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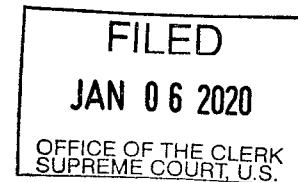
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ORIGINAL

7 SUPREME COURT OF THE UNITED STATES

8
9 In re:Ricardo Jose Calderón López)
10 et, al.)
11 Appellant/Petitioner(s))
12 V.)
13 Sunset Housing Solutions, L.P.)
14 Appellee/Respondent)
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Case No.:



Petition for Writ of Mandamus in
Aid of Jurisdiction
28 U.S.C. § 1657(a), (b)
28 U.S.C. § 1367(c)
18 U.S.C. § 3127(2)(A)(i)

900 Brentwood Road, N.E.
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Washington, D.C. 20090-9999

Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction

ISSUE(S) PRESENTED FOR REVIEW:

- I. In Aid of its Appellate Jurisdiction, this Hon. Court is empowered to Compel the District Court to decide excessively delayed cases.**
- II. Appellate Review has been futile; on-going discriminatory conduct from Courts in the State of California-refuse to follow regulation or case law; thus, maintaining the Corp. fiction for personal reason(s).**
- III. On-going Prejudice from the Central District Court-refuses to recognize advances of the Corporate structure; therefore, it erred; engaging in-Reversible error.**
- IV. The Office of the Clerk at the U.S. Supreme Court-discriminated; did not follow regulation 28 U.S.C. § 2111; Infringing Petitioner Rights-denying its Writ of Certiorari on harmless Error-immaterial principle**
- V. The Office of the clerk-failed to follow regulation; not docketing petitioner-timely emergency application to Stay the courts Mandate**

**900 Brentwood Road, N.E.
General Delivery
Washington, D.C. 20090-9999**

**Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction**

HONORABLE SUPREME COURT:

Per Rule 21.1¹ & pursuant to 28 U.S.C. §§§ 1651(a)²; 1631³ & 2111⁴ the
Pro Se petitioner, in the above captioned action-moves the Hon. Supreme Court of
the United States, seeking writ of Mandamus in Aid of its Appellate jurisdiction,
caused by on-going un-Constitutional conduct; prejudice from the central district
court of C.A.-establishing personal policies *See Schweiker V. Chlicky*, 4587 U.S.
412 (1988); denying petitioner-protected Constitutional Rights 42 U.S.C. § 1983.

See *Cheney V. U.S. District Court for D.C.*, 542 U.S. 367 (2004)

¹Rule 21. Motions to the Court:

1. Every motion to the Court shall clearly state its purpose and the facts on which it is based and may present legal argument in support thereof.

2§1651. Writs:

(a) The Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law. *Stern V. South Chester Tube Co.*, 390 U.S. 606 (1968); *Taylor V. Social Sec. Admin.*, 842 F.2d 232, 233 (9th Cir.1988).

3§1631. Transfer to cure want of jurisdiction:

Whenever a civil action is filed in a court as defined in section 610 of this title or an appeal, including a petition for review of administrative action, is noticed for or filed with such a court and that court finds that there is a want of jurisdiction, the court shall, if it is in the interest of justice, transfer such action or appeal to any other such court in which the action or appeal could have been brought at the time it was filed or noticed.

4 Rule 61. Harmless Error.

Unless justice requires otherwise, no error in admitting or excluding evidence—or any other error by the court or a party—is ground for granting a new trial, for setting aside a verdict, or for vacating, modifying, or otherwise disturbing a judgment or order. At every stage of the proceeding, the court must disregard all errors and defects that do not affect any party's substantial rights. On the hearing of any appeal or writ of certiorari in any case, the court shall give judgment after an examination of the record without regard to errors or defects which do not affect the substantial rights of the parties.

**900 Brentwood Road, N.E.
General Delivery
Washington, D.C. 20090-9999**

**Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction**

Table of Contents:

Issues Presented for Review.....	i
Opening Statement.....	ii
Table of Authorities cited.....	6
Statement of Prior and Related Appeals.....	17
Relief Sought.....	20
Introduction.....	21
Jurisdictional Statement.....	24
Statement of the Case.....	25
Arguments:	
I. In Aid of its Appellate Jurisdiction, this Honorable Court is Empowered to Compel the District Court to Decide Excessively Delayed Cases.....	28
II. Appellate Review has been futile; on-going discriminatory conduct from Courts in the State of California-refuse to follow regulation or case law; thus, maintaining the Corp. fiction for personal reasons.....	29
III. On-going Prejudice from the Central District Court-refuses to recognize advances of the Corporate structure; therefore, it erred; engaging in- Reversible error.....	31
IV. The Office of the Clerk at the U.S. Supreme Court-discriminated; did not follow regulation 28 U.S.C. § 2111 ; Infringing Petitioner Rights-denying its Writ of Certiorari on harmless Error-immaterial principles.....	35

900 Brentwood Road, N.E.
General Delivery
Washington, D.C. 20090-9999

**Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction**

1	V. The Office of the clerk failed to follow regulation; not docketing	
2	petitioner-timely emergency application for a Stay.....	37
3	Reason for Granting the Petition.....	41
4	Certificate of Counsel.....	43
5	Certificate of Service.....	44
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21	900 Brentwood Road, N.E.	
22	General Delivery	
	Washington, D.C. 20090-9999	
		Petition for Writ of Mandamus
		in Aid of Appellate Jurisdiction

Table of Authorities cited:

<u>Description</u>	<u>Page #:</u>
<i>Schweiker V. Chilicky,</i>	
4587 U.S. 412 (1988).....	3, 21
<i>Cheney U.S. District Court for D.C.,</i>	
542 U.S. 367 (2004).....	3
<i>Stern V. South Chester Tube Co.,</i>	
390 U.S. 606 (1968).....	3
<i>Taylor V. Social Security Adm.,</i>	
842 F.2d 232, 233 (9 th Cir. 1988).....	3, 39
<i>Travelers Indemnity Ins. Co. V. Rubin,</i>	
209 Conn. 437, 445, 551, A.2d 1220 (1988).....	17, 32
<i>Klotter V. Carabetta Enterprises, Inc.,</i>	
186 Conn. 460, 464, 442, A.2d 63 (1982).....	17
<i>Reshard V. Britt,</i>	
839 F.2d 1499 (1988).....	17, 18, 32, 35
<i>Haddock V. Haddock,</i>	
201 U.S. 562 (1906).....	17, 26, 32
<i>California Emp. Com. V. Butte County etc., Assn,</i>	
25 Cal. 2d 624, 636 [154 P.2d 892].....	18, 23, 29, 32
900 Brentwood Road, N.E. General Delivery Washington, D.C. 20090-9999	Petition for Writ of Mandamus in Aid of Appellate Jurisdiction

Table of Authorities cited (Cont.):

<u>Description</u>	<u>Page #:</u>
<i>Miller V. McColgan</i> ,	
17 Cal. 2d 432, 436 [110 P.2d 419, 134 A.L.R. 1424]....18, 23, 29, 32	
<i>King V. New Masonic Temple Assn.</i> ,	
51 Cal.App. 2d 512, 515 [125 P.2d 559].....18, 23, 29, 32	
<i>Judelson V. American Metal Bearing Co.</i> ,	
[89 Cal.App.2d 259].....18, 23, 26, 34	
<i>Llwellyn Iron Wks. V. Abbott Kinney Co.</i> ,	
172 Cal. 210, 214 [155 P.986].....18, 30, 34	
<i>Wesban Estate, Inc. V. Hewlet</i> ,	
193 Cal. 675, 696 [227 P.723].....18, 34	
<i>Wilson V. Omaha Indian Tribe</i> ,	
442 U.S. 653 (1979).....19, 26, 36	
<i>United States V. A & P Trickling Unlimited Co.</i> ,	
358 U.S. 121 (1958).....19, 36	
<i>Rawland V. California Men Colony, Unit II Men Advisory Council</i> ,	
506 U.S. 194 (1993).....19, 27, 29, 32, 36	
<i>United States V. District Court</i> ,	
334 U.S. 258 (1948).....20	
900 Brentwood Road, N.E. General Delivery Washington, D.C. 20090-9999	Petition for Writ of Mandamus in Aid of Appellate Jurisdiction

Table of Authorities cited (Cont.)

<u>Description</u>	<u>Page #:</u>
<i>FTC V. Dean Foods Co.,</i>	
384 U.S. 597 (1966).....	20
<i>Pothier V. Rodman,</i>	
261 U.S. 307 (1923).....	20
<i>Ex Parte Fahey,</i>	
332 U.S. 258 (1947).....	20
<i>Bankers Life & Casualty Co. V. Holland,</i>	
346 U.S. 379 (1953).....	21
<i>Sullivan V. Louisiana, supra</i>	
508 U.S. 275 (1993).....	21
<i>Chapman V. California,</i>	
386 U.S. 18 (1967).....	21
<i>Monroe V. Pape,</i>	
365 U.S. 167 (1961).....	22
<i>Bivens V. Unknown Named Agents of the Federal Bureau of Narcotics,</i>	
403 U.S. 388 (1971).....	22
<i>Zelig V. County of Los Angeles,</i>	
(2002) 27 Cal. 4, 1112 [119 Cal.Rptr.2d 709, 45 P.3d 1171].....	22
900 Brentwood Road, N.E.	
General Delivery	
Washington, D.C. 20090-9999	
	Petition for Writ of Mandamus
	in Aid of Appellate Jurisdiction

**900 Brentwood Road, N.E.
General Delivery
Washington, D.C. 20090-9999**

**Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction**

Table of Authorities cited(Cont.):

<u>Description</u>	<u>Page #:</u>
<i>Calloway V. Nifong,</i>	
1 Mo. 223 (1882).....	22
<i>State ex Rel Potter V. Riley,</i>	
219 Mo. 667, 118 S.W. 647 (1909).....	22
<i>Griggs V. Provident Consumer Discount,</i>	
459 U.S. 56 (1982).....	23
<i>United States V. Julius Mayer,</i>	
235 U.S. 55 (1914).....	23
<i>Pikett V. Legerwood,</i>	
7 Pet. 144, 148, 8 L.ed. 638, 639.....	23
<i>Murphy V. Steward,</i>	
2 How. 31, 38, 12 L.ed. 331, 334.....	23
<i>Bronson V. Schulten,</i>	
104 U.S. 410 (1882).....	23
<i>Califano V. Torres,</i>	
435 U.S. 1, 4 n.6 (1978)(Per Curiam).....	23
<i>United States V. Clark,</i>	
445 U.S. 23 (1980).....	23
900 Brentwood Road, N.E. General Delivery Washington, D.C. 20090-9999	
	Petition for Writ of Mandamus in Aid of Appellate Jurisdiction

Table of Authorities cited(Cont.):

<u>Description</u>	<u>Page #:</u>
<i>Califano V. Yamasaki</i> , 442 U.S. 682 (1979).....	24
<i>New York City Transit Authority V. Beazer</i> , 440 U.S. 568 (1979).....	24
<i>Carrasco V. Secretary of Health, Education and Welfare</i> , 628 F.2d 624 (1980).....	24
<i>Becker V. Harris</i> , 493 F.Supp. 991 (E.D. Cal. 1980).....	24
<i>La Buy V. Howes Leather Co.</i> , 352 U.S. 249 (1957).....	28
<i>In re: United States</i> , 598 F.2d 233, 236 (D.C. Cir. 1979).....	28
<i>Ruche V. Evaporated Milk Ass'n</i> , 319 U.S. 21 (1943).....	28
<i>In re: Bituminous Coal Operations' Ass'n</i> , 949 F.2d 1165, 1159 (D.C. Cir. 1991).....	28
<i>Telecommunications Research & Action Center V. FCC</i> , 750 F.2d 1165, 1169 (D.C. Cir. 1984).....	28
900 Brentwood Road, N.E. General Delivery Washington, D.C. 20090-9999	Petition for Writ of Mandamus in Aid of Appellate Jurisdiction

Table of Authorities cited (Cont.):

<u>Description</u>	<u>Page #:</u>
<i>Ex Parte: Bradstreet,</i> 32 U.S. (7 Pet.) 634 (1833).....	28
<i>Ex Parte: Crane,</i> 30 U.S. (5 Pet.) 190, 191 (1831).....	28
<i>Marshall V. Baltimore & Ohio R. Co.,</i> 57 U.S. 314 (1853).....	29, 37
<i>Louisville C. & C.R. Co. V. Letson,</i> 2 How 497, 558, 11 L.Ed. 353 (1844).....	27, 29, 37
<i>Denton V. Hernandez,</i> 504 U.S. 25 (1992).....	26, 30, 36
<i>Adkins V. E.I. Dupont de Nemours & Co.,</i> 335 U.S. 331 (1948).....	30, 36
<i>Society for the Propagation of the Gospel in Foreign Parts V. Town of Pawlet,</i> 29 U.S. 480 (1830).....	30
<i>Northern Nat. Life Ins. Co. V. Riggs,</i> 203 U.S. 243 (1906).....	30
<i>Pembina Consolidated Mining Co. V. Pennsylvania,</i> 125 U.S. 181 (1881).....	30
900 Brentwood Road, N.E. General Delivery Washington, D.C. 20090-9999	Petition for Writ of Mandamus in Aid of Appellate Jurisdiction

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Table of Authorities cited(Cont.):

<u>Description</u>	<u>Page #:</u>
<i>Santa Clara County V. Southern Pacific Railroad,</i> 118 U.S. 394 (1886).....	30
<i>Washington V. Davis,</i> 426 U.S. 229 (1976).....	30
<i>Erie R.R. V. Tompkins,</i> 304 U.S. 64 (1938).....	31
<i>Seedman V. U.S. District Court,</i> 837 F.2d 413, 414 (9 th Cir. 1988).....	33
<i>Brewer V. Lewis,</i> 989 F.2d 1021, 1025 (9 th Cir. 1993).....	33
<i>McNeil V. United States,</i> 508 U.S. 106 (1993).....	33
<i>McAllister V. United States,</i> 348 U.S. 19 (1954).....	34
<i>Goldberg V. Kelly,</i> 397 U.S. 254 (1970).....	34

900 Brentwood Road, N.E.
General Delivery
Washington, D.C. 20090-9999

Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction

Table of Authorities cited(Cont.):

<u>Description</u>	<u>Page #:</u>
<i>Bounds V. Smith,</i> 430 U.S. 817 (1977).....	35
<i>Will V. Calvert Fire Ins. Co.,</i> 437 U.S. 655 (1978).....	35
<i>Thermtron Products V. Hermansdorfer,</i> 423 U.S. 336 (1976).....	35
<i>Goldlawr Inc. V. Heiman,</i> 369 U.S. 463 (1962).....	38
<i>Hazel-Atlas Glass Co. V. Hartford Empire Co.,</i> 322 U.S. 238 (1944).....	39
<i>Ex Parte Republic of Peru,</i> 318 U.S. 578 (1943).....	39
<i>Rose V. Clark,</i> 478 U.S. 570 (1986).....	39
<i>Chambers V. NASCO, Inc.</i> 501 U.S. 32 (1991).....	40
<i>Universal Oil Products Co. V. Root Refining Co.,</i> 328 U.S. 575 (1946).....	40
900 Brentwood Road, N.E. General Delivery Washington, D.C. 20090-9999	Petition for Writ of Mandamus in Aid of Appellate Jurisdiction

Federal Statutes, Regulation(s) and Rules

2	28 U.S.C. § 1651(a).....	3
3	28 U.S.C. § 1631.....	3, 18, 39
4	28 U.S.C. § 2111.....	3, 35
5	18 U.S.C. § 1961.....	17
6	18 U.S.C. § 241.....	19, 21, 27, 32, 34, 38
7	28 U.S.C. § 2671(1).....	19, 21, 27, 37, 38
8	28 U.S.C. § 1915(a).....	19, 29, 32, 36
9	28 U.S.C. § 1657(a).....	21
10	28 U.S.C. § 1657(b).....	21
11	28 U.S.C. § 2671.....	21, 31
12	8 U.S.C. § 1373.....	22
13	42 U.S.C. § 1983.....	22
14	42 U.S.C. § 1985(3).....	22
15	28 U.S.C. § 1291.....	23
16	1 U.S.C. § 1.....	27, 29, 32, 36
17	28 U.S.C. § 1654.....	31, 32, 35, 38
18	18 U.S.C. 18 3127(2)(A)(i).....	39
19	28 U.S.C. § 1915(e)(2).....	27

**900 Brentwood Road, N.E.
General Delivery
Washington, D.C. 20090-9999**

**Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction**

Federal Statutes, Regulation(s) and Rules(Cont.)

2	28 U.S.C. § 2101(f).....	39
3	28 U.S.C. § 1367.....	39
4	28 U.S.C. § 1746.....	39
5	26 U.S.C. § 761(a)(1).....	40
6	FRCP, Rule 59.....	26
7	FRCP, Rule 59(a)(2).....	26
8	FRCP, Rule 60(b)(3).....	26
9	FRCP, Rule 60(b)(6).....	26
10	FRCP, Rule 59(b)(6).....	26
11	FRCP, Rule 59(d)(1).....	26
12	FRCP, Rule 55.....	32
13	FRCP, Rule 52(a)(1).....	34
14	FRAP, Rule 21(a)(1).....	22
15	FRAP, Rule 42(b).....	33
16	FRAP, Rule 4(a)(1).....	33
17	Supreme Court, Rule 21.1.....	3
18	L.R. 83-2.2.2.....	19
19	L.R. 55.....	32
20	Cal. Civil Procedure § 1950.5(a).....	25

**900 Brentwood Road, N.E.
General Delivery
Washington, D.C. 20090-9999**

**Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction**

1	Cal. Civil Procedure § 3300.....	25
2	Government Code § 68634.5(e).....	30
3	Government Code § 68632.....	30
4	Government Code § 68633.....	30
5	Government Code § 815.2.....	22
6		
7	<u>Constitutional Provisions & other(s):</u>	
8	5 th Amendment.....	37
9	Corporation Code § 103.....	34
10	Business & Professional Codes 16200-16205.....	34
11	Judicial Code § 262.....	20
12		
13		
14		
15		
16		
17		
18		
19		
20		
21	900 Brentwood Road, N.E.	
22	General Delivery	
	Washington, D.C. 20090-9999	

**Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction**

Statement of Prior and Related Appeals:

On May 25, 2004 and April 24, 2015 petitioner filed Const. Tort actions in the Superior and District Courts of the State of California, County of Los Angeles, naming person(s) of interest in the entertainment field and a set of businesses-engaging in racketeering activities **18 U.S.C. § 1961**, which conduct contribute to the set of on-going acts happening to the movant-forcing the complainant to file claim(s) for breach of contract by its then landlord(s)-Howard M. Kausner d/b/a Amor Arm Apartments and Sunset Housing Solutions, L.P., caused by intrusion(s) on leased-private property. See **C.A. Superior Court, Los Angeles Courthouse Ricardo Jose Calderon Lopez et, la. V. Howard M. Kausner et, al., No. BC316239⁵; Starlight Entertainment Enterprises, Inc. V. Sunset Housing Solutions, L.P., No. CV13-9025 ODG (AGR).**

Howard Kausner d/b/a Amor Arm Apt.'s, changing the locks of petitioner-leased residential unit #317; locking out the resident-forcing the movant to have no safe place to stay-experience homelessness.

⁵On July 26, 2004 petitioner filed motion for entry of default on judicial summons on the various defendants-not responding to served judicial summons; therefore, accepting the filed cause of action. *Travelers Indemnity Co. V. Rubin*, 209 Conn. 437, 445, 551 A.2d 1220 (1988); also see *Kloter V. Carabetta Enterprises, Inc.*, 186 Conn. 460, 464, 442 A.2d 63(1982).

* On January 19, 2005 defendant-SSA (Multiple unlawful termination of SSI benefits) removed the State action to federal district court, No. CV05-00397 NM (VBK).

**900 Brentwood Road, N.E.
General Delivery
Washington, D.C. 20090-9999**

**Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction**

1 On September 3, 2004 prejudice from the assigned State court-Paul Gutman
2 not to follow Regulation⁶ or case law⁷-deprived petitioner of its Const. Right(s)-to
3 defend its own action, define under **28 U.S.C. § 1654** *See Reshard V. Britt, 839*
4 **F.2d 1499 (1988)**; maintaining the Corporate fiction ***Haddock V. Haddock, 201***
5 **U.S. 562, (1906)** for personal reason(s); thus, on Sept. 7, 2004 erroneously-
6 dismissing petitioner-separate Corporate personalities from the action.

7

8 **See Government Code § 68630(a)** “Our Legal system cannot provide “equal justice
9 under the law” unless all persons have access to our courts without regard to their
10 economic means. California law and court procedures should ensure that court fees are
11 not a barrier to court access for those without insufficient economic means to pay those
12 fees. (b) the fiscal responsibility should be tempered with concern for litigants’
13 rights to access the judicial system. The procedure for allowing the poor to use court
14 services without paying ordinary fees must be one that applies rules fairly to similarly
15 situated persons, is accessible to those with limited knowledge of court processes, and
16 does not delay access to court services.

17 “The corporation is an entity separate and distinct from the component person
18 even though under exceptional circumstances the corporation may be disregarded when
19 it is only the double or *alter ego* of the person composing it. *See California Emp. Com.*
20 *V. Butte County etc. Assn.*, 25 Cal. 2d 624, 636 [154 P.2d 892]; *Miller V.*
McColgan, 17 Cal. 2d 432, 436 [110 P.2d 419, 134 A.L.R. 1424]; *King V. New*
Masonic Temple Assn., 51 Cal. App. 2d 512, 515 [125 P.2d 559].

21 *An organization or other entity set up to provide a legal shield for the person
22 actually controlling the operation. *See Judelson V. American Metal Bearing Co.*,
23 [89 Cal. App. 2d 259]

24 *One proper proof that a corporation is but the instrumentality through which an
25 individual, who is the sole owner of the capital stock, for convenience, transacts
26 his business, together with a showing that as a result of the double relationship
27 fraud or injustice will inure to a third person, not only equity, looking through
28 form to substance, but the law will hold the corporation bound as the owner of the
29 corporation might be bound. It must be “upon proper showing” that there is “unity
30 of interest and ownership” which makes them one. *Llewellyn Iron Wks. V. Abbott*
31 *Kinney Co.*, 172 Cal. 210, 214 [155 P. 986]; *Wenban Estate, Inc. V. Hewlet*, 193
32 Cal. 675, 696 [227 P. 723.]

33
34 900 Brentwood Road, N.E.
35 General Delivery
36 Washington, D.C. 20090-9999

37 Petition for Writ of Mandamus
38 in Aid of Appellate Jurisdiction

1 Fast forward 7 years later, on October 21, 2013 respondent in a similar way-
2 breaching the agreement with petitioner Corp. personality-Starlight Entertainment
3 Enterprises, Inc.-the tenant-intruding in private property-forcing petitioner to exit
4 its dwelling; thus, on December 6, 2013, per the *erie doctrine* the tenant moved
5 the U.S. District Court-Central District of California, filing claim of a breach of
6 contract. *See Starlight Entertainment Enterprises, Inc. V. Sunset Housing*
7 *Solutions, L.P., No. CV13-9025 ODG (AGR)*

8 However, prejudice from district judge Ottis D. Wright II-not being
9 objective-refused to reverse pierce the corporate veil of a one person Corporation;
10 therefore, subjective to archaic L.R. 83-2.2.2; conspiring 18 U.S.C. § 241 with
11 court personnel 28 U.S.C. § 2671(1), servicing the Office of the clerk § 2671 in
12 the central district, and 9th Cir. appellate court-not following reg.- denying Const.
13 Right of I.F.P. status 28 U.S.C. § 1915(a)⁸. *See Starlight Entertainment*
14 *Enterprises, Inc. V. Sunset Housing Solutions, L.P., No. CV13-9025 ODG*

15 “§ 1915 manifest no single purpose that would be substantially frustrated by limiting the
16 statutory reach to natural persons. *Wilson V. Omaha Indian Tribe*, 442 U.S. 653 (1979);
17 *United States V. A & P Trucking Co.*, 358 U.S. 121 (1958).”

18 ⁸A "person" who may be authorized to proceed in forma pauperis under §1915(a) may be
19 an "association" under the Dictionary Act, 1 U.S.C. § 1, which in relevant part provides
20 that "in determining the meaning of any Act of Congress, unless the context indicates
otherwise" " 'person' " includes "associations" and other artificial entities such as
corporations and societies. *Rowland v. California Men Colony, Unit II Men Advisory*
Council, 506 U.S. 194 (1993).

Relief Sought:

Per Judicial Code § 262⁹ and pursuant to § 1651(a), petitioner respectfully requests declaratory relief and injunction-issuing Writ¹⁰ of Mandamus in aid of the courts-appellate jurisdiction; directing the U.S. District Court-Central District of C.A.-Los Angeles Courthouse to transfer case *Ricardo Jose Calderon Lopez et, al. v. Sunset Housing Solutions, L.P., No. CV18-01098 ODG (AGR)*¹¹ to this Court, for want of jurisdiction § 1631¹²; related to district case in review in this court-pending a final decision. *See U.S. Supreme Court, case Calderon Lopez V. Berryhill, No. 19-6702.*

⁹The broad power conferred upon the federal courts by § 262 of the Judicial Code includes the power to issue a writ of mandamus either in exercise of appellate jurisdiction or in aid of appellate jurisdiction. *United States v. District Court*, 334 U.S. 258 (1948)

¹⁰The All Writs Act grants the power to all courts established by Act of Congress to issue all writs necessary or appropriate in aid of their respective jurisdiction and agreeable to the usages and principles of law. *See FTC V. Dean Foods Co.*, 384 U.S. 597 (1966).

¹¹See 9th Cir. Case, *Ricardo Calderon Lopez et, al. V. Sunset housing Solutions, L.P.*, No. 18-55266, See (ECF No. 16.)-Motion to Stay the Mandate; the trial court, engaged in misconduct-committing reversible error.

*The status of allowing IFP appeals provides language appropriate for incorporation in a affidavit; the one who makes this affidavit-exposes himself "to the pains or perjury in a case of bad faith. See *Pothier V. Rodman*, 261 U.S. 307, (1923).

128 U.S.C. § 1631-Transfer to cure want of jurisdiction:

Whenever a civil action in a court in section 610 of this title and that court finds that there is a want of jurisdiction, the court shall, if it is in the interest of justice, transfer such action to any other such court.

**900 Brentwood Road, N.E.
General Delivery
Washington, D.C. 20090-9999**

**Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction**

Introduction:

A writ of mandamus is a “drastic and extraordinary” remedy, reserved for extraordinary causes *Ex Parte Fahey*, 332 U.S. 258, 259-260 (1947); where, as is, in this case-exceptional circumstances amount to an abuse of discretion *Bankers Life & Casualty Co. V. Holland*, 346 U.S. 379, 383 (1953) from the originating-Central District Court of California, justifies petitioner invocation of extraordinary remedy. *Will*, 389 U.S., at 95.

The movant, seeks vindication from the denial of fundamental-deprivation of Constitutional Right(s) **§ 1983** having priority disposition **28 U.S.C. § 1657(a), (b)**; conspiracies **§ 241** from Federal personnel **§ 2671(1)**, servicing the agencies **28 U.S.C. § 2671**-Social Security Adm., and U.S. District Courts in the counties of Los Angeles, C.A. and San Francisco with respondent personnel **§ 2671(1)**-injured the movant; evidence pointing to Federal personnel **§ 2671(1)** being the only co-conspirator.

Consequently, Constitutional-prejudicial error(s) vitiate all findings *See Sullivan V. Louisiana*, supra, 508 U.S. 275 (1993); reversal per se *See Chapman V. California*, 386 U.S. 18 (1967).

**900 Brentwood Road, N.E.
General Delivery
Washington, D.C. 20090-9999**

**Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction**

1 On September 27, 2017 Petitioner filing its second ***Bivens Type***¹³ action on
2 a sanctuary jurisdiction (**8 U.S.C. § 1373**)-**State of California** for the Deprivation
3 of Right(s), pursuant to **42 U.S.C. §§ 1983; 1985(3)**; establishing own policies
4 ***Schweiker V. Chlicky*, 4587 U.S. 412 (1988)**, abusing their position, while on
5 official duties, under color of State Law¹⁴. **See Monroe V. Pape, 365 U.S. 167**
6 **(1961)**¹⁵.

7 On April 9, 2018 per **F.R.A.P. 21(a)(1)** petitioner moving the 9th Cir. Court-
8 filing extraordinary Writ of Error-Coran Nabis¹⁶; caused by on-going deprivation
9 of Const. Rights **42 U.S.C. § 1983** from the Central District, and reviewing 9th

10 ¹³***Bivens V. Unknown Name Agents of the Federal Bureau of Narcotics*, 403 U.S. 388,**

11 **(1971)**. **See** N. Cal.-San Jose Courthouse, ***Lopez V. Enberg et, al.***, No. CV17-5601 LHK;

12 **9th Cir. No.: 18-70726**-Writ of Mandamus in Aid of Jurisdiction (ECF No. 1.). **See**
Monroe V. Pape

13 ¹⁴Under Government Code § 815.2, public entities are vicariously liable for their
14 employees Common law negligence; the duty and breach analysis focuses on the
15 employee not the entity. **See Zelig V. County of Los Angeles**, (2002) 27 Cal. 4 1112
[119 Cal.Rptr.2d 709, 45 P.3d 1171]-Local Government agencies can be sued directly
16 under § 1983 for monetary, declaratory, or injunctive relief where the unconstitutional
action implements or executes a policy statement, ordinance, regulation or decision
officially adopted; or was committed pursuant to a governmental custom.

17 ¹⁵See N. Cal.-S.F. Courthouse, ***Lopez V. Silberman et, al.***, No. CV18-00747 MMC;
18 **9th Cir. No. 18-15449**.

19 ¹⁶See Central District of C.A., ***Ricardo Jose Calderon Lopez et, al V. Sunset housing***
Solutions, L.P., No. CV13-9025 ODG (AGR); 9th Cir. No.: 13-57153.

20 *Only a party to the judgment or one in privity to him can prosecute the writ **See**
Calloway v. Nifong, 1 Mo. 223 (1822); ***State ex rel. Potter V. Riley***, 219 Mo.
667,118 S.W. 647 (1909).

21 See Central District ***Starlight Entertainment Enterprises, Inc. V. Sunset Housing***
Solutions, L.P., No. CV13-9025 ODG (AGR); 9th Cir. No.: 13-57153 (ECF No. 6.)

22 **900 Brentwood Road, N.E.**
General Delivery
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Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction

1 Cir. appellate court; not following regulation or case law¹⁷-pointing to prior 9th

2 Circuit Court of Appeals¹⁸ cases **13-57153, 14-55055, 15-56398 & 18-55266¹⁹.**

3 Thus, per **Judicial Code § 239** having jurisdiction *See Griggs V. Provident*
4 *Consumer Discount, 459 U.S. 56 (1982)* to entertain a new action *United States*
5 *V. Julius Mayer, 235 U.S. 55 (1914)*; the movant, requesting reversal of the orders
6 issued by judges **TROTT, PAEZ, BEA, GOULD, BYBEE & WATFORD.**

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9 ¹⁷*See Judelson V. American Metal Bearing Co.*, An organization or other entity set up to
10 provide a legal shield for the person actually controlling the operation separate and
11 distinct from the component person even though under exceptional circumstances the
12 corporation may be disregarded when it is only the double or *alter ego* of the person
13 composing it. *See California Emp. Com. V. Butte County etc. Assn.; Miller V.*
14 *McColgan; King V. New Masonic Temple Assn.*

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17 ¹⁸An Application to a circuit Court of Appeals for a Writ of Prohibition is an original
18 proceeding *See United States V. Julius Mayer*. In absence of statute providing otherwise,
19 the general principle obtains that a court cannot set aside or alter its final judgement after
20 the expiration of the term at which it was entered, unless the proceeding for that purpose
21 was begun during that term; however, there are exceptions, in the case of courts of
22 common law—the court at a subsequent term has the power to correct the inaccuracies in
mere matter of form, or clerical error, and in, civil cases, to rectify such mistakes of facts
that were reviewable on writ of error coram nobis, or coram vobis, for which the
proceeding by motion is the modern substitute. *Pickett V. Legerwood*, 7 Pet. 144, 148, 8
L. ed. 638, 639; *Murphy V. Stewart*, 2 How. 263, 281, 11 L. ed. 261, 268; *Bank of*
United States V. Moss, 6 How. 31, 38, 12 L. ed. 331, 334; *Bronson V. Schulten*, 104 U.S.
410 (1882).

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24 ¹⁹On April 26, 2018 petitioner-timely filed its opening brief (ECF No. 11.), augmenting
25 that the judge-Ottis D. Wright II-deprived petitioner of Constitutional-Due Process Rights
(5th Amend) *Sua Sponte* dismissing the action; petitioner pointing to **intrinsic and**
extrinsic FRAUD and MISREPRESENTATION, as reason of the unlawful judgement-
requesting a new trial.

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JURISDICTIONAL STATEMENT:

Pursuant to **28 U.S.C. § 1291** and the **ALL Writs Act²⁰** this Hon. Court has jurisdiction, and is authorized to issue writ in aid of its jurisdiction **§ 1651(a)**.

This Hon. court has Mandamus jurisdiction to review Un-Const. order (Appendix A & B), in which the originating-Central District Court of C.A. and 9th Cir. Court of Appeals-deny petitioner Constitutional Right(s) of equal protection. *See Califano V. Torres*, 435 U.S. 1, 4 n.6 (1978)(Per Curiam); *United States V. Clark*, 445 U.S. 23 (1980); *Califano V. Yamasaki*, 442 U.S. 682 (1979); *New York City Transit Authority V. Beazer*, 440 U.S. 568 (1979)²¹; *United States V. Gaudin*, 515 U.S. 506 (1995).

²⁰The All Writs Act grants the power to all courts established by act of Congress to issue all writs necessary and appropriate in aid of their respective jurisdiction and agreeable to the usages and principles of law; extraordinary writs serve to confine an inferior court to a lawful exercise of its prescribed jurisdiction.

²¹The Equal Protection Clause of the Fourteenth Amendment provides that no State shall "deny to any person within its jurisdiction the **equal protection** of the law." The Clause announces a fundamental principle: the State must govern impartially. *See New York City Transit Authority V. Beazer; Carrasco V. Secretary of Health, Education and Welfare*, 628 F.2d 624 (1980); *Becker V. Harris*, 493 F. Supp. 991 (E.D. Cal. 1980).

*Also see U.S. Supreme Court, *Lopez V. Comm. of Soc. Sec.*, No. 18-7970.

**900 Brentwood Road, N.E.
General Delivery
Washington, D.C. 20090-9999**

**Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction**

Statement of the Case:

Central District case *Ricardo Jose Caderón López et, al. V. Sunset*

Housing Solutions, L.P., No. CV18-01098 ODG (AGR) was filed by the movant; pursuant to **FRCP, Rule 59** and **L.R. 59-1.4** requesting a new trial, caused by on-going un-fair business practices from the respondent-retaining the tenants security deposit (**Appendix C**)²², in violation of **Cal. Civil Code §1 950.5(a)**²³ & **§ 3300**²⁴.

²²Notice how the check was payable to the Landlord-Sunset Housing Solutions, L.P.; However, it was cashed by its **Parent Co.-Xenon Investment (FRAUD)**; on appeal respondent legal Rep. certifying to the 9th Cir. Court-Corporate Disclosure Statement (**Appendix D**) that it has no parent Company.

*See 9th Cir. *Calderon Lopez V. Gumiuhyan et, al.*, No. 15-56398; U.S. Supreme Court case No. 15-7620. (Appendix E)*

²³**§ 1950.5. (a)** This section applies to security for a rental agreement for residential property that is used as the dwelling of the tenant. (b) As used in this section, “security” means any payment, fee, deposit, or charge, including, but not limited to, any payment, fee, deposit, or charge, except as provided in Section 1950.6, that is imposed at the beginning of the tenancy to be used to reimburse the landlord for costs associated with processing a new tenant or that is imposed as an advance payment of rent; also see **§ 1950.7(a)**.

*Cal Civil Code. § 1950.7(c):

(c) The landlord may claim of the payment or deposit only those amounts as are reasonably necessary to remedy tenant defaults in the payment of rent, to repair damages to the premises caused by the tenant, or to clean the premises upon termination of the tenancy, if the payment or deposit is made for any or all of those specific purposes. See District case *Starlight Entertainment Enterprises, Inc. V. Sunset Housing Solution, L.P.*, No. CV13-9025 ODG-AGR (ECF No. 17.)

²⁴Cal. Civil Code § 3300:

For the breach of an obligation arising from a contract, the measure of damages, except where otherwise expressly provided by this code, is the amount which will compensate the party aggrieved for all the detriment proximately caused thereby, or which, in the ordinary course of things, would be likely to result therefrom.

**900 Brentwood Road, N.E.
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**Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction**

1 Per **L.R. 59-1.4**, pursuant to **Rule 59(a)(2)**²⁵; **60(b)(3)**²⁶; **(b)(6)**²⁷; **(d)(1)**²⁸
2 and **(d)(3)**²⁹ of the **Fed. R. Civ. P.**, the complainant per § **(b)(6)** requesting for a
3 new trial-pointing to intrinsic and extrinsic factors § **60(b)(3)**, alleging-**Fraud** and
4 **misinterpretation** from the court and respondent § **60(d)(3)**, including an
5 application to proceed **I.F.P. (ECF No. 3.)**, indicating prejudice from the court-
6 denying-protected Constitutional Rights of equal protection of the law-not granting
7 its **I.F.P.** application nor its Right(s) of Self Rep. **28 U.S.C. § 1654** *See Wilson V.*
8 *Omaha Indian Tribe; Denton V. Hernandez*, **504 U.S. 25,31** (1992); *Judelson V.*
9 *American Metal Bearing Co.; Haddock V. Haddock*; maintaining the Corporate
10 fiction.

11 **^{25(a) IN GENERAL.}**

12 (1) **Grounds for New Trial.** The court may, on motion, grant
13 a new trial on all or some of the issues—and to any party(2) **Further Action After a**
14 **Nonjury Trial.** After a nonjury trial, the court may, on motion for a new trial, open the
judgment if one has been entered, take additional testimony, amend findings of fact and
conclusions of law or make new ones, and direct the entry of a new judgment.

15 **^{26Rule 60. Relief from a Judgment or Order}**

16 (b) **GROUND FOR RELIEF FROM A FINAL JUDGMENT, ORDER, OR**
17 **PROCEEDING.** On motion and just terms, the court may relieve a
party or its legal representative from a final judgment, order, or
proceeding for the following reasons:(3) **fraud** (whether previously called intrinsic or
extrinsic), misrepresentation, or misconduct by an opposing party;

18 **^{27Rule 60(b)(6)-any other reason that justifies relief.}**

19 **^{28(d) OTHER POWERS TO GRANT RELIEF.}** This rule does not limit a
court's power to:(1) entertain an independent action to relieve a party from
a judgment, order, or proceeding

20 **^{29(3) set aside a judgment for fraud on the court.}**

21 **900 Brentwood Road, N.E.**
22 **General Delivery**
Washington, D.C. 20090-9999

Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction

1 On February 27, 2018 petitioner-timely seeking appellate review, from the
2 9th Circuit Court of Appeals; however, on-going conspiracies § 241 from court
3 clerks § 2671(1)-intruding in the case, also deny its I.F.P. application (ECF No.
4 4.)³⁰;

5 Congress intention in enacting the federal IFP statute being "to guarantee that no
6 citizen shall be denied an opportunity to commence, prosecute or defend an action
7 civil or criminal in any court of the United States, solely because poverty makes it
8 impossible.....to pay or secure the cost of litigation". *Denton V. Hernandez*,
9 (quoting *Adkins V. E.I. Dupont de Numours & Co.*, 335 U.S. 331, 342 (1948)).

10 However, on July 13, 2018 pursuant to 28 U.S.C. § 1915(e)(2) the panel of
11 judges **CANBY, FLETCHER** and **CALLAHAN** issuing un-Constitutional order
12 (ECF No. 15.)-deeming petitioner appellate review as frivolous; therefore,
13 dismissing the action.

14 Consequently, on July 29, 2018 petitioner-timely sough stay of the mandate
15 (ECF No. 16.); however, on the October 11, 2018 the above referenced panel of
16 judges issued order (ECF No. 17.) denying the movants request for stay [16.]

17 ³⁰On April 26, 2018 petitioner-timely filed its opening brief, indicating that The
18 originating court conspired-depriving the movant-indigent **Government Code § 68630(a)**
19 of basic Rights to pursue its claim, regulation 1 U.S.C. 1 *See Rowland v. California Men*
Colony, Unit II Men Advisory Council-allowing a citizen from the State of Inc. to seek
IFP status. *See Louisville, C. & C.R. Co. V. Letson*

20 *§ 68630(a) "Our Legal system cannot provide "equal justice under the law" unless
all persons have access to our courts without regard to their economic means."

21 900 Brentwood Road, N.E.
22 General Delivery
Washington, D.C. 20090-9999

Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction

REASONS WHY THE WRIT SHOULD ISSUE

I. In Aid of its Appellate Jurisdiction, this Honorable Court is Empowered to Compel the District Court to Decide Excessively Delayed Cases.

“[S]upervisory control of the District Courts is necessary to proper judicial administration in the federal system.” *La Buy V. Howes Leather Co.*, 352 U.S. 249 (1957). Accordingly, “[t]he writ of mandamus has traditionally been used in the federal courts . . . ‘to compel a [district court] to exercise its authority, when it is its duty to do so.’” *In re United States*, 598 F.2d 233, 236 (D.C. Cir. 1979) (quoting *Roche V. Evaporated Milk Ass’n*, 319 U.S. 21 (1943)).

Furthermore, “[I]t is the function of the district judge, in a non-jury civil case, to decide dispositive issues of fact and law genuinely disputed by the party.” *In re Bituminous Coal Operators’ Ass’n*, 949 F.2d 1165, 1169 (D.C. Cir. 1991); this court recognizing the authority of higher courts to compel inferior district court actions through mandamus³¹. ” *See Telecommunications Research & Action Center V. FCC (“TRAC”)*, 750 F.2d 70, 76 n.28 (D.C. Cir. 1984)³²

³¹Also See N. Cal-San Jose Courthouse, *Lopez V. Enberg et, al.*, No. CV17-05601 LHK; 9th Cir. No.: 18-70726 (ECF No. 1)-Petition for Writ of Mandamus.

³²Also see *Ex Parte Bradstreet*, 32 U.S. (7 Pet.) 634 (1833); *Ex Parte Crane*, 30 U.S. (5 Pet.) 190, 191 (1831).

**900 Brentwood Road, N.E.
General Delivery
Washington, D.C. 20090-9999**

**Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction**

II. Appellate Review has been futile; on-going discriminatory conduct from Courts in the State of California-refuse to follow regulation or case law-maintaining the Corp. fiction for personal reasons-defying Congressional Action.

A Corporation is a natural person 1 U.S.C. § 1³³, citizen from the State of Incorporation³⁴ *See Marshall V. Baltimore & Ohio R. Co.*, 57 U.S. 314 (1853)³⁵; government code § 68630(a) of the State of C.A., indicates “ Our Legal system cannot provide “equal justice under the law” unless all persons have access to our courts without regard to their economic means. Moreover, California law and court procedures should ensure that court fees are not a barrier to court access for those without insufficient economic means to pay those fees”. § 68630(a)

Furthermore, **Government Code § 68634.5(e)** indicates that a “fee waiver application shall be determined without regard to the substance of any other paper filed by the applicant; the court to (1) Grant the application if the information

³³A “person” may be authorize to proceed in forma pauperis under § 1915(a), it may be an “association” under the Dictionary Act, 1 U.S.C. § 1, which in relevant part provides that “in determining the meaning of any Act of Congress, unless the context indicates otherwise” “person” includes “associations” and other artificial entities such as corporations and societies. *Rowland V. California Men Colony, Unit II Men Advisory Council*.

³⁴The corporation is an entity separate and distinct from the component person even though under exceptional circumstances the corporation may be disregarded when it is only the double or alter ego of the person composing it. *See California Emp. Com. V. Butte County etc. Assn.; Miller V. McColgan; King V. New Masonic Temple Assn.*

³⁵See also *Louisville, C. & C.R. Co. V. Letson*, 2 How. 497, 558, 11 L.Ed. 353 (1844), indicating “a Corporation is “capable of being treated as a citizen of [the State which created it], as much as natural person.

**900 Brentwood Road, N.E.
General Delivery
Washington, D.C. 20090-9999**

**Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction**

provided in the application establishes that the applicant meets the criteria for eligibility and application requirements set forth in §§ 68632 and 68633.

Moreover, Congress intention in enacting the federal IFP statute was "to guarantee that no citizen shall be denied an opportunity to commence, prosecute or defend an action civil or criminal in any court of the United States, solely because poverty makes it impossible.....to pay or secure the cost of litigation". *See Denton V. Hernandez, 504 U.S. 25 (1992)*, (quoting *Adkins V. E.I. Dupont de Nemours & Co., 335 U.S. 331 (1948)*).

Therefore, a Corporation being a separate character of individuality *Society for the Propagation of the Gospel in Foreign Parts V. Town of Pawlet*, 29 U.S. 480 (1830) of its founder and sole member- natural person § 1 for legal purposes *Northern Nat. Life Ins. Co. V. Riggs*, 203 U.S. 243 (1906); having Const. Rights *Pembina Consolidated Mining Co. V. Pennsylvania*, 125 U.S. 181 (1881); *Santa Clara County V. Southern Pacific Railroad*, 118 U.S. 394 (1886), protected by law *See Washington V. Davis*, 426 U.S. 229 (1976)³⁶ to also proceed I.F.P..

³⁶One proper proof that a corporation is but the instrumentality through which an individual, who is the sole owner of the capital stock, for convenience, transacts his business, together with a showing that as a result of the double relationship fraud or injustice will inure to a third person, not only equity, looking through form to substance, but the law will hold the corporation bound as the owner of the corporation might be bound. It must be "upon proper showing" that there is "unity of interest and ownership" which makes them one. *Llewellyn Iron Wks. V. Abbott Kinney Co.; Wenban Estate, Inc. V. Hewlet.*

**900 Brentwood Road, N.E.
General Delivery
Washington, D.C. 20090-9999**

**Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction**

III. On-going Prejudice from the Central District Court and 9th Cir. Court of Appeals-abstain to recognize State Law or Fed. Regulation, or advances in the Corporate structure; therefore, engaging in Reversible error

On December 6, 2013 petitioner Corporate personality-the tenant ***Starlight Entertainment Enterprises, Inc.*** moved the U.S. District Court-Central District of California, per the *Erie doctrine*³⁷, seeking compensation, caused by a breach of contract by its then landlord-***Sunset Housing Solutions, L.P.*** intruding on private-leased property. *See* district case, ***Starlight Entertainment Enterprises, Inc. V. Sunset Housing Solutions, L.P.***, No. CV13-9025 DMG (AGR)

³⁷On May 25, 2004 petitioner lodge its initial Racketeering-Breach of Contract-invasion of privacy complaint, against its former landlord-Howard M. Kausner, d/b/a Amor Arm Apt.'s, and a group of individuals and entities-including the Fed. agency Social Security Administration-SSA **28 U.S.C. § 2671**; located throughout the county of Los Angeles, C.A. in State Superior Court, Los Angeles Courthouse; experiencing substantial discriminatory conduct from court personnel & prejudice from the assigned judge-Paul Gutman-not recognizing petitioner action as its own-denying the movant to proceed *Pro Se*-defending its own action **28 U.S.C. § 1654**; thus, on Sept. 7, 2004 judge Paul Gutman unlawfully dismissed the Corporate plaintiff(s). *See Ricardo Jose Calderon Lopez V. Howard M. Kausner, et. al.*, No. BC316239 (On Jan. 18, 2005 the SSA removed the action to fed. jurisdiction-U.S. District Court, assigned No. CV05-00397 NM (VBK))

*On February 3, 2006 petitioner filed-separate claim against its former employer-Finlay Fine Jewelry, Inc. at Santa Monica Superior Court-transferred to Beverly Hills Court-Small Claims; seeking compensation for wrongful termination; however, on Sept 6, 2006 a conspiring § 241-Lisa Hart Cole, court *Sua Sponte* issued discriminatory order-deeming the movant a vexatious litigant; therefore, impeding the movant to file *Pro Se* in State of C.A. Court. *See Ricardo J. Calderon Lopez V. Finlay Fine Jewelry, Inc.*, No. SC088518. Thus, pursuant to the *erie doctrine*, the Central Court having original jurisdiction to entertain the action. *See Erie R.R. V. Tompkins*, 304 U.S. 64 (1938).

**900 Brentwood Road, N.E.
General Delivery
Washington, D.C. 20090-9999**

**Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction**

1 On January 14, 2014 per **L.R. 55** and Rule **55** of the **FRCP**, the complainant
2 filing motion for default on judicial summons (**ECF No. 16.**), indicating that the
3 defendant had failed to answer-judicial summons; therefore, admitted the facts that
4 constitute the filed action. *See Travelers Indemnity Co. V. Rubin.*

5 However, fraud from the assigned courts-not following regulation *See Gov.*
6 **Code § 68630(a)**³⁸; **§ 1**³⁹, or case law⁴⁰-denied basic Const. Right(s) to proceed

7

8

9 ³⁸See Government Code § 68630(a) “Our Legal system cannot provide “equal justice
10 under the law” unless all persons have access to our courts without regard to their
11 economic means. California law and court procedures should ensure that court fees are
12 not a barrier to court access for those without insufficient economic means to pay those
13 fees. (b) the fiscal responsibility should be tempered with concern for litigants’ rights to
14 access the judicial system. The procedure for allowing the poor to use court services
without paying ordinary fees must be one that applies rules fairly to similarly situated
persons, is accessible to those with limited knowledge of court processes, and does not
delay access to court services. The procedure for determining if a litigant may file a
lawsuit without paying a fee must not interfere with court access for those without the
financial means to do so.

15 ³⁹A “person” may be authorize to proceed in forma pauperis under § 1915(a) may be an
16 “association” under the Dictionary Act, 1 U.S.C. § 1, which in relevant part provides
17 that “in determining the meaning of any Act of Congress, unless the context indicates
otherwise”“person” includes “associations” and other artificial entities such as
corporations and societies. *Rowland V. California Men Colony, Unit II Men Advisory
Council.*

18 ⁴⁰The corporation is an entity separate and distinct from the component person
19 even though under exceptional circumstances the corporation may be disregarded when
it is only the double or alter ego of the person composing it. *See California Emp. Com.*
V. Butte County etc. Assn., 25 Cal. 2d 624, 636 [154 P.2d 892]; *Miller V.*
McColgan, 17 Cal. 2d 432, 436 [110 P.2d 419, 134 A.L.R. 1424]; *King V. New*
Masonic Temple Assn., 51 Cal. App. 2d 512, 515 [125 P.2d 559].

21 **900 Brentwood Road, N.E.**
22 **General Delivery**
Washington, D.C. 20090-9999

Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction

1 I.F.P. § 1915(a) and self representation § 1654, *See Haddock V. Haddock*⁴¹;
2 failing to supervise the court clerk⁴² § 2671(1) who in own frolic-divested the
3 court of jurisdiction-unlawfully initiating appellate review of a non-final order
4 (ECF No. 6.)⁴³; removing jurisdiction from the district court to act further.
5 *Seedman V. U.S. Dist. Ct.*, 837 F.2d 413, 414 (9th Cir. 1988); the court conspiring
6 § 241 with opposing counsel-assisting in the filing of documents; on Jan. 8, 2014
7 issuing order (ECF No. 24.)-staying the case, in favor of a party who hadn't
8 established standing. *See Brewer V. Lewis*, 989 F.2d 1021, 1025 (9th Cir. 1993).

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15 ⁴¹Fiction is a poor ground to change substantial rights *See Haddock V. Haddock*; also see
16 *Reshard V. Britt*.

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22 ⁴²On April 14, 2014 pursuant to the Federal Tort Claim Act, petitioner presented to the
responsible agency-USDC-Central District of C.A. a USDOJ-Form 95; making
referenced to the default from the clerk-unlawfully initiating appellate review of a non-
final order, on petitioner- timely filed notice of appeal- FRAP 4(a)(1). *See McNeil V.*
United States, 508 U.S. 106, 112 (1993). See U.S.D.C.-D.C., case *Ricardo Jose calderon*
Lopez V. United States of America, No. CV19-03542 (UNA)

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28 ⁴³See 9th Cir. *Starlight Entertainment Enterprises, Inc. V. Sunset Housing Solutions,*
L.P., No. 13-57153. On January 24, 2014 the movant, per FRAP 42(b) filed motion-
voluntarily dismissing the appeal (ECF No. 3.), making referenced to the default from the
clerk.

29
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31
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General Delivery
Washington, D.C. 20090-9999

34
35
36 Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction

1 Therefore, per Rule 52(a)(1)⁴⁴ of the **FRCP**, a reviewing court may not set
2 aside a judgement unless is clearly erroneous *See McAllister V. United States*, 348
3 **U.S. 19 (1954)**; on-going discriminatory conduct from the central district court-
4 conspiring § 241; not following regulation⁴⁵ or case law⁴⁶; establishes unlawful
5 precedent-dismissing with prejudice⁴⁷ a meaningful claim.

6 **⁴⁴Rule 52. Findings and Conclusions by the Court; Judgment on Partial Findings:**

7 (a) FINDINGS AND CONCLUSIONS. (1) In General. In an action tried on the facts
8 without a jury or with an advisory jury, the court must find the facts specially and state its
9 conclusions of law separately. The findings and conclusions may be stated on the record
after the close of the evidence or may appear in an opinion or a memorandum of decision
filed by the court. Judgment must be entered under Rule 58.

10 **⁴⁵See C.A. Corporation code §103-**"Every Corporation under the laws of this State, any
11 other State of the United States or the District of Colombia or under an act of the
12 Congress of the United States, all of the capital stock of which is beneficially owned by
13 the United States, an agency or instrumentality of the United States or any corporation
the whole of the capital stock of which is owned by the United States or by an agency
and instrumentality of the United States and is entitled to all privileges and immunities
to which the holder of all of its stock are entitled as agency of the United States. Also
see **BPC, Article 1, §§ 16200-16205.**

14 **⁴⁶An organization or other entity set up to provide a legal shield for the person actually**
15 **controlling the operation. *See Judelson Y. American Metal Bearing Co.*, One proper**
16 **proof that a corporation is but the instrumentality through which an individual, who is the**
17 **sole owner of the capital stock, for convenience, transacts his business, together with a**
18 **showing that as a result of the double relationship fraud or injustice will inure to a third**
19 **person, not only equity, looking through form to substance, but the law will hold the**
20 **corporation bound as the owner of the corporation might be bound. It must be "upon**
21 **proper showing" that there is "unity of interest and ownership" which makes them one.**
Llewellyn Iron Wks. Y. Abbott Kinney Co.; Wenban Estate, Inc. Y. Hewlet.

22 **⁴⁷With prejudice is a harsh remedy to be utilized only in extreme situations *Moore*, 90 Nev.**
23 **at 393, 528 P.2d at 1021. It must be weighted against the policy of law favoring the**
24 **disposition of cases on the merits. *Id.* "Because dismissal with prejudice is the most**
25 **severe sanction that a court may apply...it must be tempered by a careful exercise of**
26 **judicial discretion." *Id* at 394, 528 P.2d at 1021 (Alterations in original)(Internal**

27 **900 Brentwood Road, N.E.**
28 **General Delivery**
29 **Washington, D.C. 20090-9999**

30 **Petition for Writ of Mandamus**
31 **in Aid of Appellate Jurisdiction**

1 Consequently, where a court has persistently, and without reason refused to
2 adjudicate the case before it; this court has authority to issue a writ, to exercise
3 jurisdiction of review provided by law; otherwise its appellate jurisdiction could
4 be futile, and the purpose of the statute allowing the writ will be thwarted by
5 unauthorized action of the district court-abusing its discretion. *See Will V. Calvert*
6 *Fire Ins. Co.*, 437 U.S. 655 (1978) (citations and internal quotation marks
7 omitted); *See Thermtron Prods. V. Hermansdorfer*, 423 U.S. 336 (1976).⁴⁸

8

9 **IV. Court personnel, servicing the Office of the Clerk at the U.S. Supreme**
10 **Court-are not doing what they're employed to do-not following Reg.**
11 **28 U.S.C. § 2111-impending Petitioner Right(s)-to access the Court**
12 *See Bounds V. Smith*, 430 U.S. 817 (1977) and effectively communicate,
13 denying its Writ of Certiorari on harmless Error-principles (Appendix F)

14 On March 20, 2019 petitioner-timely sought writ of certiorari, caused by on-
15 going un-Constitutional conduct from the originating-central district of California
16 court-maintaining the Corp. fiction for personal reasons-not following Regulation
17 or case law-denying the movant of Const. rights to defend its own action-define
18 under § 1654 *See Reshard V. Britt* impending the movants Corporate personalities

18 quotations omitted). *See In re: Hunter V. Gang* (Nev. App., 2016).

19 ⁴⁸See USDC-District of Columbia, *Calderon Lopez V. Johnson et, al.*, No. CV18-1451
20 (UNA); D.C. Cir. No.: 18-7129; pending a timely filed petition for rehearing and re-
hearing *En Banc* (ECF No. 9.). Also see U.S. Supreme Court, *City of Palo Alto V.*
Ricardo Calderon Lopez, No. USCA9 No. 17-15930.

21 **900 Brentwood Road, N.E.**
22 **General Delivery**
Washington, D.C. 20090-9999

Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction

1 to seek I.F.P. status.

2 “§ 1915 manifest no single purpose that would be substantially frustrated by
3 limiting the statutory reach to natural persons. *Wilson V. Omaha Indian*
4 *Tribe; United States V. A & P Trucking Co.*. Federal courts authorized to
5 favor any “person”⁴⁹ meeting its criteria with a series of benefits, including
6 dispensation from the obligation to prepay fees, costs, or security for
7 bringing, defending or appealing a lawsuit. *See Rowland v. California Men*
8 *Colony, Unit Ii Men Advisory Council*.

9 Furthermore, Congressional action allows the movant-indigent to present a
10 claim-showing that its finances make it impossible to pay and secure the costs of
11 litigation⁵⁰. *See Denton V. Hernandez, (quoting Adkins V. E.I. Dupont de*

12 ⁴⁹A "person" who may be authorized to proceed in forma pauperis under §1915(a) may be
13 an "association" under the Dictionary Act, 1 U.S.C. § 1, which in relevant part provides
14 that "in determining the meaning of any Act of Congress, unless the context indicates
15 otherwise" " 'person' " includes "associations" and other artificial entities such as
16 corporations and societies. *Rowland v. California Men Colony, Unit Ii Men Advisory*
17 *Council*.

18 ⁵⁰*See Government Code § 68630(a)* “Our Legal system cannot provide “equal justice
19 under the law” unless all persons have access to our courts without regard to their
20 economic means. California law and court procedures should ensure that court fees are
21 not a barrier to court access for those without insufficient economic means to pay those
22 fees. (b) the fiscal responsibility should be tempered with concern for litigants’ rights to
23 access the judicial system. The procedure for allowing the poor to use court services
24 without paying ordinary fees must be one that applies rules fairly to similarly situated
25 persons, is accessible to those with limited knowledge of court processes, and does not
26 delay access to court services. The procedure for determining if a litigant may file a
27 lawsuit without paying a fee must not interfere with court access for those without the
28 financial means to do so.

29 900 Brentwood Road, N.E.
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31 Washington, D.C. 20090-9999

32 Petition for Writ of Mandamus
33 in Aid of Appellate Jurisdiction

1 **Numours & Co.).**

2 In addition, Supreme Court case law *Louisville, C. & C.R. Co. V. Letson*,
3 indicates “a Corporation is “capable of being treated as a citizen of [the State
4 which created it], as much as natural person.⁵¹”

5 Therefore, on-going un-Constitutional conduct from inferior courts, as well
6 as court personnel § 2671(1)-denied the complainant to access the court-basing
7 their decision on immaterial reason(s). *See United States V. Gaudin*, 515 U.S. 506
8 (1995); also U.S. Supreme Court, *City of Palo Alto V. Ricardo calderon Lopez*,
9 **No. USCA9 17-15930. (See Appendixes G & H)**

10

11 **V. On-going discrimination from court personnel, servicing the Office of the**
12 **clerk-failed to follow regulation-failing to docket petitioner-timely filed**
13 **emergency application to Stay the courts Mandate**

14 Ever since petitioner-Constitutional Tort action reached the nations highest
15 Court, the movant it has experienced difficulties in presenting its arguments to the
16 Court.

17 On February 4, 2019 petitioner sought writ of certiorari-seeking review of
18 on-going un-Constitutional conduct from the 9th Circuit Court of Appeals-allowing

19
20 ⁵¹Also see *Marshall V. Baltimore & Ohio R. Co.*, “those who use the Corporate name,
21 and exercise the faculties conferred by it”, should be presumed conclusively to be citizens
22 of the Corporation’s State of incorporation.

21 **900 Brentwood Road, N.E.**
22 **General Delivery**
Washington, D.C. 20090-9999

Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction

1 inferior courts (Central and Northern district of California) to deprive petitioner of
2 Right(s) of Due Process (5th Amend); *Sua Sponte* dismissing the Northern District
3 of California case, after having conspired § 241 with the Oakland Courthouse and
4 opposing counsel-unlawfully transferring an action *Ricardo Jose Calderon Lopez*
5 *V. Tigran Gumushyan et, al., No. CV16-07236 KAW*⁵² to San Francisco Court.

6 Thus, Mag. judge Laurel Beeler, on its own motion-created a new action in
7 San Francisco Court; consequently, in own frolic-dismissing the fed. defendant(s)
8 **28 U.S.C. § 2671(1). See Ricardo Jose Calderon Lopez V. Tigran Gumuahyan**
9 *et, al., No. CV16-07236 LB.*⁵³

10 On June 4, 2019 petitioner-timely filing emergency application to stay the
11 courts mandate (Appendix I), indicating that inferior courts had conspired § 241-
12 denying Rights of due process, allowing the central court to conspire § 241 with
13 court officials § 2671(1) and respondent personnel § 2671(1) to deprive petitioner
14 of its disability benefits-erroneously alleging substantial gainful activity-denying
15 the claimant of-protected Constitutional Rights to defend its own action § 1654

16 *See Haddock V. Haddock.*

17
18 ⁵²See Central District-Const. Tort action *Ricardo Jose Calderon Lopez V. Tigran*
19 *Gumushyan et, al., No. CV15-3063 DSF (AGR)*

20 ⁵³On April 15, 2019 the U.S. Supreme Court, issued order-denying petitioner writ.
21 (Appendix J); on the 25th the movant-timely seeking rehearing (The action active).

22
23 **900 Brentwood Road, N.E.**
24 **General Delivery**
25 **Washington, D.C. 20090-9999**

Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction

Thus, maintaining the Corporate fiction for personal reason(s); unlawfully terminating its SSA benefits for not attending a forced-hearing by **ALJ. Goldberg v. Kelly, 397 U.S. 254 (1970)**.

Wherefore, for the above stated reasons, petitioner request the Honorable Supreme Court **18 U.S.C. § 3127(2)(A)(i)**⁵⁴, investigating the offenses-to grant the movants petition, enforcing its appellate jurisdiction on the central district court; having supplemental jurisdiction § 1367(a)⁵⁵ of an action-pending in this court; per the all writs act-issuing writ of mandamus on related case-pending in the Central District Court-Los Angeles Courthouse; recognizing that a dismissal of an action that could be brought elsewhere is “time- consuming and justice-defeating.

⁵⁶ See *Goldlawr, Inc. V. Heiman*, 369 U.S. 463 (1962).

⁵⁴§ 3127. Definitions for chapter;(2) the term "court of competent jurisdiction" means-(A) any district court of the United States (including a magistrate judge of such a court) or any United States court of appeals that-(i) has jurisdiction over the offense being investigated. See also 28 U.S.C. § 1631, *Taylor v. Social Sec. Admin.*, 842 F.2d 232, 233 (9th Cir.1988).

⁵⁵Although § 1367 doesn't expressly reference the U.S. Supreme Court as the court with original jurisdiction; per § 3127(2)(A)(I) this Court of competent jurisdiction should be allowed to have supplemental jurisdiction § 1367(a). *See Ex parte Republic of Peru*, 318 U.S. 578 (1943).

⁵⁶On June 4, 2019 pursuant to **28 U.S.C. § 2101(f)** petitioner sought a Stay on a related action-pending in the central district *See Ricardo Jose Calderon Lopez et, al., V. Sunset Housing Solutions, L.P.*, No. CV18-01098 ODG (AGR); however, on-going Prejudicial Const. Error from clerk(s)-not following regulation, once more denying the movant to access the court, impeding the movant to effectively communicate with the court, filing case documents-Reversible *Per Se*. *See Rose V. Clark*, 478 U.S. 570 (1986).

^{*}See D.C. Case *Lopez V. Blalock et, la.*, No. CV19-01111 (UNA);

**900 Brentwood Road, N.E.
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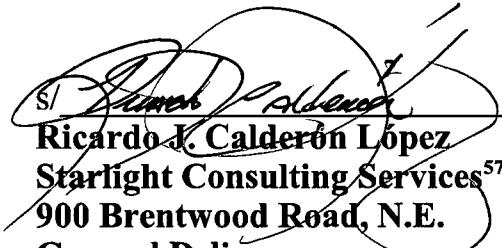
**Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction**

1 An individual may be deprived of due process when the government
2 seeks to shore up a week case *See McKinney V. Rees*, supra., 993 F.2d at p.
3 1386; (9th Cir. 1993)

4 **Wherefore**, "where legal rights have been invaded, courts may use any
5 available remedy to make good the wrong done". *See Bell V. Hood*, 327 U.S. 678
6 (1946)

7 "The Court has the inherent equitable power "to set aside fraudulently
8 begotten judgments" and restore the parties to the position they would have
9 enjoyed in the absence of the fraud. *See Hazel-Atlas Glass Co. V.*
10 *Hartford-Empire Co.*, 322 U.S. 238 (1944). *See also Chambers V.*
11 *NASCO, Inc.*, 501 U.S. 32 (1991); *Universal Oil Products Co. V. Root*
12 *Refining Co.*, 328 U.S. 575 (1946)."

13 In Washington, D.C., this 7th day of January 2020

14 
15 S/ *Ricardo J. Calderon Lopez*
16 Ricardo J. Calderon Lopez
17 Starlight Consulting Services⁵⁷
18 900 Brentwood Road, N.E.
19 General Delivery
20 Washington, D.C. 20090-9999
21 E-mail Address:
22 ricardocalderonlopez@gmail.com
23 Pro Se

24

25 ⁵⁷26 U.S.C. § 761(a)(1)-For the Purpose of this subtitle, the term "partnership" includes a
26 syndicate, group, pool, joint venture, or other unincorporated organization through or by
27 means of which any business, financial operation, or venture is carried on, and which is
28 not, within the meaning of this title a Corporation or a trust or a estate. (1) not for the
29 active conduct of a business.

30 900 Brentwood Road, N.E.
31 General Delivery
32 Washington, D.C. 20090-9999

33 Petition for Writ of Mandamus
34 in Aid of Appellate Jurisdiction

Reason for Granting the Petition:

On-going discrimination-racial profiling-Un-Constitutional conduct from the originating-Central district court of C.A.-not being objective; remaining tied to an archaic **Local Rule 83-2.2.2.** which for decades hasn't been updated-caused the court to err; refusing to follow Regulation §§§§§§ 1915(a); 1; 1654; 68630(a); 68632; 68633; 68634.5(e) or case law *See Denton V. Hernandez; Rowland V. California Men Colony, Unit Ii Men Advisory Council.; California Emp. Com. V. Butte County etc. Assn.; Miller V. McColgan; King V. New Masonic Temple Assn.*; engaging in un-Const. conduct *See Haddock V. Haddock* maintaining the fiction for personal reason(s).

Thus, the central and 9th Cir. Court of Appeals engaged in un-Constitutional conduct *Haines V. Kerner; Estelle V. Gamble; Haddock V. Haddock*.

The Petitioner interest are the only ones present the action; therefore, is the movants own-define under § 1654; the originating and reviewing 9th Cir. court should've allowed the petitioner-indigent to defend its meaningful case-clearly define under § 1654 *See Haddock V. Haddock* granting I.F.P. status. *See Denton V. Hernandez*, § 68630(a)

**900 Brentwood Road, N.E.
General Delivery
Washington, D.C. 20090-9999**

**Petition for Writ of Mandamus
in Aid of Appellate Jurisdiction**

1 However, on-going prejudice from the central district judge-Ottis D. Wright
2 II⁵⁸, multiple times-failed to recognize the action as an *alter ego* action-being the
3 movants own separate-lawful aspect of individuality *See Society for Propagation*
4 *of the Gospel in Foreign Parts V. Town of Pawlet* managing its action § 1654⁵⁹;
5 petitioner-lawful business personalitie(s) are define under **26 U.S.C. § 642 (c)**;
6 citizen of the State of Inc.-California. *See Marshall V. Baltimore & Ohio R. Co.*

7 Therefore, the originating court erred-failing to treat *Pro Se* litigants more
8 favorably than parties represented by lawyers, regarding the standard applied to
9 their pleadings. *Haines V. Kerner*, 404 U.S. 519, 520 (1972); providing more
10 latitude in their pleadings-not holding them to the rigid standards and formalities
11 impose to parties represented by counsel. *Estelle V. Gamble*, 429 U.S. 97, 106
12 (1976).

13

14 ⁵⁸**28 U.S.C. § 1343(a)** “The District Court shall have original jurisdiction of any civil
15 action authorized by law to be commenced by any person (3) to redress the deprivation,
16 under color of any State law, statute, ordinance, regulation, custom or usage, of any right,
privilege or immunity secured by the Constitution of the United States or by Any Act of
Congress providing for equal rights of citizens or of all persons within the jurisdiction of
the United States.” *See Chapman V. Houston Welfare Rights Organization*, 441 U.S.
600 (1979).

17 ⁵⁹Corporations Define under **26 U.S.C. 1361(b)(1)(B); § 542; 15 U.S.C. § 632(f)(1) &**

18 **15 U.S.C. § 681(a); 26 U.S.C. § 642 (C)**-Qualified disability trusts (ii) & **42 U.S.C. §**
19 **1396p**; partnership-*Starlight Communications* define under **§ 761(a)(1)**

20 ***§ 1396p(c)(2)(B)(iv):**

21 (iv) were transferred to a trust (including a trust described in subsection (d)(4))
22 established solely for the benefit of an individual under 65 years of age who is
disabled (as defined in section 1382c(a)(3) of this title).

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27 **in Aid of Appellate Jurisdiction**

CERTIFICATE OF COUNSEL

DECLARATION UNDER PENALTY OF PERJURY

I, Ricardo Jose Calderón López declare under penalty of perjury that the foregoing statements and information are true and correct to the best of my knowledge, information, and belief⁶⁰.

Date: January 7, 2020

Ricardo José Calderón López
Starlight Consulting Services
<http://www.seeworldwide.net>
Pro Se

⁶⁰28 U.S.C. § 1746. Unsworn declarations under penalty of perjury:

Wherever, under any law of the United States or under any rule, regulation, order, or requirement made pursuant to law, any matter is required or permitted to be supported, evidenced, established, or proved by the sworn declaration, verification, certificate, statement, oath, or affidavit, in writing of the person making the same (other than a deposition, or an oath of office, or an oath required to be taken before a specified official other than a notary public), such matter may, with like force and effect, be supported, evidenced, established, or proved by the unsworn declaration, certificate, verification, or statement, in writing of such person which is subscribed by him, as true under penalty of perjury, and dated, in substantially the following form:

(1) If executed without the United States: "I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date).

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