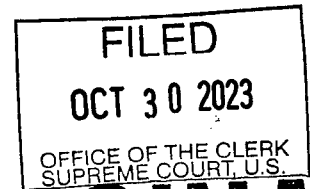


Samreen Riaz,  
1534 S Manzanita Street  
Visalia, California 93292  
Tel no: 951-378-1420

23-6168



NO: \_\_\_\_\_

**ORIGINAL**

IN THE

## **SUPREME COURT OF THE UNITED STATES**

Samreen Riaz

**Petitioner/Plaintiff**

Vs

THE STATE OF CALIFORNIA; et al.

**Defendant**

1. Supreme Court of California

350 McAllister Street. San Francisco,  
CA 94102-4797.  
415-865-7000.

2. 5th District Appeal Court

2424 Ventura St, Fresno,  
CA 93721(559) 445-5491

3. Tulare superior Court,

Justice Hillman Brett, Dept 7  
221 S Mooney Blvd, Visalia, CA 93291  
(559) 730-5000

**Respondents**

Tulare Superior Case No: VCU298300  
5th District Appeal Court: F086624  
Supreme Court OF California: S281800

On Petition For Writ Of Certiorari To The California Supreme Court

### **PETITION FOR CERTIORARI**

## Questions Presented:

.Did the Supreme Court of California (S281800) denial of petition of review on Sept 27 23 left an existence of an unresolved conflict( legal issue) in disqualification matter of judge hillman and a matter of public importance?( see Exhibit A with Writ Certiorari)

.Did the 5th District Court denial (F086624)of petition of mandamus on Aug 31st 23 left an existence of a conflict( legal issue in disqualification matter of judge hillman and a matter of public importance?( see Exhibit A with Writ certiorari)

.Did Judge Hillman's decision to "order strike Motion of disqualification" dated July 18th 23 was erroneous and abuse of discretion?( see Exhibit A with Writ Certiorari)

.Did Judge Hillman's decision to not recuse himself from this case was erroneous and abuse of discretion?

.Was Judge Hillman Aug 22 23 rulings made in this case while writ mandamus on disqualification pending(F086624) considered void?(Exhibit I pg 4,18-34 of S281800)

.Was Judge Hillman Judicial misconduct a matter of public concern ?

.Did Judge Hillman's is identified as a witness and co conspirator with the defendant in the complaint VCu298300 ?

.Will Presiding of Partial or Appeared bias Judge Hillman in this case lead to serious risk of misjustice, loss of public trust in a judicial process?

.Did Petitioner present sufficient facts and evidence that raised questions on Judge Hillman credibility and competence to preside over Petitioner case and/or other Tulare Superior Court Cases?

. Does Judge Brett Hillman is ethically, legally and morally fit or competent to be an unbiased judge in plaintiff cases or as a matter of fact in other cases?

## **Certificate Of Interested Parties:**

This is the initial certificate of interested entities or persons submitted on behalf of Petitioner Samreen Riaz in the case listed above. Petitioner certifies that there are no interested entities that must be listed in this certificate under court rules.

*Samreen 10/19/23*

## **List of all parties**

List of parties appear in the caption of the case on the cover page and below.

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### **Respondents**

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IN THE  
**SUPREME COURT Of THE UNITED STATES**  
  
**PETITION FOR WRIT OF CERTIORARI**

Plaintiff is filing a writ of certiorari (Rule 10(a)) in the SUPREME COURT Of THE UNITED STATES as a matter of right of judicial discretion presenting issues of public and government importance and requesting the us supreme Court to make a decision based on their individualized evaluation, guided by the principles of law. The primary concern here is not to correct errors in lower court decisions, but to decide if Tulare Superior court Judge Brett Hillman is ethically, legally and morally fit or competent to be an unbiased judge in plaintiff cases or as a matter of fact in any other case, and issue of disqualification of judge hillman involved beyond the particular facts and parties involved. The 5th district appellate court on 31st August 23((F086624) and Supreme court of California decision(S281800) on Sept 27 23 of previously denial of writ does not express those Court's view on the merits of the case but only signifies not accepting the case for review. Writ of certiorari filed within 90 days and denial received from Supreme Court of California on Sept 27 23.

Petitioner respectfully request that writ of certiorari issued to review the judgment below Cases From State Courts:

### Opinions Below

The Petition for review and application stay denied by the Supreme Court Of California (S281800) on Sept 27 23(as far as Petitioner knowledge-Unpublished) appears at **Appendix A** to the Petition.

The Petition For Mandamus and application stay denied by the Court Of Appeal Fifth District (F086624) on 31st August 23.(as far as Petitioner knowledge-Unpublished )appears at **Appendix A** to the Petition.

.July 18 23 "Order to strike ruling on Motion to disqualify judge hillman and motion in support of peremptory challenge to judicial officer (code civ procedure S170.6 and 170.10) appearance at **Appendix A** to the Petition.(as far as Petitioner understanding and knowledge-Unpublished)



## **JURISDICTION**

The date on which the—the Supreme Court of California (S281800) decided or denied discretionary review of petitioner case was Sept 27th 23. A Copy of that decision appears at Appendix A.

The date on which the 5th District Court denial (F086624) Court decided petitioner case or denied discretionary review of Petitioner case was Aug 31st 23 .A Copy of that decision appears at Appendix A

The date on which the Tulare Superior Court decided or order strike motion disqualification of petitioner case was July 18th 23. A Copy of that decision appears at Appendix A

**The Jurisdiction of this Court is invoked under 28 U.S.C S 1257(a)**

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED:

"Standard of review in resolving the petition for writ of review, we must determine whether the evidence, when reviewed in the light of the entire worker comp.appeal bd. (*Universal City Studios v. Worker's Comp. App. Bd.*, 99 Cal.App.3d 647, 656 (Cal. Ct. App. 1979))

"That same standard and scope of review applies to this court in determining the petition for writ of review. We must determine whether the evidence, when viewed in the light of the entire record," (*Redner v. Workmen's Comp. Appeals Bd.*, 5 Cal.3d 83 [ 95 Cal.Rptr. 447, 485 P.2d 799]; *Lamb v. Workmen's Comp. Appeals Bd.*, *supra*, 11 Cal.3d 274) supports the award. "The foregoing standard is not met `by simply isolating evidence which supports the board and ignoring other relevant facts of record which rebut or explain that evidence.'" (*Lamb v. Workmen's Comp. Appeals Bd.*, *supra*, at p. 281; *Garza v. Workmen's Comp. App. Bd.*, 3 Cal.3d 312, 317 [ 90 Cal.Rptr. 355, 475 P.2d 451]; *Greenberg v. Workmen's Comp. Appeals Bd.*, 37 Cal.App.3d 792 [ 112 Cal.Rptr. 626]. 5th District Court, Supreme Court of California in the matter of Judge hillman disqualification failed to follow the same standard and scope of review in the light of the entire record.

We are not bound to accept the Board's factual findings where, as here, they are unreasonable (*Insurance Co. of North America v. Workers' Comp. Appeals Bd.*, *supra*, 122 Cal.App.3d at p. 911), are not within the realm of what a reasonable trier of fact could find (*ibid.*; *Skip Fordyce, Inc. v. Workers' Comp. Appeals Bd.*, *supra*, 149 Cal.App.3d at p. 921), do not withstand scrutiny when viewed in the light of the entire record (*Duke v. Workers' Comp. Appeals Bd.*, *supra*, 204 Cal.App.3d at p. 460), and lead to an [214 Cal. App. 3d 258] inequitable result when the entire record is examined for fairness, reasonableness, and proportionality in the overall scheme of the workers' compensation law and the purposes sought to be accomplished by that law. (*National Convenience Stores v. Workers' Comp. Appeals Bd.*, *supra*, 121 Cal.App.3d at p. 424; *Universal City Studios, Inc. v. Workers' Comp. Appeals Bd.*, *supra*, 99 Cal.App.3d at pp. 658-695.)

. Petitioner righteously requesting to "Disqualify judge" based on Code of Civil Procedure 170.1 CCP is the California statute that says a judge can be disqualified or removed from presiding over a civil lawsuit or a criminal. trial in certain situations. In particular, the code section states:

"(a) A judge shall be disqualified if any one or more of the following are true: (1) (A) The judge has personal knowledge of disputed evidentiary facts concerning the proceeding .

.Petitioner also requested "Challenged for Cause" was (based on Code of Civil Procedure § 170.1- § 170.5) on the grounds of subsequent showing of conflict of interest, bias, likely additional interest, and personal knowledge of facts .

(a) (1) If a judge determines himself or herself to be disqualified, the judge shall. notify the presiding judge of the court of his or her recusal and shall not further participate in the proceeding"1704(a)(1).

(c)(1) If a judge who should disqualify himself or herself refuses or fails to do so, any party may file with the clerk a written verified statement objecting to the hearing or trial before the judge and setting forth the facts constituting the grounds for disqualification of the judge. The statement shall be presented at the earliest practicable opportunity after discovery of the facts constituting the ground. for disqualification. Copies of the statement shall be served on each party or his or her attorney who has appeared and shall be personally served on the judge. alleged to be disqualified or on his or her clerk, provided that the judge is present. in the courthouse or in chambers.

2.Inaddition Petitioner/Plaintiff/Samreen Riaz in the matter (VCU298300) requesting no matters hereinafter arising in this cause be heard or assigned to this Honorable Judge Hillman, on the ground that this Honorable Judge Hillman Brett is prejudiced against the plaintiff in this action. **(Peremptory challenge is under Civil Procedure Section 170.6)**

Section 170.6 permits "[a] party ... appearing in ... an action or proceeding" to disqualify the judge based on a sworn statement of the party's belief that the judge is prejudiced against that party or the party's attorneys. ( *Pickett v. Superior Court* (2012) 203 Cal.App.4th 887, 892, 138 Cal.Rptr.3d 36 ( *Pickett* ).) The judge has no discretion to refuse the challenge unless the statement is untimely or does not otherwise comply with the statutory procedural requirements. ( *Ibid.* ; see *Cybermedia, Inc. v. Superior Court* (1999) 72 Cal.App.4th 910, 914, 82 Cal.Rptr.2d 126.) "The right to disqualify a judge under section 170.6 'is 'automatic' in the sense that a good faith *belief* in prejudice is alone sufficient, proof of facts showing actual prejudice not being required." ' ' ( *Pickett*, at p. 892, 138 Cal.Rptr.3d 36.).

"As a remedial statute, section 170.6 is to be liberally construed in favor of allowing a peremptory challenge, and a challenge should be denied only if the statute absolutely forbids it." ' ' ( *Pickett*, *supra*, 203 Cal.App.4th at p. 892, 138 Cal.Rptr.3d 36), **Sunrise Financial, LLC v. Superior Court** (Cal.App.4th Dist., 2019), 243 Cal. Rptr. 3d 6230.

**Section 455(a)** of the Judicial Code provides: Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned. **28 U.S.C. § 455(a)**. Judicial disqualification is "evaluated on an objective basis, and so what matters is not the reality of bias or prejudice, but its appearance." **Liteky v. United States**, 510 U.S. 540, 548 (1994). The dispositive question under Section 455 is: "Would a reasonable person knowing all the relevant facts question the impartiality of the judge?" **Reed v. Rhodes**, 179 F.3d 453, 467 (6th Cir. 1999).

.Under federal law, a trial judge must disqualify himself when a party files an affidavit alleging he has a personal bias or prejudice against the affiant. (**28 U.S.C. § 144**.)

.if a reasonable man would entertain doubts concerning the judge's impartiality, disqualification is mandated. "To ensure that the proceedings appear to the public to be impartial and hence worthy of their confidence, the situation must be viewed through the eyes of the objective person." (*In re United States*, *supra*, 666 F.2d at p. 694; see also *Matter of Searches Conducted on March 5, 1980* (E.D.Wisc. 1980) 497 F. Supp. 1283, 1290.) While this objective standard clearly indicates that the decision on disqualification should not be based on the judge's personal view of his own impartiality, *fn. 3* it also suggests that the litigants' necessarily partisan views do not provide the applicable frame of reference. (*See United States v. Cowden* (1st Cir. 1976) 545 F.2d 257, 265; *Union Independiente v. Puerto Rico Legal Services* (D.P.R. 1982) 550 F. Supp. 1109, 1111.) Rather, "a judge faced with a potential ground for disqualification ought to consider how his participation in a given case looks to the average person on the street." (*Potashnick v. Port City Const. Co.*, *supra*, 609 F.2d at p. 1111; accord *United States v. Ferguson*, *supra*, 550 F.Supp. at p. 1260.)

#### **WRIT SHOULD BE ISSUED:**

various factors may impact on how the "average person on the street" views a judge's participation in a case. One court has perceptively recognized that all other things being equal, the need for disqualification decreases by the extent to which the judge's rulings in the case are limited to purely legal matters. (*State of Idaho v. Freeman*, *supra*, 507 F.Supp. at p. 728.) This is because a trial judge's factual findings are generally accorded considerable deference whereas legal rulings are subject to plenary appellate [170 Cal. App. 3d 105] review. (*Ibid*; see generally *Hurtado v. Statewide Home Loan Co.* (1985) 167 Cal. App. 3d 1019, 1023-1025 [213 Cal. Rptr. 712].) Equally significant, the circumstances giving rise to suspicions of partiality rarely involve the legal posture of the case. [2] It is also important to note, especially in the context of the present case, that the facts and circumstances bearing on the judge's possible partiality must be considered as of the time the motion is brought. "The standard ... is whether a reasonable person knowing all of the facts and looking at the circumstances at the present time would question the impartiality of the Court." (*Matter of Searches*, *supra*, 497 F.Supp. at p. 1291, *italics added*.)

The administration of justice demands "the 'cold neutrality of an impartial judge.'" **United States v. Microsoft Corp.**, 253 F.3d 34, 115 (D.C. Cir. 2001) (per curium), See also Code of Conduct for U.S. Judges, Canon 3C(1). See also **In re Aetna Cas. & Sur. Co.**, 919 F.2d 1136, 1143 (6th Cir. 1990) (en banc) ("Under § 455(a) a recusal is required when a reasonable person would harbor doubts about the judge's impartiality."

"judge, whose only "mission" is impartially to resolve specific legal disputes among the parties before the court, based on the facts presented in court". See **Whitman**, 209 F.3d at 625-26. However Judge Hillman's has personal interest to protect himself Which Plaintiff pointed out before the assignment of judgment on this case "from the beginning was something other than what it should have been, and indeed, was improper." See **United States v. Antar**, 53 F.3d 568, 573-74 (3d Cir. 1995) (Antar I); **Antar v. S.E.C.**, 71 F.3d 97 (3d Cir. 1995) (Antar II),

"When the judge is the actual trier of fact, the need to preserve the appearance of impartiality is especially pronounced." **Alexander v. Primerica Holdings, Inc.**, 10 F.3d 155, 166 (3rd Cir. 10 1993); **Chicago Ins. Co. v. Capwill**, 2010 U.S. Dist. LEXIS 68228 (N.D. Ohio July 8, 2010) (granting motion to disqualify where case would be tried to the court).

**Judge Hillman has faulted Petitioners for Motion not timely**. However Petitioner did filed motion disqualification earlier in the past multiple time and the grounds for his disqualification snowballed over time, with the Judge's earlier statements reflecting prejudgments and a involvement in discredit court witness to prevent witness to stand trial by conspiring with the defendant in this case. A certain number of the statements he made that raise a question about his impartiality were made before all Petitioners were even parties.

.Regarding the appearance of partiality, any consideration of the motion's timeliness must begin with the fact that 28 U.S.C. § 455(a) "places the duty of disqualification squarely upon the presiding judge." **Bradley v. Milliken**, 426 F. Supp. 929, 931 (E.D. Mich. 1977). That is because "the judge is in the best position to know the circumstances supporting a recusal motion," and so he must "disclose possible grounds for disqualification." **In re: Kensington Int'l Limited**, 368 F.3d 289, 313, 314 (3d Cir. 2004); **United States v. Sibla**, 624 F.2d 864, 869 n.2 (9th Cir. 1980) ("section 455 is self-enforcing on the part of the judge"); see **United States v. York**, 888 F.2d 1050, 1053 (5th Cir. 1989) (section 455(a) may be waived "if the judge fully and fairly apprises the parties of the reasons for the appearance of impropriety"). **Kensington Int'l**, 368 F.2d at 314 ("nothing short of actual knowledge of the facts giving rise to the recusal motions and the Petitions for Mandamus would satisfy the § 455(a) timeliness factor here").

.The standard for recusal established by § 455(a) reflects the understanding that "nothing undermines that foundation [of our adversary system] more than a presiding judge who gives the appearance of partiality." **Bradley**, 426 F. Supp. at 942.. Thus, in applying § 455(a), the courts acknowledge that "it is preferable to avoid appearances of impropriety wherever possible." **York**, 888 F.2d at 1055.

. Timeliness is therefore just "one of the factors which engages a court's discretion in determining whether a judge shall be relieved from its assignment," but it is not a conclusive factor. **In re: Kensington Int'l**, 368 F.2d at 312 (citing **Smith v. Danyo**, 585 F.2d 83, 86 (3d Cir. 1978)).

Indeed, § 455 does not contain an explicit timeliness requirement at all, so to the extent it is a consideration, it is only to prevent "wasting valuable court resources by proceeding through a long trial knowing all the time that there are grounds for recusal ...." **York**, 888 f.2d at 1053- 54; **id.** at 1055 ("a timeliness requirement will prescribe motions that would have invalidated a fully completed trial"); see **Apple v. Jewish Hosp. & Med. Ctr.**, 829 11 F.2d 326, 334 (2d Cir. 1987)

**Code of Civil Procedure section 170.1 states in part:** (a) A judge shall be disqualified if any one or more of the following are true: (6)(A) For any reason: ii) A person aware of the facts might reasonably entertain a doubt that the judge would be able to be impartial."

" A judge is disqualified to act as such in an action or proceeding only: 1. When he is a party to or interested in the action or proceeding pending; ""4. When it appears from affidavits that either party cannot have a fair trial before any judge of a court of record by reason of the bias and prejudice of such a judge". "These are the only causes which work a disqualification of a judicial officer." (**McCauley v. Weller** , 12 Cal. 524; **In re Jones** , 103 Cal. 397; **Code Civ. Proc.**, sec. 170, as amended in 1897.

.Judge Hillman previously engaged in making statements related to settlement discussions, and Judge hillman must be recuse from plaintiff case as he showed in the past biased toward muslim minority/ petitioner by taking away chance of jury trial from petitioner after knowing petitioner not agreeing on settlement amount during settlement conference in the case vcu288720 on feb 7th 23 **In Becker v. Tidewater, Inc.**, 405 F.3d 257, 260 (5th Cir. 2005). See also "HLS in the Community | The National Opioid Litigation( see exhibit A writ mandamus pgs 109, paragraph 7, pg 114 paragraph 40) .

(Judge who encouraged settlement, but "Did not mediate the dispute or engage in settlement discussions between the parties" was not required to recuse); **Tucker v. Calloway County Bd. of Educ.**, 136 F.3d 495, 503 (6th Cir. 1998) (Judge voluntarily recused because he had been involved in settlement discussions and could not conduct bench trial).

## **STATEMENT OF THE CASE:**

. Plaintiff discovered or was aware of the facts related to judge hillman's bias, prejudice, and disqualification before filing the case (**within 15 days of the filing of the initial pleading**).Therefore, requested timely to a presiding judge Juliet L. Bocconi did not assign judge hillman to plaintiff's case thru a written verified statement to disqualify judge hillman

before his assignment (May 14 23 ) in the case due to prejudice and conflict of interest, serious allegation of crimes, and lack of impartiality concerns against judge Hillman. Judge Hillman failed to admit or deny plaintiff initial statement of disqualification within 10 days and failure to take any action, therefore grounds for his disqualification and already disbarred him from plaintiff case .(Letter by Tulare judge Boccone May 26th 23 23 VCU298300 Pg 18-19 of exhibit A of Petition certiorari, See also Exhibit B F088624)

"A judge shall hear and decide all matters assigned to the judge except those in which he or she is disqualified."]. See also **Canons of Judicial Ethics, Canon 3(B)(1)** .

The question of Judge Hillman disqualification must be determined by another judge agreed on by the parties or, if they are unable to agree, by a judge selected by the chairperson of the Judicial Council. (**§ 170.3, subd. (c)(5)**.) The judge deciding the question may decide it on the basis of the statement of disqualification and the answer or he may set the matter for hearing. (**§ 170.3, subd. (c)(6)**.)

**Under section 170.3**, if a judge who should disqualify himself fails to do so, any party may file with the clerk a verified written statement setting forth facts constituting grounds for disqualification. The statement must be filed at the "earliest practicable opportunity" after discovery of the facts constituting grounds for disqualification. Judge hillman failed to, "file a consent to disqualification" (**§ 170, subd. (c)(3)**); or file "a written verified answer admitting or denying any or all of the allegations ...." (*Ibid.*) In a timely manner, Failure to take any action is deemed a consent to disqualification. (**§ 170.3, subd. (c)(4)**; **Hollingsworth v. Superior Court (1987) 191 Cal. App. 3d 22, 26 [236 Cal. Rptr. 193]**.)" . But, the judge must strike the insufficient statement within the 10-day period prescribed in section 170.3, subdivision (c)(3) for filing an answer. Thereafter, the judge is deemed disqualified and has no [234 Cal. App. 3d 421] power to act in the case. (**Lewis v. Superior Court (1988) 198 Cal. App. 3d 1101, 1104 [244 Cal. Rptr. 328]**.) "Judge Broadman considered the statement of disqualification, noted the judge had not filed an answer, deemed his failure to answer a consent to the disqualification, and ordered him disqualified. **That order was correct**". **Urias v. Harris Farms, Inc. (1991) 234 Cal.App.3d 415, 422.**)

.However, while pending challenges, the case was assigned to Judge Hillman who is co-conspirator and witness with defendants in this case ( **see also attached exhibit I pg 7-19**). Later, after an unjustifiable assignment of judge Hillman in this case , Plaintiff received a letter from Judge Juliet L. Bocconi dated May 26th 23( directed plaintiff to pursue a court remedy to disqualify Judge Hillman from this case.(**see Exhibit A writ mandamus pgs. 46-47 and attached document as exhibit i with it**) .The matter of disqualification should be raised when the facts constituting the grounds for disqualification are first discovered and, in any event, before the matter involved is submitted for decision. (**Baker v. Civil Service Com. [234 Cal. App. 3d 425] (1975) 52 Cal. App. 3d 590, 594 [125 Cal. Rptr. 162]**.)

Relying on *Woodman v. Superior Court* (1987) 196 Cal.App.3d 407 [ 241 Cal.Rptr. 818] ( *Woodman*), and *Augustyn v. Superior Court* (1986) 186 Cal.App.3d 1221 [ 231 Cal.Rptr. 298] ( *Augustyn*), the court held that a section 170.6 challenge must be made as soon as the assigned judge's identity is known with reasonable certainty.

**As a general rule, a challenge of a judge is permitted under section 170.6 any time before the commencement of a trial or hearing. ( *Shipp v. Superior Court* (1992) 5 Cal.App.4th 147, 150 [ 6 Cal.Rptr.2d 685]; *Los Angeles County Dept. of Public Social Services v. Superior Court* (1977) 69 Cal.App.3d 407, 412 [ 138 Cal.Rptr. 43].) If the general rule applies, petitioner's challenge is timely.**

This case is assigned to judge hillman on May 15 23. The first or initial hearing in this case is scheduled to begin on Aug 22 23. Judge Bret Hillman failed to recuse himself in the Case VCU298300 where he is named as co-conspirator (conflict of interest ) and witness with the defendants Lawrence Larocca and Raoul Severo in this case. ( **See Exhibit B of F086624 Pgs 191-312 specifically paragraph 436-438, 352-363**).

. On July 17th, 23, the Samreen Riaz brought EX PARTE APPLICATION FOR, MOTION TO DISQUALIFY A JUDGE AND MOTION IN SUPPORT OF PEREMPTORY CHALLENGE TO JUDICIAL OFFICER (Code Civ. Proc., § 170.6 and 170.1) in the Tulare superior court, Case: VCU298300 ( **See writ mandate, F086624 - Exhibit A Page 2-190** ) . The petitioner did not make this request lightly. But the extraordinary nature of Judge Hillman's involvement in conspiracy in this case with the co defendant and long history of bias or appearance of bias toward plaintiff . Although responsibility lies on Judge Hillman to disclose to the parties of the proceedings his involvement in any shape or form with controversy of the newly assigned case, Judge Hillman failed to disclose or recuse himself .

. This honorable Judge Bret Hillman further stricken Petitioners' disqualification motion dated July 18, 23 ( **See Exhibit C pgs. 313-326, See Exhibit A pgs. 2-90 of F086624** ) The motion for disqualification was based on cause and peremptory challenge ( **see exhibit A attached writ mandamus F086624 page 2-90** ) ( **see also previous application in exhibit A 44-54, 55, 103-136, 69, 70-90, 137-155, 156-190** ).

. Copy of the Judge Order to strike is attached to the **Exhibit C of Writ Mandate F08662 pgs 313- 328, see also previous order in Exhibit A of writ mandate F08662 pgs 92-101** ) . .

**Specific Facts that Judge Hillman has a long history of abuse of judicial power and appearance of biased toward Petitioner, Petition filed in the past in different case Motion to Disqualify Judge Hillman. However judge hillman failed to recuse to prevent further scrutiny to his misconduct or violation of his judicial responsibilities under Article III of neutrality, discretion, and restraint:**



**.Dec 05 22 -VCU288720 Riaz VS FHCN** Petitioner filed motion to disqualify judge hillman , However Judge Hillman failed to recuse himself and ordered a strike statement on Dec 1 6 22. **(Exhibit A of Writ Mandate F08662 pgs 92-102,103-136)**

**.Dec 01 22 -VCU276991 Riaz VS Altura Centers For Health** Petitioner filed motion to disqualify judge hillman , However Judge Hillman failed to recuse himself and ordered a strike statement on De 1 6 22. **(Exhibit A of Writ Mandate F08662 pgs 137-155).**

**Dec 04 22 -VCU276991 Riaz VS KAWEAH,** Petitioner filed motion to disqualify judge hillman , However Judge Hillman failed to recuse himself and ordered a strike statement about Dec 1 6 22. **(Exhibit A of Writ Mandate F08662 pgs 156-189).** All of the above cases are pending in the appeal court and more than likely will reverse judge hillman final judgment , including a new fair trial in the matter vcu276991 **.(CCP § 170.6(2))**

.In addition Judge hillman is recently named in police a report for quid pro quo relationship with Visalia police department and Potential utilization of Visalia police employee(about July 24 23) for retaliation( conspiring extra judicial action-excessive Police force, July 20 23) toward petitioner for filing motion disqualify judge hillman and for disclosing judge hillman admission of crime(see **Exhibit A of Writ Mandate F08662 Pgs.44,46,48-54,55,103-136,69,70-90,137-155, 2-190**) and potential involvement and ties with organized crimes(supporting cover up of torture program for purpose to discredit court witness, Pre textual retaliation, witness tempering, obstruction of justice, civil rights violation) in this case .Absolute immunity does not apply for extra judicial action or criminal acts beyond court proceedings.**(See Exhibit D attached to writ mandamus Fo86624 pgs. 327- 426, specifically pgs342, 335-352).**

Specific Facts that Judge Hillman was aware that the Petitioner in the past has requested investigation and probe of above-entitled judge due to unlawful, discriminatory and retaliatory acts in multiple cases of the Petitioner/Samreen Riaz, a muslim immigrant minority as well ask to consider disciplinary action for Judicial Misconduct based on those grounds such as Unethical or improper behavior exhibited by a judge in the performance of his judicial duties, failing to uphold expected principles of impartiality, integrity, and fairness. (See writ of mandamus Fo86624 attached evidence as Exhibit A pgs 46-90).

**Nov 2 -2022 -** Complaint made to Judicial Council.

**Jan 02- 23 -** Complaint of judge hillman misconduct to grand jury (

**May 12 23:** Complaint made To Presiding Judge Bacconi regarding Judge Hillman misconduct and request to preside newly assigned case to new unbiased judge .

**Feb 19 23 -**Complaint made to the judicial Council

.Judge Hillman is aware that petitioner has given Judge Hillman name to various government authorities to probe Judge Hillman misconduct and to impose discipline for Judicial Misconduct, including. ethical violation and to a reasonable person point of view cannot be fair

toward Petitioner . (See writ of mandamus attached evidence as Exhibit D pgs. 342,327-426, See also exhibit A F086624 pgs. 44-190).

In *McCartney v. Commission on Judicial Qualifications* (1974) *supra*, 12 Cal.3d 512, we reviewed a recommendation that a judge be [19 Cal.3d 203] permanently removed from office because of various acts of misconduct. One of those acts was to engage in angry and excited dialogues with deputy public defenders who filed affidavits of prejudice against him under section 170.6.

This honorable Judge Hillman was engaged in the past in abuse of judicious authority toward the plaintiff outside the bounds of the law, such as engaging in ethical violation, receipt of potential information about a case outside the presence of one party, and causing delay of trial. Conspired with attorneys who was conceding facts of the case from Petitioner for the objective to obstruction of court proceeding, or trial in a timely manner and discredit court witness and Improper ex parte communications without the knowledge or presence of the plaintiff,

. As Conflict of interest is apparent, Judge Hillman is not a neutral party and has interest in outcome of the case but failed to recuse himself when his personal or other interests could reasonably be seen as influencing his future judgment in this case," When mandamus or prohibition is sought against a court, the judge is ordinarily a neutral party with no [19 Cal.3d 190] interest in the outcome; the litigant designated as the real party in interest is the true adverse party. (See *Matter of De Lucca* (1905) 146 Cal. 110, 113 [79 P. 853].) He is therefore entitled to oppose the application for the writ (Code Civ. Proc., § 1107; Cal. Rules of Court, rule 56 (a)(2)), and if warranted, to file a motion in the writ proceeding to disqualify the assigned judge pursuant to section 170.6"

"An allegation made in good faith is sufficient — prejudice need not be factually established.) ( *Solberg v. Superior Court* (1977) 19 Cal.3d 182, 193 [ 137 Cal.Rptr. 460, 561 P.2d 1148].) "

#### **REASON FOR GRANTING PETITION:**

There is a Compelling Reasons To Grant Writ due to an existence of a conflict or legal issue between the decision of which review from the United States Supreme Court is sought on decision of Tulare superior court, 5th district appeal court and supreme court on the important matter of disqualification of the judge matter.(Rule 10(a).The Supreme Court of the United States is a last resort for plaintiffs in a matter of public importance to call for an exercise of this Court's supervisory power.

.This Matter is important to the public where Resident of Visalia City does not have equal and fair right of impartial justice by unique situation where presiding judge Hillman is involved in conspiring to discredit court witness in support of federal funds /grant corruption cases by knowingly supporting implementation of organized torture program with the goal to discrediting

court witness. It is causing residents of visalia or california to lose trust in the judicial process in Visalia.

Based on the Petitioner challenges, Petitioner requested Supreme court to compel appeal court and tulare superior court to recuse and disqualify This honorable judge Bret hillman, due to conflict of interest, long history of appearance of prejudice and bias.

It is established, as provided in Section 170.1 and 170.5 and 170.6 of the Code of Civil Procedure that the plaintiff has grounds to challenge the judges Bret Hillman for cause in the above-entitled matter.

### **Summary Of Arguments Presented in State Court:**

( In support of objecting to the hearing or trial before Judge Hillman Bret in case VCU298300: (civil code procedure 170.1 and 170.6)(See Fo86624 Pgs15-42)

#### **1-The Motion to Disqualify was Timely: .**

The reason for requiring a prompt claim of bias is that a party should not be allowed to play fast and loose with the administration of justice by deliberately refraining from raising an objection, on the chance that he might get a favorable decision and still be free to urge the objection as grounds for upsetting an unfavorable judgment. ( **Woolley v. Superior Court, 19 Cal.App.2d 611, 619, 625 [ 66 P.2d 680]; see Rohr v. Johnson, 65 Cal.App.2d 208, 212 [ 150 P.2d 5].**) [12] it is evident from supporting documents that the Petitioner statement of disqualification met the purposes of the statute

2-Judge Hillman made further ruling in the case (VCU298300 )when judge disqualification was pending in the 5th district Court.(Exhibit I of S281800 pg 6), therefore those ruling should be void,

" Except as provided in this section, a disqualified judge shall have no power to act in any proceeding after his or her disqualification or after the filing of a statement of disqualification until the question of his or her disqualification has been determined" (**Code of civil procedure 170.4(d), based on 170.6 & 170.1).**

"An arbitrator's failure to disclose any matter which might create an impression of possible bias is grounds for vacating the award. (See, e.g., **Cobler v. Stanley, Barber, Southard, Brown & Associates (1990) 217 Cal. App. 3d 518, 527 [265 Cal. Rptr. 868]; Banwait v. Hernandez (1988) 205 Cal. App. 3d 823, 826-828 [252 Cal. Rptr. 647]; Johnston v. Security Ins. Co. (1970) 6 Cal. App. 3d 839, 841-843 [86 Cal. Rptr. 133].**) It is an objective test, requiring a reasonable impression. (**Banwait v. Hernandez, supra, at p. 829.**) Commonwealth and the California cases applying the test have found an impression of possible bias on the basis of an existing or prior business relationship with one of the parties or their attorneys. (See, e.g., **Banwait v. Hernandez, supra, at p. 827.**) [2a]

" the courts have generally held that a judgment or order rendered by a disqualified judge is void whenever brought into question. (See **Giometti v. Etienne** (1934) 219 Cal. 687, 689 [28 P.2d 913] [justice related to petitioner's counsel]; **Cadenasso v. Bank of Italy** (1932) 214 Cal. 562, 567 [6 P.2d 944] [judge owned stock in bank]; **Lindsay-Strathmore I. Dist. v. Superior Court** (1920) 182 Cal. 315, 333 [187 P. 1056] [judge had remote interest in subject matter]; **T.P.B. v. Superior Court** (1977) 66 Cal. App. 3d 881, 885-886 [136 Cal. Rptr. 311].)" ".this court has on several occasions pointed out that a judgment rendered by a disqualified judge is void." (219 Cal. at p. 689.),

Thus, a court with jurisdiction of the subject matter may be held to lack jurisdiction to act while the judge before whom the matter is pending is disqualified, and pending a determination of the issue of disqualification. The problem has been analyzed as an act in excess of jurisdiction, wherein the acts of a disqualified judge are at most voidable, but not void. (2 Witkin, [16 Cal. App. 4th 940] Cal. Procedure, op. cit. supra, Courts, §§ 75-76; **Urias v. Harris Farms, Inc.**, supra, 234 Cal.App.3d at p. 424; see **White v. Renck** (1980) 108 Cal. App. 3d 835, 839 [166 Cal. Rptr. 701].)

Under those authorities, the grant of summary judgment in this case is voidable if Urias "properly raised" the disqualification issue and alleged facts which show the judge was disqualified to hear the case. (**Wickoff v. James** (1958) 159 Cal. App. 2d 664, 670 [324 P.2d 661].)

. Accordingly, Petitioner raised the issue of the judge's disqualification in a timely manner before the judgment was final. Further, his uncontradicted allegation established disqualification under section 170.1, Because the Aug 22 23 ruling was rendered by a disqualified judge, the judgment was voidable upon plaintiff's objection. (In re **Christian J.**, supra, 155 Cal.App.3d at p. 280.) [234 Cal. App. 3d 427] .

"We hold here that a judge's failure to respond to or strike an allegedly untimely and legally insufficient statement of disqualification [234 Cal. App. 3d 419] equates to a consent to disqualification (pursuant to **Code of Civil Procedure Fn. 1 section 170.3, subdivision (c)(4).**"**Urias v. Harris Farms, Inc.** (1991).

3. "Coincidence" of 5th district appellate court TIMINGS of the ruling in the case number F086624 "Petition to Disqualify" judge hillman on Aug 31st 23 and tulare superior court hearing 13 date on ex parte motion for Aug 31st 23 provided unjust opportunity to Judge hillman to make ruling on ex parte motion where petitioner challenged ruling of Aug 22 23 of judge hillman while judge disqualification was pending in 5th district appeal court. However specific denial of writ of mandamus on 31st Aug 23 further allows Judge Hillman to make further ruling in the case where he is named as co-conspirator VCU298300 and left no window or space for Plaintiff to further file with the supreme court "Petition to review disqualify judge hillman" before judge hillman made any ruling in this case ( see exhibit I of S281800 pg 4, 5) .

4. Plaintiff, in this case, VCU298300, has a conflict of interest with justice hillman as this honorable judge Hillman's name is directly involved in several Allegations of conspiracy with defendant in the complaint and material witness in this case( Code .Civil proc S 170.1)(a)(1)(B).(See Exhibit B of writ mandamus F086624 (VCU298300 paragraphs 356,354,362,436,437,438,443 on pgs 239,240,249,250 ).

.Plaintiff is now introducing new evidence and entire Transcript, **Exhibit B** from june 9 2021 of Judge hillman conspiring with defendant in order to take away right of trial from plaintiff from case VCU276991 as well as plaintiff multiple declaration filed in the tulare superior in response to stay trial when plaintiff later found out that plaintiff attorney Larocca filed hidden declaration simultaneously with conspiring opposing attorney Ryan .This Transcript is clear and convincing evidence from which the US Supreme court can directly infer conspiracy, obstruction of justice, witness tampering, violation of 7th amendment and fraud"(code of civil proc 170.4(C)(3).(See **Writ certiorari appendix A )**

B. Judge Hillman was aware that he was taking away fair trial opportunities from plaintiffs who were about to testify in OSHA, Hipaa and recruited patient base or taxpayer funds to fund corruption matters, when mentioned "And I am left with the firm conviction and belief a trial in this matter would serve no one. I'm all about getting cases to trial and allowing people their day in court (pg 23 Line 9-14 of clerk transcript, **Exhibit B**"

c, Judge hillman was aware that appellate attorney Larocca concealed his fraudulent declaration from appellant at this point. Licensed attorney Larocca conspired with Judge hillman when asked a advice on how to deal with the concealment

, "I would not have any control of my client testifying or anything like that. The question is -- and I'm going to explain to her what's happening." line 22-25 pg 23, **Exhibit B**".

d, "So I'm asking the Court for -- you know, what does she have to do or what should I basically tell her or what should she have to do, and then I'll tell her that, what she has to do, besides being in her best interest. I'll say something in that regard." line 2-6 pg 24, **Exhibit B**, (June 09 2021)." Code Civ. Proc., § 170.1.) (a)(2)(A)

e, Appellant attorney and Defendant attorney was aware of the fact that concealment and fraudulent false declaration will be subject to cal bar complaint, judge hillman act in furtherance of conspiracy when judge hillman take part in obstruction of justice based on conspired concealed false declaration. See line 15-18"MR. LARocca: One of the things that I do have a concern about is if, you know, she does file a complaint against me, then there might be a potential conflict, and I would just let the Court know" "the Court: Ok" (line 19, see **Exhibit B** pgs 26) "MR. RYAN: Your Honor, she does tend to file state bar complaints". (line 20-22 see record on appeal pg 27)"

.f, Justice hillman of lower court further conspired with both attorney who filed false declaration by letting them know he is making extensive statement on the record. Judge hillman of lower court made extensive, extraordinary long statement full of false, inaccurate statement

associated with the appellant in this transcript, knowing appellant was a practicing as a license dentist with no restriction on her license and have primary custody of 2 minor kids thru court order, simultaneously proceeding in family court case without attorney with no issue related to competency to attend trial.

" h,"You know, obviously, I don't know everything about the case, but, as I just stated extensively on the record," line 4-7 pg see,Exhibit B pg 28. "I've reviewed the application ....makes it impossible for her to proceed with this case as currently planned for next week"( Exhibit B,) " Code Civ. Proc., § 170.1.) (a)(2)(A)

**Altura health center was directly benefited of discrediting court witness/ Petitioner and taking away fair chance of trial from plaintiff.**

"Trial is currently set for Set for June 14 21" "Plaintiff is mentally incapacitated and should not move forward with trial"( Paragraph 3 of pg 3 of Exhibit B-Ex Parte Declaration Altura Attorney June 7 21)

"in response to subpoena , i caused to issue in this case , our office received a report for the incident 20-068188 prepared by officers in the visalia police department": "the plaintiff made more than 45 complaints""This include complaint against law enforcement officials"" Paragraph 5 of Pg 5 of Exhibit B-Ex Parte Declaration Altura attorney June 7 21)

"She is negatively impacting numerous individuals and agencies with her paranoia and claims" (Paragraph f of Pg 6 of Exhibit B-Ex Parte Declaration Altura attorney June 7 21) "Plaintiff mental capacity is diminished such that she should not be allowed to proceed to trial with or without legal counsel"" I respectfully respect that above constitute good cause to for continuance of the trial in this matter "(Paragraph 14 of Pg 10 of Exhibit B-Ex Parte Declaration Altura attorney June 7 21)

See also hidden declaration simultaneously filed by plaintiff attorney Larocca without plaintiff knowledge, discussion or consent.(Pg 11-13 of Exhibit B-Ex Parte Declaration on June 7 21 when Trial was set for June 14 21)

However, Real facts and Evidence related to conspiracy among untruthful, unethical, Corrupt attorney Larocca , Opposing attorney Altura and judge hillman that specifically disqualify judge hillman in this case is given below

See Plaintiff Declaration in response to larocca declaration in the case Vcu276991 July 30th 21( Pg 3-11 of exhibit C of writ of Certiorari)

See Plaintiff Declaration in response to Ryan declaration in the case Vcu276991 Aug 04 21( Pg 14-18 of exhibit C of writ of Certiorari)

See Plaintiff Declaration and statement not to delay trial in the case Vcu276991 Aug 04 21 ( Pg 29-36 of exhibit C of writ of Certiorari)

See Plaintiff Declaration with the copy of complaint file with state bar ca against defendant larocca Vcu276991 on Aug 04 21 ( Pg 37-44 of exhibit C of writ of Certiorari)

"5150 evaluation requested by visalia police department"(HHSA 5150 form Exhibit D pg 26)

"You have shown decline in social functioning with significant intrusion in civil services with numerous complaint without foundation therefore showing gravely disability in your functioning" ( See Exhibit D of writ of Certiorari- pg 27 Notice Of certification 5250).

**Sufficient Facts and Evidence Presented to disqualify judge hillman from presiding in any case as a judge inorder to maintain integrity and reputation of justice system in Tulare County which got seriously impaired with judge hillman misconduct:**

Judge who is co conspirator in this case, has already decided(for pretextual reason) previously that plaintiff is not competent to attend trial, now failed to recuse himself and continued harming plaintiff thru erroneous and bias ruling in the case where he is identified as co conspirator with has personal interest to protect himself from liability of conspiracy in this case ( see Exhibit B of writ mandamus Fo86624 paragraphs 356,354,362,436,437,438,443 VCU298300, exhibit A of writ mandamus Fo86624 pgs 191-312. See Exhibit I of pg 19 Of S281800 email from plaintiff attorney Kellan Steven Patterson #307190 Exhibit I settlement offer from Tulare county in 5150 excessive police force case and offer of offer entering judgment in favor of Plaintiff. Pursuant to Code Civ. Proc., § 170.1.) ((6)(A) (iii), facts exist in this case that might reasonably entertain a doubt that the judge would not be able to act impartially.

.See argument made in pg 28 of F088624 " Judge hillman also made prejudiced, biased comments in Federal reserve center court Proceedings about Aug 2020 that the plaintiff had to go thru **More hoops** before going to end the Altura Center of Health case, Judge Hillman made these comments Right after Visalia police used excessive force or violence on the plaintiff for pretextual reason ( vcu291575) ( S277429) in August 2020 to declare falsely plaintiff gravely disabled and during false imprisonment made false medical record to prevent plaintiff testifying in the court against federal reserve centers corruption.(See Pg 9 of Exhibit B judicial commission complaint of judge hillman )

See evidence attached in Exhibit F with the Writ Certiorari

"I went to Kaweah hospital and asked to speak with the supervisor to learn the standard and policy of individual to have personal property , I was informed.. W\_Riaz was deemed low risk patient and therefore allowed to have phone""I was informed she called her lawyer, mental health and/or crises as well. She spoke of harassment and lawsuit as well. I requested Supervisor/charge nurse to remove her phone because this type of behavior is one of the factor of her grave disability"(pg 14 of Exhibit D -Police Report)

"He said there were **some hoop to jump** thu, and social workers have to get involved but he would try to have her phone placed securely with her property and out of her direct possession"(pg 14 of Exhibit D - Aug 12 -12 20 Police Report)

"W-Riaz called 911 from her phone to report harassment and that she had been taken away from her home""Dispatcher had knowledge that i were working on W-Riaz case and call to ask where should route the 911 call""I informed dispatcher not to route her call any where""I

informed them I would call Kaweah delta to follow up on her status and address the continued issue of her possession of her phone"(Pg 18 of Exhibit D)

"I informed him she was on the phone with our 911 dispatchers wanting to report harassment and having been taken away from home""leo informed me he would handle it and made sure she her phone removed"(Pg 18 of Exhibit D)

On 8/11/23 I was given information that on W-Riaz multiple report of harassment and stalking"  
"W-Riaz made more than 45 reports"

"Out of concerns for W- Riaz quality of life, i contacted Tulare county crises center"(pg 8 of Exhibit F police Report)

"The basis of 5150 is the believe to be gravely disabled""she is negatively impacting numerous individual and agencies with her paranoia and claims""She is unreasonable"(pg 10 of Exhibit D -Police Report)

"She talked far more than listen we eventually grab her wrist and walk her to the car"  
"w-Riaz told me that i am abusing my power and just wanted to violate her right because i don't want to do my job to investigate cases"(pg 10 of Exhibit D -Police Report)

"I went to Kaweah hospital and asked to speak with the supervisor to learn the standard and policy of individual to have personal property , I was informed.. W\_Riaz was deemed low risk patient and therefore allowed to have phone"

"I was informed she called her lawyer, mental health and/or crises as well.She spoke of harassment and lawsuit as well.I requested Supervisor/charge nurse to remove her phone because this type of behavior is one of the factor of her grave disability"(pg 14 of Exhibit D -Police Report,See also Cathy meadows report on last 5 pgs of Exhibit D)

There is sufficient evidence that Judge Hillman showed Bias or prejudice toward Petitioner in the past proceeding and grounds for disqualification. .(Code Civ. Proc., § 170.1.) ((6)(A) (iii) (B), In this case Defendant are (licensed attorney) of Severo law firm Raoul Severo and lawrence larocca who were previous attorney of plaintiff in the case vcu276991 and conspired with this honorable Judge hillman to prevent plaintiff to attend the trial and to discredit court witness testimony.

In **Evans v. Superior Court, supra**, the judge, at the close of the trial, stated that in his opinion two of the defendants had been guilty of deliberately falsifying while under oath. Later another case in which these two persons were parties was assigned to the same judge for trial, and prohibition was sought to prevent the judge from trying the case. It was held that the judge was biased and prejudiced against the defendants and that a fair and impartial trial could not be had before him. ( 107 Cal.App. 372, 380-384.)

**5** Judge Hillmans shows patterns of conduct creates a Reasonable Question about his impartiality toward Petitioner and shows legal ground for disqualification:



6. Plaintiff presented Legal grounds on which honorable justice hillman disqualification is valid that Justice hillman is already aware of additional " conflict of interest, bias, likely financial or additional interest, prior or personal knowledge of facts ( code of civil procedure S 170.(a)(1)(A) and prior conspiring relationship to defendant attorney larocca "( **see Exhibit A of writ mandamus pgs 92-101 F086624, order striking statement of disqualification and alternative verified answer pg 6 line 13)** with the plaintiff.

7. Judge Hillman admitted previously that he is aware of the conflict of interest in several separate cases of the plaintiff ( **See Exhibit A of writ mandamus F086624 pgs 92-101, order striking statement of disqualification and alternative verified answer on pg 6 and 7 from Line 16-18, points 1-8).** .

8. The fact that the California judge was aware of the complaint filed against him regarding the judicial performance created a conflict of interest and potential biased and the basis of disqualification in a new case of the plaintiff where judge hillman's name is involved in underlying controversy:

9. Petitioner is dealing with excessive litigation where several cases are in appeal due to the erroneous ruling of judge hillman. Vcu276991 Vcu291575 Vcu289294 Vcu288720 due to bias of judge hillman toward plaintiff and to protect government officials involved in criminal acts.

10. Judge Hillman also obstructed expert witness testimony of Cathy Meadows during case trial Vcu276991 or prevented her from standing as a witness, later made an erroneous ruling with an untruthful( misrepresentation of fact ) statement that Cathy Meadows had not presented for trial. "The appropriate test for abuse of discretion is whether the trial court exceeded the bounds of reason. "( **Nestle v. City of Santa Monica (1972) "6 Cal.3d 920, 925 [ 101 Cal. Rptr. 568, 496 P.2d 480].)**

11. See Argument filed with previous disqualification motions( **Exhibit A writ mandamus pgs. 156- 190,55,103-136,70-90,137-155), civil grand jury complaint(Pgs. 69-90),Judicial commission complaint( exhibit A writ mandamus pgs. 48-54).**

12. Judge Hillam is aware that Petitioner has provided judge Hillmann ame to the visalia police, Grand jury and DA tulare for investigation of Potential Involvement in Extra Judicial activities, Quid Pro Quo and Violence toward Women of color For obstruction Of Justice purposes and discrediting court witness.( **see exhibit D of writ mandamus Fo86624 pgs327-426,342,335-352 )**

.Timing(Close proximity) of Judge hillman order to strike( **see Exhibit C writ mandamus pgs. 313-326)** and police used of excessive force ( in pretextual stop) clearly create the appearance

of bias, obstruction of justice effort, retaliation, witness tampering effort, civil and religious rights violation.

.In addition, Defendant Steven Cantrel timing to strike Anti slap motion(**July 27th 23-Exhibit E writ mandamus of F086624** ), Judge hillman timing to strike judge disqualification ( **Exhibit C writ mandamus pg. 313-326 of F086624**) in response to plaintiff motion to disqualify(see **Exhibit A of F086624 Plaintiff memorandum of point pg. 40 with motion to disqualify**) where plaintiff provided documentary evidence related to organized crime and involvement of judge hillman, and close timing of police violence (**July 2023 see Exhibit D writ mandamus of F086624 pg 327-426**) for Pretextual retaliation, obstruction of justice, witness tampering and use of excessive force with the intent to harass reflects circumstantial evidence of retaliation.

.However While Writ Mandamus to disqualify judge hillman was pending in the 5th district appeal court from Aug 1st 23 -Aug 31st 23( **See exhibit I of S281800pg 6,5**),Judge hillman made erroneous, biased retaliatory and unauthorized by law ruling in this case(to pay\$1380 to defendant cantrell with whom judge hillman name involved in extrajudicial activity/**Exhibit I pg 22** ) after knowing petitioner nominate judge hillman in visalia police report for involvement in conspiracy and extra judicial activity (**See exhibit of S281800 I 20-25**).Petitioner is requesting vacate or stayed the Aug 22 23 order based on order were made while motion disqualification pending in the 5th district court and judge hillman is co conspirator with multiple defendant in this case.

However. Complete ARGUMENTS made in the 5th District Appeal Court WRIT MANDAMUS F086624 can be reviewed on Pg no 15-42 of WRIT MANDAMUS F086624 in following order:

- 1- The motion to disqualify is timely on pg 12 WRIT MANDAMUS F086624
- 2- Judge is Witness in the case on Pg 14 WRIT MANDAMUS F086624
- 3- Judge Hillman Statement and Admission to Discredit Court Witness Show That He Involves in crime.on pg 14 WRIT MANDAMUS F086624
4. Judge Hillmans shows pattern of conduct creates a Reasonable Question about his impartiality toward Plaintiff and shows legal ground for disqualification on 16 WRIT MANDAMUS F086624
5. judge aware of the complaint filed against him created a conflict of interest on 30 WRIT MANDAMUS F086624
6. Petitioner dealing with excessive litigation due to the erroneous ruling of judge hillman on 30 pg WRIT MANDAMUS F086624
7. Judge Hillam Potential Involvement in Extra Judicial activities, Quid Pro Quo and Violence toward Women of color for obstruction Of Justice purposes on 31 WRIT MANDAMUS F086624

.Now, This honorable Judge Hillman intends to preside over the imminent case, where petitioner is further intended to add ina complaint police officer involved in violence (on July 2023- close proximity to strike order of judge hillman) for pretextual retaliatory reason to get even with petitioner for potential disclose judge hillman potential corruption and crime. Judge

Hillman refusal to recuse from this case is an abuse of his discretion when clearly violating § 455(a).

.The time for disqualification is now, before any further hearing in this case with judge hillman , before the set of trial date in this case and before the opening of new discovery tracks. Judicial disqualification serves a purpose beyond protecting the interests of the litigants in a particular case; it preserves public confidence in the integrity of the judicial system. That should be a special imperative in this litigation, which is so much in the public eye due to petitioner witness in taxpayer lawsuit and public safety matters.

**VERIFICATION:**

**(AFFIDAVIT AND DECLARATION IN SUPPORT OF PEREMPTORY CHALLENGE TO  
JUDICIAL OFFICER (CodeCiv. Proc., § 170.6))**

I am a Petitioner, Samreen Riaz, to this action or special proceeding. The judicial officer named above, before whom the trial of, or a hearing in, this case is pending, or to whom it has been assigned, is prejudiced against the interest of the Petitioner and Public. Therefore declarant Samreen Riaz cannot or believes that she cant, have a fair and impartial trial or hearing before Judge hillman .

I declare under penalty of perjury, under the laws of the State of California, that the information entered on this form is true and correct as best of my knowledge and that this verification was executed on this 18th day of October 2023 in Visalia, California.

Filed by Plaintiff Samreen Riaz 

\_\_\_\_\_  
Signature of Declarant Samreen Riaz

### Conclusion:

Based on the Petitioner challenges, Petitioner requested Supreme Court to compel 5th District Appeal Court, Supreme Court of California and Tulare Superior Court to recuse and disqualify This honorable judge Bret hillman, due to conflict of interest, long history of appearance of prejudice and bias.

It is established, as provided in Section 170.1 and 170.5 and 170.6 of the Code of Civil Procedure that the plaintiff has grounds to challenge the judges Bret Hillman for cause in the above-entitled matter. .

Respectfully Samreen Riaz  
Oct 18h 23