

Supreme Court, U.S.  
FILED

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IN THE  
Supreme Court of the United States

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Yehoram Uziel

*Petitioner*

v.

Superior Court of the State of California for the  
County of Los Angeles, et al.

*Respondents*

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

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PETITION FOR A WRIT OF CERTIORARI

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Self Represented Yehoram Uziel  
19329 Bryant St.  
Northridge, CA 91324  
(818) 885-1258  
[yehoram@soligen.com](mailto:yehoram@soligen.com)

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SUPREME COURT, U.S.

## QUESTION PRESENTED FOR REVIEW

*"The constitution, indeed law in general, applies to those who are not popular just as it applies to those who are popular"*<sup>1</sup>.

Uziel v Superior Court alleges discrimination against a self represented Plaintiff, obstruction of justice and legal extortion<sup>2</sup> by a judge and six attorneys.

Defendants<sup>3</sup> moved to dismiss Uziel v Superior Court as a matter of law.

The Ninth Circuit Court of Appeals held<sup>4</sup> that the District Court "*did not abuse its discretion by denying Uziel' motions to recuse both magistrate and district court judges*", affirmed the District Court Judgment, denied rehearing and rehearing en banc.

### The question presented is:

Can a judge ignore a party' challenge to his impartiality, maintain jurisdiction and abuse his adjudicative authority to extort the challenging party as the Ninth Circuit held?

Or: Does the Ninth Circuit' decision establishes a precedent that legitimizes:

- (i) discrimination against a self represented litigant, and;
- (ii) Extortion from that litigant?

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<sup>1</sup> Justice Stephen Breyer in the 2021 Scalia Lecture at Harvard Law school published in "*THE Authority of the Court and the Peril of Politics* [Harvard Press 2021 ISBN 9780674269361, Identifier: LCCN 2021017885]

<sup>2</sup> "Legal Extortion" is a violation of 18 U.S. Code §872 committed by officers of the Court by utilizing the US judiciary and their judicial privileges to intimidate and extort money from their victims.

<sup>3</sup> Defendants include a sitting LASC judge, five attorneys and three legal corporations acting in support of the alleged criminal conduct of Defendants.

<sup>4</sup> Appendix A

**THE PARTIES**

**Plaintiff**

Yehoram Uziel

**Represented by:**

Yehoram Uziel  
19329 Bryant Street  
Northridge, CA 91324  
Phone: 818-885-1258  
Email: [yehoram@soligen.com](mailto:yehoram@soligen.com)

v.

**Defendants:**

1. Superior Court of the  
State of California for  
the County of Los  
Angeles
2. Honorable Judge  
Melvin D. Sandvig
3. Winget Spadafora  
and Schwartzberg  
LLP (WSS)
4. Gabriel Z. Reynoso  
Esq. SBN234027

**Represented by:**

Sarah L. Overton  
Cummings McClorey Davis  
&Acho  
3801 University Ave. St 560  
Riverside, CA 92501  
Phone: 951-276-4420  
Email: [soverton@cmda-law.com](mailto:soverton@cmda-law.com)

Matthew Jason Negrin  
Baer Negrin and Troff LLP  
12400 Wilshire Blvd St 1180  
Los Angeles, CA 90025  
phone: 310-502-8268

Email: [Matt@btllp.com](mailto:Matt@btllp.com)

Michaela Battista Sozio  
Tressler LLP  
6100 Center Drive St 1175  
Los Angeles, CA 90045  
phone: 310-203-4800  
Email: [msozio@tresslerllp.com](mailto:msozio@tresslerllp.com)

5. Reif Law Group LLP  
(RLG)
6. Brandon Reif  
*Esq. SBN 214706*

Matthew Jason Negrin  
(See above for address)

7. Huston International  
Insurance Group (*HIG*)
8. Previn Sathananthan *Esq.*

Nathaniel S G Braun  
Sinclair Braun LLP  
16501 Ventura Blvd St 400  
Encino, CA 91436  
phone: 213-429-6125  
[nbraun@sinclairbraun.com](mailto:nbraun@sinclairbraun.com)

Michael B Gelfound  
Selman Breitman LLP  
11766 Wilshire Blvd 6th Floor  
Los Angeles, CA 90025-6546  
phone 310-445-0800  
[mgelfound@selmanlaw.com](mailto:mgelfound@selmanlaw.com)

9. Eric J. Palmer *Esq.*  
*SBN 231207*
10. Karl Gerber *Esq.*  
*SBN 166003*

Brandon Scott Reif  
Reif Law Group PC  
1925 Century Park East St 1700  
Los Angeles, CA 90067  
phone: 310-494-6500

Marc S Ehrlich  
(See above for address)

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### **Statutes:**

18 USC § 242 deprivation of rights under color of law  
18 USC § 371 conspiracy to commit offense or to defraud US  
18 USC § 1512 Tampering with a witness testimony to  
interfere with legal proceedings  
18 USC Ch. 41 §872 Threats and Extortion by US officers  
42 USC § 1983 civil action for deprivation of rights

### **Cases:**

Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007)  
Ashcroft v. Iqbal, 556 U.S. 662 (2009)  
USA v Michael Avenatti case # (S1) 19 Cr. 373 (PGG)  
(S.D.N.Y)  
Uziel v ELG LASC Case # PC057843,  
Uziel v ELG Appeal B299226 and  
Uziel v ELG California Supreme Court case # S263146.  
Kepler v DC Partners, Inc. LASC Case # BC548528

### **Rules:**

Federal Rules of Civil Procedures Rules 8, 11,12

## INTRODUCTION

*What would happen when, say, those entitled to constitutional protections are not popular?*

*"The constitution, indeed law in general, applies to those who are not popular just as it applies to those who are popular"<sup>5</sup>*

According to Justice Breyer *"the Court earned its authority by making decisions that have, over time, increased the public trust. If public trust is in decline, one part of the solution is to promote better understanding on how the judiciary really works: how judges adhere to their oaths and how they try to avoid considerations of politics and popularity"*.

This petition for a writ of certiorari challenges the Ninth Circuit Court of Appeals compliance with Justice Breyer' narrative and contribution to the public trust in the judiciary.

Uziel v Superior Court et al filed by a self represented Plaintiff in Federal District Court against Los Angeles Superior Court Judge Melvin D. Sandvig, and a defense party in his proceeding that consist of a group of attorneys .

Uziel v Superior Court et al alleges abuse of Sandvig' judicial authority to intimidate and extort a "not popular" party, tamper with Plaintiff' evidence to interfere with a proceeding that sought to litigate at judge Sandvig' court obstruction of justice and extortion of ransom against a "popular party".

"Legal Extortion" is a violation of 18 US Code §872 (Extortion) committed by attorneys given the privilege to litigate as officers of the court; who abuse their

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<sup>5</sup> Justice Stephen Breyer in the 2021 Scalia Lecture at Harvard Law School.

litigation privilege to utilize the US judiciary to extort money from their victims.

Perpetrators are attorneys that hire plaintiffs as clients then use that client' information to intimidate and extort money from vulnerable victims.

Many victims of legal extortion are corporations that succumb to blackmail and forced to "settle the ransom demands" in order to minimize or avoid irreparable damage to their operations.

Prosecuting legal extortion is rare in America. Attorneys accused of committing legal extortion hire counsels to compel the assigned judge to dismiss the allegations against them without discovery by invoking attorney client privilege.

A rare and recent example of prosecuting an attorney for legal extortion is *United States v. Avenatti*, (S1) 19 Cr. 373 (PGG), (S.D.N.Y. January 6, 2020).

Avenatti, a California attorney, who attempted to extort \$20 million from Nike, moved the Court to prevent the deposition of his client and dismiss the allegations against him. District Judge Paul Gardephe denied Avenatti' motion to dismiss, ordered Avenatti to stand trial and eventually convicted and sentenced Avenatti for abuse of his litigation privileges to conduct legal extortion from Nike.

In *Uziel v Superior Court* the allegations are the same as in *USA v Avenatti* but the Court' decisions are the opposite.

Discrimination against self represented litigants is prevalent in this District Court and in the Ninth Circuit.

Pursuant to District Judge Fitzgerald' self-representation order<sup>6</sup>, "*Persons appearing before the*

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<sup>6</sup> Appendix F case No. 2:21-cv-07420-MYF, SELF-REPRESENTATION ORDER



*Court are not required to retain the service of a lawyer". However, proceeding pro se in Federal District Court carries "significant risks".*

The primary risk appears to be in the mindset of the judge, that self represented litigants don't deserve or entitled to have equal opportunity to prevail on the merit of their complaint; or be protected by the law.

Pursuant to Judge Fitzgerald' order "*Generally speaking, non attorney litigants are less like to be victorious than those assisted by counsel*", for the following reasons:

While "*The court is a neutral adjudicator of the law. The role of the judge<sup>7</sup> is to resolve disputes arising between the parties in accordance with the law*". However, "*The opposing party may have a lawyer, and that lawyer' duty is to achieve victory for his or her client. He or she will take every step legally permissible to that end*"

The ORDER continues: "*Simply stated, when you elect to proceed pro se, you are on your own and become personally responsible for litigating your action in accordance with the rules*"; and "*you will be held to the same standards as a lawyer as far as complying with the court procedures and the rules and regulations of the court system*"

The self representation order is carefully worded to enable a federal judge to discriminate against a self represented litigant.

First, this ORDER implies that this Court is more inclined to listen to a party represented by an attorney than to a party appearing *pro se*.

Second the Court defines the duty of a representing attorney to "achieve victory" for their client rather than to litigate the case in accordance with the law.

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<sup>7</sup> Guide to Judiciary policy Vol 2: Ethics and Judicial Conduct Ch.

Third, this Court prioritizes litigation "in accordance with the rules" over "stating facts sufficient to establish a cause of action".

Fourth, the Order deliberately ignores the possibility of a non favorable balance of equities or the need to consider the balance equities in order to treat the parties equally. Allowing counsel to tamper with discovery is NOT "*complying with the court procedures and the rules and regulations of the court system*"

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 AND ORDERS BELOW**

The Opinion of the United States Court of Appeals for the Ninth Circuit appears at Appendix A to the petition and is unpublished.

The Judgment by Judge Dale S. Fischer appears at Appendix C to the petition and is unpublished.

The Orders denying motions for disqualification appear at Appendix D (D1 and D2) to the petition and are not published.

The Superior Court of the State of California Order by Judge Melvin D. Sandvig striking statement of (his own) Disqualification; VERIFIED ANSWER appears at Appendix E2 to the petition and is not published.

District Judge Fitzgerald self-representation order appears at Appendix F to the petition and is not published.

## JURISDICTION

The date on which the United States Court of Appeals decided my case was 8-23-2021 the decision became effective on 9-30-2021.

A timely petition for rehearing was denied by the United States Court of Appeals on 9-22-2021, and a copy of the order denying rehearing appears at Appendix B

An extension of time (60 days) to file the petition for a writ of certiorari was granted on December 16, 2021.

## CONSTITUTIONAL AND STATUTORY PROVISION INVOLVED

Amendment XIV to the US Constitution provides: *"nor shall any state deprive any person any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws".*

Amendment VIII to the US Constitution provides: *"nor excessive fines imposed, nor cruel and unusual punishments inflicted."*

28 U.S. Code § 455 (a) provides: *"Any justice, judge or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned."*

Subdivision (b)(1) provides: *he shall also disqualify himself where he has personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding.*

18 U.S. Code § 872 provides *"Whoever, being an officer, or employee of the United States or any department or agency thereof, or representing himself to be assuming to act as such, under color or pretense of office or employment commits or attempts an act of extortion, shall be fined under this title or imprisoned not more than three years or both."*

18 U.S. Code § 242 provides: *Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both*

18 U.S. Code § 1512 (b) provides "*whoever knowingly use intimidation, threatens, or engages in misleading conduct with the intent to influence delay or prevent the testimony of any person in an official proceeding; or hinder delay or prevent the communication to a judge of the United States of information relating to the commission or possible commission of a federal offense pending judicial proceedings; shall be fined under this title or imprisoned not more than 20 years or both.*"

42 U.S. Code § 1983 established to enforce the provisions of the Fourteen Amendment to the United States Constitution provides: *Every person who under color of any statute subjects any citizen of the United States to the deprivation of any right, privilege or immunities secured by the Constitution and the laws shall be liable to the party injured in an action law suit in equity, or other proceeding for redress.*

### STATEMENT OF THE CASE

*The Ninth Circuit held that Uziel v Superior Court should be dismissed, with prejudice, without oral arguments or discovery as a matter of law.*

Uziel v Superior Court alleges discrimination against a self represented Plaintiff, obstruction of

justice to interfere with a legal proceeding and legal extortion<sup>8</sup>.

Uziel v Superior Court arose from defendant judge Sandvig' decision to abandon his adjudicative responsibilities<sup>9</sup>, deny a self represented Plaintiff the right to litigate the ELG principals' extortion of ransom from DC Partners Inc<sup>10</sup>. Judge Sandvig threatened to punish Uziel unless Uziel withdraws the claims or attempts to appeal his decision to strike Uziel v ELG.

The allegations in both Uziel v ELG and in Uziel v Superior Court are supported by Mr. Simons' declaration. Simons is the attorney who represented DC Partners against ELG' blackmail from Uziel and agreed to testify<sup>11</sup> against ELG Principals, their attorneys and Judge Sandvig.

Judge Sandvig (despite Simons' testimony), refused to recuse himself from the proceedings, initially by disallowing Uziel to enter Simons declaration to the record and later, a year after it was on the docket, by stating that he (Sandvig) has never seen it.

It took a while to enter Simons' declaration onto the Uziel v ELG' record. On November 18, 2018 Mr. Simons sent an Amicus Curiae Letter in support of Uziel petition to California Supreme Court affirming his consent to testify to the extortion, the tampering of his witness testimony to interfere in Uziel v ELG in order to compel Judge Sandvig to strike Uziel v ELG.

However, upon remittitur when both Simons' declaration and Amicus Curiae letter were on the

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<sup>8</sup> "Legal Extortion" is a violation of 18 U.S. Code §872 committed by officers of the Court who utilize the US judiciary to intimidate and extort money from their victims.

<sup>9</sup> Judge Sandvig is the presiding judge in Uziel v ELG Case # PC057843

<sup>10</sup> DC Paartners Inc. is a corporation owned by Uziel.

<sup>11</sup> See Appendix E1 Steven A Simons Amicus Curiae Letter

record on September 23<sup>rd</sup> 2019 (ten months after Mr. Simons Amicus Curiae was on the docket of Uziel v ELG) Judge Sandvig ordered to strike a statement of his own disqualification filed with Simons' testimony as the reason for his recusal. In his order to strike his own disqualification, Sandvig included his verified answer (under penalty of perjury) stating that he "*knows no facts or circumstances which would require my disqualification or recusal in this case*<sup>12</sup>".

In Uziel v. Superior Court Defendants<sup>13</sup> counsels knowingly and maliciously continue to tamper with Simons' testimony and with Sandvig declaration without these evidences moved the District Court to dismiss Uziel v Superior Court without discovery as a matter of law.

The Magistrate Judge did not bother to check if any of defendants' five motions to dismiss Uziel v Superior Court complied with FRCP Rule 11; ignored Plaintiff factual contentions<sup>14</sup>, vacated all scheduled hearings, denied all Uziel's requests for appearance which left no choice for Uziel but to challenge Magistrate McDermott impartiality<sup>15</sup> (in order to create a single opportunity to appear and avoid capitulating to the discrimination in favor of five attorneys).

Magistrate McDermott, like Defendant Judge Sandvig ignored Uziel' motion pursuant to 28 US Code §455 to disqualify himself.

Instead, District Judge Fischer concluded that that self represented Uziel is: (i) not a reasonable person;

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<sup>12</sup> Appendix E2 – Order striking statement of disqualification.

<sup>13</sup> Defendants Judge Sandvig, ELG and their attorneys and three legal corporations acting in support of the alleged criminal conduct of Defendants.

<sup>14</sup> Appendices E1, E2

<sup>15</sup> Pursuant to 28 US Code §455

and (ii) has no knowledge of the facts and decided<sup>16</sup> that "*There is no evidence that Magistrate Judge McDermott has behaved in any manner that would even arguably suggest a deepseated favoritism or antagonism that would make fair judgment impossible.*" [Id.]

Uziel, (still prohibited from any access to the Court) had to file a motion to disqualify District Judge Fischer in hope that Judge Fischer will realize that her decision to exonerate the Magistrate from discrimination exhibited "*a deepseated favoritism*" to the magistrate, and as a result comply with §455 and disqualify herself.

District Judge Fischer did not disqualify herself. Instead the motion to disqualify Fischer was "referred" to District Judge Fitzgerald, author of Self Representation Order<sup>17</sup>.

District Judge Fitzgerald ignored his own Order to neutrally adjudicate the law that required District Judge Fischer to disqualify herself.

District Judge Fitzgerald denied the Motion to disqualify District Judge Fischer<sup>18</sup> by repeating the same arguments citing Liteky, 510 U.S. at 550 "*Plaintiff fails to demonstrate why Judge Fischer's actions show a "reasonable person . . . would conclude that the judge's impartiality might reasonable be questioned"*

The three Circuit judge panel<sup>19</sup> of the Ninth Circuit unanimously concluded that Uziel has no legal right

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<sup>16</sup> Appendix D2 - ORDER DENYING MOTION FOR RECUSAL OF MAGISTRATE JOHN E McDERMOTT PURSUANT TO 28 USC §455

<sup>17</sup> APPENDIX F – SELF-REPRESENTATION ORDER Case No. CV21-7320 MWF filed on September 16, 2021

<sup>18</sup> Appendix D1 CIVIL MINUTES-GENERAL 1ORDER RE:MOTION FOR RECUSAL OF DISTRICT JUDGE HON. DALE S. FISCHER [14]

<sup>19</sup> Goodwin, Canby, and Silverman, Circuit Judges

to contest in person District Judge Fischer refusal to disqualify or ruling as Uziel v Superior Court "*is suitable for decision without oral argument*"[Id.]<sup>20</sup>; affirmed the District Court Judgment, denied rehearing and rehearing en banc.

The Ninth Circuit held that despite party' challenge to a judge' impartiality, a judge can maintain jurisdiction and rule to punish the challenging party as a matter of law.

The Ninth Circuit held that Judge Sandvig refusal to disqualify himself from Uziel v ELG, is allowed based on Sandvig' judicial immunity.

The Nine Circuit held that the District Court "*did not abuse its discretion by denying Uziel's motions to recuse both the magistrate and district court judges*" [Id.]

The Ninth Circuit held that the allegations in Uziel v ELG and in Uziel v Superior Court are "*inextricably intertwined*" because "*the relief requested in the federal action would effectively reverse the state court decision or void its ruling*".[Id.]

Once Plaintiff was silenced by the Ninth Circuit, District Judge Fischer quickly ruled to inflict a cruel punishment on Uziel. Impose excessive (\$100,000) fines on Uziel for filing Uziel v Superior Court, and awarding the proceeds from the fines on Uziel to the extorting defendants.

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<sup>20</sup> Appendix A -- MEMORANDUM



## REASONS FOR GRANTING THE WRIT

### I. The Question Presented Is Important And Recurring

*"[T]he Court earned its authority by making decisions that have, over time, increased the public trust.<sup>21</sup>"*

A writ of certiorari is required to assure that any judge that violate the law and the Canons by ignoring a party' challenge to his impartiality and by compelling himself on the parties is not entrusted to act as a neutral adjudicator.

Unfortunately, the Circuit Judges ignored the facts<sup>22</sup> and the balance of equities in *Uziel v Superior Court* and arbitrarily concluded that *"the district court did not abuse its discretion by denying Uziel's motions to recuse both the magistrate and district court judges."*<sup>23</sup>

According to Justice Breyer *"one part of the solution is to promote better understanding on how the judiciary really works: how judges adhere to their oaths and how they try to avoid considerations of politics and popularity"*.*[Id.]*

A writ of certiorari is warranted to expose how the judiciary "really worked" in *Uziel v Superior Court*.

The United States Supreme Court is the author of the Code of Conduct for United States Judges; and thus, has the responsibility the authority and the power to oversee that judges adhere to its Canons.

Something in the operation of the judiciary is wrong when six federal judges decide to dismiss a case without discovery or oral arguments.

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<sup>21</sup> Justice Stephen Breyer in the 2021 Scalia Lecture at Harvard Law School.

<sup>22</sup> Appendixes D1, D2, E1, E2

<sup>23</sup> Appendix A

Something is not working when six federal judges ignore the balance of equities in a case and allow a party to tamper with evidence.

*The question presented exposes the danger to society of legitimizing Legal Extortion.*

For legal extortion to "succeed" it requires abuse of both Defendants' litigation privileges and the Courts' adjudicative authorities.

Legal Extortion is a cancer in the body of trust in the judiciary. If allowed to metastasize it will irreparably destroy the trust in the judiciary and make it impossible to maintain or guarantee the rule of law in America.

A writ of certiorari is warranted to eradicate legal extortion and save the public trust in the judiciary from diminishing.

## II. The Question Presented Has Intractably Divided The Courts In California and New York.

As US Attorney Berman and District Judge Gardephe have demonstrated in USA v Avenatti, legal extortion can be eradicated by insisting on due process of law (which is a condition for the Courts to function).

All what it takes is a judge, adhering to his adjudicative responsibilities, to state: "*the jury is first to me*" as District Judge Gardephe ruled in the proceeding against Avenatti. That prevented Avenatti from using the judicial system and his client's information to extort money from Nike.

Contrary, in California six federal judges decided to prevent the Trier of Facts (a jury) from listening to witnesses' or review evidence to determine whether defendants committed legal extortion on Uziel.

Denying due process of law is a clear evidence of how far abuse of adjudicative responsibilities can go. The idea that judges can tamper with evidence to interfere with their own legal proceeding is upauling.

A writ of certiorari is warranted to review how the Nine Circuit worked in Uziel v Superior Court review the judges' decisions and compare them to the SDNY decisions.

### III. The Ninth Circuit's Decision<sup>24</sup> Is Wrong.

Certiorari is also warranted because the Nine Circuit's decision is incorrect.

The Ninth Circuit does not have the authority to modify the Canons proscribed in the Code of Conduct for United States Judges.

Canon 3 (A) (4) requires a judge to "*accord to every person who has a legal interest in the proceeding ... the full right to be heard according to law*" and "*initiate, permit, or consider ex parte communications as authorized by law*".

Thus, the panel of Circuit Judges<sup>25</sup> forfeited their jurisdiction to adjudicate the appeal when they "*concluded unanimously*" that Uziel v Superior Court was "*suitable for decision without oral argument*".

In making a decision the Court should act to preserve the integrity and independence of the judiciary, examine the fact and the balance of equities rather than caving to the "popular party" prior to the decision.

The Nine Circuit did not have jurisdiction to decide that: "*the district court did not abuse its discretion by denying Uziel's motions to recuse both the magistrate and district court judges*" simply because, as a matter of law, no court can adjudicate a motion to disqualify without a written consent from all parties.

The Circuit judges failed to comply with Canon 2 that requires a judge to "*Avoid Impropriety and the Appearance of Impropriety in All Activities*".

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<sup>24</sup> Appendix A – MEMORANDUM and MANDATE

<sup>25</sup> GOODWIIN, CANBY, and SILVERMAN

While the Ninth Circuit held that a self represented litigant is a member of a protected class it also held the district court dismissal because: Uziel *"failed to state a claim alleging that defendants conspired to deny him equal protection of the law based on his membership in a protected class"*[Id.]

Both Courts' decisions are incorrect. Without discovery it would impossible for any litigant to figure out the defendants' reasons or motivations under defendants' conspiracy.

The argument that 18 USC § 242 is a criminal statute and Uziel v Superior Court is a civil case ignores the doctrine that citizens' have a right to seek damages from criminal activities of their opponents.

The dismissal of the claims against Los Angeles Superior Court and Judge Sandvig as barred by Eleventh Amendment is incorrect.

First, the evidence<sup>26</sup> establish that judge Sandvig in his official capacity tampered with evidence to interfere with his own proceeding, and lied about the tampering under penalty of perjury. The Eleventh Amendment does not provide impunity to any state employee from prosecution of criminal activities nor it waves a state employee from liability to his criminal conduct.

Defendants moved the district court to dismiss Uziel action pursuant to FRCP Rule 12 (b) (6) without establishing facts sufficient to invoke sovereign immunity. Thus discovery can't be waived.

The dismissal of Uziel action as barred by the Roocker Feldman doctrine is incorrect as well. The Ninth Circuit argument that the claims against Superior Court et al cannot be considered separately from the claims in Uziel v ELG (*"inextricably*

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<sup>26</sup> Appendix's E1 (Simons testimony) and E2 Melvin Sandvig declaration under penalty of perjury

*intertwined*") has no factual basis, is not true and thus incorrect.

In Uziel v ELG the only named Defendants are Gerber and Palmer. They are accused of extortion from Uziel made by abusing their litigation privilege to file a lawsuit against DC Partners, Inc. (a different proceeding and before a different judge).

There is no claim in Uziel v Superior Court that relates to the damages sought in Uziel v ELG.

As the Ninth Circuit acknowledged, in Uziel v Superior Court Gerber and Palmer are two of the ten defendants accused in the conspiracy to tamper with evidence to compel defendant judge Sandvig to intimidate and extort Uziel.

To be clear, there is not a single claim that appears in both cases, thus no need to "to intertwine the claims of these cases.

The truth is that even if the district court could have stated a single claim shared by Uziel v ELG and Uziel v Superior Court that finding could not trigger a determination that Uziel, in filing Uziel v Superior Court may have violated FRCP Rule 11 or Rule 12.

The Nine Circuit ignored the facts<sup>27</sup> in affirming that Uziel failed to state a claim that is "plausible" to the court. The Nine Circuit analysis and decision are incorrect use of Justice David Sauter' definition of "plausible<sup>28</sup>". According to Justice Sauter the requirements from Plaintiff are to include enough facts in their complaint to make their claims plausible, not merely possible or conceivable assertions. The Ninth Circuit then falsely concluded that Judge Sandvig and defendants are entitled to qualified immunity against an allegation of discrimination<sup>29</sup>.

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<sup>27</sup> Appendixes E1 and E2

<sup>28</sup> Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007)

<sup>29</sup> Ashcroft v. Iqbal, 556 U.S. 662 (2009)

The comparison of Uziel v Superior Court et al to Ashcroft v Iqbal in order to dismiss Uziel v Superior Court based on Judge Sandvig alleged immunity is not just a jurisprudence "error". It is a malicious abuse of the judges' judicial discretion and evidence to their discrimination against Uziel. In Iqbal v. Ashcroft the US Supreme Court held that Iqbal failed to state facts to substantiate his claim that Ashcroft discriminated against Iqbal because Iqbal was a Muslim. In Uziel v Supreme Court the allegation is that Sandvig discriminated against Uziel because Uziel is a self represented litigant and the allegation factual basis is Simons' testimony<sup>30</sup>

The Ninth Circuit legal analysis to justify Sandvig judicial discretion is discriminatory and challenges the authority of the court.

#### **IV. This Case Is An Ideal Vehicle For Deciding The Question Presented.**

Certiorari is also warranted because:

The dismissal of Uziel v Superior court is an indictment of a Circuit & District Courts on Discrimination and incompetence.

A dismissal of Uziel v Superior Court means a de facto overturn of both Ashcroft v. Iqbal and Bell Atlantic v. Twombly.

A dismissal of Uziel v. Superior Court is a precedent that permits any federal judge to dismiss any case without any factual contention pursuant to Fed R. Civ. P 8(a) and 12(b)(6)

A dismissal of Uziel v. Superior Court is a Circuit Court precedent that legalizes discrimination against self represented litigants.

A dismissal of Uziel v. Superior Court is a Circuit Court precedent that legalizes and empowers legal extortion.

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<sup>30</sup> Appendix E1

A dismissal of Uziel v. Superior Court is a Circuit Court precedent that Federal Judges are not required to comply with 28 USC § 455 or the Code of Conduct for United States Judges.

A dismissal of Uziel v. Superior Court is a Circuit Court precedent that the Eight and the Fourteenth Amendments to the US Constitution do not apply to self represented litigants.

A dismissal of Uziel v. Superior Court is a Circuit Court precedent that the a Circuit Court of Appeals can authorize a District Court to violate FRCP Rule 8, 11 and 12.

Certiorari is also warranted because Uziel v Superior Court et al is a rare opportunity for the US Supreme Court to increase the public trust in the integrity authority and credibility of the judiciary.

Certiorari is an opportunity to eradicate extortion committed by officers of the courts.

### CONCLUSION

The Court should grant this petition for a writ of certiorari.

A handwritten signature in black ink, appearing to read 'Yehoram', with a long horizontal stroke extending to the right.

Yehoram Uziel

February 4, 2022