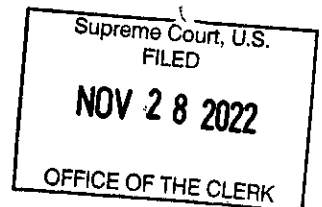


No. **22-6367**

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES



RANDALL BERNARD ALLEN — PETITIONER
(Your Name)

vs.

The County of Los Angeles, et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the Ninth Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

RANDALL BERNARD ALLEN
(Your Name)

281 E. COLORADO BLVD. # 2175
(Address)

PASADENA, CALIFORNIA 91102
(City, State, Zip Code)

(323) 331-0682
(Phone Number)

I. Question Presented

Where government, state and city administrations are regulators, can The Rule of Law, and U.S. Constitutional rights be abandoned for those administrations, a corporation, or single individuals benefit, denying Due Process of Law?

This given the Supreme Court of the United States ruling on NATIONAL FEDERATION OF INDEPENDENT BUSINESS, ET AL., APPLICANTS v. DEPARTMENT OF LABOR, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, ET AL.(21A244). OHIO, ET AL., APPLICANTS v. DEPARTMENT OF LABOR, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, ET AL.(21A247).

II. 2nd Question Presented

Whether policies can be bypassed that permanently violate reasonable expectation of privacy with an implanted medical device, for the purpose of research and study for a law enforcement experimental Predictive Policing Program, that utilizes Neuroscience and technology? Lugosi v. Universal Pictures(1979)25 Cal.3d 813[160 Cal.Rptr.323,603 P.2d 425,10 A.L.R.4th 1150]; Motschenbacher v. R.J.Reynolds Tobacco Company(9th Cir.1974)498 F.2d 821.

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:

RELATED CASES

TABLE OF CONTENTS

COVER.

(1). Question For Review.

(2). Table Of Content(s).

(3). Table Of Authorities.

(4). Petition For Writ Of Certiorari, Necessary For Review.

(5). Jurisdiction, Statement of Case and Facts.

(7). Argument.

(10). Opinion, Constitutional Provisions, Conclusion.

(11). Exhibit(s) A,A2, B,B2, C,C2

(12). Certificate of Compliance

(13). Affidavit of Service

APPENDIX- A, B1-4, C1-3, D1-2

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 ~~A, B, C, D~~ 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 _____ 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 _____ 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 _____ court appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

TABLE OF AUTHORITIES

Pg.(4). -The Presidential Commission for the Study of Bioethical Issues

Pg.(5).- 28 U.S.Code § 1254(1), Title 45 Code of Federal Regulations Part 46 codifies regulations for IRB's, Office for Human Research Protections(OHRP), Department of Health and Human Services(HHS), The Belmont Report was written by the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research, National Research Act of 1974, Federal Register, Vol.80, No.3, National Institute of Health(NIH), Office of Clinical Research and Bioethics Policy, Office of Science Policy, and also 50 U.S. Code 1520(a).

Pg.(6).- The Space Preservation Act of 2001(H.R.2977-107th Congress), Federal Registry, Pub.L. 116-94, Division J, Title IX, section 901)(codified in 22 U.S.C. 2680b), enacting "The Havana Syndrome Act of 2021."

Pg.(7).- United States Constitution Amendment XIV, Plessy v. Ferguson,163 U.S. 537(1898). Sweatt v. Painter,339 U.S. 629(1950). Parents Involved in Community Schools v. Seattle School District No.1, 551 U.S. 701(2007). Obergefell v. Hodges,556 U.S. 14(2015). International Shoe Co. v. Washington, 326 U.S. 310, 326 U.S. 316. Shaffer v. Heitner, 433 U.S. 186, 433 U.S. 204. P. 465 U.S. 788. Page 465 U.S. 784 138 Cal.App. 3d 128, 187 Cal. Rptr. 825, affirmed.

Pg.(8).- Haines v. Kerner, 404 U.S. 519, 520, 92 S. Ct. 594, 30 L. Ed. 2d 652 (1972). Livingston, 141 F.3d at 437(quoting Benitez, 907 F.2d at 1295). Neitzke v. Williams, 490 U.S. 319, 329, 109 S.Ct. 1827, 104 L. Ed.2d 338(1989). 28 U.S.C. 1915(e)(2)(B)(ii), Conley v. Gibson, 355 U.S. 41, 45-46, 78 S.Ct.99, 2L. Ed.2d 80(1957)).Gomez v. USAA Federal Savings Bank, 171 F.3d 794, 796 (2d Cir. 1999). Assembly Bill 256, The Racial Justice Act., and H.R.350 117th Congress: Domestic Terrorism Prevention Act of 2022.

CONSTITUTIONAL PROVISIONS

Pg.(11).- Fourth, Tenth, and Fourteenth Amendments.

PETITION for WRIT of CERTIORARI

Randall Bernard Allen hereby respectfully petitions the U.S. Supreme Courts for a writ of certiorari in the interests of justice, to review the judgment of the United States Court of Appeals for the 9th Circuit, for State, Federal, and Universal Human Rights violations.

This petition for review was denied pursuant to the unpublished/published decision on October 14, 2022, sent a copy of order and docket sheet[12576562](BJK)[Entered: 10/31/2022 10:56A.M.].

NECESSARY FOR REVIEW

This case seeks to pursue the established Rule of Law already solidified within the United States Constitution, and California Constitution. It presents a Question of Law, as there are innovative technologies within Neuroscience, Brain-To-Computer Interfaces(BCI), Artificial Intelligence and Quantum Computing, advancing rapidly.

¹ The Presidential Commission for the Study of Bioethical Issues anticipated potential problems with human right violations and proposed four new rights for this very reason.

- (1) The right to cognitive liberty.
- (2) The right to mental privacy.
- (3) The right to mental integrity.
- (4) The right to psychological continuity(see exhibit A,A2).

There will be a number of human rights issues presented to the administration of justice in regards to this issue and those similar.

¹ Presidential Commission for the Study of Bioethical Issues during President Barack Obama's term in 2013-14.

JURISDICTION

The United States Court of Appeals for the Ninth Circuit adapted and affirmed the decision of the District Court. A petition was denied and request for rehearing denied. This petition for writ of certiorari submitted for constitutional issues of illegality, procedural unfairness, and/or irrationality as this Court has jurisdiction to review cases from the Court of Appeals invoked pursuant to 28 U.S.Code § 1254(1).

STATEMENT OF CASE AND FACTS

The crux of the case is based on having a medical device implanted without informed consent, under the guise of law enforcement. This would have required adherence to strict guidelines by their administrations, and/or specialty boards to obtain approvals, and funding. Unequivocally, informed consent by any human subject[s], is an absolute requirement. This to include for research and study, as medical and psychological dangers are imminent. Title 45 Code of Federal Regulations Part 46 codifies regulations for IRBs in research, and study all pursuant to the Office for Human Research Protections(OHRP) within the Department of Health and Human Services(HHS). IRB's are responsible for oversight functions for research conducted on human subjects that are scientific, ethical. The Belmont Report was written by the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research, as a result of the National Research Act of 1974. The issues that arose from the Tuskegee Syphilis Experiments on Blacks, compelled certain protections established by the Office for Human Research Protections(OHRP), under the U.S.Department of Health and Human Services(HHS). Federal Register, Vol.80, No.3, National Institute of Health(NIH), Office of Clinical Research and Bioethics Policy, Office of Science Policy, and also 50 U.S. Code 1520(a).

Medical risk are relevant issues due to Appellant having Crohn's Disease which is a chronic ailment. Cognitive ability(mental patterns or processes of thought) are compromised, and broadcasted on dark web Electromagnetic(EMF) stations and/or Remote Neural Monitoring dark websites. Since the body and mind are also electromagnetic, under the spectrum, thoughts and images can be transmitted directly to the brain. There now exist video game systems and computers that you do not need to physically touch a joystick controller or keyboard, merely think about it and the system reacts to your thoughts. Of course there is also Elon Musk and his NeuroLink, Brain to Computer Interface, one of several companies.

Appellant did not discover the device was implanted until medical complications outside of Crohn's Disease transpired while in the State of Tennessee. This was after a false arrest, and acquittal on all charges in jury trial. A civil lawsuit and settlement after regaining full custody of his minor child, who was placed in foster care behind the false arrest. Appellant was then advised to leave California to avoid retaliation by law enforcement.

Certain medical devices fall under the electromagnetic spectrum, and are wireless, meaning accessible to internet capabilities(bluetooth), satellite technology, as well as susceptible to electrical malfunction or hacking. This raises questions in regards to The Space Preservation Act of 2001(H.R.2977-107th Congress), since utilizing satellites, Space-To-Earth technology, and the potential for being used nefariously instead of for peaceful purposes. There is also the issue of radiation from the microwave frequencies, radio magnetic transmission and the permanent damage caused. This discovery gave Congressional authority under the Federal Registry, Pub.L. 116-94, Division J, Title IX, section 901(codified in 22 U.S.C. 2680b), enacting "The Havana Syndrome Act of 2021." The Havana Syndrome Act only provides federal employees and their family members protection. Everyone else is vulnerable.

There is a Youtube video by government whistleblowers and scientists that explains in detail some very troubling issues. "Gang

stalking DNA Nanotechnology Interface Links Humanity to Digital World Inside a Quantum Computer."

ARGUMENT

United States Constitution Amendment XIV

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without Due Process of Law; nor deny to any person within its jurisdiction the equal protection of the laws.

Equal protection of the law guaranteed by the 14th Amendment has consistently rejected differential treatment predicated on bias, discrimination, distinctions or classifications. The finding of the lower courts decision, when fair and impartial proceedings were not allowed is a miscarriage of justice, and for that reason relief is requested. Unequal treatment in proceedings cannot be equal protection in law. *Plessy v. Ferguson*, 163 U.S. 537 (1898). *Sweatt v. Painter*, 339 U.S. 629 (1950). *Parents Involved in Community Schools v. Seattle School District No.1*, 551 U.S. 701 (2007). *Obergefell v. Hodges*, 556 U.S. 14 (2015).

The issues have failed to be addressed, as every court proceeding was vacated after notice of hearing(s) were received for calendar schedule, denying fair and impartial court proceedings. Plaintiff has been denied the right to petition the government for a redress of grievances. Notice was provided but all hearings vacated, without an impartial tribunal. There was no opportunity for confrontation and cross-examination, as well as discovery.

That right is a basic aspect of the duty of the government to follow a fair process of decision making when it acts to deprive a person of his possessions, life or liberty. *International Shoe Co. v. Washington*, 326

U.S. 310, 326 U.S. 316. Shaffer v. Heitner, 433 U.S. 186, 433 U.S. 204. P. 465 U.S. 788. Page 465 U.S. 784 138 Cal.App. 3d 128, 187 Cal. Rptr. 825, affirmed.

The court construes pro se complaints liberally. See Haines v. Kerner, 404 U.S. 519, 520, 92 S. Ct. 594, 30 L. Ed. 2d 652 (1972). Thus, "when an in forma pauperis plaintiff raises a cognizable claim, his complaint may not be dismissed sua sponte for frivolousness under § 1915(e)(2)(B)(i) even if the complaint fails to 'flesh out all required details.'" Livingston, 141 F.3d at 437 (quoting Benitez, 907 F.2d at 1295). The court exercises caution in dismissing a case under section 1915(e) because a claim that the court perceives as likely to be unsuccessful is not necessarily frivolous. See Neitzke v. Williams, 490 U.S. 319, 329, 109 S.Ct. 1827, 104 L. Ed.2d 338(1989).

Dismissal of the complaint under 28 U.S.C. 1915(e)(2)(B)(ii), is only appropriate if "it appears beyond doubt that the plaintiff can prove no set of facts in support of his claim which would entitle him to relief." Id. at 597 (quoting Conley v. Gibson, 355 U.S. 41, 45-46, 78 S.Ct.99, 2L. Ed.2d 80(1957)). In addition, "unless the court can rule out any possibility, however unlikely it might be, that an amended complaint would succeed in stating a claim," the court should permit" a pro se plaintiff who is proceeding in forma pauperis" to file an amended complaint that states a claim upon which relief may be granted. Gomez v. USAA Federal Savings Bank, 171 F.3d 794, 796 (2d Cir. 1999).

Plaintiff has been asking for relief for the wrongs through several complaints, and court litigation. Some complaints did include sexual harassment at the hands of law enforcement agencies. One agency recently just made headline news for a sexual harassing scandal on their own agents and cover-up(LAPD). It said nothing about sexual harassment of male officers or civilians, at the hands of male officers.

U.S. District Court was informed and provided documentation of Appellant being denied legal representation, and court fees to be paid from funds held in his Special Needs Trust Account by his accounts

administration, violating fiduciary responsibilities codified in his contractual agreement. Also documentation of open investigations into mail theft from Appellant/Plaintiff's post office box, usually court or financial documents. Law enforcement officers are allowed to inspect mail since the war on shipping drugs like Fentanyl. Appellant also presented evidence of a surveillance monitoring program, "[RILCAP]" (see exhibit B,B2), sold exclusively to government agencies, installed on every cell phone purchased since filing this court case. This is all done as part of this program for research and study, weaponized for nefarious purposes, which is covert and used to isolate individuals. Also to slander to the public with claims of deep psychological ailments that do not exist, or they would have been diagnosed in ²Randall Bernard Allen v. Thomas Small, LAPD; Luis Carranza, LAPD; and Does 1-10 Inclusive. The only thing that was diagnosed was temporary depression for having Crohn's Disease, being falsely arrested in an 11 year old case, and as a single father having his minor son placed in foster care because of the false arrest. This until regaining full custody 3 years later after completing all requirements, to include family therapy.

There seems to be an orchestrated attempt to obstruct justice, and sabotage court proceedings by forcing a layman of law to represent himself. One of many tactics becoming synonymous with the City of Los Angeles, within certain components. Once attorneys are contacted, they are called back by law enforcement or their informants, and deterred from representing Appellant by way of slander. Several abuses at the hands of California law enforcement agencies are being addressed by the Department of Justice. For reasons like this, Assembly Bill 256, The Racial Justice Act., and H.R.350 117th Congress: Domestic Terrorism Prevention Act of 2022, that includes crimes of hate. The recent Los Angeles City Council board members recordings, exemplifies some/ not all, law enforcement agents, ideologies.

² Randall Bernard Allen v. Thomas Small, LAPD; Luis Carranza, LAPD; Does 1-10 Inclusive, case settled in March 2017 Attorney Ronald Kaye, KMBL Law.

OPINION

General docket, United States Court of Appeals for the Ninth Circuit.
United States District Court opinion appears at appendix.

CONSTITUTIONAL PROVISIONS INVOLVED

Fourth Amendment
Tenth Amendment
Fourteenth Amendment

CONCLUSION

Plaintiff/Appellant prays for review of this petition for Writ of
Certiorari, as it should be granted in pursuit of relief for U.S. Constitutional
violations.

Respectfully submitted,
RANDALL BERNARD ALLEN

Dated: _____