

25-6144

No. _____

FILED
SEP 03 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

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)

Folsom Ca. 95690

(City, State, Zip Code)

V16421

(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 #02FC6519 Order 12-5-03 (Exhibit #10) 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 prosecution for the same alleged criminal act and there's 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?
- 3.) Can a court grant a Motion (P.C 851.91) which the arrest in question and prior adjudication is conceded to, 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 cruel & 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 person is well beyond the sentence imposed?
- 6.) If the access to the courts is protected, then if one court deems your writ as it wants to withhold remedy, the reviewing court ignores such to dispense its own version which usurps access to the court, then if at the hearing no fact in dispute, no opposition and no opinion written to establish the case. How can this be court access?
- 7.) When an unrepresented 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's Person's officials and the attorney General, none file any retort, what's the significance of this and weight as to the predominance in a civil action for criminal case?
- 8.) How can any other official above have immunity violating constitutional, civil rights and confinement of a person without authority subjecting him to loss of liberty and face daily inhecess 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 fact in evidence

P.C 654

STATEMENT OF THE CASE

- 1.) Petitioner in Jan. 2002 was arrested and posted bond which Sacramento D.A. Moved 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 today's prelim; 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 case #61, which second bond already posted for same above arrest #02-4049, clerked by rearrest using San Mateo Sheriff, bail exact quietly behind the scenes by Judge ORE, no prosecutor Balowen who files enhancement 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); (d)(2) not true only other enhancement P.C. 667.61(c)(5) charged nowhere in evidence, prelim or police report ever alleged. Due to adjudication of P.C. 667.61(c)(2) not true counts 1-3 commission acts operate 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 ADJ, 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 of evidence to support was available, I had already filed prior habeas, so the Courts assumed I piece meal my writ. The East Dist Court was provided for me by A.G. Dip Chapman denied my remedy, however 60(b)(3) was deemed to be beyond the 1 year period so Judge Nunley 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 for closed 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