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SUPREME COURT, U.S.

No. 26-646

IN THE

Supreme Court of the United States

Alvin E. Williams & Judith M. Brown-Williams

Petitioners

v.

Superior Court of Los Angeles County, et al

Respondents

Bentley Motors Inc., and Rusnak/Pasadena

Real Parties in Interest

On Petition for Writ of Certiorari to the California Court of Appeal, Second Appellate District

PETITION FOR A WRIT OF CERTIORARI

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QUESTIONS PRESENTED

1. Whether the Fourteenth Amendment's Due Process Clause is violated when a state-court leave a litigant subject to vexatious-litigant restrictions without a forum in which to obtain consideration on the merits of a properly presented challenge concerning the authenticity, entry, and legal effect of a judgment.

2. Whether a state may apply vexatious-litigant prefiling requirements and related procedural restrictions to prevent a vexatious litigant from obtaining merits consideration of a motion filed in an existing action to clarify or correct the judgment entered in the action.

PARTIES TO THE PROCEEDINGS

Petitioners Alvin E. Williams & Judith M. Brown-Williams were the petitioners in the California appellate proceedings and the California Supreme Court.

The Superior Court of California, County of Los Angeles, was the nominal respondent in the writ proceedings.

Bentley Motors Inc. Defendant and Rusnak/Pasadena were defendants in Superior Court of Los Angeles County Case No. BC342574 and real parties in interest in the state writ proceedings.

DIRECTLY RELATED PROCEEDINGS

1. *Alvin E. Williams et al v. Bentley Motors Inc., et al .*, Superior Court of California, County of Los Angeles, Case No. BC342574, judgment entered by court on April 27, 2009. Relevant postjudgment orders entered August 12, 2026,
2. *Alvin E. Williams et al v. Bentley Motors Inc., et al.,* Case No. B217997 and B222468 (consolidated) Court of Appeal, Second Appellate District opinion filed February 3, 2012, remittitur issued April 5, 2012.
3. *Alvin E. Williams et ux v. Bentley Motors Inc., et al,* Supreme Court of the United States, Case No. 12-26; petition of writ of certiorari denied on October 1, 2012.
4. *Brown-Williams et al v. Bentley Motors Inc., et al., Superior Court of California County of Los Angeles,* Case No. PC056141 Order declaring Judith M. Brown-Williams and Alvin E. Williams vexatious Litigants entered May 5, 2015.
5. *Alvin E. Williams et al v. Superior Court of Los Angeles,* Case No. B267056, Court of Appeal, Second Appellate District. Order denying the request to file new litigation entered October 2, 2015.
6. *Alvin E. Williams et al v. Bentley Motors Inc., et al* Case No. B284627, Court of Appeal, Second Appellate District. Appeal dismissed November 21, 2017.; motion to recall remitter denied December 1, 2020.
7. *Alvin E. Williams et al v. Superior Court of Los Angeles,,* Case No. B288469, Court of Appeal, Second Appellate District Division Eight, order denying petition entered May 21, 2018
8. *Judith M. Brown-Williams v. Superior Court of Los Angeles*, Case No. B249097, California Court of

Appeal, Second Appellate district Division Eight, Order denying petition entered May 21, 2018

9. *Alvin E. Williams et al v. Superior Court (Bentley Motors Inc.,),* Supreme Court of California, Case No. S289097, arising from Court of Appeal Case No. B288469. Petition for review denied July 11, 2018
10. *Judith M. Brown-Williams, et al v. Superior Court of California,* Los Angeles County Supreme Court of California, Case No. S249094, arising from Court of Appeal Case No. B289097; Petition for review denied July 11, 2018.
11. *Judith M. Brown-Williams, et vir v. Superior Court of California, Los Angeles County, et al,* U.S. Supreme Court Case No. 18-424, Petition for certiorari denied December 3, 2018.
12. *Alvin E. Williams, et ux v. Superior Court of California, Los Angeles County et al,* U.S. Supreme Court Case No. 18-425, Petition for writ of certiorari denied December 3, 2018.
13. *Alvin E. Williams et al v. Bentley Motors, Inc. et al , California* Court of Appeal, Second Appellate District Case No. B308751. Order denying the request to file new litigation and dismissing the appeal entered February 25, 2021; remitter issued April 28, 2021.
14. *Alvin E. Williams et al v. Superior Court of Los Angeles,,* Court of Appeal, Second Appellate District Case No. B356638. Order entered August 21, 2026
15. *Alvin E. Williams et al v. Superior Court of Los Angeles County (Bentley Motors's Inc., et al.)* Supreme Court of California, County of Los Angeles, Case No. S298340 arising from California Court of Appeal Case No. B356638 Petition for review denied October 21, 2026

TABLE OF CONTENTS

Contents	Page (s)
Questions Presented	i
Parties to the Proceedings	ii
Directly Related Proceedings	iii
Table of Contents	v
Table of Authorities	vii
Opinions Below	1
Jurisdiction	2
Constitutional and Statutory Provisions Involved	3
Statement of the Case	4
Reasons for Granting the Petition	26
I. The Petition Presents an Important Due Process Question Concerning Procedural Restrictions on Obtaining Merits Consideration	26

II. Applying a Prefiling Restriction to Prevent Merits Consideration in an Existing Action Raises an Important Constitutional Question 27

III. Material Discrepancy in the Judgment Record Support Petitioners' Request for Judicial Clarification 29

IV. This Case Provides an Appropriate Vehicle for Resolving the Federal Questions Presented. 30

CONCLUSION 34

CERTIFICATE OF COMPLIANCE 35

TABLE OF AUTHORITIES

	Page(s)
Logan v. Zimmerman Brush Co., U.S. 422 (1982)	26
Luckett, supra, 161 Cal. App. 4th at 94	26
Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306 (1950)	28
Shalant v. Girardi, 51 Cal. 4th 1164 (2011)	28
Webb v. Webb, 451 U.S. 493 (1981)	33,
In re Marriage of Rifkin and Party Cal. App. 4th 1339, 1347 (2015)	48

CONSTITUTIONAL PROVISIONS	**Page (s)**
U.S. Constitution, Amendment XIV, § 1	3, 26
Rule 10 (c)	28

STATUTES	**Page (s)**
28 U.S.C. § 1257 (a)	2
Cal. Civ. Proc. Code § 170.6	12, 31
Cal. Civ. Proc. Code § 391.7	3, 27
Cal. Civ. Proc. Code § 391.8	3, 27
Cal. Civ. Proc. Code § 128.7 (c) (b) and (c) (2)	17,14
Cal. Civ. Proc. Code § 1008	13

RULES	**Page(s)**
Supreme Court Rule 13.1	
Rule 10 (c)	28

OPINION BELOW

The California Court of Appeal's order denying Petitioners' petition for writ of mandate, entered August 21, 2026, is unpublished and reproduced in the Appendix at (App: A p. 41)

The Superior Court of California, County of Los Angeles's minute order entered August 12, 2026, denying Petitioners' applications to vacate the prefiling orders and declining to consider their proposed motion to clarify and enter final judgment, is reproduced at (App: B p. 50)

The Supreme Court of California's order denying Petitioners' petition for review, entered October 21, 2026, is reproduced at (App: C p. 54)

JURISDICTION

The California Court of Appeal entered its order denying Petitioners' petition for writ of mandate on August 21, 2026. The Supreme Court of California denied Petitioners' timely petition for review on October 21, 2026. This petition is timely under Rule 13.1 of the Court because it is being filed within 90 days after the order denying discretionary review.

This Court has jurisdiction under 28 U.S.C. §1257 (a)

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The following constitutional and statutory provisions are involved in this case:

1. Fourteenth Amendment to the United States Constitution, Section 1

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.

2. California Code of Civil Procedure §391.7

Section 391.7, governing prefiling orders against vexatious litigants and requests for permission to file new litigation, is reproduced in full at (App.: BB P. 256)

3. California Code of Civil Procedure §391.8

Section 391.8, governing applications to vacate prefiling orders and remove a person's name from the Judicial Council's vexatious-litigant list, is reproduced at (App: BB p. 256)

STATEMENT OF THE CASE

1. Plaintiffs commenced the underlying action against Bentley Motors, Inc. and Rusnak Pasadena by filing a complaint for damages and demanding a jury trial.
2. Following trial, the jury returned a special verdict on July 2, 2007. (App. D p. 55)
3. On July 3, 2007, without appearances, the court conducted a nonappearance case review in chambers and off the record and set a July 9, 2007, court trial concerning a limited remaining issue. (App. E p. 69)
4. On July 9, the court and counsel conferred in chambers off the record regarding implied warranty. The court acknowledged receipt of Defendants' trial brief and set July 16, 2007 as the deadline for Plaintiffs response. (App. F p. 70)
5. Plaintiffs brief was due on July 16, 2007, counsel attempted to submit it by fax, but the transmission was rejected. On June 17, 2007 Plaintiffs counsel, Jim O. Whitworth, filed "Plaintiffs' Amended Bench Brief Re: Violation of the Song-Beverly Consumer Warranty Act—Implied Warranty" in response to the implied-warranty matter addressed at the July 9, 2007, proceeding. The brief bears the clerk's July 17, 2007, filing stamp.
6. **August 15, 2007—Tentative Statement of Decision.** The court filed a signed document expressly entitled "(Tentative) Statement of Decision." It recognized that the jury had returned a verdict for Plaintiffs on the express-warranty claim, ruled for Defendants on the separate implied-warranty cause of action, and directed Defendants to submit a proposed form of judgment. The document itself was not entitled a judgment. It also contains material chronological discrepancies, including repair dates preceding the stated purchase date and a November 22, 2007, repair date occurring after the document's August 15, 2007, filing date. (App. G p. 71)

7. The September 19, 2007, minute order and notice identify A. Williams as the Department 68 deputy clerk and judicial assistant, and the accompanying notice and certificate of mailing identify the signer by the full name Anita Williams. These documents provide contemporaneous examples of her name, official capacity, and signature. (App. CC p. 260)
8. On October 5, 2007, the court entered a minute order granting Defendants' motion for a new trial "as to all issues of damages only." On November 29, 2007—55 days later—the court filed a three-page document entitled "Order Granting Partial New Trial," which the accompanying minute order described as the court's written order concerning the October 5 ruling. The November 29 order identified irregularity in the proceedings under Code of Civil Procedure section 657(1), characterized the damages as excessive and unsupported, and ordered a new trial limited to the amount of monetary damages due Plaintiffs. The order did not disturb the jury's liability findings. App. H p. 79
9. Because the October 5, 2007, minute order had already granted the motion, Petitioners contend that the November 29 specification of grounds and reasons was filed outside the statutory period.
10. On November 7, 2007, the parties appeared for a trial-setting conference following the order granting a new trial limited to damages. The conference was conducted in chambers and off the record, and the court continued the trial-setting conference to December 14, 2007.
11. On November 20, 2007, defense counsel transmitted a seventeen-page document entitled "Suggested Amplification of Order Granting Partial New Trial," expressly marked "Not to Be Filed—To Be Lodged Only." The document contained an unsigned judicial signature line and concluded by identifying Kaplan Lee LLP, counsel for Defendants, as its preparer and submitter. It acknowledged that the order granting a

partial new trial had been entered in the permanent minutes on October 5, 2007, but asserted that the court and parties later agreed, during an off-the-record November 7 conference, that written suggestions could be submitted within ten court days. The November 7 minute order does not memorialize such an agreement. On November 29, 2007, the court filed a materially shorter three-page order addressing monetary damages only and omitting many of the additional accusations, proposed findings, and proposed issues contained in Defendants' lodged document. (App. J p.101)

12. **December 14, 2007—Trial-Setting Conference.** The court conducted a trial-setting conference in chambers and off the record, with no court reporter identified. The court scheduled a jury trial for August 4, 2008, and a final-status conference for July 25, 2008. The minute order did not identify the issues to be retried or record any agreement concerning Defendants' previously lodged "Suggested Amplification."(App. DD p. 265)
13. **July 18, 2008—Request for Separate Rusnak Judgment.** Nearly eleven months later, defense counsel submitted a proposed judgment for Rusnak/Pasadena alone, asserting that the August 15, 2007, tentative statement had become final. Counsel acknowledged that an earlier proposed judgment had become moot after the partial-new-trial order and stated that the express-warranty claim against Bentley Motors remained for retrial and would require a separate judgment. (App. K p. 108)
14. On September 2, 2008, the court filed a separate Judgment After Court Trial in favor of Rusnak/Pasadena. The judgment was prepared by defense counsel and served in proposed form on July 18, 2008. The court crossed out "[Proposed]," signed the document, and ordered that plaintiffs take nothing from Rusnak/ Pasadena. Although the judgment recites that the action "came on regularly for trial on June 18, 2007," the contemporaneous June 26

minute order states that "[t]he trial, continued from 6-25-07, resumes," showing that June 18 was, at most, the original calendared date rather than the actual commencement of trial. The judgment did not dispose of the remaining express-warranty/statutory-duty claim against Bentley Motors, which remained due for retrial. On September 8, 2008, counsel for Rusnak/Pasadena filed a Notice of Entry of Judgment stating that the judgment had been entered on September 2, 2008, and that a true and correct copy was attached. (App. L p. 117)

15. Three days after entry of the separate Rusnak judgment, the court's September 5, 2008, minute order recorded that the mandatory settlement conference was unsuccessful and expressly stated, "Trial remains," confirming that the action against Bentley had not been finally resolved. (App. M p. 123)
16. On September 15, 2008—after entry and notice of the separate judgment for Rusnak/Pasadena the remaining action against Bentley proceeded as a jury trial. The court ruled on Bentley's motions in limine and trailed jury selection to September 19. During the reported proceedings, Judge Mooney stated, "We're here today for trial," and the parties continued addressing the amount plaintiffs had paid on the vehicle. These proceedings independently confirm that the September 2 judgment did not terminate the action against Bentley. (App. O p. 135)
17. On September 19, 2008, the remaining action against Bentley was called for jury trial and a panel of 35 prospective jurors appeared. After granting Bentley's motion to limit damages through June 30, 2007, the court recorded that plaintiffs' counsel violated an order concerning disclosure of the prior trial. The court declared a mistrial, dismissed the panel, and continued the matter to September 22, 2008. (App. P p. 147)
18. On September 22, 2008, the court recorded that trial resumed following the September 19 mistrial. Counsel stipulated that plaintiffs had paid $168,879.43 on the

vehicle loan through September 15, 2008, and that the payoff amount as of September 5, 2008, was $56,559.48. The court ordered a new panel of prospective jurors for September 23, 2008. (App. Q p. 149)

19. On September 23, 2008, the minute order records that counsel made opening statements, it then records a discussion between the court and counsel concerning Defendant's opening statement outside the juror's presence. The proceedings resumed before the jury, and Alvin Williams testified. (App. R p 170)
20. On September 24, 2008, the court heard testimony from Ronald Taylor, Onik Melikyan and Alvin Williams. The minute order lists Plaintiffs' exhibits 2,7,14, and 23, and Defendants' exhibit 54,56,66, 70, and 73 as marked for identification. (App. S p. 199)
21. The September 25, 2008, minute order reproduces a special verdict answering "No" to whether Bentley's breach was a substantial factor in causing Plaintiffs' damages. After recording that the jury was polled, it states, "Question 1. Twelve jurors answer in the affirmative." The court then set a further hearing concerning damages for November 13, 2008. (App. T. p. 202)
22. During deliberations on September 25, 2008, the jury requested the wording of the Song-Beverly Consumer Warranty Act and asked to read it. The court declined, stating that the jury had been provided with the applicable law necessary to decide the case. (App. T p. 202)
23. November 13, 2008 hearing, the court explained its understanding that the parties' stipulation removed specified vehicle-payment amounts from the jury's consideration and contemplated a subsequent court hearing to determine the appropriate damages. The court distinguished the jury's determination concerning incidental or consequential damages from the stipulated amounts, which the jury had not decided. The court further explained that defendants could contest Plaintiffs'

entitlement to recovery at that hearing. (Reporter's Transcript, Nov. 13, 2008, pp. 3302–3308.) (App. JJ p. 290)

24. On February 9, 2009, after both sides submitted competing proposed judgment and objections, the Court requested further briefing concerning which proposed judgment should be signed. The form of judgment remained disputed.
25. On April 27, 2009, a document entitled "Judgment" was filed. Petitioners contend that the court record contains material discrepancies concerning the judgment documents, entry and notice of judgment, and the subsequent court records identifying what judgment had actually been entered. (App. FF p. 268)
26. On May 15, 2009, at the hearing, the court stated that the judgment had been signed, while counsel for both sides reported that they had not seen it. The clerk identified the April 27, 2009, as the judgment date shown in the court's system. Plaintiffs' counsel requested a copy and time to review it because it could affect the arguments before the court. (Reporters transcript, May 15, 2009, p. 3602, lines 13-28; p. 3503, lines 1-5; (App. EE p. 266)
27. On August 5, 2009, the court took the pending attorney-fee and cost motions under submission, ordered supplemental briefing on the parties' motions, and set further oral argument for October 2, 2009. Pursuant to oral stipulation, the court also ordered the exhibits admitted on September 25, 2008, returned to the offering parties, to be retained pending the final outcome of the matter. In the same order, the court stated that, because of inadvertence and clerical error, the September 25, 2008 minute order did not accurately reflect its ruling. The court corrected that minute order nunc pro tunc to add Exhibit 7 as admitted into evidence. (App. GG p. 278)
28. On October 2, 2009, further oral argument on Bentley's 998 Offer was held in connection with the post-judgment proceedings, Plaintiffs' counsel presented had written

comparisons of Bentley Motors, Inc.'s Code of Civil Procedure section 998 Offer with Plaintiffs damages. The document contained to separate calculations that did not make mathematical sense and Petitioners objected they were admonished. (App. HH p. 281)

29. On December 24, 2009, the court filed a seven-page ruling addressing attorney's fees and costs. The ruling expressly stated that judgment had been entered on April 27, 2009, and described the reimbursement, loan-payoff, vehicle-use offset, and vehicle-return provisions of that judgment. (App. II, p 282)
30. On July 6, 2012, Petitioners filed an action in the United States District Court, Case No. 2:cv-12-056585-GW-JCG, alleging Constitutional violations and Fraud upon the court by judicial officers. The Hon. Judge Wu presided and ordered mediation. After the United States District Court declined to exercise jurisdiction over state-court claims,
31. On August 21, 2013, the Superior Court filed a Notice of Entry of Judgment identifying April 27, 2009, as the judgment's entry date in Case No. BC342574. The accompanying declaration of mailing, signed by A. Williams and dated August 21, 2013, states that the notice was mailed to Petitioners and defense counsel. (App. U, p. 208)
32. Petitioners filed a new Complaint on December 31, 2014, in the Los Angeles Superior Court, Case No. PC056141. That complaint alleged fraud upon the court and sought to invalidate the April 27, 2009, Judgment in Case No. BC342574
33. On May 5, 2015, in the same action filed December 31, 2014, Case No. PC056141, the Superior Court entered an order declaring Petitioners vexatious litigants. Petitioners' names were subsequently placed on the judicial vexatious-litigant list. (App. KK p. 306)
34. Petitioners repeatedly applied to Judge Stephen P. Pfahler to vacate the profiling orders and remove their names

from the Judicial Council Vexatious Litigant List and challenging the Court's order dismissing the action. Petitioners also continued to request post-judgment relief concerning the accuracy of the judgment record and whether post judgment matter had been fully adjudicated. (App. AAA p. 405 - PPP p. 456)

35. On May 28, 2015, Petitioners requested entry of judgment and were informed that the case had been sent to archives. After the file was retrieved and reviewed, Petitioners were directed by Archives to LASC Stanley Mosk Courthouse Administrator Greg Drapac because post-judgment proceedings remained to be addressed.
36. Department 1 assigned the postjudgment matter to Department 44 before Judge Mark A. Borenstein.
37. On June 17, 2015, Petitioners appeared in Department 44, seeking to shorten time to hearing Plaintiffs post-judgment motion. Department 44 initially referred the matter to Department 1. Based on the vexatious litigant restrictions, later Department 1 because of vexatious litigant restriction. Department 1 determined that the vexatious-litigant status does not apply to the 2005 Case," and returned the matter to Department 44 for hearing. (App. V p. 210)
38. On September 8, 2015, Department 44 denied Petitioners' motion to enter final judgment. Petitioners contented that the court had misplaced a previously filed 132-page document related to that motion. The court relied on the August 21, 2013, Notice of Entry of Judgment, which it attributed to Petitioner Alvin E, Williams. Petitioners contend that that notice was actually filed by Anita Williams, clerk to Judge Mark V. Mooney, rather than Alvin E. Williams. (App. W p. 212)
39. On September 25, 2015. Petitioners appearing in propria persona, filed a peremptory challenge under Code of Civil Procedure section 170.6 to Judge Mark A Borenstein.
40. In its October 1, 2015, minute order, Department 44 found that the challenge was "timely filed, in the proper format,"

and ordered the case transferred to Department 1 for reassignment. The case was subsequently assigned the case to Department 77, Judge K. Winokur. (App. X p. 217)

41. On October 2, 2015, however, Department 44 entered a nunc pro tunc order stating that, "due to inadvertence and clerical error," the October 1, 2015, Order did not accurately reflect the court's order. The court deleted the assignment to Department 77 and replaced it with an order stating that Department 1 had reassigned the case to Department 68, Judge Mark V. Mooney, for all further proceedings. (App. Y p. 220)
42. A document dated October 8, 2015, titled "Notice of Entry of Judgment or Order." contained material from different proceedings.
43. On October 15, 2015, the court denied Plaintiffs' second section 170.6 challenge, recognizing that their September 25, 2015, challenge to Judge Borenstein had previously been accepted and concluding that section 170.6 permitted only one such challenge in the action.
44. On November 5, 2015, Department 1, stated that, although the case had been resolved on the merits, postjudgment motions had recently been filed and "there still is a case or matter" before the court, App. KK p. 306
45. On November 5, 2015, ruling stated that the April 27, 2009, judgment "reserved until post-judgment the determination of the prevailing party status and attorney fees and costs issues." The ruling also identified the December 24, 2009, determination concerning prevailing -party status and cost under section 998. Case No. BC342574 (App. KK p. 306)
46. On March 10, 2016, Department 1, Judge Debre K. Weintraub presiding, denied petitioners' motion for reconsideration of the November 5, 2015 orders, finding it untimely and unsupported by new or different facts, circumstances, or law. The court also denied their

application for entry of a sister-state judgment and their request for permission to file a proposed complaint alleging fraud upon the court. In denying permission, the court relied on its determination that the July 2, 2007 verdict had been superseded and the subsequent judgment affirmed on appeal. (App. SS p. 369)

47. On March 23, 2016, Department 1 denied Petitioners' ex ex parte application to shorten time for hearing their requests for reconsideration, entry of judgment following the July 2, 2007 jury trial, and postjudgment damages. (App. TT p. 382)
48. In addressing reconsideration, the court determined that Judge Borenstein's September 8, 2015, order had already been considered and therefore did not constitute new evidence, and that Judge Brazile's December 2, 2015, letter did not provide a basis for reconsideration. The court further determined that Judge Borenstein's September 8, 2015, order had already been considered and therefore did not constitute new evidence, and that Judge Brazile's December 2, 2015, letter did not provide a basis for reconsideration.
49. On April 14, 2016, Department 1 denied Petitioners' further notions for reconsideration, including their contention that final judgment was void *ab inito* . the court concluded that the requirements of Code of Civil Procedure section 1008 had not been satisfied. It also issued Order to Show Cause regarding sanctions based upon Plaintiffs' continued post-judgment filings.
50. On May 9, 2016, Department 1, Judge Kevin C. Brazile presiding, found petitioners' application for permission to file litigation moot because it appeared to concern case No. PC056141, which they had already filed on December 31, 2014, before being declared vexatious litigants. The court explained that they were not subject to a prefiling order when that case was filed. Alternatively, the court stated that, if petitioners sought to file the proposed

complaint as a new action, permission would be denied based on its prior rulings. The court directed that a copy of the order be placed in both BC342574 and PC056141. (App. UU p. 384)

51. On May 19, 2016, Department 1 heard the Order to Show cause issue on April 14, 2016. The court denied Plaintiffs' motion to vacate the April 27, 2009, judgment and impose sanctions of $1,500 against each Plaintiff, for a total of $3,000, under Code of Civil Procedure section 128.7, subdivisions (b) and (c) (2) based upon what the court characterized as the repeated filings of frivolous motions, applications, and arguments. The court ordered the sanctions paid to the clerk of the court on June 30, 2016.
52. In its February 3, 2012 opinion, the Court of Appeal identified petitioners' challenge to the trial court's ruling in limine directing counsel not to disclose the first jury's findings to the second jury, but deemed that issue waived for inadequate briefing. (App. Z[opinion, p. 12, fn. 1].) On or about May 20, 2016, petitioners located materials concerning the September 15, 2008 motions in limine in their former attorneys' files.
53. On May 25, 2016, Petitioners filed an application in Case No. PC056141 giving notice of lodging Exhibits 446–451 and requesting a hearing on their motion to vacate and invalidate the judgment for fraud upon the court. Those exhibits contained materials from Petitioners' former attorneys' motions in limine file, including the September 15, 2008 motions in limine referenced in the Court of Appeal's footnote in Case No. B217997. (App. VV, p. 389).
54. The court denied Petitioners' motion to vacate as untimely, petitioners contend that the court did not address the evidence they had lodged in support of their allegations of fraud upon the court.
55. On June 2, 2016, Petitioners' sought leave to present additional evidence and an expedited hearing on their motion to vacate or invalidate the Judgment for fraud

upon the court and to enter judgment based on the July 2, 2007, jury verdict and special verdict. The court denied the application without reaching the merits of the alleged fraud.

56. On June 14, 2016, and June 27, 2016, Petitioners, appearing in propria persona, sought hearings concerning their motion to vacate or quash the May 19, 2016, sanctions. Department 1 denied both requests.
57. On August 4, 2016, Department 1 heard Plaintiffs' motion to vacate and invalidate the April 27, 2009, judgment for fraud upon the court and their motion concerning the May 19, 2016, sanctions. After oral argument, the court denied the motions, concluding that the challenge to the Judgment was time-barred and that it lacked jurisdiction to consider Plaintiffs' lodged evidence. The court further prohibited Plaintiffs from lodging additional exhibits without prior leave.
58. On September 16, 2016, the court considered an order to show cause concerning Petitioners' continued postjudgment filings. Petitioners, appearing in propria persona after counsel had withdrawn, explained that their filings sought adjudication of their contention that the judgment resulted from fraud upon the court. The court imposed additional sanctions.
59. In September and October 2017, Petitioners sought relief from the prefiling restrictions and sanctions and permission to pursue claims alleging fraud upon the court. The court denied their ex parte requests without prejudice and directed Petitioners to pursue substantive relief through the procedures governing vexatious-litigant prefiling orders.
60. On November 2, 2017, Department 1 considered Petitioners' motion to enter judgment on the July 2, 2007, jury verdict. The court concluded that a then-pending appeal concerning the April 27, 2009, judgment stayed consideration of the motion under Code of Civil

Procedure section 916(a). It therefore denied the motion without prejudice.

61. On November 15, 2017, Department 1 returned Petitioners' proposed judgment, special verdict, and related documents, stating that they had not been submitted through a noticed motion or proper ex parte proceedings. The court returned the documents "without taking any action."
62. On November 17, 2017, Department 1 denied Petitioners' ex parte application for entry of judgment without prejudice, stating that the pending appeal prevented consideration of the requested relief.
63. On December 14, 2017, Department 1 denied Petitioners' request to enter judgment nunc pro tunc on the July 2, 2007, jury verdict, relying on its November 5, 2015, ruling and prior orders concerning the April 27, 2009, judgment.
64. On January 4, 2018, Department 1 returned documents Petitioners had lodged concerning proposed judgments and the April 27, 2009, judgment, stating that they had not been submitted through a noticed motion or proper ex *parte* proceedings. The court returned the documents "without the court taking action."
65. On January 10, 2018, Department 1, Judge Debre K. Weintraub presiding, issued a ruling on Plaintiffs *ex parte* application to nunc pro tunc correct the April 27, 2009, judgment by entering judgment on the Special Verdict Form. The minute order recorded Petitioners contention that fraud upon the court deprived Petitioners of the judgment. The court found that Petitioners' "had not presented sufficient evidence for the court to reach a different conclusion concerning the April 27, 2009, judgment."
66. On January 16, 2018, Department 1 heard Petitioners' ex parte application to correct the April 27, 2009, judgment and enter judgment on the special verdict form. Petitioners' submitted proposed judgments requested

substantial monetary amounts, including $100 billion in punitive damages. Those amounts were requested in Petitioners' proposals; they were not awards entered by the court. The court denied the application, finding an insufficient showing of exigent circumstances and insufficient evidence to warrant a different conclusion concerning the April 27, 2009, judgment.
(App. WW p. 391).

67. On March 5, 2019, Petitioners appeared in propria persona in Department 1 and requested entry of final judgment. Department 1 denied the request, stating that the Court of Appeal had affirmed the April; 27, 2009, Judgment and that the Superior Court therefore lacked jurisdiction to enter Petitioner proposed judgment.
68. On July 11, 2019, Department 1 considered Petitioners' Motion concerning clarification of the judgment under Code of Civil Procedure section 473(d). Although the court's tentative ruling stated that the motion was denied, the court expressly struck the denial, stated that it was "inclined to deny" the motion, and continued the matter to August 29, 2019, allowing Petitioners time to withdraw the motion under Code of Civil Procedure section 128.7.
69. On July 30, 2019, Department 1 granted Plaintiffs' request to withdraw their July 19, 2019, motion. The court found the motion timely withdrawn pursuant to Code of Civil Procedure section 128.7 (c) (2), took that motion off calendar and discharged the related Order to Show Cause. The court separately denied Plaintiffs' *ex parte* request to shorten time, on the newly filed July 30, 2019, Motion under section 473(d), but did not deny the underlying motion; instead, the court continued the motion to August 29, 2019.
70. On November 4, 2020, Department 68 denied Petitioners' amended motion to set aside or vacate the judgment under Code of Civil Procedure section 473, stating that "[t]he April 27, 2009, judgment is final."

71. On February 8, 2022, Department 1, determined that Petitioners' proposed motion in the existing action did not constitute "new litigation" under Code of Civil Procedure section 391.7 and therefore did not require Department 1 permission.
72. On March 16, 2022, Department 68, advanced and vacate the hearing on Petitioners' Motion to Set Aside/Vacate Judgment and, with no appearances by either side, ordered the motion stricken.
73. In 2022, Petitioners received a document titled "Court Order Re: Request to File New Litigation, "bearing an April 4, 2022, filing stamp, although the order and certificate of mailing were dated May 4, 2022. Petitioners attach the disputed order as an exhibit to their challenge of Judge Mark V. Mooney under Code of Civil Procedure § 170.6. The clerk initially directed Petitioners to submit the challenge in Department 68, where Judge Mark V. Mooney was then assigned. Because Judge Mark V. Mooney was unavailable, Petitioners returned to Department 1. After reviewing the document, the clerk provided written filing instructions and identified a supervisor who would accept the documents. Special arrangements were then made for the filing to be accepted. (App. I p. 94).
74. On May 26, 2022, Petitioners filed a "Request to Correct the Judgment Entered by the Court on April 27, 2009, Nunc Pro Tunc." On June 13, 2022, Judge Mark V. Mooney, sitting in Department 68, issue a one-page order denying the request.
75. On June 21, 2022, Department 68 acknowledging receipt that day of the Plaintiffs' Affidavit of Prejudice pursuant to Code of Civil Procedure section 170.6. Judge Mark V. Mooney denied the challenge, stating among other grounds, that Petitioners' had previously filed a section 170-6 challenge on September 25, 2015, against Judge Mark A. Borenstein, which the court expressly stated, "was accepted by the court."

76. Also on June 21, 2022, Department 68 issued a nunc pro tunc order concerning its minute order to identify the judicial and courtroom assistants who had been present.
77. On July 6, 2022, Department Judge David J. Cowan presiding, ruled that Petitioners did not require prefiling permission to file papers in BC342574, because the action predated the vexatious litigant designation. Citing *(Shalant v. Girardi* [2011] 51 Cal. 4th 1164, 1173-1174). The court explained that a prefiling order does not prohibit filings in already-pending litigation. Department 1 declined only to execute Petitioners' Judgment because BC342574 was assigned to Department 68.
78. Petitioners thereafter continued attempting to obtain consideration of the proposed judgment.
79. Petitioners on September 26, 2022, lodged in Department 1 a document entitled "[Proposed] Post-Judgment," and on October 4, 2022, they lodged aa document entitled "Proposed] Judgment."
80. On October 21, 2022, Department 1, Judge David J. Cowan presiding, declined to execute proposed judgment. The order stated that Plaintiffs asserted that Judge Debre K. Weintraub had granted a post-judgment motion on January 16, 2018, and had directed correction of clerical errors in the April 27, 2009, judgment by entry of submitted Judgment on Special Verdict. Department 1 stated that Plaintiffs had not provided a copy of an order purportedly made by Judge Weintraub and that there was "no record of any such order" in Case No. BC342574.
81. On December 1, 2022, Department 1, Judge David J. Cowan presiding, conducted a hearing on Plaintiffs' Motion for Change of Venue. Petitioners appeared remotely in propria persona, Defendants made no appearance. The Court determined that Petitioners sought relief from Judge Mark V. Mooney's June 13, 2022, order and entry of judgment nunc pro tunc, rather than transfer to another county or judicial district. The court

characterized the requested relief as being in the nature of a writ of mandate.

82. The court concluded that Department 1 could not issue a writ compelling another judge of the same Superior Court to reverse or vacate an order. It also rejected Petitioners' contention that the July 2, 200,7 unanimous jury verdict supported entry of their proposed judgment and denied the motion.
83. On January 26, 2023, Department 1, Judge Michelle Williams Court presiding, entered a nunc pro tunc order correcting its January 18, 2023, order because of "inadvertence and/or clerical error." The corrected order addressed Petitioners' proposed writ of mandate seeking to compel completion of postjudgment proceedings and entry of final judgment. The court concluded that neither Department 1 nor another department of the Los Angeles Superior Court could issue the requested writ.
84. On January 27, 2023, Department 1, Judge Michelle Williams Court presiding, denied Petitioners' *ex parte* Application as moot in light of the January 26, 2023, nunc pro tunc minute order. The Court also stated that Petitioners had not made the factual showing required for *ex parte* relief under California Rules of Court, rule 3.1202(c).
85. On March 24, 2023, Department 1 Judge Michelle Williams Court presiding, ruled that Petitioners did not require prefiling permission to submit their proposed judgment or request entry in Case No. BC342574. The Court stated that the case remained assigned to Judge Mark V. Mooney in Department 58 and denied only the request that Department 1 execute the proposed judgment.
86. On August 29, 2023, Department 1 acknowledged that Petitioners' applications, submitted at the filing window on November 14, 2022, had been "inadvertently delayed en route to Department 1" until August 3, 2023. Department 1 took no further action, directing Petitioners to Judge Pfahler and citing his intervening April 11, 2023

order barring further removal applications until April 11, 2024. (App. PPP p. 461)

87. On September 1, 2023, Department 68, Judge Douglas W. Stern presiding, denied Petitioners' amended motion to amend the judgment to correct clerical errors. The court acknowledged that a judgment void on its face may be challenged at any time but concluded that Petitioners' allegations concerned matters beyond the face of the judgment.
88. On September 12, 2023, Department 68, Judge Douglas W. Stern presiding, entered a nunc pro tunc order correcting the record concerning the September 8, 2023, peremptory challenge under Code of Civil Procedure section 170.6. The order substituted "Judith M. Brown-Williams" for "Judith M. Williams" to correct a clerical error.
89. On October 30, 2023, plaintiffs' [Proposed] Final Judgment for April 27, 2009, was filed in Department 68. Plaintiffs had submitted two copies of the Proposed judgment. One copy was marked through with large diagonal lines across its pages. On the final page of that copy, the court added a written ruling denying the request for a new and different judgment, warning against further repetitive filings, and bearing Judge Douglas W. Stern's signature dated October 30, 2023. The second copy of the proposed judgment remained unmarked, including the corresponding final page, which contains no strike-through markings, added ruling, or judicial signature. The court's register of action lists the October 30, 2023, filing as "Judgment filed by Petitioners.
90. On March 5, 2024, Department 68, Judge Stephen P. Pfahler presiding, granted Petitioners' *ex parte* application in part, advanced the motion for removal from the Vexatious Litigant List to March 28, 2024, and continued the request for issuance of the writ of execution to April 15, 2024, The Court directed Petitioners' to file a Noticed motion.

91. On March 18, 2024, Petitioners filed a noticed motion for enforcement of the judgment and issuance of a writ of execution. On April 3, 2024, Petitioners filed a notice withdrawing their motion for enforcement of the judgment and issuance of a writ of execution.
92. On March 28, 2024, Department 68, Judge Stephen P. Pfahler presiding, heard and denied Petitioners' motions to vacate the prefiling orders and remove their names from the Judicial Council Vexatious Litigant List. In its 5-page ruling, the court expressly stated: "on April 27, 2009, Judgment was entered in favor of Plaintiffs and against Bentley Motors, Inc." The Court continued the prefiling restrictions and permitted a renewed application after one year.
93. On April 2, 2024, Department 68 Judge Stephen P. Pfahler presiding, ordered Petitioners' March 18, 2024, Notice for Enforcement of Judgment and Issuance of Writ of Execution off calendar rather than denying the motion on its merits.
94. On August 19, 2024, a blank MC-704 form was filed in Case No. PC056141 (App. LL . p. 323)
95. On August 21, 2024, the Superior Court in Case No. PC056141 scheduled Petitioners' applications to vacate the prefiling order and remove their names from the Judicial Council's vexatious litigant list for hearing on November 6, 2024. (App. XX p. 397).
96. On August 27, 2024, Department 68, Judge Stephen P. Pfahler presiding entered a minute order acknowledging receipt of plaintiffs' July 11, 2024, Request for Clarification of the Final Judgment for April 27, 2009, the court stated that the request "can only be done by way of a noticed motion after being removed from the vexatious-litigant list." No appearances were made, and the proceeding was designated a Non-Appearance Case Review. (App. YY p. 398).
97. On September 6, 2024, Department 68, Judge Stephen P. Pfahker presiding, heard Plaintiffs' September 4, 2024,

ex parte application to shorten time for hearing their Motion for Clarification of the Judgment entered April 27, 2009, stating that the that "the court has no sooner hearing dates available." The underlying motion remained scheduled for December 12, 2024. (App. ZZ p. 399).

98. Petitioners repeatedly sought orders vacating the prefiling restrictions and removing their names from the Judicial Council vexatious-litigant list. The register of actions records applications in 2021, 2022, 2023, and 2024, together with subsequent requests for reconsideration.
99. Before his assignment to Department 68 in this action, Judge Stephen P. Pfahler had presided over Petitioners' separate action filed in December 2014 seeking to invalidate the judgment for alleged fraud on the court, in which he declared Petitioners vexatious litigants on May 5, 2015. He also presided over the separate attorney-fee action involving Petitioners' former counsel, Bradley & Gmelich. After his assignment to Department 68, Petitioners continued seeking postjudgment relief. Judge Pfahler retired before the July 14, 2026 hearing, at which Judge Jeffrey McFarland presided in Department 617, formerly Department 68.
100. On November 6, 2024, in the separate action, Case No. PC056141, Department 68, Judge Stephen P. Pfahler presiding, heard Petitioners' applications to vacate the prefiling orders and remove their names from the Judicial Council vexatious-litigant list. Petitioners appeared remotely; defendants made no appearance. After allowing argument, the court took both applications under submission.
101. On December 16, 2024, Department 68, Judge Stephen P. Pfahler presiding, conducted a hearing on Plaintiffs' Motion for Order Clarification of the Judgment. Plaintiffs appeared telephonically, as did counsel for Defendant. The minute order states that the court had read and considered the documents filed regarding the motion, that the parties were given an opportunity to argue, and that

the court thereafter took the Motion for clarification under submission, with the clerk to give notice.

102. On December 17, 2024, Department 68, Judge Stephen P. Pfahler issued its ruling on Motion for Clarification of the Final Judgment that had been taken under submission on December 16, 2024, the court denied the motion, stating that plaintiffs' could not seek relief until March 28, 2025, based upon the court's March 28, 2024, denial of Plaintiffs' applications for removal from the Judicial Council vexatious-litigant list. The court concluded: "Plaintiffs may not seek relief until March 28, 2025. The subject motion is therefore DENIED."

103. On May 7, 2025, in Case No. PC056141, Department 68, Judge Stephen P. Pfahler denied Petitioners' motions for reconsideration of the November 6, 2024 order denying their applications to vacate the prefiling order and obtain removal from the vexatious litigant list. The court found the requests premature and found no new facts or law warranting reconsideration. It extended the next permitted filing date for a renewed removal application from November 6, 2025, to May 7, 2026, and warned that earlier attempts would be rejected and could result in monetary sanctions. (App. NN p. 322)

104. On January 21, 2026, Department 68, denied Petitioners' *ex parte* Application to Shorten time for hearing their motion concerning enforcement of the 2007 unanimous jury verdict and special verdict and vacation of the second trial for fraud on the court, stating that no earlier hearing dates were available. The court did not adjudicate the underlying motion in that order.

105. On July 14, 2026, Department 617, (formally Department 68) Judge Jeffrey McFarland, presiding following Judge Stephen P. Pfahler's retirement, called Plaintiffs' motion concerning enforcement of the original 2007 unanimous jury verdict and special verdict form and vacation of the second trial based on fraud on the court.

106. Plaintiffs' motion concerning enforcement of the original 2007 unanimous jury verdict and special verdict form and vacation of the second trial based on fraud on the court. After appearances and argument, the court ordered the motion off calendar. The court stated that Plaintiffs remained subject to the vexatious-litigant prefiling order, "[t]he Court therefore does not consider the motion and takes it off calendar." The court did not adjudicate the underlying motion on its merits and set an OSC regarding contempt under Code of Civil procedure section 391.7 (a).

107. On July 23, 2026, Judge Virginia Keeny in Department 534 denied Petitioners' ex parte application for calendar preference and expedited consideration.Finding insufficient evidence of irreparable harm or immediate danger. The court stated that the application to vacate the prefiling order had been submitted on July 14, 2026, and would be acted upon within the next 14 days. (App. QQ p. 340).

108. On August 12, 2026, Department 534, Judge Lawrence P. Riff, denied Plaintiffs' applications under Code of Civil Procedure section 391.8 to vacate the prefiling orders and remove Plaintiffs' names from the Judicial Council Vexatious Litigant List, finding that plaintiffs had not established the required material change in circumstances. The court separately addressed Plaintiffs' request to file a motion concerning clarification and entry of final judgment in BC342574, Citing *(Shalant v Girardi* (2011) 51 Cal. 4th 1164, 1173-1174). The court stated that such a motion was **"not** properly before Department 534" and denied the request "on this basis," The court therefore did not adjudicate the merits of the requested clarification of the April 27, 2009, judgment. (App. B p. 50).

109. On August 21, 2026, the California Court of Appeal Second Appellate District, summarily denied Petitioners' writ of mandate challenging the Superior Court's August 12, 2026, order. (App. A p. 41).

110. Petitioners timely sought review in the Supreme Court of California. On October 21, 2026, that court denied the petition for review, completing the state-court proceedings. (App. C p. 55).

REASONS FOR GRANTING THE PETITION

I. The Petition Presents an Important Due ProcessQuestion Concerning Procedural Restrictions on Obtaining Merits Consideration

The Fourteenth Amendment guarantees a meaningful opportunity to be heard before a person is deprived of protected rights. This case presents the question whether that guarantee is satisfied when state procedural restrictions prevent litigants from obtaining merits consideration of a properly presented challenge concerning the authenticity, entry, and legal effect of the judgment in their existing action.

Petitioners repeatedly sought clarification of the judgment record in Los Angeles County Superior Court Case No. BC342574. The portion of the Superior Court's August 12, 2026, order addressing the requested judgment clarification declined to consider that request because it was not properly before that department. The Court of Appeal summarily denied relief, and the Supreme Court of California denied review. Petitioners contend that their requested clarification received no merits determination in those proceedings.

The Due Process Clause requires notice and a meaningful opportunity to be heard before the State deprives a person of a protected property interest. *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950). State-created claims and adjudicated rights may constitute property protected by the Fourteenth Amendment, and procedural rules may not be applied in a manner that finally destroys those rights without a

meaningful opportunity for consideration. *Logan v. Zimmerman Brush Co.,* U.S. 422, 428, 433-434 (1982):

Petitioners contend that material discrepancies in the judgment record in Case No. BC342574 remain unresolved. The portion of the August 12, 2026 order addressing their request for judgment clarification declined consideration because the proposed motion was not properly before that department. The Court of Appeal summarily denied writ relief, and the Supreme Court of California denied review. Petitioners contend that these proceedings left their requested clarification without a merits determination. (App. B, p. 50.)

II. Applying a Prefiling Restriction to Prevent Merits Consideration in an Existing Action Raises an Important Constitutional Question

California's vexatious-litigant statute authorizes a prefiling order prohibiting a self-represented litigant from filing "new litigation" without first obtaining permission from the presiding judge. Cal. Civ. Proc. Code § 391.7 (a). The California Supreme Court has explained that this restriction concerns the filing of new litigation and does not ordinarily prohibit a litigant from continuing to prosecute an existing action. *Shalant v. Girardi,* 51 Cal. 4th 1164,1175-1176 (20111).

Case No. BC342574 began in 2005 ten years before Petitioners were declared vexatious litigants in a separate proceeding in 2015. The first jury returned its verdict in 2007, and the disputed judgment document dates from 2009.

Petitioners' proposed motion therefore did not seek to commence a new lawsuit against the Defendant. It sought clarification of the judgment record in the same action in which the verdict and judgment proceedings occurred.

On August 27, 2024, the court stated that Petitioners' request for judgment clarification required a noticed motion after removal from the Judicial Council Vexatious Litigant List. On August 12, 2026, the court denied Petitioners' removal applications and separately declined to consider their requested judgment clarification because it was not properly before that department. Petitioners contend that these procedural rulings prevented merits consideration of their requested clarification in the proceedings under review.

Petitioners do not ask this Court merely to correct an error of California statutory interpretation. The federal question is whether a State may apply a prefiling restriction—designed to regulate the commencement of new litigation—to foreclose or indefinitely postpone merits consideration of a claim concerning the operative judgment in an action that was already pending before the restriction was imposed. The question implicates the Fourteenth Amendment's guarantee of a meaningful opportunity to be heard and warrants review under Rule 10(c).

III. Material Discrepancy in the Judgment Record Support Petitioners' Request for Judicial Clarification

The document identified as the court's August 15, 2007, Statement of Decision describes a purported repair occurring on November 22, 2007—more than three months after the stated decision date. This reference presents an apparent chronological discrepancy requiring clarification through examination of the original document., it's filing and modification history, and the source of the information concerning the November 22, 2007, event.

The September 2, 2008, judgment says the action came on for trial June 18, 2007, while the official record indicate s the trial was trailed to June 25, 2007.

The September 25, 2008, Minute Order reproduces Question 1 with an "X" beside "No," but the next page says all twelve jurors answered Question 1 affirmatively.

The discrepancy between exhibits merely "Marked for Identification," exhibits formally admitted, and materials actually delivered to the jury.

The exclusion of Kerry L. Caines, the stipulation concerning the amount paid, and the later loss or absence of his supporting letter – that provided the document amounts paid by Petitioners.

Petitioners received a document entitled "Court Order Re: Request to File New Litigation," bearing an "Original Filed April 4, 2022" stamp, dated May 4, 2022, and purporting to dismiss the matter with prejudice. The document was transmitted as an order from Department 1. Petitioners' examination of the permanent court file did not disclose the original document. Petitioners contend that the differing dates, uncertain filing and entry history, and inability to locate the original raise unresolved questions concerning the document's origin and legal effect. Petitioners presented these questions to the state courts but contend that those courts did not resolve the discrepancies or meaningfully examine the original record.

On August 21, 2013, a Notice of Entry of Judgment was filed concerning the purported April 27, 2009, judgment. The filing stamp identifies "Anita Williams, Deputy," and the declaration of mailing is signed and printed "A. Williams." The declarant states under penalty of perjury that she was not a party to the action and identifies Alvin E. Williams and Judith Brown-Williams as recipients of the mailing. Thus, the face of the document establishes that "A. Williams" was Deputy Clerk Anita Williams—not Petitioner Alvin E. Williams.

IV. This Case Provides an Appropriate Vehicle for Resolving the Federal Questions Presented.

The state-court proceedings are complete. The California Court of Appeal summarily denied Petitioners' writ petition on August 21, 2026, and the Supreme Court of California denied review on October 21, 2026. No further state-court review of the August 12, 2026, order remains available.

The relevant facts are established principally by the courts' orders and the existing case record. It is undisputed that Case No. BC342574 began before the 2015 prefiling orders; that the verdict and judgment proceedings occurred before those orders; and that the August 12, 2026, order declined to consider Petitioners' proposed motion on its merits.

The documentary record also establishes that Petitioners have sought resolution of the judgment issue for more than a decade. In May 2015, Petitioners were advised that post judgment proceedings were required in BC342574.

All rulings that followed in this matter, the official minute order stated, "NO LEGAL FILE."

On June 17, 2015, Department 1 determined that Petitioners could proceed in the existing action notwithstanding the prefiling orders and assigned the post judgment matter to Department 44.

On June 17, 2015, although the minute order noted "NO LEGAL FILE," Department 1 expressly found that "the vexatious litigant statute does not apply to the 2005 case" and returned Petitioners' application to Department 44 for consideration. The ex parte request to shorten time was denied without prejudice, but the underlying motion remained

scheduled for August 21, 2015. This order establishes that Petitioners were not required to obtain vexatious-litigant prefiling permission to seek relief in the existing 2005 action.

On September 8, 2015, while the official minute order stated, "NO LEGAL FILE" and acknowledged Petitioners' 132-page filing had been misplaced until after the hearing, the court denied Petitioners' motion for attorney fees and costs as untimely.

The court concluded that judgment had been entered on April 27, 2009, relying expressly upon an August 21, 2013, Notice of Entry that it characterized as "Plaintiffs' own Notice of Entry." The notice, however, was executed by court employee Anita Williams, not Petitioner Alvin E. Williams, as established by her declaration. Thus, the court attributed a clerk-executed notice to Petitioners and relied upon that mistaken attribution in denying relief.

Petitioners thereafter filed a peremptory challenge under California Code of Civil Procedure §170.6. On October 1, 2015, the court found that the challenge was timely, in proper form, and accepted it. The order transferred the case for reassignment and initially assigned it to Department 77. (App. X .p 217)

On October 2, 2015, the court entered a nunc pro tunc order deleting that assignment and reassigning the case to Judge Mark V. Mooney, for all further proceedings. Both orders expressly state, "NO LEGAL FILE." (App. Y p. 220)

The absence of the legal file was not an isolated occurrence. The minute orders confirm that "NO LEGAL FILE" notations are relevant not because every resulting procedural order was necessarily void, but because they demonstrate that the judgment dispute was repeatedly addressed without the complete legal file. They therefore

reinforce the need for a merits determination based upon a complete and authentic record.

Documents submitted in the related matter Case No. PC056141, were also returned to Petitioners.

In 2018, the court returned additional filings to Petitioners bearing a large red cancellation stamp identifying John A. Clarke as Executive Officer/Clerk, although Clarke had retired effective March 31, 2013. Petitioners do not contend that Clarke personally handled the documents; rather, the returned documents bear an apparently obsolete clerk's stamp that warrants comparison with the court's docket and retained records.

Over the past fourteen years, Petitioners repeatedly submitted complaints concerning missing court records to court administrators, including Sherri Carter, and to the Commission on Judicial Performance. Petitioners also submitted a complaint to the Superior Court's Legal Department, which informed Petitioners that it would receive the complaint but would not respond.

Petitioners submitted documents to Department 1 identifying deficiencies in the existing court record. Materials submitted in related case No. PC056141 were also returned. These submissions provided notice of the record deficiencies that Petitioners sought to have addressed. (App. PP. P. 461)

The September 8, 2015, court minute order acknowledges that Petitioners 132-page submission had been misplaced and was located only after the hearing. The received-stamped post-judgment motion and supporting materials were subsequently returned to Petitioners by the Superior Court in Case No. BC342574. (App. WW p. 212)

Resolution of the Questions Presented therefore does not require this Court to determine whether Petitioners' underlying allegations concerning the judgment record are ultimately correct.

The federal issue is the constitutional sufficiency of the procedure made available to address those allegations. Petitioners presented their Fourteenth Amendment due process claim in the state appellate proceedings below and prior proceedings, but the Court of Appeal summarily denied the writ petition and the Supreme Court of California denied review. The absence of a reasoned appellate opinion does not eliminate the federal question presented by the August 12, 2026, order and Petitioners' constitutional challenge to that order.

Petitioners expressly presented the federal constitutional issue in the state appellate proceedings below. Their petition for writ of mandate in California Court of Appeal Case No. B356638 expressly invoked the Fourteenth Amendment and asserted that application of the prefiling restrictions deprived them of due process and a meaningful opportunity to obtain consideration of the disputed judgment record. Petition for Writ of Mandate.

After the Court of Appeal summarily denied relief, Petitioners again raised Fourteenth Amendment claim in their petition for review in Supreme Court of California Case No. S298340. Petition for Review-. The state courts therefore had a fair opportunity to consider the federal question now presented to this Court. See *Webb v. Webb*, 451 U.S. 493, 501 (1981).

Petitioners' presentation of the federal question was not a passing reference to constitutional principles; it identified the Fourteenth Amendment, described the challenged state

procedures, and explained why Petitioners contended those procedures denied them a meaningful opportunity to be heard.

Petitioners seek a limited but meaningful remedy from this Court. They request that the Court grant the petition, vacate the decision below, and remand for further Proceedings consistent with this Court's opinion, including a constitutionally adequate opportunity for merits consideration of Petitioners' challenge to the authenticity, entry, and legal effect of the judgment record. On remand, the state court may determine the appropriate relief, including whether the disputed judgment should be vacated or corrected and whether a final judgment should be entered.

CONCLUSION

For the foregoing reasons, the petition for writ of certiorari should be granted, the decision below should be vacated, and the case should be remanded for further proceedings consistent with this Court's opinion.

Respectfully submitted,

November 2026

Judith M. Brown-Williams
Alvin E. Williams
Petitioners in Propria Persona

