

USSC No.: **20-7424**

IN THE SUPREME COURT OF THE UNITED STATES

<p>ALAN DOUGLAS, Petitioner - Appellant,</p> <p>vs.</p> <p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES Respondent-Appellee,</p>	<p>Writ of Cert to USCA 9th Cir on 2HC Medical Malpractice Injury <i>Res Ipsa Loquitur</i></p> <p>USSC No.: 20-7424 and Related 20-6881, 20-7321, 20-7654;</p> <p>USCA 9th Cir No.: 20-73506</p> <p>D.C. No.: 2:20-cv-07524-RSWL-AS</p> <p>2nd District Court of Appeal-CA No. B294801=S265908 Sup Ct-CA</p> <p>Los Angeles County Super. Ct. Cases No. BC657529/BC696685</p>
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On Petition for Panel Rehearing -- WRIT of Certiorari to USCA 9th Circuit No 20-73506 - 2HC

PROOF OF SERVICE

I, Alan Douglas, declare that on this date, 5th day of May 2021 as required by Supreme Court Rule 29, I have served the enclosed MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS and PETITION FOR PANEL REHEARING-- WRIT OF CERTIORARI to The Clerk of Supreme Court of the United States by depositing an envelope containing the above documents in the United States Postal Service [USPS] mail properly addressed with first-class postage prepaid for delivery within 3 calendar days.

The names and addresses of those served are as follows:

- [1] To the Clerk of Supreme Court of the United States, Washington DC 20543-USPS Mail;
- [2] US District Court 0973-2 - email

Email: as_chambers@cacd.uscourts.gov

Attn.: Hon. Ronald S.W. Lew, US District Judge

United States District Court-Court Central District of California (Western

- [3] 2DCA – Division 8

300 South Spring Street, N. Tower 2ndFl

Los Angeles, CA 90013

eMail: Notify@jud.ca.gov

- [4] The Superior Court of California, County of Los Angeles

Stanley Mosk Courthouse - eFiling

111 N. Hills St., Los Angeles, CA 90012

Attn.: Hon. William F. Fahey - Dept.69 Email: publicinfo@lacourt.org

Attn.: Sherri R. Carter-Executive Officer/Clerk Email: CourtCounsel@lacourt.org

Attn.: Frederick Bennett- Court Counsels for LASC cc: fbennett@lacourt.org

Dated: May 21, 2021

Los Angeles, CA

Signed by:

Alan Douglas, Pro Se

PROOF OF SERVICE

Petition for Panel Rehearing--WRIT of Certiorari to USCA 9th Circuit No 20-56105 on 2HC

DOUGLAS vs. TIMOTHY J. DASKIVICH, MD LAC-SC Case No.: BC657529

DOUGLAS vs. ZIMMERMAN et al LAC-SC Case No.: BC696685

LIST OF SERVICE

[1] To the Clerk of Supreme Court of the United States, Washington DC 20543-US Mail;
[2] US District Court 0973-2 - email Email: as_chambers@cacd.uscourts.gov Attn.: Hon. Ronald S.W. Lew, US District Judge United States District Court-Court Central District of California (Western Division)
[3] 2DCA – Division 8 300 South Spring Street, N. Tower 2ndFl Los Angeles, CA 90013 eMail: Notify@jud.ca.gov
[4]The Superior Court of California, County of Los Angeles Stanley Mosk Courthouse - eFiling 111 N. Hills St., Los Angeles, CA 90012 Attn.: Hon. William F. Fahey - Dept. 69 publicinfo@lacourt.org Attn.: Sherri R. Carter-Executive Officer/Clerk CourtCounsel@lacourt.org Attn.: Frederick Bennett- Court Counsels for LASC cc: fbennett@lacourt.org

General Docket
United States Court of Appeals for the Ninth Circuit

Court of Appeals Docket #: 20-73506
Alan Douglas v. Superior Court of California,
Appeal From: U.S. District Court for Central California, Los Angeles
Fee Status: Not Applicable

Docketed: 11/30/2020
Termed: 12/14/2020

Case Type Information:

- 1) original proceeding
- 2) second/successive habeas corpus
- 3) 2254 habeas corpus

Originating Court Information:

District: 0973-2 :
Date Rec'd COA:
11/29/2020

Prior Cases:

20-55919 **Date Filed:** 09/03/2020 **Date Disposed:** 10/16/2020 **Disposition:** Jurisdictional Defects - Judge Order

Current Cases:

None

ALAN DOUGLAS
Petitioner,

Alan Douglas
Direct: 323-882-5141
Email: ad47usa@hotmail.com
[NTC Pro Se]
Apartment 614
1637 Vine Street
Los Angeles, CA 90028

v.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS
ANGELES
Respondent,

ALAN DOUGLAS,

Petitioner,

v.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES,

Respondent.

11/30/2020	<u>1</u> 305 pg, 37.7 MB	Application for leave to file a second or successive petition filed. (Research) [11908912] (BY) [Entered: 11/30/2020 10:24 AM]
12/10/2020	<u>2</u> 22 pg, 2.41 MB	Filed (ECF) Petitioner Alan Douglas Affidavit Accompanying Motion for Permission to Appeal In Forma Pauperis (Form 4). Date of service: 12/10/2020. [11921653] [20-73506] (Douglas, Alan) [Entered: 12/10/2020 03:30 AM]
12/11/2020	<u>3</u> 5 pg, 779.41 KB	Filed (ECF) Petitioner Alan Douglas EMERGENCY Motion for injunction pending appeal. Date of service: 12/11/2020. [11923651] [20-73506] (Douglas, Alan) [Entered: 12/11/2020 12:44 AM]
12/14/2020	<u>4</u> 1 pg, 121.21 KB	Filed order (SIDNEY R. THOMAS, ANDREW D. HURWITZ and BRIDGET S. BADE): The motion to proceed in forma pauperis is denied as unnecessary. The applicant's request to file a second or successive 28 U.S.C. § 2254 habeas petition in the district court challenges only the entry of summary judgment in medical malpractice suits filed in state court. The applicant has not shown that he is currently in custody for a criminal conviction that he seeks to challenge in a § 2254 petition. Relief under § 2254 is, therefore, unavailable, see 28 U.S.C. § 2254(a) (requiring that petitioner be "in custody"), and we do not consider this application. All pending motions are denied. No further filings will be entertained in this case. The Clerk will close this original action. [11927232] (AF) [Entered: 12/14/2020 05:12 PM]
01/17/2021	<u>5</u>	COURT DELETED INCORRECT ENTRY. Notice about deletion sent to case participants registered for electronic filing. Correct Entry: [6]. Original Text: Filed (ECF) Petitioner Alan Douglas petition for panel rehearing (from 12/14/2020 memorandum). Date of service: 01/17/2021. [11966773] [20-73506] (Douglas, Alan) [Entered: 01/17/2021 08:00 PM]
01/17/2021	<u>6</u> 26 pg, 1.63 MB	Filed (ECF) Petitioner Alan Douglas motion for reconsideration of dispositive Judge Order of 12/14/2020. Date of service: 01/17/2021. [11967640] --[COURT ENTERED FILING to correct entry [5].] (TYL) [Entered: 01/19/2021 11:35 AM]
02/08/2021	<u>7</u> 34 pg, 2.1 MB	Filed (ECF) Petitioner Alan Douglas Emergency motion for reconsideration of dispositive Judge Order of 12/14/2020. Date of service: 02/08/2021. [11996964] [20-73506] --[COURT UPDATE: Updated docket text to reflect content of filing. 2/9/2021 by TYL] (Douglas, Alan) [Entered: 02/08/2021 08:44 PM]
02/26/2021	<u>8</u> 1 pg, 99.92 KB	Filed clerk order (Deputy Clerk: JS): The court's December 14, 2020, order, stated that no further filings would be entertained in this case. Accordingly, the court will take no action on the applicant's submissions at Docket Entry Nos. [6] & [7], or any further filings, in this closed case. [12018277] (AF) [Entered: 02/26/2021 02:13 PM]
03/01/2021	<u>9</u>	COURT DELETED INCORRECT ENTRY. Notice about deletion sent to case participants registered for electronic filing. Correct Entry: [10]. Original Text: Filed (ECF) Petitioner Alan Douglas response to Clerk Order. Date of service: 03/01/2021. [12019043]. [20-73506] (Douglas, Alan) [Entered: 03/01/2021 01:11 AM]
03/01/2021	<u>10</u> 23 pg, 1.57 MB	Filed (ECF) Petitioner Alan Douglas motion for reconsideration of non-dispositive Clerk Order of 02/26/2021. Date of service: 03/01/2021. [12019296]--[COURT ENTERED FILING to correct entry [9].] (SLM) [Entered: 03/01/2021 09:27 AM]
03/02/2021	<u>11</u> 104 pg, 8.53 MB	Filed (ECF) Petitioner Alan Douglas Correspondence: Petition for writ of certiorari to the U.S. Supreme Court. Date of service: 03/02/2021. [12021972]. [20-73506] --[COURT UPDATE: Updated docket text to reflect correct ECF filing type. 3/3/2021 by TYL] (Douglas, Alan) [Entered: 03/02/2021 03:37 PM]
03/15/2021	<u>12</u> 1 pg, 52.48 KB	Supreme Court Case Info Case number: 20-7424 Filed on: 03/02/2021 Cert Petition Action 1: Pending [12040377] (RR) [Entered: 03/15/2021 06:31 AM]
03/15/2021	<u>13</u> 4 pg, 1.6 MB	Filed (ECF) Petitioner Alan Douglas Correspondence: Notice of petition for a writ of certiorari. Date of service: 03/15/2021. [12042044] [20-73506] --[COURT UPDATE: Updated docket text to reflect correct ECF filing type. 3/22/2021 by TYL] (Douglas, Alan) [Entered: 03/15/2021 07:56 PM]
05/19/2021	<u>14</u> 1 pg, 61.25 KB	Supreme Court Case Info Case number: 20-7424 Filed on: 03/02/2021 Cert Petition Action 1: Denied, 05/17/2021 [12117759] (RR) [Entered: 05/19/2021 10:02 AM]
05/21/2021	<u>15</u> 36 pg, 4.3 MB	Filed (ECF) Petitioner Alan Douglas petition for panel rehearing and petition for rehearing en banc (from 05/17/2021 opinion). Date of service: 05/21/2021. [12120309] [20-73506] (Douglas, Alan) [Entered: 05/21/2021 12:53 AM]

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Billable Pages:	2	Cost:	0.20

Fw: 20-73506 Alan Douglas v. Superior Court of California, "Petition for Panel Rehearing/En Banc Combined (FRAP 35, 40)"

Alan Douglas <ad47usa@hotmail.com>

Fri 5/21/2021 1:43 AM

To: as_chambers@cacd.uscourts.gov <as_chambers@cacd.uscourts.gov>; notify@jud.ca.gov <notify@jud.ca.gov>; publicinfo@lacourt.org <publicinfo@lacourt.org>; CourtCounsel@lacourt.org <CourtCounsel@lacourt.org>; fbennett@lacourt.org <fbennett@lacourt.org>

From: ca9_ecfnoticing@ca9.uscourts.gov <ca9_ecfnoticing@ca9.uscourts.gov>

Sent: Friday, May 21, 2021 12:53 AM

To: ad47usa@hotmail.com <ad47usa@hotmail.com>

Subject: 20-73506 Alan Douglas v. Superior Court of California, "Petition for Panel Rehearing/En Banc Combined (FRAP 35, 40)"

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United States Court of Appeals for the Ninth Circuit

Notice of Docket Activity

The following transaction was entered on 05/21/2021 at 12:53:11 AM PDT and filed on 05/21/2021

Case Name: Alan Douglas v. Superior Court of California,

Case Number: 20-73506

Document(s): Document(s)

Docket Text:

Filed (ECF) Petitioner Alan Douglas petition for panel rehearing and petition for rehearing en banc (from 05/17/2021 opinion). Date of service: 05/21/2021. [12120309] [20-73506] (Douglas, Alan)

Notice will be electronically mailed to:

Alan Douglas: ad47usa@hotmail.com

Karin Johnsrud: kjohnsrud@supremecourt.gov (*daily summary*)

The following document(s) are associated with this transaction:

Document Description: Main Document

Original Filename: [2]20-7424 Petition for Panel Rehearing PPR 52021.pdf

Electronic Document Stamp:

[STAMP acecfStamp_ID=1106763461 [Date=05/21/2021] [FileNumber=12120309-0]

[3056b4843756078656734832c42061c7044ef791d67474e3e12665432f4330eb09454b7c88f9e2d68bd1617c314cd4aece6e0d228f86981c49417619f2ef40fa]]

Document Description: Additional Document

Original Filename: [1]20-7424 Motion for Leave to Proceed IFP 52021.pdf

Electronic Document Stamp:

[STAMP acecfStamp_ID=1106763461 [Date=05/21/2021] [FileNumber=12120309-1]
[03ffb56a28cf7459cacfd041d0e044d4dd1e8cb88df5d24bacfd7a74a462ce77967cd49df3929
69b5ad86ae67260ff137b45be4f6c063003c68a9a16fa094ce1]]

Document Description: Additional Document

Original Filename: [3]20-7424 APPENDIX App 52021.pdf

Electronic Document Stamp:

[STAMP acecfStamp_ID=1106763461 [Date=05/21/2021] [FileNumber=12120309-2]
[34fd85fd7a1996d5dd076627566e58404076e9052573c757e42ddc72bc4bdf29760b277c951
d740604f48ff5fc7339f623c3d215e5cc8b03b3b8a40297efbd50]]

Document Description: Additional Document

Original Filename: [4]20-7424 Proof of Service PrS 52021.pdf

Electronic Document Stamp:

[STAMP acecfStamp_ID=1106763461 [Date=05/21/2021] [FileNumber=12120309-3]
[3b12b2337be3b0cb209d4007bc1a5db7aecdd2d3e9880324b1981ffccf0b98a7c896796a9885
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