

No. 24-1303

In the
Supreme Court of the United States

ZAKIYA JENDAYI,

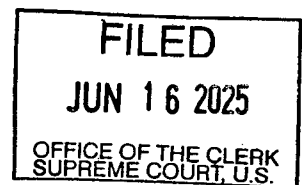
Petitioner,

v.

DELLA HAMLIN, ET AL.

Respondents.

ORIGINAL

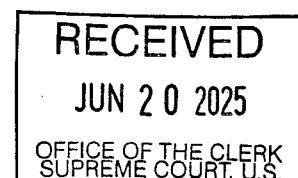


On Petition for a Writ of Certiorari to the
California Supreme Court

PETITION FOR A WRIT OF CERTIORARI

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June 16, 2025



QUESTION PRESENTED

Whether a California probate court may invalidate a valid, lawfully executed trust—based on the contested claims of disinherited parties with no standing under Article III—in proceedings marked by structural due process violations, where the resulting published appellate opinion now shapes California precedent and threatens national interests in judicial integrity, constitutional uniformity, and the preservation of generational wealth.

PARTIES TO THE PROCEEDINGS

Petitioner

- Zakiya Jendayi

Respondents

- Della Hamlin
- Helaine Head

CORPORATE DISCLOSURE STATEMENT

Pursuant to Supreme Court Rule 29.6, petitioner Zakiya Jendayi states that she is an individual and not a non-governmental corporate party. Accordingly, no corporate disclosure statement is required.

LIST OF PROCEEDINGS

Supreme Court of California

No. S288083

In Re Laura Dean Head Living Trust

Della Hamlin et al., *Petitioners and Respondents*, v.
Zakiya Jendayi, *Objector and Appellant*

Date of Final Order: January 15, 2025

Court of Appeal of the State of California First
Appellate District Division Three

No. A167695

In Re Laura Dean Head Living Trust

Della Hamlin et al., *Petitioners and Respondents*, v.
Zakiya Jendayi, *Objector and Appellant*

Date of Final Judgment: October 17, 2024

Superior Court of California, County of Alameda

No. RP20061734

In Re: The Matter of Laura Dean Head Living Trust

Date of Final Judgment: March 28, 2023

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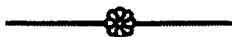
OPINIONS BELOW

The Opinion of the Court of Appeal of the State of California (October 17, 2024), which was certified for partial publication, included at App.2a. The Order and Statement of Decision, Superior Court of the State of California, Alameda County (March 28, 2023) included at App.38a.



JURISDICTION

The Order Denying a Petition for Review by Supreme Court of California (January 15, 2025) reported at App.1a. Justice Kagan granted an application for extension through to June 14, 2025, which being a Saturday, rolls to Monday, June 16, 2025. The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a).



CONSTITUTIONAL AND STATUTORY PROVISIONS

Relevant Statutory Provisions all reported at (App) App.45a-50a.



INTRODUCTION

This petition presents a pressing constitutional issue that meets all three criteria for certiorari under Supreme Court Rule 10: 1. Conflict Between Federal and State Law: The case reveals a direct conflict between federal standing doctrine and California probate court practices. 2. Precedential Impact: The appellate decision has been certified for partial publication and is already influencing probate jurisprudence across California. 3. National Importance: The case raises significant questions about due process, judicial impartiality, and the protection of intergenerational wealth, particularly within marginalized communities.

Petitioner Zakiya Jendayi was lawfully designated by Dr. Laura Dean Head as her Power of Attorney, Health Care Agent, Executor, Trustee, and Sole Beneficiary. Despite the trust's clear disinheritance clause excluding Dr. Head's estranged siblings, the California probate court permitted these individuals to contest the trust without demonstrating any legal standing under California Probate Code §17200. This action contravenes established federal principles requiring a concrete and particularized injury for standing, as articulated in *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560 (1992), and *Hollingsworth v. Perry*, 570 U.S. 693, 705–706 (2013). The trial was marred by procedural irregularities that violated fundamental due process rights. Petitioner was muted during hearings, critical exculpatory evidence was excluded, and the burden of proof was improperly shifted. These actions are inconsistent with the due process protections outlined in *Mathews v. Eldridge*, 424 U.S. 319, 333

(1976), and the right to a fair trial as emphasized in *Goldberg v. Kelly*, 397 U.S. 254, 267–271 (1970). The appellate court upheld the trial court’s decision without a thorough review of the trial transcripts and certified the opinion for partial publication on October 17, 2024. This published opinion is now being cited in other probate disputes across California, despite its foundation on procedurally flawed grounds.

This case also highlights broader systemic issues affecting marginalized communities. Research indicates that Black and Hispanic homeowners are significantly less likely to have wills or estate plans compared to their white counterparts, leading to a higher incidence of “heirs’ property” and subsequent loss of generational wealth. According to the Urban Institute, nearly 70% of Black homeowners over 50 lack a will or trust, compared to 35% of white homeowners. This disparity contributes to the widening racial wealth gap, as families are unable to effectively transfer assets across generations. Furthermore, the American College of Trust and Estate Counsel (ACTEC) has acknowledged that the loss of property through heirs’ property disproportionately affects African American communities, leading to significant economic disadvantages. These systemic issues underscore the national importance of ensuring fair and constitutional probate proceedings. Under Supreme Court Rule 10(b), certiorari is appropriate where a state court has decided an important federal question in a way that conflicts with relevant decisions of this Court. Under Rule 10(c), review is warranted when a state court has departed from the accepted and usual course of judicial proceedings. This case satisfies both criteria, presenting an opportunity for the Court to reaffirm constitutional

protections in the probate context and to address systemic disparities that undermine the equitable administration of justice.

This petition arises from a deeply flawed probate court ruling in California that invalidated a legally executed trust despite overwhelming evidence of the testator's mental competence, free will, and clear intent. At its core, the case presents a constitutional conflict between state probate court practices and established federal principles of standing, due process, and judicial neutrality—making it an ideal vehicle for this Court's review. First, the probate court allowed individuals who were expressly disinherited in the trust and had no present or future beneficial interest to initiate a trust contest, relying solely on California Probate Code §17200. This directly conflicts with the U.S. Constitution Article III standing requirements articulated by this Court in *Lujan v. Defenders of Wildlife*, 504 U.S. 555 (1992), and *Hollingsworth v. Perry*, 570 U.S. 693 (2013), which require a concrete and particularized injury to invoke judicial power. State courts may not disregard these foundational limits under the guise of flexible probate administration. Second, the trial proceedings were replete with structural due process violations. Petitioner was muted during a key hearing, excluded from presenting authenticated exculpatory declarations, and subjected to a shifting burden of proof on an undue influence claim without legal justification. These practices violate the procedural safeguards enshrined in *Mathews v. Eldridge*, 424 U.S. 319 (1976), and *Goldberg v. Kelly*, 397 U.S. 254 (1970), as well as this Court's concern for fair process in civil trials. Third, the appellate court exacerbated the constitutional harm by affirming the

trial court without examining the full trial record. Worse still, it certified a portion of its decision for publication—despite the factual errors and constitutional defects—resulting in the ruling being cited in ongoing probate litigation. This presents a profound risk of entrenching flawed precedent in other cases, contrary to this Court’s guidance in *Murdock v. City of Memphis*, 87 U.S. 590 (1875), that state courts must follow federal law when federal rights are implicated.

Finally, this case represents an issue of national concern. Black and other marginalized families are disproportionately impacted by the erosion of estate planning protections in probate courts, undermining generational wealth and public confidence in the legal system. As organizations like ACTEC and the Urban Institute have documented, these harms are systemic and growing. When courts disregard executed wills and trusts—especially in favor of disinherited individuals without standing—the rule of law suffers. This Court’s intervention is urgently needed to resolve the Article III standing conflict, correct procedural injustices, and prevent constitutional violations from being solidified as precedent. The Petition squarely meets the criteria for certiorari under Supreme Court Rule 10(a), (b), and (c), and presents a compelling opportunity to protect fundamental rights in probate adjudications across the nation.



STATEMENT OF THE CASE

In 2013, Dr. Laura Dean Head—an esteemed Black Studies professor, mentor, and dear friend of Petitioner Zakiya Jendayi for 28 years—executed a comprehensive estate plan. She appointed Jendayi as her Power of Attorney, Advance Health Care Directive Agent, Executor, Trustee, and Sole Beneficiary. Dr. Head was estranged from her two sisters, Della Hamlin and Helaine Head, and included in her trust both a disinheritance clause and a no-contest clause. The trust documents were legally executed and witnessed by estate planning attorney Elaine Lee, two neutral witnesses, and licensed notary Trina E. Jackson. Seven years after Dr. Head’s passing, Jendayi filed a petition seeking distribution of estate proceeds to which Dr. Head’s trust was legally entitled. In response, the disinherited sisters—neither trustees nor beneficiaries—filed a trust contest alleging undue influence, forgery, and lack of capacity. Their allegations relied primarily on the unsworn and unexamined statements of Eunice Aaron, who had died prior to trial and whose comments could not be authenticated or challenged under cross-examination.

Despite acknowledging on record that petitioners lacked standing under Probate Code §17200 and that their claims more properly belonged in civil court, Judge Sandra K. Bean allowed the matter to proceed in probate. At the first hearing, Judge Bean muted Jendayi and did not allow her to speak. When reading a declaration submitted by Dr. Derethia DuVal—Dr. Head’s colleague and friend of 20 years—Judge Bean refused to read the full declaration on the record,

omitting key exculpatory content. Among the omitted lines was a powerful statement: “When she was diagnosed terminal, she discussed with me she wanted Jendayi to inherit her property and belongings.”

Likewise, when reading Attorney Elaine Lee’s sworn declaration in support of Jendayi, Judge Bean omitted the phrase “or undue influence,” despite it appearing in the final sentence—thereby materially altering the meaning. She also dismissed the final sentence in a support letter from Kaiser hospice social worker Kristen Brady, which read, “Ms. Jendayi kept excellent records of the care she gave to Ms. Head and was a guardian who carried out her wishes,” stating, “I think the last sentence is irrelevant.” These acts of selective omission foreshadowed a pattern of deeper procedural violations during trial. Judge Bean excluded authenticated declarations—even after witnesses were cross-examined—and refused to admit into evidence the sworn declaration of licensed notary Trina Jackson, despite Jackson testifying under oath that she wrote it herself, without assistance, and confirming its accuracy. Meanwhile, Judge Bean allowed opposing counsel to question Jendayi extensively about a declaration from Antoinette Samuel, which was never admitted into evidence, and denied Jendayi the opportunity to use social worker Aretha Hampton’s records while examining Jennifer Hopping, even though they worked together. Opposing counsel was permitted to shift legal theories—from Probate Code §17200 to financial elder abuse and back again—without amending pleadings or meeting statutory thresholds.

Although Judge Bean initially acknowledged this procedural defect on the record, she later disregarded it without explanation. She also repeatedly altered Jendayi's witness schedule across several months, causing her to lose multiple key witnesses, while only once modifying the petitioner's schedule. A critical part of the court's ruling relied on a letter signed by Kaiser physician Dr. Stephan Sarafian, which stated that Dr. Head lacked mental capacity and was susceptible to "fraud and/or undue influence." The letter listed the wrong day, month, and year, and misidentified Dr. Head as male. Dr. Sarafian later testified under oath that he did not author the letter, did not evaluate Dr. Head for mental capacity, and merely signed a draft written by someone else "in case it was needed in the future." Despite this, the letter was used by Judge Bean and the appellate court to justify invalidating the trust. Both the trial court and the appellate court heavily relied on Dr. Sarafian's letter and the false argument by opposing counsel Daniel Leahy that Jendayi named herself beneficiary—despite direct testimony from estate planning attorney Elaine Lee that Dr. Head personally told her she wanted to leave her estate to Jendayi. Attorney Lee testified that she met privately with Dr. Head on two occasions, and that the estate plan was executed in full compliance with California law and Dr. Head's own clear instructions. Meanwhile, Dr. Head's medical and legal team—including attorney Elaine Lee, hospice physician Dr. Stephanie Marquet, hospice social worker Jenna Noe, and notary Trina Jackson—testified that Dr. Head was mentally competent and acted independently. Their testimony was disregarded. Judge Bean found no evidence of forgery or lack of capacity, yet invalidated the trust solely based on undue influence—a finding

made possible only by improperly shifting the burden of proof to Jendayi, without meeting the legal criteria.

The ruling ignored key facts: that Dr. Head's home had become uninhabitable, that she chose to live with Jendayi while under the care of paid professional caregivers and a full hospice team, and that her sisters had not been part of her life. Della Hamlin testified she had not seen Dr. Head since 1997 or 1998, and Helaine Head could not identify Dr. Head in a photograph during her testimony. On appeal, the California Court of Appeal upheld the trial court without reviewing the submitted trial transcripts and certified the opinion for partial publication. Since that time, over 30 law firms, legal organizations, and journalists have cited or written articles about the case—relying on findings that were unsupported by the trial record. This case is not merely a private probate dispute. It reflects a structural breakdown in judicial fairness and a widening conflict between state probate procedures and federal due process guarantees. A fully executed, unamended trust by a competent testator was invalidated through a process rife with judicial bias, procedural impropriety, and constitutional violations. This Court's review is essential to prevent further erosion of estate planning protections and to resolve the federal-state conflict over jurisdiction, standing, and evidentiary fairness.



REASONS FOR GRANTING THE PETITION

I. Federal-State Conflict Over Standing

This case presents a direct and urgent conflict between California probate procedure and the standing requirements mandated by Article III of the U.S. Constitution. The California probate court permitted disinherited individuals to contest Dr. Laura Dean Head's valid estate plan without demonstrating any concrete, particularized injury—a clear departure from federal standing doctrine. Under Article III, a plaintiff must show a personal and legally protected interest that is concretely injured. In *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560 (1992), this Court held that standing requires an injury-in-fact that is 'concrete and particularized' and 'actual or imminent, not conjectural or hypothetical.' Similarly, in *Hollingsworth v. Perry*, 570 U.S. 693, 705–706 (2013), the Court reiterated that a party 'must possess a direct stake in the outcome,' and not merely an ideological or generalized interest.

Yet, California Probate Code §17200 allows virtually anyone claiming an interest—however speculative—to contest a trust, effectively eliminating any Article III filter. This permits state courts to hear disputes that would be summarily dismissed in federal courts. By granting standing to Dr. Head's estranged, disinherited sisters, who had no legal interest in the trust and who testified to having little or no recent relationship with the decedent, the probate court acted in contravention of federal constitutional limits. Such inconsistency threatens uniformity in constitutional jurisprudence and allows state courts to open

federal-question litigation under looser standards, expanding the risk of forum manipulation. As this Court held in *Spokeo, Inc. v. Robins*, 578 U.S. 330 (2016), even a statutory right must be accompanied by a real injury to confer standing. The misuse of §17200 to bypass Article III undermines that precedent. Because the appellate court certified this flawed ruling for partial publication, it now sets dangerous precedent in California and may influence probate rulings across the country. Clarification from this Court is essential to reestablish constitutional boundaries between federal and state adjudicative power.

II. Structural Due Process Violations and Judicial Bias

The trial court's conduct in this case violated core principles of due process under U.S. Const. amend. V and U.S. Const. amend. XIV. The Petitioner was denied a meaningful opportunity to present her case through a pattern of structural errors and judicial bias that tainted the entire proceeding. First, Judge Sandra K. Bean muted the Petitioner during a critical virtual hearing, preventing her from participating in her own defense—a clear violation of procedural fairness. In *Goldberg v. Kelly*, 397 U.S. 254, 267–271 (1970), this Court held that the right to be heard ‘must be tailored to the capacities and circumstances of those who are to be heard’ and that oral presentation is a basic tenet of due process. Muting a party during a live hearing is tantamount to denial of that right.

Second, the court excluded crucial defense evidence, including authenticated declarations and medical records, while permitting opposing counsel to read into the record a declaration from Antoinette Samuel—a witness who did not testify and was unavailable for

cross-examination. Conversely, the court refused to allow Petitioner to read or introduce a declaration from Dr. Derethia DuVal, a live witness who was cross-examined. This inconsistency violates the doctrine of evidentiary parity and undermines adversarial fairness. As emphasized in *Chambers v. Mississippi*, 410 U.S. 284, 302 (1973), exclusion of reliable, critical evidence that would normally be admissible constitutes a violation of due process. Third, Judge Bean improperly shifted the burden of proof in the undue influence claim, holding Petitioner responsible for disproving allegations not supported by admissible evidence. In *Specht v. Patterson*, 386 U.S. 605, 610 (1967), this Court warned against judicial procedures that depart from established rules of evidence and burden allocation. Such a shift effectively stripped Petitioner of the presumption of innocence in a civil trial context.

Finally, Judge Bean relied on demonstrably false evidence—such as a letter from Dr. Stephan Sarafian containing inaccuracies about the decedent's identity and timeline—and failed to admit the declaration of the estate's notary, Trina Jackson, despite repeated requests. Even more troubling, Judge Bean accepted the unsupported argument that Petitioner 'named herself' as beneficiary, ignoring the sworn testimony of Attorney Elaine Lee that Dr. Head made that decision independently. These cumulative errors were not harmless—they infected the structure of the trial. As *Tumey v. Ohio*, 273 U.S. 510, 535 (1927) affirms, 'a fair trial in a fair tribunal is a basic requirement of due process.' Where bias and procedural deprivation distort the fact-finding process, the trial result cannot be considered constitutionally valid. Accordingly, this

Court's intervention is essential to reaffirm the structural protections guaranteed by the Constitution.

III. Precedential Impact and National Importance

This case is not only constitutionally urgent—it is nationally consequential. The California Court of Appeal certified the underlying opinion for partial publication on October 17, 2024. That ruling, despite being grounded in factual inaccuracies, structural due process violations, and conflicts with federal standing doctrine, is now being cited by attorneys and lower courts as controlling law in probate disputes across California. More than 30 law firms, legal organizations, and journalists have published commentary analyzing this decision, which was upheld without the appellate court reviewing key trial transcripts. This raises grave concerns about the integrity of judicial precedent and the danger of normalizing constitutionally flawed outcomes. The use of factually inaccurate rulings as binding precedent risks undermining public trust and legal uniformity across jurisdictions. As emphasized in *Bush v. Gore*, 531 U.S. 98, 109 (2000), when a state's judgment affects broader constitutional interests, this Court's review is warranted.

The systemic nature of the harm reflected in this case—lack of standing, shifting of burdens, exclusion of defense evidence, and judicial bias—mirrors the very concerns that this Court addressed in *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009), where it held that due process is violated when the probability of judicial bias is too high to be constitutionally tolerable. This case also implicates the erosion of intergenerational wealth—an issue of national urgency. According to the Urban Institute, nearly 70% of Black homeowners

over 50 lack a will or trust, compared to 35% of white homeowners. The American College of Trust and Estate Counsel (ACTEC) has recognized that court-based invalidation of estate plans disproportionately affects African American families. In *Shelby County v. Holder*, 570 U.S. 529 (2013), this Court recognized that systemic racial disparities, even when cloaked in facially neutral processes, can have devastating effects that warrant federal scrutiny. This case is a compelling vehicle for addressing these constitutional questions: (1) whether state courts may apply looser standing standards than Article III requires; (2) whether judicial misconduct and structural errors undermine due process; and (3) whether allowing flawed decisions to stand invites national erosion of trust in estate autonomy and the courts. Under Supreme Court Rules 10(b) and 10(c), certiorari is not only appropriate—it is essential.

IV. Widespread Public Scrutiny and Systemic Concern

The Petitioner's case has garnered significant public, political, and professional attention, underscoring its national importance and the urgency for this Court's intervention. The Petitioner, Zakiya Jendayi, has not only challenged a fundamentally flawed ruling in court, but has also mobilized substantial public awareness regarding systemic failures in probate proceedings. A comprehensive fact check, based on trial transcripts, reveals that out of 42 findings and rulings against the Petitioner by Judge Sandra Bean, 30 were factually false, 6 were misleading, and 6 were clear legal errors. This report has been formally delivered to the Mayor's Office of Oakland, all Alameda County Council Members, the Alameda Board of

Supervisors, the Governor of California, and all 120 members of the California State Legislature. This level of statewide dissemination and concern reflects the widespread impact and credibility of the Petitioner's claim. The Petitioner has further spoken directly to Congresswoman Lateefah Simon, submitted a proposed policy memorandum to her administration entitled Probate Injustice and the Fight for Generational Wealth: A Call for Oversight and Reform, and has met with legal strategists, social justice nonprofits including Fania Davis's team, and church-based justice ministries to build public pressure and reform coalitions. In partnership with clergy and community leaders, Ms. Jendayi has helped organize educational forums on probate injustice, highlighting how current probate practices disproportionately harm Black families and undermine intergenerational wealth. This advocacy is gaining momentum. The Oakland Post, a longstanding regional newspaper, has published four separate investigative articles on the constitutional violations in this case, and the Petitioner is preparing to travel to Washington, D.C., to raise national awareness about how probate courts are enabling unjust asset seizures across the country.

These efforts reflect a national outcry—led by a directly impacted litigant—calling attention to violations that are not isolated but systemic. As this Court noted in *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009), and again in *Shelby County v. Holder*, 570 U.S. 529 (2013), public confidence in judicial integrity and equitable access to the law are paramount to the rule of law. When courts issue rulings that are factually false, procedurally unjust, and then published as precedent, the result is not just individual harm—it is

civic erosion. This case therefore warrants review not only for its legal errors but because it has already become a national symbol of probate injustice, sparked widespread organizing and legislative engagement, and raised essential constitutional questions under U.S. Const. amend. V and U.S. Const. amend. XIV. It is precisely the kind of matter contemplated by Supreme Court Rule 10(c): one where a state court has departed from the accepted and usual course of judicial proceedings, and where federal review is essential to restore confidence in the fairness and legitimacy of the legal system.

V. The Judgment Is Void Ab Initio Under Federal Law Due to Lack of Jurisdiction and Structural Due Process Violations

A judgment rendered without subject matter jurisdiction is void from the outset and cannot be permitted to stand under federal law. In this case, the California probate court proceeded with a trust contest despite the petitioners lacking standing under Probate Code §17200—they were neither beneficiaries nor trustees, and the trust was never amended. This failure to establish standing deprived the court of jurisdiction and rendered the resulting judgment void ab initio. The U.S. Supreme Court has long held that “[a]n act of a court without jurisdiction is a nullity. It confers no right, it affords no protection, and is, in legal contemplation, as inoperative as though it had never been passed.” *Ex parte Siebold*, 100 U.S. 371, 376–77 (1879). In *Valley v. Northern Fire & Marine Ins. Co.*, 254 U.S. 348, 353 (1920), the Court reiterated that jurisdiction “is a prerequisite to the validity of any judgment.” Further, when a court acts without jurisdiction over the subject matter or parties, its

rulings are “void and without effect.” *United States v. United Mine Workers*, 330 U.S. 258, 293 (1947). See also *Kalb v. Feuerstein*, 308 U.S. 433, 438 (1940) (judicial authority cannot extend into areas precluded by statutory or constitutional limitations). The California court’s disregard for both Article III standing and federal due process doctrines created such a situation here. These violations were not merely procedural missteps—they were structural defects that strike at the core of judicial legitimacy. As the Court stated in *Burnham v. Superior Court*, 495 U.S. 604, 608–09 (1990), the constitutional validity of a court’s authority depends on proper jurisdiction over the subject and the parties involved. Because the probate court proceeded without lawful authority and the appellate court failed to remedy this void action, federal review is not only warranted but essential. This Court must reaffirm that due process and jurisdiction are not discretionary. A judgment born of judicial overreach and constitutional violation cannot stand as precedent—particularly one now certified for publication and relied upon by courts statewide. To allow such a void judgment to influence future cases undermines the integrity of the judicial system and violates the foundational principle that justice must be rendered by courts properly vested with the authority to act.



CONCLUSION AND PRAYER FOR RELIEF

At its core, this petition is not merely about a probate dispute—it is about the integrity of our courts, the honoring of lawful estate plans, and the preservation of due process for all. When courts ignore jurisdictional limits, suppress critical evidence, and allow structurally void judgments to stand, the public's trust in the judicial system erodes. Petitioner respectfully urges this Court to intervene and reaffirm that justice in America is not just a promise—it is a constitutional guarantee.

Respectfully submitted,

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