

No. 20-7222

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

Washington D.C. 20543-0001

IAN LaMONTE CORMIER (Pro-Se) PETITIONER
(Your Name)

RIVERSIDE COUNTY DISTRICT vs.
ATTORNEY OFFICE; et al, — RESPONDENT(S)

FILED

FEB 19 2021

OFFICE OF THE CLERK
SUPREME COURT, U.S.

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

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

PETITION FOR WRIT OF CERTIORARI

IAN LaMONTE CORMIER

(Your Name)

LARRY D. SMITH CORRECTIONAL FACILITY
1627 S. HARGRAVE STREET

(Address)

BANNING, CA. 92220

(City, State, Zip Code)

N/A

(Phone Number)

QUESTION(S) PRESENTED

1) HOW CAN PETITIONERS CASE BE DENIED IN FORMA PAUPERIS (IFP), WHERE IF THIS COURT LOOK AT PETITIONERS RESPONSE TO THE CENTRAL DISTRICTS COURTS ORDER RE DISMISSAL (FAILURE TO PAY THE FILING FEE) STAMPED FILED 10/29/19, (APPENDIX-B) PETITIONER EXPLAINS OF THE DIFFICULTY HE RECEIVED WHILE TRYING TO GET PATTON STATE HOSPITALS STAFF TO CUT, AND SEND THE DISTRICT COURT THE REQUESTED FOUR HUNDRED DOLLAR (\$400.00) FILING AND DOCKETING FEE, (SEE U.S. NINTH CIRCUIT COURT OF APPEALS: PLAINTIFFS NOTICE OF APPEAL TO DISMISSAL OF PLAINTIFFS CASE; STAMPED FILED 10/29/19); EXHIBIT A IS A WITHDRAWAL REQUEST OF FUNDS FOR FOUR HUNDRED DOLLARS TO THE DISTRICT COURT TO RECEIVE \$400.00 FOR CASE# 5:19-CV-01151-SVW-AFM, DATED 10/3/19. IT WASNT APPROVED BY THE TRUST OFFICE UNTIL 10/17/19. THE TRUST OFFICE SAT ON THIS REQUEST UNTIL THE 23RD. EXHIBIT-B. NOTICE U.S. CERTIFIED MAIL RECEIPT (EXHIBIT-C) SHOWS A STAMP DATE OF 10/16/19. ALTHOUGH THIS TRANSACTION WAS MADE UPON PETITIONERS REQUEST, AND THEN SENT OUT AGAIN ON 10/23/19 (SEE EXHIBIT E) CERTIFIED MAIL PAYMENT, THE DISTRICT COURTS NEVER TO THIS DATE ACKNOWLEDGE RECEIPT OF THIS \$400.00 FILING/DOCKETING FEE PAYMENT. EXHIBIT-F SHOWS THAT ON 10/23/19 PETITIONERS TRUST ACCOUNT BALANCE WAS \$734.20.

2) THE DISTRICT CLAIMS PETITIONER HAS 3 STRIKES FOR CLAIMS THAT ARE FRIVOLOUS, MALICIOUS, OR FAIL TO STATE ALL CAUSE OF ACTION. PETITIONER REFUTE THIS ALLEGATION.

3) HOW CAN THE COURTS RULE TO DISMISS IFP, WHEN LOWER COURT WHICH HAS RULED (ERRONEOUSLY) PETITIONER IS INCOMPETENT FOR TRIAL? THIS BEING A SHAM/FARCE AS TO COVER-UP THEIR DENIAL OF PETITIONERS CONSTITUTIONAL 14TH AMENDMENT TO DUE PROCESS OF LAW FOR THE LAST TWENTY-SEVEN (27) MONTHS. PETITIONER HAS BEEN HELD FROM PAYING THESE FILING/DOCKETING FEES HIMSELF BY THE SUPERIOR COURTS. PETITIONER ONLY HAVING HIS HANDICAP MOTHER TO DO SUCH, BESIDES PETITIONER HIMSELF, FOR PETITIONERS MOTHER IS IN A NURSING HOME.

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:

RIVERSIDE COUNTY DISTRICT ATTORNEY OFFICE; LEON, MORENO VALLEY POLICE; GIL, MORENO VALLEY POLICE; HEATHER GREEN, VMB ATTORNEY; STEVEN S. MITCHELL, ATTORNEY FOR VMB; DARRYL LYNN EXUM, ATTORNEY FOR VMB; KAZOUA V. CHA, ATTORNEY FOR VMB; GREG COMINGS, ATTORNEY FOR VMB; ALINA M. BROCK, ATTORNEY FOR VMB; MICHELLE ANDERSON, ATTORNEY FOR VMB; F. I. BARBA, RIVERSIDE COUNTY DEPUTY SHERIFF; SINGH, DOCTOR FOR RIVERSIDE COMMUNITY HOSPITAL; WILLIAMS, DOCTOR FOR RIVERSIDE COMMUNITY HOSPITAL; DEAN DECOLA, DOCTOR FOR RIVERSIDE COMMUNITY HOSPITAL; RELATED CASES PAULETTE NORMAN, ATTORNEY FOR THE RIVERSIDE PUBLIC DEFENDERS OFFICE; SUNNI HOSTIN, PROSECUTING ATTORNEY; JAMES COMEY, ATTORNEY FOR THE SAN DIEGO PUBLIC DEFENDERS OFFICE; A. C. JONES, ATTORNEY FOR THE RIVERSIDE PUBLIC DEFENDERS OFFICE; BRIAN BOLES, ATTORNEY FOR THE RIVERSIDE PUBLIC DEFENDERS OFFICE; JOHN DOE (A.K.A. X NGUYEN), ATTORNEY FOR THE RIVERSIDE COUNTY DISTRICT ATTORNEYS OFFICE.

RELATED CASES

JACKSON V. SUPERIOR COURT, 4 Cal 5TH 96 (SAYS PETITIONERS FORMER ATTORNEY PAUL LEONIDAS LIN (CRIMINAL DEFENSE ATTORNEY))

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APPENDIX B UNITED STATES DISTRICT COURT (CENTRAL DISTRICT)

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APPENDIX D PRESENCE. THIS IS ON-GOING PROBLEM.

APPENDIX E

APPENDIX F

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
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OTHER

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-A 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-B 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 1/27/21.

☒ 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).

☐ 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

DENIAL of CONSTITUTIONAL 14TH AMENDMENT TO DUE PROCESS

DENIAL of CONSTITUTIONAL 6TH AMENDMENT (TO FACE ACCUSERS)

STATEMENT OF THE CASE

ON, OR ABOUT 10/2018, THIS PETITIONER WAS ATTACKED AS HE CAME OUT OF HIS HOUSE, AFTER MAKING READY HIS CAR FOR HIS HANDICAPPED MOTHER AND BROTHER. PETITIONERS ATTACKER WAS HIS NEXT DOOR NEIGHBOR (KEVIN), WHOM IS 51/50, AND ON S.S.I. (PSYCHOTROPIC MEDICATION). BECAUSE PETITIONER GOT THE BEST OF KEVIN, WHILE PETITIONERS HANDICAPPED MOTHER WITNESS THIS, ALTHOUGH PETITIONER EXPLAINED TO LAW ENFORCEMENT (MORENO VALLEY POLICE) THAT PETITIONER DEFENDED HIMSELF WHILE BEING ATTACKED IN PETITIONERS BACKYARD, MORENO VALLEY POLICE ARRESTED PETITIONER. WHILE BEING RETAINED IN CUSTODY, MORENO VALLEY POLICE OFFICER LEON APPEARED IN COURT WITH A TYPED VERSION OF THE P.C. 280 MONTHLY STATUS REPORT THAT PETITIONER TURNED IN FROM THE PREVIOUS DAY OF THE ATTACK FROM KEVIN. OFFICER LEON SWORE THAT THIS TYPED VERSION THAT HE SUBMITTED AS EVIDENCE WAS THE ORIGINAL THAT THIS PETITIONER GAVE TO HIM FOR THE MONTH OF OCTOBER 2018. AFTER INFORMING PETITIONERS COUNSEL THAT THAT WASN'T THE ORIGINAL, PETITIONERS COUNSEL DID NOTHING IN CASE NO. RIF 1804646 IN RIVERSIDE COUNTY SUPERIOR COURT. WHEN PETITIONER THEN INFORMED JUDGE DAVID GUNN THAT THIS EVIDENCE USED TO BOUND PETITIONER OVER TO SUPERIOR COURT WASN'T THE ORIGINAL, JUDGE DAVID GUNN CHEWED PETITIONER OUT ABOUT SPEAKING UP IN HIS COURTROOM. AFTER BRIEFLY RELEAVING OFFICER LEON FROM HIS TESTIMONY ON THE STAND, JUDGE GUNN STATED TO PETITIONER HOW "I KNOW OFFICERS COME TO COURT, AND SUBMIT FALSE TESTIMONY, AND EVIDENCE", BUT JUDGE LET THIS FALSE EVIDENCE BE USED TO BOUND THIS PETITIONER TO SUPERIOR COURT. THIS WAS JUDICIAL MISCONDUCT, UNETHICAL PRACTICES, UNCONSCIOUSABLE, AND CORRUPT. SOON AFTERWARDS, PETITIONERS COUNSEL WOULD CALL INTO QUESTION PETITIONERS COMPETENCE VIA P.C. 1368. THIS WAS DONE BECAUSE PETITIONER RECOGNIZE HIS PUBLIC DEFENDER (PAULETTE NORMAN) FROM THE SAME SITUATION (

PETITIONER BEING ATTACKED A THIRD TIME BY A NEIGHBOR NAMED LEONARDO) WHERE PAULETTE NORMAN REPRESENTED PETITIONER. IN THAT 2011-13 CASE, AS WELL AS THIS ONE, PUBLIC DEFENDER PAULETTE NORMAN QUESTIONED PETITIONERS COMPETENCY (UNJUSTIFIABLY) BECAUSE PETITIONER CONVEYED TO HER THAT PETITIONER WAS A TWO TIME COMBAT MARINE. PAULETTE NORMAN USED THIS INFORMATION AGAINST THIS PETITIONER. CALLING PETITIONERS COMPETENCY INTO QUESTION WHERE PETITIONER WAS THEN RETAINED FOR EIGHTEEN MONTHS, SENT TO PATTON STATE HOSPITAL FOR TWO MONTHS. IT TOOK PETITIONER FILING A 42 U.S.C. § 1983, WHERE THEN PETITIONER WAS AFFORDED HIS REQUESTED JURY TRIAL. PETITIONER IN THAT CASE THAT JUDGE GUNN ALSO PRESIDED OVER, TESTIFIED, AND RECEIVED A HUNG JURY (10-2) TO CONVICT. ONCE JUDGE GUNN RECOGNIZED THAT THE JURY WAS GOING TO COME BACK HUNG, HE EXCUSED HIMSELF TO GO ON A FISHING TRIP (SEE TRANSCRIPT). SO, AS JUDGE GUNN PRESIDED IN THIS CASE (REF 1804646), AFTER ATTORNEY STEVEN S. MITCHELL REPRESENTED PETITIONER, WHERE THEN ATTORNEY HEATHER GREEN WAS REPRESENTING PETITIONER, ATTORNEY HEATHER GREEN CALLED INTO QUESTION (AS PAULETTE NORMAN DID IN 2011-13) PETITIONERS COMPETENCY DURING THE LAST DAY FOR VIOLATING DUE PROCESS. PETITIONER ASKED HEATHER GREEN WHY DID SHE DO SUCH. HEATHER GREEN STATED THAT SHE DIDN'T DO IT, BUT PETITIONERS PREVIOUS ATTORNEY, STEVEN S. MITCHELL APPROACHED PETITIONERS ATTORNEY PAULETTE NORMAN (FROM 2011-13) WHERE PAULETTE NORMAN GAVE STEVEN S. MITCHELL THIS INFORMATION. STEVEN S. MITCHELL, LIKE PAULETTE NORMAN (2011-13) USED THIS INFORMATION AGAINST THIS PETITIONER. THIS HAS GOT TO CONSTITUTE SOME FORM OF UNETHICAL PRACTICE, WHERE BECAUSE SUCH THIS COURT HAS DENIED PETITIONERS CONSTITUTIONAL 14TH, AND 6TH AMENDMENT. THEIR THUS MAKING PETITIONER A POLITICAL PRISONER FOR THE LAST TWENTY-SEVEN MONTHS, CONSIDERING PETITIONER HAVEN'T WAIVED ANY TIME.

ALL THIS IS BECAUSE PETITIONER WAS SUBJECTED TO AN ILLEGAL CONVICTION
1986 (SEE CORMIER V. COMEY, et al., 9TH CIR. CT. No. 20-55320, D.C. No. 5:19-CV-0198-
SVW-AFM). THEN LOOK UP CORMIER V. WILLIAMS, et al.; D.C. No. 5:20-CV-01877-
SVW-AFM. CORRECTIONAL OFFICERS FROM THE CALIFORNIA DEPARTMENT OF CORRECTIONS
ATTACKED THIS PETITIONER WHEN PETITIONER WAS THIRTY-ONE (31) DAYS TO GO HOME.
THE BAD ACTORS FALSIFIED THEIR CDC-115 INCIDENT REPORT TO READ THAT
PETITIONER ATTACKED THESE OFFICERS. THIS WAS IN 1992, WHERE AFTER THIS
PETITIONER HAD BEEN DENIED HIS REQUESTED THOROUGH INVESTIGATION, BECAUSE
THIS ATTACK ON PETITIONER WAS DONE IN FRONT OF THE WHOLE BUILDING
DURING EVENING WORKER RELEASE WHERE THIS WAS PETITIONER'S LAST DAY TO
WORK BEFORE GOING ON SECURITY (S) TIME. NO, WHILE PETITIONER WAS BEING
RETAINED IN ADMINISTRATIVE SEGREGATION (AD/SEG) PETITIONER PENNED A 42.
U.S.C. § 1983 CIVIL COMPLAINT, PETITIONER THEN FILED IT IN SAN DIEGO, CA.
EVER SINCE DARK PRINCIPALITIES HAVE CONTINUOUSLY ATTACKED PETITIONER
(SEE JAN L. CORMIER V. JACQUELINE L. COOPER, et al., 9TH CIR. CT. No. 20-56184, D.C.
No. 5:20-CV-01722-SVW-AFM (JACKIE WAS A CDC-NURSE OF 20+ YEARS, AND
PETITIONER'S 1ST COUSIN). THESE DARK PRINCIPALITIES KNOWS PETITIONER
WALKS AROUND WITH TWO STICKS, WHERE THEY ENLIST OTHERS TO ATTACK PETITIONER.
ONCE PETITIONER DEFENDS HIMSELF, THE RIVERSIDE COUNTY SUPERIOR COURTS,
AND MORENO VALLEY POLICE (LAW ENFORCEMENT), TWIST THE FACTS, AND MAKE
PETITIONER THE AGGRESSOR. THEY THEN FALSELY PROSECUTE PETITIONER LIKE 2011-
13, AND NOW. LABELING PETITIONER AS INCOMPETENT (LOOK AT DOCTORS REPORTS
FROM 2011-13, AND NOW: DR. JONES, AND SUITER). ALL THIS SO THEY CAN GET
STAKE 3, SEND PETITIONER TO PRISON, AND WHERE THEY NEVER HAVE TO
WORRY ABOUT CORMIER V. COMEY COMING UP AGAIN, NOR CORMIER V. WILLIAMS.
NEITHER RIF 1900638, RIF 2010187, OR RIF 2010188 (RIVERSIDE COUNTY SUPERIOR
COURT; DEPT. 61; RIVERSIDE, CALIFORNIA). I'M BEING HUNTED DOWN.
A POLITICAL PRISONER SINCE ABOUT TWENTY-SEVEN MONTHS NOW.
(6)

REASONS FOR GRANTING THE PETITION

BECAUSE JUSTICE MUST PREVAIL OVER DARKNESS.
(PETITIONER HAS BEEN A POLITICAL PRISONER FOR OVER 27 MONTHS!)

BAD ACTORS WHOM HAS MANIFESTED THEMSELVES TO LOOK AS IF THEY ARE AGENTS, AND ADVOCATES OF THE STATE HAVE DONE ME AND CALIFORNIA A REAL DISSERVICE. ESPECIALLY MY BEING A HONORABLY DISCHARGED, 2 TIME COMBAT MARINE.

AS I'VE STATED IN PREVIOUS PLEADINGS, AND LET ME REITERATE, I'VE PARTOOK IN AT LEAST FOUR (4) COURT TRIALS. PETITIONER TESTIFYING IN THREE OR THE FOUR.

IN 1986 (SAN DIEGO, CA.) PETITIONER RECEIVED A UNJUSTIFIED ILLEGAL CONVICTION, IN WHICH PETITIONER WAS MISREPRESENTED BY JAMES CONVEY ETC. IN 1992, PETITIONER WAS ASSAULTED BY CORRECTIONAL OFFICER (LYNN WILLIAMS ET AL.) WHERE PETITIONER TESTIFIED IN MONTEREY SUPERIOR CT. AND WAS FOUND NOT GUILTY. A WEEK AFTER BEING FREE, PETITIONER WAS CONFRONTING BAD ACTORS WHOM MARRIED IN THE FAMILY, WHOM WAS SEXUALLY ASSAULTING PETITIONER'S YOUNGER SISTER, AND FEMALE COUSINS (WEEK OF RODNEY KING RIOTS). PETITIONER WAS MISREPRESENTED BY ONE A.C. JONES IN POMONA, CA, AND COMPELLED TO TAKE A 8 YEAR DEAL, AFTER BEING DENIED ADEQUATE COUNSEL. FOR RIVERSIDE TO NOW SUGGEST, OR INFER THAT PETITIONER IS INCOMPETENT IS A AFFRONT TO PETITIONER, CONSIDERING PETITIONER HAS THREE YEARS OF COLLEGE, WHERE HE STUDIED AS A PARALEGAL IN 2015.
(JUSTICE MUST PREVAIL OVER DARKNESS)

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Donald L. Cornish

Date: 2/4/21