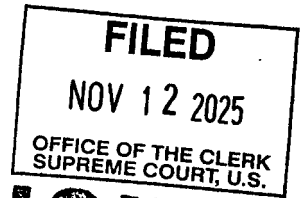


25-6763



No. 25-_____

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FREDERICK PIÑA,

Petitioner,

v.

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY,

Respondent.

On Petition for a Writ of Certiorari to the
Supreme Court of the State of California

PETITION FOR A WRIT OF CERTIORARI

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Petitioner

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QUESTIONS PRESENTED FOR REVIEW

1. Whether a state appellate court effects a deprivation of property without due process of law, in violation of the Fourteenth Amendment, when it dismisses an appeal on the stated ground that the appellant failed to pay court fees, notwithstanding that the court's own official records irrefutably demonstrate that it had previously granted the appellant's application to proceed *in forma pauperis*, thereby rendering the asserted factual predicate for dismissal demonstrably false and the resulting judgment void *ab initio*?

2. Whether a state trial judge, acting under color of state law, violates the First and Fourteenth Amendments when he issues an *ex parte* directive—not in the form of a written order but through secret communications to court personnel—commanding the clerk's office to refuse acceptance of a litigant's application for entry of default, which application California law designates as a mandatory and ministerial filing that the clerk has no discretion to reject, thereby depriving the litigant of access to a judicial forum for the redress of grievances and extinguishing a vested property right in a cause of action?

3. Whether the Supremacy Clause and the Fourteenth Amendment's guarantee of equal protection are violated when a state court adjudicates the identical claims presented by an identical party to be "frivolous" for

purposes of imposing vexatious litigant status under state law, in direct and irreconcilable conflict with a published decision of the United States Court of Appeals for the Ninth Circuit, rendered in a related proceeding involving the same parties and claims, which expressly held that those claims were "non-frivolous" for purposes of federal appellate jurisdiction?

4. Whether the California Supreme Court's summary denial of review, which gave final binding effect to lower court orders that eliminated Petitioner's established property right in a \$2.9 billion cause of action through proceedings that constituted "a sudden change in state law, unpredictable in terms of the relevant precedents," effected an uncompensated "judicial taking" in violation of the Fifth and Fourteenth Amendments' prohibition against the deprivation of private property without just compensation?

LIST OF PARTIES

All parties to the proceeding in the court whose judgment is sought to be reviewed are:

- **FREDERICK PIÑA**, Petitioner, who was the Plaintiff and Appellant below.
- **STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY**, Respondent, which was the Defendant and Respondent below.

CORPORATE DISCLOSURE STATEMENT

(Rule 29.6)

Respondent State Farm Mutual Automobile Insurance Company is a mutual insurance company. It has no parent corporation, and no publicly held company owns 10% or more of its stock.

STATEMENT OF RELATED PROCEEDINGS

(Rule 14.1(b)(iii))

The proceedings directly below are:

- *Piña v. State Farm Mutual Automobile Ins. Co.*, Case No. S292499 (Cal. Supreme Court). Order Denying Petition for Review entered October 29, 2025.

- *Piña v. State Farm Mutual Automobile Ins. Co.*, Case No. B345286 (Cal. Court of Appeal, 2nd Dist., Div. 5). Order Dismissing Appeal entered August 8, 2025.
- *Piña v. State Farm Mutual Automobile Ins. Co.*, Case No. 24NNCV03841 (L.A. County Superior Court). Order Declaring Petitioner a Vexatious Litigant entered December 13, 2024; Order Dismissing Case entered February 7, 2025.

Other related proceedings include:

- *Piña v. State Farm Mutual Automobile Ins. Co.*, Case No. 23-55614 (9th Cir.). (Holding Petitioner's claims "non-frivolous").
- *Piña v. State Farm Mutual Automobile Ins. Co.*, Case No. 2:25-cv-08920-MCS-SK (C.D. Cal.). (Pending breach of contract action involving September 25, 2024 contractual agreement).
- *In re Piña*, Case No. 25-614 (2nd Cir.). (Mandamus petition challenging related procedural violations).
- *Pina v. Ho*, Case No. 25-1767 (2nd Cir.). (Related judicial misconduct proceeding).
- *Sheetz v. County of El Dorado*, 144 S. Ct. 893 (2024). (Recent unanimous decision on takings by any government branch).

OPINIONS BELOW

The order of the Supreme Court of the State of California summarily denying Petitioner's Petition for Review (App. A) was entered on October 29, 2025, and is not designated for publication.

The order of the California Court of Appeal, Second Appellate District, Division Fifth (App. B), dismissing Petitioner's appeal was entered on August 8, 2025, and is not designated for publication.

The order of the Los Angeles County Superior Court (App. C) granting Respondent's motion to declare Petitioner a vexatious litigant was entered on December 13, 2024, and is not designated for publication.

The order of the Los Angeles County Superior Court (App. D) dismissing the case was entered on February 7, 2025, and is not designated for publication.

JURISDICTION

The judgment of the Supreme Court of the State of California, the highest court of that state in which a decision could be had, was entered on October 29, 2025. This Petition for a Writ of Certiorari is timely filed within 90 days of that judgment, as prescribed by 28 U.S.C. § 2101(c) and Supreme Court Rule 13.1.

The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a). This case presents federal questions of constitutional magnitude. Petitioner's

rights, privileges, and immunities under the First, Fifth, and Fourteenth Amendments to the Constitution of the United States, as well as under the Supremacy Clause, were timely raised, properly preserved, and expressly adjudicated—indeed, denied—by the state courts below. The California Supreme Court's summary denial of review represents the final judgment on these federal constitutional claims, leaving no further avenue for review within the California state judiciary.

This petition thus presents precisely the circumstances contemplated by § 1257(a): a final judgment from the highest court of a state, in which the validity of state court orders was drawn in question on the ground of their repugnancy to the Constitution of the United States, and the decision was against the rights claimed under the Constitution.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

U.S. Constitution, Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to **petition the Government for a redress of grievances.**

U.S. Constitution, Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be **deprived of life, liberty, or property, without due process of law;** nor shall **private property be taken for public use, without just compensation.**

U.S. Constitution, Amendment XIV, Section 1

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor

shall any State **deprive any person of life, liberty, or property,**
without due process of law; nor deny to any person within its
jurisdiction the equal protection of the laws.

STATEMENT OF THE CASE

This petition arises from a series of state court orders that, taken collectively, effected the complete extinguishment of Petitioner's \$2.9 billion civil action against Respondent State Farm Mutual Automobile Insurance Company. The constitutional violations presented are not subtle matters of degree or judgment; they are violations of the most elemental requirements of due process, equal protection, and the separation of powers. The California Supreme Court, by summarily denying review on October 29, 2025, gave final, binding effect to these violations, thereby rendering them ripe for review by this Court under 28 U.S.C. § 1257(a).

REASONS FOR GRANTING THE WRIT

This petition satisfies each criterion set forth in Supreme Court Rule 10 for the issuance of a writ of certiorari. The decisions below do not represent errors of state law subject to correction only by the state judiciary. They represent a systemic collapse of fundamental constitutional protections—a collapse that implicates the core structural guarantees of the First, Fifth, and Fourteenth Amendments, as well as the Supremacy Clause.

The state courts' actions present four distinct and compelling bases for review:

1. An appellate court dismissed a \$2.9 billion appeal based on a factual assertion—non-payment of fees—that the court's own records prove to be objectively false.
 2. A trial judge issued secret ex parte directives to court personnel commanding them to refuse a mandatory ministerial filing in violation of state statutory law, thereby blocking Petitioner's access to the judicial system.
 3. A state trial court designated Petitioner's claims as "frivolous" for purposes of vexatious litigant status, in direct and irreconcilable conflict with a published decision of the United States Court of Appeals for the Ninth Circuit, which held that the identical claims were "non-frivolous."
 4. The California Supreme Court's summary denial gave final effect to these violations, thereby effecting a "judicial taking" of Petitioner's established property rights without any hearing on the merits and without just compensation.
- These are not matters of legal interpretation or judgment. They are matters of constitutional necessity. The California judiciary has "so far departed from the accepted and usual course of judicial proceedings... as to call for an exercise of this Court's supervisory power." Sup. Ct. R. 10(c).

CONCLUSION

The decisions of the California courts, taken together, represent not errors of law subject to correction by state processes, but a complete and catastrophic failure of constitutional adjudication. A *pro se* litigant was:

1. **Dismissed from trial court** based on a "vexatious litigant" finding that directly conflicts with a federal appellate court's "non-frivolous" determination;
2. **Denied his right to appeal** based on a "failure to pay" fees that the appellate court's own records prove he did not owe; and
3. **Blocked from even filing** a mandatory ministerial application by a trial judge's secret *ex parte* directive to court personnel, in violation of state statutory law and the separation of powers.

These are not harmless procedural errors. They are fundamental violations of the First, Fifth, and Fourteenth Amendments to the Constitution of the United States—violations that "so far departed from the accepted and usual course of judicial proceedings... as to call for an exercise of this Court's supervisory power." Sup. Ct. R. 10(c).

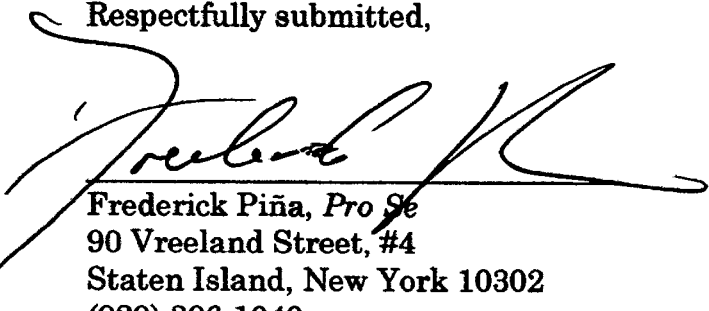
For more than a decade, Petitioner has sought justice through the California courts for injuries sustained in a 2012 motor vehicle accident. For more than a decade, he has been met not with adjudication on the merits, but with procedural obstruction, discovery abuse, and—as the record now demonstrates—systematic judicial indifference to blatant

constitutional violations. The California Supreme Court, by summarily denying review on October 29, 2025, has given its imprimatur to this constitutional debacle, leaving Petitioner with no avenue for redress other than this Court.

The questions presented are of profound constitutional significance. They implicate the core structural guarantees that protect citizens from arbitrary state action: the right of access to courts, the prohibition against deprivations of property without due process, the guarantee of equal protection, the Supremacy Clause's mandate of federal judicial supremacy, and the Takings Clause's protection of vested property rights.

For the foregoing reasons, Petitioner Frederick Piña respectfully prays that this Court grant this Petition for a Writ of Certiorari, reverse the judgment below, and remand for proceedings consistent with the Constitution of the United States.

Respectfully submitted,



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DATED: 11/08/2025