

10/13/25

No. 25-501

In the Supreme Court of the United States

William Young and Jennifer Young,
Petitioners,

v.

Collect Co,
Respondent.

**ON PETITION FOR WRIT OF CERTIORARI
TO THE COURT OF APPEALS OF CALIFORNIA
FOURTH APPELLATE DISTRICT**

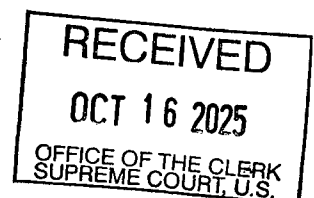
PETITION FOR WRIT OF CERTIORARI

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Thirteenth day of October, MMXXV

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QUESTIONS PRESENTED

1. Whether it violates the Constitution for a state judge without jurisdiction to reopen a closed judgment and order the prevailing judgment creditors to pay attorney's fees to Respondent Collect Co—a non-party with no legal standing whom Petitioners have never met—and, by doing so, enable collusion with clerical staff, the fabrication of writs, and the seizure of more than \$1,000,000 of Petitioners' assets through sheriff auctions and bank levies?

2. Whether due process is violated when Respondent Collect Co, through collusion with a state judge and clerical staff, falsifies and alters official court records—erasing Petitioners' filings, substituting sham orders, removing evidence of fraud, and relabeling Petitioners as debtors while inserting Respondent as creditor—to obtain judicially enforced seizures of Petitioners' property?

3. Whether due process is violated when a state judge and clerical staff, acting in alignment with Respondent Collect Co, threaten prevailing judgment creditors with loss of their home, financial ruin, or imprisonment to coerce compliance with unlawful orders?

4. Whether due process is violated when a state judge without jurisdiction reopens a closed case at the request of Respondent Collect Co—a non-party with no legal standing—and, acting on that request, declares the prevailing judgment creditors “vexatious litigants” and issues a pre-filing injunction that bars them from court while enabling the continued seizure of more than one million dollars of their assets?

PARTIES TO THE PROCEEDINGS

Petitioners, and plaintiffs-appellants below are William Young and Jennifer Young, husband and wife, appearing pro se. Mr. Young is an elderly disabled veteran. Together, Petitioners are the prevailing judgment creditors in the underlying 2017 action.

Respondent, and intervenor-appellee below is Collect Co., Inc., a collection company whose true background has remained unknown to Petitioners. Since December 2020, the state court permitted Collect Co.—a non-party stranger to the 2017 judgment—to appear in Petitioners’ closed case as a purported assignee, positioned in direct opposition to Petitioners, despite never having been a party to the original action.

RELATED PROCEEDINGS

Superior Court of California (Orange Cnty.):

William Young, Jennifer Young v. Brandon M. Byars, Jack McIntyre, No. 30-2017-00924659 (Final Judgment) (Jan. 22, 2018)

Court of Appeal of California (4th App. Dist.):

William Young, Jennifer Young v. Brandon M. Byars, Jack McIntyre, Nos. G063346 and G063723 (Apr. 25, 2025)

Supreme Court of California:

William Young, Jennifer Young v.
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The consolidated opinion of the California Court of Appeal, Fourth Appellate District, Division Three, was issued on April 25, 2025, in Case Nos. G063346 and G063723. The opinion is unpublished and reproduced in the Appendix at App.2-22. The decision of the Superior Court of California is reproduced in the Appendix at App.23-28.

The order of the Supreme Court of California denying review, No. S291247, was entered on July 16, 2025 and is reproduced in the Appendix at App.1.

JURISDICTION

The Supreme Court of California denied discretionary review on July 16, 2025. This Court has jurisdiction under 28 U.S.C. § 1257(a).

Petitioners' claims present substantial violations of **constitutional rights**—including denial of due process and of access to a neutral tribunal. The refusal of the California courts to correct those violations makes this petition precisely the kind of extraordinary case warranting this Court's intervention.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1. U.S. Const. amend. XIV, § 1 (Due Process and Equal Protection Clauses):

"...nor shall any State deprive any person of life, liberty, or property, without due process of law; nor

deny to any person within its jurisdiction the equal protection of the laws.”

2. U.S. Const. amend. V (Search and Seizure Clause):

“The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

3. 42 U.S.C. § 1983 (Civil Action for Deprivation of Constitutional Rights):

“Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.”

INTRODUCTION

This case presents judicial misconduct unprecedented in American legal history. Petitioners - prevailing judgment creditors, including an elderly disabled Vietnam veteran - secured lawful judgments totaling more than \$700,000. Yet through fraud and collusion, those judgments were turned against them.

The scheme began when Respondent Collect Co, a stranger, whom Petitioners have never met to this day, falsely claimed to be the "assignee" of Petitioners' judgments. In truth, the supposed "assignment" was nothing more than a fabricated document - bearing cut-and-paste signatures - that converted this outsider into a self-claimed purported assignee. Under settled law, an assignee and assignor share rights against the debtor, but here that principle was inverted: the purported assignee was weaponized against the very judgment creditors it claimed to succeed.

This inversion was made possible because judicial officers and clerical staff abandoned neutrality and enabled Respondent. A state judge, lacking jurisdiction, reopened a closed case at Respondent's request and ordered Petitioners - the true creditors - to pay attorney's fees to this stranger. Clerical staff erased Petitioners' filings, substituted sham orders, and removed evidence of fraud. When Petitioners attempted to defend themselves, the court - at the request of Respondent Collect Co, a non-party with no legal standing - declared Petitioners "vexatious litigants" and imposed a pre-filing order. That order silenced Petitioners while sheriff auctions and bank levies continued,

ultimately stripping more than one million dollars of their assets.

This case is not about error, but about systemic corruption of judicial machinery: strangers installed as creditors, official records falsified, prevailing parties recast as debtors, and the courthouse doors shut to those seeking relief. The Constitution does not permit such an inversion of justice.

STATEMENT OF THE CASE

Petitioners William and Jennifer Young are long-time residents of Orange County, California. Mr. Young is an 80-year-old disabled Vietnam veteran. Together, Petitioners secured several civil judgments totaling more than \$700,000.

One such judgment was in *Young v. Byars*, Orange County Superior Court, Case No. 30-2017-00924659. On January 22, 2018, the court entered final judgment awarding Petitioners \$91,217. (App.23) That judgment was conclusive and represented only part of Petitioners' lawful recovery.

Yet that closed judgment was later corrupted through collusion. Respondent Collect Co, a fraudulent non-party purported assignee, was unlawfully elevated into the posture of "creditor," while Petitioners - the true judgment creditors - were re-labeled as debtors.

Petitioners have never met Collect Co or its principal as to this day. Nonetheless, by exploiting judicial officers, Respondent gained the ability conduct Sheriff auctions, execute bank levies, place liens on Petitioners' home, and seize Petitioners'

assets. What began as a \$91,217 judgment became a five-year campaign of collusive fraud, stripping an elderly disabled Vietnam veteran and his wife of more than one million dollars in property and savings.

This inversion of roles - where prevailing judgment creditors were treated as debtors to a stranger - frames the unprecedented judicial misconduct detailed below.

**1. Fraudulent Entry of Collect Co —
Fabricated Assignment Without Consent
(Late 2020 – June 2021)**

The scheme began in late 2020. Petitioners retained attorney Marc Lazo for an appellate matter. Without disclosure, Lazo's associate (Co-Conspirator) Ali Ammar - using multiple aliases—inserted himself into Petitioners' communications. On December 3, 2020, Petitioners received an AdobeSign request appearing to come from Lazo's firm for a "Judgment Agreement." Believing it routine, Petitioners signed electronically. In fact, Ammar rebranded it as a "Client Agreement" for Collect Co, with cut-and-paste signatures later identified by a Sheriff's investigator as fraudulent. (App.85)

"The last page of these documents displayed the signature of William Young and the signature of Zhanfen. The document was not notarized and the signatures were not listed as having been captured electronically, such as with DocuSign or similar services."
"Upon closer inspection, it appeared

that Zhanfen's signature was copied, cropped, and pasted onto the document. While viewing Zhanfen's signature at 500% zoom, the color of paper directly behind the signature was not the same as the rest of the document, there was a noticeable border around the paper with Zhanfen's signature, the signature appeared heavily pixelated, and it appeared small portions of the signature were cropped off. The cropped-out portion appeared to be the top right and mid-right."

Days later, Ammar filed an "Acknowledgment of Assignment of Judgment" designating his own company Collect Co as assignee of Petitioners' five judgments, without notice or service as required by California law. In March 2021, attorney Lazo's staff nonetheless negotiated a new "Judgment Collection Agreement" directly with Petitioners, signed on June 3, 2021, contradicting the earlier undisclosed assignment. The inconsistency shows Petitioners never knowingly authorized Collect Co. The pattern was clear: forge first, conceal second, seize assets third.

2. Judicial Irregularities - Court Endorsement of Forgery (August 2021 – March 2022)

In August 2021, Petitioners first learned that Collect Co had filed the December 2020 "Assignment." Lazo simultaneously terminated his June 2021 agreement with Petitioners and refused to

explain his dealings with Collect Co. Meanwhile, Petitioners discovered that wages under the 2017 *Byars* judgment were already being garnished since July 2021, without their knowledge or consent.

On August 31, 2021, Petitioners filed an Ex Parte Application in Orange County Superior Court, where the *Byars*' judgement was entered, seeking to halt the unauthorized garnishments and investigate the assignment. They submitted sworn declarations denying any consent and identifying the filed signatures as fraudulent. In ordinary procedure, enforcement would be suspended pending review. Instead, the court denied relief outright, refused to examine the irregular paperwork, and disregarded evidence of forgery.

By doing so, the judicial officer judge Griffin effectively legitimized Collect Co's fraudulent filings and turned enforcement machinery against the very judgment creditors it was meant to protect.

3. The April 12, 2022 Attorney Fee Order - Jurisdiction Usurped (Trigger for Systemic Abuse)

On April 12, 2022, Respondent **Collect Co**, a non-party with no standing in the closed *Byars* case, obtained \$5,125 in attorney's fees. (App.29) This order - jurisdictionally impossible - reopened a final judgment and empowered Collect Co to act under color of judicial approval. It was the turning point: Petitioners, the prevailing judgment creditors, were re-labeled as debtors, and Collect Co gained a platform to raid their assets.

(1) April 12, 2022 – First Attorney Fee Order

Judge Griffin awarded Collect Co, a non-party stranger to the case, \$5,125 in attorney's fees. The case had been closed since January 2018. This unlawful order reopened a final judgment and gave Respondent judicial cover it could never have obtained lawfully.

(2) April 15, 2022 – Abstract of Judgment and Writ of Execution with False Entries

Within days, the clerk's office issued an Abstract of Judgment (App.91) and Writ of Execution (App.97) that:

- Falsely listed Petitioners as "judgment debtors" and Respondent as "judgment creditor";
- Published Petitioners' Social Security and driver's license numbers without authorization;
- Invented a "judgment entered on April 12, 2022," contradicting the actual January 22, 2018 judgment (App.23);
- Imposed liens on Petitioners' home and was replicated across multiple counties without service.

(3) May 24, 2022 – First Sheriff's Auction and Extorted Payment

No writ or enforcement papers were ever served on Petitioners; instead, Respondent filed a false proof of service. Petitioners first learned of a scheduled sheriff's auction from a Notice of Sale dated May 11, 2022. (App.164)

Desperate to protect their home, Petitioners sought an Ex Parte stay on May 18, 2022, but the court denied it. When Petitioners went to the Sheriff's Office on May 23, 2022, deputies demanded **\$7,724.85 in cash** - more than \$2,500 above the \$5,163 listed in the Writ of Execution. (App.97) No order or judgment authorized this inflated figure. Under the threat of losing their property at auction, Petitioners paid the money in full. Only then did the Sheriff issue a Termination of Levy the next day, May 24, 2022. (App.169)

(3a) May-June 2022 - Renewed Writs and Hidden Transfer

Within days of the coerced cash levy, Respondent secured new writs—first in Orange County (May 26, 2022) and then in San Bernardino (June 2, 2022). (App.122, 126) Acting without notice or service, the San Bernardino Sheriff transferred \$1,500 from Petitioners' account directly to Respondent. Petitioners did not discover this concealed seizure until nearly two years later. (App.172)

In total, the \$7,724.85 cash extracted under threat of auction, combined with the hidden \$1,500 transfer, exceeded \$9,200—nearly double the original \$5,125 attorney-fee award.

During this same period, clerk's office staffer **Omar Saldivar** issued at least twelve abstracts of judgment and writs of execution on behalf of Respondent in less than two years. (App.114, 118, 122, 126, 130, 134, 138, 142, 148, 152, 156, 160) These actions exemplify not lawful enforcement but an organized machinery of fraud—one that re-labeled Petitioners as debtors and empowered a non-

party to plunder their assets under the false cloak of judicial authority.

(4) August 15, 2022 – Deliberate Zoom Trap

At a scheduled hearing, Petitioners were logged in via Zoom, able to see and hear, but their audio and video had been deliberately disabled. Judge Griffin whispered to his clerk when the case was called: “*Are they off the line?*” Clerk: “Yes.” Believing Petitioners “absent,” the court confirmed its tentative ruling denying Petitioners’ relief, while Respondent’s counsel stated he “could not be happier.”

This was no accident but a calculated exclusion to silence Petitioners and protect fraud. What should have been a solemn judicial proceeding was degraded into a staged charade, where collusion replaced neutrality and the courtroom’s dignity was abandoned. Such conduct not only mocked due process but also revealed the depths of collusion between Respondent and judicial officers, stripping the proceeding of any seriousness and reducing it to an instrument of intimidation and fraud.

(5) August 26, 2022 – Escalated Fee Demand and New Litigation

Just months after securing \$5,125, Respondent demanded \$132,439.68 in attorney’s fees. Petitioners filed a new lawsuit in Department C-28 to challenge the fraudulent assignment, but enforcement in the closed *Byars* case continued unchecked.

(6) February 1, 2023 – Second Attorney Fee Award, Fabricated Record, and Judicial Threats

Judge Griffin awarded Respondent the second set of \$47,816.06 in attorney fees without jurisdiction. (App.36) The order falsely claimed Petitioners had “admitted” to signing the assignment, even citing declarations that explicitly denied it. Later, Respondent’s principal admitted in federal court that no such agreement was signed. (App.183)

At the same hearing, Petitioners were threatened: “If you want to live in your house and not have it sold at auction, you need to admit you’ve lost... you will lose more and more until you lose your home.” (App.201)

(7) March 23, 2023 – Second Sheriff’s Auction Despite Presiding Judge’s Order

In an effort to stay Collect Co’s another round of Sheriff’s auction, Petitioners filed an Ex Parte on March 3, 2023. Judge Griffin dismissed Petitioners’ defense and repeating that Collect Co was “just collecting the money I awarded.” During the hearing, Collect Co’s counsel again threatened that Petitioners would “lose [their] house.” (App.208)

After receiving the Sheriff’s auction notice, Petitioners filed a second Ex Parte on March 17, 2023, offering even to post a bond five times the attorney fee amount to stop the Sheriff’s Auction. Judge Griffin again refused, insisting the Abstract and the Writ were “for the correct amount” even though no judgment or order supported them. (App.217)

On March 20, 2023, the Presiding Judge ruled that disputes with Collect Co belonged in Department C-28. (App.46) Yet two days later, Judge Griffin issued a **third attorney-fee award of \$8,004.16**, directly defying that directive. (App.48)

On March 23, a second sheriff's auction took place, again listing Petitioners as "debtors" and Respondent as "creditor." The Sheriff sale purported to include Petitioners' pending lawsuits, contrary to California law prohibiting transfer of tort claims. (App.221)

(8) June 2023–2025 - Vexatious Litigant Order and Appellate Denials

On June 26, 2023, Judge Griffin - acting for the benefit of Respondent Collect Co - granted its motion to declare Petitioners "vexatious litigants." (App.50) This was jurisdictionally impossible: Collect Co was not a party, had no standing, and CCP § 391 authorizes such motions only from parties. Yet two days later, on June 28, Griffin signed a Pre-Filing Order, placing Petitioners on California's vexatious litigant list. (App.55) This stigmatized Petitioners and stripped them of their constitutional right of court access.

Appeals followed in 2023 and 2024, but on April 25, 2025 the Court of Appeal affirmed Griffin's orders, ignoring the jurisdictional defects. On July 16, 2025, the California Supreme Court denied review. These denials left in place an unconstitutional pre-filing order, confirming systemic collusion between state courts and Respondent.

(9) March 19, 2024 – Substitution Trick to Block Discovery

On March 19, 2024, Petitioners sought to advance their Motion to Compel Sheriff's Deputies' Depositions, scheduled for August 12, 2024. This motion was vital: the deputies' report confirmed Petitioners' signatures on Collect Co's "Client Agreement" were visibly "cropped and pasted"—direct evidence of fraud.

At the hearing, Judge Griffin stated on the record: "Your Ex Parte is granted. Your motion to compel is advanced to today, March 19, 2024. And I rule: your motion is denied." (App.227)

But the Minute Order told a different story. (App.58) Instead of reflecting denial of the deputies' motion, Griffin quietly substituted a different motion—the Motion to Compel Depositions of Collect Co and its principal Ali Ammar (set for June 24, 2024)—and marked it as "advanced," "denied," and "taken off calendar."

This maneuver effectively shielded Collect Co's principals from deposition. Only later, while preparing this Petition, did Petitioners discover that the June 24, 2024 motion - and others Griffin had stricken—were completely removed from the court system, reflecting deliberate tampering with official records.

This was no clerical error. It was a calculated act of record manipulation to block discovery, protect a fraudulent non-party, and erase Petitioners' constitutional right to present evidence.

**(10) October 3, 2024 – Pre-Filing Order
Based on Falsehoods and Collusion
While Appeal Pending**

While Petitioners' appeal was still pending, Judge Griffin issued a nine-page Pre-Filing Order granting Respondent Collect Co's sanctions motion in full. (App.61) This order was jurisdictionally impossible: it was issued in a closed case at the request of a non-party with no standing. Ostensibly a procedural safeguard, it was in reality a weapon of collusion—crafted to insulate Respondent from scrutiny, bar Petitioners from presenting evidence of fraud, and tilt the judicial system against the prevailing judgment creditors.

Even more disturbing, the nine-page order was itself built on falsehoods. Virtually every material statement in the document was fabricated, misrepresenting both the record and Petitioners' sworn filings. Rather than providing judicial analysis, it functioned as a scripted justification for suppressing Petitioners' constitutional rights and legitimizing Respondent's fraudulent posture.

Finally, the integrity of the document is cast into doubt by the signature itself. Judge Griffin's signature on the October 3, 2024 order is markedly inconsistent with his four other signatures in the Byars case; all five signatures differ in appearance, raising serious concerns about authenticity. (App.235)

Judges are required by law and rule to personally review and sign their orders. Yet the signatures vary so dramatically that they raise serious questions as to whether Judge Griffin consistently fulfilled that obligation. If he did personally sign them, the inconsistency shows a

troubling lack of care in authenticating orders of such consequence. If others signed for him, then he abdicated a core judicial responsibility.

This was not neutral judicial oversight. It was the product of falsehoods and collusion, an order designed to shield a fraudulent non-party while extinguishing Petitioners' rights to property and access to court. In cases such as *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009), and *Liljeberg v. Health Services Acquisition Corp.*, 486 U.S. 847 (1988), this Court has held that even the mere appearance of impropriety or bias requires reversal to preserve due process. Here, the impropriety is not appearance but actuality: a nine-page order of fabricated statements, issued at the request of a non-party, under a signature of dubious authenticity. If appearance alone compels intervention, then actual falsification demands nothing less.

**(11) November 5, 2024 - Ex Parte
Weaponization of the Pre-Filing
Order**

Respondent invoked the October 3, 2024 order to strike Petitioners' lawful motions (filed before the order even existed) and to compel contempt proceedings. Judge Griffin granted the Ex Parte in full. (App.77) By retroactively erasing motions already filed, Griffin turned the pre-filing order from a procedural safeguard into an outright gag order—silencing Petitioners' defense against fraud and cementing Respondent's control to freely proceed to further deprivation of Petitioners' assets. This extraordinary use of a pre-filing order—retroactively

erasing lawful filings and silencing prevailing judgment creditors—exemplifies a systemic denial of due process that demands this Court’s intervention.

(12) November 26, 2024 – Contempt Hearing as a Forum of Intimidation and Insult

The contempt hearing revealed open collusion. The minute order pledged to “sweep the case and exercise its authority pursuant to the Court’s pre-filing order dated 10/03/2024.” (App.246)

The certified court reporter’s transcript shows judge Griffin and Respondent’s counsel mocking Petitioners, discussing imprisonment, and even suggesting seizure of their home (App.80):

Judge Griffin: “So I find them in contempt. What’s going to happen?”

Respondent’s Counsel Lula: “I think they need to do 24 hours in clink... They’ve basically told your Honor to go to hell, not to put too fine a point on it.”

Judge Griffin: “I don’t know how much money your clients actually collected from the Youngs to date.”

Respondent’s Counsel: “Well, maybe it’s time to take the house in Yorba Linda. That will be what gets through to them.”

Judge Griffin: “I just think contempt is just. You know, I mean, they already owe a hundred-some-thousand to you folks.”

Judge Griffin: "I don't see myself putting an elderly disabled veteran in jail. I don't see that affecting their behavior."

Respondent's Counsel: "Mrs. Young looks healthy to me," suggesting arrest of Mrs. Young.

Judge Griffin: "Mrs. Young, I guarantee if I put her in the maximum five days in jail for everything she filed, she would serve the time, and there we go. My order has its own mechanism... I will just keep striking whatever gets filed under that order and see how that works."

This was not a hearing of law but a spectacle of intimidation and insult, carried out in the presence of two elderly judgment creditors. Once again, Respondent manipulated the proceeding and turned the courtroom from a forum of justice into an execution ground by controlling the judicial officer. Neutrality was abandoned; ridicule replaced fairness; and judicial officer colluded with Respondent to terrorize a disabled veteran and his wife. Such conduct stripped Petitioners of dignity, due process, and equal protection.

(13) December 3, 2024 – Refusal to Hear Ex Parte, Enabling Levy

When Petitioners filed an emergency Ex Parte to stop a levy, judge Griffin refused to hear it and later erased their pending motion from the docket - tampering with the official court record. (App.83) This ensured Respondent's levy went unchallenged,

leading Comerica Bank to transfer \$1,771.19 of Petitioners' funds to Respondent in January 2025. (App.256)

By erasing motions and refusing to hear lawful applications, judge Griffin and Respondent acted in collusion to deprive Petitioners of property and court access, in direct violation of the Constitution.

(14) January 13 – April 14, 2025: Bank Levies Without Writs or Notice – A Criminal Action

After Judge Griffin's December 3, 2024 refusal to hear Petitioners' Ex Parte, enforcement escalated into direct, lawless bank seizures - a criminal taking disguised as judicial enforcement, amounting to bank robbery under color of law.

a. May 13, 2025 – Comerica Bank

Levy:

\$1,771.19 was transferred to Collect Co without any post-levy notice or return of execution served to Petitioners. (App.267)

b. February 28, 2025 – First Bank Levy:

Petitioners received a Notice of Levy freezing their funds, yet no writ of execution was ever served, or filed with the Sheriff's Office. Petitioners only learned of the actual transfer weeks later. (App.278)

c. April 14, 2025 – Charles Schwab Seizure:

Schwab liquidated \$276,936.48 of Petitioners' stock portfolio and transferred the funds directly to Collect Co's El Monte, CA office. No writ of execution, no notice of levy, no return of execution, and no Sheriff involvement ever existed. Petitioners only obtained proof of the transfer on June 13, 2025 at a local branch. (App.280)

In just three months, nearly \$300,000 was stolen under the guise of enforcement. The April 14, 2025 seizure was nothing short of daylight robbery disguised as judicial enforcement, enabled by collusion between Respondent and Judge Griffin.

(15) March 24, 2025: Ex Parte Denial and A New Collusive Writ

On March 24, 2025, Petitioners sought an Ex Parte hearing to (a) obtain leave to file a motion to strike Collect Co's March 6, 2025 Memorandum of Costs (App.282) never served on Petitioners - and (b) request a stay of levies after clerks' rejection of Collect Co's new writ applications on March 5 and March 12, 2025. (App.287, 289)

At the hearing, Judge Griffin openly admitted the irregularity of Collect Co's costs:

- "But what I'm saying is I am just curious in raising in my mind how do these get determined or fixed?"
- "We don't have any listing of what has spent on what."
- "It seems strange to me that these can be just done in a MEMO of costs with no – with no backup and no specific – I mean, how does the court get those fixed to determine that 22,000

is properly attributable to the previous attorney fee order?" (App.292-297)

Despite acknowledging fraud on the record, Judge Griffin denied Petitioners' Ex Parte, enabling Respondent to obtain \$276,936.48 without serving a writ of execution. Charles Schwab, bypassing the Sheriff as required by California levy law, transferred the funds directly to Collect Co's El Monte, California office - without notice to Petitioners.

This was not lawful enforcement but a coordinated bank robbery carried out under the cloak of judicial authority.

(16) Collect Co's Seventeen Memoranda of Costs: A System of Judicially Sanctioned Fraud

From 2022 through 2025, Respondent Collect Co filed seventeen "Memoranda of Costs" (App.298, 303, 308, 313, 318, 323, 328, 333, 338, 343, 348, 353, 358, 363, 368, 373, 378) - each a one-page sham, with no itemization, no service, and no judicial review. The pattern was not random error but a **system of judicially sanctioned fraud**: Respondent fabricated numbers at will, knowing Judge Griffin would deny Petitioners' motions to strike or tax the costs, and allow the false figures to become the basis for writs, levies, and auctions. This collusive misuse of judicial machinery stripped Petitioners of over one million dollars without due process.

On March 24, 2025, Judge Griffin himself abnormally admitted Collect Co's March 6, 2025 memorandum had "no backup and no specific" justification. (App.291) That admission confirmed

what Petitioners had asserted for years: all sixteen prior memoranda were equally invalid. Yet they had already been weaponized into writs, levies, and auctions.

The scheme culminated in the June 5, 2025 filing, just weeks after the \$276,936.48 Schwab seizure. Respondent demanded \$224,607.67 more - again without itemization and without service. That brazen filing - on the heels of nearly \$300,000 already seized - demonstrates the confidence Respondent drew from systemic judicial protection. It acted as though no law constrained it, secure that fabricated numbers would once again be enforced under color of law.

This sustained pattern - seventeen fabricated cost filings, zero itemization, zero service (or falsified filing of proof of service), zero review - was not mere error but a **criminal scheme of collusion** between Collect Co and judicial officer, and complicit clerical staff. The result was the theft of more than \$1,000,000, carried out under color of law and enforced with threats such as Griffin's: "*You will lose everything.*" (App.201)

For the foregoing reasons, Petitioners' losses of more than one million dollars were not the result of lawful judicial process but of fraudulent documents, falsified writs, and collusion between a state judge, clerical staff, and a private collection company. Petitioners—an elderly couple, including an 80-year-old disabled Vietnam veteran—were stripped of property, threatened with the loss of their home and liberty, and subjected to years of relentless economic and psychological harm.

What occurred was not a mere error of law but the usurpation of judicial power by Respondent Collect Co. Through collusion with judicial officers and clerical staff, Respondent converted a closed case into an instrument of extortion, enabling the unlawful seizure of Petitioners' assets under color of law. This was not adjudication but conduct bearing the hallmarks of fraud and criminal abuse of authority. Such subversion of justice strikes at the foundations of due process and demands this Court's intervention.

REASONS FOR GRANTING THE PETITION

I. The Relevant Legal Standards for Granting the Petition

This Court has long held that a writ of certiorari or mandamus is reserved for the most exceptional circumstances. In *Cheney v. U.S. District Court*, 542 U.S. 367, 380–81 (2004), the Court set forth the sine qua non elements that must be established:

1. Extraordinary circumstances;
2. No other adequate means of relief;
3. A clear and indisputable right to the writ;
4. The writ is appropriate to correct a clear abuse of discretion or judicial usurpation of power.

These standards ensure that the writ functions as a safeguard against grave abuses of judicial authority. As this Court explained in *In re Murchison*, 349 U.S. 133, 136 (1955), due process demands “a fair trial in a fair tribunal before a judge

with no actual bias against the defendant or interest in the outcome of his particular case.” The principle is universal: no man can be a judge in his own cause, nor may judicial authority be turned into a weapon for private gain.

Courts of appeals have repeatedly affirmed the scope of this doctrine. In *In re Aetna Cas. & Sur. Co.*, 919 F.2d 1136, 1143 (CA6 1990) (en banc), the court recognized mandamus as proper where judicial bias or impropriety undermines the integrity of proceedings. Similarly, in *Bracy v. Gramley*, 520 U.S. 899, 904–05 (1997), this Court held that actual bias—or even an intolerable risk of bias—constitutes a “clear violation of due process” requiring relief. And in *Arizona v. Fulminante*, 499 U.S. 279, 308–12 (1991), the Court made clear that such violations are structural errors contaminating the entire proceeding, never subject to harmless-error review.

Section 455(a) of Title 28 further reinforces this mandate, requiring disqualification whenever a judge’s impartiality “might reasonably be questioned.” As multiple circuits have held, this provision is “self-executing” and demands action even absent a formal motion, because the appearance of justice is as vital as its reality. See *Liljeberg v. Health Servs. Acquisition Corp.*, 486 U.S. 847 (1988).

Taken together, these precedents establish the controlling framework: Petitioners must show extraordinary circumstances, lack of alternative remedies, a clear right to relief, and judicial usurpation of power. As the following sections demonstrate, Respondent Collect Co - through collusion with judicial officers and exploitation of court machinery - manufactured precisely the

extraordinary circumstances that compel this Court's intervention.

II. Extraordinary Circumstances

This case is not merely extraordinary; it is unprecedented in American judicial history. Unlike ordinary disputes - where litigants are known parties - Petitioners have never met Respondent Collect Co. To this day, Respondent remains a total stranger. Yet through collusion with a state judge and the clerk's office, Respondent was unlawfully elevated into the record as "judgment creditor," while Petitioners - the true prevailing judgment creditors - were relabeled as "debtors." This inversion of reality was the opening act of a four-year judicial persecution.

In ordinary matters, litigants may face a single constitutional deprivation. Here, however, Petitioners—an elderly couple, including an 80-year-old disabled Vietnam veteran—endured over four years of relentless violations across every dimension of judicial process, driven by Respondent Collect Co's fraudulent schemes and carried out through collusion with the court and clerical staff:

1. **Party status falsified.** A closed 2017 case was unlawfully reopened, and Collect Co—a non-party without standing—was inserted as "judgment creditor," while Petitioners were relabeled as "judgment debtors." This tampering with court records amounts to criminal conduct.

2. **Fraudulent writs and levies.** Exploiting the falsified record, Collect Co obtained writs of execution to seize Petitioners' property, conduct sheriff's auctions, and levy bank accounts—all without a valid judgment or signed order.
3. **Conversion of funds.** More than \$1,000,000 was taken and converted. For example, after \$276,936.48 was seized from Petitioners' Schwab account on April 14, 2025, Collect Co filed yet another fabricated cost memorandum less than two months later demanding \$224,607.67—part of a pattern of sixteen fabricated cost filings, none itemized or reviewed.
4. **Denial of access to court.** Petitioners were mocked in open hearings, threatened with contempt arrest, barred from Zoom appearances, and warned they would “lose their home” and “lose everything” if they pursued justice.
5. **Weaponized pre-filing order.** At Collect Co's urging, Judge Griffin issued a pre-filing injunction without jurisdiction. Instead of limiting abusive new filings, the order was unlawfully applied retroactively to strike Petitioners' motions and erase filings from the docket—again, conduct amounting to record tampering.
6. **Vexatious litigant stigma.** At Collect Co's request, Judge Griffin branded

Petitioners—two blameless seniors—as “vexatious litigants.” This stigma, imposed without jurisdiction or due process, stripped them not only of access to court but also their dignity and good name.

7. **Record substitution.** On March 19, 2024, the minute order was secretly altered to swap Petitioners’ scheduled motion to depose Collect Co with an unrelated scheduling motion. This deliberate substitution of orders is a form of record tampering designed to shield Respondent from scrutiny.

These actions were not mere legal error but the weaponization of judicial authority in collusion with a fraudulent Respondent. Collect Co engineered and profited from these schemes; Judge Griffin and clerical staff acted as its instruments. What should have been a shield of law became a sword for theft.

The consequences were devastating: Petitioners lost more than one million dollars, their reputation, and their constitutional rights to property, due process, and access to courts. Such conduct squarely implicates bedrock constitutional principles. This Court has held that “no man can be a judge in his own case” (*In re Murchison*, 349 U.S. 133, 136 (1955)) and that due process requires “a fair trial in a fair tribunal before a judge with no actual bias” (*Bracy v. Gramley*, 520 U.S. 899, 904–05 (1997)). When judicial usurpation contaminates proceedings, structural error exists, requiring reversal (*Arizona v. Fulminante*, 499 U.S. 279, 309–10 (1991)). Even the mere appearance of bias demands disqualification

(*Liljeberg v. Health Servs. Acquisition Corp.*, 486 U.S. 847, 860 (1988)). And litigants cannot be denied access to courts, for even prisoners retain the right to challenge unlawful actions (*Wolff v. McDonnell*, 418 U.S. 539, 555–56 (1974)).

Here, Petitioners were denied not only meaningful access but any semblance of a fair forum. Judicial authority was hijacked by Collect Co's fraudulent influence, while Petitioners' filings were struck or erased. The cumulative effect is nothing less than a structural breakdown of due process—extraordinary circumstances that shock the conscience and compel this Court's review.

Congress has reinforced these principles. See 28 U.S.C. § 455(a) (recusal when impartiality “might reasonably be questioned”); 42 U.S.C. § 1983 (redress for deprivations of constitutional rights under color of state law); 28 U.S.C. § 1651(a) (All Writs Act). These statutes confirm that when judicial authority is weaponized to aid a fraudulent non-party, intervention by this Court is not only proper but imperative.

III. No Other Adequate Means of Relief

Petitioners have no other adequate avenue for relief. See *Cheney v. U.S. Dist. Court*, 542 U.S. 367, 380–81 (2004). Over more than four years, every ordinary state-court mechanism was either denied, erased, or rendered meaningless—not by happenstance, but through Respondent Collect Co's collusion with Judge Griffin, whose jurisdictionless orders enabled and concealed Respondent's fraudulent seizures.

- **Repeated attempts nullified.** Petitioners filed ex parte applications and motions to strike or tax costs, but these were uniformly denied, vacated, or erased from the docket. Such systematic removal of filings was not clerical oversight but record tampering—acts that eliminated every procedural avenue to contest Respondent’s fabricated filings.
- **Pre-filing order weaponized.** At Respondent’s urging, Judge Griffin issued a pre-filing injunction without jurisdiction. Rather than limiting abusive new filings, it was retroactively applied to an existing case, branding Petitioners as “vexatious litigants,” striking their defensive motions, and threatening them with contempt or arrest if they sought to resist Respondent’s seizures.
- **Appeals exhausted.** Petitioners pursued appellate review through every available state avenue. The Court of Appeal affirmed on April 25, 2025, and the California Supreme Court denied review on July 16, 2025. These rulings left intact Respondent’s fraudulent gains and Griffin’s void orders, while sheriff’s auctions and bank levies continued. No state forum remains open to remedy these abuses.
- **Ongoing, irreparable harm.** More than \$1,000,000 has been taken through sheriff’s auctions and bank levies, including the \$276,936.48 liquidation of Petitioners’ Schwab account. These takings, engineered through falsified records and enforced under color of law, continue to inflict irreparable harm. Beyond financial devastation, Petitioners

endured the stigma of a vexatious designation, the erasure of filings, and open threats of arrest—injuries that no damages can repair. See *Bracy v. Gramley*, 520 U.S. 899, 904–05 (1997); *In re Murchison*, 349 U.S. 133, 135–36 (1955).

Because Respondent manipulated judicial officers to nullify filings, block relief, and weaponize a jurisdictionless vexatious litigants designation and pre-filing order, state remedies were not merely exhausted - they were rendered meaningless. Only this Court's intervention can halt Respondent's ongoing constitutional violations and restore Petitioners' right to a neutral forum. See *Arizona v. Fulminante*, 499 U.S. 279, 309–10 (1991); *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868, 872–87 (2009).

IV. Clear and Indisputable Right to the Writ

Petitioners' entitlement to relief is "clear and indisputable." *Cheney*, 542 U.S. at 380–81. The constitutional rules violated here are bright-line, long settled, and confirmed by the record.

1. Bias and partiality.

Due process forbids adjudication by a biased or interested judge. *In re Murchison*, 349 U.S. at 136 (1955); *Bracy v. Gramley*, 520 U.S. 899, 904–05 (1997); *Tumey v. Ohio*, 273 U.S. 510, 523 (1927); *Ward v. Monroeville*, 409 U.S. 57, 61–62 (1972). At Respondent's urging, the court mocked Petitioners in open proceedings, threatened arrest, and branded them "vexatious." That conduct is the antithesis of neutrality.

2. Deprivation of property without notice or hearing.

See *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 313–15 (1950). Respondent obtained writs of execution and conducted seizures through falsified records while Petitioners' filings were struck or erased. Over one million dollars was taken without constitutionally adequate process.

3. Lack of jurisdiction.

Jurisdiction is a threshold requirement. *Steel Co. v. Citizens for a Better Env't*, 523 U.S. 83, 94–95 (1998). Yet a closed case was unlawfully reopened, Respondent was inserted as “creditor,” and fee awards and enforcement orders were issued in matters assigned elsewhere—acts void *ab initio*.

4. Obstruction of court access.

The Constitution protects meaningful access to the courts. *Christopher v. Harbury*, 536 U.S. 403, 412–15 (2002); *Wolff v. McDonnell*, 418 U.S. 539, 555–56 (1974). Respondent weaponized a fabricated pre-filing injunction to strike Petitioners' motions, threatened contempt for attempted responses, and orchestrated docket deletions—ensuring its seizures proceeded uncontested.

5. Appearance of corruption.

Vacatur is required where impartiality is reasonably in doubt. *Liljeberg v. Health Servs. Acquisition Corp.*, 486 U.S. 847, 859–64 (1988); *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868, 872–81 (2009). Here the appearance is compounded by record falsification, altered

party status, and asset liquidation at the direction of a private non-party.

The record demonstrates criminal misconduct by Respondent Collect Co—falsifying party status, tampering with records, and engineering fraudulent writs—acts adopted and enforced by judicial officers. These are not gray areas but direct violations of settled law that destroyed neutrality, jurisdiction, property rights, and access to courts. Petitioners' right to relief is therefore clear and indisputable.

V. The Writ Is Appropriate to Correct Judicial Usurpation and Systemic Corruption

A brief clarification is necessary at the outset. Petitioners recognize that Respondent Collect Co did not itself have the technical authority to alter court records, issue writs, or enter orders. Those actions could only be executed by a judge and clerical staff. Yet the record demonstrates that Collect Co engineered and orchestrated each step, inducing judicial officers to act outside their lawful authority. This was not ordinary litigation misconduct—it was **criminal collusion**, using the court as an instrument to commit theft under color of law.

Collect Co had no standing to appear in Petitioners' closed case, no statutory authority to move for vexatious-litigant status, no legal basis to seek a pre-filing order, and no jurisdiction to demand attorney's fees. Nonetheless, whenever Collect Co requested these unlawful remedies, the court granted them—without jurisdiction, without scrutiny, and without explanation. By such means, Collect Co

transformed itself from a stranger to the judgment into its sole beneficiary, siphoning more than one million dollars directly from Petitioners' personal assets. This was not lawful adjudication but plunder—Petitioners' property looted under the false cloak of judicial power.

The pattern confirms not only collusion but crimes. Motions adverse to Respondent vanished from the docket through **tampering with court records**. Fabricated abstracts and writs were treated as authentic, amounting to **forgery and fraud upon the court**. Petitioners' filings were struck or erased to suppress any defense. Collect Co could not have performed these acts on its own, but by securing judicial alignment, it caused them all to happen. Such conduct is not mere error. It is a **criminal conspiracy between Respondent Collect Co and Judge Griffin, carried out through the compliance of clerical staff, documented in the record itself**.

This Court has long insisted that justice must not only be done but must "satisfy the appearance of justice." *Offutt v. United States*, 348 U.S. 11, 14 (1954). That principle is obliterated when judicial authority is bent into a weapon for private enrichment. In *Tumey v. Ohio*, 273 U.S. 510, 523 (1927), and *Ward v. Monroeville*, 409 U.S. 57, 61–62 (1972), the Court held that due process is violated whenever judicial neutrality yields to private influence, even absent direct pecuniary interest. That is precisely what occurred here: a state court captured to serve a private creditor's scheme.

The Court has likewise forbidden delegating judicial power to parties with a financial stake. In

Young v. United States ex rel. Vuitton, 481 U.S. 787, 811–12 (1987), the Court struck down an arrangement in which prosecution authority was placed in the hands of attorneys with a private interest in the outcome. The same danger is present here. Respondent Collect Co, a non-party stranger to the original judgment, effectively dictated judicial outcomes—obtaining injunctions, fees, and writs it had no standing to seek. That transfer of judicial authority to a self-interested actor is the very conflict *Young* condemned.

Finally, where fraud is directed against the court itself, this Court has spoken in the strongest terms. In *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238, 246 (1944), the Court described fraud upon the court as “a wrong against the institutions set up to protect and safeguard the public.” That is exactly what the record here reveals: forged abstracts, tampered dockets, fabricated writs, and the systematic erasure of filings, all orchestrated by Respondent and carried out through judicial collusion.

Petitioners, now elderly and disabled, endured more than four years of relentless deprivation under this scheme: their assets looted, their reputation shattered, and their constitutional rights stripped away. Respondent Collect Co orchestrated these outcomes through criminal collusion, using the court as its weapon. Such conduct is not a mere irregularity; it is a direct assault on the Constitution.

Issuing the writ will not only restore Petitioners’ rights but reaffirm the foundational principle that courts cannot be subverted into tools of private predation. The writ will correct judicial

usurpation, expose systemic corruption, and prevent further erosion of confidence in the American judiciary.

PRAYER FOR RELIEF

Petitioners respectfully pray that this Court:

1. **Grant** the petition for a writ of certiorari;
2. **Declare void and of no effect** all fraudulent documents and jurisdictionless orders relied upon below, including the fabricated "Client Agreement," the purported "Assignment of Judgment," and all attorney-fee and cost orders based thereon;
3. **Vacate** all attorney-fee and cost awards issued in Respondent's favor, **restore** Petitioners' diverted judgments, and **direct restitution** of funds and property unlawfully seized through bank levies and sheriff's auctions;
4. **Expunge** the vexatious-litigant designation and associated pre-filing order, and **direct** that Petitioners' names be removed from California's vexatious-litigant list;
5. **Direct** that Respondent Collect Co be barred from further collection activity in this matter, and that it be removed from the case as having no lawful standing;
6. **Provide such other and further relief** as this Court deems just and proper to restore Petitioners' constitutional rights and prevent further irreparable harm.

CONCLUSION

This Court should grant certiorari.

Respectfully Submitted,

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Dated: October 13, 2025 *Pro Se Petitioner*