

No. 23-744

IN THE

SUPREME COURT OF THE UNITED STATES

Arthur Lopez – Petitioner

vs.

Our Lady Queen of Angels Catholic Church et al – Respondents

ON PETITION FOR A WRIT OF CERTIORARI TO

SUPREME COURT OF CALIFORNIA

PETITION FOR REHEARING

Arthur Lopez

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949.278.7793

Self-represented

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Appendices

Appendix A (assault by defendants against petitioner after attending mass on January 21st) (first assailant) – antagonist - instigator - Staff of Defendant Roman Catholic Diocese of Orange

Date of Incident – January 21st, 2024

Appendix B – Assailant A – Staff of Defendant 01/21/2024

Appendix C – Assailant B (lookalike) – Staff of Defendant 01/21/2024

Appendix D – Responding – Garden Grove Police Department Congressman Officer Vu, T. and Officer Raabe

Congressman 01/21/2024

Appendix E (assault against petitioner by U.S. military associates of October 7, 2023) – U.S. Military associates assault of 10/07/2023 – Costa Mesa Police Department Responding Officers and Case Numbers

Table of Authorities

- 1) Engel v. Vitale, 370 U.S. 421 (1962) United States Supreme Court

Supreme Court Justice Black, held that N.Y's program of daily classroom invocation of God's Blessing as prescribed in Prayer Promulgated by its Board of Regents was a "religious activity" and use of public school system to encourage recitation of such prayer was practice wholly inconsistent with Establishment of Religious Clause of Constitution," (U.S. Constitution, First Amendment)

- 2) Everson v. Board of Education of Ewing Township, 330 U.S. 1 Supreme Court of the United States

"...The First Amendment has erected a wall between Church and State..."

- 3) United States v. Price, 383 1 U.S. 787 (1966)

"Supreme Court, Mr. Justice Fortes, held that, in release of three men from county jail, interception of them on the highway and assault and murder of them was joint activity of state officers and non-official defendants, non-official defendants were acting under color of law in violation of statute and that indictment alleging that sheriff, deputy sheriff and patrolmen, under color of law, participated in conspiracy to punish three persons in custody in county jail without due process of law alleged state action bringing conspiracy within ambit of the Fourteenth Amendment.

Petition for Rehearing

Petitioner Arthur Lopez petitions for rehearing of this court's February 20th, 2024, order denying his position for Writ of Certiorari filed December 22, 2023.

Reasons for Granting Rehearing

Rehearing should be granted to uphold the United States Constitution, First Amendment:

“Congress shall make no law respecting an establishment of Religion OR prohibiting the free exercise thereof,”

“On 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.”

Moreover, this court’s rule 44.2 authorizes a petition for rehearing based on “intervening circumstances of a substantial effect” “or to other substantial grounds not previously presented.”

On January 21st, 2024, less than one month after filing the petition for Writ of Certiorari, the defendant “Roman Catholic Diocese of Orange” assaulted the Plaintiff Petitioner Arthur Lopez again after attending Sunday Church Service on their property located @ 13280 Chapman Ave, Garden Grove, California 92840. Initially, the incident began after Petitioner had exited the church, “Christ Cathedral”, after Mass had concluded as Petitioner headed towards the property exit through their parking lot. However, as Petitioner walked through the courtyard a Hispanic male in dark clothing started to harass Petitioner despite being told to stay away.

The entire incident was entirely unprovoked and unwarranted. Soon after, as Petitioner sought a Priest for assistance two additional males escalated matters by shoving Petitioner from behind despite being aware of his spine injuries. In fact, the physical contact by these adult males began as Petitioner was walking away after being told by a Deacon, assistant to the presiding priest, that he was unaware where a priest could be reached. Petitioner proceeded to call the local police through a 911 dispatcher and received Fire Paramedics attention and was transported to the nearest hospital ER “UCI Medical Center” in Orange, California.

Petitioner was told by Garden Grove Police Staff the men who participated in these malicious acts (dressed in black clothing without any form of nametags on badges, nor embroidery on their shirts or jackets) are security staff of the defendant grounds. No other information was provided other than they act under color of law – security, who is licensed and regulated by the State of California. Moreover, the Garden Grove Police Department who issued Report #24004179, officers Raabe and Vu Badge #5100 and #4730 respectively have also deprived Petitioner of his Civil Rights, Due Process and Equal Protection under law.

14th Amendment. First, Petitioner was badgered by the department’s watch commander when Petitioner was forced to phone for assistance multiple times since no police responded to the scene – church grounds. It was nearly an hour after the assault (first verbal harassment and then escalating to physical contact shoving

Petitioner from behind by two adult males (see appendices) the first patrol unit arrived after the Fire Department first responders across the street @ a Fast Food Restaurant where Petitioner waited for assistance.

In addition, the redacted Police Report is not truthful as it relates to the incident and the requested video recordings from the church security cameras have not been provided despite repeated requests. It amounts to, in every sense, a conspired coverup by state licensed security (affiliations to law enforcement and/or military is being concealed), which is employed by the defendant; the local police department and their staff / police officers. In fact, Police Officer T. Vu also wears a Badge representing himself as a Congressman in addition to Police Officer Badge #4734.

The Supreme Court, in *Williams v. United States* (1951) 341 U.S. 97, “whoever, under color of law, statute, ordinance, regulation, or custom, willfully subjects or causes to be subjected, any inhabitant of any state, territory, or District to the Deprivation of any rights, privileges, or immunities secured or protected by the Constitution and laws of the United States shall be fined or imprisoned...”

Also, in *United States v. Price*, 383 1 U.S. 787

The Supreme Court held that the assault “by conspiracy of non-official defendants and “state officers” were acting under color of law and the punishment of three prisoners / persons without due process of law, alleged state action bringing conspiracy within ambit of Fourteenth amendment.”

Hence, whereby the Defendant" Roman Catholic Diocese of Orange has conspired with their security staff to not only punish Petitioner without Due Process of Law – Deprive U.S. Constitutional Civil Rights 14th and 1st amendments, since Petitioner has also been prohibited from Practice of his Religion and Worship not only @ this property but many throughout the Diocese of Orange County and beyond in SoCal.

Furthermore, local Police Department and officers are extending this punishment whereby their Deprivation of Petitioner's Constitutional Rights continues to infringe—deprive freedom to exercise religion by denying equal protection under law and conspiring through their actions with defendant—Roman Catholic Diocese of Orange and its State Licensed agents of security who also deprive Petitioner's Constitutional Right to exercise religion—worship and moreover deprive Freedom of Speech. Furthermore, the right to petition government for a redress of grievances is also barred by co-conspirator Garden Grove Police Department failing to respond or even acknowledge attempts by Petitioner for redress to the City of Garden Grove Governance or even the Police Department Command Police Chief.

In summary, these acts of unlawfulness have been standard operating practice by the defendant and their government co-conspirators, local city officials, law enforcement and military which violates the Protections provided by Petitioner's 1st amendment Civil Rights, see Engel + Vitale, 370 U.S. 421 (1962) whereby the court concluded even prayers practice in a Public School was wholly inconsistent with the Establishment of Religion Clause of the Constitution – First Amendment and also

in *Everson v. Board of Education of Ewing Township*, 330 U.S. 1, "The First amendment has erected a wall between church and state..."

Unfortunately, these conclusions by the Supreme Court are not respected by these defendants and their government conspirators all of which continues to harm tremendously Petitioner's right to Worship – Exercise Religious Freedom and Peaceful assembly.

Conclusion

For the foregoing facts – reasons, and those stated in the Petition for Writ of Certiorari, the Court should grant rehearing, grant the Petition for Writ of Certiorari.

March 16th, 2024

Respectfully Submitted,

Arthur Lopez

Certificate of Unrepresented Party

As a self-represented Petitioner, I hereby certify that this Petition for Rehearing is presented in good faith and not for delay and is restricted to the grounds specified in Rule 44.2

Arthur Lopez

Appendix A (*photo available*)

Instigating-Harassing-antagonist

Agent 1

Staff Allegedly of Roman Diocese of Orange County + Christ Cathedral Property

13280 Chapman Ave, Garden Grove, California 92840

Appendix B (*photo available*)

Assailant – Agent II

Staff Allegedly of Roman Diocese of Orange County + Christ Cathedral Property

13280 Chapman Ave, Garden Grove, California 92840

Appendix C (*photo available*)

Assailant #2 (lookalike)

Agent III

Staff Allegedly of Roman Diocese of Orange County + Christ Cathedral Property

13280 Chapman Ave, Garden Grove, California 92840

Appendix D (*photo available*)

Responding officer

Garden Grove Police Officer Vu -- Badge #4730

Garden Grove police officer / congressman

@ neighboring fast food property

Property of Christ Cathedral Church

GGPD

Case / Incident #: 24004179 (01/21/2024)

Officer Raabe / Vu

Badge #: 5100 / 4730

Appendix E

Costa Mesa Police Department

99 Fair Dr, Costa Mesa, California 92626

Case #: 23-014765

Case #: 23-014764

Police officer assigned

Added info by Arthur Lopez

“Hit and Run + Assault” of October 7th, 2023, by U.S. military associate

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Petitioner

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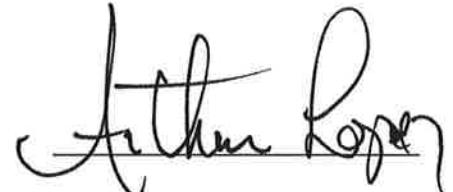
Respondent

Certificate of Compliance

As required by Supreme Court Rule 44 and 33 (g), I, Arthur Lopez, Petitioner, certify the Petition for Rehearing contains 1,753 words, excluding the Parts of the Petition that are exempted by Supreme Court Rule 33.1(d).

I declare under penalty of perjury the foregoing is true and correct.

This 11th Day of April 2024.



Arthur Lopez

P.O. Box 13081

Newport Beach, CA 92658

949.278.7793

Self-represented

Petitioner

Proof of Service

I, Arthur Lopez, do swear or declare that on this date, April 2024, as required by Supreme Court Rule 29 I have served the Petition for Rehearing on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

Our Lady Queen of Angels Catholic Church, et al

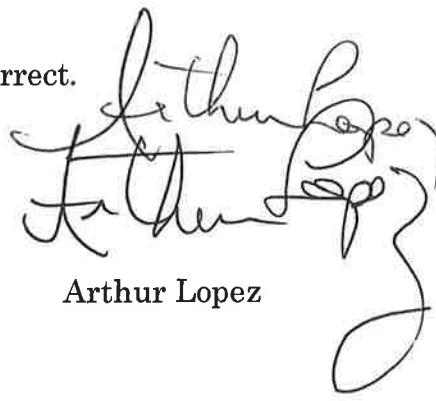
Tyler Bernstein

650 Town Center Dr, 10th Floor

Costa Mesa, CA 92626

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 9th, 2024



Arthur Lopez

