

No. 19-904

ORIGINAL

In The
Supreme Court of the United States of America

NOV 23 2019

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 136 WAL 2019;
The Pa. Superior Court at 328 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 malpractice, *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. Were those claims adequately protected within the time allowed by service to the late, Hon. Ralph J. Cappy from 01-29-08 to 01-20-09?⁴

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

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

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

7. What does the Hon. David Wecht know about this case, *de jure?* *de facto?*

8. Could all of this damage be mitigated by ordering the trial court to hear 04-25-19 Amended Complaint?⁵

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 malpractice and *civil* conspiracy see: *Ditch v. Waynesboro Hosp.*, 917 A.2d 317 (Pa. Super. 2007); *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 Exhibit D. Conversations with the Late, Honorable Ralph J. Cappy or https://www.academia.edu/38638818/Conversations_with_the_Late_Honorable_Ralph_J_Cappy

⁵ 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:

Defendant 4	Dr. Samuel Westmoreland
Defendant 8	Dr. Anthony Jake Demetris
Defendant 9	Dr. George K. Michalopoulos
Defendant 14	Dr. Arthur Levine
Defendant 16	University of Pittsburgh Board of Trustees
Defendant 17	UPMC Board of Directors

Defendants 2, 3, 4, 5, 6, 7, 8, 9, 14, 15, 16, 17, 18, 19, 20, 22 have been represented by a rapidly changing team of counselors who have have yet to identify their own clients correctly:

Justin M. Gottwald, Pa.I.D. #92847
Katelin J. Montgomery Pa. I.D. #322698
Rebecca Good McBride Pa. I.D. #90623
Steven L. Ettinger Pa. I.D. #316266
Dickie, McCamey & Chilcote, P.C. Pa. firm #067
Two PPG Place, Suite 400
Pittsburgh, PA 15222

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

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TABLE OF AUTHORITIES⁶Pennsylvania Cases

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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 Defendants 8, 9, 14, 16, 17 have orchestrated a *machiavellian* campaign of force, fraud and corruption to silence me about Defendant 1's Root Crimes as well as systemic corruption and abuse within the Starzl Institute, the University of Pittsburgh and UPMC.³

These patterns of concealment and systemic institutional abuse have been repeated in multiple instances throughout the Commonwealth of Pennsylvania since 11-07-06. Out of *compassion* for the countless victims of a dangerously antiquated Unified Judicial System, I have herein preserved the truth beyond the reach of corruption.⁴

I have done this because in this time of existential peril to the Commonwealth and the Republic, what is needed is a new model of justice which is grounded in our deepest traditions while being adaptive to reliable, cost effective and scalable new information technology and truth-preserving processes.

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 See https://www.academia.edu/31582211/11-21-08_Wall_Street_Journal_Doing_a_Volume_Business_in_Liver_Transplants

⁴ 12-15-16 DHHS OIG https://www.academia.edu/30542556/12-15-16_DHHS_OIG or Exhibit I

REASONS FOR GRANTING THE PETITION

As Judge Scalia could have told you, what the Founders *didn't* say is often as important as what they *did* say. Their most striking omission is that there is no explicit mention in the U.S. Constitution of the two models of justice in whose images our laws were framed, Socrates and Jesus. Instead of telling us what to believe about them, they contrived that any simple, honest and loyal citizen whose rights, property and innocent children were so threatened by systemic corruption and abuse, should instinctively follow those two ideal models in speaking truth to power.

In fact, I have demonstrated that there are no powers in any branch of state or federal government sufficient to silence anyone who is willing to follow this narrow path despite the personal costs.

That intentional omission now gives me the power of “The Pauper’s Bench.”

So, you can continue to stumble blindly toward *Megiddo*, or you can take these simple and effective remedies which have been before you all along:

1. Decertify the Starzl Institute;
2. Bring federal racketeering charges against the University of Pittsburgh and UPMC;
3. Extend federal witness protections to me and my beloved יעל and אֶסְתֵּר Ochoa;
4. Recognize the rights of the victims’ families to compensation as a percentage of any awards collected against the University of Pittsburgh or UPMC.



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