

No. _____

IN THE SUPREME COURT OF THE UNITED
STATES

DAVID LOUIS WHITEHEAD,

Petitioner,

v.

USCA5 No. 17-30631

NETFLIX INC, 1-5; et al.,

Respondents.

On Petition For A Writ of Certiorari To The United
States Court of Appeals For The Fifth Circuit

PETITION FOR WRIT OF CERTIORARI



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QUESTIONS PRESENTED

1. Whether Petitioner's case relating to Federal Judge violating the subpoena issue allows him to by-pass the appellate process to petition the Supreme Court directly, citing Marbury v. Madison, 1803.
2. Whether Circuit Court improperly denied petitioner's motion for reconsideration to by-pass Appellate process to petition the Supreme Court directly citing Marbury v. Madison, 1803, and conflicts.
3. Whether Federal District Court Judge a possible material witness failure to appear after the court was properly served with valid subpoena relating to material questions on witnesses reaches the height of Marbury v. Madison, 1803.
4. Whether Jurists presiding on the case having pecuniary interest violates the federal statutes by denying access to court. 28 U.S.C. Section 455 as amended.
5. Whether the court District Judge was influenced and had prior knowledge via witnesses (Senator Patrick Leahy and others) on decision to strike complaint and dismiss the case.
6. Whether the Judges presiding on the petitioner's case to unseal government's investigation abused their discretion having judicial bias and pecuniary interest and possibly part to the 100 judges investigation.
7. Whether District Court Judge and Circuit Judges abused their discretion denying motion to unseal Government's investigation, recusal, stay, seizure of the

alleged stolen copyrights when jurists are possibly part to the investigation.

8. Whether Judge should have honored valid subpoena.
9. Whether Circuit Judge abused discretion denying to order Netflix to state whether there was solicitation of the petitioner's 30 film proposal.
10. Whether the District Court Judge abused his discretion striking the complaint, denying his recusal, denying stay and denying unsealing the federal investigation having pecuniary interest and bias.
11. Whether there was intentional tortious inference in potential contract in this case based on the ongoing Justice Department's investigation.
12. Whether there was undue influence of the court's decisions and or potential undue influence of the courts tied to material witnesses and Government's investigation.
13. Whether the District Court Judge Drell violated petitioner's civil rights denying him a right to sue Netflix, possibly having financial interest. Judge Drell in related case of the same petitioner in re: Whitehead v. Caddo Parish, et al., 17CR-00306 stated he did not own any financial interest in the pending case 17cv225 Whitehead v. Netflix, et al. Judge Drell issued the statement, "The undersigned Chief Judge has NO interest in, is not related to, and has no conflict of interest concerning Travelers Insurance Company nor in the so called "Hollywood studios and lenders."

14. Whether the District Court Judge held petitioner to the standards of a lawyer drafting complaint when the court stated Attorney Alan Pesnell did not file complaint on his behalf.
15. Whether dismissal of appeal was proper even though court denied motion to by-pass appellant process to petition Supreme Court directly citing Marbury v. Madison, 1803, and various noted conflicts.
16. Whether Judge Paul L. Friedman had prior knowledge of petitioner relating to his employment involving Delegate Eleanor Holmes Norton violating the statutes.
17. Whether Judge Dee D. Drell had prior knowledge of case stemming from witnesses tied to subpoena matters.
18. Whether District Court Judge had immunity relating to subpoena issue.
19. Whether District Court Judge having conflicts abused his discretion by striking complaint, dismissing case, and denied leave to amend complaint and to set aside judgment pursuant to Rule 60 (b) as amended.

**PARTIES TO THE PROCEEDINGS AND RULE 29.6
STATEMENT**

Petitioner in this Court, appellant is DAVID LOUIS
WHITEHEAD;

Respondent in this Court, defendant-appellees below is
Netflix Inc.

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A. The Courts of Appeals Have Not Been Consistent on Decisions Regarding Fraud on the Court and Conflicts involving Officers of the Court in cases.

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**CONSTITUTIONAL AUTHORITIES AND
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U.S. Constitution, Fourteenth Amendment

.....16 28 U.S.C. SECTION 455 (a) states:

- Any Justice, judge or magistrate of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.
- Title 28 U.S.C. Section 455 (b) (5) (i) in pertinent part states: "He shall also disqualify himself...where he... is a party of the proceeding, or an officer, director or trustee of a party".

Amendment Fifth, United States Constitution in pertinent part provides:

- No person shall be deprived of life, liberty, or property, without due process of law.

Amendment Fourteenth, Section 1, United States Constitution in pertinent part provides:

- (1) No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; (2) nor shall any State deprive any person of life, liberty, or property, without due process of law; (3) nor deny to any person within its jurisdiction the equal protection of the laws.

Litigants have mandatory constitutional rights to appear before unbiased jurists, who remain impartial to the parties, facts and case. See *in re: Murchison*, 349 U.S. 133 (1955); Also see *Tumey v. State of Ohio*, 273 U.S. 510, 532 (1927); *Ohralik v. Ohio State Bar Assn* 436 U.S. 447, 462-68 (1978); *Offutt v. United States*, 348 U.S. 11, 14, 1954; *Aetna Life Insurance Company v. Lavoie*, 475 U.S. 813 (1986); *Liljeberg*, 486 U.S. 847 (1988); *id* at 860; 5th and 14th amendments.

OPINIONS BELOW

The opinion of the Circuit court denying the petitioner's various motions.

Opinions of the Circuit Court have not been published.

For cases from Federal Circuit Court:

A, A1, A2 through A-2 b, are opinions of the Circuit Court:

App. A; USCA-5th Cir, Filed 08/14/2017 signed by Judge W. Eugene Davis.

App. A-1, USCA-5th Cir, Filed 08/25/2017 signed by Judges Davis, Clement and Owen

App. A-2; USCA-5th Cir, Filed 10/16/2017 signed by Judges Davis, Clement and Owen

App. A-2 (b), USCA-5th Cir, Filed October 16, 2017, signed by Clerk of United States Court of Appeals for the Fifth Circuit.

US District Court:

App. A-3, USDC WD, LA, Filed 03/28/2017 signed by Chief Judge Drell.

App. A-4, USDC WD, LA, Filed 06/29/2017 signed by Chief Judge Drell.

App. A-5, USDC WD, LA, Filed 05/02/2017 signed by Chief Judge Drell.

App. A-6, USDC WD, LA, Filed 05/02/2017 signed by Magistrate Perez-Montes.

JURISDICTION

The Fifth Circuit Jurists in re: Whitehead v. Netflix Inc.,
17-30631 . This Court has jurisdiction under 28 U.S.C. § 1254(1) as amended.

IFP without Cost

Petitioner was not granted IFP status in the lower federal courts. Court fees were not paid. Motions to stay proceeding pertaining to payments and/or IFP were filed with both lower courts pending relief of other motions.

STATEMENT OF THE CASE

Introduction—Nature of the Supreme Court Review

Respondents Netflix et al declined a 30 film project proposal submitted to Netflix by Attorney Alan Pesnell on the Petitioner's behalf. Petitioner alleges the proposal was solicited by Netflix Inc. However, in their response via email communication Respondents Netflix Inc alleges that the 30 film proposal was not solicited.

District Court Judge possibly having pecuniary interest relied on corrupt and fraudulent decisions in re: Whitehead v. White & Case LLP, et al., 12-30553 (5th Cir. 2012), Whitehead v. White & Case LLP, et al., 12-30757 (201213), Whitehead v. White & Case LLP, 12cv399, WD. LA, and other rulings of various courts including cases before Judge Paul L. Friedman to strike the petitioner's complaint without affording him due process having access to the court. (See Ohralik v. Ohio State Bar Assn 436 U.S. 447, 462-68 (1978, Murchison, 349 U.S. 133 (1955); Also see

TRAMONTE v. CHRYSLER CORP., 136 F.3d, 1025, 1029-30 (5th Cir. 1998); See also In re Faulkner, 856 F.2d 716, 721 (5th Cir. 1988), United States v. Jordan, 49, F.3d 152 (5th

Cir. 1995), Potashnick v. Port City Construction Co, 609 F.2d 1101 (5th Cir. 1980), HESLING v. CSX TRANSP, 396 F.3d 632, 641 (5TH CIR. 2005), GENERAL UNIVERSAL SYSTEMS, INC v. LEE, 379 F.3d 131, 156 (5TH CIR. 2004), Gordon v. Reliant Energy, Inc, 141 F. Supp. 2d 1041 (S.D. Cal. 2001), Tumey v. State of Ohio, 273 U.S. 510, 532 (1927), & See Also see Offutt v. United States, 348 U.S. 11, 14, 1954; Aetna Life Insurance Company v. Lavoie, 475 U.S. 813 (1986); In re Johnson, 921 F.2d. 585 (5th Cir. 1991); id at 587; id., Porter v. Singletary, 49 F.3d, 1483,1489 (11th Cir 1995)

Petitioner's case dismissed by Judge Drell relied mostly on Judge Paul L. Friedman's fraudulent rulings.

Two jurists, Judge Friedman and Judge P.K. Holmes were partners of their respective law firms when they presided on petitioner's cases. Judge Holmes partnered with **Warner, Smith & Harris PLC** presided on case in re: Whitehead v.

Clinton, Bush and Obama, et al, 11cv4031, WD, Ark, and Judge Friedman presided on 11 of the petitioner's cases as a partner with White & Case LLP, White & Case Partners, spouses and associates in Wallpark LLC violating the statutes and law. See HAZEL-ATLAS CO. v. HARTFORD EMPIRE CO., 322 U.S. 238, 64 S. CT. 997, 88 L. ED 1944);

BALTIA AIR LINES, INC. v. TRANSACTION MGMT., INC.

98 F.3d 640, 642 (D.C. CIR. 1996.)

Judge Friedman dismissed 11 cases of the petitioner as a General Partner with the White & Case LLP firm and Partners, former Partners, spouses in Wallpark LLC. The latter entity Wallpark LLC located in White & Case LLP offices in New York. Judge Friedman testified before the Senate Judiciary Committee on his confirmation for his judgeship that he would remain a General Partner with White & Case LLP Partners, former Partners, and spouses in Wallpark LLC, but not the law firm.

Judge Friedman failed to disclose his General Partnership with White & Case LLP in Wallpark LLC also associated with White & Case LLP Partners. For over 13 years and throughout his judicial career Judge Friedman failed to disclose in various filed financial disclosure statements with the Judicial Conference of the US Courts Committee on Financial Disclosure, Court, Federal Election Commission (FEC MUR-5237), and Congress that he was a General Partner with White & Case LLP firm tied to Wallpark LLC. Evidence points to facts that Judge Friedman stated he would remain a General Partner with White & Case LLP partners in Wallpark. (See US v Murphy, 768 F.2d 1518 (7th Cir. 1985).

Judge Friedman did not disclose his association with the White & Case LLP firm which was tied to Wallpark LLC. Judge Friedman failure to disclose his conflicts involves serious fraud involving false testimony relating to the petitioner's cases before the court. From 1994 to 2013 Judge Paul L. Friedman filed sworn statements with the

Senate Judiciary Committee and Judicial Conference of the United States Courts on Committee on Financial Disclosure stating that the court would continue to be a General Partner with Partners, former Partners and spouses in Wallpark LLC. However, Judge Friedman failed to disclose his association White & Case LLP involving Wallpark LLC before the Senate Judiciary, FEC, Financial Disclosure Committee for US Courts and Court. Judge Friedman was a General Partner with both White & Case LLP and Wallpark LLC. For instance, in the year 2000, White &

Case LLP Partner Duane Walls filed SEC (Security and Exchange) joint filings evidence that White & Case LLP and Wallpark LLC are associated as an joining related entity. Judge Friedman failed to state that he was also a partner with White & Case LLP in Wallpark LLC, which mounts to fraud of the court by officer of the court. (See Rule 60 b (3) Also see HAZEL-ATLAS CO. v. HARTFORD EMPIRE CO., 322 U.S. 238, 64 S. CT. 997, 88 L. ED 1944). Judge Friedman dismissed 11 of the petitioner's cases and allowed numerous judges to protect him, White & Case LLP, Wallpark LLC, his spouse and their clients (Sony) interest in these matters. Over 100 judges having bias and financial interest ruled against the petitioner protecting Judge Friedman, White & Case LLP and Wallpark LLC and their clients. (See Rule 60 b (3); Also see HAZEL-ATLAS CO. v. HARTFORD EMPIRE CO., 322 U.S. 238, 64 S. CT.

997, 88 L. ED 1944).

In the 11 cases filed by the petitioner before Judge Friedman, Judge Friedman stated that he did not have any conflict of interests. The court stated, "Plaintiff has not

alleged, and this Judge is unaware of, any extrajudicial conduct on part of this court that would lead an objective informed observer to reasonably question the court's impartiality." However, this statement is false as well as 44 others by Judge Friedman involving petitioner's 11 cases before the court. For instance, in one specific case in re: Whitehead v. Columbia Pictures Industries, Paramount Communication, et al, 98cv2938, on February 7, 2001, Judge Friedman filed a statement/affidavit stating, "... Plaintiff is correct that a judge must recuse himself if he has a financial interest in the subject matter of the controversy..." See 28 U.S.C. **Section 455 (b4) (d4)**. In this civil action case 98cv2938 Whitehead v. Columbia Pictures Industries, Paramount Pictures, et al., Judge Friedman's affidavit omitted his General Partnership with White & Case LLP, partners, spouses and associates in Wallpark LLC located in New York in White & Case LLP office building. Moreover, Judge Friedman falsely stated that he sold his Paramount Communications financial stocks in 1993, but list the same Paramount Communications financial stocks before the Senate

Judiciary Committee in 1994. (See Attorney Friedman's 1994 Senate Confirmation Testimony for his judgeship testifying that he would continue to be a General Partner with White & Case LLP Partners, former Partners and spouses in Wallpark LLC. White & Case and Wallpark LLC Joint White & Case represents Sony. SEC filings 2000 signed by White & Case Partner Duane Walls).

As stated, Judge Friedman's statement-affidavit in re: Whitehead v. Columbia Pictures Industries Paramount Pictures, et al., 98cv2938, states that he did not own

financial interest in Paramount Communication and that he sold his Paramount Communication financial stocks in 1993, but listed the same Paramount Communication financial stocks in 1994 before the Senate Judiciary Committee for his judgeship. Judge Friedman's General Partnership with Wallpark and White & Case LLP and Partners is tied to Sony. The court also denied having interest in Columbia Pictures when Sony represents Columbia Pictures and Sony tied to Wallpark LLC. (See Whitehead v. Deutch, 96cv420. Judge Friedman worked for Eleanor Holmes Norton, who petitioner sued, and he chair her commission with Judge Norma Jean Johnson who presided on petitioner's case in re: Whitehead v. Deutch, 96cv420, Whitehead v. Gates, Norton, 92cv917; See Whitehead v. Woolsey, Norton, et al., 93cv1363 A; See LITEKY v. UNITED STATES, 510 U.S. 540 (1994). Judge Drell as well as other judges of the United States relied fraudulent decisions to deny petitioner access to the court. Judge Drell's failed to appear pursuant to a valid district court issued subpoena on questions on his 2016 financial disclosure records and his possible contacts with Senator Patrick Leahy providing "undue influence". A copy of the petitioner's Federal Trade Commission (FTC) complaint was sent to Mr. Leahy's office for review sent by petitioner. Petitioner filed a subpoena on judge's financial interest with questions pertaining to Senator Patrick Leahy who received petitioner's FTC complaint. In addition, Senator Leahy also received a copy of Attorney Daniel J. Henry's letter to the Congress on alleged misconduct of Judge Friedman. Further, petitioner had previously filed a Senate

Ethics complaint against Senator Leahy who starred in “Dark Knight” and “Dark Knight Rises” which allegedly based on petitioner’s script “Batman Blackman” tied to petitioner’s 30 film proposal to Netflix. The Senate Ethics Committee has not ruled on petitioner’s complaint filed against Senator Leahy. Senator Leahy’s daughter is a major Hollywood lobbyist. Senator Leahy called Judge Drell an outstanding judge and therefore, its possible that Senator Leahy contacted Judge Drell on petitioner’s Netflix case, with court having prior knowledge. See LITEKY v. UNITED STATES, 510 U.S. 540 (1994).

Attorney Elizabeth Pawlak wrote letter to Senator Grassley, and Attorney Daniel J. Henry wrote letter to Congress/Judiciary Chairman Sensenbrenner copied to Senator Leahy and other policymakers. Petitioner’s AntiTrust Complaint to Federal Trade Commission (FTC) was also copied to Senator Leahy. (See Ty Inc v. Soft belly’s Inc., 517 F.3d 494, 498 (7th Cir. 2008), Fed R. Civ. P. 60 (b) (3) “Trying improperly to influence a witness is fraud on the court and on the opposing party...”; Also see Louisiana Civil Code 2315 which states, “The cause of action for tortious interference with business derives from article 2315 LA Civil Code (“Every act whatever of man that causes damage to another obliges him by whose fault it happened to repair it”) Dussuoy, 660 F.2d at 601. “Tortious Business is based on the principle that the right to influence others not to deal is not absolute.” See Junior Money Bags, 970 F.2d at 10 (Citing Ustica Enters Inc. v. Costello, 434 So. 2d 137, 140 LA Court App. 1983). Louisiana law protects the businessman from “malicious and wanton interference.” However, here, there appears to be several tortious interferences involving this case. (See

Rule 60 b (3); Also see Petrohawk Properties LP v. Chesapeake Louisiana LP, 689 F.3d 380, 394 (5th Cir. 2012); Also see Junior Money Bags, Ltd v. Segal, 970 F.2d 1, 10, (5th Cir. 1992), Rozier v. Ford Motor Co., 573 F.2d 1332, 1339 (5th Cir. 1978); Dussouy v. Gulf Coast Inv. Corp., 660F.2d 594, 601 (5th Cir. 1981), & HAZEL-ATLAS CO. v. HARTFORD EMPIRE CO., 322 U.S. 238, 64 S. CT. 997, 88 L. ED 1944; See Also Louisiana Article of LA Civil Code 2315.).

Judge Drell relied on ruling fraudulent decisions in Whitehead v. White & Case LLP, et al., 12cv399, before Judge Richard T. Haik and Magistrate Mark Hornsby. Both jurists Judge Haik and Magistrate Hornsby had financial interest in the petitioner's litigation violating the federal statutes. 28 U.S.C. Section 455 as amended. For instance, Judge Haik held various financial interest, including in Verizon Communication tied to Hollywood and banking institutions, and Magistrate Hornsby held financial interest in defendant Bank of America, and Capital One bank, a Hollywood lender. Judge Haik's sister's law firm also had interest in the petitioner's litigation representing defendants Time Warner and Turner Broadcasting System) as clients. (See 28 U.S.C. Section 455 a, b1, b4, d4, b5 i, ii, iii, iv, 3c1c, Herman & Maclean v. Huddleston, 459 U.S. 375 (1983).

Judge Drell also relied on the tainted rulings of Judge Elizabeth Foote in re: Whitehead v. Fed Ex, et al., 10cv1120 to deny petitioner his day in court. Judge Foote presided on petitioner's case with financial stock interest showing serious pecuniary conflicts in Hollywood lenders (JP Morgan) associated with MGM Inc requiring her

disqualification. The court denied petitioner's injunction involving MGM Inc tied to JP Morgan. 28 U.S.C. Section 455 a, b1, b4, d4, 3c1c. Judge Drell also relied on rulings of Judge Trenga and Magistrate Thomas R. Jones who both held General Electric financial stocks presiding on petitioner's case No. 08cv792 Whitehead v. Paramount Pictures, et al., ED. VA. For instance, in the initial case assignment, Judge James Cacheris recused himself holding the same General Electric financial stocks. However, Judge Trenga and Magistrate Jones failed to recuse themselves violating the statutes. 28 U.S.C. Section 455 a, b1, b4, d4, 3c1c.

Judge Drell later denied Rule 60 fraud relief motion (set aside ruling), recusal, and other forms of requested relief including unsealing the federal investigation, and based on the petitioner's copyrights staying the case. (See Rule 60 b, 60 d, 60 b 3, 60 b6). Judge Drell improperly held petitioner to the standards of a lawyer drafting the complaint, stating Attorney Alan Pesnell did not file petitioner's complaint. The court's decision violated the standards of Haines v. Kerner, 404 U.S. 519 (1972).

The court also held pecuniary interest in the case violating the statutes. See 28 U.S.C. Section 455 a, b1, b4, d4.

Petitioner also believes and assert that the District Court judge is possibly a material witness who failed to appear for valid signed subpoena allows the petitioner to petition the Supreme Court directly by-passing Fifth Circuit appellate review. Circuit Judge Eugene Davis denied the motion to by – pass Appellate process, and the Circuit panel denied reconsideration motion. Nonetheless, the issue is timely having standing before the high court. In addition, District

Court Judge failed to state in Netflix case whether he held financial interest in the Hollywood studios and lending institutions. Judge Drell stated in related case Whitehead v. Caddo Parish, 17-CR-00306 that the court did not own financial interest in the Hollywood studios and financial institutions which funds Hollywood. Judge Drell in the Caddo Parish personal injury case stated,

“THE UNDERSIGNED CHIEF JUDGE HAS NO INTEREST IN, IS NOT RELATED TO, AND HAS NO CONFLICT OF INTEREST CONCERNING TRAVELERS INSURANCE COMPANY NOR IN THE SO CALLED “HOLLYWOOD STUDIOS AND LENDERS”.

Petitioner believes and assert that the court's above statement is false. See EX-1 attached to Appendix brief.

In short, Judge Drell basically denied his recusal in the Netflix case making statements on conflicts of interest concerning Hollywood studios and lenders in the related Caddo Parish case and not Netflix case.

Petitioner requested District Court and Fifth Circuit Court to stay IFP (payment of appeal), and recusal of the judges on the appeal relating to previous bias and financial interest in his cases.

Petitioner also requested the Circuit Court to order seizure of the alleged stolen copyrighted materials involving the petitioner's copyrights and unseal the alleged Government investigation. The court denied motions.

Petitioner petitioned the Circuit court to allow him to bypass the Appellate process to petition the Supreme Court

directly relating to Judge Drell's failure to appear on the valid subpoena matter citing Marbury v. Madison, 1803. The court denied motion.

Petitioner also requested the Fifth Circuit Court to order Netflix to answer question on whether the 30 film proposal was solicited. The court denied motion. Moreover, Petitioner requested the Fifth Circuit Court to rule whether the District Court Judge should have appeared for the properly served valid subpoena? The court denied motion. The Circuit Court Jurist Priscilla Owen previously held pecuniary interest in the petitioner's litigations denied petitioner's various requests in violation of federal statute. Judge Owen held financial interest in JP Morgan Market fund and Vanguard. The Court also receives an annual farm subsidy from the Department of Agriculture. Whereas in related case 12-30757 (5th Cir. 2012-13), Respondent Judge Paul L. Friedman presided on the Department

of Agriculture Pigford Class Action lawsuit involving the Texas Black Farmers and farmland. Judge Owen's farmland is located in the State of Texas. 28 U.S.C. Section 455 a, b1, b4, d4. TRAMONTE v. CHRYSLER CORP, 136 F.3d, 1025, 1029-30 (5th Cir. 1998). It is improper for Judge Owen to rule on the matter possibly associated with the federal investigation. It appears that Judge Owen is part to the investigation which required the court's disqualification; See 28 U.S.C. 455 a, b1, b4; Also see TRAMONTE v. CHRYSLER CORP, 136 F.3d, 1025, 1029-30

(5th Cir. 1998); Also see Republic of Pan v. American Tobacco

Co, 217 F.3d 343, 347 (5th Cir. 2000)(citing In re: Chevron, 121 F.3d 163, 165 (5th Cir. 1997) (“that close questions should be decided in favor of recusal”); See Owners v. Brown, 948 F.2d 1436, 1448 (5th Cir. 1991) (recusal on grounds of impartiality might reasonably be questioned, pursuant to “reasonable person” standard.); US v. Jordan, 49, F.3d 152 (5th Cir. 1995). See Fed. Rules Civ. Proc. 60; 60 d (1); 60 d (3); Rule 60 b; Rule 60 b3; Rule 60 b6. Judge Leslie H. Southwick also held pecuniary interest in petitioner’s cases before the Circuit Court, joining Judge Owen. Judge Southwick held interest in GE Retail Bank tied to General Electric and Universal Pictures at the time period. See in re: Whitehead v. White & Case LLP, 1230757 (5th Cir. 2012, 2013).

In the Fifth Circuit Court case in re: Whitehead v. White & Case LLP, et al., 12-30553 (5th Cir. 2012), Circuit Judge Carl Stewart, James Graves and Demoss had financial interest in the outcome of the litigation appeal. Judge Stewart’s brother Attorney Richard Steward was principal lawyer for Verizon Communications and Verizon Fios associated with the Hollywood studios sued by petitioner. However, Judge Stewart failed to recuse himself violating the federal statute pertaining to his relative association with Hollywood. See 28 U.S.C. 455 a, b1, b4, d4,b5i ,ii, iii, iv, 3c1c. Judge Demoss held various conflicts Hollywood stocks, and Judge Graves had both judicial bias and financial conflicts. Judge Demoss held Verizon, Verizon Communications, and AT&T stocks. Judge Graves held AIG, Vanguard, Bank Plus, and ACS financial interest tied to Hollywood studios and lenders. The court taught at

respondent Harvard University and visited Harvard during this litigation. Judge Jolly recused himself in misconduct matter involving Judge Stewart, but failed to recuse in the underlying case in re: Whitehead v. White & Case LLP, et al., 12-30757 (5th Cir. 2012) having same conflicts of interest. (See 28 U.S.C. 455 a, b1, b2, b4, d4; Also see TRAMONTE v. CHRYSLER CORP, 136 F.3d, 1025, 1029-30 (5th Cir. 1998). Judge **Edward Charles Prado**, a member with Judge Stewart on Judges Federal Center Organization dismissed petitioner's misconduct complaint against Judge Stewart and Judge S. Maurice Hicks, Judge Stewart tied to

Harry V. Booth Org., with Magistrate Hornsby and Circuit Judge John M. Duhe, Jr. presided on American Inn of Court with Judge Haik is a conflict. See 28 U.S.C. Section 455 (a), b1, b2, b3, b4; LILJEBERG v. HEALTH SVCS. ACQ. CORP, 486 U.S. 847 (1988).

REASONS FOR GRANTING THE PETITION

The courts in a concert initiative based on fraudulent decisions denied petitioner access to the court for trial by jury. As stated District Court and Circuit Judges relied on each jurists and their pecuniary interest and judicial bias denying petitioner the right to pursue his claims in court requiring him to request the Court to by-pass Circuit Court and petition Supreme Court directly citing Marbury v. Madison, 1803. In addition to the fraudulent court decisions and ties to law firms, petitioner was denied access to the court, with one judge failed to appear based on a valid subpoena after the court was properly served with the court order. And two (2) federal judges presided on petitioner's cases while partners with their law firms: Judges Friedman and Holmes. Judge Holmes's law firm

Warner Smith & Harris PLC disbanded after 125 years due to the matter. See HAZEL-ATLAS CO. v.

HARTFORD

EMPIRE CO., 322 U.S. 238, 64 S. CT. 997, 88 L. ED 1944). Judge Drell relied on decisions which were fraudulent involving federal judges tied to their law firms. See United States v. Turkette, 452 U.S. 576 (1981); Boyle v. United States (07-1309); US v. Beggerly, 524 U.S. 38 (1998).

Petitioner appearing Pro Se pleadings were held at degree standards of those complaints drafted by Attorneys violating the statutes. See Haines v. Kerner, 404 U.S. 519 92 S. Ct. (1972). Judge Drell's dismissal ruling striking the petitioner's complaint gives credence to court holding petitioner to the standards of lawyer. Judge Drell's dismissal ruling stated Attorney Pesnell did not file the petitioner's complaint as grounds to deny petitioner access to the court. The court held the petitioner's pleadings to a higher standard as drafted by a practicing attorney violating the statutes. See Whitehead v. Netflix 17-cv225.

The District Court and Circuit Judges presided on the petitioner's cases having pecuniary interest and extreme judicial bias. See 28, U.S.C., Section 455(a); and 28 U.S.C. 455 a, b1, b4, d4. See TRAMONTE v. CHRYSLER CORP, 136 F.3d, 1025, 1029-30 (5th Cir. 1998). Also see US v. Smiley, 553 F.3d 1137, 1144-45 (8th Cir. 2009); UNIVERSAL

OIL PRODUCTS CO. v. ROOT REFINING CO; 328 US 575, 66 S. Ct. 1176 90 L. Ed. 1447 (1946); Arnstein v. Porter, 154 F.2d 464 (2d Cir. 1946); Also see HAZEL-ATLAS CO. v. HARTFORD EMPIRE CO., 322 U.S. 238, 64 S.

CT. 997, 88 L. ED 1944; See ADA D. TURNER; RONNIE TURNER, Plaintiffs-Appellants v. NEAL E. PLEASANT; RPIA OF DELAWARE, INCORPORATED; STANDARD FIRE INSURANCE COMPANY, Defendants-Appellees, No. 11-30129 REVISED DECEMBER 16, 2011 IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT. MOREOVER, THERE ARE CONFLICTS OF INTEREST IN THE COURT OF APPEALS AND DISTRICT COURT ON THE QUESTIONS PRESENTED ON ISSUES OF FRAUD ON THE COURT AND JUDICIAL CONFLICTS RELATING TO PECUNIARY INTEREST AND BIAS. 28 U.S.C. Section 455 a, b4, d4 as amended.

The underlining case involves anti-trust, fraud and civil rights violations discussed in the above paragraphs. The courts held financial interest and had judicial bias ruling against petitioner violating the federal statutes. (See TRAMONTE v. CHRYSLER CORP, 136 F.3d, 1025, 1029-30 (5th Cir. 1998).

Judge Drell's 2016 financial records show Hollywood financial interest and lender's interest. See Gordon v. Reliant Energy, Inc, 141 F. Supp. 2d 1041 (S.D. Cal. 2001) (relying on Tramonte...). This case law required recusal of Judge Drell. Petitioner's petition for certiorari relates to basic judicial review on whether Netflix Inc solicited petitioner's 30 film proposal from Attorney Alan Pesnell and/or petitioner? This issue is a triable matter for trial by jury. Another critical issue on whether petitioner had the right to petition the Supreme Court directly by passing the appellate court on issues of Judge Drell's failure to appear for valid subpoena served on the court and pecuniary

interest of numerous of judges involved in this dispute. These matters affect the payment of cost which caused the dismissal of the appeal "Want of Prosecution" failure to prosecute case. In allowing petitioner to petition Supreme Court directly would makes the payment issue moot relating to the dismissal of the appeal by the circuit court.

Judge Drell and other jurists have prevented petitioner from basic fundamental right to file lawsuits, violating 5th and 14th amendments due process clauses pertaining to his legal issues. See (5th & 14th Amendments), Murchison, 349 U.S. 133 (1955), Tumey v. State of Ohio, 273 U.S. 510, 532 (1927); Offutt v. United States, 348 U.S. 11, 14, 1954, Aetna Life Insurance Company v. Lavoie 475 U.S. 813 (1986).

Moreover, there are serious judicial fraud allegations

with substantial and credible evidence which allow the petitioner discovery in civil suits. (See Bracey v. Gramley, No. 96-6133 June 9, 1997, 520 U.S. 899, 1997). Also see Maxwell – and Grant Co, 121 U.S. 325, 381 7 S. Ct. 1015, 30 L. Ed. 949 (1887); Whitehead v. Netflix, et al., 17cv225 15,17. Also See Rule 60, 60 d (1), 60 d (3), 60 b (3), 60 b (6).

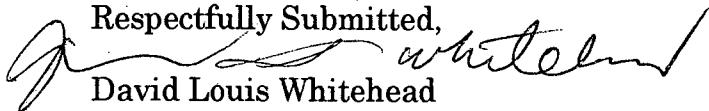
Petitioner requested Circuit Court to allow him to by-pass the Appellate process to petition the US Supreme Court directly on important of case citing Marbury v. Madison, 1803. The court denied the motion. In short, petitioner states that these tainted cases and Judge Drell's failure to appear relating to the valid subpoena served on the court meets the heights and standards for Supreme Court review, the judge lacked immunity. See Clinton v. Jones, 520 US 681 (1997). Also US v. Nixon, 418 US 683 (1974). However, Circuit Judge Davis denied the motion, and Circuit Court panel denied reconsideration motion.

In short, the above activity possibly requires the high court to grant Certiorari on numerous issues.

CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that the petition for a writ of certiorari be granted.

Respectfully Submitted,



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