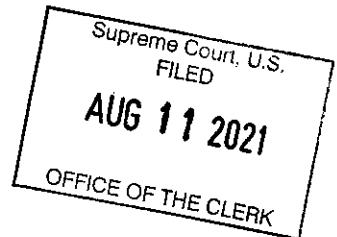


21-5443

No. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



Rachel Crook — PETITIONER
(Your Name)

vs.

Shea Fiduciary vs., — RESPONDENT(S)
Robin Shea
ON PETITION FOR A WRIT OF CERTIORARI TO

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

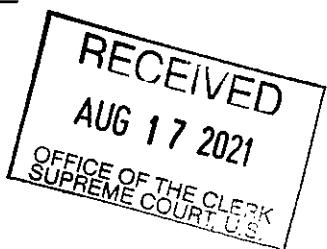
PETITION FOR WRIT OF CERTIORARI

Rachel Crook
(Your Name)

19004 Sheffield St.
(Address)

Hesperia, CA 92345
(City, State, Zip Code)

760.998.3000
(Phone Number)



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QUESTION(S) PRESENTED

1. If beneficiaries of the United States Constitution have the right to prosecute in their own name under Article 3, Section 2 of the Constitution protected by 42 USC § 1981 and in accordance with the 7th, 9th, and 10th Amendments and evenly applied through the 14th Amendment, then any judges/justices who are clearly ignoring or encroaching upon these rights according to the supreme laws of the land are committing treason for any blockage, suppression, undo-influence, or coercion not fulfilling their oath of office?

All judges/justices in petitioner's case have violated 18 USC Ch. 115: TREASON, SEDITION, AND SUBVERSIVE ACTIVITIES, § 2383. Rebellion or insurrection - "Whoever incites, sets on foot, assists, or engages in a rebellion or insurrection against the authority of the United States or the laws thereof (**emphasis added**), or gives aid or comfort thereto, shall be incapable of holding any office under the United States."

2. If Americans have the right to access their courts to prosecute on their own behalf under the constitution and law already established by 42 USC § 1981 for fraud, then would a dismissal without discovery or jury deliberation violate pro se litigant's constitutional guarantees?
3. If petitioner is a beneficiary of the United States Constitution and the constitution being a binding legal contract, then paying \$400 to the district court for a case that is free with no cost, is a contract with considerations between the court and the pro se litigant? If the pro se litigant paid for a venue to conduct a trial by jury and verdict then the court has a duty to provide a venue as a matter of right and contractual obligation?
4. Are justices violating 18 USC CH.115 in its entirety when dismissing a case prior to jury verdict when the laws and rights of the pro se litigant are clearly written in plain English, unambiguous, or capricious?
5. If the Fourteenth Amendment provides equal protection at law and the right to sue protected by 42 USC § 1981, then a dismissal by a district court judge to be a neutral arbitrator of facts, oversee discovery and testimony, and allow a jury to render a verdict violates petitioner's rights when her pre-paid case is dismissed without completion of a jury trial?

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:

RELATED CASES

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TABLE OF AUTHORITIES CITED

Statutes and Rules:

- United States Constitution - First Amendment grants the People access to the courts against state and governmental actors. Article 3, Section 2, defines the courts jurisdiction to all cases within its borders, SEE US Supreme Court's copy of **13 Cal Jur 3d § 242. Right of access of courts.**
- California Constitution - Article 1, Section 1, guarantees the right to ownership and use of the courts for its preservation and protection.
- **42 USC § 1981** - Equal rights under the law
 - (a) Statement of equal rights
"All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens."
- **FRCP Rule 38. Right to a Jury Trial; Demand**
 - "(a) Right Preserved. The right of trial by jury as declared by the Seventh Amendment to the Constitution—or as provided by a federal statute—is preserved to the parties inviolate.
 - (b) Demand. On any issue triable of right by a jury, a party may demand a jury trial by:
 - (1) Serving the other parties with a written demand—which may be included in a pleading—no later than 14 days after the last pleading directed to the issue is served; and
 - (2) Filing the demand in accordance with Rule 5(d).
 - (c) Specifying Issues. In its demand, a party may specify the issues that it wishes to have tried by a jury; otherwise, it is considered to have demanded a jury trial on all the issues so triable (**emphasis added**).
- Fourteenth Amendment procedural due process stands for the principle that the government may not act in a manner that is arbitrary, capricious, or unreasonable when subjecting an individual to the laws of the state. Respondent(s) only receive their authority from the state. Robin Shea, a state actor, and all presiding judges previous to this Supreme Court petition have violated **18 U.S. Code § 2385. Advocating overthrow of Government.**
- Ninth Amendment guarantees the preservation of the individual's right to prosecute in their own name.
- Tenth Amendment ensures these rights remain with the People.

Other:

Petitioner paid filing fees for this case which makes this a contract with the court. Petitioner does recognize her guaranty to free justice and open courts. Attached to petitioner's declaration, SEE Exhibit 1 - Am Jurs 2d 16A **Constitutional Law, § 613. Guaranty, free justice and open courts.**

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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 _____ 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 _____ 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.

1.

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JURISDICTION

For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

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: 7.7.2021, and a copy of the order denying rehearing appears at Appendix A.

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).

2.

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CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- Petitioner's guaranty of free justice and open courts. SEE Exhibit 1 - Am Jurs 2d 16A Constitutional Law, § 613. **Guaranty, free justice and open courts**, attached to petitioner's declaration.
- Petitioner contracted with the court for a venue and trial by jury and paid \$400 for the court to conduct a jury trial as a matter of right and justice.

3.

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STATEMENT OF THE CASE

Petitioner, Rachel Crook, filed a civil suit against Respondents, Shea Fiduciary Services and Robin Shea, court appointed fiduciary/state actor. Robin Shea, a state actor, fraudulently accessed and re-routed petitioner's private property/home mortgage information to respondent's business, Shea Fiduciary Services, which has no affiliation to Petitioner. Robin Shea, state actor, attempted to extort petitioner by attempting to include petitioner's private property, primary residence of herself and her 7 minor children, to extract a signature for a settlement agreement from petitioner's spouse in an unrelated case.

Article 1, Section 1 of the California Constitution mandates privacy as a fundamental constitutional guarantee. Also reiterated in Article 1, Section 3.(3), "Nothing in this subdivision supersedes or modifies the right of privacy guaranteed by Section 1 or affects the construction of any statute, court rule, or other authority to the extent that it protects that right to privacy."

4.

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REASONS FOR GRANTING THE PETITION

To protect the constitutional guarantees and the integrity of the jurisprudence and equality among citizens to ensure their grievances, rights, and property are protected within their own control.

To provide clarity for district court judges and justices to follow the rule of law. Pro se litigant has the right to sue under the following constitutional laws, statutes, and jurisprudence:

- US Constitution - Article 3, Section 2,
- 7th, 9th, 10th and 14th Amendments
- 42 USC § 1981, and
- FRCP Rule 38,

The Constitution and rule of law are in exact alignment with the petitioner's request.

5.

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CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

UCC1-308 without prejudice
Rachel Cook

Date: August 11, 2021

b.