

ORIGINAL

No. _____

25-5046

FILED

JUN 18 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

PIERRE HAOBSH

(Your Name)

— PETITIONER

SANTA BARBARA^{VS} COUNTY
SHERIFFS DEPT, et al.

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. NINTH CIRCUIT COURT OF APPEALS

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

PETITION FOR WRIT OF CERTIORARI

PIERRE HAOBSH

(Your Name)

P.O. Box 5107

(Address)

Delano, CA 93216

(City, State, Zip Code)

N/A

(Phone Number)

QUESTION(S) PRESENTED

1) Federal Rules of Civil Procedure Rule 60 allows for relief from a judgment obtained through "Fraud on the Court."

Q Does FRCP Rule 60 provide an exception to the Heck doctrine (512 U.S. 477) for "Fraud on the Court"?

"Only the written word is the Law and every person is entitled to its benefit." (U.S.)

2) Did the Ninth Circuit, U.S. Court of Appeals error in dismissing the Appeal as frivolous in defiance of the plain provisions of FRCP 60 without explanation, Circuit precedent, or U.S. Supreme Court citation justifying its decision did not rest on an illegal ground?

... false Arrest and false Imprisonment due to law enforcement fabricating evidence, deliberately concealing evidence, and suborning perjury with the intention of misleading the judge or jury: - is hardly frivolous, ~~and constitutes a determination of the Court~~

Pursuant to Article of the U.S. Constitution Full Faith and Credit Clause it is within the prerogative of Congress to prescribe rules of evidence and how public Records/Acts are to be proven.

~~There is no a constitutional right to a jury~~

TABLE OF AUTHORITIES CITED

CASES

Heck v. Humphrey 512 U.S. 477 (1994)

STATUTES AND RULES

Federal Rules of Civil Procedure
Rule 60

NOTE

In Central District of California Los Angeles D.C. NO. 2:25-CV-01679-JLS-MAA, HAOBSH files Mandamus in U.S. District Court to Compel U.S. Attorney General to investigate and criminally prosecute prison officials for obstructing the Habeas Corpus proceedings which HAOBSH had in the U.S. Supreme Court and which this Court granted review of in docket #24M42 and #24-6027
SEE Dkt Entries in Federal PACER

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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 A 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 B 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 _____ 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 May 22nd 2025.

☒ 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: May 22nd 2025, and a copy of the order denying rehearing appears at Appendix A.

☐ 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 _____.
A copy of that decision appears at Appendix _____.

☐ 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

- 1) U.S. Constitution 14th Amendment, 85th Amer
Due Process Clause
- 2) U.S. Constitution 14th Amendment,
Privileges and Immunities Clause
- 3) U.S. Constitution, 4th Amendment
- 4) U.S. Constitution Article
Full Faith and Credit Clause
- 5) Federal Rules of Civil Procedure
Rule 60
- 6) 42 USCS § 1985, 1983

STATEMENT OF THE CASE

THE Santa Barbara Sheriff's Department planted evidence resulting in false Arrest and false Imprisonment in violation of 14th Amendment, U.S. Constitution Due Clause and Privileges and Immunities Clause; and cognizable ~~14th Amendment~~ 4th Amendment violation.

As an example there were no shell casings identified at the Homicide Crime Scene by the Santa Barbara Sheriff Investigators prior to the false Arrest of PIERRE HADBSH. 30 days AFTER the false Arrest of HADBSH a shell casing is discovered at the Crime Scene by an outside contractor cleaning the blood splatter from the walls and carpet of the residence.

THIS shell casing was used to link HADBSH to the homicides. A Santa Barbara County Sheriff Forensic Technician testified at Trial he thoroughly examined the Crime Scene and did not observe that shell casing.

AFTER the false Arrest of PIERRE HADBSH a plastic Zioloc bag was discovered with one of the dead bodies and contained 3 shell casings used to link HADBSH to the Homicides. These 3 shell casings were also discovered under suspicious circumstances and were not identified by Forensic Technicians at the Crime Scene nor captured on video recording during cause of death autopsy.

THE Homicide Victims were thoroughly wrapped in HDX plastic and duct tape which had to be stripped during Autopsy.

STATEMENT OF THE CASE CONTINUED...

THE Homicides occurred at a residence a couple hundred meters from the Santa Barbara Sheriff Headquarters building. An Investigative Report Authored by the Santa Barbara Sheriff alleges ALL intersection video surveillance of the Sheriff HQ and Crime Scene was deleted. ALL the video surveillance of the false Arrest of HAOBSH at the Arco gas station in Bonsall, California was also deleted as was ALL law enforcement Body Cam and MAV footage from the false Arrest.

THE Santa Barbara Sheriff destroyed the evidence of the initial inventory of HAOBSH's F Sport Lexus to cover-up the planting and staging of evidence by law enforcement as they manufactured a narrative.

ALL the video documentation and photographs which depicted Santa Barbara Sheriff and Oceanside Police Investigators conducting an inventory of HAOBSH's F Sport Lexus at the Gas Station was destroyed/suppressed and S.B. Sheriff Investigators Authored a false investigative report alleging the inventory of HAOBSH's Lexus was aborted, to be conducted at a later date... due to allegedly discovering unidentified items of evidentiary value. The CHTP form (California Highway Patrol) which requires law enforcement document items of value prior to transport - did not disclose the items of evidentiary value allegedly discovered in plain view during second inventory.

STATEMENT OF THE CASE CONTINUED...

Blood splatter was discovered in HAObSH's ear. HAObSH was involved in several gunfights with Assassins attempting to murder HAObSH prior to the false Arrest by Santa Barbara Sheriff Investigators.

THE California Department of Justice later confirmed the blood splatter did in fact belong to PIERRE HAObSH and not to the homicide victims at the Crime Scene.

During a lengthy interrogation of HAObSH hours after the false Arrest, Sheriff Investigators admitted they did not have solid evidence connecting HAObSH to the Homicides but said on the recorded interview their gut instinct was more than enough. ~~and they discovered the blood splatter on HAObSH's ear would match the homicide victims' blood splatter in the homicide victims' ear~~

Multiple firearms were ~~discovered~~ in HAObSH's Lexus of various calibers... ~~then~~

The firearm which the Sheriff alleges was used in the Homicides is used in Olympic competitive shooting and did not test positive for HAObSH's DNA on the handgrip of the handgun.

The Prosecutions firearm toolmark examiner concluded the bullet fragments recovered from the Autopsy were unremarkable and had insufficient detail to conclude what firearm they came from; But concluded the (planted) shell casings originated from a firearm owned by HAObSH, although the CMS court was inadequate to declare an identification.

STATEMENT OF THE CASE CONTINUED...

During the illegal search and seizure at the Arco gas Station in Bonsall California, HAOBSH observed Santa Barbara Sheriff Investigators strip the entire contents of HAOBSH's F Sport Lexus bare onto the pavement between the islands of the gas pumps then repackage the vehicle and seal it with Oceanside P.D. evidence tape without a Search Warrant.

The Lexus was transported to Oceanside P.D. where the contents of HAOBSH's Lexus was broken down on a table outside the interrogation room and again reassembled and repackaged into the Lexus with Oceanside P.D. evidence tape.
(a civilian tow truck driver is a witness)

These breaks in the evidence chain of custody went unreported and were intentionally concealed through the destruction of video and photographic evidence.

Santa Barbara Sheriff Investigators falsely testified the contents of HAOBSH's vehicle were unmanipulated.

Santa Barbara Superior Court Order Denying Petition for Writ of Habeas Corpus (SEE APPENDIX-C) is included as reference to highlight the legal irony of how the Santa Barbara Superior Court does not have Jurisdiction to address the fact that the Court never had Jurisdiction in the first place to pass Judgment on HAOBSH.

In U.S. District Court, Central District Court of California Case No.: 2:25-CV-02934-AH-JC the California Court of Appeals is under an Anti Trust lawsuit. ~~CONFIDENTIAL~~ ~~CONFIDENTIAL~~ ~~CONFIDENTIAL~~

REASONS FOR GRANTING THE PETITION

Federal Rules of Civil Procedure Rule 60 allows for relief from a judgment obtained through "Fraud on the Court"

... false Arrest and false Imprisonment due to law enforcement fabricating evidence, deliberately concealing evidence and Suborning perjury with the intention of misleading the judge or jury, is "Fraud on the Court" within meaning of FRCP R 60.

Pursuant to Article of the U.S. Constitution Full Faith and Credit Clause it is within prerogative of Congress to prescribe rules of evidence, and how public Records/Acts are to be proven. The Heck doctrine (512 U.S. 477) is judicially created and must yield to the plain provisions of an Act of Congress, thus FRCP R 60 ~~should be applied as a matter of course to all judgments obtained through fraud on the court~~ ~~which is the ground for relief from a final order or judgment obtained through conduct intended to deceive the court~~ ~~and which seriously interferes with the integrity and reliability of the judicial process.~~ is controlling where "Fraud on the Court" is implicated as the ground for relief from a final order or judgment, obtained through conduct intended to deceive the court ~~which~~ and which seriously interferes with the integrity and reliability of the judicial process.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Rebecca Hawlsh

Date: June 9th 2025