

IN THE
SUPREME COURT OF UNITED STATES

MARCELO HERNANDEZ

Petitioners,

VS.

HASSAN ALAMEDDINE

COUNTY OF LOS ANGELES CALIFORNIA;

MARY C. WICKHAM

ROBERT C. CARTWRIGHT

ROSA LINDA CRUZ

Respondents.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE 9TH CIRCUIT

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QUESTION PRESENTED 1

Does the 9th circuit have power to ignore U.S. Supreme Court ruling in, *Felder v. Casey*, 487 U.S. 131 (1988).

The 9th circuit used their own ruling that conflicts with the above Supreme Court ruling. Their ruling: *Padgett v Wright*, 587 F.3r 983, 985 n.2 (9th Cir. 2009).

The 9th circuit threw the whole case out because of the California Tort Claims act, as stated above, conflicts with this court's decision.

They stated that the Petitioner had to go to the state that is doing the damage first.

They ignored the fact that the County of Los Angeles trespassed with guns using a NAT "SWAT" team to run Petitioner off his own land and interrupted his religious worship in violation of the Federal Religious Act RLUIPA. 42 USC §§ 2000cc, et seq.

The county was required to have this in their zoning code, but a Public Records request showed they did not.

Petitioner's rights were violated in many ways besides what is mentioned, but all ignored because of the California Tort Claims Act.

This court has overruled the 9th circuit as stated above for 1983 claims with the above stated decision.

The opinion of the United States District Court and United States 9th Circuit Court of Appeal must be appended.

The 9th circuit is in direct opposition to this court's ruling on a technicality.

The petitioner requests that this court vacate the lower court's decision that is in opposition to this court's decision.

Also, this court will remand the case all the way back to the district court so Petitioner will be able to have a day in court.

PARTIES

MARCELO HERNANDEZ

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RULE 29.6 DISCLOSURE

The petitioner is not aware of any disclosures.

RELATED CASES

There are no related cases.

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RLUIPA. 42 USC §§ 2000cc, et seq	1, 2, 3, 4

OPINIONS

The opinion and order of the District Court was that Petitioner did not go by the tort claims act of California.

The opinion of the 9th Circuit Court of Appeals and order affirmed the District Court

JURISDICTION

Petitioner seeks a writ of certiorari from the 9th Circuit Court Appeals, Final Order. 28 U.S.C. Section 1254 (1)

Date Order: Memorandum: November 2, 2023

Date Order: Rehearing: December 12, 2023

INTRODUCTION

Does the 9th circuit have power to ignore U.S. Supreme Court ruling in, *Felder v. Casey*, 487 U.S. 131 (1988).

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INTRODUCTION

U.S. Supreme Court ruling in, *Felder v. Casey*, 487 U.S. 131 (1988) has been the deciding case for 1983 claims where there could be a state tort claim act and or law.

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REASONS FOR GRANTING THE PETITION

The reason that this court should grant the petition is that the lower court threw the whole case out on a technicality that this court has already decided is incorrect. U.S. Supreme Court ruling in, *Felder v. Casey*, 487 U.S. 131 (1988) has been the deciding case for 1983 claims where there could be a state tort claim act and or law.

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CONCLUSION

The petition should be granted.

VERIFICATION