Office of the Circuit Executive, Chief Justice
United State Court for the 9th Circuit
James R. Browning United States Courthouse
95 seventh Street
San Francisco, CA 94119-3939
Circuit Executive, Susan Soong
Chief Justice, Mary H. Murguia

Professor Dave White
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March 2nd 2024

Re: Complaint of official Misconduct

Dear Ms. Soong,

Thank you for your response to my mail. Appellant leads a volunteer team consisting of a retired Federal attorney, well acquainted with federal case law, and an investigative journalist. The latter serves as Legal Editor and helps publicize our findings in the context of actual Court rulings. An inside look at what's really going on the American Court system, if you will.

Frankly, the glimmer of hope for restoration of justice in the 9th Circuit we had noted in correspondence with you has been dampened by the recent ruling in our divorce docket 24-6799 and docket 24-6787.

This letter is in three parts.

1. Judicial Bias and misconduct in 24-6799
2. Three Writ of Certioraris filed in the US Supreme Court
3. Judicial Bias and misconduct in 24-6787

Summary

In submitting a FOIA request, Appellant is asking for a redacted list of all cases since the year 2000 where the biased, frivolous request is made. Appellant is willing to bet that the vast majority of cases with this request have Pro Se Appellants. If so, this is clearly illegal bias, 1), 2), 3) and 4) and illegal administrative law 5) and Misconduct.

For example, how did the same three justices rule on our two remaining dockets within two days, when they are supposed to be randomly picked, by Appeals Court Rules.

Regrettably, this ruling has shaken our confidence in the 9th Circuit Court of Appeals**.** It appears to be business as usual in the systemic abuse of Administrative Law and Judicial Misconduct of bias to squelch the cry of the American people for justice under law and the Constitution. Rank and file justices, including some in this Court, appear to be ignorant of, or simply ignoring the June 28, 2024 Supreme Court ruling in the Loper Bright Enterprise case.

Please bear in mind that this systematic failure to execute real and authentic justice under federal law and the Constitution is having dramatic life and death negative consequences for thousands of people and the environment. Notably, the loss of water from Klamath River reservoirs due to illegal destruction of the 4 dams allowed the California arson fires to rage out of control. Piping was/is in place to complete the distribution system, but alas the water was not there. Our pleas for a "stop work injunction" in early May fell on the deaf ears of two federal judges.

The failure of these two judges to execute justice under law and cater to the whims of corporate attorneys led inexorably step-by-step to the incalculable loss of life and property in Southern California. This habitual willingness to play cute judicial games with Administrative Law created an environmental catastrophe resulting from failure to heat scrub arsenic-laced silt that had accumulated behind the dams. This toxic silt now lines the Klamath River banks all the way to the Pacific due to the tunnel-vision of two federal judges. No amount of grass-planting will cover up its lethal effects on human and wildlife. How long will this kind of incompetence be allowed to reign supreme in the American judicial system?

As a Prime example in another Circuit Court, a Judge Alsup ruled that only Congress can hire and fire federal workers, not the president. However, as you know, the US Constitution states the President is the Chief Executive of the Executive branch of the Federal Government and its bureaucratic employees. He can hire and fire anyone if congress appropriates the money. This explains why the US Supreme Court wrote a stay for the $2 billion going out of the country for USAID.
https://www.npr.org/2025/02/27/nx-s1-5311445/federal-employees-firing-court-judge

In the three dockets with Writs filed in the US Supreme Court, Appellant filed MOTION to Reconsider Dispositive Order and nothing has happened.

Besides these three dockets, Appellant has filed two others, 24-6799 and 24-6787. Docket 24-6787 is a complaint against Oregon State University (OSU) professors who for two years chose far less qualified foreign candidates above my need to finish only 22 credits needed for a PhD in Chemical Engineering.

Judicial Bias and Misconduct in 24-6799

Notice of Docket Activity

The following transaction was entered on 02/27/2025 1:02:35 PM PST and filed on 02/27/2025

Case Name: White v. White, et al.

Case Number: 24-6799

Docket Text:

ORDER FILED. (William C. CANBY, Milan D. SMITH, Jr., Danielle J. FORREST) After considering the response to the court's November 13,

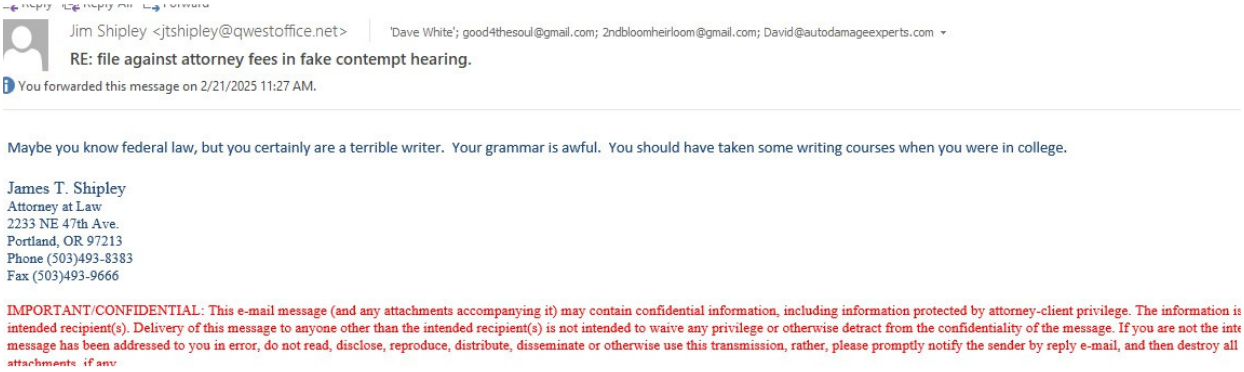
2024 order and the opening brief, we deny the motion to proceed in forma pauperis (Docket Entry No. 5) and dismiss this appeal as frivolous. See 28 U.S.C. § 1915(a), (e)(2).

All other pending motions are denied as moot.

No further filings will be entertained in this closed case.

DISMISSED.

This even though Appellee 4, the prevaricating, colluding attorney conceded Appellant knows more federal law then he does.



Jim Shipley <jtshipley@qwestoffice.net> 'Dave White'; good4thesoul@gmail.com; 2ndbloomheirloom@gmail.com; David@autodamageexperts.com

RE: file against attorney fees in fake contempt hearing.

You forwarded this message on 2/21/2025 11:27 AM.

Maybe you know federal law, but you certainly are a terrible writer. Your grammar is awful. You should have taken some writing courses when you were in college.

James T. Shipley
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2233 NE 47th Ave.
Portland, OR 97213
Phone (503)493-8383
Fax (503)493-9666

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Why is it that only when Pro Se appeals are filed that the concept of "frivolous" rears its ugly head. Then, when Appellant demonstrates that consequent violations of federal law are not frivolous the Justices turn a cold shoulder and a blind eye. Below are the well-documented exhibits appellant filed. Everything in them is based on transcripts and exhibits of the dissolution case. How is it possible for any competent jurist who actually reads these factual exhibits to dismiss them as "frivolous?"

Appellant filed in docket 24-6799 in the 9th circuit court to vacate all these cases illegal rulings 12/2/2024. Appellees failed to file any response within 10 days and therefore abandoned and relinquished the filing. These include the illegal dissolution final ruling and judgement and the Illegal contempt case where Judge Bailey refused to find Appellee 1 in

contempt and the illegal Appeals Court Orders. This includes

vacating the final ruling, judgements or opinions by either FRAP 8 or

FRCP 60 in 3:24-cv-01702-AR, 21DR02783, A179571, S070563, and

24CN03814, 21DR02783, 22CN02186. These are all violations of 1). 2), 3), 4), and 5). Therefore, it is obligatory upon the Court to re-adjudicate these two dockets with a unique panel of justices and with the chief Justice writing the opinions.

MOTION 12/2/2024 8 to Stay Lower Court or Agency

Proceedings/Order/Judgment filed by Appellant David White **[**Entered

on 12/02/2024 AM], as noted here:

Appellees had 10 days to file against the Motion to Stay and missed the

deadline.

Therefore, they abandoned the filing and the Justices at the 9th Circuit are obligated by law to vacate those cases. Instead, they ruled based **on** illegal administrative law, and devoid of any case facts. These statements can be easily proven from the transcripts, which Appellant and Appellee 4 have both received it. But the judges were apparently too busy to bother even scanning this overwhelming, prima facie evidence is overwhelming in my favor.

Item 7 EXHIBITS

Exhibit 1 is the illegal ruling of the Appeals court for A179571. August 9, 2023 Appeals Court erroneous opinion. This is in the Background Section,- Appeals Court Failure to Correct Trial Court:

Exhibit 2 Illegal Administrative Law trial court ruling with absolutely no actual case facts!

Exhibit 3 December 9, 2021 settlement proposal of DLC to plaintiff. This

proposal would render Appellant destitute. Just like Exhibit 2, this is in the Argument section with subtitle Substantial Similarity in Copyright Law. This exhibit was never in the case. July 26th 2022 dissolution was over and Judge said two to three weeks for a ruling. Four days later Appellee 4 took

exhibit 20 and filed it in the Property tax office. Then walked across the street and gave exhibit 3 to the Judges Clerk. Two hours later the final ruling Exhibit 2 was filed. This is well-documented collusion.

Exhibit 4 D initial dissolution paperwork. This is in the Background Section with subheading of: DLC Four Perjuries. 83% perjury.

Exhibit 5 is the Sept 2017 board meeting of Photolithography.net

where Appellee 1 removed herself, and new members were appointed per the

bylaws.

Exhibit 6 Photolithography.net corporate bylaws.

Exhibit 7 is information and IRS 1102 corporate filings in 2015 and 2016

where the Artic Fox camper, Lazy Boy chairs and window coverings were

written off legally as photolithography.net corporate assets.

Exhibit 8 Well-documented perjury of Tammy Davis.

Exhibit 9 David Smith well-documented perjury with collusion of Jim Shipley per 18 USC 3 accessory after the fact.

Exhibit 10 Ken Nix expert appraisal of Plaintiff's vehicles.

Exhibit 11 well-documented perjury of Julia White the defendant.

Exhibit 12 Correct trial ruling based on all transcripts and exhibits.

Exhibit 13 Ally Invest incorrect illegal split of the IRA.

Exhibit 14 Illegal Writ of Execution.

Exhibit 15 Appellant's budget if paying spousal support to Appellant 1.

Exhibit 16 Limited Judgement which awarded home to Plaintiff equitably.

Exhibit 17 is December 3, 2021 disposition testimony. Appellee 4 was untruthful about this in the dissolution trial.

Exhibit 18 is the equitable splitting of Appellants home.

Exhibit 19 Deposition testimony.

Exhibit 20 Illegal lis pendens.

Exhibit 21 Customer trip for Photolithography.net

Exhibit 22 Release of illegal Lis Pendens on Plaintiffs home.

Exhibit 23 Oregon Supreme Court 2019 Staveland and Fisher. County Judge Keith Raines who Appointed Judge Bailey the marriage Court Judge told me at Rotary about this to use.

After examining this exhibit list would any reasonable person conclude that this case is frivolous? What else are we to think? Either the judges are too lethargic to make even a cursory examination of the evidence or this is just one more symptom of gender bias that is the dominant factor in virtually all divorce cases in American Courts?

Appellant Testified in the dissolution trial that he applied to thirty-five jobs which would have allowed him to pay spousal support. Appellant was rejected for each one. The final judgement was written by Appellee 4 and the Judge signed it illegally. This Judgement says Appellee 1 gets half of Appellants Social Security until the day Appellant dies. This is illegal Social Security Law. The Appellant is broke. Appellant is not asking for anything unreasonable. As the case stands Appellee1 has 90% of the marital assets and Appellant has only 10%. How is this fair and equitable? The order on February 27, 2025 is a violation of 1), 2) 3), 4), and 5) below. If justice is to be served**,** these three justices must be charged with 3) Misprision of felony for failure to adjudicate 7 felonies in the exhibits which are well-documented. Apparently, Appellant is not the only victim that Judge Bailey (TCJ) has

screwed over. Defendant recently discovered this sign on US 99W, just

west of Sherwood, Oregon which reads:

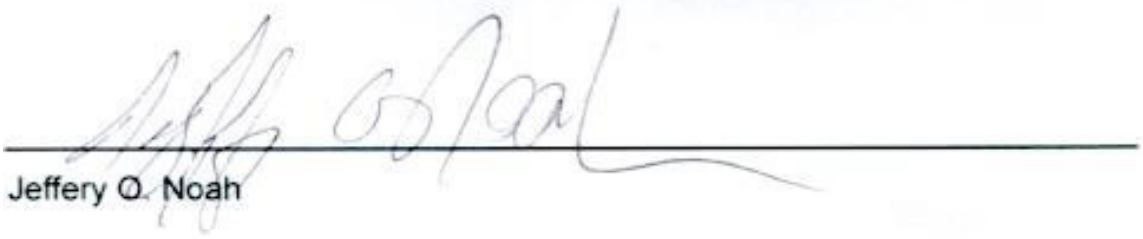
Defendant is in an indigent status with overwhelming evidence of bias, perjury, and collusion, which has left him no choice but to seek every available Legal remedy. Appellee 1 knows full well Appellant fell off the retaining wall and onto the sidewalk on his back 15 or so years ago. The VA Doctor said it is normal for these things to flare up in the future in the autumn.

Remedy. DEFENDANT is in possession of paperwork for VA documentation of emergency room visits. Plus, physical therapy notes and paperwork for evidence of the medical issues. As Clear & Convincing evidence, Defendant has transcripts of emergency and doctor's appointments since September, 2023. The doctor said Defendant may never be able to walk again without walker or wheelchair separated from sciatic. Likewise, stretching may be required to avoid being an invalid for the rest of life. Defendant was told not to go back to the gym.

DECLARATION OF JEFFERY O. NOAH

I, Jeffery, declare as follows:

I am a good friend of David White, and I was at the 2023 September Calvary Chapel Men's retreat and met David White that evening. At dinner, we all stood up and individually introduced ourselves. David introduced himself while sitting down because he had a bad backache. After dinner, I went out to see David briefly. The next morning David did not come to breakfast. Chris Warren went out to check on David in the RV. Chris found David still in bed and saying he could not get out of bed because of his back. Chris came back in and solicited some of us to come and help David up. I helped. We got David up and by consensus, we put him in the passenger side of his pickup. I volunteered to drive David and his RV home and take David to the VA emergency room. When the Doctor came in she asked David what his pain level was from 1 to 10. David replied twelve. The doctor looked shocked. Then after a shot from the VA doctor, he started feeling better. I also picked some pain pills for David from the VA pharmacy using his credentials. After getting David home and to his couch I retrieved a walker from the attic for David to use. For a few days I called and checked on him.



Jeffery O. Noah

Affidavit from Leland Dale Jossy Jr:

December 5th, 2024

I, Leland Dale Jossy Jr. do solemnly swear that I am presently here at the residence of David White and have been here off and on for the last month to help him with household chores that he has been unable to do because of his present pain level that he is currently seeking treatment for through the VA hospital.

Chores that I have been helping with include yard work, sweeping, vacuuming, mopping and general housework as well as bringing in firewood.

I have witnessed David being confined to the couch on most days and having to use a walker to help him get around. David is having to medicate with prescribed pain medication to try to gain relief, which he says is not working very well, however, he doesn't seem to have any other options.

Sincerely

Leland D Jossy Jr.

It is against Oregon law to require an Appellant in such an indigent condition to pay any kind of spousal support. Nonetheless, Docket 24-6799 is a complaint concerning my divorce where the county judge was very biased, colluding with my ex-wife's attorney on many occasions. The dissolution paperwork was 83% perjury. Appellee 4 is the attorney who was untruthful 65 times in court. He had his client and her witnesses commit well-documented perjury for $44,000 on Appellant's side of the ledger wrongfully. Also, Appellee 4 wrote an illegal Writ of Execution, which the

notoriously unscrupulous Judge Bailey signed. Appellant filed on 12/4/2024 MOTION for Miscellaneous Relief filed which lists the law broken and the requirement to bring everything back. Appellees have been in default since 12/15/2024, therefore, Appellant expected to prevail, The Federal Trial Court Judge failed to adjudicate the felonies of Appellees. Also failed to provide a requested hearing.

Three Writ of Certioraris filed in the US Supreme Court

The content below was requested related to Justices Sidney R. THOMAS, Jay S. BYBEE, Daniel P. COLLINS, who illegally dismissed three dockets where the appellees were in default with a pending summary judgement.

Attachments are the three Writs of Certiorari filed in the US Supreme court concerning these cases. These most likely will be returned to the 9th Circuit for abuse of illegal Administrative Law, similar to four other recent 9th circuit Court Cases. In each case, the Pro Se Appellant should have been the prevailing party without any question, in accordance with the dictates of Federal law.

The same pattern of bias against a pro se Appellant and abuse of Administrative Law was evident in the Federal Trial Court Judge failing to adjudicate correctly in accordance with federal law. The Opening brief filed, included debunking the perjury ruling of the Trial Court Judge, who incidentally has two complaints pending against him in the 9th Circuit Court. The Appellees responded that they would not be filing an answering brief, which is abandonment of privilege that should have triggered an automatic Summary Judgement in favor of Appellant under federal law.

Judicial Bias and misconduct in 24-6787

The Appellant in that case is appealing for The Honorable Chief Justice of the 9th Circuit Court Mary H. Murguia to adjudicate Docket 24-6787 for Misprision of Felony committed by these apparently out-of-control Justices. The felonies which the Justice failed to adjudicate are:

1 The book OSU is using for environmental science is a chemical engineering book, use of which constitutes misrepresentation to prospective students. Its use is also, a violation of copyright law. Why is

it not a felony of Misprision for Judges who are made aware of these crimes and fail to adjudicate them?

With due respect, will you please reverse the dismissal of dockets 24-6799 and Docket 24-6787. Appellant has no desire to submit two more Writs of Certiorari for the Supreme Court to remand cases back to this Court due to persistent, habitual defiance of the Supreme Court's Loper Bright Enterprises ruling on June 28, 2024.

2. The Attorney for Appellees was untruthful in filings. By Appeal Court rules his bar license should be in jeopardy.

These are four well-documented Felonies that weren't adjudicated properly or at all.

The OSU Attorney is incompetent in stating that he wouldn't be filing an

answering brief. This announced lack of response can only mean that he abandons all right to argue that the science and law in the

the Opening Appeal Brief was anything but factual, and legal.

Appellant twice in two years applied to finished Appellants PhD only needing 22 credits. However, both years the appellees denied Appellant because of illegal affirmative action and illegal DEI by 6)

Docket 24-6799 met the same illegal fate on February 27, 2025. In each case, Appellees had abandoned every pleading filed. Therefore, by federal court rules, Appellant should have prevailed, as a matter of **c**learly stated, procedure. However, true to form, the Judges abused local Administrative Law to override federal law and the Constitution.

On February 28th 2025 the same Judges illegally dismissed Docket 24-6787. More Illegal Bias and illegal use of Administrative Law to override violations of federal law.

Notice of Docket Activity

The following transaction was entered on 02/28/2025 2:01:08 PM PST and filed on 02/28/2025

Case Name: White v. Ashford, et al.

Case Number: 24-6787

Docket Text:

ORDER FILED. (William C. CANBY, Milan D. SMITH, Jr., Danielle J. FORREST)
After considering the responses to the court's January 10, 2025 order and the opening brief, we deny the motion to proceed in forma pauperis (Docket Entry No. 4) and dismiss this appeal as frivolous. See 28 U.S.C. § 1915(a), (e)(2). All other pending motions are denied as moot. No further filings will be entertained in this closed case. DISMISSED.

Document: Order

Notice will be electronically mailed to:

By thus, ignoring and refusing to adjudicate prima facie violations of federal law, are these Justices not guilty of Misprision of Felony? In other words, they abuse relatively insignificant Administrative Law 5) and procedure to override and ignore serious felony violations of federal law and the Constitution in violation of Loper Bright Enterprises.

1) 28 U.S. Code § 455 (b), (1) which says, "Where he (The Judge) has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;"

2) Judges Code of Conduct Canons 2 and 3
https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges,

3) 18 U.S.C. 4 says, "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

under this title or imprisoned not more than three years, or both." What is the hapless litigant to do when the judges themselves practice this very Misprision of Felony on a systemic basis? Are the judges above the law?

4) Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002): Pagtalunan was Pro Se and made numerous mistakes in filing his complaint resulting in the case being dismissed. However, upon appeal, the higher Court ruled that the lower Court was in error because they did not give allowance for Pagtalunan's lack of legal training.

5) 22–451 June 28th, 2024 Federal Case number 22–451 in Loper Bright Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce that all courts shall no longer function as administrative law courts.

https://www.supremecourt.gov/opinions/23pdf/22- 10451_7m58.pdf

Administrative law is illegal and ALL courts must convene as Article three of the US Constitution. The Chevron doctrine is invalid. Federal and state agencies can no longer cherry pick data for their personal agenda. Stare decisis must be vertical to the Constitution not lower or sideways. This is because any other case can't be guaranteed to have enough similarities to warrant use unless the Judge and each counsel have read that case transcripts, exhibits and final ruling. Six to three decision.

Following are cases similar to Appellant's that have recently been remanded to their Circuit Court of origin for reconsideration. These all beg the question, why are US Courts so resistant to convening as Article 3, Constitutional Courts, administering justice to the American people according to their oaths of office?

22-863 DIAZ-RODRIGUEZ, RAFAEL V. GARLAND, ATT'Y GEN.

The petition for a Writ of Certiorari is granted. The

judgment is vacated, and the case is remanded to the United

States Court of Appeals for the Ninth Circuit for further

consideration in light of Loper Bright Enterprises v. Raimondo, 603 U. S. (2024).

22-868
BASTIAS, ARIEL M. V. GARLAND, ATT'Y GEN.
The petition for a writ of certiorari is granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Eleventh Circuit for further consideration in light of Loper Bright Enterprises v. Raimondo, 603 U. S. ____(2024).

22-1246
EDISON ELEC. INST., ET AL. V. FERC, ET AL.
The petition for a Writ of Certiorari is granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the District of Columbia Circuit for further consideration in light of Loper Bright Enterprises v. Raimondo, 603 U. S. ____(2024). .

24–5006. Jason Steven Kokinda, Petitioner v. United States. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Motion of petitioner for leave to proceed in forma pauperis and petition for writ of certiorari granted. Judgment vacated, and case remanded to the United States Court of Appeals for the Fourth Circuit for further consideration in light of Loper Bright Enterprises v. Raimondo, 603 U. S. —— (2024). .

24–92. Kwok Sum Wong, Petitioner v. Merrick B. Garland, Attorney General. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Petition for writ of certiorari granted. Judgment vacated, and case remanded to the United States Court of Appeals for the Second Circuit for further consideration in light of Loper Bright Enterprises v. Raimondo, 603 U. S. —— (2024).

6. STUDENTS FOR FAIR ADMISSIONS, INC. v. PRESIDENT AND FELLOWS OF HARVARD COLLEGE

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIRST CIRCUIT.

https://www.supremecourt.gov/opinions/22pdf/20-1199_hgdj.pdf 18