

IN THE SUPREME COURT OF THE UNITED STATES

Yehoram Uziel
Plaintiff,

-vs-

Superior Court of the State of California et al.
Defendants

USCA9 case No. 21-56306

[A DISCRIMINATION CASE]

Application to extend time to file a petition for extraordinary relief and Certiorari

Pursuant to Rules 13.5 Petitioner Uziel moves this Court to grant Petitioner leave to extend the deadline for filing a Petition for Relief and Certiorari to the Court of Appeals for the Ninth Circuit in the above matter for 60 days to and including December 29, 2023.

This request seeks to protect Uziel' rights to a fair trial, effective assistance of counsel, and due process of law - protected by the Fourth, Fifth, Sixth, Eighth and Fourteenth Amendments to the United States Constitution.

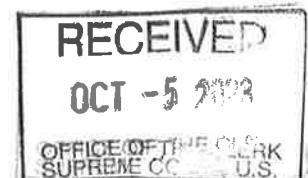
The grounds for this Motion are set forth in the accompanying memorandum.

Date: September 30, 2023

Respectfully submitted,

/s/ Yehoram Uziel

Yehoram Uziel – Self-Represented Litigant
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MEMORANDUM IN SUPPORT OF MOTION

Introduction

By July 25, 2023 I received two notices that the Court of Appeals for the Ninth Circuit ("USCA9") filed two dispositions. The first disposition was in the appeal of Uziel v. Superior Court of the State of California, et al. [No. 21-56306] dated July 3, 2023. The second disposition was in the appeal of Uziel v. Newsom [No. 21-56303] dated July 5, 2023.

On September 15, 2023 I filed a motion requesting to extend time to file a combined petition for extraordinary relief and for certiorari to the USCA9. I added to that motion a request for leave of Court to file Amicus briefs and also for leave of court to allow me to join the two cases into a single petition.

On September 30, 2023 I received a letter from Ms Rashanda Garner¹ advising me that I need to file any application to extend time to file the petitions separately for each case, without any other motion attached to the application to extend time.

To comply with Ms. Garner letter, I hereby submit two separate applications; each will be electronically serviced on opposing counsel by electronically posting the application on the USCA9 docket of each case.

Per Ms. Garner' letter I am allowed to combine both dispositions into a single petition and receive a case number in the US Supreme Court pursuant to rule 12.4.

The USCA9 dockets of both appeals (No. 21-56306 and No. 21-56303) clearly show bias and conduct of discrimination against self represented Petitioner. Uziel was denied as self represented litigant any access to due process of law within the Federal Courts of the Ninth Circuit, as customary to other litigants.

¹ See attachement

Consequently, the questions to be presented in the sought petition to the US Supreme Courts will be identical for both judgments; and so will be the relief sought. The petition seeks to end the discrimination against the self represented Petitioner by complying with the all the requirements delineated in the Equal Protection Clause found in the Fifth and the Fourteen Amendments to the US constitution.

Petitioner plans to seek an USSC orders to USCA9 and the Courts below to prohibit violation of the Eight Amendment' from imposing cruel and unusual punishment on Petitioner; and to abide by the impartiality requirements as defined in the canons of the Code of Ethics of Federal Judges as well as in 28 USC section 455.

The practical relief sought in this petition is to compel litigation of both Complaints before a jury.

Petitioner seeks review by the U.S. Supreme Court of the reasons why USCA9 ratified, without due process of law, an apparent abuse of Federal Rule of Civil Procedure Rule 11 and Rule 12.

The alleged deprivations of Uziel' rights to due process of law include evidence to tampering with witness declarations and with admissible evidence. Both USCA9 dockets include evidence that opposing Counsels in both cases cut secret deals with the Federal Judges to discriminate against a self represented litigants

The U.S. Supreme Court remains the last resort sought to protect Petitioner' rights as a self represented litigant pursuant to the Equal Protection Clause and from abuse of judicial powers and discretion to damage Petitioner in violation of the Eight Amendment to the U.S. Constitution.

Good cause exists to grant Petitioner' Application

Judicial discrimination against a protected member of class of litigants is neither limited to Yehoram Uziel nor can be presumed as an innocent mistake of one or more judicial officers.

Combining the two dispositions into a single petition under Rule 12.4 requires additional time to compose a petition for extraordinary relief and certiorari to USCA9 and properly merge the appendices. In addition Petitioner needs more time to clearly establish to the USS Court why a review is necessary².

While the Rules of Courts throughout the Ninth Circuit clearly recognize that a self represented litigant must only adhere to the facts; and file his papers on pro se template forms for petitioning the Courts within the Ninth Circuit, Petitioner Uziel is required to comply with the Clerk of the US Supreme Court interpretation of the rules in order to file the petition on the US Supreme Court docket.

Furthermore, it is unclear to petitioner if filing this petition may require to be filed on more than one docket. If so, Petitioner may need guidance (or examples of prior filings) that cannot otherwise be available to Petitioner without the assistance of the case analyst assigned by the Clerk of the US Supreme Court.

Petitioner also seeks to present briefs written by two experts. Ms. Garner stated that Petitioner (not being admitted to the US Supreme Court Bar) is prohibited from filing Amici briefs. A leave of Court to present amicus briefs, with the assistance from the Supreme Court Clerk will be essential for me to approach the experts without any kind of subpoena.

² As well as to establish a good cause for the US Supreme Court to apply its discretion to evaluate and grant Petitioner the sought Relief and Certiorari.

Since there has never been a trial or a pre-trial activity in either one of my cases, this petition will seek the same relief from discrimination in both cases. Thus the Clerk of the US Supreme Court becomes Petitioner' last resort to seek defense of Petitioner' constitutional rights.

Therefore, Petitioner seeks reasonable relief from the procedural time limit to file in order to meet the challenge and submit a well written petition in compliance with the Rules of the US Supreme Court.

The (combined) petition requires more time to file because it is designed to address multiple issues regarding abuse of judicial powers and judicial discretion in performing the duties of Ninth Circuit Courts³.

A leave of Court to present the Amicus Curiae briefs will enhance Petitioner arguments to establish why granting Petitioner certiorari could also yield rulings in this Court' best interest.

Granting this application could serve to vindicate Petitioner's constitutional rights to: effective assistance of legal experts, due process of law, equal protection of the law, confrontation of the State's evidence (or lack thereof), and relief from unwarranted cruel and unusual punishment⁴.

Even if the Court procedures in questions do not emanate directly from a specific constitutional provision, it is well-settled that "*when a State opts to act in a field where its action has significant discretionary elements, it must nonetheless act in accord with the dictates of the Constitution—and, in particular, in accord with the Due Process Clause.*" *Evitts v. Lucey*, 469 U.S. 387, 401 (1985).

³ (i) abuse of judicial powers; and (ii) abuse of judicial discretion (a violation of the Code of Ethics of Federal Judges) and 28 USC section 455).

⁴ Fifth, Sixth, Eighth, and Fourteenth Amendments to the U.S. Constitution

As the United States Supreme Court’s jurisprudence has made evident, judicial discrimination of litigants is different; for that reason more process is due, not less. *See Lockett v. Ohio*, 438 U.S. 586, 605 (1978); *Woodson v. North Carolina*, 428 U.S. 280, 305 (1976) (plurality opinion). “[W]hen a State opts to act in a field where its action has significant discretionary elements; it must nonetheless act in accord with the dictates of the Constitution — and, in particular, in accord with the Due Process Clause.” *Evitts v. Lucey*, 469 U.S. 387, 401 (1985). This is all the more so when a petitioner’s interest, protected by the “life, liberty and property” language in the Due Process Clause, is at stake in the proceeding. *Ohio Adult Parole Authority v. Woodard*, 523 U.S. 272, 288 (1998) (O’Connor, Souter, Ginsberg, and Breyer, J.J., concurring); *id.* at 291 (Stevens, J., dissenting) (recognizing a distinct, continuing, life interest protected by the Due Process Clause in capital cases). The Court must take all necessary measures to prevent arbitrary, cruel, and unusual results of any proceeding. *See Lockett*, 438 U.S. at 604; *Woodson*, 428 U.S. at 304-05.

Uziel, self-represented Petitioner respectfully asks the Court to grant the application to extend time to file a (well established) petition.

September 30, 2023

Respectfully submitted,

/s/Yehoram Uziel

Yehoram Uziel

Self-represented Petitioner

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**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

September 20, 2023

Yehoram Uziel
19329 Bryant St.
Northridge, CA 91324

RE: Uziel v. Newsom, et al. & Uziel v. Superior Court of California, et al.
USCA9 Nos. 21-56303; 21-56306

Dear Mr. Uziel:

The application for an extension of time within which to file a petition for a writ of certiorari in the above-entitled case was postmarked September 15, 2023 and received September 19, 2023. The application is returned for the following reason(s):

An application for an extension of time may not be combined with other motions to this Court. To the extent that you are seeking an extension of time in reference to the order(s) in the Ninth Circuit Court of Appeals in case no. 21-56303 dated July 5, 2023, and in case no. 21-56306 dated July 3, 2023, you must submit two separate applications in compliance with Rule 13.5.

The Rules of this Court make no provision for the filing of a "Motion for leave of court to combine the above two cases into a single petition" If you are seeking to file a petition for a writ of certiorari seeking review of multiple judgments under Rule 12.4 you may do so by explicitly stating the dates of all order(s) sought to be reviewed within your statement of jurisdiction, and including them in the appendix to the petition.

You are informed that an amicus curiae brief may be filed only by an attorney admitted to practice before this Court. Rule 37

A copy of the corrected application must be served on opposing counsel.

Sincerely,
Scott S. Harris, Clerk

By


Rashonda Garner
(202) 479-3025

Enclosures