

19-7160

No. _____

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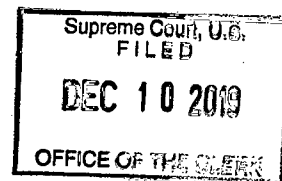
SUPREME COURT OF THE UNITED STATES

Ernest James Espinoza 2245052 #
— PETITIONER
(Your Name)

vs.

CHP ET AL — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO



District Eastern / USCA9

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

PETITION FOR WRIT OF CERTIORARI

Ernest James ESPINOZA 2245052
(Your Name)

17635 Industrial Farm Rd
(Address)

MAX D210

Bakersfield CA 93308
(City, State, Zip Code)

In Custody Jerdo Kern County Sheriff's
(Phone Number)
Office: Kern

Question (5) Presented

(Should Court procedures (Deadlines & Appeal windows) Take precedent over matters of public Safety? If

^{a pre}
If a peace officer Has a Pattern of Complaints of Abuse and misconduct Should previous public Complaints Claims, Suits And Internal Affairs Investigations Be allowed to Be reopened? and Refiled?

When does public Safety AND Civil Rights superceed the Special Rights & exclusive privileges granted to police Officers in the California Officers Bill of Rights

? ? ? ? ? ? ? ? ? ?

12-15-19

Ernest James Espinoza

2245052

LIST OF PARTIES

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

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

RELATED CASES

No. 19-16864 Com: N. Star Int'l V. Ariz.
Corp Comm'n 720 F. 2D
581 5781 (9th Cir 1983)

D.C. NO 1:16 cv 00193 JLT

Kern County Superior Court

(5)

3/19/15 BF 159613A

4/01/15 BF 159526A Civil Rights Act 42

Office Packston / CHP / 1983
THIS is him please check it out

Internal Affairs
Darren Long
Brian Yorker
CHP

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TABLE OF AUTHORITIES CITED

CASES

581
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N. Star Int'l V Ariz.
Corp ~~Comm'n~~ 720 F. 2d

5781 9th Cir 1988

581

Bilistrer, V. Pacifica Police Dept. 901 F.2d 696-699

9th Cir
1990

Associated Gen. Contractors of Cal Inc.

Cal State Counsel of Carpenters, 459 U.S. 519-526
Public Record SEE Lee V. City of Los Angeles 250 F. 3d 1983

STATUTES AND RULES

Granted AS to favorable Plaintiff Relief

F 3d
668-688 9th
Cir
2015

Hishon V. King & Spalding 467. U.S. 69-73 1984;

LOVE V. U.S. 915 F. 2d 1242-1245 9th Cir

HAL Roach Studios V. Richard Feiner & CO. 1989

896 F. 2d 1542-1555 N. 19 9th Cir 1990

Material Submitted properly

OTHER

Johnson Yard Federal Home Loans Mortg. Corp

793 F 3d 1005-1007 19th Cir 2015)

MG IC Indemn. Corp V. Weisman, 803.

F 2d 500-504 9th Cir 1986

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

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

OPINIONS BELOW

☐ For cases from **federal courts**:

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

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

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

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

☐ For cases from **state courts**:

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

☐ reported at BF 159526A; or, BF 159613A
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished. Kern

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

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

JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was OCT 29, 2019

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

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

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

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

☐ For cases from **state courts**:

Kern BF 159526A
The date on which the highest state court decided my case was 3-29-15.
A copy of that decision appears at Appendix A.

BF 159613A 4-1-15
☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

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

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Civil Rights Act 42 1983 C/aims

M~~E~~IC Indem. Corp v. Weisman, 803 F 2d 500, 504
(9th Cir 1986)

(9th Cir 2019) = Harris v. City of Orange 682 F 3d

Com: N. Star Int'l v. Ariz. Corp Comm'r 1126, 1132
581 5781 (9th Cir 1990) 720 F.2d

Bilistreri v. Pacifica Police Dept 901 F.2d 696-699
(9th Cir 1990)

Granted AS to favorable Plaintiff Relief

Histon v. King & Spalding 467 U.S. 69 73 (1984)

Jove v. US 915 F.2d 1242, 1245 (9th Cir 1989)

Associated Gen. Contractors of Cal. Inc. v.
Cal Stat Counsel of Carpenters, 459 U.S. 519 526
1983

Public Record: See Lee v. City of Los Angeles
250 F.3d 668 688-89 (9th Cir 2015)

HAL Roath Studios v. Richard Feiner & Co
896 F.2d 1542, 1555 n. 19 (9th Cir 1990)

Johnson Vard Federal Home Loans Mortg Corp 793
3d 1005, 1007 (9th Cir 2015)

Statement of ^{the} Case

THIS Case is 3 years old, alot of work Has been done to this Case to Federal Court many, obstacles, including incarceration and recovery from traumatic injuries Have contributed to the missing certain Filing Deadlines in this Case

Should my lack of Timeliness out weigh the greater concern for public Safety?

Officer Packston Has shown a pattern of Abuse and Misconduct. yesterday

I was the Victim 2-25-15

Today Lisa Alvarez's client is in a coma Sept 2019. Complaint on file

Who will Tomorrow Victim Be.

???????

REASONS FOR GRANTING THE PETITION

Public safety should trump any concerns over officers rights or legal jurisprudence as the purpose of the State of California in creating the Highway Patrol is, in fact, public safety.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Ernest James Epimocha #2245052

Date: 12-17-19