

19-6762

No. USCA9

ORIGINAL

No. 19-55117

Supreme Court, U.S.
FILED

SEP 28 2019

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

Fred Martin Wimberley — PETITIONER
(Your Name)

vs.

Rachel M. Sacramento — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

The United States 9th Circuit Court of Appeals
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Fred Martin Wimberley
(Your Name)

5018 Obama Boulevard Apt. #8
(Address)

Los Angeles, California 90016-4719
(City, State, Zip Code)

(323) 989-5744
(Phone Number)

QUESTION(S) PRESENTED

No questions were presented to me by the 3 Justices of the United States 9th Circuit Court of Appeals. This is a clear cut case and all 3 of them should have ruled in my favor, but they didn't. Due to the fact that they didn't rule in my favor, that's why I'm now appealing this case to the highest court in the land—The United States Supreme Court Under our Chief Justice—The Honorable John G. Roberts Jr.

LIST OF PARTIES

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:

RELATED CASES

None.

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

STATUTES AND RULES

OTHER This is a case about my Los Angeles Retirement. My ex-wife changed her name back to Welch after our Civil Divorce was finalized on Sept. 15, 2009. Now, she has since remarrried on Sat. Aug. 9th 2019. Her last name is now Jones. Since my Retirement is my Sole and Separate Property

it is not Community Property. My ex-wife, Betty Marrie Welch), now her married last name is Jones. Betty Marrie Jones may have Skipped town or she might be living in another State. Who knows? I have No Current Address or Phone Number for my ex-wife, Betty Marrie Jones. So, when I officially retire from LA County after 25 years of service on December 31st 2025, my ex-wife is Not Entitled to 50% of my LACERA Retirement Pension Fund. It is my hope that the Honorable Chief Justice, John G. Roberts Jr. and his 8 Associate Chief Justices rule in my favor and mail that court decision to me within the next few weeks from now.

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 9th Circuit Court of Appeals~~ ~~has not published~~ an opinion
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.

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 It's hard to tell because the U.S. 9th Circuit

Court of Appeals claims that my case is frivolous. It is not

I might have to let the Honorable John G. Roberts Jr. decide this case in

[] 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 my

order denying rehearing appears at Appendix _____ favor.

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).

Please Note: The United States 9th Circuit Court of Appeals did not set a Rehearing Date. They should have Due to the 3 Justices grave Judicial Error, that is why I'm appealing this case to the U.S. Supreme Court.

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).

Please Note: This case is a grave Judicial Error on the part of all 3 Justices on the U.S. 9th Circuit Court of Appeals.

STATEMENT OF THE CASE

This case involves the fact that my ex-wife, Betty Marrie Welch wants 50% of my retirement pension fund when I retire in 5 years. The Main Legal Reasons why my ex-wife is not entitled to 50% of my LACERA Retirement Pension Fund are:

1. My LACERA is my Sole and Separate Property.
2. It is not Community Property.
3. My sister, Mary Harrison is the Chief Beneficiary of my LACERA Retirement Pension Fund.
4. I did not Designate my ex-wife to have 50% of my LACERA Retirement Pension Fund.
5. After our Civil Divorce was over on 9/1/2001, she changed her name from Wimberley to Welch. She was married on Sat. Aug. 9th 2019 and now her married name is Jones.
6. I have no children with my ex-wife.

1 7. My Sister, Mary Harrison is the
2 Sole and Chief Beneficiary of
3
4 my LACERA Retirement Pension Fund.
5

6 8. My Sister's name is "On Record"
7 with the Headquarters of the LACERA
8 Office in Pasadena, California.
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10 9. Since my ex-wife remarried
11 on Saturday, August 9th 2019 her
12 last name is now Jones.
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14 10. I have No Current Address or
15 Phone Number for my ex-wife, who
16 was Betty Mahrie Welch, not it's Betty
17 Mahrie Jones. She may have Skipped town,
18 Who Knows? might be living in another state.
19

1 Rule 14.1(d) The Citation of the official
2 report was from the United States
3 9th Circuit Court of Appeals in which
4 the 3 Justices erroneously erred
5 in holding for me the Petitioners.
6 Due to that grave Judicial Error
7 of theirs, that's why I'm appealing
8 this case to the Highest Court of
9 the land — The United States Supreme
10 Court. This case should have de-
11 cided in my favor by the 3 Justices
12 on the 9th Circuit Court of Appeals.
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1 Rule 10.

2 The United States 9th Circuit Court
3 of Appeals has not ruled a favorable
4 decision in my favor. The 3 Justices
5 claimed that my case is frivolous.
6 The facts in my case speak for them-
7 selves. So, how is this case frivolous?
8 This is not a frivolous case. I have
9 more than enough Major Pieces to
10 prove this case.

11
12
13 Rule 14.1(h) In terms of this Federal
14 Rule, the 3 Justices on the United States
15 9th Circuit Court of Appeals failed to
16 give me a Fair and Impartial Hearing.
17 This is their Fault, not Mine. That's basically

1 Why I don't have an Appendix A.
2
3

4 Rule 14.5
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6 This Petition is filed and is in Good
7 Faith. I'm submitting it before the
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9
10 60 days that ends on January 12th
11
12 2020.
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15 Respectfully Submitted,
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17 Mr. Fred Martin Weinberley
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19 Date — Monday, November 18th 2019
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