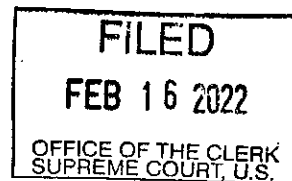


No. 21-7187



IN THE  
SUPREME COURT OF THE UNITED STATES

Paul E. Jozwiak — PETITIONER  
(Your Name)

vs.

Raytheon Missile Systems; et al., — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. Court Of Appeals For The 9th Circuit, California  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Paul E. Jozwiak  
(Your Name)

404 South Cedar Ave.,  
(Address)

Marshfield, WI 54449  
(City, State, Zip Code)

(520)-818-4976  
(Phone Number)

---

## **QUESTION(s)-PRESENTED**

This Case Raises Federal Questions Under Article III, Section 2 Of The U.S. Constitution Which Provides That Federal Courts Are To Hear Cases "Arising Under" Questions Regarding Federal Law! The Questions Of Great Jurisdictional and/or National Importance Involve Fed. R. Civ. P. Rule 4 (Service Of Process), Fed. R. Civ. P. Rule 12 (Responding To A Summons), With Other Laws and/or COVID Orders That Due To Their Interpretation and/or Administration Adversely Impacted Our Court's Functions During This Crisis! This Court's Decision WILL Significantly Impact and Hopefully Restore The Rights Of All U.S. Individuals Who Were Affected While Ensuring The Continued and Uniform Operation Of Our Courts Under These COVID Orders and/or Written-Laws During This Crisis!

### **THE QUESTIONS PRESENTED TO THIS COURT ARE:**

- 1) What Methods For Service-Of-Process By Litigants and/or Others Must A Court Accept When All Mail Signature-Services and Most State's Personal Process-Services Had Been SUSPENDED, (Starting In February 2020) Where Service Was Performed As Required By COVID Orders and/or Written-Law?
- 2) Under What Conditions Is A Magistrate-Judge Allowed To Violate Fed. R. Civ. P. Rule 73 and 28 U.S.C. § 636 (c) By Assigning-Themselves To A Case, Without The Consent Of Any Litigant and/or Member Of The Case, In Order To Rule Over The Case?
- 3) Under What Conditions Are Litigants and/or Others Allowed To Utilize The Mail Service Tracking-Reports As Proof-Of-Service Due To COVID Operational Guidelines Issued By FEDEX, UPS, USPS and Others In **March 2020**, Which Had SUSPENDED and Made Signature-Services For Mail and/or Package Deliveries Un-Available?
- 4) Under What Conditions Are Courts Allowed To Defy and/or Reject The Supreme Court Rulings and Written-Law While Exceeding Their Jurisdictional Authority In Order To Deny The Proper-Review Of A Case Under Article III, Section 2 Of The U.S. Constitution Due To Questions Of Law Raised By The COVID Crisis?

- 5) Under What Conditions Is The Appeals Court Allowed To REFUSE To Allow A VOID Judgement On A Lower Court Ruling, While REFUSING To Allow A Re-Trial Where Their Only Act Was To Affirm The Lower Court Ruling To Block All Reconsideration, Re-Hearing and/or Review To Conceal The Court's Criminal Misconduct?
- 6) Under What Conditions Are Courts, Judges and/or Others Allowed To Defy, Reject and/or Violate Their State's and/or Other's COVID Orders and/or Written-Laws By;
- a) Ordering Service-Of-Process Be Performed By Using Methods Known To Be A Violation Of The Orders and/or Written-Laws, and/or Was NOT-AVAILABLE?
  - b) Blocking Allowed Alternative-Methods For Service-Of-Process, Where These Court's Order Endangered The Health, Safety Of Officials, Servers and Others?
  - c) Rejecting Service-Of-Process By A Litigant Falsely-Claiming That It Was An Alternative-Method NOT Allowed For Use Where The Court Later Ordered The Same-Service Be Performed In A Manner Violating Orders and/or Written-Laws?
  - d) Denying A Litigant's Civil and/or Constitutional Rights By Refusing To Allow Evidence, Oral-Arguments and/or Legally-Required Review Of His Case Where NO Issues Within The Appeals-Brief Were Actually-Addressed and This Case NEVER Had A Legitimate-Review?
  - e) By Posting Public-Statements To Internet Sites During The Plaintiff's Case That Informed The Defendants By Illegal-Claims That, "The Defendants Were NOT Required To Respond To The Service Of Their Summons"?
  - f) Dismissing A Case and/or Refusing To Allow This Plaintiff's Appeal Due To The Court's and/or Other's Violations Of Orders and/or Written-Laws Where Service-Of-Process Was Performed As The Orders and/or Written-Laws Prescribed?

---

## **LIST-OF-PARTIES**

[ ] All Parties Appear In The Caption Of The Case On The Cover Page.

[X] All Parties DO-NOT Appear In The Caption Of The Case On The Cover Page. A List Of All Parties To The Proceeding In The Court Whose Judgement Is The Subject Of This Petition Is As Follows:

### **Raytheon Missile Systems**

**Dianne D. Avellar**

**Joanne Bockmiller**

**Dr. Karen A. Haas**

**Guy C. Slominski**

**Patricia A. Brutscher**

**Veronica Thomas**

### **MetLife Disability**

**Beth A. Green**

**Dr. Arthur J. Bacon**

**Dr. John L. Schaller**

**Mary W. Richardson**

**Sean T. Kurysh**

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## **RELATED-CASES**

- **Armstrong v. Obucino**, 300 Ill 140, 143, U.S. Supreme Court For IL, 7th Circuit, Judgement Entered 12-14-1921
- **Austin v. Smith**, 312 F 2d 337, 343, U.S. Federal DC Court Of Appeals, Judgement Entered 11-21-1962
- **Cascade Parc Property Owners Association, Inc., v. Clark**, 336 Ga. App. 99, 783 S.E.2d 692, U.S. Court Of Appeals For GA, 11th Circuit, Judgement Entered 03-07-2016
- **CUC Properties VI, L.L.C. v. Smartlink Ventures, Inc.**, No. C210003, U.S. Court Of Appeals For OH, 6th Circuit, Judgement Entered 09-29-2021
- **Earle v. McVeigh**, 91 US 503, 23 L Ed 398, U.S. Federal DC Supreme Court, Judgement Entered 02-14-1876
- **English v. English**, 72 Ill. App. 3d 736, 393 N.E. 2d 18 (1st Dist. 1979) U.S. Court Of Appeals For IL, 7th Circuit, Judgement Entered 05-29-1979
- **Ex Parte Virginia**, 100 U.S. 339, U.S. Federal DC Supreme Court, Judgement Entered 03-01-1880

- *Hallberg v Goldblatt Bros.*, 363 Ill 25, U.S. Superior Court For IL, 7th Circuit, Judgement Entered 04-15-1936
- *Harris v. Harvey*, 419 F. Supp. 30, U.S. District Court For WI, 7th Circuit, Judgement Entered 08-05-1976
- *Hernandez v. Sessions*, 872 F.3d 976, 987, U.S. Federal Court Of Appeals For CA, 9th Circuit, Judgement Entered 10-02-2017
- *Jacobson v. Massachusetts*, 197 U.S. 11, 27, U.S. Federal DC Supreme Court, Judgement Entered 02-20-1905
- *Koon v. United States*, 518 U.S. 81, 100, 116 S. Ct. 2035, 135 L. Ed. 2d 392, U.S. Court Of Appeals For CT, 2nd Circuit, Judgement Entered 06-13-1996
- *Luca v. State Farm Mut. Auto. Ins. Co.*, 281 Ga. App. 658, 660-63(1), 637 S.E.2d 86, U.S. Court Of Appeals For GA, 11th Circuit, Judgement Entered 09-26-2006
- *Newsome v. Johnson*, 305 Ga. App. 579, 581-582(1), 699 S.E.2d 874, U.S. Court Of Appeals For GA, 11th Circuit, Judgement Entered 08-13-2010
- *Prather v. Loyd*, 86 Idaho 45, No. 382 P2d 910, U.S. Supreme Court Of ID, 7th Circuit, Judgement Entered 06-20-1963
- *Scheuer v. Rhodes*, 416 U.S. 232, 94 S. Ct. 1683, 1687, U.S. Supreme Court Of CT, 2nd Circuit, Judgement Entered 04-17-1974
- *United States V. Throckmorton*, 98 U.S. 61, 25 L. Ed. 93, 1878 U.S. Federal DC Supreme Court, Judgement Entered (10-1878)
- *Verizon Trademark Servs.*, supra, 2011 WL 3296812) Quoting *Fernandez v. Chamberlain*, 201 So. 2d 781, 786 (Fla. 2nd DCA 1967), U.S. District Court For FL, 11th Circuit, Judgement Entered 08-18-2011
- *Village of Willowbrook*, 37 Ill, App. 3d 393(1962) U.S. Court Of Appeals For IL, 7th Circuit, Judgement Entered 11-20-1962
- *Water Splash, Inc., Petitioner v. Tara Menon*, No. 16-254, Cite as: 581 U. S. (2017) U.S. Federal DC Supreme Court, Judgement Entered 05-22-2017
- *Wentworth v. Fireman's Fund Am. Ins. Co.*, 147 Ga. App. 854, 854-55(I), 250 S.E.2d 543, U.S. Court Of Appeals For GA, 11th Circuit, Judgement Entered 10-16-1978

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IN THE  
SUPREME COURT OF THE UNITED STATES  
PETITION FOR WRIT OF CERTIORARI

Petitioner Respectfully Prays A Writ Of Certiorari Issued To Review The Judgment Below.

**OPINIONS-BELOW**

- 1) The Decision Of The 9th Circuit Court Of Appeals Appears At **APPENDIX-A** To This Petition and Is Published In <https://pacer.psc.uscourts.gov>, Case No. 20-17361, [Doc. 26] Docketed **12-03-2021**, ([Page 01 of 01, Line 2 through 6](#))
- 2) The Memorandum Of The 9<sup>th</sup> Circuit Court Of Appeals Appears At **APPENDIX-B** To This Petition and Is Published In <https://pacer.psc.uscourts.gov>, and Justia Legal Resources, Listed As "**NOT-FOR-PUBLICATION**", Case No. 20-17361, [Doc. 17] Docketed **08-26-2021**, ([Page 02 and 03 of 03, All-Lines](#))
- 3) The Decision Of The AZ District Court Appears At **APPENDIX-C** To This Petition and Is Reported In <https://www.pacermonitor.com>, Case No. 37392786, (Doc. 49) Published **11-06-2020**, ([Page 01 of 01, Line 1 through 6](#))
- 4) The Order Of The AZ District Court Appears At **APPENDIX-D** To This Petition and Is Reported In Justia Legal Resources, In Leagle, Inc., No. 4:20-cv-00039-DCB and <https://www.pacermonitor.com>, Case No. 37392786, (Doc. 48) Published **11-05-2020**, ([Page 02 of 02, Line 4 through 8](#))

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## **JURISDICTION**

- 1) The Date Which The 9th Circuit Court Of Appeals Ruled Upon and Closed My Case Was On **December 03, 2021**, Denying Reconsideration and Ordering All Review Be Blocked.  
[X] A Timely Petition For Reconsideration and/or Rehearing Was Denied By The 9th Circuit Court Of Appeals On Date: **December 03, 2021**, and A Copy Of The Order Denying This Reconsideration and/or Rehearing Appears At **APPENDIX-A**.
- 2) The Date Which The 9<sup>th</sup> Circuit Court Of Appeals Reviewed My Case Was On **August 26, 2021**, (Called A Memorandum Dated August 17, 2021), Marked "NOT-FOR-PUBLICATION", Which Only Affirmed The AZ District Court's Ruling.  
[X] A Timely Petition For Reconsideration and/or Rehearing Was Denied By The 9<sup>th</sup> Circuit Court Of Appeals On Date: **December 03, 2021**, and A Copy Of The Order Denying This Reconsideration and/or Rehearing Appears At **APPENDIX-A**.
- 3) The Date Which The AZ District Court Denied A Case Review By An Associate Judge Was **December 02, 2020**, (Review Was REJECTED Without Any Response)!  
[X] A Timely Appeal With The 9th Circuit Court Of Appeals Was Filed On Date: **December 03, 2020**, and The Appeals-Brief Appears Is Found In The Appeals Docket.
- 4) The Date Which The AZ District Court Denied A Case Reconsideration Was On **November 19, 2020**!  
[X] A Timely Case Review By An Associate Judge With The AZ District Court Was Filed On Date: **November 30, 2020**, and A Copy Of The Document Appears At **APPENDIX-F**.
- 5) The Date Which The AZ District Court Dismissed The Case Was On **November 05, 2020**!  
[X] A Timely Reconsideration With The AZ District Court Was Filed On Date: **November 12, 2020**, and A Copy Of The Document Appears At **APPENDIX-G**.

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## **CONSTITUTIONAL AND STATUTORY PROVISIONS**

### **INVOLVED**

**Article III, Section 1;** The U.S. Constitution Clearly States The Judicial Power Of The United States, Shall Be Vested In One Supreme Court, and In Such Inferior Courts As Congress May From Time To Time Ordain and Establish.

**Article III, Section 2;** The U.S. Constitution Clearly States The Judicial Power Shall Extend To All Cases, In Law and Equity, Arising Under This Constitution, The Laws Of The United States, and To Controversies Between Two Or More States In Which The Supreme Court Shall Have Appellate Jurisdiction, Both As To Law and Fact.

**Article VII, Amendment XIV, Section 1;** The U.S. Constitution Clearly States That NO-STATE Shall Deprive Any Person Of Life, Liberty, Or Property, Without Due-Process Of Law, Nor Deny To Any Person Within Its Jurisdiction Equal-Protection Of The Laws.

**42 U.S. Code § 1983, Civil Rights;** Clearly States That Any Person Under Color Of Statute, Ordinance Or Regulation In Any State Or Territory Including The District Of Columbia, Causes Any Citizen Or Other Of The United States To Be Deprived Of Any Rights, Privileges, Or Immunities Secured By The Constitution and Laws, Shall Be Liable To The Party Injured In An Action At Law.

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**APPENDIX-K:** Supreme Court Of Arizona, COVID Administrative-Order No. 2020 – 41.

**APPENDIX-L:** Supreme Court Of Arizona, COVID Administrative-Order No. 2020 – 160.

**APPENDIX-M:** U.S. District Court For California, COVID General-Order No. 75.

**APPENDIX-N:** U.S. District Court, District Of Columbia, Maryland and Virginia, COVID General-Order No. 20-18 (BAH).

**APPENDIX-O:** 16 A.R.S. Rules of Civil Procedure, (Rule 4, Rule 4.1 and Rule 4.2).

**APPENDIX-P:** Representing Yourself In Federal Court In The District Of Arizona, AZD Rev. October 2019.

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**The COVID Operational Guidelines Issued On March 23, 2020 For FEDEX-MAIL:**

Effective Immediately We Have Temporarily Implemented No-Contact Pickups and Deliveries, Including Temporarily Suspending Most Signature Requirements For FedEx Express and FedEx Ground Commercial and Residential Deliveries In The U.S. and Canada. For Details See; (*Industry Alert – 3/23/20 <https://www.FEDEX.com/en-us/Delivery-Options/Signature-Services>*)

**The COVID Operational Guidelines Issued On March 26, 2020 For UPS-MAIL:**

In The Interest Of Employee and Customer Safety, UPS's Signature Required Guidelines Are Temporarily Being Adjusted Such That Consignees Will No Longer Need To Sign For UPS Signature Required Deliveries. Despite This Adjusted Process The Driver Will Still Need To Make Contact With The Consignee. For Details See; (*Industry Alert – 3/26/2020 <https://www.UPS.com/ca/en/about/news/important-updates>*)

**The COVID Operational Guidelines Issued On March 20, 2020 For USPS-MAIL:**

To Reduce Health Risks, We Are Temporarily Modifying Our Customer Signature Capture Procedures (Suspending Signature Requirements Until Further Notice). Effective Immediately and Until Further Notice, Our Employees Will Follow The Temporary Process Below For Signature Service Items. This Process Applies To All Letter Carriers. For Details See; (*Industry Alert – 3/20/20 [https://faq.usps.com/s/article/USPS-Coronavirus-Updates-for-Residential-Customers#mailing\\_shipping](https://faq.usps.com/s/article/USPS-Coronavirus-Updates-for-Residential-Customers#mailing_shipping)*)

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## **STATEMENT OF THE CASE**

### **I. INTRODUCTION**

The COVID-19 Pandemic, Is An Ongoing Global Pandemic Causing A Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2). The Virus Identified In Wuhan China On **December 2019**, Spread To Parts Of Mainland China and Then All Around The World! Since **March 2020**, Variants Of This Virus Emerged Where The Alpha, Beta, Delta and/or Omicron Variants Were The Most Severe! It's Estimated That More Than 257.7 Million Cases and 5.6 Million Deaths Have Occurred Making It One Of The Deadliest Pandemics In History! Symptoms For This Virus Range From Unnoticeable To Life-Threatening Where Transmission Can Occur By Contaminated Surfaces and/or Fluids. Minimum Preventive Measures Used To Reduce Chances Of Infection Involve Staying Home, Wearing A Mask In Public, Keeping One's Distance From Others, Washing Hands With Soap and Water While Avoiding The Touching Of The Eyes, Nose, Or Mouth With Unwashed Hands.

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### **A State Of Emergency Is ORDERED**

On **March 13, 2020**, President Trump Declared A National Emergency Due To This COVID Outbreak Across The United States. During This Emergency, The Centers For Disease Control (CDC) With Various State Courts, Governors and/or Public Health Agencies Issued Their Own Administrative and/or Executive Orders, Also Referred To As Mandates, To Protect The Public Where Arizona Followed Suit. These Orders Advising Individuals To "Stay Home, Stay



*Healthy*", Directed Non-Essential Businesses To Close and The Public To Stay Home Except For Their Essential Activities Which Adversely-Affected Many Court Operations. These COVID Orders Regarding Courts Were Due To Discovering That Services Necessary For Safe and Continued Operation Were Insufficient To Effectively Comply With Required Social Distancing and/or Other Public Health Requirements. This Was Due To Having In-Person Court Sessions, With Serving A Summons, Documents, Warrants, Etc. For A Case Jeopardizing The Health and/or Safety Of Attorneys, Judges, Litigants, and Public Members!

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## **II. BACKGROUND**

### **1) Mail Signature-Services SUSPENDED**

Many Enacted COVID Orders Directly Involved Our Mail and/or Package Operations Throughout This Country and The Entire World. It Was Found That Having In-Person Contact By Postal and/or Package Agents To Hand Deliver Items, While Having A Recipient Sign For It, Jeopardized The Agent's, Recipient's and/or Other's Health and Safety. It Was Also Found In-Person Contact Could Spread The Virus, If A Postal and/or Package Agent Became Infected By The Recipient and/or Other. Because Of These Threats, The Mail and/or Package Services Issued Their COVID Operational Guidelines On **March 2020** Where FEDEX, UPS, USPS and Others Published Their Guidelines For The Courts and Public On These Known Websites:

- a) <https://www.FEDEX.com/en-us/Delivery-Options/Signature-Services>, and
- b) <https://www.UPS.com/ca/en/about/news/important-updates>, and
- c) [https://faq.USPS.com/s/article/USPS-Coronavirus-Updates-for-Residential-Customers#mailing\\_shipping](https://faq.USPS.com/s/article/USPS-Coronavirus-Updates-for-Residential-Customers#mailing_shipping).

These COVID Operational Guidelines For Mail and/or Package Services, Which Included The SUSPENSION Of Their Signature-Service Function, Caused The Service-Of-Process **By-Mail** To Become Un-Reliable and/or Useless To The Attorneys, Courts, Litigants and Others! SUSPENDING This Signature Function, Which Made It Un-Obtainable, Eliminated Much Of The 16 A.R.S. Rules Of Civil Procedure, Rule 4, 4.1 and 4.2 With The Fed. R. Civ. P. Rule 4 and/or Representing Yourself In Federal Court In The District Of Arizona, AZD Rev. **October 2019** Approved-Methods For Service! It Was Also Found Few-States Addressed This Well-Known Issue Regarding The SUSPENSION Of Our Mail and/or Package Signature-Service, However Arizona Did When They Issued Their COVID Administrative-Order No. 2020 - 160. This Order States That Pursuant To Article VI, Sections 3 and 5, Of The Arizona Constitution, Courts Were SUSPENDING Any Or All Requirements That A Certified and/or Registered Mail Return-Receipt For Service Of ANY-COURT-PROCESS Be Personally Signed By The Addressee. This Order Also Stated It Was To Be RETROACTIVELY-APPLIED To ALL Receipts Filed BEFORE The Signing Of The Order! (The Courts REFUSED To Abide By This Order Where It Concerned This Plaintiff's Case!)

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## **2) Personal Service-Of-Process SUSPENDED**

These Same Mail Operational Guidelines and/or Orders Also Adversely-Impacted The Service-Of-Process By Law Enforcement, United States Marshals and/or Others! This Problem Became Substantially-Worse When State Courts and/or Governors Began Issuing Their Orders SUSPENDING Personal Service-Of-Process Under Fed. R. Civ. P. Rule 4(c)(3), 28 U.S.C. § 1915(d), and/or 28 U.S.C. § 1916! Two Examples Of These **March 2020** Orders Come From

The District Court Of California, General-Order No. 75, and The United States District Court Of Columbia, Maryland and Virginia, General-Order No. 20-18 (BAH). The Orders Designed To Protect Officials, Process-Servers and/or Public Had Similar Problems As The Mail's Signature-Service Orders, Which Was NOT All States Issued and/or Enforced These Exact-Same Orders! (It Appears Most Failed To Mention If These Orders Included Private Process-Servers and/or Others!)

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### **3) Service By-Publication BLOCKED**

Another Problem Causing A Serious-Disruption With Our Nation's Laws and/or Court Functions Involved Select Courts, Judges and/or States Prohibiting The Use Of Service **By-Publication** To Serve Court Documents and/or Summons Upon Defendants. Many State's Courts and/or Governors With Others Issued COVID Mandates For Their Courts To Find and/or Utilize Alternative-Methods For Service-Of-Process. However, Litigants Became Suspicious When Some Courts and/or Judges Prohibited Methods For Safe-Service Already-Authorized By Written-Law! These Courts Intentionally Violated Written-Laws Already In Place Before The COVID Crisis While Defying Orders Such As In Arizona's Case, COVID Order No. 2020-41 Essentially Blocking Methods Of Service Being Alternative and/or Regular To Illegally Dispose Of Cases!

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### **4) Service By-Email RESTRICTED**

Yet Another Problem Causing Serious-Disruptions With Our Nation's Laws and/or State Court Functions Involved The COVID Implemented Service-Of-Process For Court Documents

**By-Email!** Arizona Addressed This Issue With COVID Order No. 2020-41 Where It States Judges Were To Adopt and/or Suspend ANY Local Court Rules and/or Orders Concerning Court Operations To Enable Them To Perform Their Duties! This Included Provisions For Alternate Signing and Delivery Of Filings, Orders, and/or Other Documents. (E.G., Electronic Signatures)! The Problem With These Orders Was The Same As All Others Where NOT All States Issued and/or Enforced These Exact-Same Orders, and These Orders Restricted Email Service For Use By Specific Courts! It Was Also Found States Implementing This Service, Only Allowed It To Be Performed Upon A Court, Official and/or Government Agency While Prohibiting Its Use By Specific Attorneys, Litigants and/or Others!

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### **III. CONFLICTING-LAWS**

Legal-Problems That Occurred Due To These Independent State Issued COVID Mandates, Were From Their Conflicting With Pre-Existing Laws and Mandates Already In Effect! Most States Failed and/or Refused To Address These Issues, and Those Who Did Failed and/or Refused To Utilize The Exact-Same Rules, Regulations With Dates Of Implementation As Other States.

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- 1) The **First-Conflict** Involved The USPS Mail and/or Others SUSPENDING Signature-Services. Eliminating This Service-Of-Process By Attorneys, Litigants and/or Others, Affected Service By Federal-Marshals, Law-Enforcement and Process-Servers In States Where Personal-Service Was NOT-SUSPENDED! In Many States, Service **By-Mail** Was The Pre-Approved Method Prior To This COVID Crisis, But Some-States Now Mandated This As Their Preferred Method Knowing This Was Un-Available and/or Could NOT Be

Accomplished! These States Later REJECTED The Service-Of-Process When Litigants, Servers and/or Others Were Un-Able To Obtain Signed Signature-Service Cards To File With The Court!

Question, How Can One Submit A Signed Signature-Service Card To The Court As Proof Service Was Successfully Completed When The Service Was No-Longer Available? Another Question, How Would One Deal With Situations Where Defendants In Different States, Having A Policy Of Accepting Service Without A Signature, Would NOT Sign The Service Card? It Was Discovered During The; (CUC Properties VI, L.L.C. v. Smartlink Ventures, Inc., (2021-Ohio-3428)) The Ohio Court Of Appeals Ruled, "We Hold That A Notation Of "Covid 19" Or "C19" Does NOT Constitute A Valid Signature Under Civ. R. 4.1(a)"! This Ruling Failed and/or Refused To Address The Known Facts It Was Now Impossible To Obtain Signatures When COVID Guidelines For The Mail and/or Package Services SUSPENDED This Function, and Defendants Were Evading-Service Using This Crisis As Their Means To Obstruct Justice!

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- 2) The Second-Conflict Involved Some-States SUSPENDING Service By Federal-Marshals, Law-Enforcement and Others. Eliminating This Service Eliminated The Attorney's, "In Forma Pauperis" Petitioner's Or Other's Ability To Obtain This Required and Legally-Entitled Service From A Court! Some-State and/or Federal Laws Listed This Service-Of-Process As Their Preferred Method Prior To The COVID Crisis, But States Which SUSPENDED This Service Still Ordered Attorneys, Litigants and/or Others To Perform This Service-Of-Process! This Violated Their State's and Other's COVID Orders, While Imposing Double-Standards On Private-Servers As Opposed To Federal-Marshals, Law-

Enforcement, Etc.! This Endangered The Health and/or Safety Of Private-Servers, and/or Others While Assigning A Known Impossible-Task Due To Defendants Using This Crisis As Their Excuse To Refuse Service!

Question, How Can Personal-Service Be Performed Upon Defendants and/or Others When Multiple State and Federal COVID Mandates Ordered Social-Isolation To Prevent The Spread Of The Virus? Another Question, How Would One Serve Defendants Within States Where Service By Federal-Marshals, Law-Enforcement and/or Others Had Been SUSPENDED? This Leads To Defendants Claiming Improper-Service Due To Their State Prohibiting This Service, While The State With The Case Ordered This Service! Another Issue Courts Failed and/or Refused To Address During This Crisis Was, It Was Almost-Impossible To Obtain The Services Of Process-Servers! This Was Due To COVID Social-Isolation Orders With An Inability To Locate Defendants When Businesses Shut-Down and People Began Working Remotely, Often Meaning NOT From Their Homes! This Resulted In Courts Rejecting Service and Ordering Litigants and/or Others To Perfect Service, However Most Courts DISMISSED The Case Falsely Claiming It Was For Lack Of Service Pursuant To Fed. R. Civ. P.4!

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- 3) The Third-Conflict Involved Some-States BLOCKING and/or SUSPENDING Service **By-Publication**. This Pre-Approved Service Was Eliminated, (On A Case-By-Case Basis) Without State Courts, Governors and/or Others Issuing Any Known COVID Mandate! This Service Under 16 A.R.S. Rules Of Civil Procedure, Rule 4(a), (g), Rule 4.1(l), Rule 4.2(f) With Fed. R. Civ. P. Rule 4(e)(1) and Representing Yourself In Federal Court In The District Of Arizona, (Page 26) AZD Rev. **October 2019** Was Available For Use Prior To

The Crisis! This Service **WAS-NOT** An Alternative-Method and **DID-NOT** Require A Court's Approval Per State and Federal Written-Laws! Eliminating This Service, NOT Requiring Contact With Defendants, Would Force Service To Be Performed By Another Means Endangering The Health and Safety Of Private-Servers, and/or Others!

Question, Why Did Some-Judges and NOT Others Block This Method Of Service From Use While Fraudulently Claiming It Was An Alternative-Method Requiring The Court's Approval? Another Question, Why Did Courts and/or Judges Defy Orders To Allow Alternative-Methods For Performing Service! Prohibiting Service **By-Publication** Allowed Defendants To Use This As Another Means To Evade-Service Of Process. This Also Resulted In The Courts Rejecting Service and Ordering Litigants and/or Others To Perfect Service, However Most Courts Just DISMISSED The Case Falsely Claiming It Was For Lack Of Service Pursuant To Fed. R. Civ. P.4!

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- 4) The **Fourth-Conflict** Involved **Some-States** AUTHORIZING and/or IMPLEMENTING Alternative-Service **By-Email**. This Service Only Found In A Few States, Was Previously Restricted To Courts, Its Agents, Select Attorneys Or Others To Use! States Implementing This Service Prior To The COVID Crisis, Now Authorized It As An Alternative-Method Due To Availability and Courts Having It In Place. This Method Was Allowed For-Use By Businesses, Courts and/or Officials While Restricting It From Cases Involving The Seizure Of Weapons, Etc.! Use By Self-Represented Litigants, Select Cases and/or Others Was Often Prohibited Where Petitioning The Court To Allow This Means Of Service Resulted In Its DENIAL and In Most Cases a DISMISSAL!

Question, Why Did Some-Judges and NOT Others Block Service For Specific-Cases While Defying Their COVID Mandates Allowing This Alternative-Method? Another Question, Why Did Courts and/or Judges Allowing Service In One State, Reject Service If The Defendant's and/or Other's Address Was In A State NOT Allowing This Service? Prohibiting Service From Use By A Select-Few, Including Process-Servers, and NOT Allowing It Due To A Court's Fraudulent Claim, "The Plaintiff Made No Showing As To Why He Could NOT Complete The Service Under Fed. R. Civ. P.4." Shows A Double-Standard When It Was Well-Known and Proven In The Plaintiff's Records The COVID Crisis Interfered With Personal Service-Of-Process, and Mail Had Already SUSPENDED Their Signature-Service Function!

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#### **IV. THE-CASE**

This Petition Evolved From An ERISA Case Filed On **January 24, 2020** When The U.S. Mail and/or Packaging Services With State Courts and/or Governors Were Implementing COVID Orders Regarding Their Operations. The Facts For This Case Involve This Plaintiff, Who Was A Senior Systems Aerospace Engineer With An Exemplary Record For His Outstanding-Performance Under Adverse and/or Extreme Conditions, Was Employed By Raytheon Missile Systems In Tucson Arizona Until His

EMPLOYMENT and ALL-BENEFITS Were ILLEGALLY-TERMINATED Due To A

**Ruptured-Colon With Life-Threatening Complications!**

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#### **(THE AZ DISTRICT COURT CASE)**

1) **January 24, 2020**, (Doc. 1) The Plaintiff's Case Was Filed Where Magistrate-Judge David



C. Bury Assigned-Himself To The Case, (Doc. 5) Without Consent Of Any Litigant and/or Member Of The Case Violating Fed. R. Civ. P. Rule 73 and 28 U.S.C. § 636 (c)!

2) **May 28, 2020**, (Doc. Number-Missing!) The Court Summons Were Issued and Served **By-Mail** Per 16 A.R.S. Rules Of Civil Procedure, Rule 4(a), (f), (g), 4.1(c), (d), (i) and 4.2(c), (d), (h) With Fed. R. Civ. P. Rule 4(d)(1), (e), (h)(1) and Representing Yourself In Federal Court In The District Of Arizona, AZD Rev. **October 2019**!

a) These Summons and/or Documents Were Served To Obtain Their Signed Waiver-Of-Service, However Due To COVID-19 and Federal CDC Mandates In Effect, Mail and Package Carriers Had **SUSPENDED** Signature-Services On **March 2020**.

3) After 30-Days, It Was Discovered **ALL** The Defendants Failed and/or Refused To Respond To The Mailing Of Their Summons, Waiver-Of-Service and Documents! Those Defendants Who Returned Their Un-Opened Document Packages;

a) Inadvertently Left Their Company's Internal Mail Delivery Label On These Packages Listing Them As Active Employees (Doc. 29, 34, 35, 36, 37), When Their Company, Defendants and/or Others Claimed In Writing With Labels On Their Packages They Were "No-Longer-Employed" With The Company!

b) Then Forced The Plaintiff To Attempt Service By Certified Process-Server. However, Due To The COVID-19, Federal CDC Mandates and COVID Orders In Effect, Most Servers Claimed The Task Would Be Impossible To Accomplish!

4) **June 29, 2020**, (Doc. Court-Rejected) The Plaintiff Submitted To The Court His "COVID Legal Guidelines For 2020 Court Cases" Advising Them Of The Problems With Serving Court Documents, Summons Due To Mail and Package Services **SUSPENDING** Signature-Services On **March 2020**, and Process-Servers Being Unable To Perform Service Due To COVID Orders.

(The Court **RECEIVED** But Failed and/or Refused To File This Into The Record!)

5) **June 29, 2020**, (Doc. 16 & 17) The Plaintiff Requested The Court To Allow Service Of The Summons and Other Documents Upon The Defendants By Using An Alternative-Means, "Using The Defendant's Known Active Emails"!

6) **July 10, 2020**, (Doc. 18) Magistrate-Judge Bury **DENIED** This Plaintiff's Request To Perform Service By Using Alternative-Means! This Denial Violated AZ COVID Order No. 2020-41, Requiring Courts To, "Provide For Alternate Signing and Delivery Of Filings, Orders, and Other Documents."!

- 7) **August 07, 2020** The Plaintiff Served The Summons **By-Publication** Under 16 A.R.S. Rules Of Civil Procedure, Rule 4(a), (g), Rule 4.1(l), Rule 4.2(f) With Fed. R. Civ. P. Rule 4(e)(1) and Representing Yourself In Federal Court In The District Of Arizona, (Page 26) AZD Rev. **October 2019!**
- 8) **September 03, 2020**, (Doc. 20 Through 39 With 43) The Plaintiff Filed With The Court All Documents With Signed Affidavits and Mail-Tracking-Reports, (The Only Means Available To Prove Service By-Mail) Showing Service **By-Publication** and **By-Mail** Was Completed!
- 9) **October 07, 2020**, To Combat The Spread Of The COVID Virus, The AZ Supreme Court Issued Their COVID Order No. 2020-160. This Order Continued To SUSPEND A Court's Service **By-Mail** Signature Requirements For A Summons and/or Documents!
- 10) **October 14, 2020**, (Doc. Number-Missing!) The AZ Court REJECTED The Service-Of-Process In Violation Of Their COVID Orders and/or Written-Laws!
- a) The Court Falsely-Claimed They DENIED The Plaintiff's Request For Performing Service-Of-Process By An Alternative-Means, "Because He Made No Showing Why He Could Not Comply With Rule 4."!  
(REMEMBER, The Court-Knew Of The COVID Virus Orders!)
  - b) The Court Also Falsely-Claimed The Plaintiff Defied Court Orders Against Serving The Defendants By An Alternative-Means In Which;
    - 1) The Court Claimed Ariz. R. Civ. P.4.1(k), Involving Service-Of-Process By Alternative-Means Requiring The Court's Approval;
      - i) Included Service **By-Mail** Which Was Proven By Written-Law It **DID-NOT!**
      - ii) Included Service **By-Publication**, Where The Actual-Rules For Service Was Ariz. R. Civ. P.4.1(l) and 4.2(f) As Proven By Written-Law and Therefore It Also **DID-NOT!**
- 11) **October 14, 2020**, (Doc. Number-Missing!) The AZ Court ORDERED The Plaintiff To Re-Serve The Summons and Documents Using A Certified Registered-Mail Carrier With A Signature-Service!
- a) The AZ Court Claimed It Was Now FIRST Authorizing Service **By-Mail** As An Alternative-Means Which Violated Written-Law, Their COVID Order No. 2020-41, No. 2020-160 With Other's and Was A Known Impossible Task!
  - b) See The ORDER Document, (Page 03, Line 21 through 24); "The Mailing Must Be Sent By Certified Mail Or Other Source Of Mail Which Requires A Signature Proof Of Service. Plaintiff Shall File Proofs Of Service With The Court and Certify The

Documents Served Were The Summons, First Amended Complaint (Doc.13), and A Copy Of This Order.”!

- 12) **October 21, 2020**, (Doc. 46) The Second Set Of Court Summons Were Issued To This Plaintiff For Serving Upon The Defendants **By-Mail**.
- 13) **October 26, 2020**, (Doc. 47) The Plaintiff Responded To The AZ District Court’s New ORDER Dated **October 14, 2020**, Reminding Them Signature-Services By Mail and/or Package Services Were **SUSPENDED** On **March 2020** Making It Almost Impossible To Obtain This Service. The Plaintiff **ALSO** Informed The Court He **WAS-COMPLYING** With Its ORDER and Attempting To Serve These Summons and Other Documents!
- 14) **November 03, 2020**, The Plaintiff Served The New Summons **By-Mail**, As Ordered By The AZ Court, Per 16 A.R.S. Rules Of Civil Procedure, Rule 4(a), (f), (g), 4.1(c), (d), (i) and 4.2(c), (d), (h) With The Fed. R. Civ. P. Rule 4(d)(1), (e), (h)(1) and Representing Yourself In Federal Court In The District Of Arizona, AZD Rev. **October 2019**!
- 15) **November 03, 2020**, The Plaintiff Was Now **FIRST** Able To Obtained The Services Of Certified Process-Servers Where An Attempt To Perform Service Upon These Defendants Was Begun!
- 16) **November 05th, 2020**, (Doc. 48 and 49) The AZ District Court **DISMISSED** This Case When The Plaintiff Presented Evidence Of The AZ Court’s Own COVID Order No. 2020-160, With Other Rules and/or Regulations Concerning The **SUSPENSION** Of The Mail Signature-Services and Service By Process-Servers!
  - a) The AZ Court Published A False-Claim and/or Ruling To Multiple Internet Sites Stating They Dismissed The Case Due To Lack Of Service Pursuant to Fed. R. Civ. P.4, and For Failure To Comply With The Court’s Directives! The Court’s Actions and/or Fraudulent Statements Violated 18 U.S. Code § 1621.
  - b) The AZ Court Ordered The Plaintiff’s File **IMMEDIATELY** Closed and **NO** Further Evidence Allowed Blocking The Remaining Mail Service-Cards and Process-Server Affidavits From Being Entered (Proving The Defendants Were Evading-Service)!
- 17) **November 12, 2020**, (Doc. 51) The Plaintiff Filed For Reconsideration, and For The Court To Explain Their Dismissal Of This Case With False-Statements Filed In The Court Record and On Internet Sites!
- 18) **November 19, 2020**, (Doc. 52) The AZ District Court **DENIED** All Reconsideration Of The Plaintiff’s Case Which Was A Violation Of Fed. R. Civ. P. Rule 72(a)!

19) November 30, 2020, (Doc. Court-Rejected) The Plaintiff Filed For An Associate Judge To Review The Plaintiff's Case and Ruling!

(This Was REJECTED Without Reply In Violation Of Fed. R. Civ. P. Rule 72(a))

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**(THE 9th CIRCUIT COURT OF APPEALS CASE)**

- 1) **December 03, 2020**, [Doc. 01] The Plaintiff's Appeal-Brief With The 9<sup>th</sup> Circuit Court Of Appeals Was Entered Into The Record!
- 2) **February 18, 2021**, [Doc. 09] The Plaintiff's "Motion To Transfer The Case To The Federal D.C. Court Of Appeals" Due To It Involving Questions Regarding Interpretation and/or Application Of Federal Law During The COVID Crisis and Requirements For A Proper Review, Which This 9<sup>th</sup> Circuit Court Was Found They Were Refusing To Allow, Was Entered Into The Record!
- 3) **March 10, 2021**, [Doc. 10] The 9th Circuit Court Falsely DENIED This Plaintiff's Request For "In Forma Pauperis Status" and DENIED The Motion To Transfer This Case To The Federal D.C. Court Of Appeals!
- 4) **August 26, 2021**, [Doc. 17] The 9th Circuit Court Memorandum (Memo) Dated **August 17, 2021**, Marked, "NOT-FOR-PUBLICATION" Endorsed The AZ District Court's False-Ruling! The Memorandum Discovered On An Internet Site, "Justia Legal Resources" Was Proven False Due To;
  - a) It Being Stated and Proven In The Plaintiff's Appeals Brief, No: 20-17361, Under Subject Matter and Jurisdiction On Page-5, "This Case Raises Federal Questions Under 28 U.S.C. § 1331, Due To The COVID Pandemic and Civil Rights Questions Under 42 U.S.C. § 1983"!
  - b) This Case Involved Fed. R. Civ. P. Rule 4, (Issuing A Summons) and Fed. R. Civ. P. Rule 12, (Responding To A Summons) With Interpretation and/or Application Of Laws By The Court and/or Others During The COVID Crisis!
  - c) The Failure and/or Refusal To Address ANY-QUESTIONS Involving Interpretation and/or Application Of Law For Service-Of-Process and/or A Plaintiff's Rights Due To The COVID Crisis Found Throughout The AZ Court Case AND Within The Appeals-Brief!
- 5) **September 07, 2021**, [Doc. 18] The Plaintiff's "Motion For Reconsideration and Transfer To D.C. Court Of Appeals", Dated **September 03, 2021**, Due To This REFUSAL By The

9<sup>th</sup> Circuit Court To Address ANY Questions-Of-Law Found In The AZ Court Record and Appeals-Brief, Was Entered Into The Record!

- 6) **November 22, 2021**, [Doc. 24] The Court Of Appeals Docket Only Shows, “CASE-CLOSED” Without Any Ruling Which Shows The Plaintiff’s **September 07, 2021**, [Doc. 18] Motion For Review and/or Reconsideration Was NEVER Reviewed!
- 7) **December 02, 2021**, [Doc. 25] The Plaintiff’s “Motion For Reconsideration and/or A Rehearing En-Banc”, Dated **December 01, 2021**, Was Entered Into The Record!
- 8) **December 03, 2021** [Doc. 26] Judge Barry G. Silverman, Morgan B. Christen and Kenneth K. Lee DISMISSED and CLOSED The Plaintiff’s Case Preventing All Review and/or Reconsideration Due To Their Violations Of COVID Orders, Plaintiff’s Rights and The Written-Law! The Court’s Actions Intentionally Violated Fed. R. Civ. P. Rule 72(a), Fed. R. Civ. P. Rule 73 and 28 U.S.C. § 636 (c)!
  - a) These Judges Claimed, “Jozwiak’s Petition For Rehearing En Banc (Docket Entry No. [25]) Is Rejected As UNTIMELY.” AND
  - b) These Judges Then Claimed, “Jozwiak’s Other Pending Motions and Requests (Docket Entry Nos. [19], [20], [22], [23], and [24]) are DENIED. No Further Filings Will Be Entertained In This Closed Case.”!
- 9) **December 06, 2021** [Doc. Court-Refused-To-Accept] The Plaintiff’s “Motion For The Court To Re-Evaluate Their Claim The Petition For A “Rehearing En Banc” Was Untimely” Was Submitted To The Court Of Appeals!
  - a) This Was Due To The Court Dismissing and Closing The Case **November 22, 2021**, [Doc. 24], and Allowing For The Legally Entitled 14-Days To File This Motion, Its Due Date Was **December 06, 2021**! The Court’s Intentional Rejection Of The Motion Violated The Fed. R. Civ. P. 59 and 60!
  - b) This Was Also Due To The Court Becoming Hostile When The Plaintiff Presented Undeniable-Evidence Showing The Courts Had BLOCKED and/or REFUSED To;
    - 1) Abide By COVID Orders and/or Written-Law, Where The AZ Court’s Order For Service-Of-Process Was A Known and Documented Illegal-Violation Of These Orders and Written-Laws!
    - 2) Address Any Questions Regarding COVID Orders and Their Conflicts With Written-Law, Where This Court’s Act Is Proven Under State, Federal and/or Constitutional Written-Law To NOT-BE-A-VALID-CASE-REVIEW!
    - 3) Allow The Legally-Required Case Review Due To The Questions-Of-Federal-Law That Conflicted With The COVID Orders, and Both Court’s Violations Of This Plaintiff’s Rights and Due-Process!

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## V. THE-ARGUMENT

### 1) COVID Orders and/or Mandates, Under Our Emergency Enforcement Powers Act, 50 U.S.C. §§ 1601-51, Were NOT Properly Defined NOR Enforced!

This Court Previously Established The Foundation Regarding The Exercise Of The State Authority During An Emergency and/or Public Health Crisis. See (Jacobson v. Massachusetts, 197 U.S. 11, 27 (1905)). This Court Held That; "In Every Well-Ordered Society Charged With The Duty Of Conserving The Safety Of Its Members The Rights Of The Individual In Respect Of His Liberty May At Times, Under The Pressure Of Great Dangers, Be Subjected To Such Restraint, To Be Enforced By Reasonable Regulations, As The Safety Of The General Public May Demand"!

It Was Found This and Other Courts and/or Agencies Are Required To Enforce These Measures Until;

- a) There Is NO Longer A Public Health Crisis. OR
- b) The Enacted Public Health Measures Are Found To Conflict With Those Prescribed By Our Government, Its Public Health Officials and/or Other States. OR
- c) The Enforcement Of These Mandates and/or Measures Are Without Doubt A Violation Of The Rights Guaranteed By Our Civil, Constitutional, State and/or Federal Laws.

Having Determined This Pandemic Was VERY-SEVERE Our Federal Government Allowed, Endorsed and Enforced The COVID Operational Guidelines Enacted By Our Nation's Postal and/or Package Services On **March 2020**! The Courts, Governors and Others Also Determined This Pandemic Was Severe Enough To Order Some-Courts To Suspended Most Cases NOT Pressing and/or Involving Threats To The Public's Health and Well Being! Cases NOT Suspended Were Required To Operate Within State and/or Federal COVID Mandates! However, Cases and/or Defendants Being In Other States NOT Having The Exact-Same Mandates, Caused Conflicts To Occurred

Between These Court's Laws and/or Services! Arizona and/or California Cases NOT Suspended Were Held Under Their Own and/or Supreme Court COVID Orders With Other States! These Social-Isolation Orders Were Regularly Violated By These Courts and/or Governors Where Officials Were Caught Calling For While Endorsing Illegal Mass Demonstrations, Etc., Within Their States During 2020!

**The Questions Are As Follows!** If This Court Does Recognize A Community's Right To Protect Itself During Times Of A Serious Health Crisis, Then Why Are Courts, The Officials and Others Using Double-Standards To Administer The Laws and/or Orders? This Violates The State's, Federal Government's, Supreme Court's and/or Other's COVID Orders Defeating Their Purpose While Corrupting and/or Disrupting This Nation's Judicial System!

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**2) COVID Orders and/or Mandates, Were Defied and/or Violated By Courts, Governors and The Officials Who Created and/or Issued Them!**

It Was Discovered States Like Arizona, California and Others, Which Impose and/or Strictly Enforced Their COVID Mandates Against Businesses, Churches and Others, **WILL-NOT** Observe and/or Enforce Their Own Mandates When It Involved The Operations Of Their Courts, Government Agencies and/or Officials!

Examples Of Officials Defying and/or Violating Their COVID Orders Happened During **May 2020** Through **July 2020** When Thousands Of People Gathered Within California and Other States, In Violation Of Social-Distancing Requirements To Protest The COVID Mandates and/or Death Of George Floyd. One Example Of These Protests Involved The Stay-At-Home Orders From Court's and/or Governors Where CA Governor Newsom Issued A Statement Encouraging Protesters To Continue Gathering In Large Numbers In Violation Of His and The Other State's Mandates! The Governor Was Quoted As Saying, "*We Have Seen Millions Of People Lift Up Their Voices In Anger, Rightfully Outraged. Every Person Who Has Raised Their*

*Voice Should Be Heard.*”! He Also Stated For The Public’s Record, *“I Want To Thank All Those Who Exercised Their Right To Protest Peacefully”*!

This Is The Governor Who Authorized and Endorsed The California Court’s COVID Order No. 75, Issued To Protect Court Officials, Process-Servers and/or Others! As This Court Will See, This Order Still Required Service **By-Mail** Under Fed. R. Civ. P. Rule 4(d), When Postal and/or Package Services Had SUSPENDED Their Signature-Service On **March 2020**! The Entire-Nation Being Advised Of These New COVID Mail Guidelines, Posted To Multiple Internet Websites, Resulted In States Failing and/or Refusing To Address The Problems With Their COVID Orders When Litigants Provided These Regulations To The Courts and/or Others! This Well-Known Mail Signature-Service SUSPENSION Makes It IMPOSSIBLE For These Courts, Judges, Governors and/or Others To Claim They Were Unaware Of These Problems Their Orders Created! See Service **By-Mail** Examples Found In;

a) (CUC Properties VI, L.L.C. v. Smartlink Ventures, Inc., (2021-Ohio-3428)),

AND

b) (Paul Jozwiak v. Raytheon Missile Systems, No. 20-17361 (9th Cir. 2021))!

When The Plaintiff’s Case Was Wrongfully DISMISSED and He Filed His Appeal, The CA 9<sup>th</sup> Circuit Court Of Appeals Refused-To-Allow A Proper-Review Of This Case By Anyone Including The D.C. Court Of Appeals! Article III, Section 2 Of Our U.S. Constitution States That Cases Involving Questions “Arising Under” Federal Law Are Requirement To Be Heard By Our Federal Courts! It Was Also Found The Court Chose To Violate This Plaintiff’s Rights and Written-Laws By Only AFFIRMING The AZ District Court’s WRONGFUL-DISMISSAL Of His Case! This Was Done Without The Proper Review Where NO Federal Questions-Of-Law In His AZ District Court-Record and The CA Appeals-Brief Were Mentioned Where The Plaintiff Was DENIED His Due-Process and Legal-Right To Be Heard!

**The Questions Are As Follows!** Explain Why The CA 9<sup>th</sup> Circuit Court Of Appeals Decision Shows They FAILED To Mention ANY Questions-Of-Law Found Within



The District Court-Record and Appeals-Brief, and DENIED The Plaintiff's Legal-Right To Be Heard In Court? When The Plaintiff Filed His **November 07, 2021** Motion For Reconsideration, and Listed The AZ and CA Court's Violations Of Their State's and/or Other's COVID Mandates, They **HIJACKED** His Case Blocking ALL Review and/or Reconsideration! Another Question, Since Almost Everyone Was Aware Postal and/or Package Services SUSPENDED Signature-Services In EVERY-STATE, Explain These Officials Lack Of Action and/or Claim Of NO Knowledge When Others Who Attempted Service-Of-Process Informed The Courts Of The Same Issues? **SERIOUSELY**, Everyone Was Mailing Items Almost Every Day So These Problems Cannot Be Unknown! This Criminal Misconduct By Our Officials NOT Only Violated State and/or Federal Written-Laws, The COVID Orders With The **Guaranteed-Rights** Of An Individual, But Also Jeopardized The Health and/or Safety Of The Public For Which These Laws and/or Orders Were Designed To Protect!

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**3) COVID Orders and/or Mandates, DID-NOT Comply With Other State's Mandates and/or Written-Law Resulting In Double-Standards and The Violations Of Due-Process!**

The Arizona, California and/or Other States COVID Orders Caused A Serious-Disruption With This Nation's Laws and/or Court Services Resulting In **Double-Standards** Being Applied To Our Businesses, Religions, Other State's Orders, Etc.!! Examples Of **Double-Standards** Involving The Churches Exposed To The Public and Our Courts Were Found In;

- a) (**Calvary Chapel Dayton Valley, Applicant v. Steve Sisolak, Governor of Nevada, et al., Case No. 20-16169, 19A1070 (D. July 08, 2020)**), AND
- b) (**Harvest Rock Church, Inc. v. Newsom, No. 20-55907, 2020 WL 5835219 (9th Cir. Oct. 1, 2020)**)!!

Examples Of **Double-Standards** Involving The Summons Service **By-Mail** Exposed To The Public and Our Courts Were Found In;

a) **(CUC Properties VI, L.L.C. v. Smartlink Ventures, Inc., (2021-Ohio-3428))**,

AND

b) **(Paul Jozwiak v. Raytheon Missile Systems, No. 20-17361 (9th Cir. 2021))!!**

Other Examples Of Double-Standards Are Where Courts Ordered Attorneys, Litigants and Others To Perform Service **By-Mail** and/or By **Personal-Service**, While Denying Alternative-Methods In Violation Of COVID Orders! Documented Examples Within The Plaintiff's AZ Court Record Show Magistrate-Judge Bury Fraudulently Claiming Service **By-Publication** Was An Alternative-Means, When Written-Laws PROVE It **WAS-NOT!** See **APPENDIX-O**, 16 A.R.S. Rules Of Civil Procedure, Rule 4, 4.1, 4.2 and **APPENDIX-P** Representing Yourself In Federal Court In The District Of Arizona For These Laws Allowing Service. If One Attempts To Claim Service **By-Publication** Was An Alternative-Means, It Was Determined COVID Orders Required Courts To ACCEPT Alternative-Service Where It Was Found By Previous Court Rule In;

a) **(Cascade Parc Property Owners Association, Inc., v. Clark, 336 Ga. App. 99, 783 S.E.2d 692 (2016))**, *"On Appeal, Cascade Parc Claims The Trial Court Erred When It (1) Denied Cascade Parc's Motion For Service By Publication, and (2) Dismissed Cascade Parc's Complaint Sua Sponte For Failure To Perfect Service. We Agree and Reverse."* AND,

b) **(Wentworth v. Fireman's Fund Am. Ins. Co., 147 Ga.App. 854, 854-55(1), 250 S.E.2d 543 (1978))** *"Where Due-Diligence Was Shown In Attempt To Track Down Defendant, The Request For Service By Publication Should Have Been Granted."* AND,

c) **(Luca v. State Farm Mut. Auto. Ins. Co., 281 Ga. App. 658, 660-63(1), 637 S.E.2d 86 (2006))**: *"Trial Court Abused Its Discretion In Denying The Motion For Service By Publication."*

These Courts Having Knowledge Of Their and/or Other State's COVID Orders, Still DEMANDED Service Be Performed In Violation Of These Orders Knowing It Was Illegal and An Impossible Task! If A Litigant Carried Out These Orders, The Court Would DISMISS and/or RULE Against Them For Violating The Mandates and/or Laws! If The Litigant Carrying Out These Orders Was Unable To Accomplish This Task, and/or Requested An Alternative-Means To Perform Service, The Court Would

DISMISS and/or RULE Against Them For Failing To Carry Out The Court's Orders!  
Acts Of This Nature By The Courts Were Ruled An **ABUSE-OF-DISCRETION** and  
A Violation Of **DUE-PROCESS** Against Our Country's Constitution, Its Laws and/or  
People's Rights! Under These Conditions It Was Previously Ruled In;

- a) (**Koon v. United States, 518 U.S. 81, 100, 116 S. Ct. 2035, 135 L. Ed. 2d 392 (1996)**); *"A District Court By Definition Abuses Its Discretion When It Makes An Error Of Law."*! AND
- b) (**Scheuer v. Rhodes, 416 U.S. 232, 94 S. Ct. 1683, 1687 (1974)**): *"When A State Officer Acts Under A State Law In A Manner Violative Of The Federal Constitution, He Comes Into Conflict With The Superior Authority Of That Constitution, and He Is In That Case Stripped Of His Official Or Representative Character and Is Subjected In His Person To The Consequences Of His Individual Conduct. The State Has NO Power To Impart To Him Any Immunity From Responsibility To The Supreme Authority Of The United States."*!

**The Questions Are As Follows!** Due To The Failure Of Our Courts and Others To  
Develop and Administer The COVID Mandates and/or Nation's Laws In A Fair and/or  
Uniform Fashion, Why Are Courts Allowed To Preside Over and/or Issue Fraudulent  
Case Rulings? This Corruption Of Our Nation's Legal System Can Never Be Allowed  
Nor Tolerated When Civil and/or Constitutional Rights Of An Individual Were Denied  
and A Court Ruled With **MALICE** and/or **PREJUDICE!** As Ruled In;

- a) (**Ex parte Virginia, 100 U.S. 339**) and (**Harper & James, The Law of Torts 1642-1643 (1956)**). *"A Judge Is Liable For Injury Caused By A Ministerial Act; To Have Immunity The Judge Must Be Performing A Judicial Function. The Presence Of Malice and The Intention To Deprive A Person Of His Civil Rights Is Wholly Incompatible With The Judicial Function."*! AND
- b) (**Harris v. Harvey, 419 F. Supp. 30 (1976)**); *"A Violation Of Mr. Harris' Fourteenth Amendment Right To Equal Protection Of The Laws Has Been Adequately Alleged. It Follows, Therefore, That Judge Harvey's Motion To Dismiss May NOT Be Granted, and The Plaintiff's Action Against Him, Both As To Monetary and Injunctive Relief, Must Stand."*!

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**4) COVID Orders and/or Mandates, Provided Multiple-Methods For The  
Defendants To Evade-Service and/or Obstruct-Justice!**

The U.S. Postal and Package Services SUSPENDING Their Signature-Service When Some-States SUSPENDED Personal-Process-Service Eliminated Most Methods For Service-Of-Process! It Was Found The District Court Of California, COVID Order No. 75, U.S. District Court Of Columbia, Maryland and Virginia, COVID Order No. 20-18 (BAH), Were Examples Of Orders SUSPENDING Personal-Service!

Many Will See Evidence Of Evasion By The Defendants On Mail-Tracking Reports, Signature-Service Cards With Refused and Returned Documents Found Within The Plaintiff's AZ Court Record! **NOTE-WELL!!** The Process-Server's Affidavits From **November 03rd To November 10th, 2020**, When Service Was FIRST Able To Be Attempted, Was Blocked By The Court To Prevent Entry Into The Record!! These Affidavits PROVING The Defendants Evaded-Service With Help From Employers, Courts and/or Others Was Another Reason Why Judge Bury DISMISSED This Case! The Willful-Misconduct By The Courts, Defendants and/or Others Are Seen In The;

- a) **July 10, 2020**, Magistrate-Judge Bury's DENIAL Of The Plaintiff's Request To Perform Service Using An Alternative-Means Being **Email**! Judge Bury Falsely Claimed The Denial Was "Because He Made No Showing Why He Could Not Comply With Rule 4."!
- b) **August 07, 2020**, Judge Bury's Fraudulent Claim That Service **By-Mail** and **By-Publication** Was An Alternative-Means NOT Allowed For Use By This Plaintiff!
- c) **September 03, 2020**, Judge Bury's Attempt To Conceal The Proof-Of-Service Documents Filed With The Court Proving The Defendants Were Evading-Service!
- d) **October 07, 2020**, Judge Bury's Violations Of The AZ Supreme Court COVID Order No. 2020 -160 Requiring The Courts (This Means Judge Bury and All 9<sup>th</sup> Circuit Court Of Appeals Judges For The Plaintiff's Case) To ACCEPT Service-Of-Process **By-Mail** Without Requiring Signed Signature-Service Cards, and To RETROACTIVELY-APPLY This Order To ALL Mail-Service Prior To Its Implementation Due To The Service Being Unavailable!
- e) **October 14, 2020**, (Doc. Number-Missing!) Judge Bury Rejecting The Mail-Tracking-Reports and Affidavits-Of-Service By Publishers Proving Service, While Refusing To Rule These Defendants and/or Their Attorneys In **DEFAULT** For Failure and/or Refusal To Respond As Required By Fed. R. Civ. P. Rule 12!
- f) **October 14, 2020**, Magistrate-Judge Bury's ORDER For The Plaintiff To RE-SERVE The Defendants **By-Mail** Using The Signature-Service Violating

Arizona's Order No. 2020-160, The **March 2020** U.S. Mail and/or Package Services COVID Guidelines With Others!

- g) **November 05, 2020**, Judge Bury's DISMISSAL Of This Plaintiff's Case Under Fraudulent Claims Published In The Court Record and Internet Sites Stating The Case Was, "Dismissed For Lack Of Service Pursuant to Fed. R. Civ. P.4 and For Failure To Comply With The Court's Directives"!
- h) The Portion Of The **September** and **November 2020**, Proof-Of-Service Reports Filed In The Court Record, AND Also In Magistrate-Judge Bury's Possession PROVING The Defendants Were Evading-Service!

It Was Also Discovered These Courts, Governors and/or Others Failure and/or Refusal To Properly-Review Their COVID Orders Against The Other State's, (To Determine If They Were In Complete Agreement and/or Compliance) Made Matters Worse When Alerted To These Conflicting Orders! They Refused To Correct Them and Choose To DISMISS Cases, and/or Issue Fraudulent Rulings Against Plaintiffs To Conceal The Problems Helping Defendants Evade-Service! Examples Of The Court Concealing These Problems Are Where Judge Bury's Posted Fraudulent Claims In The Record and To Internet Websites "www.leagle.com/decision" With Others Stated On;

- a) **November 05, 2020**, "The Plaintiff Has Chosen To NOT Comply With This Order and Instead Responded That The Court Failed To Properly Consider The Rules Of Service and Drew Erroneous Conclusions."! AND
- b) **November 10, 2020**, "Consequently The Defendants Were NOT Required To Respond To The Service Of Their Summons"!

These Published Statements By Judge Bury CONTRADICT The Court Record Dated **October 26, 2020**, (Doc. 47) Page 14, Line 1 Through 13 Showing This Plaintiff Was Complying With The Court's Order To RE-SERVE The Summons and/or Other Documents **By-Mail** With Signature-Service! Copies Of These Court Summons, With Copies Of Some Postal Mail Receipts, Submitted To The Record and In Judge Bury's OWN Possession, Show Service Of Summons **By-Mail** Being Done Just As Ordered! Another Reason For Magistrate-Judge Bury's False Statements Was Due To This Plaintiff Asking Why He Violated COVID Mandates and Written-Laws By Ordering

Service **By-Mail** With Signature-Service, Which Violated AZ COVID Order No. 2020-160, While Also Blocking Allowed Service **By-Publication**!

**The Questions Are As Follows!** Why Did Courts, Governors and/or Others First Fail, Then Refuse To Address and/or Correct Known Conflicts Caused By Their COVID Orders? Also, Why Did Courts Single Out Litigants and/or Cases To Impose False ORDERS and RULINGS When More Cases Exposing Their Crimes Were Being Uncovered! Where Defendants Were Evading-Service, It Was Ruled In;

- a) **(Newsome v. Johnson, 305 Ga. App. 579, 581-582(1), 699 S.E.2d 874 (2010)):**  
*"The Defendant Attempting To Evade Service Cannot Seek To Benefit From Her Own Refusal To Cooperate."* AND,
- b) **(Verizon Trademark Servs., supra, 2011 WL 3296812), Quoting (Fernandez v. Chamberlain, 201 So. 2d 781, 786 (Fla. 2nd DCA 1967)):** *"A Defendant With Knowledge Of The Action Cannot Be Allowed To Avoid Personal and Substitute Service Of Process By Failing To Retrieve His Own Mail and By Failing To Provide Relevant Information About His Whereabouts To Plaintiffs In Order To Permit Personal Service."*

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## VI. THE-CHARGES

I Now-Remind This Court, Failure and/or Refusal By **ALL** Defendants To Respond To Their Court-Summons and/or Documents Proven To Have Been Served A Minimum Of 4-Times **By-Mail, By-Publication** and Some By **Process-Server** Was A Willful Act Of Evading-Service! The Services Were Proven By Mail Tracking-Reports and/or Signed Affidavits From Publishers and Process-Servers Which The Courts Had PROVING The Defendants Received and/or Were Aware Of The Summons and/or Documents! If This Court Remembers, Dr. Schaller, MetLife and Raytheon Who Were PROVEN To Have Been Served Multiple Times REFUSED To Respond Indicating A COOPERATIVE-EFFORT By The Defendants To Evade-Service In Order To Obstruct-Justice!

Under These Conditions, The Court's REFUSAL To Rule Against The Defendants and Their Attorneys For REFUSING To Respond To Their Court Summons Was A Malicious,

Criminal Abuse-Of-Judicial-Discretion, Due-Process and/or Obstruction-Of-Justice With Violations Of Civil, Constitutional Rights and Written-Law Proven By The;

- 1) **April 20, 2020**, (Doc. 11) Statements Within The Arizona Court Record On Page-1, Line-18 and Line-19 Claiming, "The Court Mistakenly Denied Waiver Of The Filing Fee" AND, "In Forma Pauperis Status" Which These Courts Refused To Correct and Used To DENY This Plaintiff's Legal-Request For The Summons Or Other Documents To Be Served By Federal Marshals Or Other Under Fed. R. Civ. P. Rule 4(c)(3)!
- 2) Violations Of Written-Law Where The Courts Falsely-Claimed Service **By-Mail** and **By-Publication** Were Alternative-Methods NOT Available For The Plaintiff's Use!
- 3) **October 14, 2020**, (Doc. Number-Missing!) Violations Where The Courts Rejected The Completed Service-Of-Process, Proven By Signed and/or Notarized Affidavits-Of-Service **By-Publishers** and **By-Mail** Tracking-Reports, In Violation Of COVID Orders and/or Written-Laws!
- 4) **October 14, 2020**, (Doc. Number-Missing!) Court Violation Ordering The Plaintiff To Re-Serve The Summons and Documents Using Certified Registered-Mail With The Signature-Service Violating Written-Law, COVID Order No. 2020-41, No. 2020-160 With Other's Where The Method Was An Illegal and/or Impossible Task!
- 5) False-Statements Starting In **October, 2020**, Where The Courts Posted Illegal-Claims That, "Consequently The Defendants Were NOT Required To Respond To The Service Of Their Summons", AND The Case Was DISMISSED Because, "The Plaintiff Has Chosen To NOT Comply With This Order and Instead Responded That The Court Failed To Properly Consider The Rules Of Service and Drew Erroneous Conclusions" Which Was A Violation Of 18 U.S. Code § 1621 Due To Perjury!

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- 6) **March 10, 2021**, [Doc. 10] DENIAL Of The Plaintiff's, "Motion To Transfer The Case To The Federal D.C. Court Of Appeals" Due To It Being Stated In The Appeals Brief, No: 20-17361, Under Subject Matter and Jurisdiction On **Page-5**, "This Case Raises Federal Questions Under 28 U.S.C. § 1331, Due To The COVID Pandemic and Civil Rights Questions Under 42 U.S.C. § 1983"!
  - 7) **August 26, 2021**, [Doc. 17] REFUSAL By The Court To Allow Any Review Of The Questions Involving Federal Laws and/or Operations Of Courts During The COVID Shutdown and/or The Documented Acts Of Judicial Misconduct!
  - 8) **August 26, 2021**, [Doc. 17] Court's Claim That Fed. R. App. P. 34(a)(2), Allowed Their Right To Deny The Plaintiff's Oral Arguments Where It Clearly States, "Oral Argument Must Be Allowed In Every Case" Unless A Panel Of Three Judges **Who Examined The Briefs and Record** Unanimously Agree That Oral Arguments Are Unnecessary! Due To Their REFUSAL To Provide The Plaintiff Their Reasons and Proof For Their Decisions, They Violated State and Federal Law With The Civil and Constitutional Rights Of The Plaintiff!

- 9) **December 03, 2021** [Doc. 26] DISMISSAL Of This Plaintiff's Case Preventing All Review and Reconsideration Due To These Court's Violating COVID Orders, This Plaintiff's Rights and Written-Law Where Their Claim That, "Jozwiak's Petition For Rehearing En Banc (Docket Entry No. [25]) Is Rejected As UNTIMELY" Violated Fed. R. Civ. P. 59 and 60 Due To The Case Being DISMISSED **November 22, 2021**, [Doc. 24], and Allowing For The Legal 14-Days To File A Motion, Its Due Date Was **December 06, 2021!**
- 10) **April 15, November 04 and November 22** Requests By This Plaintiff For The Case Schedule and Status Which The Court Continually Failed and/or Refused To Properly Comply With!

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It Was Ruled That In Situations Such As This, The Courts LOSE-JURISDICTION Where Their Judgements Become VOID Such As In;

- 1) (Austin v. Smith, 312 F 2d 337, 343 (1962)) and (English v. English, 72 Ill. App. 3d 736, 393 N.E. 2d 18 (1st Dist. 1979)) Where An Order/Judgment Is Based On A VOID Order/Judgment! AND
- 2) (Village of Willowbrook, 37 Ill. App. 3d 393(1962)) Fraud Upon The Court! AND
- 3) (Armstrong v. Obucino, 300 Ill 140, 143 (1921)) A Judge Does NOT Follow Statutory Procedure!

These Continual Violations, By The AZ District Court and CA 9<sup>th</sup> Circuit Court Of Appeals For The Purpose Of Denying Due-Process and Justice Is Proven To Be Willful Acts Of EXTRINSIC-FRAUD and/or MISTAKE! Our U.S. Supreme Court Ruled In The 1878 Case United States V. Throckmorton That, "By Reason Of Something Done By The Successful Party To A Suit, There Was In Fact No Adversary Trial Or Decision Of The Issue In The Case"! The Unsuccessful Litigants Are Entitled To EQUITABLE-RELIEF From The Judgement Obtained, Or A NEW-TRIAL If The Fraud Prevented That From Happening!!!!

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## **REASONS FOR GRANTING THE WRIT**

It Was DISCOVERED and PROVEN The State Courts, Governors and/or Others Failed To Collectively Work Together To Ensure Their COVID Orders Were In Complete, and Total Agreement While Complying With The Federal Government's and Other's Orders Without



Violating Pre-Existing Written-Law! This Tragic-Oversight Resulted In The Corruption and/or Disruption Of Our Court System and Laws Which Our Judges Are Required To Recognize, Abide By and Enforce! Violations Of These Orders and Written-Law Were Found To Be More Apparent When The Court and/or Plaintiff Attempted To Perform Service-Of-Process Upon A Defendant, But Was More Notable When Done Across State Lines!

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The **FIRST Disruption** Was Due To The COVID Operational Guidelines By Postal and/or Packages Carriers SUSPENDING Signature-Services On **March 2020** Which Eliminated Usable Signature-Service Cards To File With The Court Showing Proof-Of-Service!

The **SECOND Disruption** Was Due To A Some-States SUSPENDING Personal Process-Service By Federal Marshals, Law Enforcement and/or Others Starting **March 2020**, and Some-States SUSPENDING Their Independent Private Process-Service!

The **THIRD Disruption** Was Due To Some-Courts Defying and/or Violating The Federal Government's and/or Their State's COVID Orders Requiring Alternative-Methods Of Safe-Service For A Litigant To Serve The Defendants!

The **FOURTH Disruption** Was Due To Some-Courts STILL Ordering Service-Of-Process Be Performed **By-Mail**, and/or **Process-Server** While Blocking Pre-Approved, Legal Methods Of Safe and Reliable Service Such As **By-Email** and/or **By-Publication**!

The **MOST Severe-Disruption** Resulting In Multiple Violations Of Civil, Constitutional, Federal and/or State Laws Occurred When Courts Having Knowledge Of These COVID Orders With Written-Laws Chose To Overthrow Court Cases and/or Obstruct-Justice! This Was Accomplished By Courts Ordering Prohibited-Methods For Service-Of-Process By The Litigants and/or Other Knowing It Was An Impossible Task, Then Filing Fraudulent Claims and Rulings The Litigants Failed To Perform Service Under Fed. R. Civ. P.4 Or Other!

**As The Supreme Court Is Well Aware;** “The Supreme Court's Job Is To Make Sure Our Nation's Laws Are In Agreement With The U.S. Constitution. The Justices Hear Cases That Challenge Existing Laws. By A Majority Vote, The Justices May Overturn Any Law They Believe Is In Conflict With The Constitution.”

It Has Also Been Discovered That Under Rule 10(c), Considerations Governing Review On Writ Of Certiorari; “The Supreme Court Is **REQUIRED** To Become Involved When A State Court Or A United States Court Of Appeals Decided An Important Question Of Federal Law That Has NOT Been, But Should Be, Settled By This Court, Or Decided An Important Federal Question In A Way That **CONFLICTS** With Relevant Decisions Of This Court.”

With The Undeniable-Evidence Presented To This Court, There Is NO Alternative But To Realize Our Court's Failure and/or Refusal To Abide By The COVID Orders and/or Written-Law WILL Result In Hundreds Of Cases Needing To Be Re-Evaluated Due To The Multiple-Violations Of A Person's Legally-Entitled Civil and/or Constitutional Rights, Written-Law, COVID Orders and/or Mandates! This Plaintiff's Case, As With Many Others, Will Need To Be Reviewed For 18 U.S. Code § 241 Conspiracy Against Rights, 18 U.S. Code § 1503 Obstruction Of Justice, Abuse Of Discretion, Violations Of Judicial Codes Of Conduct and/or Any Underlying Factual Findings Due To Their Proven Error Or Intentional Violations Under 5 U.S. Code § 706!

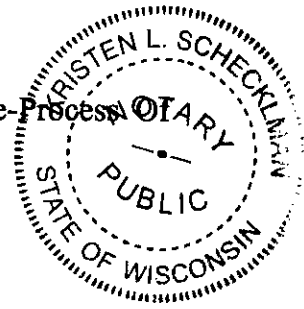
- 1) See (**Earle v. McVeigh, 91 US 503, 23 L Ed 398**) and (**Prather v Loyd, 86 Idaho 45, 382 P2d 910**) “The VALIDITY Of A Judgment May Be Affected By Failure To Give Constitutionally Required Due Process Notice and An Opportunity To Be Heard.”! AND
- 2) See (**Hernandez v. Sessions, 872 F.3d 976, 987 (9th Cir. 2017)**) “The District Court's Interpretation Of The Underlying Legal Principles, However, Is Subject To **De Novo Review** and A District Court Abuses Its Discretion When It Makes An Error Of Law.”

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## **CONCLUSION**

This Petition For A Writ Of Certiorari Should Be Granted Due To The Courts Multiple and Serious Violations Of COVID Orders, Civil, Constitutional, Federal and/or State Laws Listed In

The Document Above Which Adversely-Affected The Rights and/or The Due-Process  
Thousands Of U.S. Citizens!!



Respectfully Submitted, Paul Jozwiak

Date: February, 09, 2022

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## **CERTIFICATE-OF-COMPLIANCE**

**20-17361**

**Paul E. Jozwiak**

*Applicant,*

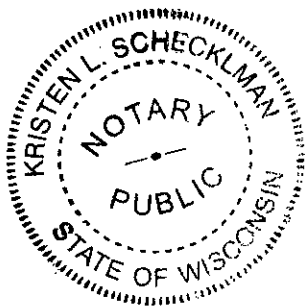
**v.**

**Raytheon Missile Systems; et al.,**

*Respondent.*

As Required By The Supreme Court **Rule 33.1(h)**, I Certify That The Brief In Opposition  
Contains **8979** Words, Excluding The Parts Of The Brief That Are Exempted By Supreme  
Court **Rule 33.1(d)**.

I Declare Under Penalty Of Perjury That The Foregoing It True And Correct.



Executed On February 09, 2022

Paul Jozwiak

Paul E. Jozwiak, Pro Se

404 South Cedar Ave.,

Marshfield, WI 54449

Phone: (520)-818-4976

Email: Orion5x5x9@yahoo.com

Kristen L. Schecklman

2/9/22

No. \_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

**Paul E. Jozwiak** — PETITIONER  
(Your Name)

vs.

**Raytheon Missile Systems; et al.,** — RESPONDENT(S)

**PROOF-OF-SERVICE**

I, **Paul E. Jozwiak**, Do Swear Or Declare That On This Date, **February**, **2022**, As Required By Supreme Court **Rule 29** I Have Served The Enclosed MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS and PETITION FOR A WRIT OF CERTIORARI On Each Party To The Above Proceeding Or That Party's Counsel, and On Every Other Person Required To Be Served, By Depositing An Envelope Containing The Above Documents In The United States Mail Properly Addressed To Each Of Them and With First-Class Postage Prepaid, Or By Delivery To A Third-Party Commercial Carrier For Delivery Within 3 Calendar Days. The Names and Addresses Of Those Defendants Served Are As Follows:

<b><u>Name:</u></b>	<b><u>Address:</u></b>
<b>MetLife Disability</b>	Corporate Headquarters, Attn: Legal Department, 200 Park Avenue, New York, NY 10166
<b>Arthur J. Bacon</b>	4935 E. Parade Ground Loop, Tucson, AZ 85712-6623
<b>Beth A. Green</b>	Nurse Consultant, MetLife Disability, P.O. Box 14590, Lexington, KY 40511-4590
<b>John L. Schaller</b>	10410 E. Wethersfield Rd., Scottsdale, AZ 85259-2412

Dr. John L. Schaller	Medical Consultant, MetLife Disability, 5950 Airport Road, Oriskany, NY 13424
<b>Raytheon Missile Systems</b>	Corporate Headquarters, Attn: Legal Department, 870 Winter Street, Waltham, MA 02451-1449
Dianne D. Avellar	Plan Administrator, Raytheon Corporate Benefits, 235 Wyman Street, Waltham, MA 02451-1219
Dianne D. Avellar	154 Walpole St. FL. 2nd Ste 2, Norwood, MA 02062
Joanne Bockmiller	Plan Administrator, Raytheon Corporate Benefits, 235 Wyman Street, Waltham, MA 02451-1219
Guy C. Slominski	13501 N. Kachina Dr., Tucson, AZ 85755-8892
Guy C. Slominski	Raytheon Management, Raytheon Missile Systems, 1151 E. Herman's Rd, Tucson, AZ 85756
Karen A. Haas	5151 W. Sweetwater Dr., Tucson, AZ 85745-9362
Dr. Karen A. Haas	Raytheon Medical Center, Raytheon Missile Systems, 1151 E. Herman's Rd, Tucson, AZ 85756
Mary W. Richardson	4425 N. Placita-De-Las-Colinas, Tucson, AZ 85745-9734
Mary W. Richardson	1200 East River Rd., Tucson, AZ, 85718-5735
Patricia A. Brutscher	8401 S. Kolb Rd., Unit 142, Tucson, AZ 85756-9616
Sean T. Kurysh	34 Sequoia Grove Way, American Canyon, CA 94503-1466
Veronica Thomas	Raytheon HR, Raytheon Missile Systems, 1151 E. Herman's Rd, Tucson, AZ 85756

I Declare Under Penalty Of Perjury That The Foregoing Is True and Correct.

Executed On February 17, 2022

PAUL JOZWIAK  
(Print-Name)

Paul Jozwiak  
(Signature)