

12/30/25

No. 26-95

In the Supreme Court of the United States

JOHN ZHONG AND CATHERINE LI,
Petitioners,

v.

SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY, HON.
SALVATORE T. SIRNA, CITY OF DIAMOND BAR, RESPONDENTS.

ON PETITION FOR WRIT OF CERTIORARI
TO THE SUPREME COURT OF CALIFORNIA

PETITION FOR WRIT OF CERTIORARI

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DECEMBER MMXXV

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QUESTIONS PRESENTED

Whether the Due Process Clause of the Fourteenth Amendment permits a state court to summarily deny a motion for judicial disqualification, without any reasoned analysis, where the alleged facts—if true—establish an objectively intolerable risk of judicial bias under this Court's precedents.

RELATED PROCEEDINGS

Superior Court of California (Cnty. of Los Angeles):

City of Diamond Bar v. Catherine Li and John Zhong, No. 23PSCV02124 (Oct. 2, 2025) (statement of disqualification struck)

Court of Appeal of California (Cal. App. 2d):

Catherine Li et al., v. the Superior Court of Los Angeles County, No. B349374 (Oct. 14, 2025) (petition for writ of mandate denied)

Supreme Court of California:

Li v. S.C. (City of Diamond Bar), No. S293574 (Oct. 22, 2025) (petition and stay denied)

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Appendix B

Order [petition for writ of mandate denied],
 Court of Appeal of the State of California, Sec-
 ond Appellate District, *Catherine Li et al., v. the
 Superior Court of Los Angeles County*,
 No. B349374 (Oct. 14, 2025)App-2

Appendix C

Order Striking Statement of Disqualification;
 Verified Answer, Superior Court of the State of
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 Diamond Bar v. Catherine Li and John Zhong*,
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TABLE OF AUTHORITIES

Cases

<i>Caperton v. A.T. Massey Coal Co.</i> , 556 U.S. 868 (2009).....	2
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OPINIONS BELOW

The California Court of Appeal's summary denial of Petitioners' petition for writ of mandate challenging the denial of judicial disqualification without opinion or explanation is reproduced in the Appendix at App.2. The Supreme Court of California's denial of discretionary review is reproduced in the Appendix at App.1. Neither court issued a written opinion addressing Petitioners' federal constitutional claim. The relevant decision of the Superior Court of California for the County of Los Angeles is reproduced in the Appendix at App.3-9.

JURISDICTION

The Supreme Court of California's judgment was entered on October 22, 2025. This Court has jurisdiction under 28 U.S.C. § 1257(a).

CONSTITUTIONAL PROVISION INVOLVED

The Due Process Clause of the Fourteenth Amendment provides that no State shall "deprive any person of life, liberty, or property, without due process of law." U.S.Const., Amdt. XIV.

STATEMENT OF THE CASE

This case arises from a civil enforcement action pending in California state court.

Petitioners filed a verified statement of judicial disqualification alleging circumstances that, taken

together, created an objectively substantial risk of judicial bias.

The disqualification motion expressly invoked the Due Process Clause of the Fourteenth Amendment and this Court's precedents governing structural judicial bias. The trial court declined to disqualify the assigned judge without findings, analysis, or explanation addressing the federal constitutional standard.

Petitioners sought extraordinary relief by filing a petition for writ of mandate in the California Court of Appeal, which was summarily denied.

Petitioners then filed a Petition for Review in the Supreme Court of California, which was denied on October 22, 2025.

REASONS FOR GRANTING THE PETITION

I. This Court's Precedents Require an Objective Assessment of Judicial Bias Under the Due Process Clause

A fair trial in a fair tribunal is a basic requirement of due process. *In re Murchison*, 349 U.S. 133 (1955).

Due process is violated where circumstances create a constitutionally intolerable probability of bias. *Tumey v. Ohio*, 273 U.S. 510 (1927).

In *Caperton v. A.T. Massey Coal Co.*, this Court reaffirmed that the constitutional inquiry is objective and asks whether the probability of actual bias is too high to be constitutionally tolerable. 556 U.S. 868 (2009)

In *Williams v. Pennsylvania*, the Court held that structural judicial bias violates due process and is not subject to harmless-error review. 579 U.S. 1 (2016)

**II. Summary Denial of Judicial
Disqualification Without Analysis
Conflicts with This Court's Due
Process Jurisprudence**

The decisions below conflict with this Court's due process jurisprudence by permitting the summary denial of a judicial disqualification motion without any analysis of the federal constitutional standard.

Where a litigant alleges facts that, if true, would establish an objectively intolerable risk of judicial bias, due process requires more than an unexplained denial.

Treating judicial disqualification as a purely discretionary matter of state law disregards the independent federal constitutional requirement of an impartial tribunal.

The absence of any reasoned analysis leaves no assurance that the constitutional standards articulated in this Court's precedents were applied.

**III. The Question Presented is Important,
Recurring, and National in Scope**

Judicial disqualification issues arise frequently in state courts across the country.

State procedures vary widely, and some permit summary denials without explanation even when federal constitutional claims are raised.

Absent guidance from this Court, similarly situated litigants may receive fundamentally different levels of constitutional protection depending on the jurisdiction.

IV. This Case is a Suitable Vehicle for Review

This case cleanly presents a federal constitutional question.

The Due Process Clause issue was expressly raised and preserved in state court.

The Supreme Court of California's denial of review renders the judgment final.

The absence of written opinions does not impede review, as the constitutional issue concerns whether summary denial without analysis satisfies due process.

CONCLUSION

The petition for a writ of certiorari should be granted.

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DECEMBER 29, 2025

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