

25A1306

No. 25-7113

IN THE
SUPREME COURT OF THE UNITED STATES

GURJOT SINGH DHALIWAL,

Applicant,

v.

SUPERIOR COURT OF CALIFORNIA,

Respondents.

EMERGENCY APPLICATION TO STAY & STOP ANY & ALL ACTIONS BY THE SUPERIOR COURT OF CALIFORNIA JUDGMENT PENDING THE DISPOSITION OF A PETITION FOR WRIT OF CERTIORARI

Superior Court of California

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Fremont, CA 94538

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respondent

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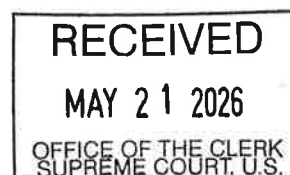
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PARTIES TO THE PROCEEDING AND RELATED PROCEEDINGS

This application arises from the United States Court of Appeals for the



Ninth Circuit.

Applicant is Gurjot Singh Dhaliwal, a citizen of the United States of America.

Respondents are the Superior Court of California

The proceedings below were:

RELATED CASES

Federal

US DISTRICT COURT, Case 25-CV-05678-TLT; Gurjot Singh Dhaliwal vs. Superior Court of California et al. **Dismissed and Currently Under Appeal (7/7/2025)**

Ninth Circuit Court of Appeals, 25-5073; Gurjot Singh Dhaliwal vs. Superior Court of California et al. **Currently Under Appeal with US SUPREME COURT (11/24/25)**

RELATED CASES

State

Gurjot Singh Dhaliwal vs. Amrita Grewal, LA COUNTY FAMILY LAW # 20STFL08362 **No Tentative Rulings, No ROA's**

Sameer Malhotra vs Gurjot Singh Dhaliwal, LA COUNTY CIVIL CASE#21STR000066 **No Tentative Rulings, No ROA's**

Superior Court of California vs. Gurjot Singh Dhaliwal, Misdemeanor, LA COUNTY CRIMINAL #1AR21623 **Dismissed**

Superior Court of California vs. Gurjot Singh Dhaliwal, Misdemeanor, LA COUNTY CRIMINAL #1AR22098 **Dismissed**

Superior Court of California vs. Gurjot Singh Dhaliwal, Misdemeanor, LA COUNTY MENTAL HEALTH #ZMO65933 **Dismissed**

Shaan Singh Dhaliwal vs Gurjot Singh Shaligwal, CONTRA COST COUNTY CIVIL CASE MSN21-1228 **Dismissed**

Superior Court of California vs. Gurjot Singh Dhaliwal, Misdemeanor, CONTRA COSTA COUNTY CRIMINAL #01-196686-0 **Guilty by jury and then Later Overturned on Appeal after serving almost entire sentence**

Superior Court of California vs. Gurjot Singh Dhaliwal, Misdemeanor, CONTRA COSTA COUNTY CRIMINAL #01-198300-0 **Combined with Above**



Superior Court of California vs. Gurjot Singh Dhaliwal, Misdemeanor, CONTRA COSTA COUNTY APPEAL AP22-00081 **Won Appeal**

Superior Court of California vs. Gurjot Singh Dhaliwal, CONTRA COSTA COUNTY MENTAL HEALTH (?) **Dismissed**

Superior Court of California vs. Gurjot Singh Dhaliwal, Misdemeanor, ALAMEDA COUNTY CRIMINAL #22-CR-004882 **Dismissed**

Superior Court of California vs. Gurjot Singh Dhaliwal, Misdemeanor, ALAMEDA COUNTY CRIMINAL # 23-CR-008246 **Dismissed**

Superior Court of California vs. Gurjot Singh Dhaliwal, Misdemeanor, ALAMEDA COUNTY CRIMINAL #25-CR-005289 **Dismissed**

Gurjot Singh Dhaliwal vs Superior Court of California Fremont DEPT 605, ALAMEDA COUNTY CIVIL #25-CV-128280, **Dismissed without Injunction to stop constitutional rights violations**

Superior Court of California vs. Gurjot Singh Dhaliwal, ALAMEDA COUNTY MENTAL HEALTH #25-MH-005289 **Dismissed**

Superior Court of California vs. Gurjot Singh Dhaliwal, Misdemeanor, ALAMEDA COUNTY CRIMINAL #25-CR-016169 **Dismissed**

Superior Court of California vs. Gurjot Singh Dhaliwal, Misdemeanor, SAN MATEO COUNTY CRIMINAL #24-SM-006601-A, referred to Mental Health **CASE CURRENTLY SUSPENDED**

Superior Court of California vs. Gurjot Singh Dhaliwal, SAN MATEO COUNTY MENTAL HEALTH, 24-SM-008931 **STILL ONGOING NO RESULT**

CONSTITUIONAL AND STATUTORY PROVISIONS INVOLVED

Violation of the Constitution of the United States of America and the defendant's 1st, 2nd, 4th, 5th, 6th, 8th, 9th, 13th, 14th, & 15th Amendment Constitutional Rights.

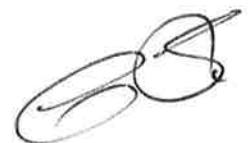
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Violation of the Constitution of the United States of America and the defendant's (petitioner's) 1st, 2nd, 4th, 5th, 6th, 8th, 9th, 13th, 14th, & 15th Amendment Constitutional Rights.

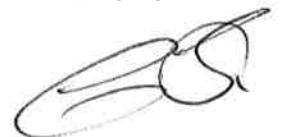
TO THE HONORABLE ELENA KAGAN, ASSOCIATE JUSTICE OF THE SUPREME

COURT OF THE UNITED STATES AND CIRCUIT JUSTICE FOR THE NINTH CIRCUIT:

Pursuant to Rule 23 of the Rules of this Court and 28 U.S.C. §§ 1651, 2101(f),

Applicant Gurjot Singh Dhaliwal(petitioner) respectfully is also applying for a Writ of Habeas Corpus and Writ of Habeas Menis in addition to an **Emergency stay of all mandates and all actions by the Superior Court of California and judgment of the United States Court of Appeals for the Ninth Circuit associated with its November 24, 2025, judgment that this case was the case was frivolous, pending the consideration and disposition of his forthcoming petition for a writ of certiorari and further proceedings in this Court.**

Absent a stay from this Court, the dismissal of this case by the ninth circuit has allowed for the continuing violations of the petitioners Constitutional Rights as the Superior Court of California continues to follow the same pattern of racketeering of false accusations with no probable cause, circumventing the Supremacy Clause of the United States Constitution, using both the COVID pandemic and mental health as their excuse to do so, because they are part of a criminal conspiracy that is actively trying to prevent recovery of the petitioners 2 kidnapped minor children. Inaction will encourage the Superior Court of California to



continue to violate the Supremacy Clause of the Constitution of the United States for all defendants and extend their actions of moral turpitude. The violation of the Supremacy Clause is the key factor that is facilitating their ability to violate the rules of Habeas Corpus and Habeas Menis to use the law as a weapon to arbitrarily attack law abiding and innocent citizens. The violations of Habeas Corpus and Habeas Menis continue to happen to the petitioner, despite having the same misdemeanor charge, that is he continuously charged with, previously dismissed with prejudice. These violations are consistently happening in coordination with and across several different geographic jurisdictions of the Superior Court of California. These Constitutional Rights Violations and violent crimes are clearly one part of multiple criminal conspiracies that are part of a greater violation and larger criminal conspiracy that meets all criminal elements need for prosecution of the RICO ACT of 1970 along with numerous other federal and state laws.

In addition to the obvious irreparable harm of preventing the recovery of the petitioner's 2 kidnapped minor children, continuous violations of the petitioner's Constitutional Rights, support the culture of more turpitude associated with violation the Supremacy rule of the Constitution of the United States, and the violations of the rule of Habeas Corpus and Habeas Menis, this Writ of Certiorari must be accepted by the Supreme Court of the United State, because there are circuit splits, the case is of national significance, there is inconsistency of Constitutional Interpretations concerning mental health and pandemic, and to avoid future legal ambiguity with regards to the Supremacy Clause of the Constitution of the United States. The Superior Court of California is in clear violation of the 1970 RICO ACT, multiple state/federal laws and the Constitution of the United States.

INTRODUCTION

Since filing the original RICO ACT civil case in the US District Court, the Superior Court of California, which is an active member of the criminal conspiracies attacking the petitioner, has not stopped attacking him. In fact and they continue to violate his Constitutional Rights, ignoring the Supremacy Clause of the Constitution, which allows them to continue to violate the rules of Habeas Corpus and Habeas Menis in an effort to further their criminal conspiracy in an attempt to silence the petitioner and prevent him from defending himself and his 2 kidnapped and missing minor children. That is the reason he is filing this emergency petition to stop all actions and all mandates by the Superior Court of California, as the actions of moral turpitude by the Superior Court of California must be stopped, because it is causing irreparable harm to the petitioner and his 2 missing minor children. Additionally, the violations are so widespread that it creates reasonable doubt in any case prosecuted by the Superior Court of California.

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The Superior Court of California has continuously violated the petitioner Constitutional rights in a coordinated effort to destroy the petitioner and prevent the recovery of his 2 kidnapped and missing minor children. The Superior Court of California continues to bring false misdemeanor charges with no probable cause against the petitioner. Accusation is not proof and when the petitioner presents direct evidence proof(from the Superior Court of California's own records) that not only proves his innocence, but also proves that his 2 minor children are kidnapped the courts and it's officers ignore the facts of his innocence and perpetuate the violent crimes against him and his minor children by making excuses using the COVID pandemic and/or a challenge to his mental competency to circumvent his Constitutional Rights in violation of the Supremacy Clause of the Constitution of the United States. These actions by the Superior Court of California are being done in an effort to extend his legal obligations and are in violation of the rules of Habeas Corpus as they are holding future court dates over his head to avoid executing due process and equal protection of the law and effectively to prevent the recovery of his 2 kidnapped and missing minor children. The official records of these violations are easy to uncover with simple public records checks of the cases brought against the petitioner, which all follow a similar pattern of racketeering. Prior to these attacks the petitioner has a clean record.

This civil RICO ACT lawsuit meets every and all criminal element requirements for indictment per the United State Criminal and is in violation of the RICO ACT of 1970. Each different geographic location of the Superior Court of California has committed the substantive racketeering offense participating in at least two racketeering acts, each geographic jurisdiction also knew of the other jurisdictions' actions and general status of the conspiracy, and they also knew that the conspiracy extended beyond their jurisdiction's individual role in the conspiracy.

These violent crimes are ongoing and across multiple different geographic jurisdictions in the State of California proving collusion and a coordinated effort in violating the petitioners Constitutional rights and the moral turpitude of the Superior Court of California actions in an effort to destroy the petitioner personally, professionally, financially, mentally, and physically, to prevent the recovery of his 2 kidnapped minor children, and to cover up the murder of his father who was part of the criminal organization that took actions against the petitioner by attacking the petitioner in an effort to steal his personal assets, alienate him, and isolate him from his family and friends. The death of his father occurred during this ongoing federal kidnapping of his 2 minor children and has severe mandatory penalties. Since his father's death the aggression by the criminal organizations has only increased violent attacks on the petitioner who has a credible fear for both his life and the lives of his 2 kidnapped and missing minor children.

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JURISDICTION

The petitioner has been attacked across several different counties throughout California and has been violently attacked by local law enforcement brandishing firearms and causing severe bodily harm multiple times, including attacking him in a police station when the petitioner was trying to report these violent crimes and Constitutional Rights violations. The petitioner brought action to the US District Court because his Constitutional Rights were being violated and he was not getting any assistance from local law enforcement, the courts, and any other mandatory reporters, who are mandated by law to assist when this type of abuse occurs. When the petitioner applied for local legal injunctions, he faced the same corruption that he did in the criminal court with refusal to help him recover his 2 kidnapped minor children. The lack of due process and equal protection of the law would be like a rape victim being returned to a rapist when going to the people who are supposed to help them.

Whenever the petitioner was able to successfully defend himself then he was unlawfully transferred to another county jurisdiction, was transferred to mental health court, and continued to have his constitutional rights violated while the Superior Court of California used excuses to circumvent the Supremacy Clause of the Constitution of the United States. The Superior Court of California did this to unlawfully continue the petitioners' ongoing legal battles in violation of the rules of Habeas Corpus. When the petitioner filed a Writ of Habeas Corpus in the Superior Court of California when he was falsely imprisoned his application was returned as undeliverable mail. Additionally, when he was unlawfully convicted on a misdemeanor charge, he immediately filed for appeal and even though his appeal was accepted he was held in custody for almost his entire sentence, until just 10 days remained. The Superior Court of California then took almost 9 months to overturn his conviction under appeal. California Court rules state that holding a court case over a defendant's head that they must attend, otherwise fact the threat of arrest is considered custody. This is why this persecution by prosecution is a violation of Habeas Corpus. Additionally, using mental health to suspend a case, which was brought under false pretenses, to force a defendant to go through a mental health evaluation, while also violating the defendant's right to a speedy trial, is both a violation of the rules of both Habeas Corpus and Habeas Menis. Habeas Menis because it is my mind and you can't forcibly examine it without consent and/or probable cause. Habeas Corpus, because California Custody laws state that if a defendant has future legal proceedings, they must attend, that is considered being in custody per the California Court Rules. Due to these egregious actions the petitioner was denied Due Process and Equal protection of the law in California and exhausted all his local remedies and was forced to file his lawsuit in US District Court, which is the appropriate jurisdiction due to the ongoing and coordinated Constitutional Rights violations by the Superior Court of



California. Not accepting this case is equivalent to sending a rape victim back to the rapist who was attacking them for protection.

The petitioner then filed a RICO ACT civil case in the US District Court of Northern California. The US District Court then challenged the petitioners subject matter jurisdiction, Informa pauperis status, and dismissed the case with in one day of it being filed. The petitioner then immediately filed appeal with the Ninth Circuit Court of Appeals along with multiple motions which were all ignored. The Ninth Circuit Court of Appeal dismissed the petitioner's lawsuit as frivolous despite real legal merit and multiple motions being added to the initial brief with direct evidence proof of the Constitutional Rights violations and violent crimes against the petitioner and his 2 missing minor children. This appeal was not frivolous, because of the real merits of the case and the Informa pauperis application is legitimate, because the petitioner was found to be eligible for public assistance at the state level. The counter party (Superior Court of California) in the lawsuit recognized the petitioners need (on multiple occasions for consecutive years) for public assistance, but the federal court in which they were being challenged did not recognize this same need, which is unequal and sending the victim back to his assailant to request justice and protection. Unfortunately, the public assistance the petitioner received is being used in a coordinated effort between counsel and the DA to further violate the petitioner's constitutional rights. The petitioner was eligible for public assistance from the Superior Court of California, but the petitioner is suing the Superior Court of California because he was being misrepresented and the Superior Court of California was using his lack of financial resources as another weapon to attack him as his counsel was colluding in the prosecutorial and judicial misconduct of the court delaying his ability to recover his 2 kidnapped minor children and refusing to file a criminal referral while delaying his from being able to find other remedies while under legal threat, which delayed his ability to recover his 2 missing minor children. For the Supreme Court the petitioner has filed as Informa pauperis as his financial condition which has only deteriorated since he has field with US District Court in July of 2025 The petitioner's family is also his employer, and the petitioner believes his family is colluding in the coordinated attacks against him and is colluding with his estranged wife who has kidnapped his 2 minor children. The petitioner's family upon finding out that he filed in US District Court then immediately moved to cut his salary which was already below minimum wage to prevent his ability to file in federal court and defend himself.

This case has Constitutional Rights violations, is of national significance because of the violations of the rules of Supremacy, and conflicts of the law between the state court and federal courts in terms of the petitioner's public assistance status and the seniority of the rules of Supremacy of the Constitution of the United States over Mental Health and National Pandemics. The moral turpitude of the criminal justice system in California is so widespread

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that creates reasonable doubt in any case prosecuted by the Superior Court of California, which is why this case must be heard.

STATEMENT OF THE CASE

This requested stay against actions by the Superior Court of California who has a major role in the Conspiracy to kidnap and prevent the recovery of the petitioners 2 missing minor children. The Superior Court of California is using persecution by prosecution by filing false charges absent of probable cause to tie up the petitioner in court. When the petitioner proves his innocence the Superior Court of California has used the excuses of the COVID pandemic and libelous and untrue mental health claims to circumvent the petitioner's constitutional rights and the Supremacy Clause of the Constitution of the United States. By doing this the Superior Court of California is violating the rules of Habeas Corpus and Habeas Menis to keep him in custody and depose him against his will. The Superior Court of California is doing this as part of a larger criminal conspiracy to federally kidnap his 2 missing minor children and to prevent their recovery.

There Is a Reasonable Probability That This Court Will Grant Certiorari

This case has national significance, because if they Superior Court of California can arbitrarily violate the Supremacy Clause of the Constitution of the United States against me, then they can do it to anyone. The constitutional rights violations in this case are clear facts from the Superior Court of California's own court records. These Constitutional Rights Violations demonstrate an ongoing action of moral turpitude have occurred multiple times and in coordination across several different geographic jurisdictions throughout the state. These violations include violation of the Constitution of the United States of America and the petitioner's 1st, 2nd, 4th, 5th, 6th, 8th, 9th, 13th, 14th, & 15th Amendment Constitutional Rights. The lower courts just like the federal courts are obligated to defend the Constitution of the United States. If they are not defending the Constitution that is a discrepancy with the Supremacy Clause of the Constitution and the mandate for all courts in the land, which mean that if constitutional rights are being clearly violated by a lower court and all remedies to defend the Constitution have been exhausted then the federal court is obliged to take the case under their jurisdiction and defend the Constitution of the United States.

The Ninth Circuit's Decision Did Not Consider

The Ninth Circuit Courts decision that the case was frivolous does not make sense, because of the massive amounts of Constitutional rights violations against the petitioner and clear violations of the RICO ACT of 1970. By not taking the case the Ninth Circuit Court is saying that the petitioner Constitutional rights do not matter and that the Superior Court of California supersedes the Constitution of the United States which is in violation of the



Supremacy Clause of the Constitution. Additionally, it appears as if the Superior Court of California did not consider multiple additional motions that clearly proved constitutional rights violations against the petitioner and the active participation of the Superior Court of California in the criminal conspiracies and RICO ACT violations against the petitioner and his 2 minor children.

There Is a Fair Prospect That This Court Will Reverse

The Supreme Court must reverse the District Court and Ninth Circuit courts decisions, because the law suit is not frivolous, it does not violate subject matter jurisdiction, it does not violate the rules of Informa pauperis, it meets all the criminal elements required in a RICO ACT law suit, it will defend the Constitution of the United States, it is of national significance(if it can happen to me it can happen to anyone), it will help facilitate a criminal referral to safely recover my 2 kidnapped minor children, and it will set legal precedents to protect other human beings from these types of attacks in the future by the Superior Court of California and/or any other courts.

Mr. Dhaliwal (The Petitioner) & His 2 Kidnapped & Missing Minor Children Will Suffer Irreparable Harm Absent a Stay of the Mandate

The Superior Court of California has continued its same pattern of racketeering, and the petitioner has had the same misdemeanor false charges brought against him, then had his private defender again declare competency, and is forcing the petitioner to go through another competency examination violation under the threat of legal consequences. They are doing all of this while preventing the petitioner from recovering his 2 kidnapped minor children and despite the fact the petitioner has had this exact same charge dismissed with prejudice in another geographic jurisdiction of the Superior Court of California. Additionally, this time they are also threatening the petitioner with mental health treatment consequences against his will. Accusation is not proof and despite being given certified direct evidence proof of the petitioner's innocence and the kidnapping of his 2 minor children the Superior Court of California is ignoring the facts and as they continue their criminal conspiracy and assault of the petitioner's and his 2 missing minor children's constitutional rights and personal freedom.

In this most recent attack on the petitioner the Superior Court of California brought a case claiming a violation from 2024 again with false charges and no probable cause. The Superior Court of California forced the petitioner have a private defender who despite being shown direct evidence proof of his innocence and the kidnapping of his 2 minor children declared a competency challenge before the trial begin to prevent immediate dismissal of the case, to suspend the criminal trial, and to circumvent the petitioner's constitutional right to a

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speedy trial in violation of the Supremacy clause of the Constitution. The Superior Court of California is using mental health court as an excuse to violate the rules of Habeas Corpus and to prevent the recovery of the petitioners 2 kidnapped minor children who were kidnapped at age 1 & 4 and who are now 7 & 10 years old. These actions by the Superior Court of California are not only violating the rules of Habeas Corpus and Habeas Menis, which are being used to hold the petitioner in custody and depose him against his will, but they are also libelous and slanderous against the petitioner, desecrating his personal reputation causing irreparable harm to him personally and professionally.

Consider the Application

The Court should grant an administrative stay to stop all actions by the Superior Court of California against the petitioner and grant the Writ of Habeas Corpus and Habeas Menis to prevent further violations of the petitioners Constitutional rights, to make a criminal referral to safely recover his 2 minor children, to make a criminal referral to investigate the RICO ACT claims as there is direct evidence proof of meeting all criminal elements required per United State Code , to enable full consideration of the merits of his Writ of Certiorari, because it set precedent to protect the Supremacy Clause of the Constitution of the United States, defends the rules of Habeas Corpus(he did not do anything wrong, accusation is not proof), and defend the rules of Habeas Menis to prevent illegal deposition of defendant's under the disguise of mental health. The moral turpitude of the criminal justice system in California is so widespread that these violations create reasonable doubt in any case prosecuted by the Superior Court of California.

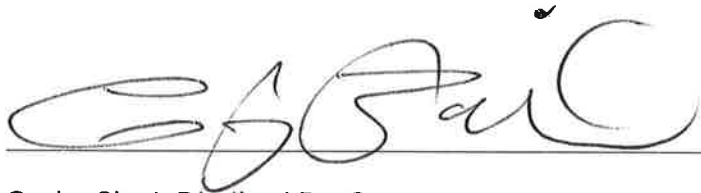
CONCLUSION

The Petitioner has endured Constitutional Rights Violations and violent crimes in violation of the Supremacy clause of the Constitution of the United States and the rules of Habeas Corpus & Habeas Menis to continue ongoing criminal conspiracy with violent crimes against him and his 2 kidnapped and missing minor children by the Superior Court of California. The same government officials the petitioner must go to for help in his defense of himself, his 2 missing minor children, and the Constitution of the United States are part of the same Criminal Organization that is attacking him in violation of the RICO ACT of 1970. The petitioners Writ of Certiorari has been submitted by the petitioner himself who is a Pro Se defendant and his complaint not only meets the standards elements for acceptance, but it also exceeds the normal criteria due to extreme national significance to get this right, because of the massive number of Constitutional Rights violations and massive amount of public corruption across all levels of checks and balances that would normally protect against this wide spread moral turpitude by local, state, and federal government officials. The extreme importance of a successful petition has led him to file this emergency stay to

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stop further violations, to defend the Constitution of the United States, and to safely recover his 2 kidnapped minor children. For this reason, we are requesting that you not only execute a stay against all actions by the Superior Court of California against the petitioner, but also that you make a criminal referral to help safely recover the petitioners 2 kidnapped minor children and bring his assailants to justice. The moral turpitude of the criminal justice system in California is so widespread that creates reasonable doubt in any case prosecuted by the Superior Court of California. Please help us defend the Constitution of the United States and safely recover the petitioners 2 kidnapped minor children. If this can happen to the petitioner, it can happen to anyone, and what has happened to him is unacceptable to happen to any human being anywhere by anyone and/or anything. "Mercy to the Guilty is Cruelty to the Innocent." – John Adams

By May 3,
April 27, 2026, Respectfully submitted,



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Pro Se Counsel for Applicant Gurjot Singh Dhaliwal

PROOF OF SERVICE

NO. 25-7113

In the Supreme Court of the United States

Gurjot Singh Dhaliwal Petitioner

VS.

Superior Court of California Respondent

Proof of Service

I, Gurjot Singh Dhaliwal, do swear declare that on this date May 2, 2026, as required by the Supreme Court I have served the enclosed EMERGENCY APPLICATION TO STAY & STOP ANY & ALL ACTIONS BY THE SUPERIOR COURT OF CALIFORNIA JUDGMENT PENDING THE DISPOSITION OF A PETITION FOR WRIT OF CERTIORARI. The Emergency Motion is part of case filed on February 20, 2026 and was placed on docket March 26, 2026 on each party to the above proceeding or that party's counsel, and on every person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class prepaid postage, or by delivery to a third party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

Superior Court of California

39439 Paseo Padre Pkwy, Fremont, CA 94538

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 2, 2026

A handwritten signature in black ink, appearing to read 'Gurjot Singh Dhaliwal', written over a horizontal line. The signature is stylized and cursive.

(Signature) Gurjot Singh Dhaliwal

Appendix

Supreme Court Docketed

Case #25-7113

Proof of

Federal Kidnapping,

Constitutional Rights

Violations, & Violent Crimes

by The Superior Court of

California

**Additional material
from this filing is
available in the
Clerk's Office.**