

19-7160

No. \_\_\_\_\_

ORIGINAL

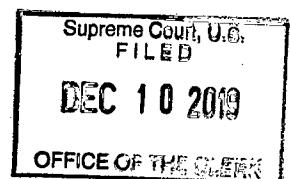
IN THE  
SUPREME COURT OF THE UNITED STATES

Ernest James Espinosa 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 Espinosa 2245052

(Your Name)

17635 Industrial Farm Rd

MAX D210

(Address)

Bakersfield CA 93308

(City, State, Zip Code)

(Phone Number)

In Custody Jero Kern County Sheriff  
Office: Kern

US Supreme Court Washington DC 20543

Question(s) Presented

Should Court procedures (Deadlines & Appeal windows) Take precedent over matters of public safety? If so, 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 supercede the special rights & exclusive privileges granted to police officers in the California Officers Bill of Rights

?? ? ? ? ? ? ? ? ?

12-15-19

Ernest Lomel 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)

Internal Affairs  
Darcen Long  
Bryan Yekke  
CHP

3/19/15 BF 159613A

4/1/15 BF 159526A Civil Rights Act 42

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

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TABLE OF AUTHORITIES CITED

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720 F. 2d		
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Bilistrer, V. Pacifica Police Dept.	696-699	
ASSOCIATED Gen. Contractors of Cal Inc. v.	9th Cir	
Cal State Counsel of Carpenters	1990	
Public Record SEE Lee v. City of Los Angeles	250	1983
		F 3d
STATUTES AND RULES	668-688	9th Cir
Granted AS to favorable Plaintiff Relief		2015
Hishon v. King & Spalding	467. U.S. 69-73	1984
LOVE v. U.S.	915 F. 2d	1242-1245
HAL Roach Studios v. Richard Feiner & CO.	1989	9th Cir
896 F. 2d	1542-1555	9th Cir 1990
Material Submitted properly		
OTHER		
Johnson Yard Federal Home Loans Mortg. Corp		
793 F 3d	1005-1007	19th Cir 2015)
MGIC 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 RF 159526A; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

*Kern*  
BF159613A

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 3-29-15  
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 claims

MEIC 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

Hishon 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 Roach Studios v. Richard Feiner & Co

896 F.2d 1542, 1555 n.19 (9th Cir 1990)

Johnson v. Federal Home Loans Mortg Corp 793

3d 1005, 1007 (9th Cir 2015)

# the Statement of Case

THIS Case is 3 years old, a lot of work Has been done to this Case to Federal Court many, obstacles, including incarceration and recovering 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 jurisdiction 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 Espinoza #2245052

Date: 12-17-19