

20-417
IN THE SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

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Case No.:

SANJAY BHARDWAJ,
PETITIONER,

vs.

STATE BAR OF CALIFORNIA
RESPONDENT.

ON PETITION FOR A WRIT OF CERTIORARI TO THE
STATE BAR COURT of California
REVIEW DEPT.

Before Honorable Catherine D. Purcell, Richard A. Honn and W.
Kearse McGill

PETITION FOR WRIT OF CERTIORARI

Sanjay Bhardwaj

Petitioner

California State Bar No. 257780

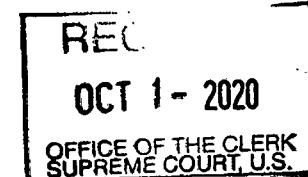
2030 Laurel Canyon Court

Fremont CA 94539

Phone: (510) 651-2755

Facsimile: (510) 573-0572

E-mail: bhardwajsa@cs.com



QUESTIONS PRESENTED

Two questions are presented:

Ø Can California State Bar Court consider trial transcripts which are not certified, are false and product of antecedent forgery after trial, for purpose of appellate review ?

Ø Where false and forged transcripts are claimed as above and for newly discovered evidence never considered by lower courts of certain forgery, can California Supreme Court deny a motion for a new trial, without denial of procedural and substantive due process to its subject, under the Fifth Amendment of the United States Constitution?

RULE 14.1(B) PARTY STATEMENT

Petitioner Sanjay Bhardwaj, is a private individual and a naturalized citizen of the United States, located in Alameda County California.

Respondent is a public entity, State Bar of California. It enforces attorney discipline in State of California, through its Office of Chief Trial Counsel.

CORPORATE DISCLOSURE STATEMENT

Name of Interested Entity or Person	Nature of Interest
STATE BAR OF CALIFORNIA	It is a quasi-judicial state body, considered a public entity run by members appointed by judiciary, executive and legislature. Its Office of Chief Trial Counsel (OCTC) enforces attorney ethical conduct in the State of California.

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OPINIONS BELOW

The opinion of Review Dept. of the State Bar Court of California is under review. APPENDIX G. The California Supreme Court denied a second petition for rehearing on 5.11.20. A first petition for rehearing was denied 4.29.20. APPENDIX F.

JURISDICTION

This Court's jurisdiction is invoked under 28 USC §1257(a).

CONSTITUTIONAL PROVISION AND STATUTES INVOLVED

1. Fifth Amendment regarding procedural and substantive due process, applied to state entities through the Fourteenth Amendment.
2. Fourteenth Amendment's equal protection clause for departures from state law and California Constitution in not according due process by providing true and certified transcript copies on appeal to higher courts.

STATEMENT AND FACTS OF CASE

This is a disciplinary proceeding initiated against member Sanjay Bhardwaj on his own divorce case. During the trial, the State Bar Court's Hearing Judge Patricia Elizabeth McElroy failed to swear in witnesses in live court on 1.18.17. Petitioner raised the issue as part of his closing pleadings. The Hearing Judge disregarded the pleading with no reference in her decision. Petitioner filed a reconsideration motion to which neither the State Bar nor the Hearing Judge responded on this issue. To Petitioner's utter surprise, the recording of

the proceedings obtained in May of 2017 showed cut and paste instances of purported swear in of the witnesses. Petitioner had the CD of 1.18.17 examined by two expert forensic audio examiners who have concluded that the audio recordings are tampered and swear-ins have been cut and pasted. Petitioner filed a motion to dismiss with the Review department, stating the state of the transcripts made the matter unreviewable. Besides the false swear-in inserted, the transcripts are not certified by either party or importantly the court reporter who prepared it. The State Bar Court's Review Department sat on the pleadings for almost a year. Review Department kept remanding the matter to the Hearing Judge and did so three times. With a standstill and Petitioner pleading factual disputes and other issues regarding transcripts, State Bar unilaterally submitted the transcripts. The State Bar Court has based its decision on false transcripts and with false claim of stipulation, with Petitioner never stipulating to any transcripts and pleading tampering till the very last pleading with Review Department. APPENDIX A.

The State Bar EXHIBITS in this matter, which spans several tens of thousands of pages (of court records of other state and federal courts) have been considered and admitted into evidence by Hearing Judge with no regards of consideration of authentication, hearsay and ability of Petitioner to cross examine. Hearing Judge Patricia McElroy (not reappointed from November 2018) and State Bar's counsel Robin Brune (now left the State Bar of California) took

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the position in pre-trial and during trial that authentication was not required in State Bar Court. Petitioner provided legal authority. Review Department, fearing dismissal, conceded authentication is required, but then claimed to take judicial notice of the papers under Rule 5-104 H of the Rules of Procedure, never plead by State Bar in their case in chief. The Court should note change of basis of evidence between the trial court and appeal court. The State Bar did not provide any mandatory declaration regarding authenticity of documents, which was required to be presented during the trial prior to the use of the documents. The Review Department plainly skipped this requirement. Petitioner filed a reconsideration motion which was denied by the State Bar Court's Review. Yet without any jurisdiction, it proceeded to withdraw the evidentiary basis of 5-104¹ H as it was obvious error. Mere judicial notice is not sufficient to use the papers for the truth of the recital there in, particularly of papers which are not adjudicated instruments. The State Court panel made the mistake of using the papers regardless and in its amended opinion, relies on 5-104 (D) and (C)². State Bar Court used unauthenticated documents, where authentication of writings is mandatory according to California statutes and State Bar Court rules of procedure, as well as under federal rules of procedure.

¹ Refers to State Bar Rules of Procedure for State Bar Court. Respondent requests that the Court take judicial notice on the version applicable at trial time of Jan 2017.

² Even this State Bar Court Rules of Procedure provision puts a requirement of relevance, which for writing as a first step is to establish authenticity. Evidence cannot be relevant if it is not established it is what is purported to be.

Since the record in this matter on both the tens of thousands of unauthenticated court documents and the false transcripts, which are not certified by the court reporter or either party, Petitioner informs the US Supreme Court that the record in the State Bar Court is unreviewable as a matter of law and seeks relief through grant of the certiorari and a remand to State Bar Court. Due to state of the transcripts, and the ensuing actions of state courts, including the State's highest court, this Court is left in no position to be able to, if it wishes, to review the entire record absent a remand, following grant of certiorari.

THIS IS DISMISSIBLE CASE ON MERITS ON SEVERAL LEGAL GROUNDS

Petitioner informs the US Supreme Court that there is no dishonesty or client malpractice involved. Petitioner is no public danger to clients. Five out of thirteen COUNTS (most of them repetitive) have been dismissed by State Bar Court, including one claim alleging moral turpitude. The State Courts operated under conflict of interest to decide on quantum of discipline due to Petitioner's claims of transcript tampering. Hearing Judge came to know of the issue prior to her decision through closing brief. If Petitioner were to be inflicted with highest quantum (disbarment), Petitioner's ability to pursue his case with higher courts as well as in collateral matters shall be diminished. Same is the issue with Review Department. Just to sustain the highest quantum of discipline, the State Bar Court is violating rules of jurisdiction, effectively holding

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another trial in *ex parte* manner, change the evidentiary basis between themselves and the trial. The Court should note that Petitioner is pleading with State Bar Court that he is not even practicing law, he has no clients, has not cheated any clients and it is first disciplinary matter for him. All to no avail. Three of the EIGHT COUNTS left have statute of limitation expired (more than five years old). The rest of COUNTS are petitioning counts, Petitioner's approach to courts after his property was wrongfully taken. The State Bar Court's Review Dept., setting aside First Amendment rights, finds moral turpitude in mere approaching Article VI and Article III federal courts. It is important for the US Supreme Court to note that no federal court made any finding related to frivolousness or meritless litigation, or any other cause to discipline Petitioner as an attorney. In ordinary cases, this is prerequisite for a State Bar Court to open a disciplinary matter. Modular constitutional analysis is dodged by State Courts. The State's highest court, concerned that conduct of personnel appointed by it shall be exposed, denied petition for review and a motion for new trial. The State's highest court was informed that such denial can shake the confidence of the public in the judiciary, all to no avail.

INACCURATE AND TAMPERED RECORD AND TRANSCRIPTS

Petitioner puts in record that two witnesses, Paul W Thorndal and Tejinder Cooner were not sworn in on 1.18.17 in live proceedings. M9.5.17. CD recordings were cut and pasted for the swear-in through inaudible audio. The court reporter then inserted commentary on

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swear-in in the transcripts. 2RT-18. Petitioner presented evidence of CD tampering. APPENDIX A, B, C³. Expert PhD Professor has examined the CD recording of 1.18.17 and concluded with 100% certainty that Paul W Thorndal's swear-in is in fact cut and pasted. A similar conclusion was made regarding testimony of Tejinder Cooner. *Id.* The issue was decided on dismissal motion by Petitioner, where review appellate panel attempted to augment the record and final transcripts without jurisdiction. O9.13.18. Petitioner maintains his objection regarding the failure of trial, which is admitted by State Bar in transcripts of record. RT2-71⁴. Utterances of Petitioner are omitted, corrections are not complete (O12.1.17⁵) and acts not transpired have been inserted. Petitioner's use of transcripts is involuntary and does not in any way waive this issue. Petitioner had shown to state courts and now to this Court that the transcripts are false, yet used by them. Since the record with state courts is false, uncertified, the matter should have ended in State Bar Court.

ISSUES RAISED FROM OPINION

1. State Courts failed to consider evidence of two detached experts, including a PhD Professor that the CD for trial audio recording dated 1.18.17 are forged

³ The expert reports and other materials are attached as appendices to the petition.

⁴ RT refers to reporter transcripts which are false. Any citation is not a waiver that the transcripts are false. Transcripts of 6.14.18 (disputed and false) are referred by their volume and page number. XRTP-Y:Z refers to reporter transcript volume X, page P and lines Y to Z. The transcript of 10.24.16 is mentioned as RT102416:P with P for page number. EXHIBITS are trial exhibits.

⁵ Docket materials are referred with dates. O for order, M for motion or pleading, R for response.

cut and paste. Accordingly, State Courts decided on trial transcripts that are a product of forgery and a crime in the state.

2. State Bar Court's Review Dept., with knowledge of claim that the recording are claimed to be false, heard a forged CD of recording to rule that the same CD is not forged. This was prior to dispositive second expert's opinion.

APPENDIX A.

3. State Bar Court's Review Dept. held in effect, an ex parte second trial to rule on issues of facts and trial procedures, different from the trial judge, denying due process to Petitioner.

REASONS FOR ALLOWANCE OF WRIT

The State's highest court failed to consider evidence developed after trial on conclusive proof that its administered arm, the State Bar Court was involved in a commission of forgery of the recorded CD for the date of trial of 1.18.17. The two witnesses, Paul W Thorndal and Tejinder Cooner, both State Bar Court's witnesses, were never sworn-in in live court. Yet the recorded CD produced in May of 2017, for a trial in January 2017 showed cut and paste sounds of purported swearing in, claimed to be from the live trial, a complete falsity, to which the Petitioner is an eye witness. A grant of petition for writ of certiorari shall restore confidence of the public in the judiciary and will ensure that due process of law is guaranteed to everyone in the United States. The faith of an individual to approach courts, particularly the State's highest court for shocking state conduct shall be restored.

LEGAL DISCUSSION

THE COURT SHOULD GRANT CERTIORARI TO RESTORE PROCEDURAL DUE PROCESS GUARANTEE IN ALL COURTS.

A. RECORD IN STATE COURT IS UNREVIEWABLE

1. Petitioner Sanjay Bhardwaj informs the US Supreme Court that State Bar Court's Review Dept. issued a decision on 5.1.19 (amended without jurisdiction dated 6.5.19) based on false transcripts of court proceedings for trial on 1.17.17, 1.18.17, 1.19.17, 1.20.17 and 1.24.17. With these facts and evidence of two experts presented, the State Supreme Court denied a petition to review. No due process trial occurred for facts developed after conclusion of trial in case in chief, where the burden was on State Bar. APPENDIX A, B, C, D, E.
2. On 5.13.19, Petitioner filed a motion to reconsider with State Bar Court, claiming several errors of law and as also that the transcripts in the proceedings are false and not certified by either party along with the court reporter who originally prepared the transcripts⁶. The issue of transcripts has become seminal, as two witnesses called by State Bar on 1.18.17 were not sworn-in in live proceedings. When the CD of the proceedings were released in May of 2017 for trial ending January 2017, the CDs were cut and pasted for the required swear-ins. Petitioner has presented two forensic audio examiner's reports indicating the tampering of the CD. After the transcribing court

⁶ This Court, in adjudicating this pleading as well as the case must ensure that the five Volumes of trial transcripts (in the record forwarded by State Bar Court) have no certification page and no certification from any one. This is violation of Appellate Rule 8.130 (f)(1) (reporter must certify). Besides, the transcripts are false and yet used by State Bar Court

reporter came to know of the tampering, she is refusing to certify the trial transcripts (1.17.17, 1.18.17, 1.19.17, 1.20.17 and 1.24.17). APPENDIX A, B, C.

3. Since the issuance of the decision by State Bar Court's Review Dept., Petitioner hired PhD professor Sean Fulop, Professor of Linguistics, to examine the CD related to swear in of the two witnesses. The Report is attached for Court's perusal. APPENDIX A. The expert has found with 100% certainty that swear-in of Paul W Thorndal is in fact cut and pasted. The expert found similar for swear-in of Mr Tejinder Cooner. The State Bar Court bound by its decision of 5.1.19 (amended without jurisdiction 6.5.19), where it considered testimony of Mr Thorndal and found him to be credible, refused to consider the attached evidence, which indicated large scale criminal activity involved in the litigation of this case. APPENDIX A, B, C, D E.
4. Petitioner informs the US Supreme Court that the two witnesses are State Bar's witnesses. The tampering and manipulation of CD/transcripts occurred after trial concluded and the State Bar Court's Review Dept. engaged in transcript augmentation/factual findings without jurisdiction, after trial. When a judicial body makes new findings as the Review Dept. claims to have done in its decision of 5.1.19 (as amended 6.5.19) (see page 13, footnote 11), it is required to hear both sides and consider all evidence before it. Rules of appellate record and rules of evidence are for truth to prevail. They cannot be used to hide or protect a criminal enterprise advanced by State Bar's OCTC (Enforcement Prosecuting body of State Bar).

5. It is noteworthy that Petitioner had ordered CDs for oral argument held 1.31.19, prior to submittal of the attached expert report to State Bar Court. The CD obtained as per best recollection of Petitioner, has omissions of Petitioner's utterances that there is "no stipulation on transcripts" and that the Hearing Judge after conclusion of trial and filing of request for review has a "conflict of interest." The Review Department's Hon. Catherine D. Purcell, Presiding Justice, also asked leading questions to be able to support a patently false claim that transcripts in this case are stipulated. Petitioner's expert and Petitioner are both shocked at these facts, particularly, that a failure to swear in witnesses at trial was forged through cut and paste. It is a sad reflection on the state of affairs of a body (OCTC) and the State Bar Court that are responsible for upholding ethical duties of all attorneys of the state.
6. After Petitioner pled failure to swear in in his closing brief on 2.14.17, the sounds of swear in were inserted so that the court reporter may report the swear-in in the reporter's transcripts. Other than the cut and paste, the five day transcripts have no indication of swear in from the then State Bar counsel Robin Brune (left the State Bar) and Hearing Judge Patricia McElroy (no longer on bench).
7. Mr Tejinder Cooner and Paul W Thorndal were defendants in the then pending Ninth Circuit case 13-17498, due to which apparently these witnesses did not want to testify under oath. State Bar Court and State Bar of California's OCTC made up an ex parte arrangement (criminal conspiracy), without informing Petitioner.

8. Due to failure of State Bar Court to dismiss the matter with evidence of criminal activity presented not only by State Bar of California, but also court personnel, the matter is proceeded to the Court, the Supreme Court of California (S256601). Since the state's highest court dealt with personnel it itself appointed and extended several times such appointments, Supreme Court of California, after providing "lip service," with predisposition, the State's highest Court denied the petition for review.
9. Due to evidence of criminal activity presented, this Court should not accord any deference to State Bar Court decision (at both Hearing and Review level) where criminal activity is involved to be able to maintain and sustain an action, in clear violation of its officer's basic civil rights, state rights and federal constitutional rights.
10. The Review Dept. of the State Bar Court has shown incompetence in their supervisory role, remanding the matter three times to the very Hearing Judge involved and allowing her to rule on her own appealed case with an actual and apparent conflict of interest on the wrongdoing. Worst yet, the State's highest court, the California Supreme Court decided to go along with such conduct, rather than remand for a new trial.
11. It is well established that the State Court findings are not binding on this court. The expert reports were never before the trial body in State Courts as the Review appeals body took away jurisdiction from the trial body. Due to these facts, this court must independently review the record for violation of due process, incurrence of gross injustice and lack of actionable professional proof of misconduct as an attorney.

Here, due to use of false transcripts, which are uncertified by a certified court reporter, the trial transcripts are not reviewable. Similarly, tens of thousands of pages of other court documents have been presented and used without any proof of authentication at trial. The State Bar Court took the position that authentication is not required at trial. The State Bar Court first ruled on 5-104 (H), which stated that authentication is required. Then, it unilaterally without briefing changed the basis to 5-104 (C), where “relevance test” for a writing actually requires authentication under California law. To be admissible in evidence, a writing must be relevant and authenticated. (California Evidence Code §§ 350, 1401.) The proffered evidence must be an original writing or otherwise admissible secondary evidence of the writing’s content. (California Evidence Code §§ 1520, 1521.) And it must not be subject to any exclusionary rule. (See, e.g., California Evid. Code § 1200.) Authentication of a writing, including a photograph, is required before it may be admitted in evidence. (Cal. Evid. §§ 250, 1401.) Authentication is to be determined by the trial court as a preliminary fact (Cal. Evid. § 403, subd. (a)(3)) and is statutorily defined as —the introduction of evidence sufficient to sustain a finding that it is the writing that the proponent of the evidence claims it is or —the establishment of such facts by any other means provided by law. (Cal. Evid. § 1400.) The statutory definition ties authentication to relevance. As explained by the California Law Revision Commission’s comment to section 1400, —[b]efore any tangible object may be admitted into evidence, the party seeking to introduce the object must make a preliminary showing that the object is in some way relevant to the issues to be decided in the action. When the object sought to be introduced is a writing, this

preliminary showing of relevancy usually entails some proof that the writing is authentic — *i.e.*, that the writing was made or signed by its purported maker. Hence, this showing is normally referred to as authentication¹ of the writing. (Cal. Law Revision Com. com., 29B pt. 4 West's Ann. Evid. Code (1995 ed.) foll. § 1400, p. 440.) Authentication is essentially a subset of relevance. (See *Lorraine v. Markel Amer. Ins. Co. (D.Md. 2007) 241 F.R.D. 534, 539 (Lorraine); 2 Broun, McCormick on Evidence* (7th ed. 2013) § 212, p. 5 (McCormick).) The foundation requires that there be sufficient evidence for a trier of fact to find that the writing is what it purports to be, *i.e.*, that it is genuine for the purpose offered. (*People v. Valdez (2011) 201 Cal.App.4th 1429, 1434-1435 (Valdez).*)

The improperly amended order by State Bar Court relies on Rule 5-104 C, where relevancy is a requirement and for writing, as cited above, authentication is still required. See Page 3, footnote 3 of decision dated 6.5.19. State Bar presented no evidence at trial regarding authentication before the documents were used. The ruling by State Court, therefore, is not based on any evidence, let alone clear and convincing evidence. Further, all of the documents are subject to exclusionary rule under Cal. Evid. Code 1200 under hearsay. State Bar's OCTC presented no exception to hearsay at trial. The hearsay issue is completely skipped by State Bar Court's Review Dept.

Under Cal. Evid. Code 452(h), the State Supreme Court has held that even judicial notice of the authenticity and contents of an official document does not establish the truth of the recitals therein, nor does it render inadmissible hearsay admissible. *Mangini v. R. J. Reynolds Tobacco Co.* (1994) Cal. 4th 1057, 1063 (truth of government reports of tobacco use not judicially noticeable); see also *People v*

Long (1970) Cal. App. 3d 586, 591 (“While the courts take judicial notice of public records they do not take notice of the truth of the matters stated therein”); *Morocco v. Ford Motor Co.* (1970) 7 Cal. App. 3d 84, 88 (judicial notice of the authenticity and contents of an official document does not establish the truth of the recitals therein, nor does it render inadmissible hearsay admissible). Courts “only take judicial notice of the truth of facts asserted in documents such as orders, findings of fact and conclusions of law, and judgments. *People v Thacker* (1988) 175 Cal.App.3d 594. Here, State Bar Court only takes judicial notice (erroneously as judicial notice of writing requires authentication first) under Cal. Evid. 450 et.seq. and uses documents for the truth of matter to give State Bar Affirmative relief. The California Supreme Court took no action to review and correct after its own precedents were not followed in State Bar Court.

12. Petitioner informs the US Supreme Court that the present record with State Bar Court is unreviewable as the trial transcripts are false, the CD recordings are tampered. Also the tens of thousands of other court documents filed by State Bar's OCTC are not authenticated. No evidence was presented at trial⁷ to prove that the documents are what they purport to be. Even the new rule cited in their amended decision requires authentication of writings as a “relevance” test. Rule 5-104(C). Importantly, for tens of thousands of pages have been entered into evidence without authentication, no evidence was

⁷ State Bar Court of State Bar Court wrongly assumes it can make new findings on appeal. There is but one trial in the matter. The appeal court does not retry to aid a party so the case can be sustained. The Review Dept. makes this mistake throughout.

presented at trial⁸. (denial of due process of the law). Note that any competent trial body should know that judicial notice requires authentication first. Also, if hearsay objection is made, implying the reliance of the documents is disputed, judicial notice cannot and should not be taken.

13. Petitioner further informs the Supreme Court that filing a petition for review is his right which he wants to avail. However, under B & PC 6068(d), and as an officer of this Court, he is required not to use or brief from documents that he has personal knowledge that they are false. Petitioner was present in the Court dated 1.18.17 and is a personal eye witness to the fact that the two witnesses Paul W Thorndal and Tejinder Cooner were not sworn in in front of him in live court on 1.18.17. Also, he cannot waive his right to have the trial in a due process proceeding be properly transcribed for his and appellate review, which has not happened in this case. Accordingly, Petitioner sought dismissal of this action in light of prejudice of his rights of having properly transcribed transcripts before him and this federal court.

14. Petitioner pleads the following:

A. This case and matter has become unsustainable due to criminal conduct of OCTC/court personnel during litigation. APPENDIX A. After remand to State Bar Court of California, this matter must be dismissed with prejudice, with Petitioner's status maintained.

"It has long been the rule that when the trial court fails to comply with the statutory provisions requiring authentication of the bill of exceptions or the transcript of the record, such papers may not

⁸ Review Dept. wrongly assumes it can make new findings on appeal. There is but one trial in the matter. The appeal court does not retry to aid a party so the case can be sustained. The Review Dept. of California State Bar Court makes this mistake throughout.

be considered upon appeal. (*Malony v. Adsit*, 175 U.S. 281 [20 S. Ct. 115, 44 L. Ed. 163]; *Campbell v. Reed*, 2 Wall. (69 U.S.) 198 [17 L. Ed. 779].) Following these principles, the courts of this state have repeatedly held that a record which lacks the authentication required by law may not be considered as the basis for an appeal. (*People v. Armstrong*, 44 Cal. 326; *People v. Ferguson*, 34 Cal. 309; *Salinas v. Riverside Finance Co.*, 126 Cal. App. 675 [14 P.2d 1025]; *People v. Lee*, 97 Cal. App. 321 [275 P. 815]; *Lewis v. Lapique*, 26 Cal. App. 448 [147 P. 221]; *People v. Schultz*, 14 Cal. App. 106 [111 P. 271].) In *People v. Brecker*, 20 Cal. App. 205 [127 P. 666], the reporter annexed to the transcript a certificate that it was correct. However, the court declined to consider the record for the reason that it did not include the statutory requirement of certification under oath. The trial judge's certificate was "held to be a mere nullity, so far as any effect it may have as an authentication of the record on appeal, where ... the phonographic reporter's certificate is wanting in one of the most vital of the requisites of a proper or legal authentication."

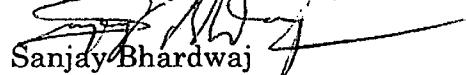
The transcripts of trial in this matter are false and unquestionably uncertified. The present action is unsustainable. When state courts sustained the case of such falsified transcripts, they were required to grant a due process trial to determine if forgery occurred. Without a grant for certiorari, wrongful acts of State Bar Court personnel and State Bar of California shall be left unpunished. State Courts and State Bar shall be encouraged to inflict such conduct on a number of innocent attorneys.

CONCLUSION

Petitioner has been denied due process of law, where the state courts failed to consider expert evidence of 100% certainty of forgery

committed in State Bar Court. Since the evidence developed on conduct of opposing party and State Bar Court after the conclusion of trial (case in chief), Petitioner was denied a new trial to present his evidence of committed forgery. All the same, the state courts inferred this dispositive fact against Petitioner with burden of proof with State Bar. The Court should grant certiorari to review and remand for a new trial to consider expert's evidence prior to dismissal of the case in state courts due to criminal conduct during litigation of this case.

Respectfully submitted,



Sanjay Bhardwaj

9.26.20