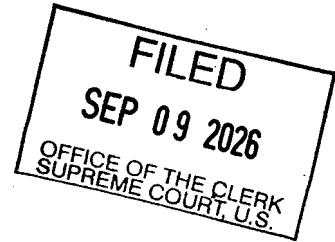


No. 26-5602



IN THE
SUPREME COURT OF THE UNITED STATES

LIONEL TATE SR. — PETITIONER
(Your Name)

vs.

L. CHAVEZ, CDCR, et al — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

LIONEL TATE SR.
(Your Name)

C-88165, 5-C-1-14, P.O. BOX 950
(Address)

Folsom, CA 95763
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

IS PRISON STAFF ALLOWED TO DESTROY PETITIONER'S LEGAL MATERIALS, THAT PETITIONER NEEDS TO PROVE PETITIONER EXHAUSTED ALL REMEDIES AND FILED A GOVERNMENT CLAIM, AND THEN FILE A MOTION FOR SUMMARY JUDGMENT CLAIMING PETITIONER HAVE NOT EXHAUSTED ALL REMEDIES AND FILED A GOVERNMENT CLAIM, KNOWING PRISON STAFF HAS DESTROYED THE EVIDENCE PETITIONER NEED TO PROVE PETITIONER EXHAUSTED ALL REMEDIES AND FILED THE GOVERNMENT CLAIM?

DOES THIS ACTION BY PRISON STAFF CONSTITUTE FRAUD AND DECEPTION?

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

[] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

L. CHAVEZ; CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION;
UNIVERSITY OF CALIFORNIA, DAVIS; J. MANN; MICHAEL GEOFFREY MOORE; M. GO;
REGENTS OF THE UNIVERSITY OF CALIFORNIA; L. MYERS,

RELATED CASES

EVIDENCE OF PETITIONER'S FILINGS IN CALIFORNIA STATE COURTS WERE DESTROYED
by CDCR ON MAY 8, 2023.

TATE V. UC DAVIS MEDICAL CENTER (WESTLAW (WL)) 2021 WL 1326485
CALIFORNIA COURT OF APPEAL, FIRST APPELLATE DISTRICT, DIVISION 3, APRIL 9, 2021

TATE V. CHAVEZ U.S. DISTRICT COURT E.D. OF CALIFORNIA, 2022 WL 957001
MARCH 30 2022, NO. 2:22-CV-0211 CKD P

TATE V. CHAVEZ NO 2:22-CV-0211 CKD P 2022 WL 19567805
OCTOBER 24, 2022

TATE V. CHAVEZ NO. A163330 (SOLANO COUNTY SUPERIOR COURT NO. FC5045456)
CALIFORNIA COURT OF APPEAL, FIRST APPELLATE DISTRICT, DIVISION 2, JANUARY 24, 2023
WL 2023 WL 367115

TATE V. CHAVEZ UNITED STATES DISTRICT COURT, E. D. CALIFORNIA, NO. 2:22-CV-0211 CKD P
2023 WL 3978063, JUNE 13, 2023

TATE V. CHAVEZ, UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT,
NO. 24-5349, FILED FEBRUARY 20 2026, 2026 WL 509088

TATE V. CDCR OFFICE OF APPEALS, CALIFORNIA COURT OF APPEAL, FOURTH APPELLATE
DISTRICT DIVISION ONE, NO. D086468, PENDING

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IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☒ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☐ is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☐ is unpublished.

JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was FEBRUARY 24, 2026.

☐ No petition for rehearing was timely filed in my case.

☒ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: JUNE 18, 2026, and a copy of the order denying rehearing appears at Appendix G.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from **state courts**:

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

U. S. C. A. CONST. Amend. I

AMENDMENT I. ESTABLISHMENT OF Religion; Free EXERCISE OF Religion; Freedom OF Speech AND The Press; PeaceFUL Assembly; PETITION FOR Redress OF GRIEVANCES

CONGRESS SHALL MAKE NO LAW RESPECTING AN ESTABLISHMENT OF Religion, OR PROHIBITING THE FREE EXERCISE THEREOF; OR ABRIDGING THE FREEDOM OF SPEECH, OR OF THE PRESS; OR THE RIGHT OF THE PEOPLE PEACEABLY TO ASSEMBLE, AND TO PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCES.

42 U.S.C.A. § 1983

§ 1983. CIVIL ACTION FOR DEPRIVATION OF RIGHTS

EVERY PERSON WHO, UNDER COLOR OF ANY STATUTE, ORDINANCE, REGULATION, CUSTOM, OR USAGE, OF ANY STATE OR TERRITORY OR THE DISTRICT OF COLUMBIA, SUBJECTS, OR CAUSES TO BE SUBJECT, ANY CITIZEN OF THE UNITED STATES OR OTHER PERSON WITHIN THE JURISDICTION THEREOF TO THE DEPRIVATION OF ANY RIGHTS, PRIVILEGES, OR IMMUNITIES SECURED BY THE CONSTITUTION AND LAWS, SUIT IN EQUITY, OR OTHER PROPER PROCEEDING FOR REDRESS, EXCEPT THAT IN ANY ACTION BROUGHT AGAINST A JUDICIAL OFFICER FOR AN ACT OR OMISSION TAKEN IN SUCH OFFICER'S JUDICIAL CAPACITY, INJUNCTIVE RELIEF SHALL NOT BE GRANTED UNLESS A DECLARATORY DECREE WAS VIOLATED OR DECLARATORY RELIEF WAS UNAVAILABLE. FOR THE PURPOSES OF THIS SECTION, ANY ACT OF CONGRESS APPLICABLE EXCLUSIVELY TO THE DISTRICT OF COLUMBIA SHALL BE CONSIDERED TO BE A STATUTE OF THE DISTRICT OF COLUMBIA.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED (continues)

U.S.C.A. CONST. AMEND. VIII

AMENDMENT VIII, EXCESSIVE BAIL, FINES, PUNISHMENTS

EXCESSIVE bail SHALL NOT be REQUIRED, NOR EXCESSIVE FINES imposed, NOR CRUEL AND UNUSUAL PUNISHMENTS INFLICTED.

U.S.C.A. CONST. AMEND. XIV

AMENDMENT XIV. CITIZENSHIP; PRIVILEGES AND IMMUNITIES; DUE PROCESS; EQUAL PROTECTION; APPOINTMENT OF REPRESENTATION; DISQUALIFICATION OF OFFICERS; PUBLIC DEBT; ENFORCEMENT

SECTION 1. All persons born or naturalized in the UNITED STATES, AND SUBJECT TO THE JURISDICTION THEREOF, ARE CITIZENS OF THE UNITED STATES AND OF THE STATE wherein they RESIDE. NO STATE SHALL MAKE OR ENFORCE ANY LAW WHICH SHALL ABRIDGE THE PRIVILEGES OR IMMUNITIES OF CITIZENS OF THE UNITED STATES; NOR SHALL ANY STATE DEPRIVE ANY PERSON OF LIFE, LIBERTY, OR PROPERTY, WITHOUT DUE PROCESS OF LAW; NOR DENY TO ANY PERSON WITHIN ITS JURISDICTION THE EQUAL PROTECTION OF THE LAWS.

STATEMENT OF THE CASE

IN 2012 PETITIONER (PLAINTIFF, ME, I, MY, LIONEL TATE SR.) WAS SENT OUTSIDE THE STATE OF CALIFORNIA TO SERVE SOME OF PETITIONER'S CALIFORNIA SENTENCE. WHILE OUTSIDE OF CALIFORNIA SERVING SOME OF PETITIONER'S CALIFORNIA SENTENCE, PETITIONER WAS ALLOWED TO PURCHASE ITEMS OF INMATE PROPERTY THAT INMATES SERVING THEIR SENTENCE WITHIN THE STATE OF CALIFORNIA WERE NOT ALLOWED TO PURCHASE. WHEN PETITIONER WAS RETURNED TO CALIFORNIA, PRISON STAFF AT CSP-SOI DISPOSED OF PETITIONER'S PROPERTY WITHOUT ALLOWING PETITIONER TO DISPOSE OF PETITIONER'S UNALLOWED PROPERTY, FROM OUTSIDE CALIFORNIA, IN ACCORDANCE WITH CDCR'S RULES AND REGULATIONS. THE THIRD LEVEL OF APPEAL (FINAL LEVEL) ORDERED CSP-SOI TO COMPENSATE ME FOR THIS PROPERTY. WHEN CSP-SOI REFUSED TO COMPENSATE ME FOR MY PROPERTY I FILED A GOVERNMENT CLAIM WITH CALIFORNIA VICTIM COMPENSATION AND GOVERNMENT CLAIM BOARD (VCGCB). AFTER VCGCB DENIED MY CLAIM I FILED MY CLAIM IN THE CALIFORNIA STATE COURT. AFTER I FILED MY CLAIM IN THE STATE COURT CSP-SOI BEGAN RETALIATION AGAINST ME BY TAKING MY JOB ASSIGNMENT, DEDUCTING FUNDS FROM MY TRUST ACCOUNT THAT SHOULD NOT HAVE BEEN DEDUCTED, TAKING ME ON THE "FREDDIE GRAY EXPERIENCE" INJURING ME, HAVING INMATES ATTACK ME THEN SHOOTING ME WITH A RIOT GUN, PLACING ME IN ASU AFTER ANOTHER INMATE CONFEST TO ATTACKING ME WITH A WEAPON CAUSING ME TO DEFEND MYSELF, RAISING MY CUSTODY LEVEL AND TRANSFERRING ME TO SIX DIFFERENT PRISONS WITHIN ONE (1) AND ONE-HALF (1/2) YEARS (1 1/2), EIGHTEEN (18) MONTHS), AND DESTROYING MY LEGAL MATERIALS THAT CONTAINED THE EVIDENCE OF ME EXHAUSTING ALL STATE REMEDIES AND FILING GOVERNMENT CLAIMS.

WHEN I FILED A GRIEVANCE FOR MY LEGAL MATERIALS, CSP-SOI LIED AND CLAIM NO RESPONSIBILITY FOR MY PROPERTY, BUT THE OFFICE OF APPEALS FOR CDCR LOOKED ON THE CDCR COMPUTER (SOMS) AND DISCOVERED CSP-SOI IS RESPONSIBLE FOR DESTROYING MY LEGAL MATERIALS (SEE APPENDIX TO THIS PETITION, APPENDIX-H, GRIEVANCE FILED)

SINCE MY CLAIM WAS PENDING IN THE U.S. DISTRICT COURT AT THE TIME THAT CSP-SOI DESTROYED MY LEGAL MATERIALS, THAT I NEED TO PROVE THAT I EXHAUSTED ALL ADMINISTRATIVE REMEDIES AND FILED GOVERNMENT CLAIMS, AND AFTER CSP-SOI DESTROYED MY LEGAL MATERIALS DEFENDANTS FILED A MOTION FOR SUMMARY JUDGMENT, KNOWING CSP-SOI HAS DESTROYED THE EVIDENCE I NEED TO PROVE I EXHAUSTED ALL ADMINISTRATIVE REMEDIES AND FILED GOVERNMENT CLAIMS, I FILED A MOTION FOR DEFAULT JUDGMENT BASED ON CSP-SOI, DEFENDANTS, DESTROYING MY LEGAL MATERIALS NEEDED TO PROSECUTE MY CLAIM IN COURT. (SEE APPENDIX-H ATTACHED)

IN FILING HER FINDINGS AND RECOMMENDATIONS THE MAGISTRATE JUDGE STATES, "PLAINTIFF HAS FILED A MOTION ASKING THAT DEFAULT JUDGMENT BE ENTERED IN THIS ACTION AGAINST THE ONLY REMAINING DEFENDANT, DEFENDANT MANN. PLAINTIFF ASSERTS THAT SOME OF HIS LEGAL MATERIALS HAVE BEEN DESTROYED BY CORRECTIONS EMPLOYEES OTHER THAN DEFENDANT MANN. THIS IS NOT A BASIS FOR ENTRY OF JUDGMENT AS PLAINTIFF HAS NOT DEMONSTRATED HOW DESTRUCTION OF HIS MATERIALS HAS PREJUDICE THIS CASE AND/OR HOW SUCH ACTS CAN BE ATTRIBUTED TO DEFENDANT MANN" (SEE APPENDIX - C, ATTACHED)

PLAINTIFF FILED OBJECTIONS TO MAGISTRATE JUDGE'S FINDINGS AND RECOMMENDATIONS FILED ON OCTOBER 30, 2023 INWHICH HE EXPLAINED THAT THE MAGISTRATE JUDGE HAS MISSTATED PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT. (SEE APPENDIX - D)

IN DEFENDANTS MOTION FOR SUMMARY JUDGMENT DEFENDANTS FILED A REQUEST FOR JUDICIAL NOTICE AND CLAIM THE CALIFORNIA VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD (VCGCB) HAS FILED A DECLARATION CERTIFYING NO CLAIM FILED BY ME, LIONE L TATE SR. THE DECLARATION IS FROM THE DEPARTMENT OF GENERAL SERVICES NOT THE CALIFORNIA VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD AS DEFENDANTS FAISELY CLAIM, ONLY BECAUSE I INFORMED THE COURT THAT I FILED A GOVERNMENT CLAIM WITH ~~VCGCB~~ VCGCB (SEE APPENDIX - I)

PLAINTIFF FILED AN OBJECTION TO MAGISTRATE JUDGE'S FINDINGS AND RECOMMENDATIONS POINTING OUT THIS FRAUD AND DECEPTION BY DEFENDANTS. (SEE APPENDIX - F)

IN THE MAGISTRATE JUDGE'S FINDINGS AND RECOMMENDATIONS ON DEFENDANTS MOTION FOR SUMMARY JUDGMENT (SEE APPENDIX - E) THE MAGISTRATE JUDGE STATED "DEFENDANT PROVIDED AN AFFIDAVIT FROM A GOVERNMENT CLAIMS PROGRAM EMPLOYEE" (WITHOUT NAMING THE GOVERNMENT CLAIMS PROGRAM THAT DEFENDANT PROVIDED THE AFFIDAVIT FROM) "INDICATING THAT PLAINTIFF NEVER SUBMITTED A CLAIM AS TO ANYTHING THAT OCCURRED IN SEPTEMBER, 2016" THE MAGISTRATE JUDGE WENT ON TO SANCTION THE FALSE AND FRAUDULENT DECEPTION BY STATING CONCLUSIONS ON EVIDENCE THAT WAS NOT PRESENTED BY PLAINTIFF NOR DEFENDANTS. (SEE APPENDIX - E, PAGE 4, NEGLIGENCE CLAIM).

REASONS FOR GRANTING THE PETITION

PRISON OFFICIALS / STAFF should 'NOT' be Allowed to dispose of / DESTROY A PRISONER'S Legal materials / Evidence, THAT the prisoner Need To prove THAT he 'EXHAUSTED' All ADMINISTRATIVE Remedies AND Filed GOVERNMENT CLAIMS, ON PRISON PRISON STAFF VIOLATING his CONSTITUTIONAL Rights, WITHOUT SUFFERING ANY PENALTY?

ALLOWING PRISON STAFF TO DESTROY the evidence, THAT A prisoner Need To prove The FACTS OF his 42 U.S.C.A. § 1983 claim, WITHOUT ANY PENALTY To PRISON STAFF, CAUSES A PRISONER'S CONSTITUTIONAL Rights To be VIOLATED.

AS is seen in this case, STAFF DESTROYED PETITIONER'S Legal materials THEN, WHEN PETITIONER Filed A Grievance FOR his Legal materials, STAFF CLAIM NOT To be RESPONSIBLE FOR PETITIONER'S Legal materials. THEN PRISON STAFF PRISON STAFF OTHER THAN THE STAFF PETITIONER NAMED in the Grievance, To claim, AS A defense, THAT PETITIONER NAMED THE WRONG PRISON STAFF who is RESPONSIBLE FOR PETITIONER'S Legal materials, The same scheme is used by PRISON STAFF ON the RETALIATION by CDCR ON TAKING PETITIONER ON THE "FREDDIE GRAY EXPERIENCE" INJURING PETITIONER. OFFICER MANN CLAIM he WAS NOT driving even though PETITIONER WAS in the VAN AND SAW OFFICER MANN driving. THEN there is the claiming THAT A "DECLARATION certifying NO claim by LIONEL TATE SR, REGARDING the events OF September 2016, certified by the CUSTODIAN OF RECORDS, WAS FROM CALIFORNIA VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD WHEN THE TRUTH is IT WAS FROM the DEPARTMENT OF GENERAL SERVICES (DGS) NOT VCSGB.

How many FALSE AND FRAUDULENT claims defendants, CDCR, is going To be Allowed To present in this case, ON TOP OF DESTROYING PETITIONER'S Legal materials, before Someone is going To say "THAT IS ENOUGH" AND ORDER - GRANT A DEFAULT JUDGMENT AGAINST defendants / CDCR AND FOR PETITIONER?

This case began AS CDCR SENT me, PLAINTIFF, PETITIONER, LIONEL TATE SR., outside the STATE OF CALIFORNIA To serve some OF my CALIFORNIA sentence. While I WAS outside CALIFORNIA serving my CALIFORNIA sentence, I WAS Allowed To purchase items OF INMATE PROPERTY THAT INMATES serving their sentence. WITHIN the STATE OF CALIFORNIA were NOT Allowed To purchase. When CDCR RETURNED me To CALIFORNIA prison CDCR disposed OF the items OF inmate

PROPERTY / LEGAL MATERIALS WITHOUT ALLOWING ME TO DISPOSE OF THE PROPERTY IN COMPLIANCE WITH CDCR RULES AND REGULATIONS. WHEN I FILED CLAIM FOR MY INITIALLY DISPOSED PROPERTY, CDCR BEGAN RETALIATION AGAINST ME WHICH INCLUDE TAKING MY JOB ASSIGNMENT, DEDUCTING FUNDS FROM MY TRUST ACCOUNT THAT SHOULD NOT HAVE BEEN DEDUCTED, TAKING ME ON THE "FREDDIE GRAY EXPERIENCE" INJURING ME, HAVING OTHER INMATES ATTACK ME, THEN SHOOTING ME WITH A RIOT GUN, PLACING ME IN ASU, MOVING ME TO SIX (6) DIFFERENT PRISONS WITHIN EIGHTEEN (18) MONTHS, AND DESTROYING MY LEGAL MATERIALS TO PREVENT ME FROM PROSECUTING MY CLAIMS IN COURT.

THIS COURT SHOULD GRANT CERTIORARI AND ORDER THAT WHEN PRISON OFFICIALS DESTROY A PRISONER'S LEGAL MATERIALS THAT THE PRISONER NEED TO PROVE THAT PRISON STAFF HAS VIOLATED HIS CONSTITUTIONAL RIGHTS, AND THERE IS LITIGATION PENDING IN COURT, THE COURT SHALL ENTER A DEFAULT JUDGMENT FOR THE PRISONER.

DESTROYING A PRISONER'S LEGAL MATERIALS THAT THE PRISONER NEEDS TO PROVE THAT PRISON STAFF VIOLATED HIS CONSTITUTIONAL RIGHTS IS RETALIATION FOR A PRISONER EXERCISING HIS FIRST AMENDMENT RIGHTS UNDER 42 U.S.C.A § 1983.

PETITIONER HAS NOT BEEN ABLE TO FIND ANY U.S. SUPREME COURT CASE THAT STATES COURTS SHALL ENTER A DEFAULT JUDGMENT FOR PRISONER WHEN PRISON STAFF HAS DESTROYED EVIDENCE / LEGAL MATERIALS THAT A PRISONER NEEDS TO PROVE / SUPPORT HIS CLAIMS IN COURT. YET, CDCR HAS CONCEDED TO RETALIATION AGAINST ME BY GRANTING GRIEVANCE # SCC-X-16-01057 IN WHICH I REQUESTED THE RETALIATION AGAINST ME FOR ME FILING LITIGATIONS IN COURT STOP IMMEDIATELY!

AS IS STATED IN PETITIONER'S OBJECTIONS TO MAGISTRATE JUDGE'S FINDINGS AND RECOMMENDATIONS (SEE APPENDIX - F, ATTACHED)

"ACCORDING TO CONSTITUTIONAL RIGHTS OF PRISONERS, SECTION 1-8.7 (§ 1-8.7): THERE IS NO EXHAUSTION REQUIREMENT UNDER PLRA WHERE: (1) THE THREAT ACTUALLY DID DETER A PRISONER FROM LODGING A GRIEVANCE OR PURSUING A PARTICULAR PART OF PROCESS, AND (2) THE THREAT IS ONE THAT WOULD DETER A REASONABLE PRISONER OF ORDINARY FIRMNESS AND FORTITUDE FROM LODGING A GRIEVANCE OR PURSUING THE PART OF THE GRIEVANCE PROCESS THAT THE PRISONER FAILED TO EXHAUST. THREATS FROM PRISON OFFICIALS AND WITHHOLDING OF GRIEVANCE FORMS RENDERS EXHAUSTION INAPPLICABLE". DESPITE THIS SECTION, PLAINTIFF HAS FILED NUMEROUS GRIEVANCES FOR RETALIATION BY CDCR STAFF INCLUDING APPEAL # SCC-X-16-01057 THAT DEFENDANTS ATTACHED TO THEIR MOTION FOR SUMMARY JUDGMENT."

SINCE THE U.S. DISTRICT COURT E.D. OF CALIFORNIA STATES, CDER DESTROYING PETITIONER'S LEGAL MATERIALS, IS NOT A BASIS FOR ENTRY OF A DEFAULT JUDGMENT, AND THE U.S. COURT OF APPEALS FOR THE NINTH CIRCUIT FOUND THAT THE DISTRICT COURT DID NOT ABUSE ITS DISCRETION, THIS COURT SHOULD FIND THAT THE DISTRICT COURT'S RULING IS ERRONEOUS, AND PRISON OFFICIALS DESTROYING PLAINTIFF'S LEGAL MATERIALS, NEEDED TO PROSECUTE PLAINTIFF'S CLAIMS OF PRISON OFFICIALS VIOLATING PLAINTIFF'S CONSTITUTIONAL RIGHTS, REQUIRE GRANTING A DEFAULT JUDGMENT FOR PLAINTIFF.

AS THIS COURT STATED IN CHAMBERS V. NASCO INC. 501 U.S. 32 COURT MAY ENTER A DEFAULT JUDGMENT AGAINST THE PARTY RESPONSIBLE FOR DESTROYING EVIDENCE.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Lionel Tate Sr.

Date: September 7, 2026

APPENDIX

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- I- DEFENDANTS REQUEST FOR JUDICIAL NOTICE AND DECLARATION OF DEPARTMENT OF GENERAL SERVICES (DGS)
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APPENDIX - 'A'

UNITED STATES COURT OF APPEAL
FOR THE NINTH CIRCUIT

MEMORANDUM

'APPENDIX - 'A'