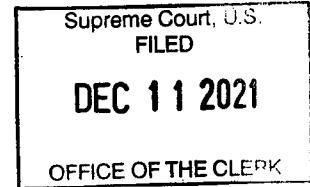


21-6841 **ORIGINAL**
In
The Supreme Court of the United States



**On Petition For A Writ Of Certiorari
To The
Supreme Court Of the United States**

Case Brought from Court Of Appeals For The Ninth Circuit
Case No: District Court Case No:5:20-cv02230-DMG-SHK

Ada Maria Benson (Petitioner)

v.

Defendants:
Hemet Police Department, California.

PETITION FOR A WRIT OF CERTIORARI
December 08, 2021

Benson, Ada Maria
(Persona Propria)
324 South State St #3054
Hemet, California 92546
92546
Bensonadamaria@gmail.com

QUESTIONS PRESENTED

This case has very important citizenship concepts when State Courts assist corrupted law enforcement officers to stain the character of law abiding citizens in the name of color of law. When dealing with educated human beings that behave rational there is no concept that can describe the wild animal inside an irrational brute corrupted law enforcement officer that forgets that law enforcement is a job as a Peace Officer first.

- 1. Whether the 42 USC 1983 (4th, 14th Amendment) can protect a law abiding educated senior disable that has been abducted (arrested) after physical assault without probable cause nor warrant by a Hemet, California police officer while the petitioner was inside her own vehicle undergoing seizures and was dragged out to enforce criminal charges after a long chain of police abuse, false citations, defamations, carjackings, profiling and persecution by law enforcement officers in the city of Hemet, and the County of Riverside California.**

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LIST OF PARTIES

Benson, Ada Maria
Petitioner

Hemet Police Department, California
Defendants

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**Letter Of Appendices Includes Appendices I Through
appendix XVIII .**

Appendices VII, XIII, XIV, XV and XVI are Federal **District Court**
Opinions with excerpts.

Appendix XVII Complaint and Request For Injunction Form
Pro-Se 2 submitted to the Appeals Court Ninth Circuit on
12-27-2021 in case 21-55473 **The Petitioner's son (Ricardo
Ernesto Montenegro Pineda Jr) was wounded by a Riverside
County Superior Court's judge at the end of November
2021.**

Appendix XVII more links to violence and surveyances
by law enforcement.

TABLE OF AUTHORITIES

AMENDMENTS

First Amendment
 Fourth Amendment
 Fifth Amendment
 Eight Amendment
 Amendment 14th section 1

STATUTES

1 U.S.C 1001
 6 U.S. Code § 410kkk-4 -
 18 USC Ch. 65
 18 U.S. Code § 111
 18 U.S.C. § 242(1),(2),(3) 520 U.S. at 264
 18 U. S. C 373
 18 USC 1001
 18 US Code § 1201
 18 U.S. Code § 1519
 18 U.S. Code § 2119
 25 CFR 11.448
 28 U.S.C. § 1254 (1)
 28 U.S.C. § 1292
 28 USC 4101,
 34 U.S.C. § 12601
 35 CFR 11.448 .
 42 U.S. Code § 1983.

Rule 52(a) of the Rules of Civil and Criminal Procedure,
 Section 2340A of Title 18,

LAWS RELATED

Excessive Use of Force Prevention Act of 2015.

Law of Search and Seizure §47 Pp. 163-164 (2nd Ed 1930)

National Statistics on Deadly Force Transparency Act of 2015
 Talking Points In Citizens Vulnerable to Law Enforcement Abuse.

Restatement of Second of Torts (1965) Sec 46
The Americans with Disabilities Act of 1990 -42 U.S.C. §§ 12101 et seq. "28 CFR Part 35
Section 35.102.

Title II of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973-ADA section 504 of the Rehabilitation Act. (42 U.S.C. § 12131, et seq. and 29 U.S.C. § 794)

CASES CITED

Boyd, 116 U. S., at 630.
Burwell v. Giant Genie Corp., 115 N.C. App. 680, 446 S.E. 2d 126 (1994)
Chaplinsky V. New Hampshire 315 U.S. 568 (1942),
California v. Hodari D. :: 499 Us 621 624 (1991)
Colorado v. Swietlicki (2015)
Courson V. Mcmillian 939 F. 2d 1479, 1487 (11th Circ.1991)
Gentry v. Duckworth, 65 F.3d 555 (7th Cir. 1995)
Gittens V. New York 504 NYS 2nd 969 (Ct. CL.1986
Graham v. Connor, 490 U.S. 386, 396-97 (1989).
Koon v. United, States, 51.8 U.S. 81, 100 (1996)
Malley V. Briggs 475 US 335, 341 (1986)
McDonald v. Chicago, 561 U. S. 742, 767 (210)
McDonough v. Smith, 588 U.S. ____ (2019)
Mukwonago, 624 F.3d 856 (7th Cir. 2010)
Payton V. New York 445 U.S. 573, 592 (1980)
Perkins V. Stein & Co. 94 KY 433, 22SW 649, 650, 20 L.R.A 861
Peterson v. Bernardi, 719 F. Supp. 2d 419 (D.N.J. 2010)
Riley v. California, 573 U. S. 373, 403 (2014).
Sandon v. Jervis, El. Bl. & El. 935, 940, 120 Eng.Rep. 758, 760 (Q. B. 1858).
Siglar Vs. Hightower 12F3d. 191 (5th Cir 1997),

Torres V. Madrid 2021,
United States vs. Armstrong 517 US (1996).,
United States V. Garza 754 F.2d 1202 ,1204 (5th Circ 1985)
United States v. Ríos–Hernández,645 F.3d 456, 462 (1st Cir.2011).
Wallace v. Kato 549, U.S 384, 388-389 (2007)
Wilson v. Bellamy, 105 N.C. App. 446, 414 S.E. 2d 347 (1992).
Wyatt V Cole 504 Us 158, 161, 112 S Ct 1827, 1830, 118 L. Ed. 2d
504 (1992)

**LINK TO SAMPLES OF RELATED VIDEOS ON LAW
ENFORCEMENT SURVEYANCES AND FALSE
CITATIONS. THE VIDEOS ARE INNUMERABLE.**

<https://youtu.be/39XvOsvKFHI> Hemet Police surveying on petitioner while petitioner attends library. As such everywhere and always at Starbucks.

<https://youtu.be/REChfW3q88w> San Jacinto Police false ticketing scapegoating petitioner was parked at the petitioner's son's workplace.

<https://youtu.be/nfBikQoBKeQ> Hemet Police Officer on Ford SUV Plates 1455373 handing false citation while petitioner had parked at the Hemet Public Library.

<https://youtu.be/VSxNnvJmos4> Assault and carjacking by a GE4 Golden Fish Security Guard assisted by Hemet Police to conceal the petitioner's vehicle.

<https://youtu.be/GKSfzxxB1Mk> is a sample of how the petitioner's life is in Riverside County almost everyday. Police and

sheriffs surveyances around her private doings. This is at the public park in San Jacinto, Ca

[**https://youtu.be/VpiTg3joA7I**](https://youtu.be/VpiTg3joA7I) Hemet Police Station workers refusing to provide information on the whereabouts of my vehicle carjacked in the parking lot of the Planet Fitness Gym. At the end they provide the address where the vehicle was taken.

[**https://youtu.be/gLtBLvNLyTE**](https://youtu.be/gLtBLvNLyTE) At Starbucks every time I visit a Starbucks law enforcement officers gather outside or walk inside and place high beams when I sit by the windows

[**https://youtu.be/f_12394VF3I**](https://youtu.be/f_12394VF3I) Sample of daily surveyances by law enforcement.

[**https://youtu.be/d1qH1TQykB8**](https://youtu.be/d1qH1TQykB8) Anonymous obscene papers found posted on the windshield by petitioner at leaving the Hemet Public library across the Hemet Police. The handwriting is very exact as the note signed by D.Merlo a hemet Police worker on
september 09, 2020

[**https://www.google.com/maps/place/Appaloosa+Dr+%26+Trotter+Dr.+Hemet,+CA+92545/@33.7476546,-117.0206588.3a,75y,139.62h,69.15t/data=!3m6!1e1!3m4!1sXqio2KQqGBXqlZmYyv -KA!2eo!7i16384!8i8192!4m5!3m4!1sox80db667821d913e3:ox6c9a9cffcb32120a!8m2!3d33.7476796!4d-117.0208049**](https://www.google.com/maps/place/Appaloosa+Dr+%26+Trotter+Dr.+Hemet,+CA+92545/@33.7476546,-117.0206588.3a,75y,139.62h,69.15t/data=!3m6!1e1!3m4!1sXqio2KQqGBXqlZmYyv -KA!2eo!7i16384!8i8192!4m5!3m4!1sox80db667821d913e3:ox6c9a9cffcb32120a!8m2!3d33.7476796!4d-117.0208049) Link of the Appaloosa and Trotter Park map-video in Hemet, Ca . The petitioner was correctly parked under a small green tree at the left near the corner across from the park.

<https://youtu.be/9adLo62cNwk> Report on dog attack

<https://youtu.be/VNd3hF9gqMc> More than six law enforcement patrols outside the gates where the petitioner was going to pick up her vehicle the night of September 15, 2020 (six days after abduction) upon returning from Mexico for nerve breakdown treatment.

<https://youtu.be/Esfwibz1dVs> Spoelstra Hemet Police Department stalking as usual with a police motorcycle. This is near Florida and Sanderson where he usually stalks the petitioner.

RELATED CASES

21-55473 Ada Maria Benson v. Riverside County Sheriff Department, Riverside County Superior Court, 911 Operators, Riverside County Grand Jury. (**False accusations posted in public files, trial in absentia, persecution through more than two decades by law enforcement, false citations, negligence to comply with official duties to prevent crime, abuse of power**)

21-55151 Ada Benson v. Hemet Gatekeepers Security Company (**Threats to deprive petitioner of liberty and property**)

21-55797 Ada Maria Benson v. IHSS DPSS, Mt Lyon Rv Park and Resort et seq (in the Supreme Court **-Assault and defamations in the workplace, wage theft**)

21-55549 Ada Maria Benson v. San Jacinto Unified School (**Employer Defamation with evidences from a State Investigative Agency**)

21-55791 Ada Maria Benson v. Census 2020-Department of Commerce (**Wage theft, entrapment, threats of imprisonment in writing case with plenty of evidence**).

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PETITION FOR A WRIT OF CERTIORARI

The petitioner, in persona propria, respectfully petitions for a writ of certiorari to review the judgment of the United States Court of Appeals for the Ninth Circuit in this case.

OPINIONS BELOW

The **December 02, 2021 order** from the Appeals Court ninth circuit reads: “Before: HAWKINS, WATFORD, and LEE, Circuit Judges. Appellant’s motion for reconsideration (Docket Entry No. 14) is denied. See 9th Cir. R. 27-10.

No further filings will be entertained in this closed case. **App. I**

The September 20, 2021 order from the Appeal Court Ninth Circuit reads; Notice of Appeal 9th Circuit Court of Appeals- Document 12 filed by Ada Maria Benson. CCA # 21-55802 is dismissed for lack of jurisdiction. To the extent that appellant requests relief by way of a petition for writ of mandamus, the request is **denied**. **Petitioner did not request mandamus.**

App. II.

Opinions Of The District Courts

On July 08, 2021 District Court Eastern Division Riverside County Judge Hon Shashi Kewalramani dismissed this case and refused the petitioner motions and First Amended Complaint twice in dates after, claiming in **document 15** that “defendants are immune” **pg 7**, that “petitioner does not present specific facts” **pg 9** document 15, that “petitioner fails to demonstrate conspiracy” **In page 14** document 15 judge Hon Shashi Kewalramani states “such vague and conclusory allegations are insufficient to bring a claim against the defendant” **pg 23** states “ the petitioner does not present a valid claim for violation of the ADA Act” and that “petitioner was not treated different than others” **pages 21-22** states “ the court cannot analyze an Eighth Amendment claim for cruel and unusual punishment. Same judge denied the motion for

medical leave while petitioner was undergoing surgery on July 08, 2021. Petitioner filed for Appeals on July 27, 2021 See Pacer in case 5:20-cv-02230. Here the district court erred on the petitioner. **The United States Supreme Court has established the doctrine that qualified immunity provides ample protection to all, but the plainly incompetent or those who knowingly violate the law.**

Malley V. Briggs 475 US 335, 341 (1986). "The failure to apply the law correctly . . . is always an abuse of discretion." **Koon v.**

United States, 518 U.S. 81, 100 (1996) "A district court by definition abuses its discretion when it makes an error of law."

Every answered F.A.C has been dismissed
 * *The opinions of the District Court appear at Appendix XIV Documents #10, #15, #6, #18*
JURISDICTION

The jurisdiction of this Court is invoked under **28 U.S.C. § 1254 (1)**.

The Supreme Court has set Constitutional Standards for Jurisdiction based in Injury, Fact, Causation, and Redressability. US Codes and Statutes > US Constitution Annotated > Article III.

Judicial Department > Substantial Interest: Standing.

The United States Supreme Court Court has appellate jurisdiction and can hear the case on appeal on almost any other case that involves a point of constitutional and or federal law.

RELEVANT STATUTORY PROVISION

42 U.S. Code § 1983 "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress

applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia."

The Americans with Disabilities Act of 1990

42 U.S.C. §§ 12101 et seq. "28 CFR Part 35 - Non

Discrimination on the basis of disability in state and local governments services ***Section 35.102 Application*** there are two major categories of programs or activities covered by this regulation: those involving general public contact as part of ongoing operations of the entity and those directly administered by the entities for program beneficiaries and participants.

Activities in the first category include communication with the public (telephone contacts, office walk-ins, or interviews) and the public's use of the entity's facilities. Activities in the second category include programs that provide State or local government services or benefits.

Title II of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973

Prohibits discriminatory treatment including misconduct.

Individuals have a private right of action under ADA section 504 of the Rehabilitation Act. The Americans with Disabilities Act (ADA) and Section 504 prohibit discrimination against individuals on the basis of disability. (42 U.S.C. § 12131, et seq. and 29 U.S.C. § 794). These laws protect all people with disabilities in the United States. An individual is considered to have a "disability" if he or she has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment. ADA prohibits discrimination on the basis of disability in all State and local government programs, services, and activities. Section 504 prohibits discrimination by State and local law enforcement agencies that receive financial assistance from DOJ. Section 504 also prohibits discrimination in programs and activities conducted by Federal agencies, including law enforcement agencies.

The Fourth Amendment requires that any arrest be based on probable cause, even when the arrest is made pursuant to an arrest

warrant. Whether or not there is probable cause typically depends on the totality of the circumstances, meaning everything that the arresting officers know or reasonably believe at the time the arrest is made. *"[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."*

The Fourteenth Amendment, ratified in 1868, uses the same eleven words, called the Due Process Clause, to describe a legal obligation of all states. These words have as their central promise an assurance that all levels of American government must operate within the law ("legality") and provide fair procedures.

STATEMENT OF THE CASE

On September 09, 2020 Petitioner drove in the early morning hours toward the city public park located at Appaloosa and Trotter, Hemet, California. The petitioner drove every other morning to the same park to stretch and read for a while. On September 09, 2020 after having parked correctly across the park, the petitioner started to feel convulsions upon arriving, after having taken the usual morning medication prescribed by the petitioner's primary doctor. The petitioner decided to stay inside the vehicle and began vomiting in a plastic container during the reactions. Seizures took over the petitioner and stayed inside the vehicle waiting to recover when the doors of the petitioner van were violently opened by a Hemet Police officer Cheney Nicot at around 08:25 A.M. Nicot dragged the petitioner out of the petitioner's vehicle (**trespass ab initio**) and forced the face of the petitioner on the driver's glass window while pressing her neck, using his knee to exercise force on the petitioner's back body, pulling forcefully the two arms of the petitioner towards the back applying excessive force and tightening the petitioner's hands to the most with spiky handcuffs. **Actus Reus. The petitioner has an injured spine** after an assault in the workplace in April 2020, and has been in treatment for thrombosis as a result of three contaminated immunizations injected at 880 N State St, Hemet, CA 92543 County clinic on prior dates. The arms were and are constricted by thrombosis .

Contaminated medication has also affected the petitioner with massive thrombosis swelling main arteries and stiffening the limbs. The petitioner suffers from musculoskeletal deficiency with bones at high risk of fractures See the Luna scan at **App. III** Petitioner works under reasonable accommodations with vestibular disbalance. The petitioner van's was displaying a blue big size handicap sign enough to know that inside could be a disable person. After Nicot had handcuffed the petitioner, Nicot jerked the petitioner's body and pushed the petitioner towards the Hemet Police patrol and forced the petitioner inside driving the petitioner towards the Hemet Police Department located at 450 E. Latham St, Hemet, Ca 92545 and locked the petitioner for more than eight hours without any paramedics, no food, no medication. Through the physical assault Nicot made agitated guttural noises. Petitioner was not taken to a judge. Nicot wandered around the locked room where the petitioner was abducted observing the petitioner slowly every time he crossed the door. **Mens Rea.** There was no probable cause and no warrants. **"Graham v. Connor, 490 U.S. 386, 396-97 (1989).** The power of keeping the party so arrested under restraint. **Sandon v. Jervis, El. Bl. & El. 935, 940, 120 Eng.Rep. 758, 760 (Q. B. 1858).** Deliberate Indifference to a Serious Medical Condition or a Substantial Risk of Harm. Section 242 prohibits a law enforcement officer from acting with deliberate indifference to a substantial risk of harm to persons in custody.

Siglar Vs. Hightower 12F3d. 191 (5th Cir 1997),

Restatement of Second of Torts (1965) Sec 46

There were two officers. Orlando Hemet Police remained with the petitioner's van while the petitioner was abducted by Nicot. "An officer who purposefully allows a **fellow officer** to violate a victim's Constitutional Rights may be prosecuted for failure to intervene to stop the Constitutional violation. To prosecute such an officer, the government must show that the defendant officer was aware of the Constitutional violation, had an opportunity to intervene, and chose not to do So. Failure to intervene the Fellow Officer Rule provides that "a law enforcement officer who does not personally possess a sufficient basis to [take action] nevertheless may do so if (1) he acts at the direction [of] or as a result of communications with another officer, and (2) the police as a whole possess a sufficient basis to [take the action]." **Colorado v. Swietlicki (2015)**

There were no words to explain to the petitioner why was abducted after being dragged by excessive force from inside her parked vehicle. The **Tort of False Imprisonment** is the close analogy to an arrest without probable cause quoting **Wallace v. Kato 549, U.S 384, 388-389 (2007)** The United Supreme Court analysis in Torres V. Madrid syllabus of March 25, 2021 states: “The Fourth Amendment expressly guarantees the “right of the people to be secure in their persons,” and our earliest precedents recognized privacy as the “essence” of the Amendment..”. **Boyd, 116 U. S., at 630.** We have relied on that understanding in construing the meaning of the Amendment. See, e.g., **Riley v. California, 573 U. S. 373, 403 (2014).**

There is no legal precedent where an officer committing a crime is acting with discretionary authority falsifying charges. It is bad faith conduct and lacks probable cause. **Peterson v. Bernardi, 719 F. Supp. 2d 419 (D.N.J. 2010)** The petitioner was released late afternoon with charges of intoxication in a public place and using the petitioner’s vehicle for human inhabitation and processing fees. Contradictory charges. Where was the petitioner? Inside or outside the vehicle? There is no test to indicate drunkenness, but petitioner holds accurate medical records that indicate that petitioner takes prescribed medications and is often under medical care. **See App. IV** Furthermore the petitioner’s van was removed and towed by Hemet Police from where the petitioner had rightfully parked it, imposing excessive towing costs to recover the vehicle on the petitioner. **See App. V** The petitioner is a senior disable citizen under medical treatment that was still active as a federal worker for the Census 2020-Department of Commerce with the Federal sign displaying that a federal worker was inside the vehicle. The petitioner remained silent throughout the entire physical and mental assault and never presented opposition. There was no resistance presented by the petitioner. The petitioner was weak, undergoing seizures. **United States V. Garza 754 F.2d 1202, 1204 (5th Circ. 1985)** The petitioner had been maliciously carjacked by the Hemet Police department days prior in **August 20, 2021** while actively working as a federal worker.(**See App. V**) The petitioner’s van alignment was damaged for excess of force used during the towing. **18 USC Ch. 65: Malicious Mischief.** Because of the abduction, the petitioner suffered a brain breakdown.

Petitioner is a professional woman with more than 36 years in public service as substitute teacher, head start teacher, social services and health aid. Petitioner does not have a history of DUI, does not have a criminal background. Is an abiding unarmed civil United States citizen. **18 U.S. Code § 111 - Assaulting, resisting, or impeding certain officers or employees. 18 US Code § 1201 - Kidnapping**

28 US Code § 4101 Defamatory Charges.

Seizing of a person may be effectuated by physical touching, however slight, as long as the contact is meant to restrain.

California v. Hodari D. :: 499 Us 621 624 (1991)

Gittens V. New York 504 NYS 2nd 969 (Ct. CL.1986 False Imprisonment.

The intention to harm is the essence of an assault. There is a sort of evil in the intent. The abduction of the petitioner was done with hostile intent to harm. **Perkins V. Stein & Co. 94 KY 433, 22SW 649, 650, 20 L.R.A 861 , Cyrus v. Town of Mukwonago, 624 F.3d 856 (7th Cir. 2010**

There are criminal fabrications of charges against an innocent citizen by the Hemet Police Department . The fabrication of citations are multiple times. 34 U.S.C. § 12601 “*Makes it unlawful for State or local law enforcement officers to engage in a pattern or practice of conduct that deprives persons of rights protected by the Constitution or laws of the United States.*” The abduction of the petitioner is the culmination of a chain of persecution and harassment the petitioner has suffered through long years in the hands of the Hemet Police Department and Riverside County law enforcement. (**See video links page**) Petitioner holds a box with contaminated medication for evidence as the petitioner has been contaminated through medication in the past after filing divorce against a Riverside County deputy sheriff in 2003.

The rights of the petitioner were clearly established at the time of the police misconduct. Petitioner was inside her private property (vehicle) rightfully parked and was civilly quiet inside her own vehicle suffering a health condition with clearly displayed handicap

sign and a federal worker sign with the bag of medications that has to be carried everywhere the petitioner goes. The petitioner was exhibited in public while presenting the health struggles that seizures produce in the illness stage. **App. III** Something of denigrating the human in the petitioner was a motivation. Nicot's mind was that of a hunter that traps the prey and feels proud of the trophy. Guttural agitated sounds that Nicot expressed during the physical assault are demonstrations of savage instincts of predators. The use of force was excessive on the convulsing petitioner. The petitioner's hands were scratched by the handcuffs spikes and took two weeks for the scratches to disappear while the arms were further injured after the thrombosis. The petitioner suffered acute arm and hand pain thereafter. **Excessive Use of Force Prevention Act of 2015. National Statistics on Deadly Force Transparency Act of 2015 talking Points in citizens vulnerable to law enforcement abuse.** Law enforcement officers are subject to civil and criminal liability for excessive use of force. Common law torts for assault and battery apply to law enforcement use of force. A battery consists of intentional infliction of harmful or offensive contact upon the plaintiff's person without plaintiff's consent. **Burwell v. Giant Genie Corp., 115 N.C. App. 680, 446 S.E. 2d 126 (1994)** (**grabbing plaintiffs arm held sufficient**); **Wilson v. Bellamy, 105 N.C. App. 446, 414 S.E. 2d 347 (1992)**.

“No sensible concept of ordered liberty is consistent with law enforcement cooking evidences.” **Courson V. Mcmillian 939 F. 2d 1479, 1487 (11th Circ 1991)**

“In Halsey the United States Supreme Court section stated “1983 was intended to deter actors from using the badge of their authority to deprive individuals of their federally guaranteed rights and to provide relief to victims of such deterrence. **Wyatt V Cole 504 Us 158, 161, 112 S Ct 1827, 1830, 118 L. Ed. 2d 504 (1992)**

It was August 20, 2020 late evening when Hemet pPolice Department forfeited the petitioner's vehicle at Lowes parking lot while the petitioner was transmitting data to the employer; (**App. IV**) Department of Commerce - Census 2020 using a federal phone while civilly parked.. Maliciously to avoid that petitioner could perform her Federal duties during the Census 2020 season. The

petitioner's vehicle has always been registered and in compliance. The towing of the petitioner's vehicle forced the petitioner to incur in exaggerated expenses and struggles to accomplish her federal work. The petitioner was left in the middle of the street the late evening of August 20, 2020. Hemet Police tossed on the street a bag the petitioner had in the passenger side while restricting the petitioner from grabbing her bag of medications. The release of the vehicle was not handed in spite of e-mail requests until four days after incurring exaggerated amounts to recover the vehicle. Hemet Police officers at the scene threatened the petitioner with arrest, holding the petitioner's hands to avoid that petitioner could grab her purse from her vehicle. **18 U.S.C. § 2119, 18 U.S.C. § 875, 18 U.S.C. § 876 California vehicle code**

DIVISION 11. RULES OF THE ROAD [21000 - 23336]

Objects and notes belonging to the petitioner were taken away during illegal search while the vehicle was in possession of the Hemet Police and towing place. . A bag with personal items disappeared including receipts, fragrance, earrings and a notebook with personal notes. Petitioner was forced to pay \$ 875.00 and every time the police have forfeited the petitioner's vehicle there have been exaggerated amounts to pay. **Legal justification of public theft. Law of Search and Seizure §47 Pp. 163-164 (2nd Ed 1930)**

The same week of the abduction (September 09, 2020) by Hemet Police and while in active federal duty, the petitioner was the victim of two further assaults. Once at the cul de sac of Gilmore and Florida behind the Hemet School District by a black American male and second, at Winco's parking lot by a local Hemet Gatekeepers Security Guard. The Hemet Police as well as Hemet Gatekeepers security Guards had been hostile in obvious opposition to the Census activity during the hours the petitioner had been actively visiting assigned homes by the petitioner's employer in Hemet, California. Fact the petitioner had been reporting to the Department of Commerce by phone and fax. These assaults were recorded with a federal phone. The former employer has failed to send back the USB to the petitioner with the videos.

Following the Hemet Police arrest, petitioner traveled to Mexico to seek treatment for nerves breakdown and at her return on

September 15, 2020 via train, the train did not stop where the petitioner had requested at the downtown Perris, California, but continued to the Southwest Station. At the Southwest station were a great number of sheriffs suspiciously looking at the petitioner. The downtown Perris Station was full of police and sheriff patrols. The petitioner's daughter was arriving as the petitioner had called her from inside the train. The petitioner's daughter drove the petitioner to Enterprise Dr. San Jacinto. The petitioner had left her vehicle at her son's former workplace. Upon arriving at ACRS there were more than six law enforcement patrols outside the ACRS gates. The petitioner's daughter drove the petitioner to her house to wait for daylight to avoid further false arrests. Video link
<https://youtu.be/VNd3hF9gqMc>

An individual has not stopped to be an individual regardless of the acts involving an arrest. Therefore, any property held by the individual should belong solely to the individual, not to the law enforcement agents as it is inherited in the individual to have the right to have and to sustain his own assets . **The Fifth Amendment** *protects the right to private property in two ways. First, it states that a person may not be deprived of property by the government without “due process of law,” or fair procedures.*

Amendment 14th section 1 “ *No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.*

April 13, 2018 **Hemet Police assisted an armed security guard to the forfeiture and conceal the petitioner’s vehicle** while the petitioner was inside the gym exercising. (See case 21-55064 Ada Benson v. GE4 S. Golden Eagle 4 Security sitting in the appeals Court Ninth Circuit) The video of the assault is in the following link in YouTube : <https://youtu.be/VSxNnvJmos4>
The petitioner was driving to park to attend her usual exercise session at Planet Fitness Gym, Hemet, Ca, when an armed security guard from GE4 S. Golden Eagle drove her car in the opposite direction towards the petitioner and barricaded herself behind her

vehicle plate 7ZZR611, yelling the petitioner's name stating that she did not want the petitioner to park. The petitioner requested the guard to respect her freedom and proceeded to park to attend the exercise session. Petitioner was a patron of the Planet Fitness Center. Petitioner noticed that parked in the same parking lot was a Hemet Police patrol plate 1164787. While parking her van, the petitioner noticed that the armed guard drove and started to talk to a male police officer in the patrol (**photo available as App. VI**) When departing from the gym, the petitioner's vehicle was not where the petitioner had left it parked. Vehicle was in compliance with DMV. Petitioner called 911 and the Riverside County 911 operators verbally abused the petitioner yelling and hanging up on the petitioner, mocking on the petitioner's vehicle disappearance. Petitioner called 911 twice and twice was abused. (**Intentional infliction of emotional distress and failure to perform a "discretionary function or duty"**) Petitioner called the Hemet Police Department office and requested information of the whereabouts of the petitioner's vehicle. The Hemet Police Office stated that they had no idea of any vehicle towed. **1 U.S.C 1001.** Petitioner suffers from hypertension. It was a very hot day. Blood pressure raised to 190. Petitioner started to walk towards the Police Department Office to ask in person. There was an obvious conspiracy between the security guard and the police **18 U. S. C 373** and operators hanging up on the petitioner yelling the word what? During the last call. Upon arriving at the Hemet Police Station the Hemet Police dispatcher refused to provide the whereabouts of the petitioner's vehicle. Petitioner used a form of interrogation on cross questioning to obtain the response from a second Police office worker. The Hemet Police Department knew exactly where the vehicle was towed. It was during the cross questioning that the same dispatcher that initially refused to provide information, provided the full address and phone number. Petitioner was recording with her phone a video. The vehicle was towed to the Desert Towing yard located at 2429 S San Jacinto Ave, San Jacinto, CA 92583. Recovery of the vehicle followed. **18 U.S. Code § 2119 Carjacking Statute.** See video link at <https://youtu.be/VpiTg3joA7I> This provides enough evidence that **theft is conducted under the color of law to affect the petitioner's economy and health in the form of malicious forfeitures** because the law enforcement finds amusement every time they have hurt the petitioner. It is a conspiracy while district

court judge Hon Shashi Kewalramani states that there is no conspiracy.

The First amendment provides rights to people to gather. Gathering with the wifi or a phone is gathering. The abduction of September 09, 2020 is the completion of a similar assault on the petitioner during **October 26, 2014** in the premises of Lowe's Hemet, Ca. The petitioner was inside her van connected to the wifi with serious bronchitis. The petitioner usually parked at the wifi hotspot at Lowes to conduct research online or to list items online. After taking a syrup for bronchitis, the syrup made the petitioner doze in the front seat with the laptop on her lap. The petitioner heard a heavy tool penetrating the side door of her vehicle and saw a Hemet Police officer trying to force the right side door of the petitioner's van while the officer screamed: " "get on back of my patrol, get on the back of my patrol" ... and started to make inferences on the petitioner's items stating that "could be listing others property" the petitioner called 911 and two other patrols arrived to the scene, convincing the assailant officer no to arrest but handing the petitioner a ticket # HP 18980 for \$450.00 in infraction plus further fines stating that petitioner was using the vehicle for human inhabitation and on private property. The petitioner had been authorized by Lowes manager to park and use the wifi. . The inferences on the petitioner's personal property is a repeated issue brought by Hemet Police Department officers almost every time they have approached the petitioner while listing the petitioner's personal items online. At times asking the petitioner if she knew of an assault on a store close by in defamatory and abusive ways inferring in the character of an honest abiding citizen. The Questions have been "where do you get the items you list online? From where come all the books that you list online?" Comments made that the petitioner's vehicle will be auctioned to pay the police. The terms "Law Abiding Citizen" and "Criminal." are terms used in social constructs, that give a dominant power structure access **to profile** innocent victims and convert a law abiding educated citizen **into a criminal.** Persecution by law enforcement in Riverside County has been daily. The number of videos held by the petitioner are innumerable. Police as well as sheriffs have been following the petitioner on the road as the petitioner drives to visit her daughter or to run errands. The following link is days the petitioner has visited the public

library as such, every time the petitioner has arrived at the library the Hemet Police have arrived at the parking lot. An example of the many videos is this link: <https://youtu.be/39XvOsvKFHI> and as such, the petitioner holds videos of the multiple times the police patrols and sheriffs patrols rush on the road while the petitioner has driven to visit her daughter. The persecution by police on the petitioner are multiple. Is a pattern of terrorism. Wherever the petitioner moves around Hemet, California, the petitioner has been followed by patrols and often approached by police officers questioning what is the petitioner doing at that time without the petitioner causing any problems or giving causation. Riverside County law enforcement has held the petitioner under daily surveymances as if they own a prisoner. Petitioner has been a victim of hit and run accidents multiple times.

04/28/2018 a ticket QI170055 handed for no reason by a Hemet Police Officer on Ford SUV Plates 1455373 . It was 01:00 P.M petitioner was walking towards the Hemet Public Library across from the Hemet Police Department. Petitioner had parked her vehicle rightfully at the Hemet Public Library parking lot and planned to get inside the library. A police officer was at the back door watching where the petitioner parked. The police officer got in the SUV and drove towards the petitioner just to hand a ticket while the petitioner was not driving, but had parked and was out of the vehicle. It was obvious that inside the police station, the personal activities of the petitioner were observed from a monitor. Petitioner was videotaping the Hemet Police assailing. **At court, the officer was no show.** Obviously the officer knew that the petitioner was going to play the video. These are premeditated acts of terrorism to cause harm to the health and economy of the petitioner while is made aware that the petitioner lives under the eyes of law enforcement oppression. **Video Link:** <https://youtu.be/nfBikQoBKeQ>

During 2018, the petitioner saw Hemet Police officers in a friendly approach with Lorraine Ann Shields. Petitioner believes that Lorraine ann Shields has been used by the Hemet Police to terrorize the petitioner inside the women's showers inside the Planet Fitness Gym. Lorraine Ann Shields drove at the same time the petitioner arrived at the gym, and during the times the petitioner was in the showers, Lorraine Ann Shields yelled

obscenities and vulgarities while walking naked outside the showers. Once the petitioner dialed 911 feeling that Shields could have hurt the petitioner physically inside the showers. A Hemet Police Officer "Caballero" dark Hispanic, arrived at the gym. However, did not announce himself and walked towards the shower unannounced. The petitioner was taking a bath. The petitioner had to scream not to get close to prevent Caballero from opening the shower's drape. This is police abuse while ignoring the reason for the call. **49 CFR § 801.56** Shields walked at all places around the city of Hemet that the petitioner was performing her private chores. The petitioner has filed complaints with IC3 online regarding Shields stalking the petitioner in town and yelling obscenities. Obvious police protection existed on Shields.

The Hemet Police's intentional wish to damage the driving record of the petitioner and affect the petitioner's character is evident while they have economically abused the petitioner.

On February 16, 2017 and on February 16, 2018 anonymous handwritten notes were posted on the petitioner's windshield while parked at the Hemet Public Library across the Hemet Police Department. The anonymous notes are obscene and vulgar threatening the petitioner. The handwriting appears the same as D. Merlo the handwriting on the Detention notes handed to the petitioner on the police abduction date September 09, 2020. (See **App. VII 3 pages.) Chaplinsky V. New Hampshire 315 U.S. 568 (1942) the United States Supreme Court stated:** "forbids under penalty that any person shall address any offensive, derisive or annoying word to any other person who is lawfully in any street or other public place," or "call him by any offensive or derisive name."

2019, Hemet Police Officer Spoelstra, a motorcycle officer, **presented false testimony (18 US Code § 1001) in the Superior Court** of Riverside Murrieta, California, stating that on May 29, 2019, the petitioner was dragging a trash container with her van blocking the intersection of Florida near Sanderson while presenting photos of landscape in a powerpoint presentation irrelevant to the case. The Superior Court of Riverside in Murrieta judge Sandra R. Furbush took the false evidence presented by Spoelstra as true. **18 U.S. Code § 1519** There were no photos of

the petitioner's van presented. The petitioner has never pulled a trash container with her vehicle. Petitioner had rightfully parked at the CVS pharmacy parking lot and was walking towards the pharmacy to pick up prescriptions when Spoelstra arrived in a police motorcycle stating that he was going to hand a ticket. Petitioner had seen Spoelstra with the police motorcycle waiting for the red light to stop. Spoelstra was the first at the light almost a block away from where the petitioner was turning to the CVS parking lot. Spoelstra has been surveilling the petitioner every time the petitioner arrives at a fast food restaurant across the CVS pharmacy near Sanderson at West Florida Ave, Hemet, Ca. The false ticket was paid with Community services. Ticket number 545608AB . Spoelstra follows the petitioner closely in a police motorcycle everywhere in town often. At times parks at parking lots and jumps with the motorcycle on the street every time he has seen the petitioner driving following the petitioner closely. Petitioner did not commit any infraction, yet was charged and forced to provide community services under the Alternative Sentencing program. **Reducing an educated, abiding citizen to a stained record. Malicious prosecution when fabrication is shown. McDonough v. Smith, 588 U.S. ____ (2019).** Videos of Spoelstra around the places the petitioner goes are various.

Assault and injuries suffered by Plaintiff occurred in three different days from **April 07, 2020 through April 10, 2020.** The petitioner was working in a part time job as Health Aid. A Hemet Police Department officer assisted in the verbal and physical injuries caused on the petitioner by an assailant female Hispanic while the petitioner was placed in charge of a patient under an IHSS_DPSS Assignment. The petitioner videotaped the police abuse. On April 07, 2020 two strange women and the manager of Mt. Lyon Park RV and Resort , Hemet, CA jumped inside the RV of the patient that IHSS_DPSS had assigned to the petitioner and started to use profanity and obscenity defaming the petitioner. During the time the petitioner held a tablet recording the assault, one of the assailants attempted to detach the petitioner from the recording tablet and the petitioner hit the spine against the sharp corner counter. The petitioner has been bleeding since then. This case is in the United States Supreme Court assigned number 21-55797 filed November 30, 2021. The petitioner remained bound

to the patient under California Welfare and Institutions Code Article 2. Section 15610-15610.65. IHSS failed to send a respite worker to release the petitioner.

On April 10, 2020 A Hemet Police Officer Shroedder arrived to the petitioner's patient home, space 54 at 235 South Lyon, Hemet, Ca (the former workplace of the petitioner), and verbally abused with profanity the petitioner stating that petitioner was going to be released from work because Hemet Police Officers were going to take over the life of the patient and the finances, that Shroedder had a court order inside the computer to take over the petitioner's position. Shroedder held hands on his gun while inciting himself with verbal obscenity. At a certain point walked towards the SUV and called the petitioner with a finger asking the petitioner to get close to the SUV. Shroedder told the petitioner to "Freeze". You are frozen. "I will get on top of your patient's care and finances."

Petitioner stated that because the Hemet Police is an armed public authority the petitioner placed all the responsibility regarding the welfare of the patient in the Hemet Police. Shroedder did not allow the petitioner to pick up her belongings. Petitioner rushed to her van and left the premises. However, the petitioner walked to the local police station and asked to talk with Schroedder's supervisor. The supervisor, a dark Hispanic male, stated that Schroedder was correct and that the police were taking over the petitioner's utility trailer and that the patient had allowed the petitioner to keep parked in the parking space. The Hemet Police confiscated the petitioner's utility trailer to this date without explanations. Again the petitioner's private property is detached. **"Chaplinsky V. New Hampshire 315 U.S. 568 (1942), United States vs. Armstrong 517 US (1996), McDonald v. Chicago, 561 U.S. 742, 767 (210),**

6 U.S. Code § 410k-4 - Private property protection

10/21/2007 completing homework and testing online for the petitioner' graduate university, Hemet Police Officer D. Barret approached violently. Attacking Ms. Benson verbally stating that he (Barret) was going to write a report # 072820192 on suspicious activity. Incriminating that petitioner looked suspicious sitting in the front seat of her vehicle. The petitioner usually parks at hotspot wifi connections and has a custom of reading in her own

privacy or researching online. Petitioner does not know what the report states. **18 USC 1038.**

06/29/2009 A Report on a Hit and Run, created by Perris Riverside County Sheriff Department Report # ME091720049 Allstate Policy 000141392068D01 while the petitioner was driving her vehicle Honda Element silver color was hit at Hwy 74 and Menifee Rd, near Homeland, California by a speeding red pick up with a man covering his face with a large size hat. Petitioner was left with the damages and the legs numbed. The costs of repairs were incurred by the petitioner because Allstate broke the breach of contract while the petitioner held a Deluxe GAP coverage. There are multiple hit and run accidents on the petitioner. However, recovery is cents or nothing. Sarcastically allstate issued a check for \$15.00 (fifteen dollars) that the petitioner never cashed.

05/02/2008 Hit by a truck on the driver's side while the petitioner drove to do the grocery shopping.

On 04/24/2009 while residing in Winchester, California, Hemet Police patrols with Riverside County Sheriff and Hwy patrol rushed to park in front of the driveway of the petitioner's residency, making obvious they were surveying the petitioner's life and whereabouts. The petitioner was then working in Coachella Valley as a Head Teacher and attending a Master Degree program and resided on the weekends in Winchester, Ca.

In 2008 the petitioner's SUV was vandalized while the petitioner was inside the gym. The driver and passenger windows were totally broken with a bat.

Between **2008-2010**, On violation of the First Amendment, illegal searches, libel and slander., **Hemet Police Officers G. Alvarez, speeding, arrived at the Wi-fi Hot-spot**

location that the petitioner had just parked to connect online. Alvarez flogged the doors of his patrol violently and with a flashlight at hand on the face of the petitioner, asked the petitioner loudly if the petitioner had a man inside her van sniffing around and using the flashlight to do illegal visual searches. The petitioner is a celibate widow. Alvarez claimed that he was going to file a report on the petitioner. To this date, the petitioner does not know

what could have been written. **The word emancipation in questionable manner came out of Alvarez's mouth.** Close to the same date, G Alvarez and D. Maddox Hemet Police Department approached to say in violent ways that a report # 13HM72411 was going to be filed for unknown content or any reasons caused by the petitioner. **18 USC 1001 28 USC 4101, 35 CFR 11.448 .**

Warrantless searches.

On 05/07/2015 Police arrived at San Jacinto Park to disrupt the petitioner's personal activity while the petitioner was trying to enjoy an old adult bike purchased on Craigslist. In less than one week, Ms. Benson's refurbished trike was stolen and was never called after reporting it lost to the Hemet Police Department. The trike was robbed from The Hemet Public Library across the street from the Police Department. There have been two dog attacks One in June 16, 2019 and another the same year. The petitioner has been told that the dog owners are police officers in civilian wear. The attacks were reported to the local sheriff. The sheriff refused the reports. Video link: <https://youtu.be/9adLo62cNwk>

04/02/2015 The petitioner had just completed an online test, when Officer Shaffer Hemet Police Department started to hit the glass of Ms. Benson's vehicle's window to disturb while left without any report number nor any explanations of why Shaffer knocked hard on windows. The petitioner's vehicle had books and papers the petitioner had been working on. **25 CFR 11.448**

08/05/15 The petitioner had gone to talk to neighbors at Seadragon and Geranium ,Hemet, Ca, about a petitioner's vehicle when D. Young Hemet Police Officer arrived a few minutes after, as soon as the petitioner had departed the chatting, and as the petitioner reached her van, D. Young jumped out of the patrol as if there was an incident going on, knocked hard at the glass stating that he had received a call about a suspicious vehicle. Inferred that she may be doing suspicious activity. There was nothing illegal going on, but materials inside the van of working, studying and researching. The inferences D. Young made were related to books the petitioner had inside my vehicle. All books are PhD level books in Science and Forensics owned by the petitioner.

09/05/2018 Proliferating/exchange of victims

scapegoating between police departments . Petitioner was parked in front of her son's workplace waiting for her son, when a San Jacinto Police SUV speeding, arrived and parked in front of the petitioner calling the petitioner towards the SUV. Petitioner was videotaping. The petitioner was parked and not moving. The San Jacinto police officer did not move from the SUV, but called Ms. Benson: "Hey" while using the index finger. I will give you a ticket. There was no sign that indicated restrictions in parking in front of the vehicle repair shop where the petitioner's son worked. The petitioner was getting assisted by her son to replace a hose. **The police assault was an obvious inter-exchange among law enforcement departments** of the petitioner's whereabouts and obvious scapegoating. **There was a citation issued to pay \$250.00** for having gone to her son's workplace and waited without having committed any infraction. unreasonable police misconduct in light of clearly established laws. **Theft in the name of color of law**. Hemet, San Jacinto, Ca, police patrols and the sheriff have made it obvious that the petitioner lives under absolute surveillance by law enforcement in Riverside County, California and not for good, but maliciously and wanton in nature. See video at this link: <https://youtu.be/REChfW3q88w>

The petitioner has filed Citizen's Complaints various times with the Coroner's office of the Riverside County Sheriff Department and local police department on extreme abuse, illegal surveillance and illegal interrogations. A Civil Rights case is pending in the Appeals Court Ninth Circuit 21-55473 Ada Maria Benson v. Riverside County Sheriff Department, Riverside County Superior Court, 911 Operators and Riverside County Grand Jury. The Superior Court of California Riverside has held trials in the absentia of the petitioner and has posted defamation in the petitioner's public files recently found by the petitioner through browsing in the court's public subfiles. Discovery date February 10, 2020) **Malicious Prosecution** intentionally to destroy the professional career of the petitioner. **See App. XI** The Superior Court of California Riverside County has abused power and has filed the cases the petitioner has pending in the federal Courts in their court while the petitioner was on medical leave overseas in surgery in July 2021. The Riverside County Sheriff has abused the petitioner almost daily since the petitioner filed for divorce in 2003 against a Riverside County

deputy sheriff. The Union Bank account sole property of the petitioner was robbed. The Union Bank workers escorted out the petitioner when claiming her funds and has refused to this date to give account on the petitioner's account while the Superior Court of California Riverside falsely accused the petitioner of embezzlement while the petitioner was forced in a shelter in Corona, California, lacking resources and deprived from working in her professional career. The petitioner was abused economically and emotionally by her ex husband, a Riverside County Deputy Sheriff. **Today, December 06, 2021** as petitioner is creating this petition, a Riverside County Sheriff SUV was surveying on the petitioner, as petitioner drove to Walmart San Jacinto. The sheriff's SUV hit the brakes when saw the petitioner walking towards the petitioner's van and watched closely as the petitioner started the engine. As soon as the petitioner started to drive, the sheriff patrol started to follow the petitioner. The petitioner parked immediately at a handicap parking space to let the patrol continue. It was 0:7:21 P.M.

11/26/2018 The petitioner's US passport, wallet, driver license were stolen from inside her van. The bank account was subtracted to the last penny and a hole was perforated in the petitioner's vehicle engine. The petitioner has found her vehicle damaged multiple times and repairs to the vehicle are too often causing economic damages and emotional suffering to the petitioner. Flat tires, belt cuts, gas contamination are among the often damages. See video link https://youtu.be/f_12394VF3I

June 25, 2019 a Female Hemet Police Officer id # 10610 (Arrington) did not stop anywhere else. Was speeding towards the petitioner vehicle parked across a dentist office in the city at Nita Ave near Girard Ave Hemet, California. The petitioner was by the side of the van when saw the officer posting a Ticket No: P 81458 on the windshield stating that the petitioner had abandoned the vehicle on the road and lacked registration. The officer ignored the presence of the petitioner next to the van. The petitioner's vehicle has been fully registered. The day of the abduction Arrington was observing closely the petitioner inside the locked room.

Fabrication of false reports. See App. VIII

In July 06, 2019 the petitioner yielded the pass to a sheriff's vehicle at dark hours speeding west on Collegian, in Hemet, Ca, a

narrow street with vehicles parked on both sides . The only space available to park was on the left side of Collegian facing East. The petitioner rushed to park yielding the pass to the Sheriff SUV. The sheriff patrol turned around in U turn at intersection of Columbia and Collegian, and started to verbally abuse the petitioner threatening the petitioner with issuing six different citations, called the petitioner suspect or illegal alien, and issued threats of arrest questioning the legitimacy of the ownership of the petitioner's vehicle stating "Where did you get this van?" The petitioner provided all documents in order. Disregarding the documentation presented, Dorrovan wrote the petitioner as lacking documentation and for parking away from the curb. Citation QI201430AB. (**App. IX**). The petitioner was one block away from her son's house in Hemet, Ca and had to drive to test the vehicle for Smog Check. Dorrovan forced the petitioner to get in her van and drive back to her son's driveway threatening that if he saw the petitioner driving was going to arrest her. Dorrovan performed illegal searches visually with the flashlight. Dorrovan used the flashlight on the back and inside the vehicle and precluded the petitioner from doing her civil rights duty of freedom **14th Amendment** ordering the p[etitioner to return to her son's home. The same deputy surveilled the petitioner's son residence during the following nights and parked on the third night (after the yielding) on the side of the petitioner's van while the petitioner was getting in her vehicle and pressed his lips looking at the petitioner with an angry face as if indicating that was going to silence the petitioner. Petitioner has photos of this deputy at Starbucks surveying the petitioner's private life. The case was filed in the State Appeals Traffic court. The petitioner faced the deputy in the Superior Court, however the same Superior Court of Riverside in Murrieta judge Sandra R. Furbush who took the false evidence presented by Spoelstra as true considered the petitioner guilty for having yielded the pass to an emergency vehicle with the high beams on speeding in a residential zone in opposite direction where there was no other way to yield the pass. The Riverside appeals Traffic clerk placed all obstacles to the petitioner avoiding that the case was heard in state court appeals traffic. The Supreme Court held that **18 U.S.C. § 242 makes it "criminal to act (1) willfully and (2) under color of law (3) to deprive a person of rights protected by the Constitution or laws of the United States."** **520 U.S. at 264**

November 08, 2020 Petitioner filed an injunction on defendants through the district court as the Hemet Police Department was using a third party collection agency to request \$685.00 in fees from the petitioner on the abduction case that was already filed in the district court. Petitioner filed injunction under the USC 15 U.S. Code § 1692 b C (a) , 15 U.S. Code § 1692b (2) (b) © and 18 US § 1514

The interexchange of the life and whereabouts of the petitioner among law enforcement agencies is obvious as well as the intentional wish to stain the character, destroy the professional life of the petitioner, the clear intentional harm of destroying the petitioner driver's record and affecting the petitioner's health and economy further and maintaining a level of coercion and terrorism on the petitioner in daily basis. In March 22, 2019, the petitioner emailed a complaint to the DMV because DUI charges pending in the prior owner of the petitioner's vehicle were imposed on the petitioner while release of information on the prior owner was handed to the petitioner. This obviously indicates intentional harm wanting to list the petitioner in the DUI list. The DMV never answered. (See App. X 2pages)

The health of the petitioner has been devastated and has become disable after continuous contaminated medications that petitioner has saved in a box for evidence. The contamination has affected the Circle of Willis and the Trapezium. Main passages of oxygen throughout years after filing for divorce. A defamation case by the former employer sits in Appeals Court Ninth Circuit. The EDD-State Agency investigators found defamation posted in the professional file of the petitioner by San Jacinto Unified School District. The last day the petitioner worked for this former employer three law enforcement patrols were at the gate of the last school worked. Clear proliferation of defamations exist. The only act left to the Riverside County law enforcement is to disappear the petitioner and place the petitioner in the Missing people files or simply pick up the petitioner to arrest with cooked accusations, as it has been so easy to drag the petitioner out of her vehicle and torture. **Section 2340A of Title 18, United States Code, prohibits torture committed by public officials under**

color of law. Supervisors must know of the subordinate's misconduct and facilitate, approve, condone, or turn a blind eye toward it. **Gentry v. Duckworth, 65 F.3d 555 (7th Cir. 1995)**

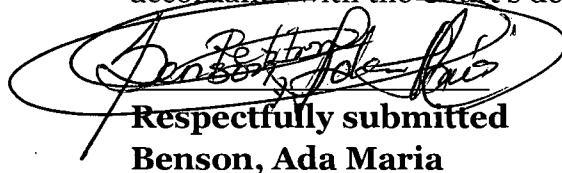
REASONS FOR GRANTING THE PETITION

The United States Court has concluded in Torres V. Madrid 2021, that “*Common Law causes of action point to the same common sense conclusion that an individual who has been arrested unlawfully can seek redress through the Torts of false Imprisonment. Citing Payton V. New York 445 U.S. 573, 592 (1980) describing false arrest. Wallace V. Kato 549 U.S 384, 388-389 (2007) Arrest without probable cause.*

The United States Supreme Court defined the Standard for Review “A finding is ‘clearly erroneous’ when although there is evidence to support it, the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been committed. The finding in this case meets the standards. 1) There are district and appeals courts errors 2) the errors are clear and obvious 3) the errors affect substantial rights, and 4) the court's decisions seriously impair the fairness, integrity, or public reputation of the judicial proceeding. United States v. Ríos-Hernández, 645 F.3d 456, 462 (1st Cir. 2011).

CONCLUSION

This petition for a writ of certiorari should be held pending this Court's based in the U.S. Supreme Court decisions made under the protection of the 28 U.S.C. § 1292, under the protection of Rule 52(a) of the Rules of Civil and Criminal Procedure, under **Wallace V. Kato 549 U.S 384, 388-389 (2007)** and disposed of in accordance with the Court's decision in that case.



Respectfully submitted
Benson, Ada Maria
Persona Propria

December 08, 2021
Date