

20-5512

No. _____

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.

FILED

AUG 14 2023

OFFICE OF THE CLERK

JAMES L. MILLER, — PETITIONER
(Your Name)

vs.

TASHIMA, BYBEE, and — RESPONDENT(S)
WATFORA, Circuit Judges,

ON PETITION FOR A WRIT OF CERTIORARI TO

9th C.C.A. case No. #19-56319

None

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

JAMES L. MILLER,
(Your Name)

P.O. Box #122
(Address)

Inglewood, California, 90306
(City, State, Zip Code)

(323) 399-5680
(Phone Number)

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI;

QUESTION(S) PRESENTED:

[S]upreme [C]ourt [Rule] 19. (5) Procedure on a [C]ertified [Q]uestion. James I. Miller, petitioner /ex parte/ would like to [K]now that the [Merits] "infra." p. 11, lines 1-28, thru p. 12, lines 1-19, [Mink v. Kelm], 26 App. Div. 184, 41, N.Y.S. 2d, 769, 771, of the Cases [Infra] p. 12, lines 1-28, thru p. 16, lines 1-6, are of "1944 Importance", 28 U.S.C.A. § 1231 (Federal Question) between citizen of the "different" State [C]alifornia claiming (U.S. Constitution, Article 3, section (2), Arat. v. Tachibana & Hawai-i (1991) 778 F. Supp. 1535; 28 U.S.C.A. § 1332(a). Der-ivacy of [C]itizenship "without" [trial] or [Merits] [Harlow v. Penn. R. Co., W. D. Pa., (1966) F. Supp. 725]; and [does] the [Original Jurisdiction] belong to the [S]upreme [C]ourt or and the [C]ourt of [A]ppeals for the State of [C]alifornia Second App-ellate District Div. Two (appeal no. # B224254), Los Angeles Superior Ct. no. # BC4116582 "under (28 U.S.C.A. § 1251(b)(2)(3); 28 U.S.C.A. § 1254(2); 28 U.S.C.A. § 1257(a); and "with" 28 U.S.C.A. § 1291 (Tren-gew, v. Mongeon, No. D. 200, N.W. 2d, 50, 53,) Supreme Court Rule 24 (a); S.C. Rule 14.1(a); S.C. Rule 33.1.?

SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI;
LIST OF PARTIES,

☒ 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;

- (1.) Tashima, Bybee, and Watford, Circuit Judges.
Appeal No. #19-56385; D.C. No. #CV19-8909-PSG-JPR.
- (2.) Virginia A. Phillip, Individual and Official capacity;
Doe's.; D.C. No. #CV19-8909-PSG-JPR
Central District of California, Los Angeles; ;
- (3.) Phillips S. Gutierrez, et. al.
D.C. No. #CV19-8909-PSG-JPR; Central Dist.
of California, Los Angeles;
- (4.) Jean P. Rosenbluth, et. al., Central Dist. of
California, Los Angeles; D.C. No. #CV19-8909
- (5.) Tashima, Bybee, and Watford, Circuit Judges,
Appeal No. #19-56319; D.C. No. #CV19-8910-AB-KS
- (6.) Andre Birotte Jr. et. al. D.C. No. #CV19-8910-AB-
-KS; Central Dist. of California, Los Angeles;
- (7.) Scott S. Harris, Doe's; Central Dist. of Calif-
ornia, Los Angeles; D.C. No. #CV19-8910-AB-
KS,
- (8.) Karen Stevenson, et. al.; Central Dist. of Calif-
ornia, Los Angeles; D.C. No. #CV19-8910-AB-
KS;

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI;

COURT LIST OF PARTIES.

- (9.) Virginia A. Phillips, D.C. No. # CV12-5649-CAS-AN
[50] Central Dist. of California, Los Angeles;
- (10.) Christina A. Snyder, D.C. No. # CV12-5649-CAS-AN
[15] [48] Central Dist. of California, Los Angeles;
- (11.) George H. King, D.C. No. # CV12-5649-CAS-AN
[31] [32] and [33] Central Dist. of California
Los Angeles;
- (12.) Alfred T. Goodwin, Jerome Farris, and Michelle
T. Friedland, 9th Cir. Judges, Appeal No. # 14-56597;
- (13.) Arthur Nakazato, D.C. No. # CV12-5649-CAS-AN
[14] [15] Central Dist. of California, Los Angeles;
- (14.) Nru Van Dam, et. al., Appeal No. # 14-56597,
C.C.A. 9th, No. 110,100;
- (15.) Diarmuid F. O'Scannlain, William A. Fletcher,
and Consuelo M. Callahan, 9th Cir. Judges, Appeal
No. # 12-56895;
- (16.) William C. Conby, and Richard R. Clifton; Central
Dist. of California, Los Angeles; Appeal No. # 12-
56895;
- (17.) Amir Kashani, et. al., defendant; D.C. No. #
12-5649-CAS-AN; Central Dist. of California,
Los Angeles; Appeal No. # 12-56895; with U.S.
Supreme Ct. No. # 13-7517; and State California
Appeal No. # B224254; and L.A. Superior Ct. No. #
BL416582.

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI;

CONT. - LIST OF PARTIES.

(18.) L.A.C. & U.S.C. Medical Center, Gen. Hosp., et al. - Defendants; A.C. No. #12-5649-CAS-AN; Central Dist. of California - Los Angeles; Appeal No. #12-56895; with U.S. Supreme Ct. No. #13-7517; and State California - Appeal No. #6224254; and L.A. Superior Ct. No. #BC-416582.

(19.) Ronald M. Gould, Richard C. Tallman, and Mary H. Murguia, Circuit Judges - U.S. Supreme Ct. - case No. #18-1106; with Scott S. Harris and 10 other Clerks for petition for writ of certiorari; and petition for rehearing with 39 Clerks;

(20.) Alfred T. Goodwin, Jerome Farris, and Michelle T. Friedland, Circuit Judges - U.S. Supreme Ct. - case No. #15-6432; with Scott S. Harris and 10 other Clerks - for petition for a writ of certiorari;

(21.) Diarmuid F. O'Scannlain, William A. Fletcher, and Consuelo M. Callahan, Circuit Judges - U.S. Supreme Ct. case No. #13-7517; with Scott S. Harris, 10 other Clerks - for petition for a writ of certiorari; and petition for rehearing on the "merits" with 39 "clerks" which was "concealed" from the Supreme Court Judges (Supra p. 3, lines 11-27);

(22.) MOLLY C. RUYER, U.S. COURT OF APPEALS -

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI;

CONF. LIST OF PARTIES:

Court (22) Clerk - 9th C.C.A. case No. #19-56385;

(23a) JOSEPH WILLIAMS, U.S. COURT OF APPEALS -

Deputy Clerk - 9th C.C.A. case No. #19-56385.

RELATED CASES

(a.) Los Angeles County Superior Court - No. #BC416582

James L. Miller, plaintiff/pro-se vs. Amir Kashani & L.A.C.

& L.A.C. R.U.S. L. Medical Center - Gen. Hosp. Medical -

Malpractice - judgment on Mar. 24, 2010.

(b.) Court of Appeals for State of California - Second

Appellate Dist. Div. Two - No. #B224254 - James L.

Miller, plaintiff/appellant/pro-se - vs. - Amir Kashani, et.

al, defendants/respondents - Medical Malpractice - judgment

on Mar. 24, 2010.

(c.) U.S. Fed. Dist. Ct. - Central Dist. of California - Western -

Los Angeles No. #CV12-5649-CA3-AJ - James L. Miller,

plaintiff/pro-se - vs. Amir Kashani, et. al, defendants

Civil Action for Deprivation of Rights - docket No. #1 -

30 - judgment(s) 06-21-2013; James L. Miller, plaintiff/

pro-se - vs. Christina A. Snyder, et. al, doct. No. #31 - 32.

Civil Action for Deprivation of Rights - judgment - 09-19-14;

James L. Miller, plaintiff/pro-se - vs. - George H. King, et.

al, defendants - Notice of Motion to Compel an Officer of the

United States to Perform his (or her) duty - judgment - 06-01-12

docket #48; James L. Miller, plaintiff/pro-se - vs. - Christina

A. Snyder, et. al - doct. No. #50 - Civil Action (appx. - Exp. i)

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

TABLE OF CONTENTS

OPINION BELOW

JURISDICTION

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

STATEMENT OF THE CASE

REASONS FOR GRANTING THE WRIT/PETITION

PETITION FOR WRIT OF CERTIORARI

QUESTION(S) PRESENTED

LIST OF PARTIES

TABLE OF AUTHORITIES CITED

CONCLUSION

INDEX TO APPENDICES

APPENDIX-A-Complaint For Civil Action For Deprivation of -
Rights - Filed Oct. 16, 2019

APPENDIX-B-Order - Request to Proceed in Forma Pauperis -
Filed Oct. 28, 2019

APPENDIX-C-Notice of Appeal (85-87); Statement that
the Appeal should go forward (88-96); Motion and Affidavit
for Leave to Appeal in forma pauperis (97-100); Form 4. Motion
and Affidavit for Permission to proceed in forma pauperis (101-109).

APPENDIX-D-Cont. Table of Authorities

APPENDIX-E-Letter from U.S. Supreme Court No. #18-6106
denying Lr. Hearing on Feb. 19, 2019

APPENDIX-F-Order by Tashina, Bybee, and Wallford, on Apr.
13, 2020, case no. #19-56219

7(a)

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

TABLE OF CONTENTS (CONT.)

APPENDIX-G - Requested Piling "material" given extension

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

APPENDIX-H - In The Court of Appeals of State of California - Second Appellate Dist. - Division Two - "Opinion" case no. # B224254 Filed Mar. 24, 2011

7(b.)

SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI;
TABLE OF AUTHORITIES CITED;

CASES;

"Arai, v. Tachibana N. Hawai-i, (1996) 718, F. Supp.
1535"; (p.

Harlow, v. Penn. R. Co., W.D. Pa., (1960) 180, F.
Supp. 725. (p.

Doscloil, v. Fraser, D.C. Mont., (1965) 246, F.
Supp. 311. (p.

Cannon, v. United Ins. Co. of America, D.C.S.C.
(1973) 352, F. Supp. 1212. (p.

Kalina, v. Fletcher, U.S. Wash., (1997) 118, S.
C. 502, 522. (p.

Pickins, v. Pennsylvania, R. Co. C.C.A. 3. Pa.,
(1945) 151, F.2d. 240. (p.

Kenya44, v. Moore, S. D. Miss., (1985) 625
F. Supp. 224. (p.

Co. Officers Assn., v. Stewart, E.D. Tex., (-
1995) 903, F. Supp. 1029. (p.

Trengen, v. Mongeon, N.D. 200, N.W., 2d. 50, 53-
p.

Japan Gas Lighter Assn., v. Ronson Corp, D.C.N.
J. 257, F. Supp. 219, 224. (p.

Atkins, v. Canning, D.C., Okla., 415, F. Supp.
186, 188. (p.

Wagner, v. Metropolitan Nashville Airport Auth-
ority, C.A. Tenn., 772, F.2d. (appendix-B.C.), line 17

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:

The opinion of the United States court of appeals appears at Appendix N/A to the petition and is Case No. # 19-56319;
☐ 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 N/A to the petition and is Case No. # CV19-8910-AB-KS;
☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☒ For cases from state courts: In The Court of Appeals of the State of California - Second Appellate Dist. Div. Two; Case No. # B224254
The opinion of the highest state court to review the merits appears at Appendix H.P. 11 to the petition and is (Medical Malpractice);
☐ reported at N/A; or,
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished.

The opinion of the Court of Appeals - State of California court appears at Appendix H.P. 11 to the petition and is CV12-5649-CAS-AN;
CV19-8910-AB-KS; CV12-5649-CAS-AN; 19-56319
☐ reported at N/A; 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 Apr. 12, 2020, case No. #19-56319

☐ 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: "below", 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).

☒ A timely petition for rehearing was denied by the United States Supreme Court - Clerk (Sonia S. Harris) on the following date: Feb. 19, 2019 - case No. #18-6106, and a copy of the order denying rehearing appears at Appendix - E.

☒ For cases from state courts:

The date on which the highest state court decided my case was He Nov. 24, 2011.
A copy of that decision appears at Appendix A, appeal No. # B224254, from
Court of Appeals - For State of California - Second Appellate Dist. Div. 2

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

☐ 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. N/A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a), 28 U.S.C.
§ 1291 (a), (b)

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI:

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

United States (U.S.) Constitution (CONSY.) Amendment (Amend.)
(1) U.S. CONSY. 1st Amend.;

Congress shall make no law respecting an estab-
lishment of religion, or prohibiting the free exer-
cise thereof; or abridging the freedom of speech,
or of the press; or the rights of the people peaceably
to assemble, and to petition the Government

for a redress of grievances (No. #5 CV11998

(a) Complaint for Deprivation of Civil Rights - with

(b) Medical Malpractice; and (c) Aggravated -

Assault; "with" case no. #6-CV12-1660; #

7-CV12-3137; #8-CV12-3601; and "with" #9-16

Filed (CV12-5649-CAS-AR) on June 29, 2012

"with (Summons)" [1]; Amend. Complaint

For Civil Action For Deprivation of Rights "Filed

(July 31, 2012)" [2]; "with" Answer to Order to

Show Cause, Order by Magistrate Judge Arthur

Nakazato, on Aug. 02, 2012 [8] [9]; "with" Notice

of Appeal "Filed (Oct. 15, 2012)" Appeal No. #

12-56895 [19]; "with" [R] Response to C.C.A. 9th

[O.S.C.] and [A] Appellant [I] Informal [B] Brief -

Appeals Rpt. # [1] for 9th C.C.A., on Feb. 02, 2013

; Complaint For Civil Action For Deprivation of

Rights "Lodge" on Aug. 05, 2014 [31] case name

James E. Miller, pro se v. Christina A. Snyder,

(11)

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI:

CONSTITUTIONAL AND STATUTORY PROVISION INVOLVED

def., case No. # CV12-5649-CAS-AN [31]; Complaint for Civil Action for Deprivation of Rights - case No. # CV12-5649-CAS-AN, case name James L. Miller, pro-se v. Christina A. Snyder, def. "Lodge" on Aug. 27, 2014 [32] and "Complaint for Civil Action for Deprivation of Rights with" Notice of Motion and Motion for New Trial, case name James L. Miller, pro-se v. Christina A. Snyder, def., case No. # CV12-5649-CAS-AN, "Lodge" Sept. 08, 2014 [33]; Notice of Appeal "Filed" on Sept. 30, 2014 [35] [Appeal No. # 14-56597 [38]; "Filed" [Appellant] Informal [Brief] on Mar. 02, 2015 - Appeal No. # 8 - of the 9th C.C.A.; "with" 9 copies of the "Response" to C.C.A. 9th C.C.A. [10]; Notice of Motion and Motion for Action to Compel an Officer of the United States to perform his (or her) duty, "Received" but not "Filed" on Mar. 30, 2017, case name James L. Miller, pro-se v. George H. Kina, def., case No. # CV12-5649-CAS-AN [48]; Complaint for Civil Action for Deprivation of Rights "Received" but not "Filed" on Sep. 20, 2017, case name James L. Miller, pro-se v. Christina A. Snyder, def., case No. # CV12-5649-CAS-AN [50]; Notice of Appeal "Filed" on Oct. 11, 2017 [52]; [Appellant] Informal [Brief] - No. # 17-56567 [54]; [Appellant] Informal [Brief] - and "17" "F" "P" "Filed" on Dec. 26, 2017 "C.C.A. 9th" No. # [3.] [4.]; [Statement] that Appeal should

(12)

SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI;
CONSTITUTIONAL AND STATUTORY PROVISION INVOLVED
90 "Forward" [Filed Feb. 05, 2018 "C.C.A. 9th" No. # [6]; [M]otion for Leave to Proceed in Forma Pauperis [1] [F.] [P.] CV11-9198; CV12-1660; CV12-3137; CV12-3601 [all "denied" but did in fact "p[ro]ceed and "File" CV12-5649-CAS-AN, "Com-plain for Deprivation of Civil Rights, on June 29, 2012, and Amend. Complaint for Civil Action for Dep-ri-va-tion of Rights, case name James L. Miller, pro-se v. Amir Kashani, et al., case no. # CV12-5649-CAS-AN, "Filed" on 07-31-2012 [1] [7]; [F]iled - Complaint for Civil Action for Deprivation of Rights - on Oct. 16, 2019, case name James L. Miller, plaintiff v. Virginia A. Phillips, Doe's defendant, case no. # CV19-8909-PSG, J.P.R., C.C.A. 9th Appeal No. # 19-56382; "with" Filed Complaint for Civil Action for Deprivation of Rights - also on Oct. 16, 2019, case name James L. Miller, plain-tiff v. Scott S. Harris, Doe's defendant, case no. # CV19-8910-AB-KS; C.C.A. 9th Appeal No. # 19-56319; "L.F.P.'s - and Affidavits (Form 4's); "Filed" U.S. Supreme Court "Petition for A Writ of Certiorari" (Supreme Ct. case no. # 18-6106) case name James L. Miller, petitioner v. (Ronald M. Gould, Richard C. Tallman and Mary H. Murguia); "Filed" U.S. Supreme Court "Peti-tion for A Writ of Certiorari" (Supreme Ct. case no. # 15-6432) case name James L. Miller, petitioner v.

(13)

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI;

CONSTITUTIONAL AND STATUTORY PROVISION INVOLVED

(Alfred T. Goodwin, Jerome Farais, and Michelle T. Friedland); "Filed" U.S. Supreme Court - Petition for Writ of Certiorari (Supreme Ct. case no. #18-7517) case name James L. Miller, petitioner v. (Diarmuid F. O'Seawnaigh, William H. Fletcher, and Consuelo, M. Callahan), under U.S. Supreme Court case no. #18-6106. "Notice (Waiver)" on Dec. 26, 2018; and "Petition for Rehearing on the Merits on Petition for a Writ of Certiorari" "Filed" on Dec. 21, 2018;

(2) U.S. Const. 5th Amend.;

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or Naval Forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person (citizen) be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life (conspiracy), liberty (the invasion of privacy by "individual" on the "Internet communication"), or property ("document") of "Medical Malpractice" cases - CV08-4945; CV08-6031; CV08-7396; CV09-3897; and [all] properties in U.S. Const. 1st Amend (infra p. 11. lines 1.-28. (hur. p. 14. lines 1.-22.), without due process of law "infra p. 11. lines 1.-28. (hur. p. 17. lines

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI:

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1.-18.), nor shall private property be taken for public use (Supra. p. 11. lines 1.-28. Thur. p. 14. lines 1.-25), without just compensation;

(2.) U.S. Const. 7th Amend.;

In suits at common law (Supra. p. 11. lines 1.-28. Thur. p. 14. lines 1.-25), where the value in controversy shall exceed twenty dollars (Supra. p. 11. lines 1.-28. Thur. p. 14. lines 1.-25), the right of trial by jury shall be preserved (Supra. p. 11. lines 1.-28. Thur. p. 14. lines 1.-25), and no fact tried by jury shall be otherwise re-examined in any Court of the United States than according to the rules of the common-law.

(4.) U.S. Const. 9th Amend.;

The enumeration in the Constitution (U.S. Federal District Court - Central Dist. of California - Western Div. - Los Angeles; U.S. Court of Appeals Ninth Circuit; The U.S. Supreme Court - Office of the Clerk) of certain rights (Bill of Rights and Civil Rights) shall not be construed to deny or disparage (Supra. p. 11. lines 1.-28. Thur. p. 14. lines 1.-12. and "Infra" p. 13. lines 23.-28. Thur. p. 15. lines 1.-18. others ("other - such like" James L. Miller "Citizen") retained by the people (Citizen).

(5.) U.S. Const. 14th sect. 1. Amend.;

All persons (James L. Miller,) born (July 22,

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1955 - Los Angeles, California) or naturalized in the United States, and subject to the jurisdiction thereof (California), are citizen of the United States and of the State (California) wherein they reside, no State shall make or enforce any law which shall abridge (66 Supra. p. 11. lines 1-28. 4th p. 16. lines 1-18; and 66 infra. p. 16. lines 1-18) the privileges or immunities of (James L. Miller,) citizen (by way of "interstate communication system") of the United States; nor shall any State deprive any person (nature) of life, liberty, or property (Supra. p. 11. lines 1-28. 4th p. 16. lines 1-18) without due process of law (Supra. p. 11. lines 1-28. 4th p. 16. lines 1-18); nor deny to any person (citizen) within its jurisdiction (California, United States) the equal protection of the laws.

(b.) STATUTORY:

(a) 28 U.S.C.A. § 1251(b)(2)(3).;

(b) 28 U.S.C.A. § 1257(a).;

(c) 28 U.S.C.A. § 1291.;

(d) 28 U.S.C.A. § 1331.;

(e) 28 U.S.C.A. § 1332(a).;

(f) .;

SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

(F.) 28 U.S.C.A. § 2072.;

Fluoride;

"RULES" OF THE SUPREME COURT OF THE UNITED STATES

(G.) Rule 29 (1) (2); Filing and Service of Documents;
Special Notifications; Corporate Listing;

(H.) Rule 33 (1) (2); Document Preparation; Booklet Format;
8 1/2" by 11" inch Paper Format;

(I.) Rule 39.;

Proceedings In Forma Pauperis;

(J.) Rule 44 (1) (2) (3).;

Rehearing.;

"West Annotated California Codes; Civil Code of Procedure";

(K.) C.C.P. § 391 (b) (1-4).;

Definitions.

(L.) Rule 13.1 and 13.3.;

Review on Certiorari; Time for Petitioning.

(M.) Rule 14.1 (b. i-iii).;

Content of a Petition For a Writ of Certiorari.

(N.)

SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI;
STATEMENT OF THE CASE:

On July 18, 2018, James L. Miller, appellant/pla-
intiff/pro-se [S]ubmitted (Petition for a Writ of
Certiorari - "within [complaint for Civil Action for
Deprivation Oct. 16, 2019] on "said" date "above" in
exhibit - A, "with" Motion for leave to proceed in
forma pauperis - in the above "same" date and [d]
ocket on Sept. 26, 2018, in appendix - A, (pages
24 thru 81 with 97-100) and "place" on [docket on]
Sept. 26, 2018, case no. # 18-6106 (app. A - 72.)

Supreme Court of the United States - Office of the
Clerk Scott S. Harris, "responded" to case no. # 18-6106
on Dec. 03, 2018. The petition for a writ of certiorari,
[is] "denied", "with" 10 others clerk's, which
is a "violation" of James L. Miller, petitioner/pro-se
[C]onstitutional [R]ights (Supra. p. 11 - lines 1-28, thru
p. 16, lines 1-19, while "acting" under the "color of"
law (Atkins, v. Tennessee, D.C., Okl. 415, F. Supp. 186,
- 188.) this defendant (Scott S. Harris,) misuse of power (C-
Clerk of the Court) possessed by [V]irtue of State law (U.
S.) and made possible only because "wrongdoer" (Scott S.
Harris,) is clothed "with" authority of State (U.S.) for
the purpose (42 U.S.C.A. § 1983.) "state" involvement attach-
es to "action" (Wagner, v. Metropolitan Nashville Airport
Authority, C.A. Tenn., 772 F.2d, 227, 229, "with" the
[C]oncept of State action under the Fourteenth Amend. (-

SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI
STATEMENT OF THE CASE

Timson v. Weiner, N.C. Ohio, 395, F. Supp. 1344, 1347;
and "means" pretense of law and includes "action" of
OFFICERS who undertake to "perform" their "official" duties
(Thompson v. Baker, N.C. Ark., 133, F. Supp. 247);
Supra. p. 11. Lines 1-28. Thus, p. 11. Lines 1-19.

On Dec. 21, 2018, James L. Miller, appellant, Petitioner
for Rehearing "was" Filed; and "distributed" for conference
of Feb. 15, 2019, case no. #18-6106

On Feb. 19, 2019 the "response" for the Petition for
Rehearing on the "merits" was sent back by OFFICE of
the Clerk's U.S. Supreme Ct. Scott S. Harris, et al., "whom"
"Denied" the Rehearing "which" is a "violation" of the
Rules of the Supreme Court - Rule 44. (1), (2), (3) as well
the U.S. Court "Supra. p. 11. Lines 1-28. Thus, p. 11.
Lines 1-19." (App'x. A - 79.)

A "Complaint for Civil Action for Deprivation of Rights"
with Motion for leave to proceed in forma pauperis "submitted"
and "Filed" on Oct. 16, 2019, case name James L. Miller,
plaintiff v. Scott S. Harris, Doe's, case no. CV19-8910-
AB-KS (App'x. A - 24-81.)

Order Re Request to proceed in forma pauperis by
Judge Andre Bixette Jr.; Denying [3.] Request to proceed
in forma pauperis. It is further ordered that this case
is hereby dismissed immediately. It was recommended that
the Request to proceed in-forma-pauperis be Denied by

SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI
STATEMENT OF THE CASE;

Magistrate Judge Karen Stevenson. Legally and/or factually patently frivolous ("which" is a "violation" of "Constitutional Rights (Supra, p. 11. lines 1-28, Thur. p. 16. lines 1-19.) Immunity as to U.S. Clerk of Court [TWI]) have to [Qualified] "must" see "Supra, p. 11. lines 1-28, Thur. p. 16. lines 1-19, "U.S. Constitutional Rights (Lowe, v. Leisinger, L.A. 11th, 772, F.2d, 308.)" Appendix-B. (p. 82-84).

James L. Miller, plaintiff/appellant (pro-se) Notice of Appeal to 9th C.C.A. case no. #CV19-8910-AB-KS "to Filed" Nov. 07, 2019; Form (4) Motion and Affidavit for leave to Appeal in Forma Pauperis, (28 U.S.C. § 1915 (a) (1), (C)(1-3), (d)) "Appendix-C. p. 101-109"; "which" given James L. Miller, appellant 9th C.C.A. appeal no. #19-56319; and Statement that Appeal should be forward app. L. 88-96 "which" was "denied" on Apr. 13, 2020, by Tashima, Bybee, and Wilford, Circuit Judges, TWI which are [Violations] of the U.S. Const. "Supra, p. 11. lines 1-28, Thur. p. 16. lines 1-19." (App. F. p. 114.)

On Apr. 20, 2020, Supreme Court of the United States, - Office of the Clerk, [S]ent a [L]etter address to James E. Miller "instead" of James L. Miller, petitioner - case no. (3) #19-56319; and, 19-56382, for an "extension" to "filed" both "Writ of Certiorari" up to 150 after the Lower Court (C.C.A. 9th) decision (app. G. 115-116).

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

REASON FOR GRANTING THE PETITION - CON.

AN] of the Sup. (Pennyover, v. Neff, 95, U.S. 723, 24, L. Ed. 565.) [Due] process of law (have the "right" [Bill of Rights and Civil Rights of Contravening by "proof" every [material] [Fact] (pleading and practice "Hammitt, v. Pacific Power & Light Co., 10, Wash. App. 785, 520, P. 2d. 481, 484.) "enforce and protect his (James L. Miller, pro-se, / plaintiff / petitioner / appellant" Supra. p. 11, lines 1-28. Thur. p. 17, lines 1-19.) "rights before a court (Kazubowski, v. Kazubowski, 42, Ill. 2d. 405, 259, N.E. 2d. 282, 291) and it forbids condemnation (U.S. Const. 5th Amend.) nor shall any State deprive any person (James L. Miller) of life, liberty, or property (Supra. p. 11, lines 1-28, Thur. p. 17, lines 1-19) or of any "rights" [of] [law] of him (James L. Miller) Petitioner, v. Penn. La. App. 180, So. 2d. 66, 69. "shall have reasonable and substantial relation to the object being sought (U.S. v. Smith, D.C. Iowa, 249, F. Supp. 515, 516) "Fundamental" [of] [due] process (Supra. p. 11, lines 1-28, Thur. p. 14, lines 1-28) is the opportunity to be "heard (Trinity Episcopal Corp. v. Romney, 10, C.N.Y. 387, F. Supp. 1044, 1084.) "Due process" means fundamental fairness and substantial - of real worth and importance (U.S. Const.) Sealem, v. Skelly Oil Co., 145, Kan. 216, 65, P. 2d. 553, 554).

CONCLUSION

The petition for a writ of certiorari should be granted.

[*Supra*, pp. 21-22 lines (1-28),

Respectfully submitted,

JAMES L. MILLER,
James Miller, pro-se

Date: *Aug 13, 2020* —/