

No. 25-6144

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IN THE  
SUPREME COURT OF THE UNITED STATES

FILED  
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SUPREME COURT, U.S.

George Eugene Cross — PETITIONER  
(Your Name)

vs.

California Supreme Court — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

California Supreme Court  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

George Eugene Cross  
(Your Name)

P.O. Box 409090  
(Address)

Ft. Lauderdale, Fla. 33309  
(City, State, Zip Code)

# 716421  
(Phone Number)

## LIST OF PARTIES

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

## RELATED CASES

Sac Superior: #020004794 order 3-19-02 Dept #8

Sac Sup Ct #25HC00141 orders 5-27-25/7-30-25

Sac Sup Ct #08612263 01 order 5-30-23

Sac Sup Ct #02F06519 order 12-5-03 (exhibit #10b) pages 30-31

# C109063 Mandate issued 25HC00193

# S291884 Pet review

# S291965 Mandate

# S285729; S28682; #286109 #S286362

NO. 25-1004

## QUESTION(S) PRESENTED

- 1.) When a person charges have successive prosecutions for the same alleged criminal act and there is no actual charge for that conduct can a Judge sentence the person without citing the penal code authorizing the sentence?
- 2.) When the real party in interest doesn't dispute any fact, then can a court then decide to deny remedy leaving the beneficial party without remedy they're admittedly entitled to?
- 3.) Can a court grant a motion (P.C. 851.91) which the arrest is questioned and prior adjudication is conceded true, then the court ignore this arrest being part of a subsequent conviction refuse to recall that case and appoint counsel for a miscarriage of justice?
- 4.) When the real party in interest concedes, if every official acknowledges the beneficial party entitlement and it can't be achieved till the court orders such how is the beneficial party not being subjected to additional civil & unusual punishment?
- 5.) Is it within a court's discretion to continue an incarceration wrongfully obtained and void of any statutory authority when the AOS shows a prisoner is well beyond the sentence imposed?
- 6.) If the access to the courts is protected, then if one court deem your writ as it wants to withhold remedy, the reviewing court ignores such to dispose its own version which upsurge access to the court, then if at the hearing no fact is dispute, no opposition and no opinion written to establish the case. How can this be court access?
- 7.) When an incarcerated person has no opposition to his claims, all records support his facts and, the real party in interest known parties can include D.A. offices, Police/sheriff Prison officials and the attorney General, none file any return what's the significance of this and weight as to the preponderance in a civil action or criminal case?
- 8.) How can any other official dare have immunity violating constitutional, civil rights and confinement of a person without authority subjecting him to loss of liberty and face daily inherent dangers?

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## TABLE OF AUTHORITIES CITED

### CASES

### PAGE NUMBER

*See attached below*

### STATUTES AND RULES

*See attached below*

### OTHER

*See attached below*

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 \_\_\_\_\_ 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 United States district 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.

11-3-25 ☒ For cases from **state courts**: California Supreme Court

The opinion of the highest state court to review the merits appears at Appendix A to the petition and is

11-3-25 ☒ reported at 2025 Cal. Lexis 5457; or,  
☐ has been designated for publication but is not yet reported; or,  
☒ is unpublished.

The opinion of the Calif Supreme Court court appears at Appendix A 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 \_\_\_\_\_.

☐ 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**: *California Supreme Court*

The date on which the highest state court decided my case was Aug. 20, 2025.  
A copy of that decision appears at Appendix A.

☒ A timely petition for rehearing was thereafter denied on the following date: Aug. 25, 2025, and a copy of the order denying rehearing appears at Appendix B.

☐ 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

5th & 6th amend

8th Cruel & unusual Punishment

Calif Const art 1, 15 ; also teeth in evidence

P.C 654



## STATEMENT OF THE CASE

- 1.) Petitioner in Jan. 2002 was arrested and posted bond which Sacramento D.A. Move the Court to dismiss all charges after my interview. By Feb. 2002 there was a Court hearing continued till 3-19-02 Dept #8 case already beyond 60 days prelin; No waiver by me. No appointed Counsel for me. P.C 1385 the case discharged me and on 3-26-02 all evidence destroyed.
- 2.) Aug. 1, 2002 above case #020004794, suppressed and New Court room #61, which second bond already posted for same above arrest #02-4049, clocked by rearrest using Sgt Sheriff, bail exact quietly behind the scenes by Judge ORC, No prosecutor Bahnon who files enhancements for charges barred P.C 207, 209, 209.5 due to 3-19-02 discharge so, no new evidence. Juries split P.C 667.61(c)(1); (c)(2) not true only other enhancement P.C 667.61(c)(5) charged nowhere in evidence, prelin or police report ever alleged. Due to adjudication of P.C 667.61(c)(2) not true counts 1-3 commission acts perjury acquittal of which the A.G. acknowledged in 12-22-21 amended cap sheet and admitted paragraph #1.
- 3.) P.C 667.61 wasn't enacted until Sept. 2006 so I'm not subjected to laws that violate ex post facto due to its unconstitutional.
- 4.) The Court issued a void sentence AOS, the sentence transcripts show an illegal sentence all which has additional caused me to being held without authority.
- 5.) Due to when most of these facts & evidence to support was available, I had already filed writ habeas so the Courts assumed I piece meal my writ. The East Dist Court was provided found by A.G. Dip Chapman denied my remedy, however 60(b)(3) was deemed to be beyond the 1 year period so Judge Nuxley wrongfully denied me which he was my preliminary hearing Judge & should have recused himself.
- 6.) I've properly exhausted my claims to have the right at the writ of Mandate since all other remedies foreclosed to me and I'm held in violation of my Constitutional rights.

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

George Eugene Cross

Date: 10-13-25