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California 93292 TeL no: 951-373-0229
Petitioner, pro per litigant

IN THE SUPREME COURT OF THE UNITED STATE

Samreen Riaz

Petitioner,

Vs.

The State of California et al and Steven M. Cantrell, MD
Defendant .

NO 25-5473

1. Supreme Court of California

350 McAllister Street.
San Francisco, CA 94102-
4797. 415-865-7000.

RESPONDENT

Supreme Court Of California: S291238

(Amended) **Motion for Reconsideration of the Dismissal of the Petition for Writ of Certiorari Based on the Order Denying Leave to Proceed In Forma Pauperis and Misapplication of Rule 39.8” “**

INTRODUCTION AND FACT OF THE CASE: This document was initially filed on 11 24 25 a s”PETITION FOR REHEARING FOR ORDER DENYING LEAVE TO PROCEED IN FORMA PAUPERIS AND DISMISSING PETITION FOR WRIT OF CERTIORARI:(Rule 44.)”, returned (by stamping it as received ded 2 25) by the supreme court clerk on dec 8 25 with letter dated dec 8 25 stating that document need be titled as a motion for reconsideration. The December 8, 2025 letter contains material errors, as it misidentifies both the case number and the defendant’s name, which do not correspond to the returned document or to Case No. 25-5473..I am refiling the petition as a motion in Case No. 25-5473 with the amended title on 12 16 25 . This Motion arises from the U.S. Supreme Court’s November 10, 2025 order issued by clerk Harris “the court today entered the” “order””motion for leave to proceed in forma pauperis is denied” “writ of certiorari is dismissed” “see rule 39.8”. Appellant is seeking from justices to 1:Correct and Vacate Improper Docket Entries and nov 10 25 “order” issued by “Clerk” not justices, Credit Filing Fees, and Restore Petition for Merits Review,2: Reverse the denial of in forma pauperis status “order” issued by the “Clerk” (See also submitted evidence of financial hardship, including a medical card and EBT card as exhibit A and previously provided as well) , and, if reversed by justices, apply IFP status to full consideration of the petition on the merits and return the \$300 money order (#38243009002) which exists clerk Harris concealing in its order and its misappropriation . If the Court justices ultimately determines that IFP should not apply, it may retain the payment

Facts, Basis, Grounds for Motion:

#A: Nov 10 25 letter stated “The Court today entered the following order in the above-entitled case” “The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8” is erroneous because Clerk Harris—not the Justices—issued it. Labeling it a “Court” “entered” “order” misrepresents who actually made the decision. Clerk Harris, in his November 10, 2025 letter, improperly referred to himself as “the Court” and as having “entered” an “order,” creating a false impression that the Justices reviewed or ruled on either the forma pauperis request or the petition. In reality, the denial was issued solely by the Clerk, acting as a de facto judicial authority without authorization. The phrasing “the court” “entered” and “order” misleadingly suggests a final judicial determination when no Justice participated. The denial resulted from a clerical docketing and payment entry error—not a substantive legal review—and must be corrected. 1: The denial is erroneous under Rule 39.8: Although the docket entry does not identify Clerk Harris, the letter received on October 14, 2025 has his name, establishing that the “order” “*The motion for leave to proceed in forma pauperis is denied, and the petition for a writ of certiorari is dismissed*” based on misapplication of “Rule 39.8,” did not come from the Justices without any adjudicated fact supporting that petition is frivolous and malicious, rendering the denial improper. Clerk Scott Harris based on misapplication of 39.8 assumed that the appellant had “repeatedly abused” the Court’s process—without any judicial review of facts, evidence, or record, and without any hearing. No adjudicated factual finding exists in the record, and no Justice determined that any prior filings were abusive. Further, no procedural due process was afforded; the appellant was given no opportunity to respond or present evidence before the IFP denial, and the Clerk ignored all submitted evidence of financial hardship relevant to in forma pauperis status (see exhibit A). This constitutes administrative overreach because labeling a petitioner “abusive” without factual support misapplies Rule 39.8, which is reserved for filings that are actually frivolous or malicious. In addition, Clerk Harris improperly withheld and misappropriated the \$300 money order (#38243009002) submitted in this case (S289777 / S291238 / F087504 / VCU298300),) was provided precisely so the case could proceed if in forma pauperis were denied, failing to return or apply it, which—combined with repeated mishandling of money order—suggests an effort to block merit-based review by using financial and clerical errors to prevent the case from being heard 2: In addition, Rule 39.8 is inapplicable because the petition was neither frivolous nor malicious, and the appellant—unlike in *Imlay*—was

denied any opportunity for oral argument; *Martin* is likewise inapposite because, unlike this case, it involved a full eight-page opinion issued by the Justices after an adjudicated factual record and proper judicial review. Here, the petition presents a substantial federal question supported by a detailed record of constitutional violations—including due process breaches, judicial bias, and exclusion of the appellant and key evidence—making dismissal on procedural assumptions improper. Unlike *Martin*, which involved full judicial review on an adjudicated record, this case received no such consideration, rendering the Rule 39.8 dismissal unjust. **3:** Even if the Court assumes, arguendo, that appellant petition is frivolous or unmeritorious(which it is not) , denying it solely on the basis of in forma pauperis status effectively penalizes appellant for lack of financial means.: The denial, therefore, constitutes denial of meaningful access to appellate review under the Fourteenth Amendment, due process right violation , error and inequitable treatment, which warrants reconsideration. **4:** Under Rule 38(a) and 28 U.S.C. §1911, Clerk Scott Harris improperly imposed a \$300 docketing fee despite clear evidence of the appellant's financial hardship(see Exhibit A) such as medical and EBT cards discriminating a Muslim minority petitioner.**5:** In addition Clerk harris improperly misappropriate money order (#38243009002) submitted in this case (Case S289777 / S291238/F087504/cu298300)establishes appellant willingness for the Court to hear the case on its merits rather than dismiss it for lack of financial means.(see exhibit A) .Court Clerk Harris improperly withheld and misappropriated the \$300 money order (#38243009002) submitted with the petitioner's filings(S291238/ S289777/F087504/Vcu298300) and failed to properly apply it to the filing. The money order, intended to cover filing fees—or show willingness to pay if in forma pauperis were denied—was misappropriated and concealed by the clerk, obstructing proper review of the petition on both procedural and substantive grounds..**6:** Appellant would like to take a judicial notice pursuant to evidence code of judicial commission complaint filed with the justices on November 23, 2025 (# 12,951), which demonstrates that Scott previously attempted to improperly group the \$300 money order with unrelated filings—including the June 4, 2025 letter and a separately filed complaint in June 2025—rather than treating it as a distinct submission for its intended purpose— specifically for the court to process the petition and/or consider the IFP request, not to be misapplied or ignored.This appears linked to an effort to prevent merit-based review, effectively using the procedural mishandling of the money as leverage to block judicial consideration of the case.This negligence and errors indicate court staff is making an extraordinary effort to not make review cases on merit .**7:** **Although appellant provided money order: Arguendo not** Paying the docketing fee does not justify the its clerks use judge authority to act as de facto judge

to deny the petition writ and pauperis by misapplying 39.8 and martin when no adjudicated fact exists that petition is frivolous or malicious and evidence of hardship presented. However, paying the fees does not change the substance or merit of the case, which remains the same. The real problem lies not in the substance or merits but in the clerk , effectively exploiting the appellant's financial hardship, particularly as a member of a muslim minority inability to t pay court fees due to hardship.**8: Clerk Harris—not the justices—denied the petition and in forma pauperis request by misapplying Rule 39.8 and *Martin*, despite no adjudicated finding that the petition is frivolous or malicious and with evidence of hardship presented. His unsupported conclusion that the petitioner has “repeatedly abused this Court's process” improperly taints the current case and casts unfairly on prior cases, none of which were rejected by the Supreme Court on this basis. This statement is not a verified factual finding but a procedural determination made solely by Clerk Harris..9: The denial of in forma pauperis status was erroneous:** The appellant submitted evidence of financial hardship—including a medical card and EBT card—but the Clerk ignored it and, without any adjudicated finding by the Supreme Court justices, misapplied Rule 39.8 and *Martin* and by extension treated petition as frivolous and concluding that the petitioner has “repeatedly abused this Court's process.” Denying IFP and dismissal without providing an opportunity to respond or rebut the allegation that the appellant petition “frivolous”, “malicious”, rule “39.8” and “repeatedly abused the Court's process” “constitutes an error and violates due process and a fair chance to be heard, including the ability to raise bias or other objections, especially when the denial is based on unsupported assumptions rather than the petition's merits.

C: The facts and evidence show that the due process violations in the petition are legitimate and do not render it “frivolous or malicious.” and based on Clerk Harris misapplied Rule 39.8 therefore concluding that the “petitioner has repeatedly abused this Court's process” and in denying *in forma pauperis* status and writ is erroneous without any adjudicated fact supporting such finding violation of due process and equal protection:

C 1: The writ petition is not frivolous or malicious under Rule 39.8 because it presents substantial, unresolved legal and factual issues involved of filing petition for writ of certiorari because The petition challenges the California Supreme Court's erroneous strike of S289777 on March 28, 2025, which failed to address the Fifth District's mishandling of F0870504, including posting an incorrect opinion date (December 2, 2024, when the opinion was actually issued February 3, 2025) and issuing a remittitur based on that false date (**and established false Finality for Enforcement**).Facts are

On 12/2/24 appellant only received "ORDER " regarding parties "implied agreement to waive oral argument" stating "The court approves the waiver of oral argument in this case and the matter stands submitted as of the date of this order." which further established that the opinion not issued on 12/2/24 and an extraordinary attempt made to **commit fraud**, violate due process right of the appellant addressing jurisdictional conflicts or factual disputes when writ raises substantial legal questions that will impact future cases. The petition seeks certiorari for the U.S. Supreme Court to ensure consistent legal interpretation and clarify the authority of the California Supreme Court clerk, addressing potential due process violations, false fact-finding, and rulings issued on March 2, 4, and 12, 2025, without judicial input. By failing to resolve jurisdictional conflicts and issue orders without legal authority, the Court violated the Fourteenth Amendment, undermined procedural fairness, and exceeded its power. Such decisions, lacking legal foundation, are void and constitute an abuse of authority, warranting review to protect the rule of law and public confidence in the judiciary. **C2: Petitioner's Writ Petition in S291238, denied by the California Supreme Court on July 23, 2025, stems from a broader pattern of jurisdictional conflicts, administrative interference, and unresolved constitutional violations originating in prior filings S298777, S290544, and appellate case F0870504.** In S298777, the California Supreme Court clerk (exceed the authority) struck the petition over labeling discrepancies despite timely filings and Appellant's clarification that a "petition for review" was intended—not certiorari—**thus evading merit-based review and further Subsequent Further premature closure of S298777**—despite pending reconsideration and amended filings—demonstrates clerical overreach that bypassed judicial authority and obstructed resolution of jurisdictional and constitutional claims, compounded by clerk-issued orders (S289777) lacking judicial authority, obstructed equitable access to review. S291238 also discussed error stemmed from Clerk interference in the case S289777 caused Appellant to prematurely, filed a writ of certiorari S290544 on April 28, 2025 that lead to .bypassing crucial state-level review or petition review (as clerk refusal to permit petition review in S289777), leaving the record undeveloped and administrative misconduct unexamined—by pass procedural safeguards and constitutional accountability. Petition Reconsideration filed in s290544 on May 7 25, yet S290544 case closed by the clerks on May 07 25 after the filing of reconsideration without judge hearing writ or petition reconsideration on its merits (violated constitutional protection) ,contradicting past set precedent(see s289777, Establishing Procedural Inconsistencies) & without providing enough time for petitioner to refile writ under 14,000 words after denial and merit based review and violated constitutional due process in this case. **C3: Above errors—combined with question raised in writ on rulings by the Tulare Superior Court (Dec. 5, 2023; Nov. 15, 2023; Aug. 22–23) which were issued despite material errors, bias indicators, and procedural defects that denied the**

petitioner fair notice, a meaningful opportunity to be heard, and impartial adjudication, violating Fourteenth Amendment due process and equal protection guarantee.**C4:** The Tulare Superior Court, 5th District, and California Supreme Court failed to recognize that proceedings by the Dental Board/Consumer Board were without jurisdiction, violating Article III and obtaining privileged ophthalmology patient information without consent, breaching CPRA (2020), HIPAA, CMIA, California Health & Safety Code §1364.5, and AMA ethical principles, while denying due process and fair hearing rights.**C5:** Alan L. Felsenfeld, MA, DDS, issued unilateral orders despite a conflict of interest as a competitor in the same market, failing to recuse and exceeding legal authority, raising substantial constitutional concerns.**C6:** DBCA failed to investigate Officer Tippin's misconduct, including misrepresenting himself as police officer, harassment and denial of counsel access, and improperly conducted hearings, depriving the petitioner of due process.**C7:** Requests for continuances and procedural protections were ignored, resulting in hearings without proper representation or notice, violating administrative adjudication rights.**C8:** Lower courts ignored precedent (**Dent v. West Virginia; Emslie v. State Bar**), failing to apply clear and convincing evidence standards and adjudicating without jurisdiction, undermining procedural fairness and due process.**C9:** While writs and complaints (VCU298300, F086809) were pending, revocation notices and denial of reconsideration were improperly issued, bypassing due process and equal protection protections. These actions raise substantial federal questions under 42 U.S.C. §§ 1983 and 1985 regarding deprivation of rights by state actors.**C10:** Appellant Raise question that The Fifth District committed a due-process-reviewable error by failing to correct the lower court's refusal to disqualify a judge despite clear bias and conflicts of interest, Fourteenth Amendment due process **Catchpole v. Brannon**. Judge Hillman erroneously denied the plaintiff's demurrer/Strike the defendant's affirmative defenses in the July 2024 ruling, despite the defenses being clearly defective. On June 18, 2024, Judge Hillman obstructed the discovery process (18 U.S. Code Chapter 73) through an erroneous ruling on the motion to compel, In August 2024, Judge Hillman's ruling on tolling and the statute of limitations was based on false fact-finding (**Shelby County v. Holder and Citizens United v. FEC, the Courts**), when statute of limitations not applicable and can be collaterally attacked at any time (**Armstrong v. Armstrong, 1976**).**C11:** Petition implicates public policy concerns, including whistleblower protections and the right to participate in court without retaliation, raising due process and equal protection issues.**C12:** Petition raises claims of medical malpractice, professional negligence, antitrust violations, and breach of fiduciary duty under federal and state law (Sherman Act, California UCL), along with federal constitutional questions regarding deprivation of rights.**C13:** Court is asked to determine whether defendants' misconduct, conspiracy, and procedural irregularities violated First and Fourteenth Amendment rights, privacy protections, and other constitutional rights.

C14: Requested injunctive relief includes: (1) restoring the petitioner's professional license and clearing adverse findings; (2) preventing further retaliatory or discriminatory actions by the Dental Board; (3) compelling corrective review of unlawful conduct, including privacy, HIPAA, and procedural violations; and (4) directing oversight by Consumer and Medical Boards to ensure proper investigation, discipline of licensees, and protection of public and patient rights.

D : — The Clerk Harris issuing “order” denied “leave to proceed in forma pauperis” “and the petition for a writ of certiorari” , based on referencing “Rule 39.8”and by extension “ frivolous” “ malicious” and label it as petitioner “repeatedly abused this Court’s process,” based on unadjudicated false findings and misapplying citation Martin , and erroneous— lead to denial her constitutional remedies, undermines her claims, and mischaracterizes her as abusive as Martin v. District of Columbia Court of Appeals, 506 U.S. 1 (1992) is inapplicable to Riaz because:1:In *Martin*, the Supreme Court adjudicated that Martin “is a notorious abuser of this Court’s certiorari process,” supported by factual findings; in *Riaz*, Clerk Harris—not a Justice—labeled “As the petitioner has repeatedly abused this Court’s process,” by misapplying rule **“Rule 39.8”and by extension label petition “frivolous” “ malicious”**; a claim entirely unsupported by any adjudicated facts. Reliance on these unsupported, non-judicial finding renders the denial improper and in violation of due process .2: *Martin Appeals* was “ADJUDGED IN THE SUPREME COURT OF THE UNITED STATES” by the Justices(for example Justice Stevens, joined by Justice Blackmun) in an ~8-page opinion, not by a clerk. In *Riaz*, by contrast, no opinion was issued by the Justices—only a docket entry **and a letter “order”ed by Harris** 3:In *Martin*, the Court invoked Rule 39.8 in November 1991 to deny in forma pauperis status, explaining in an opinion that Martin had filed 11 petitions, “all but one of which have been demonstrably frivolous.” In *Riaz*, no such adjudicated facts were established by the supreme court of us judges.4:In *Martin*, the Clerk was directed not to accept further petitions unless the petitioner complied with Rule 33, based on the adjudicated fact that “Martin is a notorious abuser of the Court’s certiorari process, and consideration of his repetitious and frivolous petitions does not allow the Court to allocate its resources in a way that promotes the interests of justice.” **In Riaz, no adjudicated facts or opinion issue by us supreme court justices labeling her a notorious abuser, and her prior and this filings are in public interest cases that support, rather than hinder, the Court’s allocation of resources,** 5:Martin was decided per curiam, with an issued opinion, whereas the appellant’s case contains no opinion and appears only as a docket entry (Also scott harris concealed her/his name on docket entry and nov 10 letter by the clerk not justices) .6: Unlike *Martin*, where the Court adjudicated that “45

petitions in the past 10 years, and 15 in the preceding 2 years alone.”, in Riaz there are no such adjudicated facts, making the docket-only denial improper.⁷In Martin, the Court issued an 8-page opinion invoking Rule 39.8, finding Martin had “repeatedly made totally frivolous demands on the Court's limited resources.” In Riaz, no adjudicated finding exists that she has totally frivolous demands on the Court's limited resources.⁸: “In Martin, the Court noted, “Unfortunately, Martin has continued in his accustomed ways,” restricting future filings in forma pauperis. In Riaz, no such finding of restriction on future proceedings was ever imposed thru issuing us supreme court judge's thru official opinion.⁹ In Martin, the Court issued an opinion citing specific facts and justification: “Since we first denied him in forma pauperis status last year, he has filed nine petitions for certiorari with this Court.” In Riaz, due process was denied—no opinion issued by the judges supreme court us provides facts on her filings or any justification for denial. ¹⁰In Martin, the Court denied leave to proceed in forma pauperis under Rule 39.8 for four petitions, issuing opinions based on factual findings and justification, such as: “the total number of petitions Martin has filed in the past year [is] ¹¹. With the arguable exception of one of these petitions, ...all of Martin's filings ... have been demonstrably frivolous.” In Riaz, by contrast, no opinion was issued providing the total number of petitions filed, nor any findings that any were frivolous or on what grounds, leaving the denial without factual or procedural basis.¹¹:Martin was based on the finding that Martin's petitions were “repetitious and frivolous”; in Riaz, no adjudicated facts exist that her filings were repetitious or frivolous.¹²:In Martin, the Court warned that “[f]uture similar... ‘repetitious or frivolous’ filings from [Martin] will merit additional measures” (citing *Zatko*). In Riaz, no opinion was issued by the Justices warning of future repetitious or frivolous filings. In *Riaz*, no opinion was issued by the Justices warning of future repetitious or frivolous filings. Riaz's case involves a **non-repetitive petition concerning** the proper application of federal statutory and procedural requirements, where the Clerk misapplied Rule 39.8 and *Martin*, and the underlying statutory question—regarding the proper application of Rule 39.8 and access-to-court standards—was treated as a matter of federal statutory interpretation rather than trivial litigation, while the petition also raises distinct constitutional issues involving due process and equal protection.No hearing occurred, no adjudicated facts exist, and citing an unrelated case without reviewing the facts or evidence constitutes legal error.¹³: In Martin, the Court found that “Martin's pattern of abuse has had a similarly deleterious effect on this Court's fair allocation of judicial resources,” citing *In re Sindram* or *McDonald*(because had similar orders as martin to to prevent from filing repetitious and frivolous petition), and issued an 8-page opinion. unlike *Sindram* :In Riaz, no opinion issued by the US supreme court justices with adjudicated finding showing any pattern of abuse, deleterious effect on judicial resources, or prior repetitive or frivolous filings warranting restrictions on future petitions. In Riaz, restricting future filings based on an

assumption that they will be repetitious or frivolous is legally improper, because no adjudicated facts support such a restriction and it violates due process.¹⁴ Unlike Sindram or McDonald, no adjudicated facts issue in opinion in Riaz establishing that any of the appellant's filings were repetitious or frivolous, so those cases do not apply.¹¹ In Martin, the Court issued an opinion providing a warning and adjudicated fact that "Martin's refusal to heed our earlier warning leaves us no choice"; Since. no prior opinion with warning or adjudicated facts were issued in Riaz, she could not have "refused" to heed the Court, unlike Martin.¹² In Martin, the Court found that his "abuse of the writ of certiorari has been in noncriminal cases, and so we limit our sanction accordingly"; in Riaz, no such findings issue thru opinion that establish or justify noncriminal cases sanction. ¹³ In Martin, a justice ((like justice Stevens in martin case) issued a dissenting opinion providing context for the restrictive order; in Riaz, no opinion, issued with ruling or adjudicated finding of frivolity.

E # The Martin opinion cites Montana v. Imlay (a criminal parole case), but that case is not similarly situated to Riaz, which involves ophthalmology patient privacy breach and the retaliatory misuse of confidential ophthalmology patient information by the California Dental and Medical Boards to revoke ophthalmology patient/member of public and consumer dental license without jurisdiction and matters lack of adequate oversight on Medical board on licensee .These facts present serious due-process and equal-protection violations supported by evidence, making the petition substantial—and the Clerk's use of Rule 39.8 to label it 'frivolous or malicious' legally erroneous and constitutionally defective."

A: Riaz case is not similarly situated To imaly or martin ; **Martin opinion however** used threatening language predicting "criminal sanctions which might be imposed on him" for "abuse of the writ of certiorari in noncriminal cases." By citing Martin, in Riaz case docket entry court staff , Harris intimidate a petitioner with a legitimate, noncriminal case thru future retaliatory or pretextual criminal sanctions and violated Due process . The Martin opinion's warnings of "future criminal sanctions" cannot justify restricting Riaz, as **Clerk Harris (Zinermom v. Burch on when procedural-due-process claims are actionable under §1983)** cannot intimidate a petitioner with hypothetical consequences in a legitimate, non-repetitive case, making Martin inapplicable. The docket-entry threat of future criminal sanctions by **court staff constitutes coercive, conscience-shocking state action that violates due process. See Rochin v. California, 342 U.S. 165 (1952).** Such intimidation by a tribunal actor creates an unconstitutional risk of bias under *In re Murchison*, 349 U.S. 133 (1955). **B:** The Clerk harris threat is reinforced by first citing Martin—misplaced in

Riaz—warning of future criminal sanctions, Martin then further cited case *Montana v. Imlay*, a criminal parole case involving DOJ attorneys (including the U.S. Solicitor General, Assistant Attorney General Mueller, Deputy Solicitor General Bryson, and the Attorneys General from various states, through their amici curiae briefs) pressuring judges through frivolous petitions to enforced drug or treatment on imlay after he got sentenced **implying coercive criminal consequences.** **C:**The only relevant connection to Imlay with appellant is that the appellant case is filed (VCU298300/NO 25-5473)where DOJ attorneys are defendant and involved in **pretextual, retaliatory revocation of her dental examination to discredit her as a court witness in a matter of public safety in a case involving a federally supported health center (Altura)** . Citing Martin and *Montana v. Imlay* is unrelated, misleading, and effectively threatening, implying hypothetical criminal consequences for a legitimate **case involves ophthalmology patient privacy breach and the retaliatory misuse of confidential ophthalmology patient information by the California Dental and Medical Boards to revoke ophthalmology patient/member of public and consumer dental license without jurisdiction and lack of adequate oversight on medical board where clerk harris** misapplying 39.8 rule (not justices -when no such adjudicated fact find existed) and biased toward appellant as compared to DOJ employees . **D:**The appellant requests that the justice to review and investigate the docket entry to determine whether the citation of Martin (and, by extension, Imlay) reflects bias or a pretextual threat, to ensure fairness and procedural propriety or if there is any coordination of clerk scott and doj staff going on to affecting appellant's access to the Court or her ability to pursue legitimate claims.. (see *re Murchison*, it establishes that due process is violated when a court actor creates even the appearance of bias or intimidation in proceedings.) **E:**Unlike Imlay, where “no matter which party might prevail in this Court, the respondent's term of imprisonment will be the same” because Doj attorneys brought new issues thru certiorari frivolous petition to further forcefully drug or so called treatment measures after sentencing of imlay . Riaz’s **constitutional,jurisdictional and ophthalmology patient privacy and (practicing professional) rights, lack of adequate oversight of medical board on their licensee** depend directly on the lower Court’s decision, arising from the 5th District appeal false fact finding misapplied law , and not reviewing evidence and the Supreme Court’s erroneous ruling of denying without merit review in case involved due process violation and violation of equal protection rights,, Riaz’s case outcome is not predetermined; the court’s decision will directly affect her **constitutional, jurisdictional and ophthalmology patient privacy and (practicing professional) rights and lack of adequate oversight of medical board on their licensee(also a public safety matter).****E:** in Imlay, the Supreme Court dismissed certiorari without merit based review because counsel could not show how a favorable decision would advance the client’s interests, but focusing

instead on new fact at certiorari on DOJ-enforced treatment for a sentenced individual. Although *Imlay* is factually unrelated to *Riaz*—who is pursuing a legitimate **ophthalmology patient privacy and (practicing professional) rights, constitutional, and jurisdictional matter as well as lack of adequate oversight of medical board on their licensee as endangers the public/patients by allowing unregulated misconduct, compromised patient safety, and erosion of trust in state health-care oversight.** from issue arose from lower court errors —The certiorari dismissal in *Imlay* reasoning was flawed, as review could have affected the outcome if the Court had considered the all litigated matter and the lower court's erroneous ruling, which *imlay* counsel per court failed to properly raise. Similarly, if the Court hears the appellant's case on the merits, its ruling could have a direct and practical impact on the a **ophthalmology patient privacy and (practicing professional) rights, constitutional, and jurisdictional matter** and legal rights, rather than serving merely as an advisory opinion. Such review could meaningfully alter (public) as well ophthalmology patient privacy, *professional, legal interests*, underscoring the importance of full consideration. The appellant has demonstrated and specifically identified how ophthalmology patient privacy rights, jurisdictional matter, legal interests, and constitutional claims—including violations of due process—raise a genuine, live controversy appropriate for Supreme Court review. This stands in contrast to *Imlay*, where the Court at least found that its decision could not affect the already fixed sentence. **F:** The Court in *Imlay* dismissed certiorari without labeling it as frivolous or repetitive, but because counsel were looking for advisory opinion (a legal question that does not arise from an actual, live dispute and cannot directly affect the parties' rights or obligations) to forced drugged or so called treatment apply on *imlay* after sentenced and counsel failed to show how a favorable decision would advance the client's interests. In contrast, Appellant presents an active dispute involving **public and ophthalmology patient privacy and (practicing professional) rights, constitutional, and jurisdictional matter** that would be directly affected by a ruling. Therefore, citing *Imlay* to characterize *Riaz* as "frivolous" or "repetitive" constitutes a clear misapplication of precedent. The judges were skeptical and pressed the Attorney General to justify that their position genuinely served the respondent's interests rather than offering an empty or strategic argument. "Question: So you're really trying to advance his [respondent's] interests? ":[Answer]: Yes, sir, we are. "Question: He is better off if you win than if you lose.":[Answer]: In our judgment that is certainly the case." Tr. of Oral Arg.5.

In *Imlay v. Montana*, the Supreme Court permitted oral argument and determined that no live controversy remained because the respondent was soon to be paroled,

rendering the case moot. The Court rejected the State's and DOJ claim that statements made during court-ordered therapy would be immune from prosecution, treating it as a mere assumption that did not create a real, ongoing Fifth Amendment and that the Supreme Court's interest is limited to the federal constitutional or statutory issue already resolved by the state supreme court. Accordingly, the Court dismissed certiorari for lack of an active federal controversy. In contrast, the appellant here was denied any opportunity for oral argument before dismissal, depriving her of a fair opportunity to address the constitutional and factual issues.

F# Clerk Harris himself is clerk and not justices and cannot act like a defacto justices and issue "order" nov 10 25 based on referencing "Rule 39.8" and misapplying citation Martin when there is no adjudicated that petition was "frivolous" or "malicious" and based on those assumption reach erroneous conclusion that petitioner "repeatedly abused this Court's process," therefore Harris acting as de facto justice directing other "Clerk"s or himself "not to accept any further petitions in noncriminal matters from petitioner "violates the appellant's Fourteenth Amendment rights to due process and equal protection, as well as the First Amendment right to petition the courts: ((U.S. Const. Amend. I & XIV). Discriminatory intent may be inferred from this pattern of conduct (Ashcroft v. Iqbal): First: It is unclear on docket entry whether the directive "not to accept any further petitions in noncriminal matters from petitioner " unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1" originates from a specific Justice, of this court, clerk is advising each other or issued by some other master authority of us supreme court directing the Clerk. Knowing the source of the directive is crucial to identify accountability, procedural fairness, and the proper basis for challenging it. for example Other Master authority involvement : show due process violation , overreach and error, Judges directive : based on assuming false fact finding of clerk that "petitioner has repeatedly abused this Court's process" is accurate when not adjudicated fact from justice issued opinion and misapplying Martin citation, raising issues of constitutional violation, abuse of discretion, due process violation, false fact finding, and bias. If the Clerk made the above directive establishes improper application of rules 39.8 based on unsupported assumptions without judicial review. (However Per letter received in mail on 10 14 25 appears docket entry prepared by clerk scott harris see exhibit A) **Collectively** :The denial violates Fourteenth Amendment rights to due process & equal protection, and the First Amendment right to petition the courts.

G: This Rehearing cannot be heard by the clerk harris because there is a clear

conflict of interest involving Pipa Fisher and Scott Harris, compromising impartiality and exceeding the Clerk's administrative role 2) need Rehearing and motion has to be decided by justices because judicial decisions or issuing order like this one reserved exclusively for the Justices and clerks have only administrative authority—they can receive filings, process fees(but cannot misappropriate money order or conceal its existence), and maintain the docket accurately (not acting like defacto justices for issuing "order" by considering themselves "court " justices and make judicial decisions or issue "order" on based on false fact finding (such as concealing money order (#38243009002) and hardship evidence), denial pauperis by misapplying 39.8(by extension referring petition frivolous and malicious) when no adjudicated facts existed and when evidence established financial hardship for appellant qualified for pauperis).

Conclusion and Relief Requested:

1. Petitioner request the Court to correct the Clerk's erroneous "Order" dated November 10, 2025, because only the Justices—not the Clerk(who have conflicts of interest but also do not possess the judicial authority (only justices possess)) —may decide motions to proceed in forma pauperis or petitions for writ of certiorari (see *In re Murchison*, 349 U.S. 133 (1955)) applying rule 39.8 based on adjudicated facts .2. Petitioner requests that the justices (not harris act as defacto justices) grant rehearing, reverse the denial of in forma pauperis status(submitted evidence of financial hardship, including a medical card and EBT card as exhibit A and previously provided as well) , and, if reversed, apply IFP status to full consideration of the petition on the merits and return the \$300 money order (#38243009002). If the Court ultimately determines that IFP should not apply, it may retain the payment.3. Petitioner further requests that the Court locate the missing money order (#38243009002) in this case and conduct an internal investigation into Clerk Harris's handling of filings , misappropriation of funds and coercion .As it raises serious questions regarding who may have taken or withheld the payment and for what reason. The failure to properly process the money order constitutes an abuse of procedural safeguards and directly impacts my ability to have the petition considered on its merits. 4:Appellant requests the Court to take judicial notice of the **August 14, 2025 de facto order** by Clerks Pipa Fisher and Scott Harris and the **August 20, 2025 complaint letter** (on file with sharris@supremecourt.gov and efilingsupport@supremecourt.gov) submitted in response. These filings show that the Clerks exceeded their authority by forcing removal of lower-court case numbers to pretextually reframe the petition as a non-reviewable writ and conceal constitutional errors, and that the Justices' failure to correct this ratified the defect, violating their duty to supervise and ensure due process and reverse correct Aug 14 25 order.

Samuel
12/16/25

CERTIFICATE OF COMPLIANCE: Pursuant to Supreme Court Rule 33.1, I certify that this brief contains 6278 words, does not exceed the 15-page limit for paper filings, and complies with the applicable word and page limitations. I have relied on the word count of the computer program used to prepare the brief . Samreen Riaz Dec 16 25 . I declare all above information is accurate as best of my knowledge.



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Date: Dec 16 25 Samreen Riaz/ Petitioner