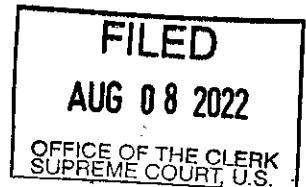


No.

ORIGINAL

22-217



In the Supreme Court of the United States

Grant S. Kim Petitioner

v.

Superior Court of California Respondent
County of Riverside

On Petition for Writ of Certiorari to
the United States Court of Appeals
for the Ninth Circuit

PETITION FOR WRIT OF CERTIORARI

Grant S. Kim
9106 Dumond Drive
Fontana, CA 92335
(909)900-8065
Petitioner pro se

QUESTIONS PRESENTED

----- Re: 14 Days -----

MEMORANDUM Filed date June 29, 2022.

US Postal stamp date July 12, 2022. (Tuesday).

I received date July 15, 2022 (Friday),

already passed the within 14 days.

Question: How to stop this kind malice practice?

----- Re: MANDATE -----

Question: So, I lost my right to get rehearing.

----- Re: Jurisdiction -----

(Petitioner) filed a SUMMONS at US District Court on April 12, 2021, Case #5:21-cv-00644-JGB-SP.

The reason: Servicemembers Civil Relief Act (SCRA) is Federal Law.

Question: If Grant S. Kim Case lose, then which Court, do I have to go?

--- Re: Servicemembers Civil Relief Act (SCRA) ---

Default judgment against (Grant S. Kim) active military servicemember that to lose ownership of real property by eminent domain.

Question: Why Service member was not protected by (SCRA) during active military service?

----- Re: Eleventh Amendment immunity -----

The Superior Court, County of Riverside, Case #RIC1903610, Judge, CHAD W. FIRETAG did violation of my right as states in (SCRA).

Question: Why violated judgments Case be protected by Eleventh Amendment immunity?

----- Re: Name of Respondent -----

MEMORANDUM filed June 29, 2022 and MANDATE filed July 21, 2022 shows Defendant-Appellee is SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE, Executive Office.

List of Parties

All parties appear in the Caption of the case on the cover page.

Related Proceedings

- *Riverside County Transportation Commission v. Chang Kim, et al.*, No. RIC1903610, Superior Court of the State of California, County of Riverside. Judgment entered March 8, 2021.
- *Kim, Grant S. v. Superior Court of California, County of Riverside*, No. EDCV 21-00644 JGB (SPx), U.S. District Court for the Central District of California. Civil Minutes June 4, 2021.
- **MEMORANDUM:**
Grant S. Kim v. Superior Court of California, County of Riverside, Executive Office, No. 21-55603, D.C. No. 5:21-cv-00644-JGB-SP, U.S. Court of Appeals for the Ninth Circuit. Filed June 29, 2022.
- **MANDATE:**
Grant S. Kim v. Superior Court of California, County of Riverside, Executive Office, No. 21-55603, D.C. No. 5:21-cv-00644-JGB-SP, U.S. District Court for Central California, Riverside, U.S. Court of Appeals for the Ninth Circuit. Judgment entered June 29, 2022.

Table of Authorities

As pro se, this is beyond petitioner's ability.

But, probably there is no similar case that real property owner lost by DEFAULT judgment.

JURISDICTION

U.S. District Court Central District of California CIVIL MINUTES was entered on June 4, 2021.

U.S. Court of Appeals for the Ninth Circuit MEMORANDUM was entered June 29, 2022, and MANDATE.

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Appendix B: stamped envelope

Appendix C: petition for rehearing en banc

Appendix D: MANDATE

Appendix E: The judgment, Case #RIC1903610

Appendix F: Grant S. Kim 11-29-2019 Letter

Appendix G: CIVIL MINUTES

Appendix H: amending Defendant's name

STATEMENT

Re: MEMORANDUM mail date

Court of Appeals: Petition for Rehearing states petition is due within 14 days of the date stamped on the court's memorandum.

Wednesday	Tuesday	Friday	Monday
6/29/2022	7/12/2022	7/15/2022	7/18/2022
Memorandum	Mail stamped	I received	I filed
<u>filed date</u>	<u>date</u>	<u>date</u>	<u>date</u>

Note: 14 days between 6/29/2022 and 7/12/2022. When I received it, already passed 14 days. There was no way can file petition for rehearing.

Question: How to stop this kind malice practice?

Appendix A: MEMORANDUM.

Appendix B: stamped envelope.

Re: MANDATE

I filed "petition for rehearing en banc" on 7/18/2022 (Monday)

7/25/2022, I receive MANDATE filed 7/21/2022.

The MANDATE stated "The judgment of this Court, entered June 29, 2022, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to rule 41(a) of the Federal Rules of Appellate Procedure."

MEMORANDUM filed date June 29, 2022.

The Court did not mail on same day.

US Postal stamp on envelope shows 07/12/2022.

07/15/2022, the date petitioner received the MEMORANDUM was pass the within 14 days and there was no way can file a petition for rehearing.

Citing 41(a) of the Federal Rules of Appellate Procedure on the MANDATE was wrong.

It is malice practice. So I lost my right to get rehearing.

Question: Please consider (Petitioner) win.

Appendix C: Petition for Rehearing en banc.

Appendix D: MANDATE.

Re: Jurisdiction on MEMORANDUM

MEMORANDUM shows "We have jurisdiction under 28 U.S.C. 1291. We review de novo a dismissal for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6).

I filed a SUMMONS at US District Court on April 12, 2021, Case #5:21-cv-00644-JGB-SP.

Reason: The judgment by Superior Court, County of Riverside, Case #RIC1903610 resulted in Grant S. Kim losing his claim of real property, land Parcel #305-060-010, which violated my rights as state in Servicemembers Civil Relief Act

(SCRA):

(SCRA) 50 USC 3931, protections of servicemembers against default judgment.

I was defaulted during I was military service.

(SCRA) 50 USC 3902, provides for the temporary suspension of judicial and administrative proceeding and transactions that may adversely affect the civil right of servicemembers during their military service.

The judgment Case #RIC1903610 violated during I was military service.

Question: If Grant S. Kim Case lose then which Court do I have to go? (SCRA) is Federal Law.

Appendix E: The judgment, Case #RIC1903610.

Appendix F: Grant S. Kim 11/29/2019 letter to oppose to be defaulted.

---- Re: Servicemembers Civil Relief Act (SCRA) ----

Default judgment against active military servicemember (Grant S. Kim) that result to lose ownership of real property by eminent domain.

Question: Why servicemember (Grant S. Kim) was not protected by (SCRA) during active military service?

Re: Eleventh Amendment immunity

MEMORANDUM shows “The district court properly dismissed Kim’s action because defendant is entitled to Eleventh Amendment immunity.”

The Superior Court, County of Riverside, Case #RIC1903610, Judge, CHAD
W. FIRETAG violate my right as state in (SCRA).

(SCRA) 50 USC 3931, protections of servicemembers against default judgment, and (SCRA) 50 USC 3902, provides for the temporary suspension of judicial and administrative proceedings and transactions that may adversely affect the civil right of servicemembers during their military service.

Question: Why violated judgments Case be protected by Eleventh Amendment
immnity?

Appendix G: CIVIL MINUTES-GENERAL.

----- Re: Name of Respondent -----

MEMORANDUM filed June 29, 2022 and MANDATE filed July 21, 2022 shows
Defendant-Appellee is SUPERIOR COURT OF CALIFORNIA, COUNTY OF
RIVERSIDE, Executive Office.

I filed Motion for "amending Defendant's name To Superior Court of
California, County of Riverside on June 29, 2021.

Appendix H: amending Defendant's name

----- Reason for Granting the Petition -----

1) (SCRA) 50 USC 3931. Servicemember should not be defaulted during active
military service.

2) (SCRA) 50 USC 3902. The judgment, Case #RIC1903610, violated that during Servicemember active military service.

3) Grant S. Kim (Petitioner) request to reverse the judgment on Case #RIC1903610. And to reverse Grant S. Kim's default ordered by the Superior Court, County of Riverside, California.

I am asking to re-take the land, all stakes and obligations on the property to be set it was prior to RCTC's filing of LIS PENDENS action in Eminent Domain, assessor parcel No. 305-060-010, Riverside County, California, dated July 2, 2019.

4) Jurisdiction: (SCRA) is Federal Law. (SCRA) handle at US District Court.

5) Violated judgments Case should not be protected by Eleventh Amendment immunity.

CONLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Grant S. Kim
9106 Dumond Drive
Fontana, CA 92335
(909)900-8065
Petitioner pro se