

25-6503

No. _____

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

Washington D.C. 20543
Office of the Clerk,

Carlos Armando Ortega — PETITIONER
(Your Name)

vs.

A. Flores, et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

9th Circuit Court of Appeals #23-18311
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Carlos Armando Ortega #210931-2
(Your Name)

2100 Napa Valley Hwy T-10
(Address)

Napa, CA. 94558
(City, State, Zip Code)

707-251-1493 / 251-1473
(Phone Number)

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QUESTION(S) PRESENTED

1) United States District Court Northern
District of California Judgment 11/27/19 and 7/26/23
Case No. 19-CV-00319-H.S.G.

- A.) Denied Plaintiff Statutory tolling California Code
Civil Procedure § 352(a) disability of mental
illness, Granting Defendants Motion to Dismiss as
is Dismissed as barred by statute of Limitations.
- B.) Plaintiff argues Plaintiff is covered Cal. Code Civ.
Proc. § 352 (a) Insanity Statute by cited Case Law
Presented is this writ with Statutes...
- C.) Ninth Circuit Court of Appeals Filed December 9, 2021
reverse and remanded on Statute of Limitations

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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:

Defendant's: Santa Clara County Jail...
Chief of Corrections: EDWARD FLORES.
Captain: David Sepulveda.
Correctional Officers: A. Flores, J. Daiz,
Melek, Dugamis... Employee's:
150 West Hedding Street
San Jose, CA, 95110-1718

Attorney's: For Defendants:
James R. Williams (S.B. #271253)
County Counsel
Michael C. Serverian (S.B. #133203)
Deputy County Counsel

From: Office of The County Counsel
70 West Hedding Street, East Wing, 9th Floor.
San Jose, CA, 95110-1770
408-299-5900

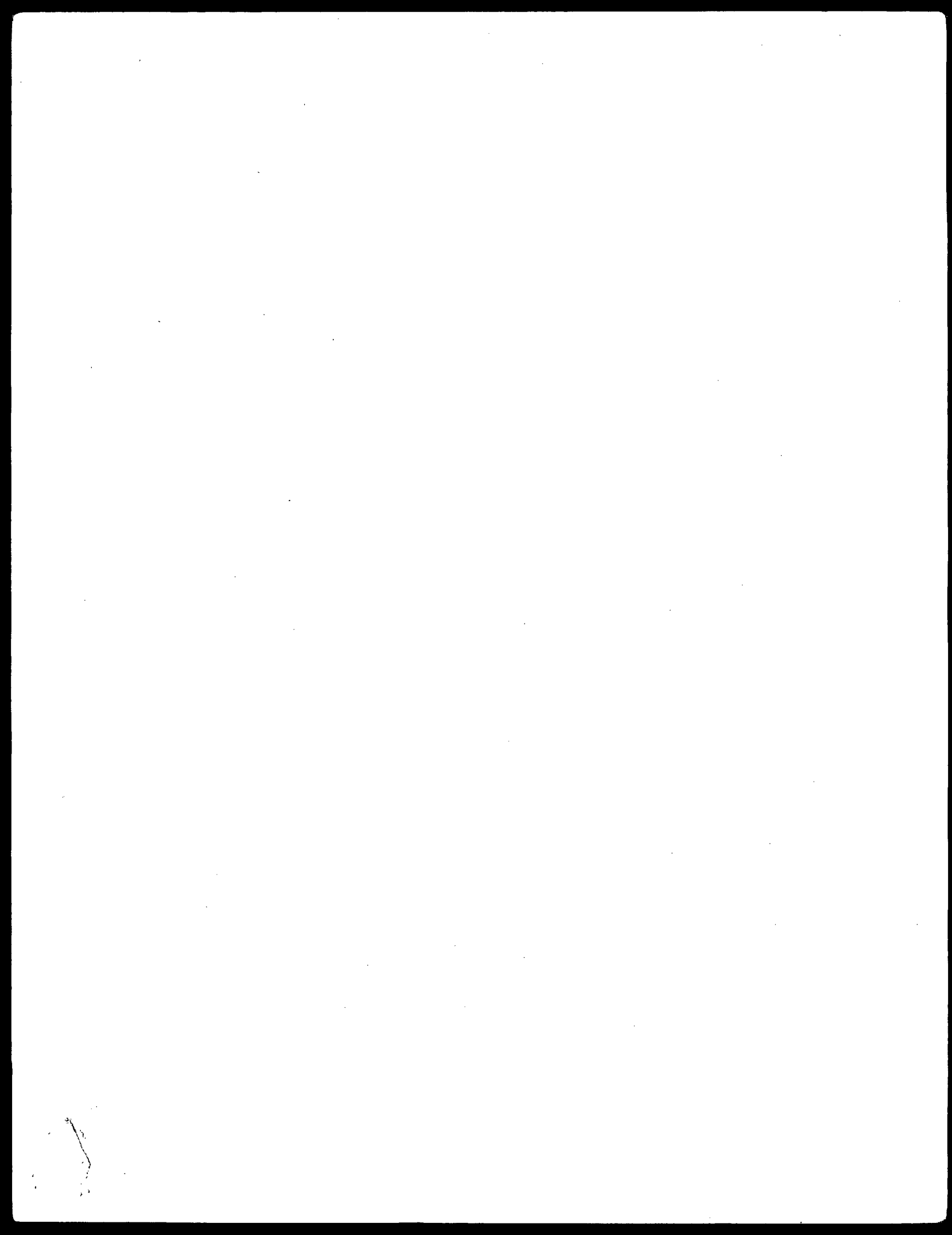


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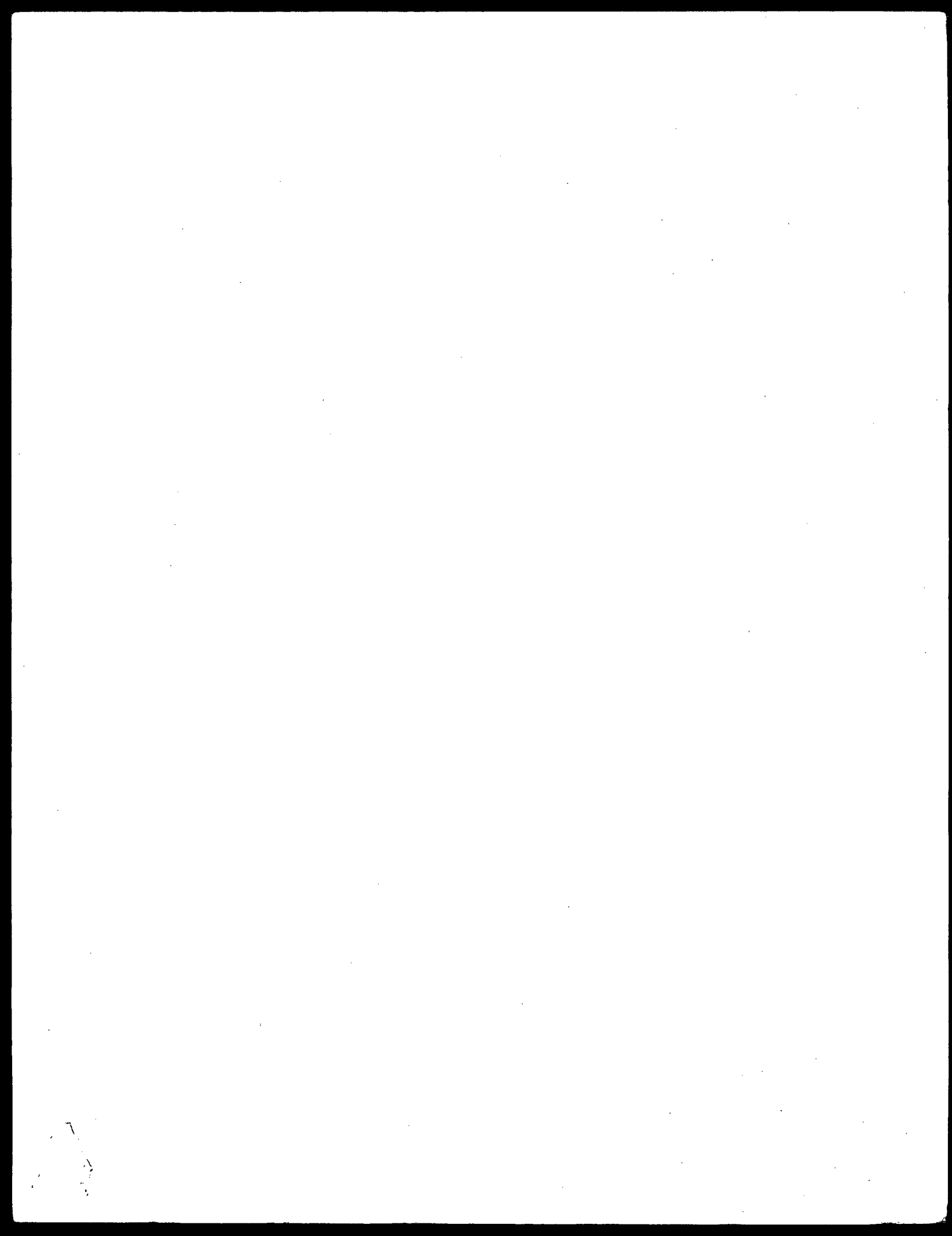


TABLE OF AUTHORITIES CITED

CASES

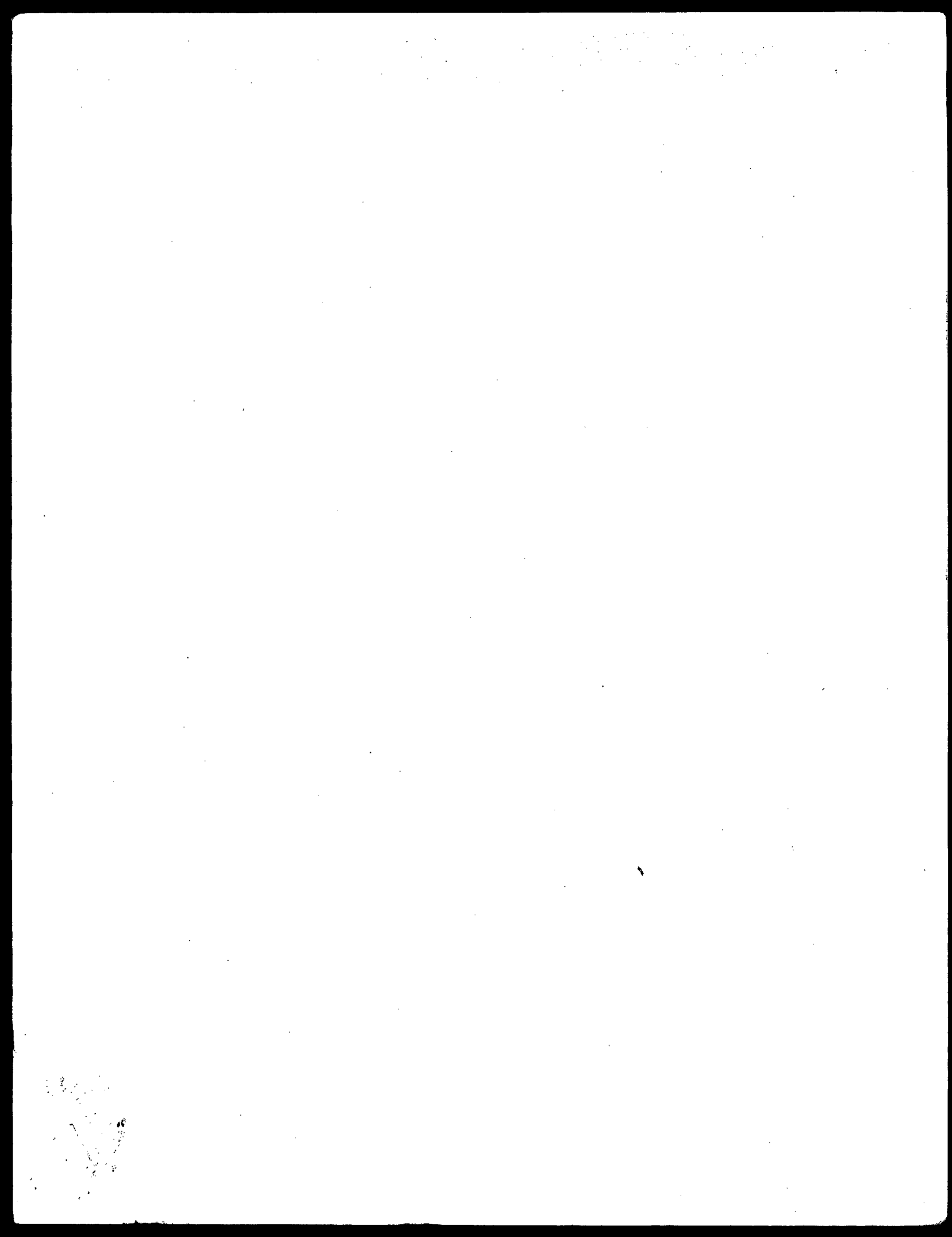
PAGE NUMBER

- A.) City of Huntington Park v. Superior Court (Flores) (1995) 34 Cal. App. 4th 1293, 1300 [41 Cal. Rptr. 2d 68] 1.
- B.) Fratus v. Deland 49 F.3d 673, 675 (10th Cir. 1995)
- C.) Gottesman v. Simon [Civ. No. 5990, Forth Dist. April 9, 1959]

STATUTES AND RULES

- A.) California Code Civil Procedure § 352 (8)
Stated July 1, 2018 minority / Insanity Statute
By Supreme Court. IS not a New California Statute
as of before or around 1959 case Gottesman above
Effecting 19 million Californias out of 39 million...

OTHER



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 9th Cir Court of Appeals; 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 District Court San Francisco; 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 C to the petition and is

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

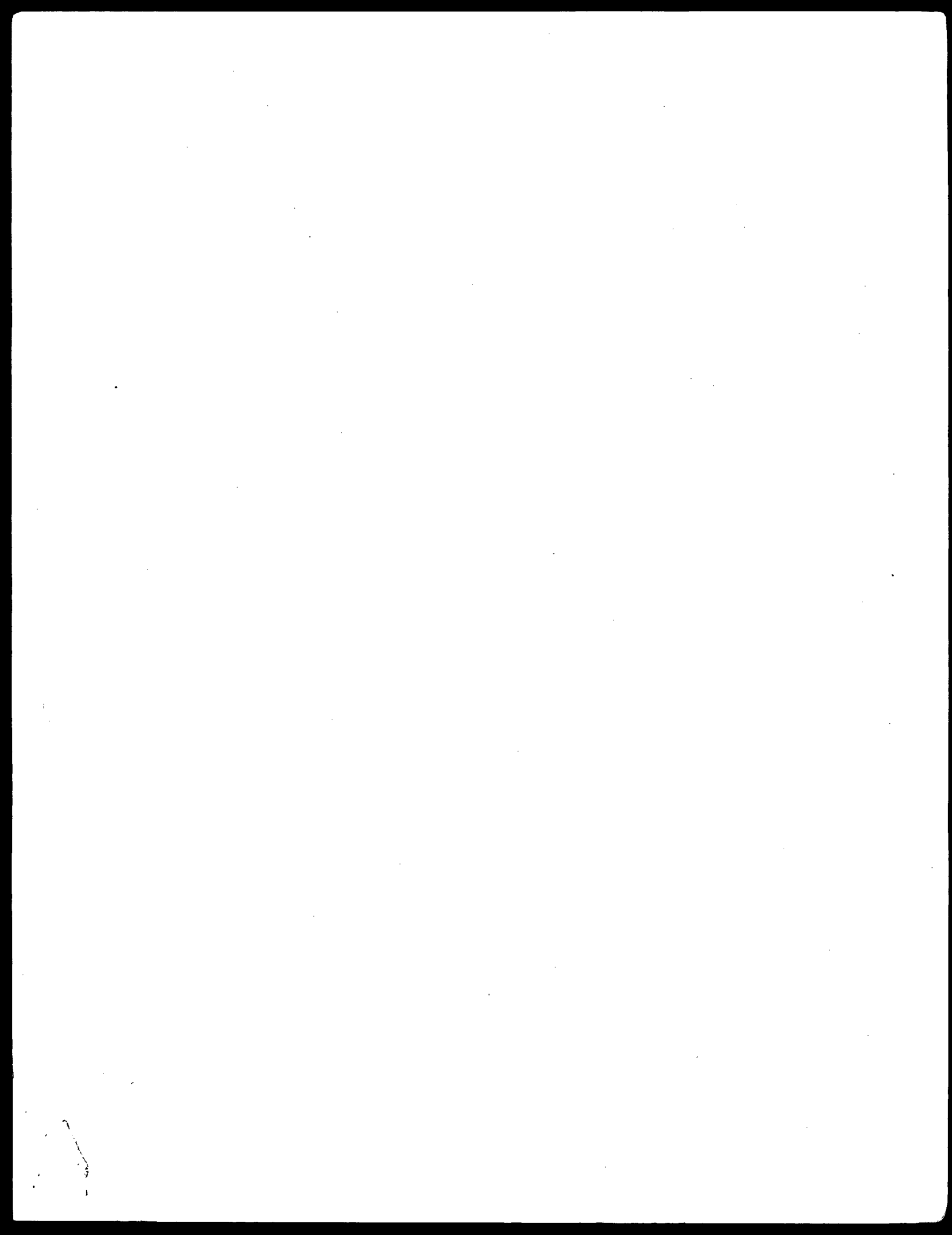
☐ is unpublished.

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 September 23, 2025

☒ 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).

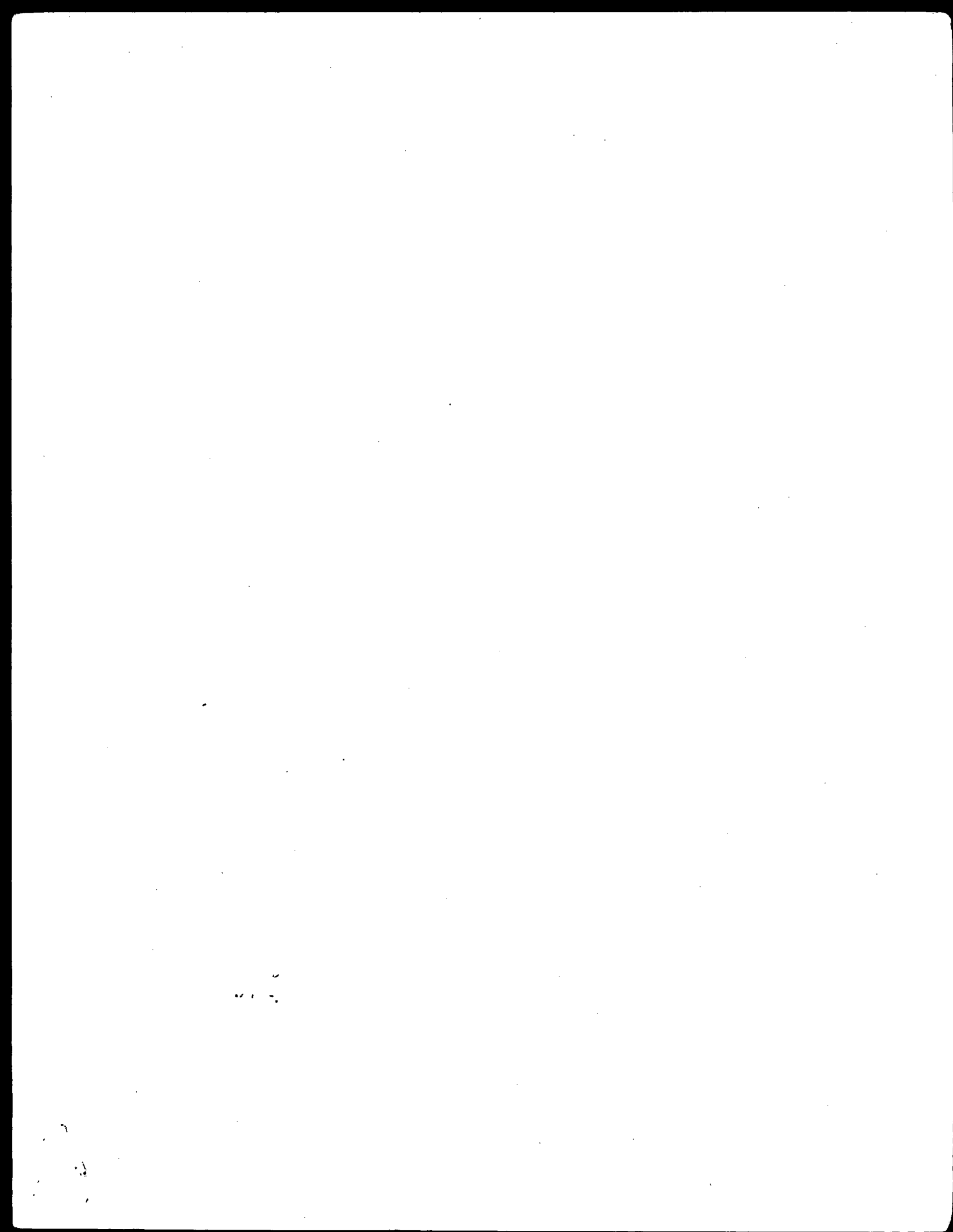
☐ For cases from **state courts**:

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

Page

Constitution of The State
of California § 7 Due Process and Equal Protection

28 U.S.C. § 1291

28 U.S.C. § 1331

28 U.S.C. § 1343 (a)(3)

28 U.S.C. § 1915 A(a)

42 U.S.C. § 1983

Cal. Code Civ. Proc. § 352(a)

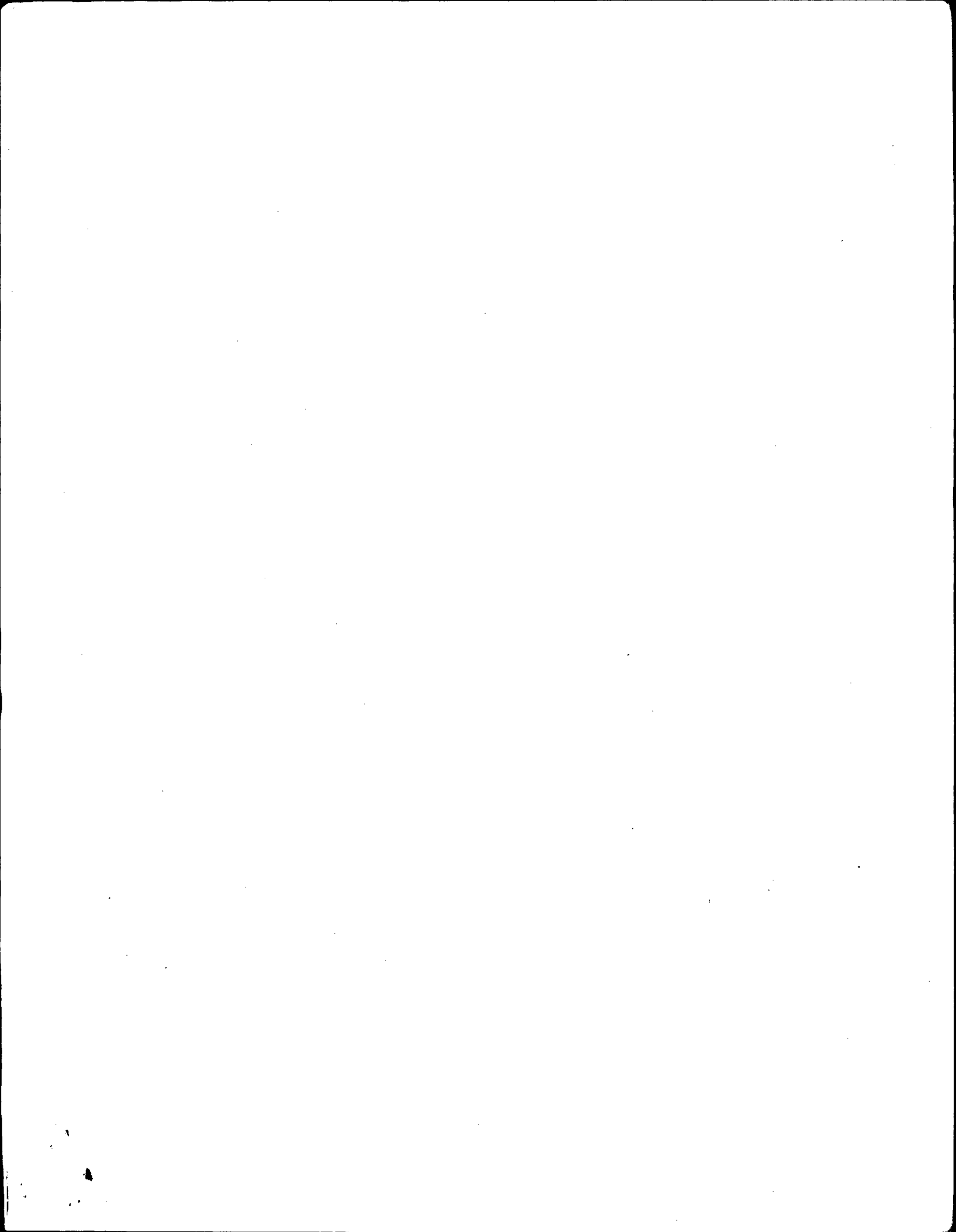
Other Authorities.

Fed. R. App. P. 4(a)(4)(B)(i)

Fed. R. Civ. P. 8

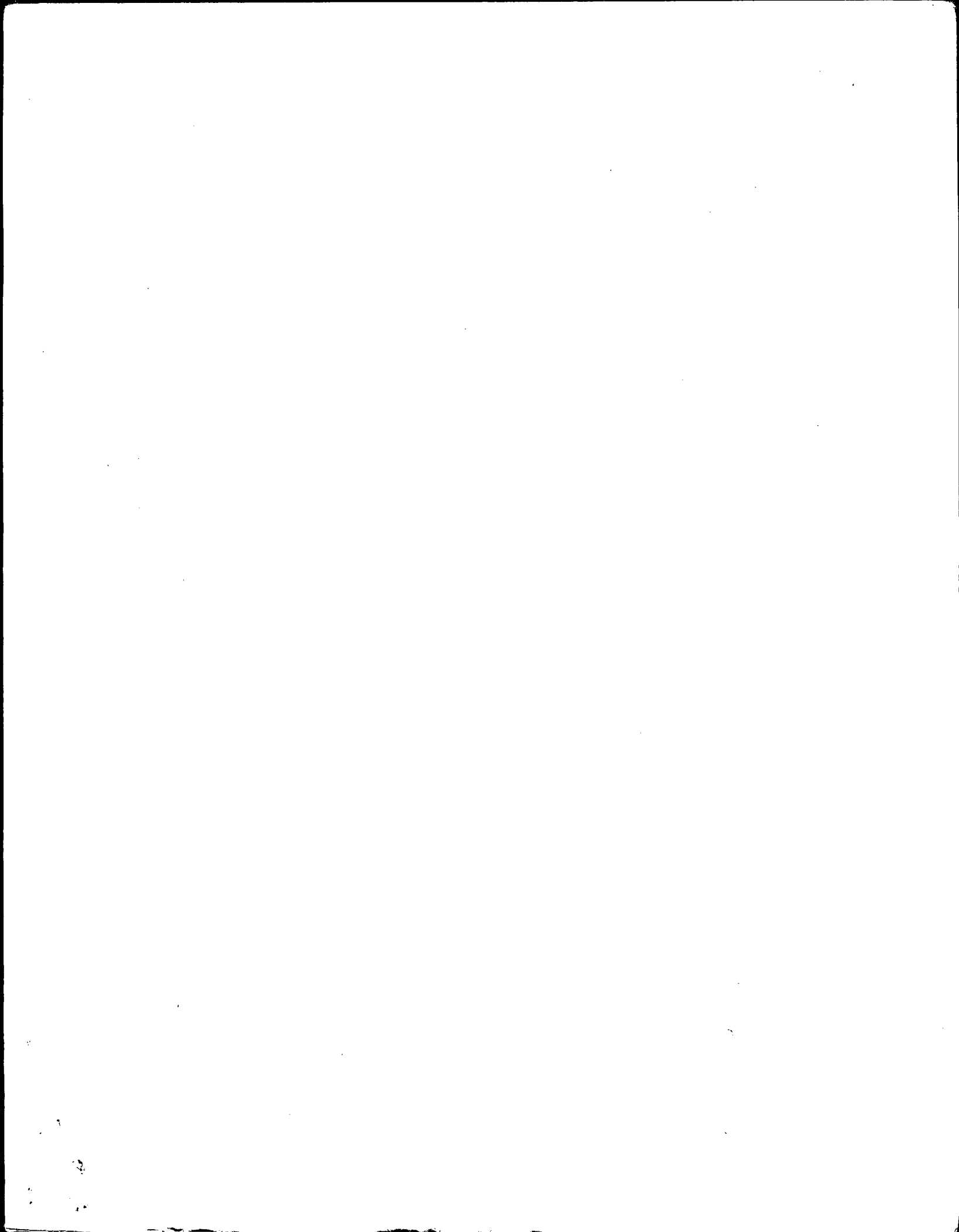
Fed. R. Civ. P. 12(b)(6)

Fed. R. Civ. P. 15(b)(2)



STATEMENT OF THE CASE

- 1) Both Federal Court and Appeal Court violated Constitution § 7 Due Process and equal Protection of The Law of California and Statutory Provision of California Civil Code of Procedure § 352(a) Minority - Insanity Statute...
- 2) Federal Court ruled on Insanity Statute § 352(a) in case Gottesman v. Simon Civ. No. 5990. Fourth Dist. April 9, 1959. a coma is not mental illness. Both mental illness and of a coma are brain injuries thus insanity statute is quoted Minority - Insanity Statute and not insanity / coma statute covering Plaintiff on statute of limitations two-year statute of limitations for personal injury claims Civ. Proc. Code § 335.1
- 3) Neighbor Defendants - Federal Courts or Appeal Courts quoted against or for Case # Gottesman v. Simon Shows Plaintiff rely's this case insanity Statute...



REASONS FOR GRANTING THE PETITION

- 1) Plaintiff relies on full Protection of Law thus Statute §352(a) Minority-Insanity Statute of California. The Statute was introduced before or around 1959 to last use 2018 Supreme Court held it in effect valid.
- 2) Plaintiff asks The Supreme Court when and why was The California Civ. Code of Procedure §352(a) was made for and why can't it apply here.
- 3) Appellant rely on this Statute to file later under California Civ. Code of Procedure §352(a) Due to He litigated Cases in The Federal Courts No. 09-5527-SBA., No. 11-CV-01003-SBA., No. CV-13-0016-SBA., No. CV-14-3783-JSC., No. 15-CV-04876-H.S.G. From 2009 to 2016...
- 4) On December 9, 2021 9th Cir Court of Appeals Case # 19-17547 reverse and remand on Statute of Limitations See Appendix-C

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Carlos Ortega

Date: 10/10/25

