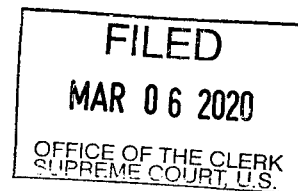


No. **19-7953**

ORIGINAL



IN THE
SUPREME COURT OF THE UNITED STATES

Arthur Lopez — PETITIONER
(Your Name)

Cheryl Lopez ^{vs.} — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

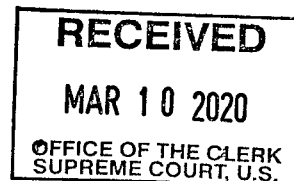
PETITION FOR WRIT OF CERTIORARI

Arthur Lopez
(Your Name)

P.O. Box 13081
(Address)

Newport Beach, Ca 92658
(City, State, Zip Code)

949-467-0937
(Phone Number)



QUESTION(S) PRESENTED

Question Presented

1.) Should a Male, Catholic-Christian Father with Mexican Heritage and U.S. Born Citizen and Resident status who, ~~has~~ with Doctor's and Surgeon Confirmed Permanent Injuries and Disabilities, has been qualified for waiver of Court filing fees be deemed eligible for waiver of costs for a Court hired reporter's Transcript in a 4yr. Parental Rights Deprivation Appeal Case?

2.) Should a Male Catholic-Christian Father with Mexican-Heritage and U.S. Born Citizen and Resident status who, ~~It~~ with Doctor's and Surgeon Confirmed Permanent Injuries and Disabilities, has been qualified for waiver of court filing fees be deemed eligible for waiver of ^{Additional} costs for a ^{Superior} Court suggested Reunification Program in a 4 year Parental Rights Deprivation Appeal Case?

1 Name: _____

2 Address: _____

4 Phone: _____

5 Fax: _____

6 In Pro Per

7
8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 CASE NUMBER: _____

11 _____
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28 _____

v.

Defendant(s).

(Enter document title in the space provided above)

Page Number

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

United States Supreme Court - Docket No. 19-7230
In re: Arthur Lopez [Cheryl Lopez] - Writ of Mandamus
Superior Court of California County of Orange - Case No. 16D001283
Arthur Lopez v. Cheryl Lopez

United States Supreme Court - Docket No. 19-6439
Arthur Lopez v. Mitsubishi UFG -
MUFG Union Bank, N.A., et al

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APPENDIX A	California Supreme Court October 9, 2019 Order Denying Petition For Review
APPENDIX B	California Court of Appeals 4 th District, 3 rd Div. June 28 th , 2019 Order Rejecting Request To Waive
APPENDIX C	Transcript Fees - additional Court Fees (Form FW-002) <i>Reunification fees</i>
APPENDIX D	Superior Court of California, County of Orange @ Lamoreaux Justice Family Law Center April 24 th 2019 Order Denying Request To Waive Reunification service/fee <i>Therapy</i>
APPENDIX E	Superior Court of California, County of Orange @ Lamoreaux Justice Center, Family Law May 21, 2019 Order Denying Fee Waiver for Reunification Service - Therapy (May 17 th , 2019 Hearing).
Appendix F	California Judicial Council Form FW 002 Request to Waive Additional Court Fees <i>Program</i> for Reunification Service/as Initially Suggested and Ordered By Judge Daphne Sykes Received + Rejected " " By California Court of Appeals May 31 st , 2019

Appendix F

Superior Court of California,
County of Orange @ Lamoreaux Justice
Center - Family Law April 17th, 2019
Minute Order Related To Discussions
Pertaining To THE Dismissal of Court of Appeal
Case # E057239 Before Judge Daphne Sykes ^(Involving Denial of Phone Contacts w/ Children)
Would ^{They} Suggest Reunification Program
at the 4/24/2019 Followup Hearing.

Appendix G

California Court of Appeal Dismissal
of Case # E057239 Following ^{4/17/19} Discussion
with Judge Daphne Sykes ^{consequently} ~~and~~ this being a
Prerequisite To Provide Superior Court
Jurisdiction To Further Consider Plaintiff
Having Phone Contact With His Four Minor
Children.

Appendix H

Superior Court of California, County of Orange
@ Lamoreaux Justice Center July 17th, 2019
Order Barring Any Form of Filings/Pleadings
under Case # 16D001283 with This Court.

Appendix I

California Family Code 3026 Text

Appendix J - Codes

J, K, L, M, N -
Case Law

Prohibiting Reunification Service(s)
From Being Ordered As A Part of a
Child Custody or Visitation Rights Proceeding

Appendix F

Superior Court of California,
County of Orange @ Lamoreaux Justice
Center Family Law April 17th, 2019
Minute Order Related To Discussions
Pertaining To THE Dismissal of Court of App.
Case # 6057239 Before Judge Daphne Dykes ^(Involving Denial of Phone Contacts with Minor Child)
Would ^{Then} Suggest Reunification Program
at the 4/24/2019 Followup Hearing.

Appendix G

California Court of Appeal Dismissal
of Case # 6057239 Following Discussion ^{4/17/19}
with Judge Daphne Dykes ^{conveyance} ~~in~~ this being a
Prerequisite To Provide Superior Court
Jurisdiction To Further Consider Plaintiff
Having Phone Contact with His Four Minor
Children.

Appendix H

Superior Court of California, County of Orange
@ Lamoreaux Justice Center July 17th, 2019
Order Barring Any Form of Filings/Pleading
under Case # 16D001283 with This Court.

Appendix I

California Family Code 3026 Text

Appendix J - Codes

J, K, L, M, N -
Case Law

Prohibiting Reunification Service(s)
From Being Ordered As A Part of a
Child Custody or Visitation Rights Proceeding,
iv(a)

Table of Authorities Cited

United States Supreme Court:

- 1) *Bodie v. Connecticut*, 401 U.S. 371, 91 S.Ct. 780, 28 L.Ed. 2d 113
- 2) *H.L.B. v. S.L.G.*, 519 U.S. 102 (1996)
- 3) *Griffin v. Illinois*, 351 U.S. 12 (1956), No. 95
- 4) *Draper v. Washington*, 372 U.S. 487 (1963)
- 5) *Estkridge v. Washington Prison Bd.*, 357 U.S. 214 (1958)
- 6) *Pierce v. Society of Sisters*, 268 U.S. 510
- 7) *Gaban v. Mohammed*, 441 U.S. 380
- 8) *Santosky v. Kramer*, 455 U.S. 745

Table of Authorities Cited

United States Court of Appeals :

9.) Lee v. Habib (D.C. Cir. 1970), 424 F.2d 891

.)

California Court of Appeals :

10.) Haglund v. Superior Court (Flores) (1982)

11.) Villa v. Superior Court (Michael) (1981)

12.) Seelsrin v. Superior Court, 123 Cal.2d 153

13.) Majors v. Superior Court of Alameda Co, 181 Cal.270, 276

14.) Roberts v. Superior Court, 264 Cal App.2d 235, 241

15.) Bank of America v. Superior Court, 255 Cal App 2d 575

16.) County of Butte v. Superior Court, 244 Cal App.2d 770, 775

California Supreme Court :

17.) Martin v. Superior Court, 168 P.135

18.) ~~James~~ Dana J. v. Superior Court of Los Angeles Co.
L.A. No. 29830 (1971)

19.) Ferguson v. Keys (1971) 4 Cal. 3d 649

20.) In re Baby Girl M., 37 Cal. 3D 65 (1984)
L.A. No. 31786

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 _____ to the petition and is

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

The opinion of the California Court of Appeals 4th Dist, 3rd Div court appears at Appendix B 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 _____.

☐ 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**:

The date on which the highest state court decided my case was October 9, 2019
A copy of that decision appears at Appendix A.

☐ 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 March 6, 2020 (date) on October 25, 2019 (date) in Application No. 19 A 454.

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

United States Constitution, 14th Amendment

Statement of the Case

Most honorable United States Supreme Court
This matter before the court stems from
the preconceived and premeditated State of
California and Superior Court / (a Court of
Appeals / Supreme Court scheme to
deprive the United States Constitutional
Civil Rights) under the 14th Amendment (and
others i.e. 5th, 4th, 1st, 6th) to Equal Protection
Under Law and Due Process Under Law
with the intent and Standard Practice of
providing a profuse bias in favor of the female-
gender parent on matters related to custody
of minor children to the detriment of the
same children and the Male Father.

Specifically to this case The deprivation
described above is carried out by the
court's refusal to remain impartial in
Divorce proceedings. First, the female
presiding judge influences Petitioner to
dismiss an already existing Court of Appeal
case (#G057239) during an April 17th, 2019 hearing
that related to the court's denial of phone contact @ minimum
by petitioner with his four minor children (requested on 1/16/19 @
the expiration of a Superior Court order barring contact for three
years with non-victim children of Plaintiff / Petitioner). The
Dismissal of the Appeal Case was required to allow

Appendix
F
4
G

Statement of the Case

the presiding judge - Daphne Sykes jurisdiction to further consider petitioner's January 16th, 2019 request to restore, at minimum, phone dialogue with his four minor children. As such Judge Daphne Sykes postponed further discussions on this topic to April 24, 2019 (one week later) to provide Arthur Lopez the opportunity to dismiss the Court of Appeals Case which he immediately executed the same day - see Appendix D. Having carried out the requirement described above Petitioner appeared before Dept L64 @ 8:30 on April 24, 2019 with Judge Daphne Sykes presiding @ which time following confirmation the Appeal Case (G057239) had been dismissed, proceeded to introduce the concept of a "Reunification Program" involving Petitioner, Respondent (Mother) and his four minor children and having never heard of this services - mechanics or costs skeptically agreed to participate but made clear from the onset the financial limitations that existed for petitioner (due to the permanent injuries and permanent disabilities confirmed by medical doctors and surgeon as presented repeatedly through the fee waiver processes). Soon after a mediator was summoned (who is a Knights of Columbus - Catholic Church Member known to Petitioner mostly by face recognition) and a Superior Court

Appendix 'C'

Appendix B

Appendix 'C'

Appendix 'D'

Statement of the Case

1 Stipulation and Order was drafted and signed
2 by the judge. During the drafting of said
3 order Petitioner was kept in the dark as
4 to the costs involved with said Reunification
5 service which was to be facilitated by
6 Miriam Galindo entirely only known to
7 the court and other parties' counsel
8 and the entire cost for said program
9 was demanded to be Petitioner's
10 exclusive burden despite having qualified
11 for court costs waiver of previous programs
12 and expert court representative (such as -
13 Phd Ameguita - who Petitioner ^{had} motioned to have
14 his involvement stricken from the record due to
15 omissions of relevant testimony from
16 Petitioner's oldest daughter @ trial that
17 explained Respondent was the initiating aggressor
18 during the events of 11/22/2015 and for which
19 a transcript excerpt was presented to him
20 during an interview in (approx) July 2016 which
21 he also omitted from the record so as to
22 create a false bias against petitioner).
23 Moreover, Petitioner has more recently
24 learned that Reunification Services are
25 actually barred from introduction in
26 Custody of Minor Children Proceedings by
27 way of California Family Code 3026 - see
28 Appendix J.

Appendix C

Appendix D

Statement of the Case

Family Code 3026 Clearly States:
"Family Reunification Services Shall Not be ordered as a part of a child custody or visitation rights proceeding." Despite this clear and unambiguous California Family Code effective since 1992, this Family Law Court @ Lamoreaux Justice Center has unlawfully bestowed not only the Reunification Program upon petitioner and his family but to make matters more unrealistic and unlawful has burdened the entire nearly Ten Thousand Dollar - \$10,000.00 cost as quoted by subsequent court appointed service provider (since Miriam Salendo dropped out of the process after petitioner Arthur Lopez miraculously was able to tender the \$1250.00 she had quoted but could not honor). The Service provider that quoted approximate 20 hr. program @ an hourly rate of \$400 approx. Dr Drozd was also replaced since petitioner advised the court it was unachievable to pay such enormous fee as an indigent and the court refused to impose any portion of this cost upon the female respondent and has repeatedly refused to grant a waiver of these additional costs despite appointing these service providers and more significantly these additional costs of litigating / processing these orders of the court

are subject to waiver for an in forma pauperis Plaintiff under California Rules of Court 3.61 and 3.62 (b). Rule 3.62 states: "The Additional Court fees and Costs that may be waived upon granting an Application include: (6) Other fees or expenses as itemized in the application. See Appendix 'E'. This Application submitted to the Superior Court is also the basis for the repeated request to the California Court of Appeals in addition to Waiver of Costs for the essential Court Reporter Transcripts for the purpose of a complete appellate review of Petitioner's Court of Appeal Case No. G057773 and G057649. In fact, Petitioner Arthur Lopez, on several occasions submitted, not only the Judicial Council Form Application for Waiver of the Reunification Program Fees, but also for the Transcript Costs in a Judicial Council Form Request on June 28, 2019. But both the requests were rejected in violation of California Government Code 68634.5 and California Rules of Court 985 (a). In fact, the clerk of the court (appellate and trial) must provide the necessary forms without charge to any person who indicates that he or she is unable to pay any court fee or cost - See Appendix 'G'. Petitioner was never provided any procedural requirements as to the Court of Appeals and was barred by Superior Court from any further filings on 7/17/19. See Appendix H

Appendix
F

Moreover, California Government Code
68511.3 has long provided the California
Courts and the Judicial Council the
Authority to not only provide uniform
forms and rules of court related to
litigants proceeding in forma pauperis.
This Govt. Code has clearly qualified litigant
receiving Food Program assistance for waiver
of initial filing fees and through Ca Rules
of Court 985 also provide for additional
court costs to also be waived as part
of the steps essential to maintaining a
civil action 985(i). Further authorized by
subsequent California Rules of Court, Rule 3.61
and 3.62, Appendix "G", "H".
Hence, the State Courts depriving Petitioner
Arthen Lopez of the essential appellate record
by way of depriving the waivers clearly
qualified for by other granted waivers by the
same courts under the existing indigent financial
circumstances amounts to nothing less than
a violation of U.S. Constitutional Rights under
the 14th Amendment But also draws serious
violations of law in every California Family Law,
Superior Court, Court of Appeals and Supreme
Court case were Made, Latino-Mexican Heritage,
Catholic-Christians and Minority/Non Minority Fathers
are being kept from not only the waiver of

costs to ensure fair judicial due Process
and Equal Protection Under Law but
also the inherent right to Parent their
very own children, see U.S. Supreme Court
M.L.B. v. S.L.J., 519 U.S. 102 (1996) and
Boddie v. Connecticut, 401, U.S. 371 (1971).

Please note California Rules of Court apply
to all State of California courts and
as such the Appellate Courts standard practice
of creating confusion to non attorney represented
litigants is nothing less than an
obstruction of justice and since the
collaborated effort/Conspiracy to deprive
litigants/Petitioners of their/his Constitutional
Civil Rights is criminal and actionable under
United States Title 18 §§ 241 + 242.

Petitioner moves this court to hold those
responsible for the harm imposed upon petitioner
and his four minor children by prosecution
as Petitioner respectfully seeks to
press Charges against every guilty party.
Petitioner also moves this court to
accept the unambiguous evidence here in submitted
as grounds sufficient to restore Petitioners Parental
Rights and U.S. Constitutional Civil Rights including
those afforded under the 14th amended and moreover
impose an Emergency Injunctive Relief Order against
the State of California and all of Its courts

1 from further depriving its residents from
2 their U.S. Constitutional Civil Rights and
3 all Federal Protections applicable in matters
4 of Judicial / Parental nature.

5 Furthermore, Petitioner seeks to nullify
6 all previous orders issued by California
7 Courts on these denial of fee waivers for
8 transcripts, copies, Reunification Services
9 etc. Furthermore, the order(s) requiring
10 Reunification Services / Program should also
11 be nullified as they are UnConstitutional
12 and Unlawful by California Family Code 3026.
13

14 Moreover, Petitioner humbly requests all
15 items petitioned through this Petition be
16 granted and clear authority to establish unity
17 with his four minor children as soon as
18 possible without interference or obstruction from
19 the State.
20

21 This court should also be made aware that
22 under California Govt. Code 68651 Plaintiff / Petitioner
23 is eligible for legal Counsel being a low-income
24 party in a civil matter involving critical
25 issues affecting human needs. However, Plaintiff
26 was also deprived this request despite making bias
27 counsel available for ex-spouse through the minor children
28 who often spoke on her behalf through ^{and at} court appearances.

To reiterate, Petitioner has repeatedly sought relief as an indigent Plaintiff receiving Social Services Food Allowance of \$194 monthly (SNAP) and \$326 General Assistance Monthly. These relief requests have been presented to both the Superior Family Law Court and the Ca Court of Appeals for waiver of the unlawfully ordered reunification Program which is not allowed in Custody Family matters per code described above, and also for the essential Transcripts that would reflect Judge Daphne Sykes introducing /volunteering this reunification service/program from the onset on April 24th, 2019 and in subsequent hearings. Moreover, Plaintiff has not been allowed to even make phone contact with his four lovely minor children for over four years. These issues are detailed in U.S. Supreme Court Docket No 19-7230 Writ of Mandamus. Please take judicial notice to this and other related cases such as U.S. Supreme Court Docket No. 19-6439 and U.S. Court of Appeals Case No 20- Arthur Lopez v Ca Court of Appeals and Arthur Lopez v Superior Court of California Case No 19-56270. ^{CAV18-0835 VBSF}

Additionally, Please see the attached Points of Authority which provide an abundance of United States Supreme Court Decisions in support of Petitioner's Waiver of additional

Costs in this Civil Parental Rights deprivation, 14th Amend.
case involving four minor children and the
disruption of family unity?

M.L.B. v S.L.G. 519 U.S. 102 (1996)

... Parental rights could not be terminated on
the basis that petitioner was unable to pay
court fees. In this case the court reporter
was hired by the trial court to provide court
reporter service. The Court held: just as indigent
petty offenders may not be blocked by the State to
an appeal afforded others, so Mississippi may not
deny petitioner because of her poverty appellate review.

Also, see Boddie v. Connecticut, 401 U.S. 371
which related to a class action case involving
petitioners seeking to be divorced. The Supreme Court
held that given marriage relationships in this
society of hierarchy of values and the concomitant
state monopolization of the means for legally
dissolving this relationship, due process did prohibit
a state from denying solely because of inability to
pay. In the matter of Arthur Lopez he and
his children continue to be isolated due to
the exorbitant Reunification and Transcript fees
and as such should be removed as an impasse
to Family Unity as provided in Parental Rights
and Equal Protection - Due Process Under Law
through the 14th Amendment.

Petitioner is including Table of Authorities from

1 the State Courts and Appellate Courts
2 in D.C. as well here in all of which
3 give clear support for waiver of fees when
4 an impasse to due process exists such as
5 Villa v. Superior Court (Michalee) (1981) see
6 (Appendix 'L') - "California Rules of Court,
7 985(i) encompasses any fee which an indigent
8 must pay in order to take any step which is
9 essential to initiating or maintaining a civil
10 action," for waiver.

11 See also Appendix N, Dana J. minor v.
12 Superior Court of Los Angeles County
13 L. A. 29830, May 14, 1971

14 "Petitioner was entitled to free transcript
15 of the juvenile proceedings without regard
16 to his parents' financial status" held
17 by the California Supreme Court.
18
19
20
21
22
23
24
25
26

27 Following is a list of cases as to be cited in Petition:
28

Table of Authorities Cited

United States Supreme Court:

- 1) *Bodie v. Connecticut*, 401 U.S. 371, 91 S.Ct. 780, 28 L.Ed. 2d 113
- 2) *H.L.B. v. S.L.G.*, 519 U.S. 102 (1996)
- 3) *Griffin v. Illinois*, 351 U.S. 12 (1956), No. 95
- 4) *Draper v. Washington*, 372 U.S. 487 (1963)
- 5) *Estkridge v. Washington Prison Bd.*, 357 U.S. 214 (1958)
- 6) *Pierce v. Society of Sisters*, 268 U.S. 510
- 7) *Gaban v. Mohammed*, 441 U.S. 380
- 8) *Santosky v. Kramer*, 455 U.S. 745

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12.) Seelsrin v. Superior Court, 123 Cal.2d 153

13.) Majors v. Superior Court of Alameda Co., 181 Cal.2d 270, 276

14.) Roberts v. Superior Court, 264 Cal App.2d 235, 241

15.) Bank of America v. Superior Court, 255 Cal App.2d 575

16.) County of Butte v. Superior Court, 244 Cal App.2d 770, 775

California Supreme Court :

17.) Martin v. Superior Court, 168 P.135

18.) In re Dana J. v. Superior Court of Los Angeles Co.
L.A. No. 29830 (1971)

19.) Ferguson v. Keys (1971) 4 Cal. 3d 649

20.) In re Baby Girl M., 37 Cal. 3d 65 (1984)
L.A. No. 31786

Petitioner, Arthur Lopez humbly and Respectfully requests that
For all these reasons and many more
Petition for writ of Certiorari should
be granted.

Respectfully submitted,

March 6, 2020

Arthur Lopez
Arthur Lopez

REASONS FOR GRANTING THE PETITION

Reason for Granting This Humble Petition is Among Many for Humanitarian Basis To Restore Not Only the Integrity To Our Judicial Processes in the State of California through Rule of Law, U.S. Constitutional Law included and as such Restore The Equality of Parental Rights for Mothers and Fathers. This Court may Reiterate, Lack of Financial Resources does not invalidate Due Process, Parental and Protection Equally Under Law.

God Bless Our United States of America.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Arthur Lopez

Date: March 6, 2020