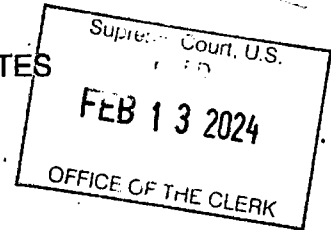


No. 23-7073

IN THE
SUPREME COURT OF THE UNITED STATES



JAMES L. MILLER, — PETITIONER
(Your Name)

vs.

SILVERMAN, WARDLAW, and RESPONDENT(S)
TALLMAN, P.C.A. 9th Cir. No. 23-55371
ON PETITION FOR A WRIT OF CERTIORARI TO

"NO [COURTS] HAS RULED ON [MERITS] OF ANY CASES"
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

JAMES L. MILLER, —
(Your Name)

P.O. Box #122 —
(Address)

INGLEWOOD, CALIFORNIA, 90306
(City, State, Zip Code)

(323) 399-5680 —
(Phone Number)

1. (b) of (99)

IN THE SUPREME COURT
OF THE UNITED STATES
PETITION FOR A WRIT OF CERTIORARI
QUESTION(S) PRESENTED

Rule 14.1(a).

Content of a Petition for a Writ of Certiorari:

A petition for a writ of certiorari shall contain, in the order indicated;

(a) To the Honorable Court (Supreme Court of the U.S.), I, James L. Miller, petitioner/appellant/plaintiff and pro-se have "submitted" the "Complaints for Civil Action for Deprivation of Rights (42 U.S.C.A. § 1983)" [Several] Times to U.S. Fed. Dist. Ct. - Central Dist. of California (Western Div. - Los Angeles) under Dist. Case No. # 2; 19-CV-5649-CAS-AM, Civil Docket (Docket) Text 1-30, in Appendix-L, p. 36-39; Civ. Docket Text 31-49, in Appendix-L, p. 39-41; Civ. Docket Text 50-57, in Appendix-L, p. 41-42; Civ. Docket Text 58-66, in Appendix-L, p. 42-43; Civ. Docket Text 67-74, in Appendix-L, p. 43; U.S. Fed. Dist. Ct. - Civil Docket case No. # 2; 19-CV-8909-PSG-JPR, Civ. Docket Text 1-13, in Appendix-L, p. 44-45; U.S. Fed. Dist. Ct. Civil Docket case No. # 2; 19-CV-8910-AB-KS, Civ. Docket Text 1-11, in Appendix-L, 46-47; U.S. Fed. Dist. Ct. - Civil Docket case No. # 2; 23-CV-1223-AB-KS, all "Several Actions" was "submitted" with "affidavit (verification)" in which went on to the U.S. Court of Appeals 9th Circuit - C.C.A. doc. # 23-55371 1-6, in Appendix-L, p. 48-50; C.C.A. doc. # 12-56892, 1-18, in Appendix-L, p. 51-53; C.C.A. doc. # 14-56597, 1-15, in Appendix-L, p. 54-56.

(2) OF (79)

IN THE SUPREME COURT
OF THE UNITED STATES
PETITION FOR A WRIT OF CERTIORARI
QUESTION (3) PRESENTED, CONT.

C.C.A. doc. # 17-56567, -1.-11., in Appendix-L, pgs. 57-59;
C.C.A. doc. # 19-56319, -1.-10., in Appendix-L, pgs. 60-62;
C.C.A. doc. # 19-56385, -1.-11., in Appendix-L, pgs. 63-65;
C.C.A. doc. # 21-55384, -1.-10., in Appendix-L, pgs. 66-68; C.C.A.
doc. # 21-56016, -1.-10., in Appendix-L, pgs. 69-71, and
"which" went on to the Supreme Court of the U.S., for Petition
for a Writ of Certiorari, and Petition for Rehearing on the
"merits" of the Petition for a Writ of Certiorari - Supr. No. #
13-7517; Supr. No. # 15-6432; Supr. No. # 18-6106; Supr. No. # 20-
5512; Supr. No. # 20-5703; Supr. No. # 22-5358, "with" all
cases a "Affidavit/Verification" with a "Form 4" which was
also denied by Scott S. Harris, U.S. Clerk.

"Question (3)" do "a self law" which derives its authority from
the common consent of the people "without" any "legislative" ex-
ercise, such as "vexatious litigation" and "frivolous" do it supersede
the [Bill of Rights] a "formal" and "emphatic" legislative "asser-
tion" and "[declaration] of 'popular' [rights] and 'liberties'"
usually "promulgated" upon a change of government, the famous
"Bill of Rights" of 1688 in English history, or of the principles
of constitutional law deemed "essential" and "fundamental",
conferred in many of American State Constitutions (Supr. pgs.
24, 28, and Appendix-E, p. 29) *Hamill v. Hawke*, C.C.A. Okla.
58, F.2d 41, 47; and *DePaul* (*Green v. Kresge*, 103 2d, N.Y. 26, 12
N.E.2d 552, 562; *DePaul* - Judgment (fail to plead; Fed. R. Civ. P. 52)?

(3.) of (19) -

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: Must see "Default/Judgment Fed.R.Civ.P. 55" whom "decision" is [basis] on arbitrary and capricious without consideration or in disregard of "facts" or "law" or without determining principle (merits) Elwood Investors Co. v. Behme, 79 Misc.2d, 910, 361, N.Y.S. 2d, 488, 492; and "answer (plea)" Fed. R. Civ. P. Rule 12, is failure (Town of Milton, v. Brusca, 11 Vt. 82, 10-A-2d, 203, 205; Failure to perform (Easterwood, v. Willingham, Tex. Civ. App. 47, 341, 2d, 393, 395; Dishonest/wrongful act (Green, v. S.S. Kresge Co., 211, N.Y. 26, 12, N.E.2d 557, 562; in disregard of relevant evidence (Unemploy. Comp. Bd. v. Kessler, 27, Pa. 141th.

RELATED CASES

Prior cases (21-56015; 21-55384; 19-56385; 17-56567; 14-56597; 14-56597; and 12-56895 "which" all the "appeals" should have had a "Judgment by Default" for no "answer" to the "Complaint for Civil Action for Deprivation of Rights", NOT by any of the defendants; Fed. R. Civ. P. 55. "42 U.S.C. § 1983; The original or initial "pleading" by which an action is commenced under codes or Rules of Civil Procedure Fed. R. Civ. P. 2. The "pleading" which sets forth a claim for "relief" "protect private rights" (Gilliken, v. Gilliken, 248, N.E. 2d, 104, 3, E. 2d, 861, 863); the term includes all actions, both, "equitable actions and legal actions (Thomason, v. Thomason, 102, 11, S. App. D.C., 27, 274, F. 2d, 99, 90; Fed. R. Civ. P. 2). Standing in relation; connected (Nowland Realty Co., v. Commissioner of Internal Revenue, C.C.A. 7, 47, F. 2d, 1018, 1021); CONF. 4, thru 8 and Appendix - D, 9, thru 13.

1 CONT. IN THE SUPREME COURT OF THE
2 UNITED STATES;
3 PETITION FOR A WRIT OF CERTIORARI: LIST OF PARTIES

4 ~~X~~ All parties "do not" appear in the caption of the case, on
5 the "Cover page". A list of all parties to the proceeding
6 in the Supreme Court whose "names" on the "Judgment"
7 with case "Numbers" is the subject of this "petition" (peti-
8 tion for a Writ of Certiorari) is as "follows":

9 (1) BYBEE, Circuit Judge, et al., U.S. Supreme Ct.
10 #22-5358; Appeal No. #C.C.A. 9th 21-56015; D.C. No.
11 2:12-cv-05649-CAS-AN (60); previous case No. #D.C. No.
12 #CV19-8910-AB-KS; C.C.A. 9th appeal No. #19-56319; and
13 Supreme Court case No. #20-5512; C.C.A. 9th #21-55384;

14 (2) Hurwitz, Circuit Judge, et al., U.S. Supreme Ct.
15 #22-5358; C.C.A. 9th appeal No. #21-56015; D.C. No.
16 #2:12-cv-05649-CAS-AN (60); previous case No. #D.C. No.
17 #CV19-8910-AB-KS; C.C.A. 9th appeal No. #19-56319; and
18 Supreme Court case No. #20-5512; C.C.A. 9th #21-55384;

19 (3) R. Nelson, Circuit Judge, et al., U.S. Supreme
20 Ct. #22-5358; C.C.A. 9th appeal No. #21-56015;
21 D.C. No. #2:12-cv-05649-CAS-AN (60); previous
22 case No. #D.C. No. #CV19-8910-AB-KS; C.C.A. 9th
23 19-56319; Supreme Court No. #20-5512; C.C.A. 9th #21-
24 55384;

25 (4) CHRISTINA A. SYNDER, Dist. Ct. Judge, et al., U.S. Supr-
26 me #22-5358; C.C.A. 9th appeal No. #21-56015; D.C. No. #2:
27 12-cv-05649-CAS-AN (60); previous case No. #D.C. No. #
28 19-8910-AB-KS; C.C.A. 9th 19-56319; Supreme Court

1 Court IN THE SUPREME COURT OF THE
2 UNITED STATES;
3 PETITION FOR A WRIT OF CERTIORARI; LIST OF PARTIES.
4 11th 28(4); no. #20-5512; and C.C.A. 9th no. #21-55384
5

6 (5) Scott Harris, Individual and Official capacity, U.S.
7 Supreme Court Clerk, D.C. no. #2:12-cv-0549-CAS-AN
8 (60); (Previous case no. # D.C. no. #19-8910-AB-K3;
9 C.C.A. 9th 19-56319; Supreme Court no. #20-5512)
10 C.C.A. 9th 21-55384.

11 (6) Rawlinson, Individual and Official capacity, Circuit
12 Judge, et. al, C.C.A. 9th no. #21-55384; D.C. no. #
13 CV12-5649-CAS-AN(60); Supreme Court no. #20-5512;

14 (7) Callahan, Individual and Official capacity, Circuit
15 Judge, et. al, C.C.A. 9th no. #21-55384; D.C. no. #
16 CV12-5649-CAS-AN(60); Supreme Court no. #20-5512;

17 (8) Vandyke, Individual and Official capacity, Circuit
18 Judge, et. al, C.C.A. 9th no. #21-55384; D.C. no. #
19 CV12-5649-CAS-AN(60); Supreme Court no. #20-5512;

20 (9) Christina A. Sawyer, Individual and Official capacity
21 Dist. Judge, et. al, C.C.A. 9th no. #21-55384; D.C.
22 no. #CV12-5649-CAS-AN(60); Supreme Court no. #20-
23 -5512;

24 (10) Scott S. Harris, Individual and Official capacity
25 Supreme Ct Clerk, et. al, C.C.A. 9th no. #21-55384;
26 D.C. no. #CV12-5649-CAS-AN(60); Supreme Court no.
27 #20-5512;

28 (11) Tashima, Individual and Official capacity, Circuit-

CONT. IN THE SUPREME COURT OF THE
UNITED STATES

PETITION FOR A WRIT OF CERTIORARI; LIST OF PARTIES

Line 28 (11) Judge, - Supreme Court No. #20-5703; C.C.A. 9th
No. #19-56385; D.C. No. #CV19-8909-PSG-JPR.

(12) BYBEE, Individual and Official Capacity, Circuit Judge,
Supreme Court No. #20-5703; D.C. No. #CV19-8909-P
SG-JPR; C.C.A. 9th No. #19-56385.

(13) Wafford, Individual and Official Capacity - Circuit Judge,
Supreme Court No. #20-5703; C.C.A. 9th No. #19-56385;
D.C. No. #CV19-8909-PSG-JPR.

(14) Virginia A. Phillips, Individual and Official Capacity -
Dist. Court Judge, - Supreme Court No. #20-5703; C.C.A.
9th No. #19-56385; D.C. No. #CV19-8909-PSG-JPR.

(15) Scott S. Harris, Individual and Official Capacity, Sup-
reme Court No. #20-5703; C.C.A. 9th No. #19-56385;
D.C. No. #CV19-8909-PSG-JPR.

(16) Phillips S. Gutierrez, Individual and Official Capacity,
D.C. Judge, et al., - Supreme Court No. #20-5703; C.C.A.
9th No. #19-56385; and D.C. No. #CV19-8909-PSG-JPR.

(17) Jean P. Rosenbuth, Individual and Official Capacity,
U.S. Magistrate Judge, et al., - Supreme Court No. #20-
5703; C.C.A. 9th No. #19-56385; and D.C. No. #CV19-
8909-PSG-JPR.

(18) Tashima, Individual and Official Capacity, Circuit
Judge, Supreme Court No. #20-5703; C.C.A. 9th No. #19-
56385; D.C. No. #CV19-8909-PSG-JPR.

CONT. IN THE SUPREME COURT OF THE
UNITED STATES;

PETITION FOR A WRIT OF CERTIORARI: LIST OF PARTIES

(19.) BYBEE, Individual and Official Capacity, Circuit
Judge, et al., Supreme Court no. #20-5512, C.C.A.
9th no. #19-56319, and D.C. no. #CV19-8910-AB-KS;

(20.) WOFFORD, Individual and Official Capacity, Circuit
Judge, et al., Supreme Court no. #20-5512, C.C.A. 9th
no. #19-56319, and D.C. no. #CV19-8910-AB-KS;

(21.) Andre Birnfy Jr., Individual and Official Capacity,
D.C. Judge, et al., Supreme Court no. #20-5512,
C.C.A. 9th no. #19-56319, and D.C. no. #CV19-8910-
~~AB-KS~~; AB-KS

(22.) Karen L. Stevenson, Individual and Official Capacity,
U.S. Magistrate Judge, et al., Supreme Court no. #
20-5512, C.C.A. 9th no. #19-56319, and D.C. no. #
CV19-8910-AB-KS;

(23.) Scott S. Harris, Individual and Official Capacity,
U.S. Clerk, et al., Supreme Court no. #20-5512, C.
C.A. 9th no. #19-56319, and D.C. no. #CV19-8910-
AB-KS;

(24.) Ronald M. Gould, Individual and Official Capacity,
Circuit Judge, et al., Supreme Court no. #18-6106,
C.C.A. 9th no. #17-56567, and D.C. no. #CV12-5619-
CAS-AD. (50);

(25.) Richard C. Tollman, Individual and Official Capacity,
Circuit Judge, et al., Supreme Court no. #18-6106, C.
C.A. 9th no. #17-56567, D.C. no. #CV12-5619 CAS-AD;

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- 1) Elwood Lumber Co., v. Behme, 79, Misc. 2d. 910, 361, N.Y.S. 2d. 488,
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- 2) Town of Milton v. Bruso, 111 Vt. 82, 10, A. 2d. 203, 205.
- 3) Easterwood, v. Willingham, Tex. Civ. App. 42 S.W. 2d. 393, 395.
- 4) Greco, v. S.S. Kresae Co., 27, N.Y. 26, 12, N.E. 2d. 557, 56, .
- 5) Gilliken, v. Gilliken, 248, N.L. 710, 104, S.E. 2d. 861, 863.
- 6) Thomason, v. Thomason, 101, U.S. App. D.C. 27, 274 F. 2d. 89, 90.
- 7) Newland Realty Co., v. Commissioner of Internal Rev. C.F.A. 7, 42 E. 2d. 1018, 1021.
- 8) Stok, v. Knight, 219, Kan. 863, 549, P. 2d. 1397, 1401,
- 9) Sheekey, v. City of Santa Clara, 215, Cal. App. 2d. 83, 30, Cal. Rpt. 121, 123,

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- c.) Fed. R. Civ. P. - Rule 2;
- d.) Fed. R. Civ. P. - Rule 2;
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- f.) 28 U.S.C. § 1257 (a);
- g.) 28 U.S.C. § 1291;
- h.) 28 U.S.C. § 1331;
- i.) 28 U.S.C. § 1332 (a);

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- OTHER
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1 IN THE SUPREME COURT OF THE UNITED STATES

2 PETITION FOR A WRIT OF CERTIORARI

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4 j) 28 U.S.C. § 2072;

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7 l) Rule 33. (1), (2);

8 m) Rule 39;

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10 o) Rule 13. (1), (3);

11 p) Rule 14. (1), (b) (i)-(iii);

12 q) Fed. R. App. P. - Form 4;

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13 West Annotated California Codes - C.C.P. Definitions;

14 r) C.C.P. § 391.8.

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17 11.) Rogers, v. Missouri Pac. R. Co., Ill., 352, U.S., 321, 77, S.Ct. 459, 478,

18 12.) In re Holtermann's Estate, 206, C.A., 2d, 460, 23, Cal. Rptr. 685, 690,

19 13.) See [Answer],

20 14.) Empire Gas Corp. v. American Bakeries Co., N.D. Ill., 646,

21 F. Supp. 269, 276,

22 15.) Akin, v. Hill's Estate 201, Kan., 306, 440, P.2d, 585, 590,

23 16.) Bell & Grady, v. O'Brien, Tex. Civ. App., 113, S.W. 2d, 560, 562, 33, 20,

24 17.) Akin, v. Hill's Estate, 201, Kan., 306, 440, P.2d, 585, 590,

25 18.) Standard Accident Ins. Co., v. Standard Surety & Casualty Co. N.C.

26 N.Y. 53, F.2d, 119, 120,

27 19.) Thompson v. Anderson, 107, Utah, 33, 153, P.2d, 665, 666,

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22.) M. & A. Elec. Power Co.-Op., v. True, Mo. App. 480, S.W. 2d 310, 314, 71.
23.) Angelo Panozo Enterprises, Inc. v. South Cent. Bell Telephone Co., La. App. 4, 111, 459, 80, 2d 1223, 1226, 71.
24.) State ex rel Smith, v. Smith, 197, Or 96, 252, P.2d 550, 555, 71.
25.) Roberts, v. State, Ind. 492, N.E.2d 310, 313, 71.
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27.) Weston, v. Charleston, 27, U.S. (2 Pet.) 449, 464, 7 L. Ed. 481, 72.
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30.) Amant, v. Pacific Power & Light Co., 10 Wash. App. 785, 520, P.2d 481, 484, 72.
31.) Kazubowski, v. Kazubowski, 45, Ill. 2d 405, 259, N.E.2d 282, 290, 72.
32.) Petit, v. Penn., La. App. 180, 80, 2d 66, 69, 72.
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34.) Hamill, v. Hawks, Cal. App. 58, F.2d 41, 47, 72.
35.) Seal, v. Shelly Oil Co., 142, Kan. 216, 65, P.2d 553, 554, 72.
36.) Trinity Episcopal Corp., v. Romney, D.C. N.Y. 387, F. Supp. 1044, 1084, 72.

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PETITION FOR A WRIT OF CERTIORARI
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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 A-19 to the petition and is Order on request to expedite in Forme company's

☒ reported at Nov. 17, 2023, C.L.H. 9th No. 23-55271; 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 B-20-21 to the petition and is Complaint for Civil Action for Deprivation of Rights

☒ reported at Mar. 01, 2023, N. L. No. 23-CV-1223-AB-RS; 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 N/A 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 of Appeal - Sec. App. Dist. app. # B224254 court appears at Appendix C-22 to the petition and is Medical Malpractice.

[] reported at Mar. 24, 2011; or,
[] has been designated for publication but is not yet reported; or,
☒ is unpublished.

1.
(18) of (29)

JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was Nov. 17, 2023.

☐ 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: N/A, 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 N/A (date) on N/A (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 Mar. 10, 2011.
A copy of that decision appears at Appendix C-1.

☐ A timely petition for rehearing was thereafter denied on the following date: N/A, and a copy of the order denying rehearing appears at Appendix N/A.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including N/A (date) on N/A (date) in Application No. A.

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

(22) OF (19)

1 IN THE SUPREME COURT OF THE UNITED STATES

2 UNITED STATES CONSTITUTION AND STATUTORY

3 PROVISION INVOLVED:

4 United States (U.S.) Constitution (Const.) Amendment (Amend.)

5 (1a) U.S. Const. 1st Amend. [1791]:

6 Congress shall make no Law respecting an establish-
7 ment of religion, or prohibiting the free exercise
8 thereof; or abridging the freedom of speech, or of the

9 press; or the right of the people peaceably to assemble,
10 and to petition the Government for a redress of gri-
11 evances (in the U.S. Fed. Dist. Ct. - Central Dist. of
12 California (Western Div. - Los Angeles) case Complaint

13 for Civil Action for Deprivation of Rights - case name
14 James L. Miller, plaintiff v. Scott S. Harris, individ-
15 ually & Official Capacity, et. al. case no. #2-23-01225-
16 AB-KS, Date Filed (Feb. 17, 2023) - Notice of Appeal case

17 name James L. Miller, appellant v. Scott S. Harris,
18 individually & Official Capacity, et. al., appeal no. #
19 23-55371, in the U.S. Fed. Dist. Ct. Central Dist. of
20 California (Western Div. - Los Angeles) case Complaint

21 for Civil Action for Deprivation of Rights (67) - case
22 name James L. Miller, plaintiff v. Scott S. Harris, ind-
23 vidually & Official Capacity, et. al., case no. # CIV2-
24 5649-CA8-AN (67) Lodged on 02-26-2021; C.L.A. 9th

25 appeal no. #21-56015 (2) - U.S. Supreme Court case no. #
26 22-5358, in the U.S. Fed. Dist. Ct. - Central Dist. of
27 California (Western Div. - Los Angeles) case Compl-
28 aint for Civil Action for Deprivation of Rights (60) -

(24) OF (29)

1 IN THE SUPREME COURT OF THE UNITED STATES

2 U.S. CONSTITUTION AND STATUTORY PROVISION

3 INVOLVED - CONY;

4 Case Name James L. Miller, plaintiff v. Scott S. Harris,
5 Individually & Official Capacity, et. al., case no. # CV12-
6 5649-CAS-AN (60.), C.L.A. 9th appeal no. # 21-55384 (E), 9th
7 the U.S. Fed. Dist. Ct. - Central Dist. of California (West-
8 ern Div. - Los Angeles) case Complaint for Civil Action
9 for Deprivation of Rights "Filed 10-16-2019", case no. #
10 CV19-8910-AB-KS, case name James L. Miller, plaintiff v.
11 Scott S. Harris, Individually & Official Capacity, et. al.,
12 C.L.A. 9th appeal no. # 19-56319 (7.) - U.S. Supreme Court
13 case no. # 20-5512 (for "Certiorari" and "Rehearing
14 on the Merits of the Petition for a Writ for Certiorari"),
15 in the U.S. Fed. Dist. Ct. - Central Dist. of California (Western
16 Div. - Los Angeles) case Complaint for Civil Action for
17 Deprivation of Rights "Filed 10-16-2019", case name James
18 L. Miller, plaintiff v. Virginia A. Phillips, Individually
19 & Official Capacity, et. al., case no. # CV19-0809-PSB-
20 JPR, C.L.A. 9th appeal no. # 19-56382 (7.) - U.S. Supreme
21 Court case no. # 20-5703 (for "Certiorari" and Rehear-
22 ing on the Merits of the Petition for a Writ for Certiorari)
23 in the U.S. Fed. Dist. Ct. - Central Dist. of California (Western
24 Div. - Los Angeles) case Complaint for Civil Ac-
25 tion for Deprivation of Rights, case name James L.
26 Miller, plaintiff v. Christina A. Snyder, Individually &
27 Official, et. al. (50) case no. # CV12-5649-CAS-AN, C.L.A. 9th
28 appeal no. # 17-56267 (7.), U.S. Supreme Court case no. 18-6106
(25) of (79)

1 IN THE SUPREME COURT OF THE UNITED STATES

2 UNITED STATES CONSTITUTION AND STATUTORY

3 PROVISION INVOLVED (CONT.):

4 (For "Certiorari" and "Rehearing on the Merits of the Petition
5 for a Writ for Certiorari"); - In the U.S. Fed. Dist.
6 Ct., Central Dist. of California (Western Div. - Los Angeles
7 Case Complaint for Civil Action for Deprivation of Rights,
8 (31, 32, and 33.) case name James L. Miller, plaintiff -
9 v. Christina A. Snyder, Individually & Official, et al., (-
10 31, 32, and 33.) case no. # CV12-5649-CAS-AM (31, 32, and
11 33.), C.L.A. 9th appeal no. # 14-56597 (10.), U.S. Supreme
12 Court case no. # 15-6432 (For "Certiorari" and "Rehearing on
13 the Merits of the Petition for a Writ for Certiorari"); -
14 In the U.S. Fed. Dist. Ct., Central Dist. of California (-
15 Western Div. - Los Angeles), case Complaint for Civil
16 Action for Deprivation of Rights (1. and 7.), case name -
17 James L. Miller, plaintiff v. Amir Kashani, & L.A.C.B.
18 U.S.C. Medical Center - General Hospital, et al., case
19 no. # CV12-5649-CAS-AM (1. and 7.), C.L.A. 9th appeal no. #
20 12-56895 (14.), U.S. Supreme Court case no. # 13-7517 (For
21 "Certiorari" and "Rehearing on the Merits of the Petition
22 for a Writ for Certiorari"); - "prior" cases for Complaint
23 for Civil Action for Deprivation of Rights (CV11-9198; -
24 CV12-1660; CV12-3137; and CV12-3101, case name -
25 James L. Miller, plaintiff v. Amir Kashani, & L.A.C.B. &
26 S.C. Medical Center - General Hospital, et al. and "Several"
27 "lack-subject matter jurisdiction" cases no. # CV08-4945;
28 CV08-6031; CV08-1296; and 09-3889 all of "which"

(26) OF (79)

IN THE SUPREME COURT OF THE UNITED STATES
UNITED STATES CONSTITUTION AND STATUTORY
PROVISION INVOLVED (CONT.):

one under "Medical Malpractice" case name James L. Miller, plaintiff v. Amir Kashani, & L.A.C. & U.S.C. Medical Center - General Hospital, et al.)

(2) U.S. CONST. 4th Amend.

The right of the people (Citizen) to be secure in their persons (James L. Miller, plaintiff / pro se), houses, papers (Supp. 24-27, infra 27-28) and effects, against unreasonable searches and seizures (Supp. 24-27, infra 27-28) shall not be violated Supp. 24-27, infra 27-28 and no warrant shall issue but upon probable cause (Supp. 24-27, infra 27-28), supported by oath or affirmation and particularly describing the place to be searched, and the persons (Citizen) or thing to be seized.

(3) U.S. CONST. 5th Amend.

No person (Citizen) shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or Naval Forces, or in the militia, when in actual service in time of war or public danger; Nor shall any person (Citizen) be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life (conspiracy), liberty (the "invasion" of privacy by "individual" on the internet communication system), or property Supp.

1 IN THE SUPREME COURT OF THE UNITED STATES
2 UNITED STATES CONSTITUTION AND STATUTORY
3 PROVISION INVOLVED (CONT.);

4 24-27, ~~infra 27-28~~; and documents of Medical Malpractice
5 docket cases no. # CV08-4945; CV08-6031; CV08-
6 9396; and CV09-3897, without due process of law (C
7 Complaint for Civil Action for Deprivation of Rights - CV
8 11-9198; CV12-1660; CV12-3137; CV12-3601; and CV
9 12-5649-CAS-AN (Supra 24-27, ~~infra 27-28~~); nor shall
10 private property be taken for public use (Supra 24-27, ~~infra~~
11 Pre. 27-28); or without just compensation (Supra 24-27,
12 ~~infra 27-28~~);

13 (4.) U.S. CONST. 7th Amend.;

14 In Suits (Supra 24-27, ~~infra 27-28~~) of common law where the
15 value in controversy shall exceed twenty dollars (Supra 24-
16 27, ~~infra 27-28~~), the right of trial by jury shall be preserved -
17 Supra 24-27, ~~infra 27-28~~, and no facts tried by jury, shall be
18 otherwise re-examined in any court of the United States,
19 than according to the rules of the common law.

20 (5.) U.S. CONST. 9th Amend.;

21 The enumeration in the Constitution (Supra 24-27, ~~infra 27-28~~)
22 and Bill of Rights, of certain rights (Supra 24-27, ~~infra 27-28~~
23 —, and Bill of Rights), shall not be construed to deny
24 (Supra 24-27, ~~infra 27-28~~; and the Bill of Rights) or dispa-
25 rage (Supra 24-27, ~~infra 27-28~~; and Bill of Rights) others (such
26 like) retained by the people (citizen);

27 (6.) U.S. CONST. 14th sec. (1);

28 All person born (citizen) or naturalized in the United
(Cont. Appendix - E. p. 22)

IN THE SUPREME COURT
OF THE UNITED STATES
STATEMENT OF THE CASE

On Feb. 17, 2023 plaintiff James L. Miller, pro-se submitted a "Complaint For Civil Action for Violation of Rights" in the United States Federal District Court - Central Dist. of California (Western Div. - Los Angeles), case name James L. Miller, plaintiff v. Scott S. Harris, Individually & Official Capacity et. al., case no. # 23-cv-1223-AB-KS, and "said" "Complaint" was in "Part" [Filed on "said" date "with" (1. 4th. 56. pages)]. Also a "Request to Proceed-in-Forma-Pauperis" with [Affidavit] (State, v. Knight, 219, Kan. 863, 549, P. 2d 1297, 1401; verification is to assure "good faith" in oaths or statements of plaintiff James L. Miller, (Shreeley, v. City of Santa Clara, 215, Cal. App. 2d. 83, 30; Cal. Rpts 121, 123).

"With" no response (Report and Recommendation) by Magistrate Judge Karen Stevenson, U.S. Fed. Dist. Ct. Judge Andre Binoff Jr., on Mar. 01, 2023, Order on Request to Proceed-in-Forma-Pauperis, (intra appendix-B, 20-21) "whom" I denied plaintiff James L. Miller (Request to proceed-in-forma-pauperis, with "affidavit (verification)" and C.L.H. Form 4, by doing so "violated" (Fed. R. Civ. P. Rule 24, and U.S. Const. (Supra on 24th. 28; and Appendix E, p. 29, D. Constitutional Rights, Constitutional Protection; Constitutional Tort (42 U.S.C. 1983); Rule v. Williams, v. Freeman, Okl., 370, P. 2d. 307, 309; Rule of Four has

IN THE SUPREME COURT
OF THE UNITED STATES

STATEMENT OF THE CASE: CONT.

such importance [Bill of Rights] Rogers, v. Missouri Pac.
R. Co., 111, 352, U.S. 521, 74 S.Ct. 459, 478, 1 L.Ed. 2d.
515. "Arbitrary and capricious in disregard of 'facts'" - Elwood Inv.
Co., v. Behme, 79, Misc. 2d, 910, 361 N.Y.S. 2d, 488, 492. "When in actuality
should have been a 'Default - Judgment'" for failed to plead
(answer) to defend against a claim (Fed. R. Civ. P. Rule 55).

On 04-17-2023 appellant James L. Miller, pro-se sub-
mitted a "Notice of Appeal: Motion and affidavit for leave
appeal to proceed in-forma pauperis, and Proof of Service
to the Clerk U.S. Fed. Dist. Ct. - Central Dist. of Calif. (West-
ern Div. - Los Angeles)" with "Notice of Motion and Motion"
objection to the "Order on Request to Proceed in-Forma-
pauperis (Lodged 04-03-2023); and Complaint for Civil Action for
Deprivation of Rights (Filed on Feb. 17, 2023). Then received
a U.S. 9th Circuit Court of Appeal, appeal No. # 23-55371. "with
Affidavit".

On May 10, 2023 appellant James L. Miller, pro-se sub-
mitted an "Amend. - Notice of Appeal (From 04-17-2023 'Notice of
Appeal') to the U.S. Fed. Dist. Ct. case No. # 23-cv-1223-AB-KS -
Central Dist. of Calif. (Western Div. - Los Angeles)" which
have a C.A. # 9th No. # 23-55371, and "proximately (183 -
days - 6 month and 3 days later)" appellant James L.
Miller, pro-se "received" a response from U.S. Court
of Appeal 9th Circuit by Circuit Judges Silverman, Wardlaw,
and Tallman, of the 9th Circuit Court (Appendix A).

IN THE SUPREME COURT
OF THE UNITED STATES
STATEMENT OF THE CASE; CONT.

Silverman, Wardlaw, and Tallman, Circuit Judges has
"stated (Upon a review of the record and the response
to the court (U.S. Court of Appeal 9th Circuit) Apr. 24, 2023
order, we conclude this appeal is frivolous. We therefore deny
appellant's motion to proceed in forma pauperis (Dkt. Ent-
ry No. #6 of C.L.A. 9th case no. # 23-55371) and dismiss
this appeal as frivolous, pursuant to 28 U.S.C. § 1915(e)(2).

To the "Officers" of the court, petitioner James L.
Miller, "contest to assert a defense to an adverse claim
in a court proceeding; or dispute the case made by a plain-
tiff; controversy (W. P. Hottelmann's Estate, 206 Cal. 2d,
460, 23 Cal. Rptr. 685, 690 (See Answer)." The finding of
the C.L.A. 9th appeal no. # 23-55371 (Nov. 17, 2023) "which"
they concluded as frivolous pursuant to 28 U.S.C. § 1915(e)
(2). "which" also is in "violation" of Fed. Rule of Appellate
Procedure-Rule 24, (a)(1)(A)(B)(C), 4.(A)(B)(C), 5.
(b.), (c.); U.S. Constitution (Supp. 24-28; Appendix-E-29); "un-
fair prejudice (decision on improper basis" arbitrary and cap-
ricious (Elwood Investors Co., v. Behme 79 Misc. 2d 910, 361.
N.Y.S. 2d 488, 492) and Empire Gas Corp., v. American Baker-
ies Co., 309 U.S. 199, 64 S.Ct. 269, 276 and "unfairish"
appellate Brief, see Fed. Rule App. Proc. Rule 28). The C.L.A.
9th decision was based on (Statement) That Appeal should
go forward, and not on the "Appellant's Brief" "probative
evidence (actually proving an issue" Akin, v. Hill's Estate,
(32) OF (19)

IN THE SUPREME COURT
OF THE UNITED STATES

STATEMENT OF THE CASE. CONT.

201, Kan. 306, 440, P. 2d. 585, 590 (Bell & Graddy, v. O'Brien,
Tex. Civ. App. 113, S.W. 2d. 560, 562, and such "dockets." one
herewith - U.S. Fed. Dist. Ct. - Central Dist. of California (West-
ern) Div. - Los Angeles) case no. # 2:23-cv-1223-AB-KS-Appendix
G, pp. 26-28; F. ps. 44-48) case name James L. Miller, plaintiff
v. Amir Koshoul, S.L.A.C. & U.S.C. Medical Center, General Hosp. -
de P., Case (Complaint For Civil Action For Deprivation of A
Rights) U.S. Fed. Dist. Ct. - Central Dist. of California (West-
ern) Div. - Los Angeles) case no. # 2:19-cv-08909-PSG-JPR(G-
13) Appendix-F, ps. 42-43, case name James L. Miller
plaintiff v. Virginia A. Phillips, Individual & Official Capacity
et al, defendant Case (Complaint For Civil Action) For Depriva-
tion of Rights U.S. Fed. Dist. Ct. - Central Dist. of California (West-
ern) Div. - Los Angeles) case no. # 2:19-08910-AB-KS-1-11.
(Appendix-F, 44-45) case name James L. Miller, plaintiff v.
Scott S. Harris, Individual & Official capacity - et al, def.'s.
Case (Complaint For Civil Action For Deprivation of Rights U.S.
Fed. Dist. Ct. - Central Dist. of California (Western) Div. - Los
Angeles) case no. # 2:23-cv-01223-AB-KS, 1-6. (Appendix-
F, ps. 46-48) case name James L. Miller, plaintiff v. Scott
S. Harris, Individual & Official capacity - et al, defendant's
case (Complaint For Civil Action For Deprivation of Rights)
U.S. 9th Circuit Court of Appeals - case no. # 22-56895, # 24-
56597, # 14-56597, # 17-56567, # 19-56319, # 19-56382, # 21-
56384, # 21-56015, and # 23-55371).

(133) OF 09.)

IN THE SUPREME COURT
OF THE UNITED STATES
PETITION FOR A WRIT OF CERTIORARI
REASONS FOR GRANTING THE PETITION.

To the Honorable Court (U.S. Supreme Court) the "decision" of the U.S. 9th Circuit Court of Appeals on Nov. 17, 2023, for the April 24, 2023 on case name James L. Miller plaintiff/appellant v. Scott S. Harris, Individual and Official capacity-defendants/appellee, case no. # O.L. No. # 2:23-cv-01223-AB-KS; with appeal no. # 23-55371 "which" denied appellant James L. Miller, plaintiff - "in forma pauperis" and "affidavit" with C.L.A. 9th "Form 4." application for (L.F.P.) on an "unfinished Appellant Opening Brief" on "statement" that appeal should go forward (Appendix-G.29) "the last effort" as a final touch is given to a "work Appellant Opening Brief" Bell & Braddy, v. O'Brien, Tex. Civ. App., 113, S.W. 2d 560, 562.

Also "implied" 28 U.S.C. § 1915(e)(2) "which" do not supersede (Fed. R. App. P. - Rule 24 (a) (1) (A) (B) (C), 4. (A) (B) (C), 5. (A) (B) (C), U.S. Supreme Court "Rules 29. (1) (2) and (4) by 11, date 28 U.S.C. § 1915(e)(2) in "violation" of U.S. Constitution (Bill of Rights, 1st Amend.; 5th Amend.; 7th Amend.; 9th Amend.; and 14th (Sec. 1) Amend.) the C.L.A. 9th went on and dismissed the case (Complaint for Civil Action for Deprivation of Rights (42 U.S.C. § 1983) without "response" (an argument or brief presented in answer to that of a moving appellant, or petitioner) of a defendant's "unfinished Bell & Braddy, v. O'Brien, Tex. Civ. App., 113, S.W. 2d 560, 562, Appendix-G. ps. 76-78) but" yet the C.L.A. 9th (Appendix-A)

IN THE SUPREME COURT
OF THE UNITED STATES
PETITION FOR A WRIT OF CERTIORARI
REASONS FOR GRANTING THE PETITION. CONTY.

dismissed appellant James L. Miller, appeal as frivolous
"which" is violative of U.S. Constitution (Supra. ps. 24, 28 and
appendix-E, p. 29).

"Without" connection their will be great (exceeding the common
or ordinary measure or standard) conformity to established prac-
tice) Standard Accident Ins. Co., v. Standard Surety & Casualty
Co., N.C. W. 53, F. 2d. 119, 120; Thompson, v. Anderson, 107, Utah,
32, 153, P. 2d. 665, 666; "Importance of Justice the 'with-
holding' of evidence (U.S., v. Pertstein, 126, F. 2d. 799); Comm-
onwealth, v. Russo, 177, Pa., Super. 470, 11, A. 2d. 359, 360, or "denial
of justice (Silver, v. U.S., 7, Ct. Cl. 305, 324).

"Fraud" is "deception" practiced by the party (M. & A. Elec.
Power Co., - op., v. True, Mo. App. (480, 8, W. 2d. 310, 314). [I-
justice] is the fault "is a breach of a duty imposed by law"
(Angelo Pavone Enterprises, Inc., v. South Central Bell Telephone Co.,
La. App. 4, Cir. 459, 30, 2d. 1223, 1226); or "error (false con-
ception or application of the law (State ex rel Smith, v. Smith,
197, or 96, 252, P. 2d. 550, 555.) of the court", so grave that
if not "rectified" would result in denial of "fundamental"
[due] [p]rocess (Supra. ps. 24, 28, and Appendix-E, 29).
Robert's, v. State, Ind., 492, N.E. 2d. 310, 313; [Safeguard]
for the "protection" of "individual (appellant James L.
Miller, plaintiff) [rights] "subject-matter (Medical Mal-
practice" with (Superior Ct. of Los Angeles, Calif. case no. #

IN THE SUPREME COURT
OF THE UNITED STATES

PETITION FOR A WRIT OF CERTIORARI

REASON FOR GRANTING THE PETITION CONY.

BC 416582; Court of Appeals for the State of California -
Second Appellate Dist. - Division Two - Appeal No. # B224254;
U.S. Fed. Dist. Ct. (Complaint for Civ. Action for Deprivation
of Rights) Case No. # CV 12-5649-CAS-AN; U.S. Court of Appeals
for the Ninth Circuit - appeals No. # 12-56895; # 14-56597;
14-56597; # 17-56567; # 19-56319; # 19-56385; # 21-55384;
21-56015; # 22-55391, "which" was not one "plea" or
"answer" to the complaint; and the U.S. Supreme Court - case
No. # 13-7517; # 15-6432; # 18-6106; # 20-5512; # 20-5103;
and # 22-5358; "with (hearing on the "merits" for petition of a
writ of certiorari) and denied by U.S. Clerk Scott S. Harris, "which"
is a "violation" of the U.S. Constitution (Supra. p. 24, 28;
and Appendix-E, p. 29); "unfair pre-judice" decision on improper basis
(Empire Gas Corp. v. American Bakeries Co., 407 U.S. 646, 646 F. Supp.
269, 276.), of the "guilt" (comprehensive significance), referring
to any proceeding by one person or persons against another, "Kohl,
v. U.S.", 91 U.S. 367, 375, 23 L. Ed. 449; Weston v. Charleston, 23
U.S. (2 Pet.) 449, 464, 7 L. Ed. 481; Syracuse Plaster Co. v. Agostini
Bros. Bldg. Corp., 169, 173, 564, 2 N.Y.S. 2d, 897; Reinboyer, v.
NEA, 95 U.S. 733, 24 L. Ed. 565.], "Due Process of law" (have
the "right" [Bill of Rights] and "civil rights" of controversy
to "dispute" or "contest") by "proof" of every [material] fact
pleading and practice (Amant, v. Pacific Power & Light
Co., 10 Wash. App. 785, 520 P. 2d 481, 484); "enforce" and

IN THE SUPREME COURT
OF THE UNITED STATES

PETITION FOR A WRIT OF CERTIORARI

REASON FOR GRANTING THE PETITION CONT.

"Protect" his (James L. Miller, plaintiff, appellant, petitioner, and "pro-se (Supra. p. 24, 4th, 28, and Appendix-E, p. 29), rights before a court (Kazubowski v. Kazubowski, 45, Ill. 2d. 405, 259, N.E.2d. 282, 290), and it forbids "condemnation (U.S. Const. 5th Amend.), nor shall any State deprive any person (James L. Miller) of life, liberty, or property (Supra. p. 24, 4th, 28, and Appendix-E, p. 29), or of any "rights" I granted him (James L. Miller) Pet. v. Penn. L.A. App. 180, 30, 20, 66, 69, [I shall have reasonable and substantial relation to the object being sought (U.S. v. Smith, D.C. Iowa, 249, F. Supp. 515, 516).

"Fundamental" requisite of [due process] (Supra. p. 24, 4th, 28, and Appendix-E, p. 29) is the opportunity to be heard (Trinity Episcopal Corp. v. Romney, D.C. N.Y. 387, F. Supp. 1044, 1084). "Due process" means "fundamental" fairness and "substantial" of real worth and importance (U.S. Const.) Seelem v. Skelly Oil Co., 145, Kan. 216, 65, P.2d 553, 554; Bill of Rights (Hamill v. Hawks, C.C.A. Okla., 58, F.2d. 41, 42).

24-28
Appendix
E 29

CONCLUSION

"misery" see (Supra p. 20; thru. 22.) and the "violation"
of (U.S. Constitution) ps. 24, thru. 28, and appendix-E, p. 29.

The petition for a writ of certiorari should be granted.

Respectfully submitted,

JAMES L. MILLER, PRO-SE

J. L. Miller

Date: Feb. 12, 2024