

Original - Court

No. 25-5199

IN THE

Supreme Court of the United States

BURK N. ASHFORD,

Petitioner

VS.

COURT OF APPEAL OF CALIFORNIA,
Fourth Appellate District, Division One, et al.
Respondent(s)

On Petition for a Writ of Certiorari to
The Supreme Court of California

**PETITION FOR REHEARING
AMENDED**

Burk N. Ashford
In Propria Persona
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CORPORATE DISCLOSURE

The Corporate Disclosure Statement in the
petition remains unchanged.

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III. Table of Authorities

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Cases

<u>No.</u>	<u>Case Name & Number</u>	<u>Page</u>
CCP 352.1	2

APPENDIX A
Copies of Opinions, Rules and Orders

1. Supreme Court of California, Notice to correct and resubmit.

PETITION FOR REHEARING
AMENDED

Petitioner Burk N. Ashford does hereby petition this Honorable Court to grant a rehearing of his Petition for a Writ of Certiorari which was denied per the attached notice issued by the Clerk of the Court, Scott S. Harris on the date certain of October 6, 2025.

1. This case involves the deliberate failure of the California Courts and their Trial Court Reporters to provide an indigent person a Trial Reporter's Transcript to an indigent party. There is no accountability, recourse or other remedy for indigent persons in the normal course of business to cure. The plaintiff has presented his claim to the Trial Court, the District/Division Appeals Court and to the California Supreme Court [Appendix/Item 1. Filed February 19, 2025]. In all instances the indigent Plaintiff has been rebuffed and denied on the premise that an indigent person 'may' receive a Reporter's Transcript, but it is by discretion.

See; Appendix/Item 4; Electronic Filing 09/18/2024. THE COURT:

Appellant's request to waive his reporter's transcript fees is DENIED. See Gov. Code, SubSec 68631; /Cal, /Rules of Court, rule 8.934(b)(2), (b)(4).)

MCCONNELL
Presiding Justice

**CERTIFICATE OF INTERVENING CIRCUMSTANCES OF SUBSTANTIAL
AND/OR CONTROLLING EFFECT AND/OR
SUBSTANTIAL GROUNDS NOT PREVIOUSLY PRESENTED.**

Of particular Note of which attention must be given - is the egregious action of the presiding trial judge where the jury requested clarification of California CCP Section 352.1.

The presiding judge stated in the courtroom while the jury was in deliberation and secluded from the court, that he would submit to the jury the Plaintiff's copy of the previous judge's order that the Defendant's opposition to the Plaintiff's claim of eligibility was over-ruled and that the Plaintiff was eligible to proceed under the provision of CCP 352.1. However - the presiding judge immediately reversed himself and stated he would not give that document to the jury but would instead provide them with the complete State rendering of the law even though it might be confusing and misinterpreted but that the jury was entitled to a complete copy of the entire law.

Although it might be considered confusing and possibly misleading, he submitted the entire rule (intentionally absent of the previous Court's ruling) to the jury. The jury did then over-rule the claim of the Plaintiff against the Defendant on the grounds that the Plaintiff did not file his claim within the usual time limit and that Rule 352.1 was not consequential. In essence - the jury reached a verdict that it was not legally entitled to render and ignored the rights bestowed under 352.1.

The Plaintiff cannot present this undeniable fact or obtain remedy without the trial reporter's transcript setting forth the recorded events and occurrences.

**RULE 44(2)
OTHER SUBSTANTIAL GROUNDS**

Quite clearly the trial reporter's transcript constitutes **EVIDENCE** of indiscretion whether it be intentional or not. It also confirms without doubt jury error that in all conscience must be corrected. The Plaintiff/Appellant is entitled to evidence. Without such evidence, the State appeal will fail.

In reference to basic due process rights set forth by Judge Henry Friendly, the Plaintiff/Appellant asserts that he is entitled to the evidence in accord with the rights that apply equally to civil due process and criminal due process;

Item 4; The right to present evidence, including the right to call witnesses [which includes a trial court reporter's transcript] and...

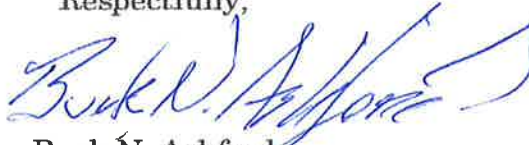
Item 5; The right to know the opposing evidence. and...

Items 9 & 10.

Also...

Not only is the trial reporter's transcript to be classified as evidence, it also becomes personal intellectual property. The Court is not allowed to restrain access to either evidence or intellectual property that it has no personal ownership or rights to and does not have an arbitrary exercise of discretion that is offensive to the concept of fundamental fairness and is an erroneous deprivation of due process. The California Court may not disallow the Plaintiff's right to a transcript.

Respectfully,



Burk N. Ashford
In Propria Persona

November 10, 2025

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CERTIFICATE OF COUNSEL

As the petitioner and as In Propria Persona, I hereby certify that this Petition for Rehearing Amended is presented in good faith and not for delay and is restricted to the grounds specified in Rule 44.2.

Signed,

A handwritten signature in blue ink, appearing to read "Burk N. Ashford", with a stylized flourish at the end.

Burk N. Ashford
In Propria Persona

November 10, 2025

No. 25-5199

In The

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Burk N. Ashford,

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v.

Court of Appeal of California, Fourth Appellate District,
Division One, et al...

Respondent(s)

CERTIFICATE OF SERVICE

As required by Supreme Court Rule 29.5, I hereby certify that the Notice of the filing of the Plaintiff's Petition for a Rehearing Amended was served by U.S. Mail on all parties required. (See attached list)

I declare under penalty of perjury that the foregoing is true and correct.

Signed,



Burk N. Ashford

November 12, 2025

PROOF OF SERVICE LIST

ASHFORD v MATTER

UNITED STATES SUPREME COURT

CASE NO. 25-5199

Andrew Flores, esq. (Attorney for the Defendant Mattar et al...)

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