

No. 20-7993

ORIGINAL

FILED

MAY 03 2021

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

Eugene Korte — PETITIONER
(Your Name)

vs.

State of California, et al — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. District Court for the Eastern District of California
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Eugene Korte
(Your Name)

1289 Alamo Drive
(Address)

Vacaville, California 95687
(City, State, Zip Code)

(707) 469-0693
(Phone Number)

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SUPREME COURT, U.S.

QUESTION(S) PRESENTED

- I. How does Fraud on the Court and Fraud on the Court by the Court affect the Human and International rights of Petitioners?
- II. How do the People of the United States restrain Internet Service Providers and vindictive countries, government, and law enforcement agencies from performing retaliatory industrial and cyber sabotage to small businesses and its owners?
- III. How do small business owners Stop illegal government hacking of the internet, phone services, and other electronic devices?
- IV. What is the remedy for blatant discrimination, harassment, and fraud of citizens by State courts?

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:

The State of California;
The County of Solano;
Solano County Department of Information Technology;
Solano County District Attorney;
Vacaville Police Department;
Vacaville City Hall;
Federal Communications Commission;
DSL Extreme;
AT&T Corporate Office;
Verizon Wireless;
Comcast Corporation;
Shelly Singleton;
Marie Eubanks;
Dennis Bunting;
Department of Homeland Security;
Norman Gorton;
Shahrokh Bakhtyari

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APPENDIX B	No. 2-19-cv-02428-TLN-KJN <u>ORDER</u>
APPENDIX C	Permission to File Original Jurisdiction Complaint in the United States Supreme Court
APPENDIX D	Registered Copyright
APPENDIX E	Notice of Interlocutory Appeal - D.C. No. 2:13-cv-00035-JAM-KJN
APPENDIX F	Motion to Appoint Counsel

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

STATUTES AND RULES

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 ~~C~~ 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 Pending Rehearing in the 9th Circuit

☐ 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

U.S. Amendments 1, 4, 5, 6, 7, 13, 14

California Penal Code Sections 530.5, 530.6(a)

42 U.S.C. Section 12101 et seq.

29 U.S.C. Section 701 et seq.

42 U.S.C. Section 1983

42 U.S.C. Section 2000a-3

42 U.S.C. Section 2000a-5

18 U.S.C. Section 2511

18 U.S.C. Section 242

42 U.S.C. Section 2520.

42 U.S.C. Section 2521

42 U.S.C. Section 1831

42 U.S.C. Section 1832

42 U.S.C. Section 2333(a)

42 U.S.C. Section 2340A

Title 17. - Copyright

Title 11 - Bankruptcy

STATEMENT OF THE CASE

On July 1, 2015, Petitioner filed the COMPLAINTS FOR DAMAGES, INJUNCTIVE & DECLATORY RELIEF, AND CHANGE OF VENUE FOR VIOLATIONS OF CIVIL, CONSTITUTIONAL, AND HUMAN RIGHTS UNDER THE ADA, SECTION 504, & SECTION 1983 ACTS. AS District Court Case Number 2:15-cv-1398 KJM DAD PS, The COMPLAINT on file in this case CONSISTS OF 246 pages randomly assembled from various files in a number of different cases that have been filed over the years by the Petitioner. This file was submitted to the Clerk as four (4) independent petitions, each complete with a Motion For Leave To Proceed IN FORMA PAUPERIS. However, the Clerk only filed and stamped the Complaint and sent every thing else 'to the back' to be processed.

On August 17, 2015, the constant harassment and Denial of Service began occurring on the Petitioner's Computer Systems, internet access, email, and all telephonic communications hardware due to a malicious external cyber attack.

A)

On 10-09-15 or thereabout, Petitioner filed an Objection To Findings And Request For Extension of Time To File An Accurate And Complete Response Brief with The Court, because Petitioner had been unable to access the Internet nor his own computer networks and hardware since August 17, 2015. When the Petitioner logs into his email accounts through his networks or the public terminals located in the Yolo and Solano County libraries, absolutely all of his computer activity is presently being illegally monitored by parties and/or entities unknown and for reasons unknown. The instant case, District Court Number 2:19-cv-02428-TLN-KJN PS, concerns Only those events that have transpired post 8-17-2015. and addresses specifically the event that occurred on June 11, 2019 where the overall harassment became deliberate industrial and cyber Sabotage under the law. (See 18 USC Section 2511; 42 USC 1831-1832; 42 USC Sections 2520-2521)

On December 1, 2015, Petitioner called the District Court to check on the status of the case and was told that it had been "Reassigned on November 6, 2015 and that it was 'Under Review' by the Court".

On March 3, 2016, Petitioner appealed the case to the 9th Circuit Court as Case Number 16-15286. On May 19, 2016, the Court DENIED the appeal as frivolous. On June 10, 2016, it was DISMISSED for failure to pay fees.

Because the Complaint had been falsified in the District Court, the submission of the document to the Appeals Court constitutes FRAUD on the Court and FRAUD on the Court by the Court. [See 8 USC Section 1324c and California Penal Code Sections 115, 118, 470, 487]

FRAUD on the Court by the Court is "willful 'suppression' of the critical material evidence." The Petitioner travelled to District Court on November 14, 2019 to review the official record of the case and determined that the only record in the 2:15-cv-01398-KJM-EFB (TEMP) file that was original was Document #5: OBJECTIONS TO FINDINGS And
C) RECOMMENDATION.

On June 17, 2019, Petitioner tried to load a pristine copy of his 'Lawsuits' files onto a new computer system to review the files that he submitted to the Clerk for filing in District Court Case Number 2:15-cv-1398 KJM DAD PS on July 1, 2015. The malicious Wireless Malware, a Unified Extensible Firmware Interface (UEFI) rootkit, not only destroyed the copy of the new files, but also the original data files stored on the Gold Backup Media.

ALL of the original data files were overwritten with garbage (random text data). This criminal act of destruction generated the entire cause of action for Petitioner's filing of District Court Case Number 2:19-cv-02428-TLN-KJM PS for industrial, personal, and cyber SABOTAGE along with other state and federal ~~causes of actions~~ crimes.

On December 4, 2019 this case was filed in the District Court in Sacramento, California where it was classified as Job Discrimination (Rehabilitation Act). It was appealed to Case Number 20-15305 to the 9th Circuit Appellate Court on January 28, 2020 where it now resides. This is the case that Petitioner wants to be the subject of this WRIT OF CERTIORARI.

Petitioner believes that the DISMAL with ~~the~~
Prejudice is yet another attempt by the
Legal System and other Law Enforcement Agencies
to violate his 1st Amendment right to petition
the government for grievance that has been in
Concert since he has attempted litigation on
his Bankruptcy petition, Case Number 89-42141
filed on May 12, 1989 in the United States
Bankruptcy Court for Northern California in
Oakland, California ~~and~~ and the Infringement
of Copyright Case filed in the California Superior Court
in Solano County and moved to San Francisco
Superior Court via another Fraud on the Court
by the Court action. This case was closed in
November 1992 and needs to be reopened for review.

Case # 2:19-cv-02428-TLN-KJN PS, appealed
as Case # 20:15305, on February 25, 2020, has
its ~~Opening~~ Appellant's Opening Brief scheduled for Mon,
April 27, 2020. Failure to comply with Time Schedule
Order will result in automatic dismissal of the appeal.
See 9th Cir. R. 42-1.

REASONS FOR GRANTING THE PETITION

- A. Case involves the 1st Amendment rights violations. It also violates the 4th, 5th, 6th, 7th Amendments and Amendments 13 and 14.
- B. Case involves Copyright infringement and several Fraud on the Court and Fraud on the Court by the Court.
- C. Illustrates an illegal war by governments against their own citizens.
- D. The continuing real-time 24/7 surveillance for over 55 months is illegal under United Nations Treaties on Harassment and Torture
- E. Demonstrates a clear case of Discrimination and Retaliation by treating United States citizens as a "Nonperson".

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Eugene Korb

Date: March 16, 2020