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IN THE SUPREME COURT OF THE UNITED STATES

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IN RE YI TAI SHAO

**LINDA SHAO, AKA YI TAI SHAO**

*Petitioner - Appellant,*

vs.

**Judge Barry G. Silverman, Judge Ryan D. Nelson and Judge Patrick J. Bumatay, panel judges for Appeal no.22-15857 and Mary Murquia, Chief Judge at the Ninth Circuit**

*Respondents*

—oo—

Petition for Writ of Mandamus pursuant to 28 U.S.C. §1651 to vacate orders of June 29, 2023 (ECF 28) and October 11, 2023 (ECF 53) in summary denial of Petitioner's Motion for Summary Reversal and of Petitioner's motion to change venue without any analysis and 7 motions in ECF 53 by Respondents at the Ninth Circuit Court of Appeal (22-15857), an appeal from Judge John A. Mendez's dismissal in Shao v. Roberts, et al. (2:22-00325) and grant relief of reversal and remand to New York pursuant to 28 U.S.C. §1253,

§2101(a), §2016

Rule 20 of the U.S. Supreme Court Rules

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FILED

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ORIGINAL

## QUESTIONS PRESENTED

1. Whether the District Court's dismissal order must be reversed and remanded to a neutral District Court when it is undisputed and no appellees objected to the fact that the Magistrate Judge was without jurisdiction to handle four motions for injunctive relief and issue dispositive order on her own dispositive motion as the assignment to her was banned by 28 U.S.C. §636(b)(1)(A) (App.72)?
2. Whether District Court's dismissal order (by John A. Mendez) was made without jurisdiction such that dismissal must be reversed and remanded to a neutral judge as magistrate judge's recommendation which Judge Mendez adopted is void for lack of jurisdiction because the District Court failed to get consent from Appellant for considering the Magistrate Judge's recommendation as required by *Anderson v. Woodcreek Venture Ltd.*, 351 F.3d 911 (9<sup>th</sup> Cir. 2003)?
3. Whether Judge John A. Mendez's dismissal order/judgment must be reversed as Judge John A. Mendez violated Due Process and the First Amendment Right to Access the Court by willfully violating 28 U.S.C. §455(b)(5)(i) and §455(a) in illegally using his judge's office to do favor to the defendants including Anthony M. Kennedy Inn of Court, a private not for profit organization which is a "child" to American Inns of Court Foundation, where Mendez is a long term officer, and many judges/justices who are Defendants are his long term friends in the same social club?
4. Should a writ of Error be issued to the panel at the Ninth Circuit on their June 29, 2023 Order (ECF 28) when the order issued a summary denial regarding Plaintiff's motion for summary reversal

without any analysis in disregard of the prevailing law of *Anderson v. Woodcreek Venture Ltd.*, 351 F.3d 911 (9<sup>th</sup> Cir. 2003)?

5. Should June 29, 2023 order summary denying an uncontested Motion to Change Venue with a statement “No motion for reconsideration, clarification, or modification of this denial shall be filed or entertained” be vacated as such order constitutes a violation of the First Amendment of the Constitution when Circuit Rule 27-11 expressly allowed a motion to reconsider?
6. Should a writ of Error be issued to the panel at the Ninth Circuit on their October 11, 2023 order (ECF 53, App.163) as the panel is demonstrated to have wantonly issued an order without any analysis regarding 7 motion raised in ECF 29 which is equivalent to willful refusing to decide when October 11, 2023 order was made after the panel was made known to the fact that it was not yet decided and not moot for five times (ECF 30’s first paragraph in bolded heading, ECF 32, ECF 36, ECF 42, and ECF 52) then issued a summary denial without any analysis when one of the seven requests in ECF 29 was asking for statement of decision for ECF 28?
7. In denying judicial disqualification, should the panel judges lay out all relevant facts as required by *Moran v. Clarke*, 309 F.3d 516, 517 (8<sup>th</sup> Circuit 2002)?
8. Should the appeal be transferred to an impartial, neutral Senior Judge at the Second Circuit Court of Appeal to form a neutral panel pursuant to *United States v. District Court for Southern District of New York*, 334 US 258 (1948) when Petitioner’s motion to change venue that has demonstrated actual prejudice by the Ninth Circuit was not contested before June 29, 2023?
9. The recent evidence on 10/5/2023 that Judge John A. Mendez’s dismissal was out of conspiracy among defendants in *Shao v.*

Roberts, et al., and new circumstantial evidence of conspiracies of the Ninth Circuit and California four judges who committed 16+ incidents of judicial kidnapping by concealing their names from the docket of related appeal of Appeal No.14-17400 (ECF 32, App.150-155), besides to the uncontested crimes of the Ninth Circuit provides circumstantial evidence that the appellate panel appears to be in conspiracy with Judge Mendez and the Appellees NOT TO REVERSE Mendez's order which is reversal per se as a matter of law for lack of jurisdiction prompted the imminent need of this Court to stay the appeal which the biased panel planned on proceeding to a deliberate dismissal in violation of 18 U.S.C.§242?

**PARTIES TO THIS PROCEEDING**

**PETITIONER** Yi Tai Shao, who is the appellant in Appeal No.22-15857, Shao v. Roberts, et al.

**RESPONDENTS**

Judge Barry G. Silverman

Judge Ryan D. Nelson

Judge Patrick J. Bumatay

The above three judges are the panel at the Ninth Circuit Court of Appeal who attempted to dismiss appeal and issued two orders of 6/29/2023 and 10/11/2023

Chief Judge Mary Murquia who is likely in charge of assigning Appeal No22-15857 to the biased panel (three judges above), just like in D.C. Circuit Court of Appeal for the first case of Shao v. Roberts, et al.

Ninth Circuit Court of Appeal

95 7th St, San Francisco, CA 94103

**INTERESTED PARTIES:**

Please see App.7 for names of all Respondents in the underlying Appeal No.22-15857 pending at the Ninth Circuit Court of Appeal

✓

## **LIST OF ALL PROCEEDINGS RELATED TO THIS PETITION**

Shao v. Roberts, et al. 22-00325-JAM at U.S.D.C. for the E.Cal.

Shao v. Roberts, et al. Appeal No.22-15857 (Ninth circuit)

Shao v. Roberts, et al. 1:18-cv-01233RC at U.S.D.C. for the D.C.

Shao v. Roberts, et al. Appeal No.19-5014 at the D.C. Circuit

Appeal No.21-5210

Shao v. Wang, et al., 3:14-cv-01912 WBS at the U.S.D.C. for N. Cal.

Appeal No.17-17400 (just discovered the Ninth Circuit purged 4

respondents' names from the docket who are Judge Edward Davila, Judge  
Mary Ann Grilli, Judge Theodore Zayner, Judge Patricia Lucas

Petition Nos. 22-350, 22-28, 21-881, 20-524, 19-613, 18-800, 18-569, 18-  
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## **PETITION FOR WRIT OF MANDAMUS AND/OR WRIT OF ERROR**

**Nature of the relief requested may be classified under the title of  
Mandamus or of Habeas Corpus**

Pursuant to Rule 20 of Rules of the Supreme Court of the United States, based on 28 U.S.C. §2101(a), §2106 and §1253, with *direct interlocutory appeal* from the Ninth Circuit Court of Appeal's orders of June 29, 2023 and October 11, 2023, Petitioner hereby files this Petition titled a Petition for Writ of Mandamus under 28 U.S.C. §1651(a). A writ of error for the two orders is warranted as the biased panel at the Ninth Circuit persisted on not to provide an analysis or statement of decision, with 6 requests in ECF 29, ECF 31, ECF 32, ECF 36, ECF 42 and ECF 52 after the Ninth Circuit summarily denied Petitioner's Motion for Summary Reversal (ECF 21) in its order of June 29, 2023 (ECF 28), pursuant to *Cuyahoga River Power Co. v. Northern Realty Co.*, 244 U.S. 300, 37 S. Ct. 643, (1917). In disregard of 7 requests in ECF 29 that was delayed for adjudication for more than 3 months, with 6 requests including 2 formal Motion to Decide ECF 29, then on the same day of last Motion to Decide shown in ECF 52, the Ninth Circuit summary denied it again.

This summary denial is not only justified by a Writ of Error under *Cuyahoga*, but as a matter of law that the dismissal was simply made "without jurisdiction".

Moreover, it was a pattern of the defendants who are all judge members of a giant social club, American Inns of Court Foundation, with membership confidential, the defendants have persisted on keeping the cases within their exclusive controls in order to perpetrate obstruction of justice, which had systematically happened in the past 12 years. Only until 8/25/2021, this pattern

was exposed by Tani Cantil-Sakauye's concession, which has become undisputed fact and admitted tacitly by all defendants in the first case of Shao v. Roberts, et al, that is--- Tani, James McManis and retired Justice Anthony M. Kennedy had influenced the US Supreme Court Justices in summary denying all 13 petitions and 2 applications at the US Supreme Court from early 2012 until end of 2022. Such pattern continues now to the Ninth Circuit that constituted another violation of 18 U.S.C. §241 and §242 that Petitioner needs this Court's correction.

As reasonable access to the court is the fundamental civil right guaranteed by the First Amendment of the Constitution, such "summary denials" in the **past 12 years** have severely prejudiced Petitioner's civil rights.

Therefore, the subject matter of this Petition is also qualified to be titled a Petition for Writ of Habeas Corpus in this Petition.

#### **ORDERS TO BE REVIEWED**

- A. June 29, 2023 Order (ECF 28) and October 11, 2023 Order (ECF 53).
- B. April 20, 2022 dismissal order of Judge John A. Mendez who adopted the recommended orders of Magistrate Judge Allison Claire and further went beyond from her recommendation. Claire recommended a dismissal without prejudice with leave to amend 25 pages. Mendez went beyond to dismiss with prejudice.

**NEW DISCOVERY ON OCTOBER 5, 2023 THAT JUDGE JOHN A. MENDEZ'S DISMISSAL WAS INDEED ANOTHER BRIBERY DISMISSAL IN CONSPIRACY, WHICH JUSTIFY A REMAND WITH AN AMENDED COMPLAINT TO DISTRICT COURT OF NEW YORK THAT NO DEFENDANTS EVER OPPOSED.**

While in ECF 36 (App.73) on June 22, 2023, when Petitioner discovered that Judge John A. Mendez was promoted to be a Senior Judge on the eve of his signing dismissal on April 19 2022, Petitioner raised her suspicion of another bribery dismissal, which had taken place and admitted by all defendants in the first case of Shao v. Roberts, et al.

On 10/18/2021, in Appeal No.21-5210 Defendant Jams Lassart, attorney of record of James McManis, Michael Reedy, McManis Faulkner law firm and their California case attorney Janet Everson, disclosed and admitted that they conspired with the D.C. Circuit in adopting the entire dismissal order of Judge Rudolph Contreras at the U.S.D.C. for the D.C. on 1/17/2019, or, in another word, dismissing the entire Appeal No.19-5014. On December 1 2021, American Inns of Court Foundation, San Francisco Inn, and William A. Ingram American Inn of Court, all admitted tacitly to their bribery of Chief Judge Merrick Garland and Panel Lead Judge Patricia Millett. This matter was included in Petition No.22-350 but the Supreme Court irregularly refused to decide, in violation of 18 U.S.C. §242.

Please see App.173, a privilege log produced by California Attorney General Rob Bonta. He produced 4 logs for 4 emails regarding this underlying proceeding, the second case of Shao v. Roberts, et al. (U.S.D.C. for Eastern California, 2:22-cv-

00325). On April 8, 2022, the Department of Child Support Services sent an email to Rob Bonta's supervising attorney asking approval for legal representation for the appeal (later docketed as Appeal No.22-15857) as early as on April 8, 2023, when was 11 days prior to Judge Mendez's dismissal.

**A. The privilege log indicates that Rob Bonta quietly covered up the conspiracy for at least 11 days prior to Judge Mendez's dismissal which is equivalent to his participation into this conspiracy when such silence constitutes an act of obstruction of justice, which is incompatible to his duty as Attorney General.**

This new evidence on App.173 shows that

- (i) California Attorney General **Rob Bonta**, who was representing California Commission of Judicial Conduct in the same case at the District Court of Eastern California as a co-defendant to the Department of Child Support Services in Santa Clara County, **was aware of such conspiracy 11 days before dismissal** but failed to take any action to stop the crime, but further silently let the dismissal conspiracy to be completed.
- (ii) Rob Bonta's being silence about the case dismissal conspiracy is incompatible with his job duty as the top prosecutor in California, when the crime took place in California.
- (iii) Rob Bonta had willfully caused himself to be at default, when he knew the due date for filing an Answer of his client, California Commission on Judicial Performance. This provides substantial evidence that Rob Bonta willfully caused himself to be at default.

Rob Bonta's blindly covering up the conspiracy is incompatible, inconsistent with Rob Bonta's office duty in willful violation of California Government Code §8920(a), §8926 and §19990, especially when the conspiracy took place when he was representing a co-conspirator in the same case.

**B. Judge Mendez's dismissal one day after promotion appears to be another predicate act of bribery in dismissing a case, as a pattern of the Enterprise.**

What was Judge John A. Mendez waiting for during the at least 11 days between April 8 and April 19, 2022? It appears more likely than not that **Judge Mendez was waiting for his being promoted to a Senior Judge** as a condition for him to commit the crime of 18 U.S.C. §242, to illegally retain his jurisdiction in violation of 28 U.S.C. §455(b)(5)(i), in order to do such favor to the defendants within the Enterprise by issuing a dismissal *with prejudice* when the complaint in front of Mendez had mentioned the briberies in 2019 for dismissing Appeal No.19-5014 that were admitted by American Inns of Court Foundation in December 2021 where American Inns of Court Foundation admitted that pending 19-5014 appeal, it bribed Chief Judge Merrick Garland and panel lead Judge Patricia Millett.

Non-coincidentally, Judge Mendez was promoted on April 18, 2022 and he signed off the short dismissal order the ensuing date on April 19, 2023; it was not a dismissal order with leave to amend as recommended by the Magistrate Judge Allison Claire, but a dismissal *with prejudice*. Mendez's promotion is presumed to be done by the Chief Judge at the U.S.D.C. for E.C.

C. Judge John A. Mendez's dismissal conspiracy is further corroborated by the fact that leaders of American Inns of Court Foundation Enterprise, and their attorneys as well as Rob Bonta who has hundreds of attorney California Department of Justice to support him when he was also representing California Commission on Judicial Conducts, deliberatively caused themselves to be at default.

It has become "truth" after being tacitly admitted 20+ times by all defendants including Tani Cantil-Sakauye herself in the appellate proceedings for the first case of Shao v. Roberts, et. al., that she herself, James McManis and retired Justice Anthony M. Kennedy, had conspired in influencing the Supreme Court to summary deny all of the 11 petitions and 2 applications filed by Plaintiff in order to block Plaintiff from seeking grievance and cause Plaintiff permanent parental deprival. Expert Witness Attorney Meera Fox attested in April 2017 to judicial conspiracy to cause lengthy parental deprival of Plaintiff as being led by Mcmanis Faulkner law firm. (See Meera Fox's declaration in Appendix for Petition No.22-350 and No.22-28)

Except James Mcmanis, Michael Reedy and McManis Faulkner law firm whose due date to respond to complaint had not come, all of the lawyers for the three leaders of the Enterprise and the leaders themselves, as well as Rob Bonta, had willfully caused themselves to be at default, which could not possibly happen without a conspiracy.

This is especially true when p.471 shows unambiguously the knowledge of Rob Bonta on the coming dismissal, and when he knew to represent Defendant California Commission on Judicial Conduct in the same case, it does not make sense for Rob Bonta who has a large legal team at California Department of Justice to support him would cause himself to be at default, **but for conspiracy**.

It is more likely than not that the three leaders of the Enterprise, their attorneys as well as Rob Bonta, were assured by Judge Mendez that he would, just like what was done by Judge Rudolph Contreras in the first case of Shao v. Roberts, et. al., disregard his mandatory recusal required by 28 U.S.C. §455(b)(5)(i) in

retaining his jurisdiction over the case, that he would definitely dismiss the case upon promotion to a Senior Judge, and that he would go *beyond* what was recommended by Magistrate Judge Allison Claire to issue an order of dismissal with prejudice, with the understanding that US Supreme Court defendants who were at default at the first case of Shao v. Roberts, et al., would definitely **cover them up** and **cause no decision on the merits as what had happened to Petition Nos. 20-524 (12/14/2020 order) and 22-350 (fraudulent anonymous “docket order” of 12/12/2022)**, such that the defendants would be fully covered up their conspiracies and so there would not be a need to file any response.

It is more likely than not that the Enterprise's three leaders and their attorneys as well as Rob Bonta all believed into such assurance of Judge Mendez based on what had happened at the first case of Shao v. Roberts, et al. (1:18-cv-01233RC) where the courts at the D.C., in all levels, had willfully violated 28 U.S.C. §455(b)(5)(i) in suppressing the case within their jurisdictions, and no one would censor the US Supreme Court defendants' willful suppressions of the case when they boldly persisted on deliberate refusing to decide in two Petition Nos. 20-524 and 22-350 in contradictory to the prevailing laws, and all members of the U.S. House Representatives and Senates, especially its judiciary committee, who had the power of regulating the U.S. Supreme Court's acts had consistently ignored Plaintiff's dozen letters to them.

D. The following docket entries of the District Court case of Shao v. Roberts, Jr. et al shed light on the significance of the date of “4/8/2022”, the day shown on App.173's privilege log for the email from D.C.S.S. in Santa Clara County to Rob Bonta's office:

04/07/2022	<u>53</u>	SUMMONS RETURNED EXECUTED: Jorge Navarre and Tani Cantil-Sakauye served on 3/28/2022, <b>answer due 4/18/2022.</b> (Shao, Yi Tai) <b>Modified on 4/8/2022</b> (Benson, A.). (Entered: 04/07/2022)
04/07/2022	<u>54</u>	SUMMONS RETURNED EXECUTED: Michael L. Fox and Sean Patterson served on 3/28/2022, <b>answer due 4/18/2022.</b> (Shao, Yi Tai) <b>Modified on 4/8/2022</b> (Benson, A.). (Entered: 04/07/2022)

04/07/2022	<u>55</u>	[DISREGARD - DUPLICATE OF <u>54</u> ] SUMMONS RETURNED EXECUTED: Sean Patterson served on 3/28/2022, <b>answer due 4/18/2022</b> . (Shao, Yi Tai) <b>Modified on 4/8/2022</b> (Benson, A.). (Entered: 04/07/2022)
04/07/2022	<u>56</u>	[DISREGARD - DUPLICATE OF <u>53</u> ] SUMMONS RETURNED EXECUTED: Jorge Navarre served on 3/28/2022, answer due 4/18/2022. (Shao, Yi Tai) <b>Modified on 4/8/2022</b> (Benson, A.). (Entered: 04/07/2022)
04/07/2022	<u>57</u>	[DISREGARD - DUPLICATE OF <u>53</u> ] SUMMONS RETURNED EXECUTED: Tani Cantil-Sakauye served on 3/28/2022, answer due 4/18/2022. (Shao, Yi Tai) <b>Modified on 4/8/2022</b> (Benson, A.). (Entered: 04/07/2022)
04/07/2022	<u>58</u>	SUMMONS RETURNED EXECUTED: Anthony M. Kennedy and American Inns of Court Foundation- 30048 Anthony M. Kennedy Chapter served on 3/22/2022, <b>answer due 4/12/2022</b> . (Shao, Yi Tai) <b>Modified on 4/8/2022</b> (Benson, A.). (Entered: 04/07/2022)
04/07/2022	<u>59</u>	[DISREGARD - DUPLICATE OF <u>58</u> ] SUMMONS RETURNED EXECUTED: American Inns of Court Foundation- 30048 Anthony M. Kennedy Chapter served on 3/25/2022, <b>answer due 4/15/2022</b> . (Shao, Yi Tai) <b>Modified on 4/8/2022</b> (Benson, A.). (Entered: 04/07/2022)
04/07/2022	<u>60</u>	SUMMONS RETURNED EXECUTED: <b>James Lassert served on 3/28/2022, answer due 4/18/2022</b> . (Shao, Yi Tai) (Entered: 04/07/2022)

(James Mcmanis's hacker(s) caused here being a breakage, which plaintiff is unable to fix it)

04/07/2022	<u>61</u>	SUMMONS RETURNED EXECUTED: Vanessa Lara, Jay Buteyn, Ryan Chin and Dina DiLoreto served on 3/29/2022, answer due 4/19/2022. (Shao, Yi Tai) <b>Modified on 4/8/2022</b> (Benson, A.). (Entered: 04/07/2022)
04/07/2022	<u>62</u>	SUMMONS RETURNED EXECUTED: Suzie Tagliere and Janet Everson served on 3/28/2022, <b>answer due 4/18/2022</b> . (Shao, Yi Tai) <b>Modified on 4/8/2022</b> (Benson, A.). (Entered: 04/07/2022)
04/07/2022	<u>63</u>	[DISREGARD - DUPLICATE OF <u>62</u> ]SUMMONS RETURNED EXECUTED: Janet Everson served on 3/28/2022, answer due 4/18/2022. (Shao, Yi Tai) <b>Modified on 4/8/2022</b> (Benson, A.). (Entered: 04/07/2022)
04/07/2022	<u>64</u>	[DISREGARD - DUPLICATE OF <u>61</u> ] SUMMONS RETURNED EXECUTED: Vanessa Lara served on 3/29/2022, answer due 4/19/2022. (Shao, Yi Tai) <b>Modified on 4/8/2022</b> (Benson, A.). (Entered: 04/07/2022)

04/07/2022	<u>65</u>	[DISREGARD - DUPLICATE OF <u>61</u> ] SUMMONS RETURNED EXECUTED: Jay Buteyn served on 3/29/2022, answer due 4/19/2022. (Shao, Yi Tai) <b>Modified on 4/8/2022</b> (Benson, A.). (Entered: 04/07/2022)
04/07/2022	<u>66</u>	[DISREGARD - DUPLICATE OF <u>61</u> ] SUMMONS RETURNED EXECUTED: Ryan Chin served on 3/29/2022, answer due 4/19/2022. (Shao, Yi Tai) <b>Modified on 4/8/2022</b> (Benson, A.). (Entered: 04/07/2022)
04/07/2022	<u>67</u>	SUMMONS RETURNED EXECUTED: <b>Rob Bonta served on 3/25/2022.</b> (Shao, Yi Tai) <b>Modified on 4/8/2022</b> (Benson, A.). (Entered: 04/07/2022)

All the above docket entries regarding 4/8/2022 were entered on 4/7/2022 and modified by the U.S.D.C. for E.C.'s deputy clerk "Benson,A." *except that for James Lassart*, which show that:

1. With *modification* by Benson, **there was no due day of answer for Rob Bonta shown on the docket entry of ECF 67**, which should be April 15, 2022. Based on App.173, this constitutes a **circumstrial evidence** that Rob Bonta indeed was active in the conspiracy of Judge Mendez's dismissal when Rob Bonta is also a member of the American Inns of Court Foundation.
2. Retired Justice Anthony M. Kennedy and his club, Anthony M. Kennedy Inn of Court, where Tani Cantil-Sakauye was its President and both Judge John A. Mendez and Judge William B. Shubb have been its long term members, are both at default with their Answer due 4/12/2022 (ECF 58)
3. Tani Cantil Sakauye and Jorge Navarre who are at default were served twice with the **due date to respond** to the complaint being **4/8/2022 for the first service** (ECF 53), and **4/18/2022 for the second service** (ECF 56 & 57).
4. **Sean Patterson and Michael Fox, the attorneys for Tani Cantil-Sakauye and Jorge Navarre, and California Sixth District Court of Appeal defendants are due on 4/8/2022.** (ECF 54)

5. All of McManis's attorneys, Janet Everson, Suzie Tagliere, and James Lassart had their Answer due on 4/8/2022 then 4/18/2022 because of twice service of Summons.

In fact, on or about October 22, 2023, Plaintiff discovered that James Lassart's name was removed from the case docket. As James McManis's hackers and stalkers had been watching, altering and interfering Plaintiff's working on this First Amended Complaint, they immediately noticed that Plaintiff noticed James Lassart's name was purged from the docket of 2:22-cv-00325 and immediately put it back. Plaintiff was looking for prior dockets saved by Plaintiff for this case and discovered that they had purged all these saved dockets, except from one copy plaintiff discovered removal of James Lassart's name.

This was likely done by James Mcmanis's hackers. James McManis's hackers were effectively connected with Chief Justice John G. Roberts, Jr. in Violation Of 18 U.S.C. § 2261a And Even Suspected To Have Joined Mcmanis's Numerous Incidents Of Attempted Murder And Burglaries With Destruction Of Thousand Dollars' Electronic Devices.

See evidence filed with the U.S.D.C. for E.C., 2:22-cv-00325, ECF3-2: (App.21, 24, 89, 95) The following table indicates that James McManis's hackers have been watching closely on Plaintiff's phones and stalking over Plaintiff all the time having been working with Chief Justice John G. Roberts, such that when Plaintiff discovered their criminal activities, Chief Justice Roberts would receive information and took action.

Case No.	Incident of court record's removal	Time Plaintiff discovered the record removal	Time the Supreme Court/hacker/Chief Justice reacted on Supreme Court	How fast of reaction by Chief Justice Roberts	Documentary evidence

			<b>website, seeing Plaintiff's discovery</b>		
Petition No. 20-524	12/14/2020 order was taken off from the docket	Taiwan time 1/13/2021 7:15 a.m. (EST 1/12/2021 7:15p.m.)	Taiwan time 1/13/2021 7:17 am (EST 7:17pm of 1/12/2021)	2 minutes	Petition No.21-881, Request for Recusal pp.14-15
Petition No. 20-524	1/15/2021 judgment was taken off	Taiwan time 1/17/2021 4:23 a.m. (EST 1/16/2021 4:23 p.m.)	Taiwan time 1/17/2021 4:53 a.m. (EST 1/16/2021 4:53 p.m.)	30 minutes	I.d., pp.20-21
Petition No. 21-881	Took off filed Petition for Rehearing	EST 3/23/2022 10:29 p.m.	EST 3/23/2022 10:36 p.m.	7 minutes	App.19
Petition No. 22-28	Took off filed Supplement to Request for Recusal and Request for Recusal	EST 9/30/2022 3:46 p.m.	EST 9/30/2022 3:46 p.m.	Within 1 minute	App.23; Renewed Request for Recusal filed in 22-28 (concealed by Roberts)
	The Court took off Petition for Rehearing that was filed in October 2022.	EST 11/3/2022, 9:52 a.m.,	<u>With email objections</u> — the Court put it back EST 11/3/2022 at 11:29am, but added a false antedated docket entry of 11/2/2022	1 hour 43 minutes with direct confrontation	App.20-23; Renewed Request for Recusal filed in 22-28 (concealed by Roberts)
Appeal No.21-5210 at the DC	The entire appendix for the Request for Recusal filed in	EST 12/7/2021 12:07 a.m.			<u>This explains that the Supreme Court's</u>

Circuit	Petition 20-524 that was attached to ECF1925602, was removed as filed, which forced Plaintiff to file another ECF1925604			<u>concealing from posting Appendixes to Request for Recusal were in conspiracies with James McManis</u>
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In addition, evidence shows that on 11/4/2022, when Petitioner typed the keyword of "Petition for Rehearing" to search on the Supreme Court's website , the word of "rehearing" showed up on many dockets falsely when these cases do not have rehearing proceedings. This proves that McManis's hackers were able to immediately change US Supreme Court's website docket search information. Coupled with Supreme Court's concealment of McManis's names from a Respondent in 21-881 where Roberts recused himself proved unambiguous connection of McManis's hackers and Chief Justice Roberts. See, evidence posted at

<https://www.facebook.com/photo/?fbid=5582921645137612&set=pcb.5582921708470939>

While Mcmanis defendants had admitted, through the proceedings of Shao v. Roberts, et al. (U.S.D.C. in D.C., D.C. Circuit and Petition No.22-350) that they burglarized Shao's residence and destroyed all electronic data, they as well as Tsan-Kuen Wang also had destroyed the websites of Shao Law Firm, PC and the current ministry of Plaintiff, i.e., The Altar Of The Lord International Ministries, stole several storage usb's for sermons that were put in the sanctuary, hacked into The Altar of the Lord's tax exempt account at Walmart to remove the tax exempt status, vandalized and put witch crafts in the sanctuary as well as Plaintiff's residence many times since 2021 (bugs, dead birds, blind live bird, bird poohs, black ink of "X" on dining table, desk in masterbedroom, on stairs), when Plaintiff had filed with all courts numerous pages of documentary evidence of their

destruction of files with author's names being Kevin L. Warnock, Esther Chung and William Faulkner since April 1, 2018.

As Chief Justice Roberts has been closely connected with James McManis and his hackers, as shown in the table above, all co-conspirators and defendants sued herein participated in numerous attempted murders, vandalism, stalkings and hackings that took place since 2018. More than \$5,000 value's back up discs, battery, usbs, cell phones, computers and printers were destroyed during the burglaries.

James Mcmanis's hackers' close connection with Chief Justice Roberts caused Petitioner to catch undisputed evidence that 12/14/2020 order in Petition No.20-524 was forged, which is circumstantially proven by the evidence that the order/judgment were taken off three times from the Petition No.20-524 docket. (See, e.g., the screenshots showing how the order/judgment were taken off and back are in ECF 161-6 that was filed in the first case of Shao v. Roberts, et al., 1:18-cv-01233RC for the screenshots that were tacitly admitted by ALL defendants 20+ times.)

## **JURISDICTION**

This court has direct jurisdiction based on 28 U.S.C. §2101(a), §2106 and §1253 to handle the interlocutory appeal on two orders regarding dispository motion. October 11, 2023 order includes reconsideration of June 29, 2023 order. The due date for filing this Petition is November 10, 2023, which is holiday, and thereby falls on November 13, 2023. Therefore, this Petition is timely.

In this direct appeal pursuant to 28 U.S.C. §1253, the U.S. Supreme Court has the authority to enter an order with disposition on the merits of the issues. See, e.g., *Mercado v. Rockefeller*, 502 F.2d 666 (1974), certiorari denied 95 S. Ct. 1120, 420 U.S. 925, 43 L.Ed.2d 394.

**A. The writ will be in aid of the Court's appellate jurisdiction significantly in determining the proper court of Appeal to be transferred to, and a remand is needed**

With the obvious and clear error as a matter of law that the dismissal order and judgment is in lack of jurisdiction, that for judicial economy, and to avoid the foreseeable miscarriage of justice, the requested relief to vacate the dismissal order and judgment will substantially aid in the appellate jurisdiction when the appellate proceeding was just to duplicate the issues in the District Court's misconducts in dismissal of the case within 45 days of docketing, in acting as attorney for all defendants. Judge Mendez's order/judgment is in fact a fraud on court that also justifies a Rule 60(a) motion. With the repeated issues of violation of 28 U.S.C. 455(b)(5)(i) in the past 13 years, this issue needs to ironed out to make the appeal jurisdiction to be impartial, proper and consistent with Congressional public policy to decide cases on the merits.

**B. There are exceptional circumstances that warrant the exercise of the Court's discretionary powers, and that adequate relief cannot be obtained in any other form or from any other court.**

The exceptional circumstances require Justice Amy Coney, the only Justice who is not regularly receiving gifts from American inns of Court Foundation, is the only

neutral justice who may exercise her discretion pursuant to the precedent in Petition No.12-8660 where Chief Justice Roberts was a Respondent, and all other Associate Justices recused themselves leaving Justice Elena Kagan as the sole justice who attended the Conference to decide on Petition for Writ of Certiorari.

The central issue has recurred throughout the Petitions and their underlying cases since 2010 that James Mcmanis has manipulated all courts involved in leading the Enterprise in Fact or American Inns of Court Foundation Enterprise to violate judicial disqualification laws. Specifically for the federal courts, all judges sued in Shao v. Roberts, et al. and their appellate panels violated 28 U.S.C. §455(b)(5)(i) and (a), from three District Courts up to U.S. Supreme Court. Only until this Appeal No.22-15857, then Rob Bonta and State Bar of California, who waited until this appeal No.22-15857, created a new factual argument that the judges do not need to be bound by 28 U.S.C. §455(b)(5)(i) and (a) because American Inns of Court Foundation is a professional bar. Yet, it is not. Attorney Meera Fox has attested it being a “social club” and its meeting notices as well as handbook put down “social” as an important function of the American inns of Court. This creates an extremely extraordinary issue for this case but very critical as this issue actually is prevailing all over the United States. Their social function is stated in ¶23 and ¶24 of the First Amended Complaint (ECF 16 filed in 1:18-cv-01233 RC with the U.S.D.C. for the D.C. o v. Roberts, et al.)

**C. “reasons for not making application to the district court of the district in which the applicant is held.”**

This case is pending appeal with the Ninth Circuit. It is legally impracticable to seek a Writ from the U.S.D.C. for the E.C. when the facts for habeas corpus is the judges at the Ninth circuit. Based on the new fact discovered on 10/5/2023 that Judge John A. Mendez's dismissal was a conspiracy, it is futile to seek habeas corpus at the U.S.D.C. for the E.C.

### STATEMENT OF THE FACTS

Please see the docket for the Ninth circuit Appeal in App. 7 through 12.

The following is the relevant procedure and facts happened in the Ninth Circuit proceeding

App.#	ECF#	Description	significance
13-29	21 5/23/2023 <b>unopposed</b>	Appellant's Circuit Rule 3.1 motion for <u>Summary Reversal</u> based on Undisputed Clear Error in violation of 28 U.S.C. §455(a), §455(b)(5)(i), §636 and Rule 73, and <u>Remand</u> to U.S.D.C. for Southern District of New York, and/or <u>Motion to Certify Transfer</u> Venue to Second Circuit Court of Appeal to Form a Neutral Panel that is not composed of American Inns of Court Judge Members Pursuant to United States v. District Court for Southern Dist. Of New York, 334 U.S. 258 (1948)	5 issues stated in the first two pages of Introduction <u>Liteky</u> is on App.20 (ECF 21, p.8 of 17) <b>Anderson case</b> in App.26-29 (pp.14 through 17 of 17) <b>App.29: Docket was concealed twice</b> (ECF 19)
30-45	22 5/29/2023 <b>Unopposed</b>	Dispositive Motion to Change Venue to Second Circuit of Appeal (James McManis's hacker made a mischief on the format)	<b>Evidence of Ninth Circuit's physical blockage of Petitioner's access in violation of 18 USC 1343</b>
46-48	23 6/7/2023	Email correspondence to Chief Judge and Operation Manager of Ninth Circuit asking to change venue based on newly discovered crime	
49-67	24 6/8/2023	Appellant's First Supplement to Circuit Rule 3.1 Motion to Change	New evidence of docket alteration (ECF 24, pp.5 -

		Venue (ECF 22)	7 of 19), evidence that the account was created with email of <a href="mailto:attorneyshao@outlook.com">attorneyshao@outlook.com</a> on 5/24/2022 (p.9 of 19); blocking download of record (p.19 of 19)
68-70	<b>25</b> 6/9/2023	Appellant's Reply to State Bar's Opposition (ECF 20) to Motion to be Relieved from Default	<b>Exposing conspiracy between California State Bar and Ninth Circuit</b>
71-77	<b>26</b> 6/22/2023	<b>NOTICE OF NON-OPPOSITION BY ANY APPELLEES IN RESPONSE TO "APPELLANT'S Circuit Rule 3.1 MOTION FOR SUMMARY REVERSAL BASED ON UNDISPUTED CLEAR ERROR IN VIOLATION OF 28 U.S.C. §455(a), §455(b)(5)(i), §636 and Rule 73, AND REMAND TO U.S.D.C. FOR SOUTHERN DISTRICT OF NEW YORK, AND/OR MOTION TO CERTIFY TRANSFER VENUE TO SECOND CIRCUIT COURT OF APPEAL TO FORM A NEUTRAL PANEL THAT IS NOT COMPOSED OF AMERICAN INNS OF COURT JUDGE MEMBERS PURSUANT TO United States v. District Court for Southern Dist. Of New York, 334 U.S. 258 (1948)." (ECF 21) And Appellant's "Motion to Change Venue"(ECF 22, supplemented by ECF 23, 24)</b>	Request the Court to reverse District Court's Judgment based on case laws of <b>Anderson v. Woodcreek Venture, Ltd.</b> , 351 F.3d 911 (2003).  Mentioned illegal assignment to Magistrate Judge without jurisdiction under 28 U.S.C. § 636(b)(1)(A)-(B) and cited the case law that a Magistrate Judge is not allowed to make deal with dispositive motion. <b>Mitchell v. Valenzuela</b> , 791 F. 3d 1166 (9th Circuit 2015)  Raised issue of suspicion of bribery dismissal by Mendez. (App.73)  Rita Himes did not deny that her willful failed to serve Petitioner her ECF 20 was a <b>conspiracy</b> with the Ninth Circuit (App.73)  Undisputed fact that the

			Appeal No 22-15857 disappeared from pacer.gov on 6/7/2023 (App.74)
78-	ECF 27	The court altered the docket entry for ECF 26	
79-80	ECF 28	<b>ORDER OF JUNE 29, 2023</b> ¶1: "No motions for reconsideration, clarification, or modification of this denial shall be filed or entertained."	ILLEGAL ORDER SHOWN IN ¶1, blocking Petitioner's right to file Circuit Rule 27 motion
81-89	ECF 29 7/7/2023	<p><b>"APPELLANT'S</b></p> <p>(1) OBJECTION TO ECF 28 FOR VIOLATION OF DUE PROCESS AS WELL AS THE FIRST AMENDMENT RIGHT TO ACCESS THE COURT; AND DISCOVERY OF NEW FACT/NEW CONSPIRACIES</p> <p>(2) REQUEST FOR DISCLOSURE OF CONFLICTS OF INTEREST OF THE APPELLATE PANEL JUDGES</p> <p>REQUESTS FOR STATEMENTS OF DECISION FOR JUNE 29, 2023 ORDER IN ECF 28</p> <p>(3) MOTION TO DISQUALIFY EACH JUDGE IN THIS PANEL BASED ON THEIR PERVERSIVE BIAS THAT MANDATES RECUSAL UNDER 28 U.S.C. §455(A)</p> <p>(4) 60(B) MOTION TO VACATE JUNE 29, 2023 ORDER</p> <p>(5) RENEWED MOTION TO CHANGE VENUE INCLUDING STAYED THE BRIEFING SCHEDULE PENDING RESOLUTION OF THE ISSUES AND REQUESTS PRESENTED HEREIN</p> <p>(6) REQUEST FOR EN BANC DECISION ON THIS PAPER INCLUDING MULTIPLE OBJECTIONS AND MOTIONS</p> <p>(7) MOTION FOR CERTIFICATION FOR APPEAL"</p>	<p>App.83: ¶1: "No motions for reconsideration, clarification, or modification of this denial shall be filed or entertained" in 6/28/2023 is nothing but a bully in conflicts with Circuit Rule 27-10; <i>Henry v. Ryan</i>, 766 F.3d 1059, 1060</p> <p>App.86: disqualify panel for "pervasive bias" stated in <i>Liteky v. U.S.</i>, 510 U.S. 540, 555, 556 (1994); <i>Rice v. McKenzie</i>, 581 F.2d 1114, 1118 (9<sup>th</sup> Cir. 1978)</p> <p>App.87: asked to vacate 6/29/2023 order based on Rule 60(b); <i>Liljeberg v. Health Serv. Acquisition Corp.</i> 486 US 847 (1988); <i>Tumey v. Ohio</i> 273 US 510 (1927)</p> <p>App.84-85: 12 actual prejudices of Ninth Circuit</p> <p>App.88: asked certification of appeal. See <i>New Haven Inclusion</i></p>

			Cases, 90 S.Ct. 2054, 339 US 392 (1970)
90-139	<b>ECF 32</b> 8/2/2023	Appellant's Opening Brief including the District Case Docket	<p>Issue 3 is uncontested. (App.93)</p> <p>Whole section of "Direct Conflicts of Interest of the Ninth Circuit Court of Appeal in Handling this Appeal; Pending this Court Requests in ECF 29 that was filed on 7/7/2023" is <b>undisputed</b>. (App.94-105)</p> <p><u>Ft. 1</u> (App.99) mentioned 8 matters that Tani Cantil-Sakauye conceded.</p> <p><u>Ft.2</u> (App.100) mentioned 30,000+ felonies committed by US Supreme Court defendants.</p> <p><u>Ft.3</u> (App.101-102) mentioned the newly discovered co-conspirators of Kamala Harris and Judge William B. Shubb in jointly dismissing the first civil right case of Shao v. Wang et al (3:14-cv-01912)</p> <p><b><u>And new discoveries of crimes, which are all undisputed</u></b></p>

Despite having stated many facts for **admitted conspiracies** with detailed accounting of evidence in the Complaint (ECF 1), the second Shao v. Roberts, et al., was feloniously dismissed by Judge John A. Mendez who deliberately violated 28 U.S.C. §455(b)(5)(i) when he is a long term officer of Defendant American Inns of Court Foundation, and Defendant Anthony M. Kennedy Inn of court.

As stated above, Mendez's dismissal conspiracy was exposed on 10/5/2023 when Mendez is suspected to be bribed as he was promoted to be a Senior Judge on the eve of dismissal, when American Inns of Court had admitted in December 2021 that they bribed Merrick Garland and Judge Patricia Millett for dismissing Appeal no. 19-5014.

Within 45 days following docketing, Mendez illegally assigned 4 motions filed by Petitioner to Magistrate Judge Allison Claire which was unambiguously banned by 28 U.S.C. §636 (b)(1)(A)-(B). The Ninth Circuit panel knew this issue and this issue is undisputed by all appellees. In ECF 26 for the underlying Appeal 22-15857, Petitioner provided the case law to the panel: *Mitchell v. Valenzuela*, 791 F.3d 1166 (9<sup>th</sup> Cir 2015). Yet the Ninth Circuit still deny reversal of Judge Mendez's dismissal.

Without any defendant's need to file a motion to dismiss, without jurisdiction, Magistrate Judge would like to issue dispositive recommended order on the court's own motion, which is an area that 28 U.S.C. §636 specifically prohibited a Magistrate Judge from doing.

Petitioner filed motions to disqualify both of them, then filed a Decline of Magistrate Judge's jurisdiction in ECF 51. App.170.

As stated above, dismissal was signed afterhours on April 19, 2022, soon after Judge Mendez was promoted to be a Senior Judge.

Chief Judge Mary Murguia is an officer of American inns of Court. On 8/25/2023, she even acted as an agent of American Inns of Court to give an award to a judge. Just like Merrick Garland who assigned American Inns of Court officers to Appeal 19-5014, then Chief Judge of D.C. Circuit, Chief Judge Mary Murguia also assigned the appellate panel to be members of American Inns of Court. On 6/7/2023, Murguia was specifically asked to change venue, but she simply ignored.

Appeal No. 22-15857 involves a biased panel at the Ninth Circuit, where the Enterprise was using government funds through its Enterprise members (the Ninth Circuit panel, Rob Bonta, and State Bar of California) in a clear attempt to commit

another conspired dismissal, in deliberate disregard of the mandatory reversal law in *Anderson v. Woodcreek Venture Ltd.*

The Ninth Circuit delayed docketing Plaintiff's appeal from Mendez's dismissal (Appeal No.22-15857) by 7 days, and the Appeal No.22-15857 docket was undisputedly to have been concealed by the Ninth Circuit defendants from being shown or searchable on pacer.gov. It is also undisputed that Ninth Circuit Operational Supervisor Stephanie had physically hacked into Plaintiff's account to alter Plaintiff's contact email from [attorneyshao@outlook.com](mailto:attorneyshao@outlook.com) to [attorneylindashao@gmail.com](mailto:attorneylindashao@gmail.com) and willfully concealed such alteration from Plaintiff when Plaintiff made many inquiries of why she did not receive CM/ECF notices; the Ninth Circuit Court defendants had physically blocked Plaintiff from accessing the docket of 22-15857 by **13 months.**

Ninth Circuit's concealment of 22-15857 case dockets from being searchable on pacer.gov appears to be a conspiracy with the US Supreme Court as **both Petition NO.22-350 and Appeal No.22-15857 were not released to Westlaw** until August 2023. McManis's hacker William Faulkner saw Plaintiff's draft for this pleading which made the case docket concealments as an issue then the two case dockets were released to WestLaw. (This pleading was delayed and prolonged for 5 months because of vehement disruptions by William Faulkner and other stalkers hired by McManis.)

Just like D.C. Circuit Court of Appeal for the first *Shao v. Roberts, et al*, the Ninth Circuit also willfully assigned a biased panel that is composed of the Enterprise's members, in deliberate violation of 28 U.S.C. §455(b)(5)(i), and 28 U.S.C. §455(a) with undisclosed conflicts of interest.

The 22-15857 panel (Judge Silverman, Judge Nelson and Judge Butumay) had issued two illegal orders of 6/29/2023 (including an unconstitutional order to block Plaintiff's privilege to file a motion to clarify) and 10/11/2023, in violation of Due Process, with commission of errors for lack of any analysis, pursuant to *Cuyahoga River Power Co. v. Northern Realty Co.*, 244 U.S. 300, 37 S. Ct. 643, (1917).

As a pattern of this Enterprise's racketeering activities of placing the cases in its members' exclusive control to manipulate corrupted orders to the satisfaction of James McManis, this panel also has been persistent on not to reverse Judge Mendez's conspired dismissal. With summary denials in violation of *Cuyahoga*, the panel had unreasonably refused to reverse Judge Mendez's corruptive dismissal order based on *Anderson v. Woodcreek Venture Ltd.*, 351 F.3d 911 (9<sup>th</sup> Cir. 2003), when Plaintiff had expressly rejected the jurisdiction of Magistrate Judge Allison Claire (ECF 51) better than the implied withdrawal of consent in *Andeson*

As a pattern of the Enterprise's racketeering activies of misappropriating government funds to help generating corruptive orders, only State Bar of California and California Attorney General Rob Bonta filed Answering Briefs to Plaintiff's Opening Brief. When they were unable to distinguish *Anderson*'s mandatory reversal, they willfully twisted the laws; any reasonable person would believe that such willfully providing misleading laws in the Answering Brief were to facilitate the biased panel to dismiss the appeal based on the twisted misleading laws presented by two groups of government agencies, which are incompatible with their posts, in violation with California Government Code 8296, predicate acts of another conspiracy of dismissing appeals.

On 10/5/2023, Rob Bonta disclosed the truth that the defendants including himself conspired with Judge Mendez's dismissal. (App.173) On the same day, State Bar of California also exposed its fraud--- specifically conceal its relationship with James Mcmanis. In response to Petitioner's asking for records on Mcmanis's position with the State Bar, it misrepresented to be 'none" (App.174), which conflicts with the News Release of Mcmanis Faulkner law firm about McManis's assignment at State Bar. (App.175)

**WHY A WRIT SHOULD BE ISSUED: GROSS MISCARRIAGE OF JUSTICE  
WILL RESULT IF THE COURT WOULD NOT GRANT REVIEW**

**A. Judge John A. Mendez's Dismissal Order and Judgment must be reversed for lack of jurisdiction from its very beginning of illegal assignment of Petitioner's Motions for Injunctive Relief to Magistrate Judge Allison Claire**

As stated above, 28 U.S.C. §636 prohibited the assignment to Magistrate judge Allison Claire. *Mitchell v. Valenzuela*, *supra*, the Ninth Circuit held that “When it is dispositive, a Magistrate Judge is without authority to “hear and determine” such a motion. The assignment is for dismissal as the first thing Allison Claire showed up to do was her Order to Show Cause re Dismissal, filed on 3/2/2022 (ECF 24)

**B. Undisputed/indisputable case law of Anderson v. Woodcreek Venture, Ltd., 351 F. 3d 911 (2003) mandates reversal of Judge Mendez's order/judgment because it adopted Magistrate Judge's Recommended Orders without jurisdiction, but the Ninth Circuit panel persisted not provide any analysis why it just summarily denied Petitioner's Motion for Summary Reversal, despite 6 requests**

There many cases like Anderson. On app.72, Petitioner mentioned Williams v. King, 875 F.3d 500 (9<sup>th</sup> Cir. 2017). In Anderson, a party filed a Consent to magistrate judge's jurisdiction, then denied with notes on the papers. Judge J. Clifford Wallace ordered that the order must be reversed for lack of "voluntary" consent to jurisdiction. As mentioned above, there are other cases like Anderson emphasizing voluntary consent being *Williams v. King*, 875 F.3d 500 (9<sup>th</sup> Cir. 2017).

**C. Writ of Error requires a mandate that Ninth Circuit panel provides analysis to 7 motions in ECF 29 and analysis to ECF 28**

The legal authority, as stated above, is *Cuyahoga*

**D. The panel's persistence on not reverse Judge John A. Mendez's dismissal and proceeded with appeal appears to be the Enterprise's plan to to achieve their goal of applying 28 U.S.C. §2109,¶2 for the Supreme Court to be able to affirm Ninth Circuit's planned corruptive affirmation of Judge John A. Mendez's illegal dismissal, in obstruction of justice. The Supreme Court had mis-applied 28 U.S.C. §2109,¶2 in affirming D.C. Circuit's corruptive dismissal order in its fraudulent order of 12/14/2020 for Petition No.20-524. Yet, because of no appellate review, it issued a historical unique illegal "docket order" in Petition No.22-350. For the anticipated coming appeal from the biased panel's foreseeable corruptive dismissal, this time, Supreme Court defendants could arguably use §2109,¶2 by asserting there was a review, even though still not on the merits.**

1. The American Inns of Court Enterprise's common goal of blocking Petitioner from seeking all grievances by causing Petitioner's cases to be handled by their judge/justice members who had consistently used blanket summary denials to block all grievances of Petitioner in the past 13 years, as conceded by Tani Cantil-Sakauye on 8/25/2021.

To restrict Petitioner's seeking grievances within the exclusive control of the American Inns of Court Foundation's judge/justice members who could manipulate orders of summary denials in blocking of all Petitioner's access to the court has been a pattern of the American Inns of Court Foundation's racketeering activities in the past 13 years<sup>1</sup>. Such conspiracy was exposed and conceded by Tani Cantil-Sakauye on 8/25/2021, and all defendants in the first *Shao v. Roberts, et al.* had tacitly admitted 20+ times regarding this conspiracy in Appeal no.21-5210 proceeding as well as Petition No.22-350.

Tani Cantil-Sakauye did not file a Response but willfully caused an order that she did not participate in voting, which triggered an effective concession that is irrevocable as a matter of law. E.g., *Urias v. Harris Farms, Inc.*, 234 Cal. App. 3d 415 (1991); *Hayward v. Superior Court of Napa Valley*, 2 Cal.App.5<sup>th</sup> 10 (2016)

**2. With such pattern in conspiracy, the Enterprise has restricted Petitioner's life, liberty and property for 13 years.**

With this systematic blockage of access to the court, the Enterprise has restricted severely Petitioner's liberty and life by judicial kidnapping for 20+ incidents, robberies, burglaries, stalking, hacking, attempted murder, money laundering between government agencies to rob all money and both bar license silently without any notice or hearing, and restricted Petitioner's freedom of travel

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<sup>1</sup> Based on many new facts occurred after the initial complaint in 2022 and 2023, Plaintiff is seeking to amend the complaint pending appeal or seeking a remand with leave to file the First Amended Complaint. This is a typical RICO case (18 U.S.C. §1962). Defendants are in a huge enterprise in fact or American Inns of Court Foundation Enterprise led by James Mcmanis.

by blocking Petitioner's renewal of her US Passport and forging a "work order" of 4/24/2023 demanding Petitioner to find a job in California after relocating to Maryland two years ago in 2021.

**3. American Inns of court is not a professional bar but a membership-restricted money laundering private club transferring tax exempt donations of attorneys to bribe the judge/justices members in exchange of their favor in the court and has misappropriated government funds to achieve its common goals**

American Inns of court Foundation has used federal courthouses throughout the United States to promote and conduct their private businesses with tax exempt from the Internal Revenue Services. Attorney members donated money and get tax credit, and used the donations to bribe the judiciary with all sorts of awards and gifts. In exchange, they could contact the judges any time with judges' email and have private monthly meetings with the judges privately and obtained favors in the court and/or one-on-one mentorship on their clients' cases in front of the judge members.

It published a video called "American Inns of Court Members Services" where attorney Emmanuel Sanchez stated:

"This is the only organization that I know that the lawyers and judges belong to the trial bar have a chance to meet outside of the courtroom in a social setting and really able to establish the rapport."

The American Inns of Court have partners overseas with British Inns as well as the Kings' Inn. It provides annual luxury gifts of "Temple Bar Scholarship" to the Clerks (research attorneys) working at the US Supreme Court or selective Courts of Appeals where many attorney members of the American Inns of Court appear regularly. These Clerks recommend orders to the eight Justices for whom they work. Neither the Clerks nor the Judges ever disclosed the value of gifts received

from the American Inns of Court. As mentioned above, such gifts should not have been solicited nor accepted at all pursuant to the Guide to Judiciary Policy §620.30, §620.35(a), §620.45 and §1020.30, and 18 USC §201. These clerks who had received special favor from the Justices continue receiving special favors after they left their posts as clerks, forming a special class to have their represented business client cases being selected for certiorari, causing gross injustice. "We don't want the justices to filter cases through advocates," said Jenny Roberts, associate dean, American University Washington College of Law. See, *supra*, "The Echo Chamber".

**E. Consistent with 28 U.S.C. §455(b)(5)(i), Judge Peter Kirwan issued an order of 12/15/2017 with a finding that a Judge's Membership With The American Inns Of Court Has Conflicts Of Interest In Handling Cases Where The Litigants Are Members Of The American Inns Of Court.**

As held by this Court in *Tumey v. Ohio*, 273 US 510 (1927) ,disregard of whether Petitioner's case has merits or not, Petitioner has a privilege to have an impartial court to decide. Petitioner requests a relief to change Court of Appeal to the Second Circuit that no defendants filed any opposition to any of Petitioner's motions in the past years since 2017. When remand, please remand to impartial District Court in New York.

Dated: November 10, 2023

/s/ Yi Tai Shao

Yi Tai Shao



NOTE: James McManis's hackers caused alteration of the page numbers to be irregular and format irregular, that is beyond Petitioner's control.