

No. 19-905

ORIGINAL

In The
Supreme Court of the United States of America

NOV 21 2019

MICHAEL RAMON OCHOA,
Petitioner, pro se,
v.
Dr. Arthur Levine, *et al.,*
Respondents.

On Petition for a Writ of *Certiorari*
To The Pa. Supreme Court at 137 WAL 2019;
The Pa. Superior Court at 329 WDA 2019;
and The Allegheny County, Pa. Civil/Commerce and Complex Litigation Center at
GD-13-011757.

PETITION FOR WRIT OF *CERTIORARI*

Michael Ramon Ochoa
Petitioner, *pro se*
58 West Portal Ave #218
San Francisco, CA 94127
(415) 373-2172
michaelochoa@mac.com

November 07, 2019

QUESTIONS PRESENTED

1. The questions posed in the course of appellate actions at FD-07-000190 were made cognizable by stipulation of all represented parties.

Each question should be regarded as if entered here in its entirety.¹

2. Would claims of malpractice, *civil* conspiracy or 42 Pa.C.S. §8344 Defamation be irreparably lost *per* Pa.R.A.P. §313(b) Collateral Orders if this appeal is not heard?²

3. Were those claims adequately protected within the time allowed by service to the late, Hon. Ralph J. Cappy from 01-29-08 to 01-20-09?³

4. Would the underlying criminal complaints or data supporting those claims be irreparably lost if this appeal is not heard?

5. Would this perverse outcome further erode Pa. Constitution Article 1§11 or U.S. Constitution Article IV§1?

6. Do either 18 U.S.C. §1346 or U.S.C. §1961 provide remedy for the problem of *Thrasymachus*? Does the #NewOrganon?

7. Might the interest of justice have been better served if the Hon. David Wecht *had* participated in this decision?

8. Could all of this damage be mitigated by ordering the trial court to hear 04-25-19 Amended Complaint?⁴

¹ See attached [Exhibit H. Questions or Aporia](https://www.academia.edu/39906428/Exhibit_H_Questions_or_Aporia) or https://www.academia.edu/39906428/Exhibit_H_Questions_or_Aporia

² For definitions of malpractice and *civil* conspiracy see: *Ditch v. Waynesboro Hosp.*, 917 A.2d 317 (Pa. Super. 2007); *Weaver v. Franklin County*, 918 A.2d 194, 202 (Pa.Cmwlth. 2007), and *Reading Radio, Inc. v. Fink*, 833 A.2d 199, 212 (Pa.Super. 2003).

³ See attached [Exhibit D. Conversations with the Late, Honorable Ralph J. Cappy](https://www.academia.edu/38638818/Conversations_with_the_Late_Honorable_Ralph_J._Cappy) or https://www.academia.edu/38638818/Conversations_with_the_Late_Honorable_Ralph_J._Cappy

⁴ See attached [Exhibits E-F](https://www.academia.edu/38953832/04-25-19_Amended_Complaint) or download directly at https://www.academia.edu/38953832/04-25-19_Amended_Complaint

LISTS OF PARTIES AND RELATED PROCEEDINGS

Contact information for the petitioner is on the cover. The complete list of respondents is attached as Exhibit A. Defendants at App.37-39, with redacted updates downloadable at: https://www.academia.edu/38126065/Exhibit_A._Defendants

The 01-23-19 trial court order under appeal *here* was limited to issues involving:

Defendant 2	Dr. Mukesh Sah
Defendant 3	Dr. Pierre Azzam
Defendant 6	Western Psychiatric Institute and Clinic (WPIC)
Defendant 7	Dr. Rolf G. Jacob
Defendant 15	Dr. Anne Thompson
Defendant 18	Dr. Parmjeet S. Randhawa
Defendant 19	Dr. Michael A. Nalesnik
Defendant 20	Dr. Marta I. Minervini
Defendant 22	Starzl Transplantation Institute

Defendants 2, 3, 4, 5, 6, 7, 8, 9, 14, 15, 16, 17, 18, 19, 20, 22 have been represented by a rapidly changing team of counselors who have have yet to identify their own clients correctly:

Justin M. Gottwald, Pa.I.D. #92847
 Katelin J. Montgomery Pa. I.D. #322698
 Rebecca Good McBride Pa. I.D. #90623
 Steven L. Ettinger Pa. I.D. #316266
 Dickie, McCamey & Chilcote, P.C. Pa. firm #067
 Two PPG Place, Suite 400
 Pittsburgh, PA 15222

A list of all proceedings in state and federal trial and appellate courts, including proceedings in this Court, that directly arise from the same 250 Root Facts of this case in this Court are now attached to every significant filing as Exhibit G. Items of Judicial Notice, which can be found at App.46, with updated .pdf versions linked to the Root Data at: https://www.academia.edu/38126093/Exhibit_G._Items_of_Judicial_Notice

TABLE OF CONTENTS

	Page
OPINIONS BELOW	1
JURISDICTION	1
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	2
STATEMENT OF THE CASE	3
REASONS FOR GRANTING THE PETITION	4
CONCLUSION	5



INDEX OF APPENDICES

Appendix A. Decision of State Court of Appeals Quashing the Appeals	
03-25-19 329 Application to Quash Appeal GRANTED.....	App.1
Appendix B. Decision of State Court of Appeals Denying Rehearing	
04-09-19 329 Reconsideration DENIED	App.2
Appendix C. Decisions and Opinions of State Trial Court on Appeal	
01-23-19 GRANTED Preliminary Objections of Defendants 2, 3, 6, 7, 15, 18, 19, 20, 22.....	App.3
03-15-19 Reconsideration DENIED	App.4
Appendix D. Decision of State Supreme Court Denying Review	
09-16-19 137 WAL 2019 Petition DENIED	App.5
Exhibits Dashboard	App.6
<u>Exhibits A-I</u>	App.7-18

TABLE OF AUTHORITIES⁵Pennsylvania Cases

<i>Ditch v. Waynesboro Hosp.</i> , 917 A.2d 317 (Pa. Super. 2007)	i
<i>Weaver v. Franklin County</i> , 918 A.2d 194, 202 (Pa.Cmwlth. 2007)	i
<i>Reading Radio, Inc. v. Fink</i> , 833 A.2d 199, 212 (Pa.Super. 2003).....	i

Pennsylvania Statutes and Constitution

42 Pa.C.S. §8344 Defamation	i
Pa.R.A.P. §313(b) Collateral Orders	i
Pa. Constitution Article 1§11 Courts to be open	i, 2

U.S. Supreme Court Cases

U.S. Supreme Court 12-10508 <i>Ochoa v. Rubin</i>	5
---	---

U.S. Statutes and Constitution

18 U.S.C. §1346 Definition of “scheme or artifice to defraud.....	i, 2
18 U.S.C. §1961 Racketeering influenced and corrupt organization	i, 2
28 U.S.C. §1257(a) State courts; <i>certiorari</i>	1
U.S. Constitution Article IV. Section I. Full Faith and Credit	i, 2

⁵ .pdf versions of this document contain hotlinks to full texts of all citations.

मैत्र्यादिषु बलानि

PETITION FOR WRIT OF *CERTIORARI*

Petitioner respectfully prays that a writ of *certiorari* issue to review the judgements below.



OPINIONS BELOW

The opinions of the highest state court to review the merits of this case appear at App.1-2 as Appendices A-B. The orders and opinions of the trial court appear at App.3-4 as Appendix C.

All related court actions, as well as state and federal law enforcement complaints and USPS priority mail service records, are included in the Root Data:

https://www.dropbox.com/sh/yvt5jv2dim5fklq/AdENY_UOJt



JURISDICTION

The date on which the highest state court decided this case was 09-16-19. A copy of that decision appears at App.5 as Appendix D. A petition for rehearing was not filed. The jurisdiction of this Court is invoked under 28 U.S.C. §1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The Constitutional and Statutory provisions previously presented to this Court should be regarded as if entered here in their entirety, especially:¹

Pa. Constitution Article 1§11. Courts to be open

All courts shall be open; and every man for an injury done him in his lands, goods, person or reputation shall have remedy by due course of law, and right and justice administered without sale, denial or delay.

18 U.S.C. §1346. Definition of “scheme or artifice to defraud”

For the purposes of this chapter, the term “scheme or artifice to defraud” includes a scheme or artifice to deprive another of the intangible right of honest services.

18 U.S.C. §1961 Racketeering influenced and corrupt organizations

(1) “racketeering activity” means (A) any act or threat involving murder, kidnapping, gambling, arson, robbery, bribery, extortion, dealing in obscene matter, or dealing in a controlled substance or listed chemical (as defined in section 102 of the Controlled Substances Act), which is chargeable under State law and punishable by imprisonment for more than one year;

Also:

U.S. Constitution Article IV§1 Full Faith and Credit

Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

¹ https://www.academia.edu/36286355/U.S._Supreme_Court_Conversations

प्रमुक्ति

STATEMENT OF THE CASE

The 250 Root Facts of this case are well known to this Court.²

On 11-07-06 I was deposited at the entrance of Western Psychiatric Institute and Clinic by Defendant 1. I was in acute shock, drugged with illegally prescribed medication with a “black box” warning of suicidality, and in desperate fear for the safety and well being of my beloved *niñas perdidas* if I resisted. Defendants 2, 3, 7, 15, 18, 19, 20 and *pro se* Defendants 5 and 21 each looked the other way, then actively protected their own professional and financial interests by cooperating in concealing Defendant 1’s Root Crimes.

I have deep respect and *admiration* for the scientific discoveries and life saving work of each of these defendants. But that does not forgive their crimes or remedy the damage that they knowingly did to my rights, property and beloved *niñas perdidas* without pity or remorse.

Therefore, my *xenophonic* response has been to apply my theoretical work to the development of reliable, cost effective information technology capable of preserving these facts, while seeking moderate and effective remedies compatible with these facts and the laws.³

² See attached Root Facts or https://www.academia.edu/37105946/Root_Facts compared to 10-18-11 11-5664 Petition for Writ of *Certiorari* at https://www.academia.edu/5780500/10-18-11_11-5664_Petition_for_Writ_of_Certiorari

³ See A Philosophical and Mathematical Model of Truth: https://www.academia.edu/35471143/11-07-16_A_Philosophical_and_Mathematical_Model_of_Truth_or_NewOrganon

REASONS FOR GRANTING THE PETITION

Today is 11-07-19.

11-07-06 was the last day that I saw my beloved *niñas perdidas*.

It is a paradox of information technology that the further we have moved from that date, the more certainly we can know the truth of the 250 Root Facts of this case.

To demonstrate that paradox, in the previous run of appellate actions in this Court, I constructed a secure, cloud-based information system, *#NewOrganon*. Using a widely-distributed, verified service process, dynamic content, and hashtag-sorted RSS feeds, I “doxed” myself by piping the Root Data across parallel social media platforms.

Previously, the cloud-based version of the Root Data was only accessible through a link which was included in all written filings.⁴ Now the Root Data can be accessed directly, through the dashboard tool, or through the linked set of .pdf Exhibits.⁵

Technically, those Exhibits are merely an arrangement of meta-data.⁶ Their present configuration demonstrates how Judge McVay’s 4 *ad hoc* orders relate to the larger whole, while also giving this Court a real-time look ahead at increasingly brazen attempts to destroy the truth.⁷

⁴ <https://www.dropbox.com/sh/yvt5jv2dim5fklq/AADftLwY5jaDvFXTu2d7X4O7a?dl=0>

⁵ The complete set is kept updated here: <https://amherst.academia.edu/MichaelOchoa/Appendix-E-Exhibits>

⁶ https://www.academia.edu/35471143/11-07-16_A_Philosophical_and_Mathematical_Model_of_Truth_or_NewOrganon

⁷ See 09-11-19 922 WDA 2019 Appellant’s Brief at https://www.academia.edu/40309305/09-11-19_922_WDA_2019_Appellants_Brief



CONCLUSION

This petition for a writ of *certiorari* should thus be granted.

Then as I promised the late, Hon Antonin Scalia on 10-24-13:

“Finally, by merely allowing yourselves to be seen looking in my direction, you will effect immediate, transformative good for all, while long being remembered as just and wise and merciful.” - 10-24-13 U.S. Supreme Court 12-10508

Terras Irradiant!

Michael Ramon Ochoa,
Petitioner, *pro se*
58 West Portal Ave #218
San Francisco, CA 94127
(415) 373-2172
michaelochoa@mac.com

Date: November 07, 2019