

FACTS AND ISSUES OF CASE

1 THAT, FORFEITURE OF JURISDICTION HAS OCCURRED BY A/AL NEWCOMB'S AND CLARK FALKENBERG'S UNLAWFUL
2 ACTS (ALL PROVEN BY VERIFIED DOCUMENTS) AND, PURSUANT TO LAW, JURISDICTION OF THE COURT MUST BE
3 DETERMINED BY JUDGMENT ROLL ALONE, [33 CAL. 505]. SIMPLY PUT, IF THE JUDGMENT ROLL (RECORD)
4 IS SHOWN TO HAVE BEEN ILLEGALLY ALTERED, THE JUDGMENT IS NULL AND VOID. AND ONCE CHALLENGED,
5 THE BURDEN IS ON THE RESPONDENTS TO PROVE ON THE RECORD ANY CHANGE WAS DONE PROPERLY AND
6 LEGALLY. (AGAIN, ABBINGTON REPLIED "BULL-SHIT", HIS WORDS NOT MINE, BACON, "WHO'S GOING TO PAY FOR
7 THAT", AND BOTH, "WE'VE NOT ALLOWED TO GO INTO SUCH ISSUES". ALL AMOUNTING TO CRIMINAL NEGLIGENCE BY BOTH
8 ATTORNEYS AND DEMANDING TERMINATION!

9 - VII -

10 PETITIONER INFORMED COUNSEL THAT, SUBMITTING PETITIONER'S ISSUES IN SUPPORT OF HIS PROVEN
11 CLAIMS WAS - IS - AND REMAINS PROWENT TO ACT UPON. THE RECORD JUSTIFIED ACTION AGAINST WHOM
12 AND WHO WOULD BE TITLED AS RESPONDENTS AND THOSE IN SUPPORTING ROLLS TO DENY AND OBSTRUCT JUSTICE
13 BY AUTHORITY OF POSITION, AND ESPECIALLY THOSE WHO CERTIFIED FRAUDULENTLY THE RECORD, AND CRIMINALLY
14 ALTERED TRIAL TRANSCRIPTS IN WHAT CAN AND MUST BE CONSIDERED A CONSPIRACY/MATING OF MINDS
15 WITH INTENT TO DEPRIVE MY RIGHTS. AND, THAT MY FINAL JUDGMENT WAS PRECORRUPTED BY FRAUD - ALTERED
16 RECORD. PETITIONER'S ATTORNEYS SHOULD HAVE ATTACKED ISSUES, SUCH AS, "WHICH JUDGMENT IS DIRECTLY
17 ATTACKED ON GROUND IT WAS PRECORRUPTED BY FRAUD, THE PRINCIPLE OF RES JUDICATA IS INAPPLICABLE
18 (47 CAL. APP 2d 207). IF PETITIONER CAN SURMISE SUCH FACTS, THEN WHY NOT SUPPOSED HIGHLY TRAINED
19 AND SEASONED COUNSEL?

20 - VIII -

21 PETITIONER STRONGLY CONTENDS, AND LAW SUPPORTS THE VIEW. COUNSEL HAD A DUTY OWED TO PETITIONER
22 TO PRESENT SUCH ISSUES ON BEHALF OF CLIENT WHEN PETITIONER MADE CERTAIN TO THEM, PETITIONER'S
23 CONTENTIONS HAD MERIT, PURSUANT TO PROFESSIONAL BUSINESS CODE § 6068 DUTIES OF ATTORNEY AND THE
24 6th AMENDMENT RIGHT PERTAINING TO CLIENT, NOT LAWYER IS MASTER OF HIS OWN DEFENCE, WHICH
25 INCLUDES APPEAL. PURSUANT TO THE AFORE MENTIONED LEGAL CERTAINTY, PROVEN BY VERIFIED DOCUMENTS,
26 THE COURT(S) COULD NOT PROCEED, THEY (THE COURT(S)) MUST FIRST PROVE THE RECORD WAS NOT ALTERED
27 PURSUANT TO [505 F.2d 1026]. AN ALTERED RECORD SUCH AS PETITIONER'S COULD NOT SUSTAIN
28 JURISDICTION NEEDED FOR JUDGMENT [CAL. CODE OF CIVIL PROCEDURE § 1917].

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FACTS AND ISSUES OF CASE

COUNSEL SHOULD HAVE KNOWN THIS, PETITIONER MADE THEM FULLY AWARE IN WRITING PRESENTED TO THEM IN WRITING AND IN COMPLAINTS, THAT ALL PETITIONERS CONTENTIONS SOBERLY HAD MERIT, AND WERE NOT HARMLESS ERROR AS BACON STATES, NOR "BULL-SHIT" AS ABBINGTON STATES, HIS WORDS NOT MINE.

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A COURT HAS NO AUTHORITY TO REACH MERIT OR RULE WITHOUT A [SUSTAINED] RECORD TO ESTABLISHED JURISDICTION NEEDED FOR THE JUDGMENT. THIS IS DUE TO NO JUDICIAL PROCESS IN WHAT FORM IT MAY ASSUME CAN HAVE ANY LAWFUL AUTHORITY OUT-SIDE THE LIMITS OF THE JURISDICTION OF THE COURT OR JUDGE BY WHOM IT IS ISSUED [21 HOWARD 506].

PETITIONER STRONGLY CONTENDS, THAT, THE PROXIMATE CAUSE OF THESE ISSUES NOT BEING PRESENTED ARE (2) TWO FOLD, CRIMINALLY NEGLIGENCE COUNSEL, BACON - ABBINGTON AND THE [CLERK'S OFFICE] NINTH CIRCUIT COURT BY REFUSING TO FILE AND PROCESS FOR A HEARING BEFORE A JUDGE, PETITIONER'S (3) THREE SUBMITTED MANDAMUS MOTIONS, TO TERMINATE CRIMINALLY NEGLIGENCE COUNSEL, AND SUBSTITUTE THEM WITH ADEQUATE AND PROPER REPRESENTATION.

ISSUES OF PERFIATED JURISDICTION BY CRIMINAL ACTS BY RA-6 NEWCOMB AND COURT CLERK FALKENBERG WOULD HAVE BEEN RAISED BY COMPLAINT ATTORNEYS, AGAIN, NINTH CIRCUIT CLERK'S DWYER AND FONG WERE/ARE/ AND REMAIN PROXIMATE CAUSE, OF ADVERSE JUDGMENTS IN THE NINTH CIRCUIT COURT BY DANYING TO FILE AND PROCESS MY MANDAMUS COMPLAINTS 3 FOR HEARING ON THE MERITS AS THE COURT HELD IN [VOIT - V - SUPERIOR COURT, 201 CAL APP 4TH 1285, 1287; 134 CAL. RPTD. 3d 181]. THERE WOULD HAVE BEEN NO DISCRETION TO SHOW LACK OF JURISDICTION TO RENDER JUDGMENT [479 F. 2d 215], AND JURISDICTION WOULD HAVE TO BE PROVEN TO EXIST [94 CAL 2d 751] RESPONDENTS, ONCE ISSUE WOULD HAVE BEEN FILED BY COMPLAINT COUNSEL MUST PROVE ON THE RECORD JURISDICTION WAS ASSERTED [102 F. 2d 88; 37 F SUPP 150] PROVE A SUITABLE RECORD LAWFULLY EXISTED, AND IT "DID NOT".

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PETITIONER FILED/ SUBMITTED A SHOW CAUSE ORDER TO THE NINTH DISTRICT COURT, BUT WAS REFUSED FILING/ PROCESSING, CLERK'S OFFICE STATING, "ONLY COUNSEL MAY SUBMIT FILINGS TO THIS COURT", WHICH IS ABUSE OF AUTHORITY/OFFICE, USURPING JUDGES AUTHORITY TO DENY OR PROCESS.

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FACTS AND ISSUES OF CASE:

THE COURT IN [People - v - Romero 8 Cal. 4th 728] THE ISSUANCE OF THE WRIT OR ORDER TO SHOW CAUSE IS MANDATORY NOT OPTIONAL [CAL PENAL CODE § 1746] [28 USC § 2243]. AGAIN PETITIONER STATES, CLERK'S OFFICE REFUSED TO FILE/PROCESS SUBMISSION STATING PETITIONER CAN AND MUST GO THROUGH COUNSEL, "ONLY COUNSEL CAN SUBMIT FILINGS TO THIS COURT", AND ALL DAMAGES, ADVERSE RULINGS, ADVERSE EFFECTS ON PETITIONER'S APPEAL WAS CAUSED BY "PROXIMATE CAUSE BY CLERK'S DUTY AND FAULT", AND INCOMPETENT, CRIMINALLY NEGLIGENT COUNSEL BACON - ARBINGTON WHICH WOULD HAVE NOT OCCURRED IF MARSDEN COMPLAINT REACHED A JUDGE FOR HEARING ON THE MERITS AND NOT CLERK'S VIOLATIONS OF PETITIONER'S (U.S. CONSTITUTIONAL 1ST AMENDMENT RIGHT, AND CALIFORNIA CONSTITUTIONAL RIGHTS ARTICLE I, § 3.) [VOIT - v - Superior Court 201 Cal App. 4th 1285, 1287, 134 Cal App 3d 381, 382; Cal App Lexis 1563]

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PETITIONER STRONGLY CONTENDS, INEFFECT, INCOMPETENT, AND CRIMINALLY NEGLIGENT REPRESENTATION BY COUNSEL BACON AND ARBINGTON DEPRIVED PETITIONER OF DUE PROCESS RIGHTS TO PRESENT MERITORIOUS ISSUES BEFORE THE COURTS, DUE TO INTENTIONAL ACTS, ISSUES SUCH AS PROVEN IMPAIRMENT OF THE RECORD WERE KNOWN TO BOTH COUNSEL IN GREAT DETAIL. "GROUND'S FOR TERMINATION".

THE COURT HELD IN [Cross - v - Tustin (1951) 37 Cal 2d, 921] THAT, "IMPAIRMENT" OF A JUDICIAL RECORD FOR FRAUD (PROVEN BY VERIFIED DOCUMENTS) - COLLUSION TO COMMIT, (INTENT PROVEN) MUST NECESSARILY REST ON THE GROUND THAT, THROUGH FRAUD AND COLLUSION THE PETITIONER'S RECORD IS NOT A RECORD AT ALL, AND THEREFORE THE COURT WILL AND MUST EXPUNGE IT.

PETITIONER CONTENDS AND REITERATES IMPORTANT AND INVALUABLE ISSUES/FACTS PROVEN BY VERIFIED DOCUMENTS REJECTED AS "BULLSHIT" BY COUNSEL, THEIR WORDS NOT MINE, FACTS WHICH ARE MANDATED BY LAW, BUT NOT ADHERED TO BY TRIAL COURT.

A) CERTIFICATION OF TRIAL RECORD [MUST] BE DONE BY THE TRIAL JUDGE WHO PRESIDED OVER THE CASE, THE HONORABLE GERALD DAVIS, OF KERN COUNTY SUPERIOR COURT, BUT WAS INSTEAD CERTIFIED BY JUDGE OBRATHOLZER, TRIAL JUDGE PURSUANT TO AND DEMANDS BY [CAL. PENAL CODE § 190.8 ET SEQ] AND BY LAW [WINDHOVEN - v - U.S. 201 F2d 174, 1952, U.S. App Lexis 2388] ONLY PRESIDING TRIAL JUDGE TO ACT AS CERTIFICATION OFFICIAL.

FACTS AND ISSUES OF CASE:

PETITIONER OBTAINED INFORMATION JUDGE DAVIS REMAINED ON THE BENCH SEVERAL YEARS AFTER CONVICTION IN 1991/SENTENCED 1991. JUDGE RICHARD ORTHOLIZZO, CERTIFIED THE RECORD FRAUDULENTLY AND SWORE UNDER OATH AS CERTIFYING OFFICIAL, WHO DID NOT ADJUDICATE NOR ATTEND TRIAL, HAVING NO KNOWLEDGE OF PROCEEDINGS AS REQUIRED IN (WINHOUTEN - V - U.S. 10) AND (CAL. PENAL CODE § 190.8 E.O.). FRAUDULENT CERTIFICATION EXISTED FROM ONSET, 4TH AMENDMENT RIGHT OUR PROCESS

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WHEREFORE, PETITIONER POSITS STRONG CONTENTION OF, INEFFECTIVE, INCOMPETENT AND CRIMINALLY NEGLIGENT COUNSEL, REFUSING TO PURSUE RELEVANT ISSUES WITH PROPER MERIT IN VIOLATION OF PROFESSIONAL BUSINESS CODE § 6068 DUTIES OF ATTORNEY, [6TH AMENDMENT RIGHT] OF CLIENT NOT LAWYER IS MATTER OF HIS OWN DEFENCE, INCLUDING APPEAL, [28 USC § 2254 (b)(1)] IN THAT CLAIMS MUST BE AUTHORIZED BY CLIENT, CONSTRUCT OF [MCCOY - V - LOUISIANA, US SUPREME COURT NO. 16-8255], [MADDER - V - THOMAS - US - 6 - 1325 CT, 912, 992 (2010)], [COLMAN - V - THOMAS 501 US 722, 754 (1991)] [LUCKY - V - CALADRON, 86 F3d 925, (9TH CIR. 1996)] PRETENDING TO CONDUCT, AND RESPONSIBILITIES TO CLIENT, AS TO DETERMIN ISSUES TO BE PRESENTED TO COURT ON BEHALF OF APPELLANT HAVING IN THE LAST, SOME MERIT TO BRING ABOUT DIFFERENT BUT CORRECT DECISIONS, AND NOT REFUSING TO CONSIDER ANY AND ALL ISSUES PETITIONER/APPELLANT DEMANDS TO BE SUBMITTED AS LONG AS ISSUES DO NOT VIOLATE ANY LAWS. ALL OF PETITIONER'S ISSUES MORE THAN MEET REQUIREMENT OF A PRIMA FACIE SHOWING, BOLSTERED BY VERIFIED DOCUMENTS.

AGAIN, PETITIONER STATES CLEARLY, ALL APPROXIMATE DAMAGE - INJURY TO HIS APPEAL WAS AND REMAINS, DUE TO VIOLATIONS, ABUSE OF AUTHORITY AND PROMULGATION OF POLICY OF ATTORNEYS BY CLERKS, DWYER AND FONG. THIS DUE TO REFUSAL TO PRESENT PETITIONER'S MANDAMUS COMPLAINT TO A JUDGE FOR MANDATE TRIGGER OF HEARING ON THE ISSUES, AND TERMINATION OF, WHOLLY AND COMPLETELY INCOMPETENT, INEFFECTIVE, AND CRIMINALLY NEGLIGENT COUNSEL, BACON AND ABBINGTON.

(IN RE: SHARON MEMORY GRAPHICS LLC, 659 F3d 1336 (FED. CAL. 2011))

"REMEDY OF MANDAMUS IS AVAILABLE IN EXTRAORDINARY SITUATION TO CORRECT A CLEAR ABUSE OF DISCRETION OR, USURPATION OF JUDICIAL POWER"

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STATEMENT OF CASE - FACTS - ISSUES

PETITIONER HAS BY VERIFIED DOCUMENTS, DECLARATIONS - AFFIDAVITS, AND ARGUMENTS, PROVEN BEYOND DOUBT A PRIMA FACIE SHOWING THAT, ALL ASPECTS OF HIS DIRECT APPEAL WERE IN VIOLATION OF OUR PROCESS, EQUAL PROTECTIONS OF LAW, CONSPIRACY TO DENY RIGHTS WITH EVIL INTENT, AND FINAL CONVICTION WAS OBTAINED BY AND THROUGH FRAUDULENT INSTRUMENTS, FRAUDULENT CERTIFICATION OF TRIAL RECORD, CRIMINALLY ALTERED TRIAL TRANSCRIPTS PAGES BY A/M G NEWCOMB IN CONJUNCTION WITH COURT CLERK FOLKINS, AS WELL AS AND WITH SPECIFIC INTENT OF CONSPIRACY - COLLUSION, THE CALIFORNIA SUPREME COURT, WHO NOT ONLY ALLOWED ALTERING AT EXPARTE UNLAWFUL HEARINGS, AND ENCOURAGED WITH AND AGREED WITH CRIMINAL ACTS BY ALLOWING SIX UNLAWFUL HEARINGS/ALTERINGS, AT 3 SEPARATE EXPARTE HEARINGS. ALL PROVEN BEYOND DOUBT BY VERIFIED DOCUMENTATION ATTACHED AS EXHIBITS TO THIS REQUEST/DEMAND FOR WRIT OF HABEAS CORPUS, PETITIONER NOW CONTENDS, AND DEMANDS AS A MATTER OF LAW PURSUANT TO:

- [LYNCH - V - DOLCE 789 F3d. 303, (2ND CIR 2015)] -

1) THE SIXTH AMENDMENT GUARANTEES THE RIGHT TO EFFECTIVE REPRESENTATION ON DIRECT APPEAL.

2) IN GENERAL, THE APPROPRIATE REMEDY FOR INEFFECTIVE ASSISTANCE OF APPELLATE COUNSEL IS TO GRANT A NEW APPEAL

[SEE PETITIONER'S EXHIBIT PACKAGE (000,000) ALL VERIFIED DOCUMENTS, SHOWING NOT ONLY INEFFECTIVE ASSISTANCE, "ADMITTED" INCOMPETENCE, AS WELL AS CRIMINAL NEGLIGENCE PROVEN BEYOND ANY MEASURE OF DOUBT, TAKEN UNLAWFUL ADVANTAGE BY CRIMINAL ACTS BY A/M G NEWCOMB, TO EXECUTE MURDER PETITIONER WITHOUT OUR PROCESS, AND IN VIOLATION OF 8TH AMENDMENT FOR CRIMES, "PHYSICALLY IMPOSSIBLE" FOR PETITIONER TO ACCOMPLISH.

- CONCLUSION OF FACTS -

PETITIONER REQUESTS VIEWING OF ALL PAGES OF STATEMENTS OF FACTS, I THROUGH XIII, WHICH WILL PROVIDE BEYOND DOUBT, ALL CONTENTIONS, AND ALLEGATIONS, PROVEN BY DECLARATIONS, AFFIDAVITS PROVEN ALLEGATIONS/CLAIMS FULLY SUPPORTED BY VERIFIED DOCUMENTS IN EVIDENCE, AND ATTACHED TO THIS SUBMISSION. PETITIONER IS NOTHING MORE THAN A SILENT, 13TH MAN. RESPECTFULLY SUBMITTED

- RELIEF SOUGHT / REQUESTED -

Paul C. Baldo

- RELIEF REQUESTED -

PETITIONER PRAYS THIS HONORABLE SUPREME COURT GRANTS RELIEF AS THE LAW PRESCRIBES AND THE LAWS OF OUR COUNTRY AND U.S. CONSTITUTION DEMANDS.

PETITIONER PRAYS - REQUESTS THIS HONORABLE COURT TO HOLD HIS PRO. SE. SUBMISSION TO A LESSER STANDARD OF THOSE WHO ARE TRAINED IN LAW, AND MEMBERS OF THE BAR. PETITIONER HAS NO LEGAL TRAINING, NO FORMAL EDUCATION, 8TH GRADE LEVEL ONLY.

1) GRANT TERMINATION OF COUNSEL BACON AND ABBINGTON IN THEIR SUBMISSION TO THIS HONORABLE COURT, CASE NO. 21A450, IN FRONT OF THE HONORABLE JUSTICE KINGAN OR, TERMINATE PETITIONER'S APPEAL, COUNSEL DOES NOT HAVE MY PERMISSION TO DO SO, WE'VE HAD NO CONTACT AND COMMUNICATIONS FOR APPROXIMATELY 6 YEARS, AND HAVING THEIR UNWANTED REPRESENTATION IS LIKE HAVING NO APPEAL, SO TERMINATE COUNSEL, OR TERMINATE APPEAL.

2) GRANT THAT PETITIONER'S RECORD HAS IMPACHED ITSELF AND RECORD IS NULL AND VOID, FOR PROVEN ALLEGATIONS HEREIN PETITIONER'S SUBMISSION.

3) GRANT THAT NO LEGITIMATE RECORD EXISTS TO SUPPORT ANY LEGISLATIVE ACT TO SUPPORT PETITIONER'S UNCONSTITUTIONAL IMPRISONMENT, OR GRANT REMEDY OF MANDAMUS THAT IS AVAILABLE IN EXTRAORDINARY SITUATION TO CORRECT A CLEAR ABUSE OF DISCRETION OR, "USURPATION OF JUDICIAL POWER", PROVEN AS FACT AGAINST NINTH CIRCUIT COURT OF APPEALS CLERK'S OFFICE, DWYER AND FUNG, IMPRISONMENT FOR 32 1/2 YEARS COURLAND UNUSAL PUNISHMENT 8TH AMAND.

4) GRANT THAT, FOR A FACT PROVEN IN PETITIONER'S SUBMISSION, A FRAUDULENT CERTIFICATION OF TRIAL RECORD OCCURRED, PROVEN BY VERIFIED DOCUMENTS

5) GRANT THAT, BY VERIFIED DOCUMENTS, A/AG R. NEWCOMB, WITH ASSISTANCE OF TRIAL CLERK T. FOLKOWSKI, CRIMINALLY ALTERED THE RECORD TO TAKE AWAY PETITIONER'S APPEAL ISSUES, AT 3 SEPERATE UNLAWFUL EX PARTE HEARINGS, IN THE CALIF. SUPREME COURT WHO ALSO ACTED IN COLLUSION ALLOWING SUCH HEARINGS, AND THESE FRAUDULENT INSTRUMENTS/ALTERED RECORD PAGES WERE USED TO OBTAIN BY MEANS OF CRIMINAL ACTS, FINAL JUDGMENT IN THAT COURT.

6) GRANT THAT, A VOID JUDGMENT EXISTS, AND BY AND THROUGH UNLAWFUL ACTS, SUBJECT MATTER JURISDICTION AND JURISDICTION OF PERSON WAS CLEARLY FORFEITED

- RELIEF REQUESTED -

7). GRANT THAT, PETITIONER'S CONSTITUTIONAL RIGHTS GUARANTEED TO ALL US. CITIZENS
WAS AND CONTINUES TO BE VIOLATED UNDER COLOR OF AUTHORITY BY A/JE RACHAEL NEWCOMB
AND TRIAL CLERK FALKENBERG, BOTH APPEAL COUNSEL BACON AND ABBINGTON, AND BY CLERKS OF
THE NINTH CIRCUIT COURT, MOLLY DWYER AND ALLISON FONG, AS WELL AS THE NINTH CIRCUIT COURT
WHO BLATANTLY DENIED OUR PROCESS, REGIONAL PROTECTIONS OF LAW, AND MEANINGFUL ACCESS TO
THE COURTS AS PATTERN OF PRACTICE, EASTERN DISTRICT, NORTHERN DISTRICT COURTS.

8). GRANT ANY AND ALL FURTHER RELIEF AS THIS HONORABLE COURT DEEMS NECESSARY,
PROPER AND IN THE INTEREST OF JUSTICE

- VERIFICATION -

I PAUL C. BOLIN, PETITIONER, DECLARE UNDER PENALTY OF PERJURY, ALL THE
FOREGOING TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND ALL COPIES/EXHIBITS
ARE TRUE AND CORRECT PURSUANT TO 28 USC § 1746.

ON THIS DAY OF 6/16/2022 AT

CMF VACAVILLE, CA. 95646-2000

RESPECTFULLY SUBMITTED

Paul C. Bolin

PETITIONER PRO. SR.

PAUL C. BOLIN