

No. 24-6672

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

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SUPREME COURT, U.S.

Amil Jhingan — PETITIONER
(Your Name)

vs.

Christopher Byers et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

The Supreme Court of California

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

PETITION FOR WRIT OF CERTIORARI

Amil Jhingan
(Your Name)

2007 Prince St. , apt. # B
(Address)

Berkeley, CA 94703
(City, State, Zip Code)

(510) 883-0703
(Phone Number)

In the Supreme Court of the United States

Anil Jhingan, Petitioner,

V.

Christopher Byers et al., Respondents

On Petition for Review to Vacate Trial's Court; Rulings and Complaint for Permanent Injunction,
Monetary Relief and Other Relief to Supreme Court of California

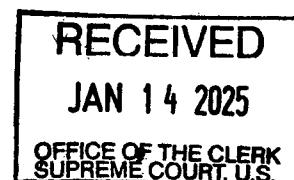
Petition for a Writ of Certiorari

Anil Jhingan, Ph. D., Pro Per

2007 Prince Street, Apt. # B

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1 Questions Presented
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5 When a court violates 18 U.S.C. Section 1001, 18 U.S.C. Section 1519, California Civil Code
6 Section 1572, which prohibits making false statements that conceal or cover up material facts, is
7 this court's judgment enforceable?

8 When a court violates The 14th Amendment of The United States Constitution which guarantees
9 citizens fundamental rights such as "No state can deprive a person of life, liberty, or property
10 without due process of law", can this court's rulings be enforced?

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1 List of Parties
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3 Defendants:
4 Christopher Byers, 2009 Prince Street, Berkeley, CA 94703
5 Nancy Byers, 2009 Prince Street, Berkeley, CA 94703
6 Stanley Anderson, 3421 Gibson Blvd., Apt. C' Albuquerque, NM 87106
7 Sheila Cain, Tony Hill. Counsel Robert Betette (Travelers Insurance) represents defendants Sheila
8 Cain and Tony Hill. Law Offices of John Biard, 401 Lennon Ln., Suite 125, Walnut Creek, CA
9 94598
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In the Supreme Court of the United States

No.

Anil Jhingan, Petitioner

v.

Christopher Byers et al., Respondents

On Petition for Review to Vacate Trial's Court Rulings and Complaint for Permanent Injunction,
Monetary Relief and Other Relief to Supreme Court of California

Petition for a Writ of Certiorari

Anil Jhingan respectfully petitions for a writ of certiorari to review the judgment of the Supreme Court of California denying her petition for review in this case.

Opinions Below

On July 11, 2024, the Superior Court of California, County of Alameda announced a non-suit in this case of Complaint for Permanent Injunction, Monetary Relief and Other Relief after the plaintiff's opening statement by claiming the plaintiff had no evidence, when court was in possession of plaintiff's 207 exhibits as evidence (Trial Case No. 21CV004209).

On September 4, 2024, the Supreme Court of The State of California transferred the plaintiff's Verified Petition for Writ of Mandate to Vacate Trial's Court Rulings and Complaint for Permanent Injunction, Monetary Relief and Other Relief to The Court of Appeal, First Appellate District (S286514).

1 The Court of Appeal's website on September 11, 2024 showed the plaintiff's Verified Petition for
2 Writ of Mandate to Vacate Trial's Court Rulings and Complaint for Permanent Injunction,
3 Monetary Relief and Other Relief was granted (Case No. A171224).

4 On September 17, 2024, the plaintiff received a ruling from The Court of Appeal of The State of
5 California, First Appellate District by mail showing the plaintiff's Verified Petition for Writ of
6 Mandate was denied on September 13, 2024.

7 On November 13, 2024, the Supreme Court of the State of California denied the plaintiff's Petition
8 for Review to Vacate Trial's Court Rulings and Complaint for Permanent Injunction, Monetary
9 Relief and Other Relief (S287044). This order is attached as an Appendix.

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Jurisdiction

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The petitioner has never received any ruling from a lower court. On November 8, 2024, the
15 petitioner received from counsel Betette an order written differently from what was announced in
16 the courtroom on July 11, 2024 filed by counsel on August 13, 2024 and signed by Honorable Judge
17 Joscelyn Jones same day. On November 18, the petitioner received a ruling from the Supreme
18 Court of California denying the petitioner's Petition for Review on November 13, 2024.

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Statutory Provisions Involved

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18 U.S.C. Section 1001, 18 U.S.C. Section 1519, The United States Constitution, Amendment 14th,
24 Section 1 of Article I of the California Constitution, California Penal Code Section 182, Title 18
25 U.S.C. Section 241, California Penal code Section 594, California Penal Code Section 602,
26 California Civil Code Sections 44-46, California Civil Code Section 1572,
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Statement of the Case

This case is about Intentional Torts and Nuisance. Property damage, trespassing, defamation and encroachment are the four causes of action.

Background: The subject premises is a rental property. The petitioner lives in one of the four units. The defendants are next door neighbors, Christopher Byers, Nancy Byers, Stanley Anderson, Sheila Cain and Tony Hill.

The petitioner filed the original complaint on California Judicial Council Form on December 16, 2021

The counsel Betette filed a series of demurrers.

The petitioner filed a First Amended Complaint on October 17, 2022 for Permanent Injunction, Monetary Relief and Other Relief

The petitioner filed a Second Amended Complaint on January 17, 2023 for Permanent Injunction, Monetary Relief and Other Relief.

The petitioner filed a Third Amended Complaint for Permanent Injunction, Monetary Relief and Other Relief on May 15, 2023.

During the Pre-Trial Conferences on June 21, 2024, July 3, 2024 and July 8, 2024 , Honorable Judge Joscelyn Jones humiliated the petitioner by hiring a Hindi Interpreter by claiming that she didn't understand the petitioner. The petitioner is a scientist and lecturer who has taught undergraduate students. The counsel Betette took the deposition of the petitioner without an interpreter in this case. Judge Jones accepted only counsel Betette's jury instructions and verdict form. There was no mention of property damage.

1 On July 10, 2024 during jury selection Christopher Byers and Nancy Byers left the courtroom early.
2 On July 11, 2024, after the petitioner's opening statement was read by a Hindi Interpreter, counsel
3 Betette raised an unclear objection and read a few lines from the transcript of the petitioner's
4 deposition. The judge repeatedly said that the petitioner had no evidence when the court was in
5 possession of the petitioner's 207 exhibits as evidence and announced non-suit. The defendant,
6 Christopher Byers did not appear for the court hearing, The judge excused the jury by saying there
7 was a legal issue.
8

9
10 It was crystal clear that it was a well planned, premeditated and predetermined ruling. The court
11 had conspired with the defendants, each was assigned a role to ruin the petitioner financially.
12

13 On July 15, 2024, the petitioner filed motions to vacate/set aside the non-suit ruling and disqualify
14 Honorable Judge Joscelyn Jones from hearing this case.
15

16 Both of the petitioner's motions were denied on August 12, 2024.
17

18 On August 19, 2024, the petitioner filed a Verified Petition for Writ of Mandate to Vacate Trial's
19 Court Rulings and a Complaint for Permanent Injunction, Monetary Relief and Other Relief with
20 the Supreme Court of California.
21

22 On September 4, 2024, the Supreme Court of California transferred the petitioner's Petition for Writ
23 of Mandate to the Court of Appeal, First Appellate District.
24

25 On September 23, 2024, the petitioner filed a Petition for Review to Vacate Trial's Court Rulings
26 and Complaint for Permanent Injunction, Monetary Relief and Other Relief with the Supreme Court
27 of California.
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Property damage

1 Since 2005, the defendants Christopher Byers, Nancy Byers , Stanley Anderson, Sheila Cain and
2 Tony have been continually, maliciously damaging the petitioner's property thereby diminishing the
3 aesthetics and value of the property and causing loss of rental revenue.
4

5
6 Byers and Anderson have been knowingly shoving their trees and plants onto the petitioner's
7 property above, through, and below the plaintiff's fences. Their foliage is all over her yard 365
8 days per year. The encroaching roots are pulling out pavers. They come to the petitioner's property
9 with tools to cut and remove wooden boards and brackets from the petitioner's fences. They have
10 hammered down the concrete around fences which becomes a source of wild plants. The driveway
11 fence is bowing and wobbly, a death trap. They dug out entire plants with flowers blooming and
12 spray chemicals on healthy plants. They toss rubbish like torn umbrella, tires, wheels, old bikes,
13 stale food on the petitioner's yard. They pour paint on pavers and the petitioner's car. They have
14 repeatedly knocked down her mail box from the exterior wall. Moreover, they have repeatedly
15 removed door latches and hinges from the entrance gate. In addition, they dump construction
16 material in front of the petitioner's property.
17

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20 On December14, 2024, Byers dropped another portion of petitioner's fence on the plaintiff's yard.
21 There is no end to this criminal activity. The courts have repeatedly given a green light to the
22 defendants. Byers' bamboo trees are growing on the petitioner's property. Their plants' and trees'
23 overhanging branches are scratching the petitioner's premises exterior walls, windows , window
24 screens and clogging **roof** outlets thereby causing leaks. Their roots intruding onto the petitioner's
25 property are causing structural damage and clogging sewer lines. The driveway is no longer flat.
26 Since 2005, Byers' roof tar has been falling on the petitioner's yard damaging pavers. Byers
27

1 intentionally let their wild cats and unleashed dog roam on the petitioner's property leaving feces
2 and urine stains which not only damage pavers but also become a source of weeds all over yard. It
3 is a health hazard. The Byers have started leaving their trash and recycle bins in front of the
4 petitioner's driveway for the past several months.

5

6 Anderson shakes/moves his trees to drop wild fruit on petitioner's yard which damages pavers. The
7 sticky fallen fruit invites flies and create a health hazard
8

9

10 Cain and Hill have been continually and deliberately shoving their wild and thorny plants onto the
11 petitioner's property above, through and below the petitioner's fence. Their plants touch the
12 petitioner's yard and damage the plants, fence and yard. They remove the petitioner's fence boards
13 off and on.

14

15 Byers, Anderson and Hill have hammered down the sidewalk facing the petitioner's property
16 creating uneven pavement which can injure someone.
17

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19 It is an unlawful interference by the defendants to the petitioner's enjoyment of her private property.
20 The petitioner has repeatedly replaced the fences and done repairs at her expense. The defendants
21 refuse to pay for damages. There is extensive wreckage that needs to be hauled away. Fences are
22 irreparable. The pavers need to be aligned. A lot of work needs to be done to restore the property.
23 All defendants have violated California Penal Code Section Section 594. Byers and Anderson have
24 also violated 18 U.S.C. Section 241 and California Penal Code Section 182 as they vandalize the
25 petitioner's property as a team.
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1 AAA Insurance has canceled the petitioner's homeowner's insurance policy due to unsafe and
2 hazardous conditions created by the defendants. The petitioner is unable to rent the premises for the
3 same reasons. No insurance company is willing to give homeowner's insurance to the petitioner.
4 The defendants have ruined the plaintiff's rental business. There has been no rental income for the
5 past several years.

6 The petitioner's car has been ruined and she cannot park her car in her backyard.
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9 Trespassing
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11 Since 2005 Christopher Byers, Nancy Byers and Stanley Anderson have been knowingly invading
12 the petitioner's property regularly with tools without permission to vandalize the petitioner's
13 property. They stay on the property after the petitioner had told the defendants to leave.
14

15 Since 1996, Hill has been willfully and maliciously entering the petitioner's property without
16 permission on a daily basis to interfere with the petitioner's rental business. He goes out of his way
17 to make contact with tenants who are mostly less than half his age and remains on the property after
18 being told to leave. Hill gossips with the petitioner's tenants about tenants' rights and ridicules the
20 petitioner.
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23 Byers, Anderson and Hill have violated California Penal Code Section 602.
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25 Defamation
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1 Since 1996 Cain and Hill have been communicating false information about the petitioner to her
2 tenants, neighbors and others that has harmed the petitioner's reputation and her rental business.

3 The defendants have continually acted with malice that has caused the petitioner a huge financial
4 loss. Their statements "the petitioner is crook, evil" are defamatory per se which are so obviously
5 and naturally harmful to the petitioner's reputation on their face that the petitioner does not need
6 proof of injury. They have caused the petitioner to be shunned and avoided by others.

7 Cain and Hill have violated California Civil Code Section 44 – 46.

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10 Encroachment

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12 The boundary survey based on Cain's and Hill's survey as a reference shows the front fence facing
13 the street on Cain's Hill's side encroaches six inches on the petitioner's property and the middle part
14 of the fence is on the property line. There is no fence on the rear of the property.

15 On Byers' side, the front fence facing the street encroaches half foot, the middle part of fence
16 encroaches four feet and the rear part of fence encroaches over one foot on the petitioner's property,
17 The Byers neither want to have their own boundary survey done nor do they allow the petitioner to
18 build a fence at the correct location

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21 Reasons for granting the petition

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24 The petitioner was not given any opportunity to present her case.

25 The court engaged in material misrepresentation to bail out all the defendants at the petitioner's
26 expense.

1 It is unprecedented that the court cleared all five defendants on all four causes of actions instantly
2 after the petitioner's opening statement.

3 There were five defendants in three parties; two defendants (1 party) had only 1 exhibit which they
4 never filed with court and 1 defendant had no exhibit. The third party (2 defendants) had exhibits
5 irrelevant to the causes of action. One defendant, Christopher Byers didn't appear for a court
6 hearing. The court didn't inquire about his absence.

7 The judge mocked the petitioner "defendants petitioner's witnesses".

8 The court failed to comply with due process.

9 The defendants are devoid of defense.

10 The petitioner has lost rental income for the past several years. The rental income was formerly \$
11 8,250/month.

12 The petitioner has not used her yard for past several years.

13 The defendants' malicious actions have destroyed the aesthetics and diminished the market value of
14 the petitioner's property.

15 The petitioner's property needs extensive work to be restored for rental business.

16 It is crystal clear that the court conspired with the defendants to ruin the petitioner financially.

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21 Counsel Betette has sent the petitioner a memorandum of costs for \$ 34, 300.96 on November 21,
22 2024. The petitioner has no money to pay her mortgage, bills, feed herself or her son. Where is the
23 court's conscience?

24 Conclusion
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1 The petitioner has been harassed and humiliated by the failure of courts to permit the petitioner to
2 present her case. This has violated the petitioner's constitutional rights. The courts have violated
3 the U. S. constitution, the California Constitution, and several state and federal civil and penal
4 statutes to bail out the defendants who have been continually and maliciously vandalizing the
5 petitioner's property, interfering with the petitioner's rental business and harassing the petitioner for
6 over 15 years and destroyed their credibility.
7

8
9 This ruling has reminded the petitioner that she had filed a case in Small Claims Court against
10 defendants Byers and Anderson for the same issues in 2018 (RS 18910885 and RS 18910900). On
11 October 18, 2018. Commissioner Tamiza Hockenhull mocked the petitioner during trial and ruled in
12 favor of the defendants. The petitioner requested Presiding Judge Wynne Carvill, State
13 Commission on Judicial Performance and Supreme Court of California Chief Justice Tani, Cantil-
14 Sakauye to investigate those cases. They took no action. The defendants shamelessly continued
15 their misconduct and made the petitioner's life miserable that led the petitioner to file this case in
16 2021.
17

18
19 The current rulings make obvious a higher up in the Department of Justice has solicited the
20 defendants to injure the petitioner. Further, he places the judge of his choice for a hearing who will
21 rule in favor of his clients. The petitioner wants justice and begs the court to grant this petition;
22 otherwise, this higher up will be abusing his power to continually harass the petitioner. No one is
23 above the law.
24

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26 The lower court judgment was grievous and erroneous. The Court of Appeal's ruling was altered!
27 The Supreme Court of California chose to obstruct the justice by burying the trial's court rulings
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1 and Judge Jones' egregious misconduct. The court has violated the oath of their office. For the
2 foregoing reasons, Anil Jhingan respectfully requests that this Court issue a writ of certiorari to
3 vacate the court's rulings and grant her complaint for permanent injunction, monetary relief and
4 other relief. This case would make an ideal vehicle to prevent any higher up for committing this
5 kind of crime in the future. This issue is of great legal/national significance for the common public.
6 The petitioner has no other legal remedy. Does the petitioner have any fundamental rights?
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8 
9 Respectfully submitted.

10 Date: January 2, 2025
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