

**Russell Rope**  
*Petitioner In Pro Per*  
ID 1607 POB 1198  
Sacramento, CA 95812  
justice@russellrope.com  
**(310) 663-7655**

**IN THE SUPREME COURT  
OF THE STATE OF CALIFORNIA**

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**RUSSELL ROPE,**  
Petitioner,

vs.

**SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF LOS ANGELES, &  
THE HONORABLE STEPHEN I. GOORVITCH,**  
Respondents,

**COINBASE, INC.,**  
Real Party in Interest.

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**Case No. S291823**  
*Related Appeals Court Case No. B347393*  
*Related Superior Court Case No. 25STCV16692*

**EMERGENCY PETITION  
FOR REVIEW AND REQUEST FOR STAY**  
(Cal. Rules of Court, Rules 8.500 & 8.116)

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**URGENT DEADLINE – JULY 18, 2025**

Petitioner respectfully requests immediate review and a stay to **prevent irreversible destruction and loss of critical digital assets** due to the decommissioning of wallet access systems currently and unlawfully under Real Party in Interest's control.

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### **I. INTRODUCTION AND EMERGENCY REQUEST FOR RELIEF**

Petitioner respectfully submits this **Emergency Petition for Review** pursuant to Rule 8.500 of the California Rules of Court. Please note that this is my third attempt within one week to obtain relief from this Court. My initial filing was transferred to the Court of Appeal on July 3. I immediately revised for that court, filed and served, and was denied later that same day. Later on July 3, I filed a second, updated petition with the Supreme Court based on the denial, and followed up with a clarification and supplemental declaration. After communication with this Court, I was directed by a clerk to refile as a new petition.

The urgency remains: Defendant Coinbase has changed the critical asset decommissioning deadline from June 30, to July 7, and now to July 18. There remains sufficient time for this Court to issue relief that would allow for proper notice and enforcement of a mandate directing immediate administrative recovery or support for secure transfer of Plaintiff's digital property.

Pursuant to Cal. Const., art. VI, §10, and Code Civ. Proc. §§1085 and 1102, Petitioner Russell Rope, in pro per, respectfully respectfully seeks emergency review of the Court of Appeal's denial of writ relief to prevent irreparable loss of digital property—approximately 200 unique (~4k in total) NFTs, valued at over \$1 million—held in a Web3 Wallet controlled by Real Party Coinbase, Inc. The Superior Court's June 27, 2025, preservation order (Minute Order, 06/27/2025) prevented immediate deletion but failed to compel Coinbase to assist with asset recovery. On July 3, 2025, Judge James C. Chalfant denied Petitioner's emergency application for equivalent relief, but acknowledged the risk of irreparable harm and reset the matter for hearing on July 7, 2025. However, the assigned department (Dept. 28) is closed for the July 4 holiday weekend through Monday the July, 7, 2025, and Coinbase has stated that access will be permanently terminated on July 7. Given the court's limited schedule and Coinbase's continued refusal to assist, no adequate remedy exists absent immediate intervention by this Court.

**Petitioner requests:**

1. A writ compelling Coinbase to assist in passkey recovery or transfer all digital assets to Petitioner's control;
2. An emergency stay enjoining Coinbase from terminating, deleting, or modifying access to Petitioner's Web3 Wallet; and
3. A declaration that Coinbase's arbitration and biometric terms are unenforceable under California law.

### **Stay Requested Under Rule 8.116:**

Petitioner respectfully requests that this Court immediately order Real Party in Interest Coinbase, Inc. to cooperate in the administrative transfer of digital property—including access credentials, NFTs, and associated wallet contents—to Petitioner’s control, or provide direct systems-level support to facilitate recovery. In the alternative, Petitioner requests a stay of the Superior Court’s July 7, 2025, order and an injunction prohibiting Coinbase from deleting, modifying, or interfering with any aspect of Petitioner’s digital property pending final resolution of this matter—regardless of any burdens Coinbase may claim as a result of its prior refusal to cooperate.

## **II. SUMMARY OF PRIOR PROCEEDINGS**

- **June 10, 2025:** Petitioner filed a Verified Complaint in Los Angeles Superior Court (Case No. 25STCV16692), alleging conversion, fraud, biometric coercion, and constitutional violations (Verified Compl., ¶¶50–52, 86).
- **June 19, 2025:** Petitioner filed a Proposed TRO seeking preservation and recovery of Web3 Wallet assets (~200 NFTs, \$1M+; Verified Compl., ¶¶24–25).
- **June 25, 2025:** The Court of Appeal summarily denied Petitioner’s writ petition without opinion.
- **June 27, 2025:** Judge James C. Chalfant issued a preservation order but declined to compel asset recovery or issue the full TRO (Minute Order, 06/27/2025).
- **June 30, 2025:** Petitioner met and conferred with Coinbase’s counsel (Eric Martin, Jackie Feick, Claire Laytham), who refused recovery assistance and disclosed a July 7, 2025, termination deadline (Verified Compl., ¶18).
- **July 1, 2025:** Coinbase filed an ex parte application to dissolve the preservation order, misrepresenting the June 27 hearing.

- **July 2, 2025:** Petitioner filed and served two ex parte applications: (1) seeking alternative service of the Summons and Complaint, and (2) seeking equivalent emergency relief in lieu of TRO. The former was withdrawn after Coinbase confirmed valid acceptance of service on July 2 under CCP §415.30.
- **July 3, 2025:** Judge Chalfant denied the emergency application for relief as procedurally insufficient, but reset the matter for hearing on July 7, 2025. The reassigned department (Dept. 28) is closed for the holiday weekend and on Monday July 7, 2025, leaving no practical recourse before Coinbase’s July 7 termination deadline.
- **July 3, 2025:** The Court of Appeal (Case No. B347393) denied all emergency writ filings without analysis. The order was issued simultaneously with new filings, despite their relevance and urgency.
- **July 3, 2025:** Petitioner filed a Supplemental Brief and Declaration for Emergency Relief with exhibits, including new threats, safety risks, and evidence of escalating harm.

### **III. LEGAL GROUNDS FOR REVIEW**

This Petition also renews and incorporates by reference Petitioner’s July 2, 2025 filing in S291749 and challenges the July 3, 2025 summary denial by the Court of Appeal (Ex. F), which failed to consider supplemental filings and ignored serious legal and factual developments.

A writ of mandate is warranted where a trial court abuses its discretion and no adequate remedy exists (CCP §1085; *Robbins v. Superior Court* (1985) 38 Cal.3d 199, 205). The Superior Court’s June 27, 2025, order preserved Petitioner’s Web3 Wallet but abused its discretion by failing to compel Coinbase to transfer assets or assist with passkey recovery, despite evidence of conversion, fraud, and biometric coercion (Verified Compl., ¶¶24, 30, 50–52). Coinbase’s ex parte application, filed on July 1, 2025, misrepresented the June 27 hearing, falsely claiming undue burden despite raising no objections at the

time. The Superior Court declined to grant emergency relief at the July 3, 2025, hearing, citing procedural grounds rather than the urgency and irreparable nature of the harm at stake. With Coinbase's termination deadline of July 7 looming, Petitioner faces the imminent loss of irreplaceable digital property. No further recourse exists in time, and immediate Supreme Court intervention is the only remaining path to prevent a miscarriage of justice.

### **III-A. BASIS FOR SUPREME COURT REVIEW**

Supreme Court review is proper under Cal. Rules of Court, rule 8.500(b)(1) because the Court of Appeal's denial conflicts with precedent requiring meaningful analysis of emergency writ petitions (see *Ng v. Superior Court* (1992) 4 Cal.4th 29). The petition raises novel and urgent questions of digital property rights, constitutional violations, and irreparable harm. The Court of Appeal failed to provide reasoned consideration or protect against injustice, necessitating Supreme Court review.

### **IV. WHY SUPREME COURT REVIEW IS NECESSARY**

This case presents urgent, novel issues of public importance:

- Whether NFTs and Web3 Wallets are protected as property under California law (*Fremont Indem. Co. v. Fremont Gen. Corp.*, 148 Cal.App.4th 97 (2007)).
- Whether retroactive biometric requirements violate constitutional rights (Verified Compl., ¶52).
- Whether clickwrap arbitration clauses are enforceable absent assent (Cal. Civ. Code §1670.5; Verified Compl., ¶86). Petitioner's ex parte applications (Dept. 28, emergency relief; Dept. 85, alternative service, opposition; July 3, 2025) were not resolved by July 7, 2025, and risk ongoing or permanent loss. The Court of Appeal's summary denial (June 25, 2025) ignored these issues, necessitating this Court's intervention to protect digital property rights.

## V. PRAYER FOR RELIEF

Petitioner respectfully requests:

1. Review and reversal of the Court of Appeal's July 3, 2025 denial.
2. Reinstatement or expansion of emergency jurisdiction to protect Petitioner's digital assets and personal safety.
3. Issue a writ of mandate compelling the Superior Court to order Coinbase to immediately transfer Petitioner's digital assets (~200 NFTs, \$1M+ valuation) and assist in recovering passkey credentials;
4. Immediately stay Coinbase from deleting, terminating, or modifying access to Petitioner's Web3 Wallet, passkeys, or NFTs pending resolution of Case No. 25STCV16692;
5. Declare Coinbase's arbitration and biometric terms unenforceable under Cal. Civ. Code §1670.5, as lacking mutual assent and violating constitutional rights;
6. Alternatively, issue an emergency stay preserving the status quo pending full review;
7. Grant such other relief as the Court deems just and proper.

Petitioner respectfully urges this Court to act immediately and with time for compliance before the July 18, 2025, termination deadline to prevent irreversible loss of protected digital property.

Dated: July 9<sup>th</sup>, 2025  
/s/ **Russell Rope**  
*Petitioner In Pro Per*

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# **EXHIBIT A**

- (1) Court of Appeal Denial (B347393)**  
**(2) Court of Appeal Denial (B347068)**

*Issued July 3, 2025 & June 25, 2025*

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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT **COURT OF APPEAL – SECOND DIST.**

DIVISION FOUR

**FILED**

**Jul 03, 2025**

**EVA McCLINTOCK, Clerk**

**S. Veverka**

**Deputy Clerk**

RUSSELL ROPE,

B347393

Petitioner,

(Los Angeles County Super. Ct.  
No. 25STCV16692)

v.

(James C. Chalfant, Judge)

SUPERIOR COURT OF THE  
COUNTY OF LOS ANGELES,

ORDER

Respondent;

COINBASE, INC.,

Real Party in Interest.

THE COURT:\*

The petition for writ of mandate, prohibition or other appropriate relief filed in the California Supreme Court on July 3, 2025 and transferred to this court has been read and considered and is denied for failure to establish entitlement to the relief requested.



\* COLLINS, Acting P.J.



MORI, J.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

COURT OF APPEAL – SECOND DIST.

FILED

Jun 25, 2025

EVA McCLINTOCK, Clerk

S. Veverka

Deputy Clerk

RUSSELL ROPE,

Petitioner,

v.

SUPERIOR COURT OF THE  
COUNTY OF LOS ANGELES,

Respondent;

COINBASE, INC.,

Real Party in Interest.

B347068

(Los Angeles County Super. Ct.  
No. 25STCV16692)

(James C. Chalfant & Stephen I.  
Goorvitch, Judges)

ORDER

THE COURT:\*

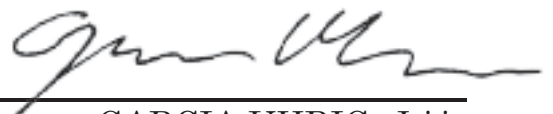
The petition for writ of mandate, prohibition or other appropriate relief filed on June 23, 2025, has been read and considered and is denied for failure to establish entitlement to the relief requested.



\* ZUKIN, P.J.



COLLINS, J.



GARCIA UHRIG, J.\*\*

\*\* Judge of the Los Angeles Superior Court, assigned by the Chief Justice pursuant to article VI, section 6, of the California Constitution.

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***Case No. S291823***  
*Related Appeals Court Case No. B347393*  
*Related Superior Court Case No. 25STCV16692*

**CERTIFICATE OF WORD COUNT**  
**FOR EMERGENCY PETITION FOR REVIEW AND REQUEST FOR STAY**  
*(Cal. Rules of Court, Rules 8.500, 8.504(d), & 8.116)*

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Pursuant to California Rules of Court, rule 8.504(d), I certify that this Emergency Petition for Review contains exactly 1,594 words, including footnotes but excluding the verification, exhibits, proof of service, fee waiver, and this certificate.

Dated: July 9<sup>th</sup>, 2025  
/s/ **Russell Rope**  
*Petitioner In Pro Per*

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*Case No. S291823  
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**VERIFICATION  
FOR EMERGENCY PETITION  
FOR REVIEW AND REQUEST FOR STAY**  
*(Cal. Rules of Court, Rules 8.500 & 8.116)*

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I, Russell Rope, am the Petitioner in the foregoing **Emergency Petition for for Review and Stay**. I have read the petition and know its contents. The facts stated therein are true of my own personal knowledge, except as to those matters stated on information and belief, and as to those matters, I believe them to be true. This verification is made pursuant to California Rules of Court, rules 8.500(d) and & 8.116, and Code of Civil Procedure §§ 1085 & 1102. I declare under penalty of perjury under California law that the foregoing is true and correct.

Dated: July 9<sup>th</sup>, 2025  
/s/ **Russell Rope**  
*Petitioner In Pro Per*

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**Case No. S291823**  
*Related Appeals Court Case No. B347393*  
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**PROOF OF SERVICE  
FOR EMERGENCY PETITION  
FOR REVIEW AND REQUEST FOR STAY**  
*(Cal. Rules of Court, Rules 8.500 & 8.116)*

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I, Russell Rope, declare:

On **July 8, 2025**, I served a true and correct copy of the: **EMERGENCY PETITION FOR REVIEW  
AND REQUEST FOR STAY** (Supreme Court of California) on the parties listed below by the  
following methods:

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**1. By Electronic Filing:**

Filed and electronically served with the **Superior Court of California, County of Los Angeles**, Department 82 & 85, via e-filing provider One Legal.

**2. By Electronic Filing**

Filed and electronically served the **California Court of Appeal, Second Appellate District**, via TrueFiling pursuant to California Rules of Court, rule 8.500(d)(1).

**3. By Email:** Served via email to counsel for Coinbase, Inc.:

- Jackie Feick – jackie.feick@nortonrosefulbright.com
- Eric Martin – eric.martin@nortonrosefulbright.com
- Jeffrey Margulies – jeff.margulies@nortonrosefulbright.com

**3. By Email to California Attorney General:**

Because I already served them and wanted to provide an update despite being instructed by the clerk that the CA AG did not need to be served, also via general email contact form with file upload on CA AG website @ <https://oag.ca.gov/contact/general-contact-form>

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: July 9<sup>th</sup>, 2025  
/s/ Russell Rope  
*Petitioner In Pro Per*