

No. 19-903

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In The
Supreme Court of the United States of America

MICHAEL RAMON OCHOA,
Petitioner, pro se,
v.
Dr. Arthur Levine, *et al.*,
Respondents.

On Petition for a Writ of *Certiorari*
To The Pa. Supreme Court at 135 WAL 2019;
The Pa. Superior Court at 327 WDA 2019;
and The Allegheny County, Pa. Civil/Commerce and Complex Litigation Center at
GD-13-011757.

PETITION FOR WRIT OF *CERTIORARI*

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November 07, 2019

QUESTIONS PRESENTED

1. The questions posed in the course of appellate actions at FD-07-000190 were made cognizable by stipulation of all represented parties.¹

Each question should be regarded as if entered here in its entirety.²

2. Would claims of 42 Pa.C.S. §8351 Wrongful use of civil proceedings, *civil* conspiracy or 42 Pa.C.S. §8344 Defamation be irreparably lost *per* Pa.R.A.P. §313(b) Collateral Orders if this appeal is not heard?³

3. Are the trial courts instructions *per* Count 2 intelligible?

4. Would the underlying criminal complaints or data supporting those claims be irreparably lost if this appeal is not heard?

5. Was that the intention of the trial court?

6. Would this perverse outcome further erode Pa. Constitution Article 1§11 or U.S. Constitution Article IV§1?

7. Why *did* the Hon. David Wecht participate in decisions about FD-07-000190?

8. Do either 18 U.S.C. §1346 or U.S.C. §1961 provide remedy for the problem of *Thrasymachus*? Does the #*NewOrganon*?

9. Could all of this damage be mitigated by ordering the trial court to hear 04-25-19 Amended Complaint?⁴

¹ See attached Exhibit G. Items of Judicial Notice or https://www.academia.edu/38126093/Exhibit_G._Items_of_Judicial_Notice

² See attached Exhibit H. Questions or Aporia or https://www.academia.edu/39906428/Exhibit_H._Questions_or_Aporia

³ For definitions of *civil* conspiracy see: *Weaver v. Franklin County*, 918 A.2d 194, 202 (Pa.Cmwlth. 2007), and *Reading Radio, Inc. v. Fink*, 833 A.2d 199, 212 (Pa.Super. 2003).

⁴ See attached Exhibits E-F or download directly at https://www.academia.edu/38953832/04-25-19_Amended_Complaint

LISTS OF PARTIES AND RELATED PROCEEDINGS

Contact information for the petitioner is on the cover. The complete list of respondents is attached as Exhibit A. Defendants at App.37-39, with redacted updates downloadable at: https://www.academia.edu/38126065/Exhibit_A._Defendants

The 01-23-19 trial court order under appeal *here* was limited to issues involving:⁵

- | | |
|--------------|--|
| Defendant 10 | David S. Pollock, Esquire, PA I.D. #19902
437 Grant Street, Suite 501
Pittsburgh, PA 15219
412-471-9000 |
| Defendant 11 | Brian C. Vertz, Esquire, PA I.D. #64822
437 Grant Street, Suite 501
Pittsburgh, PA 15219
412-471-9000 |
| Defendant 12 | Pollock Begg Komar Glasser & Vertz, LLC, PA Firm #419
437 Grant Street, Suite 501
Pittsburgh, PA 15219
412-471-9000 |
| Defendant 13 | Benjamin E. Orsatti, PA I.D. #93092
437 Grant Street, Suite 501
Pittsburgh, PA 15219
412-471-9000 |

A list of all proceedings in state and federal trial and appellate courts, including proceedings in this Court, that directly arise from the same 250 Root Facts of this case in this Court are now attached to every significant filing as Exhibit G. Items of Judicial Notice, which can be found at App.46, with updated .pdf versions linked to the Root Data at: https://www.academia.edu/38126093/Exhibit_G._Items_of_Judicial_Notice

⁵ No *Praecipae* for Appearance has been entered for any of these defendants in any venue, though they have appeared as if representing each other.

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TABLE OF AUTHORITIES⁶Pennsylvania Cases

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28 U.S.C. §1257(a) State courts; *certiorari*1

U.S. Constitution Article IV. Section I. Full Faith and Credit i, 2

⁶ .pdf versions of this document contain hotlinks to full texts of all citations.

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PETITION FOR WRIT OF *CERTIORARI*

Petitioner respectfully prays that a writ of *certiorari* issue to review the judgements below.



OPINIONS BELOW

The opinions of the highest state court to review the merits of this case appear at App.1-2 as Appendices A-B. The orders and opinions of the trial court appear at App.3-4 as Appendix C.

All related court actions, as well as state and federal law enforcement complaints and USPS priority mail service records, are included in the Root Data:

https://www.dropbox.com/sh/yvt5jv2dim5fklq/AdENY_UOJt



JURISDICTION

The date on which the highest state court decided this case was 09-16-19. A copy of that decision appears at App.5 as Appendix D. A petition for rehearing was not filed. The jurisdiction of this Court is invoked under 28 U.S.C. §1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The Constitutional and Statutory provisions previously presented to this Court should be regarded as if entered here in their entirety, especially:¹

Pa. Constitution Article 1§11. Courts to be open

All courts shall be open; and every man for an injury done him in his lands, goods, person or reputation shall have remedy by due course of law, and right and justice administered without sale, denial or delay.

18 U.S.C. §1346. Definition of “scheme or artifice to defraud”

For the purposes of this chapter, the term “scheme or artifice to defraud” includes a scheme or artifice to deprive another of the intangible right of honest services.

18 U.S.C. §1961 Racketeering influenced and corrupt organizations

(1) “racketeering activity” means (A) any act or threat involving murder, kidnapping, gambling, arson, robbery, bribery, extortion, dealing in obscene matter, or dealing in a controlled substance or listed chemical (as defined in section 102 of the Controlled Substances Act), which is chargeable under State law and punishable by imprisonment for more than one year;

Also:

U.S. Constitution Article IV§1 Full Faith and Credit

Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

¹ https://www.academia.edu/36286355/U.S._Supreme_Court_Conversations

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STATEMENT OF THE CASE

The 250 Root Facts of this case are well known to this Court.²

Since 11-07-06 I have endured the lies, threats, fraud and abuse of the courts by Defendants 1, 10, 11, 12, 13 with as much *equanimity* as possible, while carefully preserving the Root Data by witnessed and verified service to Honest Judge Wettick in the Allegheny County Court of Common Pleas at GD-13-011757.³

The reason for this is that I do not share the cynical view held by Defendants 10, 11, 12, 13 that justice is a zero sum game, with winners and losers called by a judge like a referee in a sports competition. Rather, I was reared in the same tradition as Honest Judge Wettick, who holds that a higher form of justice is turning enemies into friends by disabusing them of their errors and reminding them of their own better natures.

Honest Judge Wettick has since retired, but he left a model of justice in the Civil/Commerce and Complex Litigation Center, where the facts and laws could be examined *dialogically*.⁴ So, now this Court is presented with an existential choice: to heed these shrill demands to strip me of that voice granted to me by the Founders, or to hearken to the model of that one true judge!

² See attached Root Facts or https://www.academia.edu/37105946/Root_Facts compared to 10-18-11 11-5664 Petition for Writ of *Certiorari* at https://www.academia.edu/5780500/10-18-11_11-5664_Petition_for_Writ_of_Certiorari

³ Root Data = <https://www.dropbox.com/sh/yvt5jv2dim5fklq/AADftLwY5jaDvFXTu2d7X4O7a?dl=0>

⁴ Which our predecessors intended by *ὅσα ἐστὶν ἀληθῆ, ὅσα δίκαια* and *da mihi factum, dabo tibi jus*.

REASONS FOR GRANTING THE PETITION

Having been reared in the tradition of Originalism, I am inclined to read Pa. Constitution Article 1§11 as an axiomatic statement of facts about the nature of our public world, as implacable as the laws of *karma*. It tells us that all the courts shall be open, and assures us that there are just remedies for our injuries. It does not, however, tell us what those remedies are. Nor does it tell us what to do when overwhelming forces attempt to destroy the truth and circumvent the courts. That is why I have preserved this record of my speeches and deeds concerning truth and justice.

#NewOrganon was here before some of you joined this Court, and it will be here long after the present crisis has passed.⁵

Therefore, this Supreme Court of the United States of America should affirm that *all* the courts shall be open by granting review.

⁵ See https://www.academia.edu/35471143/11-07-16_A_Philosophical_and_Mathematical_Model_of_Truth_or_NewOrganon



CONCLUSION

This petition for a writ of *certiorari* should thus be granted.

Then as I promised the late, Hon Antonin Scalia on 10-24-13:

“Finally, by merely allowing yourselves to be seen looking in my direction, you will effect immediate, transformative good for all, while long being remembered as just and wise and merciful.” - 10-24-13 U.S. Supreme Court 12-10508

Terras Irradiant!

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Date: November 07, 2019