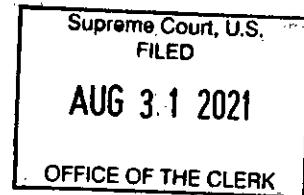


No. 21-503

**ORIGINAL**

IN THE  
SUPREME COURT OF THE UNITED STATES



Bo Peng

Petitioner

Vs.

F.M. Tarbell Co.

Respondent

On Petition For A Writ Of Certiorari

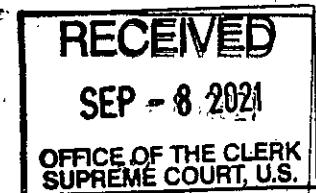
TO The 2<sup>nd</sup> Appellate District Of California Court of Appeal

**PETITION FOR WRIT OF CERTIORARI**

Bo Peng

Pro Per

2332 Crystal Pointe  
Chino Hills, CA 9170  
951-423-0594





## **Question(s) Presented**

1. Judgment is a void judgment if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process, (Kiugh v. U.S., 620 F.Supp. 892 (D.S.C. 1985)")

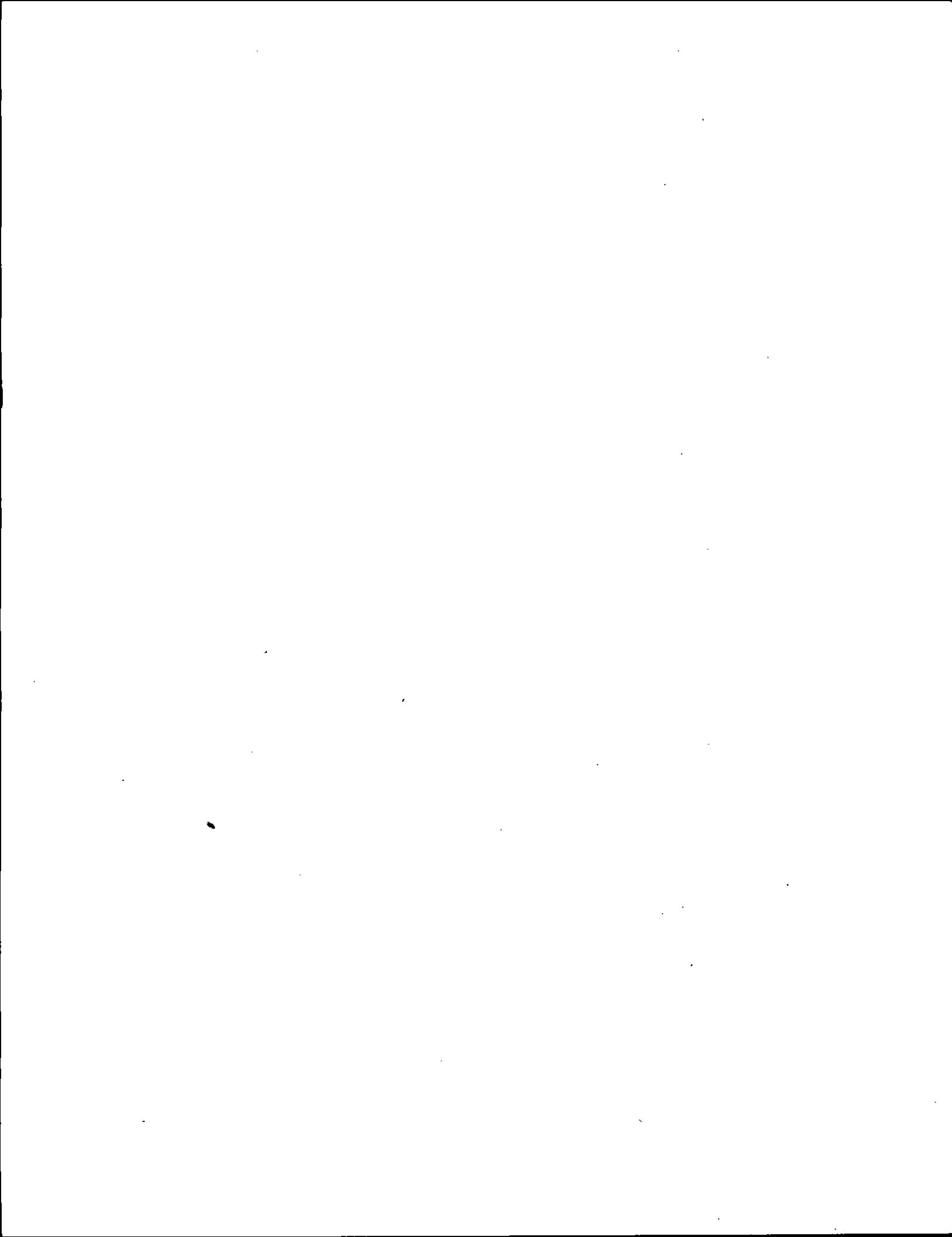
"A decision produced by fraud upon the court is not in essence a decision at all, and never becomes final." Kenner v. C.I.R., 387 F.3d 689 (1968)

"Every constitutional provision is self-executing to the extent that everything done in violation of it is void." ( Katzberg v. Regents of University of California (2002) 127 Cal.Rptr.2d 482, 29 Cal.4th 300, 58 P.3d 339 .Constitutional Law 640)

Void order which is one entered by court which lacks jurisdiction over parties or subject matter, or lacks inherent power to enter judgment, or **order procured by fraud**, can be attacked at any time, in any court, either directly or collaterally, provided that party is properly before court. (People ex Rel. Brzica v. Lake Barrington, 268 Ill. App. 3d 420,425, 644 N.E.2d 66 (Ill. App. Ct. 1994))

"Fraud destroys the validity of everything into which it enters," (Nudd v. Burrows (1875), 91 US 426, 23 Led 286,290)

**This case has experienced various forms of void orders, judgment, appealable orders, and amended judgment. Any of these forms can reverse the void order and judgment of this case, but the reality is that it has advanced freely, and even passed California Supreme Court having jurisdiction over the largest judicial system in the nation. How does the United States Supreme Court ensure the authority of above published case laws and maintain the uniform of the national case law?**



2. The Illinois Supreme Court held that if a court "could not hear the matter upon the jurisdictional paper presented, its finding that it had the power can add nothing to its authority, - it had no authority to make that finding." *The People v. Brewer*, 128 Ill. 472, 483 (1928).

The judges in the multi-judge corruption ring ignored and did not conduct the trial according to Labor code §98.2 and 5 claims, and violated the due process of this case. Judgment which is inconsistent with due process is void, The judgment rendered by judges in multi-judge corruption ring was void.

Judgment is a void judgment if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process, (*Kiugh v. U.S.*, 620 F.Supp. 892 (D.S.C. 1985)"

The labor code §98.2 legal principle and 5 claims, are the due process of this case, which control the entire process of this case, the trial must be strictly complied with. Multi-judge corruption ring deliberately acted outside the limit of jurisdiction of labor code 98.2 and 5 claims. The judges have no jurisdiction, no authority to hear and rule, and all decisions made are void. The defendant and multiple judges claimed that the trial was tried in accordance with an invalid independent contractor agreement declared by law; and they proceeded according to invalid independent contractor agreement declared by law.

We conclude, therefore, that a salesman, insofar as his relationship with his broker is concerned, cannot be classified as an independent contractor. Any contract which purports to change that relationship is invalid as being contrary to the law (*Gipson v. Davis Realty Co.*, *supra*, 215 Cal. App. 2d 190, 207)." (*Resnik v. Anderson & Miles* (1980) [109 Cal. App. 3d 570, 573]) [Emphasis added]

Because the contract cannot give corrupt Judges jurisdiction, the defendant is the prevailing party of the contract, not the prevailing party of this case, and, they cheated the court in the name of the prevailing party of the contract, extorted attorney fees in the amount of \$72,519.03 from appellant, and seriously violated the 14 amendments to U.S. Constitution.



## **How does U.S. Supreme Court stop that multi-judge corruption ring is in treason to the Constitution and usurp the jurisdiction which is not given?**

"Judges have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the Constitution". Cohen . Virginia, (1821), 6 Whcat. 264 and U.S. v. Will, 149 U.S. 200

3. In judicial system controlled by multi-judge corruption ring, they controlled the upper and lower levels. They are in the color of the government and used the court as an instrument of injustice; they violated due process clause of 14th Amendment to the U.S. Constitution by depriving appellant of wage properties; they violated equal protection of laws clause of 14th Amendment to the U.S. Constitution; they denied constitutionally entitled jury trial; they made many void orders and judgments valid; they did not reverse this case which the law required to reverse; they legalized defendant's wage theft, wrongful termination and misclassification; and they benefited financially from this case.

The multi-judge corruption ring is organized and the division of work is clear. Each corrupt judge knows its own functions and is the link of the multi-judge corruption ring chain. They cannot accomplish the defendant's unlawful objectives alone and benefit from it. They must conspire, cooperate with each other, shield each other, and complete their own part of the task. The corrupt judges of the trial court arbitrarily rendered void judgments because they knew that Justice Hoffstadt from the appellate court is their umbrella. Justice Hoffstadt from the court of appeal with higher position in the multi-judge corruption ring made the void judgment valid, which indeed protected the corrupt judges of the trial court. The two levels of judges cooperated to finally accomplish the defendant's unlawful objectives, so that every member of the multi-judge corruption ring can benefit financially from this case.



"Not only is a biased decisionmaker constitutionally unacceptable, but "our system of law has always endeavored to prevent even the probability of unfairness." *In re Murchison*, *supra* at 349 U. S. 136; cf. *Tumey v. Ohio*, 273 U. S. 510, 273 U. S. 532 (1927). In pursuit of this end, various situations have been identified in which experience teaches that the probability of actual bias on the part of the judge or decisionmaker is too high to be constitutionally tolerable. Among these cases are those in which the adjudicator has a pecuniary interest in the outcome, [Footnote 14] and in which he has been the target of personal abuse or criticism from the party before him. [Footnote 15] "(*Withrow v. Larkin*, 421 U.S. 35 (1975))

This case has been established as Jury trial. Jury trial posed a great pressure to defendant since defendant could not use illegal proceeds to influence and control many jurors who are randomly selected, so Defendant gave the two unlawful orders to the corrupt judges:

Ordering the judge that the court must preclude "emotional distress, lost wages, punitive damages". (AA 322,) which is worth over 1 million dollars calculated based on jury instruction.

"This case must be taken from the jury and a decision rendered on the written and admitted evidence at trial." (AA 318) which destroyed the impartiality of our judiciary system, namely, Trial by jury is an inviolate right and shall be secured to all (Constitution Article 1, section 16)

Defendant's 2 unlawful wills:

Change from a losing lawsuit to a winning lawsuit, finally being the prevailing party.

Extorting the attorney's fees. (1AA 401)

1) The role of Judge Moreton in the multi-judge corruption ring

He engaged improper ex parte communication with and conspired with the defendant; he sold out his judicial power; without motion, he precluded over 1 million dollar penalty against Defendant, Tarbell Co; he shared his judiciary power with defendant (defendant can directly use court title to draft proposed orders and statement of decision, he and



defendant did not give the appellant the opportunity to object ); without motion, he denied constitutionally entitled jury trial; he made void orders and judgment in favor of the defendant, that is, corrupt decisions, and he exchanged interests with the defendant.

## 2) The role of Judge Linfield in the multi-judge corruption ring

Inherited and continued the corrupt decision made by the corrupt Judge Moreton because he openly tied to the corrupt Judge Moreton; avoided the legal principle of labor code §98.2 and 5 subjects of action in this case; violated due process; and used the defendant's illegal objectives to conduct hearings; was highly partial to defendant; made orders and amended the judgment in favor of the defendant; and extorted attorney fees in the amount of \$72,519.03 for defendant from appellant. He exposed in the open court that the Court of Appeal has his umbrella, that is, Justice Hoffstadt from the Court of Appeal who will make void orders and amended judgments valid. Because of the sheltering from the higher members of the Corruption Circle in the Court of Appeal, Linfield need not to worry.

## The role of Justice Hoffstadt in the multi-judge corruption ring

He made the void orders, void judgment, and amended judgment made by the corrupt judges in the trial court valid, collaborated with the trial court's corrupt judges to achieve the defendant's illegal objectives, covered up the existence of the multi-judge corruption ring and sheltered the corrupt judges from the trial court; he committed fraud upon the court to fabricate an entire jury trial by non-existent CCP 581c motion to deny constitutionally entitled jury trial on his first opinion. On his second opinion, he fabricated a contract action in the labor commissioner. He finally accomplished the defendant's unlawful objectives and violated 14th Amendment to the U.S. Constitution by depriving appellant's wage properties over \$100,000 (wage, unjustified sanction, extorting attorney fees) and approved lien appellant's property; and he violated equal protection of laws clause of 14th Amendment to the U.S. Constitution.

**Facing the theory of a government outside of the supreme law of the land found lodgment in our constitutional jurisprudence, how U.S. Supreme Court**



**exerted its full authority to prevent all violation of the principles of the Constitution?**

“It will be an evil day for American liberty if the theory of a government outside of the supreme law of the land finds lodgment in our constitutional jurisprudence. No higher duty rests upon this Court than to exert its full authority to prevent all violation of the principles of the Constitution.” (Downs v. Bidwell, 182 U.S.244, 382, (1901))



## LIST OF PARTIES

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

### Related Cases

Bo Peng vs. F.M. Tarbell Co. No. 19STCP00416, Los Angeles County Superior court of California. Order entered at July. 23, 2020

Bo Peng vs. F.M. Tarbell Co. No. 19STCP00416, Los Angeles County Superior court of California. Order entered at Aug. 17, 2020

Bo Peng vs. F.M. Tarbell Co. No. 19STCP00416, Los Angeles County Superior court of California. Amended judgment entered at Aug. 18, 2020

Bo Peng vs. F.M. Tarbell Co. No. B307484, 2nd Appellate District Of California Court of Appeal. Opinion entered at May. 27, 2021

Bo Peng vs. F.M. Tarbell Co. No. B307484, 2nd Appellate District Of California Court of Appeal. Order entered at Jun. 15, 2021

Bo Peng vs. F.M. Tarbell Co. No. S269724, Supreme Court Of The State Of California. Order entered at Aug. 11, 2021

The following is the judgment of 19STCP00416 for the basis of order granting defendant's motion for attorney fees, order denying appellant's motion to tax costs, amended judgment and opinion regarding attorney's fees and costs. The judgment was made without conducting the trial of labor code § 98.2 and 5 claims; which was made in violation of due process of law: which was made by denial of a trial by jury to one constitutionally entitled; which were rendered through fraud upon the court; which was void; and which can be attacked at anytime and anywhere.

The following has provided to U.S. Supreme Court No. 21-22.

Bo Peng vs. F.M. Tarbell Co. No. 19STCP00416, Los Angeles County Superior court of California. Judgment entered at Feb. 3, 2020



The following is the opinion B304763 regarding judgment of 19STCP00416; which was made by violation of 14th Amendment to the U.S. Constitution.

Bo Peng vs. F.M. Tarbell Co. No. B304763, 2nd Appellate District Of California Court of Appeal. Opinion entered at Dec. 24, 2020

The following is order of the Supreme Court Of The State Of California;  
Bo Peng vs. F.M. Tarbell Co. No. S266512, Supreme Court Of The State Of California.  
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