

ORIGINAL

No. 24-479

In the  
Supreme Court of the United States

FILED  
OCT 09 2024

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

TERESITA A. CANUTO,

*Petitioner,*

v.

UNITED STATES DEPARTMENT OF JUSTICE,  
AND UNITED STATES ATTORNEYS OFFICE,

*Respondents.*

On Petition for a Writ of Certiorari to the  
United States Court of Appeals for the  
District of Columbia Circuit

**PETITION FOR A WRIT OF CERTIORARI**

Teresita A. Canuto  
*Petitioner Pro Se*  
19122 Clymer Street  
Porter Ranch, CA 91326  
(818) 478-0814  
tsscanuto@gmail.com

October 9, 2024

SUPREME COURT PRESS

♦ (888) 958-5705

♦ BOSTON, MASSACHUSETTS

RECEIVED  
OCT 30 2024

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

## QUESTIONS PRESENTED

1. Whether the Circuit Judges of the Court of Appeals for the District of Columbia Circuit namely Judge Katsas, Judge Rao and Judge Childs erred when in their response as shown in the Order dated June 20, 2024 did not accept the Petitioner's attempts to correct the improper defendants name case caption in Case # 1:22-cv-03538-DLF that has two (2) defendants e.g. United States Department of Justice, et al. (United States Department of Justice and United States Attorney's Office). Petitioner's complaint filed at the district court on November 16, 2022 has one (1) defendant e.g. United States Department of Justice. Defendant doesn't match.
2. Whether the Circuit Judges namely Judge Katsas, Judge Rao and Judge Childs made an error when the circuit judges changed the defendants name case caption of Case #1:22-cv-03538-DLF e.g. United States Department of Justice, et al. And instead the circuit judges used two (2) types of improper defendants name case captions e.g. (1) United States Department of Justice and United States Attorney's Office; (2) Department of Justice, et al. in the trial of Case No. 24-5068. Petitioner's complaint filed at the district court on November 16, 2022 has one (1) defendant e.g. United States Department of Justice. Defendant doesn't match.
3. Whether the District Court Judge Dabney L. Friedrich erred when Judge Friedrich failed to detect the specially coded key that is when detected activates the jurisdiction of the district court. The security of the district court immobilizer is also integrated into the system, the step deterrent system. This step deterrent system disable the district court. The step to turns the

system disable is a specially coded key that is detected by the system.

## **PARTIES TO THE PROCEEDINGS**

### **Petitioner**

---

- Teresita A. Canuto

### **Respondents**

---

- Department of Justice
- United States Attorney's Office

## LIST OF PROCEEDINGS

U.S. Court of Appeals, District of Columbia Circuit  
No. 24-5068

Teresita A. Canuto, *Appellant* v.  
United States Department of Justice and United  
States Attorney's Office, *Appellees*.

Date of Final Judgment: June 20, 2024

Date of Rehearing Denial: July 17, 2024

---

U.S. District Court, District of Columbia  
No. 1:22-cv-03538-DLF

Teresita A. Canuto, *Plaintiff* v.  
United States Department of Justice, et al.,  
*Defendants*.

Date of Final Judgment: February 9, 2024

## TABLE OF CONTENTS

	Page
QUESTIONS PRESENTED.....	i
PARTIES TO THE PROCEEDINGS .....	iii
LIST OF PROCEEDINGS.....	iv
TABLE OF AUTHORITIES .....	x
PETITION FOR A WRIT OF CERTIORARI.....	1
OPINIONS BELOW .....	1
JURISDICTION.....	1
CONSTITUTIONAL PROVISION INVOLVED.....	2
STATEMENT OF THE CASE.....	2
I.    Federal Proceedings.....	5
A.    District Court.....	6
B.    Circuit Court .....	7
REASONS FOR GRANTING THE PETITION.....	8
I.    The Circuit Judges of the Court of Appeals for the District of Columbia Circuit Namely Judge Katsas, Judge Rao and Judge Childs Erred When in Their Response as Shown in the Order Dated June 20, 2024 Did Not Accept the Petitioner's Attempts to Correct the Improper Defendants Name Case Caption in Case # 1:22-cv-03538-DLF That Has Two (2) Defendants e.g. United States Department of Justice, Et Al. (United States Department of Justice and United States Attorney's Office). Petitioner's Complaint Filed at the District Court on November 16, 2022 Has One (1) Defendant	8

**TABLE OF CONTENTS – Continued**

	Page
e.g. United States Department of Justice. Defendant Doesn't Match. ....	8
A. Petitioner Filed a Negligence Complaint Against Respondent United States Department of Justice on November 16, 2022 at the District Court. ....	8
B. Petitioner Filed a Second Negligence Claim Against Respondent United States Department of Justice (Case # 1:23-cv-01798-DLF) on June 20, 2023 at the District Court.....	10
II. The Circuit Judges Namely Judge Katsas, Judge Rao and Judge Childs Made an Err When the Judges Changed the Defendants Name Case Caption of Case #1:22-cv -03538-DLF e.g. <i>United States Department     of Justice, et al.</i> and Instead the Circuit Judges Used Two (2) Types of Improper Defendants Name Case Captions e.g. (1) United States Department of Justice and United States Attorney's Office; (2) Department of Justice, et al. in the Trial of No. 24-5068. Petitioner's Complaint Filed at the District Court on November 16, 2022 Has One (1) Defendant e.g. United States Department of Justice. Defendant Doesn't Match.....	14

**TABLE OF CONTENTS – Continued**

	Page
A. The Court of Appeals Received the Notice of Appeal to DC Circuit on March 18, 2024 and Order Appealed (Memorandum Opinion), Docket Sheet to U.S. Court of Appeals and Appeals Fee Paid on March 27, 2024 .....	15
B. The Circuit Judges Namely Judge Katsas, Judge Rao and Judge Childs Violated the U.S. Const. Amend. XIV, § 1: Petitioner was deprived with Liberty to Choose Without Due Process of Law.....	17
III. The District Court Judge Dabney L. Friedrich Erred When Judge Friedrich Failed to Detect the Specially Coded Key That Is When Detected Activates the Jurisdiction of the District Court. The Security of the District Court Immobilizer Is Also Integrated into the System, the Step Deterrent System. This Step Deterrent System Disable the District Court. The Step to Turns the System Disable Is a Specially Coded Key That Is Detected by the System.....	18
A. Batteries Event List .....	19
B. Batteries Information Route Start Point ...	21
CONCLUSION.....	31

**TABLE OF CONTENTS – Continued**

	Page
<b>APPENDIX TABLE OF CONTENTS</b>	
<b>OPINIONS AND ORDERS</b>	
Appendix A	
Order, U.S. Court of Appeals for the District of Columbia Circuit (June 20, 2024) .....	1a
Appendix B	
Order, U.S. District Court for the District of Columbia (February 9, 2024) .....	3a
Appendix C	
Order, U.S. Court of Appeals for the District of Columbia Circuit (March 27, 2024) .....	9a
<b>REHEARING ORDER AND MANDATE</b>	
Appendix D	
Order Denying Petition for Rehearing, U.S. Court of Appeals for the District of Columbia Circuit (July 17, 2024) .....	14a
Appendix D.1	
Mandate, U.S. Court of Appeals for the District of Columbia Circuit (July 17, 2024) ...	16a
<b>ORDERS FROM PRIOR PROCEEDINGS</b>	
Appendix E	
Opinion and Order, U.S. Court of Federal Claims, Case No. 15-410C (April 27, 2015) ....	17a
Appendix F	
Order Denying Reimbursement of Fees, U.S. Court of Appeals for the Federal Circuit, Case No. 2016-1605 .....	19a

**TABLE OF CONTENTS – Continued**

	Page
<b>OTHER DOCUMENTS</b>	
<b>Appendix G</b>	
D.C. Circuit Court Docket, Excerpt April 09, 2024 to April 29, 2024 .....	21a
<b>Appendix H</b>	
D.C. District Court Docket, Excerpt Case No. 1:22-cv-03538-DLF .....	27a
<b>Appendix I</b>	
Petitioner’s Claim Against FBI Filed in the D.C. District Court, Relevant Excerpts (November 15, 2022) .....	31a
<b>Appendix J</b>	
Complaint for a Civil Case filed in the U.S. District and Bankruptcy Courts for the District of Columbia (November 16, 2022).....	34a
<b>Appendix K</b>	
Appeal to the US Court of Appeals for the Federal Circuit in 2015-5085 in the Judgment of U.S. Court of Federal Claims in No. 1:15-cv-00410-cfl, Judge Charles F. Lettow, excerpt (September 14, 2015) .....	38a
<b>Appendix L</b>	
Notice of Entry of Judgment Accompanied by Opinion (September 14, 2015) .....	40a
<b>Appendix M</b>	
Appellant’s Brief - Motion to Dismiss the Appellees’ Motion for Summary Affirmance, Excerpt (May 28, 2024) .....	42a

**TABLE OF AUTHORITIES**

	Page
<b>CASES</b>	
<i>Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics,</i> 403 U.S. 388 (1971) .....	27
<i>Simpkins v. District of Columbia Government,</i> 108 F.3d 369 (D.C. Cir. 1997) .....	27, 28
<b>CONSTITUTIONAL PROVISIONS</b>	
U.S. Const. amend. XIV, § 1.....	2, 17, 18
<b>STATUTES</b>	
28 U.S.C. § 1254(1) .....	1
28 U.S.C. § 1346(b) .....	11, 13, 25, 27, 28, 29
28 U.S.C. § 1605.....	11, 13, 25, 26, 29
28 U.S.C. § 2675.....	11, 13, 25, 26, 29
28 U.S.C. § 2675(a) .....	25



## **PETITION FOR A WRIT OF CERTIORARI**

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.



## **OPINIONS BELOW**

The opinion of the Court of Appeals for the District of Columbia Circuit appears *see Appendix A*, at App.1a to the Petition and is published.

The opinion of the District Court for the District of Columbia appears *see Appendix B*, at App.3a to the Petition and is unpublished.



## **JURISDICTION**

The judgment of the Court of Appeals for the District of Columbia Circuit was entered on June 20, 2024. *See Appendix A*, at App.1a. A timely petition for rehearing en banc was thereafter denied on the following date: July 17, 2024 and a copy of the order denying rehearing en banc appears *see Appendix D*, at App.14a. The jurisdiction of this Court is invoked 28 U.S.C. § 1254(1).



## **CONSTITUTIONAL PROVISION INVOLVED**

### **U.S. Const. Amend XIV, § 1**

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the states wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.



## **STATEMENT OF THE CASE**

In the winter of 2014, Petitioner was sexually assaulted and inflicted with battery by the member of the U.S. Navy/U.S. Army reserve. Petitioner was put into deep sleep or unconscious and sexually assaulted. Petitioner's big toe was inflicted with deep incision or laceration and Petitioner's bilateral legs were inflicted with tissue injuries as evidenced by scattered small and large bruises or hematoma. Petitioner at that time was busy working as a skilled nurse that provides care to kid patients with neurological disabilities in a home care setting. Petitioner filed a complaint to the U.S. Court of Federal Claims, WA, DC due to sexual assault inflicted by the U.S Navy/U.S. Army Reserve.

At that time, during the bathing of Petitioner, Petitioner noticed the bruises or cyanosis (tissue injuries) in the bilateral legs and also felt the pain of the wound due to incision/laceration in petitioner's big toe upon the water penetrated into the incision or laceration in the big toe. Because of the trauma from sexual assault, Petitioner quit her job and stayed at home to recuperate from the injuries and trauma of sexual assault. Petitioner was a skilled nurse that providing care to a kid patient with neurological disability in a home care setting.

Petitioner Teresita A. Canuto studied nursing in Burbank, California and became a Licensed Vocational Nurse (LVN) licensed to practice in the State of California. Petitioner was a graduate of Bachelor of Science in Business Administration Major in Accounting (B.S.BA) at the University of East, Philippines. Petitioner attended the graduate school at the Pamantasan ng Lungsod ng Maynila (University of the City of Manila) at Intramuros, Manila, Philippines and graduated with a masters degree in Government Management or Master in Government Management (MGM). Petitioner is an inventor of technologies that can capture CO<sub>2</sub> carbon dioxide. Among the technologies Petitioner created or invented were granted patent by the United States Patent and Trademark Office (USPTO) and there is one technology invented by petitioner that is in pending application waiting for the review of the examiner of the USPTO.

1. CO<sub>2</sub> Capture in Dry Atmospheric Air and Molecular Sieves of Carbon Using Mantle Peridotite and Silica Gel Electrolysis Method.

Patent No. 116426 Grant by USPTO on 05/09/2023

2. Tower Rotor Blade that Capture CO2 carbon dioxide  
Patent No. 11606645 Grant by USPTO on 03/21/2023
3. Nanostructure-carbon-base Material Using Mantle Perido Carbon Mineralization Based Activated Carbon Nanotubes  
Patent No. 11591220 Grant by USPTO on 02/28/2023
4. Water Turbine that Capture Ionic Surfactants of the Water from Polluted Rivers and Seas Using Mantle Peridotite Carbon-mineralization Based Activated Carbon for Purification  
Patent No. 11377370 Grant by USPTO on 07/05/2022
5. System and Method for Production of Hydrogen Gas as Fuel Source Using an Electrolysis Apparatus  
Filed on 09/06/2022 — pending waiting for review by the USPTO examiner  
(Original title of this invention : Mantle Peridotite Based-Activated Carbon Electrodes Used in Oxygen Reduction of Saltwater to Generate Hydrogen (H+) Using the Electrolytic Reductions Water Splitting Method)
6. Mantle Peridotite Based-Activated Carbon Nanosheet: Catalyst for Cathode Oxygen reduction of Seawater to Generate Hydrogen (H+) When Exposed to Sunlight Using the Photocatalytic Water Splitting

Filing Date: 03/18/2021-for new application  
for review

### **I. Federal Proceedings**

Petitioner filed to the federal court at the United States Court of Federal Claims, WA, DC an FTCA claim against the United States, Case# 2015-5085, *Canuto v. United States* due to sexual assault inflicted by the member of U.S. Navy/U.S. Army reserve. The sexual assaults continued to be inflicted to Petitioner by the members of U.S. Navy and U.S. Army reserves that caused the Petitioner filed the second complaint under FTCA against the United States, Case #2016-1605, *Canuto v. United States*. Both cases were dismissed by the federal court for lack of jurisdiction.

The petitioner lives with her husband and son (a high school student). On 2016 the sexual assaults and batteries continued to happen to Petitioner. Petitioner and family were all put in deep sleep/unconscious while Petitioner was sexually assaulted. Petitioner doesn't know the reasons why Petitioner was punished with sexual assaults and batteries without explanation. The Petitioner was not even carrying a deadly weapon like gun (not a gun owner), blades or knives. Petitioner was not a danger to the society, still it appeared a mark was put in Petitioner's name so that Petitioner can be overwhelmed with stalking by men and women, and sexual assaults and batteries.

Petitioner filed several lawsuits against the United States and other agencies of government to repair the damage did to Petitioner (Case # 1:16-cv-00414-NBF, Case #1:16-cv-002282-EGS, Case #1:19-cv-01791-JEB). But even the trial was on-going in the FTCA complaint and has not ended yet, the infliction of

sexual assaults and batteries continued to happen to Petitioner. The petitioner came to the extent the need to file for a disability (SSS-Utah) because of too many sexual assaults and batteries her health began to deteriorate and failing because of the trauma of sexual assaults and batteries. (e.g., Petitioner cannot stand for a longer time, petitioner cannot hold a glass of water, suddenly her hand that holds the glass will open and makes the glass drop to the floor, petitioner's muscles in her body were trembling for unknown reasons to Petitioner among others.

#### **A. District Court**

Petitioner filed a negligence (tort) complaint against the Respondent United States Department of Justice caused by the attorneys of the Commercial Litigation Branch, Civil Division of Department of Justice who failed to act to batteries inflicted to Petitioner caused by their negligence during the scope of their office or employment; caused by the FBI's failure to act to the March 11, 2014 complaint of batteries caused by FBI's negligence during the scope of their office or employment. (case #1:22-cv-03538-DLF)

Petitioner filed a second negligence complaint against the Respondent United States Department of Justice caused by negligence of the attorneys of the Commercial Litigation Branch, Civil Division of Department of Justice who failed to act to batteries inflicted to Petitioner caused by their negligence during the scope of their office or employment. Because of the attorneys' negligence the infliction of batteries to Petitioner escalated and never ended. (Case #1:23-cv-01798-DLF). The district court Consolidated the two cases and became Case #1:22-cv-03538-DLF). On Feb-

ruary 09, 2024, the district court dismissed the case for lack of subject-matter jurisdiction.

#### **B. Circuit Court**

Petitioner filed an appeal to the Circuit Court due to errors in the judgment of the district court judge. The district court judge added the United States Attorney's Office as an additional defendant and increased the number of defendant which was erroneous. Petitioner's complaint has one (1) defendant *e.g.* United States Department of Justice. But the circuit judges instead used two (2) types of improper defendants name case captions in the Petitioner's case *e.g.* United States Department of Justice and United States Attorney's Office; Department of Justice, et al. On June 20, 2024 the circuit judges dismissed the Petitioner's appeal. Petitioner filed an appeal for rehearing en banc. On July 17, 2024 the panel denied the Petitioner's requests for rehearing.

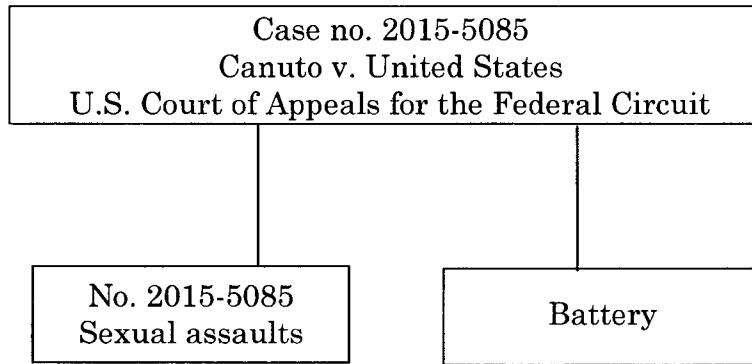


## **REASONS FOR GRANTING THE PETITION**

- I. The Circuit Judges of the Court of Appeals for the District of Columbia Circuit Namely Judge Katsas, Judge Rao and Judge Childs Erred When in Their Response as Shown in the Order Dated June 20, 2024 Did Not Accept the Petitioner's Attempts to Correct the Improper Defendants Name Case Caption in Case # 1:22-cv-03538-DLF That Has Two (2) Defendants e.g. United States Department of Justice, Et Al. (United States Department of Justice and United States Attorney's Office). Petitioner's Complaint Filed at the District Court on November 16, 2022 Has One (1) Defendant e.g. United States Department of Justice. Defendant Doesn't Match.**
  - A. Petitioner Filed a Negligence Complaint Against Respondent United States Department of Justice on November 16, 2022 at the District Court.**
    - (1) The cause of action was due to negligence caused by the attorneys of the Commercial Litigation Branch, Civil Division of Department of Justice who did not act to battery inflicted to Petitioner by the member of U.S. Navy and U.S. Army reserve caused by negligence while acting within the scope of their office or employment namely Daniel S. Herzfeld, Elizabeth M. Hosford, Robert E. Kirschman, Jr., Benjamin C. Mizer, Kristin McGrory and Deborah A. Bynum.**

(2) After the trial has ended in the United States Court of Appeals for the Federal Circuit on September 14, 2015 Case No. 2015-5085 (United States Court of Federal Claims No. 1:15-cv-00410-CFL, Judge Charles F. Lettow) and notice of entry of judgment accompanied by opinion filed on September 14, 2015 by the Clerk of Court Daniel E. O'Toole in which Kristen McGrory (lead attorney of Department of Justice) received the copy of notice, these attorneys mentioned above failed to act to battery inflicted to Petitioner caused by negligence while acting within the scope of their office or employment. (Appendix E at App.17a, together with Appendix K at App.38a, Appendix L at App.40a.)

**PATTERN DRAWING OF CASE NO. 2015-5085**



(3) The cause of action was due to negligence caused by the failure of the Federal Bureau of Investigation (FBI) in WA, DC to act to batteries inflicted to Petitioner by unknown civilians (e.g. stalking, frequent break-in, intrusion to private dwelling of Petitioner

which resulted to loss of private papers and records, photographs) due to FBI's negligence while acting within the scope of their office or employment. The letter of complaint of the Petitioner was filed at the FBI, WA, DC on March 11, 2014 but the FBI did not responded or failed to act to the complaint of the Petitioner. (See Appendix I, at App.31a.)

**B. Petitioner Filed a Second Negligence Claim Against Respondent United States Department of Justice (Case # 1:23-cv-01798-DLF) on June 20, 2023 at the District Court.**

- (1) The cause of action was due to failure of the attorneys of the Commercial Litigation Branch, Civil Division of Department of Justice to act to batteries inflicted to Petitioner caused by negligence while acting within the scope of their office or employment namely Daniel S. Herzfeld, Elizabeth M. Hosford, Robert E. Kirschman, Jr., Benjamin C. Mizer, Kristin McGrory and Deborah A. Bynum. (See Appendix J, at App.34a.)
- (2) Due to negligence of the attorneys of the Department of Justice, the escalation of sexual assaults inflicted to Petitioner resulted to the filing of more lawsuits because the reputation of Petitioner was damaged severely. Petitioner's reputation is important to her. Like a revolving stairs of an escalator, the sexual assaults inflicted against the Petitioner were continuous and the filing of

complaints at the district court continuous because the hitting of Petitioner with sexual assaults and batteries never end also which caused more lawsuits filed by Petitioner at the district court.

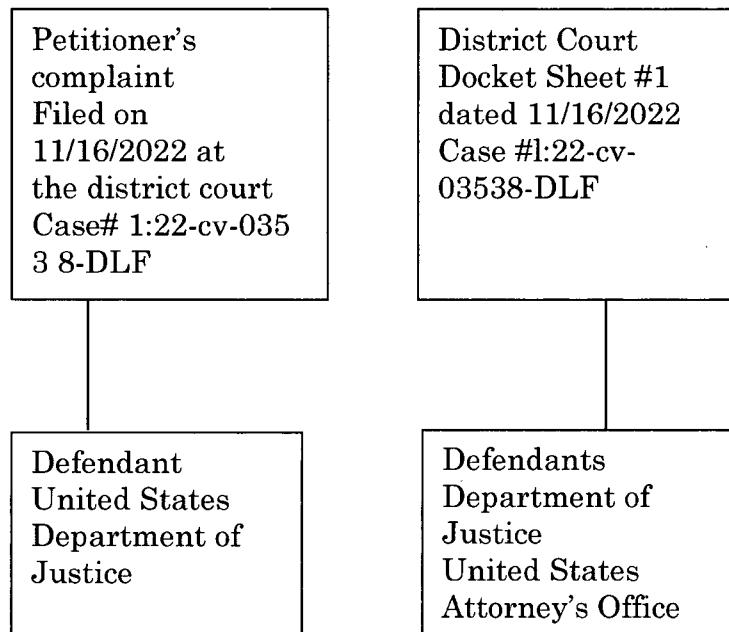
- a. *Canuto v. United States*  
Case # 1:16-cv-00414-NBF  
United States District Court for the District of Columbia
- b. *Canuto v. James Mattis, Secretary of Defense*  
Case # 1:16-cv-002282-EGS  
United States District Court for the District of Columbia
- c. *Canuto v. Nancy Pelosi, et al.*  
Case # 1:19-cv-01791-JEB  
United States District Court for the District of Columbia

#### **FEDERAL LAW CLAIMS**

Petitioner sues the federal defendant United States Department of Justice for negligence under 28 U.S.C. § 2675, 28 U.S.C. § 1605, 28 U.S.C. § 1346(b). The cause of action was due to failure of the attorneys of Department of Justice to act to batteries inflicted to Petitioner caused by their negligence during the scope of their office or employment; the cause of action was due to failure of the FBI, WA, DC to act to batteries inflicted to Petitioner by unknown civilians caused by the FBI's negligence during the scope of their office or employment. (See Appendix I, at App.31a., Appendix J, at App.34.)

(1) The district court Judge Dabney L. Friedrich added the United States Attorney's Office as additional defendant in the complaint of Petitioner filed on November 16, 2022 (Case #1:22-cv-03538-DLF) (Appendix H at 27a) in which the number of defendant became excessive in numbers and became two (2) defendants *e.g.* United States Department of Justice and United States Attorney's Office (*United States Department of Justice, et al.*)

**PATTERN DRAWING SHOWING EXCESSIVE DEFENDANTS' IN CASE # 1:22-CV-03538-DLF**



As evident in the district court docket sheet that states in the docket text the following-Complaint against UNITED STATES ATTORNEY'S OFFICE,

UNITED STATES DEPARTMENT OF JUSTICE . . . entered: 11/23/2022. The United States Attorney's Office was improperly added in the complaint. (Appendix H at 27a.)

- (2) The district court Judge Dabney L. Friedrich consolidated the two cases of Petitioner Case #1:22-cv-03538-DLF and Case #1:23-cv-01798-DLF and became Case #1:22-cv-03538-DLF despite Petitioner's opposition to the consolidation of cases. On February 09, 2024, Judge Dabney L. Friedrich dismissed the case of Petitioner for lack of jurisdiction.
- (3) Petitioner filed on May 28, 2024 a "Motion to Dismiss the Appellees' Motion for Summary Affirmance" (Appendix M at 42a). Petitioner attempts to correct the improper defendant United States Attorney's Office that was in No. 24-5068, that there was one (1) defendant in Petitioner's complaint and Judge Friedrich increased the number of defendants and became excessive by adding the United States Attorney's Office. Judge Katsas, Judge Rao and Judge Childs did not accepted the Petitioner's attempts to correct the improper defendant. Petitioner's complaint filed on November 16, 2022 has one (1) defendant. Defendant doesn't match.

The circuit judges erred because they did not find Judge Friedrich made an error when Judge Friedrich jumps to the respondent United States Attorney's Office and added the improper defendant in the Petitioner's federal law claims (e.g. 28 U.S.C. § 2675, 28 U.S.C. § 1605, 28 U.S.C. § 1346(b)) against respondent Department of Justice.

Judge Dabney Friedrich knows that the federal agency Department of Justice is above the United States Attorney's Office and the two (2) agencies do not match in order of hierarchy of position in the U.S. Government because the United States Attorney's Office is in lower level of order or hierarchy therefore cannot be a respondent in the previous FTCA claims of Petitioner at the trial of No. 2015-5085 at the U.S. Court of Appeals for the Federal Circuit. (*Canuto v. United States*) Also, the respondent United States Attorney's Office was not given a notification of the notice of judgment by the Clerk of Court Daniel E. O'Toole on September 14, 2015 in No. 2015-5085.

The Circuit Judges namely Judge Katsas, Judge Rao and Judge Childs erred in their Order dated June 20, 2024.

**II. The Circuit Judges Namely Judge Katsas, Judge Rao and Judge Childs Made an Error When the Judges Changed the Defendants Name Case Caption of Case #1:22-cv-03538-DLF e.g. *United States Department of Justice, et al.* and Instead the Circuit Judges Used Two (2) Types of Improper Defendants Name Case Captions e.g. (1) United States Department of Justice and United States Attorney's Office; (2) Department of Justice, et al. in the Trial of No. 24-5068. Petitioner's Complaint Filed at the District Court on November 16, 2022 Has One (1) Defendant e.g. United States Department of Justice. Defendant Doesn't Match.**

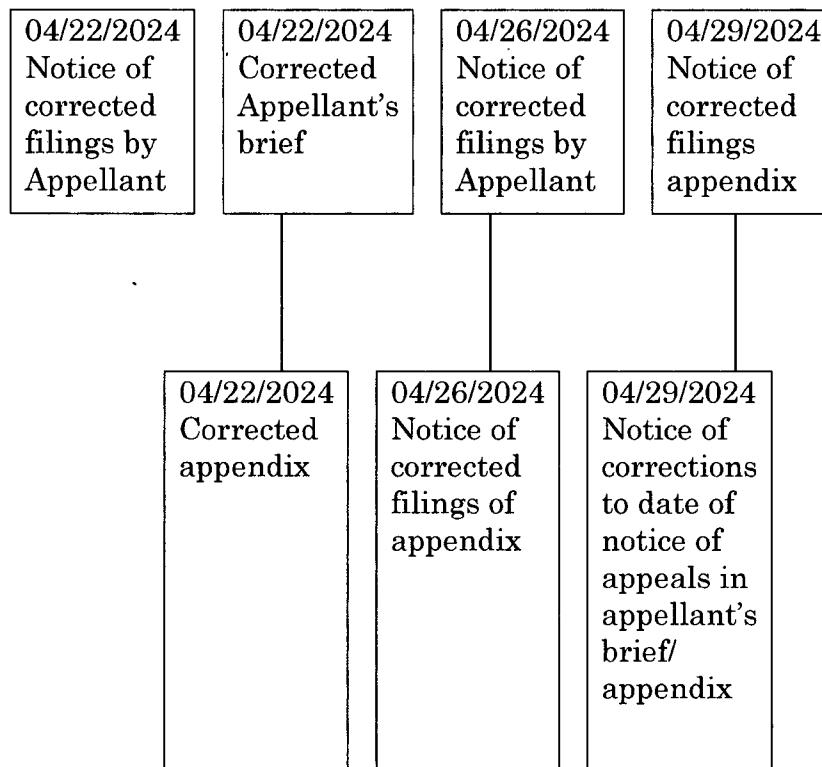
**A. The Court of Appeals Received the Notice of Appeal to DC Circuit on March 18, 2024 and OrderAppealed (Memorandum Opinion), Docket Sheet to U.S. Court of Appeals and Appeals Fee Paid on March 27, 2024.**

- (1) The Court of Appeals properly received the complete notice of appeal to DC Circuit on March 18, 2024, and Order Appeals (Memorandum Opinion), Docket Sheet to US Court of Appeals and Appeals Fee Paid on March 27, 2024.
- (2) The civil case name caption was properly indicated the notice of appeal but the circuit judges changed the defendants name case caption into two (2) types of incorrect defendants name case captions. Because of the circuits judges' decision to changed the defendants name case caption from the district court, the Petitioner committed several errors in the filings of the Appellant's appeal brief and appendix to the Court of Appeals.
- (3) Petitioner received an order with defendants name case caption e.g. United States Department of Justice and United States Attorney's Office. (Appendix C at 9a) Petitioner complied with the Order of the court. After the filings of Appellant's brief and Appendix Petitioner needed to correct the incorrect filings of Appellant brief and Appendix because of the defendants name case caption that appeared in the Court of Appeals docket sheet was a different defendants name case caption e.g.

Department of Justice, et al. (See Appendix G, at App.21a.)

(4) Five (5) times Petitioner filed the corrected filings of the Appellant's brief and appendix to correct the incorrect defendants name case caption because the Court of Appeals used two (2) types of defendants name case captions in No. 24-5068. (See Appendix G, at App.21.)

**PATTERN DRAWING THAT SHOWS**  
**PETITIONER'S FIVE (5) TIMES INCORRECT**  
**ATTEMPTS TO CORRECT THE DEFENDANTS**  
**NAME CASE CAPTION IN THE FILINGS OF**  
**APPELLANT'S BRIEF AND APPENDIX**



(5) The circuit judges were at fault because they used two (2) types of incorrect defendants name case captions in the trial of No. 24-5068. Petitioner verified to the Court of Appeals the incorrect defendants name case captions but Petitioner did not get a response from the circuit judges. Petitioner also attempts to verified to the district court the incorrect defendants name case captions but Petitioner also did not get a response from the district court. Petitioner's complaint filed at the district court on November 16, 2022 has one (1) defendant *e.g.* United States Department of Justice. Defendant doesn't match.

**B. The Circuit Judges Namely Judge Katsas, Judge Rao and Judge Childs Violated the U.S. Const. Amend. XIV, § 1: Petitioner was deprived with Liberty to Choose Without Due Process of Law.**

Petitioner made a choice and filed at the district court a negligence (tort) complaint against respondent United State Department of Justice. *See Appendix I, at App.31a., Appendix J, at App.34a.*) Initially, Petitioner was deprived with liberty to choose without due process of law when the district court judge changed the number of defendant and increase by adding the United States Attorney's Office in the Petitioner's complaint.

The Circuit Judges namely Judge Katsas, Judge Rao and Judge Childs deprived the Petitioner with liberty to choose without due process of law when Petitioner attempts to correct the improper defendant United States Attorney's Office that was added in the

defendant's name case caption of Case #1:22-cv-03538-DLF (No. 24-5068), the Petitioner did not get a response from the circuit judges and instead the Circuit Judges Katsas, Rao and Childs continued the use of incorrect defendants name case caption e.g. United States Department of Justice and United States Attorney's Office in No. 24-5068 while in the Appeals Docket Sheet continued the use of Department of Justice, et al.

The Circuit Judges — Judge Katsas, Judge Rao and Judge Childs violated the U.S. Constitution Amend. XIV, § 1. Petitioner was deprived with liberty to choose without due process of law.

**III. The District Court Judge Dabney L. Friedrich Erred When Judge Friedrich Failed to Detect the Specially Coded Key That Is When Detected Activates the Jurisdiction of the District Court. The Security of the District Court Immobilizer Is Also Integrated into the System, the Step Deterrent System. This Step Deterrent System Disable the District Court. the Step to Turns the System Disable Is a Specially Coded Key That Is Detected by the System.**

**TIME BATTERIES CONDITION INFILCTED  
TO PETITIONER AS STATED IN THE COMPLAINT  
FILED AT THE DISTRICT COURT**

**A. Batteries Event List**

**Time of Event – Year 2014**

**Condition of Event – High**

**Batteries Event Information**

Petitioner inflicted with batteries by unknown civilians (e.g. stalking, frequent break-in, intrusion to private dwelling of Petitioner resulted to loss of private papers and records, photographs). Address of Petitioner: 14254 Roscoe Blvd. Apt. 5, Panorama City, CA 91402

---

**Time of Event – Year 2015**

**Condition of Event – Low**

**Batteries Event Information**

Petitioner inflicted with battery by member of U.S. Navy and U.S. Army reserves (e.g. infliction of deep laceration/incision of big toe of Petitioner, bilateral legs inflicted with tissue injuries as evident by hematoma1 bruises, or cyanosis). Address of Petitioner: 14254 Roscoe Blvd. Apt. 5, Panorama City, CA 91402

---

**Time of Event – Year 2016**

**Condition of Event – Very High**

**Time of Event – Year 2017**

**Condition of Event – Very High**

**Batteries Event Information**

Petitioner inflicted with batteries by member of U.S. Navy and U.S. Army reserves (e.g. infliction of cuts to Petitioner's face, arms, hand, knees, abdomen, pinprick of buttocks, tagging of petitioner's vehicle, tissue injuries as evident of bruises in the upper arms, lower /upper bilateral legs...in a scheduled basis 3x or 4x in a week (non-stopped), Petitioner being put in deep sleep/ unconscious. Address of Petitioner: Meridian Pointe Apartment, 9500 Zelzah Ave., M242, Northridge, CA 91325

---

**Time of Event – Year 2018**

**Condition of Event – Very High**

**Time of Event – Year 2019**

**Condition of Event – Very High**

**Batteries Event Information**

Petitioner inflicted with batteries by the members of U.S. Navy and U.S. Army reserves and other unknown civilians who joined the assault (e.g. infliction of cuts to Petitioner's face, arms, hands, two upper front teeth of Petitioner scraped. Eyebrow of Petitioner shaved. Pinpricks of buttocks, squeezing of hands and twisting hard of petitioner's right arm. Cigarette burn of skin in left abdomen of Petitioner, tissue injuries as evident by bruises in the arms, legs of Petitioner done in schedules basis 3x or 4x a week (non-stopped). Address of Petitioner: 9406 Gothic Avenue, North Hills, CA 91346 and 8101 Langdon Ave., Apt. 30, Van Nuys, CA 91406

---

**B. Batteries Information Route Start Point**

**Name:** Start Point

**Batteries Incident Detail – Route 1**

Petitioner filed a letter of complaint to Federal Bureau of Investigation (FBI) in WA, DC on March 11, 2014 due to batteries inflicted by unknown individuals to Petitioner (e.g. stalking, frequent break-in, intrusion to private dwelling of Petitioner resulted to loss of private papers and record, photographs. The letter of complaint was mailed via Fedex Kinkos located at 9000 Tampa Avenue, Northridge, CA 91324.

**Address of Petitioner:**

14254 Roscoe Blvd. Apt. 5, Panorama City, CA 91402

**End Point:**

Petitioner filed a negligence complaint against United States Department of Justice on 11/16/2022 at the district court. (Case# 1:22-cv-03538-DLF)

**Address Where Complaint filed:**

United States District Court for the District of Columbia, WA, DC

**Condition of Event**

On 2014, the FBI in WA, DC failed to act to batteries complaint of the Petitioner.

---

**Name:** Start Point

**Batteries Incident Detail – Route 2**

The attorneys of the Commercial Litigation Branch, Civil Division of the Department of

Justice namely Daniel S. Herzfeld, Elizabeth M. Hosford, Robert E. Kirschman, Jr., Benjamin C. Mizer, Kristin McGrory and Deborah A. Bynum did not act to battery inflicted to Petitioner caused by negligence while acting within the scope of their office or employment. After the trial has ended at the U.S. Court of Appeals for the Federal Circuit No. 2015-085, the attorneys of the Department of Justice failed to act to batteries inflicted to Petitioner by the members of U.S. Navy and U.S. Army.

**Address of Petitioner:**

14254 Roscoe Blvd. Apt. 5, Panorama City, CA 91402

**End Point:**

Petitioner filed a negligence complaint against United States Department of Justice on 11/16/2022 at the district court. (Case# 1:22-cv-03538-DLF)

**Address Where Complaint filed:**

United States District Court for the District of Columbia, WA, DC

**Condition of Event**

On 2015, the attorneys of the Department of Justice failed to act to batteries inflicted to Petitioner by the members of U.S. Navy and U.S. Army reserve.

---

**Name: Start Point**

**Batteries Incident Detail – Route 3**

The attorneys of the Commercial Litigation Branch, Civil Division of the Department of Justice namely Daniel S. Herzfeld, Elizabeth

M. Hosford, Robert E. Kirschman, Jr., Benjamin C. Mizer, Kristin McGrory and Deborah A. Bynum did not act to battery inflicted to Petitioner caused by negligence while acting within the scope of their office or employment. After the trial has ended at the U.S. Court of Appeals for the Federal Circuit No. 2016-1605, the attorneys of the Department of Justice failed to act to batteries inflicted to Petitioner by the members of U.S. Navy and U.S. Army reserve.

**Address of Petitioner:**

14254 Roscoe Blvd. Apt. 5, Panorama City, CA 91402

**End Point:**

Petitioner filed a negligence complaint against United States Department of Justice on 11/16/2022 at the district court. (Case# 1:22-cv-03538-DLF)

**Address Where Complaint filed:**

United States District Court for the District of Columbia, WA, DC

**Condition of Event**

On 2016, the attorneys of the Department of Justice failed to act to batteries inflicted to Petitioner by the members of U.S. Navy and U.S. Army reserve.

---

**Name: Start Point**

**Batteries Incident Detail – Route 4**

The attorneys of the Commercial Litigation Branch, Civil Division of the Department of Justice namely Daniel S. Herzfeld, Elizabeth

M. Hosford, Robert E. Kirschman, Jr., Benjamin C. Mizer, Kristin McGrory and Deborah A. Bynum did not act to batteries inflicted to Petitioner caused by negligence while acting within the scope of their office or employment resulted into escalation of more batteries to Petitioner in a scheduled basis 3x or 4x a week (non-stopped).

**Address of Petitioner:**

Meridian Pointe Apartments 9500 Zelzah Ave., M242, Northridge, CA 91325

**Address of Petitioner:**

9406 Gothic Avenue, North Hills, CA 91326

**Address of Petitioner:**

8101 Langdon Ave. Apt. 30, Van Nuys, CA 91406

**End Point:**

Petitioner filed a negligence complaint against United States Department of Justice on 11/16/2022 at the district court. (Case# 1:22-cv-03538-DLF)

**Address Where Complaint filed:**

United States District Court for the District of Columbia, WA, DC

**Condition of Event**

Escalation of batteries infliction extremely high on 2016, 2017, 2018 and 2019

---

**i. Petitioner Has Provided in the Complaint with the Specially Coded Key Composed of 28 U.S.C. § 2675, 28 U.S.C. § 1605, 28 U.S.C. § 1346(b) That When Detected Activates the Jurisdiction of the District Court.**

Petitioner has provided in the complaint the specially coded key composed of 28 U.S.C. § 2675, 28 U.S.C. § 1605, 28 U.S.C. § 1346(b) that when detected activates the jurisdiction of the district court. The Route 1 — Batteries Incident Detail and Route 2 — Batteries Incident Detail needed to be linked or connected to the specially coded key which unlocks automatically all doors of the district court's jurisdiction to Petitioner's Federal Tort Claims Act ("FTCA") lawsuit against respondent Department Of Justice. The Route 1 claim of negligence against the FBI formed the basis of the negligence in Route 2.

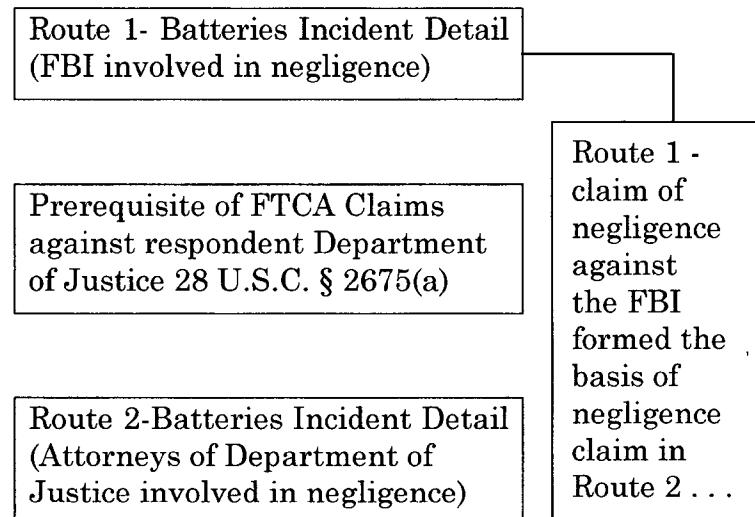
**SPECIALLY CODED KEY**

**28 U.S.C. § 2675**

Petitioner satisfied the filing of a Federal Tort Claims Act ("FTCA") lawsuit against respondent Department of Justice. Petitioner did not failed to administratively present her complaint to the Federal Bureau of Investigation (FBI) in WA, DC (28 U.S.C. § 2675(a); (Route 1 — Batteries Incident Detail), *e.g.* a letter of complaint was filed to the FBI, WA, DC on March 11, 2014 due to batteries inflicted to Petitioner by unknown civilians. The letter of complaint was mailed via Fedex Kinkos located at 9500 Tampa Avenue, Northridge, CA 91312 and also emailed to the FBI's email address. The FBI, WA, DC failed to act to batteries inflicted to Petitioner. Petitioner filed a neg-

ligence (tort) claims against respondent United States Department of Justice under 28 U.S.C. § 2675 which operates as a waiver of the respondent's sovereign immunity for tort (negligence) claim.

**PATTERN DRAWING SHOWING THE  
PREREQUISITE OF A FEDERAL TORT  
CLAIMS ACT ("FTCA") UNDER 28 U.S.C. § 2675**



**28 U.S.C. § 1605**

The respondent Department of Justice is not immune from the jurisdiction of the district court and Petitioner is entitled to damage against respondent Department of Justice under 28 U.S.C. § 1605 because respondent Department of Justice waived its immunity caused by negligence of the Federal Bureau of Investigation (FBI) due to failure to act to batteries complaint filed on March 11, 2014 by the Petitioner and of negligence of the attorneys of the Department of

Justice namely Daniel M. Herzfeld, Elizabeth M. Hosford, Robert E. Kirschman, Jr. Benjamin C. Mizer, Kristin McGrory and Deborah A. Bynum for their failure to act to batteries inflicted to Petitioner during the scope of their office or employment (Bivens claim). *See Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971).

#### **28 U.S.C. § 1346(b)**

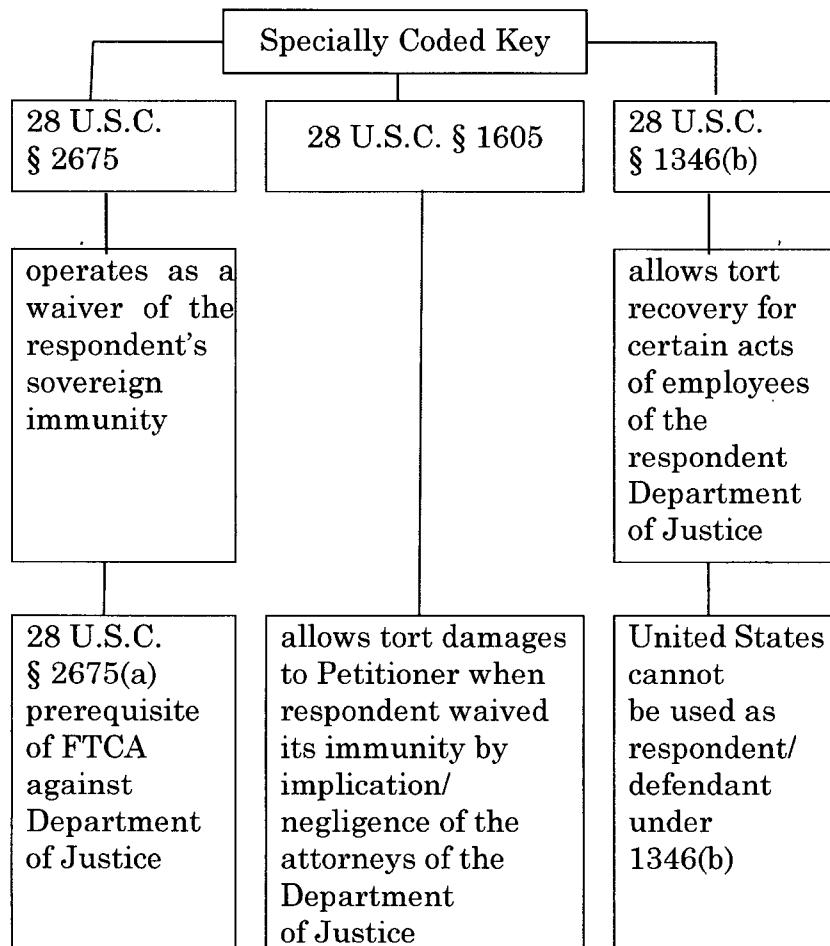
Under 28 U.S.C. § 1346(b), the act allows tort recovery against respondent Department of Justice for certain acts of its employees within the scope of their employment.

Petitioner suing the respondent Department of Justice for negligence caused by the attorneys of the Commercial Litigation Branch, Civil Division of Department of Justice namely Daniel S. Herzfeld, Robert E. Kirschman, Jr., Benjamin C. Mizer, Kristin McGrory and Deborah A. Bynum for their failure to act to batteries inflicted to Petitioner caused by their negligence during the scope of their employment (Bivens claim). *See Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971). Each attorney of the Department of Justice was “personally involved” in the alleged tort injury. *Simpkins*, 108 F.3d at 369.

Petitioner suing the respondent Department of Justice for negligence caused by the Federal Bureau of Investigation’s (FBI) failure to act to the March 11, 2014 complaint of Petitioner caused by negligence of the employees of the FBI, WA, DC during the scope of their office or employment (Bivens claim). *See Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971). Each employee of the

FBI (who failed to act to the March 2014 complaint) was “personally involved” in the alleged tort injury. *Simpkins*, 108 F.3d at 369.

Petitioner suing the respondent Department of Justice and not the United States in this FTCA lawsuit because the United States is not liable under 1346(b) therefore cannot be used as a defendant in this negligence (tort) lawsuit against respondent Department of Justice.



**ii. Judge Dabney L. Friedrich Failed to Detect the Specially Coded Key Because Judge Friedrich Failed to Link the Route 1 — Batteries Incident Detail to the Route 2 — Batteries Incident Detail**

Judge Dabney L. Friedrich failed to detect the specially coded key *e.g.* 28 U.S.C. § 2675, 28 U.S.C. § 1605, 28 U.S.C. § 1346(b) because Judge Friedrich failed to navigate the connection of the Route 1 — Batteries Incident Detail to the Route 2 — Batteries Incident Detail. The claim of negligence (tort) in Route 1 — Batteries Incident Detail formed the basis of the current negligence claims at Route 2.

If the Route 1 — Batteries Incident Detail and Route 2 — Batteries Incident Detail were properly linked together, fit-in and installed them together to the specially coded key and the judge update the court in the mandatory connection update, that will activates the jurisdiction of the district court or disable the deterrent system and gives power to the district court to hear the Federal Tort Claims Act (“FTCA”) of Petitioner against respondent Department of Justice. Judge Dabney L. Friedrich failed to detect the specially coded key because the judge excluded or skipped the Route 1 — Batteries Incident Detail in her review of the Petitioner’s tort claims against respondent Department of Justice. *See Order dated February 09, 2024, the Route 1 — Batteries Incident Detail was never included in the Order or opinion of Judge Dabney L. Friedrich. (See Appendix B, at App.3a.)*

Judge Dabney L. Friedrich failed to identify the Petitioner's batteries incident details via the correct route and at the correct time. The judge also failed to connect the specially coded key to the Route 1 and Route 2 — Batteries Incident Details and unlock the court's jurisdiction to the Petitioner's FTCA claim against respondent United States Department of Justice. Petitioner has shown that she exhausted her administrative remedies. The Federal Tort Claims requires the Petitioner to present the claim to the appropriate Federal agency, and Petitioner did not failed to heed that clear statutory command but Judge Friedrich failed to activate the court's jurisdiction in the Petitioner's claims against the respondent United States Department of Justice. Judge Dabney L. Friedrich made an error in her judgment dated February 09, 2024.

---

**CONCLUSION**

For the foregoing reasons, Teresita A. Canuto respectfully requests that this Court issue a writ of Certiorari to review the judgment of the Court of Appeals for the District of Columbia Circuit and the District Court because defendant doesn't match.

Respectfully submitted,

Teresita A. Canuto

Teresita A. Canuto  
*Petitioner Pro Se*  
19122 Clymer Street  
Porter Ranch, CA 91326  
(818) 478-0814

October 9, 2024