No. #23-7073

IN THE SUPREME COURT
OF THE UNITED STATES

JAMES L. MILLER,
PETITIONER

VS.

SILVERMAN, WARDLAW, AND TALLMAN,
C.C.A. 9th CASE No. #23-55291,
RESPONDENT(S)

REHEARING ON THE MERITS - ON
PETITION FOR A WRIT OF CERTIORARI

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

REHEARING ON THE MERITS -
ON PETITION FOR A WRIT
OF CERTIORARI

JAMES L. MILLER,
P.O. Box # 122 —
INGLEWOOD, CALIFORNIA
90306
(323) 399-5680

No. # 23-7073

IN THE SUPREME COURT
OF THE UNITED STATES

JAMES L. MILLER, - PETITIONER
VS.
SILVERMAN, WARDLAW, AND TALLMAN,
C.C.A. 9th CASE NO. #23-55371 - RESPONDENT(S)

ON REHEARING ON THE MERITS - ON PETITION
FOR A WRIT OF CERTIORARI TO:

NO [COURT] HAS RULED ON THE [MERITS]
OF ANY CASE.
(NAME OF COURT THAT LAST RULED ON MERITS
OF YOUR CASE)

REHEARING ON THE MERITS - ON PETITION
FOR A WRIT OF CERTIORARI

JAMES L. MILLER
P.O. BOX # 122-1
INGLEWOOD, CALIFORNIA
90306
(323) 399-5680

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS- ON 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. # 2:12-cv-5649-CAS-AN, Civil Docket (Dock.) Text 1-30.; Civ. Dock. Text 31.-49.; Civ. Dock. Text 50.-57.; Civ. Dock. Text 58.-66.; Civ. Dock. Text 67.-74.; U.S. Fed. Dist. Ct.- Civil Docket case No. #2:19-cv-8909-PSG-JPR, civ. Dock. Text 1.-13.; U.S. Fed. Dist. Ct. Civil Docket case No. # 2:19-cv-8910-AB-KS, civ. Dock. Text 1.-11.; U.S. Fed. Dist. Ct.- Civil Docket case No. # 2:23-cv-1223-AB-KS, all "Several Actions" was "submitted" with "affidavit (Verification)" [s], which went on to the U.S. Court of Appeals 9th Circuit- C.C.A. Doc. # 23-55271 1.-6.; C.C.A. Doc. # 12-56895; 1.-18.; C.C.A. Doc. # 14-56597 1.-15.

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS - ON PETITION FOR A WRIT
OF CERTIORARI;

QUESTION(S) PRESENTED, cont'd

; C.C.A. doc. #19-56567, - 1. - 11.; C.C.A. doc. #19-56319 - 1. - 10.; C.C.A. doc. #19-56382 - 1. - 11.; C.C.A. doc. #21-55384. - 1. - 10.; C.C.A. doc. #21-56018. - 1. - 10.; "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. #12-7617; Supr. No. #15-6432; Supr. No. #18-6106; Supr. No. #20-5512; Supr. No. #20-5703; Supr. No. #22-5358. "Wh" all cases a "Affidavit (Verification)" with a "Form 4" which was also denied by Scott S. Harris, U.S. Clerk.].

[Question(s)] do "Tort law" which derives its authority from the common consent of the people "without" any "legislative" enactment, such as "vexatious litigate" and "frivolous" do it supersede the [Bill of Rights] a "Formal" and "emphatic" legislative "assertion" 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] Construed in many of American State Constitutions (Supra, ps. 24, thru 28; and Appendix - E.p. 29.) Hamilton v. Hawks, C.C.A. Okl. 58, F.2d. 41, 41.; and "Default (Green v. Knesge Co., 22 N.Y. 2d. 12. NE 2d. 552, 562; Default - Judgment Child's plead; Fed. R. Civ. P. 55)?

origi

LIST OF PARTIES

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

[X] 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" of "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, "a failure (Town of Milton v. Brusa, 111 Vt. 82, 10 A.2d. 203, 205); failure to perform (Easterwood v. Willingham, Tex. Civ. App. 47 S.W. 2d. 393, 395); dishonest/wrongful act (Green v. S.S. Kresge Co., 277 N.Y. 26, 12 N.E. 2d. 557, 562); disregard of relevant evidence (Unemploy. Comp. Bd. v. Kessler, 27 Pa. Cmwlth.

RELATED CASES

Prior cases (21-56015; 21-55384; 19-56385; 17-56562; 14-56597; 14-56897; 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. 3. The "pleading" which sets forth a claim for relief "; "protect private rights" (Gilliken v. Gilliken, 248 N.C. 710, 104, S.E. 2d. 861, 863); the term includes all actions, both "equitable actions and legal actions (Thomason v. Thomason, 107, U.S. App. D.C. 27, 274, F. 2d. 89, 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). cont. 4 thru 7 and Appendix - A2 thru 13.

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS-ON PETITION FOR A WRIT
OF CERTIORARI: cont. LIST OF PARTIES

☒ 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 Supreme Court whose "names" on the "Judgment" with case "numbers" is the subject of this "petition (petition for a writ of certiorari)" is as "follow":

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

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

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

(4.) CHRISTINA A. SNYDER, Dist. Ct. Judge et. al., U.S. Supreme Ct. #22-5358; C.C.A. 9th appeal no. #21-56015; D.C. no. #2:12-cv-05649-CAS-AN (LA.); (previous case no. #D.C. no. #19-8910-AB-KS; C.C.A. 9th 19-56319; Supreme Court

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS - ON PETITION FOR A WRIT
OF CERTIORARI; Cont. LIST OF PARTIES
Rule 28(4), no. #20-5512; and C.C.A. 9th no. #21-55384

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

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

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

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

(9.) Christine A. Snyder, Individual and Official capacity Dist. Judge, et al., C.C.A. 9th no. #21-55384; D.C. no. #CV12-5649-CAS-AN(bD); Supreme Court no. #20-5512;

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

(11.) Toshima, Individual and Official capacity, Circuit-

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS- ON PETITION FOR A WRIT
OF CERTIORARI ; cont. LIST OF PARTIES
Line 28 (10) 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) Watford, 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. Rosenbluth, 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.;

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS-ON PETITION FOR A WRIT
OF CERTIORARI; Cont. 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.) Wallace, 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 Birotte Jr., Individual and Official Capacity, D.C.J. Judge, et. al., Supreme Court No.#20-5512; C.C.A. 9th No.#19-56319; and D.C. No.#CV19-8910-~~DSD-SSR~~; 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.#R-6106; C.C.A. 9th No.#17-56567; and D.C. No.#CV12-5648-CAS-AN, (50);

(25.) Richard C. Tallman, Individual and Official Capacity, Circuit Judge, et. al., Supreme Court No.#18-6106; C.C.A. 9th No.#17-56567; D.C. No.#CV12-5648-CAS-AN;

See Appendix-Pg 38.-42.

TABLE OF AUTHORITIES CITED

CASES — PAGE NUMBER

1) Elwood Investors Co., v. Bethune, 29, Misc. 2d. 910, 361, N.Y.S. 2d. 488, 492. ..... 31, 32
2) Town of Milton v. Bruso, 111 Vt. 82, 10, A. 2d. 203, 205 .....
3) Easterwood, v. Willingham, Tex. Civ. App. 47, S.W. 2d. 393, 395 .....
4) Greco v. S.S. Kresge Co., 277, N.Y. 26, 12, N.E. 2d. 557, 56 .....
5) Gilliken, v. Gilliken, 348, N.C. 210, 104, S.E. 2d. 861, 863 .....
6) Thomason, v. Thomason, 101, U.S. App. D.C. 22, 224, F. 2d. 89, 90 .....
7) Maryland Realty Co., v. Commissioner of Internal Rev. C.C.A. 7, 47, F. 2d. 1018, 1021 .....
8) State, v. Knight, 219, Kan. 863, 549, P. 2d. 1397, 1401 30
9) Sheeley, v. City of Santa Clara, 215, Cal. App. 2d. 83, 30, Cal. Rptr. 121, 123 .....

STATUTES AND RULES

a) Fed. R. App. P. - Rule 24 (a) (1) (A) (B) (C); 4. (A) (B) (C); 5. (b), (c). ;
b) Fed. R. Civ. P. - Rule 55. ;
c) Fed. R. Civ. P. - Rule 2. ;
d) Fed. R. Civ. P. - Rule 2. ;
e) 28 U.S.C.A. § 1251. (b) (2) (3). ;
f) 28 U.S.C.A. § 1257 (a). ;
g) 28 U.S.C.A. § 1291. ;
h) 28 U.S.C.A. § 1331. ;
i) 28 U.S.C.A. § 1332. (a). ;

OTHER

s) Fed. R. Civ. P. - Rule 8 and 12. ;
t) Fed. R. Civ. P. - Rule 30. ;
u) Fed. R. App. P. - Rule 28 ;
v) 42 U.S.C.A. § 1983 ;
w)

(14) pp (09)

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS- ON PETITION FOR A-WRIT OF CERTIORARI ;CONT. TABLE OF AUTHORITIES CITED

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS - ON PETITION FOR A WRIT
OF CERTIORARI; CONT. TABLE OF AUTHORITIES CITED

TABLE OF AUTHORITIES, CON'T.

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS-ON PETITION FOR A WRIT
OF CERTIORARI;

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INDEX TO APPENDICES

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 proceed in forma pauperis
☒ reported at Nov. 17, 2023; C.A.9th No. 23-55231; 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; D.C. No. 2:23-CV-1223-AB-KS; 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. # B324254 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.

(18) of (95)

JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was Nov. 17, 2022.

[ ] 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 May 10, 2011. A copy of that decision appears at Appendix 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).

IN THE SUPREME COURT OF THE UNITED STATES — REHEARING ON THE MERITS-ON PETITION FOR A WRIT OF CERTIORARI. CONSTITUTION AND STATUTORY PROVISION INVOLVED United States (U.S.) Constitution (Const.) Amendment (Amend.) (1.) U.S. Const. 1st Amend. [1791]; Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances (in the U.S. Fed. Dist. Ct.- Central Dist. of California (Western Div.- Los Angeles) case Complaint For Civil Action For Deprivation of Rights- case name James L. Miller, plaintiff v. Scott S. Harris, Individually & Official Capacity, et. al. case No. #2:23-cv-1225-AB-KS, Date Filed (Feb. 17, 2023)- Notice of Appeal case name James L. Miller, appellant v. Scott S. Harris, individually & Official Capacity, et. al., appeal No. #23-55211; (2.) The U.S. Fed. Dist. Ct., Central Dist. of California (Western Div.- Los Angeles) case Complaint For Civil Action For Deprivation of Rights (62).- case name James L. Miller, plaintiff v. Scott S. Harris, individually & Official Capacity, et. al., case No. # CV 12-5649-CAS-AN (62) Lodged on 02-26-2021; C.A. 9th appeal No. #21-56012 (2.) U.S. Supreme Court case No. # 22-5358; (3.) The U.S. Fed. Dist. Ct.- Central Dist. of California (Western Div.- Los Angeles) case Complaint For Civil Action For Deprivation of Rights, (Cont.)

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS- ON PETITION FOR A WRIT
OF CERTIORARI : cont. CONSTITUTION AND STATUTORY PROVISION INVOLED
Case Name James L. Miller, plaintiff v. Scott S. Harris,
individually & official capacity, et. al., case no.# CV12-
5649-CAS-AN)(CDCA), C.C.A. 9th appeal no.# 21-55384(C), in
the U.S. Fed. Dist. Ct.- Central Dist. of California (West-
ern Div.- Los Angeles) case Complaint For Civil Action
For Deprivation of Rights "Filed 10-16-2019", case no.#
CV19-8910-AB-KS, case Name James L. Miller, plaintiff v.
Scott S. Harris, individually & official capacity, et. al.,
C.C.A. 9th appeal no.# 19-56319 (C.) - U.S. Supreme Court
case no.# 20-5512 (for "Certiorari" and "Rehearing
on the Merits of the Petition for a Writ for Certiorari");
in the U.S. Fed. Dist. Ct.- Central Dist. of California (Western
Div.- Los Angeles) case Complaint For Civil Action For
Deprivation of Rights "Filed 10-16-2019", case Name James
L. Miller, plaintiff v. Virginia A. Phillips, individually
& official capacity, et. al., case no.# CV19-0809-PSG-
JPR, C.C.A. 9th appeal no.# 19-56385 (C), U.S. Supreme
Court case no.# 20-5703 (for "Certiorari" and Rehear-
ing on the Merits of the Petition for a Writ for Certiorari)
; in the U.S. Fed. Dist. Ct.- Central Dist. of California (
Western Div.- Los Angeles) case Complaint For Civil Act-
ion For Deprivation of Rights, - case Name James L.
Miller, plaintiff v. Christine A. Snyder, individually &
official, et. al. (SD) case no.# CV12-5649-CAS-AN, C.C.A. 9th
appeal no.# 17-56567 (C.), U.S. Supreme Court case no.# 18-6696

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS - ON PETITION FOR A WRIT
OF CERTIORARI (cont. CONSTITUTION AND STATUTORY PROVISION INVOLVED
(for "Certiorari" and "Rehearing on the Merits of the Petition for a Writ for Certiorari"); - In the U.S. Fed. Dist. Ct., Central Dist. of California (Western Div. - Los Angeles) Case Complaint For Civil Action For Deprivation of Rights, (31., 32., and 33.) case name James L. Miller, plaintiff - v. Christina A. Snyder, Individually & Official, et. al., (-31.; 32.; and 33.) case no. #CV12-5649-CAS-AN (31.; 32.; and 33.), C.C.A. 9th appeal no. #14-56597 (10.), U.S. Supreme Court - case no. #15-6432 (for "Certiorari" and "Rehearing on the Merits of the Petition for a Writ for Certiorari"); - In the U.S. Fed. Dist. Ct. - Central Dist. of California (-Western Div. - Los Angeles), case Complaint For Civil Action For Deprivation of Rights (1. and 2.), case name - James L. Miller, plaintiff v. Amir Kashani, & L.A.C.& U.S.C. Medical Center - General Hospital, et. al., - case no. #CV12-5649-CAS-AN (1. and 2.), C.C.A. 9th appeal no. #12-56895 (14.), U.S. Supreme Court case no. #13-7217 (-For "Certiorari" and "Rehearing on the Merits of the Petition for a Writ for Certiorari"), "prior" cases for Complaint For Civil Action For Deprivation of Rights (CV11-9198; - CV12-1660; CV12-3137; and CV12-3601, case name - James L. Miller, plaintiff v. Amir Kashani, & L.A.C.& U.S.C. Medical Center - General Hospital, et. al. and "several" "lack-subject matter jurisdiction - cases no. #CV08-4945; CV08-6231; CV08-7296; and 09-3889 all of "which"

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS - ON PETITION FOR A WRIT
OF CERTIORARI. Cont. CONSTITUTION AND STATUTORY PROVISION INVOLED
are under "Medical Malpractice" case name James L.
Miller, plaintiff v. Amir Kashani, B.L.A.C. & U.S.C. Med
ical 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 des-
cribing 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 indict-
ment 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 compe-
lled 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.

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS- ON PETITION FOR A WRIT
OF CERTIORARI ; (and CONSTITUTION AND STATUTORY PROVISION INVOLVED
24-22 ; infra 22-28 ; and documents of Medical Malpractice(
dockets Cases N.D. # CV08-4945 ; CV08-6031 ; CV08-
7396 ; and CV09-3892) ; without due process of law(
Complaint for Civil Action for Deprivation of Rights- CV
11-9198. ; CV12-1660. ; CV12-3131 ; CV12-3601 ; and CV
12-5649-CAS-AN) (Supra 24-22 ; infra 22-28 -) ; nor shall
private property be taken for public use (Supra 24-22 ; in-
fra 22-28) , or without just compensation (Supra 24-22 ;
infra 22-28).

(4.) U.S. Const. 7th Amend. ;
In Suits (Supra 24-22 ; infra 22-28) at common law, where the
value in controversy shall exceed Twenty dollars (Supra 24-
22 ; infra 22-28) the right of trial by jury shall be preserved-
(supra 24-22 ; infra 22-28) , and no fact tried by jury , shall be
otherwise re-examined in any court of the United States,
than according to the rules of the common law.

(5.) U.S. Const. 9th Amend. ;
The enumeration in the constitution (Supra 24-22 ; infra 22-28 ;
and Bill of Rights) , of certain rights (Supra 24-22 ; infra 22-28
- ; and Bill of Rights) , shall not be construed to deny
(Supra 24-22 ; infra 22-28 ; and the Bill of Rights) or disp-
rage (Supra 24-22 ; infra 22-28 ; and Bill of Rights) others(
such like) retained by the people (citizen) . ;

(6.) U.S. Const. 14th sec. (1) ;
All person born (citizen) or naturalized in the United
(cont. Appendix-E.p. 25)

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IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS - ON PETITION FOR A WRIT
OF CERTIORARI; STATEMENT OF THE CASE

On Feb. 17, 2023 plaintiff James L. Miller, pro-se submitted a "Complaint For Civil Action for Deprivation 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 "Pacy" [Filed on "said" date "with (1. thur 56 pages)". Also a "Request to Proceed-In-Forma-Pauperis" w/ th [Affidavit] (State, v. Knight, 219, Kan. 863, 549, P.2d 1390, 1401; Verification is to assure "good faith" in averments or statements of plaintiff James L. Miller (Sheeley, v. City of Santa Clara, 215, Cal. App. 2d. 83, 30, Cal. Rptr. 121, 123).

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

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS - ON PETITION FOR A WRIT
OF CERTIORARI [cont. STATEMENT OF THE CASE
such importance [Bill of Rights] Rogers v. Missouri Pac.
R. Co., 352 U.S. 521, 77 S.Ct. 489, 478, 1 L.Ed.2d.
515. "Arbitrary and capricious" in disregard of "facts" - Elwood Inv.
Co. v. Behne, 79 Misc. 2d. 910, 361 N.Y.S.2d. 488, 492. "When" appellant
should have been a "Default - Judgement" 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-Pau-
peris (Docked 04-03-2023); and Complaint For Civil Action for
Deprivations of Rights (Filed on Feb. 17, 2023). They 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. "2:23-cv-1223-AB-KS -
Central Dist. of Calif. (Western Div. - Los Angeles)" which"
have a C.A. #9th No. "23-55371, and "approximately (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
REHEARING ON THE MERITS-ON PETITION FOR A WRIT
OF CERTIORARI: CONT. STATEMENT OF THE CASE

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 (Dock. Ent. No. #6 (of C.C.A. 9th case no. # 23-55371) and dismiss this appeal as frivolous, pursuant 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 plaintiff; controversy (In re Hottermann's Estate, 206 C.A.2d, 460, 23 Cal Rptr. 685, 690. (See Answer)." The finding of the C.C.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 (Supra ¶s 24-28; Appendix-E 29): "unfair prejudice (decision) on improper basis" arbitrary and capricious (Elwood Investors Co. v. Behme 79 Misc. 2d. 910, 361 N.Y.S. 2d-488, 492) and Empire Gas Corp. v. American Bakeries Co. W.D. Ill., 64 F. Supp. 269, 276 "n." and "unfinish(appellate Brief., see Fed. Rule App. Proc. Rule 28). The C.C.A. 9th decision was basis on (Statement) That Appeal should go Forward, and not on the "Appellant Brief", "probative evidence (actually proving an issue" Akin v. Hills Estate,

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS - ON PETITION FOR A WRIT
OF CERTIORARI; CONT. STATEMENT OF THE CASE
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" are
herewith - U.S. Fed. Dist. Ct. - Central Dist. of California (Wes-
tern - Div. - Los Angeles) case No.# 2:23-cv-1223-AB-KS - Appendix
C. pgs. 26-28; F. pgs. 46-48) case name James L. Miller, plaintiff
v. Amir Kashani, R.L.A.C. & U.S.C. Medical Center, General Hosp. -
etc. et., case (Complaint For Civil Action for Deprivation of
Rights); U.S. Fed. Dist. Ct. - Central Dist. of California (West-
ern Div. - Los Angeles) case No.# 2:19-cv-08909-DSG-JPR(6-
-13) to Appendix - F. pgs. 42-43., case name James L. Miller
, plaintiff v. Virginia A. Phillips, Individual & Official capacity
et. al, defendants, case (Complaint For Civil Action) For Depri-
vation of Rights; U.S. Fed. Dist. Ct. - Central Dist. of California (
Western - 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. pgs. 46-48), case name James L. Miller, plaintiff v. Scott
S. Harris, Individual & Official capacity - et. al., defendants
, case (Complaint For Civil Action For Deprivation of Rights.)
U.S. 9th Circuit Court of Appeals case No.# 22-56895; #14-
56390; #14-56597; #17-56560; #19-56319; #19-56385; #21-
55384; #21-56015; and #23-55271).

194,APPEAL,CLOSED

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)
CIVIL DOCKET FOR CASE #: 2:12-cv-05649-CAS-AN

STATEMENT OF THE CASE

James L. Miller v. Dr. Amir Kashani et al
Assigned to: Judge Christina A. Snyder
Referred to: Magistrate Judge Arthur Nakazato
Case in other court: 9th CCA, 12-56895
9th Circuit, 14-56597
9th CCA, 17-56567
9th CCA, 21-55384
9TH CCA, 21-56015
Cause: 42:1983 Civil Rights Act

Date Filed: 06/29/2012
Date Terminated: 09/17/2012
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

James L. Miller

represented by **James L. Miller**
PO Box 122
Inglewood, CA 90306
323-399-5680
PRO SE

V.

Defendant

Dr. Amir Kashani

Defendant

L.A.C. and U.S.C. Medical Center Gen. Hosp.

Defendant

John Doe
Oriental Dr./Phsician (#1)

Defendant

John Doe
#2

Defendant

John Doe
#3

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IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS- ON 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.# D.C. 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.C.A. 9th "Form 4." application for (I.F.P.), on an "unfinished (appellant Opening Brief)" on "statement that appeal should go forward (appendix-G. 29)" the last "effort" as a final touching 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.A. § 1915(e)(2) "which" does supersede (Fed. R. App. P.: Rule 24(a)(1)(A)(B)(C). 4.(A)(B)(C). 5.(b).(c).; U.S. Supreme Court "Rules 39.(1.)(2.) and (4.) by it does 28 U.S.C.A. § 1915(e)(2.) in "violation" of U.S. Constitution (Bill of Rights, 1st Amend.; 5th Amend.; 7th Amend.; 9th Amend.; and 14th (Sect. 1.) Amend.) the C.C.A. 9th went on and dismissed the case (Complaint For Civil Action For Deprivation of Rights (42 U.S.C. § 1983) without "response (or argument or brief preserved in "answer" to that of a movant, appellant, or petitioner) of a "defendants" [unfinished] Bell & Braddy, v. O'Brien, Tex. Civ. App., 113 S.W. 2d 560, 562, (Appendix-G. pg. 26-18), "but" yet the C.C.A. 9th (Appendix-A.)

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS-ON PETITION FOR A WRIT
OF CERTIORARI:

REASONS FOR GRANTING THE PETITION cont.

dismissed appellant James L. Miller appeal as Frivolous "which" Is [Violation] U.S. Constitution (Supra. pg. 24 thur. 28 and appendix-E. pg. 29).

Without "correction their will be great (exceeding the common or ordinary measure or [Standard] conformity to established practice) "Standard Accident Ins. Co. v. Standard Surety & Casualty Co. D.C.N.Y. 53, F. 2d. 119, 120.; Thompson v. Anderson, 101, Utah. [illegible], 153, P. 2d. 665. 666.; "Importance [Of] Justice the "withholding" of evidence (U.S. v. Perlstein, 126, F. 2d. 799.); Commonwealth v. Russo, 171, Pa. Super. 430, 111, A. 2d. 359.; or "denial of "Justice (Silver v. U.S. 7, Ct. Cl. 305, 324.).

"Fraud" is "deception" practice by the party (M. & A. Elec. Power Co. - Ops. v. True, Mo. App. (480, S.W. 2d. 310, 314.). [illegible] Justice] is the "fault" "is a breach of a duty Imposed by "Law" (Angelo Pavone Enterprises, Inc. v. South Cent. Bell Telephone Co., La. App. 4. Cir. 459, So. 2d. 1223, 1226.); or "error (false conception or application of the law (State ex rel Smith v. Smith, 197, or 96, 252, P. 2d. 550, 555.) of the court, so as to the "If not "rectified" would result in denial of "Fundamental" [due] [P]rocess (Supra. pg. 24, thur 28, and Appendix-E-29), Roberts v. State, Ind. 492, N.E. 2d. 310, 313.; [Safeguard] For the "protection" of "individual (appellant James L. Miller, plaintiff) [Rights] "subject-matter (Medical Malpractice "with (Superior Ct. of Los Angeles, Calif. case no. #

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS - ON PETITION FOR A WRIT
OF CERTIORARI;
REASON FOR GRANTING THE PETITION Cont.
BC416582; 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. #CV12-5649-CAS-AN; U.S. Court of Appeals
for the Ninth Circuit - appeals No. #12-56895; #14-56590;
#14-56597; #17-56267; #19-56319; #19-56385; #21-55384;
#21-56015; #22-55341, "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 #21-5358; "with (Rehearing 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 (Supp. p. 324 thru 328
and Appendix-E. p. 29), "with prejudice" decision on improper basis (
Empire Gas Corp. v. American Bakeries Co., N.D. Ill., 646 F. Supp.
269, 276), of the "suit (comprehensive signification), referring
to any proceeding by one person or persons against another," Kohl
v. U.S., 91 U.S., 367, 325, 23 L. Ed. 449; (Weston v. Charleston, 27
U.S. (2 Pet.) 449, 464, 7 L. Ed. 481; Syracuse Plaster Co. v. Agostini
Bros. Bldg. Corp., 169, Misc. 564, 2 N.Y.S. 2d. 897); Reinbyer v.
Neff, 95 U.S. 733, 24 L. Ed. 565]. "Due process of law (have
the "right" [Bill of rights] and "civil rights" of controversial
to "dispute" or "contest") by "proof" of every [material]
Fact (pleading and practice (Amann v. Pacific Power & Light
Co., 10 Wash. App. 785, 520 P. 2d. 481, 484); "evidence" and-

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS- ON PETITION FOR A WRIT
OF CERTIORARI;

REASON FOR GRANTING THE PETITION could "protect" his (James L. Miller, plaintiff, appellant, petitioner, and "pro-se (Supra. ps. 24 thur 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. ps. 24. thur 28. and Appendix-E. p. 29.), or of any "rights" [granted] him (James L. Miller.) Pekin v. Pekin. L.a. App. 180, 30. 2d. 66, 69; "[S]hall 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. ps 24. thur 28. and Appendix-E. p. 29.) is the opportunity to be heard (Trinity Episopal Corp. v. Romney, D.C. Nev. 387. F. Supp. 1044, 1084.). "Due process" means "fundamental" "fairness" and "substantial" of rel. worth and [I]mportance (U.S. Const.) Seaton v. Skelly Oil Co. 145, Kan. 216, 65, P. 2d 553, 554; Bill of Rights (Hemill v. Hawks, C.C.A. Okl., 58. F. 2d. 41, 42).

24-28 Appendix E 29

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS ON PETITION FOR A WRIT
OF CERTIORARI:

CONCLUSION

"must" see (Supra. pg. 20. Thur. 23.) and the "violation"
of (U.S. Constitution pg. 24. Thur. 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

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS-ON PETITION FOR A WRIT
OF CERTIORARI.

APPENDIX- A.

U.S. COURT OF APPEAL 9TH · OPINION

CASE NO.# 23-55301 19

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

NOV 17 2023

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JAMES L. MILLER,

Plaintiff-Appellant,

v.

SCOTT S. HARRIS, Individual and Official Capacity,

Defendant-Appellee.

No. 23-55371

D.C. No. 2:23-cv-01223-AB-KS
Central District of California,
Los Angeles

ORDER

Before: SILVERMAN, WARDLAW, and TALLMAN, Circuit Judges.

On April 24, 2023, this court ordered appellant to explain in writing why this appeal should not be dismissed as frivolous. *See* 28 U.S.C. § 1915(e)(2) (court shall dismiss case at any time, if court determines it is frivolous or malicious).

Upon a review of the record and the response to the court's April 24, 2023 order, we conclude this appeal is frivolous. We therefore deny appellant's motion to proceed in forma pauperis (Docket Entry No. 6) and dismiss this appeal as frivolous, pursuant to 28 U.S.C. § 1915(e)(2).

No further filings will be entertained in this closed case.

DISMISSED.

Appendix - A

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OSA180

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS- ON PETITION FOR A WRIT
OF CERTIORARI :

APPENDIX- B. Page 3

U.S. FED. DIST. CT. / OPINION ORDER ON REQUEST TO PROCEED IN FORMA PAUPERIS

~~1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1~~ 20-21

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

James L. Miller

PLAINTIFF(S)

v.

Scott S. Harris

DEFENDANT(S)

CASE NUMBER

2:23-cv-01223-AB-KS

ORDER ON REQUEST TO PROCEED *IN FORMA PAUPERIS* (NON-PRISONER CASE)

The Court has reviewed the Request to Proceed *In Forma Pauperis* (the "Request") and the documents submitted with it. On the question of indigency, the Court finds that the party who filed the Request:

☒ is not able to pay the filing fees. ☐ is able to pay the filing fees.

☐ has not submitted enough information for the Court to tell if the filer is able to pay the filing fees. This is what is missing:

IT IS THEREFORE ORDERED that:

☐ The Request is GRANTED.

☐ Ruling on the Request is POSTPONED for 30 days so that the filer may provide additional information.

☐ The Request is DENIED because the filer has the ability to pay.

☒ As explained in the attached statement, the Request is DENIED because:

☐ The District Court lacks ☐ subject matter jurisdiction ☐ removal jurisdiction.

☒ The action is frivolous or malicious.

☒ The action fails to state a claim upon which relief may be granted.

☒ The action seeks monetary relief against defendant(s) immune from such relief.

IT IS FURTHER ORDERED that:

☐ Within 30 days of the date of this Order, the filer must do the following:

If the filer does not comply with these instructions within 30 days, this case will be DISMISSED without prejudice.

☒ As explained in the attached statement, because it is absolutely clear that the deficiencies in the complaint cannot be cured by amendment, this case is hereby DISMISSED ☐ WITHOUT PREJUDICE ☒ WITH PREJUDICE.

☐ This case is REMANDED to state court as explained in the attached statement.

March 1, 2023

Date

United States District Judge

App. APPENDIX B (20) OF (09)

Because Plaintiff James L. Miller ("Plaintiff") has requested leave to proceed in forma pauperis in this action ("IFP Request"), the Court has screened the Complaint to determine whether the action is frivolous or malicious, fails to state a claim on which relief may be granted, or seeks monetary relief against a defendant who is immune from such relief. See 28 U.S.C. § 1915(e)(2).

Plaintiff names as the only defendant to this action Scott S. Harris, Clerk of the Supreme Court of the United States, both in his individual and official capacities. In the Complaint, Plaintiff seeks damages and declaratory relief for the perceived mishandling of his matters before the United States Supreme Court.

Judges and judicial officials, such as court clerks, performing quasi-judicial functions are entitled to absolute immunity "from civil liability for damages for their judicial acts." Mullins v. U.S. Bankruptcy Court for Dist. of Nev., 828 F.2d 1385, 1388 (9th Cir. 1987); see also Sharma v. Stevas, 790 F.2d 1486, 1486 (9th Cir. 1986) ("The defendant Clerk of the United States Supreme Court has absolute quasi-judicial immunity because his challenged activities were an integral part of the judicial process."); Demoran v. Witt, 781 F.2d 155, 156 (9th Cir. 1985) ("courts have extended absolute judicial immunity from damage actions under 42 U.S.C. § 1983 not only to judges but also to officers whose functions bear a close association to the judicial process"). "The judicial or quasi-judicial immunity available to federal officers is not limited to immunity from damages, but extends to actions for declaratory, injunctive and other equitable relief." Moore v. Brewster, 96 F.3d 1240, 1243-44 (9th Cir.1996), superseded by statute on other grounds (quoting Mullis v. Bankruptcy Court for the District of Nevada, 828 F.2d 1385, 1394 (9th Cir.1987)); Atkinson-Baker & Assocs. v. Kolts, 7 F.3d 1452, 1454 (9th Cir.1993) (per curiam) ("Federal judges are absolutely immune from claims for declaratory and injunctive relief arising from their judicial acts."). Judicial immunity applies "however erroneous the act may have been, and however injurious in its consequences it may have proved to the plaintiff." Moore, 96 F.3d at 1244.

No amendment can save this Complaint, so it will be dismissed without leave to amend.

(attach additional pages if necessary)

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS-ON PETITION FOR A WRIT
OF CERTIORARI.

APPENDIX- C.

IN THE COURT OF APPEALS OF THE STATE
OF CALIFORNIA - SECOND APPELLATE DIST. -
DIVISION TWO - / Appeal No. B224254.

(22)

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

JAMES L. MILLER,

Plaintiff and Appellant,

v.

AMIR KASHANI et al.,

Defendants and Respondents.

B224254

(Los Angeles County
Super. Ct. No. BC416582)

APPEAL from a judgment of the Superior Court of Los Angeles County. Amy D. Hogue, Judge. Affirmed.

James L. Miller, in pro. per., for Plaintiff and Appellant.

Pollack, Vida & Fisher and Daniel P. Barer for Defendants and Respondents.

(22) of (79)

APPENDIX-C

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS - ON PETITION FOR A WRIT
OF CERTIORARI;

APPENDIX - D. Pages

LIST OF PARTIES 9-8-12.
9-13.

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS - ON PETITION FOR A WRIT
OF CERTIORARI (cont. LIST OF PARTIES

(26.) Mary H. Murguia, Individual and Official Capacity, Circuit Judge - Supreme Court No. #18-6106; C.C.A. 9th No. #17-56567; D.C. No. #CV12-5649-CAS-AN (50.)

(27.) Virginia A. Phillips, Individual and Official Capacity, D.C. Judge - Supreme Court No. #18-6106; C.C.A. 9th No. #17-56567; D.C. No. #CV12-5649-CAS-AN (50.);

(28.) Scott S. Harris, Individual and Official Capacity, U.S. Clerk, et. al. - Supreme Court No. #18-6106; C.C.A. 9th No. #17-56567; D.C. No. #CV12-5649-CAS-AN (50.);

(29.) Alfred T. Goodwin, Individual and Official Capacity - Circuit Judge, et. al. - Supreme Court No. #15-6432; C.C.A. 9th No. #14-56597; D.C. No. #CV12-5649-CAS-AN (33.);

(30.) Johnnie B. Rawlinson, Individual and Official Capacity, Circuit Judge, et. al. - Supreme Court No. #15-6432; C.C.A. 9th No. #14-56597; D.C. No. #CV12-5649-CAS-AN (33.);

(31.) Alfred T. Goodwin, Individual and Official Capacity - Circuit Judge, et. al. - Supreme Court No. #15-6432; C.C.A. 9th No. #14-56597; D.C. No. #CV12-5649-CAS-AN (31.), (32.), (33.)

(32.) Jerome Farris, Individual and Official Capacity, Circuit Judge, et. al. - Supreme Court No. #15-6432; C.C.A. 9th No. #14-56597; D.C. No. #CV12-5649-CAS-AN (31a.), (32.), (33.);

IN THE SUPREME COURT OF THE UNITED STATES
REMEARING ON THE MERITS - ON PETITION FOR A WRIT
OF CERTIORARI ; CONT. LIST OF PARTIES

(32.) Michelle T. Friedland, Individual and Official capacity, Circuit Judge, et. al. - Supreme Court No. #15-6432 ; C.C.A. 9th No. #14-56597 ; D.C. No. #CV12-5649-CAS-AN(C-31.), (32.), (33.) ;

(34.) George H. King, Individual and Official capacity, D.C. Judge, et. al. - Supreme Court No. #15-6432 ; C.C.A. 9th No. #14-56597 ; D.C. No. #CV12-5649-CAS-AN (31.), (32.), (33.) ;

(35.) Ani Van Dam, Individual and Official capacity, Appeal Clerk, et. al. - Supreme Court No. #15-6432 ; C.C.A. 9th No. #14-56597 ; D.C. No. #CV12-5649-CAS-AN (22.) ;

(36.) Christina A. Snyder, Individual and Official capacity, D.C. Judge, et. al. Supreme Court No. #15-6432 ; C.C.A. 9th No. #14-56597 ; D.C. No. #CV12-5649-CAS-AN (20.), (32.), (33.) - (14.), (15.) ;

(37.) Arthur Nakazato, Individual and Official capacity, U.S. Magistrate Judge, et. al., Supreme Court No. #15-6432 ; C.C.A. 9th No. #14-56597 ; D.C. No. #CV12-5649-CAS-AN (31.), (32.), (33.) - (14.), (15.) ;

(38.) Scott S. Harris, Individual and Official, et. al. capacity ; Supreme Court No. #15-6432 ; C.C.A. 9th No. #14-56597 ; D.C. No. #CV12-5649-CAS-AN (22.) ;

(39.) William C. Canby, Individual and Official capacity, Circuit Judge, et. al., Supreme Court No. #13-15117 ; C.C.A. 9th No. #12-56895 ; D.C. No. #CV12-5649-CAS-AN -

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS-ON PETITION FOR A WRIT
OF CERTIORARI. Cont. LIST OF PARTIES
Cont PETITION FOR A WRIT OF CERTIORARI; LIST OF PARTIES.
(40.) Richard A. Clifton, Individual and Official Capacity, Circuit Judge, et. al. - Supreme Court No. # 13-7517; C.C.A. 9th No. # 12-56895; D.C. No. # CV12-5649-CAS-AN (1. thru 30.) (14.), (15.);
(41.) Diarmuid F. O'Scannlain, Individual and Official Capacity, Circuit Judge, et. al. - Supreme Court No. # 13-7517; C.C.A. 9th No. # 12-56895; D.C. No. # CV12-5649-CAS-AN (1. thru 30.); (14.), (15.);
(42.) William A. Fletcher, Individual and Official Capacity, Circuit Judge, et. al. - Supreme Court No. # 13-7517; C.C.A. 9th No. # 12-56895; D.C. No. # CV12-5649-CAS-AN (1. thru. 30.), (14.), (15.);
(43.) Consuelo M. Callahan, Individual and Official Capacity, Circuit Judge, et. al. - Supreme Court No. # 13-7517; D.C. No. # CV12-5649-CAS-AN (1. thru. 30.), (14.), (15.), C.C.A. 9th No. # 12-56895;
(44.) Christina A. Snyder, Individual and Official Capacity, U.S. Judge, et. al. - Supreme Court No. # 13-7517; C.C.A. 9th No. # 12-56895; D.C. No. # CV12-5649-CAS-AN (1. thru. 30.), (14.), (15.);
(45.) Arthur Nakazato, Individual and Official Capacity, U.S. Magistrate Judge, et. al., - Supreme Court No. # 13-7517; C.C.A. 9th No. # 12-56895; D.C. No. # CV12-5649-CAS-AN (1. thru 30.), (14.), (15.);

APPENDIX-D.
(11.) of (11.)

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS - ON PETITION FOR A WRIT
OF CERTIORARI; cont' LIST OF PARTIES

(46.) Scott S. Harris, Individual and Official Capacity, v. U.S. Supreme Court Clerk, et al. - Supreme Court no.# 13-7517; C.C.A. 9th no.# 12-56895; D.C. no.# CV12-5649-CAS-AN (C. Thur. 30.) (44., 45.).

(47.) Scott S. Harris, Individual and Official capacity, "with" (40 U.S. Supreme Ct. John Doe on Rehearing on the "merits" of a Petition) For a Writ of Certiorari; and U.S. Supreme Ct. John Doe on Petition For a Writ of Certiorari) Supreme Ct. no.# 20-5512; D.C. no.# CV19-9910-AB-KS; D.C. no.# 19-2-SW-

(48.) Scott S. Harris, Individual and Official capacity, "with" (40 U.S. Supreme Ct. John Doe, on Rehearing on the "merits" of a Petition) For a Writ of Certiorari) Supreme Ct. no.# 20-5702; D.C. no.# CV19-8904-PSG-JPR

(49.) Scott S. Harris, Individual and Official capacity, "with" (40 U.S. Supreme Ct. John Doe, on Rehearing on the "merits" on a Petition) For a Writ of Certiorari) Supreme Ct. no.# 18-6106; D.C. no.# CV12-5649-CAS-AN (56.);

(50.) Scott S. Harris, Individual and Official capacity, "with" (40 U.S. Supreme Ct. John Doe, on Rehearing on the "merits" on a Petition For a Writ of Certiorari) Supreme Ct. no.# 15-6422; D.C. no.# CV12-5649-CAS-AN (31. Thur 46.);

(51.) Scott S. Harris, Individual and Official capacity, "with" (40 U.S. Supreme Ct. John Doe, on Rehearing on the "merits" on a Petition) For a Writ of Certiorari) Supreme Ct. no.# 13-7517; D.C. no.# CV12-5649-CAS-AN. (C. Thur 30.);

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS- ON PETITION FOR A WRIT
OF CERTIORARI ; cont. LIST OF PARTIES
RELATED CASES (FROM) U.S. FEDERAL DISTRICT COURT
CENTRAL DIST. OF CALIFORNIA
(WESTERN DIV. - LOS ANGELES) DOCKET NO#

1.) U.S. Fed. Dist. Ct. - Dock. No.# CV12-5649-CAS-AN (1.-30.),
C.C.A. 9th No.# 12-56895;
2.) U.S. Fed. Dist. Ct. - Dock. No.# CV12-5649-CAS-AN. (31.-49.),
C.C.A. 9th No.# 14-56597;
3.) U.S. Fed. Dist. Ct. - Dock. No.# CV12-5649-CAS-AN (50.-52.),
C.C.A. 9th No.# 17-56567;
4.) U.S. Fed. Dist. Ct. - Dock. No.# CV19-8909-PSG-JPR (1.-13.),
C.C.A. 9th No.# 19-56385;
5.) U.S. Fed. Dist. Ct. - Dock. No.# CV19-8910-AB-KS (1.-11.),
C.C.A. 9th No.# 19-56319-AB-KS;
6.) U.S. Fed. Dist. Ct. - Dock. No.# CV12-5649-CAS-AN (60.-66.),
C.C.A. 9th No.# 21-55384;
7.) U.S. Fed. Dist. Ct. No.# CV12-5649-CAS-AN (67.-76.),
C.C.A. 9th No.# 21-56015;
8.) U.S. Fed. Dist. Ct. - Dock. No.# CV23-1223-AB-KS (1.-6.),
C.C.A. 9th No.# 23-55371. ... all case "Docketed"
(CV12-5649-CAS-AN; CV19-8909-PSG-JPR; CV19-8910-AB-
KS; CV23-1223-AB-KS.) will be located in the "Appendix"
section.
U.S. SUPREME COURT - RELATED CASE NO.# 13-7517; #15-6432
; #18-6106; #20-5512; #20-5703; #22-5358.]

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IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS-ON PETITION FOR A WRIT
OF CERTIORARI.

APPENDIX-E. Page

CONSTITUTIONAL AND STATUTORY PROVISION
INVOLVED ~~~~~~~~~~ 29.

APPENDIX-E. ( ) 6A (79)

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS - ON PETITION FOR A WRIT
OF CERTIORARI:

States, and subject (James L. Miller) to the jurisdiction (
Los Angeles, California) thereof, are citizens of the United
States and of the State (California) wherein they reside. No
State shall make or enforce any law which shall abridge (
frivolous; and suppresses or substantially interferes) the
privileges or immunities of (James L. Miller) citizen of
the United States; nor shall any State deprive (James
L. Miller) any person (citizen) of life (conspiracy), lib-
erty (invasion of privacy), or property (supra 24-27; infra
pp. 27-28), without due process (supra 24-27; infra 27-28) of
law (supra 24-27; infra 27-28); nor deny to any person (
citizen) within its jurisdiction the equal protection
of the laws.

Statutory provision would be found on (
[illegible]).

APPENDIX-E (29 of 99)

IN THE SUPREME COURT OF THE UNITED STATES
REHEARING ON THE MERITS- ON PETITION FOR A WRIT
OF CERTIORARI ;

APPENDIX- G. pages

STATEMENT THAT APPEAL SHOULD GO FORWARD 76-78

APPENDIX-G.( ) of (99)

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JAMES L. MILLER, 9th ~~Cir~~. Case No. 23-55371
Appellant(s),

v.

SCOTT S. HARRIS, et. al.
Appellee(s).

FILED
APR 18 2023
MOLLY C. DWYER
CLERK, U.S. COURT OF APPEALS

STATEMENT THAT APPEAL SHOULD GO FORWARD
(attach additional sheets as necessary)

1. Date(s) of entry of judgment or order(s) you are challenging in this appeal:

Mar. 01, 2023 - U.S. Fed. Dist. Ct., case No.# 2:23-CV-1223-AB-KS.

2. What claims did you raise to the court below?

a) Complaint For Civil Action For Deprivation of Rights"; (Os. 1-56); b) Notice of Motion and Motion "Objection" to the Order on Request to Proceed In Forma Pauperis"; (Os. 1.-15.); part (a) Filed on Feb.-12, 2023 - D.C. No.# 2:23-CV-01223-AB-KS; part (b) Lodged Apr.-03, 2023 - D.C. No.# 2:23-CV-01223-AB-KS; on Dec. 8, .

Appendix - G. (Pg.) OF (pg.)

3. What do you think the court below did wrong? (You may, but need not, refer to cases and statutes.)

(a) The Court [s] failed that the "Complaint For Civil Action For Deprivation of Rights" is Frivolous or malicous, "(the) "(b) "Fact" there were no "responsed" by defendant for the opposite "pleading" with involving the "violation" of the [C Jowsy Juvenile] [Rights] of its "importance" [U.S. Court, Articles III sect. 2. . . (b) The Court also [s] failed the action (Complaint For Civil Action For Deprivation of Rights) fails to state a claim upon which relief may be granted (42 U.S.C.S 1983) (c) the action seeks monetary relief against defendant immune from such relief (Qualified). (d.) dismissed "with prejudice (must see [Bill of Rights - 1 W.S.M. - 1689)] also termed Petition of Rights of 1628. At the very top of "Statement (under the "caption" Order on Request to Proceed - In Forma Pauperis (Non-Prisoner-Case) The Court has reviewed the Request to Proceed In Forma Pauperis (the "Request") and the documents submitted with it. On the question of indigency, the Court finds that the party who filed the Request is Not able to pay the filing fees.

Appendix - G (11) of (19)

4. Why are these errors serious enough that this appeal should go forward?

"without" correction their will be great "measure" of "Standard (Standard Accident Ins. Co. v. Standard Surety & Casualty Co. D.C. N.Y. 53 F.2d 119, 120.) Importance "injustice" the "withholding" of evidence (U.S. v. Feinstein, 126 F.2d 799.) "denial" of Justice (Silver v. N. Y. S. R. Co. 205, 324.) or error (false application of the law "State exrel. Smith v. Smith, 191, 96, 252, P.2d 550, 555.) of the Court, so grave that PI's "rectified" would result in denial of Fundamental due process (Robert v. State, Ind, 492, N.E.2d. 310, 313.)

5. Additional Information:

Dated: May 16, 2023

JAMES L. MILLER

Print Name(s)

J. L. Miller

Signature(s)

Appellant(s) in Pro Se