

No. 19-8441

ORIGINAL

Supreme Court, U.S.
FILED
APR 17 2020
OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

Richard John Vieira, — PETITIONER
(Your Name)

vs.

People of State of California — RESPONDENT(S)
et. al.

ON PETITION FOR A WRIT OF CERTIORARI TO

California Supreme Court. No. S260076
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Richard John Vieira (H-31000)
(Your Name) proceeding pro se.

San Quentin State Prison
(Address)

San Quentin, CA. 94974
(City, State, Zip Code)

None Applicable
(Phone Number)

CAPITAL CASE

DEATH PENALTY CASE

QUESTION(S) PRESENTED

* * CAPITAL CASE * *

1. California's Constitution (Art. VI. §14) clarifies A COMMAND upon the Judicial Branch as follows:

"Decisions of the Supreme Court and courts of appeal that determine cases SHALL be in writing with reasons stated."

The Oath to obtain Vested Authority of a Judge is founded upon "oath" to perform ALL duties incumbant upon the Constitution and Laws.

- (a) What Statute or Authority does the California Supreme Court Judges HAVE to violate, ignore and disobey the Absolute Commands in the State's and United States Constitutions and Laws? (As was done in this case).
2. California's Constitution (Art. V. §13) clarifies, The Attorney General to be the Chief Law Officer "in charge" to enforce the laws, to obey and uphold ALL the Laws, and to ensure All the Laws are being equally enforced-adequately applied. It IS the Attorney Generals Duty to Prosecute Violators of the Laws.
 - (a) Is it A Crime-Violation of Law and Constitutional Rights when Judges ignore, disobey and violate the Mandatory Commands in the Constitution and Laws of the State and United States They Swore an Oath to Obey and Uphold?
 - (b) Does the Attorney General Have Discretion to disobey, ignore Their Duty to Prosecute, and allow criminal violations against the Constitution and Laws to go "unprosecuted and uncorrected" because the Violators are State Judges? Or is the Attorney General Bound by Law and Duty of Vested Authority to correct and prosecute?

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:

California Governor
Gavin Newsom
Office of Legal Affairs
State Capitol, 1st. Floor
Sacramento, CA. 95814

California Attorney General
Xavier Becerra
1300 I Street, suite 125
Sacramento, CA. 94244-2550

RELATED CASES

1. In the matter of Richard John Vieira on Habeas Corpus in and for the Stanislaus County Superior Court. Case No. CRHC-15-005643.
2. Richard John Vieira v. Ron Davis on Appeal in the Ninth Circuit. Case No. 15-99003. (See APPENDIX E).

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- APPENDIX A ORDER by the California Supreme Court Denying Petition for Review on (February 19, 2020) Case No. S260076.
- APPENDIX B ORDER by the California Supreme Court Rejecting Motion for Rehearing-Reconsideration on (February 27, 2020),
- APPENDIX C Decisions by the California Court of Appeals Fifth District ORDERS 1, 2, 3, Case No. F079990.
- APPENDIX D Decisions by the Stanislaus County Superior Court Orders 1, 2, 3, Case No. CRHC-19-003296.
- APPENDIX E Corrected Order by the Ninth Circuit Court of Appeals dated October 10, 2019, Case No. 15-99003, supporting claims.
- APPENDIX F Ninth Circuit Order in (Baca v. Adams) Case No. 13-56132 certifying Petitioner's Claims, Crimes by State Government Agents as a "pattern of practice". **NO CORRECTIONS MADE.**
- APPENDIX G Legal Notice to Executive Branch Officers, Governor Gavin Newsom, and Attorney General Xavier Becerra, pur. to 18 U S C §04.

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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:** N.A.

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

- reported at _____ N.A. _____; 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 NA to the petition and is

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

The opinion of the California Court of Appeals Fifth District court appears at Appendix C to the petition and is

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

JURISDICTION

For cases from **federal courts**: - N.A.

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 Feb. 19, 2020.
A copy of that decision appears at Appendix A.

A timely petition for rehearing was thereafter denied on the following date: February 27, 2020, and a copy of the order denying rehearing appears at Appendix B.

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

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

Petitioner seeks this Court's Original Jurisdiction under Article III of the United States Constitution, pursuant to U.S. Supreme Court Rule 17. Granting this Petition under Original Jurisdiction - Authority WILL Aid this Court's Appellate jurisdiction as well as ALL of the U.S. Courts in California.

JURISDICTION cont.

Petitioner's claims presented here have been fully presented pursuant to United States Criminal Statute (Title 18 U.S.C. §04), And EXHAUSTED in this State's Superior Court (see APPENDIX D), the California Court of Appeals (APPENDIX C) and the California Supreme Court (APPENDIX A, B). The Final Decision by the State's Highest Court was on February 19, 2020, "THIS PETITION IS TIMELY".

Petitioner seeks this Court's Original Jurisdiction. This Petition presents undisputable facts, supported with evidence that California's Government Agents in the Judicial Branch and Executive Branch violate, disobey and ignore the Absolute Commands in this State's and United States Constitutions and Laws to execute U.S. Citizens. It is also presented They All ignore the Duties Vested upon Them by Oath to obey, uphold and enforce the commands in the Constitution and Laws.

These "crimes" are "supported" by California's Chief Executive Officer Governor Gavin Newsom and Attorney General Xavier Becerra-et. al. Deputies, Who are specifically charged with "Law Enforcement". These crimes are committed in the prosecution of criminal cases, especially capital cases, and continue to "Maintain" convictions of U.S. Citizens charged with capital crimes.

Petitioner "Attempted" to obtain Relief and Corrections of these violations in His case from both the California Supreme Court presenting the Court's erroneous ruling in violation of the Constitution's Command, (Appendix A, B), and also with The State's Governor and Attorney General - Reporting Criminal Acts against the Constitution and Laws, "prior" to Petitioning this Court now (see APPENDIX G). To this date, No Government Agent Vested with Duties to correct has taken any action to investigate, correct or prosecute these crimes committed.

California argues in their litigation in the U.S. Courts, That the U.S. Courts are to presume the State Court's Rulings are correct. California's Supreme Court relies upon the State's Attorney General, et. al. Deputies to present this argu-

ment to successfully uphold and preserve the California Supreme Court's Judgments that provide "No Reasoning" in violation of the State's Constitution, Due Process of Law. This places a great burden upon Defendants, Attorneys and the U.S. Courts.

GRANTING this Petition for Certiorari and creating the supreme precedent correcting the failures of California's Government Agents in the Judicial and Executive Branches will AID the U.S. Courts Appellate Jurisdiction throughout the State of California, as well as the State's Own State Courts that determine criminal cases.

California Receives it's Vested Authority by "Treaty" with the United States, Clarifying "The United States Constitution and Laws ARE the Supreme Law of the Land" and "ALL Judges are bound thereto". California's Supreme Court Judges and California's Executive Branch Chief Officers ARE VIOLATING the absolute commands in the Constitution and Laws of California and The United States which They Have NO AUTHORITY to do, They are in violation of the Treaty of the United States by abuse of their vested authority, "executing U.S. Citizens."

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

United States Const. Art. VI. §3:

The Senators and Representatives before mentioned, and the Members of the several State Legislators, and ALL Executive and Judicial Officers, both of the United States and of the several states SHALL be Bound by Oath of Affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any Office or public trust under the United States.

Title 28 U.S.C. §453: Oath of Judges.

"I --, do solemnly swear (or Affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbant upon Me as _____ under the Constitution and Laws of the United States, So Help Me God."

California Constitution Art. V. §13:

Subject to the Powers and Duties of the Governor, The Attorney General shall be the Chief Law Officer of the State. It SHALL be the Duty of the Attorney General to see that the Laws of the State are uniformly and adequately enforced. The Attorney General shall have direct supervision over every district attorney and sheriff and over such other law enforcement officers as may be designated by law, in all matters pertaining to the duties of their respective offices, and may require any of said officers to make reports concerning the investigation, detection, prosecution, and punishment of crimes in their respective jurisdictions as to the Attorney General may seem advisable. Whenever in the opinion of the Attorney General any law of the State is not being adequately enforced in any county, it SHALL be the Duty of the Attorney General to prosecute the violations of law of which the Superior Court shall have jurisdiction, and in such cases the Attorney General shall have all the powers of a district attorney. When required by the public interest or directed by the Governor, the Attorney General shall assist any district attorney in the discharge of the duties of that office.

California Constitution Art. VI. §14:

Decisions of the Supreme Court and courts of appeal that determine causes SHALL be in writing with reasons stated.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

United States Const. Art. IV. §2:

The Constitution, and Laws of the United States which shall be made in pursuance thereof, and ALL Treaties Made, or shall be made, under the Authority of the United States, Shall be the Supreme Law of the Land, And The Judges in Every State shall be bound thereto. ANYTHING in the Constitution or Laws of Any State to the contrary- Notwithstanding.

United States Const. Amend. XIV:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States. Nor shall Any State deprive any person of Life, Liberty or property without Due Process of Law, Nor Denied to any person within its jurisdiction the Equal Protections of Law.

United States Const. Art. I. §1:

All Legislative Powers herein granted shall be Vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

United States Const. Art. I. §9 cl. 2:

The privilege of the Writ of Habeas Corpus Shall NOT be Suspended unless when in cases of rebellion or invasion the public safety may require it.

California Const. Art. III. §1:

The State of California is an inseparable part of the United States of America, and the United States Constitution IS THE SUPREME LAW OF The Land.

California Const. Art. I. §7:

(a) A Person may not be deprived of Life, Liberty of property with- out due process of law or denied equal protections of the laws;

(b) A Citizen or Class of Citizens may not be granted privileges or immunities not granted on the same terms to All Citizens.

California Const. Art. IV. §1:

The Legislative Power of this State is Vested in the California Legislature which consists of the Senate and Assembly, but the People reserve to themselves the Power to initiative and referendum.

California Const. Art. I. §11:

Habeas Corpus MAY NOT be Suspended unless required by public safety in cases of rebellion or invasion.

STATEMENT OF THE CASE

This Petition is made in good faith as this Case is related to a Capital Case-Conviction which was obtained by the actual violations of criminal statutes by the State's Government Agents, and this illegal conviction has been maintained by the actual violations of this State's and United States Criminal Statutes and Constitutional Mandatory Directives. All violating Petitioner's Constitutionally Guaranteed Rights by Government Agents Acting Under the Color of Law. (U.S. Criminal Statute Title 18 U.S.C. §§241 and 242).

Petitioner Reported actual violations of criminal statutes which were committed with intent to commit first degree murder, and are still "ongoing" at this time. These Crimes "were" and "are" Reported pursuant to Statutory Command, (U.S. Criminal Statute, Title 18 U.S.C. §04) As Required by Law.

This Petition is supported with a brief statement of the Case, Statement of Facts, and Legal Argument with the Mandatory Authoritative Directives in this State's and United States Statutes, Constitutions, and even the Rules of Court as well as undisputable evidence to support every allegation to support the Relief Petitioner is requesting and entitled to as a matter of law.

Statement of Case:

Petitioner was arrested and charged with four counts of first degree murder and one count of conspiracy to commit murder on May 23, 1990. FIVE Other People were charged with Me - "The Same Crimes". One of these People was Named Michelle Evans. Michelle Evans was an employee for the County's Law Enforcement Agents- "prior to", "at the time of" and "after these crimes were committed".

Petitioner was first represented by Attorney John Grisez of the Law Offices of Grisez, Orenstein and Hertle. Then, John Grisez turned over My Case to Mary Ellen Hertle. Durring the preliminary proceedings Appointed Counsel's Office conflicted out of My Case-Representation. Due to the number of Other Persons

charged with Me, there were No Other Public Defenders available in the County prosecuting Me. So, the Court selected My New Counsel Paul Ligda out of Solano County, Vallejo, California.

Attorney Paul Ligda had only been My Attorney for about "Eight Months" before He rushed My Case to Trial before any of My Other Codefendants as well as separately from My Codefendants. Mr. Ligda perfected basically NO investigation or even competent review of all the records and evidence gathered by law enforcement for the Prosecution.

The Prosecuting Attorney James C. Brazzelton utilized evidence which was obtained through invalid-illegal search and arrest warrants, as well as withheld and suborned others to withhold the following facts, (i) That Michelle Evans was an employee- as a confidential informant and an agent to help set up controlled drug buys for the County's Law Enforcement Agents; (ii) Michelle Evans and the Lead Detective "Gary Deckard" investigating these crimes were in a sexual relationship "prior to", "at the time of" and continued after these crimes were committed; (iii) It was also withheld that Michelle Evans admitted that it was "She" who killed the victim She testified Petitioner told Her He had killed. This is-was recorded by Law Enforcement, and reported by several other witnesses who came forward after Petitioner's Trial and Conviction. The Records certify that Michelle Evans was armed with a knife, and the State's forensic evidence-reports supports that the State's Employee-Detective's Lover actually killed the victim the State alleged Petitioner had killed. The State's Coroner and Witness William S. Ernoehazy reported His actual findings in His written autopsy reports; (1) that the victim Emmie Paris was killed by a "Left-Handed" person, with a knife too small to be the one Petitioner was alleged to have, (eg. a K-Bar knife). Petitioner IS Right-Handed, whereas Michelle Evans

IS "Left-Handed" and possessed a knife small enough to create the mortal wounds to the victim charged to Petitioner.

However, durring Petitioner's trial, The Coroner "changed" His findings in testimony only, by testifying the victim was now killed by a "right-handed person" and with a knife like the one alleged to be possessed by Petitioner. This was deliberate perjury to assist the Prosecution, The Detective Gary Deckard and His Lover Michelle Evans. Michelle Evans was the Star Witness for the Prosecution and was essencial to secure any convictions. Petitioner's conviction and sentence are founded upon the criminal violations of laws by the County's Law Enforcement Agents who conspired with one of the killers who was also "Their Employee" and Informant.

Petitioner's entire trial lasted a little over two weeks. Petitioner was found guilty on all charges on September 13, 1991; The Jury imposed a Sentence of Death on All counts but one on or about September 20, 1991. The Trial Court Judge imposed Petitioner's sentence on March 30, 1992. Because this IS a capital case-conviction the "Notice of Appeal was Automatic", and Petitioner's Appeal of the sentence and judgment were "Docketed for Appeal" on April 9, 1992 (Case No. S026040).

Statement of Facts:

In this present case, There was NO Certified Record transferred to the California Supreme Court to docket this case for any appeal or for the appointment of counsel. Attorney Richard L. Rubin was appointed by the California Supreme Court for the Direct Appeal and related Habeas Corpus proceedings on November 29, 1995. Appointed Counsel served notice to the California Supreme Court that there was "NO Certified Record" possessed or preserved in this case to proceed with any Direct Appeal. After much reconstruction and stipulated

agreements an "inaccurate, incomplete" record was "certified" to the California Supreme Court on August 6, 1999. The Direct Appeal was Filed on April 16, 2001 and the Judgment and Sentences were Affirmed on March 7, 2005. (People v. Richard John Vieira, (2005) 35 Cal.4th. 264).

On or about July 25, 2005, Appellate Counsel Filed a Motion to withdraw as Appellate Counsel. On August 10, 2005, The California Supreme Court appointed Attorney Wesley A. Van Winkle for the State Habeas Corpus proceedings (No. S147688), with A Directive to File a Petition for Certiorari to the U.S. Supreme Court First, which was filed on August 23, 2005, and Denied Review on October 31, 2005 (No. 05-6075).

On February 10, 2006, The U.S. District Court "appointed" State Attorney Wesley A. Van Winkle as interim Counsel until second counsel could be located. On March 15, 2006, Counsel Timothy Foley from the Federal Public Defenders Office was appointed as "cocounsel" for Wesley A. Van Winkle for the Federal Proceedings.

On October 29, 2006; State Attorney Wesley Van Winkle Filed Petitioner's Federal Habeas Corpus, then on October 31, 2006 Wesley Van Winkle Filed the State Habeas Corpus. The State Habeas Corpus was Denied on June 24, 2009, Denying almost ALL Claims as either procedurally or untimely defaulted. Then on September 28, 2012, Federal Defender Timothy Foley withdrew from Petitioner's Case. Upon Timothy Foley's withdrawal, Attorney Joseph Schlesinger took over until the Office Appointed Attorney Lissa Joy Gardner on November 27, 2012. On August 1, 2014, Appointed Counsel Lissa Joy Gardner noticed Petitioner that the Office of the Federal Defender was "just now" receiving Petitioner's Records so She could represent and advise Petitioner. From the Years (2006 to 2014) the Office of the Federal Defender Appointed by the U.S. Court had No Records

to competently represent Petitioner in any capacity. My Federal Habeas Corpus was denied on February 5, 2015. On July 20, 2016, State Attorney Wesley Van Winkle Filed a "Second State Habeas Corpus" in the California Supreme Court, raising some of the issues herein, and on July 24, 2017 Wesley Van Winkle Filed Petitioner's Appeal to the Ninth Circuit Court of Appeals (Appendix E).

Pursuant to Voters Initiative (Proposition 66), Petitioner Filed a pro se Habeas Corpus to the Stanislaus County Superior Court on March 26, 2019. Petitioner raised undisputable facts supported with evidence that, (i) Petitioner was sentenced to death while the Sentencing Judge, Prosecutor and Petitioner's Trial Counsel ALL failed to possess and preserve a trial court record which was certified as complete and accurate as directed by (Cal. Rules of Court: Rule 8.619(c)7, (g) - "with Declaration", prior to sentencing Petitioner and forwarding the records to the California Supreme Court. Even after Petitioner's Appellate Counsel noticed the California Supreme Court that Petitioner's trial records did not exist in accordance with law and Rules of Court, Rule 8.619(a)-(i). It took Appellate Counsel another "four years", (Seven total after sentencing) to construct a record for the Direct Appeal ONLY, "Habeas Corpus was SUSPENDED", and even then, the Record was falsely certified as complete and accurate under penalty of perjury, This IS a violation of criminal statutes, not mere errors or misconduct.

(ii) Petitioner presented Facts with evidence that Appellate Counsel was incompetent by not raising All of the meritorious issues challenging Petitioner's conviction. Which Counsel Wesley Van Winkle admitted to in writing, that He could not perfect due to the "Lack of resources". Petitioner's "poverty" should not be an excuse not to raise ALL of the issues which would-could invalidate Petitioner's conviction, especially in light of the issues presented

herein about the County's Agents-Informant. However, Petitioner submits that, Any Counsel who would agree to enter into a "financial contract" with the California Supreme Court to "obey" and "perform their representation" under the terms and directives of the California Supreme Court's Policies, "California Supreme Court's Policies Regarding Cases Arrising from Judgments of Death", are incompetent, and act in conflict with the ir appointed clients constitutional rights. Petitioner clarifies this subject more in presented fact (iii). However now, Petitioner submits that Appointed Counsel Wesley Van Winkle has violated the Rules of Court and Petitioner's constitutional Rights by not withdrawing from Petitioner's Case after the State's Review was completed. Attorney Wesley Van Winkle has been appointed and represented Petitioner for the "State" review and continued all through the Federal Review up to this date in the Ninth Circuit Court of Appeals. Petitioner never signed any waiver or authorized Attorney Wesley Van Winkle to represent Petitioner in the State and Federal proceedings both and continues to this day. Attorney Wesley Van Winkle never "advised" or "informed" Petitioner of the pros and cons of Counsel's continued representation. There is NO excuse or grant of authority for appointed attorneys to violate the Rules of Court or their clients constitutional rights. This clearly raises a Claim of Ineffective Assistance of Appellate Counsel, as well as a Conflict of Interest with appointed Counsel. The Records and Evidence presented to the Honorable Scott T. Steffen in Petitioner's pro se Habeas Corpus certify that Petitioner has presented numerous complaints to the California Supreme Court to "raise" a conflict of interest with appointed counsel, as well as I.A.C. Claims, a complaint with the State Bar and a 42 §1983 Complaint against appointed counsel Wesley Van Winkle. The California Supreme Court PROHIBITS Any Filings presented by pro se Petitioner's who wish to raise I.A.C. or

a Conflict of Interest with the Court's Appointed Counsel. The Evidence IS in the Records. Now reviewing the Facts, Attorney wesley Van Winkle files a "Second - Successive" Habeas Corpus in the California Supreme Court (24 Years) after Petitioner's Conviction. Raising meritorous issues about the Lead Detective and Petitioner's codefendant in a sexual relationship. "What excuse" can Counsel argue to justify the "delay", or Not Raising these claims in the First Habeas Corpus, or even "prior" to the Direct Appeal. Counsel certainly cannot raise ineffective assistance against Himself, And Petitioner's claims of I.A.C. and a Conflict of Interest have all been bared.

(iii) Petitioner submitted undisputable facts with evidence that the California Supreme Court (Judicial Branch) utilized Their Vested Authority to VIO-LATE California's Constitution by promulgating the "Policies Regarding Cases Arrising from Judgments of Death". This is an undisputable fact and clarified by Professors of Law and Constitutional Mandate. The Court's Policies certify the Court's position and Directive to Appointed Counsel to "Suspend the Habeas Corpus" and to construct the trial court's records in order to certify them for the appeal only, not with a habeas corpus. The California Supreme Court is certified to be a biased and prejudicial tribunal, due to the "Fact" the Court must provide favorable rulings to the Prosecution or be subjected to Removal from the Bench. (See Petitioner's Exhibits C.1 through C.4) in the Original Complaint-Petition. The evidence and allegations are certified by the recorded process which occurred from 1986 to present and the promulgation of the Court's Unconstitutional Policies. The State's Executive Branch-Attorney General, et.al. Deputies extorted with threats that the Court provide "favorable rulings" towards their convictions or non-complying judges will be removed from the bench. (See APPENDIX F) Our State Judges support the Prosecutions perjury, crimes.

At this point, the entire legal system is corrupted and invalidates this State's Constitution by destroying the Separation of the "Three Individual Branches of Government".

The actual facts which are certified with evidence and the Authoritative Directives in the Constitution is, The California Supreme Court knowingly violated the State's Constitution to promulgate, publish and enforce "Policies Regarding Cases Arrising from Judgments of Death". These Policies suspend the Habeas Corpus, create years of delays and defaults, and the Court will only appoint Attorneys who are willing to enter into a financial contract with the Court to obey the Directives of the Court's Policies. In this present case, this created a "Thirteen Year Delay" in the filing of Petitioner's First Habeas Corpus, providing the California Supreme Court the reasoning to DENY ALL CLAIMS in the Habeas as either procedurally or untimely defaulted. (see the Court's Order on file in the records), which also clearly violates the Constitution's Directive for not clarifying any reasoning as required by law.

Clearly the California Supreme Court has consumated it's obligation to Affirm Cases-Deny Relief and provide favorable rulings to the Executive Branch. Which is why the Attorney General et. al. Deputies are not objecting to any of the Court's Violations of the Laws and Constitutional Directives. ALL FACTS were submitted to the Honorable Stanislaus County Superior Court, The California Court of Appeals and the California Supreme Court.

Petitioner submits that the Honorable Scott T. Steffen's reasoning for dismissing Petitioner's Habeas Corpus and ignoring all of the violations of the laws described herein was due to Him being impartial and prejudice against Petitioner, because Petitioner is a capitally sentenced prisoner proceeding pro se.

Petitioner submits this allegation for the following reasons.

The Honorable Scott T. Steffen intentionally mistated the facts as they were presented to Him, eg. statting, "Petitioner only alleged that the Lead Detective Gary Deckard was having a sexual relationship with a witness. "NO"! Petitioner clearly and concisely presented the fatcs to the Judge as I have presented them to this Honorable Court now.

The Honorable Scott. T. Steffen also ruled that Petitioner's allegations about the trial court records are unfounded because it seems unlikely that the Supreme Court would have entertained a review of the judgment against Petitioner if it did not have an adequate record. Clearly a complete and accurate trial court record as prescribed by law is no longer a matter of law, Nor did it matter that perjury was committed "twice" to falsely certify the trial court records as complete and accurate; (i) prior to sentencing Petitioner and forwarding the Records to the California Supreme Court and (ii) again after the California Supreme Court appointed Appellate Counsel three and a half years later after sentencing. (In that time ALL Due Process and a Habeas Corpus was suspended).

Judge Scott T. Steffen also relied upon Petitioner's Appointed Counsel's First Habeas Corpus to the California Supreme Court, in spite of the FACT Appointed Counsel admits "He did not Raise All the Issues", or that the California Supreme Court's ORDER Denying that Petition was an unconstitutional Order with NO clarification which IS required by Constitutional Directive. Judge Scott T. Steffen also alleges, Petitioner could have raised a claim about the records in that habeas corpus as well as a Claim of I.A.C. against Counsel then too. So Petitioner cannot raise any such claims now. However, The Records certify that Petitioner DID attempt to present-file multiple claims of I.A.C. and a Conflict of Interest with Appointed Counsel with the California Supreme Court.

ALL of these filings were Rejected by the Court with NO Review or Rulings. The California Supreme Court PROHIBITS any and all Motions presented by pro se Appellants that present claims of I.A.C. or a Conflict of Interest with Appointed Counsel, "if" That Appointed Counsel is appointed under the financial contract of the Court's Policies. All of these Facts were presented to Judge Scott T. Steffen with copies of the Rejected Filings-Orders.

Petitioner also submitted to the Honorable Scott T. Steffen that Petitioner FILED a Habeas Corpus to the California Supreme Court raising a claim with the Court's Appellate Review Process under the Policies Regarding Cases Arising from Judgments of Death. The Court FILED this Petition on May 16, 2011 (Case No. S193257). Then, One Year later, on June 18, 2012, the California Supreme Court struck this pleading alleging the petition was "filed in error". NO Other explanation or clarification was provided as required by Constitutional Mandate.

Now Review the Honorable Scott T. Steffen's core foundation for Not granting Petitioner Any Relief or even an Evidentiary Hearing, (See APPENDIX D):

Petitioner asserts that the judgment was based on evidence never presented to the defense, Petitioner's petition appears to be untimely. He was convicted in 1991, more than 25 years ago. He does not provide a basis for the delay in bringing this matter before the court. Nor is it likely that he can explain any delay.

It has long been required that a petitioner explain and justify any significant delay in seeking habeas corpus relief.

Petitioner fails to explain the delay in pursuing this claim. Moreover, it is unlikely that he can overcome this defect.

(Order Dismissing Habeas Corpus on April 8, 2019).

The Honorable Scott T. Steffen's own Order acknowledges, Petitioner alleged the Facts were NEVER disclosed to the Defense! As required by Law and Vested Authority. Any delays at this point must be attributed to the State-Attorney General- et.al. Deputies as Case Law, Statutes and Oath of Vested Authority commands the production of this evidence.

The California Supreme Court "promulgated" an illegal-unconstitutional appellate review process for "Capital Defendants Only", which suspends the right to Habeas Corpus, And Directs All of Their Appointed Counsel with an employment contract to "obey" The Court's Directives and not raise any Habeas Claims until "after" the Direct Appeal is filed. This created a "Thirteen Year Delay" in the Filing of Petitioner's First Habeas Corpus. At this point, All Habeas Claims are subjected to forfeiture, procedural and or untimeliness defaults, and "Petitioner" suffers the consequences,

As Petitioner presented here, Petitioner presented all of these facts to the Honorable Scott T. Steffen, that the State's Supreme Court created Policies to suspend the Habeas Corpus, Delays were beyond any control or fault of Petitioner's, Petitioner responded to the Honorable Scott T. Steffen's Order of Dismissal with a "Motion for Review of Erroneous Ruling"; presenting the FACTS, (i) The California Supreme Court BARRED all of Petitioner's pro se Motions raising a Conflict of Interest and I.A.C Claims Against the Court's Appointed Counsel, as well as submitted facts of the State's Policies to suspend the Habeas Corpus. The Orders mentioned are on File in the Habeas Corpus and Motion for Review), and (ii) Petitioner also presented A Copy of an Amici Curiae Brief created by A Team of Legal Experts in Law. Which clarifies, it is the "State's Process" that creates the long delays in Capital Cases, [See Exhibit 1 in Motion for Review, (Amici Curiae Filed to the Ninth Circuit, No. 14-56373).

Petitioner has explained and justified any alleged delays in presenting these claims to the Court now, Petitioner has been barred All Access to the State Courts until "Proposition 66" was passed and Amended into California Penal Code §1509, granting Original Jurisdiction to the Trial Courts. Petitioner cannot be penalized and executed for not presenting facts and evidence Law Enforcement

Agents and The Prosecution "Hide and Conceal", then allege it's too late to present it now when it's discovered.

The Honorable Scott T. Steffen is deemed an expert in law and constitutional directives. Petitioner submits, that for this fact alone, no other conclusion can be made except that the Honorable Scott T. Steffen intentionally misread, misstated the facts Petitioner presented to Him to support Petitioner's unlawful conviction and sentence of death, as well as to "cover-up" and "support" the County's Law Enforcement Agents criminal violations of the Laws and California's Supreme Court's Policies. It may also be, The Honorable Scott T. Steffen has a Conflict of Interest related to the issues at bar, because "He" was a Judge in the County during the time Petitioner and His Codefendants were being prosecuted, and He has a long standing working relationship with the County's Agents involved with Petitioner's Case, or maybe others these Agents and Their Employee Michelle Evans participated in prosecuting. Judge Scott T. Steffen Denied Petitioner's Motion for Review on July 25, 2019, Petitioner FILED a Timely (Notice of Appeal) on September 16, 2019, This Notice was Filed by the Clerk and Served upon the Parties of Interest on September 19, 2019, (See Appendix D).

On (October 11, 2019) The California Court of Appeals in and for the Fifth District Served Petitioner with an Order Case No. (F079990), statting:

This Court is considering dismissing the above entitled appeal for lack of appellate jurisdiction. Appellant seeks to appeal from an order, filed on August 23, 2019, denying a motion to augment the record in a habeas corpus proceeding after the petition for habeas corpus was denied. The denial of a habeas corpus petition is generally not an appealable order (In re Clark (1993) 5 Cal 4th 750, 767, fn. 7) While Penal Code section 1509.1 permits the appeal, within 30 days, of a decision by the superior court of an initial petition for writ of habeas corpus in a capital case, it appears that appellant's petition was denied on April 8, 2019, therefore the September 16, 2019, notice of appeal was untimely. (Pen Code §1509.1, subd. (a)). To the extent appellant is attempting to app-

eal the denial of the motion to augment the record, the order does not appear to be an appealable post-judgment order affecting the substantial rights of appellant as the case was no longer pending before the superior court. (Pen. Code §1237, subd. (b)), Appellant is directed to file, within 30 days from the date of this order, a letter brief with citation to appropriate legal authority establishing a statutory basis to appeal from the August 23, 2019 order. Appellant's failure to timely respond will be deemed agreement that the appeal should be dismissed. Preparations of the record and briefing is stayed pending further order of this court. A copy of this order shall be sent to the Central California Appellate Program./

Petitioner complied with the Court's Order timely, Filing Petitioner's Letter Brief on October 29, 2019; (See Appendix C). Petitioner clearly and concisely presented the Legal Facts as the Court Order Petitioner to do to substantiate why the Appeal should proceed as follows:

- (i) Petitioner clarified the Appellate Court correctly states, The Superior Court Dismissed Petitioner's Habeas Corpus on April 8, 2019. But the Appellate Court Did Not Acknowledge that Petitioner did File a Motion for Review on Erroneous Ruling on July 2, 2019, which was denied on July 25, 2019.
- (ii) Appellant alleged His compliance to the California Rules of Court Rule 29:25, which states,

"No Notice of Appeal is required when a judgment of death has been rendered. In such cases, an appeal is automatically taken without any action by the defendant or his or her counsel. In ALL OTHER SITUATIONS, an appeal is initiated by filing a notice of appeal with the trial court. In appeals from the superior court, the notice must be filed within "60 days" after the rendition of the judgment or the making of the order".

Petitioner's notice of appeal was filed within "60 days" of the Superior Court's denial of Petitioner's "Motion for Review of Erroneous Ruling" on July 25, 2019. The Clerk of the Superior Court Correctly ACCEPTED and FILED Petitioner's Notice of Appeal and Served NOTICE on All Parties of Interest. (See Appendix D).

On December 6, 2019, The Appellate Court DENIED Petitioner's Appeal alleging that Petitioner did not support why the appeal should proceed in Petitioner's Letter Brief, The Court stood by it's Original Order alleging Petitioner was attempting to appeal an unappealable order, and that the appeal was untimely. The Appellate Court still makes NO Mention of the Motion for Review or Denial of it. Just like the Superior Court, the Appellate Court intentionally misread, mistated the facts so the Court could rush to judgment and Deny the Appeal.

Petitioner Filed a Motion for Rehearing on December 18, 2019 and the Appellate Court Denied Review on January 3, 2020. Petitioner Filed a Timely (Notice of Appeal) which the Appellate Court Received on January 29, 2020, And Now certifies the Time to File a Notice of Appeal IS 60 Days! (See Appendix C).

On January 13, 2020, The California Supreme Court Received Petitioner's Notice of Appeal from the Final Judgment of the Court of Appeals on December 6, 2019, (The Decision "prior to" Denial of Motion for Rehearing).

The Supreme Court FILED this Notice of Appeal as a "Petition for Review", assigning case number (S260076). Petitioner Filed His Petition for Review on January 21, 2020; The Court Rejected and Returned Petitioner's Petition for Review on January 29, 2020.

On February 19, 2020, The California Supreme Court created an Order en banc. stating, "The Petition for Review is denied".

On February 24, 2020, Petitioner Filed a "Motion for Rehearing" presenting the following facts:

In this present case, Petitioner has filed and exhausted All of His claims in the Stanislaus County Superior Court (No. CRHC-19-003296), The California Court of Appeals (No. F079990), And that Petitioner Has Served the California Supreme Court with every pleading submitted to the lower courts listed above.

Petitioner clarified Facts that the State's Government Agents violated the Laws and Constitution to obtain and maintain Petitioner's illegal conviction and sentence of death with intent to commit first degree murder. These crimes are still ongoing and have NO statute of limitations. Petitioner submits, Petitioner "Obeying" the United States Criminal Statute (Title 18 U.S.C. §04) Reported these crimes with explicit language and evidence to A Judge in each and every Court listed above and to the Honorable California Supreme Court. Petitioner submits, Petitioner's claims were supported with undisputable evidence, Statutes and Constitutional Directives. Then, On (February 19, 2020) The California Supreme Court simply states en banc, "Petition for Review is denied".

California's Constitution Article VI. §14 clarifies A Command upon California's Judicial Branch as follows:

"Decisions of the Supreme Court and courts of appeal that determine causes SHALL be in writing with reasons stated",

Petitioner submits, The Judges of the California Supreme Court are NOT Vested with the Authority to ignore, disobey and or violate the commands in the Laws and Constitutional Directives. The California Supreme Court's Judges violated A Command They Are Obligated to Obey, thus violating U.S. Criminal Statutes (Title 18 U.S.C. §§241 and 242, and Title 18 U.S.C. §03 Aiding and Abeding). Petitioner submits, in this present case, Petitioner has Served the Attorney Generals Office with every pleading-filing to the Lower Courts and the California Supreme Court, (validated by verified proofs of service). Thus, it is clear and undisputable that this Court's actions are also supported by the Attorney General, et. al. Deputies which is certified by Their Failure to Object to the Court's Actions, Illegal-Invalid Court Order in a Capital Case.

However, The Attorney Generals Failure to perform Their Vested Duties required by Constitutional Commands and Oath may be due to the California Supreme Court's Illegal-Invalid Order providing the Prosecution with a favorable outcome- upholding Petitioner's illegal conviction and sentence of death, as well as to cover-up, hide and conceal all of the crimes committed to obtain Petitioner's conviction and sentence. (See Title 18 U.S.C §03).

Petitioner submits, The Attorney Generals Duties are Invoked! (See-Review Appendix G). The State's Constitution clarifies the Duties of the Attorney General, These Duties have been and are being Ignored, Certifying the Questions presented. Petitioner's Motion for Rehearing and Reconsideration was Rejected, Not Filed and Returned on February 27, 2020. The Court statted the Order made on February 19, 2020 IS Final, (See-Review Appendixs' A and B).

LEGAL ARGUMENT WITH AUTHORITATIVE DIRECTIVES.

Petitioner cannot explain any reasoning "why" the California Supreme Court Denied Relief in this case. However, the command in this State's Constitution Demanded "The Court to explain".

Petitioner is just a mere pro se, a high school drop out with no formal education or training in law. Petitioner has diligently sought review and justice related to these issues at bar, and has "failed to find" any Constitutional, Statutory Directives or Even Any Rules that grant authority to Any Judge or Prosecutor to "violate" any of the Mandatory or Prohibitory Directives in the State's or United States Constitutions, Statutory Laws or Rules of Court with impunity, Or, to ignore and support those violations committed by Government Agentes with Vested Authority obtained by "Their Oath to Obey".

Clarification as to the Legal Demands upon ALL States within the Union of the United States are within BOTH The State's and United States Constitutions and Laws as Mandatory or Prohibitory Directives. ALL Government Agents of Every

Branch Take the Same Oath to Obtain Their Vested Authority. (U.S. Const. Art.

VI. §3):

"The Senators and Representatives before mentioned, and the Members of the several State Legislators, and ALL Executive and Judicial Officers, both of the United States and of the several States SHALL be Bound by Oath of Affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any Office or public trust under the United States".

The Commanding Authoritative Directive is clearly defined in the United States Constitution as well as California's Constitution which clarifies the Treaty between California and the United States.

U.S. Const. Art. IV. §2:

The Constitution, and Laws of the United States which shall be made in pursuance thereof, and All Treaties Made, or shall be made, under the Authority of the United States, SHALL Be the Supreme Law of the Land, And the Judges in Every State SHALL be Bound thereto. ANYTHING in the Constitution or Laws of Any State to the contrary- "Notwithstanding"

U.S. Const. Amend. XIV:

NO State shall Make or Enforce any law which shall abridge the privileges or immunities of citizens of the United States. Nor shall any State deprive any person of Life, Liberty or property without Due Process of Law, Nor deny to any person within its Jurisdiction the Equal Protections of Law.

Cal. Const. Art. III. §1:

The State of California is an inseparable part of the United States of America, and the United States Constitution IS THE SUPREME LAW OF THE LAND.

Cal. Const. Art. I. §7(a)(b):

(a) A Person may not be deprived of Life, Liberty or property without due process of law or denied equal protections of the laws,

(b) A Citizen or Class of Citizens may not be granted privileges or immunities not granted on the same terms to All Citizens,

The Authoritative Answer is a Mandatory Directive that clarifies that which IS PROHIBITED in the Constitutions of the United States and State of California.

U.S. Const. Art. I §9 cl. 2:

The privilege of the Writ of Habeas Corpus Shall NOT be Suspended unless when in cases of rebellion or invasion the public safety may require it.

Cal. Const. Art. I. §11:

Habeas Corpus MAY NOT be Suspended unless required by public safety in cases of rebellion or invasion.

For Clarification of "Suspension": Review the Black's Law Dictionary:
Suspension: To interrupt, to cause to cease for a time, to postpone, to stay, delay, hinder, to discontinue temporarily, but with no expectations or purpose of resumption. As a form of censure or discipline, to forbid a public officer, attorney, employee, or ecclesiastical person from performing his duties or exercising his functions for a more or less definite interval of time [see also]:

Suspension of Rights: The act by which a party is deprived of the exercise of his rights for a time. A temporary stop of a right, a partial extinguishment for a time, as contrasted with a complete extinguishment, where the right is absolutely dead.

The California Supreme Court's Justices as well as All of Our Lower Court Judges are unquestionably deemed "Experts in Law" or at the very minimum, able to read and comprehend the Legal Language-Authoritative Directives in the United States Constitution and Laws of which They All "pledged an Oath" to obey to receive Their Vested Authority. This Vestment of Authority is founded upon Their Duties incumbant, and Obeying the Directives Demanded in the United States Constitution and Laws; (See Title 28 U.S.C. §453) Oath of Judges,

"I, --, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbant upon Me as ___ under the Constitution and Laws of the United States, So Help Me God"

Absolute Duties and Directives are also placed upon the Executive Branch, eg.-The Attorney General, and Deputies not only in (U.S. Const. Art. VI. §3), but also in (Cal. Const. Art. V. §13):

"Subject to the Powers and Duties of the Governor, The Attorney General shall be the Chief Law Officer of the State. It SHALL be the Duty of the Attorney General to see that the Laws of the State are uniformly and adequately enforced. The Attorney General shall have direct supervision over every district attorney and sheriff and over such other law enforcement officers as may be designated by law, in all matters pertaining to the duties of their respective offices, and may require any of said officers to make reports concerning the investigation, detection, prosecution, and punishment of crimes in their respective jurisdictions as to the Attorney

General may seem advisable. Whenever in the opinion of the Attorney General any law of the State is not being adequately enforced in any county, it SHALL be the Duty of the Attorney General to "prosecute any violations" of law of which the Superior Court shall have jurisdiction, and in such cases the Attorney General shall have all the powers of a district attorney, When required by the public interest or directed by the Governor, the Attorney General shall assist any District Attorney in the discharge of the duties of that office".

The California Supreme Court's illegally promulgated Policies are in fact an exparte contractual agreement with Capital Appellants Appointed Counsel; (i) to comply with the Court's invalid, unconstitutional Policies-Directives and violate Their Clients Constitutionally Guaranteed Rights for financial gains or They will NOT be Appointed! No Attorney will be appointed by the California Supreme Court in (Capital Cases Only), unless the Attorney contracts with the California Supreme Court the Attorney's obedience to the directives of the Court's invalid, unconstitutional Policies, which begins with assisting the Trial Court in "reconstructing and recertifying" a Trial Court Record, and (ii) to Suspend their Client's right to a Collateral Challenge/Habeas Corpus until "AFTER" the Direct Appeal is Filed and Affirmed, Then the Court relies upon this suspension to create rulings alleging either procedural and or untimeliness defaults of Petitioner's meritorous claims in re. Dixon, 41 Cal.2d. 756.

The Power to Make Laws and to alter them at discretion lies with the Legislature. A Legislative Bodies exclusive authority to Make, Amend and Repeal Laws are defined in the United states and California's Constitutions as follows:

U.S. Const. Art. I §1:

All Legislative Powers herein granted shall be Vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Cal. Const. Art. IV, §1:

The Legislative Power of this State is vested in the California Legislature which consists of the Senate and Assembly, but the People reserve to themselves the power to initiative and referendum.

A Legislative Body may delegate a "portion" of it's lawmaking authority to agencies within the Executive Branch for purposes of Rule Making and Regulations. But A Legislative Body May NOT delegate it's Authority to the Judicial Branch", And The "Judicial Branch" May NOT encroach on Legislative Duties.

The Attorney General and All of the Deputies in His Office have and continue to support the California Supreme Court's invalid, unconstitutional policies enforced in capital cases only, as well as support all of the Court's appointed attorneys who enter into financial contracts with the Court under the terms of the Policies, which violates the Constitutions and Laws of both the State and United States.

It is undisputable that the Court's Policies and contractual agreements with appointed counsel are illegal, unconstitutional, and violate Petitioner's constitutionally Guaranteed Rights under color of law, in a capital case where the State is seeking to Execute Petitioner. Yet, the Attorney General and All of His Deputies refuse to perform Their Vested duties demanded by Law and Constitutional Directives, (Id) to prosecute any of these criminal violations, or exercise Their Vested duties to ensure that the laws and constitutional demands are being upheld and enforced as required by Mandatory Directives, as well as uniformly and adequately,

All of these actions and inactions by the Court's Judges, Appointed Appellate Counsel and the Attorney General and His Deputies clearly meets the elements of "conspiracy to violate constitutional rights under color of law", as defined in United States Criminal Statutes (Title 18 U.S.C. §241 and §242), See also (Title 18 U.S.C. §03), which clearly states:

Whoever having knowledge that an offense against the United States has been committed, receives, relieves, comforts or assists the offender in order to hinder or prevent his apprehension, trial or punishment, IS an Accessory After the Fact.

The Facts raised herein are undisputable and raise a "Conflict of Interest" with the California Supreme Court's adjudication and legal standing in Petitioner's Capital Case. As well as a "Conflict of Interest" with the State's Attorney Generals Office, Who have and continue to support the California Supreme Court's criminal violations of Petitioner's constitutionally guaranteed rights under color of law, as well as the Court's violations of this State's and United States Statutes and Constitutional Commands. The Attorney General's failure to perform Their Duties required by Law and the Constitution clarifies The Attorney Generals Office et. al. Deputies as coconspirators and a principal as a matter of law.

Petitioner is a United States Citizen who is bound by the Laws of the United States and State of California. Petitioner's Petition, Appeal and Review to the California Supreme Court Reported Actaul CRIMES to Every Judge these issues were presented to pursuant to United States Criminal Statute (Title 18 U.S.C. §04) which issues the command:

Whoever having knowledge of the actual commission of a felony cognizable by a Court of the United States conceals and does not as soon as possible make known the same to some Judge or Other person in civil or military authority under the United States shall be fined under this title or imprisoned not more than three years, or both.

The crimes reported to all of the lower State Courts mentioned herein are "factually true", the allegations are supported with undisputable evidence, and were committed by California's Government Agents who were, and are acting under color of law to obtain and then maintain Petitioner's illegal conviction and sentence of death with intent to commit first degree murder,

Petitioner submits that the criminal violations reported herein pursuant to (Title 18 U.S.C §04) have been allowed to proliferate by the contractual

agreements the California Supreme Court enters into with the Attorneys the Court appoints to represent this State's Capitally Sentenced Citizens, as well as with the support of the Attorney Generals Office.

Until these facts are adjudicated with an actual "Legal Order" clarifying the California Supreme Court's and Attorney Generals legal position. The Legal Standing of the California Supreme Court and the State's Attorney Generals Office are in question, as well as any and all of the proceedings, appeals and adjudications against this Petitioner and His conviction and judgment. (Review Petitioner's Newly Discovered Evidence) presented and rejected by the Honorable Superior Court Judge Scott T. Steffen and determine for Yourselves, "Why, The U.S. Attorney, U.S. Senate Judiciary and Subcommittees are investigating these allegations. This State's Government Agents have conspired to violate the United States Constitution, Laws and the Treaty to Uphold the Supreme Law of the Land, to Murder U.S. Citizens, and also perpetrating a large scale fraud upon the United States by violating the Constitution and Laws.

In Closing:

This Honorable Court IS Vested with the Authority and Has Original Jurisdiction to make a Ruling, implementing relief and corrections of the California Supreme Court's violations of the Laws and Constitutional Mandates, As well as issue a judgment against the State's Attorney Generals Office's actions and inactions supporting the California Supreme Court's Policies, As No Government Agent is granted or vested with Authority to violate the constitution and laws They pledged an Oath to Obey and Uphold, or ignore and support any other Government Agents Who do violate these laws and Take Human Lives with their criminal acts, Petitioner submits, This Honorable Court's Duty and Original Jurisdiction Are Invoked to create a judgment that Directs compliance and enforcement

of the Constitution and Laws Clarified as the Supreme Law of the Land, and Declared so by this State by Treaty which the State's Agents are violating .

Petitioner submits, All of the allegations presented to this Honorable Court were submitted to the Stanislaus County Superior Court (Appendix D) and supported with undisputable evidence to prove every allegation beyond any legal doubt.

Petitioner presented all of these allegations to the California Court of Appeals, Who refused to allow the appeal to proceed by falsely stating, Petitioner's Notice of Appeal was untimely. Petitioner clarified with Legal Facts that the Notice of Appeal was timely in the Letter Brief, (See Appendix C).

The California Supreme Court was SERVED with a copy of every Motion-Pleading Filed to the Court of Appeals, as well as Petitioner's Habeas Corpus to the Superior Court.

All of these Courts Had A Duty to Read All of Petitioner's Filings and Attached Exhibits in support, including: [One Exhibit Attached to Petitioner's Opening Brief (Draft)] which was A Ninth Circuit Case In re. Baca v Adams, Case No. 13-56132; Judgment-Opinion by the Ninth Circuit Court of Appeals, In the written opinion by Chief Justice Alex Kozinski, the Judge "lambasted" the State's Attorney General, et. al. Deputies and State Prosecutors for Their "pattern of practice" of committing perjury, suborning perjury, manufacturing evidence and More! Then, the State's Prosecutors-Attorney General-Deputies "fight tooth and nail" to hide and surpress their "crimes" and keep their convictions. And the State's Judges just go along with and support the prosecution and provide "favorable rulings" for the prosecution, These acts are "crimes", they were acknowledged in a written opinion, And ALL Who have a Duty and Vested Authority to correct have failed to implement any corrections or prosecute. All Who have A Duty to correct just continue their business as usual.

Relief:

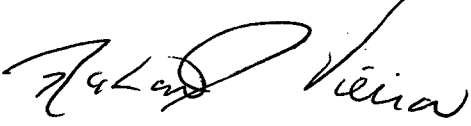
This Case and All Claims have been Exhausted in the Stanislaus County Superior Court, The California Appellate Court and the State's Highest Court. Petitioner has proceeded as a pro se without the assistance of counsel, and None has been offered. The Facts are Certified:

Petitioner is legally entitled to a Full and Complete Reversal and Acquittal of All Charges against Him forthwith. This Honorable Court should Remand this case back to the Stanislaus County Superior Court with instructions to Grant this Relief, or Order an Evidentiary Hearing to address the issues at bar in this case. In addition Make an Order to reassign this Case to another Judge, eg. The Honorable Nancy Ashley-Leo, Appoint Counsel or provide Petitioner with some Notice of this relief and Petitioner "may" be able to obtain Counsel willing to represent Petitioner pro bono, who is aware and has knowledge of these Facts and issues at bar.

This Honorable Court Has an Absolute Duty and The Authority to Grant-Order Any Other Relief and Corrections this Court deems fair and necessary to ensure Justice is accomplished, and that the Laws and Constitutional Mandates are Obeyed and Enforced.

I Richard John Vieira declare under the penalty of perjury that all of the foregoing is true and correct to the best of My knowledge pursuant to 28 U.S.C. §1746

Respectfully submitted this 16th day of April, 2020.


Richard John VIEIRA

REASONS FOR GRANTING THE PETITION

This Honorable Court and All of its sitting Justices are Our Country's Guardians of the Constitution - Constitutional Rights of All U.S. Citizens.

Petitioner has presented undisputable "facts", supported with evidence that California's Government Agents in the Judicial Branch and the Executive Branch Have and Continue to violate the absolute commands in the Constitutions and Laws of California and the United States. These Government Agents violate Their Oath They took to receive Vested Authority, and disobey, ignore Their Duties incumbant upon Them as directed in the Constitution, Laws and Duties of Office.

California's Highest State Court, The California Supreme Court undisputably violated Their Jurisdiction and the Constitution by creating "Policies" articulating the appellate review process for "Capital Cases". These Policies violate the State's and United States Constitutions and Laws, and the Legislatively Approved Appellate Review Process, and creates a suspension of the Habeas Corpus.

The Ninth Circuit Court of Appeals has clarified, "California's Prosecutors, Attorney General, et. al. Deputies have demonstrated a pattern of practice of committing perjury, suborning perjury, manufacturing evidence, hiding and concealing exculpatory evidence to obtain convictions, and then fight tooth and nail to maintain their convictions", In re, Baca (see APPENDIX F). The Court goes on to say that Our State Courts are either unwilling or unable to overturn and reverse these convictions and accept the Prosecutions actions. Petitioner presented the facts created by Professors of Law Who clarified that the State's Executive Branch extorted the State's Judicial Branch with threats to provide "favorable rulings" for the prosecution or be Removed from the Bench. (See Records EXHIBITS C.1 through C.4).

California's Governor the Chief Law Officer of the Executive Branch has clarified in an "Executive ORDER (N-09-19)"; California's Death Penalty System is "unfair" and "unconstitutional", and that it is likely the State Has Executed innocent persons. (U.S. Citizens).

How is it possible that the Ninth Circuit Court of Appeals clarified the actual commission of crimes by the State's Executive Branch Officers and then failed to create Any Orders to Our U.S. Agencies to investigate and or correct.

Petitioner submits, The Governor's Executive Order and the Ninth Circuit's Findings in re. Baca (Id.) clearly Invokes this Court's Original Jurisdiction and Intervention to stop the criminal violations of the laws, constitution this State's Government Agents are committing to Murder-Execute United States Citizens .

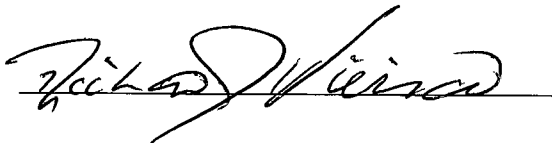
This IS a Capital Case, Human Life is at issue .

CONCLUSION

For the foregoing reasons Petitioner respectfully requests this Honorable Court Accept it's Original Jurisdiction, Grant this Petition for Certiorari and ALL of the Relief Petitioner is Seeking and Legally entitled to

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: April 16, 2020

Richard John Vieira (H-31000)

San Quentin State Prison

San Quentin, CA 94974