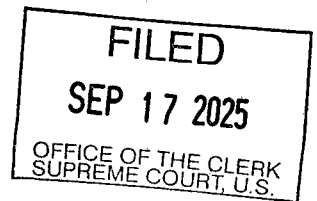


No. 25-5739



IN THE
SUPREME COURT OF THE UNITED STATES

Rade Q. Zone — PETITIONER
(Your Name)

vs.

YOUTUBE LLC; Neal Mohan CEO, ET AL — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

9th Circuit US Court of Appeals, San Francisco
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

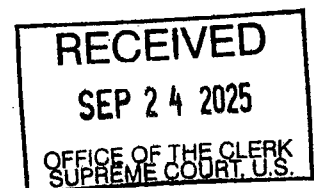
PETITION FOR WRIT OF CERTIORARI

Rade Q. Zone
(Your Name)

94-909 KAUO LU PL #105
(Address)

Waipahu, HI 96797
(City, State, Zip Code)

(808) 200-4722
(Phone Number)



Why is INFORMA Pauper's rule so Vague & ILL-Defined??

QUESTION(S) PRESENTED "

Why Do Billion Dollar Corporations Have A "Get-out-of-Jail-Free" Card, yet I, as Disabled, Indigent Plaintiff, Get Turned Down??

Why Do The Standards For INFORMA Pauper's Go in All Directions, which is way too General to Have any Help?

(Which is why the rule was created BY Congress - to HELP indigent Persons to be on equal footing w/ mega Billion \$ corporations)

Does The IFP Rule (USC 28, 51915) Violate the 7th Amendment to the Bill of Rights??

IF Section 230 of Communications Decency Act was originally created to Help a Fledgling Internet Get off the Ground, why is that still being used now that the Internet is a Billion Dollar Business??

IF Judges Here in Hawaii Average \$213,000/Year, could they also be Paid off BY the Mega-Corporations which make Billions in Profits?

IF the HQ of Google is in the Same Metropolitan Area as 9th cir. Ct., could they be making a decision Based on Losing Financial income to their Area?

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

X All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

YOUTUBE LLC a subsidiary of Google, INC.
Neal Mohan CEO of YouTube.com
CEO of Google Delaware Corporation ("John Does") unknown
Google Delaware Corporation ("John Does") unknown
9th circuit CT. of Appeals, San Francisco
US District Court, Hawaii

RELATED CASES

Marbury V. Madison, 5 US 137 (1803)

Nietzke V. Williams, 490 US 319 (1989)

Colgrove V. Battin, 413 US 149 (1973)

Baltimore & Carolina Line, Inc. V. Redman, 295 US 654 (1935)

H.I. U.S. Dist. Ct #2400417 SASP-RT, Siriah V. Univ. of Hawaii

Whitney V. California, 274 US 357 (1927)

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in Forma Pauperis

- APPENDIX A APP overview, Google; Search IFP Cases; Rules & Procedures For (US COURT OF APPEALS)
- APPENDIX B Gov info, Gov; Siriah V. UNIVERSITY of Hawaii, Page 1 & 2. (Case # 24-004175ASP-RT) Approval of IFP; Legal Definition of Poverty.
- APPENDIX C U.S. Bill of Rights; 1st 10 Amendments to the Constitution; Seventh Amendment. (ACLU.org)
- APPENDIX D Nietzke V. Williams, 490 US 319 (1989) ~~Justice~~ Supreme Justice.com; (P320-UNANIMOUS OPINION)
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- APPENDIX G FRCP 38(a) Request Trial BY Jury: See Plaintiff's original Case: Trial BY Jury [15] requested (# 24-00283 JAO-WRP)
- APPENDIX H Fed. rules of Civil Procedure: 39(a), Trial BY Jury must Be Designated on the Docket... (Law.cornell.edu/FRCP39)(+38)
- APPX I FIRST Amendment; "Limits to Free speech" ("Defamation") Duck Duck Go.com Search Assist; Wikipedia.org "UNITED STATES Free Speech exceptions"; Find Law.com "5 Limits ON 1st Amendment"

TABLE OF AUTHORITIES CITED

CASES	(5 US crmch)	PAGE NUMBER
US 28 1715 Marbury V. Madison (1803)		137, 174, 176
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STATUTES AND RULES

Article SIX, US Constitution, "Supremacy Clause", Clause 2: "Federal Law is Supreme" (1788)
7th Amendment, Bill of Rights, US Constitution (1791): Codifies the right to a jury trial in certain civil cases.
First Amendment, Bill of Rights, US Constitution (1791): Limits on free speech
28 USC 2072: Right of trial by jury to be preserved in suits
28 USC 1915: Allows indigent to file a suit or appeal w/out paying.

OTHER

Prison Litigation Reform Act (1996)	42 USC 1997e: monthly payments for filing fees
Carcer Explorer, com: Hawaii judges earn AVG \$213,120	
Clerks office Hawaii US District Ct. Phone call 9/15/25	

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

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

OPINIONS BELOW

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is
☒ reported at AJ Overview - rules & Procedures for Informa Parperis; or,
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is
☒ reported at GovInfo.Gov Case # 24-004175ASP-RT P1P2; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is
☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is
☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was 6/24/25.

☒ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from **state courts**: N/A

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

7th Amendment, US Constitution: the right to a jury trial is plainly given in this amendment in the Bill of Rights - 1791 (ratified)

USC 28 § 1915: Vague, ill-defined, used to punish low-income persons which is not what the law was created for; it was created to give low income & indigent persons an equal footing w/ high priced lawyers (against) from mega billion dollar corporations.

USC 28 § 1915 (a) vaguely refers to another whole subsection (b) why? to punish any one who dares to sue a major corporation.

First Amendment, US Bill of Rights (1791) Limits, & consequences to Free Speech " " " "

Whitney v. California (1927) 274 US 357: "

Federal Rules of Civil Procedure 39: "When a demand is made for a jury trial under Rule 38, the action must be designated on Docket as a jury action."

FRCP 38 (a) the right of trial by jury as declared by the 7th Amendment is preserved to the parties in dispute. (See also 7th Amendment.)

28 USC § 2072, "Rules Enabling Act" these rules cannot infringe upon, increase, or alter any substantive right

that takes away a fundamental right, like the right to a jury trial... "If a rule prescribed... conflicts with a pre-existing law, the conflicting law is no longer effective"

The rule dismissing my case is unconstitutional, and Vague.
USC 1915(a) also includes another whole subsection (Sub. (b)) which
STATEMENT OF THE CASE
is ~~is~~ going in all directions & Has no Focus, Except to Deny
Plaintiff's the right to a jury trial, (7th amendment)

Article Six of Constitution, the Supremacy Clause, States that it
is impossible for a law which violates the Constitution to be valid.
Plaintiff's right to a trial by jury, is clear in the 7th Amendment.

The 9th circuit Ct. of Appeals was wrong in denying ~~RESPONDENT'S~~
right to trial: the Reasoning is Vague and ill-Defined! USC
1915(a) incorporates all the wordings of (b), Thus combining the two
& leading in all directions, so that a Judge can use any or all of the
Sections: "(a)(1) subject to subsection (b)" .. so Sect. (a) can include
all of Sect. (b), which makes confusing sense, especially since (b) contains a
large # of restrictions; 1915(a)(3) also states: "an appeal may not
be taken IFP if the trial Ct. certifies in writing that it is not taken
in Good Faith". So ~~Plaintiff~~ I just have to "take their word for it", be-
cause all the dismissal says is one word ("frivolous"). A one-word
Definition is Meaningless & Vague, & Shows Laziness, & Possible
Corruption, on the part of 9th Cir. Ct. of Appeals. How do I know the
Judges even looked at any of the Facts Presented?

The Judges may be influenced by the Defendants in this case
(-Google-) whose corporate Headquarters is in the same Area, or Country as
the 9th Cir. Ct.; especially Google's income: \$305 Billion in 2023, 279th
Billion in 2022 (Statista.com/statistics/google-annual-global-revenue)
I have serious Questions about a Court in the very same area as a
Multi Billion \$ corporation, That just happens to Dismiss this case.

AND The Judge in Original Filing - US District Ct. of Hawaii -
Gave equally Vague & ill-Defined reasons for Denial. IF the rule 1915 was
also used by Judges to stop cases from being Filed, why then Does the
Judge (Take) make at least \$213,120, when Her schedule Barely Has

Court appearances once a week? The Judge is the reason
You have NO FUNDS available to try cases. (Careerexplorer.com:
"Hawaii Judges Earn \$213,120 average") (Clerk's Office will not tell me
Judge Otake's salary; Hi. Dist. Ct. Clerk's Office, 9/15/25 3PM)

The UNANIMOUS OPINION of Nietzke v. Williams, 1989, 490 US 319,
clearly states, "a complaint filed IFP is not automatically Frivolous"

The ORIGINAL Judge - (Otake) also claimed 'thread bare' due to
lack of jurisdiction: well, I am an American citizen and a citizen of
HI, for 2 years now; Google is an American corporation w/ HQ in Dela-
-ware and California; This makes it a Federal case between Parties
of 2 Different states: How ELSE CAN it be pursued? there is no
other path to pursue. A State Ct. will dismiss right away.

According to Marbury v. Madison, 5 US (2 Cranch) (1803)
"The Supreme Ct Has the Power to declare laws UNCONSTITUTIONAL w/
"Judicial Review" if they conflict w/ the Constitution," Sect. 1915 is
clearly conflicting w/ the Amendment right to a jury trial.
"Judicial Review" was established in this case, as a Fundamental aspect of
the American legal system.

The 7th Amendment is a valid amendment, Affirmed by Supreme
Ct. in Colegrove v. Battin, 413 US 151-164 (1973). The right to trial
by jury must be preserved, AND ^{ALONG} with the requirement of USC 28 §
2072, in suits at common law, USC 28 § 2072(a), (b)

IN ANOTHER case decided by Supreme Ct.: Baltimore & Carolina
vs. Redman, 295 U.S. 657 (1935); the 2nd Circuit was told by
Supreme Ct., by Certiorari, to review the reversal of a judgement re-
covered by the plaintiff. (Held): the 7th Amendment NOT only pre-
serves the right [of trial], but discloses a studied purpose to pro-
-tect it from indirect impairment through possible enlarge-
-ments of the power of reexamination existing under the common
law...; the 7th amendment was the reason why this case was

Sent Back (By Certiorari), USC 28 1915 is in direct conflict w/ the 7th Amendment, & that is unconstitutional.

IF you need to refer to a state decision, Hawaii #24-00417-SASP-RT (Siriah V. Univ. of HI) Granted Application to Proceed IFP without Prepaying Fees or costs and to Dismiss the complaint finding, Pursuant to USC § 836(b)(1)(C) and Local Rule 74.1 (2024), the Plaintiff was disabled, same as myself, and the Decision utilized the Poverty Guidelines of Health & Human Services - 2024: A Litigant "need not be absolutely destitute but must ^{have} poverty" with some particularity, & certainty". Respondent has been low-income and below the poverty level for last 2 years that this case has been looked at, even with receiving monthly gifts from a sibling; Siriah "could not afford to pay court costs AND still afford the necessities of life", just the same as this Appellant. Judge Otake should have used this very same reasoning to Grant my IFP Application. Her Decision was wrong, & should be reversed. Also -

IF you believe my case against Youtube has no merit, in Whitney v. California (1927) the Supreme Ct. - in the majority, stated that "Free speech is fundamental but not absolute" so if Youtube is responsible for Defaming me they should be legally punished in civil court - which is monetarily how they are punished. See also 1st Amendment: unprotected speech categories that receive little to no 1st Amendment protection & can be regulated by Government: Incitement, Threats, Defamation (= false statements of fact that can harm someone's reputation). And -

IF you believe I do have enough finances to pay court fees, then you should put me on a monthly payment schedule, which is what courts do to prisoners (see Prison Litigation Reform Act (1996) "PLRA"; although Respondent is not a prisoner these regulations would mesh well with Respondent's low income as a disabled American receiving Social Security Disability Pay.

IF you need a Federal rule to consider, then: Fed. Rules of Civil Procedure 38(a) states: "the right of trial by a jury as secured by the 7th Amendment... is preserved to the parties inviolable". Also as previously stated, 28 USC 2072 ("Rules Enabling Act"); "the court cannot enact a rule that takes away a Fundamental right, like the right to a jury trial..." the 7th Amendment, in the Bill of Rights, is a pretty Fundamental right as far as I am concerned; Also this law states: "If a rule prescribed... conflicts with a pre-existing law, the conflicting law is no longer effective." (28 USC 2072(a), (b))

Respondant/Appellant Has tried to cover all the allegations of Both 9th Cir. Ct of Appeals and HI US District Court. I Don't Know what else I can do; IF there is a justice system then this case MUST Be referred Back For certiorari; the decisions of Both Previous courts are Vague, ill-Defined, and UNCONSTITUTIONAL.

the U.S.

REASONS FOR GRANTING THE PETITION

9th circuit ct. OF APPEALS Gave a Vague, 1 word Dismissal, "Fivolous", which is obviously ill-Defined, & Possibly on Purpose, Designed, via the wording of USC 28 1915, to be used ~~for~~ almost any reason, as an excuse to Deny an IFP Application, & Therefore, respondents case. Their decision is so vague I Have to cover many different areas that may not even be relevant to this case; Appellant Has no way of knowing because the reason for Dismissal is so ill-Defined. A 1-word Definition is no Explanation. IT IS LAZYNES.

Also the 1915 rule is a Direct Conflict with the Appellant's 7th Amendment right to Jury trial. IF anything is conflicting w/ a person's constitutional right, then they are wrong, and BY Definition - Unconstitutional; 7th Amendment Clearly states this.

A Mega Billion \$ corporation Should NOT Have an automatic Get-out-of-jail-free card, yet this is exactly how it is appearing to myself as a low-income, Disabled American. The system is not working, or possibly corrupt. NO Lawyer would take my case, although they should, But the system appears Broken.

The Judge Here in HI makes over \$13,000 Per Year and Barely Goes into Her Courtroom once a week, according to my research.

The rule USC 1915 was created BY Congress Specifically to Help Indigent Persons Gain Equal Footing against Mega Billion \$ Corporations who Have a staff of High Paid Lawyers. This rule is made BY You, to be ill-Defined and Vague so that you can use it For Any Multiple reasons to Deny & Dismiss cases. Also the

Jurisdiction must be Federal Courts Because all Participants are in Different States; NO State Court will accept this case. the reasons For Dismissal are ill-Defined, Vague, & Unconstitutional.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Rose A. Toner

Date: 9/8/25