

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

CRAIG COOPER — PETITIONER
(Your Name)

vs.

COURT OF APPEAL FIRST
APPELLATE DISTRICT, ETAL. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

THE SUPREME COURT OF CALIFORNIA
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

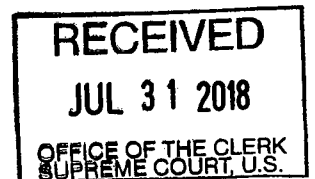
PETITION FOR WRIT OF CERTIORARI

SUPREME COURT OF CALIFORNIA
(Your Name)

350 McALLISTER
(Address)

SAN FRANCISCO, CA 94102
(City, State, Zip Code)

(Phone Number)



QUESTION(S) PRESENTED

- (1.) Under the doctrine of stare decisis all tribunals exercising inferior jurisdiction are required to follow decisions of courts exercising superior jurisdiction. Respondent ^{Court} Superior refused to follow the final decision and laws cited of an appellate court in Cooper v. Velez. The Velez Court cited U.S. Supreme Court case Heck v. Humphrey 512 U.S. 477 to dispose of this case. Did Respondents comply with their jurisdiction under the law of stare decisis?
- (2.) The U.S. Supreme Court in Heck v. Humphrey, 512 U.S. 477, 480 held: "A suit (civil) is classified a habeas corpus" under certain conditions, "if a party is challenging his sentence or conviction." The Cooper v. Velez court decided petitioner Cooper was challenging his sentence or conviction and stated "No cause of action had accrued." Do Respondents' courts after a final judgment now have jurisdiction/authority to adopt its own belief and decision in regard to the Cooper v. Velez case under the doctrine of stare decisis? (Pertaining to the application of Heck v. Humphrey, 512 U.S. 477, 480)?
- (3.) Whether Cooper v. Velez can be declared a civil suit when it is dismissed pursuant to Heck v. Humphrey 512 U.S. 477, 480 for challenging petitioner Cooper conviction/sentence?

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

[✓] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

(2.) MARIN COUNTY SUPERIOR COURT.

(3.) CALIFORNIA SUPREME COURT

(4.) COOPER v. GOODWIN, et AL., REAL PARTIES IN INTEREST.

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TABLE OF AUTHORITIES CITED

CASES

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IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix C to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix A to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished.

The opinion of the SUPERIOR AND APPELLATE court appears at Appendix B to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished.

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from **state courts**:

The date on which the highest state court decided my case was 4-26-18.
A copy of that decision appears at Appendix A.

☐ A timely petition for rehearing was thereafter denied on the following date: N/A, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including N/A (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

HECK v. HUMPHREY, 512 U.S. 477, 480.

DOCTRINE OF STARE DECISIS.

STATEMENT OF THE CASE

I, CRAIG COOPER, A PRISONER OF THE STATE OF CALIFORNIA, COMMENCED THIS ACTION by filing a state tort complaint in "2015".

IN "2017" I, plaintiff COOPER, WAS DECLARED A VEXATIOUS litigant by the CALIFORNIA COURTS.

I, plaintiff COOPER, APPEALED THE MARIN COUNTY SUPERIOR COURT'S DECISION ALLEGING THE CALIFORNIA COURTS HAVE WRONGLY DECIDED ONE OF HIS CASES. I FURTHER ALLEGED THAT THE CALIFORNIA COURTS DECLARED plaintiff A VEXATIOUS litigant by IMPROPERLY COUNTING COOPER V. VELEZ AS A CIVIL CASE FOR PURPOSES OF THE VEXATIOUS litigant DETERMINATION, BY WAY OF WRIT OF MANDATE TO THE HIGHEST COURT OF CALIFORNIA. A COPY OF THAT MANDATE IS ATTACHED AS APPENDIX D.

I, PETITIONER COOPER, CONTENDED THAT THE STATE COURTS MIS-APPLIED THE RULE FROM HECK V. HUMPHREY, 512 U.S. 477, 480 (1994), WHEN IT COUNTED COOPER V. VELEZ AS A CIVIL CASE FOR PURPOSES OF THE VEXATIOUS litigant DETERMINATION AND VIOLATED THE DOCTRINE OF STARE DECISIS WHEN SUBSTITUTING THEIR DECISION FOR THAT OF THE COOPER V. VELEZ FINAL DECISION. APPENDICE E E.

I, PETITIONER COOPER, PURSUED MANDATE IN THE NORTHERN DISTRICT FEDERAL COURT WHO DISMISSED THE WRIT FOR NO JURISDICTION, A COPY IS ATTACHED AS APPENDICE C.

REASONS FOR GRANTING THE PETITION

A state court has decided an important question of federal law that has not been, but should be, settled by this court, or has decided an important federal question in a way that conflict with relevant decisions of this court.

The U.S. Supreme Court in *Heck v. Humphrey*, 512 U.S. 477, 480 held: "If, regardless of the relief sought, the plaintiff in a civil rights action is challenging the legality of his conviction, " the suit is classified as an application for habeas corpus" "

Whether the "suit is classified a habeas corpus" is the question before this court today. Respondents Court conflict with relevant decisions decided by the *Heck's* rule of this court, this question has not been, but should be settled by this court. This question have national important for similarly situated because a plaintiff can receive a strike on a civil action that was classified as habeas corpus by this court. See Appendix _____, *Cooper v. Velez*.

Also, the doctrine of stare decisis is implicated when a inferior court, refuse to follow the decision of a court with superior jurisdiction.

Respondents in this case, the superior through highest court who allowed the superior court to first overrule a final judgment by a appellate court in *Cooper v. Velez* also failed to follow decisions/law cited in that case being a U.S. Supreme Court case erroneously.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Craig Cooper

Date: 7-24-18