

No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

In Re DERRICK L. JOHNSON — PETITIONER

(Your Name)

DERRICK L. JOHNSON - PETITIONER VS. PRESIDING JUDGE SERGIO C. TAPIA IN AN OFFICIAL CAPACITY - RESPONDENT.

ON PETITION FOR A WRIT OF HABEAS CORPUS

TO SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES

PETITION FOR A WRIT OF HABEAS CORPUS

~~PETITION FOR A WRIT OF HABEAS CORPUS~~

DERRICK L. JOHNSON

(Your Name)

BODKING NUMBER 25747821

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(Address)

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(City, State, Zip Code)

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WHETHER, ON AUGUST 1, 2026, PETITIONER IS A PRISONER IN CUSTODY IN VIOLATION OF THE CONSTITUTION OF THE UNITED STATES?

WHETHER, ON AUGUST 1, 2026, PETITIONER IS A PERSON IN CUSTODY PURSUANT TO THE JUDGMENT OF A STATE COURT IN VIOLATION OF THE CONSTITUTION OF THE UNITED STATES?

WHETHER THIS COURT CAN SET ASIDE THE JUDGMENT OF CONVICTION BELOW? AND IF SO, WHETHER THE JUDGMENT OF CONVICTION BELOW IS REQUIRED TO BE SET ASIDE?

WHETHER SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES (IN 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) HAS EXCEEDED ITS JURISDICTION?

WHETHER A WRIT (AUTHORIZED BY 28 U.S.C. § 2241) OF HABEAS CORPUS SHOULD EXTEND TO PETITIONER?

WHETHER FEDERAL LAW REQUIRES A WRIT OF HABEAS CORPUS TO EXTEND TO PETITIONER?

LIST OF PARTIES

THE LIST OF ALL PARTIES TO THE PROCEEDING IN THE COURT WHOSE JUDGMENT IS SOUGHT TO BE REVIEWED ARE: 1) THE PEOPLE OF THE STATE OF CALIFORNIA, PLAINTIFF AND 2) DERRICK L. JOHNSON, DEFENDANT.

RELATED CASES

NONE

THE REASONS FOR NOT MAKING APPLICATION TO THE DISTRICT COURT OF THE DISTRICT IN WHICH THE APPLICANT IS HELD ARE: 1) APPLICATION HAS BEEN MADE PREVIOUSLY AND 2) SUCH APPLICATION HAS PROVEN TO BE FUTILE. A PETITIONER COMES WITHIN THE PROVISIONS OF 28 U.S.C. § 2254(b) IN THAT CIRCUMSTANCES EXIST THAT RENDER THE STATE CORRECTIVE PROCESS INEFFECTIVE TO PROTECT THE RIGHTS OF THE APPLICANT.

TO THE SUPREME COURT OF THE UNITED STATES AND TO THE RESPONDENT:

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) EXTENDS THE WRIT (AUTHORIZED BY 28 U.S.C. § 2241) OF HABEAS CORPUS TO PETITIONER (A PRISONER IN CUSTODY IN VIOLATION OF THE CONSTITUTION OF THE UNITED STATES), 3) DISCHARGES PETITIONER, 4) FINDS SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES (IN 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) HAS EXCEEDED ITS JURISDICTION, 5) SETS ASIDE THE JUDGMENT OF CONVICTION BELOW, AND 6) REMANDS THE CAUSE AND DIRECTS THE ENTRY OF SUCH APPROPRIATE JUDGMENT.

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OPINIONS BELOW

NONE

JURISDICTION

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

CONSTITUTIONAL PROVISIONS AND TREATIES INVOLVED

NONE

STATEMENT OF THE CASE

THIS APPLICATION FOR A WRIT OF HABEAS CORPUS DOES ALLEGE THE NAME OF THE PERSON WHO HAS CUSTODY OVER APPLICANT, BY VIRTUE OF STATE AUTHORITY, IS SERGIO C. TAPIA AND DOES ALLEGE FACTS CONCERNING APPLICANT'S COMMITMENT ARE:

ON OCTOBER 2, 1986, IN ~~LOS~~ COVINA, CA, IN CASE NUMBER A538142, WHILE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES (A STATE COURT) AND RESPONDENT PRESIDING JUDGE SERGIO C. TAPIA HELD PETITIONER (APPLICANT) 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), SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES AND RESPONDENT PRESIDING JUDGE SERGIO C. TAPIA ILLEGALLY PROCEEDED TO A JUDGMENT OF CONVICTION THAT REQUIRES PETITIONER (APPLICANT) TO REGISTER IN CALIFORNIA FOR THE REST OF PETITIONER'S (APPLICANT'S) LIFE AND THEREBY PETITIONER (APPLICANT) IS A PRISONER IN CUSTODY IN VIOLATION OF THE CONSTITUTION OF THE UNITED STATES AND THEREBY PETITIONER (APPLICANT) IS A PERSON IN CUSTODY PURSUANT TO THE JUDGMENT OF A STATE COURT IN VIOLATION OF THE CONSTITUTION OF THE UNITED STATES I VERIFY AND DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES THAT I AM PETITIONER (APPLICANT) IN THIS DOCUMENT, THAT ~~THE~~ EXCEPTIONAL CIRCUMSTANCES WARRANT THE EXERCISE OF THIS 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 AUGUST 1, 2026 AT LA PETITIONER (APPLICANT) PRO SE. THE FEDERAL QUESTIONS SOUGHT TO BE REVIEWED WERE NOT RAISED IN THE COURT OF FIRST INSTANCE AND APPELLATE COURTS.

ARGUMENT

PETITIONER CONTENDS IN ARGUMENT: 1) THIS COURT ENTERING AN ORDER THAT IS A SUMMARY DISPOSITION ON THE MERITS IS LEGAL (SEE RULE 15.1 OF THE RULES OF THIS COURT); 2) THIS COURT EXTENDING THE WRIT (AUTHORIZED BY 28 U.S.C. § 2241) OF HABEAS CORPUS TO PETITIONER IS LEGAL (SEE 28 U.S.C. § 2241 (c)(3) AND RULE 20.2 OF THE RULES OF THIS COURT); 3) THE HOLDING PETITIONER (BY SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES AND THE RESPONDENT, SEVERALLY) TO ANSWER FOR A OTHERWISE INFAMOUS CRIME WITHOUT BEING ON A PRESENTMENT OR INDICTMENT OF A GRAND JURY WAS 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 IS ILLEGAL AND THIS COURT DISCHARGING PETITIONER AND FINDING SUCH SUPERIOR COURT HAS EXCEEDED ITS JURISDICTION IS LEGAL (SEE 5TH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES AND EX PARTE WILSON (1885) 114 U.S. 417, 429); 4) THIS COURT EXTENDING THE WRIT (AUTHORIZED BY 28 U.S.C. § 2241) OF HABEAS CORPUS TO PETITIONER IS LEGAL (SEE 28 U.S.C. § 2241 (c)(3)); AND 5) THIS COURT SETTING ASIDE THE JUDGMENT OF CONVICTION BELOW, REMANDING THE CAUSE, AND DIRECTING THE ENTRY OF SUCH APPROPRIATE JUDGMENT IS LEGAL (SEE 28 U.S.C. § 2106 AND THIS COURT, IN GIORDENELLO VS. U.S. (1958) 350 U.S. 480, 488, REQUIRES SETTING ASIDE THE CONVICTION).

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

RESPECTFULLY SUBMITTED,

DATE: 8/1/26

W. L. G. PETITIONER PRO SE