

Docket Nr: 2000-

IN THE UNITED STATES SUPREME COURT  
OF THE UNITED STATES

October 2000 Term

In re RODNEY F. STICH  
Petitioner

NINTH CIRCUIT COURT OF APPEALS  
Court Of Appeals # 94-80208  
U.S. District Court, Reno, NV # DC CV-00-152-ECR

Petitioner's Petition For Write of Certiorari  
Or in the Alternative  
Petitioner's Petition For Extraordinary Writ

Rodney F. Stich  
P.O. Box 10587  
Reno, NV 89510  
Phone: 775-786-9191

## QUESTIONS PRESENTED FOR REVIEW

1. Are citizens of the United States without legal remedies when state judges repeatedly and knowingly act without personal and without subject matter jurisdiction while concurrently rendering orders that violate large numbers of clear and settled state and federal laws and constitutional rights?
2. Can federal district judges deny to any citizen, and violate, constitutional due process rights and protections, and particularly those arising under the Declaratory Judgment Act and Civil Rights Act, causing him to suffer great and irreparable harm?
3. Can federal district judges render permanent injunctive orders that deny to any citizen, especially one who is subjected to a series of major civil and constitutional violations, the constitutional due process rights and protections and the right to justice, specifically provided by the Declaratory Judgment Act and Civil Rights Act?
4. Can federal appellate judges permanently refuse to address timely filed notices of appeal for which the fees have been paid, relating to the legal and constitutional violations being judicially inflicted upon that citizen?
5. Can federal district judges render injunctive orders that permanently bar a former federal agent and “whistleblower” the rights guaranteed to all citizens by the laws and Constitution of the United States, denying to him justice, by barring him from federal access, and voiding for him the rights and protections guaranteed by the Constitution to all citizens?
6. Can federal district judges block the reporting of federal crimes by a former federal agent that he seeks to report to a federal court under the federal crime reporting statute, Title 18 U.S.C. § 4?
7. Can federal district judges charge that former federal agent with criminal contempt of court for exercising the mandatory responsibilities under the federal crime reporting statute?
8. Can federal district judges charge that former federal agent, who exercises constitutional due process against record-setting civil and constitutional violations, with criminal contempt of court for seeking to halt the great and irreparable harm arising from such violations?

### Related Questions

9. May federal *district judges* render orders permanently denying to any person the right to constitutional due process by law-abiding citizen access to the courts, to justice, to the legal rights and protections guaranteed by the laws and Constitution of the United States?
10. May U.S. appellate judges compound this deprivation of due process and justice by refusing to address notices of appeal?

11. May federal judges use their judicial positions and the courts to inflict great and irreparable harm upon a law abiding citizen and then compound those acts by rendering orders permanently denying him for the remainder of his life constitutional due process guaranteed by the laws and Constitution of the United States?
12. May federal judges use their judicial positions and the courts to retaliate against any law abiding citizen for having exercised constitutional due process against record numbers of civil and constitutional violations judicially inflicted by a coterie of California and federal judges?
13. May federal judges refuse to received information and evidence of federal crimes that are offered by a former federal agent under the federal crime reporting statute, Title 18 U.S.C. § 4?
14. May federal judges inflict harm upon a former federal agent and witness in retaliation for reporting criminal activities to a federal judge under the federal crime reporting statute?
15. Are judges absolutely immune from the consequences of their actions when they knowingly and repeatedly violate clear and settled laws and constitutional protections and inflict great personal and financial harm upon a law-abiding citizen?
16. May federal judges permanently deny to Petitioner legal and constitutional remedies under the Declaratory Judgment Act when Petitioner’s complaint state, and court documents prove, violations of previously adjudicated and established personal and property rights being taken by California and federal judges acting under color of state and federal laws, which requires a declaration of his personal and property rights?
17. May federal judges permanently deny to Petitioner legal and constitutional remedies for unprecedented numbers of violations of state and federal laws and constitutional protections being perpetrated under color of state and federal laws.

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## **Citations Of District and Appellate Court Orders**

- Order filed July 26, 2000, rendered by District Court at Reno, Nevada, (Exhibit “A”) dismissing defendant federal judges, holding that judges are absolutely immune for damages arising from their unlawful and unconstitutional acts.
- Notice of appeal filed by Petitioner, filed November \_\_, 2000.
- Notice of filing notice of appeal by clerk of the Ninth Circuit Court of Appeals.
- Notice from federal court of appeal judges refusing to address the timely filed notice of appeal for which filing fees were paid.
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- Order, one of many, barring Petitioner from access to federal court as guaranteed to all other citizens, rendered after Petitioner sought to report criminal acts in high government and judicial positions, and after Petitioner exercise constitutional due process against record-setting series of unlawful and unconstitutional acts perpetrated under color of state law and under color of federal law.
- Ninth Circuit court of appeals notice refusing to address Petitioner’s notice of appeal (Exhibit “C”) filed on November \_\_, 2000.
- Prior notice by Ninth Circuit court of appeals, dated October 24, 2000 (Exhibit “D”) refusing to act on the notice of appeal. This refusal was further confirmed by telephone conversation on November 3, 2000 with the office of the Clerk, during which it was stated that Petitioner has been permanently barred from filing any appeals.

### **BASIS FOR JURISDICTION**

The Supreme Court has jurisdiction to hear this

U.S. District Court at Reno, Nevada, signed an order (Exhibit “A”) dismissing many of the defendants despite the fact that facts were stated showing major federal causes of actions for which federal remedies are provided.

Petitioner filed a motion for reconsideration on August 4, 2000. This motion was denied by order signed on August 16, 2000. Exhibit “B.” Petitioner filed a notice of appeal on August 31, 2000. Exhibit “C.” By order dated October 24, 2000 (Exhibit “D”) the U.S. Court of Appeals, Ninth Circuit, refused to address the notice of appeal. This refusal was further confirmed by telephone conversation on November 3, 2000 with the office of the Clerk, during which it was stated that Petitioner has been permanently barred from filing any appeals.

#### **Statutory Basis For Jurisdiction**

- Title 28 U.S.C. § 1651(a), on the basis of exceptional circumstances, and that relief is barred by Ninth Circuit appellate judges.
- Title 28 U.S.C. § 2101, under sections (b), (c), and (e), because of the imperative public importance relating to the systematic acts by Ninth Circuit district and appellate judges who have:
  - Rendered orders voiding for Petitioner the right to file any papers in federal district and appellate courts, thereby converting Petitioner, as to the rights and protections under the laws and Constitution of the United States, a man without a country.
  - Obstructed justice, by refusing to exercise their administrative duties to receive evidence of criminal activities offered by a former federal agent

and witness. These obstruction of justice acts are offenses under Title 18 U.S.C. §§ 2, 3, and 4.

- Inflicted great personal and financial harm upon a former government agent in retaliation for his attempts to report criminal activities that he has a right (Title 28 U.S.C. § 1361) and a duty under criminal statute (Title 18 U.S.C. § 4), to report to a federal judge. These are federal offenses under Title 18 U.S.C. §§ 2, 3, 4, 35, 111, 153, 241, 242, 245(b)(1)(B), 246, 371, 1341, 1343, 1505, 1512, 1513(b), 1515(a).
- Inflicted great personal and financial harm upon Petitioner in retaliation for exercising constitutional due process remedies. Petitioner had exercised constitutional due process rights and protections provided by the Declaratory Judgment Act and Civil Rights Act to defend against judicially inflicted civil and constitutional violations. The wrongful acts targeted the assets that funded his exposure activities. These are federal offenses under Title 18 U.S.C. § 241.
- Misused Ninth Circuit district and appellate courts as a criminal and racketeering enterprise, and engaged in a long-standing documented pattern subverting the laws and Constitution of the United States.
- Title 42 U.S.C. § 1986, relating to the responsibilities of any person, including federal judges, to halt the violations of record-setting civil and constitutional violations. These unconstitutional acts have been repeatedly perpetrated by judges over whom this court has supervisory responsibilities.

- Supreme Court Rule 12, certiorari to a United States Court of Appeals before judgment.
- Title 18 U.S.C. § 4, relating to Petitioner’s attempts to report criminal activities to a federal judge—any federal judge.
- Supreme Court Rule 10(a) explaining that the Justices of the U.S. Supreme Court have supervisory responsibilities over the lower federal courts. “A petition for a writ of certiorari will be granted ...[when a lower court] has so far departed from the accepted and usual course of juridical proceedings, or sanctioned such a departure by a lower court, as to call for an *exercise of this Court’s supervisory power*.”

**REASONS FOR ALLOWING THE WRIT (Rule 10)**

Major national issues raised in this Petitioner are associated with the internal security of the United States. They include, inter alia:

- Orders permanently denying to Petitioner access to justice, permanently denying Petitioner the right to federal court access, permanently denying to Petitioner the legal and constitutional rights guaranteed under the form of government in the United States as further provided by the Declaratory Judgment Act, the Civil Rights Act, *Bivens*, and related U.S. Supreme Court decisions, and rules of court. Federal judges have converted Petitioner, a former federal agent seeking to report criminal activities in key government and judicial offices, into a man without a country, permanently denying to him all access to justice at a time when he is suffering great and irreparable harm from documented record-setting numbers of state and federal laws and constitutional protections.

### **Statutory and Constitutional Provisions Primarily Involved**

Statutory and constitutional provisions involved in Ninth Circuit district and appellate court orders prohibiting Petitioner from filing any papers in the federal courts and refusal to address notices of appeal:

- Fifth Amendment due process and equal protection of the law.
- Title 28 U.S.C. § 1331. Right to federal remedies for violations of federally protected rights.
- Title 28 U.S.C. § 1343. Right to federal court access for relief against hard-core civil and constitutional violations.
- Title 28 U.S.C. §§ 2201 and 2202. Right to obtain a declaratory judgment to have a federal judge declare rights and other legal relations established in multiple divorce judgments that were taken by state judges acting without jurisdiction and violating large numbers of state and federal laws and constitutional provisions; to have civil and constitutional rights reinstated that were taken by federal judges in gross violations of constitutional due process; and to have an order declared void that seized and liquidation Petitioner's \$10 million in assets, taken in violation of constitutional due process, taken without notice of hearing, without a hearing, without cause, and ordered after the judge had signed orders refusing to accept jurisdiction.
- Title 42 U.S.C. §§ 1983-1988. Right to have a federal judge order a halt to the documented series of hard-core civil and constitutional violations associated with

a scheme to strip Petitioner of the assets that funded his exposure of criminal activities in government offices and in Ninth Circuit courts.

And indirectly, by aiding and abetting of state judges violating the following:

- Article IV § 1 full faith and credit clause
- Article IV § 2 right to unbridged interstate travel clause
- Fourteenth Amendment due process, equal protection, property rights, privileges and immunities clause.

## CONCISE STATEMENT OF THE CASE

The immediate issues presented to this Court are intertwined with other constitutional issues, all of which have major national importance. These include:

### Primary Issues

- Dismissal by the district court of defendant federal judges named as defendants in the underlying lawsuit. The dismissal at the pleading stage was ordered on the holding that judges are absolutely immune. The allegations in the complaint stated that the judges repeatedly violated clear and settled laws and constitutional provisions, that some acted without jurisdiction, that they acted in a conspiracy, that they repeatedly inflicted great personal and financial harm upon Petitioner in retaliation for exercising constitutional due process and for attempting to report criminal activities to a federal judge under the federal crime reporting statute, Title 18 U.S.C. § 4. That they repeatedly aided and abetted the violations of large numbers of state and federal laws and constitutional safeguards occurring in a California lawsuit that was barred by state and federal laws
- Refusal by Ninth Circuit *appellate* court to recognize Petitioner's timely filed Notice Of Appeal. The attached October 24, 2000, order (Exhibit "C") by the Ninth Circuit Court of Appeals enlarges upon the orders by district judges in the Northern and Eastern District of California, that voids of Petitioner the legal rights and protections of appeal. These orders have been rendered since 1986, forever barring Petitioner from access to the federal district or appellate courts.

### **Ancillary Issues Connected To These Immediate Issues**

- Repeated refusal by district court judges to perform a mandatory and non-discretionary duty under the Declaratory Judgment Act. A sham divorce action was filed against Petitioner 20 years after a divorce judgment was rendered terminating all personal and property rights, which was then entered as a local judgment in the states of Nevada, Oklahoma, Texas, and the California counties of Contra Costa and Solano. This California lawsuit was barred by large numbers of California and federal laws and constitutional provisions, requiring the California judges to repeatedly act without personal and without subject matter jurisdiction. Eventually, 22 years after having been divorced, a short-time California judge rendered another “divorce” judgment, causing major conflicts as to legal rights and obligations. Federal judges have repeatedly refused to exercise their mandatory jurisdiction under the Declaratory Judgment Act and Federal Rule of Civil Procedure 57, and related law. As a result, Petitioner has suffered and continues to suffer great and irreparable harm.
- Federal judges have repeatedly refused to render a declaratory judgment addressing the void orders rendered by Las Vegas chapter 11 judge Robert Jones, seizing the \$10 million in property assets that funded Petitioner’s exposure of the criminal activities in key government and judicial offices. These orders are void under U.S. Supreme Court holdings on the basis that they were rendered in chambers without a notice of hearing, without a hearing, without cause, and after a previous order had been signed refusing to accept jurisdiction. These constitutional due process violations were then followed by orders denying

Petitioner the right to file objections to the seizure and liquidation, and by district court orders barring Petitioner from access to the federal courts and access to the appellate courts.

- Federal judges have repeatedly refused to perform their mandatory duty under the Civil Rights Act for record-setting violations of state and federal laws and constitutional protections occurring under color of state law.
- Federal judges have repeatedly refused to perform their mandatory duty under the *Bivens* doctrine for unprecedented violations, under color of federal law, of laws and constitutional protections.
- Federal judges have repeatedly misused their judicial positions and the courts to aid and abet the violations perpetrated upon Plaintiff, which were initiated by a CIA-front law firm of Friedman, Sloan and Ross shortly after Petitioner commenced using his assets to fund the exposure of major criminal activities that he and his group of other former agents had discovered.
- Federal judges have systematically blocked Petitioner and his group of government agents from reporting to a federal court criminal activities under the federal crime reporting statute, Title 18 U.S.C. § 4, and for which they, as citizens had the right to report under Title 28 U.S.C. § 1361. These obstruction of justice acts are felonies under Title 18 U.S.C. §§ 2, 3, and 4.
- Federal judges have repeatedly misused their judicial positions and the courts to inflict harm upon Petitioner for attempting to report the criminal activities that are subverting the internal security of the United States. These are felonies under

Title 18 U.S.C. §§ 2, 3, 4, 35, 111, 153, 241, 242, 245(b)(1)(B), 246, 371, 1341, 1343, 1505, 1512, 1513(b), 1515(a).

- Federal judges have systematically acted through unprecedented violations of state and federal laws and constitutional protections inflicted great personal and financial harm upon Petitioner while simultaneously denying access to justice, to the courts, and the rights and protections of the laws and Constitution of the United States. These violations were done in a conspiracy, and were part of a scheme to block Petitioner from reporting criminal activities of national implications.
- Federal judges have systematically inflicted harm upon Petitioner for exercising constitutional due process against major violations of civil and constitutional rights and protections. These acts are felonies under Title 18 U.S.C. § 241.
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- Repeated orders rendered from 1986 to the present date by federal district and appellate judges barring Petitioner from filing any papers in the federal district courts and barring Petitioner from filing notices of appeal.
- Signing orders seizing Petitioner's life assets without jurisdiction, without a hearing; inflicted harm upon Petitioner for exercising constitutional due process remedies against record setting violations of civil and constitutional rights.
- Repeatedly blocking Petitioner, a former federal agent, from reporting criminal activities under the federal crime reporting statute, thereby obstructing justice. These criminal activities were discovered by Petitioner and his group of other government agents, and which he was seeking to report under the federal crime

reporting statute, Title 18 U.S.C. § 4. Every attempt to report these criminal activities was blocked by federal judges, in violation of such federal statutes as Title 18 U.S.C. §§ 2, 3, and 4

- Inflicting harm upon Petitioner for attempting to report federal crimes to a federal judge under the federal crime reporting statute. These acts were federal offenses under Title 18 U.S.C. §§ 2, 3, 4, 35, 241; 111, 153, 241, 242, 245 (b)(1)(B); 246, 371, 1341, 1343, 1505, 1510, 1512, 1513 (b), 1515(a); 42 U.S.C. §§ 1961-1965.
- Inflicting harm upon Petitioner in retaliation for exercising constitutional due process remedies against record-setting violations of civil and constitutional rights occurring under color of state law and under color of federal law.

## **ARGUMENT**

Petitioner filed the instant action in the U.S. district court at Reno, Nevada, stating facts invoking the court's jurisdiction under the Declaratory Judgment Act, the Civil Rights Act, *Bivens*, and RICO. These facts reveal a continual and systematic series of major civil and constitutional violations judicially inflicted against Petitioner shortly after he started using his considerable assets to expose patterns of criminal activities in key government and judicial offices that he, a former federal agent, and other federal agents, had discovered.

Petitioner's attempts to file the lawsuit in the U.S. district court at Oakland, California, was barred by orders rendered in the 1980s permanently denying to Petitioner access to justice by denying to him the right to federal court access. The lawsuit was then filed in Reno, Nevada, where Petitioner had repeatedly resided for many years and where many of the civil and constitutional violations occurred.

However, the pattern of total denial of constitutional due process quickly appeared as the court dismissed every defendant who asked for dismissal, despite the fact that facts were alleged—and documented in judicial records—stating major federal causes of action against them. Petitioner has again been deprived of the right to a declaration of his personal and property rights established in multiple judgments that were taken from him by orders rendered by California and federal judges.

Petitioner was denied the right to a declaratory judgment addressing the void orders seizing his \$10 million in assets—that funded his exposure of corruption in government offices—which were taken by orders signed in chambers without any notice of hearing, without a hearing, and without legally recognized cause.

Then, continuing the 100 percent violation of constitutional due process, federal judges rendered orders barring Petitioner from filing objections to the seizure and liquidation of Petitioner's assets, and when Petitioner did file objections, they were unfiled and Petitioner was charged with criminal contempt of court for exercising constitutional due process.

Petitioner seeks from this court a halt to the judicially inflicted destruction of constitutional due process, systematic denial of access to justice during a reign of repeated judicially inflicted violations of large numbers of state and federal laws and constitutional rights and protections. These include:

- An order reinstating Petitioner's access to justice, return to him of the legal and constitutional rights and protections corruptly taken from him by Ninth Circuit judges, along with Supreme Court oversight to insure that prior federal causes of actions be allowed to continue without the pattern of judicial misconduct and total

denial and violations of numerous substantive and procedural constitutional due process rights. In other words, without Supreme Court oversight, the judicial fraud will continue.

- A declaration reinstating Petitioner's civil and constitutional rights that were taken from him by a series of injunctive orders rendered by Ninth Circuit district and appellate court judges in the 1980s. The orders barred Petitioner, for the remainder of Petitioner's life, from filing any papers in the U.S. district courts and the appellate courts, voiding for Petitioner the rights guaranteed by the laws and constitution of the United States. While these orders were in effect, state and federal judges continued to render orders inflicting great harm upon Petitioner, that violated large numbers of state and federal laws and constitutional protections, and in most instances, without jurisdiction. In response, Petitioner exercised constitutional due process remedies, specifically under the Declaratory Judgment Act and the Civil Rights Act.
- At every instance, despite the multiple and major federal causes of actions, federal judges refused to allow the actions to proceed, denying to Petitioner the declaratory judgment that they had a duty to provide, and refusing to order a halt to the escalating civil and constitutional violations that first occurred in the California courts and then expanded into the federal courts. Despite the record-setting number of violations being perpetrated, federal judges sought to support their refusal to provide a federal court forum, and to support their orders voiding Petitioner's rights to an adjudication of these matters, by reversing the legal definition of a frivolous filings and of a vexatious litigant, misapplying those

terms to Petitioner's legally justified exercise of federal remedies.<sup>1</sup> Petitioner filed these federal remedies only after he started to suffer great and irreparable personal and financial harm from the record setting numbers of state and federal laws and constitutional provisions, as listed in this petition.

- A declaration to declare, under the Declaratory Judgment Act<sup>2</sup> and FRCivP 57, Petitioner's personal status and property rights which were established in prior judgments and which were being taken by California judges acting without personal and without subject matter jurisdiction while simultaneously violating large numbers of California and federal laws and constitutional protections. There now exist multiple contradictory judgments stating Petitioner's personal and property rights for which federal remedies exist under the Declaratory Judgment Act and FRCivP 57.

Petitioner is entitled to have these rights declared, and federal judges have the mandatory duty to declare these rights in accordance with federal laws and constitutional protections. The taking of previously adjudicated and previously acquired personal and property rights occurred in a California cause of action<sup>3</sup> that was filed

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<sup>1</sup> Every filing stated documented facts showing repeated violations of large numbers of state and federal laws and constitutional protections and sought relief under the Declaratory Judgment Act and Civil Rights Act.

<sup>2</sup> Title 28 U.S.C. §§ 2201 and 2202. A decision declaring the validity of any one of the seven divorce judgments and the divorced status and property rights adjudicated and established in them would have immediately halted the pattern of civil and constitutional violations. FRCivP 57, providing for expedited hearing on declaratory judgment actions.

<sup>3</sup> The cause of action was an attack upon the exercise of jurisdiction by the 1965-1966 divorce court, two decades earlier, arguing that Petitioner's mental thought process (he was the plaintiff in that divorce action of 45 years ago) did not indicate an intent to reside permanently in that court's jurisdiction, and therefore a California judge, decades later, could decide that the parties were still married. That cause of action was filed under the California Family Law Act despite the clear prohibition of such a cause of action under that act, despite the clearly stated absence of jurisdiction for that cause of action, and despite the dozens of California and federal laws and constitutional provisions that required recognition of the prior judgments and the previously adjudicated personal and property rights.

under the California Family Law Act. There existed no family law issues as Petitioner had been divorced for 20 years, and seven judgments legally established that fact.

The California cause of action attacked the exercise of a divorce court 20 years earlier on the argument that it lacked authority because Petitioner, in that bilateral consent divorce proceeding, had not intended to reside permanently in that court's jurisdiction. That lawsuit targeted the assets that funded Petitioner's exposure of corruption in key government offices and in the courts.

That lawsuit was barred, and violated state and federal laws, including California statutes<sup>4</sup> and rules of court, federal statutes,<sup>5</sup> U.S. Supreme Court decisions,<sup>6</sup> and constitutional protections.<sup>7</sup>

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- <sup>4</sup> California Civil Codes: 4351, 4554, 5004, 5102, 5103, 5108, 5110.720, 5118, 5164.
  - Code of Civil Procedures statutes: 1699(b), 1713.1, 1713.3, 1908, 1910, 1913, 915.
  - Rules of court: Rule 1201(c); Rule 1211, Rule 1212 Rule 1215 Rule 1222 Rule 1229(a) Rule 1230(a)(2) Rule 1234 Rule 1239(a)(2) Rule 1281 Rule 1282.
  - Absence of personal jurisdiction arising from Rule 1230 Motion to quash, as defined by California Rule of court 1230(a)(2);<sup>4</sup> Rule of Court 1234;<sup>4</sup> Rule of Court 1239(a)(2).
  - Absence of personal and subject matter jurisdiction under the California Family Law Act on the basis of any of the seven prior divorce judgments. Rule 1201(c); 1211, 1212, 1281, 1282, 1215, 1222, 1229, 1230(a)(2), 1234, 1239(a)(2); Civil Code §§ 4351, 4503.
  - California Supreme Court Decisions, including *Rediker v. Rediker* (1950) 35 Cal.2d 796.; *Scott v. Scott* (1958) 51 C.2d 249]; *Spellens v. Spellens* (1957) 498 C.2d 210; *Wheaton v. Wheaton* (1967) 67 C.2d 656.
  - Res judicata and collateral estoppel doctrines.

<sup>5</sup> Title 28 U.S.C. § 1738, providing for full faith and credit recognition of Plaintiff's personal and property rights established in seven judgments, which were taken from Plaintiff).

<sup>6</sup> *Williams v. North Carolina* (1945) 325 US 226, 65 S Ct 1092, 89 L ed 1577; *Coe v. Coe* (1948) 334 U.S. 378; *Sherrer v. Sherrer* (1948) 334 U.S. 43; *Vanderbilt v. Vanderbilt* (1957) 354 U.S. 416; *Estin v. Estin* (1948) 334 U.S. 541; *Perrin v. Perrin*, 408 F.2d 107 (3rd Cir. 1969).

<sup>7</sup> Article IV, § 1, in the U.S. Constitution that requires full faith and credit recognition of Plaintiff's personal and property rights.

Article IV, § 2, the constitutional protection against taking of previously adjudicated and previously acquired personal and property rights upon changing residence to another state. This protection was violated as defendant California judges (assisted by every other defendant) took these personal and property rights after Plaintiff exercised his constitutional right to change residence to California.

Fourteenth Amendment due process clause, which was repeatedly violated by the defendant California judges.

Fourteenth Amendment equal protection clause, as Plaintiff's substantive and procedural due process was repeatedly violated by the defendant California judges.

Fourteenth Amendment privileges and immunities clause was repeatedly violated by denying to

As a result of the orders rendered in the California action by judges lacking personal and subject matter jurisdiction, Petitioner lost his home, his real estate business was halted, his income was halted, and he started to lose the \$10 million in real estate that funded his exposure of corruption in key government offices and in Ninth Circuit courts.

These are the violations inflicted upon Plaintiff, and the exercise of constitutional due process, that federal district and appellate judges considered to be frivolous exercises of constitutional due process and for which any citizen must be considered a vexatious litigant! These were also major violations of federally protected rights that they had a duty to halt. In the instant action, Petitioner seeks:

- A declaration declaring void the orders that seized Petitioner's properties.

These orders were signed in chambers by Chapter 11 judges Robert Jones and Edward Jellen, violating the legal and constitutional requirement of a noticed hearing, a hearing, and requirement for legally recognized cause. Further, the orders were signed after a prior order was signed refusing to accept jurisdiction.

- Damages under the Civil Rights Act<sup>8</sup> for the repeated violations of federally protected rights occurring in the California lawsuit under color of state law.
- Damages under *Bivens* for the repeated violations of Petitioner's civil and constitutional rights occurring under color of federal law.<sup>9</sup>

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Plaintiff the same rights and protections available to other citizens.

- Fourteenth Amendment equal protection, which was repeatedly denied to Plaintiff.

Fourteenth Amendment property rights, which were repeatedly violated and taken.

<sup>8</sup> Title 42 U.S.C. §§ 1983-1988, for any and all of the dozens of state and federal laws and constitutional provisions that were repeatedly violated for six years by California judges acting without personal and without subject matter jurisdiction.

- Plaintiff also sought to exercise his right,<sup>10</sup> and his responsibility under the federal crime reporting statute, to report criminal activities in government offices to a federal judge under the federal crime-reporting statute, Title 18 U.S.C. § 4.

The evidence and Petitioner's 40 years of federal and private investigator experience indicates a conspiracy existed that targeted the assets that funded Petitioner's exposure of corrupt activities in key government positions and in the Ninth Circuit courts.

To deprive Petitioner of the legal remedies against this pattern of judicial misconduct, a series of injunctive orders were rendered that permanently barred Petitioner the right to file any actions in federal courts, and even to file appeals. The injunctive orders violated every requirement for such orders,<sup>11</sup> and the requirement of such orders, voiding of all legal and constitutional rights and protections, was obviously unlawful and unconstitutional.

This unprecedented judicial violations of constitutional due process protections by Ninth Circuit district and appellate judges and the continuing losses of his life's assets caused Petitioner to seek relief by filing Chapter 11 for his personal and his corporate

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<sup>9</sup> Seizing Petitioner's properties without any notice of hearing, without hearing, without cause, and without jurisdiction based upon prior orders refusing to accept jurisdiction; liquidating Petitioner's properties for payment orders arising in a California lawsuit in which California judges were acting without personal and without subject matter jurisdiction and orders that violated large numbers of state and federal laws and constitutional protections.

<sup>10</sup> **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 duty owed to the plaintiff.

<sup>11</sup> The injunctive orders violated the requirement that they protect the person suffering great and irreparable harm; that they require a halt to the violations of law and constitutional protections; that they protect public interests, and that findings of facts and conclusions of law be prepared showing that these requirements were met. Further, the intent of the injunctions, voiding all legal rights and protections under law, was flagrantly in violation of constitutional due process.

assets. Petitioner exercised this legal remedy seeking to force a federal judge to perform his or her duty under the Declaratory Judgment Act and the Civil Rights Act.

Instead of providing relief, Chapter 11 judges expanded on the constitutional due process violations. Judge Robert Jones, a defendant in the present action, signed orders in chambers seizing Petitioner's life assets, after he had earlier signed orders refusing to accept jurisdiction. The signing of the orders taking Petitioner's assets violated major constitutional due process by failing to provide notice of a hearing, failure to conduct a hearing, and absence of cause.

After taking Petitioner's assets in this manner, Chapter 11 judge Edward Jellen rendered an order barring Petitioner from filing any objections or defenses against the unconstitutional seizure and liquidation of Petitioner's assets. Ninth Circuit district and appellate judges also rendered orders barring Petitioner from filing any actions in the district courts.

When Petitioner exercised his due process right to file an objection and defense to the seizure and liquidation of his assets, Judge Jellen charged him with criminal contempt of court and sentenced him to federal prison.<sup>12</sup> Among the federal offenses arising from this conduct was Title 18 U.S.C. § 241, retaliating against a citizen for exercising constitutional due process.

From 1986 to 1995, criminal contempt of court charges were constantly in effect against Petitioner for exercising constitutional due process remedies against these

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<sup>12</sup> It is a felony to retaliate against a citizen for exercising constitutional due process remedies. Title 18 U.S.C. § 241. Conspiracy against rights. If two or more persons conspire to injure, oppress, threaten, or intimidate any person ... 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 under this title or imprisoned not more than ten years, or both

unprecedented civil and constitutional violations perpetrated by the same federal judges entrusted to uphold these important protections.

Today, at the age of 78, Petitioner lives in fear of being falsely charged with criminal contempt of court and sentenced to federal prison by Ninth Circuit judges and sentenced to federal prison. He has been converted from a multi-millionaire to a state of poverty, stripped of all income, and stripped of all federally guaranteed legal rights and protections guaranteed by the form of government existing in the United States.

In 1999, the bankruptcy court closed out the two Chapter 11 cases after liquidating all of Petitioner's assets. This closing date was the last act in a continuing and interrelated series of civil and constitutional violations, which was followed by Petitioner filing the underlying lawsuit in the U.S. district court at Reno, Nevada, under the Declaratory Judgment Act,<sup>13</sup> the Civil Rights Act,<sup>14</sup> under *Bivens*,<sup>15</sup> and under RICO. He also attempts to report to a federal judge, under the federal crime reporting statute, the criminal activities that Petitioner and his group had discovered and for which they had considerable evidence.

After filing this action, the lower court has again refused to render a declaratory judgment to declare the validity of the prior judgments establishing Petitioner's personal and property status; has refused to declare a reinstatement of Petitioner's civil and constitutional rights taken by injunctive order of Ninth Circuit district and appellate

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<sup>13</sup> Title 28 U.S.C. § 2201 and FRCP 57, to declare disputed rights and legal relations established in multiple divorce judgments that were being taken by California judges acting without personal and without subject matter jurisdiction and while violating large numbers of state and federal laws and constitutional protections.

<sup>14</sup> Title 42 U.S.C. §§ 1983-1988, for violations of state and federal laws and constitutional protections, perpetrated under color of state law.

<sup>15</sup> Under *Bivens*, for violations of civil and constitutional rights under color of federal law.

judges, refused to address the void orders seizing and liquidating Petitioner's assets, and refused to allow the lawsuit to proceed against the defendant California and federal judges and "officers of the court" who conspired with them.

The lower court is duplicating the very same pattern of constitutional due process violations, covering up for major violations of state and federal laws and constitutional protections by California and federal judges acting in a conspiracy, and blocking the reports of major criminal activities that are subverting the internal security of the United States.

### **Law Violated**

Ninth Circuit district and appellate judges have repeatedly violated a broad spectrum of constitutional due process rights and protections, and have deprived Petitioner the fundamental right to seek relief from hard-core violations of federally protected rights. They have disenfranchised Petitioner under conditions ominously related to blocking the reporting of major criminal activities that continue to inflict great harm upon the United States, its system of laws and institutions, and its people.

They have denied to Petitioner the protections under the Declaratory Judgment Act, the Civil Rights Act, and other rights guaranteed under the laws and Constitution of the United States. They have blocked the reporting of criminal acts.

The evidence in court records show that they have blocked the reporting of criminal activities, making them guilty of obstruction of justice, which are federal offenses under Title 18 U.S.C. §§ 2, 3, and 4. This evidence shows that they repeatedly inflicted harm upon Petitioner for attempting to report to a federal judge the criminal activities that he and his group of other former federal agents sought to report. In this

manner they perpetrated other federal offenses relating to civil and constitutional rights, obstruction of justice, retaliating against citizens who exercise constitutional due process, and citizens who exercise the mandatory requirement to report criminal activities under the federal crimes reporting statute to a federal judge. Never once were Petitioner's allegations justifying a declaratory judgment addressed. Never once were the judicially perpetrated civil and constitutional violations addressed. Never once was Petitioner allowed to present evidence of the criminal activities. The explanation: it was known that these matters did in fact exist!

They repeatedly inflicted harm upon Petitioner for exercising constitutional due process remedies under the Declaratory Judgment Act and Civil Rights Act (and related laws and constitutional provisions), thereby violating, inter alia, Title 18 U.S.C. § 241.

Ninth Circuit district and appellate judges have violated many other federal statutes, rules of court, Supreme Court Decisions, and constitutional provisions, associated with these violations: "[t]he right of access to the courts..." *California Motor Transport Co. v. Trucking Unlimited*, 404 U.S. 508, 510, 92 S.Ct. 609, 611 30 L.Ed.2d 642 (1972). The Court has noted that the right to petition is "among the most precious of the liberties safeguarded by the Bill of Rights," *United Mine Workers v. Illinois State Bar Association*, 389 U.S. 217, 222, (1967), and that it has "a sanctity and a sanction not permitting dubious intrusions," *Thomas v. Collins*, 323 U.S. U.S. 516, 530, 65 S.Ct. 315, 322, 89 L.Ed. 430 (1945). Federal Rule of Appellate Procedure 4 clearly states in its heading the right to appeal: "Rule 4, Appeal as of Right—When Taken."

## SUMMARY

The issues raised in this petition for an extraordinary writ, or petition for writ of certiorari, go far beyond the systematic abuse of a citizen or government whistleblower. They reveal the misuse of Ninth Circuit courts as a criminal enterprise against a targeted individual, the systematic obstruction of justice, the misuse of judicial power to retaliate against a former federal agent and witness for attempting to exercise his moral and legal responsibilities under our form of government.

This court has a responsibility to promptly intervene and correct these offensive injustices. This responsibility is shown under Supreme Court rules of court, the oath of office taken by the justices, and the requirements under the federal criminal statutes when subordinates of this court are involved in a pattern of federal felonies related to criminal and civil rights violations. These matters can no longer be kept hidden within the courts. The widespread judicial misconduct documented in these matters constitutes the worst judicial scandal ever exposed in the United States.

Petitioner requests that this court render an appropriate order that should address:

- The refusal by Ninth Circuit judges to file notices of appeal and have their recognized.
- The injunctive orders blocking Petitioner's right to file papers in federal courts.
- The requirement of Ninth Circuit district and appellate judges to honestly address the issues raised in Petitioner's complaints.
- Reinstatement of Petitioner's claims under the Declaratory Judgment Act:

- Addressing the reinstatement of Petitioner’s civil and constitutional rights.
- Addressing the multiple judgments that established Petitioner’s personal and property rights.
- Addressing the void orders that seized and liquidated Petitioner’s assets.
- Addressing judicial immunity, holding that neither state or federal judges are immune from financial damages when they knowingly violate clear and settled laws and constitutional protections, when they act without personal or subject matter jurisdiction, and when they perpetrated acts outside the judicial decision making process, such as conspiracies, retaliation for exercising constitutional due process or retaliation for exposing corruption in government.

Failure of the Supreme Court justices to take meaningful actions in these matters will make matters worse as publicity on the Internet, in books, and in petitions to members of Congress, will eventually circumvent any additional judicial blocks.

Dated: November 10, 2000.

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Rodney F. Stich  
Petitioner in pro se

#### **APPENDIX**

Order of district court dismissing defendant federal judges (Exhibit “A”)

Order denying Petitioner’s motion for reconsideration (Exhibit “B”)

Petitioner's Notice of Appeal (Exhibit "C")

Order of Ninth Circuit appellate court refusing to address notice of appeal (Exhibit "D")

- Actions of Ninth Circuit district and bankruptcy court judges rendering orders subverting legal rights and protections that are guaranteed to all citizens under the laws and the Constitution of the United States.
- Actions of Ninth Circuit appellate judges repeatedly, in unison, and in a conspiracy, rendering unlawful and unconstitutional orders, inflicting great and irreparable harm upon Petitioner, and then barring Petitioner from filing for relief in federal district courts or filing appeals. The purpose of these acts is to block Petitioner's reporting of corrupt and criminal acts that he, a former federal agent and his group of other federal agents had discovered, and to block Petitioner's legal and constitutional defenses against record-setting violations of state and federal laws and constitutional protections.
- Judicial practice of blocking the reporting of criminal activities that are required to be reported by the federal crime reporting statute
- Ninth Circuit judges perpetrating felonies associated with the obstruction of justice, the retaliation for seeking to report corrupt and criminal activities, and the conspiracy to commit these offenses and the conspiracy that subverts the legal rights and protections under the laws and Constitution of the United States.

There is no other relief available to Petitioner in the courts, requiring him to petition members of Congress and seek public support if judicial relief is not forthcoming.