

No.

24-6649

IN THE SUPREME COURT OF THE UNITED STATES

KIRTI MEHTA; PETITIONER

VS.

FILED  
FEB 02 2025

OFFICE OF THE CLERK  
SUPREME COURT U.S.

VICTORIA PARTNERS DBA PARK-MGM

CASINO & HOTEL OPERATOR, AND ITS OFFICERS INDIVIDUALLY & COLLECTIVELY,  
PRESIDENT & CEO, MS. ANN HOFF AND MS. LONDON SWINNEY. AND MGM  
INTERNATIONAL, A CORPORATE HEADQUARTER AND PRESIDENT & CEO, MR. BILL  
HORNBUCKER AND CHAIRMAN. Paul Salem, JOSEPH A. CARBO, JR., SR. VICE  
PRESIDENT, RYAN GUADIZ, MARKETING EXECUTIVE, SUBSIDIARIES OF MGM, Travis Lunn  
Named New President of Atlantic City's Borgata CASINO, Niklas Ryttnerstrom -  
President & COO - The Mirage casino, Brandon Dardeau as the president & chief  
operating officer BEAURIVAGE CASINO & GOLD STRIKE CASINO, ARIA PRESIDENT AND  
CEO, Clive Hawkins, Chuck Bowling - President and COO - Mandalay Bay Resort and  
Casino, ARIA CASINO and City Center, PRESIDENT AND COO, Anton  
Nikodemus..... RESPONDENT(S)

PETITION FOR A WRIT OF CERTIORARI

TO THE UNITED STATES COURT OF APPEALS.

NINETH [9<sup>TH</sup>] DISTRICT

Counsel for record:

PRO-SE ATTORNEY; KIRTI MEHTA 3411 LANDOVER BLVD; SPRING HILL FLORIDA  
34609. 630-854-5211

**QUESTION REPRESENTED FOR REVIEW**

---

**WHETHER A FEDERAL DISTRICT JUDGE DID NOT ALLOW PETITIONER MEHTA ; AS A PRO-SE ATTORNEY TO REPRESENTED ON HIS BEHALF AND DEPRIVED JUSTICE :**

**(A) 8 FEDERAL RULES 4 (D) ALLOWES TO SERVE " WAIVER OF SUMMONS " TO DEFENDANTS AND IT HAS BEEN SERVED UPON MGM COUNSEL JASON SIFER ; WHO AGREED TO ACCEPT " WAIVER OF SUMMONS " AND FILED " APPERANCE " BEFORE THE COURT AND PLEADING OF A " MOTION TO DISMISS " WHICH WAS HEARD IN ABSENT OF " ORAL ARGUMENTS " AND PETITIONER MEHTA WAS ALLOWED TO FILE HIS " AMENDED COMPLAINT " ALONG WITH NEW ADDED PARTIES by MAGISTRATE JUDGE AND SERVED SIMILARLY " WAIVERS OF SUMMONS " TO DEFENDANTS AND NEW PLEADING OF " MOTION TO DISMISS " FILED.**

**(B) Thereafter ; NEWLY APPOINTED Hon. FEDERAL JUDGE CHRISTINA SILVA DISMISS THE ENTIRE SIX COUNTS COMPLAINT STATING THAT PETITIONER HAS FAILED TO SERVED SUMMONS TO DEFENDANTS.**

**(C) IS IT SHE PREJUDICED TOWARD PRO-SE ATTORNEY ? OR IS SHE IGNORE FEDERAL RULES COMPILED AS A FEDERAL CIVIL RULES PROCEDURE OR BOTH. Or FAVORED THE LICENSE ATTORNEY INSTEAD OF " FAIR DETERMINATION OF ISSUES AS PRESENTED " OR " CONFLICT OF INTEREST " WHILE 2 OTHER JUDGES DID NOT PARTICIPATED IN THIS CASE. AS MGM RESORTS INTERNATIONAL GOVERN ENTIRED LASVEGAS.**

**(D) AND SHE VIOLATED PETITIONER 6<sup>TH</sup> AMENDMENT OF US CONSTITUTION AND VIOLATED EQUAL PROTECTION CLAUSE WHERE PETITIONER WAS NOT ALLOWED FOR ORAL ARGUMENTS AS FILED MANY MOTIONS BEFORE THE COURTS AND SANCTIONS AND DISHONESTY OF COUNSEL IN VIOLATION OF FEDERAL RULE 11.**

(E) And She violated DUE PROCESS CLAUSE AS GUARANTEE IN THE US CONSTITUTION.

(F) United States Constitution are important federal questions and require an interpretation of the Constitution that the Supreme Court may wish to weigh in on for their correctness and application.

(G) The case could have national significance

(H) Now ; Feb 18<sup>th</sup> US APPEAL COURT AWARDED ATTORNEYS FEES; IS ABSURD. THIS COURT HAS TO CORRECT IT ; INCLUDING FEDERAL JUDGE AWARDING \$20,000 ATTORNEYS FEES.

(I)

WARDLAW, BADE, and H.A. THOMAS, Circuit Judges.  
Appellees Park MGM, LLC, Ann Hoff, London Swinney, William Hornbuckle, Joseph Corbo, Jr., and Ryan Guardiz are entitled to attorney's fees on appeal. The motion for attorney's fees (Docket Entry No. 61) is granted. The determination of an appropriate amount of fees is referred to Appellate Commissioner Lisa B. Fitzgerald, who has authority to conduct whatever proceedings she deems appropriate and to enter an order awarding fees subject to reconsideration by the panel. See 9th Cir. R. 39-1.9

[ J.] US CONSTITUTION EQUAL GUARANTEE PROTECTION CLAUSE AND "DUE PROCESS " GUARANTEED BY US CONSTITUTION IS NOT ONLY VIOLATED; BUT " MISCARRIAGE OF JUSTICE" IS EVIDENT BEFORE US SUPREME COURT.

## TABLE OF CONTENT

---

	PAGE
QUESTION PRESENTED FOR REVIEW.....	i
TABLE OF CONTENTS.....	4
TABLE OF AUTHORITY.....	6
OPINION BELOW.....	7
JURISDICTION.....	2
CONSTITUTION PROVISIONAL INVOLVED.....	2
STATEMENT OF THE CASE .....	10
 <b>REASONS FOR GRANTING THE WRIT :</b>	
PETITIONER MEHTA'S RIGHTS HAS BEEN DEPRIED TO HIS DAY	
IN THE COURT WHERE FEDERAL CIVIL PROCEDURE WAS USED TO SERVED	
WAIVER OF SUMMONS TO SAVE LITIGATION COST AND PARTIES	
AGREED BUT NEWLY APPOINTED JUSTICE EMPHASIS THAT SUMMONS	
CANNOT BE SERVED BY MAIL ; INFACt " WAIVER OF SUMMONS" ALLOWED	
TO SERVED BY MAIL. GROSS ERROR OF FACTS AND LAWS .....	34
CONCLUSION.....	35-36

## **APPENDIX**

---

- A. OPINION OF EN BANC HEARING BEFORE THE UNITED STATES COURT OF APPEAL FOR THE 9<sup>TH</sup> DISTRICT .... JANUARY 07<sup>TH</sup> 2025**
  
- B. OPINION OF THE UNITED STATES COURT OF APPEAL FOR THE 9<sup>TH</sup> DISTRICT  
DATED SEP 23 ; 2024**
  
- C. ORDER OF THE UNITED STATES DISTRICT COURT OF LASVEGAS DISTRICT  
DATED FEBRUARY 06; 2023 AND Order of MAGISTRATE judges who allowed  
TO FILE , “AMENDED COMPLAINT“ . AMENDED COMPLAINT WAS FILED.**

## **TABLE OF AUTHORITIES**

<b>Federal Rules and US CONSTITUTION</b>	<b>pages</b>
<b>Federal Civil procedure RULE 4 (d) .....</b>	<b>29</b>
<b>Federal Rule 8 (a) (2).....</b>	<b>24</b>
<b>Equal protection analysis in the Fifth Amendment.....</b>	<b>31</b>
<b>And 14<sup>th</sup> amendment GUARANTEE “ DUE PROCESS.....</b>	
<b>See. Buckley v. Valeo 424 U.S 1, 93 (1976)</b>	
<b>ALSO WEINBERGER V WIESENFELD; 420 U.S.636 , 638 n.2 (1975)</b>	
<b>Lewis v. Continental babk corp ; 110 S. Court 1249,1253 (1990)</b>	
<b>6<sup>th</sup> US construction Amendment allowes to be own attorney.....</b>	
<b>Title VI CIVIL RIGHTS ACT OF 1964.....</b>	<b>31-36</b>
<b>28 UNITED STATES CODE SECTION 1343 VIOLATION OF CIVIL</b>	
<b>RIGHTS ; THIS ACTION ARISES UNDER 42 U.S.C SRCTION 1981</b>	
<b>PROHIBITED RETALIATION.....</b>	
<b>DURA PHARMS INC V. BROUDO, 544 U.S.336; 347 (2005).....</b>	
<b>ASSOCIATION GEN CONTRACTOR OF CAL INC V. CALIFORNIA</b>	
<b>STATE COUNSIL OF CARPENTERS; 459 U.S 519, 528N.17 (1983)....</b>	
<b>Case # 18-1560 US SUPREME COURT</b>	
<b>RICHARD NEAL V. B. MARK NEAL.....</b>	<b>31-36</b>

I.

## **PETITION FOR WRIT OF CERTIORARI**

**9KIRTI MEHTA [ AT THE AGE OF 75 YEARS, AND AS VALUNABLE SENIOR CITIZEN OF THE UNITED STATES ] petitions the Court for a writ of certiorari to review the judgment of the United States Court of Appeals for the 9<sup>TH</sup> DISTRICT.**

ii.

## **OPINION BELOW**

---

**US COURT OF APPEAL OF 9<sup>TH</sup> DISTRICT “ AFFIRM” ; LOWER COURT ORDER DISMISSING PETITIONER “ COMPLAINT AT LAW” IN 6 COUNTS WHERE COURT REFUSED AND DENIED PETITIONER’S MOTION FOR FULL RECORDS BEFORE THE US APPEAL COURT WHICH HAS DEPRIVED PETITIONER ARGUMENTS OF “ SERVING WAIVER AND JASON SIFER ; ATTORNEY FOR ALL DEFENDANTS’ as EXHIBITS ON RECORDS DEFINED IT AND FURTHER ; HIS FILING “ APPEARANCE” AND PLEADINGS BEFORE THE COURT . ADDITIONAL ADDED PARTY ONLY NEEDS TO GIVE A “ NOTICE” BUT PURSUANT TO FED RULE # 4 (D) ; ADDITIONAL PARTIES WERE SERVED AND JASON SIFER HAD FILED ; SECOND “ MOTION FOR DISMISS “ IS EVIDENT BEFORE THE COURT AS PETITIONER HAD FILED “ AMENDED COMPLAINT” AS APPROVED BY MAGISTRATE JUDGE ORDER . [ Attached to appendix] .**

**PETITIONER MEHTA ENBANC HEARING BEFORE THE FULL COURT WAS DENIED AFTER 90 DAYS; JAN 07, 2025.**

iii.

### **JURISDICTION**

**The 9<sup>th</sup> Circuit entered judgment on EN BANC HEARING ON JAN 07, 2025 AND COURT OPINION UNDER RULE #23 FILED ; (NON- PUBLISHED ) on SEPTEMBER 23, 2024 ; PLEASE See Appendix 1.**

**This petition is timely filed pursuant to Supreme Court Rule 13.1. This Court has jurisdiction under 28 U.S.C. § 1254(1).**

### **IV. STATUTORY PROVISIONS INVOLVED**

**This case involves the relationship between 28 U.S.C. § 1343 violations of CIVIL RIGHTS; THIS ACTION ARISES UNDER 42 U.S.C SECTION1981 “ PROHIBITED RETALIATION. TITLE VI CIVIL RIGHTS ACT OF 1964**

**[Count # 3 count # 4 and count # 6 was never asked or Court has Dismissed during MOTIONS TO DISMISS. ] IT WAS INTAKE.**

**US CONSTITUTION GUARANTEE “ DUE PROCESS” ..UNDER 14<sup>TH</sup> AMENDMENT**

**Federal rule of civil procedure**

**RULE 4 (D) WAIVER OF SUMMONS**

**FEDERAL RULE OF CIVIL PROCEDURE 12(A) (4) STATES RULE 12 MOTION TOLLS THE**

**TIME PERIOD WHICH A DEFENDANT MUST FILE A RESPONSIVE PLEADING.**

**12(B) MOTION, TOLLING THE TIME PERIOD FOR FILING ANSWERS**

**RULE # 55 (B) (2) PERMITS ENTRY OF "DEFAULT JUDGMENT IN SITUATION SUCH THIS**

**WHERE DEFENDANTS REFUSED TO LITIGATE"**

**J.&sports products; inc vs. CONCEPTION , NO. 10- CV-05092;**

**2011 U. S. DIST .LEXIS 60607 at \* 5, 2011 WL 2220101 N.D.CAL.**

**June 07 2011.**

**US SUPREME COURT CASE # 18-1560**

**RICHARD NEAL V .B.MARK NEAL ; 14 days tolls begins after filing AMENDED  
COMPLAINT.**

**This case involves the relationship between above provisions.**

V.

## STATEMENT OF THE CASE

### [A]. Introduction:

This petition arises from an effort of nation wide 28 casinos of MGM RESORTS INTERNATIONAL : who are systematically engaged in ROBBERY AND WILLFULL WANTON MISCONDUCT OR RECKLESS DISREGARDS WHERE SENIORS CITIZENS OF UNITED STATES ARE TARGET BY CASINOS BY LULLING SIGNIFICANTS OFFER THEN TRAPPING BY OFFERING FREE ALCOHOLIC BEVERAGES UNLIMITED TO THE PLAYERS OF CASINOS WHICH ONLY BENEFITS TO HOUSE ; IN VIOLATION OF GAMING RULES AND EACH STATES LAWS LIKE NEW JERSEY AND MISSISSIPPI WHILE NEVADA IS ABSENT IN ALCOHOLIC BEVERAGES LAWS BUT GAMING BOARD OF NEVADA OPERATIONS RULES #5 AND ALL CASINOS OF LASVEGAS ASSOCIATION OPERATIONS MANUALS AND DIRECTION DEFINES THAT WHEN AND HOW TO SERVED ALCOHOLIC BEVERAGES AND THESE RULES MUST NOT BE VIOLATED. FOR EXAMPLE ; NO SOLICITATION OF ALCOHOLIC BEVERAGES; EVERY 20 MINUTES ALCOHOLIC BEVERAGES BE SERVED UPON REQUEST OF PLAYER. LIKE WISE !!.

AS A RESULT OF CASINOS' PRACTICE; SENIORS OF UNITED STATES OF AMERICA LOOSING THEIR LIVELY HOOD AND LIFE SAVINGS IN CASINOS WHERE PLAYERS ARE ALLOWED TO CASH OUT MONEY UNLIMITED TIMES IN IMPAIR CONDITIONS . SLOT MACHINES ARE DESIGNED TO ROB PATRONS WHERE SYSTEMATIC PROGRAMMING OF

COMPUTER IS BEING ENHANCE IN ABSENT OF GAMING BOARD ENFORCEMENT OR ELECTRONICS CHEATING WHERE COMPLAINT PF PETITIONER IN HIS AMENDED COMPLAINT ALLEGING. Further offer " SECOND AMENDED COMPLAINT " BUT NEWLY APPOINTED HON. JUDGE CHRISTINA SILVA ; STATED THE MEHTA HAS NOT SERVED THE SUMMONS AND MEHTA CANNOT SERVE THE SUMMONS BY REGULAR MAIL TO DEFENDANTS ; THUS SHE DISMISS ENTIRED COMPLAINT AT LAW WHICH SHE ERRED AND ABUSED HER DISCRETION AND PREJUDICE TOWARD PROSE ATTORNEY; INSTEAD OF FAIR DETERMINATION OF ISSUES PRESENTED IN COMPLAINT.

IT IS SIGNIFICANT THAT COMPLAINT ALLEGED NOT ONLY NEVADA STATES CASINOS BUT OTHER 28 CASINOS AROUND UNITED STATES ; FOR EXAMPLE : NEW JERCY STATES ALLOWES THIRD PARTY SERVING ALCOHOLIC BEVERAGES UNLIMITED FOR LIABILITY AND PUNITIVE DAMAGES. Respondents has focus only on LASVEGAS NEVADA ; MISDIRECTED COURT .

WHEN ; PETITIONER MEHTA PROTESTED DISCRIMONATORY PRACTICE TOWARD NATIONAL ORIGIN ; JASON SIFER COUNSEL RETALIATED AND LETTER SHOWING 28 CASINOS ; TRESSPASSING NOTICE. THAT PETITIONER AND HIS WIFE ARE NOT WELCOME TO ANY 28 CASINO RESORT; AFTER 36 YEARS AS GOOD STANDING WITH MGM .

**[ B]. PROCEEDING BEFORE FEDERAL COURT:**

**ON AND ABOUT AUG 11, 2011 ; KIRTI MEHTA PLAINTIFF/APPELLANT FILED 6 COUBTS COMPLAINT [ R-03 WITH EXHIBITS A to G. 1 to 3] IN THE UNITED STATES DISTRICT COURT OF LASVEGAS. SIMULTANEOUSLY EMERGENCY MOTION WAS FILED TO PROTECT AND HOLD SURVEILLANCE FOOTAGE OF THE MARCH 18;2021 from any accidental erase or knowingly erase. [ R-01 ]**

**Appellant paid required fees of \$300 and obtain " waiver of summons " after calling MGM'S ATTORNEY JASON SIFER WHO AGREED TO TAKE A WAIVER OF SUMMONS AS LONG OT COMPLY FEDERAL RULES. WAIVER FOR SUMMONS WERE SERVED BY MAIL AS WELL AS BY E-MAIL TO JASON SIFER AND FILED SANE IN COURT DOCKETING. [ R-06]**

**THEREAFTER; DEFENDANTS/APPEELEE FILED ATTORNEY APPEARANCE FOR EACH OF THE DEFENDANTS IN CAPTION OF COMPLAINT AS INDIVIDUALLY AND COLLECTIVELY.**

**Immediate thereafter; Defendants MGM APPEELEE FILED MOTION TO DISMISS COUNT 1; 2 AND 6 AND Plaintiff/APPELLANT filed RESPONSE TO MGM'S MOTION TO DISMISS AND REPLY WAS FILED BY MGM. Case was assigned to Hon. Judge Gordon.**

**Emergency Motion was heard after 6 months or longer by Hon. MAGISTRATE JUDGE Cam Ferenbach via ZOOM AUDIO AND ORAL ARGUMENTS WETE PRESENTED BY BOTH PARTIES. HON. MAGISTRATE DENIED MOTION WITHOUT PREJUDICE SINCE MGM'S ATTORNEY JASON SIFER DECLARE THAT SURVEILLANCE VIDEO AND FOOTAGE WILL BE**

GOOD CAUSE. MEHTA HAD RESPONDED [ R -70 ] AND ALL THE REASONS AND FED. RULE 4 (a) cited that WAIVER FOR SUMMONS WERE SERVED AND AS PER JASON SIFER MGM'S ATTORNEY ADVISEMENT AFTER RULING OF MOTION TO DISMISS AMENDED COMPLAINT; HE WILL ACCEPT WAIVER. Court ruled in her order [ R-73] SUMMONS IS NOT SERVED THUS JUDGE DISMISS AMENDED COMPLAINT. MEHTA R-78 MOTION FOR DEFAULT AND R-82 MOTION FOR DECLARATORY JUDGMENT WERE MOOT . MOTION TO RECONSIDER [R-84] was denied R-91 . Motion to vacate R-93 and leave to file SECOND AMENDED COMPLAINT R-94] denied R-100 &101.

MEHTA APPELLANT FILED SECOND AMENDED COMPLAINT [ R.-94 ] AND MOTION TO RECONSIDER HER FINAL JUDGMENT BY DISMISSING ALL COUNTS [ R. 93; 95 and 97] AND MOTION FOR SANCTIONS PURSUANT TO FED. RULE 11 BUT HON. JUDGE SILVA DENIED MEHTA REQUEST ON FEB 06; 2023 [ R-1 ] AND CLOSED CASE. IMMEDIATELY; ON FEBRUARY 17; 2023 ; WITHIN 30 DAYS OF DISTRICT COURT JUDGMENT MEHTA APPELLANT FILE A " NOTICE OF APPEAL " [ R.-104 ]

VICTORIA PARTNERS DBA AS PARK-MGM IS A one of SUBSIDIARIES OF MGM RESORTS INTERNATIONAL . MGM RESORT INTERNATIONAL WAS COMPASS OF 5 CASINOS IN 1985 AND REWARD BENEFITS CLUB WAS CALLED "ONE CLUB" [ APPELLANT MEHTA WAS A MEMBER OF ONE CLUB ; EXHIBIT RECORDS [ R-3. EXHIBIT. A ] .

IN 1986; MGM RESORTS INTERNATIONAL WAS CREATED AND ITS REWARD CLUB HAS 5 TIERS PROGRAM TO PLATINUM LEVAL. NOIR BLACK CARD LEVEL ONLY BY INVITATION ONLY.

EXHIBIT RECORDS [ R-03 Exh.3]

**APPELLANT MEHTA HAS BEEN MEMBER WITH MGM OVER 36 YEARS IN GOOD STANDING.** Appellant MEHTA has been player of slot machines and he joined reward club to get various benefits As reward such has free hotel rooms; events ticket; food and beverage credit and transportation limo Or cruise certificate **AND MAINTAIN " PLATINUM" STATUS OVER MANY YEARS PRIOR TO 2021 AND** Before filing **COMPLAINT AT LAW IN 6 COUNTS AGAINST APPEELEE .**

**FROM LAST 10 YEARS APPELLANT MEHTA Started loosing more and more money and MANY OTHERS PLAYERS MEHTA HAD WITNESS WHO ARE SENIOR CITIZENS AND AFRAID TO GO AGAINST GIANT CASINOS AND BIG CORPORATION AND EXPECTED TO LOSE ENTRY AND BENEFITS FROM CASINOS AS REWARDS OF BEING PLAYERS. MEHTA complaint was launched in various resorts were MEHTA HAS PLAYED AND COMPLINT IS DEFINE IN FULL DETAILS INCLUDING GAMING BOARD COMPLAINT AND SENDING LETTER TO ATTORNEY GENERAL WHO OVERSEE GAMING BOARD OR REPRESENTING GAMING BOARD IF APPELLANT MEHTA PROCEED TO FILE COMPLAINT AT LAW Against the MGM RESORTS INTERNATIONAL AND MISSISSIPPI GAMING BOARD WHO REFUSED TO INVESTIGATE COMPLAINT RELATED GAMING AND SLOT BUT FOCUS ON ONLY JACKPORT PAID OR NOT; IN US DISTRICT COURT OF MISSISSIPPI;**

**ON THE NIGHT OF MARCH 18; 2020 MEHTA PLAYED IN HIGH LIMIT AREA AFTER LOOSING AND CASHING OUT CASH ADVANCES AND ATM WITHDRAWAL OVER \$3000 ON DIFFERENT DENOMINATION OF SLOT MACHINES ; HE FOUND \$100 DENOMINATION SLOT MACHINE AND PLAY AND LUCK STRIKE AND GOT HOOKED TO PLAY 12 HRS HITTING 27 JACKPOTS IN SUBSTANTIAL AMOUNT REACH TO ALMOST \$200,000 IN AND OUT PLAY ON Slot machine.**

**Prior to MEHTA PLAY MEHTA HAD 6 BOTTLES OF HEINEKEN BEER AT TROPICANA PIIL AND HE CAME TO PARK-MGM AFTER THE POOL AND STARTED PLAYING. BUT HE DID NOT ORDER ALCOHOLIC BEVERAGES WHILE PLAYING IN CASINOS AND FROM 8 PM TO 5 PM ; SERVER KEEP COMING ASKING AND SOLICITATING ALCOHOLIC BEVERAGES BUT MEHTA REFUSED AND ASKE FOR FUJI WATER  AND WATER WAS SERVED TILL 5 AM AND MEHTA HAD A CASH WITH HIM MORE THAN \$62,000 IN HIS SPORT COAT. All winning of jackpots.**

**Now ; CONSTANT INISTING BY SERVER TO HAVE A ALCOHOLIC BEVERAGES ; SAYING ARE YOU SURE; YOU DO NOT WANT ANY ALCOHOLIC BEVERAGES AND SHE BROUGHT 2 BOTTLES OF HEINEKEN BEER AND SERVED APPELLANT AND WITHIN 20 MINITES 6 BOTTLES WERE SERVED WHILE LASVEGAS GAMING BOARD AND RESPONSIBLE GAMING CLEARLY DEFINE THAT NO SOLICITATION OF ALCOHOLIC BEVARAGE TO PLAYERS AND IF SERVED ONE DRINK 20 MINUTES APART BE SERVED.**

**As a result; APPELLANT MEHTA PUT BACK ALL WINNING BACK IN SLOT MACHINE AND WAS IMPAIRE AND DO NOT REMEMBER WHAT HAPPEN ALONG WITH ANXITY ATTACKS AND APPELLANT MEHTA WIFE FOUND APPELLANT 8 AM**

**IN MORNING OF MARCH 19; 2021 STILL PLAYING AND PUT ALL MONEY  
IN IT. SHE TOOK APPELLANT MEHTA TO ROOM.**

**APPELLANT MEHTA filed complaint and send NOTICE TO PARK-MGM**

**PRESIDENT AND CEO AND MEHTA COMPLAINT WAS REFERRED TO MS.**

**LONDON SWINNEY VICE PRESIDENT OF CASINO OF PARK-**

**MGM WHO CONTACTED APPELLANT MEHTA THAT SHE WILL INVESTIGATE AND**

**REVIEW SURVEILLANCE VIDEOS AND GET BACK TO ME IN FEW DAYS.**

**Vice president of PARK-MGM; MS. LONDON SWINNEY CONTACTED APPELLANT  
MEHTA AND OFFER \$5000 FREE PLAY WITH HOTEL ACCOMMODATION AS A  
PART OF CUSTOMER SERVICE TO COME BACK TO PARK-MGM WITH FOOD AND  
BEVERAGE CREDIT by looking high roller play.**

**This offer was not any way shape or form a settlement of demand sent to PARK-MGM  
CEO OF \$62,000.**

**THIS IS VERY SIGNIFICANT TO NOTE.**

**IMMEDIATELY; MEHTA APPELLANT BOOKED SUITE IN PARK-MGM FOR JULY 4<sup>TH</sup>**

**LONG WEEKEND 2021 AND BOOKED FLIGHT TO GO TO Las Vegas from Tampa;  
FLORIDA.**

Time passed; by June 2021; MEHTA APPELLANT RECEIVED CALL FROM MS.

LONDON SWINNEY THAT LEGAL DEPARTMENT WANTS YOU TO SIGN A

“RELEASE” . [ R-03 R-66 EXH D AND E]

MEHTA APPELLANT HAD ARGUED WITH MS. LONDON SWINNEY THAT \$5000 OF

FREE PLAY ; NOT CASH WAS NOT A PART OF ANY SETTLEMENT BUT CUSTOMER

SERVICE POINT OF VIEW TO WELCOME BACK AS A PROMOTIONAL TRIP AND TO

MAKE A GOOD AT MEHTA APPELLANT.

APPELLANT MEHTA GOT PUZZLE AND CONFUSE AND CONFLICT WAS CREATED

BY LEGAL DEPARTMENT AND SHE SENT “RELEASE” last page which APPELLANT

MEHTA ; NEVER SIGNED NOR IT COMPLY FLORIDA GOVERNOR DIRECTION TO

NOTARIZED DOCUMENT; since MEHTA IS FLORIDA RESIDENT. IT HAS TO BE

SIGNED IN PRESENCE OF WITNESS AND ID OF FLORIDA BE REGISTERED WITH

NOTARY PUBLIC AND SIGNATURE MUST BE OBTAINED IN PRESENCE . RECORDS

MUST BE MAINTAINED.

This RELEASE WAS NOT WITNESS BY JOSEPH CARBO; VICE PRESIDENT LEGAL OF MGM BUT HE SIGNED AND PUT SEAL OF NOTARY IN ABSENCE OF PARTY . He added 28 plus resorts of mgm in release Without consents or discussion with MEHTA APPELLANT.

**MEHTA APPELLANT REACHED TO PARK-MGM JULY 4THV2021 AND PLAYED ON  
THE SAME \$100 DENOMINATION SLOT MACHINE IN HIGH LIMIT AREA. Following  
things happened as will ful wanton Misconduct:**

1. **\$100 wheel of fortune has bonus wheel and it purpose to attract player to play. But BONUS WHEEL DO NOT OFFER WHILE PLAYED AS A FREE PLAY. MEHTA APPELLANT DISCOVERED THAT**

**MGM HAS A TWO DIFFERENT PROGRAMS SET ON MACHINE ONE ITS TRIGGER WHEN CASH MONEY IS PLAYED AND BONUS ROUND RESPOND. BUT WHEN PLAYED WITH “FREE PLAY” ; BONUS DO NOT RESPOND.**

2. **Usually ; ALL PROGRESSIVE JACKPORT AND 3<sup>RD</sup> PARTY SLOT MACHINES ARE NOT ALLOWED TO PLAY FREE PLAY. FREEPLAY DO NOT DOWN LOAD ON A SLOT MACHINE ; IF YOU ATTEMPT TO PLAY WITH FREE PLAY .**
3. **In this \$100 denomination machines MEHTA APPELLANT HAD PLAYED \$5000 AND THERE WAS A NO RESPONSE FROM THE MACHINE IN ANY SHAPE OF FORM OF BONUS WHEEL AND**

**GOBBLED \$5000 IN FEW MINUTES. CALLED ATTENDANT OF SLOT AND ASKED TO CHECK MACHINE.**

**SLOT ATTENDANT AND SLOT SUPERVISOR TRYING TO JUSTIFY LOST OF \$5000  
FREE PLAY DOWNLOADED ON MACHINE ; BYBSHOWING STICKER ON MACHINE  
THAT FREE PLAY NOT ALLOWED. MEHTA APPELLANT QUESTION TO SLOT  
ATTENDANT AND SLOT SUPERVISOR WHY \$5000 IS BEING DOWNLOADED AND  
ALLOWED ME TO PLAY SLOT MACHINE; WHILE ALL OTHER**

**MACHINES CLEARLY MARKED NO FREE PLAY AND DO NOT ALLOW FREE PLAY  
TO DOWN LOAD PERIOD. AND DEMANDED \$5000 FREE PLAY BE REHUMBURSE  
BY SLOT. WHICH IS DECEPTIVE AND ROBBING WITHOUT ANY GAMING OR PLAY.**

**MEHTA APPELLANT FURTHER ELOBRATED WITH SLOT SUPERVISOR WHY OTHER  
MACHINES DO NOT ALLOW TO PLAY AND THIS MACHINES ALLOWED EVEN  
STICKER SAYS " NO FREEPLAY ". ? He did not answer . May be sticker was  
placed to DECEIVE MEHTA APPELLANT THAT HE DOES NOT PLAY ON THE SAME  
MACHINE WHICH HE HITS 27 JACKPORT?**

**SUPERVISOR OF SLOT HAD NO ANSWERS AND HE WAS READY TO REMOVE  
STICKER AND MEHTA APPELLANT SAID ; WAIT. I WANT TO TAKE A PICTURE AS A  
PART OF EXHIBIT EVIDENCE.**

**[ R-3 & 66 pl. See Group Exh # 2 two pages ...second page sticker on slot  
machine. ].**

At a result; APPELLANT MEHTA lost winning of 27 jackpots awarded to him in the amount nearly \$200,000 . [ R-03 & R-66 EXH . EXH. C]

Many years of play in MGM MANDALAY BAY; BEAURIVAGE AND MIRAGE AND BORGOTA AND GOLD STRIKE and Bellagio and many more CASINOS LOST over \$300,000 in slot machines will be proven that Gaming is not a gaming but license to Rob patrons who comes to play. ALLOWED TENS OF THOUSANDS OF DOLLARS TO WITHDRAW THRU ATM; CASH CHECKING AND CASH ADVANCE ^/OR CREDIT CARDS WITHOUT ANY LIMIT.

WHEN APPELLANT PROTESTED DIFFERENTIAL TREATMENTS EVEN AFTER RECORD BREAKING PLAY HE WAS quoted by executive host derogatory remarks offended to national origin. And when APPELLANT APPROACHED TO ASKED 2 TICKETS FOR BRUNO LIVE CONCERT IN PARK-MGM AND HE DENIED fruitful Reward AND OFFER OTHER LOWER TIERS MEMBER FREE COMPLIMENTARY tickets who were Happened to be 2 white tall and beautiful females in her late 20's who played Penny slot machines. APPELLANT was playing highest denomination slot machine of \$100. Played over 12 hrs putting coins per exhibit attached to complaint approximate \$200,000 [27 Jackpots]. AND LOST ALL IN MACHINES under excessive served alcohol in violation of gaming rule #5

**To be sure; that requirement is “ not meant to impose a great burden upon plaintiff “ DURAPHARMS; 544 U. S. AT 347 . BUT THIS COURT HAS MADE CLEAR THAT REQUIREMENTS IS A MEANINGFUL ONE ; AND IT SERVES SEVERAL SIGNIFICANT PURPOSES.**

**TO SATIFY RULE 8(a)(2) ; A COMPLAINT MUST MEET TWO FUNDAMENTAL CRITERIA. First ; it must “ set forth a claim upon which relief could be granted “. Conley v. Gibson; 355 U. S. 41; 45 (1956) . Second; it must give the Defendant ; “ fair notice of what plaintiff’s claim is and the grounds upon which it rests. “ Id. At 47.**

**A complaint cannot fulfill those criteria without alleging sufficient facts to provide concrete Notice of alleged wrongdoing and, putting conclusory allegations to onecside , a reasonable Basis for inferring that there may be wrongful conduct; i.e; to demonstrate a “ reasonably Founded hope that the [ Discovery] process will reveal relevant evidence”; sufficient to Establish the Plaintiff’s claim. Dura pharma; 544 U. S AT 347 ( QUOTING BLUE CHIP STAMPS**

**(2) Results of Filing a Waiver. When the plaintiff files a waiver, proof of service is  
Not required and these rules apply as if a summons and complaint had been  
Served at the time of filing the waiver.**

**Individual; or**

**(B) by delivering a copy of the summons and of the complaint to an officer, a  
Managing or general agent, or any other agent authorized by appointment or  
By law to receive service of process and—if the agent is one authorized by  
Statute and the statute so requires—by also mailing a copy of each to the  
Defendant; or AFTER THE RULING ON SECOND MOTION TO DISMISS ; HE [ Jason  
Sifer; MGM] ADVISED THAT HE WILL ACCEPT WAIVER.**

- A. Motion for sanctions pursuant fed rule #11 ; [R.-36-53-95--97 ].**
- B. Emergency Motion R-1 AND MOTION TO STRIKE R-21**
- C. MOTION FOR DEFAULT JUDGMENT... R-83**
- D. MOTION FOR DECLARATORY JUDGMENT. R- 83**
- E. 3 DIFFERENT MOTIONS FOR I JUCTIVE RELIEF...**

**R- 24-26-29**

**F. MOTION TO VACATE OR REHEARING.. R-93**

**G. MOTION TO RECONSIDER..... R-93-100-102**

**ALL MOTIONS WAS DENIED WITHOUT FOOT IN COURT ROOM  
AS A ORAL ARGUMENTS WHILE ATTORNEYS ARE ALLOWED IN  
COURT ROOM TO ORALLY ARGUED THE CASE . This is first time  
MEHTA'S LIFE COURT DID NOT ALLOWED ORAL ARGUMENTS IS  
SO UNJUSTIFIED AND PREJUDICE AND ABSURD ACTION  
AGAINST PRO-SE ATTORNEY.**

**IT IS IN VIOLATION OF US CONSTITUTION EQUAL PROTECTION  
CLAUSE OF FOURTEENTH AMENDMENT JURISPRUDENCE  
APPLIES TO FEDERAL OFFICIALS UNDER THE 5<sup>TH</sup> AMENDMENT.**

**SEE. Buckley v. Valeo; 424 U. S. 1; 93 (1976) (" EQUAL  
PROTECTION ANALYSIS IN THE FIFTH AMENDMENT AREA IS THE  
SAME AS THAT UNDER THE FOURTEENTH AMENDMENT ");**

**SEE. ALSO WEINBERGER V WIESENFELD; 420U.S.636 n.2 (1975)( "this Court's  
approach to Fifth Amendment equal protection claims has always been precisely the  
same as to the equal protection claims under the Fourteenth Amendment.**

**HON.JUDGE SILVA WAS SO OUTRAGE ON APPELLANT MEHTA THAT LAYMAN  
PROSE QUESTIONING HER ABILITY AS JUDGE.AND PREJUDICED AND  
DISMISSING COMPLAINT; causing MISCARRIAGE OF JUSTICE. BUT SHE IS**

**FORGETTING THAT MEHTA HAS WRITTEN SEVERAL TIMES IN HIS MOTIONS AND PLEADING THAT HE HAS BEEN IN LEGAL ARENA SINCE 1980. APPEARED BEFORE MANY JUDGES AND FILED APPEAL BRIEF AND oral arguments like 1984 Hon. Judge James stack of 5<sup>th</sup> municipal district Told MEHTA THAT “ HE WILL QUIT THE BENCH AND GO TO PRACTICE LAW WITH MEHTA; GO GET YOUR LICENSE TO PRACTICE” WHEN MEHTA CONSOLIDATED 3 CASES BEFORE HIM AND FILED FOR SUMMARY JUDGMENT AND IN HEARING HE STATED . AND OTHERSIDE HAD SETTLED with MEHTA. MEHTA APPELLANT HAS BEEN ACTIVE BEFORE 7 TH CIRCUIT FEDERAL JUDGES AND HE HAS BEEN COMMANDAED BY VARIOUS JUDGES; LIKE SR. GRADY; SR. SADHOOR ; REVERSE BY US APPEAL COURT JUDGE MANNING CASE; JUDGE ANN WILLIAM WHO BECOME LATER US APPEAL COURT JUDGE AND SHE RETIRED NOW; JUDGE GUZMAN AND MAGISTRATE ASHMAN AND JUDGE KENNELLEY AND MANY MAGISTRATE JUDGES. EMERGENCY ORDER WERE ENTERED AND HEARD ON THE SAME DAY OF FILING BY SR. JUDGE SADOOR AND SR JUDGE GRADY.**

**NOT LIKE ; AFTER 8 MONTHS MEHTA’S APPELLANT EMERGENCY MOTION WAS HEARD BY MAGISTRATE JUDGE CAM FERENBACH AND STILL ORDER WAS DENIED FOR PRESERVATION OF SURVEILLANCE VIDEO . IT WAS EX- PARTE MOTIONS BUT BOTH FED SENIOR JUDGE HAD GRANTED STATING THAT IT WON’T PREJUDICE DEFENDANTS . SIMPLY EVIDENCE IS BEING PRESERVE BEFORE IT GET DESTROY . EMERGENCY MOTION WAS HEARD ON THE SAME DAY OF FILING WHERE CLERK OF COURT WALK TO JUDGE CHAMBER WITH NEW FILING COMPLAINT AND MOTION 9 AM IN MORNING.**

**US SUPREME COURT MUST MAKE A DIRECTION TO ALL THE COURT THAT WHEN EMERGENCY MOTION IS FILED ; MUST BE HEARD INSTANTLY. OR There is no meaning of EMERGENCY MOTION PERIOD.**

**Here ; APPELLANT MEHTA TRYING TO MAKE A POINT TO**

**COURT THAT COURT SHOULD NOT FAVOR EITHER PARTY  
BUT FAIR DETERMINATION OF ISSUES MUST BE  
ADDRESSED. PRO-SE ATTORNEY MUST BE TREATED SAME  
manners AS LICENSE ATTORNEY. ITS LIKE COURT ISSUED  
THE ORDER AND NO ENFORCEMENT ON ORDER THAN  
COURT MUST CEASE AND DESIST TO ISSUE  
SUCH ORDER.**

**Additionally Hon. Judge Silva is certifying indirectly raises  
issues that MEHTA CAN CHALLENGE AND HE WILL APPEAL  
HER RULING WAS ADDRESS TO HER AND MEHTA  
APPELLANT WENT BACK TO COURT RECONSIDERATION AS  
WELL AS FILED SECOND AMENDED COMPLAINT JUST TO  
SATIFY HER RULING ALONG WITH MOTION FOR SANCTION  
PURSUANT TO FEDERAL RULES #11. ALL WERE DENIED IN  
HER FEBRUARY 06; 2023 ORDER AND CLOSED CASE .  
DOES SHE UNDERSTOOD ATLEAST THAT COUNT 3 4 AND 5  
ALREADY SERVED AND NEED TO BE ANSWERS BY  
DEFENDANTS.**

**CONSTRUCTION OF ALL PROCEEDINGS BEFORE THE  
COURT AND QUESTION OF LAW THAT IS INDEPENDENTLY  
NOW DETERMINE BY REVIEW COURT WHETHER DISTRICT  
JUDGE ERRED OR PREJUDICE OR ABUSED DISCRETION  
OR ALL 3. &/Or lack judicial experience from bench.**

## VI. REASONS FOR GRANTING THE WRIT

**This Court's intervention is necessary to resolve a 6<sup>TH</sup> AMENDMENT RIGHTS OF INDIVIDUAL WHO REPRESENT THEMSELVE ; AS A PRO-SE ATTORNEY COURT MUST NOT TREAT PRO-SE ATTORNEY IN DIFFERENT WAY BUT THE SAME WAY OF LICENSE ATTORNEY BEFORE COURT HEARING. COURT SHOULD NOT FAVORED THE LICENSE ATTORNEY AND/OR CREATE CONFLICT OF INTEREST WHEN BIG CORPORATION AND VAST RESOURCES CORPORATION AND THEIR HOUSE ATTORNEYS ARE INVOLVED .**

**Further ; Regarding the circumstances under which, as this case is contemplated, a Procedural Defect in the integrity of COURT COMES IN QUESTION [?].**

**FEDERAL CIVIL PROCEDURE RULE 4 [D] ALLOWED TO SERVED ; “ WAIVER OF  
SUMMONS ” ; PURSUANTLY WAIVER WAS SERVED. ACCEPTED BY MGMS ATTORNEY  
JASON SIFER ; WHO THEN FILING “ APPERANCE ” ON BEHALF OF THE DEFENDANTS  
AND FINDING PLEADING BEFORE THE COURT FOR MOTION TO DISMISS COMPLAINT**

WHERE PLEADING ALLEGED INSUFFICIENT IN COMPLAINT WHERE NEVADA LAWS  
DIFFERES AND DEFINED DIFFERENTLY. THERE WAS NO ISSU OF " SUMMONS" OR  
SERVICE ALLEGED IN MOTION TO DISMISS ON BOTH TIMES FILED BY MGM'S  
ATTORNEYS. *Reason for granting "WRIT" to UPHOLD  
Constitution for "ALL PEOPLE.!!!*

COURT ABUSED HER DISCRETION AND ERRED AND ERROR FACTS AND ERROR OF  
LAWS ; AND SHE DECIDED; " SUMMONS" IS NOT SERVED OR OT CANNOT BE MAILED;  
WHERE SHE MISCONSTRUED THAT " WAIVER FOR SUMMONS "WAS MAILED AND IT IS  
ACCEPTED AND DEFENDANTS HAD FILED PLEADING BEFORE THE COURT .

NEWLY APPOINTED JUDGE CHRISTINA SILVA; PREJUDICED AND CUT THE CORD OF A  
LIFE LINE OF THIS CASE WITHOUT ANY MERIT . ALSO CONTRADICT HER FIRST  
DISMISSAL OF ONLY 3 COUNTS AND 3 COUNTS WERE ALREADY HAVE BEEN INTAKED.  
SECOND ROUND IF DISMISSAL ; HER RULING IS GROSS ERRORS .

SUPREME COURT OF UNITED STATES ; ALL JUSTICES SHOULD COME FORWARD AND  
CORRECT AND GRANT WRIT WHERE US APPEAL COURT OF 9<sup>TH</sup> DISTRICT IS FAILED.

VII.

CONCLUSION AND PRAYER FOR RELIEF

The Circuits need guidance about how to apply FEDERAL CIVIL PROCEDURE RULE 4(D)  
petitioners in circumstances where a defect in the integrity of the proceedings led to  
the denial of relief.

At present, the Ninth Circuits are taking a significantly narrower view of what constitutes an actionable “procedural defect” and unfairly deprived Petitioner of his sole opportunity to PROSECUTE MGM RESORTS INTERNATIONAL AS COMPLAINT ASSERTS WRONG DOING And the NINETH (9<sup>TH</sup>) Circuit’s continued misapplication of standard means ; COURT DECIDED ON BASIS ON TAILORED RECORDS TO FITS MGM INTEREST ; AND DENIED MOTION FOR FULL RECORDS WHICH DEFINE WHAT HAPPEN On INITIAL STAGE UPON FILING COMPLAINT AND SERVING AND APPEARANCE AND COMMUNICATION WITH PETITIONER AND THE DEFENDANTS’ ATTORNEYS. IF Oral arguments was granted ; PETITIONER COULD HAVE CURED JUDGE’S CONFUSION ON WAIVER AND SUMMONS AND SERVICE AS EXPLAINED HERE.

This Court should grant certiorari to review the Ninth [9<sup>th</sup>] Circuit’s judgment “affirming” federal judge decision on the issues raised in Petitioner’s INTIAL BRIEF; REPLY BRIEF AND SUPPLEMENT BRIEF AND ITS REPLY BRIEF OF Rule 4(d) . PETITIONER ; KIRTI MEHTA PRAYS TO ALL JUSTICES OF Supreme Court TO GRANT WRIT OF CERTIORARI AND REVERSE AND SEND BACK TO US APPEAL COURT AND DISTRICT COURT WITH FURTHER INSTRUCTION TO APPOINT COUNSEL BEFORE DISTRICT COURT or grant such other relief as justice deem proper to Court.

Respectfully SUBMITTED;

  
Kirti Mehta electronically sign.

2-20-2025

KIRTI MEHTA; 3411 Landover Blvd Spring Hill Florida 34609 630-854-5211  
[mbaphd@yahoo.com](mailto:mbaphd@yahoo.com)

CASE # \_\_\_\_\_

IN THE UNITED STATES OF SUPREME COURT  
WASHINGTON-D.C. 20543

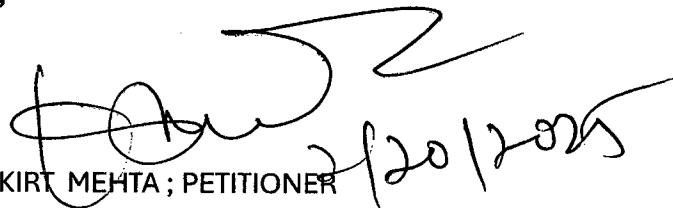
KIRTI MEHTA; .....PETITIONER.

Vs.

Victoria Partners DBA PARK-MGM and.  
MGM RESORTS INTERNATIONAL; hotel and  
Casino operators..et. AL

CERTIFICATION

I, KIRTI MEHTA A PETITIONER HERE BY DECLARE THAT HE HAS FOLLOWED all  
instructions to full of HIS knowledge and best of HIS ability and certify that he has  
complied SUPREME COURT RULES IN PREPARATION OF WRIT OF CERTIORARI. *both parties  
have been served.*  
FURTHER SAY NOT;

  
KIRTI MEHTA; PETITIONER 2/20/2025