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20-7645

No. _____

IN THE
Supreme Court of the United States

JOSHUA HORN,

Petitioner,

v.

WAL-MART STORES, INC., STORE 1903.

Respondent.

**On Petition for Review to
the California Supreme Court**

PETITION FOR WRIT OF CERTIORARI

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ORIGINAL

QUESTIONS PRESENTED

The entire world witnessed the countless acts of domestic terrorism lodged against this nation's most sacred symbol of democracy on January 6, 2021. Domestic terrorism takes many forms and they are not all physically violent. Systemic racism marches hand-in-hand with domestic terrorism in this case as the trial court has willfully neglected its duty to allow due process with equal protection of law while disregarding this Court's due process conceptions followed by resulting litigation. Due process requires that the procedures by which laws are applied must be evenhanded, so that individuals are not subjected to the arbitrary exercise of government power. *Marchant v. Pennsylvania R.R.*, 153 U.S. 380, 386 (1894). Each reviewing court has deliberately disregarded the United States Constitution and its clauses of due process and equal protection under law. The Questions presented are:

1. Whether, in accordance with this Court's directive regarding the interpretation of due process and equal protection, the trial court's awarded judgment against the Petitioner was founded on legal error and/or (prejudice) judicial misconduct after applying two separate standards of care for two separate litigants requesting identical relief; allowing due process and equal protection for one who is White and disallowing due process and equal protection to the other who is Black.
2. Whether the Petitioner had a liberty interest in the fair administration of justice and the right to procedural due process under law, free of discrimination and retaliation.
3. Whether, based on the evidence and by listing and weighing a series of factors which in totality showed invidious discrimination, the trial court's actions amounted to a relentless effort to exclude the Petitioner from having his case transferred and/or presided over in alignment

with California law and both state and federal constitutions.

PARTIES TO THE PROCEEDING

☒ All parties appear in the caption of the case on the cover page.

RELATED CASES

Horn v. Wal-Mart Stores, Inc., Store 1903, ADJ10295534, Workers' Compensation Appeals Board (WCAB), Judgment entered: May 20, 2019.

Horn v. Workers' Compensation Appeals Board, C090184, California Appellate Court, Third District, Judgment entered: November 15, 2019.

Horn v. Workers' Compensation Appeals Board, S259531, California Supreme Court, Judgment entered: December 10, 2019.

TABLE OF CONTENTS

QUESTIONS PRESENTED.....	i
PARTIES TO THE PROCEEDING	iii
TABLE OF AUTHORITIES	iv
INDEX TO APPENDECIES	v
PETITION FOR WRIT OF CERTIORARI.....	1
OPINIONS BELOW.....	2
JURISDICTION	3
STATEMENT OF THE CASE.....	3
A. Factual and Procedural Background	
B. Trial Court's Willful Break From Tradition With Partiality	
REASONS FOR GRANTING THE PETITION	15
I. THE TRIAL COURT MISAPPLIED THIS COURT'S PRECEDENT ON PROCEDURAL DUE PROCESS AND EQUAL PROTECTION UNDER LAW.....	15
II. THE TRIAL COURT'S JUDGMENT CONFLICTS WITH THIS COURT'S CLEAR TEACHINGS IN MARCHANT V. PENNSYLVANIA R.R., AND BOARD OF REGENTS V. ROTH.....	16
CERTIFICATE OF COMPLIANCE	19
CONCLUSION	18

INDEX TO APPENDECIES

APPENDIX

Appendix A

Ruling and Opinion on Appeal from Trial Court Judgment,
California Appellate Court, Third District, Horn v. Wal-Mart
Stores, Inc., C089684 (October 1, 2020)..... APP-1

Appendix B

Ruling on Motion for Summary Judgment And/or Summary
Adjudication, Sutter County Superior Court, Horn v. Wal-
Mart Stores, Inc., Store 1903, CVCS 16-1624 (April 15,
2019)..... APP-14

Appendix C

Order Denying Petition for Review, California Supreme
Court, Horn v. Wal-Mart Stores, Inc., S265294 (December
16, 2020) APP-20

TABLE OF AUTHORITIES

	Page
<i>Cases:</i>	
Marchant v. Pennsylvania R.R., 153 U.S. 380, 386 (1894).....	1
Board of Regents v. Roth, 408 U.S. 564, 569–71 (1972)	7
Goss v. Lopez, 419 U.S. 565 (1975)	7
Cafeteria & Restaurant Workers v. McElroy, 367 U.S. 886, 894–95 (1961)	7
Logan v. Zimmerman Brush Co., 455 U.S. at 435–36 (1982)	8
Korematsu v. United States, 323 U.S. 214, 216 (1944)	9
Arlington Heights, 429 U.S. 267–68.....	10
<i>Grannis v. Ordean</i> 234 U.S. 385, 34 S. Ct. 779, 58 L. Ed. 1363 (1914)....	16

TABLE OF AUTHORITIES—Continued

	Page
 Goldberg v. Kelly,	
397 U.S. 254, 271 (1970)	10
 Marshall v. Jerrico,	
446 U.S. 238, 242 (1980)	10
 Schweiker v. McClure,	
456 U.S. 188, 195 (1982)	10
 Edmonson v. Leesville, Concrete Co.,	
500 U.S. at 628. (1991)	13
 <u>STATUTES</u>	
42 U.S.C. §§ 1981, 1983	14
 <u>UNITED STATES CONSTITUTION</u>	
14 th Amendment, Section 1	1

TABLE OF AUTHORITIES—Continued

	Page
5 th Amendment.....	14
The Supremacy Clause.....	14
<u>OTHER AUTHORITIES</u>	
California Rules of Court, Rule(s).....	
3.1332(c)(7)(d)(8).....	14
U.S. GOV. Code §§ 3331, 3333, Oath of Office.....	14

JURISDICTION

The date on which the highest state court decided my case was December 16, 2020.

A copy of that decision appears at Appendix C

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

STATEMENT OF THE CASE

While it may be natural to presume that the trial court followed proper procedures, that the judge made findings necessary that could be inferred from the evidence; that the judge correctly applied the law to the findings, and that even if the judge did commit error, it was not prejudicial; the evidence shows exactly how the trial court's ruling is founded on legal error, judicial misconduct, systemic racism, white-nationalism and domestic terrorism.

It is the fundamental error of law which requires reversal and reversal is appropriate as the trial court ignored numerous disputed issues of material fact that can be resolved only through trial. The trial court needs to be reminded that governments themselves do not have sovereign power(s), only the people are sovereign, as governments are institutions. This case is particularly complex due to direct actions taken by employees of the Sutter County Superior Court, which have caused irreparable harm to the Petitioner.

The trial court's baseless and unprecedented interpretation of the law surpasses the abuse of discretion and misconduct as it equates to willful neglect of duty, domestic terrorism and acts of moral turpitude. Under the trial court's theory, an African-American, disabled, low-income citizen of the state of California and of the United States of America, is sub-human and has no birthright to the same rights and liberties secured to (white) citizens by the California Constitution and/or the Constitution of the United States. The trial court's

rulings and use (abuse) of discretion, administered with ever-increasing employment of systemic racism, squarely conflict with decisions of higher courts in addition to both state and federal constitutions.

A. FACTUAL AND PROCEDURAL BACKGROUND

The Petitioner (Joshua Horn, Mr. Horn, Appellant or Plaintiff), during status conference proceedings of September 24, 2018 and November 26, 2018 verbally communicated to the trial court that he was unable to successfully move forward with the discovery process due to the Respondent's (Defendant or Appellee) legal counsel's failure and/or refusal to cooperate within the laws of California Code of Civil Procedure (CCP) and California Rules of Court (CRC). The trial court (Perry Michael Parker) bypassed Mr. Horn's right to due process and equal protection under the law when he explained that some judges allowed parties to contact them whenever there was a dispute and assist them in resolving them, and that he was not one of those said judges. The trial court offered no other means of resolution to Mr. Horn's discovery disputes. Mr. Horn was not provided the full and fair opportunity to present his disputes of discovery before the trial court as Judge Perry Parker refused to hear Mr. Horn's disputes in any capacity.

Based on the unethical actions taken by the trial court's employees against Mr. Horn, and the acts of judicial bias/misconduct by Judge Perry Parker, Mr. Horn chose to rescue himself from further discrimination, retaliation, constitutional and civil violations by filing a motion to transfer his case (change of venue) to another Superior Court with the adequate judicial resources to properly hear his case. The superior court the Petitioner sought to be transferred to (Santa Clara County) had audio recorded hearings available to the public as well as a significantly higher level of transparency in comparison to Sutter County. This was expressed via Mr. Horn's Change of Venue motion.

The trial court (Judge Perry Michael Parker) heard Mr. Horn's motion for transferring his case on February 4, 2018 and abruptly ruled against Mr. Horn without providing any case law, statutory or judicial authority of any kind. The trial court also ordered the Respondent's legal counsel to prepare an order in accordance with its ruling. The Respondent's legal counsel never complied with the trial court's instructions and Mr. Horn's motion for transfer was ignored by the trial court and was never fully addressed or ruled on. The Petitioner was never afforded due process regarding his motion for transfer, which remains outstanding and unaddressed to present day. The trial court's minute order ruling is insufficient as well as non-enforceable. The evidence shows that the trial court made numerous efforts, going above and beyond; in order to disallow the fair administration of justice, due process and/or equal protection under law for the Petitioner while providing a completely different standard of care to the Defendant and its counsel.

Comparing systemic racism applied to the black population within the judicial system reflects a familiar image of a historical showing of past discrimination, of systemic exclusion of blacks from the political process as well as educational segregation and discrimination, combined with continued unresponsiveness of elected officials to the needs of the black community, which indicated the presence of discriminatory motivation. This Court has looked to the "depressed socioeconomic status" of the black population as being both a result of past discrimination and a barrier to black access to voting power.

Consequently, the trial court's Judge Perry Michael Parker has either not received payment of wages since February 4, 2018; or Perry Michael Parker has knowingly lied under penalty of perjury via affidavit (multiple times) that he has addressed any and all matters brought before him no later than ninety (90) days after having been submitted; which

would be necessary in order for him to legally accept his payroll issuance comprised of California tax-payer money.

A public office is a public trust. The incumbent has a property right in it, but the office is conferred, not for his or her benefit, but for the benefit of the political society. The nature of the duty suggests the remedy in case of neglect. If the duty neglected is a duty to the state, he or she is amenable to the state for his or her fault.

Instead of allowing Mr. Horn to transfer his case to the Santa Clara County Superior Court, the trial court chose to punish the Plaintiff for exercising his constitutional rights by awarding the Defendant with monetary sanctions against him in addition to paying the Defendant's legal fees. The Respondent's legal counsel filed a motion to compel in the wake of Mr. Horn's very recent written and verbal complaints of discovery disputes between himself and the Respondent's legal counsel. The trial court heard the Respondent's motion on February 25, 2019 and ruled on the motion on March 1, 2019. The trial court ruled in the Respondent's favor but failed to substantiate how or why it came to its decision.

The trial court has shown it is competent enough to provide case law, citations, statutes, codes, etc. via other motion rulings; however, the trial court chose not to provide that same standard duty of care to the Appellant when it made a ruling against Mr. Horn, awarding the Respondent over \$4,000.00 (four thousand dollars) in sanctions, fees and costs without explaining how the trial court determined the dollar amount it did and/or why. The trial court instructed the Appellant to comply with the terms within the ruling within twenty (20) days, however; the trial court never executed the proposed order provided by the Respondent until months after the Petitioner had filed an appeal.

The trial court issued a ruling on March 1, 2019 granting monetary sanctions against a low-income, disabled, African-

American, self-represented litigant without providing any case law, citation, statutory authority or publication of any kind expressing judicial authority. The trial court was aware that the Plaintiff is disabled and of low-income as Mr. Horn had a Fee Waiver established with the trial court. Judge Perry Parker chose to disregard the Law by ignoring the reviewing court's decisions regarding low-income litigants, which all establish a precedent that prohibits courts from imposing improper and/or unduly burdensome sanctions, penalties and/or legal fees/costs against self-represented litigants of low-income with an inability to pay.

The ruling the trial court issued on March 1, 2019 was in retaliation to Mr. Horn's complaints filed with the Commission on Judicial Performance (CJP) against Judges Perry Michael Parker and Brian Ross Aronson. The ruling against the Plaintiff instructed the losing party to comply with all terms in the ruling within twenty (20) days. This was an attempt by the trial court to intimidate, pressure and bluff the Plaintiff as the trial court once again, directed the Defendant's legal counsel to prepare an order in alignment with its ruling, pursuant to CRC, rule 3.1312.

"[W]e must look not to the 'weight' but to the nature of the interest at stake. . . . We must look to see if the interest is within the Fourteenth Amendment's protection of liberty and property." *Board of Regents v. Roth*, 408 U.S. 564, 569-71 (1972). With respect to liberty interests, this Court has followed a similar path along the traditional concept of liberty being freedom from physical restraint as this Court has expanded the concept to include various other protected interests as well. *Goss v. Lopez*, 419 U.S. 565 (1975). "The very nature of due process negates any concept of inflexible procedures universally applicable to every imaginable situation." *Cafeteria & Restaurant Workers v. McElroy*, 367 U.S. 886, 894-95 (1961).

In *Ingraham v. Wright*, this Court unanimously agreed that school children had a liberty interest in freedom from wrong-

fully or excessively administered corporal punishment, whether or not such interest was protected by statute. "The liberty preserved from deprivation without due process included the right 'generally to enjoy those privileges long recognized at common law as essential to the orderly pursuit of happiness by free men.' Additional liberties so protected were the right to be free from, and to obtain judicial relief for, unjustified intrusions on personal security." This Court also expanded the notion of "liberty" to include the right to be free of official stigmatization, and found that such threatened stigmatization could in and of itself require due process.

Thus, this Court held that postdeprivation procedures would not satisfy due process if it is "the state system itself that destroys a complainant's property interest." *Logan v. Zimmerman Brush Co.*, 455 U.S. at 435-36 (1982). "That is particularly true where, as here, the State's only post-termination process comes in the form of an independent tort action. Seeking redress through a tort suit is apt to be a lengthy and speculative process, which in a situation such as this one will never make the complainant entirely whole."

B. TRIAL COURT'S WILLFUL BREAK FROM TRADITION WITH PARTIALITY

Mr. Horn for several years had been involved in a separate legal action within the WCAB (Workers' Compensation Appeals Board) of the Department of Industrial Relations, Division of Workers' Compensation prior to Mr. Horn's filing of his appeal. For some time Mr. Horn had litigated on his own behalf between both courts without difficulty as each WCAB trial hearing he had participated in had been scheduled weeks or months apart from proceedings within the trial court. Mr. Horn verbally informed the trial court that he was expecting to have a conflict in his schedule between responding to the Respondent's MSJ (Motion for Summary Judgment) and his upcoming trial hearing between himself and Wal-Mart Stores Inc., Store #1903; the same client as the Respondent.

The trial court refused to acknowledge the Plaintiff's statement and refused to reschedule the upcoming hearing on the Defendant's motion for summary judgment, providing the Defendant's legal counsel an advantage while presiding with a clear bias and favoritism toward the Defendant's legal counsel. Mr. Horn filed a motion to dismiss the Respondent's MSJ due to it being premature as the discovery process was just underway and Mr. Horn had not had enough reasonable time to perform discovery.

The trial court never ruled on Mr. Horn's motion, but instead, upon its own discretion, stayed the Defendant's MSJ to allow adequate time for discovery and created an extended deadline for Mr. Horn to respond to the Defendant's MSJ. Mr. Horn did not ask for an extension. The trial court denied Mr. Horn the right to due process and equal protection under the law when it refused to issue an order explaining its decision on Mr. Horn's motion to dismiss the Defendant's MSJ. Several weeks prior to Mr. Horn's deadline to respond to the Respondent's MSJ; Mr. Horn communicated to the trial court numerous times that a continuance would be in order due to him being involved in a separate trial the same week as the MSJ hearing was to be held. The trial court disregarded the Plaintiff's right to due process and ignored the Appellant each time he communicated that he was involved in a separate trial, verbally and in writing.

Paradigmatic of "suspect" categories is classification by race, In *Korematsu v. United States*, concerning the wartime evacuation of Japanese-Americans from the West Coast, in which this Court claimed that because only a single ethnic-racial group was involved the measure was "immediately suspect" and subject to "rigid scrutiny." 323 U.S. 214, 216 (1944). In applying "rigid scrutiny,"...determining whether a discriminatory purpose was a motivating factor "demands a sensitive inquiry into such circumstantial and direct evidence of intent as may be available." Impact provides a starting point and "[s]ometimes a clear pattern, unexplainable on

grounds other than race, emerges from the effect of the state action even when the governing legislation appears neutral on its face.”

In the absence of such a pattern, a court will look to such factors as the “historical background of the decision,” especially if there is a series of official discriminatory actions; in which this case, there are. The specific sequence of events may shed light on purpose, as would departures from normal procedural sequences or from substantive considerations usually relied on in the past to guide official actions. *Arlington Heights*, 429 U.S. 267–68

An impartial decisionmaker is an essential right in civil proceedings. *Goldberg v. Kelly*, 397 U.S. 254, 271 (1970) “The neutrality requirement helps to guarantee that life, liberty, or property will not be taken on the basis of an erroneous or distorted conception of the facts or the law. . . .” “At the same time, it preserves both the appearance and reality of fairness by ensuring that no person will be deprived of his interests in the absence of a proceeding in which he may present his case with assurance that the arbiter is not predisposed to find against him.” *Marshall v. Jerrico*, 446 U.S. 238, 242 (1980); *Schweiker v. McClure*, 456 U.S. 188, 195 (1982).

The trial court’s efforts to selectively disregard the law and undermine any attempt to achieve fair administration of justice in order to protect the Defendant represents the State of California’s internal domestic acts of terror inflicted upon its own citizens. By deliberately targeting the Plaintiff to discriminate against him and retaliate against him when the Plaintiff resisted the trial court’s discrimination; the trial court has and continues to present a threat to the National Security of the United States of America as it breaks away from traditional judicial practices and procedures set by the state and federal constitutions, and incorporates a separate judicial objective premised on white-supremacy, where the

trial court represents an authoritarian monarchy and the judge represents the English sixteenth-century Justice of Peace.

The Plaintiff filed, within the trial court, a notice of appeal on June 10, 2019. Following the filing of the notice, the Plaintiff attempted to file his notice designating the record on appeal multiple times within the trial court only to be met by stonewall discrimination condoned by deputy court clerk Rhonda, deputy court clerk Ashley Inganzo and Appeals deputy court clerk Marti Browning. Deputy court clerk Rhonda initially refused to accept the Plaintiff's notice designating the record until the Plaintiff expressed that he had been in contact with representatives from the United States Department of Justice (U.S. DOJ), Civil Rights Division.

Mr. Horn then communicated that simply because the deputy court clerks Ashley Inganzo and Rhonda had stated that Marti Browning was under the weather and not present at the trial court and that she would not be able to process Mr. Horn's notice designating the record on appeal until she returned, that didn't disable the trial court from fulfilling the service of filing appeals documents.

The Plaintiff then promised to communicate to the U.S. DOJ that both deputy court clerks Rhonda and Ashley Inganzo were both refusing to provide a service to the public that the trial court was obligated to fulfill by law. Deputy Court Clerk Rhonda then angrily agreed to accept the Plaintiff's notice designating the record but refused to file the document. The Plaintiff demanded to know why Deputy Court Clerk Rhonda was refusing to file his document. Deputy Court Clerk Rhoda expressed that she didn't think Mr. Horn would want her to file the document in case there happened to be an issue with the document that would prevent the trial court from accepting it for processing. Mr. Horn clearly communicated that whether there was an error or not on his form that did not prohibit the Deputy Court Clerk from filing the time-sensitive document. After demand-

ing that the document be filed with the court that same day (06-25-2019) Deputy Court Clerk Rhonda sarcastically stated that she would file the document if that's what Mr. Horn wanted.

The following day Mr. Horn attempted to locate the notice designating record on appeal via Sutter county Superior Court's web portal. The notice designating the record had not been filed the day before as promised by Deputy Court Clerk Rhonda. After speaking with Deputy Court Clerk Lisa briefly, Mr. Horn was informed that his notice could not be processed due to Deputy Court Clerk Marti Browning being absent, implying that the appeals department was "out-of-service". Mr. Horn communicated that he would be informing the U.S. DOJ of how Sutter county Superior Court was refusing to allow the Plaintiff full access to the public services provided by the trial court.

Mr. Horn was then placed on hold for several minutes before Deputy Court Clerk Lisa returned to inform Mr. Horn that his notice designating the record would be filed within the hour by none other than Deputy Court Clerk Rhonda. If a judge was out sick, the trial court wouldn't just dismiss all of the matters that were going to be heard, an added effort would have been put forth. Though an added effort was put forth by the deputy court clerks of Sutter county Superior Court; the effort was intended to prevent the Plaintiff from successfully filing his notice designating the record on appeal, so that Mr. Horn's appeal would be denied constitutionally due to an insufficient record to refer to and the chances of the trial court and its employees justifiably being held accountable in the future would be slim to zero probability.

This was a collective effort put forth on behalf of the trial court to collectively disallow the Plaintiff to achieve fair administration of justice by sabotaging his paperwork and using judicial bias/misconduct to absolutely secure that the

Plaintiff be deprived of his civil rights, ADA rights and his state and federal constitutional rights to due process and equal protection under the law. The trial court's refusal to interpret the CCP (California Code of Civil Procedure) and the CRC (California Rules of Court) expeditiously, inexpensively, without encumbrance of character, without impropriety and/or discrimination, as the Plaintiff was clearly involved in a separate trial matter less than seventy-two (72) hours apart from the Defendant's motion for summary judgment hearing; shows that the trial court has a sub-standard business practice for the Plaintiff that is different from its standard business practice for the Defendant.

The consecutive and habitual failure and neglect of duty by the deputy court clerks of the trial court was communicated to the trial court's executive officer: Stephanie M. Hansel; who lied under perjury, claiming that she had investigated the matter and found essentially the opposite of the misconduct the Plaintiff had alleged, after forging a legal document and claiming that said legal document had been provided to the Plaintiff several months prior to having provided Mr. Horn with the alleged second copy, which was missing the date and the trial court executive officer's signature endorsing the correspondence.

This Court, in *Rogers v. Lodge*, appeared to disavow much of *Mobile* and to permit the federal courts to find discriminatory purpose on the basis of "circumstantial evidence". This Court also concluded that "the injury caused by the discrimination is made more severe because the government permits it to occur within the courthouse itself." *Edmonson v. Leesville Concrete Co.*, 500 U.S. at 628. (1991) (citations omitted)

The Petitioner seeks recommendation to the Commission on Judicial Performance for suspension and removal of the trial court's Judge Perry Michael Parker. The summary of significant facts pertaining to matters within the record are

relevant in whole as this document and the Respondent's response will be used in federal court immediately following the outcome of the Plaintiff's petition for writ of certiorari within the United States Supreme Court.

The trial court, by violating the Appellant's civil, constitutional and ADA rights, has neglected its duty to public society and to the state of California in addition to failing and/or refusing to uphold and defend the U.S. Constitution. When the trial court was permitted by the state's higher courts to collectively and individually continue to neglect its duty and breach its oath or affirmation to uphold and defend the California and United States Constitutions; the liability then shifted to the court of appeals to uphold and defend the state and federal constitutions.

As the reviewing courts neglected to uphold the state and federal constitutions, they have allowed the trial court to undermine the judiciary of the State of California as it violated the Supremacy clause of the United States Constitution, which is quantifiable to an assault on democracy, presenting a clear and present threat to the national security of the United States of America.

The trial court has violated each of the acts, codes, statutes, etc., listed below.

1. 42 U.S.C. § 1981
2. 42 U.S.C. § 1983
3. 5th Amendment to the U.S. Constitution
4. 14th Amendment to the U.S. Constitution
5. ADA Americans with Disabilities Act 1990
6. California Unruh Act
7. Civil Rights Act of 1871, 1964
8. California Code of Judicial Ethics
9. Supremacy Clause to the United States Constitution
10. U.S. GOV Code §§ 3331, 3333

REASONS FOR GRANTING THE PETITION**I. THE TRIAL COURT MISAPPLIED THIS COURT'S PRECEDENT ON PROCEDURAL DUE PROCESS AND EQUAL PROTECTION UNDER THE LAW.**

The Petitioner illustrates the trial court's unconstitutional actions in great detail within his motion to vacate the trial court's May 29, 2019 ruling. The trial court erroneously conflated two (2) distinct legal questions or codes of California Rules of Court (CRC) without citing adequate case law, local rules or any judicial authority clarifying why the trial court was allowing the Defendant's legal counsel to wilfully disregard obeying the trial court's order to comply with CRC, while applying the law of CRC incorrectly in order to prevent the Appellant from receiving fair administration of justice and/or fully presenting his case before the trial court. (Rules 3.1332(c)(7), 3.1332(c)(d)(8)), 3.1312).

The trial court habitually refused to hold the Respondent accountable for not following its orders regarding compiling an order in accordance with the California Rule of Court twice; once with the Plaintiff's motion to dismiss the Defendant's MSJ and again when the trial court ordered the Respondent's legal counsel to produce an order in accordance with the California Rules of Court regarding the Plaintiff's Motion for Transfer (change of venue). Neither order has been created or provided in accordance with the law to present day.

II. THE TRIAL COURT'S UNCONSTITUTIONAL JUDGMENT CONFLICTS WITH THIS COURT'S CLEAR TEACHINGS IN BOTH MARCHANT V. PENNSYLVANIA R.R., AND BOARD OF REGENTS V. ROTH.

The Petitioner made several attempts to file additional ex-parte motions for continuance but Mr. Horn's efforts were met with resounding backlash from the employees of the trial court (Deputy Court Clerk Rhonda and Deputy Court Clerk Ashley Inganzo, in particular; discriminated against the Appellant numerous times in attempts to prevent Mr. Horn from successfully filing his motion for continuance ex-parte) in addition to the trial court's Judge Perry Michael Parker refusing to interpret the CRC (California Rules of Court) impartially and without discrimination.

One of the trial court's excuses for not allowing the continuance was that the Petitioner had already received an extension and that he did not entirely comply with the CRC. The trial court refused to interpret the CRC by ignoring the fact that each request for extension of time must be considered on its own merits. Mr. Horn 1) never made a request for an extension in the past, therefore he could not have requested a second extension when he never requested the first one given at the trial courts discretion alone, and 2) did not have a separate trial hearing scheduled during the same week as the MSJ hearing when the first extension was given.

This is a clear abuse of discretion by a trial court that went out of its way to assist the Defendant by prohibiting the Appellant from benefiting from the fair administration of justice while depriving him of his right to due process. In the case of *Grannis v. Ordean* (1914) 234 U.S. 385, 34 S. Ct. 779, 58 L. Ed. 1363, this Court stated, "The fundamental requisite of due process of law is the opportunity to be heard. [Citations omitted.] And it is to this end, of course, that summons or equivalent notice is employed." (Emphasis added. "Procedural due process imposes constraints on

governmental decisions which deprive individuals of "liberty" or "property" interests within the meaning of the Due Process Clause of the Fifth and Fourteenth Amendment." Id. at 331.

Within the same week of Mr. Horn's MSJ hearing before Judge Perry Michael Parker, in the matter of Myers v. Jennings (CVCS 15-0001106) which was also before Judge Perry Michael Parker, was set for a MSJ hearing of its own. Prior to that hearing of January 8, 2018 at nine o'clock A.M., Judge Perry Michael Parker allowed counsel for Myers to file a motion for continuance. The terms within said motion were nearly identical to the motion for continuance filed by Mr. Horn. The difference between the two matters was how the law was interpreted and how due process was afforded to Myers but not for Mr. Horn as a low-income, self-represented litigant of color. The Petitioner was able to view the motion for continuance filed on behalf of Myers via the trial court's public access portal office.

Judge Perry Michael Parker demonstrated competence, rationale and regard for the law when he addressed the motion for continuance filed by Myers' counsel by ruling on the motion's merits in accordance with state law and not on pre-meditated bias with an intent to find against the petitioner. The trial court clearly showed it was capable of applying case law, statutes, codes, local rules, etc., while presiding over a matter where the parties to the action are (White) not people of color, yet was unable/unwilling to do the same when ruling against the Petitioner, awarding the Respondent over four (4) thousand dollars in sanctions and legal fees.

CONCLUSION

In every aspect the trial court has broken every law it could to disadvantage the Petitioner and protect the judges who violated the Appellant's civil and constitutional rights while the judges worked diligently to protect the Defendant's legal counsel from any liability for having violated countless provisions within the California State Bar Act and the Rules of Professional Conduct/Business and Professions Code while litigating against the Petitioner.

The judgment(s) which review is being petitioned for are the trial court's rulings on the Defendant's motion for summary judgment, the Defendant's motion to compel, the Plaintiff's motion to dismiss Defendant's motion for summary judgment, the Plaintiff's motion for change of venue, etc., essentially each of the rulings made by Judge Perry Michael Parker that are state and federally unconstitutional.

Due to the trial court's failure/willful neglect of duty, failure to uphold and defend the state and federal constitutions, judicial misconduct, willful application of legal error, abuse of discretion, domestic acts of terror and unconstitutional rulings; the trial court should also be provided with an opinion as to how it should have addressed the Appellant's discovery disputes, motion to dismiss Defendant's MSJ, motion for change of venue, the Defendant's motion to compel and motion for MSJ in addition to the Petitioner's allegations of misconduct. Joshua Horn submits this petition through Jesus Christ. For the foregoing reasons, this Court should grant the petition for certiorari.

Respectfully submitted,



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Date: February 25, 2021

CERTIFICATE OF COMPLIANCE

I hereby certify that the accompanying Petition for Writ of Certiorari in Horn v. Wal-Mart Stores, Inc., Store 1903 complies with the word count limitations of Supreme Court Rule 33(g) in that it contains 5,347 words, based on the word-count function of Microsoft Word – Office 365, including footnotes and excluding material not required to be counted by Rule 33(g).

Date: February 25, 2021



Joshua Horn
Servant and Child of Jesus Christ