

Docket No. 25-5065

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IN THE  
SUPREME COURT OF THE UNITED STATES

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Derrick L. Johnson – Petitioner

vs.

California; and; Superior Court of the State of California for the County of Los Angeles – Respondents.

On petition for the rehearing of an order to Superior Court of the State of California for the County of Los Angeles

petition for the rehearing of an order denying a petition for a extraordinary writ

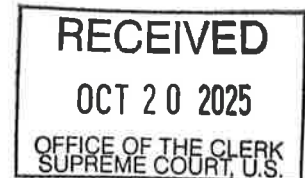
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Petitioner *Pro Se*



## **GROUND**

The substantial grounds not previously presented are: 1) that in excess of the jurisdiction and power of Respondent California and Respondent Superior Court of the State of California for the County of Los Angeles, and in violation of the 5<sup>th</sup> Amendment to the Constitution of the United States, Petitioner is being illegally held to answer for a otherwise infamous crime without being on a presentment or indictment of a grand jury, 2) that Petitioner is being held illegally under a void judgment because Respondent Superior Court of the State of California for the County of Los Angeles proceeded outside the limitations prescribed by the 5<sup>th</sup> Amendment to the Constitution of the United States by holding Petitioner to answer for a otherwise infamous crime without being on a presentment or indictment of a grand jury, 3) that this Court providing an adjudication on the merits is legal, in accordance with Rule 20.4 of the Rules of this Court, 4) that this Court considering the questions set out in the petition for a writ of habeas corpus is legal, in accordance with Rule 14.1(a) of the Rules of this Court, 5) that this Court extending the writ of habeas corpus is required and is legal (when Petitioner is a prisoner in custody in violation of the Constitution of the United States), in accordance with 28 U. S. C. §2241(c), 6) the Supreme Court having appellate jurisdiction (both as to law and fact) in this case is legal, as required under and in accordance with Article III, §2 of the Constitution of the United States, and 7) that Petitioner passing through the gateway of actual innocence is legal, in accordance with McQuiggen vs. Perkins (2013) 569 U. S. 383, 383.

## **THE RELIEF SOUGHT**

The relief sought is: 1) an adjudication on the merits of the petition for a writ of habeas corpus (on file in this case) and 2) for this Court to: a) grant this petition for rehearing without first requesting a response, in the presence of extraordinary circumstances, b) order a response,

c) extend the writ of habeas corpus to Petitioner, d) find, by a preponderance of the evidence, that Petitioner is factually innocent of the crime that he was charged with in Criminal case number XCNBA438628-01 of Respondent Superior Court of the State of California for the County of Los Angeles, and e) set aside the judgment of conviction against Petitioner in such Criminal case number.

### CONCLUSION

In conclusion, for the above reasons the relief sought should be granted.

Respectfully submitted,

Dated: 14<sup>th</sup> day of October, 2025.

A handwritten signature in black ink, appearing to read "D. L. Johnson", is written over a horizontal line.

Derrick L. Johnson, Petitioner *Pro Se*