

No. 18-7785
Docketed February 6, 2019

IN THE
SUPREME COURT OF THE UNITED STATES

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**PETITION FOR WRIT OF CERTIORARI / IN RE DAVID DERRINGER UNDER
US CODE TITLE 28 SECTION 1651(A), PETITION FOR SUPERINTENDING
CONTROL-DIRECTIVE TO SENATE AND DOJ INVOLVING RICO OF
JUDICIARY; AND REQUEST FOR RELIEF**

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DAVID DERRINGER,
Petitioner,

v.

NEW MEXICO SECOND JUDICIAL DISTRICT COURT, NEW MEXICO SUPREME
COURT, THE STATE OF NEW MEXICO, US DISTRICT COURT FOR THE
DISTRICT OF NEW MEXICO 10TH CIRCUIT

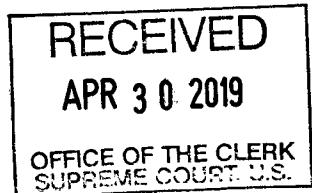
v.

ISIDRO RUIS SAENZ (New Mexico Supreme Court No. 18-7785)
Respondents,

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**PETITION FOR TIMELY REHEARING
PURSUANT TO RULE 44(1)(2) WITH APPLICATION THAT THIS
ENTIRE CASE BE STUDIED BY INDIVIDUAL JUSTICES
CLARENCE THOMAS, BRETT KAVANAUGH, AND NEIL
GORSUCH UNDER RULE 22**

COMES NOW the Petitioner Pro-Se pursuant to Rule 44 with Petition for Rehearing (in forma pauperis) with Application under Rule 22, that Justices Clarence Thomas, Brett Kavanaugh, And Neil Gorsuch review the entire case. The “judicial **KNOWLEDGE**” already presented in blatant illegal Orders and documents of judicial corruption, sustains that this matter cannot be “denied”. Proper FBI and DOJ investigation of every legal case involving



David Derringer will expose numerous other judges and public officials involved for 25 years in judicial and public corruption, and the planned persecution of “whistleblower” David Derringer. *Petitioner has no legal recourse but to continue to expose these and other unlawful activities until some element of the Government takes corrective action.* Prei, Inc. v. Columbia Pictures 508 U.S. 49, 113 S.Ct. 1920, 1925, 123 L. Ed. 2d 611 (1993). Petitioner filed a legal Petition on October, 18, 2018, filed a Motion to Take Judicial Notice on November 7, 2018 with additional documents of lower judicial corruption ongoing, filed a second Motion to Take Judicial Notice on February 19, 2019 with additional documents of lower judicial corruption ongoing, and filed a third Motion to Take Judicial Notice March 18, 2019 with additional documents of lower judicial corruption ongoing. All documents filed ensured the US Supreme Court has undeniable “knowledge” of the outrageous Constitutional, US Code, Case law, Oath ¹, refusal to recuse (US Code Title 28 Section 455), criminal violations of Title 18 Sections 241, 242, 1503, 1512 AND 1519; intertwined RICO violations under 901(A) of the organized crime control act of 1970 (PUB.L. 91-452, 84 STAT. 922, enacted October 15, 1970), and is codified at 18 U.S.C. CH. 96 AS 18 U.S.C. §§ 1961-1968, lack of jurisdiction and judicial capacity, usurpation of power, misuse of power, use of power for revenge, retribution, retaliation, illegal blocking appeals, illegal Order to court clerks not to file legal documents, tampering and destroying court records, maliciously defeating FOIA and IPRA, infinitesimally ignoring cases to stop redress for up to 25 years, intimidation of parties, illegal denial of legal forma pauperis, illegal Orders against pro-se parties to only have use of the courts with hiring an attorney, forced disclosure of Complaints and pleadings illegally

¹ In re Williamson, 43 BR 813

coerced to submit before any jurisdiction prior to legal filing on a court docket, and illegal “future injunctions” without jurisdiction preventing prose party from any use of the United States Court System “forever”. Despite “knowledge” and **CANON** mandate to act, {**Rule 10(a)(b)(c)**}the US Supreme Court has ignored judicial criminal acts, perjury of Oath, Constitutional deprivations, and hundreds of Supreme Court case laws, in order to “deny” the Petition to protect lower judges from removal, disbarment, indictment, criminal prosecution, and imprisonment for their proven illegal acts, and such “denial” without reasoning or quoted authority on April 15, 2019. This is the very exemplary actions of US Code Title 42 Section 1986,² wherein without contention this court has supervisory power over every Judge in the United States of America, and is refusing to act in conflict with retaining the integrity of the judicial system and allowing “with knowledge” the persecution of an American by “malice of judges”. [SEE US Code Title 18 Sections 241, 242, and 1503]

This case is so egregious, exposing judicial corruption “allowed” by the highest court in the land, with now with the US Supreme Court attempting to cover up the underlying judicial corruption by denying the Petition No. 18-7785 (**WITH KNOWLEDGE**) **Code of Judicial Conduct Canon 3** (D)(1)³, that a certified letter is also sent to the President of the United States Donald J. Trump requesting that both the President, and Sarah

² US Code Title 42 Section 1986 Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in section 1985 of this title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the case; and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in the action

³ Disciplinary responsibilities: “A judge who receives information indicating a substantial likelihood that another judge has committed a violation of this Code should take appropriate action. A Judge having knowledge that another judge has committed a violation of this Code that raises a substantial question as to the other judge’s fitness for office shall inform the appropriate authority.”

Huckabee Sanders read the public record of this entire matter as it exemplifies the corruption and collusion of the judicial branch of the US Government. This is the same corruption judicially the United States President has been fighting of lower federal judges attempting to be dictators usurping power claimed to be more powerful than the President of the United States of America; ie. Federal Judge Derrick Watson; Trump v. Hawaii, No. 17-965, 585 U.S. (2018). President Trump and David Derringer have been on a parallel course of fighting judicial and public corruption of the same battles only on different battlefields; **one**, Executive Branch Presidential, and **two**, the other citizen Pro-Se of We The People against deprivation of rights and criminal acts by the Judiciary Branch of government in collusion and treason against US Citizens. Judicial corruption in New Mexico saturates the entire system to the “court of last resort” (NM Supreme Court) of Judges, Judicial Standards, and the NM Disciplinary Board for attorneys, all being unaccountable for any acts “without legal immunity” in defiance of the ‘rule of law’. Attorneys use fraud, manipulation of rules, and perjury to win, and Judges knowingly allow such violations, particularly against pro-se parties to ensure a win for the “preferred party”. Illegal Court Rules sua sponte defeat the Constitution 5th and 14th Amendment allowing a particular despot Judge to rule a case **“frivolous”**, used relentlessly in error against pro-se parties, to cover up judicial corruption, to relieve the docket, to persecute singled-out individuals, block legal appeals, or any arbitrary and capricious personal, political, or opinionated preference of one man (judge) defeating the Constitutional Framers’ due process and equal protection. It is un-nerving that despite this court’s “knowledge” and duties of supervision, the US Supreme Court has turned a blind eye to the corruption of Federal Judge

Derrick Watson and the 9th Circuit causing misuse of tax dollars (my citizen money) necessitation of appeals from the President of the United States, and recent indications that Chief Justice Roberts is involved with FISA illegal warrants and appointed judges that planned a coup to overthrow the sitting President of the United States. These substantive matters of Petition No. 18-7785 has been fought by David Derringer through the lower corruption to attain the highest court in the land, and have now presented the properly disclosed extreme judicial and public corruption and political graft and persecution by the Democrats in control of judges and public positions in illegal Orders and documents, and directly with “knowledge” this court attempts to cover up corruption to dismiss an American citizen. This disregard for the ‘rule of law’ will thus allow extreme retaliation by the lower judges against singled-out David Derringer for the rest of his life, having already ruined 25 years of David Derringer’s life that did achieve the documentation to absolutely “catch” the Judges in vile acts including RICO Racketeering. This Court proposes to ignore it all.⁴ To illegally protect “other lower Judges”, setting that comradery of protection of judges being paramount to the ‘rule of law’ sets the dangerous and illegal precedent that the judicial branch of government is a dictatorship with elite members’ justices “above all laws”. The late United States Supreme Court Justice Scalia recently reminded us that our judicial system was built on the Framers’ understanding that “judges, like other government officers, could not always be trusted to safeguard the rights of the people.” In the 1960’s the

⁴ US Code Title 18 Section 241: If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same. US Code Title 18 Section 242 makes it a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States.

sitting Supreme Court Justices were aware that without “integrity” ⁵ of the entire judiciary America would fail. A quote from U.S. Supreme Court Justice Tom C. Clark in Mapp V. Ohio, 367 U.S. 643, 81 S. Ct. 1684, 6 L. Ed. 2d 1081 (June 19, 1961), as follows: “Nothing can destroy a government more quickly than its failure to observe its own laws, or worse, its *disregard* of the charter of its own existence. As Mr. Justice Brandeis, dissenting, said in Olmstead v. United States, 277 U.S. 438, 485 (1928): "Our Government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. . . . If the Government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy."” (*Emphasis added*).

Since the formation of the Constitution it has been made clear that government is by and for We The People, and not a separate entity that has vicious power and control over the people in absolutism. Many cases have already been presented by the Petitioner that undeniably support his contention that he has been targeted, persecuted, and subjected to involuntary servitude of the US judicial corruption, stealing, by defamation of “color of law”, all real and personal property, denying income, deprivation of rights, and criminal acts against David Derringer because of his exposure of the judiciary’s violation of laws and collusion with drug cartels, use of cocaine and abuse of power, Democratic political targeting for persecution, abuse of discretion and actual RICO acts to force submission of the Petitioner. For 25 years the judiciary has ruined the life of the Petitioner,

⁵ CANON “Our legal system is based on the principle that an independent, fair, and competent judiciary will interpret and apply the laws that govern us. The role of the judiciary is central to American concepts of justice and the rule of law. Intrinsic to all sections of this Code are the precepts that judges, individually and collectively, must respect and honor the judicial office as a public trust and strive to enhance and maintain confidence in our legal system. The judge is an arbiter of facts and law for the resolution of disputes and a highly visible symbol of government under the rule of law.”

taken his freedom, liberty and rights to own and use real and personal property, and denied US citizenship by absolutism against Constitution; leaving David Derringer in destitution, and then illegally denying “forma pauperis” when legally available, to enable baring legal use of the United States Court system by RICO “pay to play” deprivation of that “forma pauperis”, and illegal “Orders” not to be able to use the courts “in the future”.⁶ The abuse of the US Government and the state of New Mexico⁷ owe proper restitution, replevin, restoration of hundreds of millions of dollars to be properly awarded to David Derringer, in addition to “accountability” of the personal liability of violations of individual judges, court clerks, and other involved public officials; all amounts legally claimed in this Petition. By law, all judges and others have to be removed from the bench, disbarred, indicted, criminally prosecuted, and imprisoned, including sedition and treason, (14th Amendment Section 3) wherein all acts were in violent attack on David Derringer in “judicial terrorism” without any possible immunity because of all outrageous acts being well outside of both jurisdiction and judicial capacity. Shucher v. Rockwood, 846 F.2d 1202 rehearing denied, cert denied 109 S. Ct. 561, 488 US 995 102 L.Ed.2d 587 “Judge loses his absolute immunity from damage actions when he acts in the clear absence of all jurisdiction, or performs an act which is not judicial in nature.”

⁶ United States v. Guest, 383 US 745 (1966); Griffin v. Breckenridge, 403 US 88 (1971) Footnote[101] 383 US 787 (1966).

⁷ Owen v. City of Independence, US Supreme Court 445 US 622 (1980) No. 78-1779 “The innocent individual who is harmed by an abuse of governmental authority is assured that he will be compensated for his injury.”; “*When an alleged constitutional rights is involved, most courts hold that no further showing of irreparable injury is necessary*” (citing 11A Charles Alan Wright, Arthur R. Miller and Mary Kay Kane, Federal Practice and Procedure 2948.1 (2d.ed 1995) see also Suster v. Marshall, 149 F.3d 523, 533 (1998). “...the loss of Amendment freedoms, for even minimal periods of time constitutes irreparable injury”. Oliver v. Foster, DC Tes. 1981 524 F. Supp. 927 “Provisions do not limit amount of punitive damages recoverable.”

To bar David Derringer's Constitutional rights and US Code Title 42 Section 1981(a) "rights to sue" cannot be legally accomplished by judiciary "reaching outside the instant court record" ⁸ persecuting David Derringer for having used the courts past, nor can they illegally demand that he allow a judge to read his legal Complaint or pleading before filing jurisdiction, nor can they force David Derringer to Petition the Court to file due process with "special forced targeted mandates" to provide legal history, nor can they Order an injunction to bar David Derringer from any use of the United States Court system in the "future" wherein no judge has jurisdiction of the "future case" not yet assigned (US District Court 10th Circuit) thus deprivation of "future rights of due process and equal protection" in violation of the 1st, 5th, 8th, and 14th Amendments. Accordingly, this matter for the US Supreme Court is not quite as simple as denying the Pro-Se Petition in hopes that the US Citizen simply goes away after disclosing extreme judicial and public corruption. The US Supreme Court legally cannot simply deny the Petition to cover up the lower court's judges acts of deprivation of rights under the 1st, 2nd, 4th, 5th, 6th, 8th, 9th, 13th and 14th Amendments, violate US Code under Title 42 Sections 1981, 1982, 1983, 1985 and 1986, do blatant criminal acts against David Derringer under Title 18 Sections 241, 242, 1503, 1512 AND 1519; intertwined RICO violations under 901(A) of the organized crime control act of 1970 (PUB.L. 91-452, 84 STAT. 922, enacted October 15, 1970), and is codified at 18 U.S.C. CH. 96 AS 18 U.S.C. §§ 1961-1968. McMillan v. Svetanoff, 793 F.2d 149 cert denied 107 S. Ct. 574, 479 US 985, 93 L.Ed.2d 577 appeal after remand 878 F.2d 186 "Judicial immunity is only granted when essential to protect the integrity of the juridical process.";

⁸ Matter of Charge of Judicial Misconduct or Disability, 39 F.3d 374, 309, US App. DC 97 "Judge in adversarial judicial proceeding...who reaches outside of record to decide case defiles process."

Stump v. Sparkman, 435 U.S. 349 (1978) “A judge will be subject to liability when he has acted in the clear absence of all jurisdiction.”

In the confirmation hearings of Justice Brett Kavanaugh, he made reference to “precedent”. This was referring to the doctrine of “stare decisis” of acclimatizing a future case decision in accordance with a previous Ordered ruling of the same or parallel subject matter. Since all “rule of law” acquiesces to the sustainability of Petitioner David Derringer both in past US Supreme Court cases, Constitution, cases for request for millions in compensations for actual and Constitutional damages and mandates to discipline and prosecute involved Judges, the “precedent” demands resolution and redress, not denial of a valid Petition exposing judicial corruption. Deliberately “allowing” judicial corruption by a cover-up by denial of this case sets both “sedition” as precedent, and undeniable aiding, abetting, facilitation, collusion, and after the fact “accessory” of all Supreme Court justices also with attending lack of immunity to the criminal acts disclosed of lower judges under TITLE 18 Sections 241, 242, 1503, 1512 AND 1519; intertwined RICO violations under 901(A) of the organized crime control act of 1970 (PUB.L. 91-452, 84 STAT. 922, enacted October 15, 1970), and is codified at 18 U.S.C. CH. 96 AS 18 U.S.C. §§ 1961-1968.

By recent Internet, it has been disclosed by Justice Neil Gorsuch and Justice Brett Kavanaugh that many US Supreme Court decisions are actually rendered by court clerks and paralegals reading and making decisions themselves, wherein in many instances the entire matter has not been thoroughly presented before all 9 justices. Hence, in this matter it is imperative under Rule 22 that the entire case be sent directly to be studied by individual justices Clarence Thomas, Brett Kavanaugh, and Neil

Gorsuch. It is unclear if the Petitioner's matters are being denied by court clerks wherein such extreme deprivations of law and Constitution exists that it is inconceivable that the US Supreme Court would allow, endorse, and condone such outrageous lower court corruption by the denial of the Petition. IF all 9 justices are aware and affirm this denial in a cover-up, it only serves to sustain all allegations and more in the Petition, and thus grants an infinitesimal continuation of judicial oligarchy against American citizens.

REQUEST FOR TOTAL REQUESTED MONETARY,
COMPENSATION, RESTITUTION, AND REPARATIONS, OF
EACH AND ALL PRESENTED IN THE PETITION WITH
COMPLETE REDRESS OF ATTENDING ARREST AND
PROSECUTION OF ALL JUDGES, PUBLIC OFFICIALS,
ATTORNEYS, AND PUBLIC EMPLOYEES IN VIOLATION OF
LAW PROVEN BY THE PROVIDED DOCUMENTS

1. And such other and further relief that this court deems it has the jurisdiction to provide that it may deem just and proper.

Respectfully submitted by: David Derringer
Petitioner David Derringer Pro-Se, Box 7431, Albuquerque, New Mexico
87194

CERTIFICATION OF PRO-SE PETITIONER

I, David Derringer, being the pro-se Petitioner hereby state that I have written and read the foregoing Petition for Rehearing under Rule 44 and that I requested under Rule 22 for the entire matter to be reviewed by individual Justices Clarence Thomas, Brett Kavanaugh, And Neil Gorsuch. I certify that I have sustained legal reasons, backed by extensive Constitutional rights, case law, and US Code to assert the reasons that this Petition cannot be denied and ignored for the entire integrity of the judicial system of our government. This is presented in good faith and not for delay. I represent that the US

Supreme Court has not followed the 'rule of law' in denial of the Petition and that this should be reversed and justice applied to grant equitable relief for the Petitioner.

Respectfully submitted by: *David Derringer*
Petitioner David Derringer Pro-Se, Box 7431, Albuquerque, New Mexico 87194

CERTIFICATE OF SERVICE

I hereby certify that in forma pauperis I caused one (1) true and correct original of the forgoing Petition For Timely Rehearing Pursuant To Rule 44(1)(2) With Application That This Entire Case Be Studied By Individual Justices Clarence Thomas, Brett Kavanaugh, And Neil Gorsuch Under Rule 22 with (10) copies, and (1) copy of the letter to President Donald Trump, to be sent first class mail on the 24th day of April, 2019 for filing to:

The Supreme Court of the United States
1 First Street, N.E.
Washington, DC 20543

I hereby further certify that I caused a true and correct original of the Petition For Timely Rehearing Pursuant To Rule 44(1)(2) With Application That This Entire Case Be Studied By Individual Justices Clarence Thomas, Brett Kavanaugh, and Neil Gorsuch Under Rule 22 to be sent via first class prepaid mail to:

President Donald J. Trump and Sarah Huckabee Sanders
The White House, 1600 Pennsylvania Avenue NW, Washington, DC 20500.

I hereby further certify that I caused a true and correct original of the Petition For Timely Rehearing Pursuant To Rule 44(1)(2) With Application That This Entire Case Be Studied By Individual Justices Clarence Thomas, Brett Kavanaugh, And Neil Gorsuch Under Rule 22 to be sent via first class prepaid mail to:

Respondent:
New Mexico Supreme Court
237 Don Gaspar Avenue
Santa Fe, New Mexico 87501

I hereby further certify that I caused a true and correct original of the Petition For Timely Rehearing Pursuant To Rule 44(1)(2) With Application That This Entire Case Be Studied By Individual Justices Clarence Thomas, Brett Kavanaugh, And Neil Gorsuch Under Rule 22 to be sent via first class prepaid mail to:

Isidro J. Saenz Aka Isidro Ruis Original Defendant pro-se
722 Hardy SW
Albuquerque NM 87105
By: *David Derringer*
David Derringer, Box 7431, Albuquerque, New Mexico 87194