No. 17-6156

IN THE

SUPREME COURT OF THE UNITED STATES

For Re-Hearing

OSCAR A. AGUILAR — PETITIONER
(Your Name)

vs.

CALIFORNIA COURTS — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

OSCAR A. AGUILAR
(Your Name)

P.O. Box 608, D-6, 33U
(Address)

TEHACHAPI, CA 93581
(City, State, Zip Code)

(Phone Number)

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SUPREME COURT, U.S.

QUESTION(S) PRESENTED

DOES THIS COURT HONOR 28 U.S.C.S. 1367(d) ON PETITION FOR REHEARING OF WRIT OF CERTIORARI UNDER CONCURRENT JURISDICTION 28 U.S.C.A. 1343(2)(3) DECIDED BY THE STATED HIGHEST COURT OF LAST RESORT [SIMULTANEOUSLY EXERCISED] OVER THE EXACT SAME SUBJECT MATTER.

LIST OF PARTIES

[X] 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:

SAME AS ORIGINAL CERT.

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STATUTES AND RULES

28 U.S.C.S. § 1367(d)

28 U.S.C.S. § 1343(a)(3)

Cal. Court art. VI § 10

Fed. Rule of Evid. § 201(d)

18 U.S.C.S. § 1501-1503

Cal. Penal Code §§ 96.(5)-182.(5)

Cal. Rules of Court § 8.490(b)(4), (h)(1)

OTHER U.S.C.A. Const. amdts 14th

Rule of Four 12

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[ ] is unpublished.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[ ] is unpublished.

[X] 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[ ] is unpublished.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 _____.

[ ] 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).

[X] 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

28 U.S.C.S 1367 (d)

28 U.S.C.S 1343 (a)(3)

Cal. Const. art. VI S 10

STATEMENT OF THE CASE

On or About July 17, 2017. Immediately After Petitioner Exhausted State Remedies In Habeas Corpus Number S-243054. Civil Action No. CIVDS1713887. see-Appendix "A"

After Several Run-Ins With Extant State Court Clerks. In The Nature Of: McCray v. Maryland. (1972) 456 F.2d. 1-6.

Petitioner filed A Writ of Mandamus To The State Rich Court On Interlocutory Appeal for Denial of His Right To A Default Judgment. Brown v. Pipes. (1986) 799 F.2d. 489 By Court Clerks Applying The Above Civil Rules To His 42 U.S.C.A. 1983 Civil Rights Diversity Action

The Extant Court Clerks In The San Bernardino County Superior Court, attempted Unsuccessfully To Sanitize The Record To Absolve Their Fellow Clerks from Civil Liability In Violation of Cal. Penal Code "96.(5)-182.(5), and 18 U.S.C.S. 1501-1503 et. seq. R.I.C.O. act Conspiracy. U.S. v. Frega. 179 F.3d. 793 SEE: Excerpts of Record Attached As-Appendix "B.

Now Take Your Judicial Notice. re: Fed. R. Evid "201(d) After The Non-Compos-Mentis Petitioners Workers As Clerks For The San Bernardino. Denied Petitioner default Judgment On Three Successive.

Upon Receipt of the 3d. and Final denial of default Petitioner On Nov. 10. 2017. Filed The Annexed Petition for Writ of Mandamus

STATEMENT OF CASE. Continued

To The States Highest Court. entitled: OSCAR AGUILAR V. THE SUPERIOR COURT. CASE NO. S-245507. IN The First Instance.

APPROXIMATELY TWENTY DAYS AFTER FILING OF SAID Writ By Mail. The State Supreme Court Invoked The [Rule OF FOUR] KNOWN IN State Practice As the Mandate Rule. and Forwarded The Writ To The Lower Court of Appeals for the Fourth Appellate District. Div. Two. see: Minute Order Attached As = Appendix "C".

This Court is Asked Once More to Take Its Judicial Notice of The Impeachment Documents Cited In Response To the State High Court Granting the Writ of Mandate i.e. A Demurrer Falsely Alleging Judicial Immunity Contrary to State Law. see: Cal. Penal Code §96.6(d)-18.6(5). obstructive Justice By Judicial officers and Administrators and Clerks. see Documents Attached As = Appendix "D"

Petitioners Attorney "RYAN D. MILLER" (SBN-256799) elected To Absolve Himself of Any Complicity and Collusion By Filing the Sham Demurrer 62 days after Service of Process In Violation of This Courts Decree In: Nix v. Whiteside (1986) 475 U.S. 157, 89 L.Ed.2d. 123, 106 S.Ct. 988.

I. Oscar Aguilar declare that The foregoing Facts Are True And Complete Under the Penalty of Perjury. 28 U.S.C.A. § 1746

Date 12-13-17

/s/ [redacted]
Petitioner

REASONS FOR GRANTING THE PETITION

The Grounds For Granting This Petition For Re-Hearing Are As Follows:

No.* (1) Under 28 U.S.C.* 1367 (d) Is An Act of Congress Giving Concurrent Jurisdiction To The Federal Judiciary and The State Judiciary alike. SEE: JINKS V. RICHLAND COUNTY. (2003) 538 U.S. 456 155 L.Ed. 2d. 631 123 S. Ct. 1667 2003 DJDAR *4223

No.* (2) Under State Law Of California It's Highest Court Held In: BROWN V. PITCHESS (1995) 11 Cal. 3d. 518. Allowing It's Courts Concurrent Jurisdiction Over Federal Constitution Law.

No.* (3) This Court Reviewed The EXACT Same Subject Matter As The State Highest Court. In Case No. 17-6156. Dismissed As Part of the 5000 cases. In Forma Pauperis.

No.* (4) In The Mandate Filed In The State Forum SIMULTANEOUSLY WITH This Court Invoked The "Rule Of Four" And Issued It's Writ Of MANDATE Under The Mandate Rule. SEE: HOUSTON V. MOORE (1815) 5 L.Ed. 19. 5 Wheat 1. . SEE: Appendix "E"

REASONS FOR GRANTING - continued

NO.# (5) This Is A Case of Two Supreme Courts Exercising Their Respective Jurisdictions On The Exact Same Subject Matter; Simultaneously.

NO.# (6) BLACK'S LAW DICTIONARY 7th Ed. ABRIDGED, at PAGE# 689: defines [CONCURRENT JURISDICTION]. I. As A 'JURISDICTION EXERCISED SIMULTANEOUSLY' by more than One Court over The Same Subject Matter. [Close Quote].

NO.# (7) Case Number 17-6156, was decided on a Limited discretionary Jurisdiction. While at the same time, Case Number S-245507, was decided on a Plenary Jurisdiction.

NO.# (8) BLACKS LAW DICTIONARY 7th Ed. at PAGE# 689. defines: 'PLENARY JURISDICTION' as [A Courts Full and Absolute Power Over The Subject Matter and the Parties In a case.] 'Close Quote'.

NO.# (9) The State Supreme Court adopted this Courts [RULE OF FOUR] doctrine of. ROGERS v. MISSOURI. P. R Co. (1957) 1 L-Ed. 2d. 515. 352 U.S. 559.

NO.# (10) UNLike this Courts Rule of Four doctrine The State Supreme Courts Rule of Four, Justices doctrine Entails. In A Mandamus Proceeding whenever (4) of the Seven (7) Justices Concur That A Petitioner Is Entitled To Relief Sought. Remands The Case To The Lower Court for Further Proceedings. see 18SA to another. SEE: Palma v. U.S. INDUS. FASTENERS. INC. (1984) 36 C.3d. 171. 203 C.R 626.

NO.# (11) APPENDIX 'E' Is The Evidence of State Supreme Court 'Remand' under Its Rule of four doctrine. Is the Issuance of Order Granting The Peremptory Writ In the First Instance. i.e Writ Granted In Petitioners Behalf. i.e. Cal. Rules of Court.# 8.490 (5)(4), (1)(1).

NO.# (12) UNder The Federal Judiciary Act of 1789. The Decision of The State Supreme Court In Its Rule of Four, decision Renders The Subject matter at BAR [Res Judicata] under the doctrine of: ERIE R. R. v. TOMPKINS. 304 U.S. 64.

PRAYER FOR RELIEF

WHEREFORE, Petitioner Respectfully Prays: That The Court ENTERTAIN ITS CONCURRENT JURISDICTION, and therein adopt The 'Rule OF FOUR' mandate Rule of the State Supreme Court in Case- OSCAR ACEVEDO v. SUPERIOR COURT, Odra Hernandez, Real Party in Interest Number "S.245507. and Apply The Tower v. Glover (1984) 467 U.S. 914, Standard and State decisis- ERIE R. R. v. TOMPKINS, 304 U.S. 64. and thereby Reverse the Courts Ruling, Give declaratory Judgement that Petitioners Rights et.al. were denied By The Lower State Judiciary. and Order Petitioner Discharged From Custody Forthwith.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Date: December 13, 2017

Additional material from this filing is available in the Clerk's Office.