

**USSC No.:**

**IN THE SUPREME COURT OF THE UNITED STATES**

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

*On Petition for a WRIT of Certiorari to USCA 9<sup>th</sup> 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 9<sup>th</sup> Circuit Rule 21-2(a)  
**PUBLISHED OPINION REQUESTED:**

**Index of Appendices to Support**

*Petition for Writ of Certiorari to USCA 9<sup>th</sup> Circuit No.: 21-55886*

Alan Douglas In Pro Se  
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Los Angeles, CA 90028-8823  
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**APPELANT'S APPENDICES**  
**In Support Petition for Writ of Certiorari**  
**to USCA 9<sup>th</sup> Circuit Case 21-55886**  
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## APPENDIX A ORDERS and Mandate by USCA for 9<sup>th</sup> 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.

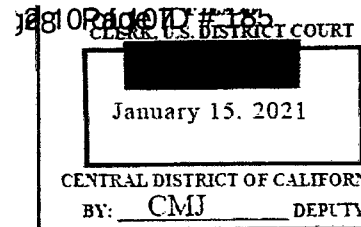
FOR THE COURT:

MOLLY C. DWYER  
CLERK OF COURTBy: Nixon Antonio Callejas Morales  
Deputy Clerk  
Ninth Circuit Rule 27-7



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

**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

To: X U.S. District Judge Ronald S.W. Lew

From: 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. County

Document 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 uncontroverted 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](http://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 \_\_\_\_\_

☒ 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.

PLAINTIFF(S)

Superior Court of California, Los Angeles County,

DEFENDANT(S)

CASE NUMBER

CV20-11208-RSWL (AS)

ORDER RE REQUEST TO PROCEED  
*IN FORMA PAUPERIS*

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:

- ☐ GRANTED
- ☒ DENIED (see comments above). IT IS FURTHER ORDERED that:
- ☐ Plaintiff SHALL PAY THE FILING FEES IN FULL within 30 days or this case will be dismissed.
- ☒ This case is hereby DISMISSED immediately.
- ☐ 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.



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

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

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](http://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](http://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](http://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](http://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:**

- ☐ We have been able to determine the total cost of your order from the information you provided. To complete processing of your order, we must receive a total of \$ \_\_\_\_\_. This amount includes:

- ☐ 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 at \_\_\_\_\_

- ☒ 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](mailto: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](http://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](http://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](mailto: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.**