

No. 26-5237

ORIGINAL

FILED

JUN 22 2026

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

In Re DERRICK L. JOHNSON — PETITIONER

(Your Name)

DERRICK L. JOHNSON - PETITIONER

VS.

PRESIDING JUDGE MICHAEL S. GROCH, IN AN OFFICIAL CAPACITY; SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF SAN DIEGO; AND, SHERIFF OF SAN DIEGO COUNTY KELLY MARTINEZ, IN AN OFFICIAL CAPACITY; RESPONDENTS.

ON PETITION FOR A WRIT OF HABEAS CORPUS TO SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF SAN DIEGO

PETITION FOR A WRIT OF HABEAS CORPUS

~~PETITION FOR WRIT OF~~ _____

DERRICK L. JOHNSON

(Your Name)

BOOKING NUMBER 25747821

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(Address)

SANTEE, CA 92071

(City, State, Zip Code)

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(Phone Number)

D. L. JOHNSON PETITIONER PRO SE

1. WHETHER ANY OF THE RESPONDENTS HAVE PETITIONER (A PRISONER) IN CUSTODY IN VIOLATION OF THE CONSTITUTION OF THE UNITED STATES? AND IF SO, SHOULD A WRIT OF HABEAS CORPUS ISSUE?

2. WHETHER PROBABLE CAUSE EXISTED IN THE COMPLAINT ON DECEMBER 11, 2025? AND IF NOT, WAS RESPONDENT SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF SAN DIEGO REQUIRED TO DISMISS THE COMPLAINT?

3. WHETHER RESPONDENT SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF SAN DIEGO EXCEEDED ITS JURISDICTION BY HOLDING PETITIONER TO ANSWER FOR A OTHERWISE INFAMOUS CRIME WITHOUT BEING ON A PRESENTMENT OR INDICTMENT OF A GRAND JURY IN A CASE NOT ARISING IN THE LAND OR NAVAL FORCES OR IN THE MILITIA WHEN IN ACTUAL SERVICE IN TIME OF WAR OR PUBLIC DANGER?

4. WHETHER PETITIONER IS ENTITLED TO BE DISCHARGED?

5. WHETHER THIS COURT CAN FIND PETITIONER FACTUALLY INNOCENT, BY A PREPONDERANCE OF THE EVIDENCE, OF THE CRIME WITH WHICH HE WAS CHARGED BELOW?

6. WHETHER ON JULY 24, 2026, ANY OF THE RESPONDENTS HAVE PETITIONER (A PRISONER) IN CUSTODY IN VIOLATION OF THE CONSTITUTION OF THE UNITED STATES? AND IF SO, SHOULD A WRIT OF HABEAS CORPUS ISSUE?

TO THE SUPREME COURT OF THE UNITED STATES (HEREINAFTER THE COURT) AND TO ALL RESPONDENTS:

PLEASE TAKE NOTICE THAT ON THE DATE THIS DOCUMENT IS PLACED ON THE DOCKET, OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD, THE PETITIONER, DERRICK L. JOHNSON, WILL PETITION THE COURT TO ENTER AN APPROPRIATE ORDER THAT: 1) IS A SUMMARY DISPOSITION ON THE MERITS, 2) GRANTS A WRIT OF HABEAS CORPUS (AUTHORIZED BY 28 U.S.C. § 2241) THAT EXTENDS TO PETITIONER (A PRISONER), 3) DISCHARGES PETITIONER ON HABEAS CORPUS, 4) FINDS RESPONDENT SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF SAN DIEGO HAS EXCEEDED ITS JURISDICTION, 5) DISMISSES THE COMPLAINT IN CASE NUMBER CD310890 OF SUCH RESPONDENT SUPERIOR COURT UNDER STATE OF CALIFORNIA'S PENAL CODE § 991(a) ON THE GROUND NO PROBABLE CAUSE EXISTED IN THE COMPLAINT ON DECEMBER 11, 2025, 6) FINDS PETITIONER IS FACTUALLY INNOCENT, BY A PREPONDERANCE OF THE EVIDENCE, OF THE CRIME WITH WHICH HE WAS CHARGED IN SUCH CASE NUMBER, AND 7) GRANTS ANY OTHER RELIEF THAT THE COURT DEEMS JUST AND PROPER. LIST OF PARTIES: 1. PEOPLE OF THE STATE OF CALIFORNIA, PLAINTIFF AND 2. DERRICK JOHNSON, DEFENDANT.

OPINIONS BELOW

THE OPINION OF THE HIGHEST STATE COURT TO REVIEW THE MERITS DOES NOT APPEAR.

JURISDICTION

THE JURISDICTION OF THE COURT IS INVOKED UNDER ARTICLE III, SECTION 2, OF THE CONSTITUTION OF THE UNITED STATES.

CONSTITUTIONAL PROVISIONS, TREATIES, ETC., INVOLVED IN THE CASE

NONE, THE REASONS FOR NOT MAKING APPLICATION TO THE DISTRICT COURT OF THE DISTRICT IN WHICH APPLICANT IS HELD ARE: 1. APPLICATION HAS BEEN PREVIOUSLY MADE AND 2. SUCH APPLICATION HAS PROVEN TO BE FUTILE.

STATEMENT OF THE CASE

ON OR ON AND AFTER DECEMBER 11, 2025, IN SAN DIEGO, CA, IN CASE NUMBER CD310890 (IN WHICH PETITIONER IS DEFENDANT), RESPONDENT PRESIDING JUDGE MICHAEL S. GROCH AND RESPONDENT SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF SAN DIEGO UNLAWFULLY: A) HELD AND CONTINUES TO HOLD PETITIONER TO ANSWER FOR A OTHERWISE INFAMOUS CRIME WITHOUT BEING ON A PRESENTMENT OR INDICTMENT OF A GRAND JURY (AS SHOWN IN THE RECORD) IN A CASE NOT ARISING IN THE LAND OR NAVAL FORCES OR IN THE MILITIA WHEN IN ACTUAL SERVICE IN TIME OF WAR OR PUBLIC DANGER, IN VIOLATION OF THE 5TH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, AND THEREBY PETITIONER IS A PRISONER IN CUSTODY (OF RESPONDENT SHERIFF OF SAN DIEGO COUNTY KELLY MARTINEZ) IN VIOLATION OF THE CONSTITUTION OF THE UNITED STATES, B) REFUSED AND CONTINUES TO REFUSE TO DISMISS THE COMPLAINT WHEN

NO PROBABLE CAUSE EXISTS, IN VIOLATION OF STATE OF CALIFORNIA'S PENAL CODE § 991(C) AND THERE-
BY SUCH RESPONDENTS DENIED PETITIONER THE EQUAL PROTECTION OF THE LAW, IN VIOLATION OF THE 14TH
AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, AND THEREBY PETITIONER IS A PRISONER IN
CUSTODY IN VIOLATION OF THE CONSTITUTION OF THE UNITED STATES, (C) EXCEEDED THEIR JURISDICTION, AND D)
CHARGED PETITIONER (WHILE PETITIONER WAS A RESIDENT OF THE STATE OF MISSOURI) WITH A CRIME WHEN PETITIO-
NER IS FACTUALLY INNOCENT OF COMMITTING SUCH CRIME. I DECLARE UNDER PENALTY OF PERJURY UNDER THE
LAWS OF THE UNITED STATES THAT I AM PETITIONER IN THIS PROCEEDING, THAT EXCEPTIONAL CIRCUMSTANCES WARRANT THE
EXERCISE OF THE COURT'S DISCRETIONARY POWERS THAT ADEQUATE RELIEF CANNOT BE OBTAINED IN ANY OTHER FORM,
THAT THE FOREGOING IS BASED ON MY PERSONAL KNOWLEDGE TO WHICH I AM COMPETENT TO TESTIFY AND IS ADMISSIBLE
IN EVIDENCE, AND THAT THE FOREGOING IS TRUE AND CORRECT. EXECUTED ON JULY 24, 2026 ID - L L. JOL

PETITIONER PRO SE

ARGUMENT

PETITIONER CONTENDS IN ARGUMENT: 1) THIS COURT ENTERING AN ORDER THAT IS A SUMMARY DISPOSITION ON THE MER-
ITS IS LEGAL (SEE RULE 15.3 OF THE RULES OF THIS COURT), 2) THIS COURT GRANTING SUCH WRIT OF HABEAS CORPUS
IS LEGAL UNDER FEDERAL LAW (SEE 28 U.S.C. § 2241(A) AND § 2241 (C)(3)), 3) THIS COURT FINDING ~~AND~~ RESPONDENT
SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF SAN DIEGO HAS EXCEEDED ITS JURISDICTION AND DIS-
CHARGING PETITIONER IS LEGAL UNDER FEDERAL LAW (SEE EX PARTE WILSON (1885) 114 U.S. 417, 429), 4) THIS
COURT FINDING NO PROBABLE CAUSE EXISTED IN SUCH COMPLAINT ON DECEMBER 11, 2025 IS LEGAL UNDER FEDER-
AL LAW AND STATE LAW (SEE GIORDENELLO VS. U.S. (1958) 350 U.S. 480, 486 AND STATE OF CALIFORNIA'S PENAL
CODE § 991(C)), 5) THIS COURT DISMISSING SUCH COMPLAINT IS LEGAL UNDER FEDERAL LAW AND STATE LAW (SEE
THE 14TH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES AND STATE OF CALIFORNIA'S PENAL CODE § 991(A)),
6) THIS COURT FINDING PETITIONER FACTUALLY INNOCENT, BY A PREPONDERANCE OF THE EVIDENCE, IS LEGAL UNDER
STATE LAW (SEE STATE OF CALIFORNIA'S PENAL CODE § 14BS. 55(A)), 7) THE RESPONDENTS' HOLDING OF PETITIO-
NER (AS DESCRIBED ABOVE) IS ILLEGAL UNDER FEDERAL LAW (SEE THE 5TH AMENDMENT TO THE CONSTITUTION OF
THE UNITED STATES), AND 8) THE RESPONDENTS' REFUSAL TO DISMISS THE COMPLAINT (AS DESCRIBED ABOVE) IS IL-
LEGAL UNDER FEDERAL LAW (SEE 14TH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES).

CONCLUSION

FOR THE ABOVE REASONS, THE RELIEF SOUGHT IN THIS PETITION SHOULD BE GRANTED.

RESPECTFULLY SUBMITTED,

DATE: 7/24/26

ID - L L. JOL PETITIONER PRO SE