

No. _____

24-5423

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FILED

AUG 10 2024

**OFFICE OF THE CLERK
SUPREME COURT, U.S.**

CESSALY D HUTCHINSON — PETITIONER
(Your Name)

vs.

CALIFORNIA SUPREME COURT — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

THE CALIFORNIA SUPREME COURT

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

CESSALY D HUTCHINSON

(Your Name)

PO BOX 180203

(Address)

CORONADO CA 92178

(City, State, Zip Code)

6192656207

(Phone Number)

QUESTION(S) PRESENTED

1. WHETHER MS KAGAN'S MESOTHELIOMA COMPLAINT USED RACE TO BLACKMAIL SETTLEMENT BY MULTINATIONAL TALC POWDER, ASBESTOS AND PHARMACEUTIAL CORPORATE DEFENDANTS USING AFRICAN-AMERICAN MEDICAL PATIENTS AS BAIT?
2. WHETHER MS KAGAN DELIBERATELY FAILED TO DEPOSE PETITIONER, AS WELL AS WAIVED HER CALIFORNIA CIVIL CODE SECTION 1542 RIGHTS TO ADDITIONAL RECOVERY DUE TO CHEMOTHERAPY DAMAGE FROM JOHNSON AND JOHNSON IN CASE PETITIONER SOUGHT ANOTHER COUNSEL?
3. WHETHER PETITIONER HAS BEEN DELIBERATELY BEEN TARGETED BY ORGANIZED CRIME AGENTS OF THE FIRM OF SIMON, GREESTONE AND PANATIER AFTER SHE TERMINATED THEM NOVEMBER 21, 2020, TO THIS DATE?

LIST OF PARTIES

- ☒ All parties appear in the caption of the case on the cover page.
- ☐ All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

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STATUTES AND RULES

US Constitution 13th & 14th Amendments
18 USC Section 1962

OTHER

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

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

OPINIONS BELOW

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☒ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix 1 to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☒ For cases from **state courts**:

The date on which the highest state court decided my case was MAY 15, 2024. A copy of that decision appears at Appendix 1.

☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

18 USC 1961, ET AL., RACKETEERING

US CONSTITUTION - 13TH AND 14TH AMENDMENTS - BADGES & INCIDENTS OF SLAVERY,
DUE PROCESS OF LAW

STATEMENT OF THE CASE

PETITIONER WAS DIAGNOSED WITH MESOTHELIOMA ON MARCH 26, 2020, IN LA JOLLA, CALIFORNIA. PETITIONER ENGAGED THE DALLAS, TEXAS-BASED FIRM OF SIMON, GREENSTONE AND PANTIER, APRIL 2020.

PETITIONER'S RACE WAS NEVER DISCUSSED. NOR WAS PETITIONER TOLD BY TALC POWDER EXPERT ATTORNEY LEAH KAGAN PETITIONER HAD ONLY ABOUT 6-18 MONTHS TO SURVIVE (STAGE IV),

PETITIONER WAS TOLD BY KAGAN THE CASE WAS FILED IN PRINCE GEORGE'S COUNTY MARYLAND, JUNE 2020. AN INITIAL \$800,000 OFFER (LATER INCREASED TO \$850,000) WAS MADE BY JOHNSON AND JOHNSON TO BE 'UNDER THE COVID-RADAR.'

PETITIONER AGREED TO THE SETTLEMENT ON THE CONDITION THE MEDI-CAL LIEN BE PAID. MS. KAGAN PLANNED A SAN DIEGO, AUGUST 11, 2020 DEPOSITION. IT DID NOT HAPPEN.

HOWEVER HER PARTNER MS. JENNIFER MONTEMAYOR SOUGHT A TEXT MESSAGE OF ALL LEGAL CASES IN WHICH PETITIONER HAD BEEN INVOLVED, AFTER PETITIONER SOUGHT A \$10,000 LOAN ON THE SETTLEMENT (WIRED TO PETITIONER'S BANK ACCOUNT JULY 15, 2020) FOR AN EMERGENCY MOVE FROM A RECOVERY FACILITY. CANCER POLICY FUNDS OF \$10,000 WERE TO BE REPAID TO THE FIRM.

PETITIONER SUBMITTED HER WILL TO THE FIRM IN JULY 2020, AS WELL AS THE SETTLEMENT DOCUMENTS. MS. KAGAN.

IN AUGUST, 2020, THE FUNDS DID NOT COME, INSTEAD, BOTH KAGAN AND MONTEMAYOR WERE AWAITING A FIGURE FOR MEDI-CAL: ANTICIPATED IN WEEKS, THEN MONTHS, THEN APRIL 2021. PETITIONER CONTACTED THE STATE BAR OF CALIFORNIA, FILED A COMPLAINT, AND THE FUNDS WERE FINALLY RELEASED NOVEMBER 23 2020, WHEN PETITIONER CONTACTED MEDI-CAL TO DETERMINE THE PROCESS. MEDI-CAL CORRECTED THE TREATMENT END DATE TO JULY 1, 2020 (SIMON, GREENSTONE AND PANATIER'S THIRD PARTY CLAIMS AGENT HAD CREATED THEIR OWN: SEPTEMBER 1, 2020).

MEDI-CAL ALSO FOUND OUT THE FIRM HAD RECEIVED THE FUNDS FROM JOHNSON AND JOHNSON AUGUST 20, 2020 (MS. KAGAN REFUSED). PETITIONER TERMINATED THE FIRM SEPTEMBER 21, 2020 TO ENSURE MED-CAL WAS PAID.

PETITIONER ENGAGED HER LEGAL SHIELD PLAN TO FIND A NEW ATTORNEY. NOVEMBER 2020, A DEFENSE COUNSEL SOUGHT PETITIONER'S PROGNOSIS. FEBRUARY 1, 2020, ONCOLOGIST STATED IN HER LETTER PETITIONER HAD 1 YEAR TO LIVE FROM PROGNOSIS.

JANUARY 6, 2021, PETITIONER NOTED COMPLAINT MENTIONED RACE. PETITIONER IN OCTOBER 2023, WAS TOLD BY DEFENSE BAR THIS WAS TO INFLAME AFRICAN-AMERICAN JURIES TO RETURN HIGHER VERDICTS IN URBAN AREAS (I.E., BALTIMORE, MARYAND).

REASONS FOR GRANTING THE PETITION

PETITIONER RESPECTFULLY REQUESTS THAT THE PETITION BE GRANTED SINCE TO DETERMINE IF MEDI-CAL PATIENTS ARE BEING TARGETED BECAUSE OF LOW MEDICAL COSTS AND NOT BEING ADVISED OF THEIR FULL SETTLEMENT RECOVERY, THUS INURING TO THE LAW FIRM, DESPITE A REQUEST FOR A COPY OF THE WILL. ALSO, DEMISE SHOULD BE ADVISED SO CLIENTS CAN BE PREPARED.

FURTHER TO AVOID THE APPEARANCE OF IMPROPRIETY OF INFLAMING JURIES FOR HIGHER RECOVERIES BASED ON RACE. THIS VIOLATES THE NOTIONS OF FAIR PLAY AND SUBSTANTIAL JUST FOR ALL MESOTHELIOMA LITIGANTS.

ALSO TO PROTECT MEDI-CAL FUNDS FROM BEING ABUSED AND THUS DENYING TREATMENT TO DESERVING MED-CAL PATIENTS.

TO PROTECT THE DEFENDANTS FROM BEING UNDULY PUNISHED OR HAVING THEIR TRUST FUNDS RAIDED WITHOUT ACCOUNTABILITY OF ACTUAL DAMAGES. THE JCI CASE (JOHN CRANE INC, V. SIMON, GREENSTONE, PANATIER AND BARTLETT, 16-CV05918; SIMON, GREENSTONE, PANATIER, BARTLETT V JOHN CRANE INC 16-CV-011790); UNDERSCORES THE DEFALCATIONS DISCOVERED IN A SIGNIFICANT NUMBER OF CLAIMS.

TO END POSSIBLE RACKETEERING EFFORTS SO PLAINTIFFS CAN BE FREE FROM OPPRESSIVE AND INEXPLICABLE FEES, AND AVOID FRAUDULENT CLAIMS FILED ON THEIR BEHALF BY UNSCRUPULOUS LAW FIRMS. PETITIONER DISMISSED THE 20 ADDITIONAL DEFENDANTS TO AVOID THE APPEARANCE OF IMPROPRIETY OF COERCION BASED ON A MATERIAL FALSEHOOD IN THE COMPLAINT FILED BY MS. KAGAN, UNBEKNOWNST TO PETITIONER.

FINALLY TO PROTECT CLIENTS FROM FIRMS THAT MAY HIRE ORGANIZED CRIME-TYPES TO HARASS THEM WHEN THE FIRM IS TERMINATED. I BELIEVE I HAVE BEEN TARGETED BY SIMON, GREENSTONE AND PANATIER BY NEFARIOUS CHARACTERS WHO HAVE ATTEMPTED TO INVAD MY LIVING SPACES SINE JUNE 2022.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Cathy A. Hutchins

Date: AUGUST 9, 2024