

Respondent.

———

On Application to Stay the Mandate of the
United States Court of Appeals for the Ninth Circuit

APPLICATION FOR A STAY PENDING THE DISPOSITION OF A PETITION FOR A WRIT OF CERTIORARI

Anthony Johnson
Pro Se Petitioner
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Attachment A: Memorandum of the Ninth Circuit Court of Appeals in *Johnson v. Johnson v. STORIX, INC.*, No. 16-55439 (9th Cir. Dec. 19, 2017) (cert. denied.) (Pet. App. 45a)

Attachment B;   Memorandum of the Ninth Circuit Court of Appeals in *Johnson v. STORIX, INC.*, No. 18-56106 (9th Cir. Feb. 5, 2020) (Pet 1a)

Attachment C;   Order of the District Court for the Southern District of California in *Johnson v. STORIX, INC.*, No. 3:14-cv-1873-H-BLM, dated August 7, 2018. (Pet. App. 5a; Exhibit B omitted)

Attachment D: Second amended judgment of the District Court for the Southern District of California in *Johnson v. STORIX, INC.*, No. 3:14-cv-1873-H-BLM, dated August 7, 2018. (Pet. App. 42a)

Attachment E: Order of the Ninth Circuit denying a motion to stay the mandate pending filing and disposition of petition for writ of certiorari with the Supreme Court, dated April 29, 2020.

To the HONORABLE ELENA KAGAN, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Ninth Circuit:

In accordance with 28 U.S.C. § 2101(f) and Supreme Court Rules 23 & 24, Plaintiff-Applicant Anthony Johnson (Johnson) respectfully requests an immediate stay of execution of the judgment in Southern District of California Case No. 3:14-cv-01873-H-BLM pending the disposition of a petition for writ of certiorari with this Court. Earlier today, the Ninth Circuit summarily denied Johnson's motion to stay its mandate pending the filing of Johnson's petition and Johnson's amended motion to stay the mandate pending the disposition of the petition after it was filed. Absent relief from this Court, the mandate is scheduled to issue in **seven days**. Petitioner has herein satisfied the requirements of Supreme Court Rule 23 for seeking a stay from a Circuit Justice.

First, there is a reasonable probability the Court will grant Johnson's petition for certiorari. Ordinarily, an unpublished 2-page memorandum affirming a judgment against a *pro se* appellant would weigh against certiorari. But in this case, those factors strongly favor the Court granting certiorari. Johnson will ask the Court to answer an important constitutional question of whether the Ninth Circuit denied his Fifth Amendment right to due process by summarily affirming a district court' order, wherein the district court repeatedly failed to acknowledge any legal arguments or authority contrary to its decision to award unprecedented attorney's fees in a copyright case. The Ninth Circuit panel also affirmed the order following remand without determining if the district court complied with its mandate to

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