

22-57

No. 22-\_\_\_\_\_

In the  
Supreme Court of the United States

Dean Allen Steeves,

*Petitioner,*

v.

INTERNAL REVENUE SERVICE,

*Respondent.*

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

PETITION FOR A WRIT OF CERTIORARI

FILED

JUL 14 2022

OFFICE OF THE CLERK  
SUPREME COURT U.S.

ORIGINAL

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JULY 14, 2022

SUPREME COURT PRESS

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BOSTON, MASSACHUSETTS

**QUESTION PRESENTED**

Whether both the U.S. District and U.S. Appellate Court usurped jurisdiction not given and declined to exercise jurisdiction given by denying Petitioner's Motion to Quash an illegal IRS subpoena issued to a bank in the matter of an "integrated auxiliary" of a non-organization Private "church", based upon a fabricated procedural error and violations of Constitutional mandates and substantive Law.

## **PARTIES TO THE PROCEEDINGS**

### **Petitioner**

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- Petitioner Dean Allen Steeves was the Plaintiff in the United States District Court Southern District of California and the Plaintiff-Appellant in the United States Court of Appeals for the Ninth Circuit.

### **Respondent**

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- The IRS was the Defendant in the United States District Court Southern District of California and the Defendant-Appellee in the United States Court of Appeals for the Ninth Circuit.

## LIST OF PROCEEDINGS

United States Court of Appeals for the Ninth Circuit

No. 20-56065

Dean Allen Steeves, *Plaintiff-Appellant*, v  
Internal Revenue Service, *Respondent-Appellee*

Date of Final Opinion: November 18, 2021

Date of Rehearing Denial: March 4, 2022

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United States District Court  
Southern District of California

No. 3:20-cv-00978-LAB

Dean Allen Steeves, *Plaintiff*, v.  
Internal Revenue Service, *Respondent*

Date of Final Order: October 6, 2020

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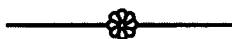
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## PETITION FOR A WRIT OF CERTIORARI

Petitioner, Dean Allen Steeves, respectfully petitions for writ certiorari to review the judgment of United States Court of Appeals for the Ninth Circuit in this case.

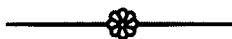


## OPINIONS BELOW

The Opinion of the Court of Appeals for the Ninth Circuit was issued on November 18, 2021. (App.1a)

The Final Order of the U.S. District Court was issued on October 6, 2020. (App.3a)

The Opinion and Final Order were not designated for publication.



## JURISDICTION

The judgment of the Court of Appeals was entered on November 18, 2021. (App.1a). Petitioner timely filed for a Panel Rehearing, which was denied on March 4, 2022. (App.9a). On May 17, 2022, Justice Kagan extended the time to file a Petition for Writ of Certiorari to July 17, 2022. This Petition was timely sent to this Court on July 14, 2022. (Sup. Ct. No. 21A730). Petitioner invokes this Court's jurisdiction under 28 U.S.C. § 1254(1).



## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

### **CONSTITUTIONAL PROVISIONS**

#### **U.S. Const. amend. I**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

#### **U.S. Const. amend. IV**

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

#### **U.S. Const. amend. V**

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due

process of Law; nor shall private property be taken for public use, without just compensation.

**U.S. Const. amend. XIII, § 1**

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been convicted, shall exist within the United States, or any place subject to their jurisdiction.

**U.S. Const. amend. XVI**

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

**STATUTORY PROVISIONS**

**42 U.S.C. § 1983**

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

shall be considered to be a statute of the District of Columbia.

Briefly synopsized, Section 1983 of Title 42 provides that anyone who deprives anyone or causes anyone to be deprived of the United States obligation to comply with all Law it is compelled to adhere to shall be liable to the party in either an action at Law, suit in Equity, or other proper proceeding for redress.

**18 U.S.C. § 242**

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of

years or for life, or both, or may be sentenced to death.

Briefly synopsisized, Section 242 of Title 18 provides that anyone who willfully deprives anyone or causes anyone to be deprived of the United States government's obligation to comply with all Law it is compelled to adhere to shall be fined under this title or imprisoned not more than one year or both.

#### **18 U.S.C. § 241**

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured

They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

Briefly synopsisized, Section 241 of Title 18 provides that if two or more persons conspire to deprive

anyone or cause anyone to be deprived of the United States government's obligation to comply with all Law it is compelled to adhere to shall be fined under this title or imprisoned for not more than ten years or both.

**18 U.S.C. § 1951(a)**

Whoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce, by robbery or extortion or attempts or conspires so to do, or commits or threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in violation of this section shall be fined under this title or imprisoned not more than twenty years, or both.

**28 U.S.C. § 2072(b)**

Such rules shall not abridge, enlarge or modify any substantive right. All laws in conflict with such rules shall be of no further force or effect after such rules have taken effect.



## STATEMENT OF THE CASE

In the words of Justice Vinson in *American Communications Association v. Douds*, 339 U.S. 382, 442 (1950), "It is not the function of our Government to keep the citizen from falling into error, it is the function of the citizen to keep the Government from falling into error." The words of Justice Vinson could not ring more true. The Justice was reminding the People they are the Sovereigns in charge of their Government and when their Government falls into error, or worse, acts outside its expressly granted authority, it is the People's function/responsibility to correct that error and/or curtail their government's illicit behavior and bring it back in line with its fundamental purpose for being. This fundamental purpose is to function as the People's Fiduciary, responsible to secure the People's innate and inalienable Right of "Liberty", as stated in the Preamble of the People's Constitution, established and ordained for their Union's (The United States of America) government to abide by.

How does Justice Vinson's reminder apply in this case? It applies because of the unlawful behavior of the IRS, the U.S. District Court and the U.S. Court of Appeals for the Ninth Circuit regarding this matter, which Petitioner is bringing before this Court. The details associated with the Law, facts and evidence regarding this matter are contained within Petitioner's filings in the U.S. District Court and U.S. Court of Appeals for the Ninth Circuit. Since the purpose of this Petition is to create incentive for this Court to grant Petitioner's request for a Writ of Certiorari, Petitioner

will provide this Court with a sufficient overview of this matter in order to accomplish this task.

It is a well-settled fact, as a matter of substantive Law, “churches, their integrated auxiliaries” are tax-exempt, and all U.S. Courts have a duty to abide by that substantive Law; therefore, the fact that both Courts failed to comply with that substantive Law does not make it non-substantive Law. As Justice Thomas recently stated at the Heritage Foundation, regardless of what may be happening, “North is still North.” The substantive Law Petitioner is referring to is Congress’ “Mandatory Exceptions” found in its Tax Reform Act of 1969, Public Law 91-172, Sections 508(c)(1)(A) and 6033(a)(2)(A)(i). As this Court declared in its landmark case *Chevron U.S.A. v. Natural Resources Defense Council Inc.*, 467 U.S. 837 (1984), “A government agency must conform to any clear legislated statements when interpreting and applying the Law . . . If the intent of Congress is clear, that is the end of the matter; for the Court, as well as the agency, must give effect to the unambiguously expressed intent of Congress”. The words “Mandatory Exception”, utilized in said substantive Law, unambiguously express Congress’ intent.

In addition, this Court declared in *Miranda v. Arizona*, 384 U.S. 436, 491 (1966), “Where rights secured by the Constitution are involved, there can be no rulemaking or legislation which would abrogate them”. This Court’s ruling conforms with its granted authority under 28 U.S.C. § 2072(b)—Rules of procedure and evidence; power to prescribe, in which Congress stated, “Such rules shall not abridge . . . any substantive right.”

The fundamental constitutionally secured Right, the U.S. District Court and the U.S. Court of Appeals for the Ninth Circuit have abrogated via their unlawful



judgments is Petitioner's "Liberty" to establish his own religion and church, and freely exercise his "Liberty" to sustain and grow both through commerce in any lawful manner Petitioner chooses, as Petitioner is presently doing. Further, Congress has legislated Petitioner's "Liberty" to do the above into Law via its Mandatory Exceptions within Public Law 91-172.

An example of a U.S. Appellate Court ruling in concert with this substantive Law, regarding the "church" itself, is *Branch Ministries v Rossetti*, 211 F.3d 137 (2000). "The Internal Revenue Code treats churches differently from other tax-exempt organizations. While a church may file for Section 501(c)(3) status, it is not required to do so in order to be tax-exempt. A church may simply hold itself out and claim tax-exempt status pursuant to Section 508(c). See 26 U.S.C. § 508 (c) ("New organizations must notify Secretary that they are applying for recognition of section 501(c)(3) status"), but that requirement shall not apply to churches, their integrated auxiliaries, and conventions or associations of churches."

In this case, Brother's Keeper Ministries (BKM) is the non-organization Private "church" and Camp Noble Inc. (CNI), is the "integrated auxiliary", which the unlawful IRS subpoena is in the matter of in violation of the substantive Law stated above. What Petitioner finds more egregious than the IRS unlawful action is the fact that both Courts allowed this unlawful action by the IRS to go unchecked since both Courts have a duty to not only know the Law but also to apply the Law as written, as this Court instructed in the *Chevron U.S.A.* case above. Therefore, both Courts usurped jurisdiction they did not have and declined to

exercise the jurisdiction they do have. This, in accordance with this Court in *Thompson v. Tolmie*, 2 Pet. 157, 7 L.Ed. 381 (1829) and *Elliott v Peirsol*, 1 Pet. 328, 340, 26 U.S. 328, 340, 7 L.Ed. 164 (1828), voids both judgments.

“When a court has jurisdiction, it has a right to decide every question that occurs in the cause . . . But if it acts without authority, its judgments and orders are regarded as nullities. They are not voidable, but simply void . . . and all persons concerned in executing such judgments or sentences are considered in law as trespassers.”

Further, in *Cohens v. Virginia*, 19 U.S. 264, 6 Wheat. 265, 5 L.Ed. 257 (1821), which the Fifth Circuit reiterated in *United States v. Will*, 449 U.S. 200 (1980), Chief Justice Marshall offered a more stern opinion.

“We have no more right to decline the exercise of jurisdiction which is given than to usurp that which is not given. The one or the other would be treason to the constitution.”



## REASONS FOR GRANTING THE PETITION

Petitioner will show how both Courts, in addition to usurping jurisdiction not given and declining to exercise jurisdiction given, violated multiple Constitutional mandates, which both Courts are compelled to obey.

### I. FIRST AMENDMENT

The First Amendment, in addition to Congress making no Law respecting “an establishment of religion”, such as a “church”, includes that no Branch of the United States government shall prohibit/impair the free exercise of one’s “religion”, including one’s “Liberty” to freely sustain and support the growth of one’s “religion/church” through commerce, via “integrated auxiliaries”. By denying Petitioner’s Motion to Quash an unlawful IRS subpoena both Courts have allowed the IRS to have free rein to violate the free exercise clause of this Amendment by interfering and threaten Petitioner’s “Liberty” to freely sustain and support BKM through commerce via “integrated auxiliaries”, such as CNI. Therefore, in addition to violating the free exercise clause of this amendment both Courts have aided and abetted the IRS in its violation of 18 U.S.C. § 1951(a), Interference with Commerce by Threats or Violence, making both Courts trespassers in Law and complicit in the IRS’ unlawful actions.

### II. FOURTH AMENDMENT

As per the aforementioned substantive Law the IRS subpoena is illegal and has subjected CNI to an illegal “search and seizure”. This is a violation of this

Fourth Amendment mandate to the U.S. government prohibiting such unlawful intrusion into the private affairs of both BKM and CNI, making both Courts, by denying Petitioner's Motion to Quash, trespassers in Law and complicit in the IRS' violation of this amendment.

### **III. FIFTH AMENDMENT**

Based upon the above violations of the First and Fourth Amendment mandates, it is clear that both the U.S. District and U.S. Appellate Courts denied Petitioner "due process of Law" in violation of their obligation to ensure Petitioner receives it. Their dispelling of the substantive Law nullifying the IRS subpoena and their use of a fabricated procedural error to support their unlawful judgments is conclusive proof of their denial of "due process of Law". Consequently, both Courts have violated the Fifth Amendment mandate to the U.S. government, which they are compelled to obey, making both Courts trespassers in Law and complicit in the IRS' unlawful actions.

#### IV. THIRTEENTH AMENDMENT

Involuntary servitude is involuntary servitude regardless of the manner in which it is imposed. In this instant case, the IRS is attempting to impose an unlawful “tax liability” upon BKM’s “integrated auxiliary”, CNI, over which, as a matter of substantive Law, the IRS has no jurisdiction. The U.S. District and U.S. Ninth Circuit Courts, by denying Petitioner’s Motion to Quash the illegal IRS subpoena issued in the matter of CNI, have allowed the IRS to issue Notices of Deficiency and Notices of Intent to Levy to CNI. This IRS effort to impose commercial involuntary servitude upon CNI, which both U.S. Courts allowed to go unchecked by declining to exercise their given jurisdiction, is a violation of the Thirteenth Amendment and the Peonage Act of 1867<sup>1</sup> (forced involuntary servitude upon CNI, via BKM members’ labor to satisfy an illegal debt). This attempt to impose involuntary servitude, incurring irreparable harm if imposed, makes both Courts trespassers in Law and complicit in the IRS’ unlawful action to impose involuntary servitude upon CNI.

#### V. SIXTEENTH AMENDMENT

The United States government’s Federal “income tax” had its origin in the 1862 revision of the 1861 Revenue Act, which the U.S. government enforced until 1872 at which time it ceased to be enforced other than the government’s attempt in 1894, which this Court ruled to be unconstitutional. In 1913, along with the Federal Reserve Act and the newly revised Revenue

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<sup>1</sup> Definition of Peonage: “voluntary or involuntary service or labor of any persons in liquidation of any debt or obligation.”

Act, Congress legislated the Sixteenth Amendment, which, regardless of the upheaval it created regarding ratification, etc., it was ruled Constitutional by this Court in *Brushaber v. Union Pacific Railroad Co.*, 240 U.S. 1 (1916). This amendment grants the U.S. government the power to tax “income” from whatever source derived in accordance with the rules of “indirect”. These rules require a specific taxable activity or event. In other words, Federal “income tax” is an excise tax, which in essence is a “privilege tax”. Former Treasury Department legislative draftsman, F. Morse Hubbard testified to this before Congress in 1943 when he said, “The income tax . . . is an excise tax with respect to certain activities and privileges, which is measured by the income they produce. The income is not the subject of the tax; it is the basis for determining the amount of tax”. This Court is well aware that the “exercising of a Right” secured by the Constitution is not taxable and Congress is fully aware that “Liberty” to establish a “church” and freely exercising its “religion” in a lawful manner is not a “privilege” but rather an innate and inalienable “Right”. Therefore, Congress has never passed legislation involving Federal income taxation for “churches”. From the inception of this Nation, “churches” have been Federal income tax-exempted, and remain so today.

In 1969, Congress, in its Tax Reform Act, Public Law 91-172, Sections 508(c)(1)(A) and 6033(a)(2)(A)(i), legislated that not only “churches” but also “their integrated auxiliaries” are tax exempt because they, as well as “churches”, are mandatorily excepted from the Special Rules applicable to organizations, including religious organizations, under 501(c)(3). Therefore, Congress’ “Mandatory Exceptions” for “churches, their

integrated auxiliaries” clearly establish that “churches, their integrated auxiliaries” lie outside IRS jurisdiction and beyond the scope of its scrutiny and inquiry. Consequently, Congress’ substantive Law, in the form of its “Mandatory Exceptions” for “churches, their integrated auxiliaries” is conclusive proof the IRS subpoena in the matter of CNI is illegal. Therefore, the IRS has usurped its Congressionally granted authority under Title 26, and the U.S. District and Ninth Circuit Court’s denial of Petitioner’s Motion to Quash joins them to the IRS usurpation of its jurisdiction and makes both Courts trespassers in Law and complicit in the IRS’ unlawful actions.

The Courts’ abuse of jurisdiction, causing the violations of the Constitutional Amendment mandates above, is a deprivation of Petitioner’s innate and inalienable Right of “Liberty” to establish his own “religion” and his own “church”, and freely sustain and support both via commerce. The consequences for this deprivation are found at 42 U.S.C. § 1983, 18 U.S.C. § 242 and, if determined to be a conspiracy, at 18 U.S.C. § 241. In addition, the consequences of Interference with Commerce by Threats (Notices of Intent to Levy) or Violence are found at 18 U.S.C. § 1951(a).



## CONCLUSION

Petitioner’s revelations regarding the unlawful behavior of both the U.S. District and the Ninth Circuit Court of Appeals should satisfy this Court’s criteria for granting Petitioner his request for a Writ

of Certiorari. In addition, this Court's desire to correct its lower courts' abuse of jurisdiction should be high because both lower courts conflict with this Court and other Appellate Courts' expressed contrary opinions regarding this abuse of jurisdiction.

This prolific abuse of jurisdiction Petitioner is experiencing in multiple lower court cases, still awaiting final adjudication regarding this matter prior to bringing them to this Court, allows for a dysfunctional judicial system where "uncertainty", regarding reliance upon substantive Law, reigns supreme. If allowed to continue it will undermine this Court's position as the overseer of the Judicial Branch of the United States.

Therefore, this Court, as the Fiduciary responsible to ensure the integrity of the Judicial Branch's lower courts, would be remiss if it does not grant Petitioner's request for a Writ of Certiorari in order to estop this lower court abuse of jurisdiction.

Respectfully submitted,

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JULY 14, 2022



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