

No. 21-7317

ORIGINAL

FILED  
FEB 24 2022  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

IN THE  
SUPREME COURT OF THE UNITED STATES

MICHAEL L COTA — PETITIONER  
(Your Name)

VS.

JOHN MALONE ETAL' — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

NINTH CIRCUIT COURT OF APPEALS  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

MICHAEL L COTA

(Your Name)

P.O. BOX 1989

(Address)

ELY NJ 89301

(City, State, Zip Code)

(Phone Number)

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### QUESTION(S) PRESENTED

1. CAN Anyone who has Absolute Immunity From ~~an~~ A LAWSUIT ENJOY this immunity if their ACTIONS ARE CRIMINAL AND OBVIOUSLY NON JUDICIAL IN NATURE.
2. ONCE A U.S. DISTRICT COURT SETS A DATE THAT RESPONSES ARE DUE BY CAN THEY VIOLATE THE DATE THAT THEY SET AND THEN REFUSE TO RULE ON STIPULATION AND DEFAULT.
3. IN A U.S. DISTRICT COURT CASE NAMING 5 DEFENDANTS, CAN THE COURT DISMISS THE ACTION SOLELY BASED UPON ASSERTED IMMUNITY ON 2 OF THE DEFENDANTS WHILE 3 OF THE DEFENDANTS DO NOT HAVE IMMUNITY.
4. IF THE ACTIONS BY ANY STATE JUDICIAL OFFICER VIOLATE THE STATUTES OF THAT STATE DOES THIS NOT VIOLATE DUE PROCESS AND EQUAL PROTECTION WHEN THOSE CRIMINAL ACTS ARE DIRECTED TOWARDS THE DEFENDANT.

## LIST OF PARTIES

☒ All parties appear in the caption of the case on the cover page.

☐ 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 judgment is the subject of this petition is as follows:

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## TABLE OF AUTHORITIES CITED

### CASES

### PAGE NUMBER

BAUMAN V. U.S. DISTRICT COURT 557 F2d 650 9th Circuit  
CASTILLO V STATE 792 P2d 1133, 1135 (1990)

### STATUTES AND RULES

NRS 634 IN ITS ENTIRETY

### OTHER

CONSTITUTIONAL AMENDMENTS  
DUE PROCESS  
EQUAL PROTECTION

IN THE  
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☐ For cases from federal courts:

The opinion of the United States court of appeals appears at Appendix C to the petition and is

☐ reported at \_\_\_\_\_; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished.

The opinion of the United States district court appears at Appendix D to the petition and is

☐ reported at \_\_\_\_\_; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished.

☐ For cases from state courts:

The opinion of the highest state court to review the merits appears at Appendix B to the petition and is

☐ reported at \_\_\_\_\_; or,

☒ has been designated for publication but is not yet reported; or,

☐ is unpublished.

The opinion of the DOUGLAS COUNTY DISTRICT court appears at Appendix A to the petition and is

☐ reported at \_\_\_\_\_; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished.

## JURISDICTION

☐ For cases from federal courts:

The date on which the United States Court of Appeals decided my case was  
1-20-22.

☒ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. A-\_\_\_\_\_.

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

☐ For cases from state courts:

The date on which the highest state court decided my case was  
83773. A copy of that decision appears at Appendix B.

☐ A timely petition for rehearing was thereafter denied on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. A-\_\_\_\_\_.

The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a).

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

### CONSTITUTIONAL

MR COTAS RIGHT TO DUE PROCESS OF LAW. IT IS ABSOLUTELY TO OBTAIN DUE PROCESS OF LAW WHEN THE JUDGE AND DISTRICT ATTORNEY OPENLY COMMIT CRIMINAL ACTS DURING THE JUDICIAL PROCESS. FURTHER WHEN THE U.S. DISTRICT COURT REFUSED TO ENFORCE THEIR OWN RESPONSE DATES DUE PROCESS WAS VIOLATED.

MR COTAS RIGHT TO EQUAL PROTECTION. THE LAW CAN NOT PROTECT ANYONE IF THE VERY PEOPLE WHO ARE SWORN TO UPHOLD THE LAW VIOLATE IT THEMSELVES WHILE LITIGATING. WHEN JUDGES AND DISTRICT ATTORNEYS VIOLATE THE LAWS THEY ARE SWORN TO UPHOLD THEN THEIR CAN NOT BE JUDICIAL PROCESS AND AS SUCH NO EQUAL PROTECTION



## STATEMENT OF THE CASE

THIS IS A CASE OF THOSE IN AUTHORITY, ACTING UNDER THE COLOR OF LAW ABUSING THEIR OFFICE, THEIR AUTHORITY, THEIR OATH OF OFFICE AND THEIR CONSTITUTIONAL DUTIES. THIS CASE WILL EXAMINE JUST HOW FAR THIS COURT IS PREPARED TO HONOR ABSOLUTE IMMUNITY. IT WILL ALSO EXAMINE THE TOLERANCE FOR JUDICIAL OFFICERS VIOLATING STATE STATUTES.

IN THIS CASE MR COTA FILED UNDER 42 U.S.C. § 1983 AS HIS CONSTITUTIONAL RIGHTS WERE VIOLATED BY THOSE ACTING UNDER THE COLOR OF LAW. COURT RECORD WILL PROVE THAT THE DISTRICT ATTORNEY WAS ACCUSED OF COMMITTING CRIMINAL ACTS IN OPEN COURT DURING MR COTAS HEARING. THE JUDGE DID NOTHING, EVEN THOUGH STATING 3 TIMES IN OPEN COURT THAT HE HAD NO IDEA HOW THE DISTRICT ATTORNEY CAME INTO POSSESSION OF MR COTAS JUVENILE RECORDS. NEVADA LAW IS CLEAR AND IT IS EQUALLY CLEAR THESE JUDICIAL OFFICERS VIOLATED IT. IN THIS CASE MR COTA IS NOT CHALLENGING HIS CONVICTION, THAT IS PENDING IN FEDERAL COURT, HE IS IN FACT CHALLENGING GRANTING ABSOLUTE IMMUNITY TO CRIMINALS

## REASONS FOR GRANTING THE PETITION

THIS COURT MUST NOT REWARD CRIMINAL ACTIVITY BY JUDICIAL OFFICES BY GRANTING THEM ABSOLUTE IMMUNITY!

MR COTA CHALLENGES THE PRACTICE OF HOLDING JUDICIAL OFFICERS TO A LOWER STANDARD THAN ANY CITIZEN.

IF I VIOLATE THE LAW I AM PROSECUTED, IF I VIOLATE OTHERS CONSTITUTIONAL RIGHTS I FACE CIVIL ACTION. DO WE ACTUALLY HOLD THOSE SWORN TO UPHOLD THE LAW TO A LOWER STANDARD. NO ONE SHOULD BE ABOVE THE LAW. ON JANUARY 6, 2021 WE SAW THE CONSEQUENCES OF THOSE IN AUTHORITY BELIEVING THEY ARE ABOVE THE LAW. THIS COURT MUST ESTABLISH THAT NO ONE CAN HIDE CRIMINAL ACTS BEHIND ABSOLUTE IMMUNITY.

WE ASK THE COURT TO PLEASE NOTE THAT IN THEIR RESPONSE THE DEFENDANTS NEVER DENY THEY COMMITTED CRIMINAL ACTS OR ENGAGED IN RACIAL DISCRIMINATION, THEY BASICALLY ASSERT THEY CAN DO AS THEY CHOOSE DUE TO ABSOLUTE IMMUNITY.

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

M. A. Bates II

Date: 2-9-22