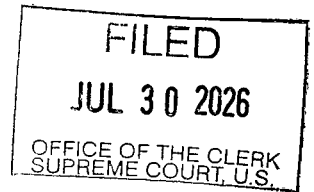


26-5944

No. _____



IN THE

SUPREME COURT OF THE UNITED STATES

DION ANDERSON — PETITIONER
(Your Name)

VS.

THE STATE OF CALIFORNIA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

CALIFORNIA THIRD APPELLATE DISTRICT COURT

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Dion Anderson

(Your Name)

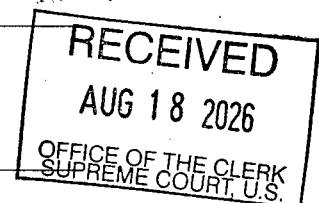
NKSP A1-2009/P.O.Box 5000

(Address)

Delano, Ca 93216

(City, State, Zip Code)

(Phone Number)



QUESTION(S) PRESENTED

1. After amending Petitioner's original complaint, and without specifying anything new or different from the operative facts from the original pleading! Petitioner's question before the U.S. Supreme Court is, whether California abused it's discretion by not applying it's relation back doctrine to waive the three years statute of limitation provision?
2. After the California Secretary of State obtained a dismissal to proceedings upon the original action, does Petitioner's change of party or naming the State of California on the amended complaint classify as 1). A new defendant - for purposes of serving an entirely new summons; or 2). A Substitution of Party - that would relate back to the filing and date of the original pleading?
3. If a State's agency waives their challenge to personal jurisdiction, i.e., by failing to challenge the fact that the original complaint was defective without attached summons, but made a general appearance and succeeded in in sustaining a dismissal Does the Substituted Party reserve the right to contest jurisdiction upon the amended pleading not possessing an entirely new summons?
4. If a Security Officer at the California Attorney General's Department receive service of process by the Sacramento Sheriff's Civil Bureau Department, and delivered service of the amended complaint to its employer to receive actual notice and knowledge of suit. Did California abuse its discretion by unconstitutionally denying that the Respondent's received proper service of process?

LIST OF PARTIES

A list of all parties to the proceeding in the court whose judgment is the subject of this petition is provided below. If a party is a corporation with a stock ticker symbol, that symbol is also included.

The State of California

RELATED CASES

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
American Express Centurion Bank v. Zara (2011) 199 Cal.App.4th 383	7
Bailey v. Alabama (1910) 219 U.S. 219; 31 S.Ct. 145; 55 L.Ed 191	4
Barrington v. A.H. Robbins (1985) 39 Cal.3d 146; 216 Cal.Rptr. 405	5-6
California Air Resources Board v. Hart (1993) 21 Cal.App.4th 289	6
Daimler AG v. Bauman (2014) 571 U.S. 117; 134 S.Ct. 746; 187 L.Ed.2d 624	6
Hawkins v. Pacific Coast Bldg. Products, Inc. (2004) 124 Cal.App.4th 1497	6
Nelson v. A.H. Robins (1983) 1409 Cal.App.3d 862; 197 Cal.Rptr. 179	6
Osborn v. haley (2007) 549 U.S. 225; 127 S.Ct. 881; 166 L.Ed.2d 819	6
Pollock v. Williams (1944) 322 U.S. 4; 64 S.Ct. 792; 88 L.Ed. 1095	4
Roy v. Superior Court (2005) 127 Cal.App.4th 337; 25 Cal.Rptr.3d 488	7
U.S. v. Smith (1991) 499 U.S. 160; 111 S.Ct. 1180; 113 L.Ed.2d 134	6

STATUTES AND RULES

OTHER

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~~APPENDIX A~~ ~~FEBRUARY 20, 2024~~ SUPERIOR COURT INITIAL DENIAL ORDER

APPENDIX B MAY 2, 2025 SUPERIOR COURT DENIAL ORDER

APPENDIX C APRIL 24, 2026 THIRD APPELLATE DISTRICT COURT RULING

APPENDIX D JULY 8, 2026 CALIFORNIA SUPREME COURT DENIAL ORDER

APPENDIX E JULY 17, 2026 CALIFORNIA SUPREME COURT REJECTION OF
PETITIONER'S MOTION FOR RE-HEARING

APPENDIX F

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 _____ 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 _____ 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 D 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 Third Appellate District Court court appears at Appendix C to the petition and is

☐ reported at 2026 WL 1123615; 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 _____.

☐ 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: _____, 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. § 1254(1).

☐ For cases from **state courts**:

The date on which the highest state court decided my case was July 8, 2026.
A copy of that decision appears at Appendix D.

☒ A timely petition for rehearing was thereafter denied on the following date:
July 20, 2026, and a copy of the order denying rehearing appears at Appendix E.

☐ 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

Fourteenth Amendment

STATEMENT OF THE CASE

Like, Bailey v. Alabama (1910) 219 U.S. 219; 31 S.Ct. 145; 55 L.Ed 191; and, Pollock v. Williams (1944) 322 US 44; 64 S.Ct. 792; 88 L.Ed 1095 - On February 25, 2000, Petitioner was criminally convicted and Sentenced to Forty-Nine (49) years determinate sentence. It was not known upon conviction and sentence that Petitioner's Restitution Fine/Bond, was transmitted or transacted to California's State Treasury Department for conversion and distribution into a "cashflow loan." To be distributed to unidentified purchasers or third parties as promisory notes upon the labors of those criminally convicted.

On May 23, 2019, Petitioner had filed a UCC-1 Finance Statement Form with the California Secretary of State Department (File No. 197713682751). On June 19, 2019, after attempting to file a second "Security Agreement" with the California Secretary of state Department (hereinafter, SOS), the SOS returned Petitioner's private documentations on the basis that Petitioner was seeking to defraud an unidentified entity. So, Petitioner's "QUIET Title CLAIM: THE UNIFORM VOIDABLE TRANSACTION ACT: TOTIOUS INTERFERENCE WITH A CONTRACT: CANCELLATION OF INSTRUMENT; AND, DECLARATORY RELIEF" action was initially filed against the California Secretary of State. In which, by March 24, 2021, the Sacramento Superior Court granted the above Defendant's demurrer, with permission or leave for Petitioner to amend.

On July 27, 2021, Petitioner's amended complaint was filed, by substituting or only changing the name of the parties, i.e., from the SOS to the State of California. After no answer to Petitioner's amended complaint was filed, Petitioner obtain "Entry of Default" on March 17, 2022. By November 6, 2023, Petitioner's "APPLICATION FOR DEFAULT JUDGMENT AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF APPLICATION FOR DEFAULT JUDGMENT" was filed within the Superior Court. In Which, on March 4, 2024, the Sacramento Superior Court sua sponte denied Petitioner's default judgment, on the basis that a). Petitioner did not serve the State of California with a summons to confer personal jurisdiction; and b). that service of process was defected when Petitioner's amended complaint was served upon a security officer at the California Attorney general's Department (See, Appendix A).

On October 14, 2024, Pettioner succeeded in finally receiving a stamp filed summons. By December 5, 2024, the California Attorney General was successfully served Petitioner's amended complaint with attached summons. However, by January 31, 2025, the Attorney General's "NOTICE OF MOTION TO DISMISS FOR FAILURE TO SERVE SUMMONS WITHIN THREE YEARS" was filed. For which, on May 5, 2025, the Sacramento Superior Court granted

the Respondent's motion to dismiss (See, Appendix B).

On May 28, 2025, Petitioner's "NOTICE OF APPEAL" was filed within the Sacramento Superior Court. By October 27, 2025, Petitioner's "OPENING BRIEF" was timely filed! By April 24, 2026, the Third Appellate District Court's Opinion was issued (See, Appendix C). Whereby, it was denied on the basis that the State of California was a new or added defendant on Petitioner's amended complaint; that the Security Officer who received service of process was not shown to be an authorized agent to receive service on the behalf of the Attorney General; and, that Petitioner did not seek to serve a summons until December 5, 2024.

On May 27, 2026, Petitioner's "PETITION FOR REVIEW" was filed within the California Supreme Court, i.e., specifically requesting that the State's High Court decide its own case authority, i.e., Barrington v. A.H. Robbins Co. (1985) 39 Cal.3d 146; 216 Cal.Rptr. 405; 702 P.2d 563! In which, Petitioner's central question was, for the State Supreme Court to determine if whether the Third Appellate District Court erred in concluding that the State of California was an added or new party - for service of a summons; or, whether the State of California was a substituted party for which would have exempted Petitioner from the Three years statute of limitation? This specific question would have determined if whether or not the Superior Court did abuse its discretion by not granting Petitioner's default motion.

On July 8, 2026, the California Supreme Court summarily denied Petitioner's petition for review (See, Appendix D). In which, on July 13, 2026, Petitioner had filed a "PETITION FOR RE-HEARING" (See, Appendix E) - again requesting that the State Supreme Court to answer this central issue. On July 20, 2026, Petitioner's re-hearing motion was return unfiled due to Petitioner's denial order being final (See, Appendix E)

On July 29, 2026, Petitioner is timely filing this writ of certiorari to the U.S. Supreme Court

REASONS FOR GRANTING THE PETITION

After securing an "Entry of Default," and filing an application for default judgment. Not only did the State Superior Court erroneously assume that the State of California were an added new Party upon Petitioner's amended complaint, which required service of a summons (See, Barrington v. A.H. Robins Company (1983) 39 Cal.3d 146,154; 216 Cal.Rptr. 405; 702 P.2d 563) ["when a new party is added to the action, the action commences as to him on the date of the order adding him as a party or on the date of filing of the pleading naming him as a new party"])). In which, the Third Appellate District Court, i.e., the Court of Appeals of last resort to affirm the Lower Court's decision by citing to Hawkins v. Pacific Coast Bldg. Products, Inc. (2004) 124 Cal. App.4th 1497; 22 Cal.Rptr.3d 453; and, Nelson v. A.H. Robins (1983) 1409 Cal.App.3d 862; 197 Cal.Rptr. 179 - erroneously suppose that service of a summons was required on the State of California, since the State of California were added as a new party upon Petitioner's amended complaint. However, without addressing although that there was no change to the operative facts to the amended complaint from the original pleading.

In California Air Resources Board v. Hart (1993) 21 Cal.App.4th 289; 26 Cal.Rptr.2d 153, the Third Appellate District Court's decision completely conflicted with California's own settled law, i.e., that "substitution of the People of the State of California as plaintiff for a state agency does not add a new party to the action" (21 Cal.App.4th at p. 301). In which, this same uniformity of law and concept applies under Federal Law, where the relation back doctrine is applied when the Federal Government is substituted as a party instead of a federal employee or agency (See, Osborn v. Haley (2007) 549 U.S. 225,229-230; 127 S.Ct. 881; 166 L.Ed.2d 819) ["Upon the Attorney General's certification.. the United States is substituted as defendant in place of the employee"]) (See, also, U.S. v. Smith (1991) 499 U.S. 160, 162; 111 S.Ct. 1180; 113 L.Ed.2d 134) ["the Government is to be substituted as the defendant and the suit is to proceed against the Government under the FTCA"])).

So, since Petitioner's Liberty and Property Interest is involved within the State's deprivation to Petitioner's Due Process Rights. Petitioner is requesting that the U.S. Supreme Court grant review, in order to either 1). remand Petitioner's case back to the California Supreme Court to determine if whether the State of California were either a new party; or, a substitution of party before determining if whether or not the relation back doctrine would apply; or, 2). decide this conflict of construction by providing Petitioner the necessary relief in accordance to Petitioner's Liberty and Property Interest, i.e., instructing that the Lower Court's grant Petitioner's default judgment.

Reasons For Granting the Petition, Page 2

Secondly! In Roy v. Superior Court (2005) 127 Cal.App.4th 337; 25 Cal.Rptr.3d 488, it was specifically stated: "it has long been the rule in california that a party waives any objection to the court's exercise of personal jurisdiction when the party makes a general appearance in the action... a challenge to personal jurisdiction is waived if a defendant demur" (127 Cal.App.4th at pp. 344-345). So, since the California Secretary of State had waived their challenge to personal jurisdiction, by not contesting that the original action was defective without attached summons but made a general appearance and succeeded in obtaining a dismissal to the original action. Whereby, in Daimler AG v. Bauman (2014) 571 U.S. 117; 134 S.Ct.746; 187 L.Ed.2d 624, the U.S. Supreme Court acknowledged that:

"Under California's long-arm statute, california state courts may exercise personal jurisdiction on any basis not inconsistent with the Constitution of this state or of the United States. California's long-arm statute allows the exercise of personal jurisdiction to the full extent permissible under the U.S. Constitution." (571 U.S. at p . 125)

However, although the Sacramento Superior Court exercised personal jurisdiction over the State's Secretary of State action, but decided to remove or sua sponte determine ~~that the Lower Court's lacked personal jurisdiction over the State of California -~~ since Petitioner did not service the State of California with a summons upon Petitioner's amended complaint. Petitioner requests that the U.S. Supreme Court grant review on this specific issue, since California's own laws withhold challenges to personal jurisdiction after a state agency has already made a general appearance. But the State of California are simply seeking to deny Petitioner's Due process of law, by now instructing that Petitioner has to service an entirely new summons on a substituted party to the original action.

Lastly! Petitioner had cited the American Express Centurion Bank v. Zara (2011) 199 Cal.App.4th 383; 131 Cal.Rptr.3d 99, for the primary disposition that Petitioner's amended complaint was delivered to an authorized agent at the California Attorney General's Office. Whereby, on the proof of service, on section 5 of the amended document the Sheriff's Office process server did acknowledged that they delivered the amended complaint to someone authorized. However, the Lower Court's and the Third Appellate District Court completely disacknowledged Petitioner the fair administration of the law. When the proper notice and knowledge of the action to defend was provided to the California Attorney General Department.

So, therefore, Petitioner requests that review be granted in order that the State of California acknowledge their Fourteenth Amendment obligations, and not deprive

Reasons For Granting the Petition, Page 3

Petitioner the right to Due Process of Law .

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Quin Anderson

Date: July 30, 2026