

No. 22-7314 ORIGINAL

IN THE

FILED
JAN 12 2023

OFFICE OF THE CLERK
SUPREME COURT U.S.

SUPREME COURT OF THE UNITED STATES.

R.J. Kulick

— PETITIONER

(Your Name)

vs.

Brian T. Moynihan; et al.,

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

USCA-9, Case # 22-55705

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

PETITION FOR WRIT OF CERTIORARI

R. J. Kulick in Pro Per

(Your Name)

38122 Village 38

(Address)

Camarillo, CA 93012

(City, State, Zip Code)

310-474-1848

(Phone Number)

QUESTION(S) PRESENTED

1. 9th Cir. filed on 12-30-22 denying a motion for en banc without an explanation which denied Kulick's right to due process which in turn negates 9th Cir. filed on 8-19-22, since it had jurisdiction because the order challenged in the appeal was final or appealable & Kulick's=USDC, Case # 2:21-cv-05548-DMG-PVV, Complaint filed on 7-6-21, & its proof of service was judicially executed, thus that Complaint in its entirety has merit & be granted by U.S. Supreme Court without any further/USDC court hearing(s)?
Remand to/
2. Based upon above item #1, A contract like BofA was unconstitutional, since it denies Kulick fairness/equality/no ability for redress or access to any banking transactions-being a universal banking contract & it's impossible for an attorney at law to advise Kulick not to sign such a contract-Kulick signed that contract without an attorney at law-review of that contract-doing under duress for that "access"?/
3. Based upon above item #s 1./2., it's unconstitutional that Kulick's Pro Per status be on the same level of an attorney at law in ability ,which constitutes a discrimination by any court against Kulick's "ability" to comply with any federal rules as it related to procedures whether civil or otherwise & any so-called failures whether to effectuate service &/or lack of prosecution could not be applicable under those foregoing/discriminatory?/ prevailing/factual circumstances? Any dismissal : not proper in the/
4. Bases upon above item #s 1./2./3., it was a violation of Kulick's rights under American With Disabilities Act of 1990 by Defendant(s) since they knew Kulick was a disabled, physically person for many years as it applies to the ADA of 1990 while/transacting bankingsat the BofA business facilities. a well documented fact?

LIST OF PARTIES

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

[x] 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: Lisa Adkins, Rene Corado, Linda Barragn, Zuri E.-ID#74292, Bank of America-National Association: & Does 1-100, Inclusive.*

*Any written reply/in Ref: of or for this List of parties (all) must have on its mailing envelope, the U.S. Supreme Court, Case# to be acceptable or will be rt'd to Sender unopened & be via only USPS, 1st class postage, no other delivery service-rt'd to Sender unopened: *****

Please note: in below "inter-Related Cases: denied due process & were denied a court hearing(s) & it's unconstitutional to not provide a court hearing & cases cited were the result of growing legs:

INTER- RELATED CASES

Please note: After Cival Cover Sheet dated 6-22-21 for submission, the following case #s 21-55727 was submitted in petition for a writ of certiorari but was rt'd by Scott S. Harris, Clerk By Lisa Nesbitt, because this matter still pending in USCA-9 which Kulick disagreed, however Kulick's last Form 27. Motion for Panel Rehearing dated 10-25-22 for that case # was submitted, since prior that case's Memorandum, filed 10-18-22, "We affirm...USDC dismissal for failure to prosecute" & to this date no USCA-9 decision has be made yet of Motion for Panel Rehearing-making this case in limbo: Also, this Inter-Related Cases-matters are extremely critical to Kulick, because each one provides , especially judicial info*since Kulick has no computer nor knows how to use one for this "info" in Kulick's Pro Per status in other court filed cases & being under ADA of 1990/lifelong Dyslexia condition that caused not finishing schooling, school finished Kulick-forced to be self-taught & USDC, Case#2:22-cv-06742-MFMF-AS filed 9-20-22 now USCA-9, Case#22-56092 with extend time to file Brief-opening due 2-22-23, a extreme struggle due to Kulick's # of a lot of medical hardshipt-this case in particular gives anyone Kulick's basis for engaging in litigation(s) a mine field of uncertainys with unintended consequence of the direst portions!!! Kulick in a life/death probâble-according to Kaiser of Stroke due to hi-blld pressure & Suddne Cardiac Death due to two heart blockages & third will cause "death, because can not be medically treated to survive/Kulick on pain scale of 1 to 10, has a level 8-mostly AM daily & worsened moving forward, Kulick's good family name has been unjust damaged in case(s) like above "#06742", Kulick will do everything in Kulick's power to redress that "unjust damaged" before Kulick goes to his already paid for grave!!! If, other(s) will somehow benefit from reading these public records-that's a really good thing!!!

*and related

(ii)

TABLE OF CONTENTS

OPINIONS BELOW.....	1
JURISDICTION.....	2
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED.....	3
STATEMENT OF THE CASE.....	4
REASONS FOR GRANTING THE WRIT.....	5
CONCLUSION.....	6

INDEX TO APPENDICES

APPENDIX A USDC, Central District of CA, Case#2:21-cv-05548-DMG-PVC

APPENDIX B USCA-9, Case#22-55705

APPENDIX C

APPENDIX D

APPENDIX E

APPENDIX F

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

[X] For cases from federal courts:

The opinion of the United States court of appeals 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.

(X) Unconstitutional, can be published, it's now public record

The opinion of the United States district court appears at Appendix A to the petition and is Unconstitutional, court dismissal in error

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

(X) Unconstitutional, can be published, it's now public record

[] 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.

JURISDICTION

For cases from federal courts:

The date on which the United States Court of Appeals decided my case was 8-19-22: Please note: "(1) Motion" Dated 5-31-22, "did receive all the Plaintiff's court actions which afforded them*

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: 11-30-22, and a copy of the order denying rehearing appears at Appendix B.

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).

*Please note: cont'd: (Defendant(s) an opportunity to present their objections" & having this ability to seek this "opposition" instead choose not to & there nothing under law to stop these Defendant(s) from objecting to this Complaint as filed by the Plaintiff-Kulick!!! This negates USCA-9's contention set forth in their "8-19-22 filing"

For cases from state courts:

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

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

1. Violation of Sarbanes-Oxley Act of 2002 & 28 U.S.C. Section 1331 (federal question) & Sherman Anti-Trust Act & 2010 Dodd-Frank Act including its Volcker Rule & Americans With Disabilities Act of 1990 including any Discrimination & Freedom of Speech & Censorship & Civil Rights since being inter-related with applicable laws wherever presently residing in this "inter-related" connection.
2. Based upon above item #1, "applicable laws" are designated in the U.S. Constitution under Articles (1), (V11), (V111), (1X), (XIV Section 1.) & as designated in its parent the Declaration Of Independence & subsequent Charter Of United Nations, & FTC & SEC & Federal Reserve System, Inc. & Common Law & cfpb & OCC

STATEMENT OF THE CASE

1. Enclosed are exhibit(s) taken from Complaint with their exhibit #s & #(s) of page. Which best provides this "Statement Of The case.
2. Enclosed copy of 10-9-20 fax to Moynihan, et al. & Kraninger & 10-15-20 fax to Moynihan, et al. & 10-14-20 fax to Villagra & 3-17-21 fax to Singer & 10-14-20 letter from BofA-2 pages & 4-3-75 BofA letter with copy of \$15,000.00 withdrawal in Ref: copy of page 5 in Complaint's "IV Statement OF Facts" & 3-5-82 Crocker letter & 10-14-20 Becerra fax & CA DMV Disabled Placards issued 4-4-19/4-7-21 & VCTC-ADA Card expires 12-31-22 & 8-30-18 letter by Lieb MD & Lieb's 2-1-19 letter & 10-13-17 letter by Ney MD & Ney's two Rxs of 9-23-10 & 4-27-73 letter to Bush & 5-31-73 letter from RNFC & White House mailing envelope with "wishes" from President Ford & Mrs. Ford & 3-5-00 Kerrry (former Gov. NE/current U.S. Senator NE) letter-note.
3. Not in this Complaint, enclosed copy of 7-15-10 fax to George, which today relates to above item #2., because the very heart/soul of our Constitution, needs its citizens to have faith, trust & confidence, that are not just words on paper. Which also applies to our three branches of government in the foregoing.
4. U.S. Treasury now mails Kulick's Social Security/VA Compensation-checks directly to his P.O., because of his medical hardships, if another Bank closes his deposit account(s) "without cause". A result of unequal/unfair banking's unconstitutional "terms/conditions"-reality. Giving them ~~caught~~ bank(s) a shield against/engaging in fraudulent practices-at their will. Take a tax deduction as legal expense to defend. Jamie Dimon, ^{J.P. MORGAN} Chase Manhatten ^{CHASE} BK, closed Kulick's deposit accounts, falsely alleges he engaged as a risk for fraud to cover his real reason that Kulick did not give him enough business. Which Kulick complained to gov't regulators to no avail. The likes of Moynihan/Dimon do not pay for their fraudulent practices but their shareholders do -irony!!!

REASONS FOR GRANTING THE PETITION

1. The contract is unconstitutional, since it denies equality & fairness as it relates to Articles (1), (V11), (V111), (1X), (XIV Section 1.) & as designated in its parent the Declaration of Independence & subsequent as signor of the Charter of United Nations. As well as this relates to the FTC, SEC, Federal Reserve System, Inc., OCC & Common Law. If, "without cause" not included in this contract, Kulick would not object as he does for the greater good of all depositors. Afterall, without "equality & fairness", how is it possible to have faith, trust & confidence in our banking system!!!? This is a functional as common sense matter(s) which has not been disputed until now. If, the Court permits "without cause", then no one would be able to hold BofA accountable & responsible for its fraudulent practices. That undermines the entire banking system, & in turn destroys a cornerstone of our unique American way of life, which has been a "beacon" for millions, who flock to our shores for a better life!!! The entire financial system would be at risk, the fiber that binds our nation as a continuing reality of worthiness & meaning!!!
2. An abundance of evidence in support-that the Defendant(s) did indeed-grossly violated Kulick's rights under the ADA of 1990. If, this Court turns it back in the foregoing, then this statute has no bearing or significance, an unconscionable action to be a reality!!!
3. If, this Court denys a hearing in the above, then God save us all!!! Besides, dismissal by D.C. w/o filing of Magistrate's findings-factor. This is the Court's opportunity now to do the right thing in the above.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

R.J. Kulick  Petitioner in Pro Per

Date: 1-12-23