No. 20-8229

**SUPREME COURT OF THE UNITED STATES**

MARTIN REINER

Petitioner

ORIGINAL

vs.

JOHN ROBERTS, ELENA KAGAN, LAURIE WOOD, MARA SILVER, AND CALIFORNIA STATE BAR

Respondents.



On Petition for Writ of Certiorari to the United States Court of Appeals for the District of Columbia Circuit

# PETITION FOR WRIT OF CERTIORARI

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## QUESTIONS PRESENTED

### (Of Acute National Importance)

1. Respectfully, what is the obligation of the Justices of the Supreme Court of the United States ("SCOTUS"), under HAZEL-ATLAS GLASS CO. vs. HARTFORD-EMPIRE CO. 322 U. S. 238 (1944) ("HAZEL"), when the Chief Justice, John Roberts ("Roberts"), and Associate Justice, Elena Kagan ("Kagan"), along with SCOTUS Deputy Clerks Laurie Wood ("Wood"), and Mara Silver ("Silver"), are participating in surreptitious criminal malfeasance of violating Title 18 United States Code Sections 241, 242, 1341, and 1512(c)(2), by their imposing extrinsic fraud upon the institution of the Court by deprivation of a litigant's federal constitutional right of Procedural Due Process, and its component part of having a meaningful opportunity to be heard, in SCOTUS case Number 18D3030, through secrecy in violation of JOINT ANTI-FASCIST REFUGEE COMMITTEE VS. MCGRATH 341 U. S. 123 (1951)("JOINT"), as well as in the subsequent matter of United States District Court for the District of Columbia ("USDC-DC") case number 1:21-cv-00031-APM/United States Court of Appeals for the District of Columbia ("USCOA") case number 20-5190, by prohibited ratification of a *legally null and void conviction* (which is null and void on its face) that was *contrived in defiance of the admitted failure to meet the required burden of proof at trial* (as admitted by the involved judicial officers in the judgment roll of the case) to cover-up the malfeasance of persons they wish to wrongfully protect by the obstruction of justice, to enable those persons to evade justice? What is the obligation owed by the Justices of SCOTUS to the defrauded litigant so victimized? What is the obligation owed by the Justices of SCOTUS to our American society, to protect our society's interest in the integrity of American jurisprudence?

## PARTIES TO THE PROCEEDING

The Petitioner is Martin Reiner.

The Respondents are:

(1)John Roberts ("Roberts") in his official capacity as Chief Justice of SCOTUS,

(2)Elena Kagan ("Kagan") in her official capacity as Associate Justice of SCOTUS,

(3)Laurie Wood ("Wood") in her official capacity as a Deputy Clerk of SCOTUS,

(4)Mara Silver ("Silver") in her official capacity as a Deputy Clerk of SCOTUS, and

(5)the California State Bar ("CSBar"), a state corporation.

None of the DOE Defendants have been named.

## THE SUBJECT RELATED CASES

(1)SCOTUS case number 18D3030, for which a disposition was entered March 4, 2019,

(2)USDC-DC case number 1:20-cv-00031-APM, for which a disposition was entered on April 3, 2020, and

(3)USCOA case number 20-5190, for which denial of re-hearing was entered on March 2, 2021.

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**STATE CASES**



**FEDERAL STATUTES**



**STATE STATUTES**



**FEDERAL CONSTITUTIONAL AMENDMENTS**

## THE OPINIONS BELOW

None of the lower Court dispositions involved in this case have been published.

The USCOA Judgment, in its case number 20-5190, that was filed on December 3, 2020, constitutes the entirety of the 2-page Appendix A

The USCOA Order denying Rehearing, in its case number 20-5190, that was filed on March 2, 2021, constitutes the entirety of the 1-page Appendix C

The USDC-DC Memorandum Opinion, in its case number 1:20-cv-00031-APM, that was filed on April 3, 2020 is the first two pages of Appendix B, and the USDC-DC Dismissal Order, in its case number 1:20-cv-00031-APM, that was filed on April 3, 2020, is page three of Appendix B

## JURISDICTION STATEMENT

The jurisdiction of this Court is invoked under Title 28 United States Code Section 1254(1), from the USCOA's March 2, 2021 Order denying Rehearing.

## CONSTITUTIONAL PROVISIONS INVOLVED

Procedural Due Process, as guaranteed by the 5th and 14th Amendments to the federal Constitution, as provided verbatim in relevant part, as follows:

Fifth Amendment

"No person shall be … deprived of life, liberty, or property, without due process of law …"

Fourteenth Amendment (Section 1)

"No State shall … deprive any person of life, liberty, or property, without due process of law"

Appearing in Appendix B, page 2

## STATEMENT OF THE CASE

Respectfully, in the course of my representing a client in a litigated matter, I uncovered a scheme of insurance fraud being committed by the litigation opponent, the attorneys representing that opponent, and State government officials. One of the attorneys involved in the fraud was a former State judicial officer. A demand was made by the judge assigned to the litigated matter upon me to participate in covering-up the exposed insurance fraud so as to protect the former State judicial officer from penal exposure, for me abandon my client's interest by withdrawing my client's petition for restitution. I refused to participate in covering-up the insurance fraud. Consequently, monetary sanction orders were threatened to be fabricated and imposed upon me unless I cooperated in aiding and abetting the cover-up effort. Again, I refused to participate in that wrongdoing, and the threatened monetary sanction orders were fabricated and imposed.

I undertook a legal challenge to the constitutional validity of those orders, instead of simply paying the sanction amount, as an exercise of my constitutional rights and duties, as the law allows, CANATELLA vs. STOVITZ 365 F. Supp. 2d 1064 (N. D. Cal. 2005) ("CANATELLA"), which at pages 1073-1074, holds:

> "... attorneys may be disciplined for violating ***only*** court orders that an attorney '***ought in good faith***' to comply with ... This provision ensures that attorneys will not be disciplined for failing to comply with an ***unjust*** court order. The provision ... allows for an attorney to exercise his or her ***right to disobey*** a court order the attorney believes to be unconstitutional" (emphasis added).

The Collateral Bar Rule is not the rule in California, PEOPLE vs. GONZALEZ (1996) 12 Cal. 4th 804 ("GONZALEZ"), at pages 818-819, IN RE BERRY (1968) 68 Cal. 2d 137 ("BERRY"), at pages 148-149.

One of the state government officials, Ms. Ronnie Caplane ("Caplane"), had undisclosed disqualifying relationships with the judges of the California State Bar ("CSBar") Court, as well as with the justices of the California Supreme Court. Through those relationships and their undue influence, Caplane had the CSBar contrive a charge against me for alleged willful disobedience

of the monetary sanction orders, for professional discipline to be imposed against me, to discredit me professionally, in retaliation for my refusing to participate in covering up the insurance fraud in which Caplane was one of the involved participants. The CSBar said it would drop the charges if I participated in the cover-up by my paying the subject fabricated monetary sanction orders to make it falsely appear that I had been overzealous and having revealed the insurance fraud. Again, I refuse to so participate in aiding and abetting the insurance fraud.

A CSBar Court professional discipline trial in CSBar Court case number 09-0-10207-PEM was conducted. The CSBar Court bore the burden of proof, as is reflected in appendix D, on its page 44, which is a true incorrect copy of page 6 from the CSBar disposition document, where, in the final paragraph of that page, the CSBar Court judges correctly identify the burden of proof required to be met in order for any professional discipline to be imposed – "to establish … he knew there was a final, binding court order." Thus, the CSBar had to prove by clear and convincing evidence that the subject monetary sanction orders were (1)final – that their constitutional status was not subject to being challenged, (2)binding – that the subject orders were indeed constitutionally valid, and (3)known by the charged attorney to be so "final" and "binding". As reflected in Appendix D, which is a true and correct copy of the verified Complaint in the United States District Court for the District of Columbia ("USDC-DC") case number 1:20-cv-00031-APM, at pages 35 through 42, the pertinent portion of the trial transcript of CSBar Court case number 09-0-10207-PEM demonstrates that the required elements of the burden of proof were not only not met, but were proven to be negated.

The CSBar issued its disposition, which is a part of the judgment roll. Appendix D, at its page 45, and as the entirety of Appendix E, is it true copy of page 10 of the CSBar's disposition document. On that page, right there in the judgment roll, at line 7-8, the involved CSBar judges admit that the required burden of proof was indeed not met – "Also, the hearing judge did not determine the constitutionality of the orders …" And, at lines 8-9, those CSBar Court judges

then imposed extrinsic fraud upon the institution of the Court, and upon me, by capricious tyranny, in the wrongful displacement of the factual merits, that the punishment of professional discipline (the suspension of my law license) could be achieved in defiance of the admitted failure to have met the required burden of proof by contriving a conviction through mere whimsical fiat – "she simply recommended discipline for Reiner's failure to obey them, as she is authorized to do."

No one, absolutely no one, anywhere in the United States of America, is at all authorized to impose a contrived conviction in defiance of the admitted failure to have met the required burden of proof. Such imposition of falsehood into a litigated matter by an officer of the Court constitutes fraud upon the institution of the Court, IN RE INTERMAGNETICS AMERICA, INC. 926 F. 2d 912 (9th Cir. 1991) ("INTERMAGNETICS"), at page 916, as such fraudulently contrived conviction also constitutes a deprivation of Procedural Due Process and its component part of having a meaningful opportunity to be heard, COFFIN vs. UNITED STATES 156 U. S. 432 (1895) ("COFFIN"), at pages 458-459 because:

> "... if a man be ***accused*** ... he must be ***proved guilty*** ... he must be ***acquitted*** unless he is ***proven*** to be guilty" (emphasis added),

as

> "a conviction based upon a record wholly ***devoid of any relevant evidence of a crucial element of the offense charged*** is ***constitutionally infirm***" (emphasis added)

JACKSON vs. VIRGINIA 443 U. S. 307 (1979) ("JACKSON"), at page 314. Such dispositions so contrived by judicial officers in deprivation of a meaningful opportunity to be heard are legally null and void, UNITED STUDENT AID FUNDS, INC. vs. ESPINOZA 559 U. S. 260 ( 2010 )("UNITED"), at pages 270-271, as

> "the due process clause would not permit ***any*** 'procedure which would offer a possible temptation to the average man as a judge to ***forget the burden of proof required to convict*** the defendant ...'" (emphasis added)

MARSHALL vs. JERICHO, INC. 446 U. S. 238 (1980)("MARSHALL"), at page 242, as

> "the 'right to be heard before being condemned to suffer grievous loss of any kind, even though it may not involve the stigma and hardships of a criminal conviction, ***is a principal basic to our society***'" (emphasis added),

MATHEWS vs. ELDRIDGE 424 U. S. 319 (1976) ("MATHEWS"), at page 333, as such judicial dysfunction –

> "... is judicial usurpation and oppression, and ***never can be upheld*** ..." (emphasis added),

OLD WAYNE MUTUAL LIFE ASS'N vs. MCDONOUGH 204 U. S. 8 (1907) ("WAYNE"), at page 17.

Such dispositions, which are legally null and void from having been procured by such deprivation of affording the victimized litigant a meaningful opportunity to have been heard by defiance of the evidence adduced, and that evidence's failure to have fully met an element of the required burden of proof, are forever null and void, and any effort to premise another disposition upon one which is so null and void, is itself also legally null and void, as –

> "A sentence of a court pronounced against a party without ... giving him an opportunity to be heard, ***is not a judicial determination of his rights, and is not entitled to respect in any other tribunal***" (emphasis added),

WINDSOR vs. MCVEIGH 93 U. S. 274 (1876) ("WINDSOR"), at page 277, as each such null and void disposition is –

> "***not entitled*** to full faith and credit when sued upon in another jurisdiction ... Moreover, ***due process requires that no other jurisdiction shall give effect***, even as a matter of comity ..." (emphasis added),

GRIFFIN vs. GRIFFIN 327 U. S. 220 (1945) ("GRIFFIN"), at pages 228-229.

In outright defiance of the law, and the legally null and void nature of the CSBar Court's disposition in its case number 09-O-10207-PEM, the Justices of the California Supreme Court, in devotion to the undue influence of the undisclosed, disqualifying relationships with Caplane, and to discredit me professionally for my refusal to aid and abet the "protection" of Caplane from penal exposure, imposed a "suspension order" upon my law license premised upon the legally

null and void CSBar Court's legally null and void disposition in its case number 09-O-10207-PEM. When I took the position that such "suspension order" was also legally null and void, the Justices of the California Supreme then imposed an equally null and void "disbarment order" upon my law license, as stated in Appendix D. Such legally null and void dispositions are subject to collateral attack at any time, and at any place, KALB vs. FEUERSTEIN 308 U. S. 433 (1940) ("KALB") at page 438, and equally so under HAZEL.

Because I was admitted to the Bar of the Supreme Court of the United States ("SCOTUS"), I duly filed and served a SCOTUS Rule 8 Petition, pursuant to the HAZEL case, which became assigned SCOTUS case number 18D3030. And, as fully described in Appendix D, in its page 7, beginning at line 4 through its page 29, line 17, I was, in that SCOTUS case, equally deprived of Procedural Due Process, and its component of having a meaningful opportunity to be heard by the imposition of extrinsic fraud upon the institution of the Court by the participation of Roberts, Kagen, Wood and Silver, in the provision of a reciprocal legally null and void "disbarment order".

I then duly filed and served a lawsuit in USDC-DC, which was assigned case number 1:20-cv-00031-APM. I also sent a January 15, 2020, 2-page letter to Roberts (Appendix F). I was then contacted by SCOTUS counsel, Ethan Torrey. He confirmed the imposition of the complained-of, injury-producing, extrinsic fraud. He informed me that as a SCOTUS Rule 8 petition, it never saw the "cert pool", and was commandeered for extrinsic fraud, more or less as surmised in the verified Complaint in USDC-DC case number 1:20-cv-00031-APM. Mr. Torrey informed that I was wasting my time with the USDC-DC lawsuit because Roberts could, and would, exercise his influence to have the lawsuit wrongfully dismissed. I filed a Motion for Summary Judgment in USDC-DC case number 1:20-cv-00031-APM against the Defendant corporate entity (California Business and Professions Code Section 6001), the CSBar, to recover, as tort

damages, my law license and at least my compensatory damages, if not punitive damages as well, due to the fact that the CSBar had fully, and despicably, at every opportunity, participated in the wrongfully imposed extrinsic fraud depriving me of a meaningful opportunity to heard, as my litigation opponent in CSBar Court case number 09-O-10207-PEM, as well as in the two California Supreme Court matters, and in SCOTUS matter 18D3030, without ever fulfilling its legal obligation that the CSBar owed, and continues to owe, to me under California Business and Professions Code Section 6085, to ensure that I be provided with Procedural Due Process, and not be deprived of it. Under the case of DENNIS vs. SPARKS 449 U. S. 24 (1980) ("DENNIS"), as well as under the HAZEL case, while the involved judicial officers enjoy immunity, the CSBar does not, and the CSBar bears legal liability to me for all of my damages.

In response to my Motion for Summary Judgment in USDC-DC case number 1:20-cv-00031-APM, the assigned trial Judge, and a little later, the assigned appellate judges, fulfilled Ethan Torrey's prediction that by virtue of the extrinsic fraud being imposed by Roberts, justice would be obstructed, so that the wrongdoers could evade justice, at the expense of my constitutional rights. The assigned trial judge, and the assigned appellate judges, at Appendix B and Appendix A, came up with, and imposed upon the institution of the Court, and upon me, the further insulting-to-human-intelligence extrinsic fraud that (1)supposedly the deprivation of my law license as procured by deprivation of my federal constitutional right of Procedural Due Process, and of my being deprived of having a meaningful opportunity to be heard, is supposedly "frivolous" and "patently insubstantial", under the case of HAGANS vs. LAVINE 415 U. S. 528 (1974) ("HAGANS"), which, at page 538, actually demands that Courts do not engage in make-believe:

> "A claim is insubstantial only if 'its unsoundness so clearly results from previous decisions of this court as to foreclose the subject and leave no room for the inference that the questions sought to be raised can be the subject of controversy'"

with the fraudulent assertion of my claims being "frivolous" and "insubstantial" being in direct defiance of WILLNER vs. COMMITTEE ON CHARACTER 373 U. S. 96 (1963) ("WILLNER"), which at page 102 holds that such issue of deprivation of a law license "is justiciable", and (2)that the Rooker-Feldman Doctrine also supposedly applies to challenged legally null and void *federal court* dispositions (the legally null and void SCOTUS case 18D3030), as well as administrative agency dispositions (CSBar Court case 09-O-10207-PEM), which ***is*** an administrative agency disposition, as –

> "Under California law, attorney disciplinary matters are handled by the State bar Court ... ***an administrative agency*** ..." (emphasis added),

HIRSH vs. JUSTICES OF THE SUPREME COURT OF THE STATE OF CALIFORNIA 67 F. 3d 708 (9th Cir. 1995) ("HIRSH"). As to state administrative agencies, the governing law, LANCE vs. DENNIS 546 U. S. 459 (2006)("LANCE"), at page 464, holds that the Rooker-Feldman Doctrine is inapplicable. The Petition for Rehearing was denied on March 2, 2021.

## I. WHAT IS OWED TO THE CHEATED, VICTIMIZED LITIGANT UNDER THE HAZEL CASE?

Under the HAZEL case, the CSBar is liable for (1)the immediate restoration of my law license, (2)payment to me of my compensatory damages (now at $12,689,750.00), and (3)an appropriate amount for punitive damages, which should be at least on a one-to-one multiple factor as to compensatory damages. Under the HAZEL case, Roberts, and Kagan, and Wood, and Silver, and each of them, owe to me immediate disclosure as to the identity of every person who was involved in cheating me in relation to SCOTUS case number 18D3030. Because the CSBar (as well as Roberts, Kagan, Wood, and Silver) is bent on commitment to the subject, complained-of, injury-producing criminal and civil malfeasance, its respective devotion to maintaining the wrongdoing adverse to me should be seen as being no different than the commitment to

wrongdoing that was demonstrated by officer Derek Chauvin in maintaining his knee on George Floyd's neck. Each of these wrongful acts, and their maintenance, is utterly despicable.

## II. WHAT IS OWED TO OUR SOCIETY UNDER THE HAZEL CASE?

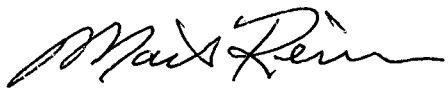
Under the HAZEL case, every SCOTUS Justice, every SCOTUS law clerk, every SCOTUS court clerk, Ethan Torrey, and anyone else who has information regarding my having been cheated in relation to SCOTUS case number 18D3030, has the affirmative duty, which is owed to the Constitution of the United States of America, and to our society, to make full disclosure of every bit of information regarding that criminal malfeasance that was imposed upon the integrity of SCOTUS, and imposed to victimize me, to the Federal Bureau of Investigation, the Justice Department, the United States Attorney's Criminal office, and the House Judiciary Committee, as well as making a public demand for Roberts, Kagan, Wood, Silver, and Ethan Torrey, to immediately leave their respective employments with SCOTUS, as was required for former SCOTUS Justice Abe Fortas when he was corrupted through the undue influence of Louis Wolfson. Because Roberts, Kagan, Wood, Silver, and Ethan Torrey are each, to varying degrees, tainted by their willful and knowing participation in the complained-of corruption, which constitutes criminal malfeasance, they are each subject to being blackmailed on any given case in the future. And because SCOTUS entertains litigation involving the interests of foreign governments and businesses, some of which are adverse to the interests of our society, we cannot afford to have Roberts, Kagan, Wood, Silver, Ethan Torrey, and everyone else who is so tainted, from exposing our society's need for unhindered access to justice to the ominous menace of these wrongdoer's taint and susceptibility to surreptitiously rendering injustice.

## III. CONCLUSION

Under the HAZEL case, SCOTUS has not only the Equity authority to do everything so as to

correct the injustice that has transpired, SCOTUS also has the duty to do so.

Dated: May 27, 2021



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