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No. 23- _____

Original

IN THE
SUPREME COURT OF THE UNITED STATES

FILED
JUL 19 2023
OFFICE OF THE CLERK
SUPREME COURT, U.S.

JEFF BAOliANG ZHANG, PH.D.

Petitioner,

v.

LOS ANGELES COJNTY/LOS ANGELES COUNTY

PUBLIC DEFENDER OFFICE, JONATHAN PETRAK, ROURKE STACY

Respondents.

On Petitioner for Review to the California Second District

for the Court of Appeal (Case # B319492)

July 19, 2023

PETITION FOR REVIEW

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QUESTIONS PRESENTED

1. Whether the state court judges can willfully use all the lies made by Respondents and impose the unreasonable state statutes to dismiss this case while even the Respondents cannot cheat Petitioner with such lies and statutes anymore for their defense.
2. Whether Amendment XIV that grants “equal protection of the law” to a citizen should be totally ignored at the California state courts as the judges only love to assist the lawless public officials with their strong bias and with their disgusting discrimination against the innocent Petitioner.
3. Whether the California State Supreme Court should ignore the serious judicial corruption at the lower courts by denying reviewing this serious case filled with federal civil rights claims.

PARTIES TO THE PROCEEDING

Jeff Baoliang Zhang, Ph.D., Petitioner on review, was the Plaintiff-Appellant below.

Los Angeles County/Los Angeles County Public Defender Office (LACPDO), Jonathan Petrak, Rourke Stacy, and their accomplices, were the Defendants-Respondents below.

RELATED PROCEEDINGS

The following proceedings are directly related to this petition:

■ Jeff Baoliang Zhang, Ph.D. v. Los Angeles County/Los Angeles County Public Defender Office, Jonathan Petrak, Rourke Stacy

No. 21STCV27611 (Los Angeles County Superior Court)

■ Jeff Baoliang Zhang, Ph.D. v. Los Angeles County/Los Angeles County Public Defender Office, Jonathan Petrak, Rourke Stacy

No. B319492 (California 2nd District Court for the Court of Appeals)

■ Jeff Baoliang Zhang, Ph.D. v. Los Angeles County/Los Angeles County Public Defender Office, Jonathan Petrak, Rourke Stacy

No. S279108 (California State Supreme Court)

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United States Constitution

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Congress shall make no law ... or abridging the freedom of speech, or of the press, or the right of people peacefully to assemble, and to petition the Government for redress of grievances.	
Amendment VI	9, 18
In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed.	
Amendment VIII	9, 18
... nor cruel and unusual punishment inflicted.	
Amendment XIV	passim
... 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.	

Federal Statutes

42 U.S.C. § 1983 – Civil action for deprivation of rights	passim
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, ... (R.S. §1979; Pub. L. 96-170, §1, Dec. 29, 1979, 93 Stat. 1284; Pub. L. 104-317, title III, §309 (c), Oct. 19, 1996, 110 Stat. 3853.	

18 U.S.C. Ch 79: PERJURY § 1621. Perjury generally	17, 32
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Whoever –

(2) in any declaration, certificate, verification, or statement under penalty of perjury as permitted under section 1746 of title 28, United States Code, willfully subscribes as true any material matter which he does not believe to be true; is guilty of perjury and shall, except as otherwise expressly provided by law, be fined under this title or imprisoned not more than five years, or both. This section is applicable whether the statement or subscription is made within or without the United States.

28 U.S.C. § 1254(1)	5
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President Theodore Roosevelt pointed out	31
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No man is above the law and no man is below it; nor do we ask any man's permission when we ask him to obey it. Obedience to the law is demanded as a right, not asked as a favor.

State Code

§ 1:22 Lack of knowledge	25
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Not required when the plaintiff pleads and proves that he or she did not know or have reason to know that the injury was caused by an act or omission of the public entity or by an employee of the public entity in the scope of employment. Gov'T Code §950.8.

Equitable Tolling	25
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The statute of limitations may be equitably tolled (extended, suspended, put on hold) when under certain circumstances,

Impossible: Filing a lawsuit was impossible or virtually impossible [Lewis v. Superior Court (1985) 175 Cal. App. 3d 366.]

For filing federal civil rights of claims, a claim is not required 10, 11

Not required if the claim falls under 42 U.S.C. § 1983 *Williams v. Horvath*, 16 Cal. 3d 834, 129 Cal. Rptr. 453, 548 P. 2d 1125 (1976). Filing of a claim in compliance with state law does not toll the statute of limitations for a civil rights claim. *Boston v. Kitsap County* (2017) 852 F. 3d 1182.

Misuse of the Power 26

... misuse of the power of the court; it is an act done in the name of the court and under its authority for the purpose of perpetrating an injustice. [Citation] (S. A. Madison 2014) 229 Cal. App. 4th 27, 41.)

Elder Abuse Law 8

Under California's Elder Abuse and Dependent Adult Civil Protection Act, physical elder abuse includes physical injuries, sexual abuse, neglect, abandonment, abduction, failure to provide necessities, and isolation. WELF. & INST. CODE, §15610, et seq.

Individuals and institutions responsible for the care or custody of dependent adults, developmentally disabled or elder adults are liable for physical. Financial or mental suffering damages arising from abuse, abduction, neglect or abandonment. WELF. & INST. CODE, §15600, et seq.

CAL. CIV. CODE. Section 1710 6

Section 525 of the Restatement Second of Torts (Restatement) 7

"Handbook on Claims Procedures & Lawsuits Against Public Entities" published by Bickmore Risk Service (June 2004) 26

However, items may not recognize as a claim, such as letters, notices and other informal documents could serve as a valid claim if all of the necessary elements are present.

(See p. 8 on the Handbook online.)

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The Honorable Diego Garcia-Sayan, United Nations <u>Special Rapporteur on the Independence of Judges and Lawyers</u> stated in his writing, “Corruption, Human Rights, and Judicial Independence”	31
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Corruption in the Judicial System

Corruption undermines the core of the administration of justice, generating a substantial obstacle to the right to an impartial trial, and severely undermining the population’s trust in judiciary.

Illicit interferences with justice can also be violent, particularly when perpetrated directly by members of organized crime. These forays are intended to secure specific objectives, such as the closing of a particular case, or the acquittal of a given individual.

(United Nations, A/72/140.35 July 2017.)

Cases

<i>Andrew v. Bankers & Slippers Ins. Co.</i> , 101 Cal. App. 566, 575, 281 P. 1091 (1929)	6
<i>Block v. Tobin</i> , 45 Cal. App. 3d 214, 219, 119 Cal. Rptr. 288 (1975)	6
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<i>Gagne v. Bertran</i> , 43 Cal. 2d 481, 487-88, 275 P. 2d 15 (1954)	6
<i>Lewis v. Superior Court</i> (1985) 175 Cal. App. 3d 366	25
<i>Nathanson v. Murphy</i> , 132 Cal. App. 2d 363, 369-70, 282 P. 2d 174 (1955)	6
<i>Williams v. Horvath</i> , 16 Cal. 3d 834, 129 Cal. Rptr. 453, 548 P. 2d 1125 (1976)	11

Petition for Review

To: THE HONORABLE CHIEF JUSTICE AND TO THE HONORABLE ASSOCIATE JUSTICES OF THE
UNITED STATES SUPREME COURT:

Petitioner, JEFF BAOLIANG ZHANG, PH.D. petitions this Court for a review to the decision filed on May 3, 2023, at the California State Supreme Court, denying review of Petitioner's appeal for the reversal of the illegal decision at the California Second District for the Court of Appeals action on the following ground:

The denial decision from California State Supreme Court ignored the serious federal law violations by the Respondents and disregarded the terrible judicial corruption at the lower courts.

The Key Issue: The Lawless Respondents Helped the Chinese Communists in Persecution against Petitioner for Ten Years but the Lower Courts All Refused to Apply Laws and Justice for This Case Filled with Federal Civil Rights Claims

This is a case about how a government legal agency and some of its public employees betrayed their mission of providing legal assistance to the less advantaged class in Los Angeles. On the contrary, they helped the Chinese communists in the malicious persecution against a senior US citizen, who was and still is a China democracy advocate in exchange for their financial gains. Petitioner accused Los Angeles County Public Defender Office (LACPDO), its nasty attorneys Jonathan Petrak and Rourke Stacy, and their accomplices of serious fraud and intentional tort which brought serious harm to Petitioner for ten years from February 2012 to August 2021. In Petitioner's criminal case BA391915 at Los Angeles County Superior Court, Respondents, under the will of the Chinese communists, made horrible lies about Petitioner's mental status to deprive Petitioner of the constitutional right for a jury trial in February 2012. Respondents ruined a trial schedule and disallowed Petitioner to expose the terrorist activities of the Chinese communist agent bandits in the United States. Respondents thus made a vicious scheme to force Petitioner to receive involuntary antipsychotic medication at a mental hospital. Petitioner, a mentally healthy man all life, while being unable to have a trial to tell the truth for the case, suffered terribly from the strong side-effects of the crazy medication.

In January 2013, after a decent doctor at the hospital found Petitioner fine mentally and sent Petitioner back to the county jail, Petitioner was scheduled to get released but

Respondents continued their malicious persecution with a counterfeit medical report to fool the mental court and to force Petitioner to go to the mental hospital again for involuntary antipsychotic medication. After Petitioner received a lot more suffering, another decent doctor found Petitioner fine mentally and thus sent me back to the county jail in Jan. 2014. In the following years, Respondents kept on persecuting Petitioner in sundry ways. Respondents kept depriving Appellant of the right to a jury trial. Respondents prevented Petitioner from self-representation and pled “not guilty” for the criminal case which has no evidence, no victim and no witness for the violent crime imposed on me. Respondents prevented Petitioner from having a different attorney for the case. As a result, with the assistance of some other evils, Petitioner was sent to state prison for nine years for a violent felony that I did not commit. Respondents also made Petitioner suffer from many maltreatments as Petitioner was always treated as a mental patient during my harsh prison time. In June 2019, after serving nine years, at the time of my release from the state prison, California Department of Correction and Rehabilitation (CDCR) sent Petitioner for more mental treatment based on the false mental history made by Respondents. In July 2020, after the court ordered to discharge Appellant, CDCR put Petitioner on parole as a mental patient till August 2021 after Petitioner filed a civil suit against Respondents. Therefore, Respondents brought tremendous harm to Petitioner for a whole decade for their monetary gains. These monstrous Respondents are in fact a group of white-collar outlaws with so much harm to an innocent man in the criminal case.

In July 2021, Petitioner filed a civil suit against Respondents at Los Angeles County Superior Court. Petitioner stated all their vice in my Complaint. Later, Petitioner filed First Amended Complaint (FAC) with more exhibits as evidence about Defendants’ vice in the criminal case (see Appendix D.)

Respondents, assisted by some sly and wicked attorneys, forged many counterfeit court transcripts to cover up their vicious acts. They made many lies with some absurd alibis for their sham defense. However, the trial judge Armen Tamzarian at Dept. 52 of the LA Superior Court, in defiance of laws and justice, followed the will of Respondents with the attempt to dismiss this case with an unlawful Tentative Ruling (TR) (see Appendix E) although it is filled with federal civil rights claims. At the demurrer hearing, he only allowed Petitioner to express limited ideas in 15 pages within 15 days after he admitted that he had not read most of my documents for the case. Therefore, Petitioner wrote my Strong Disagreement to his Tentative Ruling to tell the serious errors in his ruling (see Appendix F.) Under such circumstances, Respondents wickedly made a motion for ex parte application with a bizarre and unlawful excuse for “failure to amend” to indicate the requirement for the second amended complaint but Defendants could not tell how Petitioner failed the court order about it. It was only a bogus

alibi to prevent Petitioner from expressing different opinions for TR. However, at the ex parte hearing on March 11, 2022, the trial judge immediately accepted it and dismissed the case under such an unlawful alibi. He issued his dismissal order on March 15, 2022, without providing any clear cause (see Appendix B.)

On March 25, 2022, Petitioner filed an appeal at the California Second District for the Court of Appeals. The case was taken by Division One with Rothschild as the Presiding Judge, Chaney and Weingart as the Associate Justices. It went through the procedure for filing briefs. In Appellant's Opening Brief, Petitioner stated two important facts, i.e., (a) Respondents harmed Appellant for a total of ten years from Feb. 2012 to August 2021. (b) Respondents violated a few items in the US constitution with detailed facts (see Appendix G.) These two key points were repeatedly stated in my past documents in the trial court record but were ignored by the trial court. In their Reply, Respondents again made many lies based on their new counterfeit court transcripts, which is in fact a heap of trash for the case. Besides, Defendants insisted on the willful errors made by the trial court without a lawful statement to dismiss the case. In Appellant's Reply Brief, Appellant refuted all their lies with the real facts and the applicable laws again. Petitioner explained how the trial judge made such serious errors because he used all the distorted facts by Defendants, defied the U.S. constitution, and he adopted the so-called "failure to amend" made by Defendants. The trial judge deprived Petitioner of the constitutional rights for expressing different opinions with his absurd TR for the case (see Appendix H.)

For the Oral Argument at California Second Appellate District Court, Respondents filed waiver for it at first because they could not deny any facts in my Reply Brief. To make things clearer to the Judges, Appellant still requested an oral argument. Appellant asked for the maximum time of 30 minutes, as I had a lot to say about the false stuff in Defendants' Brief and about the trial judges' serious error in his TR. Shortly before the hearing, Respondents changed to request 10 minutes for oral argument under the bizarre excuse that they made a mistake in reading the waiver form.

On February 21, 2023, the oral argument was held by Division One at the Appellate Court. Appellant repeated the many indisputable facts with the support of the United States constitution and other federal laws in Appellant's two Briefs. Respondents' attorney could not deny any facts except making a short speech insisting on the trial court's unlawful dismissal cause about "failure to amend" but still could not tell how Petitioner made "failure to amend." For rebuttal, Petitioner spent another five minutes to emphasize that Respondents violated Amendments I, VI, VIII and XIV against Appellant. Petitioner also pointed out that the trial court erred in two items of the US constitution, Amendment One and Amendment XIV as stated in

my Briefs. Hence, Petitioner's presentations made it very clear who should prevail in this civil case.

However, on Feb. 27, 2023, Petitioner was stunned to see the denial decision from the Appellate Court. In it, these three Judges adopted all the lies and other false statements from the Respondents' Brief while Respondents' attorney was not even able to make them as facts any more at the oral argument. Besides, it repeated the pseudo alibi for the so-called "failure to amend" for the dismissal cause at the trial court to support this lawless Appellate Court Ruling. Further, the Ruling added something new which even the Respondents did not mention in their Brief. (See Exhibit A.) Clearly, like the judge at the trial court, these Judges at the California Second Appellate Court do not want to work for laws and justice for this case filled with federal civil rights claims. Respondents are some public employees in an influential county legal agency while Appellant is a *pro se* litigant and a senior citizen. The strong discrimination is clearly against Appellant.

Under such a devastating situation, on March 16, 2023, Petitioner filed Petition for Review to the California State Supreme Court. Petitioner listed the lies and the distorted facts by these lawless judges at the California Second Appellate District Court. Petitioner pointed out that these judges seriously violated Amendment XIV as they refused to respect the facts and failed to provide "equal protection of the laws" to Petitioner in this civil case (see Exhibit I.) . Defendants did not make a response to my appeal. They could not make any denial to my Petition to the California State Supreme Court.

However, on May 8, 2023, Petitioner received an order dated May 3, 2023, from the California State Supreme Court with only one sentence: The petition for review is denied. It was signed by Chief Justice GUERRERO (see Exhibit C.) Besides, from my phone call with the clerk at the CA Supreme Court on May 9, 2023, Petitioner learned that this order is final so the court does not allow Petitioner to file "Petition for Reconsideration" to the Court about the willful and serious errors committed at the lower courts. The clerk also informed that Petitioner can only file appeal to the US Supreme Court.

NECESSITY FOR REVIEW

Review is necessary to defend the authority of the United States Constitution and other Federal Laws, to oppose the terrible persecution against a US citizen by the Chinese communists via their American accomplices, these public employees in a government legal agency who only love money but not working for laws and justice, and to stop the horrible cheating and corruption in the lower courts of California.

OPINIONS BELOW

The California Second District of Court for Appeals Order (Case No. B319492) is provided for **Appendix A**.

The Los Angeles County Superior Court Order (Case No. 21STCV27611) is provided for **Appendix B**.

The California State Supreme Court Order (Case No. S279108) is provided for **Appendix C**.

JURISDICTION

The California State Supreme Court entered order on May 3, 2023, denying the Petition for Review. Petitioner invokes this Court's jurisdiction under 28 U.S.C. § 1254(1).

STATUTORY PROVISION INVOLVED

United States Constitution:

Amendment I, VI, VIII, XIV

Federal Statutes:

42 U.S.C. § 1983 – Civil action for deprivation of rights

18 U.S.C. Ch 79: PERJURY § 1621. Perjury generally

FACTUAL STATEMENT

I. The Trial Court Did Not Want to Work for Laws and Justice

In Plaintiff's First Amended Complaint (FAC) dated December 10, 2021 (see Appendix D), Plaintiff gave many detailed facts about how Defendants persecuted against Plaintiff (see ¶¶ 7-93 (app. 10-21.) Afterwards, plaintiff made a summary about such vicious conduct in III.

CLAIMS FOR RELIEF

A. Defendant Made a Big Fraud against Plaintiff

¶ 94. The extreme sarcasm to Plaintiff was that Plaintiff did not commit the violent felony of aggravated assault in the case but as a public legal assistance agency, Defendant did not allow Plaintiff to plead “not guilty” for the case. Whenever Plaintiff wanted to plead “not guilty” for a trial, Defendant bad attorneys would accuse Plaintiff of “delusion” and send Plaintiff to the mental hospital for involuntary antipsychotic medication.

¶ 95. In defiance of law and justice, Defendant did such cheating against a senior citizen in Feb. 2012, in March 2013, and attempted to do so for the third time in October 2014 and in 2015. Thus, the Los Angeles County Public Defender Office turned itself to be Los Angeles County Public Offender Office in Plaintiff’s case.

¶ 96. The rule stated:

The misrepresentation must be made with a knowledge of its falsity or a knowledge of the effect of concealment of a material fact. *Cicone v. URS corp.*, 183 Cal. App. 3d 194, 227 Cal. Rptr. 887 (1986); *Block v. Tobin*, 45 Cal. App. 3d 214, 219, 119 Cal. Rptr. 288 (1975). This element distinguishes intentional deceit from the related tort of negligent representation. *Gagne v. Bertran*, 43 Cal. 2d 481, 487-88, 275 P. 2d 15 (1954).

¶ 97. Since Defendant and its bad attorneys knew well that the misrepresentation they made “with a knowledge of its falsity or a knowledge of the effect of concealment of a material fact,” i.e., they willfully concealed the fact that Plaintiff was a mentally healthy man in the years since the case started.

¶ 98. Defendants thus made intentional deceit upon Plaintiff for the two times of fraud in 2012 and in 2013 when they forced Plaintiff to go to the mental hospital, and in other times when they tried to cheat Plaintiff at their will.

¶ 99. The rule stated:

The defendant must intend to induce the plaintiff to alter his or her position to his or her injury or risk. CAL. CIV. CODE. Section 1710. The intent to defraud or deceive is not required; the plaintiff need only prove the defendant’s intent to cause another to alter his position. *Nathanson v. Murphy*, 132 Cal. App. 2d 363, 369-70, 282 P. 2d 174 (1955).

¶ 100. The rule stated:

The misrepresentation at issue must be material enough to the circumstances that, if it had not been made, the transaction or other activity undertaken by the plaintiff would

not have occurred. *Andrew v. Bankers & Slippers Ins. Co.*, 101 Cal. App. 566, 575, 281 P. 1091 (1929).

¶ 101. As mentioned above, Defendant's deceit made Plaintiff locked up nine years in county jail, or in mental hospital, or in the state prison. If Defendant did not make the false accusation in Feb. 2012, Plaintiff would be released after the trial as at that time there was already a scheduled trial at the court.

¶ 102. After nine years' imprisonment for the wrongful mental case and wrongful conviction case, Plaintiff was finally released in July 2020 from ASH and continued to have another year and two months for parole. It was not until mid-September 2021 when Plaintiff finally learned that I was off parole.

¶ 103. The total parole time Plaintiff got was two years and two months since June 2019. During the parole time, Plaintiff must report to CDCR about my mental condition monthly as a requirement. Therefore, Defendant's false accusations in 2012 brought long-term negative influence and immense harm to Plaintiff.

¶ 104. The rule stated:

Section 525 of the Restatement Second of Torts (Restatement) states: "One who fraudulently makes a misrepresentation of fact ... for the purpose of inducing another to act or to refrain from action in reliance upon it, is subject to liability to the other in deceit for pecuniary loss caused to him by his justifiable reliance upon the representation."

¶ 105. Defendant in this case fraudulently made a misrepresentation of fact two times. As mentioned above, for the purpose of inducing other people to act in reliance upon it. Plaintiff was forced to go to the mental hospital in 2012, in 2013 and in 2019. Plaintiff got long-term serious harm.

¶ 106. Plaintiff lost nine precious years in life. Plaintiff was not able to do my doctoral work. Instead, Plaintiff suffered terribly especially during the 19 months when Plaintiff was forced to take the antipsychotic medication at Patton State Hospital. Therefore, Defendant must be subject to the serious liability to the Plaintiff in deceit.

¶ 107. There was also a new attempt to prescribe antipsychotic medication to me at ASH in 2019. Plaintiff listed facts about my mental state, also about the other events such as Hong Kong people's continuous protest for their democracy against Chinese communist dictatorship going on at that time, Plaintiff thus was able to avoid the new

torture. Anyway, Defendant's deceit continued to influence my mental case all the time. (See Exhibit D.)

Plaintiff also mentioned in this part III with other serious issues for this case. In **B. Defendant and its bad attorneys committed elder abuse in the case for ¶¶ 108-122**, Petitioner pointed out that Defendants willfully persecuted against a senior citizen because Petitioner was a China democracy advocate. Defendants violated the Elder Abuse Law. In **C. Defendant Attorneys Work for an Adversary Foreign Government for ¶¶ 123-127**, Petitioner pointed out that Defendants persecuted Petitioner because Defendants worked for the Chinese communists for their financial gains. They placed their monetary interest above the national security. In **D. Brutal Violation of Civil Rights**, Petitioner pointed out Defendants violated my civil rights in ¶¶ 128-132. Plaintiff stated in ¶ 132 as follows:

Defendant and its bad attorneys made Plaintiff suffer long term in the jail or in the mental hospital and later in state prison. It was desperate torture to an aged man. It was a vicious crime committed by the Defendant bad attorneys. All these are related to the serious violation of Plaintiff's civil rights as stated in the US Constitution.

B. Defendants Seriously Violated My Civil Rights

Petitioner stated how Defendants violated my civil rights in **E. Violation of US Constitution, the Bill of Rights in my FAC** as follows:

¶ 133. Defendant attorneys did not allow Plaintiff to have a trial as set forth above. Defendant deprived Plaintiff of the constitutional rights for having a trial, the necessary legal proceedings for a criminal case.

¶ 134. Instead, they loved to send Plaintiff to the mental hospital to get the involuntary antipsychotic medication while Plaintiff was a mentally healthy man all the time.

¶ 135. Plaintiff suffered terribly at the mental hospital because of the involuntary antipsychotic medication while such medication was absolutely unnecessary to the Plaintiff.

¶ 136. It was another serious law violation. It was enormous torture to the Plaintiff during the 19 months at PSH.

¶ 137. As a public legal agency, Defendant completely defied laws and justice of the United States. To get their financial gains from the Chinese communists, Defendant attorneys willfully and viciously persecuted against Plaintiff.

¶ 138. Defendant seriously violated the Bill of Rights, **Amendment V**. “... nor be deprived of life, liberty, or property, without due process of law; ...”

¶ 139. Defendant seriously violated Amendment VI. “**In all criminal proceedings, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State.**” But Defendant did not allow Plaintiff to have a public trial.

¶ 140. Defendant seriously violated Amendment VIII. “... nor cruel and unusual punishment inflicted.” They sent me to the mental hospital to take antipsychotic medication. It was cruel and immense torture to me.

¶ 141. Defendant and its bad attorneys made Plaintiff lose many years of freedom at my elder age. Plaintiff got many maltreatments in county jail, in the mental hospital and in state prisons especially the horrible and violent punches by the rogue inmates at two different times. Plaintiff was almost killed for the two terrible attacks. All were “**cruel and unusual punishment**” to Plaintiff. Defendant should be liable because they prevented Plaintiff from having a trial to get back my freedom in April 2012.

¶ 142. U.S. constitution, **Amendment XIV** stated,

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.

¶ 143. The bad attorneys working for the Los Angeles County Public Defender Office have “**abridged the privileges or immunities**” of a citizen of the United States, by the name of Jeff B. Zhang, Ph.D.

¶ 144. Defendant deprived Plaintiff of “**life, liberty, or property, without due process of the laws.**” Defendant denied Plaintiff within their jurisdiction the equal protection of the laws. Instead, they helped the Chinese communists.

¶ 145. Defendant and the bad attorneys were so crazy in the persecution against a peaceful man who had suffered from the Chinese communist persecution in the United States. It lasted all the years during my imprisonment, especially in the first a few years.

¶ 146. Defendant and its bad attorneys have stayed above the United States constitution while they had cloaks on as defense attorneys for the Plaintiff. As mentioned, in my mind, **Defendant and its bad attorneys were wolves in sheep's clothing.**

(See App. D, FAC, app. 26-27.)

C. Defendants Used Counterfeit Court Transcripts with Inapplicable Statutes

In face of my strong and serious accusations about their federal laws' violations, Defendants have been sneaky and wicked as they used counterfeit court documents as the basis for their sham defense with some inapplicable state statutes to deny this case. Defendants used time barred and filing a government tort claim as their major excuses in their Demurrer to Plaintiff's FAC. Following the will of these public employees, the trial judge loved such unlawful stuff and wrote unlawful Tentative Ruling on February 9, 2022 (see Appendix E, app. 76-78.) Thus, on February 10, at the demurrer hearing, Petitioner expressed my strong disagreement to the TR. The Judge mentioned that there are three major issues for this case. The first issue is about the filing of government tort claim; the second is about Time Barred for filing this civil case; The third is about the unreversed criminal case. (See Appendix F, app. 80.)

Besides, the trial judge said that Petitioner should give my ideas only on these three points. He limited the time of response within 15 days, and limited my writings to 15 pages. With such a requirement, on February 18, 2022, Petitioner filed "Plaintiff's Strong Disagreement to the Three Major Issues in the Tentative Ruling." In the document, Petitioner talked about the first two points as follows,

- A. Time Is Not Barred for This Case Filled with Federal Civil Rights Claims**
- B. The Willful Neglect by the Defendant LACPDO**
- C. Not required if the claim falls under 42 U.S.C. § 1983**

Plaintiff stated,

In Plaintiff's Declaration "The Cause for Plaintiff's Delayed Filing of This Civil Case" dated Dec. 10, 2021, which is attached to the First Amended Complaint (FAC), Plaintiff wrote for (C) and (D) as follows:

(1) This Case is filled with Federal Civil Rights Claims as follows:

For this issue, Plaintiff holds the view that the serious issues mentioned in my Complaint and further explained in First Amended Complaint are all Federal Civil Rights Claims.

For filing federal civil rights of claims, a claim is not required as the law stated:

Not required if the claim falls under 42 U.S.C. § 1983 *Williams v. Horvath*, 16 Cal. 3d 834, 129 Cal. Rptr. 453, 548 P. 2d 1125 (1976). Filing of a claim in compliance with state law does not toll the statute of limitations for a civil rights claim. *Boston v. Kitsap County* (2017) 852 F. 3d 1182.

As mentioned in the FAC, for this case, Plaintiff got serious problems as Plaintiff found that I could be harmed willfully by the Defendant with the mental issues. While being locked up in TTGF, Defendant and its bad attorneys deprived Plaintiff of the constitutional rights for a jury trial. They did not allow me to change the attorney while my communication with the outside world was blocked or censored. Defendants brought a lot of harm to Plaintiff as they violated my civil rights that are stated in the Bill of Rights as mentioned above in FAC.

Besides, Plaintiff feared their retaliation by disabling or even killing the Plaintiff as mentioned above. These bad attorneys work for the Chinese communist government and they have stayed above the laws. They acted like a pack of wolves before a lamb. They can do whatever they want to harm Plaintiff because they want to get financial benefits for their lawless conducts. This case is thus filled with Federal Civil Rights Claims.

(2) The Long-Term Negative Effect to Plaintiff

Although Defendant brought direct harm to Plaintiff in the first a few years for the criminal case, the negative effect of their evil conduct lasted all the time in the past years. After Plaintiff was sent to the state prison, I was often accused of "delusion" in the state prisons with my past mental history created by the Defendant and its bad attorneys. Thus, for most of the time in the state prisons, Plaintiff was treated as a mental patient. CDCR imposed on me with CCCMS status, (Correctional Clinical Case Management System) all the time. In Dec. 2017, the staff even willfully elevated it into EOP (Enhanced Outpatient Program) with an absurd cause. Finally, at the time of my release from the state prison on June 25, 2019, CDCR sent me for MDO treatment at ASH. They gave the basic excuse that I had mental history. All were initiated by

Defendant and its bad attorneys in this case. In other words, if without their false accusation in 2012, Plaintiff would already be released after the trial at that time. Plaintiff would not get the sufferings in all these years.

As mentioned above, even Plaintiff started parole, CDCR continued to control me with the mental issues. Hence, Defendant and its bad attorneys brought tremendous harm to Plaintiff in every year of the past decade before Sept. 2021. Due to such long-term torture, even to this date, I often have the trauma for their vicious slanders about my mental health that lasted so many years to Plaintiff. Therefore, if the Defendant and its bad attorney use time barred as the alibi to escape from their legal liability and to destroy this case, it is not allowed by the laws. (See Appendix F, app. 84-85.)

D. Defendants Committed Rape in My Criminal Case

Petitioner talked about the serious nature of this case,

As Plaintiff mentioned for this issue in the Declaration for FAC, and in the Strong Opposition to Defendants' Demurrer, in this country, if a man committed rape ten years ago, once he was found, he is still liable for the crime he committed. They cannot use any statute of limitation or such alibi as time barred for their defense. In my case, the Defendant and its bad attorneys committed rape in my criminal and in my mental case. They did not allow me to have a jury trial to plead "not guilty." They wickedly forced a mentally healthy man to act as a mentally retarded man and drugged Plaintiff with the harmful pills by force. Defendants tortured Plaintiff at their will for a long time. As Plaintiff mentioned above, while they have the cloaks as attorneys, they are in fact a pack of wolves. The law should not allow them to escape from their legal liabilities. Time barred cannot be applied for this case. Any statute such as filing government tort claim is certainly invalid for such intentional tort to a citizen of the United States. As mentioned repeatedly in the different documents filed by Plaintiff, Defendants did such immense harm to Plaintiff to serve the interests of the Chinese communists, in exchange, Defendants got big financial gains from the dirty deal.

All these facts tell clearly that Defendants, being the rapists in my criminal case and in my mental case, viciously violated my life, liberty and welfare as thus stated in the Bill of Rights of the United States constitution, and they cannot use any statute of limitations for their defense. In other words, the violations committed by the Defendants are all well related to the Federal civil rights laws. Therefore, such an alibi of filing government tort claim from Defendants must be rejected in this case when Plaintiff did not have such knowledge, and moreover, when Plaintiff was under the death threat during the imprisonment time.

(See Appendix F, app. 85-86.)

E. Petitioner Was Ignorant for Filing a Tort Claim

In this same document, Petitioner also pointed out about why Petitioner did not file a tort claim,

§ 1:20 When the Filing of a Claim is not required:

§ 1:22 Lack of knowledge

Not required when the plaintiff pleads and proves that he or she did not know or have reason to know that the injury was caused by an act or omission of the public entity or by an employee of the public entity in the scope of employment. Gov'T Code §950.8.

As mentioned, Plaintiff did not know that I must go through such a procedure about filing a claim at that time. It is quite unreasonable that Defendants should use time barred for not filing the claim as an excuse to delete this case. Besides, for the more important cause, as mentioned in Exhibit C for the FAC and above, it was impossible for Plaintiff to file any claim during my imprisonment. (See Appendix F, app. 86.)

When a rapist isolated a girl in a confined place, the girl could not file any complaint to the government or contact the outside. Similarly, Petitioner was isolated all the time in the institutions for detention. Thus, such a rape in the criminal case lasted for ten years to Petitioner. Besides, Petitioner stated that the violations committed by the Defendants are all well related to the Federal civil rights laws. Therefore, such an alibi of government tort claim from Defendant should be rejected by the court.

From these, Petitioner stated that time cannot be barred as Defendants persecuted Petitioner for a whole decade from Feb. 2012 till August 2021. As Defendants seriously violated my civil rights like raping a girl in my criminal case, time barred is inapplicable for this case.

F. About the Reversal of the Criminal Case

Petitioner also talked about the reversal issue in the Strong Disagreement to TR as Petitioner stated,

Plaintiff must point out that the reversal of the criminal case and the lawless conduct by the Defendants are two different things. They should not be treated equally, or with the conclusion that because the criminal case is not reversed, the civil lawsuit cannot go on. As mentioned above in Simpson's case, although Simpson was able to escape from the criminal case, the civil court went on with his case about his misconduct and finally the

Judge ordered him to pay his due to the plaintiffs. He was not allowed to escape from his legal liabilities in the civil case.

As for the statement "Any cause of action by plaintiff for legal malpractice arises out of a criminal proceeding and therefore requires proof of factual innocence and postconviction exoneration." (See middle of p. 3 in Tentative Ruling.) Plaintiff must point out that what Defendants did to me was not about legal malpractice. It was not that these Defendants, due to carelessness or inexperience in their work that made Plaintiff wrongfully stay long time in prison or in the mental hospital, rather, as mentioned above, it was their intentional tort and fraud which aimed at making plaintiff suffer the long time in the different institutions including mental hospitals, county jail and state prison. Hence, in my Complaint and FAC, Plaintiff accused them of such illegal conduct about fraud and intentional tort, not for legal malpractice. There is no need to talk about legal malpractice with the requirement for "proof of factual innocence and postconviction exoneration" for this case. (See Appendix F, app. 91)

Petitioner emphasized that Defendants committed "intentional tort and fraud which aimed at making plaintiff suffer the long time in the different institutions." It is not simple legal malpractice. They forced Petitioner to give up a scheduled trial in March 2012 to send Petitioner to the mental hospital for involuntary antipsychotic medication. Petitioner thus lost the most important chance to give truth about the criminal case. Defendants now used the counterfeit court transcripts to fool around and to deny their wrongdoing. This trial judge shut eyes at such real facts to defend the lawless public employees with these three points for the Tentative Ruling (TR). How can Petitioner follow Defendants' and his will to ignore the unlawful TR which aimed at dismissing this serious case?

G. Defendants' Absurd Alibi of "Failure to Amend"

With this document for the Strong Disagreement to TR, Petitioner thus gave my rebuttals which made Defendants unable to make a lawful response to dismiss the case. Under such awkward circumstances, in early March 2022, Defendants filed ex parte application with the absurd alibi of "failure to amend" to deny this case. The trial court quickly followed the will of the Defendants and used such an unlawful alibi to dismiss the case on March 15, 2022. Petitioner pointed out such a serious problem in my document "The Cause for Appeal" attached to the Opening Brief as follows:

In a civil lawsuit, it is known to all that the two parties have the legal right to file documents for the case that they are concerned about. The judge should examine all the documents fairly without prejudice and make judgement in accordance with the

federal and state laws. In this case, the Judge only paid attention to all the documents filed by the Defendants and used their unlawful alibis and bogus statement for the TR. The Judge did not care about what Plaintiff said in the six documents: (a) **Complaint**, (b) **"First Amended Complaint,"** (c) **"Plaintiff's Strong Opposition to Defendants' Demurrer"** (d) **"Statement: This Is a Case Filled with Federal Civil Rights Claim,"** (e) **"Plaintiff's Strong Disagreement to the Three Major Issues in the Tentative Ruling,"** (02-18-22) and (f) **"Plaintiff's Strong Opposition to Defendant's So-called Ex Parte Application"** (03-04-22) before the Demurrer hearing.

At the Demurrer hearing on Feb. 10, 2022, the Judge mentioned to Plaintiff that there are three major issues for this case. The first issue is about the filing of government tort claim; the second is about Time Barred for filing this civil case; The third is about the unreversed criminal case. All are the major excuses made by the Defendants to demur this civil case. But as mentioned, Plaintiff had already mentioned all these important points in **FAC**, in **Plaintiff's Strong Opposition to Defendants' Demurrer**, and the **Statement**, but the Judge ignored them all with such a TR ruling to completely in Defendants' favor. Clearly, he did not want to apply laws and justice on this case by giving such a TR to cheat the Plaintiff. At the hearing on Feb. 10th, after he mentioned the three points to Plaintiff as mentioned above, he set and emphasized the 15 pages limit with 15 days for Plaintiff to complete.

In accordance with this court order, Plaintiff talked about the three points in TR with facts and laws again from my past documents especially in **FAC** and in **my Strong Opposition to Defendants' Demurrer**, and in the **Statement**. These facts and laws are all stated in these three documents already. With such writings again, Plaintiff expressed my strong disagreement to the three major issues in the TR as thus mentioned by the Judge at the hearing on Feb. 10, 2022. Plaintiff completed and submitted the document **"Plaintiff's Strong Disagreement to the Three Major Issues in the Tentative Ruling"** on Feb. 18, 2022, eight days after the hearing. (An exact copy was sent to Defendants via USPS on the same day.) As **United States constitution grants a citizen for freedom of speech, and freedom to petition to the government agencies including the judicial court**, Plaintiff believed that I did the right thing to express my strong different opinions with the TR. With the undisputable facts and with the applicable federal laws, Plaintiff's document strongly objects to such a TR.

(See app. 131-132.)

After Petitioner filed it, as mentioned, Defendants soon wickedly played the trick of ex parte application and the Judge quickly adopted Defendants' alibi and dismissed the case. He did not even allow Petitioner to talk at the hearing. Hence, Petitioner wrote a part in "The Cause for Appeal" as follows:

H. The Judge Loves the Absurd Lie

Then, I got notice that the hearing should be held on March 11, 2022. On the day, I went to the court. When I was called, the Judge immediately declared that I did not make the second amended complaint. I was very surprised. I said, "You only told me to talk about the three issues at the demurrer hearing. You never mentioned that I must do the second amended complaint." While he admitted that he did not tell me to do the second amended complaint, he said that it should be the second amended complaint. I said that the word "amend" can mean different things. He had no words to say but still emphasized that I did not make the second amended complaint, and then he immediately declared that the case was dismissed. In face of such an unreasonable Judge, Plaintiff raised my voice to emphasize that I never knew such a requirement from him, and it is illegal to dismiss the case. He told me to leave but I kept on giving my reasons. Then, he told me that he would call the sheriff, I did not leave. He stood up and was ready to leave the court room, I yelled, "You don't work for the United States constitution! You don't provide 'equal protection of laws!'" I yelled again and then I left as he was walking towards his chamber behind the courtroom. (See app. 133.)

Therefore, at the trial court, Petitioner got such illegal treatment for the civil case. Defendants made terrible lies, the judge did not want to work for laws and justice for this case filled with federal civil rights violations committed by some government employees.

II. The California Second District for the Court of Appeals Illegally Adopts All the Respondents' Lies in the Court Ruling

Under such a devastating court ruling, Petitioner filed my appeal on March 25, 2022. As mentioned, it went all the procedure at the court. Petitioner repeated the facts written in FAC for the Opening Brief. Defendants again used the false court transcripts with some inapplicable state statutes for their sham defense. Petitioner wrote the Reply Brief to refute all these lies in Defendants' Brief. At the Oral Argument, Petitioner again stated such facts before the court. Defendants could not use the lies anymore. Their attorney only insisted on the trial court's error without giving any lawful statements to support. However, as mentioned, these three judges used all these lies with the inapplicable statutes to assist Defendants. They are not judges for this case. They became Defendants' sly and wicked attorneys or agents but with judges' cloaks on. Simply, like the trial court judge, they do not want laws and justice for this case filled with federal civil rights violations to a U.S. citizen.

A. The Ruling Adopts All the Distorted Facts

In “Facts and procedures below” on the Court Ruling (see Appendix A.) the California Second District of Court for Appeal used all the distorted facts from the Respondents’ Reply but they were already refuted by Appellant in the Opening Brief and in the Reply Brief. Petitioner mentioned such facts in “**Appellant’s Indisputable Facts**” and pointed out the serious problem for Section One as follows,

Respondents could not use such lies anymore after Appellant retorted them again in the Reply Brief. So, at the oral argument, Respondents had nothing to say about all these facts given by Appellant. However, unexpectedly, these Judges at Appellate Court insist on adopting all Respondents’ absurd lies as the base to make the Ruling. How can there be law and justice for their Ruling?!

(See the details in Appendix I, Petition to the California State Supreme Court, app. 169.)

In Petitioner’s Opening Brief to the California Second Appellate Court, there is a summary about the sufferings imposed on me by Respondents since February 2012 to September 2021 as follows:

In those years after the case started, the extreme hardship to Appellant was that whenever Appellant wanted to plead “not guilty” for a trial, Defendant LACPDO and its bad attorneys would send Appellant to the mental hospital. Defendants thus deprived Appellant of my constitutional rights for a jury trial. Defendants helped the Chinese communists persecute against Appellant. In the criminal case, the Chinese communist agent bandits who went after Appellant for life before my protest on 12-15-2011 were real criminals but were never mentioned by Defendants. Defendants let loose such an evil group but made false charges against Appellant with absurd mental illness. Appellant not only lost the chance for an important trial but also suffered terribly in the mental hospital in 2012 and in 2013 due to the involuntary antipsychotic medication. Afterwards, Defendants continued to make Appellant suffer. Those evil Defendant attorneys persecuted against Appellant for their own monetary gains from the Chinese communists, which is the major cause for the wrongful conviction case for Appellant. Defendants are outlaws in this country.

Defendants’ false accusations in 2012 and in 2013 brought long-term negative impact and immense harm to Plaintiff. Defendants seriously violated Amendment XIV in relation to a citizen’s privileges, life and liberty from Feb. 2012 to Sept. 2021. Defendants’ evil conduct made Plaintiff lose nine precious years of life in prison plus another year and two months for parole acting as a mental patient. Plaintiff suffered terribly especially during the 19 months when Plaintiff was forced to take the antipsychotic medication at PSH. The false mental history was also the major cause of sending Appellant for mental care in June 2019 by CDCR at the time when Appellant

should get released from the state prison. In 2019 at ASH, there was also a new attempt to prescribe antipsychotic medication to Appellant because Defendants' fraud and perjury continued to influence my mental case all the time. Such continuous fraud and perjuries demonstrated that Defendants willfully violated **18 U.S.C. Ch79: PERJURY** to harm innocent Plaintiff. (See **Exhibit G, Appellant Opening Brief**, app. 110-111.)

In the two Briefs filed at the California Second Appellate Court, Petitioner also mentioned how these evil Defendants brought serious harm to me in 2015 as they prevented Petitioner from self-representation, from firing the harmful private attorney (Steve Escovar,) and from preventing the new attorney coming to see Petitioner in county jail. Afterwards, they made Petitioner get treated as a mental patient all the time till August 2021. With all these facts mentioned above, Petitioner thus wrote a part of "**Respondents Seriously Violated My Constitutional Rights.**" In the part, Appellant stated,

Defendants harmed Appellant so much that they must be subjected to the serious liability to the Plaintiff in federal law of perjury and in the items of Bill of Rights including **Amendment I** for freedom of choice in my plea, in **Amendment VI** for "the right to have a speedy and public trial", in **Amendment VIII** prohibiting "cruel and unusual punishment" and in **Amendment XIV** for abridging "the privileges and immunities," for depriving "life, liberty or property, without due process of law," and for denying "the equal protection of the laws ." Defendants' lawless acts seriously violated **42 U.S.C. §1983-Civil actions for deprivation of rights.** ...

(See **Exhibit G.** app. 111.)

These two sections are the major parts for this case which clearly stated that Respondents seriously violated my civil rights guaranteed by the US constitution. However, the three Judges at Division One of California Second District of Court for Appeals intentionally ignored all these facts and willfully defied the US constitution to illegally use all the Respondents' lies as the basis to rule completely in Respondents' favor. Such judges turned a serious civil suit into a farce. As mentioned, they are in fact the agents working for these outlaw government employees in California.

B. Respondents' Deceitful Question

In their brief filed at the California Second Appellate Court, Respondents only made a question in their reply to my Opening Brief as follows,

Did the Superior Court err in dismissing Appellant's case after he failed to file to amend his First Amended Complaint after being granted leave to do so?

To answer such a deceitful question, Petitioner quoted some parts from the document “**The Cause for the Appeal**” dated March 25, 2022 attached to the Opening Brief, shortly after the court dismissal order for the so-called ex parte hearing on March 11, 2022. As mentioned above, Appellant wrote “**c. The Trial Judge Loves the Absurd Lies.**” Plaintiff went on with the writing:

I felt frustrated. As mentioned, at the Demurrer hearing on Feb. 10, 2022, the Judge only told me that I should talk about three things, and he limited the page number to 15. After I talked about these three issues, I did not have much space left for writing other things. The more important fact is that he never mentioned to me it was my second amendment complaint. As *pro per*, I just followed his order so I mainly talked about these three points with 15 pages. I submitted the paper on Feb. 18th, a week earlier than the required time. Because I had already stated all these issues in my past writings with facts and laws, it did not take much effort to repeat them. As an example, in my “Statement: This Is a Case Filled with Federal Civil Rights Claim” dated Jan. 31, 2022, Plaintiff refuted with reasons and with laws again about all these three major alibis in Defendant’s Demurrer and in their last statement entitled “Defendants Reply to Plaintiff’s Opposition to Demurrer to First Amended Complaint.” However, such bogus alibis by Defendants are all adopted by this Judge to help them escape from their serious legal liabilities in this case. When making the TR, the Judge shut his eyes at my writings as if they do not exist. He only loved the absurd statements by Defendants and took them as everything for his TR. **As a Judge, the balance he held in his hand is thus totally collapsed to Defendants’ favor with such unlawful statements and tricky alibis. He did so willfully because these lawless Defendants work for a powerful government legal agency in Los Angeles while Plaintiff is only on *pro per*.**

Because I wrote all these three Points with laws and facts in the document again which cannot be refuted by Defendants, the paper is thus hated by the Defendants. Being unable to find something lawful to deny my case, Defendants used such a trick to deny the fact that I completed the document on time and with the new false alibi that Plaintiff did not amend. It is another absurd lie from these Defendants. As Plaintiff pointed out, the word “amend” can mean different things to write about. It does not equate to the second amended complaint. This Judge admitted to me on March 11, 2022, that he did not mention the second amendment complaint for me to complete. There are not such words that Plaintiff should write second amended complaint in the TR, nor did the Judge say a word about it at the Demurrer hearing on Feb. 10, 2022. As mentioned, he only told me that I should write about three things with 15 pages limit and within 15 days. Unexpectedly, at the Ex Parte hearing on March 11, 2022, the Judge adopted such a lie by Defendants to deny my timely writing, and to dismiss the whole case filled with federal civil rights claims. (See Exhibit G, Appellant’s Reply Brief, app. 133-134.)

This part explains that Respondents' false alibi about "failure to amend" and failure for the second Amended Complaint was completely groundless. There is no notion in American dictionary to tell that the word "amend" only means to make second Amended Complaint in a lawsuit. While the Judge did not want to read most of my documents in the case file, as he admitted he only read my Complaint, he listened to every word from the lawless Respondents. As a result, there was such a willful dismissal verdict from the trial court.

In the Reply Brief at the appellate court, Petitioner further explained the so-called "failure to amend" from the Respondents as follows:

C. The Key Point for the Argument

In Appellant's opinion, the key point is that after the trial court judge made TR, can a party in the case express disagreement when the party believes that there are serious errors in it? To a party who has some legal knowledge, and especially to an attorney in legal matters, he or she will say "Yes, of course."

However, Defendants said "no" to Appellant. Why so? Defendants only want Appellant to follow their way so that the case can be dismissed according to their will. When Appellant expressed different opinions, Defendants used the false alibi of "failure to amend," or failure to make second amended complaint to cheat and oppress Appellant. As mentioned above, the word 'amend' can mean different things. It allows us to alter, to correct, etc. Hence, even from the word "amend" itself, Defendants have no right to forbid Appellant to write different things. Appellant has the constitutional right to express different opinions to alter or to correct the serious errors drafted by Defendants in the TR. Its ex parte application was illegal and absurd in the legal proceedings at the trial court as Defendants only want to cover up their lawless conduct and to dismiss the case.

More importantly, the United States constitution Amend One grants Appellant for freedom of expression and freedom of petition but Defendants did not allow Appellant such freedom. Respondents already deprived Appellant ten years' freedom, now Defendants even want to deprive my freedom of expression in the civil suit while I am now a free man. How wicked and arrogant these white-collar rascals are!

Amendment XIV grants "life, liberty and property" for all the people but Defendants' ex parte application wanted the trial court to abridge the privileges and to deprive the rights of a U.S. citizen. The trial court erred in violating these two Amendments. Defendants want the appeal court to repeat the same error, so Defendants made such a single question for their Brief with a lot of lies as mentioned above.

Defendants' such a question in their Brief reveals that Defendants continue to block this case filled with civil rights claims. There was a part entitled "This is a Case Filled with

Serious Federal Civil Rights Violations" for the paper "The Cause for the Appeal." Hence, Appellant pointed out "The Trial Court Has Violated Amendment XIV." (See Appendix H, app. 157-158.)

In my document "Reason for Appeal" to CA Supreme Court, Appellant had pointed out that the lower courts violated Amendment XIV.

From such an unlawful dismissal ruling, it is quite clear to Plaintiff that this Judge Armen Tamzarian does not work for law and justice for this case as he not only has got a strong bias towards the lawless Defendants but also is completely in favor of these bad attorneys regardless laws and justice. He thus defied and violated the United States constitution Amendment XIV which stated, "**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.**" (See Appendix I, app. 117.)

As mentioned in Appellant's Brief, and above, Appellant met with a group of public employees who only love the money from the Chinese communists. They hold government positions paid by tax dollars to serve American public but they have worked loyally for the Chinese communists in persecution against a senior US citizen as well as a China democracy advocate. The trial judge followed their will to cover up all their mean conduct and dismissed the case. With such negative experiences at the trial court, Appellant requests/demands laws be applied by the Court of Appeals. But the judges at Appellate Court turned a deaf ear at me.

III. The Erroneous and Deceptive "Discussion" at the California Second District for the Court of Appeals

Although Appellant stated the indisputable facts in my Reply Brief and mentioned them for the Oral Argument, these three judges at Division One of this Appellate Court repeated many bogus statements in the so-called "Discussion" for their final Ruling (see Appendix A.) Petitioner would give these facts as follows:

(1) The Ruling Adopts All the Unlawful Alibis

These Judges stated for the Ruling,

The record does not contain anything indicating Zhang has ever filed or attempted to file a second amended complaint, as granted him leave to do. (See Appendix A, app. 4.)

Appellant's Reply: As mentioned above, Appellant pointed out that at the demurrer hearing on Feb. 10, 2022, the trial judge only wanted Appellant to talk about three points within 15 pages in 15 days. He admitted his such an order at the ex parte hearing on March 11, 2022. Otherwise, he had no right to set such a limit of 15 pages for Appellant to do the second amended complaint because there is no law that limits a plaintiff's complaint in such a number at a county superior court. As Appellant mentioned in the Reply Brief, "amend" can mean different things. There is no definition that can tell "amend" only means "second amended complaint" in any English dictionary or in the court rules. Respondents tried to cheat but failed, it is surprising these Judges at Appellate Court still made it a legal rule to cheat and to oppress the *pro se* Appellant.

The US constitution Amendment I grants freedom of expression and freedom of petition to government, when the TR at trial court is filled with errors with plenty of Respondents' lies, Appellant talked about the real facts which Respondents cannot rebut for the oral argument. Why should the Appellate Court ignore my constitutional rights to talk about these real facts? It is wrong that these judges should say, "We disagree." They have no right to disagree with the rights granted in the Bill of Rights in the US constitution. Appellant pointed out in the Reply Brief that Respondents used the counterfeit court transcripts (CT) and the non-existing Augmented transcripts (AT) to fool around for their defense. Respondents argued nothing about the facts listed in Appellant's two Briefs. It is an obvious case filled with federal civil rights claims. But these judges ridiculously declared, "it is without merit." They willfully ignored all the serious federal law violations in this case. For the oral argument, Respondents' attorney only repeated "failure to amend" which was originated from their abusive ex parte application as the alibi to defend the trial court's willful error. Respondents used the so-called "failure to amend" to cheat Appellant when Respondents felt it is hard for them to escape from the strong legal liabilities. But these Judges approved such nonsense to deny this case.

(2) These Judges Love to Deceive

These Judges stated,

Zhang's claims suffer from numerous fatal deficiencies, which we need not discuss, because his purported claims are all time barred. (See Appendix A, app. 4.)

Appellant must ask: What are the "numerous fatal deficiencies"?! Did these Judges ever read my First Amended Complaint, the Opening Brief, and the Reply Brief? It seems that they read nothing. In Appellant's strong opinion, the "numerous fatal deficiencies" lie in the fact that these Judges only love to adopt the numerous lies made by the Respondents in the Ruling.

Appellant stated clearly and repeatedly that Respondents harmed Appellant for ten years from February 2012 to August 2021 in the two Briefs. Respondents cannot deny such facts at the Oral Argument. Why should these judges deny them without any legal ground? Appellant repeatedly emphasized that if Respondents did not deprive Appellant's jury trial in Feb. 2012, Appellant would not suffer from Feb. 2012 to August 2021. Why should these Judges shut their eyes at such a simple and indisputable fact with the nonsensical alibi of time barred by Respondents?

(3) The Ruling Continued to Cheat Appellant

These Judges stated,

The operative complaint does not clearly identify a cause of action. (See Appendix A, app. 4.)

Appellant's Reply: It is a bogus statement. When filing the civil case at trial court, Appellant listed fraud and intentional tort as the two major causes of action for the case with plenty of facts. Appellant also stated the causes of action for the First Amended Complaint. They are listed in Part III.

CLAIMS FOR RELIEF:

- A. Defendant Made a Big Fraud against Plaintiff (See ¶¶ 94-107.)**
- B. Defendant and its Bad Attorneys Committed Elder Abuse in the Case (see ¶¶ 108-122.)**
- C. Defendant Attorneys Work for an Adversary Foreign Government (see ¶¶ 123-127.)**
- D. Brutal Violation of Civil Rights (see ¶¶ 128-132.)**
- E. Violation of US Constitution, the Bill of Rights (see ¶¶ 133-146.)**

Appellant designated all the important documents for appeal including these mentioned above. Why can't the Judge read them for this case? They willfully shut their eyes to ignore them all.

(4) The Court Approves All the Respondents' Nonsensical Defense

These Judges stated,

The statute of limitations for fraud is three years, ... for legal malpractice, one year after the discovery of the wrongful act or four years after the wrongful act ... Because Zhang drafted a habeas petition in December 2013 alleging the same wrongful conduct on

which his instant legal malpractice claims is based, the record reflects that Zhang discovered the allegedly wrongful conduct underlying that claim no later than December 2013. The statute of limitations on that claim thus expired no later than December 2014, several years before Zhang filed his initial complaint. As to the remaining causes of actions, none of the respondents' alleged conduct post-dates Zhang's sentencing in October 2015. Thus, the latest of the statutes of limitations on the remaining three causes of action expired no later than October 2018. His claims first made in the July 2021 complaint are barred. (See Appendix A, app. 4-5.)

Appellant's Reply: On reading such a part, Appellant came to realize that these three judges are actual representatives or agents of Respondents to use all distorted facts to deny this case. Such a statement is a repetition by Respondents' sly and wicked attorneys to fool around.

Plaintiff pointed out a few times in the past documents and repeated in the Reply Brief that **Appellant's criminal case was kidnapped and raped by the evils including the Respondents in this case similar to the rape to a girl.** They forced a mentally healthy man locked up to get torture in the mental hospital (PSH) in 2012 and in 2013 due to false mental charge against the Petitioner. In 2019, such false mental history made Petitioner locked up again at the mental hospital (ASH). **These rapists brought serious harm to my mental and physical health let alone the fact that they wasted Petitioner ten year's precious time in life.** By luck, Petitioner got back my freedom in August 2021 when the parole for mental patient status was over. Then, these rapists are found, no Judge can use any sort of statute of limitations to deny their crime. **After the civil case started in 2021, Petitioner gave indisputable facts that Respondents harmed Petitioner from Feb. 2012 to August 2021.** Petitioner repeatedly stated such a simple fact, that is, if Respondents did not persecute Appellant with mental problem in Feb. 2012, Appellant would be free at that time already. Respondents tried all their might to deny but Petitioner refuted them again and again, so they cannot deny such facts any more at the Oral Argument. However, these judges shut their eyes at such fact to tell Petitioner, "The rape was done in 2012 and in 2013, so time is barred and the rapists cannot be sued today!"

These judges at the lower courts ignored completely that all these are serious violations of 42 USC § 1983 – Civil action for deprivation of rights as Respondents willfully subjected serious harms to Petitioner, an innocent man in the criminal case. Petitioner mentioned all such violations repeatedly in the two Briefs. Besides, there is law that stated,

For filing federal civil rights of claims, a claim is not required,

Not required if the claim falls under 42 U.S.C. § 1983 *Williams v. Horvath*, 16 Cal. 3d 834, 129 Cal. Rptr. 453, 548 P. 2d 1125 (1976). Filing of a claim in compliance with

state law does not toll the statute of limitations for a civil rights claim. *Boston v. Kitsap County* (2017) 852 F. 3d 1182.

These judges refused to see the indisputable facts and the applicable laws in Petitioner's two Briefs by saying that "none of the respondents' alleged conduct post-dates Zhang's sentencing in October 2015 ... His claims first made in the July 2021 complaint are barred." **Clearly, these Judges openly and impudently defy these federal laws to assist the lawless Respondents with such inapplicable state statutes.**

(5) The Court Ruling Creates a New Alibi for Respondents

These Judges stated,

Finally, Zhang appears to be arguing that threats and intimidation by unidentified county or state officials in unspecified ways equitably tolled the limitations periods, but he has failed to allege the requisite "calculated conduct or representations by the [defendant] public entity or its agents that induced [him] to remain inactive and not to comply with the claim-presentation requirements." ... (See Appendix A, app. 5.)

Appendant's Reply: This statement is not found in Defendants' documents including the Reply to Appellant's Brief. However, Appellant mentioned the facts related to the parts in the Opening Brief for Part A with the following subtitles:

- A. Respondents' Requirement for Government Tort Claim Must Be Rejected for This Case**
 - a. Appellant Was Unaware of Filing a Government Claim**
 - ...
 - d. Appellant Received "Cruel and Unusual Punishment"**
 - e. Appellant Was Under Death Threat**
 - f. The Blockage of My Communication**
- h. Respondents Harmed Appellant Viciously Throughout the Past Decade**

(See Exhibit E, Opening Brief, pp. 20-26.)

In these sections, Appellant gave the causes why it was impossible for Appellant to file the civil suits in prison time. Petitioner once filed the case in fall 2013 against Respondents, it was stopped by the staff at Patten State Hospital when the case was going to the US Supreme Court. The conditions made it impossible for Appellant to take more action in detention time.

Appellant also wrote Exhibit A. **Statement for Complaint** in which Appellant talked about why it was impossible for Appellant to file the suit sooner than it was filed in July 2021. There are enough causes as revealed in above subtitles. There is the law to pardon Appellant for the late filing as mentioned in the Opening Brief.

Equitable Tolling

The statute of limitations may be equitably tolled (extended, suspended, put on hold) when under certain circumstances,

Impossible: Filing a lawsuit was impossible or virtually impossible [*Lewis v. Superior Court* (1985) 175 Cal. App. 3d 366.]

As mentioned above, the law stated that it is not required to file a claim under 42 USC § 1983, it is also impossible to file it. Further, there is another law that stated,

§ 1:22 Lack of knowledge: Not required when the plaintiff pleads and proves that he or she did not know or have reason to know that the injury was caused by an act or omission of the public entity or by an employee of the public entity in the scope of employment. Gov'T Code §950.8.

Due to the complete isolation without legal assistance during my detention time, Petitioner did not know that I should file a government tort claim to the City of Los Angeles about the lawless conduct of the Defendants. No one can do the things when he does not know them. However, even if Petitioner knew about such a requirement, due to the death threat and other harsh conditions, it would be dangerous for Petitioner to do so. Without filing such a government tort claim, Petitioner already got two premeditated murder attempts which almost ended my life. Therefore, Petitioner would get more hard treatment and could not get out alive if I did so.

On February 27, 2023, after reading the Appellate Court Ruling, Appellant understood such a Ruling goes completely against Amendment XIV as it denied Petitioner “within its jurisdiction the equal protection of the laws.” These three Judges committed “... misuse of the power of the court; it is an act done in the name of the court and under its authority for the purpose of perpetrating an injustice. [Citation]” (*S. A. Madison* 2014) 229 Cal. App. 4th 27, 41.)

All the above facts tell clearly that such a Court Ruling is illegal as it used all the lies and inapplicable state statutes to go against the Bill of Rights in the US constitution. While the Respondents could not deny their lawless conduct at the Oral Argument, these judges abused

the judicial power to repeat Defendants' lies to shield their violations in the final verdict. The Oral Argument tape in Appellant's hand can give all the facts which expose that these judges are very corrupt at the California Second District of Court Appeals. They only serve the elite class and the government officials in California. From Petitioner's personal experiences with other cases, such judicial corruption is rampant at this California Second District for the Court of Appeal. Unfortunately, the California State Supreme Court has no interest in stopping such terrible corruption in California.

IV. Petitioner's Past Documents Should Serve as Filing the Government Tort Claim

As mentioned in above B (4), the Appellate Court Ruling stated,

... His claims first made in the July 2021 complaint are barred.

On the website, Plaintiff found that there is "Handbook on Claims Procedures & Lawsuits Against Public Entities" published by *Bickmore Risk Service* (June 2004.) In the book, for B. "Documents That Don't Look Like a Claim but May Be" as follows:

However, items may not recognize as a claim, such as letters, notices and other informal documents could serve as a valid claim if all of the necessary elements are present. (See p. 8 on the Handbook online.)

In the "Introduction" for the book, it stated, "All references are made herein are to the **California Government Code.**" Since this Handbook used the California Government Code as the base, Petitioner now lists such a source to tell Defendants that Petitioner's past documents filed at the different times as Exhibits for First Amended Complaint filed on Dec. 10, 2021 at the trial court should serve as valid claims for this civil case. They are as follows:

Exhibit F. My letter to Defendant Supervisor (one page) (filed on March 20, 2012.)

Exhibit K. Petition for Writ of *Habeas Corpus* to the United States Supreme Court (six pages) (filed in fall, 2013.)

Exhibit L. Explanation for Supplementary II (one page)

Exhibit M. "Public Defender of LA County Must Stop Persecution against an Innocent Man" to Defendants' Supervisor (one page) (filed in fall 2013,) (See Exhibits to Appendix G.)

These documents to Defendants' Supervisors should all "serve as a valid claim" at different times in the early years for this civil case. On the same Handbook, there is part for "Matters Not Requiring a Claim." It listed 15 items for it. Of these, item (15) is directly related to this civil lawsuit as follows:

(15) Federal Civil Rights Action under 42 USC section 1983

(See the Handbook online, pp. 2-3.)

Since the above information is all based on California Government Code, it should be clear that Defendants' repeated demand about filing a government tort claim for this case must be rejected by the courts let alone a few other causes that prevented Petitioner from filing such a claim at that time such as horrible persecution and complete ignorance for doing so. Besides, should Petitioner dare to do so, I could not get out of the mental hospital or prison alive. The most important fact is that the monstrous Defendants and other evils persecuted Petitioner throughout the past decade since Feb. 2012 till August 2021. Defendants committed rape against innocent Petitioner. How can time barred or filing government tort claim be used as excuse to let Defendants escape from this serious suit? But the trial judge at the Los Angeles Superior Court and the three judges at the California Second Appellate District Court all shut their eyes at the horrible torture Petitioner suffered for the past decade.

**V. Respondents in My Criminal Case Have All Admitted
Their Evil Conduct**

On November 2, 2022, Petitioner filed a petition to the United States Supreme Court about the vice of some public officials and private professionals in my bogus criminal case (B391915). It was docketed as 22-6005 at the Supreme Court. In the Petition, Petitioner gave a part about the vice of these Defendants at LACPDO as follows:

**Outlaws at Los Angeles County Public Defender Office (LACPDO) Forced
Petitioner to Act as a Mental Patient**

Shortly after the case was set for a jury trial, in Feb. 2012, the Los Angeles County Public Defender Office (LACPDO) sent attorney Jonathan Petrak to falsely accuse Petitioner of mental illness. Assisted by a crook psychiatrist (Kory Knapke), they deceived LA Mental Court to force Petitioner to stay at Patton State Hospital (PSH) for involuntary antipsychotic medication in 2012 and in 2013 even though the doctors at the hospital could not find mental problems from me. Petitioner suffered terribly due to the strong side-effects of the crazy medication. It was absolute torture.

Under Petitioner's repeated request, Dr. Allen Kilian spent numerous hours in Nov. and Dec. of 2012 making comprehensive mental evaluation about me. He wrote a 19-page report stating that Petitioner did not have a mental problem. It was cosigned by seven specialists. After Petitioner was sent back to county jail in Feb. 2013, Petitioner was informed that I should be released soon. However, LACPDO sent an attorney to the jail to prevent me from release with a false excuse. In April 2013, they deceived the LA Mental Court again to send Petitioner back to PSH. Petitioner suffered more from the involuntary antipsychotic medication. Under my repeated request, a new evaluation was made and Petitioner got back to jail in Jan. 2014. In March, there was a preliminary hearing. There was no evidence, no victim and no witness for the aggravated assault.

In August 2014, LAPD made new false accusation in anonymous with aggravated assault. Petitioner demanded a jury trial but LACPDO attorneys did not allow. They attempted to force Petitioner to go to the mental hospital for the third time. Petitioner hired a private defense attorney (Steve Escovar) in Nov. 2014 but he soon stood on the side of LACPDO to harm Petitioner. LACPDO attorneys continued to sabotage the case. On 7/19/2015 their attorneys went to the court to prevent Petitioner from self-representation. Later, they prevented a new attorney from seeing me. In that way, Escovar could bring more harm to Petitioner. Thus, there was no fair and positive legal assistance to me at all during the legal proceedings. LACPDO helped the Chinese communists prevent Petitioner from telling the truth via a trial about their persecution and terrorism in the United States. (Petition, pp. 10-11)

Although Petitioner mainly talked about Defendants' illegal conduct from 2012 to 2015 due to the word limit for the Petition, as stated above, Petitioner gave a more detailed facts about their law violation from Feb. 2012 to August 2021 in my Complaint at the trial court and in the two Briefs at the Appellate Court. At the Oral Argument, Petitioner gave the major facts and emphasized that Defendants harmed Petitioner from Feb. 2012 to August 2021. But these judges at the Appellate Court all willfully refused to see such facts in the two Briefs and turned a deaf ear to the Petitioner at the Oral Argument. Instead, they loved all the nonsense from the Defendants' Brief to deny this case.

On Petition to the US Supreme Court, Petitioner stated two serious issues:

This Court Must Prohibit the Public Officials and Others to Help the Chinese Communists Persecute a US Citizen for Their Financial Gains

These public employees have the mission to work for laws and for the American people. Petitioner is a US citizen but these public officials have worked whole-heartedly for the Chinese communists. They must be condemned because they became agents for the Chinese communists in this country. This Court must stop such outlaws helping the Chinese communists persecute a US citizen for getting big bucks.

This Court Must Tell the Lower Courts to Rely on Facts and Evidence to Decide a Case and Respect a Citizen's Civil Rights Guaranteed by the US Constitution

LAPD used counterfeit documents to create this criminal case against Petitioner. But all the courts shut their eyes to such a serious issue. They totally disregard a citizen's civil rights so they made different nonsense in their verdicts. This Court must tell them that they should work for the US constitution and federal laws. It is a horrible shame that the judges played tricks one by one. (Petition, p. 36)

Meanwhile, these Defendants at LACPDO imposed the mental illness on Petitioner at the will of the Chinese communists. Defendants deprived Petitioner of the constitutional rights for a jury trial. Defendants continued to do so in the later years. As a result, Petitioner suffered for a whole decade from Feb. 2012 to August 2021. But the judges at the lower courts used all their nonsense to assist Defendants and let them free from their strong legal liabilities.

On the Petition, Petitioner pointed out the key issue for the criminal case Petition,

This Court Must Prohibit the Chinese Communists to Use Money to Take Control a Criminal Case in the United States

It is now common to hear news about the Chinese communist bribery to the American public officials and others to work for their interests. This case is another example. Without money incentive, these government employees would not bring so much harm to Petitioner. With a deep pocket, the Chinese communists have thus controlled this criminal case. It is not reversed till this date. While the lower courts cheated Petitioner at different stages, it is imperative that this Court should stop the widespread corruption in these government agencies and curb the cheating at the different levels of court including the 9th Circuit. It has strong national significance because the constitutional rights of a US citizen cannot be willfully violated by the Chinese communists and their American accomplices. The Chinese communists are like Al-Qaida who attacked United Stated in a large scale on 9/11/01. If their persecution and the evil conduct of their American accomplices is ignored by this Court, it is dangerous to the safety of this nation and to the American people.

Since the case started on 12/15/2011 till this date, due to tight control of Chinese communists for this case, Petitioner was viciously tortured and assaulted including two premeditated murder plots. These outlaws would not remove the perjuries in my criminal case and would not return the valuables of my property. Besides, they seriously committed elder abuse and they also prevented my wife's immigration and sabotaged my family life. Further, today, Petitioner must worry about my personal safety all the time. Therefore, this court must take legal action to stop the lawless act

by the Chinese communist agent bandits and their American accomplices. As an imperative step, this bogus criminal case must be reversed at your US Supreme Court. (Petition, pp. 38-39.)

After Petitioner filed that Petition to the US Supreme Court, as the court requirement, all the Defendants including Defendants LACPDO and its bad attorneys represented by California Department of Justice, must make a response. On November 9, 2022, the California Department of Justice filed WAIVER for my Petition (see Appendix J.) which meant that all the related Defendants including LACPDO admitted their lawless conduct against innocent Petitioner in the criminal case. They could not argue anything with Petitioner at the US Supreme Court. Since this civil case is based on what the Defendants did to Petitioner in the criminal case, it should be clear that Defendants admitted such illegal conduct in the criminal case after they committed rape to the innocent Petitioner like the rape to an innocent girl. While Petitioner suffered terribly for a whole decade, Respondents got big bucks as reward from the Chinese communists. However, the judges at the lower courts used their lies with inapplicable statutes to let them free from all the serious legal liabilities. Isn't it a big irony to American judicial system? Isn't it a big insult to American democratic social system "with liberty and justice for all"?

VI. This Court Must Stop the Terrible Corruption of the State Courts in California

Throughout this civil case, Petitioner repeatedly pointed out that Defendants raped my criminal case to serve the interest of the Chinese communists for their monetary gains but the lower courts all refused to apply laws and justice for such a serious case filled with federal civil rights claims. The Honorable Diego Garcia-Sayan, United Nations Special Rapporteur on the Independence of Judges and Lawyers stated in his writing, "Corruption, Human Rights, and Judicial Independence,"

Corruption in the Judicial System

Corruption undermines the core of the administration of justice, generating a substantial obstacle to the right to an impartial trial, and severely undermining the population's trust in judiciary.

Illicit interferences with justice can also be violent, particularly when perpetrated directly by members of organized crime. These forays are intended to secure specific objectives, such as the closing of a particular case, or the acquittal of a given individual.

(United Nations, A/72/140.35 July 2017.)

Clearly, what these judges have done at the state courts aimed at the closing of this civil case as soon as possible to satisfy the wish of the lawless Defendants. Despite so many serious facts in the case, they only love the distorted facts with some unlawful statutes to dismiss this case.

President Theodore Roosevelt pointed out,

No man is above the law and no man is below it; nor do we ask any man's permission when we ask him to obey it. Obedience to the law is demanded as a right, not asked as a favor.

As a victim of judicial corruption till this date, Petitioner requests that the US Supreme Court should grant review for this case. These corrupt judges have abused the judicial power so much to let Defendants stay above the law while they have forced Plaintiff to stay below the law like a subhuman, the same treatment that Plaintiff received while I was locked up for the illegal detention for the criminal case in the past decade.

In fact, these corrupt judges at the lower courts also stay above the laws themselves as they willfully abused the judicial power to make absurd rulings. They have totally defied laws and justice after the lawless Defendants persecuted or raped Petitioner for ten years in the criminal case. Their such lawless acts well revealed that as judges at the state courts, they refused the Amendment XIV for “equal protection of the laws” to the underprivileged class in California such as Petitioner, a senior citizen as well as a China democracy advocate. Like the outlaw Defendants, these judges are corrupt and lawless. This is the basic cause for why this case cannot get laws and justice till this date.

VII. Reasons for Granting the Petition

Defendants, LACPDO, the nasty attorneys Jonathan Petrak, Rourke Stacy, and their accomplices, are outlaws in this country and committed heinous crime as they made false mental problems for a mentally healthy man to serve the interest of the Chinese communists in their heated persecution against a US citizen and a China democracy advocate. Petitioner, a victim of the Chinese communist terrorism in this country has been viciously and ridiculously treated by these Defendants as “America Most Wanted” with absurd mental illness all the time. Hence, this is a serious case about these corrupt government officials who took the bribery and then willfully abused their power to work for the Chinese communists. Petitioner listed their vice repeatedly in the different documents at the trial court and further stated in the two Briefs, and

at the Oral Argument, and in the Petition to the California State Supreme Court. Petitioner emphasized that these outlaw Defendants seriously violated the United States constitution and federal laws to torture Petitioner from Feb. 2012 to August 2021 for a total of ten years. Their conduct viciously violated Amendments I, VI, VIII, XIV, and federal laws 42 U.S.C. § 1983 – Civil action for deprivation of rights and 18 U.S.C. Ch 79: PERJURY.

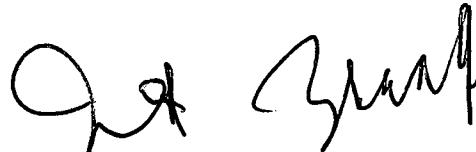
However, the lower courts only love to follow the will of the Defendants to dismiss this case and let Respondents free from all the serious legal liabilities. They adopted all the distorted facts and used unlawful state statutes to dismiss this case filled with federal civil rights claims. Thus, these corrupt judges committed 100% abuse of discretion. Finally, the California State Supreme Court refused to review this serious case without providing a cause.

Hence, it is imperative that the United States Supreme Court, acting as the top legal authority for this nation, should stop these outlaw public officials at LACODO and curb the terrible corruption at these state courts in California. So far, in the criminal case and in this civil case, the big winner is the Chinese communists who orchestrated the persecution against Petitioner for ten years and there is still not an ending as the lower courts all reject my complaints and appeals. The second big winner is a group of corrupt public officials including the vicious and morally degenerated Defendants who received big bucks from the Chinese communists for their evil rapist conduct against a senior US citizen and a China democracy advocate for a whole decade.

To uphold the authority of the U.S. constitution, to make laws and justice apply on this case filled with federal civil rights claims, to make “liberty and justice for all,” to get hold of a group of rapists responsible for their serious violation of Petitioner’s life for ten years, your US Supreme Court has the undeniable legal responsibility to solve the three serious problems listed above for this Petition.

Conclusion

For the reasons stated herein, Petitioner prays this Petition for Review be granted. Respectfully submitted.



Dated: this 19th day of July 2023

Petitioner, Jeff Baoliang Zhang, Ph.D., Pro se