

No. 21-670

Supreme Court, U.S.

FILED

AUG 23 2021

OFFICE OF THE CLERK

SUPREME COURT OF THE UNITED STATES

Gustavo G. Gonzalez Jr.,

Petitioner,

vs.

Quality Loan Service Corporation,

Respondent

On Petition for a Writ of Certiorari to
The United States Supreme Court

PETITION FOR A WRIT OF CERTIORARI

Gustavo G. Gonzalez Jr.
P.O. Box 444
Reedley, Ca. 93654

ORIGINAL

RECEIVED

NOV - 1 2021

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Question Presented

The petition ask, what privledges does a trustor of corpus in respect to a trust upon parchment signed sealed and delivered have?

TABLE OF CONTENTS

I.	TABLE OF AUTHORITIES	i
II.	A LIST OF PARTIES WHO'S CASE IS SOUGHT	ii
III	A LIST OF ALL PARTIES TO THE PROCEEDING WHO'S JUDGEMENT IS SOUGHT TO BE REVIEWED	iii
IV.	JURISDICTION OF JUDGEMENT “EN BANC”	1 - 20
	A. OPINION OF THE FIFTH APPELATE DISTRICT	
	B. MODIFICATION OF OPINION OF THE FIFTH APPELATE DISTRICT	
V.	APPLICATION IN FORMA PAUPERIS	21
VI.	INTRODUCTION	23
VII.	STATEMENT OF CASE	24
VIII	REASON FOR GRANTING THE WRIT	25
	A. Power to control beneficial enjoyment	
	B. Administrative powers	
	C. Power to revoke	
	D. Income for benefit of trustor.	
	E. Value	
IX.	CONCLUSION	26
X.	INDEX TO APPENDICES	
	Exhibit “A” GRANT DEED	
	Exhibit “B” DEED OF TRUST	
	Exhibit “C” SUBSTITUTION OF TRUSTEE	
	Exhibit “D” FULL RECONVEYANCE	
	Exhibit “E” GIFT GRANT DEED	

Table of Authorities

Cases

(Ulmer V. Fulton, 129 Ohio St. 323 195 N.E. 557, 564, 97 A.L.R. 1170.)

Statutes and Rules

(Internal Revenue Commissioner 26 US Code 674 (a)(1)).

(Internal Revenue Commissioner 26 US Code 675 (1)).

(Internal Revenue Commissioner 26 US Code 676 (a)(b)).

(Internal Revenue Commissioner 26 US Code 677 (1)).

(California Civil Code 2941 Subd. (b) (1) (c))

Constitutional and Statutory Provisions Involved

(XIV Amendment United State Bill of Rights)

(Title 26 – Internal Revenue Code)

I "A list of all parties to the proceedings in the court whose case is sought to be reviewed".

Gonzalez

v.

**Quality Loan Service
Corporation**

1. Petitioner and Appellant (Pro Se)
Gustavo G Gonzalez Jr.
P.O. Box 444
Reedley, Ca. 93654
Phone # 559-356-9002

2. Respondent
McCarthy and Holthus, LLP
2763 Camino Del Rio S., STE 100
San Diego, Ca. 92108
Fax # 619-685-4811
Phone # 618-955-1604

“A list of all parties to the proceeding
in the court who’s judgment is
sought to be reviewed”

Gonzalez “Trustor”

v.

Quality Loan Service Corporation

- A. Tulare County Superior Court
221 S. Mooney BLVD #201
Visalia, Ca. 93291
(Case # VCU 278481)
- B. 5th District Court of Appeal of California
2424 Ventura St.
Fresno, Ca. 93721
(Case # F080526)
- C. Supreme Court of California
350 McAllister St. Rm. 1295
San Francisco, Ca. 94102
(Case # 267751)

21.

“Application
In Forma Pauperis”

Re: Petition seeking Writ of Certiorari in the United States Supreme Court
1 First Street, N. E.
Washington, DC 20543

From: Petitioner Pro Se
Gustavo G. Gonzalez Jr.
P.O. Box 444
Reedley, CA. 93654
Pro Se
(559)356-9002

Case #

California Supreme Court
Gonzalez
v.
The Quality Loan Service Corporation

To whom it may concern,

In form a pauper is, pro se, petitions for writ of certiorari in the United States Supreme Court.

The petitioner introduces himself, a person of the People.

22.

The petitioner is a worker with an identity, he is a production welder in California.

The petitioner is known as a person of the People and a good citizen whom believes in good behavior and work. The petitioner seeks to pursue a writ of Certiorari in order to overturn a post judgment of a state court.

The petitioner is paying the filing fee and having a paralegal only type and serve the process Gustavo G. Gonzalez Jr's petition.

23.

Introduction

The petition for Writ of Certiorari is from a person whom believes the California Supreme Court has made a mistake in the case of

Gonzalez
v.
Quality Loan Service Corporation
Case # S267751

With identity and pro se I Gustavo G Gonzalez Jr. ask the United States Supreme court for a chance to be heard.

All have the right to due process and equal protection in common law.

“Statement of Case”

The petitioner has peacefully brought his grievance to the door of the United States Supreme Court.

Gustavo Gonzalez represents himself, pro se. He feels that he has been denied equal protection in the California Supreme Court.

Gonzalez feels that his home was wrongfully foreclosed upon and that California's acceptance of non judicial foreclosure has not given Gonzalez and other victims the right to equal protection of the law. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities; nor shall any state deprive any person life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. (XIV Amendment United States Constitution Bill of Rights.)

Gonzalez appeals to the United States Supreme Court that he has been denied equal protection of the (Title 26 - Internal Revenue Code.)

Gonzalez appeals to the United States Supreme Court that in the state of California, privilege of trustor is treated as criminal. Many people who posses the title of trustor are evicted from their homes, even after 100 years of residence. Almost all victims are natural born citizens whom possess a grant deed or full free reconveyance, please hear my grievance.

Gonzalez pleads that he posses a properly recorded full reconveyance, when the note with a deed of trust is satisfied, the beneficiaries are required to execute a request for reconveyance and deliver it to the Trustor together with a note marked paid or satisfied (California Civil Code 2941 Subd. (b)(1)(c)).

**SEE EXHIBIT OF THE APPENDIX
EXHIBIT “D”. RECONVEYANCE**

Gonzales claims that Quality Loan Service Corporation is not a trustee to the security instrument, deed of trust and never has been. As trustor, one who creates a trust. Also called grantor or settler. (Ulmer v. Fulton, 129 Ohio St. 323, 195 N. E. 557, 564, 97 A.L.R. 1170.) Gonzalez say's as trustor or owner of the trust or corpus and its clause for beneficial enjoyment.

**SEE EXHIBIT OF THE APPENDIX
-EXHIBIT “B” Deed of Trust
-EXHIBIT “C” Substitution of Trustee**

The value of the wrongful foreclosure is \$158,000, plus damages.

Reason for Granting the Petition

The reason for granting this petition is fact, statute and constitutional bill of right. A person with the proper documentation has the right to home ownership under the laws that protect each citizen without the consent of a adverse party. I pro se Gonzalez petitioner to the United States Supreme Court. State, "I have Internal Revenue Code Title 26 the trustor and Power to control beneficial enjoyment, administrative powers, power to revoke and income for benefit of trustor as irrevocable statue of lawful protection with power of disposition as owner of a contract." Please grant Gonzalez a writ of certiorari.

On every document Gonzalez is grantee or trustor for beneficial enjoyment, not hardship and foreclosure.

Let the corpus in respect to the trust tell the truth with clause.

The title of trustor is not a criminal charge, or a notice of default, nor a person to be foreclosed upon and given a hardship.

The law of the United States clearly states trust or is a privilege of owner and it shall not be abridged.

- A. The trustor shall be treated as the owner of any portion of a trust in respect of which the beneficial enjoyment of the corpus or the income therefrom is subject to a power of disposition exercisable by the trustor or a nonadverse party, or both without the approval or consent of any adverse party. Exceptions for certain power such as trustee shall not apply regardless of by whom held. (Internal Revenue Commissioner 26 U.S. Code 674 (a)(b)).
- B. Administrative powers, the trustor shall be treated as the owner of any portion of a trust in respect of which he has power to deal for less than adequate and full consideration in respect to income. (Internal Revenue Commissioner 26 U.S code 675 (1)).
- C. Power to revoke, the trustor shall be treated as the owner of any portion of a trust, whether or not he is treated as such owner under any other provisions of this part, were at any other provision of this part, where at any other provision of this part, where at any other power to rest in the trust or title to such portion is exercisable by the trustor or non-adverse party, or both. The non-adverse party being the Internal Revenue Service code of ownership. Also, power affecting beneficial enjoyment only after occurrence of event. Shall not apply to power of the exercise which can only affect the beneficial enjoyment for the income for a period commencing after the occurrence of an event, such as trustor would not be treated as owner. (Internal Revenue commissioner 26 U.S. Code 676 (a)(b)). Such as wrongful foreclosure. The law states the beneficial enjoyment of that trust shall be returned.
- D. Income for benefit of trustor. The trustor shall be treated as the owner portion of a trust, whether or not he is treated as such owner under section 674, whose income without the approval or consent of any adverse party is, or, in the discretion of the trustor or a nonadverse party may be - distributed to the trustor.

Per the statutes of Title 26 Internal Revenue Code, the writ of certiorari should be granted, so that the right of equal protection of life, liberty and property shall not be abridged.

Conclusion

The petition for a writ of certiorari should be granted.

United States Supreme court please hear our prayers and our peaceful petition.

Dated this 18 day of October 2021.

Respectfully Submitted.

Gustavo J. Gonzalez Jr.
Gus G. Gonzalez Jr.
Petitioner

P.O. Box 444
Reedley, Ca 93654
(559)356-9002