

22-7887

No. _____

22-56152

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FILED

JUN 21 2023

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Kevin Wayne Phillips, aka

Kevin W. Dungan

— PETITIONER

(Your Name)

vs.

R.C. Johnson, et al.

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

9th Circuit Court of U.S. Appeals

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

PETITION FOR WRIT OF CERTIORARI

Kevin W. Dungan G32435

(Your Name)

C.S.R. - W.A.C.

A-3/119

P.O. BOX 8457

(Address)

Lancaster, CA 93539

(City, State, Zip Code)

(Phone Number)

RECEIVED

JUN 28 2023

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SUPREME COURT, U.S.

QUESTION(S) PRESENTED

- Have both the 9th Circuit in cases # 20-15723, and # 22-56152, along with the U.S.D.C. Central District of Calif., abused their discretion asking for Court costs while plaintiffs' life is in imminent danger from law enforcements, and homosexual governmental reprisals?
- Notwithstanding the aforementioned imminent danger, have these Courts also abused their discretion just demanding sovereignty over the entire country?
- Should all non goodstandings U.C.K. current citizens be banished P.T.B./U.S.C.S.U.; irrespectively?
- Should all hostiles on plaintiffs' sovereign land be executed immediately and/or remanded into federal custody for enhancements' enforcements?
- Would it be unjust retribution to immediately execute all L.G.B.T.Q. humans after the totality of this, *ibid*, p 4-31; heinous abuse of power that I've experienced?

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:

U.S.D.C. # 2:23-CV-2977-ODW-E, Phillips v. Johnson, et.al,
9th Cir. # 20-15723, Dunigan v. C.D.C.R., et.al.,
2:19-CV-2501-WBS-AC, Dunigan v. C.D.C.R., et.al., # 2:12-CV-
3048-TLM-CKD, Dunigan v. United States, et.al., # 2:10-CV-2965-
MCE-EFB, Dunigan v. United States, et.al.

RELATED CASES

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APPENDIX D	9th Cir. # 22-56152, Fees (ORDER) Dec. 15, 2022
APPENDIX E	9th Cir. # 22-56152, Time Schedule (ORDER) Dec. 7, 2022
APPENDIX F	U.S.D.C. Central Dist # 2:22-cv-7210-ODW-E, Minute Orders Multiple Minute ORDERS
APPENDIX G	Proof of Plaintiff's 4-12-14, In-Cell Murder
APPENDIX H	Case # 06TROSAS96 / Gilgai Warrant
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- Exhibit "A" Sacto. Co. case # 09FO1221, May 6, 2023 DENIAL
- Exhibit "B" C.D.C.R. MODUS OPERANDI DOCUMENTS
- Exhibit "C" Similarly Situated Suspects
- Exhibit "D" May 31, 2023, "09FO1221, Notice of Appeal
- Exhibit "E" Sacto. Co. case # 06TRO89586, Documents

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Strong preponderant showings of actual innocence in Sacto. county cases #07F06642, and #09F01221, requires "equitable exceptions" for Sup. Ct. Rule 14.1(c)(d)(iii) & *ibid*, p 4-29; *Rivas*, 682 F.3d at 847, n. 42 (distinguishing).

STATUTES AND RULES

OTHER

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 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 F 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.

JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was June 9, 2023.

☒ 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: _____, 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. § 1254(1).

☐ 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

Sovereign Statutes from *Dunigan v. Beard et al*,
2:16-cv-0048-PLN-KSN; and *Dunigan v. United States*,
et al, # 2:12-cv-3048-PLN-CKD, amalgamation of files
at *Phillips v. Johnson, et al*, # 2:23-cv-02977-ODW-E, and
Dunigan v. Johnson, et al, # 2:22-cv-07216-ODW-E, with
all 9th Cir. files # 20-15723, # 21-71403, # 22-56152,
U.S.D.C. # 2:19-cv-2501-WBS-AE, in *Dunigan v. E.D.C.R.*,
U.S.S.C. files from # 2:12-cv-3048-PLN-CKD, also
PENDING from # 2:19-cv-2501-WBS-AE, with 21-71403,
and # 20-15723, Cumulatively.

STATEMENT OF THE CASE

To the Justice allotted to the 9th Circuit Court of U.S. Appeals, upon a [3] Three-Justice Panel with [Proseers of Attorney and the Pro Se Plaintiff] Sovereign Supersedeour thereof, see CA Sup. Ct. # S228681, Sovereign Exercise Suppl. Declaration, p 1-56, u, p 54-56; U.C.K.C.F.T. (a) / 53 C.F.R. 5999. (a); R.E.C. (I) (a) / 28 U.S.C. 2254. (1) (a); CKMDF (a) (b) (c) (d) / 7 U.S.C. 5101. (a-d); # 2:19-cv-2561-WBS-AC, ECF No. 1, p 5 (f) - 5 (h), p 2 (c - e) # 31, Cert, p 61-71; 18 U.S.C. 5536.26. (a) (1) (B) (i) (ii) (iii) (2) + (3) (E) (i) (ii); 3006A. (d) + (e); 3599. (a) (2) (b) - thru - (f); F.R. Crim. P. Rule 44. (1) Rule 52. (a); 28 U.S.C. 551654. (1) 1915. (13); 2241. (a) (3); 2244. (b) (2) (B) and 2254. (a) (2); 2253. (a) (2); 2254. (b) (1) (B) (ii) + (d) (1) + (2); *Whayon v. Massachusetts*, 137 S.Ct., at 1902-1910, 198 L.Ed 2d, at 425-434, 2017 U.S. LEXIS 4340 (citing *U.S. v. Gonzalez-Lopez*, 548 U.S. 140, 149, n.4 (2006).); *Abdul-Akbar*, 239 F.3d, at 315-317; *Banos*, 144 F.3d, at 984-986; *Bruce v. 41st*, 351 F.3d, at 1285-1288; Title VII of the 1964 Civil Rights Act; *Edwards*, 356 F.3d, at 1059-1066 (quoting *Hal Roach Studios, Inc. v. Richard Feiner + Co.*, 896 F.2d 1542, 1555, n.19 (9th Cir. 1990) (noting).); F.R. Crim. P. Rule 3.; Rule 4.; *Aguilar v. Texas*, 378 U.S. 108, 109-116, 12 L.Ed 2d, at 725-730, 84 S.Ct 1509 (quoting *Nathanson*, *supra*,

at 47, 78 L.Ed., at 162 (Emphasis added.); *Yick Wo v Hopkins*,
118 U.S., at 369-374, 30 L.Ed. 220, 4 S.Ct. 1064; *McQuiggin v Perkins*,
supra, 569 U.S., at — —, 133 S.Ct., at 1928-1934 (quoting
Caldron, *supra*, at 558.) *id.*, at — —, 133 S.Ct., at 1931-
1934 (quoting *Herrera*, 506 U.S., at 404.); *Pride v. Correa*, 719
F.3d, at 1135-1137 (citing *Burnett v. Dugan*, 618 F.Supp.2d 1232,
1237 (S.D. Cal. 2009)); *Faretta*, 422 U.S., at 812-820 (quoting
Snyder, *supra*, at 106.); F.R.A.P. 27.; Sup. Ct. Rule 22.1.2.3;
D.N.S.S.D. / 11 U.S.C. § 191.; F.R. Evid. Rule 702.; Rule 703.; Rule
705.; Sup. Ct. Rule 5.1.2.3.4.; Rule 9.1.; F.R. Crim. P. Rule 44.;
F.R. Evid. Rule 901.(b)(1-10); U.C.K.P.S. / 28 U.S.C. §§ 2283.8;
2284.5; 636.(c); 631-639.; 2284.(b)(11); F.R. Civ. P. Rule
64.(b); *Thompson v. Caldron*, 181 F.3d, at 921-932 (citing
Federal Rule of Appellate Procedure 27); *Ake v. Oklahoma*, 470 U.S., at 63-82 (citing *Baraboot*, *supra*,
at 899, n.5); *Harbison v. Bell*, 173 L.Ed.2d, at 360-366, 2009
U.S. LEXIS 2496 (Port, at 199, 173 L.Ed.2d, at 364.); *Pride*,
719 F.3d, at 1134-1135 (citing *Coleman*, 2009 U.S. Dist
LEXIS 67943, 2009 WL 2430820, at * 27.); (CT 2006-
2007.) *ibid*, p 41b1-14; F.R. Crim. P. R.29.10121; *Fong Foo*, 369 U.S., at
142-143; Sup. Ct. Rule 10.(a)(10).

This fraud upon the Court requires VOIDING of your egregious error over a prima facie showing of an actual innocence gateway claim. Whereas it will be shown hereby that the People of California proceeded arbitrarily and presented intentionally false evidence and testimony. Notwithstanding a case founded 100% on legally incompetent evidence. see Third District appeal file # C063680, (RT 1-1200, CT 1-2020.) Attached Exhibit 'A', p 1-3; F.R. Civ. P. Rule 60.(b)(2)(3)(4) + (6); Evid. Code §§ 664; 1280, 1281, 1282; 550; C.A.L. J. I. C. No. 1.30; F.R.A.P. Rule 3.(c); Gonzalez v. Crosby, 545 U.S., at 528-532, 142 L.Ed 2d, at 440-443, 125 S.Ct. 2641 (quoting Fed. Rule of Civ. Proc. 60(b)(2)); 18 U.S.C. §§ 1961 et seq.; 401; 1028; 1503; 1512; 1581-1592; 1951; Edwards v. Marm Park Inc, 356 F.3d, at 1059-1066; U.S. v. Washington, 653 F.3d, at 1059-1062 (quoting Rodriguez v. Mitchell, 252 F.3d 191 (2d Cir. 2001). Gonzalez, 545 U.S. at 532, n.5; id., at 653 F.3d, at 1060-1062 (citing Rule 60.(b)(4) of the Federal Rules of Civil Procedure); McQuiggin v. Perkins, 569 U.S., at — —, 133 S.Ct., at 1928-1934 (quoting Herrera,

506 U.S., at 404, 113 S.Ct. 853.); Crawford v. Washington, 541 U.S., at 38-76, 158 L.Ed.2d at 187-208, 124 S.Ct. 1379 (quoting R. Lee, Letter IV by the Federal Farmer (Oct. 25, 1787), reprinted in 1 Schwartz, supra, 469, 473.); Santos v. Dept. of Motor Vehicles, supra, 5 Cal. App. 4th, at 542-550, 7 Cal. Rptr. 2d, at 11-28 (quoting Imachi v. D.M.V., supra, 2 Cal. App. 4th, at 815, 3 Cal. Rptr. 2d 478); *ibid.*, p. 1-3; Buck v. Davis, 580 U.S., at —, 197 L.Ed.2d, at 8-32, 2017 U.S. LEXIS 1429 (quoting Liljeborg v. Health Services Acquisition Corp., 496 U.S. 847, 863-864, 108 S.Ct. 2194, 100 L.Ed.2d 858 (1988).);

FRAUDULENT AND INADMISSIBLE L.G.B.T.Q
INFERENCES OVER UNRELIABLE REPORTING ARE
TANTAMOUNT TO MISCARRIAGE OF JUSTICE AND
INTENTIONALLY FALSE TESTIMONY LEADS TO
EGREGIOUS STRUCTURAL ERRORS THAT DEFIES
SCHLUP'S DEMANDING NONHARMLESS CONSTITU-
TIONAL ERRORS STANDARD AS MATTER OF
DUE PROCESS AND EQUAL PROTECTION FROM
BAD FAITH GOVERNMENTAL CAPRICIOUS ACTS
There's a reasonable probability that Magis-

that Judge Gary E. Ransom's, rubber stamping of
Det. J. Pat Keller's, (Bad faith declaration was an
attempt to aid C.D.C.R. to quell their overly gross
civil liability from *Dunigan v. Calif Dept of Cor.*, and
Yolo County Bd. of Superv., et al., # 2:05-cv-1591-WBS-JFM,
(CT 309-359, ⁱⁿ CT 316-317, & CT 320-322, & CT 332-344.)
Rhodes v. Robinson, 380 F.3d 1123, 1126-1132 (9th Cir. 2004) (quoting
Bruce v. Ylst, 351 F.3d 1283, 1288 (9th Cir. 2003), and
to "pursue civil rights litigation in the courts." *Schroeder v. McDonald*, 55 F.3d 454, 461 (9th Cir. 1995).); Compare, (CT 766-771.) First off eye-witness Maria Garay,
vindicated the innocent petitioner on Sept. 22, 1995,
via a (6) six-pack photo line-up. (CT 769, para. #5, CT 359.) see *Pinkins*, *supra*, 569 U.S., at — — —, 133 S.Ct., at
1928-1934 (quoting *Herrera*, 506 U.S., at 404, 113 S.Ct. 853.);

This exculpatory (6) six-pack photo line-up was
done subsequent to the alleged anonymous tip on
Sept. 18, 1995, (CT 769, para. #3.) which was also
used by Mr. Ora, to inculcate petitioner at trial. This

violates the Confrontation clause of the Sixth Amendment. (RT 390-391; CT 1520-1531, in CT 1522.) Also Judge Long, acted in collusion with Mr. Ora, on this point by creating non statutory pin point jury instructions which were all egregious errors and a manifest abuse of discretion. (CT 1906; CT 1935.) *ibid*, p 3-5; These egregious errors were nonharmless beyond a reasonable doubt violations. F.R. Civ. P. Rule 11.(b)(3); Bus. & Prof. Code § 6068.(a)(b) & (d); 6128.(a); F.R. Evid Rule 403.; Rule 404.(b)(2)(A); Rule 901.(a); Title VI & VII of the 1964 Civil Rights Act; These errors are structural in nature and furthermore defies harmless analysis. Voiding of this judgment is also required. (CT 2006-2007.); F.R. Civ. P. Rule 60.(b)(4) & (6); 20 U.S.C. § 801(at. seq.); 18 U.S.C. §§ 2461(at. seq.; 2028.) 1503.; 1512.; 1581-1592.; 1951.) (CT 359.) *Buck v. Davis*, *supra*, at — —, 197 L.Ed 2d, at 20-25, 2017 U.S. LEXIS 1429 (citing 11 C. Wright, A. Miller, & M. Kane, Federal Practice and Procedure § 2857 (3d ed. 2012)); F.R. Crim. P. Rule 3.; Rule 4.; Rule 52.(a); *Rochin v. California*, 342 U.S., at 168-179, 72

S. Ct., at 207-213, 96 L. Ed. 183, 1952 U.S. LEXIS 2576 (quoting Jay Burns Baking Co. v. Bryan, 264 U.S. 504.); Yick Wo v. Hopkins, 118 U.S., at 369-374, U.S. Ct. 2064; Edwards v. Marin Park, Inc., 356 F.3d, at 1059-1066 (quoting Alan Neuman Prods., v. Albright, 862 F.2d 1388, 1392 (9th Cir. 1989)). This form of Judicial collusive discretionary abuse "shocks the conscience". While the disdain displayed for the petitioner via selectivity from several similarly situated suspects upon ~~into~~ probable cause violates the First, Fourth, Sixth, with both equal protection and due process clauses of the Fourteenth Amendment to the U.S. Constitution, *ibid*, p. 1-6, *supra* p. 3-6; 28 U.S.C. §§ 1654; 1915.(g); 2241.(c)(3); 2241.(b)(2)(B) and 2254.(e)(2); 2253.(c)(2); 2254.(b)(1)(B)(ii) + (d)(1) + (2); Weaver v. Massachusetts, 137 S. Ct., at 1902-1918, 198 L. Ed. 2d, at 425-442, 2017 U.S. LEXIS 4340 (quoting Fulman v. supra, at 309, 111 S. Ct. 1246, 113 L. Ed. 2d 302 (internal quotation marks omitted).); F.R. Crim. P. Rule 44; Rule 52.(a); *id*, at 137 S. Ct., at 1905-1910, 198 L. Ed. 2d, at 428-434, 2017 U.S. LEXIS 4340 (citing U.S. v. Gonzalez-Lopez, 548 U.S. 140, 149, 14, 126 S. Ct. 2557, 165 L. Ed. 2d 409 (2006).); Abdul-Akbar, 239 F.3d, at 314-

317; Baros, 244 F.3d at 884-887; Along with inadmissible witnesses' testimonials founded upon reports clearly derived from homosexual prejudices, all lacking indicia of reliability. An autopsy report with wound track suggesting instantaneous death from "GUN PLAY." (CT 1749-1752, u. CT 1749-1780; CT 181-189, u. CT 181.1, para. 3, & CT 183-183.1.) An alleged DNA extraction of pubic hairs, pubic combings, and anal smears, for a Sexual Assault Evidence Collection Kit, that bore not investigative value to the purported cause of death in violation to Gov. Code S 27491.4(a). (CT 185.1: 288-292; RT 316-364, u. RT 338-341.) F.R. Evid. Rule 403; Rule 404.(b)(2)(A); Rule 901.(a); Title VI & VII of the 1964 Civil Rights Act; Evid. Code SS 550.; 664.; 1280.(a)(b)(cc); While Kristi Abbott's, testing of PCR/STR DNA testing despite Keller's, Oct. 4, 2006, Request for Crime Lab's Examination. (CT 1000.) The evidence envelope was not forwarded to the Robert Farzer Crime Lab, until Sept. 4, 2008, (2) days after petitioner's transfer to D.V.I. Tracy, on Sept. 2, 2008. (CT 1016-1018; CT 1022, at Moten. RT 472-484.) An excusable neglect for pro se petitioner not to label

Motun, a hostile witness along with all of petitioner's
entire cast of witnesses, (RT 472-696; RT 709-
787.) *ibid*, p 3-8; *id*, p 6-8, *ibid* Exhibit "B", p 1; Exhibit "C",
p 2-22; While the Criminalist Kristi Abbott, only took
possession of the evidence envelope on Sept. 16, 2008,
the exact same day D.V. I Tracy mandated petitioner's
[B]lood draw. (CT 2022, at Marcum, Jania + Abbott, Kristi,) *ibid*,
Exhibit "B", p 2-4; Since petitioner had complained
as a Republican, to George Bush, about gay liberal abuses.
See all petitioner's letters to Washington DC; already in
discovery at U.S.D.C. Eastern District of California, *Dunigan*
v. Beard, et al., # 2:06-cv-0048-TLN-KJN, Disregarded
Coram Nobis, p 1-274, *id*, p 63-66; F.R. Evid. Rule 201(b)(2);
Bornio, 971 F.2d, at 247-49; 28 USC 436. *id*; *Lonillard*, 444
F.2d, at 799-801; Therefore Kristi Abbott, waited until
121 days after Barack H. Obama, petitioner's political
adversary was elected, (CT 999-1136, *id* CT 1106-
1136.) Again take JUDICIAL NOTICE of petitioner's
invitation for a John McCain, fund raiser from Bush,
annexed at U.S.D.C. Eastern District of California, at *Dunigan*

v. Hickman, et al., # 2:11-cv-0961-MCE-EFB, Docket # 17, Exhibit
"L", p 1-100, p 11-14; *ibid*, p 6-8; F.R. Evid. Rule 201(b)(2); Bon-
mo, 971 F.2d, at 247-249;

With Ms. Abbott's, report defiled with the illegal
Sexual Assault Evidence Collection Kit, (CT 1073, at
S.A.E.C.K.; Gov. Code § 27491.4(a); CT 1878-1887, *in* CT
1878-1879.) along with the missing 9-5-95, R.F.L.P.
type of DNA testing that both her and Mr. Orr,
figured themselves on the face of the record while
alleging the Robert Tarzan Crime Lab could not do
any form of DNA testing in 1995, (CT 538-641, *in*,
CT 553:9-554:22, & CT 597:10-14; and since blood
spoils Ms. Abbott, could not have tested Mr. Yarns',
blood from 1995, as she alleged, (CT 594:13-16.) *ibid*,
p 3-9; CALJIC No. 1.30; F.R. Evid. Rule 403; Rule 404,
(b)(2)(A); Rule 902(a); Evid. Code §§ 664; 1280.1(a)(b)(c); (CT
1022, *in* 9-5-95; CT 1023-1024, *in* CT 1029, at KA
9-5-95.) 49 C.F.R. §§ 40.33.(a)(1) & 40.25(k) & 40.3 &
40.29.(a) & (b) (1999); The Sr. Criminalist Jaff Harburt

has illegally certified Mr. Abbott's report, (CT 1066) in violation of 49 C.F.R. § 40.33 (b)(3) (1999); *ibid*, p 3-10, pp 6-10; (CT 771, para. #1, #2, #3.); *People v. Strong*, 30 Cal., at 155-156; (CT 939-1165, *see* CT 939-956.) *California v. Trombetta*, 467 U.S., at 481-492, 81 L. Ed 2d, at 417-424, 204 S. Ct. 2528 (citing *Killian v. U.S.*, 368 U.S. 231, 7 L. Ed. 2d 256, 82 S. Ct. 302 (1961)); *Arizona v. Youngblood*, 488 U.S., at 52-73, 102 L. Ed 2d, at 285-299, 109 S. Ct. 333 (quoting *Brady*, 373 U.S., at 87, 10 L. Ed 2d 215, 83 S. Ct. 1194.); *People v. Johnson*, *supra*, 139 Cal. App 4th, at 1141-1158, 43 Cal. Rptr. 3d, at 589-612 (citing *U.S. v. Schaffer* (1998) 523 U.S. 303, 312, fn. 8, 118 S. Ct. 1261, 140 L. Ed 2d 413 (distinguishing)); *U.S. v. Hirsch*, 360 F.3d, at 862-868 (citing *U.S. v. Remy*, 152 F.3d 900, 903 (8th Cir. 1998).); *Edgerton v. State Personnel Bd.*, *supra*, 83 Cal. App 4th, at 1356-1361, 100 Cal. Rptr. 2d, at 495-499 (citing *Interstate Brands v. Local 441 Retail, Wholesale* (11 Cir. 1994) 39 F.3d 1159, 1162.); Even after Ms. Garay, vindicated the petition subsequent to her describing the assault to the artist for a sketch. (CT 769, para. #1.) Compare (CT 359, CT 769, para. #5, Keller, assumed the

Sketch of the assailant resembled petitioner as a highly suggestive means for probable cause lacking any independent source. (CT 770, para. #8.) *Morrox v. Superior Court* (People) 30 Cal. App 4th, at 2258-2262, 36 Cal. Rptr. 2d, at 214-217 (quoting *Gilman & Brown v. Wells* (1879) 64 Ga. 192, 194 (Shapiro, Oxford Dict. of American Legal Quotations (1993) p 230, col. 2).) *People v. Malich*, 15 Cal. App 3d, at 258-263, 93 Cal. Rptr., at 89-93 (quoting *Chapman v. California* (1967) 386 U.S. 18, 24, 87 S. Ct. 824, 17 L. Ed 2d 705. [See *People v. Martin* (1970) 2 Cal. 3d 822, 831, 87 Cal. Rptr. 709, 471 P.2d 29; *People v. Caruso* (1968) 69 Cal. 2d 183, 189-190, 65 Cal. Rptr. 336, 434 P.2d 336.]). The synonymously timed arbitrary acts upon absolutely no probable cause is clearly a MODUS OPERANDI. (CT 766-771. *Ibid*, p 3-11; F.R. Crim. P. Rule 3; Rule 4; Rule 52. (a); *Aguilar v. Texas*, 378 U.S., at 109-122, 12 L. Ed 2d, at 728-733, 84 S. Ct. 1509 (quoting *Nathanson*, *supra*, at 47, 78 L. Ed, at 162. (Emphasis added.)) *People v. Cook*, 22 Cal. 3d, at 74-100, 148 Cal. Rptr., at 607-628, 583 P.2d 130 (quoting *Grano*, *A Dilemma for Defense Counsel*; *Spinelli-Harris Search Warrants and the Possibility of Police Per-*

June 1971 U. Ill. L.F. 405, 408.) *Rochin v. California*, 342 U.S. at 168-179, 72 S.Ct. at 207-213, 96 L.Ed. 183, 1952 U.S. LEXIS 2576 (quoting *Jay Burns Baking Co. v. Bryan*, 264 U.S. 504.); *Crawford*, supra, 37-62, 158 L.Ed.2d, at 183-200 (quoting *Paine*, supra, at 165, 87 Eng. Rep. at 588.); *id.*, at 47-49, 158 L.Ed.2d, at 190-191 (quoting R. Lee, Letter IV by the Federal Farmer (Oct. 15, 1797), reprinted in 2 Schwartz, supra, at 469, 473.); F.R. Evid. Rule 403.; Rule 404.(b)(2)(A); Rule 401.(a); *Blaylock*, 20 F.3d, at 1462-1466) Evid. Code §§ 664.; 1280.(a)(b)(c); 550.; *Santos*, supra, at 542-550, 7 Cal. Rptr.2d, at 11-18 (quoting *Imachi v. D.M.V.*, supra, 2 Cal. App.4th, at 915, 3 Cal. Rptr.2d 478); *Bryant*, supra, 131 S.Ct. at 1146-1177, 179 L.Ed.2d, at 98-131, 2011 U.S. LEXIS 1713 (citing *See, e.g., Davis*, 547 U.S. at 827, 126 S.Ct. 2266, 168 L.Ed.2d 224.); *Bivens v. Six Unknown Named Fed. Narc. Agents*, 403 U.S. 388, 389-430, 29 L.Ed.2d 619, 622-646, 91 S.Ct. 1999 (1971) (citing Act of May 8, 1792, § 2, 1 Stat. 276; C. Wright, *Law of Federal Courts* 257 (2d ed. 1970)); *People v. Malich*, supra, 25 Cal. App.3d, at 266-267, n.(11), 93 Cal. Rptr. at 95-96; *People v. Cavanaugh*, supra, 70 Cal. Rptr. at 439-446, 444 P.2d 110...

Second petitioners now invoke 42 U.S.C. § 1983, for functionality as Plaintiffs and the Global Sovereignty Supersedeous of the Brjunctive / Acquittals, for both Sacramento County cases #09FO1221, and also #07FO6642. Humbly taking JUDICIAL NOTICE of the #2:16-cv-0048-TLN-KJN, Disregarded Coram Nobis, p 1-274, includes all cited Appendices therein, ibid, p 8; henceforth identified pursuant to U.S.S.C. #20-6642, EVENT "J", p 1-274; F.R.Evid. Rule 201.(b)(2); Borneo, 971 F.2d, at 247-249; All upon this dual United States and California take over. see U.S.S.C. #20-6642, at Motion To Vacate Judgement, id, as Act XXI, p 1-68; ibid, p 1-13; U.C.K.C.F.T. (a) / 53 C.F.R. 55999. (a); R.E.C. (D) (a) / 28 U.S.C. § 2254.1 (a); CKMDF (a)(b)(c)(d) / 7 USC § 101(a-d); Dungen v. C.D.C.R., et.al, #2:19-cv-2501-WBS-AC, ECF No. 37, p 5(f-h), p 2(c-e) #31, Cert, p 61-71; ECF No. 37, p 6-14; All on incorporated / joiners. see Phillips v. Johnson, et.al, #2:23-cv-2977-ODW-E, complete file, annexed at U.S. District Court Central District of California. F.R.Evid. Rule 104; Rule 401; Rule 801;

Bourjaily, 207 S. Ct. at 2777-2781; F.R. Civ. P. Rule 18.1(a); Rule 20.1(a)(2); *ibid*, p 13-14; 28 U.S.C. 1915.13; *George v. Smith*, 509 F.3d 605, 607-609 (7th Cir. 2007); *Abdul-Akbar*, 239 F.3d at 314-317; *Banos*, 244 F.3d at 884-886; 28 U.S.C. 2101.1(a); 28 U.S.C. 853626.1(a)(1)(B)(i)(ii)(iii)(2)+(3)(E)(i)(ii); 3006A.1(d)+(e); 3599.1(a)(2)(b)(i)(d)(e)(f); Plaintiffs' release is ~~STAYED~~ for imminent danger, threat of government reprisals and sovereign Quid Pro Quo investigation. Requires all females to quell homosexual approach, e.g., (3) DNA Experts, (2) Pathologists, (7) Health Care Professionals. Having all of the aforementioned with (3) Private Investigators each. Notwithstanding Plaintiffs' own Technologically Proficient Team of Female Investigators, all the aforementioned are on 24 hours a day, 7 days a week, 28.5 hourly multipliers all dually funded by the states' Dept. of Justice when under investigation, and/or California's Dept. of Justice when Global aspects arise. Simultaneously with United States' Dept. of Justice, see U.S.S.C. # 20-6642, EVENT "F," p 1-316, u/p 1-90;

REASONS FOR GRANTING WRIT

Hereby seeking to vacate Judge Long's collusion with Mr. Orr's, outrageous (h)omosexual misconduct pursuant to Santa Co. case # 09F01221, and Judge Bowman's, May 8, 2023, egregiously erroneous abuse of discretion. Exhibit "A", p 1-thru. 3- of-3; F.R. Civ. P. R. **11**.(b)(3); Buck v. Davis, 197 L. Ed 2d, at 8-32, 2017 U.S. LEXIS 3429 (citing 11 C. Wright, A. Miller, & M. Kane, Federal Practice and Procedure § 2857 (3d ed. 2012)); Upon all of the forthcoming newly discovered evidence of fraud upon the Courts within a continuing homosexually spawned conspiracy of corrupt governmental cohorts. Such as but not limited to Mr. Paul Y. Carroll Esq., of the Central California Appellate Program. Who intentionally failed to be an adversary in Third District appeal # C063680, A.O.B., p 1-27; *ibid*, p 4-28; Compare U.S.D.C. Eastern Dist. of California's Dunigan v. Hickman, et al., # 2:11-cv-0961-MCE-EFB, at Docket # 17, Exhibit "L", p 1-100; Surely plaintiffs as pro se trial counsel, had informed Mr. Carroll Esq., of numerous, properly preserved, reversible errors

upon the face of the record. F.R. Crim. P. Rule 44.1(c); Rule 52.1(a);
18 U.S.C. §§ 3006A.(d)(1)(c); 3599.10(2)(b) - thru (f); F.R. Evid. Rule 702; Rule
705; Rule 901.1(b)(1-10); *ibid*, p 3-28; *Cuyler v. Sullivan*, 446 U.S.,
at 345-350, 64 L. Ed 2d, at 344-348 (quoting *Glasser, supra*,
at 78.); *Pro Per* Coordinators Sharon Camisa and Sheila
Ramos, both obstructed plaintiffs' pre-trial and
trial defenses. Augmentation of the Aug. 24, 2009, In-
Camera, reporter's transcripts along with review of
the preliminary hearing audio/visual surveillance of
Judge Fall's, Dept. 10, will display their circumvent-
ing plaintiff's Sixth Amendment compulsory rights
to duces tecum the \$250. million 42 USC § 1983,
Dunigan v. C.D.C. & Yolo County Bd. of Suprv., as cause-
action for the fraudulent conviction: *ibid*, p 16-28;
Gerza v. Idaho, 139 S. Ct. 738, 742-750, 203 L. Ed 2d 77,
83-93, 2019 U.S. LEXIS 1596, at *5-21 (quoting *U.S.*
v. Cronie, 466 U.S. 648, 659, 104 S. Ct. 2039, 80 L. Ed 2d 657 (
1984)); *Ake, supra*, 470 U.S., at 70-92, 84 L. Ed 2d, at 56-72,
105 S. Ct. 1087 (citing *Barbort, supra*, at 899, n. 5, 77 L. Ed 2d
1090, 103 S. Ct. 3383.); *Harbison*, 556 U.S., at —, 173
L. Ed 2d, at 350-366, 2009 U.S. LEXIS 2496 (Post, at 199,

173 L.Ed.2d, at 364. All grave omissions for Mr. Carroll Esq., on appeal, see May 9, 2011, #C063680, DENIAL, p 1-9; *ibid.*, p 14(a)-14(c); Garza, 179 S.Ct., at 742-750, 203 L.Ed.2d, at 83-93, 2019 U.S. LEXIS 2896 (citing Flores-Ortega, *supra*, at 484, 120 S.Ct. 1029, 145 L.Ed.2d. 985.) Bus. & Prof. Code 6068.1(a)(b) & (d); 6128.1(a); F.R. Civ. R. Rule 60.1(b)(4) & (6); U.S. v. Washington, 653 F.3d, at 1059-1062 (citing Rule 60(b)(4) of the Federal Rule of Civil Procedure); Buck, 397 L.Ed.2d, at 20-25, 2017 U.S. LEXIS 1429 (citing 11 C. Wright, A. Miller, & M. Kane, Federal Practice and Procedure § 2857 (3d ed 2012)).

Notwithstanding 9th Circuit Clerk Molly Dwyer's, intentional failure to file #2:11-cv-0961-MCE-EFB, Writ 1, within the record for case #21-71403, at Dkt Entry: 2, p 1; Compare #21-71403, Dkt Entry: 2, p 1-387, *in* p. 12-of-387) F.R. Civ. R. Rule 60.1(b)(2) & (3); Gonzalez, 545 U.S., at 530-532, 162 L.Ed.2d, at 491-492, 125 S.Ct. 2641 (quoting Fed. Rule Civ. Proc. 60(b)(2), in support of a claim previously denied. E.g., Rodwell v. Pope, 324 F.3d 66, 69 (CA 1 2003)). Washington, 653 F.3d, at 1062-1063 (quoting Rodriguez v. Mitchell, 252 F.3d 191 (2d Cir. 2001).) (RT 171-174.)
14(c)

ibid, p 14(a-c); 10 U.S.C. § 801 et seq.; Title VI & VII of the 1964 Civil Rights Act; *Adickes v. S.H. Kress & Co.*, 398 U.S. 144, 146-214, 24 L. Ed 2d 142, 148-149, 90 S. Ct. 1598 (1970) (quoting *Morroe v. Pape*, supra, at 171, 5 L. Ed 2d at 496.); ibid, p 1-28; id, at 175-190, 24 L. Ed 2d, at 164-173, 90 S. Ct. 1598 (quoting Title 42 U.S.C. § 1983 was derived from § 1 of the "Ku Klux Act" of 1871, 17 Stat. 13.); More over the most egregious of these Constitutional violators is the C.D.C.R. administration here at C.S.P.-L.A. County. With regard for all plaintiffs' CDC 2171 PLU applications obstructed by the Fac. D staff during *Dunigan v. Hickman, et al.*, "2:11-cv-0961-MCE-EFB, DEAD LINES on expedited, de novo, discovery, with En-Cell and law library surveillance, facial recognition technology. 9th Cir. # 22-56152, Circuit Rule 22-310(2), A.I.B. over Writ of Error, complete document, Cert. III, p IV(a)-IV(b), Appendix E (PROTOCOL) 7 U.S.C. §§ 545.; 546.; 547.1(a); O.W.F.I.E. / 53 C.F.R. § 187.; U.C.K.F.R.T. 1(a) / 7 U.S.C. § 548.1(a); *Robinson v. Lorrillard*, 444 F. 2d, at 799-801; *Brady v. Maryland*, 373 U.S., at 86-87; *Prison*, 411 U.S., at 475-525; Duty incorporating 9th Cir. # 22-56152, complete file; ibid, p 16-28; verbatim, F.R. Evid. Rule 104.; Rule 401.; Rule 801.; *Anderson*, 470 U.S., at 571-572, 84 L. Ed 2d, at 527 (citing *U.S. v. Marine Bancorporation*, supra, at 615, n. 23, 94 S. Ct. 2856); *Bourjaily*, 207 S. Ct., at 2777-2781.

• Hereby the plaintiffs must vacatur all stayed releases, id, at # 2:23-cv-2977-ODW-E, complete file, notwithstanding the 150 year extension of 9th Cir. # 22-56152, complete file. ibid, p 14, p 23; 28 U.S.C. § 2101(f); F.R. Civ. P. Rule 60.1(b)(6); Buck, 197 L.Ed 2d, at 8-32, 2017 U.S. LEXIS 1429 (citing 11 C. Wright, A. Miller, & M. Kane, Federal Practice and Procedure § 2857 (3d ed. 2012)), Duly incorporating into the expedited, de novo, discovery with the C.S.P.-L.A. County's 110,000 U.C.K. militia with Great Divide Militia personnel, BREACH (PROTOCOLS). Encompassing the 4000 Queens and sovereign investigative Queens, with Oral Commands, M.O.N.P.Q. / 17 U.S.C. § 307; and Princesses of 500. ibid, p 22-25, p 17 (id); (All GOOD STANDINGS ONLY) S.O.O.K.L. (a)(b) / 53 C.F.R. § 404.1(a)(b); L.C.R.A.B. (a) / 53 C.F.R. § 7000.1(a); L.C.R.A.B. 1(a) / 53 C.F.R. § 7000.1(a); id, at 2020 CA Sup Ct. # S194009, Complaint / Petition, p 1-10 (k) sup 5-10; F.R. Evid Rule 104; Rule 401; Rule 801; Bourjaily, 107 S. Ct., at 2777-2781.

All with their sovereign rights to Choose Pimping Plaintiffs,
along with all other unbarred, properly summoned
Royal Family, Ruling Class, Honorable U.S. Court, oathed,
sovereign males' purifying also surrendered females
for Queenships, and Princessships, see *Dunigan v. E.D.C.R.*,
2:19-cv-2501-WBS-AC, ECF No. 6, p 3-7, p 2510-d); CA
Sup Ct. 2020, # S194009, Complaint/Petition, p 1-10(k),
id., p 5-10; U.C.K.C.F. 1(a) / 53 C.F.R. 5999.1(a); R.E.C. (D) (a) / 28
U.S.C. § 2254.1(a); R.E.C. (D) (A) (B) (C) / 28 U.S.C. § 2255.1(A) (B) (C);
R.E.D.C. (D) (a) / 28 U.S.C. § 2253.1(a); Q.S.D.C. / 11 U.S.C. § 11;
H.E.R.O. / 28 U.S.C. § 2253.1(III); Some with ZERO males'
referral authority. K.S.R.O.Q. / 53 C.F.R. § 293; K.D.M.I.R.
1(a) / 7 U.S.C. § 3002.1(a); S.P.S.E.A. 1(a)(b)(c) / 53 C.F.R. § 304.1(a-c);
S.Q.Q.V.R. 1(a) / 53 C.F.R. § 227.1(a); 9th Circuit's omissive
filing of case # 20-15723, July 22, 2021, served Motion
To Vacate Dual Mandates With Multiple U.S. Dist.
Court's Final Orders, p 1-12, hence forth, id, as
Appl. "1", p 1-12, id, at 9th Cir. file # 21-71403, Dkt
Entry: 2, p 44-of-387; id, p 1-387-of-387, verbatim,
Anderson v. Bessemer City, 470 U.S., at 566-582, 84 L. Ed.

2d, at 524-534 (citing *U.S. v. Marine Bancorporation*, *supra*, at 615, n. 13, 94 S. Ct. 2856); (CT 1017-1020; CT 2006-2007.) *ibid*, p. 1-16; F.R. Crim. P. Rule 29.10(2); Penal Code § 1385.10; see also E.I.U.C.K.101/7 U.S.C. § 1.10; S.E.O.C.1/7 U.S.C. § 2.; T.E.R.M./ 11 U.S.C. § 7.; *Mannes v. Gillespie*, 967 F.2d 1310, 1311-1316, 1992 U.S. App. LEXIS 14117 (quoting *Hudson*, 450 U.S., at 44-45, and n. 5.); *Sanabria v. U.S.*, *supra*, 437 U.S., at 56-81, 57 L.Ed 2d, at 47-64, 98 S. Ct. 2170 (quoted in *U.S. v. Martin Linen Supply Co.*, 430 U.S. 564, 571, 51 L.Ed 2d 642, 97 S. Ct. 2349 (1977) (quoting *U.S. v. Ball*, 163 U.S. 662, 671, 41 L.ed 300, 16 S. Ct. 1192 (1896).); *Barbort* *supra*.

No jurists of Reason would debate whether plaintiffs have made prima facie showings that the arbitrary overreaching of the governments has been proven to be the "law breaker" whereas "it invites" plaintiffs as "breeds contempt for law" now "to become a law unto himself" for legislating the murder of the resurrected plaintiffs. see # 20-15723, Appl. "I", p. 210 - 211; U.S.S.C. for 9th Cir. file # 22-56152, Cert. III, p. IV (a) - IV (b), at Appendix E (PROTOCOL) 7 U.S.C. §§ 545.; 546.; 547. (a); O.N.F.I.E. / 53 C.F.R. § 287.; U.C.K.F.R. 1. (a) / 7 U.S.C. § 548. (a); CCR § 3375.6 (HISTORY);

28 U.S.C. §§ 2403.(a)(b); 2654; 1915.(3); U.S.S.C. # 20-6642, at
EVENT "E", p 303-342; 5 U.S.C. §§ 551.(1)(C)(2)(3)(4)(5); 552.
1(a)(1)(A)(B)(C)(D)(E)(2)(A)(B)(C)(D)(iii); Dungan v Hickman, et al,
2:11-cv-0961-MCE-EFB, Docket # 86, Suppl. First Amendment
Objection To Mag.'s F. & R., p 1-140, re, p 67-87; EVENT
"K", p II-40; C.A.L.S. & C. No. 1.30; No. 5.50; No. 8.51;
No. 5.50.1; No. 2.90; No. 8.37.; No. 8.40; No. 8.50;
No. 8.42.; No. 8.43; No. 8.44; No. 1.00; No. 8.11; No. 17.10;
CT 766-771; CT 812-861, + misconstrued at CT
544-641; CT 1166-1173; RT 62-92; Inclusive
Motion To Exclude Evidence's Exhibits misconstrued
akin to Motion To Order Process, Ren. C. § 939.7, by
Deputy Roberts, on filing after him and Judge Eart,
excluded plaintiffs from the law library in order
to circumvent plaintiffs' prima facie, pro se
defense. CT 939-956; CT 975-991; CT 796-811,
re CT 796-798; CT 1-2020.) Requires augmentation
of complete trial's audio/visual surveillances with
main jail commensurate to plaintiffs' locations,
upon facial recognition technology, with missing re-
porter's and clerk's transcripts, see U.S.S.C. # 20-

6642, EVENT "E", p 299-310, in, p. 300-303; Calif. Rules of Court No. 8, 340(b)(1) + (c); *ibid*, p 16-18; Verbatim, F.R. Crim. P. Rule 16.1(a)(1)(C); Rule 52.1(a); Penal Code § 1054.9.; 9th Cir. R. 3-3; R. 3-6; *Brutt*, 404 U.S., at 227-229; *Brady*, 373 U.S. at 87; *Prizer*, 411 U.S., at 475-525; *U.S. v. Marine Bancorporation*, 418 U.S., at 615, n. 13, 94 S. Ct. 2856;

Surely upon review of the Aug. 24, 2009, audio/visual surveillance the Court will find Judge Fall, ordered ARABELI PLASENCIA C.S.R. No. 8687 to falsify the complete transcript. Since plaintiffs impeach Sgt. Crisolago, as a near reader of Dr. Rieber's, autopsy report. Thereby Sgt. Crisp, was not even present. (CT 545; CT 641; *ibid*, p 16-18; CT 538-543.) Such frauds are manifest abuses of discretion. *ibid*, p 1-28; see Exhibit "A", p 1-3 of-3; F.R. Civ. P. Rule 11.1(b)(3); Rule 60.1(b)(4) + (6) + (3); F.R. Crim. P. Rule 44; Rule 3; Rule 4; Rule 52.1(a); *ibid*, p 16-18; (CT 633-640; CT 538-543.) *Buck*, *supra*, at — — — 197 L. Ed. 2d, at 8-32, 2017 U.S. LEXIS 3422 (citing 11 C. Wright, A. Miller & M. Kane, Federal Practice and Procedure § 2852 (3d ed. 2012)); *Wheeler*, 137 S. Ct. at 1902-1918,

198 L.Ed.2d, at 425-442, 2017 U.S. LEXIS 4048 (citing U.S. v. Gonzalez-Lopez, 548 U.S. 140, 149 n.4, 126 S.Ct. 2557, 168 L.Ed.2d 409 (2006)); Olmstead v. U.S., supra, 277 U.S. at 456-488, 72 L.Ed. at 946-961, 48 S.Ct. 564 (citing Silverthorne Lumber Co. v. U.S., 251 U.S. 385, 64 L.Ed. 319, 24 A.L.R. 1420, 40 Sup. Ct. Rep. 182.); Morrow, supra, 30 Cal. App. 4th, at 2254-2263, 36 Cal. Rptr. 2d, at 212-218 (quoting Olmstead v. U.S., 277 U.S. 438, 485, 48 S.Ct. 564, 575, 72 L.Ed. 944, 960 (1928) (Brandeis, J., dissenting)); 120 days of whorls' gear, accessories, arms, GPS Pone Buttons, etc.; ibid, p 14-16; 28 U.S.C. § 2253.(a)(2); ibid, p 1-16; F.R.Evid. Rule 104; Rule 401; Rule 801; Slack, 529 U.S. at 483-485, 246 L.Ed.2d, at 554-555 (quoting Bamforth, supra, at 843, and n.4, 203 S.Ct. 3383.); Penal Code § 229.(a)(2); 18 U.S.C. §§ 3107; 3571; 229A.(a)(1) Fines and (b)(1) Civil Penalties; 229B. Criminal Forfeitures; 3574. Implementation of sentences of a fine with no ceiling. E.D.U.C.K./11 U.S.C. § 187; E.D.S.C.K./11 U.S.C. § 188; E.D.P.C.K./11 U.S.C. § 189; Congress has not spoken to such as remedies. ibid, p 1-19; U.S. v. Kimball Foods, Inc., supra, 440 U.S. at 718-740, 99 S.Ct. at 2451-2465, 59 L.Ed.2d 711, 20 C.B.C. 1, 26 U.C.C. Rep. Surv. 2 (quoted

in Little Lake Mirana Land Co, supra, at 593, 93 S. Ct. at 2397, quoting Mishkin 800, that Clearfield directs federal courts to fill in the interstices of federal legislation "according to their own standards." Clearfield Trust Co. v. U.S., 318 U.S. at 367, 63 S. Ct. at 575. (FN 20); *ibid*, p. 16-20; *People v. Ditson* (1962) 57 Cal. 2d 418, — — —, n. [7], 20 Cal. Rptr. at 179-180, 369 P. 2d 714; *People v. Ramirez* 2 (2nd Dist. 1979) 91 Cal. App. 3d 132, — — —, 153 Cal. Rptr. at 791-792; *People v. Vinas*, 18 Cal. 4th 47, 52-96, 74 Cal. Rptr. 2d 262, 265-295, 954 P. 2d 525 (1998) (citing *Pizarro*, supra, 10 Cal. App. 4th 57, 12 Cal. Rptr. 2d 436 (see ante, p. 268 of 74 Cal. Rptr. 2d, p. 531 of 954 P. 2d)); *Giglio v. U.S.*, 408 U.S. at 151-155, 32 L. Ed. 2d at 106-109, 92 S. Ct. 763 (quoting *Napue*, supra, at 269, 3 L. Ed. 2d at 1221. *Thereafter Brady v. Maryland*, 373 U.S. at 87, 10 L. Ed. 2d at 218.); *People v. Barney*, supra, 8 Cal. App. 4th at 802-827, 10 Cal. Rptr. 2d at 732-748 (citing *People v. Collins* (1968) 68 Cal. 2d 319, 327-329, 66 Cal. Rptr. 497, 438 P. 2d 33); *Ginsburg v. Pugh*, supra, 420 U.S. at 105-117, 43 L. Ed. 2d at 59-73, 95 S. Ct. 854 (citing *Coleman v. Alabama*, 399 U.S. 1, 26 L. Ed. 2d 387, 90 S. Ct. 2999 (1970); *U.S. v. Wade*,

388 U.S. 218, 226-227, 18 L.Ed.2d 1149, 87 S.Ct. 1926 (1967));
People v. Molich, 15 Cal. App. 3d, at 262-266, 93 Cal. Rptr.,
at 92-98 (citing Guerin v. Superior Court (1969) 269 Cal.
App. 2d 80, 83, 75 Cal. Rptr. 923; People v. Minkowski (1962)
204 Cal. App. 2d 832, 841, 23 Cal. Rptr. 92; People v. Rosborough
(1960) 178 Cal. App. 2d 156, 166-167, 2 Cal. Rptr. 669 (n.g. den.));
Alford v. Superior Court of Alameda County,
29 Cal. App. 3d 724, 726-729, 105 Cal. Rptr. 713, 714-717
(1st Dist. 1972) (citing Alford v. U.S., 282 U.S. 687, 691-692,
51 S.Ct. 218, 229, 75 L.Ed. 624); Whitman v. Superior Court
(People) (1991) 54 Cal. 3d 1063, 1067-1090, 2 Cal. Rptr.
2d 160, 161-176, 820 P.2d 262 (citing See generally,
Coxall, When Prelims Turn Pro Forma (Mar. 1991) Cal.
Laxi., p. 204.); Under plaintiff's cross-examination
Sgt. Crowslago, failed with regard for having any
personal knowledge of the corpse's temperature during
the autopsy. What procedures were used in order
to procure said DNA evidence. Notwithstanding
whether the corpse was embalmed at the time
of the autopsy, *ibid*, p. 18-19; Title 17 § 1204. (c)(2)(3)
(4)(5)(6)(7)(8)(9); Brady, 373 U.S., at 86-87; Youngblood v.

West Virginia, 547 U.S. 867, 869-872 (2006); Strickler v. Greene, 527 U.S. 263, 280-285 (1999); Jennings v. Superior Court of Contra Costa County, 66 Cal. 2d 867, 870-881, 59 Cal. Rptr. 440, 442-449, 428 P. 2d 304 (1967) (quoting People v. Elliot (1960) 54 Cal. 2d 498, 502-503, 6 Cal. Rptr. 753, 756, 354 P. 2d 223, 228); Wham, 137 S. Ct., at 1902-1918, 198 L. Ed. 2d, at 428-442, 2017 U.S. LEXIS 4340 (citing U.S. v. Gonzalez-Lopez, 549 U.S. 140, 149, n.4, 126 S. Ct. 2557, 165 L. Ed. 2d 409 (2006).); *id.*, at 137 S. Ct., at 1907-1910, 198 L. Ed. 2d, at 430-434, 2017 U.S. LEXIS 4340 (quoting Fulminante, *supra*, at 309, 111 S. Ct. 1246, 113 L. Ed. 2d 302 (internal quotation marks omitted).); *ibid.*, p. 1-22; McQuiggin v. Perkins, *supra*, 569 U.S., at — —, 133 S. Ct., at 1928-1943 (quoting Calderon, *supra*, at 558, 118 S. Ct. 1489 ("The miscarriage of justice standard") *id.*, at — —, 133 S. Ct., at 1930-1934 (citing House, 547 U.S., at 537-538, 126 S. Ct. 2064).); *id.*, at — —, 133 S. Ct., at 1932-1936 (quoting Schlup, 513 U.S., at 316, 115 S. Ct. 851.); Code of Civ. Proc. §§ 170.1; 170.6; Bus. & Prof. Code §§ 6068.1(a)(b)(c); 6128.1(a); Penal Code §§ 186.22.1(b)(1); 187.(A); 205.; 520.; This extreme, homosexual, judicial prejudice requires the nation wide enforcements of the per-

emptory challenge for cause and homosexual prejudice
upon Global Enforcement of the NO KNOCK DEATH WAR-
RANT with simultaneous civil compensatory with punit-
ive remunerations. Notwithstanding all requested pro
se attorney's fees with multipliers. *ibid*, p 13-16, *id*,
p 13-14; at *2:23-cv-2977-ODW-E, Initial Complaint,
p 6-10; verbatim, 28 U.S.C. § 2101. (1) 18 U.S.C. §§ 3626. (a)
(1)(B)(i)(ii)(iii)(2) + (3)(E)(i)(ii); 3006A. (d) + (e); 3599. (a)(2)(b)(c)(d)(e)(f);
D.D.F.S. v. P. (g) / 53 C.F.R. § 250. (g); U.A.L.V. T. (a)(b) / 53 C.F.R. § 300
(a)(b); ~~DC F.P.V.~~ / 53 C.F.R. § 302.; U.S.S.V. (a)(b) / 53 C.F.R. §
302. (a)(b); S.R.V.H. (a)(b) (c) / 53 C.F.R. § 303. (a-c); S.P.S.E.A. (a)(b)
(c) / 53 C.F.R. § 304. (a-c); F.V.W. P.Q. (a)(b)(c)(d) / 53 C.F.R. § 308. (a)(b)
(c)(d); B.G.S.V. (a) / 53 C.F.R. § 306. (a); G.F.C.B.P. (a)(b)(c) / 53 C.F.R. §
307. (a)(b)(c); C.S.P.-L.A. County's CTQ Cells must all
be customized congruent. All narcotics, Marijuana,
PEP, Purple Rush, ect, are in expeditious, de novo,
discovery # 2:23-cv-2977-ODW-E, Initial Complaint,
p 1-3, p 6-10; # 21-71403, Dkt Entry: 2, p 131-170 - & 387;
20-15723, MANDATE, p 1-75, *id*, p 54-64; # 2:19-cv-2501-
WBS-AE, ECF No. 37, p 6-14; 2020, CA Sup Ct. # 5194009,
Complaint, p 1-70 (k); Cert. III, p IV (a) - IV (b), Appendix "E"
(PROTOCOL) 9th Cir. R 3-3; R 3-6; 28 U.S.C. §§ 636. (a); 2241. (a)(3);
2254. (b)(1)(B)(ii) + (d)(1) + (2); F.R. Crim P. Rule 16. (a)(1)(C); Rule 52. (a);

Code of Civ. Proc. § 2021.5; Penal Code § 1054.9; Ake, *supra*, 470 U.S.
at 70-92, 84 L.Ed.2d, at 56-72, 70 S.Ct. 1087 (citing *Barnfoot*,
supra, at 899, n. 5, 77 L.Ed.2d 1090, 703 S.Ct. 3383). Har-
bison, 556 U.S., at — — 173 L.Ed.2d, at 350-366,
2009 U.S. LEXIS 2496 (Port, at p. 199, 173 L.Ed.2d, at 364.).
Gov. Code § 800; *Santos v. D.M.V.*, 5 Cal. App. 4th, at p. 550-
551, 7 Cal. Rptr.2d, at 18 (quoting *Holaco Engineering*
Co. v. South Central Coast Reg. Com., 42 Cal. 3d 52, 79,
227, Cal. Rptr. 667, 720 P.2d 15 (1986); *Kreutzer v. Co.*
of San Diego, 253 Cal. App. 3d 62, 78, 200 Cal. Rptr.
322 (1994)). *Edgerton v. State Personnel Bd.*, 83 Cal. App.
4th, at 1361-1364, 100 Cal. Rptr.2d, at 499-501 (quoting
Simano III, *supra*, at 49, 144 Cal. Rptr. 315, 569 P.2d 1303).
Title VI & VII of the 1964 Civil Rights Act; *Green*, 411 U.S.,
at 793-807, 36 L.Ed.2d, at 673-680, 93 S.Ct. 1817 (citing
Griggs v. Duke Power Co., 401 U.S. 424, 429, 28 L.Ed.2d
158, 91 S.Ct. 849 (1971); *Castro v. Becker*, 459 F.2d 728 (CA
1 1972); *Chance v. Board of Examiners*, 458 F.2d 1167
(CA 2 1972); *Quarles v. Philip Morris, Inc.* 279 F.Supp.
505 (E.D. Va. 1968). As noted in *Griggs, supra*; *id.*,
at 797-799, 36 L.Ed.2d, at 674-676, 93 S.Ct. 1817 (quot-
ing *Robinson v. Lorillard*, 444 F.2d 791, 800 (CA 4 1971);
Beunly v. Lone Star Land Construction Corp. 437 F.2d

-1176 (CA 5 1971); *Flowers v. Local 64, Laborers International Union of North America*, 541 F.2d 205 (CA 7 1970); *Keketa v. U.S. Steel Corp.* 424 F.2d 331 (CA 3 1970).); *U.S. v. Armstrong*, 327 U.S. at 457-483, 116 S.Ct. at 1482-1498, 234 L.Ed.2d 687, 64 U.S.L.W. 4305, 94 Cal. Daily Op. Serv. 3351, 94 Daily Journal D.A.R. 5450 (quoting *Oyler v. Boles*, 368 U.S. 448, 486, 82 S.Ct. 501, 506, 7 L.Ed.2d 446 (1962)). A defendant may demonstrate that the administration of a criminal law is "directed so exclusively against that class of person... with a mind so unequal and oppressive" that the system of prosecution amounts to "a practical denial" of equal protection of the law. *Yick Wo v. Hopkins*, 118 U.S. 356, 373, 6 S.Ct. 1064, 1073, 30 L.Ed. 220 (1886).)

Plaintiffs for long since Government wrongs as motivated to arbitrarily quell overly gross and perpetually expanding under the racist/strant defendant, spawned by gay liberal Democratic BAD FAITH. Being unduly leveled against a devout CHRISTIAN, with Islamic schools of thought. A Republican, indigent, male, heterosexual, BLACK, see *Phillips v. Johnson*, et al., #2123-cv-2977-00vl-E, Initial

Complaint, p 1-3; Such ever growing and openly gross civil liability has been a wedge against plaintiffs in society. Notwithstanding the arbitrary motivation to quell such, stemming from this egregious homosexual misconduct. Such as but not limited to Sacramento County District Attorney's office employee P.I. Ron Gavrnick's perpetually asking plaintiffs during his April 8, 2009, Miranda violative ruse, alleging that Oyida Bunley, was the suspect and not the plaintiffs even after jeopardy had attached. In order to ask plaintiffs questions unadmonished of Miranda. With plaintiffs' will overborne to investigate the D.A.'s disposition after Judge Savage, denied plaintiffs' Faratta invocation 154 days earlier on April 3, 2009. C.C. Suppl. T 1-6. J.F.R. Crim. P. Rule 3.; Rule 4.; Rule 94(a); Title VII of the 1964 Civil Rights Act; C.C.T 1. J.D.B. v. N. Carolina, ___ U.S. ___, 131 S. Ct. 2394, 2400-2404 (2011); Lynam v. Illinois, 372 U.S. 528, 532-535 (1963); Spano v. New York, 360 U.S. 315, 321-325 (1959); Collazo v. Estrella, 940 F.2d 411, 416 (9th Cir. 1994) (en banc) (quoting Columbus v. Connecticut, 367 U.S.

568, 599-604 (1961)). *Faretta v. California*, 422 U.S. at 812-830, 45 L.Ed.2d 568-579, 95 S.Ct. 2525 (citing *California v. Green*, 399 U.S. 149, 176, 26 L.Ed.2d 489, 90 S.Ct. 1930 (Harlan, J., concurring)). *Minardo*, 384 U.S. at 444.) Prejudice ensued at trial when Judge Long, did allow Mr. One, to use Gaurick's, April 8, 2009, interrogation to lay foundation for the anonymous tip. (RT 136-149, n. RT 149; RT 390-392; C Supp. T 1-49, n. C Supp. T 49.) *ibid*, p 3-12; *Murray v. Carrier*, 477 U.S. at 485-489, 91 L.Ed.2d 406-409, 106 S.Ct. 2639 (citing *Engle v. Isaac*, 456 U.S. 107, 71 L.Ed.2d 783, 102 S.Ct. 1558 (1982)). While not only was Gaurick's, perpetually asking plaintiff if plaintiff had sex with Gary Viers (C Supp. T 4:11-5:3; C Supp. T 9:1-17; C Supp. T 22:1-15.) Notwithstanding Mr. One, in his closing argument suggested that the puzzle looked like San Francisco. And that if plaintiff would have stated plaintiff had sex with the deceased would have explained away the charge, was "substantial and adequate to deserve encouragement to proceed further." (RT 788; 14-792; 28.) *Phillips v. Johnson et al.*, # 2:23-cv-02977-DDW-E, continued at Initial 25(b)

Complaint, p. 4-5; Requires a Court (ORDER) for C.D.C.R. to stop sending inmates to C.S.P. - L.A. County, at 44750 60th Street West in Lancaster Calif, 93536-7620, 28 U.S.C. § 2253.(a)(1)(A); 2283.; 2284.(b)(1); 18 U.S.C. 553626.(a)(1)(B)(iii)(2); *Pride v. Correa*, 714 F.3d, at 1135-1137 (citing *Burnett v. Dugan*, 618 F.Supp.2d 1232, 1237 (S.D. Cal. 2009)); *id.*, at 714 F.3d, at 1134-1135 (citing *Coleman*, 2009 U.S. Dist. LEXIS 67943, 2009 WL 2430820, at *27.); *Slack v. McDaniel*, 529 U.S., at 483-490, 146 L.Ed.2d, at 554-559, 120 S.Ct. 1595 (quoting *Barfoot*, *supra*, at 893, and *n. 4*, 77 L. Ed.2d 1090, 103 S.Ct. 3383); Notwithstanding the sovainign purchases of 10,000, harrier powered, stealthy, F35 Fighter Jets with invisibility refractors, *see* U.S.S.C. #20-6642, EVENT "E", p. 602-603; 2,500 similarly MODIFIED B-2 Bombers, with 14 fighter cock pits behind pilots for laser eyes - getting guns, heatseeking titanium pulser, *see* #20-6642, EVENT "E", p. 524-528; with bulletproof fiberglass overlays on all plains, #2:23-cv-2977-ODW-E, at

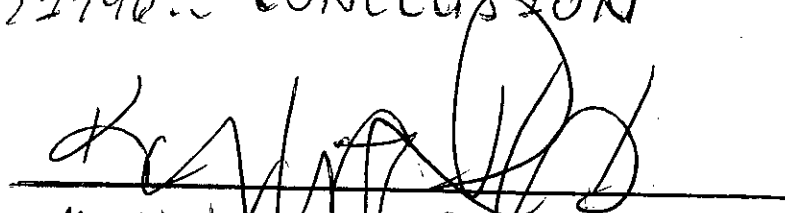
quoting U.S. v. Nobles, 422 U.S. 225, 239, 45 S. Ct 2160, 2170
(1975)) (CT 1012-1018; CT 2006-2007) ibid, p.
16-27; 28 U.S.C.S 2253.(a)(3); F.R. Crim P. Rule 29.(a)(2);
Penal Code § 1395.(a); Slack, 529 U.S. at ~~485-490~~ 746
L.Ed 2d, at 555-560 (quoting Barefoot, supra, at 893,
and n. 4, 77 L.Ed 2d 7090, 703 S.Ct 3883) (Anderson, 470
U.S. at 566-572, 84 L.Ed 2d, at 524-528) (quoting U.S. v.
Marine Bancorporation, supra, at 675, n. 13, 41 L.Ed 2d
996, 94 S.Ct. 2856; U.S. v. El Paso Natural Gas Co.,
supra, at 656-657, 72 L.Ed 2d 12, 94 S.Ct. 7044);
S.P.O.D. T. (a)(b)(c) / 53 C.F.R. § 309.(a)(b)(c); P.P.F. & C. (a)
(b)(c) / 53 C.F.R. § 308.(a-c); M.S. v. P.R. (a)(b) / 53 C.F.R. §
310.(a)(b); C.E.D.E.S. (a) / 28 U.S.C.S 2253.(d)(a); I.C.M.T. /
28 U.S.C.S 2252.4; All Side Show and Street Races,
Agents require certifications and 17 day insur-
ance written & 9th Cir. #20-15723, A.I.B., p 4-4(2);
sup p 4-4(c); U.S.S.C. #20-6642, EVENT "D"; p 1-110, in
p 7-21; E.D.U.C.K. / 11 U.S.C.S 187; E.D.S.C.K. / 11 U.S.C.
§ 188; E.D.P.C.K. / 11 U.S.C.S 189; U.O.M.I.D. (a) / 7
U.S.C. § 626.(a); C.K.M.F.D. / 7 U.S.C.S 627; K.D.M.I. 7.(a) /
7 U.S.C.S 3003.(a); K.D.M.R.I. (a) / 7 U.S.C.S 3004.(a); I.T.K.D.-
G. (a) / 53 C.F.R. § 22.(a); Dunigan & C.D.C.R., et al., # 2:19-
cv-2801-WBS-AC, ECF No. 6, p 7-18(d); p 3-7; K.Q.-

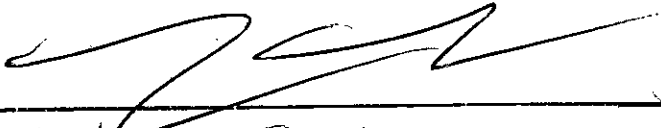
Complaint, p 1-3; #20-6642, EVENT "E", p 12-17; Dunigan
v. Hickman, et al, #211-cv-0961-MCE-EFB, Docket #86; Suppl.
First Amendment Obj. To Magis F. & R., p 1-140, w, p 67-87;
Exhibit "V", p 1-32, w, p 7.5-31; Docket #17, Habeas Corpus,
1-4100, ~~Sovereign~~ Exercise Suppl. Declaration, p 1-80;
Exhibit "L", p 1-100, w, p 11-14; Ca. Sup. Ct. #S228681,
Habeas, p 1-6-af-6; Sovereign Exercise Suppl. De-
claration, p 1-56, w, p 54-56; Suffers Nisgadin from
vindictive law enforcements' vendetta for
being Northern California's First Blood Gang Member.
Notwithstanding an aggressive post for having
multiple assaults on law enforcements, Dunigan v.
Beard, et al, #211-cv-0048-PLN-KOL, Disregarded
Coram Nobis, p 13-58, w, p 21-23, p 63-66; CA Sup.
Ct. 2020 #S194009, Complaint/Petition, p 1-10(k), w,
S19-e), p 5(f-k). Phillips v. Johnson, #2123-cv-2977-
ODW-E, COMPLETE FILE: ALL VERBATIM, ON
A JUDICIAL NO PICE, simultaneous. ibid, p.
16-26; Hickman, et al, #211-cv-MCE-EFB, Docket #86,
Exhibit "T", p 1- —, p complete; Exhibit "V", p 7.5-
31, w, p 15-21; U.S. v. Armstrong, 517 U.S., at 471-
483, 116 S. Ct. at 1489-1495, 64 U.S.L.W. 4305 (

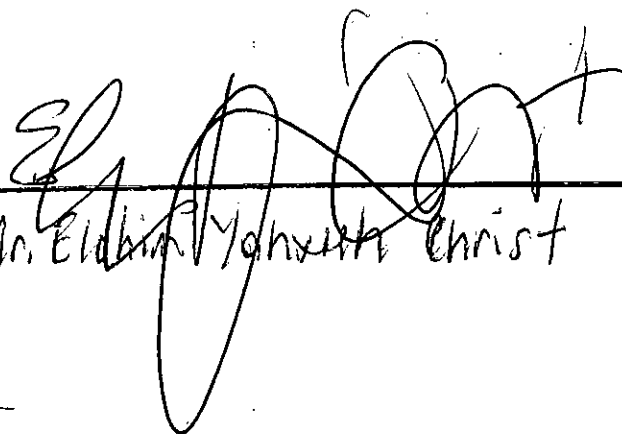
G.D.O. 5/53 C.F.R. 557, on b; U.C.K.G.M. 153 C.F.R. 58; K.C.R. -
 C.T.D. 101/53 C.F.R. 553 (3, 101) F.B.I. 101(b)(1) 101/53 C.F.R. 55400.
 101(b)(1); K.N.G.D.C. 101/53 C.F.R. 51. 101 P.O.L.Y. / 11 U.S.C. 55;
 K.N.G.D.D. / 53 C.F.R. 52; K.N.G.D.E. 101/53 C.F.R. 53. 101;
 U.C.K.D.I.Y. 101(b)/53 C.F.R. 554. 101(b); D.Q.V.I. (A-H) / 53
 C.F.R. 55. (A-H); D.Q.D.A. / 53 C.F.R. 56; Sanabria v.
 U.S., 432 U.S. at 56-81, 57 L.Ed. 2d 43, at 49-64, 98
 S.Ct. 2170 (quoting *Fong Foo v. U.S.*, 369 U.S. 141, 143, 9
 L.Ed. 2d 629, 82 S.Ct. 671 (1962); *Green v. U.S.*, 355 U.S. 184,
 188, 2 L.Ed. 2d 199, 78 S.Ct. 221, 72 Ohio L. Abs 202, 61
 ALR 2d 1119 (1957).); *Mannes v. Gillespie*, 962 F.2d 1310,
 1314-1316, 1992 U.S. App. LEXIS 14127, 92 Cal. Daily Op.
 Service 5328, 92 Daily Journal D.A.R. 8449 (9th Cir.
 June 22, 1992) (citing 28 U.S.C. § 2254 See *Justice of*
Boston Mun Court v. Lydon, 466 U.S. 294, 300-03, 80
 L.Ed. 2d 311, 204 S.Ct. 1805 (1994).); Sup. Ct. R. 10. 101(e)(1)

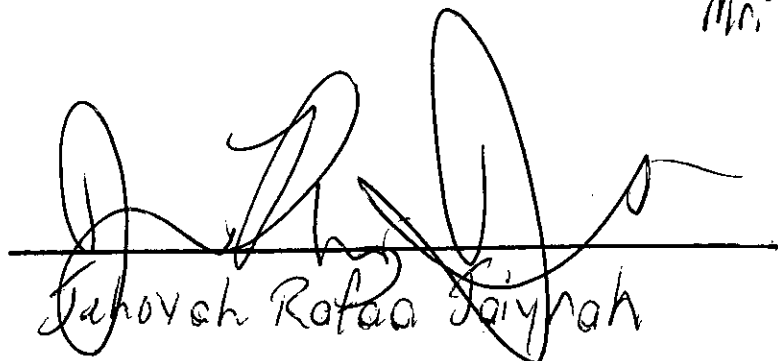
The aforementioned is true and correct execut-
 ed this 21st day of ~~June~~ 2023, under penalty of perjury.

18 U.S.C. § 2621 / 28 U.S.C. § 1946... CONCLUSION


 Mr. Kevin Wayne Phillips Sr.


Kevin W. Dunigan G32435


Mr. Eldridge Yahweh Christ


Jahoveh Rofaa Jaiyrah

ibid, p 1-29; Isaiah ch. 1: 1-13; Leviticus ch 18:22; ch. 20:13; Deuteronomy ch. 23: 1-18; Ezekiel ch 21: 18-27; Daniel ch. 2: 33-45; ch. 9: 1-14; ch. 9: 24-27; ch. 11: 13-35; Zechariah ch. 3: 1-10; ch. 4: 1-14; ch. 5: 1-11; ch. 6: 1-15; Revelation ch. 1: 7-8; ch. 2: 17-29; ch. 4: 1-11; ch. 5: 1-24; ch. 9: 1-21; ch. 12: 1-17; ch. 18: 1-24; ch. 19: 1-21; ch. 20: 1-14; Al-Fatiha sura 1: 1-7; Yusuf sura 12: 1-111; Ezekiel ch. 39: 12-25; Al-Kahf sura 18: 1-110; Al-Muzzammil sura 73: 1-20; Isaiah ch. 59: 1-22; Al-Muddaththir sura 74: 1-56; Ephesians ch. 6: 10-23; Isaiah ch. 13: 1-22; ch. 3: 24-28; ch. 4: 1-6; Micah ch. 4: 1-23; Habakkuk ch. 2: 1-20..

ADOPTED

Date:

Mr. Chief Justice John Roberts

Date:

9th Cir. Allotted Justice

Date:

3rd U.S.C. Mr. Justice R. Alito

On a peremptory challenge for cause and homosexual prejudice, see *Phillips v. Johnson, et al.*, #2:23-cv-2477-00ve-E, June 19, 2023, ECF Judicial Notice, p 1-9, and Exhibits "A-thru-E", i.e., Exhibit "G", p 4-18, verbatim, *ibid*, p 4-30; *Anderson*, 470 U.S., at 566-572, 84 L.Ed.2d, at 524-527 (citing *U.S. v. Marine Bancorporation*, *supra*, at 615, n.13, 94 S.Ct. 2856); *Sup. Ct. Rule 22.1.2.3.*; *F.R.A.P. 27*; *D.N.S.S.D. / 11 USC § 191*; *U.C.K.P.S. / 28 U.S.C. §§ 2283.5; 2284.5; 636.(c); 631-639; 2283.; 2284.(b)(1)*;

2244.1(b)(3)(A)(B)(C); Thompson, 151 F.3d, at 921-932; Price, 719 F.3d, at 1134-1135 (citing Colman, 2009 U.S. Dist. LEXIS 67943, 2009 WL 2430820, at *27); Sup. Ct. Rule 10.1(a)(4).

ADOPTED

Date:

Mr. Chief Justice John Roberts

Date:

Mr. Justice Clarence Thomas

Date:

Mr. Justice Robert Alito