- No.

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IN THE SUPREME COURT OF THE UNITED STATES

—o0o—

Linda Shao

Petitioner - Appellant,

vs.

McManis Faulkner, LLP, James McManis, Michael Reedy, Catherine Bechtel

Respondents - Appellees.

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On Petition For A Writ Of Certiorari To the California 6th District Court of Appeal re its Order Dismissing Appeal on July 10, 2018 (an appeal from Santa Clara County Court's Vexatious litigant orders, H042531); California Supreme Court denied review on September 12, 2018 [S250729]; **related Petitions 11-11119, 17-82 (closed),18-344, 18-569**

PETITION FOR WRITOFCERTIORARI

(STAY REQUESTED; RECUSAL REQUESTED)

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QUESTIONS PRESENTED

The questions presented in this case are:

1. Does due process require reversal of the dismissal of appealbased on the fact that the California 6th District Court of Appeal fraudulently dismissed the appeal by concealing from Petitioner's notice its short notice of the July 9, 2018's new due date of Opening Brief, directing Petitioner to wait for the Court's ruling on her objection for insufficient records on appeal and motions rather than to file an Opening Brief before the ruling, and thereby setting a trap for a secret and prompt dismissal of this appeal with the excuse that Petitioner did not file her Opening Brief, in disregard of the facts that Petitioner had filed part of her appellate brief---Motion for Judicial Noticein support of her Opening Brief, that the Court was aware that Petitioner would have filed her Opening Brief but for the insufficiency of the records on appeal (All of the papers filed by Petitionerwith the trial court in response to Respondents' motions on vexatious litigant orders were not included in the records on appeal),when, in fact, 13 minutes before the Court's issuance of the notice of acceptance for filing of her Objections and Motions, the Court had already secretly ordered a new short due date for the Opening Brief to be July 9, 2018 without waiting for 15 days as required byRule 8.54(b)(1) of California Rules of Court with clear anticipation that Petitioner would miss the unnoticed due date when the secret order of July 3, 2018 and the

dismissal order of July 10, 2018 were not entered into the docket until after July 11, 2018?

2. Does due process require reversal of the dismissal of appeal and disqualification of the Court of Appeal based on the fact thatRespondent James McManis has an unidentified Justice client at the 6th District Court of Appeal who he had given gifts of his free legal services regarding the Justice's private affairs in violation of Canon 4(B)(5) of California Code of Judicial Ethics and Rule 5-300 of California Rules of Professional Conduct?
3. Does due process require reversal of the dismissal of appeal and change venue based on the fact that the Presiding Justice Mary J. Greenwood failed to disclose her conflicts of interest in that she is the spouse of Judge Edward Davila who started the illegal parental deprival orders 8 years ago, conspired to cause the parental deprival of August 4, 2010 to become "permanent" (Petition No. 11-11119), conspired to dismiss all appeals in order to constrain the judiciary corruptions directed by Respondent James McManis within his clients courts' control, to ensure Judge Patricia Lucas's parental deprival order to be a permanent firm order (Petition No. 18-569), to achieve the common goal of the conspiracy to allow theRespondents to have an excuse to apply collateral estoppel of Judge Patricia Lucas's November 4, 2013's decision at the trial court, the client of Respondent James McManis

which being Respondents' sole defense against Petitioner in this underlying legal malpractice lawsuit (see App, Declaration of Meera Fox), where actual prejudice has been shown by Justice Greenwood's proactive dismissal of Petitioner's 4 appeals deriving from the family court case and this legal malpractice case within 2 months of her swearing-in to the seat of Presiding Justice at the 6th District Court of Appeal, directly (e.g., Petition No. 18-569) or indirectly (through Justice Franklin Elia and Justice Adrianne Grover who acted on behalf of her), in violation of Canon 2(B)(2),(7) and (8) of California Code of Judicial Ethics?

4. Is there severe obstruction of justice that a Justice with prior history of bias and prejudice against Petitioner and is currently sued by Petitioner, silently dismissed the appeal on July 10, 2018 without giving notice to Petitioner, after the Justice actively blocking Petitioner from filing her Opening Brief, by double deceiving measures where the Court defrauded Petitioner with an anticipation that the Court had accepted Petitioner's motions for filing on July 3, 2018 and would rule on that 15 days later pursuant to Rule 8.54(b)(1), but in fact already ruled on that secretly by sending to the extinct email 13 minutes prior and further delayed docketing the July 3's orders until dismissal, and did not give proper notice of dismissal to Petitioner, to ensure that Petitioner would be deceived into not filing her Opening Brief by

the July 9's due date hided in the July 3, 2018'sorders?

5. Does a court have the jurisdiction to sanction dismissal underRule 8.122 when there is no indication that Petitioner abandons appeal and there were already two motions ordered to be considered along with the Opening Brief?
6. Has Justice Elias violated due process by denying Petitioner's motion to augment records for the six significant papers in violation of Rule 8.155 where the trial court's clerk is mandated to provide records in conformity with the designation ofrecord?
7. Does due process require reversal of California Supreme Court's order of September 12, 2018 denying review as the Chief Justice of California Supreme Court failed to decide on Petitioner's request for recusal where James McManis swore that a Justice at California Supreme Court was his client regarding the private affairs without charging any legal fees in violation of Canon 4(B)(5) of California Code of Judicial Ethics and Rule 5-300 of Rules of Professional Conduct where according to California Code of Civil Procedure §170.3 that the Chief Justice must be disqualified in failing to answer to the request for recusal nor conducting an investigation as to the direct conflicts of interest?
8. Does due process require reversal of the dismissal of the appeal as both the trial court and appellate court conspired to deter the records on appeal to be prepared for more

than two years, and when eventually prepared (after Petitioner's filing of Petition 17-82), they jointly caused the records on appeal to exclude all significant filings made by Petitioner in defending the vexatious litigant motions filed by the law firm of their attorney James McManis, but instead caused a fraudulent certificate of completion to be filed in violation of California Penal Code Sections 132, 134, 470, 182 and 96.5 and Canon 2(B)(2),(7) and (8) of California Code of Judicial Ethics?

9. Does due process require reversal of the vexatious litigant orders and change venue of the trial court where Santa Clara County Court has been a representative client of Respondent McManis Faulkner, LLP and Respondent James McManis admitted that he was the trial court's attorney and both Respondents are appearing as defendants in the underlying legal malpractice lawsuit in front of Santa Clara County Court which persisted on repeatedly denying Petitioner's requests to change venue in disregard of this direct conflicts of interest?
10. Does due process require reversal of the vexatious litigant orders, disqualification of the Santa Clara County Court and change venue based on undisclosed quasi-employment relationship where Respondent James McManis has been appointed by the trial court as its Special Master for many years and is appearing in front of his employer court as a defendant for this legal malpractice case?

11. Does due process require reversal, and change venue from Santa Clara County Court, based on the fact that the court failed to disclose their long term regular social relationship with Respondent James McManis and Respondent Michael Reedy through two chapters of the American Inns of Court in California where Respondent McManis Faulkner, LLP has been a major donor and financial sponsor of the American Inns of Court, where Petitioner has suffered actual prejudice by these vexatious litigant orders that were deterred from appeal for more than 2 years but were ordered despite the Court made a finding that Respondent McManis Faulkner's "arguments and evidence to be incomplete"?
12. Should judges who are members of the American Inns of Court be required as a matter of due process to disclose their social relationship with lawyers who are members of the Inns of Court and who are appearing before the judge-members?
13. Should all appellate writs and appeals that are derived from the same underlying family court case be counted as "one litigation", for the purposes of calculating what should constitute 5 litigations within the preceding 7 years?
14. Does due process require invalidating the prefiling order which was not granted in the June 16, 2015's Order, not supported by a statement of decision, not entered into the docket until about July of 2017 with a forged backdating entry on the case docket as having

been entered on June 16, 2015 in violation of California Penal Code Sections 132, 134, 470, 182 and 96.5?

15. Does due process require invalidating the vexatious litigant order for the reason that Judge Folanacted as Respondents' attorney in suasponte adding 10 adverse decisions as the basis to declare Petitioner as a vexatious litigant when Respondents raised their arguments based on only 5 adverse decisions out of 7 year and actually there were no qualified 5 adverse decisions despite Judge Folan tried hard to interpret the decision in favor of Respondents and had found Respondents' "arguments and evidence to be incomplete", and disallowed Appellant to provide evidence or make argument to rebut this new issue raised by the Court shown in its tentative decision at the June 16, 2015's hearing where such act violated Canon 3.E(5)(a) of California Code of Judicial Ethics?
16. Is the Prefiling vexatious litigant order void for being lack of a statement of decision?
17. Does the courts' joint deterrence of records on appeal to be prepared for two years constitute violation of Petitioner's fundamental right to appeal and access the court as a matter of law?
18. Should the vexatious litigant orders be reversed when the trial court has lost Volume 5 and failed to provide the material records that are designated by Appellant for appeal?

PARTIES TO THE PROCEEDING

Petitioner is Yi Tai Shao, aka Linda Shao ["Shao"], an attorney licensed to practice law in the State of California since 1996, who is the mother in the underlying appeal now pending with the Supreme Court in Petition No.18-569.

Respondents are McManis Faulkner, LLP, James McManis, Michael Reedy and Catherine Bechtel. They are represented by Janet Everson Pearson, Bradley & Feeney; 88 Kearny Street, 10th Floor; San Francisco, CA 94108-5530.

INTERESTED THIRD PARTIES; REQUEST FOR RECUSAL OF 8 JUSTICES ROBERTS, THOMAS, BEYER, ALITO, GINSBURG, SOTOMAYER, KAGAN AND GORSUCH

Interested third parties: Chief Justice John G. Roberts, retired Justice Anthony M. Kennedy, Justice Clarence Thomas, Justice Ruth Bader Ginsburg, Justice Thomas Alito, Justice Stephen Beyer, Justice Elena Kagan, Justice Sonia Sotomayerat the US Supreme Court.

I, Yi Tai Shao, declare

1. Chief Justice John G. Roberts, retired Justice Anthony M. Kennedy, Justice Clarence Thomas, Justice Stephen Beyer, Justice Samuel Alito, Justice Ruth Bader Ginsburg, Justice Elena Kagan, Justice Sonia Sotomayer, the US Supreme Court, Jeff Atkins who is in charge of filing of Request for Recusal, Jordan Bickel who is in charge of the proceeding after Writs are issued, are in default in the lawsuit of 1:18-cv-01233-RC since August 23, 2018 that is pending with the U.S.D.C. for the District of Columbia. Thisdirect conflicts of interest is well beyond

their being sued, as the relief requested was to impeach them. Petitioner filed Affidavits requesting entry of default on October 16, 2018 when the due date for their responses to the First Amended Complaint was August 23, 2018. (App.179-189)

2. On November 19, 2018, the same date when this Court denied Petitioner's Petition for Writ of Certiorari in 18-344, the US Attorney for the District of Columbia filed a frivolous Responses of the U.S. regarding the affidavit of default. It is frivolous as the US Attorney failed to comply with the rules of procedure to seek the order of the U.S.D.C. for the District of Columbia for intervention and provided false fact via an incompetent declaration to allege that US Attorney was never served with the Summons and Complaint of the lawsuit with the case number of 1:18-cv-01233. See ECF#140 and 142 (motion to strike the Responses of the US); see also App.188.
3. The US Attorney for District of Columbia apparently was filing the Response with malice in abusing 28 USC §517 as the Responses mentioned ECF#20 on its Page 2 (ECF#140) but ECF#20 is a proof of service made by a professional process server attesting proper service of the Summons and Complaint upon the US Attorney and her office on June 25, 2018, more than 5 months ago when no one ever challenged the proof of service and it has passed the time for a motion to strike ECF#20.

4. The eight Justices were sued as they have conspired together not to rule on Petitioner's three requests for recusal in the conferences of January 8, 2018 (17-256 and 17-613) and February 26, 2018 (17-613), in abandoning their Constitutional duty to decide and their decline to decide the three requests for recusal constituted a discriminative practice as they have never refused to decide on a request for recusal. The practice of this Court is based on the decision of the Wisconsin Supreme Court in State v. Allen (2010) 322 Wis.2d 372, 395.
5. Petitioner's requests for recusal were based on the Justices'extrajudicial regular social and financial relationship with the American Inns of Court including sponsoring their clerks' solicitation of the Temple Bar Scholarship from the American Inns of Court (App.161-69) without disclosing the amount of the gifts, where Respondent McManis Faulkner law firm is a major sponsor and James McManis is a leading attorney of the American Inns of Court, Respondent James McManis is socially closely related with Chief Justice John G. Roberts (App.173) and there are two chapters of the American Inns of Court established in the names of Justice Anthony M. Kennedy and Justice Ruth Bader Ginsburg.
6. The Temple Bar Scholarship is targeted at the Clerks of this Supreme Court based on their judicial function. The qualification of such gifts explicitly stated so in http://home.innsofcourt.org/AIC/Awards_and_

Scholarships/Temple_Bar_Scholarships/AIC/Awards_and_Scholarships/Temple_Bar_Scholarships/Temple_Bar.aspx?hkey=1df4d433-b273-4c76-a96b-357ecb5921e9. (App.170-72)

American Inns of Court published on its website for Temple Bar Scholarship as below:

"How are Temple Bar Scholars selected?
The three principal selection criteria for Temple Bar Scholars® are:

- High academic achievement in law school
- Experience as a law clerk for a judge or justice of a leading appellate court, including the Supreme Court of the United States
- Demonstrated interest in international law issues"

Therefore, the Temple Bar Scholarship should be governed by "Judicial Conference Regulations on Gifts" and Honoraria, Guide to Judiciary Policy Vol.2C. See Guide to Judiciary Policy §620.25. (See Petition for Rehearing, App.14) As this is based on the recipient's judicial status, subdivision (g) does not apply and the scholarship is qualified as a gift.

7. The Temple Bar Scholarship applications by the 38 clerks violatedGuide to Judiciary Policy §620.30 (Petition for Rehearing, App.14; "A judicial officer or employee shall not solicit a gift from any person who is seeking official action from or doing business with the court or other entity served by the judicial officer or employee, or from any other person whose interests may be substantially affected by the performance or nonperformance of the judicial officer's or employee's official duties.") and Guide to Judiciary Policy §1020.30 (Petition for

Rehearing, App.17; no receipt of payment made because of the Clerk's status in the government.) as the American Inns of Court have been doing business with the US Supreme Court by holding its annual conferences at the US Supreme Court for years and at least its leading sponsoring attorneys' interests of their cases at the Supreme Court may be affected by these clerks. The most recent business conference of the American Inns of Court at the this Court was October 21, 2017 when Michael Reedy, a Respondent in 17-256 and 17-82, a partner to James McManis, was invited to attend. (App.175)

8. Such scholarships violate §620.35 (a) and §620.45 of Guide to Judiciary Policy (Petition for Rehearing, App.15, 16) as (1) the American Inns of Court is not a bar due to the secrecy of its membership and restriction of its membership and (2) the American Inns of Court is financially supported by many rich attorneys who used this to obtain their favors in the courts, such as James McManis.

9. This Court's Clerk's Office has committed the same pattern of breaching the clerk's duties to file and to maintain the docket as California 6th District Court of Appeal. The irregularities in the proceedings of the three Petitions, 17-82, 17-256, 17-613, 18-344 (refused to file Request for Recusal on 11/20/2018) and 18-569 (refused to docket filing of the Request for Recusal) suggest a public appearance that this court and judiciary administration were influenced substantially by James McManis, the well-recognized leading attorney of the American Inns of Court. These irregularities constitute actual prejudice suffered

by Petitioner. Jordan Bickel acted beyond his authority to bring in a non-amicus curiae clerk named Donald Baker to deter filing the Amicus Curiae motion of Mothers of Lost Children in No. 17-82 (not even returning the 41 copies mailed for filing), delayfiling, de-file 2 weeks after filing of the Amicus Curiae motion in 17-613, and re-file it later, with many incidents of alteration of dockets in Petition No. 17-613 (to reverse the child custody order of Judge Patricia Lucas and to change courts), and, concealing court's records by refusing to enter into the docket the Appendixes for three Requests for Recusal (one in 17-256, two in 17-613), concealing the filing of the Requests recently in 18-344 and 18-569.

10. On November 20, 2018, the US Supreme Court rejected filing of Request for Recusal in 18-344 with an excuse that the court denied Petition for Writ of Certiorari in 18-344 on November 17, 2018. (App.190) The Clerk's Office failed to docket its receipt of the Request for Recusal in 18-344.
11. The Request for Recusal in Petition No. 18-569 that was filed with the US Supreme Court simultaneously with that in 18-344 was not returned but it was not entered into the docket of 18-569.
12. After U.S.D.C. for the District of Columbia delayed by a month in knowingly refusing to enter default, PRWeb published a news which was picked up by 164 media within 2 hours. (See a copy of the news release in A.01-03 attached to the Request for Recusal filed in 18-569.)Yet, Google suppressed such news

whichapparently was directeds by the Chief Justice John G. Roberts.

13. The hacker who appeared to be associated with Google, Youtube, McManis Faulkner, LLP and Judge Theodore Zayner, has been hacking over Petitioner since March 2018. The hacker's name is Kevin L. Warnock whose name was found to became the author for thousands of files authored by Petitioner and has deleted more than 44,024 files from Petitioner's back up discs which could only be done by burglarizing Petitioner's residence.A sensor sensing the garage door opening and closing was discovered recently which was illegally placed on the garage door of Petitioner's residence. Mr. Warnock got assistance from Esther Chung whose names showed in some of the complaint type documentary files as the author in place of Petitioner.
14. Kevin L. Warnock is an expert on networking for Intel Corp. whose attorney is Respondents James McManis, Michael Reedy and McManis Faulkner, LLP.
15. Google, Inc. was shown to have obtained special favor from Chief Justice John G. Roberts in Petition No.17-357 (obtained 2 months' extension to file Petition for Writ of Certiorari, a unique conference date of 1/5/2018, and was able to file Supplemental Petition without seeking leave of the court's order.) even though Justice Kennedy was in charge of the 9th Circuit area. Google and YouTube suspended Petitioner's gmail accounts without any notice alleging violations of their policies because Petitioner published her YouTube radio show on

this Court's Justices' sponsoring the Temple Bar Scholarship. Kevin L. Warnock appeared to be working with Google as well.Evidence of such hacking has been very intensive up to present.

16. The hacker has deleted all soft copies of depositions transcripts and entire files of this civil case from all computers (6-7 computers) for this trial court proceeding of Shao v. McManis Faulkner, James McManis, Michael Reedy, et al. at the residence of Petitioner. Likewise, Judge Theodore Zayner illegally took the case files of this case on or about July 20, 2016 and was confirmed by Santa Clara County Court on July 11, 2017 that he "lost" Volume 5 of the court files (App.202). Judge Zayner who maintained parental deprival of Petitioner by 4 years also illegally took from the Santa Clara County Court the original deposition transcripts of James McManis and Michael Reedy that were lodged with the trial court for the jury trial set to begin on 12/9/2015. (James McManis caused his client court to stay the trial pending disposition of the custody trial, which was feloniously dismissed in May 2018 and now in Petition 18-569.) Such large file deletion and hacking including burglarizing into Petitioner's residence were apparently related to Google, James McManis, and Judge Zayner. There is a reasonable appearance that the hacking by Google was directed by Chief Justice John Roberts, based on the appearance of special favor that Chief Justice gave Google in Petition 17-357 (obtained from Chief Justice lengthy extension to prepare Petition for Writ of

Certiorari and special conference date of 1/5/2018 that was not on the court's calendar.)

17. The US Attorney for the District of Columbia, Jessie K. Liu, who failed to disclose her conflicts of interest that she is a proactive member of Defendant the American Inns of Court, failed to follow the rules of procedure and filed a "Responses of the United States" on November 19, 2018 without filing a motion for intervention, and presented an unqualified affidavit not from the custodian of records to declare falsely that the US Attorney for the District of Columbia and her office were not served with the Summons and Complaint. In fact, ECF#20 that was filed 5 months prior, has proved that they were truly properly served and no one ever contested to this fact or file a motion to strike ECF#20.
18. As how Respondent James McManis could have such enormous influential power is by way of being a major donor of the American Inns of Court, and the judges/justices involved to unreasonably withhold child custody return to Petitioner are buddies to Respondents James McManis and Michael Reedy through two chapters of the American Inns of Court, and none of the judicial officers or courts ever disclosed such regular social relationship, the American Inns of Court's function providing ex parte communication platforms has been the key question for each of the Petitions filed with this Court since 2017, including 17-82, 17-236, 17-613, 17-344, 17-569 and also this Petition. Therefore there is an appearance of conflicts of interest that requires recusal of the Justices

who have solicited gifts on behalf of their clerks from the American Inns of Court and failed to make a disclosure in violation of §620.30, §620.35, §620.45 and §620.50 of the US Guide to Judiciary Policy.

19. While this Court's Clerk's Office persisted on refusing to e-post/e-file the appendix for the three requests for recusal filed with this court in Petitions 17-82, 17-256 and 17-613, two material documents as evidence of conflicts of interest were purged from the internet about the same time. They are Pages 12 and 22 of the suppressed appendix for the 3 Requests for Recusal at issue in 1:18-c-01233-RC.
20. One is the snapshot regarding American Inns of Court's video spoken by Attorney Emanuel Sanches who stated "This is the only organization that I know that the lawyers and judges belong to the trial bar have a chance to meet outside of the courtroom in a social setting and really able to establish the rapport." Such statement directly violates Rule 5-300 of California Rules of Professional Conduct and Canon 3 to disallow ex parte communications and gifts with judges. (See, also, A.20 attached to Request for Recusal filed in 17-569)
21. American Inns of Court put this video clip back after Petitioner made the criticism in her Renewed Request for Recusal filed in early February along with her Petition for Rehearing at Petition No. 17-613 on or about Feb. 2, 2018.
22. The other was James McManis's news release dated 08/13/2012 publishing his relationship with Chief Justice John G. Roberts that he was the third after Justice Roberts to receive the

highest honor of the Inns of Court··· Honorary Bencher of the Kings' Inn. (See, also, A.19 attached to Request for Recusal filed in 17-569)

Petitioner declare under the penalty of perjury under the laws of the U.S. that her statement above and all documents provided in the Appendix is true and made in good faith pursuant to 28 USC §455.

23. Petitioner declares that any reasonable person will believe that Petitioner cannot have a fair decision on this Petition based on direct conflicts of interest with the 7 Justices when there are pending requests for entry of default.
24. With this statement under the section of "Parties to the Proceeding", in view of the US Supreme Court's felonious refusal to file the Requests for Recusal nor entering into the docket of Petitions No. 18-344 and No. 18-569, Petitioner respectfully requests 7 of the originally named 8 Justices to be recused from deciding this Petition. Petitioner respectfully requests staying this Petition until resolution of 1:18-cv-01233 which is expected not more than 7 months.

I swear under the penalty of perjury under the laws of the US that the foregoing facts and laws are true and accurate to the best of my knowledge.

Dated: December 11, 2018

By /s/ Yi Tai Shao

Yi Tai Shao, Petitioner in pro per

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9. This Court's Clerk's Office has committed the same pattern of breaching the clerk's duties to file and to maintain the docket as California 6th District Court of Appeal. The irregularities in the proceedings of the three Petitions, 17-82, 17-256, 17-613, 18-344 (refused to file Request for Recusal on 11/20/2018) and 18-569 (refused to docket filing of the Request for Recusal) suggest a public appearance that this court and judiciary administration were influenced substantially by James McManis, the well-recognized leading attorney of the American Inns of Court. These irregularities constitute actual prejudice suffered

by Petitioner. Jordan Bickel acted beyond his authority to bring in a non-amicus curiae clerk named Donald Baker to deter filing the Amicus Curiae motion of Mothers of Lost Children in No. 17-82 (not even returning the 41 copies mailed for filing), delayfiling, de-file 2 weeks after filing of the Amicus Curiae motion in 17-613, and re-file it later, with many incidents of alteration of dockets in Petition No. 17-613 (to reverse the child custody order of Judge Patricia Lucas and to change courts), and, concealing court's records by refusing to enter into the docket the Appendixes for three Requests for Recusal (one in 17-256, two in 17-613), concealing the filing of the Requests recently in 18-344 and 18-569.

10. On November 20, 2018, the US Supreme Court rejected filing of Request for Recusal in 18-344 with an excuse that the court denied Petition for Writ of Certiorari in 18-344 on November 17, 2018. (App.190) The Clerk's Office failed to docket its receipt of the Request for Recusal in 18-344.
11. The Request for Recusal in Petition No. 18-569 that was filed with the US Supreme Court simultaneously with that in 18-344 was not returned but it was not entered into the docket of 18-569.
12. After U.S.D.C. for the District of Columbia delayed by a month in knowingly refusing to enter default, PRWeb published a news which was picked up by 164 media within 2 hours. (See a copy of the news release in A.01-03 attached to the Request for Recusal filed in 18-569.)Yet, Google suppressed such news

whichapparently was directeds by the Chief Justice John G. Roberts.

13. The hacker who appeared to be associated with Google, Youtube, McManis Faulkner, LLP and Judge Theodore Zayner, has been hacking over Petitioner since March 2018. The hacker's name is Kevin L. Warnock whose name was found to became the author for thousands of files authored by Petitioner and has deleted more than 44,024 files from Petitioner's back up discs which could only be done by burglarizing Petitioner's residence.A sensor sensing the garage door opening and closing was discovered recently which was illegally placed on the garage door of Petitioner's residence. Mr. Warnock got assistance from Esther Chung whose names showed in some of the complaint type documentary files as the author in place of Petitioner.
14. Kevin L. Warnock is an expert on networking for Intel Corp. whose attorney is Respondents James McManis, Michael Reedy and McManis Faulkner, LLP.
15. Google, Inc. was shown to have obtained special favor from Chief Justice John G. Roberts in Petition No.17-357 (obtained 2 months' extension to file Petition for Writ of Certiorari, a unique conference date of 1/5/2018, and was able to file Supplemental Petition without seeking leave of the court's order.) even though Justice Kennedy was in charge of the 9th Circuit area. Google and YouTube suspended Petitioner's gmail accounts without any notice alleging violations of their policies because Petitioner published her YouTube radio show on

this Court's Justices' sponsoring the Temple Bar Scholarship. Kevin L. Warnock appeared to be working with Google as well.Evidence of such hacking has been very intensive up to present.

16. The hacker has deleted all soft copies of depositions transcripts and entire files of this civil case from all computers (6-7 computers) for this trial court proceeding of Shao v. McManis Faulkner, James McManis, Michael Reedy, et al. at the residence of Petitioner. Likewise, Judge Theodore Zayner illegally took the case files of this case on or about July 20, 2016 and was confirmed by Santa Clara County Court on July 11, 2017 that he "lost" Volume 5 of the court files (App.202). Judge Zayner who maintained parental deprival of Petitioner by 4 years also illegally took from the Santa Clara County Court the original deposition transcripts of James McManis and Michael Reedy that were lodged with the trial court for the jury trial set to begin on 12/9/2015. (James McManis caused his client court to stay the trial pending disposition of the custody trial, which was feloniously dismissed in May 2018 and now in Petition 18-569.) Such large file deletion and hacking including burglarizing into Petitioner's residence were apparently related to Google, James McManis, and Judge Zayner. There is a reasonable appearance that the hacking by Google was directed by Chief Justice John Roberts, based on the appearance of special favor that Chief Justice gave Google in Petition 17-357 (obtained from Chief Justice lengthy extension to prepare Petition for Writ of

Certiorari and special conference date of 1/5/2018 that was not on the court's calendar.)

17. The US Attorney for the District of Columbia, Jessie K. Liu, who failed to disclose her conflicts of interest that she is a proactive member of Defendant the American Inns of Court, failed to follow the rules of procedure and filed a "Responses of the United States" on November 19, 2018 without filing a motion for intervention, and presented an unqualified affidavit not from the custodian of records to declare falsely that the US Attorney for the District of Columbia and her office were not served with the Summons and Complaint. In fact, ECF#20 that was filed 5 months prior, has proved that they were truly properly served and no one ever contested to this fact or file a motion to strike ECF#20.
18. As how Respondent James McManis could have such enormous influential power is by way of being a major donor of the American Inns of Court, and the judges/justices involved to unreasonably withhold child custody return to Petitioner are buddies to Respondents James McManis and Michael Reedy through two chapters of the American Inns of Court, and none of the judicial officers or courts ever disclosed such regular social relationship, the American Inns of Court's function providing ex parte communication platforms has been the key question for each of the Petitions filed with this Court since 2017, including 17-82, 17-236, 17-613, 17-344, 17-569 and also this Petition. Therefore there is an appearance of conflicts of interest that requires recusal of the Justices

who have solicited gifts on behalf of their clerks from the American Inns of Court and failed to make a disclosure in violation of §620.30, §620.35, §620.45 and §620.50 of the US Guide to Judiciary Policy.

19. While this Court's Clerk's Office persisted on refusing to e-post/e-file the appendix for the three requests for recusal filed with this court in Petitions 17-82, 17-256 and 17-613, two material documents as evidence of conflicts of interest were purged from the internet about the same time. They are Pages 12 and 22 of the suppressed appendix for the 3 Requests for Recusal at issue in 1:18-c-01233-RC.
20. One is the snapshot regarding American Inns of Court's video spoken by Attorney Emanuel Sanches who stated "This is the only organization that I know that the lawyers and judges belong to the trial bar have a chance to meet outside of the courtroom in a social setting and really able to establish the rapport." Such statement directly violates Rule 5-300 of California Rules of Professional Conduct and Canon 3 to disallow ex parte communications and gifts with judges. (See, also, A.20 attached to Request for Recusal filed in 17-569)
21. American Inns of Court put this video clip back after Petitioner made the criticism in her Renewed Request for Recusal filed in early February along with her Petition for Rehearing at Petition No. 17-613 on or about Feb. 2, 2018.
22. The other was James McManis's news release dated 08/13/2012 publishing his relationship with Chief Justice John G. Roberts that he was the third after Justice Roberts to receive the

highest honor of the Inns of Court--- Honorary Bencher of the Kings' Inn. (See, also, A.19 attached to Request for Recusal filed in 17-569)

Petitioner declare under the penalty of perjury under the laws of the U.S. that her statement above and all documents provided in the Appendix is true and made in good faith pursuant to 28 USC §455.

23. Petitioner declares that any reasonable person will believe that Petitioner cannot have a fair decision on this Petition based on direct conflicts of interest with the 7 Justices when there are pending requests for entry of default.
24. With this statement under the section of "Parties to the Proceeding", in view of the US Supreme Court's felonious refusal to file the Requests for Recusal nor entering into the docket of Petitions No. 18-344 and No. 18-569, Petitioner respectfully requests 7 of the originally named 8 Justices to be recused from deciding this Petition. Petitioner respectfully requests staying this Petition until resolution of 1:18-cv-01233 which is expected not more than 7 months.

I swear under the penalty of perjury under the laws of the US that the foregoing facts and laws are true and accurate to the best of my knowledge.

Dated: December 11, 2018

By /s/ Yi Tai Shao

Yi Tai Shao, Petitioner in pro per

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PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a Writ of Certiorari issue to review the California Sixth District Court of Appeal ["the Sixth District"]'s order of July 10, 2018 that fraudulently dismissed Petitioner's appeal without notice according to the failure to deny or admission of the court's Deputy Clerk Beth Miller (App.29 and App.30), with direct conflicts of interest, with false entry of docket a notice of 6/15/2018 and a perjured certificate of completion when after 2 years' delay in preparing records, California courts knowingly excluded from the records on appeal all critical filings of Petitioner in severe violation of due process. California courts' repeated deterrence of appeal is part of the conspiracy to stymie all power of Petitioner to change the permanent parental deprival plan in order to help their attorney and friend, Respondent James McManis, and his firm, Respondent McManis Faulkner, LLP to suppress evidence of their judiciary corruptions, and to apply collateral estoppel of Judge Patricia Lucas's custody order of November 4, 2013 (Petition No. 569) to establish their only defense against this legal malpractice lawsuit.
As declared by Attorney Meera Fox,

"Since being Since being sued by Ms. Shao for his malpractice, it has become important to Mr. Reedy and the law firm of McManis Faulkner, for whom Mr. Reedy works, **to ensure that Ms. Shao not regain custody of her child**, since **as long as she does not get her child back, they can argue that their failure to advocate for her did not cause the damage that she suffered.**Not coincidentally, **the**

judges who have denied Ms. Shao the return of her child ever since **have been very close bedfellows with Michael Reedy** and are two top executive members of his social "club," **the William A. Ingram American Inn of Court.**" (App.102; emphasis added) The fraudulent dismissal of this appeal is in the same pattern as the dismissal of child custody appeal from Judge Patricia Lucas's November 4, 2013's order (pending with this Supreme Court in Petition No. 18-569), in that both dismissal was made by concealing notices and orders by sending to an email of attorneylindashao@gmail.com which had been ceased being the registered email for e-filing since March 22, 2018 and the Sixth Appellate District's deputy clerk Beth Miller who has been in charge of Petitioner's appeals, was made known on March 27, 2018 that the reason of changing the registered email was because Petitioner was unable to have access to. (App.88).

As for the custody appeal in 18-569, the then Presiding Justice at the Sixth Appellate District Court, Rebecca Delgado at Santa Clara County Court and Respondent McManis Faulkner law firm conspired (App.114) to dismiss the appeal many times to no avail, with the notorious fraudulent dismissal being on March 14, 2016 where Ms. Delgado, as instructed by her supervisor Susan Walker, somehow entered into the courthouse of Santa Clara County Court on Saturday, March 12, 2016to issue a false Notice of Non-compliance against Petitioner for the purpose of dismissing the custody appeal (App.131), within 24 hours following the hearing in front of Judge Woodhouse regarding staying the jury trial pending disposition, i.e., dismissal, of the child custody appeal (App.83)

when Respondents' attorney had predicted dismissal of the custody appeal being the ground of stay jury trial (App.110). Then, within 25 minutes of the opening of the Sixth Appellate District court of appeal on Monday, March 14, 2016, Beth Miller processed the filing and service of the dismissal order signed by Justice Conrad Rushing (App.129). With the continued "shenanigans", including many false notices, false docket entries (App.115-118), the common scheme of dismissing the custody appeal was eventually implemented by Justice Adrianne Grover on May 10, 2018 without complying with Rule 8.57 (required a noticed motion), in acting on behalf of the new Presiding Justice Mary J. Greenwood.

Justice Greenwood dismissed 4 appeals within 2 months of her swearing-in, without disclosing her being the wife of Judge Edward Davila and failed to obey Canon 2 and Canon 3 of California Code of Judicial Ethics in making disclosure of such conflicts of interest. Petition 18-344 was done by her in person to disallow this trial court case to be moved away from the control of Respondent James McManis's client—Santa Clara County Court. When the custody appeal after the appeal lasted for more than 4 years and fraudulently dismissed, there were no records on appeal to afford Petitioner an opportunity to file her Opening Brief. The custody trial hearing transcripts have been sitting at the home of the court reporter for 5 years which were blocked by the trial court from filing with the Sixth Appellate Court. (18-569)

Similar to that custody appeal, the common scheme of the conspiracy was also to deter this appeal as the trial court conspired with

Respondents to misuse the prefiling order to block Petitioner's access to the court such as to ensure their plot of permanent parental deprival when they know Petitioner had been entitled to immediate child custody change back to her because she had obtained evidence 4 years ago (Petition No. 14-1912; 14A677) that her ex-husband has had dangerous mental illness. (See 18-569 in its App.178)

Santa Clara Court, the Sixth Appellate Court and California Supreme Court have misused their judicial power to advance their personal or financial interest in violation of Canon 2 and 3 of California Code of Judicial Ethics (see also, 28 USC §455(c)). Such misuse of judicial power shocks the conscience of the public and has caused numerous counts of felonies. With the same scheme of deterring filing, concealing filing, and alteration of docket also took place in the US Supreme Court where James McManis has grave influence via American Inns of Court, Petitioner respectfully requests the interested Justices at this Court to be recused pursuant to 28 USC §455and Canon 3 so that she may get a fair and impartial hearing.

OPINION BELOW

Petitionerwas entirely blocked from appealand was not given a day at the court after California Courts deterred appeal by refusing to file records on appeal in compliance with Rule 8.130 (within 30 days) for more than 2 years. The appeal was dismissed on 7/10/2018 for failure to file an Opening Brief by the 7/9/2018's new due date (App.25) but the due date was willfully concealed from Petitioner, and her Motion for Judicial Notice in support of her opening brief which is part of her

opening brief had been accepted for filing on 7/3/2018.

Please see discussion on the fraud and admission or failure to deny or explain the accusation of fraud by the deputy clerk Beth Miller, in Section III of the Statement of the Case. Ms. Miller followed instruction of some Justice to conceal the 7/9/2018's due date by sending to Petitioner's extinct email that was removed from the e-filing Truefiling.com since 3/22/2018.

The reason why Petitioner did not file her Opening Brief together with the Motion for Judicial Notice was because all material filings opposing vexatious litigant were not included in the records on appeal; she discovered the certificate of completion made by R. Delgado, the same clerk who forged the Saturday Notice of Non-compliance in child custody appeal (18-569) on 3/12/2016 did the perjury. Ms. Miller instructed Petitioner to wait for the court's ruling before filing Opening Brief, but willfully concealed the ruling from Petitioner. Justice Frank Elia as acting Presiding Justice denied Petitioner's motion to vacate dismissal on July 30, 2018. (App.32)There was no disclosure of conflicts of interest made by either Justice Elia ["Elia"] (App.177-78) nor by Presiding Justice Mary J. Greenwood ["Greenwood"] as required by Canon 3 of California Code of Judicial Conduct. The incomplete records may be contributed by Judge Theodore Zayner's illegal removal of the files as at least he removed the original deposition transcripts of his undisclosed buddies, James McManis and Michael Reedy, that took place sometime after July 20, 2016 and confirmed Volume 5 of the court files

being missing by Record Unit's supervisor on July 17, 2017 (App.202).

California Supreme Court's Chief Justice failed to rule on Petitioner's request for recusal, which, according to California Code of Civil Procedure 170.3(c)(App.3), Chief Justice should have been "deemed to have consented to he r disqualification", but she denied review on 9/12/2018. California Supreme Court took judicial notice of the conflicts of interests and irregularities of the lower courts through its decision in S242475 on 7/19/2017, but never granted review on the same issues of conflicts of interests and fraudulent irregularities repeatedly brought up to the Supreme Court, resulting in gross miscarriage of justice in violation of California Penal Code §96.5:

S243350 (H040395/FL126882) on 7/24/2017
S248267 (H043851/FL126882) on 5/25/2018
S248449 (H045502/CV220571) on 6/13/2018 [Petition No.18-344]
S248477 (H045501/FL126882) on 6/13/2018
S249444 (H040395/FL126882) on 7/25/2018 [Petition No.18-569], and now
S250729 (CV220571) on 9/12/2018

Based on California Supreme Court Chief Justice's apparent conspiracy in repeatedly willful covering up the material issue of conflicts of interest such as having caused miscarriage of justice, in breach of her duty to "provide a forum for the fair and expeditious resolution of disputes" codified in Rule 10.603(a) of California Rules of Court for many years, and now is a defendant in Shao v. Roberts, et al. in 1:18-cv-01233 pending with the U.S.D.C. in the District of Columbia,

Petitioner respectfully requests Chief Justice to recuse herself from handling this Petition.

The trial Court's opinion is in App. 37-56, which did not mention prefiling order. The trial court's order ruled against Respondents' raising 5 proceedings in 7 years (App.44-45), then the court suasponteraised a new issue acting as the attorney for Respondents, to create 10 adversed decision based on the appeals and petitions for writs made by Petitioner with all derived from the same family case, when such issue was beyond the scope of Respondent's motion to declare Petitioner as a vexatious litigant. The court explicitly made a finding that Respondents provided"incomplete arguments and evidence." (App.55) Despite Respondents' motion was defective, the court still granted declaration of vexatious litigant based on its suasponte new argument and disallowed Petitioner to present arguments or evidence in response to the new issue at the hearing that the court restricted to 10 minutes.

The Court failed to disclose its attorney-client relationship with Respondent James McManis ["McManis"], falsely denied knowledge of such attorney-client relationship, failed to disclose their quasi-employment relationship with McManis, the gifts received by many of its employees from McManis, and their long term social relationship through two chapters of the American Inns of Court, the William A. Ingram American Inn of Court ["Ingram Inn"] and the San Francisco Bay Area Intellectual Property Rights American Inn of Court ["S.F. Bay IP Inn"].

This order was immediately used by Petitioner's ex-husband Tsan-Kuen Wang ["Wang"]

in the family court as an excuse to block Petitioner from taking his deposition and to cancel all motions and hearings [See Petition 18-569] on June 24, 2015. There was no Prefiling Order attached to the 6/24/2016's filing by Wang as the Prefiling Order was not issued yet.

The court back dated its filing stamp on the Prefiling Order to be 6/16/2018 3:03 p.m. (App.58) with proof of service stamped as at 3:20 p.m. (App.59), when the true order was filed on 6/16/2018 at 10:56 a.m. (App.37) with proof of service filed at 11:00 a.m. (App.57). The Prefiling Order was not entered into the docket until about August 2017, after Judge Zayer illegally grabbed the court files into his chamber, with a backdating entry of 6/16/2015.

JURISDICTION

California Supreme Court's order was entered 9/12/2018(App.19). Petitioner invokes this Court's jurisdiction under 28 USC §1257 as the decisions of the California courts rejected Petitioner's claims under the First and Fourteenth Amendments to the Constitution of the United States. The Petition is timely under 28 U.S.C. §2101(c) and US Sup. Ct. Rule 13.1 and 13.3.

STATUTES INVOLVED (APP.1-18)

1. U.S. Constitution, First Amendment
2. U.S. Constitution, Fourteenth Amendment
3. 28 U.S.C.S. §455(b)
4. The Guide to Judiciary Policy prepared by the Judicial Conference of the United States Judicial Conference of the United States, Committee on Code of Conduct for United States Judges, Compendium of Selected Opinions §3.6-6[1] (Apr. 2013) (emphasis added)

5. California Code of Civil Procedure §397(b)
6. California Code of Civil Procedure §170.3(c)(4)
7. California Rules of Professional Conduct Rule 5-300
8. Guide to Judiciary Policy Vol.2 C, §620
9. California Code of Judicial Ethics, Canons 1-4
10. California Rules of Court Rule 8.54
11. California Rules of Court Rule 8.130
12. California Code of Civil Procedure §391
13. California Government Code §68150
14. California Government Code §68151(a)(3)
15. California Government Code §68152(g)(16)
16. California Government Code §6200 (willful destroy, falsify and alter records-felony)
17. California Penal Code §115 (forged instrument-felony)
18. California Penal Code §132 (offer false document in any court proceeding)
19. California Penal Code §134 (offer false writing)
20. California Penal Code §470 (forgery; corruption of records)
21. California Penal Code §182 (conspiracy to obstruct justice)
22. California Penal Code §278.5 (malicious parental deprival)
23. California Penal Code §96.5 (Judicial officer knowing perverts or obstructs justice)
24. 18 USC §2071(b) (custodian of a record willfully conceals, removes, mutilates, obliterates, falsifies or destroys the record)
25. 18 USC §1001 (judicial branch's false entries to falsify, conceal or covers up a material fact)
26. 18 USC §371 (conspiracy to commit offense or to defraud U.S.)

STATEMENT OF THE CASE

This is a typical judiciary corruption case where California judges and justices at Santa Clara County Court, California Sixth District Court of Appeal and California Supreme Court participated, or tolerated to conceal their corruptions with the leading attorney of the American Inns of Court, James McManis, involved with countless violations of due process in the past 8 years, numerous incidents of violations of California Penal Code §278.5 (malicious parental deprival), §115, §132, §134, §470 (falsifying notices, records and dockets, concealing filings), §182, §96.5 (conspiracy for these crimes, obstruction of justice, and unlawful acts) and Government Code §6200. The fraudulent dismissal of this appeal from vexatious litigant orders reached to the climax.

On August 4, 2010, at a Case Management Conference, without knowing the conspiracy, Petitioner was shocked at suddenly lost her child custody completely, against the expressed child wishes (See, 18-569, App.65). The minor was also shocked at losing her mother, as having been threatened by the colluded social worker Misook Oh 4 days prior (See, 18-569) forcibly placed under the sole custody of her identified abuser, her father and suffered abuses to a cruel extent to almost die.

On 8/5/2010, without a hearing, Judge Davila filed a supervised visitation order declaring Petitioner to have "emotional abuse" and a sibling separation order to separate the 5-year-old's protective 16 year old brother from the minor. These orders made without a hearing were admitted to be products of ex parte communications among Sussman, Judge Davila and Jill Sardeson as

admitted by Jill Sardeson (App.74) and David Sussman (App.75)

On 8/20/2010, Petitioner retained McManis Faulkner law firm to protect her and try to get her child custody back. On the first day of hearing, 8/23/2010, however, Judge Edward Davila held an in-chamber meeting with David Sussman, ex-husband Wang's attorney and Michael Reedy, directed Reedy to betray Petitioner and not to file a motion to set aside child custody, that there would be no review on the 8/4/2010's temporary parental deprival with the intent to cause permanent parental deprival, and not to defend Petitioner on Sussman's motion for vexatious litigant. Reedy chose to harbor the conspiracy and took no effort to get Petitioner's child custody back during the entire 7 months' representation when McManis Faulkner terminated the retaining relationship as Petitioner could not afford the extra high evergreen retainer of $50,000.

Petitioner invites the Court to read the summary of the case declared by Ms. Fox in App. 101 through 119.

After Respondents terminated the contract, Petitioner filed a motion to set aside the orders of August 4 and 5 of 2010. It was granted on 7/22/2011 but delayed until 10/31/2011 then based one ex parte communications, Judge Mary Ann Grilli signed David Sussman's proposed order, concealing the cause of granting set aside. The motion was brought based on violation of Constitution due process for lack of an evidentiary hearing before parental deprival, and extrinsic fraud—evidence of conspiracy among Judge Davila, Sussman and Sara Scofield, supervisor of Jill

Sardeson. The Order granted set aside but maintained the original parental deprival orders to be in place pending an evidentiary hearing (App.72, 73), which constituted another violation of due process··· parental deprival without a preceding evidentiary hearing.

In 2011, Judge Theodore Zayner succeeded the seat of Judge Edward Davila, who was nominated to be a USDC judge in San Jose. On 10/31/2011, Zayner cancelled the evidentiary hearing, let Judge Grilli signed Sussman's order and continued parental deprival with an excuse of requiring custody evaluation, when at that time Petitioner just got her court-ordered one-sided psychological evaluation with very positive report released in June 2011. Zayner disregarded Petitioner's constant asking child custody return after setting aside the original parental deprival orders of Judge Davila, for each hearing in the ensuing 2 years and eventually set for trial in front of Judge Patricia Lucas.

Judge Lucas, after hearing expert testimonies, apologized to Petitioner about 3 times for the parental deprival and promised on the record that the order would never be the same, yet changed attitude drastically the ensuing date, blocking witness examination, dispose trial evidence containing photos and medical records for child injuries before her orders were issued. Judge Lucas's 11/4/2013's Order appeared to be written by McManis Faulkner law firm as it contained 5 pages of recital of facts not presented at trial and protected Edward Davila based on facts not shown in the trial. Petitioner immediately appealed. Yet, the court reporter delayed 6 months in generating

July 11, 2013's transcript and failed not deny Petitioner's accusation the reporter was coerced and threatened. 7/11/2013 was the date when Judge Lucas apologized three times on the record. The reporter was coerced in deletion such apologies from the transcripts and the court instructed the reporter not to file her trial transcripts with the Sixth District. The transcripts have been still sitting at the reporter's home for already 4 years. The court fraudulently dismissed the child custody appeal on 5/10/2018 when no records on appeal were filed yet.

As mentioned above, Judge Carol Overton dismissed the case based on her own motion in February 2014 without disclosing her conflicts of interest. In investigating this irregularity, Petitioner discovered that Santa Clara County court was a client of McManis Faulkner. She filed another lawsuit at the USDC in San Jose and was again dismissed by Judge Lucy H. Koh without disclosing her conflicts of interest which was appealed to this court in Petition 17-256.

Thus, Petitioner could not but return to the State court seeking relief. Overton granted Petitioner's motion to vacate her dismissal order based on violation of due process.

At that time, Petitioner had pending Petition 14-1912 with this Court and asked for emergency relief when the state courts knowingly disregarded the very endangering mental disease of Wang that Petitioner obtain subpoenaed discovery from CIGNA Health Insurance Company and sought to get her child custody back to immediate protect the safety of the minor.

Then, for each Case Management Conference, Petitioner asked to change court as there was direct conflicts of interest of attorney-client relationship as was posted by Respondent McManis Faulkner's website that Santa Clara County Court was its representative client. Yet Judge Folan disregarded. Then, Respondents aggressively proceeded with a motion (1) declare Petitioner as a vexatious litigant, (2) seek prefiling order, (3) seek security order. Yet there was no evidence submitted to the court other than docket sheets and their speculation about adverse judgments on at least two settled cases. They alleged 5 adverse judgments out of the 7 years when 2 of the alleged adverse litigations were derived from the child custody appeal

Judge Maureen Folan made a finding that Respondents' motion has insufficient arguments and evidence (App.55), that Petitioner successfully argued that Respondents proffered 5 adverse litigations in the preceding 7 years, were not satisfied (App.44-48). Yet, Judge Folan still declared Petitioner as a vexatious litigant by creating a new argument beyond the scope of the motion, that all appeals/writs denials arising from the family case were considered to be separate "proceedings" and added them up to 10 adverse litigations. The other requests were denied. No where in the court's order mentioned a prefiling order. The court filed the order at 10:58 a.m. on 6/16/2015.

On 6/24/2015, this order was attached to Wang's response to Petitioner's motion to reopen discovery (which actually is presumed reopened by Family Code §216, yet the court has blocked Petitioner from deposing Wang after 2010.) The

vexatious litigant order was immediately used for the court to cancel family court hearings, requiring Petitioner to seek permission from the Presiding Judge who is Patricia Lucas, to file a motion at her family court proceeding, and thus effectively blocked Petitioner from vacating the parental deprival orders and child support orders where frauds of Wang was alleged.

On or about 6/25/2015, Petitioner received a prefiling order which bore an envelop showing 6/18/2015. It was not entered into the civil case docket until 2 years later, in or about August 2017, which was likely being done by Judge Zayner as he grabbed the trial court's files into his chamber about this civil case and took away the original deposition transcripts of James McManis and Michael Reedy and had not returned to the court. On 7/17/2017, the Record Unit Supervisor Eric Rivas confirmed Volume 5 was lost (App.202), which is a volume about court files related to the vexatious litigant motion.

It is a logical inference that the prefiling order was not in existence when Wang attached the order on decision of Respondents' motion for vexatious litigant, to his declaration and thus the prefiling order was generated after Wang signed his declaration. He signed on 6/23/2015 and filed it on 6/24/2015.

Petitioner filed a motion to clarify the veracity of the prefiling order and reconsider the 6/16/2015's order as it was beyond the scope of the motion, a new issue not raised by Respondents, but by the court suasponte which violated due process, including a request to change court based on the

court's being a client of McManis Faulkner. Judge Folan again denied.

Petitioner filed appeal on 6/25/2015. Less than a month later, evidence of judiciary corruptions surfaced by admission of James McManis and Michael Reedy, as discussed below. Just like in H040395/18-569, the trial court delayed preparing the records on appeal for 2 years, until after they received Petitioner's Petition No. 17-82 that was filed with this Court, exposing the gross miscarriage of justice that Respondent McManis obtained from his own client court the vexatious litigant orderto illegally block Petitioner from filing any motion at her divorce case existing since 2005, to ensure "permanent" parental deprival extending from the August 4, 2010's Order of Judge Edward Davila, Justice Mary J. Greenwood's husband. To reverse the fraudulently obtained prefiling order will cause Petitioner to be able to overturn the permanent parental deprival, especially when her ex-husband was discovered in September 15, 2014 that he had concealed his dangerous mental illness which should have caused immediate child custody change..

17-613 was based on the Sixth District's denial of reversal of the vexatious litigant order, failed to disclose conflicts of interest, and failed to change venues of both trial and appellate court, based on the notorious March 14, 2016's fraudulent dismissal of the custody appeal and the "shenanigans" developed since February 2017. The 3/14/2016's illegal dismissal of the custody appeal was declared by Ms. Fox as sufficient to cause the public view of existence of conspiracy among the

Presiding Judge of the Sixth District, James McManis's law firm, and R. Delgado at the Santa Clara County Court. (App.114)
Mary J. Greenwood succeeded Judge Rushing as the new Presiding Judge who dismissed 4 appeals within 2 months. Petitioner later investigated and discovered that Greenwood's husband is Judge Edward Davila, but she failed to disclose the conflicts of interest.

I. FRAUDULENT DISMISSAL OF THIS APPEAL

After more than 2 years' delay, on 12/21/2017, the records of appeal were prepared with false certification about completion of the records. The certification of completion was false as the Appellate Unit was fully aware of the fact exposed on 7/17/2017 that the records were impossible to be complete as Judge Theodore Zayner illegally grabbed the case files into his chamber and "lost" Volume 5 (App.202), the volume that includes Plaintiff's motions challenging the vexatious litigant orders.
6 essential pleadings were not in the Records on Appeal. Notably, including even the Notice of Appeal which was not among the lost Vol.5. They are:

SHAO's Design ation Records No.	Date of Filing	Document name	Significance to this appeal
23	7/1/2015	"Declaration of Yi Tai Shao for the Motion to	This contains all material evidence for

		Reconsider or Clarify Order re Motion to Declare Linda Shao Vexatious Litigant Filed on June 16, 2015 at 3:04 p.m., filed by Plaintiff"	this appeal to support SHAO's argument that the prefiling order was fraudulently made in violation of due process. Thus, this is one of the core documents for appeal.
24	7/1/2015	"Memorandum of Points and Authorities for the Motion to Reconsider or Clarify Order re Motion to Declare Linda Shao Vexatious Litigant Filed on June 16, 2015 at 3:04 p.m., filed by Plaintiff"	This contains the main arguments of the issues that the prefiling order was fraudulently made in violation of due process. Thus, this is one of the core documents for appeal.

25	7/1/2015	"Notice of Motion to Reconsider or Clarify Order re Motion to Declare Linda Shao Vexatious Litigant Filed on June 16, 2015 at 3:04 p.m., filed by Plaintiff"	This provides summary of the contents of why the prefiling vexatious litigant order was irregularly made.
45	9/2/2015	Tentative Decision for Defendants' Renewed Motion to Require Plaintifff to Furnish a Security" and the entire motion	This may show the difference of the tentative decision and the order.
47	12/2/2015	Judge Socrates Manoukian's Order to strike and recusal	This is very significant to prove SHAO's argument of fraud and conflicts of interest that

			have been involved in Santa Clara County Court's proceeding. It is significant to prove existence of conflicts of interest and to prove the fraud of Santa Clara County Court in alteration of docket in violation of Government Code Sections 68050 et seq.
48	6/25/2015	Notice of Appeal	There is no more significant for an appeal than to have this Notice of Appeal to be included. It contains the

			subjects for this appeal.

On July 2, 2018, SHAO filed the "OBJECTION TO FALSE DOCKET ENTRY OF JUNE 15, 2018 and INSUFFICIENT RECORDS ON APPEAL AND REQUEST INVESTIGATION ON THE FRAUD AND TO STRIKE BOTH THE FALSE DOCKET ENTRY OF JUNE 15, 2018 AS WELL AS TO STRIKE THE FALSE CERTIFICATE OF COMPLETION; MOTION TO BE RELIEVED FROM DEFAULT; MOTION TO AUGMENT RECORDS; MOTION TO STAY THIS APPELLATE PROCEEDING" [hereinafter "**Objections/motions**"] as well as a "MOTION FOR JUDICIAL NOTICE **IN SUPPORT OF OPENING BRIEF** AND "OBJECTION TO FALSE DOCKET ENTRY ON JUNE 15, 2018 and GROSSLY INSUFFICIENT RECORDS ON APPEAL AND REQUEST INVESTIGATION ON THE FRAUD AND TO STRIKE BOTH THE FALSE DOCKET ENTRY OF JUNE 15, 2018 AS WELL AS TO STRIKE THE FALSE CERTIFICATE OF COMPLETION; MOTION TO BE RELIEVED FROM DEFAULT; MOTION TO AUGMENT RECORDS;MOTION TO STAY THIS APPELLATE PROCEEDING".

On July 2, 2018, after filing, SHAO checked with deputy clerk Beth Miller whether SHAO should hold filing Opening Brief until resolution of her motions, even though she had filed the motion for judicial notice in support of the Opening Brief. Ms. Miller instructed SHAO to hold filing the Opening Brief until after decision on the "Objections/Motions." SHAO asked to give her a few days' notice to allow her to file the Opening

Brief if the Objections/motions were denied. Ms. Miller responded "absolutely."
On July 3, 2018 at 3:34 p.m., SHAO received email notice from truefiling.com that this court accepted SHAO's two pleadings for filing. (App.20)SHAO reasonably believes that email at 3:34 p.m. of 7/3/2018 being the confirmation of Ms. Miller's promise and instruction made on 7/2/2018.
According to Rule 8.54, Respondents have 15 days to file opposition. If they did not oppose, the court may issue an order after 15 days. The Respondents' counsel had filed an opposition to SHAO's motion on October 3, 2016. (App.64)
SHAO checked on the docket on or about July 5 or July 6, 2018 and did not see any additional new entries. On July 13, 2018, SHAO saw on the docket that the appeal was dismissed on July 10, 2018 (App.25) and there were two July 3, 2018's Orders (App.22,23)
SHAO called the Clerk's Office, Scott informed SHAO that the court always keep the record of which clerk makes any entry on a docket. SHAO called Beth Miller asking for evidence that she made the entry on the docket on July 3, 2018 for the two orders, especially on the order that contains a new due date for the Opening Brief.SHAO also asked Ms. Miller to forward to SHAO the emails Miller said she sent to attorneylindashao@gmail.com regarding notices of the court's orders of July 3, 2018.
On July 17, 2018, instead of sending SHAO the proof of entering into the docket of the July 3, 2018's orders, Ms. Miller sent SHAO a proof of e-service of July 3, 2018. (App.26, 27, 31) The proof of service proved that 13 minutes before Ms. Miller

sent SHAO the notice of acceptance of filing of the objections/motions via the registered email on efiling, i.e., attorneyshao@aol.com, Justice Elia had already issued an order and that order was emailed to SHAO's extinct email, attorneylindashao@gmail.com, which was an email that Ms. Miller was informed as early as on 3/27/2018 that SHAO could not have access to and must open a new account with the Truefiling.com. (App.89)

The only email that was registered with the Truefiling.com by SHAO has been attorneyshao@aol.com since 3/22/2018. (App.86&91)

There were many communications with Ms. Miller via attorneyshao@aol.com. E.g., see an email of 4/25/2018 in App.90.

SHAO then sent an email in response to Ms. Miller at 5:14 p.m. of 7/17/2018 (App.30):

"Dear Ms. Miller

Are you sure your proof of service under penalty of perjury is accurate? 13 minutes after you said you sent Justice Elia's orders to my old email of attorneylindashao@gmail.com, you sent out a notice of acceptance of filing of the same motions that Justice Elia denied to attorneyshao@aol.com. **What made you to change mind to switch emails within 13 mintues?** To sendout Justice Elia's orders to attorneylindashao@gmail.com at 3:21 p.m. of July3, 2018 but send out acceptance of the motions at 3:34 p.m. to this email--attorneyshao@aol.com? Is there anyone directing you to conceal Justice Elia's orders away frommy notice? As you may see the First Amended Complaints you accepted service on behalf of the court and the Justices, such false noticesconstitute felonies. If you could inform

me who instructed you toconceal notice away from me, I will not sue you."

Not hearing a response, SHAO sent a second email on Jul 18, 2018 at 12:06 pm (App.29):
"Dear Ms. Miller:
I have not heard any response from you regarding the forwarded email. If by 1 p.m. I have notheard any explanation from you on **what made you to sent to two different email addresses in13 minutes on July 3, 2018, I will presume that someone from the court instructed you toconceal the orders of July 3, 2018 and July 10, 2018 from my knowledge by sending to adifferent email address of** attorneylindashao@gmail.com (which I informed you that I had noaccess to).
Do you have any proof that you entered the docket on July 3, 2018?"

Ms. Miller failed to explain or deny.

On 7/19/2018, SHAO filed a motion to vacate dismissal, reciting this extrinsic fraud.

On 7/30/2018, at 10:31 a.m., SHAO received a notice that her motion to vacate dismissal was accepted for filing. (App.33) 5 minutes later, SHAO received a notice Justice Elia's order to deny, again, in violation of Rule 8.54(b)(1). (App.34)

SHAO filed a Petition for Review along with a conspicuous request to recuse Chief Justice Cantil-Sakauye. On 9/12/2018, the Petition for Review was denied, but there was no decision on SHAO's Request for Recusal.
The court's issuing notice of acceptance of filing, without informing the 7/3/2018 orders, with an instruction to hold filing of Opening Brief awaiting the Court's ruling on the issues of insufficient records misled SHAO into believing the court would

be issuing an order 15 days later, if no opposition pursuant to Rule 8.54(b)(1).
Throughout history of this appeal, no motion was decided by this court within a day, as this July 3, 2018's Order, before the opposing counsel responded **and before the court accepted for filing.**

July 3, 2018 was the day that, 4 Justices and the Sixth District were served with Summons in the case of Shao v. Roberts, et al. pending with USDC in D.C. with the case number of 1:18-cv-01233.
There is no reason for Ms.Millerto suddenly use the old email address of attorneylindashao@gmail.com to issue the orders to rule on the two pleadings on the same date before it notified acceptance of the same pleadings with the registered email of attorneyshao@aol.com.
The same scheme of concealing notice from SHAO by sending to the extinct email of attorneylindashao@gmail.com also took place in the court's dismissing H040395's child custody appeal on 5/10/2018. The child custody appeal was thus silently dismissed in violation of Rule 8.57 (required a motion and a notice before records on appeal is prepared) where for about 4 years, Santa Clara County Court did not even prepare a record on appeal. See 18-569.

II. THE DISMISSAL STYMIED EXPOSURE OF RESPONDENT JAME MCMANIS'S ILLEGALGIFTS TO THE JUDGES AND COURT STAFFS

Respondent James McManisadmitted in his deposition on July 20, 2015, one month after issuance of the vexatious litigant orders, that he

provided free (App.192) legal services to about 25 judges, courtroom clerks, court reporters and bailiffs at Santa Clara County Court(App.194), an unidentified Justice at the Sixth District(App.195)an unidentified Justice at the Supreme Court (App.194) on their "personal affairs" (App.192).

In the transcript in Page 46, Lines3-11 (App.192) read:

Q. Did you represent these judges on their personal affairs?

MS. EVERSON: Objection. Vague and ambiguous.

THE WITNESS: I think that's a good description.

MS. SHAO: Q: So you agree.

A. Yes.

He readmitted on P. 110, Lines 2-7 (App.192):

Q. It was pro bono?

A. Yes.

Q: How many pro bono works you did for the judges?

A. I don't know.

Q. Those were all about personal affairs?

A. Yes.

From Page 119, Lines10 through Page 120, Line 25 (App.193), Mr. McManis admitted:

Q. For the clerks and the judges that you were representing in the past years in Santa Clara County, did you communicate with them by way of fax or email?

A. No.

Q. Letters?

A. No.

Q. Everybody verbal?

A. Yes.

.....

Q. How many people were associated with the court that hired you or had been your clients?
A. I don't know.
Q. Can I get a best estimate; more than 25, more than 50 or something like that?
A. I would be very surprised if more than 50. Might have been 25, more or less. I just don't know.
Most importantly, McManisadmitted having represented Santa Clara County Court for an unidentified matter. From Page 42, Line 15-24 (App.192), the transcript reads:
Q. How many judges that your firm represented the Santa Clara County Superior Court?
A. I don't recall.
Q. What kind of matter that you represented these judges?
A. I don't recall.
Q. Were you personally involved with the representation of Santa Clara County Superior Court?
MS. EVERSON: Objection. Lacks foundation.
THE WITNESS: I can recalling one instance in which I was.
As shown in the transcript at P.118, Lines 2-8 (App.193), McManis's admission of "strict verbal" communications with the judges suggests the knowledge of impropriety involved in giving and accepting free gifts of legal services:
"But conversations with the judges, it would be strictly verbal. I can't think of anything in writing that was ever exchanged with people. I might have looked at some papers."

A. THIS CASE NAME HAS BEEN ALTERED BY ALL APPELLATE LEVELS TO CONCEALTHE NAME OF JAMES MCMANIS

The Sixth District and California Supreme Court concealed the name of Jams McManis by altering the case name to be only Linda Shao v. McManis Faulkner, LLP, the same happened to this Court on 10/25/2018, shortly following the docketing of 17-613, Jeff Atkins walked to the deputy clerk directing him not to include the names of James McManis and Michael Reedy in docketing the petition regarding Petitions derived from Shao v. McManis Faulkner, LLP, James McManis, Michael Reedy. This proved existence of ex parte communications between James McManis's law firm and the courts.

B. EX PARTE CONTACTS THROUGH THE AMERICAN INNS OF COURT

On 7/22/2015, Michael Reedy admitted to his regular social relationship with about 30 judges/justice through the Ingram Inn and admitted that the key judges who blocked Petitioner's child custody return were the members, including Judge Patricia Lucas, Judge Theodore Zayner, Justice Patricia Bamattre-Manoukian for 10+ years. There were totally 100-110 members including about 30 judges/justices and 60-70 attorneys. The attorneys sponsored all expenses.They have email address of these judge members, who lead the pupilage groups playing privately with the attorneys and enjoy free meals and awards. The membership is confidential and the contacts are ex parte and private, in violation of Rule 5-300.

Judge Carol Overton who dismissed the civil case in February 2014 on her own motion is also a member of this Ingram Inn for 10+ year.

After Judge Overton's dismissal, Petitioner discovered that the website of McManis Faulkner, LLP enlisted Santa Clara County Court as a "representative client" of the law firm and thus file a complaint with the federal court, which was, however dismissed by Judge Lucy H. Kohwithout disclosing her close relationship with James McManis and Michael Reedy through being Executive Committee membership at the Ingram Inn and being a Master atS.F. Bay IP Inn. (Petition No.17-256).

James McManis further influenced the federal court. Judge J. Clifford Wallace,is the founder of the American Inns of Court and a prior Presiding Judge at the Ninth Circuit. When Petitioner filed a 28 USC §455 motion to disqualify the Ninth Circuit, Judge Wallace promptly appeared as the panel leader and denied the appeal without mentioning the name of James McManis, with only 4 pages' opinion omitting all issues for appeal. Petitioner filed the Petition for Writ of Certiorai with this Court but was returned.

The irregularities also boarded this Court, including:

1. Irregular intervention of Jordan Bickel beyond his authority to bring Donald Baker to deny and conceal the filing of Amicus Curiae motion of Mothers of Lost Children in September 2017 in 17-82, delayed filing and delayed docketing the same motion in 17-613. The docket of 17-82 never showed the filing of the amicus curiae motion, neither were the unfiled 40 copies of the motion being returned.

2. Clearly to cover up this irregularity, Bickel made a "whirlwind" change of personnel to replace a normal clerk working on Amicus Curiae with Donald Baker.
3. Unlawful alterations of the docket entries of 17-613, including but not limited to trying to defile the amicus curiae motion on 12/9/2018, about 2 weeks after receipt.
4. Refused to e-file any exhibits that were attached to Petitioner's three Requests for Recusal filed in 17-256 and 17-613, while such irregularity appeared to allow both McManis Faulkner and American Inns of Court to purge material evidence contained therein. In or about late January 2018, McManis Faulknerdeleted from its website the news release about McManis's leading role at the American Inns of Court and his close relationship with Chief Judge John G. Roberts. (App.173).
5. In November 2018, this Court refused to file the 4thRequest for Recusal in 18-344 and returned it. (App.190) This Court did not return the 5thRequest for Recusal for 18-569, but concealed it from entering into the docket. See a copy of both notarized Request for Recusal at ECF#142 in 1:18-cv-01233-RC, for a copy of both Requests for Recusal.

The American Inns of Courthas lost its professional bar status about 12 years ago since the membership for all chapters except 1 became confidential and not available to the public.

Being a private club with confidential membership for all chapters except one but misused the judicial site of the US Supreme Court and the Justices to conduct its annual conferences, American Inns of Court has formed a large gang throughout the U.S. by rich attorney-members who hold special favors of the member judges by donating gifts, directly or indirectly, to the judge-members and their clerks who have the power to make recommendations of the court's orders and appear in front of them. The function in essence is to provide ex parte communication platforms throughout the U.S. The AIC publicized the video soliciting membership called "American Inns of Court Member Services" by using Attorney Emmanuel Sanchez stating: "This is the only organization that I know that the lawyers and judges belong to the trial bar have a chance to meet outside of the courtroom in a social setting and really able to establish the rapport."

Simultaneously with McManis Faulkner's purging evidence of his relationship with Chief Justice John G. Roberts from the internet, the American Inns of Court also deleted Attorney Sanchez's video from the YouTube. This video was put back within days after Petitioner criticized this spoliation of evidence in her Renewed Request for Recusal in 17-613.

James McManis's social status was lifted by being a major donor of the AIC, including becoming the attorney representing Santa Clara County Court and Santa Clara County Bar Association. Judge Edward Davila was a prior President of the bar association. This organization sponsored many judicial seats. The influence of James McManisis pervasive including up to this Court with the

irregularities mentioned above. This court clerks' repeated alteration of docket and refusing to docket receipt of motions actually violated the felonies of 18 USC§2071(b), 18 USC§1001 and 18 USC §371(App.17-18).

Almost all Justices of the US Supreme Court have sponsored their clerks to solicit huge amount of gifts without disclosing their value from the American Inns of Court annually since 1996 through its Temple Bar Scholarship. As the scholarship is based on factors of judicial status, it is not qualified to be exempted from being a gift under §620.25(g) of the Guide to Judiciary Policy Vol.2C. Thus, the maximum value of the gift should be under $50 or not more than $100 a year, yet the gifts involved are estimated to be $7,000 a person, without knowing how much the "stipend" is as no one recipient ever disclosed the dollar amount of the gift. Besides, Chief Justice Roberts was given two honors that his name is attached to this Inns of Court. Retired Justice Kennedy and Justice Ginsburg had two chapters established under their names. These Inns were all supported by attorneys who would have the chance to appear or have appeared in front of the sponsoring Justices.

C. Special Master quasi-employment relationship

James McManis further served as a Special Master at the Santa Clara County Court and US District Court in California. It is a logical inference that the courts is unlikely to accuse its perennial Special Master be able to committed legal malpractice.

D. Both experts perceived the public view of conflicts of interest

Attorney Meera Fox reviewed the evidence and wrote a declaration to support change venues of child support appeal away from California Sixth Appellate District Court of Appeal which was filed with the Sixth Appellate Court in H039823 on April 27, 2017. Her declaration (App.101-34) as well as the admission of James McManis (App.191-96) contained in his deposition transcripts were taken judicial notice twice of by California Supreme Court twice in S242575 on 7/25/2017 (17-613) and S249444 on 7/25/2018 (18-569).
Respondents' expert, Carrol Collins, III also admitted to the public view of attorney-client relationship between McManis Faulkner law firm and Santa Clara County Court. (App.197-200)

REASONS FOR GRANTING CERTIORARI: RULE 10(B) AND (C)

I. WRIT SHOULD BE ISSUED FOR THE REPEATED EGREGIOUS COURT CRIMES THAT SEVERELY PREJUDICED SIGNIFICANT CIVIL RIGHTS OF LIBERTY, HUMAN DIGNITY, FUNDAMENTAL RIGHT TO APPEAL AND HAVE REASONABLE ACCESS TO THE COURT.

An independent and honorable judiciary is indispensable to justice in our society. This appeal touches the issue of disruption of integrity and independence of the judiciary system and the fundamental fairness embedded in this civilized judicial system that the US Supreme Court should issue a writ.
The loathsome and dishonorable court crimes jointly tolerated and harbored by California Supreme Court, all for one objective—to suppress their receiving gifts from James McManisdirectly

or indirectly and to help their financial supporters out of mud, in sacrifice of the tremendous prejudice that SHAO has suffered for eight years:

1. lost of reputation by the nature of the vexatious litigant orders as a famous Chinese American Attorney who was voted as top one attorney in the U.S. by the Chinese21.com in 2009,
2. unfair oppression of her Constitutional substantive due process right of liberty in being robbed away her child custody for already more than 8 years by judiciary corruption, where her then 5 years old and now 13 years old's daughter has been placed in the sole custody of a dangerous mental illness father who had record of attempting to kill her for more than 8 years.
3. severe infringing SHAO's fundamental right to appeal and to have reasonable access to the court.

A. ADMISSION OF COURT'S CRIMES OF CONCEALING NOTICE OF DUE DATE OF APPEAL BY THE DEPUTY CLERK'S FAILURE TO DENY OR EXPLAIN

A. IN UNITED STATES V. LILLEY, 581 F.2D 182 (8th Cir. 1978), the Court held that "It is well established that, as a general rule, when an accusatory statement is made in the defendant's presence and hearing, and he understands it and has an opportunity to deny it, the statement and his failure to deny it are admissible against him. SeeUnited States v. Ojala, 544 F.2d 940, 946 (8th Cir. 1976); United States v. Moore, 522 F.2d 1068 (9th Cir.), Cert. denied, 423 U.S. 1049, 96 S. Ct. 775, 46 L. Ed. 2d 637 (1976). The context of SHAO's statement to Ms.Miller is qualified as an

accusatory statement and Ms. Miller was unable to explain nor deny why she was switching emails within 13 minutes, other than that the court instructed her to conceal from SHAO's notice by inducing SHAO to reasonably anticipate an Order may be made regarding the issues of insufficient records on appeal when Ms. Miller instructed SHAO to wait for the court's ruling before filing Opening Brief, when Rule 8.54(b)(1) requires minimum 15 days for the court to issue an order, and when the opposing party might file an opposition; where Ms. Miller concealed the 7/3/3018 from showing on the docket until dismissal and further delay posting dismissal until after 7/11/2018—SHAO saw the entry only on 7/13/2018. Thus, according to the well-settled rule of adverse inference, Ms. Miller has admitted existence of malice, existence of conspiracy to dismiss this appeal, which is consistent with the pattern of dismissal by the new Presiding Justice Mary J. Greenwood, apparently to suppress all judiciary corruptions developed from her husband, Edward Davila.

This malice and forgery (includes concealment) of notices constitutes malicious violation of California crimes for concealing notices in California Government Code §6200, California Penal Code§115, §132, §134, §470 (App.15), conspiracy in §182, knowing perverting or obstructing justice in §96.5, and conspiracy to permanent parental deprival of lawful child custody in §278.5.

B. B. SIGNIFICANT CONSTITUTIONA GUARANTEED RIGHTS ARE INFRINGED WITH HISTORICAL CONSPIRACY OF CHILD

ABDUCTION BY THE JUDGES IN HARBORING THEIR CORRUPTIONS

The U.S. Constitution protects an individual's right "to petition the government for a redress of grievances." US Const.Amend I. The Fist Amendment right to petition includes the right to have access to the court. *Borough of Duryea v. Guarnieri*, 564 US 379, 387, 131 S.Ct. 2488, 2494 (2011). Structural error includes deterrence of right to appeal. See, *Locada v. Deeds* (1991) 498 US 430, overruled on other grounds by *Roe v. Flores Ortega* (2000) 528 US 470.

In *Robinson v. Robinson,* 2017-Ohio-450 (Coiurt of Appeals of Ohio, Fourth Appellate District, Meigs County, released on 1/31/2017), the court held that the right to access the court for divorce proceedings was a substantive right that the United States Constitution entitled a person to enforce or protect.

What are affected here are not mere right to appeal, right to access the court, but also substantive due process right to liberty and the systematic plan to harm Petitioner's reputation. It is a rare judiciary child abduction case that has unlawfully deprived Petitioner of child custody for more than 8 years!

The admission constitutes a court crime of violation of California Penal Code §96.5, which is the same as 18 USC §371. This is a case where Justice Elia, under the direction of Judge Edward Davila's wife, directing the deputy clerk Ms. Miller to fraudulently induce Petitioner not to file her Opening Brief and to effect a silent dismissal, knowing the Chief Justice of California Supreme

Court would harbor this crime. Evidence of lost of public's confidence is in App.177-178.

II. THE SIXTH DISTRICT LACKS JURISDICTION TO ISSUE THE RULE 8.122DISMISSAL SANCTION WHEN THE DISMISSAL WAS FRAUDULENTLY PLAYED BY THE COURTITSELF

Rule 8.122 is to sanction for failure to prosecute appeal. There is no indication of SHAO' s abandoning this appeal that could cause such a drastic sanction. In fact, as shown in one of the July 3, 2018's Order, the court has accepted for filing of SHAO's motion for judicial notice in support of the Opening Brief, which is part of the Opening Brief. (App.22) The order states: "Appellant's request for judicial notice in support of opening brief...is deferred for consideration with the appeal." The second order of July 3, 2018 did not mention the "request for judicial notice in support of opening brief."

SHAO would have filed her Opening Brief but for Ms. Miller's instruction to wait and promise to give time.

In secretly granting continuance of filing Opening Brief until July 9, 2018, Justice Elia acknowledged SHAO had good cause to delay filing SHAO's Opening Brief, i.e., 6 material court documents were not included in the records on appeal. The records were all about the argument that the prefiling vexatious litigant was fraudulently antedated as the filing date of 6/16/2015 when it was impossible to be in existence at that time, as (1) the prefiling order was not referenced in Judge Maureen Folan's statement of decision, (2) not shown in Tsan-Kuen Wang's declaration filed with

the family case on 6/24/2015, (3) the prefiling order was not entered into the court's docket until August 2017, and (4) it was received with post mark date of 6/18/2015. These arguments were contained in the missing records for appeal. The Notice of Appeal which is not in Volume 5 includes a copy of the envelop showing it was not 6/16/2015.

III. ORDERS VIOLATING RULE 8.54(B)(1) SHOULD BE HELD TO BE VOID

For this case alone, Justice Elia issued three orders in violation of Rule 8.54(b)(1). A writ should be issued to invalidate any orders issued in violation of Rule 8.54(b)(1). There is no decision on this. In People v. Zarazua, 179 Cal.App.4th 1054, 1064 (2009), the court distinguished an application from a motion and specifically considers requests filed to dismiss an appeal (Rule 8.57), to augment or correct an appellate record (Rue 8.155), to obtain calendar preference (Rule 8.240) and for judicial notice (Rule 8.252) to be classified as motions and stated that "we should have waited until 15 days after the motion was filed" but denied the appeal because of lack of prejudice.

Here, the prejudice is significant as it was the court's crime to pervert the justice to obstruct and defraud Petitioner from filing her Opening Brief.

IV. TO FILE AN APPEAL WITHOUT SUFFICIENT RECORDS ON APPEAL VIOLATES DUE PROCESS

Petitioner was hesitate to file her Opening Brief due to lack of sufficient records. California Supreme Court limits appellate arguments of facts and laws to be the records on appeal. E.g., People v. Seumanu (2015) 61 Cal.4th 1293; People v. Waidla (2000) 22 Cal.4th 690, 703, fn.1. California

Supreme Court has held that the due process and equal protection clause of the Fourteenth Amendment of the Constitution requires the states to provide sufficient records for adequate and efficient review and points to be argued. E.g., *People v. Rogers* (2006) 39 Cal.4th 826, 857-58.

Here, all records that contain evidence of the fraud of the prefiling vexatious litigant order are omitted from the records on appeal including Designation of Records #23, 24, 25, and 48. Thus, Judge Elia's July 3, 2018's order should be void for violation of due process.

V. PREJUDICE TO PETITIONER FOR STALLING APPEAL IS SIGNIFICANT BECAUSE BOTH VEXATIOUS LITIGANT ORDERS SHOULD HAVE BEEN INVALIDATED IF THERE WERE A FAIR AND IMPARTIAL TRIBUNAL AS A MATTER OF LAW.

The 6/16/2015's order should be void as Judge Maureen Folan'ssuasponte adding up losing writs and appeals from the family case to be 10 when Petitioner was not allowed to present evidence and time to offer argument on that issue, constitutes a violation of due process, according to *Cohen v. Huges Markets, Inc.* (1995) 36 Cal.App.4th 1693 and *In re Marriage of Straczynski* (2010) 189 Cal.App.4th 531.

In addition, *Morton v. Wagner* (2007) 156 Cal.App.4th 963, 968 held that the vexatious litigant prefiling is void as a matter of law for lack of a statement of decision. No where in the 6/16/2015's statement for order mention the prefiling order. Thus, the prefiling order is void pursuant to *Morton.*

VI. LACK OF QUALIFIED JUSTICE AND IMPARTIAL COURT

This Court has held that appearance of bias and prejudice or constitutional potential for bias is the standard without requiring actual prejudice to disqualify a judge. E.g., *Williams v. Pennsylvania*, 136 S.Ct. 1899, 1903 & 1905 (2016) A bias decisionmaker is constitutionally unacceptable and "our system of law has always endeavored to prevent even the probability of unfairness." *Winthrow v. Larkin*, 421 U.S. 35, 47, 95 S.Ct. 1456, 1464 (1975)

A. SANTA CLARA COUNTY COURT MUST BE CHANGED VENUE

McManis Faulkner's association with the judges on this case create an appearance of bias that is unusual.

First, McManis Faulkner has acted as attorneys for the judges of the Santa Clara County Court, a justice at the Sixth District and a justice at the Supreme Court.

James McManis has admitted in his deposition that he personally represented Santa Clara County Court (App.191). Meera Fox attested to it. Respondents' expert witness Carrol Collins III admitted to the public appearance that Santa Clara County Court itself is the client of Respondent McManis Faulkner. (App.199)

The courts have held that where a judge has been represented by attorneys or law firms appearing before the judge, there is an appearance of bias unless other facts dispel that appearance. *Smith v. Sikorsky Aircraft* (C.D. Cal.1976) 420 F. Supp.661, 662; *Powell v. Anderson* (Min. 2003) 660 N.W.2d 107, 116-119.

Second, James McManis directly provided gifts to the judges by his free legal service and McManis Faulkner indirectly provided gifts to the court by way of financially support of the Ingram Inn and S.F.Bay IP Inn. The Ingram Inn sponsors dinners and other events that are primarily paid for by the participating attorneys. This gives the member attorneys unique access to judges under circumstances that the judges are receiving a monetary benefit from their association with the Inn. Such gifts provision violates Rule 5-300 of California Rules of Professional Conduct.

Social association presents potential conflicts of interest. In *Inquiry Concerning Harris* (2005) 49 Cal.4th CJP Supp.61, the court considered the failure to disclose a social relationship he had with an attorney appearing before him as a "prejudicial conduct." In *State v. Putnam* (1996) 164 Vt. 558, the Vermont Supreme Court required disqualification of an Administrative Judge for failure to disclose "social relationship with a party" and reversed the judge's decision. See also, *Richard v. Richard,* 146 Vt. 286, 288 (1985).

Third, the appointment of Respondent's attorneys as special masters in the Santa Clara County Court appears as an endorsement of McManis Faulkner lawyers that would be inconsistent with Petitioner's allegation of malpractice. In *U.S. v. Jordan* (1985) 49 D.3d 152, Ft. 18, the 5th Cir.'s majority stated in Footnote 18 that:

"The public may not look favorably upon a system that allows one colleague to pass on the impartiality of another colleague who works closely with the questioned judge. As discussed supra,

judges sitting in review of other judges do not like to cast aspersions, especially upon colleagues in the same district with whom they work so initimately and confer so frequently."

There is an important policy to "ensure public confidence in the judiciary." *Curle v. Superior Court* (2001) 24 Cal.4th 1057, 1070.

1. Disqualify the Sixth District

Judicial Conference of the U.S., Committee on Code of Conduct for United States Judges, Compendium of Selected Opinions §3.6-6[1] (April 2013), requires disqualification of the entire district when there is a judge in the district being sued as a defendant.

California has a law for transfer a case from the appellate court to the US Supreme Court. See 13 WitkinCal.Proc. Appeal §917; *Knouse v. Nimocks* (1937) 8 C.2d 482, 66 P.2d 438; Scott v. Kenyon (1940) 16 C.2d 197.

CONCLUSION

Petitioner respectfully requests the Court to consider the 18 questions for certiorari.

VERIFICATION

I swear under penalty of perjury under the laws of the US that the foregoing is true and accurate to the best of my knowledge and made in good faith.
Dated: December 11, 2018
Respectfully submitted,
By /s/ Yi Tai Shao
Yi Tai Shao