

No. 23 - 6125

In the Supreme Court of the United States

WALTER LANCASTER
Petitioner

-v-

BEATS ELECTRONICS et al
Respondent

On Petition for Writ of Certiorari to

State of California

Second District Court of Appeals Division Four

PETITION FOR REHEARING

(corrected per Jan. 30, 2024 Notice)

Walter Lancaster

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(Petitioner)

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JURISDICTION

This instant Case No. 23 - 6125 was DENIED on Jan. 8, 2024.

Petitioner herein in keeping with **(Rule 44: Rehearing)** which states that “A petition for the rehearing of any judgment or decision of the Court on the merits shall be filed within 25 days after entry of the judgment or decision. Its grounds shall be limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented” (*corrected per Jan. 30, 2024 Notice*) **(Rule 44:6)** enters a Petition for Rehearing.

PETITION FOR REHEARING

Petitioner herein states that other substantial grounds not previously presented is that the Lower Trial Court Complaint **(BC687998)** at its Prayer for Relief (*attached*), there seen is that this Petitioner herein as then Plaintiff has demanded \$1 Billion 900 Million U.S.D. and this is the “money or property” where by scheme or artifice to defraud is at all times referred to in the instant herein entered Writ of Certiorari No. 23 - 6125 as **“Fraud on the Court”** where guidance by intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented is equated in *pari materia* by the recent bright line holdings

in albeit a Criminal Action newly discovered in recent Opinion Granted
Certiorari on Jun. 30, 2022 with Judgment issued on Jun. 12, 2023 in
No. 21-1170 LOUIS CIMINELLI PETITIONER v. UNITED STATES et al.,
 where Justice Thomas has ruled therein and Justice Alito concurred
that (quote): “money or property” requirement in section 1343 i.e.
 of a “scheme or artifice to defraud or for obtaining money or
property by means of false pretenses, representations, or promises”
 --- [that] was limited by the “common understanding” of the words “to
defraud” when the statute was enacted (quoting: *Cleveland v. United*
States 531 U.S. 12, 19 (2000))

Petitioner herein states that evidenced yet denied review in the
 instant herein Writ of Certiorari No. 23 - 6125 is the intentional
 departure[s] from Case Precedent Authorities of the State of California 2nd
 District Court of Appeals Division 4 whom Judicially remain in “**scheme**
to defraud where to deprive one of money or property” is the object
 of their *Fraud with use of the tool of Judicial Machinery* (device or
artifice) inclusively by assent and collusion with the Lower Trial Court
 both of whom’s Judgments each are *Procured by Fraud* with deception
 in violation of *the Doctrine of Stare Decisis* in an *Abuse of Discretion*
 as read upon State of California 2nd District Court of Appeals Division 4
 Unpublished Opinion causing an in keeping with the Question Presented,
 a harmful prejudicial *Miscarriage of Justice*.

Pari Materia (defined) - on the same subject matter: in a similar case.

Note: It is a doctrine in statutory construction that statutes that are in *pari materia* must be construed together.

(Source: Merriam Webster Legal)

Collusion (defined) - Collusion is when two or more parties secretly agree to defraud a third-party of their rights or accomplish an illegal purpose. (Source: Wex Law Dictionary)

Fraud on the Court (defined) - Fraud upon the Court embraces only that species of fraud which does or attempts to, defile the Court itself or is a fraud perpetrated by its officers of the Court so that the Judicial Machinery cannot perform in the usual manner its impartial task of adjudging cases that are presented for adjudication.
(citing): (State Farm Mut. Auto Ins. Co. 340 F. 3d 769, 781 (9th Cir. 2003))

Petitioner herein has newly discovered additional “intervening circumstances of a substantial or controlling effect” that is equated in *pari materia* by the recent bright line holdings in albeit a Criminal Action No. 23-257 UNITED STATES OF AMERICA (*plaintiff*) v. DONALD TRUMP (*defendant*)., Filed Dec. 1, 2023 MEMORANDUM OPINION that provides guidance regarding how this Petitioner as when Plaintiff and upheld by the State of California 2nd District Court of Appeals Division 4 as

when Appellant upon Unpublished Opinion (*Appendix A*) in an ***Abuse of Discretion*** is that the “Vexatious Litigant” (*as a device or artifice*) ***Sua Sponte*** assertion of the replacing Lower Trial Court Judge is proper when evidenced is the absence of a hearing prior to its entry of that assertion, which in *pari materia* is the absence of - “fair warning” of the prohibited conduct” (*United States v. Lanier, 520 U.S. 259, 265 (1997) (citation omitted)*) is only an element of their “**scheme to defraud**” this Petitioner of the as demanded \$1 Billion 900 Million U.S.D. upon the Trial Court Complaint (*BC687998*) Prayer for Relief (*attached*), by their assent and collusion (*by scheme*) with the Lower Trial Court both of whom’s Judgments where each are ***Procured by Fraud*** with deception in violation of ***the Doctrine of Stare Decisis*** in an ***Abuse of Discretion*** as read upon State of California 2nd District Court of Appeals Division 4 Unpublished Opinion (*Appendix A*) and is to “**defraud**”, and to “**deprive**”, and to delay and to freeze - out (*with the use of the Judicial Machinery as a tool*) with ***violation of Due Process*** this Petitioner for the benefit of the herein Respondents that they may continue to “obtain money or property by means of false pretenses, representations, or promises” in ***Unjust Enrichment***.

The Vexatious Litigant installment as a device warrants Reversal

Petitioner herein states that this instant Writ of Certiorari **No. 23 - 6125** at its Page 14 (*Appendix A*) outlines an element of “**the scheme or artifice to defraud**” of the California 2nd District Court of Appeals Division 4 upon their likewise Unpublished Opinion (*Appendix A Page 14*) that outlines their ***Judicial Admission of Fraud on the Court*** with **deception** in violation of ***the 5th and 14th Amendment Due Process*** of (quote): “The sole **contention raised by appellant is that the trial court’s order is “void” because section 391.7 entitled him to an oral hearing before the trial court entered the prefiling order**”. (end quote)

Petitioner herein states that (quote): “The sole **contention raised by appellant is that the trial court’s order is “void” because section 391.7 entitled him to an oral hearing before the trial court entered the prefiling order**”. (end quote) is a mendacity (lie) because, “**that the trial court’s order is “void” because section 391.7 entitled him to an oral hearing before the trial court entered the prefiling order**.” is not ***in Fact*** the sole contention raised by this Petitioner as when Appellant Opening Briefed for Appeal (***B298792***) and is **deception**.

The State of California 2nd District Court of Appeals Division 4 likewise Unpublished Opinion in *Fraud on the Court* with deception evidences a violation of *Due Process* and evidences an intentional departure from proper harmonious case precedent authority because proper guidance by Case Precedent Authority at all times existed in (citing): (*Bravo supra, 99 Cal App. 4th 211*) - “an individual subject to a pre-filing order is entitled to both notice and a hearing before entry of the order.”

Petitioner herein states that of the State of California 2nd District Court of Appeals Division 4 there is evidenced an intentional departure from the harmonious Case Precedent Authority of

(citing): (*Ringgold v. Lockhart (9th Cir. Fed) D.C. No. 2: 11 - cv - 01725-R-PLA*) - (quote): “The Ringolds filed a brief opposing the vexatious litigant designation and attached declarations from both Ringgold and Ringgold-Lockhart. The Court heard oral argument from the Ringolds before it entered the vexatious litigant order. In sum, the District Court provided proper notice and an opportunity to be heard, in accordance with our case law’s first procedural requirement and due process.” See: *Molski 500 F 3d. at 1058*) (end quote)

Petitioner herein states that as evidenced the foregoing should warrant review not denial.

Petitioner is by scheme or artifice to defraud denied an Appeal

This Petitioner herein per the “**scheme and artifice to defraud**” in *Fraud on the Court* with **deception** per the State of California 2nd District Court of Appeals Division 4 remains **wholly Denied of an Appeal of the issues presented and is ruled to be in an Abuse of Discretion “untimely”**.

Petitioner as Plaintiff was ordered to Appeal
by the Lower Trial Court Judge

Petitioner herein states and evidences that **upon the denial of the Lower Trial Court 2nd and Final Motion for Reconsideration** as when Plaintiff by “**scheme or artifice to defraud**” with “**deception**” is seen referred to as **the Plaintiffs 3rd Motion for Reconsideration** (*Appendix C*) was properly filed under the *California Code of Civil Procedure Section 1008(a)* and there upon at (*Analysis*) the replacing Lower Trial Court Judge (*Landin*) ruled that (*quote*): “**The appropriate procedure for Plaintiff to seek relief from the court’s judgment is to file an appeal**”. (*end quote*) (*attached*)

Petitioner herein states that other substantial grounds not previously presented is that the replacing Trial Court Judge (*Landin*) in the Trial Court Case (BC687998) denied the then Plaintiff's ***Motion to Vacate (section 663)*** on 04/04/2019 (*attached*) and this Petitioner filed Notice of Appeal on 05/28/2019 in 54 days. (*attached*) and in collusion (*by scheme*) the State of California 2nd District Court of Appeals Division 4 denied an Appeal as ruling "untimely" (*deception*).
(citing): Rule 8.104 (a) Normal Time (1)(A) 60 days after Notice of Entry of Judgment)

Petitioner herein states that other substantial grounds not previously presented is that proper guidance at all times existed in *(citing): (Ryan v. Rosenfeld) See: (Bond v. United Railroads 159 Cal. 270 (Cal. 1911) (quote): "The denial of a Section 663 motion is by Statute an appealable order regardless of the issues raised" (Ryan) and "The statute authorizing appeals of post-judgment orders covers denials of Cal. Code Civ. Proc. 663 motions remains valid." (Bond) (end quote)*

Petitioner herein has a Vexatious Litigant 371.7 installment upon the Judgment that denied then Plaintiff's Second and Final Motion for Reconsideration which renders the ***Judgment Substantially Modified.***
(Appendix C)

(citing): *Sanchez v. Strickland* (2011) 200 Cal. App. 4th 758, 765) - “a **Substantial Modification** occurs by an amendment that materially affects the rights of the parties.”

When a **Judgment is Substantially Modified** is in keeping with harmonious Case Precedent and Statute is also to warrant an Appeal where proper guidance at all times existed in (citing): (*Neff v. Ernst* (1957) 48 Cal. 2d. 628, 634) See: (*Torres v. City of San Diego* (2007) 154 Cal. App. 4th 214, 222)

Petitioner herein states that other substantial grounds not previously presented is that the Notice of Appeal (*attached*) is filed on 05/28/2019 and is 12 days beyond the denial of then Plaintiff's Second and Final Motion for Reconsideration of 05/16/2019 upon which rules then Plaintiff to be a Vexatious Litigant. (*Appendix C*)

(citing): **Rule 8.104 (a) Normal Time (1)(A) 60 days after Notice of Entry of Judgment**)

Petitioner herein states that other substantial grounds not previously presented is that the Unpublished Opinion the State of California 2nd District Court of Appeals Division 4 in harmful **Fraud on the Court** with deception in violation of *the Doctrine of Stare Decisis* and of *Due Process* as a “device or artifice to defraud where intent is to wrong one in his property rights” with the Judicial Machinery as

a tool (device or artifice) for benefit of the Respondents since when Defendants and Appellants that they may continue to “obtain money or property by means of false pretenses, representations, or promises” in *Unjust Enrichment*, ruled in Fraud that then Appellants Appeal was untimely. (Appendix A Page 11)

Petitioner herein states that outlined yet denied review in the instant herein Writ for Certiorari No. 23 - 6125 is that the Lower Trial Court Judgments and the State of California 2nd District Court of Appeals Division 4 Unpublished Opinion is in prejudicial collusion with the Lower Trial Court Judgments each of which are procured by Fraud on the Court with deception in an *Abuse of Discretion* in violation of the 5th and of the 14th *Amendment Due Process* with use of the Judicial Machinery as a tool is a “scheme to deprive one of traditional property interests where money or property is the object of their fraud and [have] not the slightest support in prior [state] decisions” and others similarly situated and intervening circumstances of a substantial or controlling effect or other substantial grounds not previously presented is supported by the newly discovered bright line by precedent holding in

(citing): No. 23-257 UNITED STATES OF AMERICA (plaintiff) v. DONALD TRUMP (defendant)., Filed Dec. 1, 2023 (quoting Justice Thomas): at A. Due process principles of (quote): “The Supreme

Court held that the state supreme courts construction of the statute (citation omitted) was “clearly at variance with the statutory language” and had not the slightest support in prior [state] decisions.” *Id.* at 356. (end quote)

Petitioner herein states that proper guidance by intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented is equated in *pari materia* by the newly discovered recent Opinion Granted Certiorari on Jun. 30, 2022 with Judgment issued on Jun. 12, 2023 in

(citing): Case No. 21-1170 LOUIS CIMINELLI PETITIONER v. UNITED STATES et al., where Justice Thomas has ruled therein that (quote): “the federal fraud statutes criminalize only schemes to deprive people of traditional property interests”. (*Cleveland v. United States* 531 U.S. 12, 24 (2000) “Because potentially valuable economic information necessary to make discretionary decisions is not a traditional property interest, we now hold that the right to control theory is not a valid basis for liability under 1343. Accordingly we reverse the Second Circuits judgment”. (end quote)

(quoting Justice Thomas): “Although the statute is phrased in the disjunctive we have consistently understood the money or property requirement to limit the schemes or artifice to defraud element

because the common understanding of the words to defraud when the statute was enacted referred to wronging one in his property rights." (*Cleveland* 531 U.S. at 19 (*internal quotation marks omitted*)).
(*end quote*)

(*quoting Justice Thomas*): This understanding reflects not only the original meaning of the text, but also that the fraud statutes do not vest a general power in the Federal Government...to enforce (its view) integrity in broad swaths of state and local policy making." (*Kelly v. United States* 590 U.S. (2020)(*slip op at 12*)). Instead these statutes protect property rights only." (*Cleveland* 531 U.S. at 19).

CONCLUSION

Petitioner herein states that the intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented is equated in *pari materia* as the grievance denied review in the instant herein Writ for Certiorari No. 23-6125 which outlined how the State of California 2nd District Court of Appeals Division 4 upon Unpublished Opinion in collusion (by scheme) with the Lower Trial Court engaged in deception where by the object of their Fraud is with the use of the tool of Judicial Machinery (device or artifice) where by both of whom's Judgments are each *Procured by Fraud* with deception in violation of *the Doctrine of Stare Decisis* in an *Abuse of Discretion* where the intent is the deprivation of rights (5th & 14th Amendment) (collusion) and deprivation of the by violation of *Due Process*, the money or property (an object of their fraud) of this Petitioner herein of 1 Billion 900 Million U.S.D. as Prayed for Relief from these Respondents that they may continue in Unjust Enrichment.

(citing): No. 23-257 UNITED STATES OF AMERICA (plaintiff) v. DONALD TRUMP (defendant)., Filed Dec. 1, 2023 (quoting Justice Thomas): "Accordingly the Government must prove not only that the wire fraud defendants engaged in deception but also that money or

property was an object of their fraud.” (*Kelly 590 U.S. at (slip op at 7)*
(alterations omitted). (end quote)

Petitioner herein states that the grievance denied review in the instant herein Writ for Certiorari No. **23-6125** outlined how the State of California 2nd District Court of Appeals Division 4 upon Unpublished Opinion **in collusion** (*by scheme*) with the Lower Trial Court is **“clearly at variance with the statutory language” and [has] not the slightest support in prior [state] decisions.”**

(citing): **No. 23-257** UNITED STATES OF AMERICA (*plaintiff*) v. DONALD TRUMP (*defendant*), Filed **Dec. 1, 2023** (*quoting Justice Thomas*): at A. Due process principles of (quote): **“The Supreme Court held that the state supreme courts construction of the statute** (*citation omitted*) **was “clearly at variance with the statutory language” and had not the slightest support in prior [state] decisions.”** *Id.* at 356. (end quote)

(quoting Justice Thomas): **No. 23-257** UNITED STATES OF AMERICA (*plaintiff*) v. DONALD TRUMP (*defendant*), Filed **Dec. 1, 2023** **“Although Cleveland involved the mail fraud statute 18 U.S.C. 1341 “we have construed identical language in the wire and mail fraud statutes in *pari materia*.”** (*Pasquantino v. United States 544 U.S. 349, 355 n.2 (2005).*) (end quote)

Petitioner herein states that the intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented is equated in *pari materia* by the newly discovered recent Opinion in

(citing): No. 21-1170 LOUIS CIMINELLI PETITIONER v. UNITED STATES et al., where Justice Alito has concurred in ruling that (quote): “The opinion of the Court correctly answers the sole question posed to us.” (opinion omitted) “...and therefore this error unless harmless requires the reversal of the judgment below.” (end quote)

Petitioner herein states that as evidenced the foregoing should warrant review not denial.

Respectfully Submitted:

Dated: Feb 8, 2024 Signed: 

SWORN DECLARATION

Petitioner herein swears the foregoing to be true and correct.

Respectfully Submitted:

Dated: Feb 8, 2024

Signed:

A handwritten signature in black ink, appearing to be "C. W. Smith", written over the "Signed:" label.

CERTIFICATION

Petitioner herein Certifies that this entered Petition for Rehearing is presented in good faith and is not for the purposes of delay.

Respectfully Submitted:

Dated: Feb 8, 2024

Signed: 

ATTACHMENTS

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12. Prayer for Relief -

1. Plaintiff herein prays for it's due share and future economic benefit and monetary share and equity in the amount of 1 Billion 900 Million dollars from defendants Andre Young (Dr. Dre) and Jimmy iovene and one "Sean Bouldin" and one "Luke Wood", "Beats Electronics" and the Apple Corporation.

2. Plaintiff herein prays for a Jury Trial and the exploration of Punitive Damages as these tortious acts as claimed herein this complaint are resultive of intentional malice and fraud and oppression of these defendants Andre Young (Dr. Dre) and Jimmy iovene "Beats Electronics" and one "Sean Bouldin" as bestowed upon this Plaintiff herein.

it (i.e., the first, third, and eighth through twelve causes of action) are barred by the statute of limitations.

On October 25, 2018, the Court denied Plaintiff's "Request for Reconsideration and in the Hybrid Petition for Rehearing", (which the Court deemed as a Motion for Reconsideration) as to the Court's ruling on the Motion for Judgment on the Pleadings.

On January 31, 2019, the Court denied Plaintiff's second "Request for Reconsideration and in the Hybrid Petition for Rehearing."

On April 4, 2019, the Court denied Plaintiff's Motion to Vacate Judgment.

On April 15, 2019, Plaintiff filed this third "Request for Reconsideration and in the Hybrid Petition for Rehearing."

The Court considered the moving papers, opposition, and reply and rules as follows.

Standard

"A motion for reconsideration may only be brought if the party moving for reconsideration can offer 'new or different facts, circumstances, or law' which it could not, with reasonable diligence, have discovered and produced at the time of the prior motion. . . . A motion for reconsideration will be denied absent a strong showing of diligence." Forrest v. Department of Corporations (2007) 150 Cal.App.4th 183, 202, disapproved on another ground in Shalant v. Girardi (2011) 51 Cal.4th 1164, 1172, fn. 3); Baldwin v. Home Sav. of America (1997) 59 Cal.App.4th 1192, 1199 (noting that 1992 amendment to Code of Civil Procedure section 1008 tightened the diligence requirements).

Disagreement with a ruling is not a new fact that will support the granting of a motion for reconsideration. Gilberd v. AC Transit (1995) 32 Cal.App.4th 1494, 1500. Judicial error does not constitute a new fact or circumstance under Code of Civil Procedure section 1008. Jones v. P.S. Development Co., Inc. (2008) 166 Cal.App.4th 707, 724, disapproved on another ground in Reid v. Google, Inc. (2010) 50 Cal.4th 512, 532 fn. 7.

The court lacks jurisdiction to rule on a motion for reconsideration after entry of judgment. APRI Ins. Co. v. Sup. Ct. (Schatterman) (1999) 76 Cal. App.4th 176, 181; Brammer v. Regents of Univ. of California (2009) 175 Cal.App.4th 1043, 1048.

Analysis:

This is a third Motion for Reconsideration from Plaintiff, and again, the Court finds that Plaintiff's "Request for Reconsideration and in the Hybrid Petition for Rehearing" is procedurally improper. The Court does not have jurisdiction to hear this matter, because Judgment was already entered on January 31, 2019 in favor of Defendants on all causes of action in the FAC. See APRI Ins. Co., supra, 76 Cal.App.4th 176, 180. The appropriate procedure for Plaintiff to seek relief from the Court's judgment is to file an appeal.

Since Plaintiff repeatedly attempts to relitigate in pro per the validity of the determination against the same Defendant as to whom the litigation was finally determined, the Court finds that Plaintiff falls under the definition of a vexatious litigant, pursuant to CCP §§ 391 et seq. The

RECEIVED

JUN 15 2014 ML-110

ATTORNEY OR PARTY WITHOUT ATTORNEY		STATE BAR NUMBER: <u>200-DEK</u>	FOR COURT USE ONLY
NAME: <u>WALTER LANCASTER</u>			
FIRM NAME: <u>200-DEK</u>			
STREET ADDRESS: <u>P.O. BOX 835, 821</u>			
CITY: <u>LOS ANGELES</u>		STATE: <u>CA</u> ZIP CODE: <u>90035</u>	
TELEPHONE NO.:		FAX NO.:	
E-MAIL ADDRESS:			
ATTORNEY FOR (name): <u>200-DEK</u>			
<input checked="" type="checkbox"/> COURT OF APPEAL, APPELLATE DISTRICT, DIVISION			<p>CONFIRMED COPY</p> <p>MAILED 29 2014</p> <p>Shari R. Carter, Executive Officer/Clerk</p> <p>By: Christine Gifford, Deputy</p>
<input checked="" type="checkbox"/> SUPERIOR COURT OF CALIFORNIA, COUNTY OF <u>LOS ANGELES</u>			
STREET ADDRESS: <u>111 W. Hill St.</u>			
MAILING ADDRESS: <u>LOS ANGELES</u>			
CITY AND ZIP CODE: <u>CA 90012</u>			
BRANCH NAME: <u>STANLEY WIDE</u>			
PLAINTIFF/PETITIONER: <u>WALTER LANCASTER</u>			
DEFENDANT/RESPONDENT: <u>BEATS - APPLE INC. et al.</u>			
OTHER:			
<p align="center">REQUEST TO FILE</p> <p align="center">NEW LITIGATION BY VEXATIOUS LITIGANT</p>			
Type of case: <input type="checkbox"/> Limited Civil <input type="checkbox"/> Unlimited Civil <input type="checkbox"/> Small Claims <input type="checkbox"/> Family Law <input type="checkbox"/> Probate <input checked="" type="checkbox"/> Other			CASE NUMBER: <u>36687998</u>

1. I have been determined to be a vexatious litigant and must obtain prior court approval to file any new litigation in which I am not represented by an attorney. Filing new litigation means (1) commencing any civil action or proceeding, or (2) filing any petition, application, or motion (except a discovery motion) under the Family or Probate Code.

2. I have attached to this request a copy of the document to be filed and I request approval from the presiding justice or presiding judge of the above court to file this document (name of document):

MAY 16, 2014 ORDER

NOTICE OF APPEAL
NOTICE DESIGNATING RECORD

3. The new filing has merit because (Provide a brief summary of the facts on which your claim is based; the harm you believe you have suffered or will suffer; and the remedy or resolution you are seeking):

THE FILING IS IN KEEPING WITH THE ORDER
OF MAY 16, 2014

4. The new filing is not being filed to harass or to cause a delay because (give reasons):

THE FILING IS IN KEEPING WITH THE ORDER
OF MAY 16, 2014

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: MAY 28, 2014

WALTER LANCASTER
(TYPE OR PRINT NAME)

[Signature]
(SIGNATURE)

3

No. 23 - 6125

In the Supreme Court of the United States

WALTER LANCASTER
Petitioner

-v-

BEATS ELECTRONICS et al
Respondent

On Petition for Writ of Certiorari to

State of California

Second District Court of Appeals Division Four

Walter Lancaster - *Petitioner*

Beats Electronics et al. - *Respondents*

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(*Respondents*)

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FEB 13 2024

**OFFICE OF THE CLERK
SUPREME COURT, U.S.**

I, Petitioner Walter Lancaster do declare that on this date
Feb 8, 2024 as required by United States Supreme
Court Rule 44, I have served the enclosed (10) PETITIONS FOR A
REHEARING and (1) ORIGINAL to the Clerks Office, and
(1) ORIGINAL and (3) PETITIONS FOR A REHEARING to the
Respondents with tracked postage prepaid.

The name of the party's served are as follows:

James R. Sigel Morrison & Foerster LLP.

425 Market St.

San Francisco Calif. 94105

(Respondents)

SUPREME COURT OF THE UNITED STATES OFFICE OF THE
CLERK 1 First St. N.E. WASHINGTON D.C. 20543 - 0001

I, declare under penalty of perjury that the foregoing is true and
correct.

Executed on: Feb 8, 2024
Signed: Walter Lancaster