

No. 19-8685

IN THE

SUPREME COURT OF THE UNITED STATES

In re Gigi Fairchild-Littlefield PLAINTIFF/PETITIONER
(Your Name)

California Attorney General^{VS.}
Kyle Niki Cox Shaffer, et. al. DEFENDANTS/RESPONDENT(S)

PETITION FOR REHEARING

UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF CALIFORNIA
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR REHEARING

Party Without Counsel or Representation:

Gigi Ariel Fairchild (G.A.F.)-Littlefield

(Your Name)

CDCR# X27638

P.O. BOX 1508

(Address)

Chowchilla, CA 93610-1508

(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

#1. We have been at War. If The Writ of Habeas Corpus has been Suspended; Can you please Rule 60(b) 1-5?

#2. Is a jury verdict That acquits a citizen - of The charged crime - proof of The criminal proceeding Terminating in favor of The accused?

What if it has been fraudulently manipulated in a malicious prosecution?

#3. Can The 14th Amendment tolerate a State Criminal conviction predicated on deliberate deceptions?

Such as Untenable alternative Theories?

Are Those charged with upholding The law prohibited from deliberately fabricating evidence?

Including evidence used to direct verdicts of guilt for untenable alternative Theories?

After both sides have rested?

Including fraudulent manipulation of Trial Transcripts, jury verdicts, orders, etc., to deny due process appellate rights?

In addition to denial of all Constitutional Rights at Trial?

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:

Mickie REED, State Appointed Defense
Traci CARRILLO, District Attorney (Tried to protect Defendant's Rights)
Jeffery LEDERMAN, D.A. Investigator
Marc MELANSON, Palm Springs Police Department
Richard ERWOOD, Riverside Co. Superior Court Justice
James S. HAWKINS, Riverside Co. Superior Court Justice

In The Superior Court of California,
County of Riverside Case INFO45012

California Attorney General(s)
Kyle Niki Cox Shaffer, et. al. DEFENDANTS

In The United States District Court,
Eastern District of California

No. 1:19-cv-00499-Hone-JDP
42 U.S.C. 1983 DEPRIVATION OF RIGHTS/
FALSE IMPRISONMENT

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
U.S. v Greer, 939 F.2d 1076, 36 Fed R. Evid. Serv (CBC) 3 168 (5th Cir) reh'g en banc granted, 948 F.2d 936 (5th Cir 1991) reinstated in part, on reh'g, 968 F.2d 433 (5th Cir 1992)	
Greenwood v Peacock (1966) 384 U.S. 808, 16 L.Ed 2d 944, 86 S.Ct. 1800.	4
Heck v Humphrey, 512 US 477 (1994)	6
Estelle v Gamble, 429 US 97, 106, 97 S.Ct 285, 50 L.Ed 2d 251... 7 (1976)	
Bivens introductory letter	
Wallace v Karo	
STATUTES AND RULES	
42 USC 1983	4
18 USC 241, 242, 224	5
Const. Amendments. 1, 4, 5, 6, 7, 9, 10, 11, and 14	3
Rule 60(b) 1-5	3, 6
OTHER	
Cal. Pen.C. 1485 & (1485.5(a)-(e))	6

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APPENDIX B 07-02-2020	REASONS FOR APPOINTING COUNSEL AND HEARING THIS CASE AS A CIVIL RIGHTS ACTION; FOR GRANTING PETITION FOR WRIT OF HABEAS CORPUS; FOR RELEASE OF PRISONER
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IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR REHEARING

Petitioner respectfully prays that a writ of habeas corpus is granted or
a ruling 60 (b) 1-5 and/or please see Relief Sought at pg.6

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 A to the petition and is

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

☐ For cases from **state courts**:

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

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

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

☐ 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).

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★ PETITION FOR REHEARING No. 19 - 8685
ORIGINAL PETITION JURISDICTIONAL STATEMENT /
PETITION FOR WRIT OF HABEAS CORPUS

☐ For cases from **state courts**:

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

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

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

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

14th Amendment - Citizens of U.S.

11th Amendment - Suits against States - Restriction of judicial power

10th Amendment - Powers reserved to States or People

9th Amendment - Rights retained by people

7th Amendment - Trial by jury in Civil Cases

6th Amendment - Rights of the accused

5th Amendment - Criminal actions - provisions concerning Due Process of Law and Just Compensation Clauses

4th Amendment - necessarily incl. under 14th Amend.
1st Amendment - abuse of government power.

18 U.S.C. 241, 242 Invoking Sanctions

18 U.S.C. 924 conspiring to deprive citizen of their constitutional rights in violation of 18 USC 241 is a crime of violence within the meaning of 924(c) Since it creates substantial risk of violence. U.S. v Greer, 939 F.2d 1076

28 U.S.C. 1651(a); 1651(b); 2241; 2244; 2251; 2254

42 U.S.C. 1983

Rule 60(b) 1-5

Cal. Pen. C. 1485, 1485.5(a)-(e)

STATEMENT OF THE CASE

Under Color of authority, The State Court, Defense, and Prosecution Conspired to manufacture false evidence in the form of a Statement Against Interest That was admitted to The jury as Stipulation #56 to direct a verdict of guilt for an untenable alternative Theory of aiding and abetting.

The Plaintiff/Petitioner was Charged in Count 1 with Penal Code Section 187, That she murdered a human being with deliberation, premeditation and malice and personally used a firearm causing death. There was a SPECIAL ALLEGATION That The Plaintiff had PRIORS, which allowed The Plaintiff to be Charged in The INFORMATION with being a felon in possession of a firearm and ammunition as ELEMENTS to The Count 1 charge of murder.

The Plaintiff contends That The jury verdict (CT 000265) which states, "We The jury in the above entitled action, find That The defendant, Gigi Fairchild Littlefield, personally discharged a firearm and caused death, as charged in Count 1. NOT TRUE is evidence of Favorable Termination.

The Plaintiff also alleges That jury verdict (CT 000265) has been fraudulently manipulated with The addition of "SPECIAL ALLEGATION" as This was The charge minus The deliberate, willful, premeditation, malice part of Count 1, and The "SPECIAL ALLEGATION" is That she has "PRIORS", not discharging a firearm and causing death.

STATEMENT OF THE CASE FOR REHEARING

Plaintiff on 42 U.S.C. 1983 petition for DEPRIVATION OF RIGHTS / FALSE IMPRISONMENT invoked Jurisdiction of This Court and filed NOTICE OF APPEAL in U.S. DISTRICT COURT for The EASTERN DISTRICT of CALIFORNIA, The District

1 STATEMENT OF THE CASE FOR REHEARING (cont.)

2 in which she is being held. - under USSC Rule 18; Appeal from
3 Interlocutory decree of specially constituted district court
4 Statement after Assigned District Court Judge was Unassigned in
5 Light of Judicial Emergency in the Eastern District of California, Also,
6 making petition in aid of the Court's appellate jurisdiction.
7 There had not been a Ruling in the District Court at the time
8 original petition was filed as Jurisdictional Statement / Petition
9 for writ of habeas corpus.

10 This original filing was filed on June 3, 2020 and placed on
11 The docket June 12, 2020 as No. 19-8685; On June 18, 2020 it was
12 DISTRIBUTED for Conference of 9/29/2020.

13 Petitioner filed APPENDIX A with APPENDIX B herein,
14 constructively by U.S. mail, on July 2, 2020.

15 APPENDIX C MOTIONS were constructively filed by U.S. Mail
16 on June 22, 2020.

17 APPENDIX D MOTIONS were constructively filed by U.S. Mail
18 on June 18, 2020. (The date org. petition was Distributed)

19 These APPENDICES: A, B, C, D, contain substantial
20 grounds not previously presented and MOTIONS to the Court
21 not previously presented, due to the intervening circumstances
22 The District Court's Ruling to Dismiss Case as HECK Barred
23 on June 25, 2020, after previous DISTRIBUTION on June 18, 2020.

24 Additionally, Petitioner had not previously invoked
25 Sanctions under 18 U.S.C. 241, 242 and does so at this time.
26 GREENWOOD v PEACOCK (1966) 384 US 808, 16 L Ed 2d 944,
27 86 S. CT. 1800
28

RELIEF BEING SOUGHT

Release of Plaintiff/Petitioner, Gigi Fairchild-Littlefield, from illegal and unconstitutional State custody; by whatever appropriate means necessary: Granting of habeas corpus petition, Release of Prisoner decree, Rule Nisi, Rule 60(b)1-5, CAG release pursuant to PC 1485 and 1485.5(a)-(e), a Trial for malicious prosecution/false imprisonment, Release and CAG certificate for innocence/wrongful conviction, and/or any other relief appropriate for Deprivation of Rights/False Imprisonment including but not limited to final order ruling on whether or not The manipulated jury verdict is or is not a prior Favorable Termination pursuant to Heck and 42 USC 1983 suit; and also the return of The (\$10,000.00) Ten thousand dollars paid on Restitution Fine INFO45012 at the time of Release/Discharge along with gate money and any other monies on Plaintiff's account at time of Release/Discharge. In the interim, she seeks an immediate Emergency Order rehousing Plaintiff in ASU with retention of all property and privileges of GP custody in single cell ASU as requested in letter to Justices preceeding This petition, or DR ASU cell, due to nature of allegations and safety and security of Plaintiff Gigi Fairchild Littlefield.

REASONS FOR GRANTING THE PETITION FOR REHEARING

THE UNITED STATES CONSTITUTION

Const. Amends.: 1, 4, 5, 6, 7, 9, 10, 11, and 14

EQUAL PROTECTION UNDER THE LAW

ACTUAL INNOCENCE - MALICIOUS PROSECUTION

PRIOR FAVORABLE TERMINATION

Circumstance of Substantial or Controlling effect

Presented herein in APPEDICES: A, B, C, and D.

The Petitioner/Plaintiff, Gigi Fairchild-Littlefield, CDCR # X-27638, Prays for Relief from her illegal and UNCONSTITUTIONAL State Custody, and seeks ORDER for RELEASE OF PRISONER. She is Unrepresented by Counsel and Prays The Court will Grant The MOTION(s) Contained in the attached Appendices C and D.

Her Future is Waiting for her please grant her relief from The past; overlook any errors as to practice or procedure and apply liberal construction pursuant to *Estelle v Gamble*, 429 U.S. 97, 106, 97 S.Ct 285, 50 L.Ed 2d 251 (1976).

And Interim Housing Order to ASU with full GP property and privileges, single cell, safety and security.

CONCLUSION

The petition for REHEARING should be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Gigi Fairchild-Littlefield", written over a horizontal line.

Date: OCTOBER 8, 2020

CERTIFICATE

PARTY UNREPRESENTED BY COUNSEL

PETITION FOR REHEARING

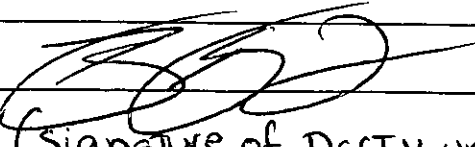
No. 19-8586

Petitioner/Plaintiff: Gigi Fairchild-Littlefield

I do hereby state that I am the petitioner /
plaintiff in this matter. I have no legal training
and I am not represented by counsel at this time.

I am presenting this PETITION FOR REHEARING
in GOOD FAITH and NOT for DELAY.

The APPENDICES contain MOTION(s) and SUBSTANTIAL
GROUNDS not previously presented due to the intervening
circumstances of APPENDIX A being received June 30, 2020
and APPENDICES A and B and MOTION(s) in APPENDICE
C and D not filed before DISTRIBUTION of previous
original petition on June 18, 2020 for
Conference on 29 Sept 2020.


(Signature of party unrepresented by counsel)

Gigi Fairchild-Littlefield

**Additional material
from this filing is
available in the
Clerk's Office.**