

**In The  
Supreme Court of the United States**

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EDWARD L. CLARK JR..  
Appellate,

v.

STATE OF CALIFORNIA.  
*Defendant's, Appellees*

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On Petition For Writ Of Certiorari  
The Ninth Circuit Court of Appeals, Central District  
Case No. 23-55628; 23-55715  
D.C.No. 8:22-01390-cv-MWF-JPR

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**MOTION TO DIRECT THE CLERK TO FILE  
PETITION FOR WRIT OF CERTIORARI  
OUT OF TIME**

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Edward L. Clark Jr.  
5582 McFadden Ave  
Huntington Beach, Ca 92649  
(714) 448-7145  
[ed@theelectricalexpert.com](mailto:ed@theelectricalexpert.com)

Date: OCTOBER 16,2025

Self Represente

Petitioner Edward L. Clark Jr., the Plaintiff in the above referenced matter, submits this Motion to Direct the Clerk to File of Certiorari out of time.

Petitioner is not a lawyer and made a catastrophic mistake and accidentally mis-calendared the due date for filing the writ of Certiorari off of the Mandate issued 7/10/2025 rather than the order dated 7/2/2025

In recognition of the courts stringent guidelines, and understanding the catastrophic results of not being an attorney, I must still humbly plead for forgiveness offering a Showing *Good Cause based on a Compelling National Significance*

### COMPELLING NATIONAL SIGNIFICANCE

Extensive precedence on the legal effects of VOID orders clearly outlines that no court can validate void orders.

The attached writ of certiorari is seeking clarification if a district court has legal authority and can effectively validate VOID ORDERS issued in a lower state family court by citing and applying a Rooker -Feldman Doctrine to give state court judges absolute immunity despite orders issued without subject matter jurisdiction, issued without first serving a summons/complaint then having a person who is not a judge preside. Therefore by law absent immunity protection.

The national significance here is whether or not lower state court judges have absolute immunity from prosecution (Criminal or Civil) when there are clear violations of Federal Questions (Obstruction of Justice, and Violations of the Rico Act ) trying to cover up judicial misconduct. **[Please see attached California Supreme Court Petition S292065 For**

**Review]** pending in the California Supreme court.

At issue; if Petitioner writ of certiorari fails, a conflict is created: Petitioner would be forced to pursue a federal matter with federal jurisdiction in a hostile State court who may not have jurisdiction over the matter regarding federal allegations of criminal judicial misconduct that includes obstruction of justice from judges operating a criminal enterprise utilizing the power and authority of orange county superior court as cover to fabricate immunity from federal court.

### **A PLEA TO THE JUSTICE'S DISCRETION**

It must be rare and uncomfortable case like this involving colleges that makes its way the to the U.S. Supreme Court. The question at issue is whether the Oath of Office means anything in our judicial system. Or are state court judges free with absolute immunity to obstruct justice, for their own self-serving reasons and who goes to great self-serving lengths to prevent two parties from settling a case simply to fabricate immunity for themselves .

I have attached California Supreme Court Petition For Review for reference, so you can see the national implications if it is determined judges are free to break the law, and can never be held accountable under any circumstance, even when using the power and authority of Superior Court as a shield to Conduct Sham cases without subject matter jurisdiction using people who are not judges without fear of repercussions.

Additional significance for this specific Petition for Writ of Certiorari, should the attached Petition for Review at the California Supreme court get granted and the California Supreme court ultimately reverses all VOID

orders including VOID orders issued by the Fourth Appellate district Div 3 in support of lower court, Petitioner will be barred from bringing civil case for recovering damages for Federal crimes in Federal court under the RICO Act.

Included in the Writ is a determination if the ninth circuit is required to publish an opinion that strays so far from long standing precedent regarding VOID orders.

I humbly request and ask you do not penalize me for my clear misunderstanding of the rule 13.3, allow a bit of discretion as a non-lawyer trying to bring such a significant issue with national implications to your attention in hopes of establishing guard rails for all Judicial Officers across the nation to follow, thus insuring a judiciary free from bias and equal protection under the law

I respectfully ask you to order the clerk to file the enclosed Writ of Certiorari

Sincerely,

A handwritten signature in blue ink, appearing to read "Edward L. Clark Jr.", written in a cursive style.

Edward L. Clark Jr.,  
Self Represented

*Related Complaint: Department of Justice Criminal Division  
Ref # NM 302262361*

**SUPREME COURT OF THE UNITED STATES  
OFFICE OF THE CLERK  
WASHINGTON, DC 20543-0001**

October 10, 2025

Edward L. Clark, Jr.  
5582 McFadden Ave.  
Huntington Beach, CA 92649

RE: Clark, Jr. v. CA  
USAP9 23-55628, 23-55715

Dear Mr. Clark, Jr.:

The above-entitled petition for a writ of certiorari was postmarked October 8, 2025 and received October 10, 2025. The papers are returned for the following reason(s):

The petition is out-of-time. The date of the lower court judgment or order denying a timely petition for rehearing was July 2, 2025. Therefore, the petition was due on or before September 30, 2025. Rules 13.1, 29.2 and 30.1. When the time to file a petition for a writ of certiorari in a civil case (habeas action included) has expired, the Court no longer has the power to review the petition.

The time for filing a petition for a writ of certiorari is not controlled by the date of the issuance of the mandate. Rule 13.3.

Your petitions and check no. 2345 in the amount of \$300.00 are herewith returned.

Sincerely,  
Scott S. Harris, Clerk

By: 

Sara Simmons  
(202) 479-3023

Enclosures

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

JUL 2 2025

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

EDWARD L. CLARK,

Plaintiff-Appellant,

v.

STATE OF CALIFORNIA; et al.,

Defendants-Appellees.

Nos. 23-55628, 23-55715

D.C. No.

8:22-cv-01390-MWF-JPR

Central District of California,  
Santa Ana

ORDER

Before: SILVERMAN, WARDLAW, and DESAI, Circuit Judges.

The panel has voted to deny the petition for panel rehearing.

The full court has been advised of the petition for rehearing en banc and no judge has requested a vote on whether to rehear the matter en banc. *See Fed. R. App. P. 40.*

The petition for panel rehearing and petition for rehearing en banc (Docket Entry No. 35 in Appeal No. 23-55628; Docket Entry No. 31 in Appeal No. 23-55715) are denied.

No further filings will be entertained in these closed cases.

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3  
4 **IN THE SUPREME COURT OF THE**  
5  
6 **STATE OF CALIFORNIA**  
7  
8

9 Deborah L. Clark., an individual

10  
11 Petitioner,

12 vs.

13 Edward L Clark Jr.

14 Respondent.  
15  
16  
17

} **SUPREME COURT CASE #:** 5292065

} Court of Appeal : G064157

} Superior Court Number: 05D000275  
18  
19  
20

21  
22 **APPEAL FROM SUPERIOR COURT OF**  
23 **ORANGE COUNTY**  
24 **HON. JUDGE YOLANDA TORES**  
25

26 **PETITION FOR REVIEW**  
27  
28

Edward L. Clark Jr.  
In Proper  
5582 McFadden Ave  
Huntington Beach, Ca 92649  
(714) 448-7145  
[ed@theelectricalexpert.com](mailto:ed@theelectricalexpert.com)

1  
2 **IN THE SUPREME COURT OF THE**  
3  
4 **STATE CALIFORNIA**  
5  
6

7  
8 **No. G064157**  
9

10  
11 Deborah L. Clark., an individual

12                   Petitioner,

13                   vs.

14                   Edward L Clark Jr.

15                   Respondent.  
16  
17

} Superior Court of California

} Court of Appeal : G064157

} Superior Court Number: 05D000275

} **Hon. Yolanda Tores**  
18  
19

20 **ISSUES PRESENTED**

21       This Petition presents four important questions of constitutional law on which  
22 direct conflicts exist in the decisional authority regarding a parties equal protection under  
23 the Fourteenth Amendment to the Constitution by a fair and un-biased judiciary.

24       (1) When a party on appeal from a VOID order challenges the validity of a VOID  
25 order, and the facts in evidence clearly demonstrate order is void, must that party  
26 demonstrate any further prejudice to obtain reversal? In other words is an abuse of  
27 discretion by not only the trial court, but also the Fourth Appellate District, Div 3  
28 offering opinions on the merits of VOID orders sufficient for reversal, as determined by  
the Second Appellate District, Division Seven, in Mackouska v. Viewcrest Road



1 Properties LLC 2019 40 Cal.App.5<sup>th</sup> 1 (Mackouska), or to the contrary, is an additional  
2 showing of prejudice required, as the majority of the appellate panel decided in the  
3 instant matter.

4 (2) When both parties to an appeal, as a result of the courts refusal to dismiss pursuant  
5 to (1) above and/or pursuant to Rule 3/1385(b) when the court admits its properly was  
6 noticed of settlement, both parties including petitioner who filed (3) requests to dismiss  
7 and then when that was denied and as an alternative requested the court at a minimum to  
8 enter settlement documents into the record, the court obstructs justice denying both  
9 parties identical motion to enter settlement documents into the record. Both identical  
10 motions were supported with a jointly filed request for the court to judicially notice  
11 settlement documents.

12 (3) Notwithstanding the fact, (conflict) the Fourth Appellate District Div 3, offered  
13 three opinions on the merits of VOID orders, they directly contradict their own published  
14 opinion on May 16, 2023 [see Zaal Aresh vs Monica Marin-Morales G060579,  
15 G060827; citing in its opinion People vs America Contractors Indemnity Co. (2002) 33  
16 Cal4th 653,660. that states: As explained by our Supreme Court a judgment is void, as  
17 opposed to merely voidable, when the court lacks fundamental jurisdiction over the  
18 subject matter or the parties; i.e., it has “an entire absence of power to hear or determine  
19 the case, an absence of authority over the subject matter or the parties.” Here, the family  
20 court lacked jurisdiction over parties because a) subject matter jurisdiction was barred in  
21 family court pursuant to 8/31/2006 judgment that had been fully executed and no longer  
22 at issue since 3/21/2016.. “When a court lacks jurisdiction in a fundamental sense, an  
23 ensuing judgment is void, and ‘thus vulnerable to direct or collateral attack at any time.’”

24 (4) Appellate respectfully ask the court to take judicial notice of 6/25/25 opinion  
25 the courts opinion fails to acknowledge or even mention Petitioner three request to the  
26 court herself to dismiss 4/17/2018 order and all subsequent orders and although  
27 acknowledges her request to enter settlement documents into the record, fails to disclose  
28 why the court denied Petitioners request to enter settlement documents into the record  
when Petitioner herself makes request.

Which brings in important Constitutional questions regarding **A. Due Process** and

1 **B. Abuse of Discretion and C. Obstruction of Justice**

2  
3 **CONSTITUTIONAL AND CALIFORNIA RULES OF**  
4 **COURT PROVISIONS INVOLVED**

5 1. Section 1 of the Fourteenth Amendment

6 *All persons born or naturalized in the United States, and subject to the jurisdiction*  
7 *thereof, are citizens of the United States and of the State wherein they reside. No*  
8 *State shall make or enforce any law which shall abridge the privileges or*  
9 *immunities of citizens of the United States; nor shall any State deprive any person*  
10 *of life, liberty, or property, without due process of law; nor deny to any person*  
11 *within its jurisdiction the equal protection of the laws.*

12 2. California Rule 3.1385 {b) **Dismissal of RFO issued 4/17/2018**; Except as  
13 provided in (c), each plaintiff or other party seeking affirmative relief must serve and file  
14 a request for dismissal of the entire case within 45 days after the date of settlement of  
15 the case. If the plaintiff or other party required to serve and file the request for dismissal  
16 does not do so, the court must dismiss the entire case 45 days after it receives notice of  
17 settlement unless good cause is shown why the case should not be dismissed.

18 3. Parol Evidence; The parol evidence rule **bars extrinsic evidence**, including  
19 prior or contemporaneous oral agreements and prior or contemporaneous  
20 written agreements. In general, the parol evidence rule prevents the introduction  
21 of evidence of prior or contemporaneous negotiations and agreements that  
22 contradict, modify, or vary the contractual terms of a written contract when the  
23 written contract is intended to be a complete and final expression of the parties'  
24 agreement

25 4. One Judgment Rule; California has adopted the "one judgment rule." This  
26 rule mandates that under California procedure there is ordinarily only one  
27 final judgment in an action. A judgment is final when it terminates the  
28 litigation between the parties on the merits of the case. (Sjoberg v.  
Hastorf, 33 Cal. 2d 116 [199 P.2d 668]; Evans v. Dabney, 37 Cal. 2d 758 [235  
P.2d 604]; Fleuret v. Hale Constr. Co., 12 Cal. App. 3d 227 [90 Cal. Rptr. 557];  
County of Sacramento v. Assessment Appeals Bd. No. 2, 32 Cal. App. 3d  
654 [108 Cal. Rptr. 434].)

5. Subject Matter jurisdiction; is the requirement that a given **court have** power  
to hear the specific kind of claim that is brought to that **court**.

Subject matter jurisdiction is the "power to hear or determine the case." (See  
Abelleira v. District Court of Appeal (1941) 17 Cal. 2d 280, 288 [109 P.2d 942, 132  
A.L.R. 715].) Without subject matter jurisdiction, the court has no power to

1 determine the case. Lack of subject matter jurisdiction therefore is such a basic  
2 defect that it can be raised at any time by any available procedure. (Cal. Practice  
3 Guide, Civil Procedure Before Trial, 3:189-190, pp. 3-64.) "[L]ack of jurisdiction is not  
4 subject to waiver and may be raised at any stage of the proceedings ...." (Jacobs v.  
5 Retail Clerks Union, Local 1222 (1975) 49 Cal. App. 3d 959, 963 [123 Cal. Rptr. 309].)  
6 The fundamental nature of subject matter jurisdiction also is recognized by statute,  
7 which provides the issue will not be waived if it is not raised in the pleadings.

8 *Accept Under the law, "all judges, officers of the court can be held liable for*  
9 *their actions. when the court has no jurisdiction of the cause, there the*  
10 *whole proceeding is before a person who is not a judge", and actions*  
11 *will lie against them without any regard of the precept or process... Little v.*  
12 *U.S. Fidelity & Guaranty Co., 217 Miss. 576, 64 So. 2d 697*

13 6. Stipulation Requirements For A Commissioner To Preside As A Judge  
14 *The power of a court commissioner to act as a temporary judge emanates solely*  
15 *from stipulation by the parties to the proceeding. (Cal. Const., art. VI, § 21; Rooney*  
16 *v. Vermont Investment Corp., 10 Cal. 3d 351, 360 [110 Cal. Rptr. 353, 515 P.2d*  
17 *297]; People v. Tijerina, 1 Cal. 3d 41, 48-49 [81 Cal. Rptr. 264, 459 P.2d 680].)*  
18 *Section 21, article VI provides: "On stipulation of the parties litigant the court may*  
19 *order a cause to be tried by a temporary judge who is a member of the State Bar,*  
20 *sworn and empowered to act until final determination of the cause." )*

21 7. California Rule 3.10 states that Civil Rules apply to all civil cases in the superior  
22 courts, including general civil, *family*, and juvenile, and probate cases,  
23 Government Code 68081: In California Casualty, the Second District of the Court of  
24 Appeal opined portentously that although the case before it was "small, as cases go," it  
25 raised "a significant principle" shared by the case at bar: "judges, including appellate  
26 judges, are required to follow the law." Whenever an appellate court decides a case "on  
27 a point not raised by the parties, and without notice to the parties that it might do so," it is  
28 obligated to grant a timely filed petition for rehearing. (California Casualty Ins. Co. v.  
Appellate Department (1996) 46 Cal.App.4th 1145, 1147 (California Casualty); Adoption  
of Alexander S. (1988) 44 Cal.3d 857, 864 (Alexander).) As will be shown in the next  
subsection, the problem here is strikingly similar to the error that the Court of Appeal  
found in California Casualty: the appellate court decided key issues no party to the  
proceeding had ever raised and about which the court had failed to inform the parties that  
it might even consider. (46 Cal.App.4th 9 at p. 1149.) The reviewing appellate court in  
California Casualty declared that "it was error to decide the case without warning the  
parties that the court was considering that ground, and giving them an opportunity to  
brief it." (Ibid., citing Alexander, 44 Cal.3d at p. 864.)

The court continues to insist Appellate agreed to a court commissioner by his actions  
rather than address facts in evidence the Commissioner himself "EMINENTLY

1 RELIED” on two stipulations that turned out to be unsigned by either party. Hence the  
2 courts extrinsic argument not offered in any opposition warrants a re-hearing

### 3 **JURISDICTION**

4  
5 Appellate opening brief filed 12/6/2024 requesting (1) dismiss RFO because it was  
6 issued with Lack of Subject matter jurisdiction or (2) dismiss because a judge did not  
7 preside or in the alternative (3) as an alternative reverse the courts ruling and enter  
8 settlement documents into the record at the request of both parties.

9 On 2/3/2025 Appellate motion to grant appeal for lack of any opposition.

10 On 2/18/2025 Motion to dismiss action for lack of subject matter jurisdiction.

11 On 2/27/2025 Emergency motion to correct legal errors of the court requesting to  
12 separate and rule on the issue the court lacks subject matter jurisdiction

13 The opinion of the California Court of Appeal Petition was filed 6/25/25. A  
14 petition for re-hearing filed 6/27/2025, On 7/11/2025 the court denied Appellate timely  
15 filed request for re-hearing. See **Appendix (A) attached hereto**, copy of the 10/5/23  
16 Order of the Court Of Appeal. A request to publish opinion was filed 7/9/2025.

17 *The issue at hand, appellate (ProSe Litigant) argues no court has jurisdiction over*  
18 *void orders. The orders are simply VOID and cannot be validated by any court.*  
19 *However, the rules state that higher courts must inform the lower courts to correct the*  
20 *record.*

21 The court denied request to publish opinion on 7/22/2025. See **Appendix (B)**  
22 **attached hereto**, copy of request to publish opinion.

### 23 **REASONS FOR GRANTING THE REVIEW**

24 A determination is needed by a supervisory court to determine why would  
25 actions be taken by the judiciary including the Fourth Appellate District Div 3 to impede  
26 or interfere with the proper functioning of the legal system? Why would the appellate  
27 court go to such lengths to “fabricate” arguments when both parties have done everything  
28 in their power to ask the court to dismiss void orders and deny their alternative to simply

1 enter settlement documents into the record. When parties have asked the court to dismiss  
2 and both parties have asked the court to enter settlement documents into the record, why  
3 would the appellate court not address those two key issues specifically?

4 Why would the fourth appellate district refuse to address long standing precedent  
5 that was supported by them in their published opinion that states: [see Zaal Aresh vs  
6 Monica Marin-Morales G060579, G060827; citing in its opinion People vs America  
7 Contractors Indemnity Co. (2002) 33 Cal4th 653,660. that states: *As explained by our*  
8 *Supreme Court* a judgment is void, as opposed to merely voidable, when the court lacks  
9 fundamental jurisdiction over the subject matter or the parties; i.e., it has “an entire  
10 absence of power to hear or determine the case, an absence of authority over the subject  
11 matter or the parties.”

12 This court’s review of the instant matter is critical because the majority opinion  
13 represents significant departure from existing authorities and has denied appellate request  
14 to publish their decision since it would create diminish and change long standing case  
15 law.

16 The Fourteenth Amendment, ratified in 1868, is a cornerstone of US law,  
17 primarily addressing citizenship, equal protection under the law, and due process. It  
18 declares that all persons born or naturalized in the United States are citizens and prohibits  
19 states from infringing upon the privileges and immunities of citizens, depriving them of  
20 life, liberty, or property without due process, or denying them equal protection under the  
21 law

22 **A determination from a supervisory court to get answers from the lower courts is  
23 necessary to see.**

24 **I. Appealability:** in order to determine appealability, the appellate court must first  
25 determine if it has jurisdiction to offer an opinion. In this case, merely stating it has  
26 jurisdiction, without citing legal authority, in three separate opinions to allow an effort to  
27 validate void orders under the law and avoiding citing legal authority for jurisdiction is  
28 obstructing justice.

When a VOID order reaches the appellate court, the appellate court has no  
authority to issue an opinion on the merits of void orders. The appellate court has no



1 authority to validate void orders. The issue at hand, is in three separate opinions offered  
2 by the Fourth Appellate District Div 3, states if has jurisdiction, yet in all three opinions  
3 refuse to cite any legal authority on why it has jurisdiction to issue 4/17/2018 order, when  
4 he order is not related to any judgment not satisfied by written fully executed contract..

5 *Consequently a reviewing court must first review undisputed material facts in*  
6 *evidence to determine if it has subject matter jurisdiction to serve an RFO from family*  
7 *court:*

- 8 1. 8/31/2006 dissolution judgment bars subject matter jurisdiction in family court.
- 9 2. the family court is barred *Parol Evidence* from changing the terms of a fully  
10 executed judgment 12-years prior that was fully resolved 3/21/2016.
- 11 3. The parties executed a 3/21/2016 Debt settlement agreement that bars subject  
12 matter jurisdiction in family court
- 13 4. The 3/21/2016 Debt settlement agreement was fully executed on 4/15/2016 with a  
14 \$1,000,000 wire transfer pursuant to the SPECIFIC terms contained therein
- 15 5. 4/15/2016 case 05D9000275 family dissolution matter no longer at issue upon  
16 wire transfer of \$1,000,000..
- 17 6. A phone call took place apparently discussing 3/21/2016 contract in 2017
- 18 7. RFO served 4/17/2018 (Underlying case) based on a **2017 phone call subsequent**  
19 **to fully executed Debt settlement agreement without first serving**  
20 **summons/complaint**

21 Thus, upon review of the facts in evidence, it can be concluded: A) the RFO was  
22 neither an RFO required to enforce an 8/31/2006 judgment because the 8/31/2006  
23 judgment was fully satisfied on 4/17/2016 pursuant to a fully executed 3/21/2016  
24 Debt Settlement Agreement and B) The RFO was not issued subsequent to a  
25 summons/complaint issued alleging any allegations about the execution of 3/21/2016  
26 contract.

27 Consequently, the Fourth Appellate court states in all three opinions it finds the  
28 lower court had subject matter jurisdiction while dodging and failing to provide any legal  
authority to support its findings. Hence it is necessary for a supervisory court to require  
the Fourth Appellate District Div 3, to offer proof of subject matter jurisdiction IN THE

1 LOWER COURT based on facts in evidence TO PROVE IT HAS JURISDICTION TO  
2 OFFER AN OPINION ON THE MERITS OF A VOID ORDER.

3 *Appellate respectfully request the court to judicially notice motions filed*  
4 *specifically to address subject matter jurisdiction WITH THE FOURTH APPELLATE*  
5 *DISTRICT DIV 3, and the court failed to respond to any of the issues raised:*

- 6 a. 2/4/2025 Motion to grant appeal for lack of any opposition
- 7 b. 2/18/2025 Motion to dismiss appeal for lack of subject matter jurisdiction
- 8 c. 2/25/2025 Emergency motion requesting court to correct legal errors and rule on  
9 Subject matter jurisdiction prior to oral argument.

10 Please notice the appellate court denied request and failed to address any of the  
11 undisputed material facts addressed above

12 A supervisory court should determine why appellate court is rendering an opinion  
13 not based on any facts in evidence or presented on oral argument by either of the parties  
14 litigants. Thus drawing a conclusion based on something extrinsic not presented as  
15 evidence from either parties litigants.

16 Upon review this court will find the RFO issued 4/17/2018 was issued without  
17 subject matter jurisdiction, RENDERING THE 4/17/2018 ORDER AND ALL  
18 SUBSEQUENT ORDERS VOID ON THEIR FACE.

## 19 II. MOTIONS ON APPEAL:

20 A determination is necessary to determine if motions on subject matter  
21 jurisdiction are frivolous as stated by the Fourth Appellate District Div 3 when the law  
22 states subject matter jurisdiction can be attacked at any time, The opinion states "we have  
23 jurisdiction" without citing any legal authority how any court has jurisdiction over orders  
24 that are void on their face. Nor does the court give any authority by which it can validate  
25 void orders.

26 The following facts in evidence render 4/17/2018 order void on its face are  
27 undisputed material facts unopposed by Petitioner:

- 28 1. The fourth appellate District found the 4/17/2018 RFO was issued  
based on a 2017 phone call subsequent to a fully executed 3/21/2016 Debt settlement

1 agreement, case 05D000275 that was no longer at issue proving the argument by the  
2 appellate court trying to tie the RFO to a 8/31/2006 dissolution judgment is a fraud, and  
3 not based on any argument presented by either party.

4 2. The RFO was neither a post judgment order to enforce a judgment, nor was the  
5 order issued subsequent to a summons/complaint.

6 3. A determination is necessary of how, if at all, the 4/17/2018 RFO issued by  
7 Judge Lon Hurwitz was a legal, or a valid order. And on what legal authority. Absent a  
8 finding of fact that the RFO issued 4/17/2018 was a valid order, the 4/17/2018 order is  
9 void on its face and all orders thereafter including three appellate opinions are VOID ON  
10 THEIR FACE.

### 11 **III. Edwards Appeal is Frivolous**

12 A determination why the appellate court opinion continues to try to  
13 mislead and misstate facts in evidence citing the appeal is:

14 ***“BECAUSE THE FAMILY COURT REFUSED TO FOLLOW THE LAW***  
15 ***BY NOT DISMISSING THE MARITAL DISSOLUTION MATTER BASED***  
16 ***ON THE DEBT SETTLEMENT AGREEMENT AND THE JOINT***  
***STIPULATION”***

17 This argument by the appellate court strays so far from the truth and has been the  
18 focus of their narrative in all three opinions issued to date. At no time has the appeal had  
19 anything to do with dismissing an 8/31/2006 judgment entered 12 years prior and fully  
20 resolved 3/21/2016. The appeal has everything to do with an illegal RFO issued  
21 4/17/2018 based on a 2017 phone call that was issued without subject matter jurisdiction  
22 in family court. The appeal has everything to do with asking this court on what legal  
23 grounds was the 4/17/2018 RFO issued?

24 The evidence shows Deborah received \$1,000,000 in full satisfaction pursuant to  
25 a fully executed 3/21/2016 Debt Settlement Agreement by wired funds on 4/15/2016,  
26 that settled all debt. Consequently, on what legal grounds can an RFO be issued because  
27 of a phone call in 2017 without a summons and complaint first being served? Then how  
28 does family court have subject matter jurisdiction over an RFO when there is no family  
judgment not fully satisfied? over a phone call with a expired statute of limitation? On



1 what authority can a family law judge utilize a case no longer at issue, issue an order to  
2 appear in court to circumvent the civil judicial process and not serve a  
3 summons/complaint.

4 The appeal is a direct challenge to the lower courts jurisdiction and the motions  
5 are a challenge to the appellate courts jurisdiction. over void orders issued in the lower  
6 court.

7 **THE OPINION IS INTENDED TO STRAY FROM THE TRUTH**  
8 **CREATING A FALSE NARRATIVE FOR AN ARGUMENT**

9 The appeal has never had anything to do with dismissing or unwinding a judgment  
10 entered 12 years prior. or referencing the dissolution judgment entered 8/31/2006.

11 The secondary appeal filed simultaneous with a challenge to subject matter was an  
12 effort to give the court a lifeline, since it has obviously issued a void 4/17/2018 order,  
13 conducting a sham trial since 2018, without subject matter jurisdiction was to give the  
14 court an alternative to allow this case to go away.

15 Both parties litigants each have requested the court to dismiss VOID order issued.  
16 The court refused and denied noticed motion to correct the record and include Petitioners  
17 (3) request to dismiss into the record. The court denied both parties independent identical  
18 motions to enter settlement documents into the record. The settlement documents  
19 included not only the 3/21/2016 contract but a stipulation executed by both parties  
20 litigants, where both parties agreed the RFO issued 4/17/2018 was issued in Breach of  
21 3/21/2016 contract. The stipulation was witnessed by a superior court judge and both the  
22 lower family court and the Fourth Appellate District Div 3 refused to accept both parties  
23 request to judicially notice stipulation.

24 The opinion states:” the court tried to explain why the 2018 order was valid and  
25 binding and why the Debt Settlement Agreement and Joint Stipulation cannot be given  
26 effect in the **MARITAL DISSOLUTION MATTER”....THERE AGAIN LIES THE**  
**PROBLEM.**

27 The court refuses to accept the undisputed material fact the Debt Settlement  
28 agreement was fully executed on 4/15/2016 when a \$1,000,000 wire was sent to

1 Petitioner in full satisfaction of Debt Settlement agreement.

2 *It should be viewed as a Fraud on the Court when an appellate court tries and*  
3 *continues to fabricate a FALSE argument . 1. the RFO issued using a case number no*  
4 *longer at issue was some how challenging a 2006 dissolution judgment when the*  
5 *8/31/2006 judgment was no longer at issue. 2. PLEASE TAKE JUDICIAL NOTICE THE*  
6 *OPINION STATES ON PAGE 5 PRG 1*

7 **FRAUD ON THE COURT**

8 *"Deborah signed a debt settlement agreement 3/21/2016 under the terms of the*  
9 *Debt Settlement Agreement Deborah was suppose to receive the entire \$1 million*  
10 *dollars ....Edward nevertheless took \$150,000 of that amount?*

11 *In evidence provided to the appellate court at oral arguments a bank statement*  
12 *OF \$1,000,000 being transferred to Deborah via wire to her account, yet the appellate*  
13 *court continues to lie in its opinion without any supporting evidence or opposition from*  
14 *Deborah that Edward took \$150k. This is a fabricated story taken out of context to create*  
15 *a false narrative in effort to pierce a case that was no longer at issue and to justify the*  
16 *fraudulent use of a case number to issue an RFO to get a around the fact they couldn't*  
17 *properly file a summons/complaint because the statute of limitation had expired.*

18 *Rather the court should show an offer of legal authority how a family court has*  
19 *jurisdiction to issue an RFO, using a case number that was fully satisfied in a fully*  
20 *integrated 3/21/2016 written contract that barred any future claims, strictly to*  
21 *circumvent civil court because of an expired statute of limitation.*

22 *The appellate court refuses to address how an RFO resulting from a 2017 phone*  
23 *call, oral discussions issued after the statute of limitation expired, and after a fully*  
24 *executed 3/21/2016 has anything to do with a dissolution judgment over 12-years prior*  
25 *contract.*

26 *A determination why the court court continues to want to address the*  
27 *merits of a Void order and refuses to address the specific issues on appeal to provide*  
28 *legal authority that allows the appellate court to validate void orders.*

*Here is where a supervisory court is imperative to protect the integrity of our*  
*judicial process.:*

*The entire argument by the court on p 15 prg 2 trying to explain the principles of*  
*Res Judica and Collateral Estoppel FAIL IN ITS DELIVERY; A determination how the*

1 appellate court applies the argument of Res Judicata and Collateral Estoppel to VOID  
2 orders under the law. You cant re-litigate void orders. They are Void. The appellate court  
3 cannot validate void orders.

4  
5 *Fundamental jurisdiction over the subject matter or the parties. Stated "When a*  
6 *court lacks jurisdiction in a fundamental sense, an ensuing judgment is void, and thus*  
7 *vulnerable to direct or collateral attack at any time" The request to certify and publish*  
8 *opinion was granted May 16, 2023 by the Fourth Circuit Div III*

9 *When the Court has no jurisdiction of the cause, there the whole*  
10 *proceeding is [before a person who is not a judge], and actions will lie against*  
11 *them without any regard of the precept or process..."*

12 A determination by the appellate court p13 last prg was that the RFO was a result  
13 of a 2017 phone call, apparently discussing the terms fully executed 3/21./2016 contract.  
14 Yet, here the court AGAIN implies the RFO was to enforce the **2006 marital**  
15 **dissolution judgment**.. A determination by a supervisory court should inquire how that  
16 could possibly be when the court had in its possession at all times a fully executed  
17 3/21/2016 Debt Settlement agreement.

18 A supervisory court should make a determination on what legal authority did a  
19 superior court judge have to issue an RFO using a case number no longer at issue, on a  
20 case all Debt had been paid pursuant to terms contained in a fully integrated written  
21 3/21/2016 contract and determine if the intent using an old case number no longer at  
22 issue was to circumvent the civil rules of procedure because the statute of limitation had  
23 expired to file in civil court.

24 A determination On what legal authority a lower court can issue an RFO (to  
25 Appear) without first serving a summons/complaint since the case # utilized for the RFO  
26 was no longer at issue and had an expired statute of limitation. If an RFO issued was not  
27 a post judgment order to enforce a judgment (2006 judgment was no longer at issue) and  
28 not subsequent to a summons/complaint, on what authority is the RFO legal?

A determination from a supervisory court to get answers on what possible reason  
would any court have to deny both parties request, namely three request by petitioner to  
dismiss illegal action she filed and the court issued without subject matter jurisdiction

1 on 4/17/2018.. And what possible reason could a court have to deny two identical  
2 motions filed by both parties asking the court with joint request to judicially notice  
3 settlement documents and enter them into the record for proof case is no longer at issue.

4 A conflict of interest exists in the instant appeal opinion because the fourth  
5 Appellate court has already issued two previous opinions on the merits of VOID orders.  
6 The issue in the instant opinion is the appellate court will not consider the fact it made  
7 errors in law issuing opinions on the merits of void orders. VOID orders can be attacked  
8 at any time. At no time has the underlying court or the appellate court addressed the fact  
9 the RFO issued 4/17/2018 was issued subsequent to a fully settled case, and issued with  
10 expired statute of limitation and issued using a case number no longer at issue in front of  
11 the court.

## 12 **GROUND FOR REVIEW**

13 The grounds for review are necessary to (Rule 8.500 (b)(1)) to (a) secure  
14 uniformity of decision to settle important questions of law regarding (b) Family Court  
15 lacked Subject matter Jurisdiction (c) to secure a uniformity of decisions to determine if  
16 a case is a legal case without a judge presiding and (d) Is family court required to apply  
17 rule 3.1385(b) and dismiss an illegal action when cause is not shown within 45-days and  
18 (e) is it standard practice for a Superior Court to utilize Commissioners without getting  
19 signed stipulations.”...

20 Good Cause For a Petition for Review exist from a conflict between case  
21 authority, the code of civil procedure and its enforceability in the Orange County Family  
22 Law Division of Superior Court **Rule 8.500 (b)(2)** because (a) the court of Appeal  
23 lacked subject matter jurisdiction to issuing a consenting opinion with the lower court on  
24 a case that legally did not exist and (b) because the appellate court issued an opinion on  
25 a case conducted without a judge and without subject matter jurisdiction an (c) Appellate  
26 court disregarded Rule 3.1385 (b) based on new evidence the court admitted it was  
27 properly noticed by both parties of settlement, stating Family court is not required to  
28 comply with the code of civil procedure.

The Fourth Appellate District Div 3 denied Appellate request to publish opinion.

1 The request to publish is made because the opinion strays so far from existing precedent,  
2 that if the opinions are made to stand, a publication is necessary to change long standing  
3 case precedent on VOID orders and orders issued without subject matter jurisdiction.

4 Otherwise the court is fabricating laws, not applied to any other litigants.

## 5 **STATEMENT OF THE FACTS**

6 The facts of the case are essentially undisputed as between Petitioner and  
7 Respondent (Appellate) :

8 1. As the parties litigants have agreed and resolved their original dispute  
9 between them.. Both parties agreed via stipulation that the 4/17/2018 order was issued in  
10 Breach of 3/21/2016 contract.

11 2. Both parties litigants have agreed and both attempted and requested the lower  
12 family court to dismiss actions commenced under Breach of Contract presided over by a  
13 person who is not a judge, and

14 3. It is THE COURT (NOT THE PARTIES) THAT REFUSES TO ENTER  
15 SETTLEMENT IN THE RECORD, where settlement documents were provided by both  
16 parties with joint request filed by petitioner for the court to judicially notice 3/21/2016  
17 Debt Settlement Agreement and joint stipulation witnessed by a superior court judge  
18 where both parties agreed the 4/17/2018 RFO was served in Breach of contract and the  
19 3/21/2016 Debt Settlement agreement was lawfully entered, fully executed and  
20 enforceable.

21 4. The only possible explanation for the courts refusal to allow two parties to  
22 settle a case between them would be extrinsic and nothing to do with the underlying  
23 case and self serving for the judges own reasons to cover up gross mistakes of the law  
24 covering up the fact the RFO was issued without subject matter jurisdiction trying to  
fabricate immunity protection.

25 5. Even in the long shot event, the court:

26 a. could come up with legal authority to issue an RFO on a case using a case  
27 number no longer at issue

28 b. and somehow could come up with legal authority that allows the court to



1 change the terms in a legally binding 8/31/2006 judgment barring subject matter  
2 jurisdiction in family over 12-years after it was entered

3 c. and somehow could overcome a fully integrated and executed 3/21/2016  
4 Debt Settlement agreement that bars subject matter jurisdiction in family court

5 d. and somehow could overcome the RFO was neither a post judgment order  
6 to enforce a judgment nor issued subsequent to a summons/complaint rendering RFO  
7 illegal

8 The court cannot overcome the fact a Commissioner presided without a stipulation  
9 rendering all orders by Commissioner Michaelson Void as they were issued by a person  
10 who is not a judge.

11 6. This appellate court wants to ignore facts in evidence, commissioner  
12 Michaelson statement on the record and in minutes his sole authority ("HE  
13 EMINANTLY RELIED" to preside as a judge was two unsigned stipulations. Then  
14 argue Appellate consented because he was ordered to sit thru an unlawful trial. the court  
15 makes argument not based on any opposition or facts in evidence. Thus created an  
16 extrinsic argument for the sole purpose of opposing the parties intent to settle case.

17 7. The Opinions rendered from lower Appellate court, were rendered on a  
18 case that did not exist because a judge did not preside and the lower family court did not  
19 have subject matter jurisdiction, pursuant to 2006 judgment and debt settlement  
20 agreement entered 3/21/2016. Nor was the order a post judgment order or issued  
21 subsequent to a summons/complaint.

## 22 ARGUMENT

### 23 **I. THE LOWER APPELLATE COURT ERRORED BY:**

24 **a. NOT FIRST ADDRESSING THE FACT FAMILY COURT DID NOT**  
25 **HAVE SUBJECT MATTER JURISDICTION PURSUANT 2006**  
26 **JUDGMENT** A court must have jurisdiction to enter a valid, enforceable  
27 judgment on a claim. Where jurisdiction is lacking, the validity of a judgment  
28 can be retroactively challenged.

**b. NOT READING FULLY EXECUTED 3/21/2016 DEBT SETTLEMENT**  
**AGREEMENT ATTACHED TO RFO BARRING SUBJECT MATTER**  
**JURISDICTION BEFORE ISSUEING RFO TO APPEAR**

1           **c. ISSUING ILLEGAL RFO THAT WAS NOT A POST JUDGMENT**  
2           **ORDER USING A CASE NUMBER NO LONGER AT ISSUE TO**  
3           **CIRCUMVENT AN EXPIRED STATUTE OF LIMITATION IN CIVIL**  
4           **COURT..**

5           Any issues that come up in court that are outside of that court's  
6           subject matter jurisdiction have to be disregarded or dismissed because the court  
7           has no legal power to decide over them.

8           When a judicial officer and officers of the court acts entirely without  
9           jurisdiction or without compliance with jurisdiction requisites he may be held  
10          civilly liable for abuse of process even if found his act(s) involved decisions made  
11          in good faith, that he had jurisdiction

12          Accept Under the law, "all judges, officers of the court can be held liable for  
13          their actions. *when the court has no jurisdiction of the cause, there the whole*  
14          *proceeding is [before a person who is not a judge]", and actions will lie*  
15          *against them without any regard of the precept or process... Little v. U.S.*  
16          *Fidelity & Guaranty Co., 217 Miss. 576, 64 So. 2d 697*

17          The above explains why the judicial officers have gone to such great  
18          lengths, risking their careers trying to fabricate judicial immunity.

19           **II. THE APPELLATE COURT ERRORED BY NOT REVIEWING AND**  
20           **CITING AUTHORITY COMMISSIONER MICHAELSON COULD**  
21           **PRESIDE AS A JUDGE WITHOT A SIGNED STIPULATION FROM THE**  
22           **PARTIES LITIGANTS.**

23          Instead the court argues as if it were respondent using extrinsic argument not  
24          in evidence or brought up in opposition by Respondent, Rather then addressing  
25          specific facts in evidence presented that the Commissioner was impeached on the  
26          stand relying on a stipulation fraudulantly signed by opposing counsel as if he were  
27          appellate.

28           *Court Reverses All Orders Made in Dissolution Proceeding when*

1 *Commissioner Neglected to Obtain Husband's Consent to Proceed before*  
2 *Commissioner In re Marriage of Djulus (Case No. D069757; Ct. App., 4th Dist.,*  
3 *Div. 1. 4/14/17) — Cal. App. 5th —, — Cal. Rptr. 3d —, 2017 Cal. App. LEXIS 343*  
4 *By Benke, J. (McConnell, P. J., Nares, J., concurring) An appeals court reversed a*  
5 *judgment of dissolution and all orders made in the proceeding, including*  
6 *restraining orders, when the proceeding was heard by a commissioner without the*  
7 *husband's consent.*

8 *Commissioner's Jurisdiction to Hear Case Derives from Parties'*  
9 *Stipulation. Under the California Constitution, a commissioner is empowered only*  
10 *'to perform subordinate judicial duties' [Cal. Const., art. VI, § 22]*

11 *The power of a court commissioner to act as a temporary judge emanates*  
12 *solely from stipulation by the parties to the proceeding. (Cal. Const., art. VI, § 21;*  
13 *Rooney v. Vermont Investment Corp., 10 Cal. 3d 351, 360 [110 Cal. Rptr. 353, 515*  
14 *P.2d 297]; People v. Tijerina, 1 Cal. 3d 41, 48-49 [81 Cal. Rptr. 264, 459 P.2d 680].)*  
15 *Section 21, article VI provides: "On stipulation of the parties litigant the court may*  
16 *order a cause to be tried by a temporary judge who is a member of the State Bar,*  
17 *sworn and empowered to act until final determination of the cause." This statute*  
18 *does not enlarge the power granted in the Constitution. (Rooney v. Vermont*  
19 *Investment Corp., 10 Cal. 3d 351 [110 Cal. Rptr. 353, 515 P.2d 297].)*

### 20 **III. THE APPELLATE COURT ISSUED AN OPINION ON A CASE THAT DOES** 21 **NOT LEGALLY EXIST**

22 *The Appellate Court erred when it disregarded the terms contained in the 2006*  
23 *judgment. August 31 2006. On page 8 #13. Specifically addresses subject matter*  
24 *jurisdiction : "The waiver of spousal support provided in the agreement, Page 3,*  
25 *Paragrapg II, Support, is expressly made contingent upon Respondent not declaring*  
26 *bankruptcy .*

27 **IF RESPONDENT DECLARES BANKRUPTCY. THE COURT HAS**  
28 **RESERVED JURISDICTION FOR PETITIONER ON THE ISSUE OF SPOUSAL**  
**SUPPORT FROM RESPONDENT TO PETITIONER.**

*The Appellate Court erred by not accepting the fact the Debt Settlement*  
*Agreement was a lawfully entered, fully executed binding contract and failed to read and*  
*enforce the terms contained therein.*

*The recent Appellate court opinion erred when its decision relies on a*



1 previous opinion extrinsic to the underlying appeal that was written to prejudice  
2 appellate and issued without subject matter jurisdiction

3 The appellate court erred when it failed to enforce Rule 3.1385 (b)Rule  
4 3.1385(b) specifically states a court must dismiss upon notice of settlement if cause  
5 is not shown in 45-days. The court was provided a copy of 3/21/2016 contract  
6 "DEBT SETTLEMENT AGREEMENT" and 7/12/2014 Stipulation concluding the  
7 undisputed material fact the Debt Settlement Agreement was legally entered,  
8 binding and enforceable proving along with 2006 judgment family court never had  
9 subject matter jurisdiction over an alleged Breach of Oral Contract subsequent to  
10 execution of Debt Settlement Agreement.

11  
12 **IV. A findings and determination of the purpose and enforceability of Rule**  
13 **3.1385 (b) to dismiss an action when both parties litigants agree and seek**  
14 **dismissal of an action in court and The court agrees it was properly noticed**  
15 **from both parties of settlement**

16 Although appellate previous appeal was narrow and specific to rule  
17 3.1385(b) the reason the appeal failed is the appellate court denied appeal  
18 blamed appellate (a prose litigant) for not including motion to show cause  
19 properly in his designation of record. In the instant case, that error was remedied  
20 and by NEW EVIDENCE Judge Yolanda Torres admission in court the court has been  
21 properly noticed of settlement, Rule 3.1385 (B) is again at issue since the court  
22 has refused to dismiss illegal order pursuant to Rule 3.1385 (b) and the fact both  
23 parties asked it to with noticed motions.

---

24 **OPINION MISREPRESENTING FACTS IN EVIDENCE**

- 25 1. P2 The court falsely states "in effect, trying to undo an order made in 2018...." the court should  
26 state Edward is trying to get the court to prove with legal authority it issued an RFO legally with  
27 subject matter jurisdiction.  
28 2. P2 & P3 "we rejected Edwards argument that at the time of trial in 2018 the family court no  
longer had jurisdiction and that Edward claims to have not stipulated to a Commissioner"  
The court should say Edward is seeking legal authority on how family court had subject matter  
jurisdiction. And why the orders are not VOID based on the commissioners words and court

minutes, his authority to preside was based on two stipulations neither of which were signed by either parties litigants.

3. p5 prg 1 The court misrepresents the truth p5 statin prg 1, "Deborah was suppose to receive entire \$1,000,000 alleging Edward took \$150,000 This statement is a flat out lie as the dfacts in evidence show a \$1,000,000 wire transfwer to Deborah. Obviously intended to fabricate a negative narrative to prejudice Edward.
4. p5 prg 2 The court proves the RFO was illegal issued based on 2017 phone call and had nothing to do with a 2006 dissolution judgment.
5. Intentional misrepresentation by the court p5 prg 1-3 the court obviously read the Debt settlement agreement, acknowledged its content yet falsly statesd the 4/17/2018 order was asking to enforce referencing 2006 judgment...It should be obvious to the reader, the false narrative referencing 2006 judgment, when it is fully aware and read fully executed 3/21/2016 Debt Settlement Agreement is necessary to try to fabricate jurisdiction.
6. p6 prg4 The court substantiated it had jurisdiction stating " We also held that because the matter involved the enforcement of an executory family court judgment, the family court had jurisdiction of the matter" Ironically the court fails to explain with any legal authority how it could be executory to a fully satisfied judgment already paid in full.
7. p11 IV the court admits Deborah filed a request to enter Debt Settlement into the record, yet fails to say why the court refused Petitioners request to enter Debt Settlement into the record.

#### IV. Res Judicata and Collateral Estoppel

The court must consider if a VOID order can be attacked at any time and no court can never validate a VOID order. A void order does not exist, therefore cannot be re-litigated. What legal authority exist allowing the appellate court to effectively use the argument of Res Judicata and Collateral estoppel for the SOLE PURPOSE of validating ORDERS THAT ARE VOID ON THEIR FACE under the law.

#### CONCLUSION

Based on the foregoing reasons above Appellate respectfully request to insure justice and Due process, that the Supreme Court Grant review and formally request the appellate court to:

1. provide legal authority on how the Appellate court found the lower court had subject matter jurisdiction to issue an RFO that was not a post judgment order to enforce a judgement not satisfied nor
2. provide legal authority how an an RFO is legally issued when not subsequent to summons/complaint.
3. Ask what legal authority the lower court had to change the terms of legally

1 binding written contract that barred subject matter jurisdiction

2 4. Ask what authority the lower court had to issue an RFO using a case  
3 number that was fully satisfied pursuant to a 3/21/2016 fully executed written  
4 contract

5 5. Ask the Appellate court the purpose of fabricating a false narrative in its  
6 arguments alleging the 3/21/2016 contract was not fully executed when facts in  
7 evidence shows a \$1,000,000 wire transfer.

8 6. Ask the Appellate court why it has not addressed facts in evidence the  
9 commissioner stated he Eminently relied on two unsigned stipulations for his  
10 authority to preside? Rendering his and all subsequent orders VOID? Why is the  
11 court without any opposition or opposing argument changing the facts in  
12 evidence the Commissioner in his own words "Eminently relied" on two  
13 stipulations that were not signed by either of the parties litigants and clearly  
14 documented in court minutes thus VOIDING all orders issued?  
15

16 7. And finally ask the appellate court what possible reason do they have to  
17 obstruct and fabricate arguments to prevent two parties to a case from settling a  
18 case between them?  
19  
20  
21

22  
23 8/1/2022  
24 Date

25   
26 Edward L Clark Jr.  
27 Prose Litigant  
28

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**WORD COUNT CERTIFICATION**  
Rule 8.504

That I hereby certify that this APPELLATE PETITION FOR REVIEW  
contains 7,067 words as measured by Microsoft Word in Microsoft Office.

  
By : Edward L. Clark Jr.



U.S. Department of Justice

Criminal Division

Office of Administration

Washington, D.C. 20530

September 8, 2025

Edward Clark  
5582 McFadden Avenue  
Huntington Beach, CA 92649

Dear Mr. Clark:

Thank you for your letter dated March 7, 2025, to the Attorney General.

Pursuant to Title 28, United States Code, Section 351, if you believe that a federal judge has engaged in conduct that is "prejudicial to the effective and expeditious administration of the business of the courts," you may file a written complaint with the clerk of the court of appeals for the appropriate federal circuit. The complaint will be reviewed by the Chief Judge for the circuit. Should you wish to contact that office directly, you may write:

United States Court of Appeals for the Second Circuit  
Thurgood Marshall United States Courthouse  
40 Centre Street  
New York, NY 10007

We rely on investigative agencies to gather the relevant facts. If you believe this matter may constitute criminal activity, please contact the Federal Bureau of Investigation (FBI), the investigative arm of the Department of Justice. The FBI will determine whether a federal investigation may be warranted. If appropriate, the FBI will refer the matter to a United States Attorney for a final determination regarding legal action.

Again, thank you for writing the Attorney General. We hope this information has been helpful.

Sincerely,

Correspondence Management Staff  
Office of Administration

Reference Number: NM302262361

For further correspondence on this matter please email [criminal.division@usdoj.gov](mailto:criminal.division@usdoj.gov), and provide the reference number listed above.

**UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT****NOTICE OF RELATED CASE INFORMATION****Case Number** \_\_\_\_\_**Short Case Caption** Clark vs State of Calif e.y. appellees**Filing Party/Entity** Edward L Clark Jr. Appellant

**Instructions:** Do not duplicate information. The notice must only be filed at the time of filing the first Certificate of Interest or, subsequently, if information changes during the pendency of the appeal. *See* Fed. Cir. R. 47.5(b). Attach additional pages as needed. This notice must not be included in a motion, petition, related response, or brief; please only include the Certificate of Interest (Form 9) in those documents.

1. **Related or prior cases.** Provide the case title, case number, and originating tribunal for each case. Fed. Cir. R. 47.5(b)(1).

Clark vs Staste of Cal. et,appellees Case: 23-5628 Ninth Circuit  
Clark vs Staste of Cal. et,appellees Case 23-5717 Ninth Circuit  
U.S. District Case, Central District 8:22-cv-01390-MWF-JPR C  
U.S. District Case, Central DistrictCase 8:21-cv-01565-MWF-JPR  
S292065 California Supreme Court [PENDING]  
California Fourth App District Dis. Div 3 G064157  
Fourth Appellate Dist. G064872 Cavos & Rau vs USA National Title Company  
Civil - Appeal Conflicts of Interest

☐ Additional pages attached

2. **Names of all parties involved in the cases listed above.** Do not duplicate the names of parties. Do not relist the case information. Fed. Cir. R. 47.5(b)(2)(A).

1. State of California, a government agency
2. The Hon. Judge Lon Hurwitz, an individual
3. Commissioner Barry Michaelson, an individual
4. The Law Offices of Moshtail Family Law, a professional Corporation
5. Navid Moshtail, an individual and in his official capacity
6. Lance Duran , an individual, and in his official capacity
7. Erin Noonan, an individual and in her official capacity
8. Sheri Lauphlin an individual and in her official capacity
9. James Wellman; an individual and his official capacity
10. The Honorable Judge Yolanda Torres an individual

☐ Additional pages attached

3. **Names of all law firms, partners, and associates in the cases listed above.** Do not duplicate the names of law firms, partners, and associates. Do not relist case information and party names. Fed. Cir. R. 47.5(b)(2)(B).

The Moshtail Family Law Firm

☐ Additional pages attached

I certify the following information and any attached sheets are accurate and complete to the best of my knowledge.

Date: 10/6/2020

Signature: 

Name: Edward H. Clerk Jr.