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NO. 95-

**IN THE SUPREME COURT  
OF THE UNITED STATES  
OCTOBER TERM 1994**

In re Rodney F. Stich, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 NINTH CIRCUIT COURT OF APPEALS; )  
 NINTH CIRCUIT DISTRICT COURTS; )  
 )  
 Respondents. )  
 )  
 \_\_\_\_\_ )

**PETITION FOR WRIT OF MANDAMUS--PROHIBITION  
To the United States Court of Appeals for the Ninth Circuit**  
**ADDRESSING ORDERS VOIDING CONSTITUTIONAL AND STATUTORY PROTECTIONS  
VOIDING FOR PETITIONER  
COURT ACCESS AND STATUTORY & CONSTITUTIONAL PROTECTIONS**

**REQUEST FOR EMERGENCY INJUNCTION**  
**(28 USC Section 1651(A); Rules 10.1, 13, 20.1, 39)**  
**NINTH CIRCUIT 94-80208**

RODNEY F. STICH, *Petitioner*  
P.O. Box 5  
Alamo, CA 94507  
Phone: 510-944-1930  
Petitioner in pro se (Rule 39)

## QUESTIONS PRESENTED FOR REVIEW

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1. May federal district and appellate judges render orders barring to a citizen the protection of federal court access, and void protections and defenses guaranteed by the statutes and Constitution of the United States, and especially when that citizen seeks to report serious government corruption and is suffering great human rights violations judicially-inflicted?

2. May federal district and appellate judges block the reporting of major subversive and criminal acts against the United States, involving federal officials?

3. Do federal judges have the authority to threaten with criminal contempt of court, and even bring about his imprisonment, in retaliation for that citizen's exercise of federal crime-reporting statutes and defenses against the judicially perpetrated acts to block the reports and to block federal defenses?

4. Are these judicial acts direct violation of federal criminal statutes, including, inter alia, Title 18 USC Sections 241, 1512, 1513, and indirectly, violation of Title 18 USC §§ 2, 3, and 4, including obstruction of justice, misprision of felonies and other offenses?

5. Do Justices of the U.S. Supreme Court, who have supervisory responsibilities over the judges and officers of the court perpetrating these acts, have a mandatory duty under federal civil rights and criminal statutes, to:

A. Provide prompt relief to the victimized citizen?

B. Take actions to halt the civil, constitutional, and criminal acts and great harm being inflicted upon the United States and the Petitioner?

**LIST OF PARTIES**

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*Petitioner*

Rodney F. Stich

*Petitioners*

Judges of the U.S. District Courts, Northern and Eastern Districts of California, that have rendered orders and judgments that are felonies under the law, and failure to perform their duty to provide Petitioner injunctive and declaratory relief.

All judges of the Ninth Circuit Court of Appeals.

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**Appendix:**

- Appendix "1a" : Notice of intent to void Petitioner's civil and constitutional rights by denying due process and equal protection access to Ninth Circuit appellate courts.
  - Appendix "2a": June , 1994 order barring Petitioner access to federal court and concurrently voiding for him major constitutional and statutory protections, while simultaneously obstructing justice.
  - Appendix "3a": Injunctive order voiding these rights issued by Judge Samuel Schwartz.
  - Appendix "4a": Injunctive order voiding these rights issued by bankruptcy judge Edward Jellen.
  - Appendix "5a": Letter from former Supreme Court Justice Bryon White admitting the gravity of the charges.
- Reference material:  
 Copy of Second Edition of *Defrauding America*, detailing the criminal activities Petitioner sought to expose, the judicial acts taken to obstruct justice and the pattern of Ninth Circuit undermining of the constitutional and statutory protections.

## REFERENCE TO NINTH CIRCUIT ORDERS

1 On its own initiative, a Ninth Circuit court of appeals panel issued an order-to show-cause (appendix  
2 1a) on June 23, 1994, proposing to issue an order barring Petitioner from filing any oppositions, appeals, or  
3 other filing, with the Ninth Circuit Court of Appeals. The proposed order would require Petitioner to submit  
4 any proposed filing to the court to determine if a Ninth Circuit judge would allow Petitioner access to  
5 federal court and allow the protections of the statutes and Constitution of the United States to be available to  
6 him.<sup>1</sup>

7  
8 Petitioner submitted an objection<sup>2</sup> that was file-stamped as received July 15, 1994, to that proposed  
9 order. Without addressing any of the issues raised<sup>3</sup> by Petitioner's opposition brief, a Ninth Circuit panel  
10 rendered an order on August 9, 1994 (appendix 2a) barring Petitioner the same due process and equal  
11 protection guaranteed to other citizens.<sup>4</sup>

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<sup>1</sup> Based upon the history of Ninth Circuit judicial conduct, and the involvement of Ninth Circuit judges in serious misconduct being exposed  
26 by Petitioner, it would be a virtual impossibility for Petitioner to have the constitutional and statutory access to federal court and to the  
27 protections and defenses guaranteed by the U.S. form of government.

<sup>2</sup> Objection was based upon multiple bases, including the pattern of Ninth Circuit refusal to provide relief from hard-core civil rights  
28 violations; the aiding and abetting of these violations; blocking Petitioner from reporting serious federal crimes implicating federal personnel,  
including federal judges; due process and equal protection rights.

<sup>3</sup> Refusing to address the issues raised by Petitioner, refusing to issue findings of fact and conclusions of law, has been standard practice of  
Ninth Circuit judges since 1983. Never once has any of Petitioner's major federal causes of action and defenses been addressed.

<sup>4</sup> The reason for denying Petitioner access to federal court and to federal protections was due to a convoluted series of corrupt judicial acts  
associated with a scheme to silence Petitioner's reporting of serious federal crimes implicating federal officials, and to block his federal defenses  
against the Veterans Affairs judicial system against him.

1 That pre-filing order was precipitated by Petitioner filing on June 9, 1994 a Petition for Writ of  
2 Mandamus/Prohibition with the Ninth Circuit Court of Appeals. That Petition sought relief from the judicial  
3 seizure<sup>5</sup> and looting of Petitioner's life's assets after he was forced<sup>6</sup> to exercise Chapter 11 remedies to obtain  
4 relief from an ongoing pattern of judicially-inflicted civil and constitutional violations.<sup>7</sup>

### 5 **BASIS FOR SUPREME COURT JURISDICTION**

6 The date of entry of the order voiding Petitioner's constitutional and statutory remedies was August  
7 9, 1994. This Petition is timely filed. Federal law conferring jurisdiction, both discretionary and mandatory,  
8 upon the Supreme Court in this Petition for Writ of Mandamus and Prohibition includes:

9 \* **Title 28 USC § 1651(a) and Supreme Court Rule 20.1**, on the basis of (a) exceptional  
10 circumstances warranting the exercise of this Court's discretionary powers; (b) relief cannot be  
11 obtained in any other judicial forum.<sup>8</sup>

12 \* **Supreme Court Rule 13**, providing for review of a judgment of the United States court of  
13 appeals.

14 \* **Federal civil rights statutes**,<sup>9</sup> requiring *any* person who knows of civil rights violations  
15 and who can prevent or aid in their prevention, to do so. Since the violations are being perpetrated  
16 by judges over whom this Court has supervisory responsibilities, the requirement to intervene is  
17 greater than for any other person in the United States.

18 \* **Supreme Court Rule 10.1(a)**. This rule provides the responsibility of Supreme Court  
19

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21  
22 <sup>5</sup> Petitioner had sought to force a federal judge to perform his or her duty under the declaratory judgment and injunctive relief statutes from  
23 a continuing pattern of hard-core civil and constitutional violations judicially-perpetrated in a sham California action that was given a "divorce"  
label. Petitioner had been divorced for the prior two decades as shown by five divorce judgments, each of which had to be recognized under  
federal law and the laws of the five states in which the divorce judgments were rendered/entered.

24 <sup>6</sup> Petitioner was forced to exercise the unusual remedy of Chapter 11 to obtain declaratory and injunctive relief from an ongoing pattern of  
civil rights violations for which Ninth Circuit district and appellate judges refused to provide relief, combined with threats of imprisonment if he  
did exercise these constitutional and statutory protections.

25 <sup>7</sup> The basis for the filing was the void order doctrine, seeking to have vacated all orders rendered after the Chapter 11 judge rendered verbal  
and written orders refusing to accept jurisdiction, which had never been vacated, and seizure orders subsequently rendered without the  
26 constitutional and statutory requirement of a noticed hearing, a hearing, legally recognized cause, and other violations. Evidence strongly shows  
that the intent of the seizure was to strip Petitioner of the assets that funded his exposure of massive government corruption.

27 <sup>8</sup> Petitioner's statutory and constitutional right to federal court access has been denied by injunctive orders of Ninth Circuit district and  
appellate courts. He has been threatened with imprisonment if he exercises these federal protections. He has been judicially converted into a  
28 man without a country while federal judges corruptly misuse federal courts to inflict enormous harm upon him, and obstruct justice by blocking  
his reports of the federal crimes that he and other former federal investigators had uncovered.

Justices to exercise its "power of supervision." Petitioner has been repeatedly charged with criminal contempt of court for seeking declaratory and injunctive relief relating to the pattern of hard-core civil rights violations, and for seeking to comply with mandatory federal crime-reporting statutes.

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\* "Departed from the accepted and usual course of judicial proceedings."<sup>10</sup>

\* "Sanctioned such a departure by a lower court, as to call for an exercise of this Court's power [and responsibility] of supervision."

\* "When a ... United States court of appeals has decided an important question of federal law which has not been, but should be, settled by this court."

\* "When a ... United States court of appeals ... has decided a federal question in a way that conflicts with applicable decisions of this Court."

\* Criminal statutes, on the basis that the order voiding for Petitioner due process and equal protection is associated with an attempt to block Petitioner's reporting of subversive and criminal acts involving federal officials, and judicial retaliation for having sought to make such reports.

**Mandatory requirement to intervene arises under the following:**

**Vicarious liability of Supreme Court justices.** This court has a duty, and liability, under the vicarious liability doctrine, to take prompt action when made aware of a pattern of corrupt activities perpetrated by judges and officers of the court over whom it has supervisory responsibilities.<sup>11</sup>

**Duty to make known the criminal charges made by Petitioner.** Title 18 USC Section 4 makes any person guilty of a criminal act if they know of a federal crime and do not promptly make it known to a federal entity that is capable and willing to proceed with the knowledge, and which is not itself implicated. And surely this responsibility includes a federal judge holding greater responsibilities than an average citizen, especially when there is a supervisory responsibility over those who are committing the civil rights and criminal violations.

**CONSTITUTIONAL PROVISIONS AND STATUTES**

<sup>10</sup> A pattern of aiding and abetting a long pattern of hard-core civil and constitutional violations perpetrated in a conspiracy; violated blocks of major substantive and procedural statutes and constitutional protections; threatened and inflicted great harm upon Petitioner for having exercised federal remedies and for seeking to report major federal crimes implicating federal personnel.

<sup>11</sup> Without the prior acquiescence of the Supreme Court, the harms inflicted upon Petitioner could not have succeeded. Petitioner came to the Supreme Court twice from 1975 to 1982, seeking to report the criminal activities in government, including the Justice Department. Petitioner came to this Court in 1983, seeking relief from the first stage of the judicial attempts to silence Petitioner through a sham California action. Petitioner came to this Court when Ninth Circuit judges were incarcerating Petitioner for having sought to report the government corruption and for exercising constitutional defenses against the hard-core civil rights violations judicially perpetrated. The Supreme Court Justices are fully aware of the extent of subversive and criminal activities in the federal judiciary. Without this Court's aiding and abetting, many of the hard-core criminal acts against the United States and the American people could not have expanded to the levels that now exist. The Justices of the U.S. Supreme Court are at the top level of judicial management and vicarious liability. Under this Court's reign, great harm had been inflicted upon the United States Government and the American people, and upon Petitioner.

The constitutional and statutory provisions directly and indirectly involved in this Petition, each of which is being judicially violated, includes:

\* *Due Process protections as guaranteed by the statutes and Constitution of the United States.*<sup>12</sup> Fifth Amendment to the Constitution.

\* *Equal protection of the law as available to other citizens.*<sup>13</sup>

\* *First Amendment right to petition for redress of grievances.*<sup>14</sup> Ninth Circuit judges have repeatedly blocked Petitioner's attempts to exercise this right, and when he has exercised it, Ninth Circuit judges have retaliated and inflicted great and irreparable personal and financial harm upon him.

\* *Fifth Amendment right to be protected against taking of liberties and properties without due process of law.*<sup>15</sup> These protections were and are being repeatedly violated by federal judges, destroying - Petitioner's Fifth Amendment rights to be secure in life, liberty and properties, to be free from fear of government persecution, and quality of life,<sup>16</sup> with the additional violation of inflicting great fear upon Petitioner from the corrupt acts.

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<sup>12</sup> No person shall be ... deprived of life, liberty, or property, without due process of law;

<sup>13</sup> Fourteenth amendment, Section 1. "No State [nor federal judge shall] deprive any person of life, liberty or property, without due process of law; not deny to any person within its jurisdiction the equal protection of the laws.

<sup>14</sup> First Amendment: "Congress [nor a federal judge] shall make no law ... abridging the ... right of the people ... to petition the Government for a redress of grievances."

<sup>15</sup> Fifth Amendment: "No person shall ... be deprived of life, liberty, or property, without due process of law;

<sup>16</sup> The pattern of judicial taking of Petitioner's assets, the criminal contempt and imprisonment in retaliation for exercising federal defenses and for reporting the government's corruption, are obviously a taking, criminal in nature, of Petitioner's liberties and properties.

\* Title 28 USC Sections 1331,<sup>17</sup> 1343,<sup>18</sup> guaranteeing to a citizen the right to federal court access

1 and protections. Federal judges have repeatedly violated these statutory rights, unlawfully and  
2 unconstitutionally dismissing each and every action, fraudulently placing a frivolous label on the filing to  
3 "support" their dismissal actions. Since 1983, federal judges have unlawfully and unconstitutionally  
4 dismissed every action which sought declaratory and injunctive relief, and which sought to report the federal  
5 crimes.

7 \* Title 28 USC Sections 2201,<sup>19</sup> 2202.<sup>20</sup> Federal judges have repeatedly dismissed every action in  
8 which Petitioner sought a declaration of Petitioner's personal and property rights, to defend against the  
9 taking of his assets in a sham California "divorce" action.<sup>21</sup>

13  
14 <sup>17</sup> Title 28 U.S.C. § 1343 provides:

14 (a) The district court shall have original jurisdiction of any civil action authorized by law to be commenced by any  
15 person:

15 (1) To recover damages for injury to his person or property, or because of the deprivation of any right or privilege of a  
16 citizen of the United States, by any act done in furtherance of any conspiracy mentioned in section 1985 of Title 42;

16 (2) To recover damages from any person who fails to prevent or to aid in preventing any wrongs mentioned in section  
17 1985 of Title 42 which he had knowledge were about to occur and power to prevent;

17 (3) To redress the deprivation, under color of any State law, statute, ordinance, regulation, custom or usage, of any right,  
18 privilege or immunity secured by the Constitution of the United States or by any Act of Congress providing for equal rights  
19 of citizens or of all persons within the jurisdiction of the United States;

18 (4) To recover damages or to secure equitable or other relief under any Act of Congress providing for the protection of  
19 civil rights, including the right to vote.

19 <sup>18</sup> Title 28 U.S.C. § 1343 provides:

20 (a) The district court shall have original jurisdiction of any civil action authorized by law to be commenced by any  
21 person:

21 (1) To recover damages for injury to his person or property, or because of the deprivation of any right or privilege of a  
22 citizen of the United States, by any act done in furtherance of any conspiracy mentioned in section 1985 of Title 42;

22 (2) To recover damages from any person who fails to prevent or to aid in preventing any wrongs mentioned in section  
23 1985 of Title 42 which he had knowledge were about to occur and power to prevent;

23 (3) To redress the deprivation, under color of any State law, statute, ordinance, regulation, custom or usage, of any right,  
24 privilege or immunity secured by the Constitution of the United States or by any Act of Congress providing for equal rights  
25 of citizens or of all persons within the jurisdiction of the United States;

24 (4) To recover damages or to secure equitable or other relief under any Act of Congress providing for the protection of  
25 civil rights, including the right to vote.

25 <sup>19</sup> **Title 28 U.S.C. § 2201. Creation of remedy.** "In a case of actual controversy within its jurisdiction, any court of the United States, upon  
26 the filing of an appropriate pleading, may **declare the rights and other legal relations of any interested party seeking such declaration**,  
27 whether or not further relief is or could be sought. Any such declaration shall have the force and effect of a final judgment or decree and shall be  
28 reviewable as such.

26 <sup>20</sup> **Title 28 U.S.C. § 2202. Further relief.** "Further necessary or proper relief based on a declaratory judgment or decree may be granted,  
27 after reasonable notice and hearing, against any adverse party whose rights have been determined by such judgment."

27 <sup>21</sup> In a scheme to seize the assets which funded Petitioner's exposure of the government corruption, a sham divorce action was filed against  
28 Petitioner in the California courts, and his properties were seized on the fraudulent claim they were community properties. Petitioner had been  
legally divorced for twenty years, as shown by five divorce judgments entered in California, Nevada, Oklahoma, Texas, and Colorado.  
Rendering a declaratory judgment would have upheld the validity of the five judgments that had for over two decades established Petitioner's  
divorced status and property rights. But to have done so would have exposed the initial judicial scheme seeking to silence Petitioner's exposure  
of government corruption by stopping him from reporting the assets that funded his exposure activities.

1 \* Title 42 USC Sections 1983-1986.<sup>22</sup> A pattern of judicially-inflicted civil rights violations,  
2 perpetrated initially in the California courts, and then expanded by Ninth Circuit federal judges in a  
3 convoluted attempt to obstruct justice by blocking Petitioner's reporting of the subversive and criminal acts  
4 which he and others have uncovered, and blocking Petitioner's defenses against these judicial acts.

5 \* *Bivens doctrine*. The protection of the Bivens doctrine were denied to Petitioner, as he sought relief  
6 from people acting under color of federal law who were violating his civil and constitutional rights,  
7 committing these violations in an obvious criminal conspiracy.<sup>23</sup>

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10 <sup>22</sup> Title 42 U.S.C. § 1983 provides:

11 Every person who, under color or any statute, ordinance, regulation, custom or usage, of any State or Territory, subjects ...  
12 any citizen of the United States ... to the deprivation of any rights, privileges or immunities secured by the Constitution and  
13 laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.  
14 [Applies to anyone acting under color of state law who violates these rights.]

15 **Title 42 U.S.C. § 1985 Conspiracy to interfere with civil rights--Preventing officer from performing duties.**

16 (1) **Preventing officer from performing duty.** If two or more persons ... conspire to prevent ... any person from accepting  
17 or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to  
18 injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the  
19 lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his  
20 official duties.

21 (2) **Obstructing justice; intimidating party, witness, or juror.** If two or more persons conspire ... for the purpose of  
22 depriving, either directly or indirectly, any person ... of the equal protection of the laws, or of equal privileges and  
23 immunities under the laws ...in any case of conspiracy set forth in this section, if one or more persons engaged therein do,  
24 or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or  
25 property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or  
26 deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more  
27 of the conspirators.

28 (3) **Depriving persons of rights or privileges.** If two or more persons in any State or Territory conspire, or go in disguise on the  
highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the  
equal protection of the laws, or of equal privileges and immunities under the laws, or for the purpose of preventing or hindering the  
constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal  
protection of the laws; .... in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be  
done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of  
having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for  
the recovery of damages, occasioned by such injury or deprivation, against any one or more of the conspirators.

29 **Title 42 U.S.C. § 1986. Action for neglect to prevent conspiracy**

30 Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in the preceding section  
31 [42 USCS § 1985], are about to be committed, and having power to prevent or aid in preventing the commission of the  
32 same, neglects or refuses to do so, if such wrongful act be committed, shall be liable to the party injured, or his legal  
33 representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have  
34 prevented; and such damages may be recovered in an action on the case; and any number of persons guilty of such  
35 wrongful neglect or refusal may be joined as defendants in the action, and if the death of any party be caused by any such  
36 wrongful act and neglect, the legal representatives of the deceased shall have such action therefor, and may recover not  
37 exceeding five thousand dollars damages therein, for the benefit of the widow of the deceased, if there be one, and if there  
38 be no widow, then for the benefit of the next of kin of the deceased. But no action under the provisions of this section shall  
be sustained which is not commenced within one year after the cause of action has accrued.

<sup>23</sup> These people included federal judges, trustees, officers of the court, all of whom became implicated in the obstruction of justice and the  
judicial scheme to violate Petitioner's prohibition

\* *Title 42 USC Sections 1961-1965.*<sup>24</sup> The criminal conspiracy element of the civil rights violations

1 occurring both in the California and in federal courts, aiding and abetting the underlying criminal acts that  
2 Petitioner sought to expose.

3 \* *Title 18 USC Section 241.*<sup>25</sup> This criminal statute was, and is, being violated by federal judges and  
4 Justice Department attorneys as they continue to retaliate against Petitioner for exercising federal remedies  
5 against the judicially inflicted civil rights violations in the sham California action and for seeking relief  
6 under federal remedies.  
7

8  
9 <sup>24</sup> **Title 42 USC § 1961. Definition.** As used in this chapter-(1) "racketeering activity" means (A) any act or threat involving ... relating  
10 to 1503 (relating to obstruction of justice), section 1510 (relating to obstruction of criminal investigations), section 1511 (relating to obstruction  
of State or local law enforcement), section 1951 (relating to interference with commerce, robbery or extortion), section 1952 (relating to  
racketeering, ...

11 **Title 42 USC § 1962. Prohibited Activities.** (a) It shall be unlawful for any person who has received any income derived, directly 9  
or indirectly, from a pattern of racketeering activity or through collection of an unlawful debt in which such person has participated as a  
12 principal within the meaning of section 2, title 18, United States Code, to use or invest, directly or indirectly, any part of such income, or the  
proceeds of which affect, interstate or foreign commerce. ...

13 (b) It shall be unlawful for any person through a pattern or racketeering activity or through collection of an unlawful debt to acquire or  
maintain, directly or indirectly, any interest in or control of any enterprise which is engaged in, or the activities of which affect, interstate or  
foreign commerce.

14 (c) It shall be unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, to  
conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity or collection of  
unlawful debt.

15 (d) It shall be unlawful for any person to conspire to violate any of the provisions of subsections (a), (b), or (c) of this section. ■

16 **42 USC § 1964. Civil Remedies,** (a) The district courts of the United States shall have jurisdiction to prevent and restrain violations of section  
1962 of this chapter by issuing appropriate orders, including, but not limited to: ordering any person to divert himself of any interest, direct or  
17 indirect, in any enterprise; imposing reasonable restrictions of the future activities or investments of any person, including, but not limited to,  
prohibiting any person from engaging in the same type of endeavor as the enterprise engaged in, the activities of which affect interstate or  
foreign commerce; or ordering dissolution or reorganization of any enterprise, making due provision for the rights of innocent persons.

18 (b) The Attorney General may institute proceedings under this section. Pending final determination thereof, the court may at any time  
enter such restraining orders or prohibitions, or take such other actions, including the acceptance of satisfactory performance bonds, as it shall  
deem proper.

19 (c) Any person injured in his business or property by reason of a violation of section 1962 of this chapter may sue therefor in any  
appropriate United States district court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable  
attorney's fee.

20 (d) A final judgment or decree rendered in favor of the United States in any criminal proceeding brought by the United States under  
this chapter shall estop the defendant from denying the essential allegations of the criminal offense in any subsequent civil proceeding brought  
21 by the United States.

22 **Title 42 USC § 1965. Venue and Process.** (Any civil action or proceeding under this chapter against any person may be instituted in  
the district court of the United States for any district in which such person resides, is found, has an agent, or transacts his affairs.

23 (b) In any action under section 1964 of this chapter in any district court of the United States in which it is shown that the ends of  
justice require that other parties residing in any other district be brought before the court, the court may cause such parties to be summoned, and  
process for that purpose may be served in any judicial district of the United States by the marshal thereof.

24 (c) In any civil or criminal action or proceeding instituted by the United States under this chapter in the district court of the United  
States for any judicial district, subpoenas issued by such court to compel the attendance of witnesses may be served in any other judicial district,  
25 except that in any civil action or proceeding no such subpoena shall be issued for service upon any individual who resides in another district at a  
place more than one hundred miles from the place at which such court is held without approval given by a judge of such court upon a showing  
of good cause.

26 (d) All other process in any action or proceeding under this chapter may be served on any person in any judicial district in which such  
person resides, is found, has an agent, or transacts his affairs.

27 <sup>25</sup> **Title 18 U.S.C. § 241. Conspiracy against rights of citizens**

28 If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of  
any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised  
the same; ... They shall be fined ... or imprisoned ... or both;

\* *Title 18 USC Sections 1512 and 1513.*<sup>26</sup> These federal statutes are being violated by federal judges

1 and Justice Department attorneys who are continuing to retaliate against Petitioner, both a victim and an  
2 informant, for seeking to report federal crimes in which they themselves are implicated.

3 \* *Fourth Amendment right to be protected against unreasonable seizure of properties.*<sup>27</sup> After  
4 Petitioner was forced to seek relief from the hard-core civil and constitutional violations in Chapter 11. After  
5 he exercised this protection Ninth Circuit judges seized and eventually looted Petitioner's life assets,  
6 violating additional federal protections, including the statutory and constitutional requirement of a noticed  
7 hearing; a hearing; legally-required cause; and other violations.<sup>28</sup>

8 Chapter 11. After he exercised this protection Ninth Circuit judges seized and eventually looted Petitioner's  
9 life assets, violating additional federal protections, including the statutory and constitutional requirement of  
10 a noticed hearing; a hearing; legally-required cause; and other violations.<sup>29</sup>

### 11 **STATEMENT OF THE CASE**

12 The immediate cause of action relates to an order rendered by a Ninth Circuit court of appeals panel  
13 barring Petitioner from filing any papers in the court of appeals. The result of this order is that Petitioner is  
14 barred from reporting subversive and criminal activities against the United States, and is barred from federal  
15 remedies to halt the great personal and financial harm being judicially inflicted upon him.<sup>30</sup>

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19 <sup>26</sup> **Title 18 U.S.C. § 1512. Tampering with a witness, victim, or an informant—**

20 (b) Whoever knowingly uses intimidation or physical force, or threatens another person, or attempts to do so, or engages in  
misleading conduct toward another person, with intent to —

21 (1) influence, delay or prevent the testimony of any person in an official proceeding:  
shall be fined ... or imprisoned ... or both. [1988 amended reading]"

22 **Title 18 U.S.C. § 1513. Retaliating against a witness, victim, or an informant.** (a) Whoever knowingly engages in any conduct and  
thereby causes bodily injury to another person or damages the tangible property of another person, or threatens to do so, with intent  
23 to retaliate against any person for—(1) the attendance of a witness or party at an official proceeding, or any testimony given or any  
record, document, or other object produced by a witness in an official proceeding; or (2) any information relating to the commission  
or possible commission of a Federal offense ..."

24 <sup>27</sup> Fourth Amendment: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable ... seizures,  
shall not be violated, ..."

25 <sup>28</sup> This corrupt judicial taking of Petitioner's life's assets occurred after Petitioner exercised Chapter 11 to obtain declaratory and injunctive  
relief from an ongoing pattern of hard-core civil and constitutional violations judicially inflicted upon him. Oakland bankruptcy court cases 487-  
05974J and 05975J.

26 <sup>29</sup> This corrupt judicial taking of Petitioner's life's assets occurred after Petitioner exercised Chapter 11 to obtain declaratory and injunctive  
relief from an ongoing pattern of hard-core civil and constitutional violations judicially inflicted upon him. Oakland bankruptcy court cases 487-  
05974J and 05975J.

27 <sup>30</sup> Among the urgent federal remedies being denied to Petitioner are:

28 \* Declaratory judgment relief to declare Petitioner's personal and property rights established in five judgments rendered/entered in the  
states of Oklahoma, Texas, Colorado, Nevada, and California, which were violated after Petitioner exercised the constitutional right to

1 This court of appeals orders reinforces a series of prior orders rendered by Ninth Circuit district  
2 judges barring Petitioner from filing any papers with the district courts, including reporting the federal  
3 crimes (under Title 18 USC § 4). In this manner, Ninth Circuit judges are obstructing justice, aiding and  
4 abetting the felonious acts taken against Petitioner to silence him, and under federal criminal statutes, they  
5 have become accomplices in the underlying criminal activities Petitioner seeks to expose.

6 On August 9, 1994, Judges Wallace, Hug and Rymer, rendered the order barring Petitioner from  
7 filing any papers in the appellate courts, which augmented the pattern of unlawful and unconstitutional  
8 orders rendered by Ninth Circuit district judges since 1986. The history of actions by Ninth Circuit district  
9 and appellate judges, as it relates to Petitioner, proves that there would be virtually no federal cause of  
10 action that could possibly be approved for filing in the federal courts. Appendix 6a lists the federal causes of  
11 action that Petitioner filed, each one of which were unlawfully and unconstitutionally dismissed by Ninth  
12 Circuit district and appellate judges.

## 14 THE FACTS

### 15 Discovering and Reporting Federal Crimes Involving Federal Officials

16 Petitioner first sought to report to a federal court<sup>31</sup> an ongoing series of federal crimes involved with  
17 a series of fatal airline crashes, which he and other federal investigators discovered during their official  
18 investigative functions, and for which they were authorized by law to make such determinations. The last  
19 appeal of the dismissal of these actions was made to the U.S. Supreme Court in 1982. Concurrently, from  
20 1978 Petitioner sought to circumvent the obstruction of justice that he encountered by publishing books, and  
21 appearing as guest on hundreds of radio and television shows. These actions threatened to expose federal  
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24 change residence without losing personal and property rights established in these judgments, and acquired under the laws and  
25 Constitution of the United States and prior states of residence. The violation of these rights is a part of the scheme to block Petitioner's  
26 reporting of serious subversive and criminal acts against the United States.

27 <sup>31</sup> *Stich v. United States, et al.*, 554 F.2d 1070 (9th Cir.) (table), *cert. denied*, 434 U.S. 920 (1977)(addressed hard-core air safety  
28 misconduct, violations of federal air safety laws, threats against government inspectors not to report safety violations and misconduct); *Stich v.*  
*National Transportation Safety Board*, 685 F.2d 446 (9th Cir.)(table), *cert. denied*, 459 U.S. 861 (1982))(addressed repeated criminal  
falsification of official airline accident reports, omitting highly sensitive air safety misconduct, making possible repeated crashes from the same  
sequestered problems); Amicus curiae brief filed on July 17, 1975, in the Paris DC-10 multi-district litigation, *Flanagan v. McDonnell Douglas*  
*Corporation and United States of America*, Civil Action 74-808-PH, MDL 172, Central District California.)(addressing the long standing FAA  
misconduct, of which the coverup of the DC-10 cargo door problem was one of repeated instances of tragedy related misconduct); *U.S. v.*  
*Department of Justice, District of Columbia*, Nos. 86-2523, 87-2214, and other actions filed by claimant seeking to expose and correct the

judges and Justice Department officials for their complicity of coverup and obstruction of justice.

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1 In 1982 the San Francisco law firm of Friedman, Sloan and Ross,<sup>32</sup> commenced a California action  
2 against Petitioner, and placed a dissolution of marriage label upon it.<sup>33</sup> Using that sham label as a basis,  
3 Petitioner was denied access to his assets on the false claim that the properties, acquired years after a 1964  
4 Colorado separation and 1966 bilateral consent divorce proceeding, were community properties (contrary to  
5 law). Every level of the California judiciary approved the rendering of orders without jurisdiction under  
6 California law;<sup>34</sup> approved the violation of California statutes,<sup>35</sup> approved the violation of federal law  
7 requiring recognition of the personal and property rights established in those judgments and subsequently  
8 acquired as a divorced person. Other constitutional protections were violated by these acts.<sup>36</sup>

9 In addition to violating these substantive law protections, California judges violated blocks of  
10 procedural defenses, and retaliated<sup>37</sup> against Petitioner for exercising the defenses specifically provided by  
11 California law for the offenses being committed.  
12

### 13 **Federal Involvement in the State Judicial Acts**

14 Based upon Petitioner's prior investigative training by the federal government, and the enormous  
15 evidence subsequently acquired, the sham California action was initiated by forces unknown in the federal  
16 government, but strongly indicative of the involvement of personnel in control of the U.S. Department of  
17 Justice, the Central Intelligence Agency, and federal judges. If this evaluation is correct, federal judges  
18 would have to bar Petitioner from federal court access and the protections in federal law to defend against  
19 these record-setting violations of federally-protected rights.  
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23 <sup>32</sup> Evidence acquired by Petitioner indicates that the Friedman law firm is either a proprietary of the Central Intelligence Agency or does  
secret work for the Justice Department and the CIA, government agencies threatened by Petitioner's exposure activities.

24 <sup>33</sup> Petitioner's divorced status and personal and property rights were established as a matter of law by five divorce judgments; the  
25 declarations of both parties for the preceding two decades; the recognition of the divorced status by the federal government through the Social  
Security Administration; and the mandatory recognition requirements of blocks of state and federal statutes, rules of court, constitutional  
protections, and related case law.

26 <sup>34</sup> There is no jurisdiction and it is specifically barred, under the Family Law Act, on the basis of any of the prior divorce judgments.

27 <sup>35</sup> Over a half dozen California statutes require recognition of each and every one of the five prior judgments, including the entry of the  
original judgment in California courts for recognition as a local judgment.

28 <sup>36</sup> Constitutionally protected rights to change residence without losing personal and property rights previously adjudicated and acquired as a  
divorced person; right to due process and equal protection.

<sup>37</sup> Petitioner was ordered to pay huge financial sums for exercising appeal remedies addressing the orders being rendered without

### **Civil rights violations aided and abetted by federal judges**

1 The involvement of California judges in the massive numbers of civil rights violations forced  
2 Petitioner to exercise the remedies and protections in federal law, which he did, commencing in 1983. He  
3 filed actions under the declaratory judgment statutes (Title 28 USC §§ 2201, 2202), expecting to have a  
4 federal judge perform his mandatory duty to render a declaration upholding the validity of each of the five  
5 prior judgments, and Petitioner's personal and property rights.  
6

7 He simultaneously exercised the protections related to state violations of federally protected rights,  
8 and requested an injunction to halt these clear-cut violations. (28 USC § 1343, 42 USC §§ 1983-1986). If a  
9 declaratory judgment had been issued, as the federal judges had a duty to do, all further proceedings would  
10 have been halted. But to do so would have blocked the scheme to seize the assets that funded Petitioner's  
11 exposure activities.  
12

### **Retaliation for exercising federal remedies**

Every attempt to exercise federal constitutional and statutory defenses was blocked by federal judges. Every action was unlawfully and unconstitutionally dismissed, despite the multiple federal causes of action barring such dismissal. Never once did a federal judge render findings of fact and conclusions of law addressing the serious federal issues raised in the Complaint. Not only did they violate their duty to provide relief, but they protected the violators, ordering Petitioner to pay huge financial sanctions to them, despite the serious violations of federally-protected rights. Commencing in 1986, orders were rendered<sup>38</sup> barring Petitioner access to federal court, despite the urgent need for the declaratory judgment and injunctive relief. These orders voided, for Petitioner, the constitutional and statutory defenses guaranteed under the form of government established in the United States.

As devastating personal and financial harm was inflicted upon Petitioner through the escalating violations of federally-protected rights, Petitioner exercised federal appeal and other defenses. Ninth Circuit federal judges retaliated against Petitioner for exercising these federal remedies, and charged Petitioner with criminal contempt of court.<sup>39</sup>

### **Recognition of judicial acts related to the underlying criminal activities**

Sufficient evidence accumulated by 1986 to establish links between the treasonous, subversive, and criminal acts Petitioner sought to report the crimes to a federal court, as required and permitted by federal law.<sup>40</sup> Commencing in 1990, Petitioner discovered additional federal crimes of great severity, as deep-cover CIA and other federal personnel reported them to Petitioner. These claims were incorporated with the other federal causes of actions. Federal judges blocked every attempt by Petitioner to report these crimes that are inflicting devastating harm upon the United States.

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<sup>38</sup> Orders protecting those perpetrating the violations were rendered by judges Marilyn Patel; Milton Schwartz; Samuel Conti; Edward Jellen; and others.

<sup>39</sup> The criminal contempt of court were ongoing charges, continuously since 1987, and continuing to this date, inflicting great mental and financial harm upon Petitioner. At this time in the Northern District of California federal judges and Justice Department personnel seek to imprison Petitioner for having filed an action in the U.S. District Court at Chicago, reporting the massive judicial criminality in Ninth Circuit bankruptcy courts, and for seeking relief from the judicial retaliatory actions taken against him.

<sup>40</sup> **Title 18 U.S.C. § 4 (misprision of felony).** "Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined not more than \$500 or imprisoned not more than three years, or both."

**Title 28 U.S.C. § 1361. Action to compel an officer of the United States to perform his duty.** The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a

## Latest Destruction of Constitutional and Statutory Defenses

1 On their own initiative, Ninth Circuit court of appeal judges issued an order-to show-cause (appendix  
2 1a) on June 23, 1994, proposing to issue a pre-filing order barring Petitioner from federal court access. The  
3 effect of such an order would be to totally deny Petitioner even the right to file any action reporting the  
4 federal crimes, to obtain declaratory and injunctive relief from the enormous number of unlawful and  
5 unconstitutional acts judicially inflicted upon Petitioner.  
6

7 Petitioner submitted an objection to that proposed order that was file-stamped as received on ....  
8 Without addressing any of the issues raised by Petitioner's opposition brief, a Ninth Circuit panel rendered  
9 an order on August 9, 1994 (appendix 2a) issuing the order barring Petitioner the same due process and  
10 equal protection guaranteed to other citizens.  
11

12 Precipitating the pre-filing order was Petitioner's June 9, 1994 filing of a Petition for Writ of  
13 Mandamus/Prohibition with the Ninth Circuit Court of Appeals, seeking relief from the judicial seizure  
14 (Appendix 1a) and the almost total destruction of his life's assets in the underlying Chapter 11 proceedings.  
15 The Petition made specific reference to a pattern of serious constitutional and statutory violations judicially  
16 perpetrated.<sup>41</sup>  
17

18 As provided by federal law, Petitioner submitted a motion for rehearing *en banc* with the Ninth  
19 Circuit Court of Appeals, which was stamped as received on July 12, 1994. These filings were returned  
20 within a few days, without having been considered by the court, with the injunctive order part of the June  
21 23, 1994 order highlighted, which stated: "No motions for reconsideration, rehearing, clarification, stay of  
22 the mandate, or any other submissions shall be filed or entertained in these closed dockets."  
23

24 Petitioner submitted the required original and copies of an opposition brief, all of which were  
25 returned by this court with the notation that Petitioner is barred from any filings. On August 9, 1994, Judges  
26 Wallace, Hug and Rymer repeated this proposed order.  
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28 duty owed to the plaintiff.

<sup>41</sup> The Ninth Circuit court of appeals panel refused to provide any relief from the great harm Petitioner was suffering, and denied the  
Petition on June 23, 1994, without making any findings of facts and conclusions of law related to the serious constitutional and civil violations  
raised in the Petition. That order also barred Petitioner from filing any motions for reconsideration, rehearing, clarification, stay of the mandate,  
Mandamus, Prohibition and/or Prohibition

## CREDIBILITY OF THE CHARGES

### As to the criminal activities that Petitioner has sought to report:

Petitioner was a former federal investigator, trained as such, and holding federal authority to make such determinations. His personal discoveries were augmented by documents and statements made to him by a large number of deep-cover CIA and other personnel who were actively part of the criminal activities, and also reports from other government investigators. As to the criminal activities in Chapter 11 court, he personally experienced the results of them, and received other reports showing that the federal judiciary, under the Supreme Court Justices, has been made into a racketeering enterprise.

### As to the civil rights violations judicially perpetrated

The judicial record confirms the existence of these violations.

Then-Supreme Court Justice Bryon White (Appendix "6a") acknowledged the gravity of these charges and implied his willingness to help if other Supreme Court Justices had cooperated. Book review excerpts<sup>42</sup> from sophisticated reviewers provide further credibility to the misconduct stated in Petitioner's book, *Defrauding America*.

## URGENCY OF VOIDING COURT ACCESS TO PETITIONER

Disregarding the criminal and civil rights violations associated with Ninth Circuit judges voiding for Petitioner access to federal court, it is of utmost importance that he be denied access to the courts, and that constitutional and statutory protections be voided, regardless of the absence of jurisdiction and authority to do these acts, the urgency includes:

\* An exposure of the enormous judicial wrongdoing would require criminal prosecution and impeachment of large numbers of federal judges, primarily in the Ninth Circuit, but not limited to that circuit.

\* An exposure of the subversive and criminal acts that Petitioner and others have sought to expose, which would also require criminal prosecution and impeachment of government officials in the three

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<sup>42</sup> Nat'l Security Alumni: "Extraordinary book ... required reading ... moving book by a man of integrity ... It's a hell of a good read;" Dick Gregory: "Defrauding America should be on top of every bible." Fletcher Prouty: "Your book is great." John Austin's Hollywood reviewer, "The Defrauding of America and the Attorney General Spence, "We're [the book] on the same wave length, my friend."



1 were being destroyed by California judges knowingly acting without jurisdiction and violating  
2 blocks of state and federal statutes, rules of court, constitutional protections, and related case law.  
3 Federal judges' refusal to perform this duty subjected Petitioner to years of horrifying personal and  
4 property losses.

5 \* *Civil Rights violation remedies.* Petitioner's exercise of federal civil rights protections,  
6 seeking relief from the ongoing and escalating hard-core violations of civil and constitutional rights  
7 occurring initially in the sham California action.

8 \* Petitioner's attempts to regain his life's assets which were unlawfully and unconstitutionally  
9 seized in Chapter 11, while violating statutory and constitutional protections requiring a noticed  
10 hearing, a hearing, legally recognized cause, and other due process protections.

11 \* Petitioner's attempts to report federal crimes, as required by federal criminal statutes.<sup>44</sup>

### 12 *Judicial Insurrection*

13  
14 Every action of federal judges were to (a) block the reporting of these federal crimes; (b) to inflict  
15 great harm upon Petitioner through the sham California action, voiding of federal defenses, voiding of right  
16 to federal court access and statutory and constitutional protections, retaliating against Petitioner for seeking  
17 to report the subversive and criminal acts and retaliating against him for exercising federal defenses against  
18 the judicially-perpetrated civil and constitutional violations, perpetrated in a criminal environment.

### 19 **Supreme Court Definition Of A Frivolous Action Is the 20 Exact Opposite Of the Statements by Ninth Circuit District and Appellate Judges**

21 U.S. Supreme Court decisions have clearly described the criteria for a frivolous label. The facts  
22 clearly show that not a single action filed by Petitioner could possibly have met this definition. Ninth Circuit  
23 district and appellate judges have reversed this criteria, using this tactic to block Petitioner's reporting of the  
24 crimes and block his defenses against the judicial acts taken to silence him and to retaliate against him. The  
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26 inflicted great harm upon Respondent. Starting with Judge Ramirez, a judicial Ponzi-like pattern followed, mislabeling serious  
27 federal causes of action as frivolous, and in that deceptive tactic violated blocks of federal procedural and substantive protections.

28 <sup>44</sup> \* The criminal activities which he initially discovered while a federal investigator, authorized to make such determinations. This  
judicial tactic permitted a continuation of the safety and criminal violations that caused and permitted to occur a series of brutal air disasters.

\* Criminal activities in federal bankruptcy courts that criminally seize and destroy the assets of people who exercise the statutory  
protections.

\* The criminal activities related to drug smuggling into the United States, as it relates to the Central Intelligence Agency, Drug  
Enforcement Administration, and the other government agencies aiding and abetting these acts.

Petition for ~~Writ of Habeas Corpus~~ ~~and other areas of federal jurisdiction~~ criminal activities, including the direct perpetrators and those aiding and abetting the crimes.

Supreme Court defined the legal the term, "frivolous," in *Anders v. California* (1967) 386 U.S. 738, when it wrote: "An appeal [or complaint] is not frivolous if "any of the legal points [are] arguable on their merits ...". Another similar definition of frivolous is found in California Code of Civil Procedure § 907:

(2) "Frivolous" means (A) totally and completely without merit or (B) for the sole purpose of harassing an opposing party.

Making reference to *Anders*, the California Supreme Court defined frivolous in *In re Marriage of Flaherty* (1982) 31 Cal.3d 637:

"The objective standard looks at the merits of the appeal from a reasonable person's perspective ... whether any reasonable person would agree that the point is totally and completely devoid of merit, and therefore, frivolous ... an appeal is not frivolous if 'any of the legal points [are] arguable on their merits' ... [if] it can be said that 'any reasonable person would agree that [it is] totally and completely devoid of merit ..."

The Court then addressed the important Constitutional right of due process:

"Free access to the courts is an important and valuable aspect of an effective system of jurisprudence, and a party possessing a colorable claim must be allowed to assert it without fear of suffering a penalty more severe than that typically imposed on defeated parties ... Fundamental constitutional mandates require that the basic protections of due process be followed ..."

**Major Federal Causes of Actions Were Stated In Each Of Petitioner's Complaints Or Appeals**

No reasonable person could possibly reach the conclusion, based upon the Supreme Court's criteria for a frivolous filing, that any of Petitioner's filings were frivolous.

Every filing by Petitioner either:

\* *Exercised the right to obtain a declaratory judgment* and related injunctive relief to declare the personal and property rights established in five judgments, and acquired during two decades of divorced status, when these rights were violated after Petitioner exercised the constitutional right to change residence without losing these lawfully acquired rights.

\* *Exercised the right to injunctive relief from a continuing pattern of hard-core civil rights*

1 violations. Petitioner sought relief from a pattern of hard-core civil and constitutional violations  
2 judicially inflicted either in the California courts or in the federal courts.

3 \* *Exercised the mandatory requirement to report federal crimes implicating federal officials.*

4 Petitioner sought to report a pattern of very serious hard-core criminal acts against the United States  
5 and the American people. The reporting of these crimes was mandatory under federal crime-  
6 reporting statutes and optional under federal statutes and the Constitution giving to any citizen the  
7 right to report and obtain relief from government corruption.

### 8 **Ninth Circuit's Judicial Tactic Of Misstating Case Law**

9 Continuing the standard Ninth Circuit practice of misstating case law, the June 23rd proposed pre-  
10 filing order stated, "Petitioner Rodney Stich has been a frequent litigator in this court." What was  
11 deceptively left out of that statement was that Petitioner raised numerous federal causes of action, and in  
12 almost every one he sought relief from judicially-inflicted hard-core civil and constitutional violations that  
13 were inflicting enormous personal and financial harm upon him. The start of the judicially-inflicted federal  
14 violations was the sham California action. To have rendered a declaratory judgment would have halted that  
15 scheme, intended to destroy Petitioner's ability to report the federal crimes that implicated officials in the  
16 three branches of the federal government, including federal judges and Justice Department attorneys.

17  
18 To have provided relief from the civil rights violations that initially started with the sham California  
19 action would also have halted the scheme, and exposed those perpetrating the violations. In turn, this could  
20 have exposed the underlying subversive and criminal acts that Petitioner sought to report.

### 21 **The Visser Citation**

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23 The Ninth Circuit appellate panel cited several cases in its June 23, 1994 order, seeking to support  
24 the official termination of Petitioner's constitutional and statutory protections through the pre-filing  
25 requirements. The panel cited *Visser v. Supreme Court of California* 919 F.2d 113 (9th Cir. 1990), but  
26 *Visser* provides the very opposite of what the court stated. The Plaintiff in *Visser* sought to file his petition  
27 containing obviously trivial and frivolous matters in forma pauperis, without paying the filing fee. That  
28

1 decision didn't bar the plaintiff from filing as proposed for Petitioner; it simply required the person to pay  
2 the filing fee. The *Visser* decision held that unsupported allegations were made. In Petitioner's case,  
3 Petitioner stated hard-core civil and constitutional violations that were supported by court documents. The  
4 Ninth Circuit upheld, in *Visser*, the person's right to file the petition, but held that he must pay the fee.  
5 Contrast that with Petitioner's hard-core federal causes of action are already supported by taking judicial  
6 notice of the wrongful acts. Also, Petitioner has paid the docket fees. Instead of upholding the Ninth  
7 Circuit's pre-filing position, *Visser* did the very opposite, by permitting it, despite the obvious frivolous  
8 nature. But to permit Petitioner to file would expose the endemic corruption in the Ninth Circuit courts.

### 9 **The Sassower Citation**

10 The Ninth Circuit panel cited *Sassower v. Sansverie*, 885 F.2d 9 (2nd Cir. 1989), a case in which a  
11 pro se litigant petitioned the court to vacate an injunction requiring him to obtain a magistrate's approval  
12 prior to filing suit in the clerk's office. The Court of Appeals labeled the litigant's *appeal* of that order  
13 depriving him of equal protection and due process as frivolous. The published decision alleged that "George  
14 Sassower has been an *abusive* litigant for a number of years, and now presents yet another in a series of  
15 lawsuits and motions continuing the long and tortured history of litigation in state and federal courts.  
16

17 Every filing by Petitioner has been either to obtain *relief* from what others have done to him through  
18 a clear pattern of civil right violations; and to report federal crimes that he initially discovered while a  
19 federal investigator.  
20

### 21 **The McDonald Citation**

22 Ninth Circuit court of appeals judges cited *In re McDonald*, 489 U.S. 180, 184 (1989), claiming that  
23 the limited judicial resources that are being strained by frivolous actions. If Ninth Circuit judges had  
24 performed their duty and have issued a declaratory judgment as California judges destroyed the personal and  
25 property rights established five divorce judgments, the matter would have been immediately resolved. But to  
26 have performed that non-discretionary duty would have exposed other elements of the criminal activities,  
27 would have exposed the judicial scam for what it was. If Ninth Circuit judges had performed their duty  
28

1 when Petitioner sought to expose the pattern of hard-core criminal acts related to a series of fatal airline  
2 crashes, some of the subsequent crashes could have been prevented. If Ninth Circuit judges had performed  
3 their duty when Petitioner sought to expose the pattern of hard-core subversive and criminal acts involving  
4 the Central Intelligence Agency, the Department of Justice, and other government personnel, there would  
5 not be the continuing enormous harm inflicted upon the United States and the American people in the drug  
6 trafficking, the looting of assets in Chapter 11, 12, and 13 proceedings, and the many other areas of  
7 criminality. It has been and is the Judges of the Ninth Circuit, that are inflicting a great loss by their  
8 obstruction of justice and other federal offenses.

9 **II. FEDERAL JUDGES LACK JURISDICTION TO VOID STATUTORY**  
10 **AND CONSTITUTIONAL PROTECTIONS**

11 Obviously, federal judges, entrusted to uphold the laws and Constitution of the United States, lack  
12 jurisdiction to:

13 \* Void the rights and protections guaranteed under our form of government, laws, and  
14 Constitution.

15 \* Deny to any citizen the right to a declaratory judgment and injunctive relief for the hard-  
16 core violations of federally-protected rights stated in the complaints and proven by reference to court  
17 records.

18 \* Aid and abet the infliction of these violations.

19 \* Obstruct justice by blocking the reporting of the subversive and criminal activities.

20 \* Inflict harm, to place a citizen in a constant state of fear, destroy the quality of life, for  
21 having exercised federal remedies specifically provided to halt the violations and the harm judicially  
22 inflicted upon him.

23 There are no laws, and the Constitution does not permit, a federal judge, or an entire judicial  
24 circuit, to subvert the intent and the specifics under the Constitution and statutes of the United  
25 States.  
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III. **THE PRE-FILING ORDER EFFECTIVELY BARS PETITIONER ACCESS TO FEDERAL COURT AND THE PROTECTIONS GUARANTEED UNDER THE U.S. FORM OF GOVERNMENT**

Under the Ninth Circuit pre-filing order, and under the pattern of its prior conduct, there would not be any conceivable federal cause of action that Ninth Circuit judges would permit to be filed. Ninth Circuit judges have consistently, since 1974:

\* *Obstructed justice*, by blocking Petitioner's reporting of the very serious government corruption which he discovered initially while a federal investigator holding federal authority to make such charges.

\* *Blocked Petitioner from the protections of the laws and Constitution of the United States*. They blocked Petitioner's constitutional and statutory right to obtain a declaration of his personal and property rights established in the six judgments, which to this date remain undeclared, and a key point in the conversion of Petitioner from a multi-millionaire to a state of poverty.

\* *Blocked Petitioner from obtaining relief from the ongoing pattern of hard-core civil and constitutional violations, judicially perpetrated, in an obvious criminal conspiracy*. Ninth Circuit judges have aided and abetted the scheme, the violations, and the perpetrators. So intertwined have become Ninth Circuit judges in the obstruction of justice, the aiding and abetting of the massive civil right violations associated with the criminal activities, that they are incapable of carrying out the duties of federal judges under our form of government.

\* *Declaratory judgment*<sup>45</sup> to declare Petitioner's personal and property rights established in five judgments, and being attacked in a sham California action in which the California judges acted without jurisdiction,<sup>46</sup> violated state law<sup>47</sup> requiring recognition of the prior judgments and the

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26 <sup>45</sup> Petitioner's right to a declaratory judgment and related relief is guaranteed by Title 28 USC §§ 2201, 2202, and the First and Fifth Amendment to the Constitution, among others.

27 <sup>46</sup> Attacks upon prior divorce judgments have no jurisdiction, and are specifically barred, in California Family Law Act "proceedings:"  
28 Rules of Court: Rule 1201(c) defines the word "proceedings" which limits the jurisdiction under the Family Law Act (limits jurisdiction to three causes of action--dissolution of existing marriage, legal separation from existing marriage, nullity of marriage); Rule 1211 (limited to parties that are married to each other); Rule 1212 (prohibiting stating cause of action or claim for relief other than that provided by Rules of Court, including causes especially stated in Rule 1281 petition for dissolution of marriage form); Rule 1215 (limiting pleadings to those stated in Rule

1 judicially-established personal and property rights; violated federal statutes, case law, and  
2 constitutional protections.<sup>48</sup>

3 \* *Injunctive relief against the continuing pattern of hard-core civil rights violations*  
4 *judicially inflicted, as guaranteed by federal statutes and Constitution.*<sup>49</sup> Petitioner and all other  
5 citizens had the right to federal court access, and declaratory and injunctive relief, and federal judges  
6 had the mandatory duty to provide that relief. Instead, they used the sham frivolous tactic to justify  
7 aiding and abetting the violations and void for Petitioner the constitutional and statutory protections  
8 existing under the United States form of government.

9 \* *Felony retaliation against Petitioner for exercising these federally-protected rights and for*  
10 *reporting the federal crimes.* In addition to aiding and abetting the violations, and refusing to  
11 perform their duty, from 1987 to the present date Ninth Circuit judges and Justice Department  
12 attorneys have conspired to charge Petitioner with criminal contempt, and even to bring about his  
13 imprisonment, in retaliation for exercising federal remedies against the judicially-inflicted violations  
14 of law and in retaliation for reporting the federal crimes.

15 \* *Extending the judicial corruption into Chapter 11 courts.* The pattern of judicial violations;  
16 the voiding of constitutional and statutory protections; and the felonious judicial retaliation; forced  
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20 1281, which does not state attacks upon prior judgments or previously litigated personal and property rights); Rule 1222 (jurisdiction limited to  
21 altering existing marital status); Rule 1229 (jurisdiction limited to the causes of action in Rule 1281 petition form and Rule 1282 answer form,  
22 which does not list the causes of action attacking prior divorce judgments or relitigating the exercise of jurisdiction basis); Rule 1230(a)(2)  
(addresses, with C.C.P. § 418.10(a)(1) the court's absence of personal jurisdiction under the Family law Act when there is a prior divorce  
judgment); Civil Code §§ 4351 and 4503, all limited to "proceedings," defined by Rule of Court 1201(c), to terminate an existing marriage, legal  
separation from an existing marriage, or nullity of prior marriage.

23 <sup>47</sup> **Mandatory divorce judgment recognition statutes** (Civil Code §§ 4554, 5004, 5164; Code of Civil Procedure §§ 1699(b), 1713.3,  
1908, 1913, 1915 (effective when the 1966 judgment was rendered and for nine years thereafter); Evidence Code §§ 666, 665, 622; (statute of  
24 limitations, Civil Code §§ 880.020, 880.250; Code of Civil Procedure §§ 318, 338, 343; **Statute of limitations:** Code of Civil Procedure 318,  
338, 343; Civil Code §§ 880.020, 880.250; mandatory requirement to recognize that the prior court acted in the lawful exercise of its jurisdiction  
25 when the judgment is under attack two decades after its exercise of jurisdiction, and the acceptance of the benefits by both parties: Evidence  
Code §§ 666, 665, 622; **California Full faith and credit statutes:** Civil Code §§ 5004 (Full Faith and Credit Requirement); 4554 (final and  
26 conclusive effects of prior judgment, local, foreign state, foreign country); **C.C. § 5164** (a filed custody decree has the same effect as a  
California judgment); **C.C. § 1713** (a foreign state judgment is conclusive between the parties); **C.C.P. § 1908** (effect of a California judgment  
is conclusive between the parties (and this conclusiveness applies to foreign judgments under, inter alia, C.C. § 5164.

27 <sup>48</sup> **Constitutional protections barring attacks on the prior judgments.** Fourteenth Amendment due process, equal protection, property,  
liberty, freedom rights; Privileges and Immunity Clause rights under Article IV, § 1, and under the 14th Amendment (depriving right to obtain  
28 divorce on universally recognized residence basis, and right to change residence); right to unabridged interstate travel, without losing rights and  
privileges acquired in prior jurisdictions of residence; Article IV, § 1 (Full Faith and Credit Clause, and Title 28 U.S.C. § 1738, requiring  
recognition of the personal and property rights in the California divorce judgment, its entry for recognition as local judgments in the courts of  
Nevada, Oklahoma, and Texas.

<sup>49</sup> Title 28 U.S.C. §§ 1343 and Title 42 USC §§ 1983-1986.  
Petitioner Forwards of Marriages and Divorce

1 Petitioner to seek relief from the civil rights violations in Chapter 11 courts. Federal judges then  
2 unlawfully, unconstitutionally, and criminally, seized Petitioners life's assets without the statutory  
3 and constitutional right of a hearing, a noticed hearing, legally-recognized cause, and then rendered  
4 orders barring Petitioner from filing appeals or oppositions. When Petitioner did exercise these  
5 protections he was then charged with criminal contempt; denied legal counsel and the right to testify,  
6 and sentenced to federal prison.

7 \* *Obstructing justice*, by aiding and abetting and becoming directly involved in the judicial  
8 attacks upon Petitioner, the sole purpose of which were to block his exposure of the subversive and  
9 criminal acts he uncovered, and to retaliate against him for making such efforts.

10 Ninth Circuit judges are so deeply involved in the obstruction of justice, the criminal schemes to block  
11 Petitioner's reporting of the crimes, that it would be literally impossible for Petitioner to receive the  
12 protections under our form of government as provided by the laws and Constitution of the United States. As  
13 examples, federal judges have violated the following rights and protections:

14  
15 **IV. THE PRE-FILING ORDER VIOLATES FUNDAMENTAL AND IMPORTANT**  
16 **CONSTITUTIONAL AND STATUTORY PROTECTIONS**

17 The pre-filing order compounds the judicial Daisy-Chain pattern of unlawfully and unconstitutiona-  
18 lly dismissing every filed action, by wrongfully even barring Petitioner access to federal court. The pre-  
19 filing order is a *de facto* voiding of due process and equal protection of the law, as guaranteed by the First  
20 and Fifth Amendments to the U.S. Constitution. The proposed pre-filing order would require Petitioner to  
21 submit any filing to the court, without it being filed, and obtain permission for it to be filed. And if the  
22 attempted filing received the same judicial treatment as occurred during the past twelve years, and judicial  
23 misconduct is now at a historic level threatening to undermine the federal judiciary, it is improbable to  
24 expect anything but a worsening of the civil, constitutional, and criminal violations.

25  
26 The specifics and the intent of the pre-filing order make a mockery of the laws and Constitution of  
27 the United States. It violates the First Amendment due process and equal protection clauses, and virtually  
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every other protection in the Constitution and laws of the United States. It violates, for instance, the right to federal court access and the protections under Title 28 USC Sections 1331, 1343, 1361, 2201, 2202; 42 USC Sections 1983-1986. And conveniently for Ninth Circuit judges, it helps to cover up for the racketeering activities in which Ninth Circuit judges, trustees, and law firms loot the assets of people exercising the statutory protections of Chapter 11, 12, or 13. The pre-filing order violates, *inter alia*, the following rights and protections:

\* Based upon the long history of Ninth Circuit conduct in dismissing every action ever filed, each of which contained major federal causes of action, including Petitioner's reporting of government corruption, there could not be any federal cause of action that would survive this block. A list of the major federal causes of actions filed by Petitioner in which he properly sought relief, as shown in Appendix "6a" makes it obvious that the intent of this proposed pre-filing order is to block at the appellate court level what has existed at the district court level.

\* A refusal to permit filing of the papers violates Petitioner's statutory and constitutional right to appeal the decision.

\* Violates the equal protection of the laws and Constitution of the United States.

\* Provides federal judges in the Ninth Circuit a protection against being identified in the subversive and criminal activities against the United States and the American people, and including petitioner.

\* Violates the urgently needed protection of the declaratory judgment and injunctive relief statutes, that made possible the continuation of the initial scheme to block Petitioner's reporting of the criminal activities, the sham lawsuit in the California courts that violated blocks of state and federal statutes, rules of court, constitutional protections, and related case law.

**Numerous decisions makes court access constitutionally-protected right**

"The right of access to the courts is constitutionally protected," *McKay v. Hammock*, 730 F.2d 1367, 1375 (10th Cir. 1984); "Access to the courts is a fundamental right of every citizen," *Harrison v. Springdale*

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*Water & Sewer Com'n.*, 780 F.2d 1422, 1427 (8th Cir. 1986); *Jackson v. Procunier*, 789 F.2d 307, 311 (5th Cir. 1986). The right of access to the courts is said to spring from a number of different Constitutional sources. See *California Motor Transport Co. v. Trucking Unlimited*, 404 U.S. 508, 612 (1972); *Coastal States Marketing, Inc. v. Hunt*, 694 F.2d 1358, 1363 (5th Cir. 1983); the First Amendment to the Constitution;

### **Due Process and Equal Protection of the law**

Due process protections guarantee the right of access to the courts. *Wolfe v. McDonnell*, 418 U.S. 539, 556, 558, (1974); *Mitchum v. Purvis*, 650 F.2d 647, 648 (5th Cir. 1981); *Rudolph v. Locke*, 594 F.2d 1076, 1078 (5th Cir. 1979); *Jackson v. Procunier*, 789 F.2d 307, 310 (5th Cir. 1986); Article 4 of the Constitution.

The "Constitution protects causes of action from arbitrary interference," *Barrett v. United States*, 798 F.2d 565, 575 (2nd Cir. 1986)(citing *Pritchard v. Norton*, 16 Otto 124, 10 U.S. 124, 132 (1882)).

The right of access to the courts must not be improperly intimidated or chilled. *Harrison v. Springdale Water & Sewer Com'n*, 780 F.2d 1422, 1428 (8th Cir, 1986)(citing *Sanders v. St. Louis*, 724 F.2d 665, 666 (8th Cir. 1984); *Garland v. Polley*, 594 F.2d 1220, 1223 (8th Cir. 1979); *Hall v. Sutton*, 755 F.2d 786, 787 (11th Cir. 1985).

The violation of due process right to the protections of the declaratory judgment and injunctive relief statutes has now been compounded, in full view of the Supreme Court Justices, with even the due process right to court access.

### **V. THE JUDICIAL THREAT TO REPEAT THE SANCTIONS ALREADY IMPOSED UPON PETITIONER CONSTITUTE A FELONY UNDER FEDERAL CRIMINAL STATUTES**

Since 1986 Ninth Circuit judges have repeatedly charged Petitioner with criminal contempt of court for having exercised federal crime-reporting responsibilities and for having exercised federal defenses seeking to halt the continuing twelve years of judicially-inflicted harm through the pattern of hard-core civil, constitutional and criminal violations. In the Ninth Circuit's proposed pre-filing order these same judges,

1 who have aided and abetted and perpetrated these judicial acts, are threatening to repeat the criminal  
2 contempt and imprisonment tactics.

3 The proposed pre-filing order threatens Petitioner with sanctions if he exercises federal crime-  
4 reporting requirements, or if he seeks federal relief from the death-knell destruction of his freedom, his  
5 liberties, his quality of life, his life-assets. From 1987 and continuing continuously to this date, Petitioner  
6 has been placed in a state of fear, by repeatedly being charged with criminal contempt of court, and then  
7 imprisoned, for filing actions seeking declaratory and injunctive relief from the harm inflicted in the sham  
8 California action. To this day, the harm is continuing, and will continue until the day Petitioner ceases to  
9 exist, because of the refusal of federal judges to perform their mandatory duty. For having exercised these  
10 constitutional and statutory remedies, and for attempting to halt the great harm being judicially inflicted.<sup>50</sup>  
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12 The judicial actions blocking Petitioner's reporting of the federal crimes constitute in themselves  
13 federal crimes.<sup>51</sup> The judicial actions retaliating against Petitioner for exercising federal remedies seeking  
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15 <sup>50</sup> These judicial acts commenced with the sham California "divorce" action; the felony retaliation by California judges when Petitioner  
16 exercised state remedies; compounded by federal judges who refused to perform their duty requiring them to provide declaratory and injunctive  
17 relief; retaliating against Petitioner for exercising these federal remedies; judicially protected and rewarding those perpetrating the violations;  
18 and causing Petitioner to be imprisoned for seeking to defend himself.

19 <sup>51</sup> Among the federal offenses committed in the actions taken to block Respondent's reporting of federal crimes, and the  
20 judicially-inflicted civil rights violations are the following: Title 28 U.S.C. § 1343; 42 U.S.C. §§ 1983 to 1986 and its *Bivens*  
21 equivalent as applied to those acting under color of federal law; 42 U.S.C. §§ 1961-1965; First and Fifth Amendments to the  
22 United States Constitution; Federal Tort Claims Act; and seeks declaratory and injunctive relief, and damages. In addition, plaintiff  
23 seeks to report a pattern of criminal acts committed by federal officials whose conduct violated, and continues to violate, *inter alia*,  
24 **Title 18 U.S.C. § 241** (harming a citizen for having exercised rights and protections under the laws and Constitution of the United  
25 States; §§ **1512 and 1513** (tampering with a witness, retaliating against a victim or informant for reporting or trying to report  
26 federal crimes to a federal court or other federal tribunal); § **1505 (obstructing proceedings)** before federal courts, and earlier,  
27 before FAA, NTSB, before federal grand jury, to prevent presenting testimony and evidence of federal offenses); § **371**  
28 **(conspiracy to commit offense against, or to defraud, the United States)** (misusing federal offices as a criminal enterprise,  
decreasing the effectiveness and the purpose of federal offices, inflicting large financial losses upon the United States); § **1951**  
**(interference with interstate and international air commerce**, and specifically the FAA, NTSB, wrongful acts, and blocking  
and retaliating against Stich for seeking to report federal air safety and criminal acts affecting air safety); § **2**  
**(principal)**(committing crimes against the United States, and aiding, abetting, counseling, inducing, the crimes described in this  
complaint) § **3 (accessory after the fact)**(Knowing that offenses have been committed against the United States, and then  
relieving, comforting, and assisting the offenders in order to hinder or prevent the apprehension, trial, and punishment of the  
offenders); § **4 (misprision of felony)**(failure to report federal crimes to a federal judge or other federal tribunal, and impliedly,  
failure of a federal judge or other federal official to allow the reporting of such suspected or known crimes); § **35 (impairing or**  
**conveying false information)**(Anyone conveying false information, or causing to be conveyed); § **2071 (Concealment or**  
**removal of official reports)**(as for instance, the concealing and removal of federal reports on a pattern of major air safety and  
criminal acts related to a series of fatal airline crashes); § **34 (changing federal offenses to capital offense when death**  
**results)**(relating to the series of fatal airline crashes arising from the air safety and criminal acts); § **111 (impeding FAA**  
**inspectors or other federal employees)**(repeated threats, retaliation, preventing federal air safety investigators from reporting the  
federal air safety and criminal violations that were continuing to play a causative or permissive role in some of the most brutal air  
disasters that have ever occurred); § **1621 (perjury, at FAA hearing)**; § **1623 (subornation of perjury, at FAA hearing, and in**

relief from the civil rights violations is a crime.<sup>52</sup> The judicial actions retaliating against Petitioner for seeking to report or having reported federal crimes constitute crimes under several federal statutes.<sup>53</sup>

Under Title 18 USC § 241 it is a federal crime to inflict harm upon any citizen for having exercised rights and protections under the laws and Constitution of the United States. Ninth Circuit federal judges<sup>54</sup> have repeatedly inflicted harm upon Petitioner since 1983 for having exercised declaratory and injunctive relief remedies to halt the great personal and financial harm inflicted through a pattern of hard-core civil rights violations.

Under Title 18 USC §§ 1512 and 1513 it is a federal crime to inflict harm upon any victim or informant for having sought to report federal crimes. Since 1987 Petitioner has sought to report federal crimes to a federal court, as required and permitted by federal law. In retaliation for exercising these federal requirements and rights, Ninth Circuit federal judges have inflicted great harm upon Petitioner, including financial sanctions, threats of imprisonment, and actual imprisonment. These acts constituted obstruction of justice, and violate numerous federal statutes.

*Refusing To Perform a Duty Under These Conditions Is Also A Felony*

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judicial proceedings retaliating against plaintiff, such as his imprisonment for reporting federal crimes); § 1623 (false declarations before federal grand jury)(Justice Department officials and FAA officials tampering with federal grand juries to prevent their investigations into the tragedy-related federal crimes).

<sup>52</sup> Title 18 USC Section 241.

<sup>53</sup> Including Title 18 USC Sections 1512 and 1513.

<sup>54</sup> Federal judges inflicting harm upon Petitioner include Judges Raul Ramirez; Milton Schwartz; Marilyn Patel; Samuel Conti; Edward Pellon; Magistrate John Moulds or Prohibition

The refusal of federal judges to perform their duty, under these conditions, constitute additional federal offenses.<sup>55</sup>

Under federal sentencing guidelines the punishment for perpetrating any of these criminal acts is greater when committed by a federal official who violates in addition their position of trust and duties.

### **Ninth Circuit Courts As A Racketeering Enterprise**

As a former federal investigator authorized to make these determinations, Petitioner would classify the Ninth Circuit courts as a racketeering enterprise. This group of judges have consistently blocked the reporting of major criminal activities implicating federal officials. It has persecuted concerned citizens seeking to expose this corruption. In Petitioner's case these judges have inflicted enormous personal and financial harm through a pattern of record-setting civil right violations through misuse of the federal judiciary.

## **VI. NINTH CIRCUIT JUDGES HAVE, AND ARE, INFLICTING, AND CAUSING TO BE**

### <sup>55</sup> **Federal offenses related to refusing to perform a duty:**

Federal judges have the responsibilities, the duty, to receive testimony and evidence of the federal crimes that Plaintiff discovered, and to provide declaratory and injunctive relief from the gross violations raised in Petitioner's federal causes of actions. Refusal to perform these responsibilities violate federal statutes, including, inter alia:

A. Title 28 U.S.C. § 1331. Jurisdiction and duty to provide a federal court forum for relief from violations of federally-protected rights.

B. Title 28 U.S.C. § 1343. **Makes any person** who fails to prevent or aid in the prevention of civil/constitutional violations, who has the power to do so, financially liable to the party that suffers the harm.

C. Title 42 U.S.C. §§ 1983 through 1986. Financially liability for refusing to prevent the harm associated with civil rights violations.

#### **FAILURE TO PERFORM A DUTY TO PROVIDE RELIEF**

D. **Culpable omission of a fiduciary duty to receive evidence of federal crimes and failure to provide relief.** It is a federal offense for any officer/judge to refuse to perform a duty owed to Plaintiff, or any other citizen, under the causes of actions stated herein. Failure to perform a duty constitutes an assault or battery, a federal offense, when a federal official fails to perform a duty to act. *See W. LaFave & A. Scott, Criminal Law* 21011 (2d ed. 1986). In *People v. Burden*, 72 Cal.App.3d 603 (1977) similar analysis was utilized. The principal of culpable omissions is no stranger to federal law. For instance, Title 28 USC § 1343 makes **any person** liable for damages when that person fails to prevent or aid in the prevention of civil right violations, and the victim suffers harm. In California, for instance, See Barclay's Official California Code of Regulations, Title 11, 1081 (1991), the law requires, among other things, that officers prevent crime, protect life, ensure equal justice, and blow the whistle on unethical fellow officials. California Government code section 1222, approvingly cited in *People v. Pringle*, 151 Cal.App.3d 754, 858 (1984), allows punishment of officers for failing to perform their duties "where no special provision is made for the punishment of such delinquency."

E. **Derivative liability** arises when a person has a duty to act and then fails, or refuses, to act. Only defenses against failure to act is when there are mitigating evidence that the failure to act was due to negligence or accident. Substantial evidence shows that defendants willfully failed, and refused, to protect Stich, knowing that Stich was suffering great and irreparable harms, and that these harms would continue to occur. Defendants' failure and refusal to act occurred with the full knowledge of the criminal nature of their refusal. Defendant's guilty mens rea is clearly established.

F. **Guilty of betrayal of a trust.** Federal judges have the duty to uphold the laws and Constitution of the United States; to provide constitutional and statutory protections to a person suffering from the violations of federally protected rights. Violating these protections, aiding and abetting those committing the violations, makes the federal judges guilty of a betrayal of a trust.

G. **Duty to report criminal acts under California Penal Code.** California Penal Code section 387, requires a corporate manager or executive who had actual knowledge of a serious concealed danger to notify the appropriate regulatory agency within 15 days. Failure to do so constitutes a felony. This would include reporting criminal acts.

H. **Guilty of felonies**, including:

\* Inflicting harm upon a victim or informant (18 USC § 1512, 1513).

\* Inflicting harm upon a citizen in retaliation for exercising rights and protections under the laws and Constitution of the United States.

\* Misprision of felonies, obstruction of justice, becoming an accomplice, and other federal crimes.

**INFLICTED, GREAT HARM UPON PETITIONER AND THE UNITED STATES**

1 The actions by Ninth Circuit judges blocking Petitioner's attempts to report criminal activities by  
2 federal officials and others make possible the continuation of the criminal and subversive activities  
3 discovered by Petitioner and other present and former federal and state personnel and investigators. These  
4 same judges are blocking Petitioner's attempts to expose the judicial corruption in Chapter 11/12/13  
5 proceedings that impoverish thousands of people yearly.  
6

7 The refusal by Ninth Circuit judges to provide declaratory judgment relief made it possible for a  
8 sham California action to deprive Petitioner of the personal and property rights established for two decades  
9 in five judgments. The refusal to provide injunctive relief from the pattern of repeated civil and  
10 constitutional violations inflicted great harm upon Petitioner's freedoms, his liberties, his quality of life, his  
11 life's assets. Petitioner has been converted from a multi-millionaire with a high quality of life, to a state of  
12 poverty. And this court had the audacity to threaten Petitioner with further sanctions (i.e., prison on sham  
13 contempt of court charges) if he exercised protections guaranteed by the laws and Constitution of the United  
14 States. He lives in a state of fear, recognizing that he has been judicially converted into a man without a  
15 country, while being judicially prosecuted through a pattern of hard-core civil, constitutional, and criminal  
16 violations.  
17

18 **SUMMARY**

19 The issues are serious. They are of great national importance. With the nation's increasing attention  
20 to crimes, these crimes by Ninth Circuit federal judges (and the underlying crimes being covered up) are of  
21 far greater gravity, and sets the mindset for government and non-government conduct throughout the United  
22 States. No reasonable person could fail to recognize the gravity of this rampant judicial corruption occurring  
23 under the guidance of the Justices of the U.S. Supreme Court.  
24

25 The clerk of the Supreme Court has already established a pattern of blocking the filing of Petitioner's  
26 papers, and it is probable that this petition will receive the same treatment. For that reason each Justice is  
27 receiving a copy of the petition by certified mail.  
28

## RELIEF REQUESTED

1 Federal law dictates prompt and meaningful relief, which should include:

2 1. A writ of certiorari, allowing Petitioner to furnish further evidence supporting an order  
3 vacating the orders barring Petitioner access to federal court.  
4

5 2. Provide an emergency order halting all further judicial proceedings, and carrying out of  
6 judicial orders, holding it to be criminal contempt of court for exercising rights and protections  
7 under the laws and Constitution of the United States, and for reporting federal crimes to a federal  
8 court.

9 3. Order that all actions filed by Petitioner, dismissed by federal judges in the Ninth Circuit,  
10 be reinstated.  
11

12 4. Provide court-appointed legal counsel and whatever investigators are required, from a  
13 legal firm having the resources to properly represent Petitioner's interests.

14 5. Because of the criminal nature of the acts described by Petitioner, request that an  
15 independent counsel be appointed by the Washington Court of Appeals panel, and that this counsel  
16 be required to receive input from Petitioner.  
17

18 6. Vacate and declare unconstitutional each of the orders barring Petitioner access to the  
19 federal court, the intent of such orders being to block Petitioner's reporting of the federal crimes and  
20 block Petitioner's defense against the judicial acts stripping Petitioner of the assets that funded his  
21 exposure activities.

22 7. Vacate all criminal contempt of court charges and prison sentences rendered in retaliation  
23 for having sought to report the federal crimes and in retaliation for exercising constitutional and  
24 federal remedies against the corrupt judicial seizure and destruction of Petitioner's life's assets.  
25

26 8. Address the dereliction of duty by federal judges involved in the attacks upon Petitioner.  
27 the judicial attacks upon Petitioner, and the cowardice by judicial checks and balances.

28 Dated: October 19, 1994

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Rodney Stich  
Petitioner in pro se

**DECLARATION**

I, Rodney Stich, declare that these statements are true to the best of my knowledge and belief.

Executed this nineteenth day of October 1994, in the City of Walnut Creek, California.

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Rodney Stich

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