

23-6898

No. _____

ORIGINAL

FILED
FEB 28 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE
SUPREME COURT OF THE UNITED STATES

Jose G. Castillo — PETITIONER
(Your Name)

vs.

Martin G. Danloa — RESPONDENT(S)
Warder.

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals 9th Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Jose G. Castillo
(Your Name)

P.O. Box 904
(Address)

Avalon, California 93204.
(City, State, Zip Code)

- N/A -
(Phone Number)

RECEIVED
MAR 05 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

QUESTION(S) PRESENTED

This petitioner was given - Noticed -
("By Head - quarters in Sacramento, California")
in the ("Letter Noticed Charge") it Referred -
to (my sentence); & am a imigrant from
Mexico, do not speak English; & filed this
law suit in Federal Courts, and attached
all Legal Documents (to the) 9th Circuit,
There is (Extraordinary - Circumstances), and
a California Case in people vs. allison (2012)
39 Cal. app. 5th 688 - first appellate District - Granting
this petitioner Case, But not mine. This petitioner also
Cites Mendoza V. Carey (9th Cir. 2006) 499. F.3d. 1085 -
(Prison Law Library - Failed to (post Notices) in spanish
On filing Dates. -

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LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

RELATED CASES

see; People No. allison (2019) 39 Cal. app. 5th.
688-

see; Mendoza Vs. Carley (2006) 449. F.3d. 1065

see; mc Daniels Vs. Kirkland (2015) 813 F.3d. 110
(the Entiaty of the state Record.)

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

see; People Vs. Allison (2019) 39 Cal. App. 5th 688.

see Mendoza Vs. Cody (2006) 449 F.3d. 1065

see; Zmc Daniels Vs. Kirkland (2015) 813 F.3d. 1110.

STATUTES AND RULES

see; attached
Legal Document.

OTHER

see; attached
Legal Document.

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

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is
 reported at Ninth Circuit; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is
 reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is
 reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the _____ court
appears at Appendix _____ to the petition and is
 reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

JURISDICTION

[] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

[] No petition for rehearing was timely filed in my case.

[] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

[] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

[] For cases from **state courts**:

The date on which the highest state court decided my case was None. A copy of that decision appears at Appendix None.

[] A timely petition for rehearing was thereafter denied on the following date: None, and a copy of the order denying rehearing appears at Appendix _____.

[] An extension of time to file the petition for a writ of certiorari was granted to and including None (date) on None (date) in Application No. ____ A ____.

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Plaintiff asserts he received - an - Unauthorized -
and illegal sentence and the superior Court
"will not correct the sentencing Error" as
proof - that this sentence is (illegal), Plaintiff
(submits) a June 12, 2020 - Letter from
an (analyst) Employed By the California
Department of Corrections & Rehabilitation, to
the superior Court Judge, advising, Plaintiff's
September 26, 2014 (sentencing was inconsistent)
with - an increase in the sentencing trial - to - fine
-Eight - or - ten years, effective September 9, 2010, id
at 12) please look at site (2023) - U.S. Dist. 81-81-81
302, Superior Court of Santa Clara County
"Unauthorized and illegal sentence.

STATEMENT OF THE CASE

plaintiffs allegations and claims,

In the superior Court for the County of Santa Clara
plaintiff was convicted of (two Counts of Sexual)
Indecent act on a Child - By use of force
Committed on or about January 1, 2009, and much
-2, 3, - 2013, please see; Castillo Vs. Harper (2023)
U. S. Dist. Lenis - 81302 ; California Case Law states may be
Challenged at any time ; see; People Vs. King (2022) 11. CA. 5th. 629 ;
and see; Mc Daniels Vs. Kirkland (2015) 813 F.3d. 890 - the
Entirety of the state Court Record.

Plaintiff Contends his
sentence, the superior Court (imposed unauthorized)
illegal, superior Court will Not Correct - (sentencing Error).

Plaintiff filed a Law suit to - force the state
to Correct for \$ 1 - million and (injunctive Relief).

REASONS FOR GRANTING THE PETITION

petitioner Castillo Contends - the (changes) of California Law
By the Governor's office Newsom, and California state Appeal
Court (Case Law, see; Castillo V. Harper (2023) u.s. dist. Lsiv-
148009-, is Not Barred, By Deck V. Wanshaw
(1994) 512 - u.s. 401) - (my Conditions) of Confinement)
"are (part) of institution, - & state Capital sacurato
"Case Records - Analyst, telling this state
prisoner - (his prison sentence is illegal and
Unauthorized, - and they tell this petitioner, i do not
state a claim; please look at the file record,
see; Bradshaw V. Lickey (2005) 546 - u.s. 34, 36 - (state Courts)
(interpretation of state law, - (binds) a federal court
sitting in Habeas Corpus, - This Court in (2009) 549
u.s. 210 - in Cunningham V. California (2009) 549 -
u.s. 210 - held; The - DSH - By placing sentence
(Elevating - fact - binding - within - the Judge's

Province, Violates a Defendant(s) Right
to trial By Jury - safeguarded by the
(fifth) and Fourteenth Amendments, in Violation
of - this Courts own Case Law, see; Appendix
Ring - Blackley, and Booker, But the Holding
is in Appendix - Cunningham V. California (2005) Defendant
was given a sentence in excess of the (statutory maximum) Based
(on aggravating Circumstances), see as this Additional Case Castillo -
CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Date: _____