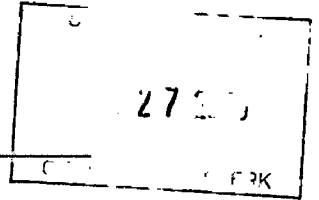


28-725  
No.

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In The Supreme Court of  
the United States of America

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

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On Petition for a Writ of *Certiorari*  
To The Pa. Supreme Court at 426 WAL 2019;  
The Pa. Superior Court at 922-4 WDA 2019;  
and The Allegheny County, Pa. Civil/Commerce and Complex Litigation Center at  
GD-13-011757.

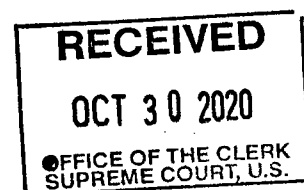
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PETITION FOR WRIT OF *CERTIORARI*

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Michael Ramon Ochoa  
Petitioner, *pro se*  
58 West Portal Ave #218  
San Francisco, CA 94127  
(415) 373-2172  
michaelochoa@mac.com

November 07, 2020



## QUESTIONS PRESENTED

1. The questions posed in the preceding course of appellate actions should be regarded as if entered here in their entirety.<sup>1</sup>
2. Does Judge Colville's elevation to the federal bench or *any* other events during the pendency of this case lend urgency to the problem of *Thrasymachus*?<sup>2</sup>
3. Does Judge Colville's own account of the different standards he used in applying Pa.R.C.P. 233.1 in this case and that of Ms. Jacquelyn B. N'Jai reflect systemic bias?
4. Do this Court's 03-19-20 and 04-15-20 Orders in response to the global pandemic demonstrate that its onerous paper filing, formatting and fees serve no necessary purpose, other than to limit *pro se* access to justice?
5. Does this, too, reflect systemic bias?
6. Whose version of the facts is more "reflective of reality" *de jure?* *de facto?*
7. Does U.S. Constitution Amendment XI prevent this Court from learning *anything* from the recent collapse of the Pa. Supreme Court?
8. Are rigid versions of Originalism susceptible to *reductio ad absurdum*?
9. Does this Court have *any* role in recognizing existential threats to the Republic?
10. Have we reached the "...burn the records and bill the victims" stage of our beloved United States of America?
11. Could all of this damage be mitigated simply by granting review?

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<sup>1</sup> See attached Exhibit H. Questions or Aporia or [https://www.academia.edu/44185393/Exhibit\\_J\\_Questions\\_or\\_%CE%91%CF%80%CE%BF%CF%81%CE%B9%CE%B1%CF%83?source=swp\\_share](https://www.academia.edu/44185393/Exhibit_J_Questions_or_%CE%91%CF%80%CE%BF%CF%81%CE%B9%CE%B1%CF%83?source=swp_share)

<sup>2</sup> See Ronna Burger: [https://www.academia.edu/44234603/%CE%91%CF%80%CE%BF%CF%81%CE%AF%CE%B1s\\_or\\_Perplexities?source=swp\\_share](https://www.academia.edu/44234603/%CE%91%CF%80%CE%BF%CF%81%CE%AF%CE%B1s_or_Perplexities?source=swp_share)

## 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 and referenced by:

[https://www.academia.edu/44185384/Exhibit\\_A\\_Defendants?source=swp\\_share](https://www.academia.edu/44185384/Exhibit_A_Defendants?source=swp_share)

A list of all proceedings in state and federal court, as well as state and federal law enforcement complaints, which directly arise from the same unexamined 250 Root Facts are attached as Exhibit G. Items of Judicial Notice

and referenced by:

[https://www.academia.edu/44185389/Exhibit\\_G\\_Items\\_of\\_Judicial\\_Notice?source=swp\\_share](https://www.academia.edu/44185389/Exhibit_G_Items_of_Judicial_Notice?source=swp_share)

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τοῦ δὲ καλοῦ μέγιστα εἶδη τάξις καὶ συμμετρία καὶ τὸ ὠρισμένον,  
 ἃ μάλιστα δεικνύουσιν αἱ μαθηματικαὶ ἐπιστήμαι. Aristot. Met. [1078a20-b1]

## PETITION FOR WRIT OF *CERTIORARI*

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

### OPINIONS BELOW

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

The orders and opinions of the trial court appear at App.5-15 as Appendix C.

All related court actions are included in the Root Data in analogue form at:

[https://www.dropbox.com/sh/yvt5jv2dim5fklq/AdENY\\_UOJt](https://www.dropbox.com/sh/yvt5jv2dim5fklq/AdENY_UOJt)

And in linearized form at:

<https://drive.google.com/drive/folders/1hh677qUnn30YnICN6Qzq01J0c0lzWUee?usp=sharing>

### JURISDICTION

The date on which the highest state court decided this case was 05-27-20.

Rehearing was denied on 06-25-20. Copies of those decision appear at App.16-17 as Appendices D-E. Time for filing this petition was extended to 150 days by this Court's 03-19-20 Order.<sup>1</sup> *Per* this Court's 04-15-20 Order, this petition has been formatted under the standards set by Rule 33.2.<sup>2</sup>

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

<sup>1</sup> See [https://www.supremecourt.gov/orders/courtorders/031920zr\\_d1o3.pdf](https://www.supremecourt.gov/orders/courtorders/031920zr_d1o3.pdf)

<sup>2</sup> See [https://www.supremecourt.gov/orders/courtorders/041520zr\\_g204.pdf](https://www.supremecourt.gov/orders/courtorders/041520zr_g204.pdf)

## 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:<sup>3</sup>

### 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;

### 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.

Also:

### U.S. Constitution Amendment XI Suits Against States

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

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<sup>3</sup> See attached Exhibit H. U.S. Supreme Court Conversations or [https://www.academia.edu/44185391/Exhibit\\_H\\_U\\_S\\_Supreme\\_Court\\_Conversations?source=swp\\_share](https://www.academia.edu/44185391/Exhibit_H_U_S_Supreme_Court_Conversations?source=swp_share)

## STATEMENT OF THE CASE

This Court is familiar with the Root Data.

While containing the most complete and accurate account of this case, the production of its member .pdfs and hierarchical organization were driven by the primitive *Aristotelian* logic of the Founders. That makes this *Analogue* Root Data easy to navigate but difficult to assess as an organic whole, leaving the demonstration susceptible to *ad hominem* and *ad hoc* attack.

Fortunately, the progress of information technology has finally made such tools as Optical Character Recognition (OCR) and Advanced Search cost effective, if not yet easily accessible.<sup>4</sup> With these new tools I have constructed a parallel, *linearized* set of *Smart* .PDFs with the information contained in the original file structure and other meta-data transferred to a customized Dublin Core schema.<sup>5</sup> This makes possible a more robust *Fregean* analysis of the truth properties of the system, which the Founders could not possibly have anticipated.<sup>6</sup> So far, 1577 of my court filings, law enforcement complaints, court orders and opinions have been linearized.

The familiar looking Exhibit structure now seamlessly navigates between the computer-friendly Linearized Root Data and the human-friendly Analogue Root Data. Most dead links and access errors can be corrected by following updates or adding comments on the free and publicly accessible site: [academia.edu](http://academia.edu)

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<sup>4</sup> See 09-11-19 922 WDA 2019 Appellant's Brief p.2 at <https://drive.google.com/file/d/18JMxoY5i40iciVDeP0J-FHvWwXj2cOTn/view?usp=sharing>

<sup>5</sup> Download and open any .pdf from the Linearized Root Data and press ⌘D to see its meta-properties.

<sup>6</sup> Logical properties such as Consistency, Completeness, Coherence and even "Correspondence to Reality." See [https://www.academia.edu/44185024/Authorities?source=swp\\_share](https://www.academia.edu/44185024/Authorities?source=swp_share)



## REASONS FOR GRANTING THE PETITION

On 06-29-20 an articulate and educated young African American woman, Jacquelyn B. N'Jai, who also happens to be indigent and *pro se*, filed a petition in this Court at 20-5365.<sup>7</sup> Despite having prevailed through harassment and abuse in federal court and at a later jury trial, on 12-04-18 at GD-18-009256 Judge Colville dismissed her claims *with prejudice* as “frivolous.” In his 12-04-18 Opinion he tellingly explained that “...this case is exactly the type of case that is meant to be dismissed under Rule 233.1.”<sup>8</sup> On 12-31-19 Judge Colville was then elevated to that same U.S. District Court where Ms. N'Jai had earlier prevailed.

The similarities to this case included claims involving the abuse of WPIC medical records in court through third party counsel; mishandling court records by the prothonotary; and even the role of Atty. Katelin J. Montgomery #322698 in deliberately misfiling key documents. So while Judge Colville had dismissed the formerly successful Ms. N'Jai as “frivolous,” he let me pass with a cynical assessment of the “futility” of my claims.

With no power to move him by force or facts, Judge Colville appears to the two of us as the *model* of *Thrasymachus*. He reflects the position that justice is the will of the stronger. Fortunately, by entering into a *dialogic* relationship through the use of free, publicly accessible information technology, we begin to reveal the bounds of Judge Colville's inherited prejudice. Which is precisely the solution the Founders intended.

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<sup>7</sup> See *In Re: Jacquelyn B. N'Jai*: [https://www.academia.edu/44283796/PETITION\\_FOR\\_WRIT\\_OF\\_MANDAMUS\\_ORIGINAL\\_COMPLAINT\\_IN\\_THE\\_ALTERNATIVE\\_1\\_UPMC\\_WPIC\\_ALMA\\_MILLERY\\_MEDICAL\\_CENTER\\_ET\\_AL\\_?source=swp\\_share](https://www.academia.edu/44283796/PETITION_FOR_WRIT_OF_MANDAMUS_ORIGINAL_COMPLAINT_IN_THE_ALTERNATIVE_1_UPMC_WPIC_ALMA_MILLERY_MEDICAL_CENTER_ET_AL_?source=swp_share)

<sup>8</sup> [https://www.academia.edu/43127194/JUDGE\\_COLVILLES\\_ORDER\\_OPINION\\_12\\_4\\_2018\\_3\\_?source=swp\\_share](https://www.academia.edu/43127194/JUDGE_COLVILLES_ORDER_OPINION_12_4_2018_3_?source=swp_share)

## CONCLUSION


By granting review, this Court will gently disabuse now *federal* Judge Colville of his errors through the use of universalizable, modern tools of reasoning, which respect the precise words, best intentions and private faiths of the ancient Founders.

This petition for a writ of *certiorari* should thus be granted, and all *pro se* litigants should be allowed to e-file Smart .PDFs in this Court.

Then, as I promised the late, Hons. Antonin Scalia and Ruth Bader Ginsburg:

“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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Michael Ramon Ochoa,  
Petitioner, *pro se*  
58 West Portal Ave #218  
San Francisco, CA 94127  
(415) 373-2172  
michaelochoa@mac.com

Date: November 07, 2020