

No. 23- 5727

IN THE

SUPREME COURT OF THE UNITED STATES

JEFF BAO LIANG ZHANG, PH.D.

Petitioner,

v.

Kory Knapke

Respondent/Defendant.

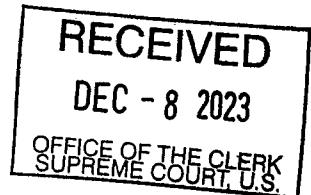
On Petitioner for Review to the California Second District

for the Court of Appeal (Case # B319492)

December 1, 2023

PETITION FOR REHEARING

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Certificate for Rehearing with Good Faith

This Respondent Kory Knapke seriously violated the US constitution, and 42 U.S.C. § 1983, as he made horrible lies about my mental status to lock up mentally healthy Petitioner in mental hospital for three different times in the past decade. However, the lower courts in California all shut their eyes with cheating and oppression to rule in complete favor for the Respondent. Such illegal practice seriously violated the US constitution. However, per Court order dated Nov. 20, 2023, this Petition is denied under the Court Rule 39.8 for being frivolous or malicious. Petitioner strongly disagrees to applying such a rule, so a Petitioner for Rehearing now filed under Court Rule 44 (1) with the following cause:

These state courts violated Civil Rights Act of 1964 as they practiced strong discrimination against my race and national origin, and my political belief as a China democracy advocate.

The U.S. Supreme Court should have the duty to defend the authority of the US constitution and federal laws. The rehearing for this case is imperative for American democracy. This Court should not deny reviewing some fundamental violations in the Bill of Rights for a US citizen.

Dated: this 1st day of December 2023



Petitioner, Jeff B. Zhang, Ph.D.

QUESTION PRESENTED

1. If the United States Supreme Court does not review this case filled with so many violations in the federal laws, who will defend the authority of the federal laws when the state courts involved are all NASTY and CORRUPT in this case? Where on earth can innocent Petitioner find laws and justice within the United States?

PARTIES TO THE PROCEEDING

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

Kory Knapke was the Defendant-Appellee below. Defendant is represented by:

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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.	

US Supreme Court Rules

Rule 44	6
1. Any petition for rehearing of any judgment or decision of the Court or the merits shall be filed within 25 days after entry of the judgment or decision, ...	
Rule 39. 8	6

Petition for Rehearing

On Nov. 20, 2023, Petitioner was denied by this Court under Rule 39. 8 for my Petition. Petitioner checked it and cannot understand why my Petition is related to “frivolous or malicious.” The Questions presented in the Petition have nothing to do with such a rule. In fact, they are too important to ignore as some federal laws are seriously violated by the Respondent but the corruption of the state courts is rampant to ignore them all. The judges made nasty lies to assist the lawless Respondent. They refused to provide “within its jurisdiction the equal protection of the laws.” Petitioner respectfully requests/demands that the US Supreme Court should solve the key Question listed above as rehearing is the only choice for this Court to uphold laws and justice for the democratic social system. Otherwise, this is only a fascist country without laws and justice for the common people. Now, per Court Rule 44, Rehearing (1), Petitioner files this Petition for Rehearing at this Court on time.

I. The Horrible and Serious Nature of This Case

In this case, Respondent Kory knapke seriously violated the federal laws with serious fraud and perjuries in Petitioner’s mental health to work for the interest of the Chinese communist regime as Petitioner pointed out at the beginning of the Petition: **This is a case about how a medical professional willfully harmed a senior citizen in California.** For his financial gains, the despicable Respondent brought tremendous harm to Petitioner for a whole decade. This is a white-collar outlaw with so much harm to an innocent man in the bogus criminal case. How can my Petition be taken as “frivolous or malicious” by your Court?

II. The Rampant Violation of the U.S. Constitution

Respondent harmed Petitioner so much that he must be subjected to the serious liability to the innocent Petitioner for violation of Bill of Rights including **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.” Throughout the case, Petitioner repeatedly mentioned that Defendant violated **42 U.S.C. § 1983** as he willfully, **under color of law, subjected**

Petitioner to deprivation of the civil rights guaranteed by U.S. constitution. Petitioner also stated that he seriously violated **18 U.S. C. Chap. 79, Perjury** as he forced a mentally healthy man to act as a mental patient for ten years with a lot of torture to serve the interest of the Chinese communist regime. How can my Petition be taken as “frivolous or malicious” by your Court?

III. The Widespread Corruption of the State Courts

In such a case filled with federal civil rights claims, the state courts in California all used lies and inapplicable state statutes to dismiss this case. They defied the federal laws as they loved to stand on the side of Respondent just because Respondent is a white professional. Respondent committed serious intentional tort and fraud. As a result, Petitioner suffered a long time in the different institutions including mental hospitals, county jail and state prison. But all the state courts shut their eyes as they only wanted to let such an outlaw free of his strong legal liabilities by adopting lies and nonsensical state statutes to dismiss the case. How can my Petition be taken as “frivolous or malicious” by your Court?

IV. The Immense Cheating and Oppression by the Lawless Respondent and by the Corrupt State Courts

Respondent mainly adopted cheating for his sham defense as he used false alibis to cheat the civil court and to oppress Petitioner. Respondent used false statements so that he could escape from his strong legal liabilities. Defendant’s illegal conduct got the approval of the state courts. In a case filled with federal civil rights violations, both the Los Angeles County Superior Court and the California Second District Court of Appeal are very corrupt as they all refused to follow **Amendment XIV** to provide “equal protection of the law” to a US citizen, Petitioner in this case. These courts all abused their power in dealing with such a civil case with serious federal law violations. Petitioner mentioned that even though the trial judge already gave a very positive comment to my presentation at the last hearing and Respondent could not give any reason but just in three days, this trial judge changed to dismiss the case. At the Appellate

Court, again, Respondent could not make any defense but the three justices shut their eyes to dismiss this case. Such open and terrible judicial corruption is rare in this country.

V. California Supreme Court Illegally Ignores

the Rampant Corruption by the Lower Courts

As the state highest court, the California State Supreme Court has the power and duty to review a case filled with so many federal civil right violations and the widespread judicial corruption in the lower courts in California. However, without any cause, this court refused to review this case with En Banc to refuse to provide a chance for Petitioner to file reconsideration. This State Supreme Court refused to take its duty to work for law and justice. It totally ignores its supervisory duty to stop the immense and widespread corruption at the lower courts of California. It thus became a rubber stamp for the corrupt state courts to approve for their impudent conduct to harm innocent Petitioner. It is also a very corrupt court in California. Because it refuses to take charge of such a case about the rampant corruption of the lower court, such corruption thus continues and it is now widespread in California.

VI. Defendants Cannot Deny Their Illegal Conduct Anymore

After Petitioner filed the case to the California State Supreme Court, Respondent could not write a word to argue with Petitioner, which meant he admitted all his lawless conduct against innocent Petitioner and that he also admitted the lies that the state courts made for their nasty rulings. After Petitioner filed my Petition for Review at US Supreme Court, Respondents only filed a Waiver for his response. Such a Waiver meant that Respondent admitted all his lawless conduct to the US Supreme Court. Under such circumstances, this Court should review it as it is a case filled with federal civil rights violations but surprisingly, this Court denied Petitioner's *forma pauperis* application and dismissed this case with the Court Rule 39. 8. Hence, for such a serious case of law violations without any rebuttals from the Respondent, when right and wrong are as clear as everything, how can this Court dismiss it with such a Rule for being "frivolous or malicious"?! Where on earth can a Petitioner find laws and justice when all the

devastating facts and serious violations are clearly stated in the Petition? Why shouldn't this Court take action to work for laws and justice when the state courts are so very corrupt?

VII. The Strong and Unusual Importance of This Case

This case not only exposed the lawless Respondent, the terrible judicial corruption, but also contained issues of high and significant importance. On November 2, 2022, Petitioner filed a petition to the US Supreme Court about the vice of some public officials and private professionals in my bogus criminal case (BA391915). It was docketed as 22-6005 at the U.S. Supreme Court. In the Petition, Petitioner gave many facts about the lawless conducts of Respondent in the section, "**Outlaw Kory Knapke**" (Petition, pp. 11-13). Petitioner also stated the importance of reviewing this case by the US Supreme Court for national significance, i.e., all the courts involved let the Chinese communist regime and their American accomplices take control of the criminal case BA391915 to harm innocent Petitioner. Such an issue is related to national security as the moral conduct of the private professionals such as Respondent Kory Knapke is so mean that they only want money regardless of who the briber is for the criminal case. With money incentive, Respondent Knapke can provide all kinds of illegal service to anyone including the Chinese communists. Petitioner listed so many federal law violations with indisputable facts in the Petition, and the serious judicial corruption of the state courts, but this Court denied reviewing such a serious Petition under Rule 39. 8. It made no legal sense to the Petitioner. If such an outlaw is always free, it reveals that this is a dictatorial country with the judicial system only serving a tiny group of the privileged class.

VIII. Where on Earth Can a Horrible Victim Find Laws and Justice?

This is a country established on democratic principles "with liberty and justice for all" as thus stated in the US constitution. Today, the state courts involved have all turned into fascist courts with cheating and oppression to an innocent man, Petitioner in the case. Can the US Supreme Court allow such fascist conduct at the lower courts in California? Petitioner already suffered for a whole decade with torture and maltreatment due to the persecution of evils including Respondent Knapke but the lower courts all refused to apply laws and justice. The state courts only want to protect the lawless Respondent. Now the US Supreme Court made a

ridiculous alibi saying it is denied for being frivolous or malicious under Rule 39. 8 and refuses to review this case filled with federal civil rights claims, where on earth can a horrible victim find law and justice in this so-called democratic country?

IX. Civil Rights Act of 1964 Prohibits Discrimination Based on Race, Color, Religion, Sex or National Origin

Let's suppose in this case, if Petitioner were the Respondent, Respondent were Petitioner, with the same law violations for the case, would these state courts stand on my side? Never! Impossible! Daydreaming! Why so? Strong and Disgusting Racial Discrimination!

Historically, Chinese nationals were strongly discriminated against in this country. There were many examples of such discrimination. Now, Petitioner must point out, after Defendant harmed Petitioner for a decade, these state courts have done such illegal judicial practice because they discriminated against my race and national origin. Although a US citizen for many years, Petitioner has kept the national origin of Chinese. Thus, these state courts involved have all cheated and oppressed Petitioner to let Defendant free of the strong legal liabilities because Defendant is a white professional while Petitioner is a man of Chinese origin with poor financial status and at senior age. Based on such difference, these courts are so lawless as they openly used Respondent's lies to rule this case when Respondent was already unable to use such lies anymore for his sham defense at the trial court and at the CA Second Appellate Court.

While the **42 U.S. C. § 1983** that passed in 19th century already prohibits anyone to subject a man to civil rights deprivation and those who violated and made injury to others should be liable for redress, the federal **Civil Rights Act of 1964** further prohibits discrimination based on race, color, religion, sex, and national origin. However, these lower courts, due to their strong discrimination of my race and national origin, have thus committed serious violations of these two federal laws in ruling this case. Hence, if the US Supreme Court refuses to review this case, who can uphold the US constitution, **42 U.S. C. § 1983** and the **Civil Rights Act of 1964** in the United States? Why should Petitioner with Chinese origin be willfully cheated and oppressed in this country today after the passage of these federal laws for so many years? If your Court

denies reviewing this case with the alibi of being “frivolous or malicious,” where on earth can Petitioner find law and justice? What is the use of this US Supreme Court?

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 severe persecution and a victim of judicial corruption till this date, Petitioner requests/demands that the US Supreme Court should grant review for this case to defend the US constitution and the other federal laws. These corrupt judges have abused their judicial power so much to let the nasty Respondent stay above the law while they have forced innocent Plaintiff to stay below the law like a subhuman. Such a ruthless fact goes directly against the US constitution, the democratic principles of this nation and the above teaching from President Roosevelt.

Conclusion

With all the reasons stated above, the US Supreme Court has the undeniable duty to review such a case filled with federal civil rights violations and serious judicial power abuse. This is not a case of “frivolous or malicious.” It is a victim’s strong request/demand for laws and justice in this country with a democratic social system. This Court should not let a vicious wolf escape from the laws and justice. This Court should not let a pack of crook judges at the state courts willfully cheat and oppress Petitioner. This Court should review this case as this Court must uphold the noble principle “with liberty and justice for all” in America! Do not make this country lawless without justice and dominant by the racists and criminals!

Dated: 1st day of December 2023



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