

No. 24-5876

IN THE
SUPREME COURT OF THE UNITED STATES

Norma Ortiz Fernandez

Petitioner

v.

La Clinica de la Raza

Respondent

On Petition for a Writ of Certiorari
In The Supreme Court of the United States.

PETITION FOR REHEARING

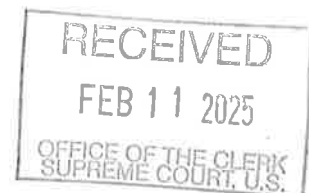
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In the Supreme Court of the United States

No. 24-5876

NORMA ORTIZ FERNANDEZ, PETITIONER

v.

LA CLINICA DE LA RAZA, RESPONDENT.

ON WRIT OF CERTIORARI

IN THE SUPREME COURT OF THE UNITED STATES

PETITION FOR REHEARING

Pursuant to Rule 44.2 of this Court, the Petitioner,

Norma Ortiz Fernandez, hereby

respectfully petitions this court for

Rehearing of this case before a full nine-Member Court.

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PREAMBLE

Pursuant to Rule 44.1 of this Court, Petitioner Norma Ortiz, respectfully petitions for a rehearing of the denial of a writ of certiorari to review the judgment/opinion of the Court of Appeal of California, First Appellate District Court, Division Two and the February 26th, 2021 Trial Court's order.

Rehearing was request at the lower court, Court of Appeal of California, First Appellate District Court, Division Two and it was denied on November 3rd, 2023 and other.

On October 31st, 2024 this court filed Petitioner's Writ of Certiorari and was denied on January 13th, 2025.

The questions that were presented: 1) Whether the Due Process Clause applies to self-represented parties, which is a self-executing constitutional right and needs no enforcement statute? and 2) Whether the Court of Appeal erred as a matter of law in infringing a self-represented party of a federal constitutional right under the 14th amendment to a fear hearing?

PETITION FOR REHEARING

As the maximum authority in this instance, you hold discretion, jurisdiction, and power to grant a rehearing and/or the opportunity of oral argument, or remand to the lower court with further directions. Petitioner is asking this court to intervene as the denial of my writ of certiorari causes my family and self-extreme prejudice. The underlying issues related to the court of appeal's October 11th, 2023 opinion/decision are misleading, unsupported, and not only deprive petitioner, but also thousands of pro per litigants, attempting to have a fair hearing (associated with their proceedings) and a day in court. This will only contribute to further harm and leaves our rights unprotected and vulnerable within the court system.

REASONS FOR REHEARING

A petition for rehearing should present intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented. **See** Rule 44.2.

The fundamental attack on the principals that hold the justice system and our constitutional rights and protections, in direct contravention of longstanding holdings from this court. Self-represented litigants who have suffered irreparable harm and damages, like myself, who have relied on the court system as a matter of right and as a matter of public interest. Every person holds the right to seek legal guidance, be represented by counsel of their choice, and receive a fair and impartial hearing.

No judge or justice should act arbitrary or abuse their power. The First Appellate District Court held discretion under equitable principles-equitable tolling to reverse and remand. It was impossible and impracticable to bring the matter to trial during the pandemic, COVID 19 as discussed in detail, including Appellant's opening and reply brief. The record shows petitioner's diligence at all stages of the proceedings in each court, I strongly believe.

During the oral argument scheduled hearing of September 29th, 2023 at 9:30 a.m. with the appeal panel of justices, presiding justice alluded to the comment while Petitioner was answering questions and subsequently referenced that I didn't know everything in the law. Presiding Justice mentioned that I didn't have to. Very confusing statement, even up to this date. Instead, Presiding Justice could have explained what was expected of me during oral argument (how to embrace questions in general and/or if further explanation was required)

to assist in deciding this matter fairly and justly. It took me a lot of work and diligence to get to that point and now here.

The reality is that the justice system should be equipped in providing and sending to self-represented litigants prior to their oral argument hearing a guide in terms of how to prepare for oral argument and expectations. Or if anything further needs to be elaborated by both parties, or briefed, even after oral argument, especially when it comes to self-represented litigants, like myself as well, that courts make sure those protections are safeguarded. This did not happen for me, and it continues not to happen for other self-represented parties that have faith in our existing justice system. The denial of my petition of certiorari brings extreme prejudice to applicant.

I have legitimate reasons to be here before this court and because I was deprived of my essential rights, I am asking that changes come to better support self-represented parties across the country, and myself.

Did the Court of Appeal violate Appellant's Constitutional right to Due Process by failing to grant a hearing for reconsideration?

Were the District and Court of Appeal confronted with substantial Constitutional violations?

JURISDICTION

On January 13, 2025, this court denied Petitioner's Writ of Certiorari.

Any petition for the rehearing of any judgment or decision of the Court on the merits shall be filed within 25 days after entry of the judgment or decision. Therefore, this petition is timely, according to Rule 44.2.

CONCLUSION

For the foregoing reasons set forth in this petition and subsequent facts that are part of the record. I, Norma Ortiz, respectfully request that the present petition for rehearing please be granted based on the merits of the case. This Highest Court holds discretion and should grant the Petition for Rehearing, consider this Petition and grant certiorari in this case to determine the unconstitutionality of the dismissal from all lower courts, reverse and set aside the October 11th, 2023 Opinion and the Trial Court Judgment/decision of February 26th, 2021. In the alternative remand to the lower court with further directions in the interest of justice.

Date: February 6th, 2025

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Norma Ortiz', with a horizontal line drawn through the middle of the signature.

Norma Ortiz

Petitioner, Pro Per

CERTIFICATE
PERSUANT TO RULE 44.2

Pursuant to Rule 44.2, Applicant certifies that the Petition is restricted to the grounds specified in the Rule with substantial grounds not previously presented. Applicant certifies that this Petition is presented in good faith, not for delay, and to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Norma Ortiz", is written over a horizontal line.

Norma Ortiz

Petitioner, Pro Per

PROOF OF SERVICE

Supreme Court of the United States, case number: 24-5876

California Supreme Court Case No.: S283027

Appeal Case No.: A162542,

Solano Superior Court, Case No.: FCS039298

Case Name: Ortiz Fernandez vs. La Clinica de la Raza

I, Norma Ortiz, reside in the County of Solano, State of California. I am over the age of 18, I am a party in this action. My address is 2108 Garnet Circle, Vallejo, CA, 94591.

On February 7th, 2025, I served the following document(s) attached described as:

1) PETITION FOR REHEARING, No. 24-5876

AND

2) PROOF OF SERVICE.

I deposited the present bundle in a sealed envelope addressed to the:

a) *Supreme Court of The United States:*

1 First St., Northeast, Washington D.C., 20543,

b) La Clinica's Attorney of Record to:

Mr. Steven Rob Disharoon, Respondent, Defendant.

Wood Smith Henning & Berman,

201 First Street, Suite 209, Petaluma, CA, 94952

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on February 7th, 2025, Napa, California.



Norma Ortiz Fernández,

Petitioner, In Pro Per