

USSC No.:

IN THE SUPREME COURT OF THE UNITED STATES

<p>ALAN DOUGLAS, Petitioner - Appellant, vs. SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES Respondent-Appellee,</p>	<p>Civil Right Violation - [CRV] Irreparable Heart INJURY cause Disability <i>Res Ipsa Loquitur</i> USSC No.: _____ USCA 9th Cir No.: 21-55886 US District Court 0973-2 D.C. No.: 2:20-cv-11208-RSWL-AS</p>
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On Petition for a WRIT of Certiorari to USCA 9th Circuit No.: 21-55886 on CRV

In re ALAN DOUGLAS, Petitioner (Fed. R. App. P. 21(a)(2)(A))

Appeal from the US District Court 0973-2

Western Division Case No.: 2:20-cv-11208-RSWL-AS; Phone: (213) 894-1565

[1] US District Court -- FRAP 9th Circuit Rule 21-2(a)

PUBLISHED OPINION REQUESTED:

Index of Appendices to Support

Petition for Writ of Certiorari to USCA 9th Circuit No.: 21-55886

Alan Douglas In Pro Se
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Los Angeles, CA 90028-8823
Home: (323)822-5141
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APPELANT'S APPENDICES

**In Support Petition for Writ of Certiorari
to USCA 9th Circuit Case 21-55886**

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APPENDIX A ORDERS and Mandate by USCA for 9th Circuit

- [1] Final Order Denying en banc Review - Rehearing.....
- [2] Order Denying Review because of timing.....
- [3] Mandate filed by Deputy Clerk

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

NOV 30 2021

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ALAN DOUGLAS,

Plaintiff-Appellant,

v.

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF LOS ANGELES, Sherri R.
Carter, Executive Officer/Clerk,

Defendant-Appellee.

No. 21-55886

D.C. No.
2:20-cv-11208-RSWL-AS
Central District of California,
Los Angeles

ORDER

Before: HAWKINS, WATFORD, and LEE, Circuit Judges.

The motion for reconsideration en banc (Docket Entry No. 14) is denied on behalf of the court. *See* 9th Cir. R. 27-10; 9th Cir. Gen. Ord. 6.11.

All other pending motions are denied as moot.

No further filings will be entertained in this closed case.

DA/Pro Se

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

SEP 16 2021

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ALAN DOUGLAS,

Plaintiff-Appellant,

v.

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF LOS ANGELES, Sherri R.
Carter, Executive Officer/Clerk,

Defendant-Appellee.

No. 21-55886

D.C. No.
2:20-cv-11208-RSWL-AS
Central District of California,
Los Angeles

ORDER

Before: HAWKINS, WATFORD, and LEE, Circuit Judges.

A review of the record demonstrates that this court lacks jurisdiction over this appeal because the August 12, 2021 notice of appeal was not filed within 180 days after the district court's final order entered on December 17, 2020, and no earlier notice of appeal was filed in the district court. *See* 28 U.S.C. § 2107(a); *United States v. Sadler*, 480 F.3d 932, 937 (9th Cir. 2007) (requirement of timely notice of appeal is jurisdictional); *see also Stratton v. Buck*, 697 F.3d 1004, 1007 (9th Cir. 2012) ("[w]here there is no separate judgment, pursuant to Fed. R. App. P. 4(a)(7)(A)(ii), we deem the entry of judgment to be 150 days after the entry of an appealable final order."). Consequently, this appeal is dismissed for lack of jurisdiction.

DA/Pro Se

All pending motions are denied as moot.

DISMISSED.

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

DEC 08 2021

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ALAN DOUGLAS,

Plaintiff - Appellant,

v.

SUPERIOR COURT OF
CALIFORNIA, COUNTY OF LOS
ANGELES, Sherri R. Carter, Executive
Officer/Clerk,

Defendant - Appellee.

No. 21-55886

D.C. No. 2:20-cv-11208-RSWL-AS
U.S. District Court for Central
California, Los Angeles

MANDATE

The judgment of this Court, entered September 16, 2021, takes effect this
date.

This constitutes the formal mandate of this Court issued pursuant to Rule
41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT

By: Nixon Antonio Callejas Morales
Deputy Clerk
Ninth Circuit Rule 27-7

Tab	Documents and Description [Attachments]	Data filed	Pages
B	[1]ORDERS by US District Court 0973-2 Denying Review and Civil Right Violations, never filed en banc Review Requested	1/15/2021 12/17/2020	1 2
	[2]Copy of Letter from the Office of the Clerk as Answer to Appellant's Request for Rehearing Dated June 24, 2021	6/24/2021	3

APPENDIX B [1]ORDERS by US District Court 0973-2 Denying Review and Civil Right Violations, never filed en banc Review Requested
[2]Copy of Letter from the Office of the Clerk as Answer to Appellant's Request for Rehearing Dated June 24, 2021

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF DOCUMENT DISCREPANCIES

January 15, 2021

CENTRAL DISTRICT OF CALIFORNIA
BY: CMJ DEPUTYTo: X U.S. District JudgeRonald S.W. LewFrom: C. Jeang

, Deputy Clerk

Date Received: December 21, 2020

Case No.: 2:20cv11208RSWL(AS)Case Title: Alan Douglas v. Superior Court of CA of L.A. CountyDocument Entitled: Letter dated December 18, 2021

Upon the submission of the attached document(s), it was noted that the following discrepancies exist:

- Local Rule 5-4.1 Documents must be filed electronically
- Local Rule 6-1 Written notice of motion lacking or timeliness of notice incorrect
- Local Rule 7-19.1 Notice to other parties of ex parte application lacking
- Local Rule 7.1-1 No Certification of Interested Parties and/or no copies
- Local Rule 11-3.1 Document not legible
- Local Rule 11-3.8 Lacking name, address, phone, facsimile numbers, and e-mail address
- Local Rule 11-4.1 No copy provided for judge
- Local Rule 11-6 Memorandum/brief exceeds 25 pages
- Local Rule 11-8 Memorandum/brief exceeding 10 pages shall contain table of contents
- Local Rule 15-1 Proposed amended pleading not under separate cover
- Local Rule 16-7 Pretrial conference order not signed by all counsel
- Local Rule 19-1 Complaint/Petition includes more than 10 Does or fictitiously named parties
- Local Rule 56-1 Statement of uncontested facts and/or proposed judgment lacking
- Local Rule 56-2 Statement of genuine disputes of material fact lacking
- Local Rule 83-2.5 No letters to the judge
- Fed. R. Civ. P. 5 No proof of service attached to document(s)
- Other: IFP denied December 17, 2020 and case dismissed and closed.

Please refer to the Court's website at www.cacd.uscourts.gov for Local Rules, General Orders, and applicable forms.

ORDER OF THE JUDGE

IT IS HEREBY ORDERED:

The document is to be filed and processed. The filing date is ORDERED to be the date the document was "stamped received but not filed" with the Clerk. Counsel* is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83-7.

Date

U.S. District Judge

X The document is NOT to be filed, but instead REJECTED, and is ORDERED returned to counsel.* Counsel* shall immediately notify, in writing, all parties previously served with the attached documents that said documents have not been filed with the Court.

January 12, 2021/S/ RONALD S.W. LEW

Date

U.S. District Judge

* The term "counsel" as used herein also includes any pro se party. See Local Rule 1-3.

COPY 1 -ORIGINAL-OFFICE

COPY 2 -JUDGE

COPY 3 -SIGNED & RETURNED TO FILER

COPY 4 -FILER RECEIPT

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Alan Douglas, v. Superior Court of California, Los Angeles County,	PLAINTIFF(S) DEFENDANT(S)	CASE NUMBER CV20-11208-RS WL (AS)
		ORDER RE REQUEST TO PROCEED <i>IN FORMA PAUPERIS</i>

IT IS ORDERED that the Request to Proceed *In Forma Pauperis* is hereby GRANTED.

Date	United States Magistrate Judge
------	--------------------------------

IT IS RECOMMENDED that the Request to Proceed *In Forma Pauperis* be DENIED for the following reason(s):

<input type="checkbox"/> Inadequate showing of indigency	<input checked="" type="checkbox"/> District Court lacks jurisdiction
<input type="checkbox"/> Legally and/or factually patently frivolous	<input type="checkbox"/> Immunity as to _____
<input type="checkbox"/> Other: _____	

Comments:

See Attached

December 15, 2020
Date

/s/ Alka Sagar
United States Magistrate Judge

IT IS ORDERED that the Request to Proceed *In Forma Pauperis* is hereby:

<input type="checkbox"/> GRANTED
<input checked="" type="checkbox"/> DENIED (see comments above). IT IS FURTHER ORDERED that:
<input type="checkbox"/> Plaintiff SHALL PAY THE FILING FEES IN FULL within 30 days or this case will be dismissed.
<input checked="" type="checkbox"/> This case is hereby DISMISSED immediately.
<input type="checkbox"/> This case is hereby REMANDED to state court.

December 17, 2020
Date

/S/ RONALD S.W. LEW
United States District Judge

ATTACHMENT TO FORM CV73

Alan Douglas v. Superior Court of California, Los Angeles County
Case No. CV 20-11208-RSWL (AS)

Plaintiff Alan Douglas seeks leave to file a complaint without prepayment of fees. (See Request to Proceed In Forma Pauperis ("IFP Request"), filed on December 9, 2020).

Plaintiff's complaint alleges that the state court judge presiding over his medical malpractice lawsuit violated his civil rights by, among other things, granting summary judgment in favor of Defendant. Plaintiff seeks declaratory relief from this court directing the Superior Court of California to correct its error and punitive damages of \$250,000.

Plaintiff's complaint is essentially a mandamus petition under 28 U.S.C. § 1651, which seeks an Order requiring the state court to respond to Plaintiff's request. This Court lacks jurisdiction to order such relief. See Demos v. United States Dist. Court for the Eastern District of Washington, 925 F.2d 1160, 1161-62 (9th Cir. 1991); Clark v. State of Washington, 366 F.2d 678, 681 (9th Cir. 1966) ("[t]he federal courts are without power to issue writs of mandamus to direct state courts or their judicial officers in the performance of their duties"). Accordingly, the Court is persuaded that Plaintiff should be denied leave to proceed in forma pauperis.



United States District Court
Central District of California
Office of the Clerk

Cristina M. Squieri Bullock
 Chief Deputy of Administration
 350 West 1st Street, Suite 4311
 Los Angeles, CA 90012

Kiry K. Gray
 District Court Executive / Clerk of Court
 350 West 1st Street, Suite 4311
 Los Angeles, CA 90012

Sara Tse Soo Hoo
 Chief Deputy of Operations
 255 East Temple Street, Suite TS-134
 Los Angeles, CA 90012

June 24, 2021

Alan Douglas
 1637 Vine St., Apt. 614
 Los Angeles, CA 90028
 323-822-5141
 PRO SE

Re: Research Request Received on June 24, 2021
 and/or regarding Documents

Dear Sir/Madam:

We have received your request for records. However, for the reasons indicated below, we are unable to process your request at this time.

- You have not provided sufficient information for us to determine whether the requested records are in the Court's possession or which records you want copied. You must provide a case number or enough information about the parties to the case so that the case can be identified, as well as a detailed description of the records or information you are seeking.
- The information you have requested is either not in the Court's possession or cannot be provided in response to your request:
 - The case file you requested has been archived and transferred to the National Archives & Records Administration. To view the file, please visit www.archives.gov for further instructions.
 - The Court posts annual information regarding its caseload statistics on its website. (Refer to the links in the "Court Statistics" box on the main page of the Court's website at www.cacd.uscourts.gov.) Additional statistical information about this and other federal courts is available at the website of the United States Courts, www.uscourts.gov/statistics-reports. No other compilations of data or statistical information will be provided.
 - You have requested information pursuant to the Freedom of Information Act ("FOIA"). Please be advised that the Freedom of Information Act does not apply to the judicial branch of the federal government. 5 U.S.C. § 551(1)(B).
 - You have requested a transcript of one or more proceedings conducted in this Court. Please be advised that transcripts are not automatically prepared for every court hearing, and must be ordered from the court reporter who was present at the hearing. For information about ordering transcripts, please refer to the Court's website at www.cacd.uscourts.gov/court-reporting-services.
- Payment must be received in advance before any copies of records will be provided, and we have not yet received your payment. Please see page 2 of this letter for details about the cost of your request and information about providing payment. Note that payment is required even if you are a party who has been granted *in forma pauperis* (or "IFP") status in a case before this Court. IFP status does not mean that you are entitled to free copies of court records or the docket.

- We are in receipt of your check. Unfortunately, however, we are unable to accept it, and are returning it to you with this letter. We will accept business or corporate checks, checks drawn on business or client trust accounts, federal, state, and local government-issued checks, bank-certified or cashier's checks, or a money order drawn on a major American bank or the United States Postal Service (made out to "Clerk, U.S. District Court"). **No personal checks or checks drawn on non-business accounts will be accepted.** You may also pay for your order in person at any Clerk's Office window with cash or a credit or debit card.
- Other: Please indicate which docket numbers you're requesting from the Court. Pacer.gov

PAYMENT:

Photocopies numbering _____ pages at a cost of \$0.50 per page.
 Certification of _____ document(s) at a cost of \$11.00 per document.
 Exemplification of _____ document(s) at a cost of \$23.00 per document.

To obtain your records, please submit payment, a self-addressed, stamped envelope of sufficient size to hold the records, a copy of this letter, and a copy of your original request to the attention of:

Intake Department

- Western Division, 255 East Temple Street, Suite TS-134, Los Angeles, CA 90012
- Southern Division, 411 W. Fourth St., Ste. 1053, Santa Ana, CA 92701-4516
- Eastern Division, 3470 Twelfth Street, Room 134, Riverside, CA 92501-3000

We have not yet been able to determine the total cost of your order. You have identified ____ cases, names, or items for which a preliminary search of the Court's records is required. Please be advised that a non-refundable search fee of \$32.00 for each such item is required before we can complete your request. If you wish to proceed with your request, please confirm the items you want us to research, and return payment in the amount \$32.00 for each such item.

All fees quoted above are set nationally pursuant to 28 U.S.C. § 1914, Judicial Conference Schedule of Fees, District Court Miscellaneous Fee Schedule. We will accept business or corporate checks, checks drawn on business or client trust accounts, federal, state, and local government-issued checks, bank-certified or cashier's checks, or a money order drawn on a major American bank or the United States Postal Service (made out to "Clerk, U.S. District Court"). **No personal checks or checks drawn on non-business accounts will be accepted.** You may also pay for your order in person at any Clerk's Office window with cash or a credit or debit card.

Questions and requests may be directed to the Records Section by e-mail at Records_CACD@cacd.uscourts.gov.

Please note that criminal and civil docket information, as well as copies of many documents, is available online through the Public Access to Court Electronic Records (PACER) system. For PACER information, please contact 800-676-6856 or www.pacer.gov.

Information regarding Schedule of Fees, forms, local rules, and other procedures may be obtained from the Court's website at: www.cacd.uscourts.gov.

Clerk, U. S. District Court

By TW

Deputy Clerk

To
The Clerk of United District Court 0973-2
for the Central District of California
United States Court House
Attn.: Intake/Docket Section
255 East Temple Street, Suite TS-134
Los Angeles, California 90012

From
Alan Douglas In Pro Se
1637 Vine St., Apt.614
Los Angeles, CA 90028
Home: (323) 822-5141
Email: ad47usa@hotmail.com

Re: Complain for Violation of Civil Rights - Notice of Appeal filed on Jan.21, 2021; Petition for Panel Review b District Court 0973-2 --Docketed on 01/23/2021 DktEntry 29-1
--Page 1 of 23--Mail with USPS on Jan.23, 2021 and delivered on Jan. 26, 2021 -- Proof , please, find attached 6 pages.

Ladies and Gentlemen!

Please, be advised for the following:

[1] Appellant -- Alan Douglas in the above mentioned Case as concern Violation of Civil Rights- - filed on Jan.23, 2021 -- "Petition for Panel Review by US District Court 0973-2." The Petition for Panel Review was mailed on Jan.23, 2021 with USPS and Delivered to Front Desk/Reception/Mail Room on Jan.26, 2021.

[2] Up to Date Appellant do not received any Letter, Court ORDER or any Notification or whatsoever.

[3] Appellant Respectfully ask this Court for the following:

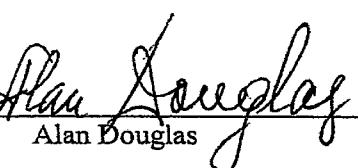
(1) Copy of ORDER Denying Petition for Panel Rehearing as concern Civil Right Violation;
(2) Copy of ORDER Denying Petition for Panel Rehearing [en Bank] as concern Civil Right Violation;

(3) Copy of Action as concern Notice of Appeal mailed on Jan.23, 2021 related to above mentioned Case.

(4) Letter of Clerk Office is also welcome with explanation why or why not ORDER Denying Petition for Panel Review about Civil Right Violation is not served or mailed to Appellant - Alan Douglas.

Respectfully submitted by Appellant,

Dated: April 22,2021
Los Angeles, CA

Signed by 
Alan Douglas

**Additional material
from this filing is
available in the
Clerk's Office.**