

No.

23-6812

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FILED

FEB 09 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

NIKI HAMIDI,

PETITIONER

vs.

IKE M. IQBAL,

RESPONDENT.

ON PETITION FOR A WRIT OF CERTIORARI TO
SUPREME COURT OF THE STATE OF CALIFORNIA
PETITION FOR WRIT OF CERTIORARI

NIKI HAMIDI
P.O. BOX 18801
ENCINO, CA 91416
805-602-4335

Questions Presented For Review

Whether the probate court has a duty to protect an estate against fraud?

Whether the probate court has a duty to deny a settlement against an estate for a fraudulent paternity claim when there is sufficient evidence that the claim is fraudulent and meritless?

Whether the probate court has a duty to deny a settlement against an estate when there is sufficient evidence of collusion between the executor and participant?

Parties to the Proceedings

The parties to the proceedings in the San Luis Obispo County Superior Court, the California Court of Appeal, and the California Supreme Court were the Petitioner Niki Hamidi, Respondent Ike M. Iqbal, and Participant Marisol Cueva.

Table of Contents

	Page(s)
Question Presented for Review.....	ii
Parties to the Proceeding.....	iii
Table of Contents.....	iv
Index of Appendices.....	vi
Table of Cited Authorities.....	vii
Petition for Writ of Certiorari.....	1
Opinions and Orders Below.....	2
Jurisdiction.....	2
Constitutional and Statutory Provisions Involved.....	2
A. Federal Constitutional Provisions.....	2
B. State Statutory Provisions.....	3
Statement of the Case.....	4
Reasons for Granting the Writ.....	23
Conclusion.....	34
Appendix A.....	attached hereto
Appendix B.....	attached hereto

Appendix C.....	attached hereto
Appendix D.....	attached hereto
Appendix E.....	attached hereto
Appendix F.....	attached hereto
Appendix G.....	attached hereto
Appendix H.....	attached hereto
Certificate of Service.....	filed separately

Index of Appendices

- A. Order of the San Luis Obispo County Superior Court approving the bogus “settlement” between Marisol Cueva and Ike M. Iqbal as executor for the estate.
- B. Opinion of the California Court of Appeal affirming the order.
- C. Order of the California Supreme Court denying review.
- D. California Probate Code sections 15203, 15407, and 8000 – 8004, and California Code of Civil Procedure sections 3439-3439.14.
- E. Statement written and signed by Respondent Ike M. Iqbal and his wife Clara Iqbal in support of Marisol Cueva’s false claims.
- F. Filing by Richard Weldon, previous attorney for Respondent Ike M. Iqbal, stating that Sukhjinder Singh only had one child, Elizabeth Simran Singh.
- G. Declaration of M. Jude Egan in support of petition to approve settlement indicating that there was very little chance of success for a trial on the merits.
- H. Website of mediation firm used for “settlement” listing Martin J. Tangeman as a partner for the firm.

Table of Cited Authorities

	Page(s)
FEDERAL CASES	
<i>Markham v. Allen</i> , 326 U.S. 490 (1946).....	21
CONSTITUTION	
I Amendment.....	26, 29, 30
XIV Amendment.....	26, 29
STATE CASES	
<i>Estate of Hammer</i> (1993) 19 Cal.App.4th 1621.....	29
<i>Estate of Lucas</i> (1943) 23 Cal.2d 454, 466-467.....	5
<i>Estate of Palm</i> (1945) 68 Cal.App.2d 204.....	29
<i>Forthmann v. Boyer</i> (2021) 97 Cal.App.4th 977, 988.....	26
<i>Nathanson v. Superior Court</i> (1974) 12 Cal.3d 355.....	29
STATE STATUTES	
Cal. Prob. Code § 8000-8004.....	14

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

NIKI HAMIDI,

PETITIONER

vs.

IKE M. IQBAL,

RESPONDENT.

ON PETITION FOR A WRIT OF CERTIORARI TO
SUPREME COURT OF THE STATE OF CALIFORNIA
PETITION FOR WRIT OF CERTIORARI

The Petitioner, Niki Hamidi, respectfully petitions this Court for a Writ of Certiorari to review the judgment and opinion of the California Court of Appeal filed on September 19, 2023.

Opinions and Orders Below

The original order of the San Luis Obispo County Superior Court (“SLO”) approving settlement of Marisol Cueva’s paternity claim against the Estate of Sukhjinder Singh was filed on February 22, 2023 in SLO Superior Court Case No. 19PR-0348, and is attached hereto as Appendix A.

The opinion of the California Court of Appeal affirming the order was filed on September 19, 2023, and is attached hereto as Appendix B.

The California Supreme Court’s one-page order denying review was filed on December 20, 2023 in California Supreme Court Case No. S282308, and is attached hereto as Appendix C.

Jurisdiction

The decision of the California Court of Appeal sought to be reviewed was filed on September 19, 2023. The California Supreme Court denied discretionary review on December 20, 2023. This petition is filed within 90 days of that date pursuant to the Rules of the United States Supreme Court, Rule 13.1. This Court has jurisdiction to review under 28 U.S.C. section 1257(a).

Constitutional and Statutory Provisions Involved

A. Federal Constitutional Provisions

The First Amendment of the United States Constitution provides, in pertinent part: “Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech...”

The Fourteenth Amendment of the United States Constitution provides, in pertinent part: “No State shall ... deprive any person of life, liberty, or property, without due process of law...”

B. State Statutory Provision

California Probate Code sections 15203, 15407, and 8000 – 8004, are collectively recognized as sections of the California Probate Code. (See Appendix D)

California Code of Civil Procedure sections 3439 – 3439.14, are collectively recognized as the California Uniform Voidable Transactions Act (“UVTA”). (See Appendix D)

Statement of the Case

Petitioner, Niki Hamidi, files this petition for writ of certiorari to reverse and overturn the unjust and unconscionable decision of the Court of Appeal in affirming Tana L. Coates' unethical, immoral, frivolous, no merit, unfair, unjust, biased, prejudiced, and discriminative order approving a bogus fraudulent "*settlement*" between shyster, liar accountant CPA Defendant/Respondent Ike M. Iqbal and fraudster, liar interloper Marisol Cueva. Tana L. Coates is in contempt of her oaths to the court and has allowed and caused a miscarriage of justice in this case.

The instant case presents novel issues and facts that have not been considered or discussed by the Court before, but require immediate attention and direction for the lower courts since there is limited guidance on the interpretation of the Probate Court's duties in "**determining what is in the best interest of an estate.**" It is well documented within case law and the Probate Code that the legislative purpose of the Probate Court is for the court to act as a neutral third party to ensure that an estate's assets are distributed properly. Inherent to that responsibility is a duty to prevent fraud against an estate and its true beneficiaries.

However, as the Court will see in the instant case, both Tana L. Coates of the San Luis Obispo County Superior Court ("SLO") and Judge Hernaldo J. Baltodano of the Second Appellate District Division Six intentionally, purposefully, and knowingly with bias, prejudice, and discrimination illegally denied substantial evidences, cited in the Record on Appeal, clearly showing that the bogus "*settlement*" between unlawfully appointed executor Respondent Ike M. Iqbal and Participant

fraudster Marisol Cueva is the product of their collusion and conspiracy to steal money from the Estate of Sukhjinder “Willie” Singh and his true sole beneficiaries, Petitioner Niki Hamidi, and her daughter, Elizabeth Simran Singh.

Both Tana L. Coates and Judge Hernaldo J. Baltodano attempt to get away with approving fraud against the estate by falsely and unconscionably stating that the bogus “*settlement*” was “*advantageous to Singh’s estate*, [because it] settled a potentially *meritorious* claim without litigation.” (Opinion, p. 5.) This is a completely ludicrous statement and an unlawful abuse of discretion when the evidences on file with the courts clearly demonstrate this “*settlement*” is not in the best interest of the estate, and the fraudulent claim illegally filed by shysters Marisol Cueva and her attorney Matthew Jude Egan is frivolous, worthless, and unsupported by any evidence or documentations.

However, in contrast, there is a plethora of evidences strongly against Cueva and Egan’s fraudulent filings and statements made under penalty of perjury, and substantial documentation to show beyond a preponderance of the evidence their collusion and conspiracy with Respondent Ike M. Iqbal and his attorney James C. Buttery. Therefore, the Probate Court and the Court of Appeal not only intentionally failed in their duty to stop fraud, abused their discretion, and put the court’s stamp of approval on this flagrant fraud, but they also distorted the law in order to unconscionably attempt to justify their unlawful and illegal orders.

The Court of Appeal solely relied on a superficial reading of case law, citing *Estate of Lucas*, (1943) 23 Cal.2d 454, 466-467 to say that a settlement avoiding

litigation was the sole criteria for determining whether the settlement is considered *beneficial*. However, the nature of the fraudulent claim itself and the settlement must be considered separately and together in order for the court to make an accurate and lawful decision, which both lower courts intentionally failed to do. The Probate Court has special authorization to hear and handle probate matters for estates, therefore there is a higher duty of care to identify and prevent fraud.

This bogus “*settlement*” between fraudsters Ike M. Iqbal and his friend Marisol Cueva is not the matter of two parties coming together to settle matters prior to litigation because that would be a gross mischaracterization of the nature and truth of this situation. No, this bogus “*settlement*” is the evidence, proof, and culmination of the fraud, theft, collusion, and conspiracy of Ike M. Iqbal, James C. Buttery, Marisol Cueva, and Matthew Jude Egan to defraud the Estate of Sukhjinder “Willie” Singh and his true sole beneficiaries Petitioner Niki Hamidi and Sukhjinder Singh’s only child, Elizabeth Singh.

These two “parties” had the same agenda and motive from the onset of these probate proceedings and even prior to Ike M. Iqbal’s filing to petition to probate Sukhjinder’s estate. They are both engaged in bad faith litigation in order to further their fraud and theft against the estate. When Iqbal was unconscionably appointed executor of Sukhjinder’s estate in defiance of all the evidences proving his disqualification, unfitness, and that he is a proven fraudster, he had a fiduciary duty to act for the benefit of the estate and protect the estate from fraudulent, false claims. Instead, Iqbal continued to collude with Cueva, a friend to him and his wife,

Clara Iqbal, and with the aiding and abetting of their shyster, unlawful attorneys, perpetrated fraud against the estate.

Cueva's fraudulent paternity claim has no merit and has been proven false. Tana L. Coates failed to immediately remove Cueva and Egan from proceedings where they had no standing in defiance of the fact that they brought false claims to the court. This is just one of the countless examples of Coates' failure and abuse of power in violating the probate code and allowing these interlopers to exist in this case with no standing, no evidence, and just false statements.

The message of the unlawful, unjust, immoral, and unconscionable rulings of the Probate Court and Court of Appeal is that anyone can make a false, unsubstantiated claim against a decedent's estate, wait out the process, and in the end they will "*settle*" to get free money without ever having their falsehoods challenged at trial. This is exactly the reason why Cueva intentionally and purposefully waited eight years after her son was born and after Sukhjinder was deceased in order to make a false, fraudulent, and bogus paternity claim to effectively perpetrate fraud and theft against Sukhjinder's estate.

Ike M. Iqbal, by entering into such a hefty settlement when attorneys for both Iqbal and Cueva have stated in their declarations that Cueva has no claim or case, has violated his fiduciary duty to the estate to protect against fraudulent claims, and has been a co-conspirator to defraud the estate.

It is telling that Ike M. Iqbal and Buttery used every dirty trick in the book, by hijacking the wealth of Petitioner Niki Hamidi and her daughter, Elizabeth

Simran Singh, the true sole beneficiaries of Sukhjinder's estate, weaponizing discovery, using falsified documents and statements, and conducting a sham one-sided trial and proceedings to do everything in their power along with the instrumental aiding and abetting of Edward L. Somogyi, to ensure Petitioner and her daughter are deprived of their rightful wealth and inheritance. All the while, Iqbal and Buttery entered into a bogus "*settlement*" with interloper, Cueva, who Ike M. Iqbal knows for a fact is making false paternity claims because her son has no relation to Sukhjinder. Otherwise, the letters Iqbal and his wife wrote for Cueva would have been more forceful declarations rather than mediocre false statements in support of Cueva's fraud. See Appendix E.

Defendant/Respondent Ike M. Iqbal violated his fiduciary duty to Sukhjinder's estate by agreeing to pay any money to this interloper Cueva when Sukhjinder himself never recognized her son, never paid her a penny, not for child support, and not for anything. As Ike M. Iqbal's previous attorney Richard Weldon filed with the court, "**Sukhjinder Singh never acknowledged Marisol Cueva's son, and he only had one child, Elizabeth Simran Singh.**" (1 CT 106-108.) See Appendix F. Cueva's son was 8 years old when Sukhjinder died and he never paid anything for him or for her and never acknowledged him while he was alive for 8 years. Therefore, this settlement is a fraud being perpetrated on Sukhjinder's estate and his true sole beneficiaries, Petitioner Niki Hamidi and Sukhjinder's only child, Elizabeth Simran Singh.

Ike M. Iqbal is giving away \$150,000 from the estate to this fraudster Cueva when Iqbal claimed that the value of the estate was \$0 in his petition to probate in 2020 and claimed that all the estate assets were in the trust and had been distributed. This is just further evidence of the bad faith nature of Iqbal's filings and the collusion to commit fraud and theft in this case. Iqbal and Buttery never released the list of assets and properties in the trust nor estate to Petitioner Niki Hamidi or her daughter, in defiance of several sheriff-served subpoenas and propounded discovery. If the trust was not funded by assets, then it ceases to be a valid trust.

How many hours did Sukhjinder need to stand on his feet and work in his gas station to earn \$150,000, all the while he claimed in his IRS tax returns that he was barely making \$10 per hour and put himself as an employee in his gas station. He never gave a penny to this fraudster woman or her child. If he was alive, he would have a heart attack that his money is being thrown out and being given away to strangers nonchalantly by Ike M. Iqbal, a fraudster, thief, and unscrupulous CPA at large, and his unethical, doubly unscrupulous lawyer James C. Buttery!

Buttery claims delays and worries about his unlawful arrangement and settlement with Marisol Cueva and her shyster attorney Matthew Jude Egan, but the fact remains that Buttery has destroyed the lives of Petitioner, Niki Hamidi, and her daughter, Elizabeth Simran Singh, Sukhjinder's only child, for years and wasted their lives by inflicting harm, pain and suffering, and damage, depriving Petitioner and her child from their rightful inheritance and wealth. Buttery is

delusional, unhinged, and he is out of touch with reality. Buttery is a pathological liar and he believes the garbage he spews from both sides of his filthy mouth. He is definitely out of touch with reality and a menace and harm to society and the legal profession!

Respondent Ike M. Iqbal's shyster attorney James C. Buttery is a psychopath, sociopath, unlawful, liar attorney who has gone beyond unethical conduct and illegal actions to win this case at any cost for his thief, criminal, fraudster client Defendant/Respondent Ike M. Iqbal. He is unscrupulous, who easily spews lies from both sides of his filthy mouth and he is a malevolent character who has no fear of God and doesn't care a bit about the truth, but his own evil agendas! These kinds of unethical, unscrupulous attorneys should be punished and their licenses should be taken away for their criminal and illegal acts and abuse of their attorney power and license! Buttery has used derogatory remarks and defamatory statements against Petitioner Niki Hamidi, and Petitioner has reserved the right to file a lawsuit against Buttery for defamation, libel, slander, and fraud and theft, stealing Petitioner's wealth, money, and rightful inheritance and her child's, Elizabeth Simran Singh, Sukhjinder Singh's only child.

In 2017, when Iqbal petitioned to probate Sukhjinder's estate, a year after he died, he unlawfully and fraudulently listed UNKNOWN for estate assets when Ike M. Iqbal is in possession of all of Sukhjinder's income, assets, and property documents and was Sukhjinder's sole CPA/accountant for his business and personal finances for over 30 years, who cooked his books and IRS tax returns with falsified

documents. Therefore, Iqbal's initial petition to probate was false and fraudulent. In 2019, Cueva listed \$12,000 for estate assets when impudently filing to probate the estate, and never disclosed how this amount was calculated or where this information was obtained. Therefore, Iqbal and Marisol Cueva have made false, fraudulent filings in order to perpetrate fraud and theft.

Therefore, based on Iqbal's petition to probate in 2020, **filed four years after Sukhjinder's death**, either the estate assets are \$0 and the estate is insolvent and unable to enter into a "*settlement*" with Cueva let alone give away money, or Ike M. Iqbal intentionally lied in his petition to probate in order to hide the nature and value of the estate from Petitioner and mislead the court. Where is this \$150,000 "*settlement*" coming from? All the documentations and evidences regarding the lies, falsehoods, discrepancies, and intertwined nature of both Iqbal and Cueva's filings have been on file with the Probate Court for over 6 years and were sufficient evidences for Tana L. Coates to remove Cueva from proceedings and deny Iqbal's petition to probate from the onset of the case.

Both Iqbal and his unscrupulous lawyer Buttery have fabricated documents and defrauded the Probate Court to get away with their crimes of fraud, theft, conspiracy, and collusion with Cueva and Egan to defraud the estate. Petitioner transferred her creditor's claim and probate cases from the San Luis Obispo County Superior Court Probate Court to a Criminal/Civil court elsewhere because of the undeniable illegal, unconscionable, and immoral bias, prejudice, and discrimination Petitioner was subjected to by Tana L. Coates and her support of Buttery's abuse

and harassment throughout proceedings. Therefore, Tana L. Coates had no jurisdiction over the Estate of Sukhjinder “Willie” Singh to give away rights and money to Iqbal and this fraudster Cueva and her attorney Egan. (12 CT 3342-3601.) (13 CT 3602-3678.) (13 CT 3696-3705.)

Petitioner filed her objections immediately at the beginning of these proceedings and throughout against Iqbal and Cueva’s false, fraudulent filings. However, for over 6 years, Tana L. Coates intentionally, purposefully, and willfully chose to ignore all the evidences, objections, and signs of fraud, theft, and collusion between Iqbal, Buttery, Cueva, and Egan in order to favor Iqbal and Buttery and grant every one of their orders, approving this fraudulent, bogus sham “*settlement*,” and causing harm and damage to Petitioner Niki Hamidi and her daughter.

Now, the Court of Appeal, with Judge Baltodano, has intentionally, purposefully, and knowingly distorted facts and failed to use Petitioner’s evidences proving the fraud and theft going on in this matter, choosing not to even acknowledge or write about them, and using this flawed and untrue Opinion, full of lies and distortions, to deny Petitioner Niki Hamidi’s rights to the Estate of Sukhjinder Singh. Probate Court intentionally failed in its duty to prevent fraud against the estate, and Court of Appeal intentionally failed to overturn the lower court’s unlawful, illegal, frivolous, no merit order and undo this fraud and theft.

Judge Hernaldo J. Baltodano falsely writes in the Opinion that Petitioner Niki Hamidi “*unilaterally*” moved her case from the Probate Court to a Criminal/Civil Court. That is a lie because Tana L. Coates was given proper

objections and notifications to this effect that since she didn't recuse herself, Petitioner Niki Hamidi is taking her case outside of her courtroom and Coates has no more jurisdiction over her creditor's claim case. Petitioner never requested a dismissal of her creditor's claim case, she just informed the Probate Court that she has transferred her case to a Criminal/Civil Court elsewhere several times. In the next hearing, Tana L. Coates acknowledged, accepted, and admitted that Petitioner Niki Hamidi can take her case to Criminal/Civil court elsewhere. Therefore, this was not unilateral since the creditor's claim case against Sukhjinder's estate and Defendant/Respondent Ike M. Iqbal is a Criminal/Civil matter.

Since 2022, Baltodano has always had a demeaning tone toward Petitioner Niki Hamidi in his Opinions and he disregards Petitioner's civil rights. He has been biased, prejudice, and discriminative and it shows in his writings. When Tana L. Coates accepted the transfer of Petitioner Niki Hamidi's creditor's claim case to another court Criminal/Civil court, therefore she had no jurisdiction over Petitioner's case anymore because Petitioner had moved and removed her case from the Probate Court to elsewhere. However, Baltodano, in his obvious support of his previous colleague Tana L. Coates whom he worked with in the same county Superior Court, is obviously protecting Coates and her biased, prejudiced, and discriminative rulings against Petitioner. Consequently, he has become biased, prejudiced, and discriminative towards Petitioner Niki Hamidi in his rulings to the extent that he lies and puts false statements in his opinions and he intentionally omits crucial verified evidences and facts.

Petitioner Niki Hamidi is pursuing this matter to abolish the unfairness, travesty, and miscarriage of justice that has happened these past seven years since 2016, initiated by Ike Iqbal and Sukhjinder's family in hiring an unscrupulous, unethical, and immoral attorney James C. Buttery to continue to defraud the courts and use their connections to obstruct justice and hijack and steal the rightful inheritance of Petitioner, Niki Hamidi, and Sukhjinder Singh's only child, Elizabeth Singh.

Therefore, it is incumbent on the U.S. Supreme Court to review the important issues in this case to overturn the Court of Appeal's flawed and falsified order approving the misuse of the Probate Court to generate fraudulent settlements, and rejecting to throw out the unjust, unfair, and immoral order of Tana L. Coates which was issued in violation of the law and to vindictively, purposefully, knowingly, and willfully harm Petitioner Niki Hamidi and her daughter.

The U.S. Supreme Court established in *Markham v. Allen* (1946), 326 U.S. 490, that "[w]hile a federal court has no jurisdiction to probate a will or administer an estate, it does have jurisdiction to entertain suits to establish claims against a decedent's estate...." Therefore, the Court has jurisdiction to consider Petitioner's case and has previously decided cases involving probate and trust matters.

Petitioner Niki Hamidi requests that the U.S. Supreme Court take up this petition for review in order to overturn the immoral, unconscionable, and unlawful order by Court of Appeal Judge Hernaldo J. Baltodano and undo the harm caused to

Petitioner Niki Hamidi and her daughter, Sukhjinder Singh's only child, Elizabeth Singh, by these unjustified and illegal orders and opinions from the Probate Court and Court of Appeal. These unlawful orders are indicative of a miscarriage of justice and they illegally approve a bogus "*settlement*" between colluding fraudsters, therefore, the Supreme Court should hear this case, abolish these illegal orders to set a precedent for the lower courts that they cannot issue falsified and untrue, harmful orders.

STATEMENT OF THE FACTS

In November 2017, over a year after Sukhjinder's death, Ike M. Iqbal petitioned to probate the estate in violation of Probate Code § 8000-8004 which disqualifies him as executor, and which serves as evidence of Iqbal's bad faith intentions since he only filed a petition to probate after Cueva's petition to probate in Santa Barbara County Superior Court ("S.B.") was dismissed with prejudice in May 2017. (ARB, p.46.)

Petitioner Niki Hamidi filed her strong objections against Iqbal's petition to probate, and provided substantial documentations to the SLO County Superior Court Probate Court evidencing that Ike M. Iqbal is unfit to serve in a fiduciary capacity and is a long-time, 30-year accomplice to the fraud crimes of Sukhjinder in hiding income, assets, and properties from the eyes of the Superior Courts in S.L.O., S.B., and L.A. counties to illegally withhold Petitioner's rightful child support, spousal support, and a division of property that never happened in her divorce. Petitioner also filed her creditor's claim against the estate.

Cueva filed a false paternity claim in Iqbal's first petition to probate in SLO County Superior Court, Case Number 17PR-0401 including signed statements by Ike Iqbal and his wife Clara supporting Cueva's fraud against the SSA to steal Sukhjinder's death benefits, which Petitioner filed timely and detailed substantiated objections. See Appendix E.

In March 2019, in response to Petitioner's sheriff-served subpoenas and after a year of continuances, Ike M. Iqbal petitioned to close the case. When Petitioner propounded discovery and production of documents on Ike M. Iqbal in the instant case, not only did he not produce the requested documents nor properly response to requests, but he also lied under oath. (AOB, p.20.) In Ike M. Iqbal's response to Petitioner Niki Hamidi's RFAs, dated August 31, 2021:

REQUEST FOR ADMISSIONS NO. 24: Why did YOU close the case to probate the estate of SUKHJINDER SINGH in March 2019?

Buttery writes, along with other baseless objections:

RESPONSE TO REQUEST FOR ADMISSION NO. 24:
"It was filed in the wrong county."

This is a categorically false statement under penalty of perjury because Buttery falsely includes a copy of the tentative ruling by S.B. County Superior Court dismissing Cueva's petition in Case No. 17PR00354, as if to say that Iqbal closed Case No. 17PR-0401 on March 2019 because it was "*filed in the wrong county*." (AOB, p.21.) What this evidence demonstrates is not only Ike Iqbal and Buttery's violation of discovery procedures and lying under oath, but it also highlights the illegal intent and nature of Iqbal's petition to probate in addition to

his collusion with Cueva in perpetrating fraud and theft against Sukhjinder's Estate, the Petitioner, and her daughter. (AOB, p. 21.) Cueva does not have standing and has illegally inserted herself into these proceedings because of her relationship with Ike Iqbal and his wife Clara Iqbal. (AOB, p. 21.)

Cueva along with Egan haphazardly attempted to open a probate case in S.B. County in May 2017, nine months after Sukhjinder's death, and it was dismissed with prejudice because the case was opened in the wrong county. (AOB, p. 22.) Ike M. Iqbal then petitioned the S.L.O Superior Court to probate the estate in November 2017 because of a conspiracy with Cueva to defraud the estate and SSA to illegally obtain Sukhjinder's death benefits for her son. (AOB, p. 22.) Ike M. Iqbal's petition to probate was for no other purpose other than to steal money from the Estate of Sukhjinder Singh. (AOB, p. 22.) It is not a coincidence that their actions and filings are intertwined and brazenly fraudulent. (AOB, p. 22.)

It was incumbent on the Probate Court and Court of Appeal not to turn a blind eye to the underhanded, self-serving intentions of Ike M. Iqbal, Buttery, Marisol Cueva, and Egan in perpetrating fraud against Sukhjinder's estate. (AOB, p. 22.) Thus, Court of Appeal had sufficient and substantial evidences to show that Coates' order approving the bogus "*settlement*" between co-conspirators and fraudsters Iqbal and Cueva was unlawful, illegitimate, no merit, and frivolous since there was ample evidence of their fraudulent intentions and actions.

In October 2019, Cueva and Egan egregiously filed to petition to probate the estate with their fraudulent claims and false documentation. (ARB, p.47.) (1 CT 18-

46.) Obviously, the dealings between Cueva and Iqbal had not benefited Cueva that she illegally and unlawfully filed with the Probate Court. (ARB, p.47.) Ike M. Iqbal, through his attorney at the time Richard Weldon, initially objected to Marisol Cueva's petition to probate, and Weldon filed with the court clearly stating that **"Sukhjinder Singh never acknowledged Cueva's son and that Sukhjinder only had one child, Elizabeth Simran Singh."** (1 CT 106-108.) See Appendix F. Therefore, Weldon, in his final filing with the Probate Court evidenced that Cueva's son does not belong to Sukhjinder in any way and that her claim has no merit, it is a fraud and falsehood, and it should be thrown out of the court. (AOB, p.32.)

The facts show that Cueva made false, unsubstantiated paternity claims with no evidence and Ike M. Iqbal and his attorneys knew this from the inception of the case, had the ability to have Cueva removed from proceedings, but did not once Buttery joined the case. In response to Cueva's Petition to Establish Parental Relationship, Buttery wrote: **"Unless [Cueva] elects to dismiss her Petition, Iqbal requests that this court determine that David Cueva ... has no familial relationship to Sukhjinder "Willie" Singh."** (1 CT 246-249.) This threatening statement was sufficient for the court to see the behind-the-scenes dealings between Iqbal and Cueva since Ike M. Iqbal and Buttery intentionally, purposefully, and willfully chose not to ask the court to determine Cueva's son has no familial relationship to Sukhjinder in order to bring the case to this point where they could get the approval and signature of Tana Coates on their fraud and theft.

Before the Probate Court and Court of Appeal was substantial evidences to show the fraud and collusion between Marisol Cueva and Ike M. Iqbal, however, neither Tana L. Coates nor Judge Hernaldo J. Baltodano upheld the rule of law and intentionally and purposefully turned a blind eye to the record of evidences of these crimes to put their stamp of approval on fraud against Sukhjinder's estate and his true, sole beneficiaries Petitioner Niki Hamidi and her daughter.

Also, in response to Cueva's Petition to Establish Parental Relationship, Iqbal states:

“With respect to Paragraph 12 of the Petition, Iqbal admits that he is aware that [Cueva] has sought benefits from the Social Security Administration for David Cueva, but except as expressly so admitted lacks sufficient information and belief to respond to the balance of the allegations set forth in said paragraph and based thereon denies each and every other allegation contained therein.”

Neither Coates nor Baltodano even questioned how Ike M. Iqbal could write a letter to the SSA on Cueva's behalf when he knew she would use it in order to illegally obtain Sukhjinder's death benefits and then attempted to use it in the Probate Court for her false and fraudulent paternity claim. This letter alone is sufficient to evidence that Ike M. Iqbal is a fraudster, he is ineligible to act in a fiduciary role, and his petition to probate should have been denied instantly. The fact that Baltodano and the other judges of the Court of Appeal disregarded these crucial and substantiated evidences cited in the record is not only disturbing, but also highly indicative of the bias, prejudice, and discrimination against Petitioner's appeal case.

The collusion and conspiracy between Iqbal, Buttery, Cueva, and Egan was well-evidenced throughout proceedings and Petitioner asked the court to throw out both petitions to probate because of the obvious fraud. However, as demonstrated by the rulings in this case, Coates was prejudiced, biased, and discriminative towards all of Petitioner Niki Hamidi's meritorious, legal, substantiated filings, declarations, and evidences, and only listened to whatever Buttery wanted and requested. (1 CT 127-155)

After Petitioner had filed to disqualify and recuse and remove Coates for her prejudiced, biased, and discriminative actions against Petitioner, then Tana Coates illegally dismissed Petitioner's contest of the sham will and trust dated December 1st, 2008, even though there were substantial evidences proving the illegitimacy and nulled and voided nature of the instruments. Petitioner Niki Hamidi never asked for dismissal.

On November 29th and 30th, 2022, Petitioner filed transferring her case out of the San Luis Obispo County Superior Court Probate Court, away from Tana L. Coates' clutches since she failed to recuse herself, and Petitioner moved her case to a Criminal/Civil court elsewhere to pursue her claim against Ike M. Iqbal's fraud and theft.

On December 7th, 2022, without providing any notice and without Petitioner present, Tana L. Coates unlawfully admitted the illegal sham will dated December 1st, 2008 to probate and appointed shyster, liar Ike M. Iqbal as executor in violation of statutory laws and requirements. Coates by appointing Iqbal as executor of

Sukhjinder's estate illegally gave away Petitioner and her daughter's rights and gave Iqbal free reign to perpetrate fraud and theft.

In January 2023, Iqbal, Buttery, Cueva, and Egan engaged in a sham, bogus mediation in order to conduct a bogus "*settlement*" agreeing to give away \$100,000 to Marisol Cueva's son that has been proven to have absolutely no relationship to Sukhjinder Singh and to give away \$50,000 to Cueva and Egan for their lies and falsehoods.

In February 2023, Tana L. Coates without hesitation and in violation of her oaths to the court and the rule of law approved the bogus "*settlement*" between fraudsters Iqbal and Cueva, well aware that both parties have made false claims and filings with the courts, well aware that Cueva's son has no relationship with Sukhjinder, and well aware that this act of injustice was biased, prejudiced, discriminative, immoral, and unjust against the true and sole beneficiaries of the estate, Petitioner, Niki Hamidi and her daughter, Elizabeth Singh, Sukhjinder's only child.

Petitioner did not receive timely notice of the hearing and settlement, and once Petitioner found out about the settlement, she filed her timely objections. Additionally, the hearing was on February 7th, 2023 and Coates did not approve the settlement until February 22nd, 2023. (13 CT 3818-3822, 13 CT 3823-3854, 13 CT 3855-3860.) Therefore, there was ample time for the court to consider Petitioner's objections, however it was never Coates' intention to consider it or rule against Buttery and Iqbal.

Tana L. Coates as usually, completely disregarded all of Petitioner's numerous detailed objections filed with Probate Court since the inception of this case, listing point by point not only why Cueva's petition to probate should be thrown out, but also proving that Cueva's paternity claim is entirely false and that she should be thrown out of these probate proceedings because she has no standing. (1 CT 127-224.) However, Coates disregarded Petitioner's over seven years of filings and evidences to allow this interloper and her shyster attorney to linger in these proceedings. Judge Baltodano falsely writes that Petitioner Niki Hamidi never filed objections and that is totally false and untrue because there is a trail of objections filed by Petitioner against Cueva's false and fraudulent claims.

It is ludicrous to think Petitioner's position would change and Coates had a duty to consider Petitioner's already filed numerous objections to Cueva's false, fraudulent claim. Tana L. Coates was mandated to consider Petitioner's objections to Cueva's claims for the past seven years. Her failure to consider the objections was illegal and unlawful and the Court of Appeal had a duty to recognize the illegality of Coates' February 22nd, 2023 order and overturn it.

The San Luis Obispo County Superior Court and the Second District Court of Appeal Division Six intentionally disregarded facts and evidences in contradiction to California law and in violation of the Petitioner's 14th Amendment rights specifically stating that no State shall deprive any person of property without due process of law. Here, the lower courts have deprived the Petitioner and her daughter of their rightful property and inheritance as the sole beneficiaries of the

Estate of Sukhjinder “Willie” Singh and the Petitioner’s creditor’s claim case against the estate without due process, without any consideration and in complete disregard of the evidences and facts that substantiate the fraudulent actions of Ike M. Iqbal, James C. Buttery, Marisol Cueva, and Matthew Jude Egan. Therefore, this petition for review is before the Court to overturn and throw out Tana Coates’ unjust, unfair, unconscionable, and illegal order approving this bogus “*settlement*” between colluding fraudsters to perpetrate fraud and theft against the Sukhjinder’s estate, and Petitioner and her daughter as the sole beneficiaries.

Reasons for Granting the Writ

This Court Should Allow the Writ In Order To Decide This Important Question Of Constitutional Law

I. The Probate Court has a Duty to Prevent Fraud and Theft Against an Estate and Must Deny any Settlement that is to the Detriment of the Estate.

The Supreme Court should grant Petitioner Niki Hamidi’s Petition for Review because the Court of Appeal’s Opinion contains several major false statements, omissions of crucial evidences and facts, and errors of law that are harmful and set a dangerous precedent approving the abuse of the probate court system in order to perpetrate fraud.

Before the Supreme Court is evidence that the Second Appellate District Division Six intentionally failed to meet the standard of care and duty when reviewing this case, and carelessly threw around words to describe their unfair, baseless opinion, and no merit ruling which disregards Petitioner’s considerable evidentiary declarations, substantiated evidences, and evidentiary reasoning. From

the way Judge Baltodano writes his incorrect, untrue, and unfair ruling, it is obvious that he is not neutral and he is racist and discriminative. Baltodano blatantly lies, what he writes is untrue, and his remarks are offensive towards Petitioner Niki Hamidi. His tone in his writing is hostile and there is animosity towards Petitioner, unbeknownst to Petitioner. Baltodano is obviously protecting his colleague Coates and following in her footsteps in being discriminative, biased, prejudiced, unlawful, unjust, and unfair against Petitioner Niki Hamidi.

Judge Baltodano's opinion distorts the blatant and obvious fraud being perpetrated by Cueva. Cueva didn't want the Court to "*determine the paternity of her son*" as Baltodano puts it, because she knows very well that her son is not related to Sukhjinder in any way. This is precisely the reason why Cueva waited for Sukhjinder to die in order to make this false and fraudulent claim when she had eight years to do so. Also, Cueva allegedly conducted an illegal swab test in the presence of Clara Iqbal while Sukhjinder was incapacitated and dying in hospice, with the alleged test results being generated several days after Sukhjinder's death.

Ike M. Iqbal and Buttery spent all this time, seven years and money fighting Petitioner's legitimate claims for her and her daughter, Sukhjinder Singh's only child, Elizabeth Simran Singh, rights to their inheritance. However, Ike M. Iqbal and Buttery throughout these proceedings have been cordial and accommodating, working hand-in-hand with Marisol Cueva and Matthew Jude Egan, supporting each other's petition. Ike M. Iqbal had a responsibility to fight this obviously fraudulent claim against the estate, but because he was the one who aided and

abetted Cueva to enter these proceedings, therefore, they dragged the case to this point where they can do a deal amongst themselves and give the appearance of a court approved "*settlement*."

Cueva's petition to probate was made in bad faith just like Iqbal's petition, and if anything, Cueva filed a petition in order to force Ike M. Iqbal to file to probate so that they could entering into some sort of sham "*settlement*" and get the court's seal of approval on their theft of Sukhjinder's estate. Egan's statements filed on December 23rd, 2020 in response to Iqbal's Petition to Probate are indicative of the intertwined nature of Iqbal and Cueva's filings.

"Now that Iqbal has requested to be the probate administrator, Cueva will withdraw her application to probate ... and support the application of Iqbal."

"Iqbal and his wife have previously written declarations supporting Cueva's claim of paternity even if the most recent filing seems to oppose her request." (1 CT 252- 253.)

How can Baltodano and Coates deny that Ike M. Iqbal is unfit and disqualified from acting as executor of Sukhjinder's estate when he has entered these proceedings as someone who has already "*written declarations supporting Cueva's*" false paternity claims, and then acts as though he is capable of upholding a fiduciary role to protect the estate? All these actions are against the law and the evidence is substantiated and sufficient to hold these unscrupulous criminals accountable.

Cueva and Egan never intended on going to trial because they do not have any evidence. The only thing they had was a relationship with Ike M. Iqbal and his

wife Clara Iqbal prior to court proceedings and throughout these procedures. It is not a coincidence that both Iqbal and Buttery along with Cueva and Egan have worked so well hand-in-hand throughout these past seven years, working towards the same goal, a false, bogus "*settlement*" in spite of the Probate Court having evidence of their collusion and conspiracy.

Baltodano copies and pastes Buttery's false statements from Respondent's Reply Brief to perpetuate their false and fraudulent claims. Baltodano claims this was a *settlement*. The truth and the facts are that this was not a "*settlement*." This was a conspiracy to commit fraud and theft which they executed under the supervision of Tana L. Coates in the Probate Court. Baltodano's completely false and outrageous statements defy reason and facts, and entirely disregard all of Petitioner's evidences and arguments. Any ordinary, reasonable person looking at the facts, looking at the "*discovery*" Buttery conducted on Cueva's claims would all come to the same conclusion that Cueva is making false paternity claims, and Iqbal and Buttery are intentionally, knowingly, and purposefully working in coordination with Cueva to support her fraud and theft. (ARB, p.41.)

What evidence does Buttery refer to that would create a "*significant potential liability*" to Sukhjinder's estate and trust when Cueva and Egan literally provided zero evidence of any relationship. (ARB, pp.41-42.) A part of Buttery's discovery was asking for proof of Cueva's relationship with Sukhjinder as well as documents to prove paternity and she didn't have anything to show. There are no pictures, letters, documents, and the birth certificate does not have Sukhjinder's name on it

while Cueva alleged that he was present and aware of her son's birth. (ARB, pp.41-42.) But as Weldon, Ike M. Iqbal's former attorney wrote to the Probate Court, **Sukhjinder never acknowledged this boy.** See Appendix F. Therefore, how can he be present for his birth? This is just another one of Cueva's lies as she keeps changing her story. There are no legally valid DNA tests to support her claims. (ARB, pp.41-42.) Cueva and Egan literally have nothing to back up their false, fraudulent claims, however the way Baltodano writes the Opinion, he skews it in favor of Cueva and Iqbal to legitimize their false, fraudulent claims and collusion.

The well-documented reality of this bogus "*settlement*" is that it is a fraudulent conveyance of funds from Sukhjinder's estate to Cueva under the guise of a "*settlement*" and in violation of the Uniform Voidable Transactions Act. Petitioner is the sole beneficiary and owner of the Estate of Sukhjinder Singh, and Ike M. Iqbal exercising control over the estate to fraudulent convey funds to Cueva through this sham paternity and mediated settlement scheme is illegal and unlawful.

The Court of Appeal refused to consider Petitioner's over seven years of objections and filings and unlawfully wrote the outrageously false statement that "...[Petitioner] did not file written objections to the settlement of the claim.... Such an objection is required "before the probate court is required to take any action at all." (Opinion, p. 4.) Baltodano lies and blatantly and unlawfully omits and distorts facts clearly evidenced in the Record on Appeal to attack Petitioner's appeal. All of Petitioner's objections were on file for over six years and filed "*before the probate*

court [was] required to take any action at all." Forthmann v. Boyer, (2021) 97 Cal.App.4th 977, 988. Therefore, Coates and Baltodano's failure to consider these timely and valid objections is in violation of Petitioner's 1st and 14th Amendment rights. (1 CT 127- 224.)

The merit of Petitioner's objections is the evidences that she has filed with the Probate Court and explained in details in her objections. Moreover, Weldon, attorney for Iqbal, filed with the court indicating that Sukhjinder only had one child, Elizabeth Singh, and never acknowledged Cueva's son.

The fact remains that Cueva's son, David Cueva, is not the child of Sukhjinder Singh. Elizabeth Singh is the one and only child Sukhjinder had and that is a fact, the truth, and it is not going to change with the fraudulent rulings, activities, and deceptions used in the Probate Court and the Appeal Court by criminal Ike M. Iqbal's attorney liar, unscrupulous James C. Buttery and fraudster criminal Cueva and her unscrupulous attorney Egan.

Judge Baltodano is unfair and unprofessional in handling and ruling in this matter, hiding the truth and not considering the facts and disregarding the obvious evidences presented to him by Petitioner. Baltodano is cruel and unfair to Petitioner Niki Hamidi and her daughter Elizabeth Singh, the only child of Sukhjinder Singh. His ruling is without merit and consideration of the facts presented to him.

What is completely flabbergasting is Baltodano's false, skewed, and unfounded statements in support of the bogus "*settlement*" and his repetition of the false statements made by Buttery in Respondent's Reply Brief, which are not

backed by facts or evidences. The Record on Appeal has substantial evidences of Coates' abuse of discretion and sufficient proof that any ordinary, reasonable observer could look at the facts and recognize the depth of complicity and fraud and theft being perpetrated in the Probate Court by Iqbal and Cueva. Baltodano's statements are sufficient evidence of his bias, prejudice, and discrimination against Petitioner since he is willing to put the court's seal of approval on obvious fraud and theft in order to deny Petitioner's appeal case.

Baltodano outrageously false statements omit all the evidences that prove these criminals' fraud and theft and uses distorted statements. Iqbal and Buttery did not conduct an investigation or evaluation of Cueva's claims because Cueva had nothing to support her lies and fraud and Iqbal and Buttery knew that very well. Cueva's claims have no value to Sukhjinder's estate since when Sukhjinder was alive, he never ever acknowledged this woman and her son and he never ever wanted this woman and her son to get any money from him let alone from his estate.

This fraudster Cueva had eight years to prove paternity while Sukhjinder was alive, but waited until Sukhjinder was on his death bed in hospice to allegedly get a swab test for paternity. Where and when was the "*investigation*" that Ike Iqbal and Buttery did that they did not provide a copy of it to Petitioner? That is a blatant lie, especially when there are substantial evidences on file with the courts against Cueva and Ike Iqbal's fraud and theft and collusion. The question is why Baltodano

has blind eyes to these facts and evidences and why doesn't he question these fraudsters, Buttery and Iqbal, and fraudster Cueva and her liar attorney Egan.

Cueva promising to drop her claim against the estate doesn't mean a thing. If Baltodano had actually read Egan's declaration, Egan pretty much admits they wouldn't have won at court because they don't have any evidence to support their falsehoods, and the facts and evidences are not on their side. As Egan writes in his declaration supporting the bogus "*settlement*,"

"It became clear that despite the DNA test report, my client's paternity claims **faced significant challenges**. My client and I were also **facing a costly trial with an uncertain outcome**... In my opinion the settlement...assures my client some recovery **without exposing it to the possibility of being rejected in whole by the Court.**" (13 CT 3802-3804) See Appendix G.

Therefore, the "*settlement*" was clearly advantageous only for Cueva who had no proof and didn't need to go through a trial and still got free money from a dead man who has no relationship to her son, while Sukhjinder Singh's true, one and only child, is deprived of her rightful wealth and inheritance. Therefore, Baltodano's statements and Court of Appeal's Opinion are so clearly and obviously false. It is egregious to think that an Appellate Court judge would believe he can write such falsehoods, and what is even more flabbergasting, is the approval of the other two more senior judges of the court willing to support and approve such fraud and theft and a violation of Petitioner's civil rights and 1st and 14th Amendment rights. The message this opinion sends is that the Court of Appeal is not interested in the truth.

Cueva's false and fraudulent paternity claim posed no potential liability to Sukhjinder's estate. There was no claim, no investigation, no proof, no nothing.

These were all coordinated actions by Iqbal and Buttery to ensure that Cueva's son, who has no relationship to Sukhjinder, fraudulently obtained money from the estate, while being willing to use every dirty trick in the book to prevent Petitioner and her daughter from getting their rightful wealth and inheritance. They continue to hide the original will and trust where Petitioner Niki Hamidi, and her daughter, Elizabeth Singh are the sole beneficiaries of the estate.

No reasonable judge could fail to conclude that Ike M. Iqbal as executor of Sukhjinder's estate performed acts hostile and detrimental to the estate, and "that is sufficient ground for the revocation of the letters of administration..." and removal of Iqbal in a position of power over the estate. *Estate of Palm*, (1945) 68 Cal.App.2d 204 "The probate court itself is the guardian of the deceased person's estate." *Nathanson v. Superior Court*, (1974) 12 Cal.3d 355 It is the "clear duty of the executor or administrator, as well as of the probate judge, to protect the estate." *Estate of Hammer*, (1993) 19 Cal.App.4th 1621

In the instant case, there is evidence Ike Iqbal as executor is incompetent since he poses a conflict of interest with the true sole beneficiaries of the estate, Petitioner Niki Hamidi and her daughter, lacks trustworthiness and is engaged in a scheme to advance his own self-interests at the expense of the estate and its beneficiaries.

Ike M. Iqbal and Buttery's own evidence and filings have proven not only Cueva's son has no relationship with Sukhjinder, but also at trial, Cueva's false paternity claim would easily be destroyed, and she would not receive a cent from

the estate, therefore a “*settlement*” between fraudsters is to the detriment and harm of the estate.

Petitioner lists the substantial evidences that proves Cueva’s claims are false and fraudulent, and also shows the conspiracy and collusion between Cueva and Ike Iqbal.

Drafting attorney J. Christopher Toews, in his testimony during December 7th, 2022 sham “evidentiary hearing,” stated “at the time of [his] meetings with [Sukhjinder] between June of 2008 and December 1st, 2008, [Sukhjinder] did not express to [Toews] that he had any other natural children other than [his daughter Elizabeth Simran Singh.]” (B AT 34:18-34:23.)

Iqbal’s attorney Weldon filed with the court, “Sukhjinder Singh never acknowledged Marisol Cueva’s son, and he only had one child, Elizabeth Simran Singh.” (1CT 106.)

In Respondent’s Reply Brief, Buttery admits Cueva’s “swab DNA test” allegedly taken illegally, without Sukhjinder’s consent, while on his deathbed, in hospice, dying of End Stage Alzheimer’s is not valid evidence because, “...the DNA test report also disclaimed the validity of the results because the samples were not collected under a strict chain of custody.” (RRB, p. 8.)

The alleged paternity report is dated 09-20-2016, and Cueva alleges the test was taken before Sukhjinder died on 09-15-2016. “A standard paternity test should return DNA paternity test results in 1 or 2 business days.” Therefore, it would appear that the alleged “DNA swabs” were collected the day Sukhjinder died or

after his death and if so, illegally and unethically collected since Sukhjinder was cremated and disposed on September 19, 2016 as supported by his death certificate.

Sukhjinder never could have consented to such an act because he had Alzheimer's and was dying! How could Sukhjinder who died of end stage Alzheimer's, bedridden, in hospice, and mentally incapacitated while dying know anything? Sukhjinder couldn't even recognize Clara's husband Ike M. Iqbal, Sukhjinder's accountant CPA for almost 30 years!

In Cueva's Petition to Establish Parental Relationship dated March 5th, 2020, Egan writes, "[Sukhjinder] became gravely ill when the child was approximately 8 years old. [Cueva] presented the child to him. He acknowledged the child. [Cueva] requested that [Sukhjinder] participated in a DNA "swab" test. He agreed." This egregious statement by Cueva and Egan is a completely false and proves they are committing to steal money from the estate.

Sukhjinder never acknowledged this boy. He never paid a penny to this child as child support. Cueva had eight years from 2008 that the boy was born until 2016 that Sukhjinder died to get a paternity test then go to court and get child support for her son! Instead, Cueva waited until Sukhjinder died to come forward to extort money with her falsified claim!

When Buttery says "*eliminate a significant potential liability to Singh's estate and trust,*" what is he really referring to? This sham "*settlement*" is evidence of the collusion and fraud being perpetrated by Iqbal, Buttery, Cueva, and Egan against the Estate of Sukhjinder "Willie" Singh, and all their actions are all calculated and

planned maneuvers to illegally use court proceedings and filings under Tana Coates presiding to “legitimize” their fraud and theft. It is incumbent upon this Court to undo the harm and damage caused by the Probate Court and Court of Appeal approving and supporting the obviously brazen fraud of these shysters.

Conclusion

The purpose of the Probate Code and Rule of Law is to ensure justice, fairness, and prevent fraud and theft. However, Tana L. Coates has damaged the public’s confidence in the judiciary and the justice system with her immoral, unconscionable, frivolous, no merit, biased, prejudiced, and discriminative orders that unjustly, unfairly, and unethically damage and harm Petitioner Niki Hamidi and her daughter.

When Petitioner Niki Hamidi filed her appeal case in the Second Appellate District Division Six in Ventura, she intended to get justice. She cannot believe that now all she has gotten is another atrocity, racist, biased, prejudiced, and discrimination imposed upon her and her child by Appeal Court Judge Hernaldo J. Baltodano and his colleagues. His rulings are biased, prejudiced, and discriminative and totally based on false statements, not the factual evidences Petitioner provided for him to look at, as if he didn’t read them or hear Petitioner’s pleadings for justice. Baltodano is rude, cruel, and immoral in his writing and he blatantly lies and distorts facts to reach to his Opinion by intentionally, willfully, and purposefully omitting Petitioner’s crucial evidences.

This is the kind of injustice Petitioner has faced and experienced in the past six years at the hands of the immoral and unconscionable actions of Tana Coates in the Probate Court of SLO County Superior Court and now this racist Judge Hernaldo J. Baltodano in the Second Appellate District Division Six. What a travesty of an experience this has been for Petitioner Niki Hamidi being attacked her person by these judges who allow fraud and theft to go on by depriving Petitioner and her daughter their rightful inheritance, and allow it to be stolen by Defendant/Respondent Ike Iqbal, shyster liar attorney Buttery and fraudster Cueva and her shyster attorney Egan.

The public does not bring its claims to a court of law to experience further injustice. When someone is filing in court, it is because they have been wronged and damaged and the court's role is to make that person whole again and right a wrong, not add to the atrocity and inflict further pain, suffering, mental and emotional anguish and distress!

Tana L. Coates disregarded 7 years of evidences and filings with the Probate Court that proved Cueva's fraudulent claims against Sukhjinder's estate are clearly false and must be thrown out immediately. Instead of removing Cueva, Coates allowed Buttery to run the show and have a fake "deposition" with Cueva, a fake "*mediation*", and a fake "*settlement*" leading to this unlawful, unconscionable, immoral, and illegal order approving fraud on the court and against Sukhjinder estate and his true sole beneficiaries Petitioner, Niki Hamidi and her daughter, Elizabeth Singh.

Tana L. Coates easily approved this fraudulent "*mediation settlement*" that happened to be held by a firm where retired Judge Martin J. Tangeman is a partner. Judge Tangeman had denied Petitioner's requests for a writ of mandate and stay against Coates' unlawful order a year ago, prior to his retirement. He was also a judge from the same San Luis Obispo County Superior Court, a colleague of Tana L. Coates and Judge Hernaldo J. Baltodano. Baltodano replaced Tangeman on the Court of Appeal.

A conflict of interest exists and questions are raised as to why would Buttery and Egan have a mediation at a firm where Judge Tangeman is a partner. Tana L. Coates approved this fraudulent "*settlement*," and now Baltodano has approved this fraud. All of these judges are from the same San Luis Obispo County Superior Court. This was an illegal mediation that they are approving.

Petitioner Niki Hamidi had asked Tangeman to recuse himself just as she asked Coates and Baltodano to recuse themselves in order to get a fair, neutral, and unbiased hearing and justice to recover her rightful inheritance for her and her daughter from the Probate Court and Appeal Court, but they refused to recuse themselves. Three judges refused to recuse themselves all the while it shows that they have kept their colleague courtesy bond among themselves to affirm each other's unfair, unjust, and unlawful orders. See Appendix H.

All we have from Cueva and Egan are false statements, and instead of stopping this travesty, Tana L. Coates has approved everything Buttery put in front of her to allow accountant CPA Defendant/Respondent Ike M. Iqbal to steal money

from Sukhjinder's estate and illegally give away money to this shyster Cueva. The actions of Buttery, Iqbal, Cueva, and Egan are appalling, unconscionable, immoral, and unethical and such injustice and violations of the law must not go unanswered. It is unfair, unjust, and cruel for Tana L. Coates to approve of their actions and easily give away Petitioner Niki Hamidi and her daughter's rightful inheritance as sole beneficiaries to Sukhjinder's estate. Furthermore, it was unfair, unjust, and cruel for Judge Baltodano to affirm Tana L. Coates's unlawful, unfair, frivolous, no merit orders because they were colleagues in SLO County Superior Court and again give away Petitioner Niki Hamidi and her daughter's rightful inheritance to the fraudsters Iqbal and Cueva is a greater injustice, travesty, and unfairness!

Therefore, justice demands the U.S. Supreme Court's attention and review of Petitioner Niki Hamidi's case and to reverse and overturn the dangerous, harmful, and unlawful precedent created by the lower courts in supporting and approving probate fraud and theft against an estate.

With Judges like Hernaldo J. Baltodano, Martin J. Tangeman, and Tana L. Coates who are not fit to be judges, and attorneys like Edward L. Somogyi, James C. Buttery, and Matthew Jude Egan who are not fit to be attorneys, and crook, shyster, CPA like Respondent Ike M. Iqbal who is not fit to be an accountant let alone an executor of an estate, with the corruption they have created in our probate case, we can deduce that people like them are the source of corruption in the country and in the justice system. They are a disgrace to the justice system and they should be disbarred and removed from their positions immediately, not to let

them affect, damage, and inflict harm in the lives of other people, as they did to our lives, the Petitioner and her daughter's life, and destroy the public's trust in the justice system.

For all of the above reasons, Petitioner respectfully requests that this writ of certiorari to be allowed.

Dated: January 28th, 2024

Respectfully submitted,

Niki Hamidi
Niki Hamidi,
Petitioner