

FILED

APR 28 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

No: 25-5660

IN THE SUPREME COURT OF THE UNITED STATES

DAVID C. WHITE Petitioner, P

Vs.

Respondent

Judge Charles Bailey, R1

Judge Amy Baggio, R2

On Petition for an Extraordinary Writ by Rule 20 to the United States
Federal Court the Ninth Circuit Federal Court case 3:25-CV-00501-AB

Extraordinary Writ of Prohibition, Mandamus by Rule 20.

Respondent's R1 Counsel of Record

Dan Rayfield

Eliot D. Thompson, Jonell Bissonette, Brenda Maldonado, Denise
Fjordbeck

1162 Court Street NE Salem, OR 97301-4096 Telephone: (503) 947-4700

R2

Judge Amy Baggio

Mark O. Hatfield United States Courthouse 1000 Southwest Third
Avenue, Room 1427

Portland, Oregon 97204-2944 Chambers: 503-326-8320 503-326-8051

Petitioner

David C. White 18965 NW Illahe st Portland, OR 97229 503-608-7611

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QUESTION(S) PRESENTED

Q(x)

1. Shall U.S. Courts at all levels persist in extreme bias against pro se or any litigant, contrary to Judicial Code of Conduct and Loper Bright, especially in use of Administrative Law to nullify federal law for Summary Judgment, by dismissing a case when defense fails to Appear? This unjust procedure is systemic throughout the Ninth Circuit Court System, suggesting collusion in obstruction of justice.
2. Shall a judge who dismisses a case when defense fails to Appear be guilty of Misprision of Felony, having reviewed the felonies admitted by abandonment of the defense, then does nothing to adjudicate them, thus denying due process of law in defiance of Loper Bright?
3. Shall a ruling of "frivolous" be rendered only after a thorough investigation of case facts and law, rather than subjective Judicial Discretion under Administrative Law?
4. Shall judges in the Ninth Circuit persist in violation of Loper Bright, thus denying citizens 14th Amendment equal protection under the law, compared to citizens in other jurisdictions such as the Tenth Circuit, which complies with Loper Bright, per their home page?
5. Shall judicial immunity be reserved exclusively for Courts convened under Article III of the U.S. Constitution and denied to illegal Administrative Law courts convened in defiance of Loper Bright and Article III of the U.S. Constitution?
 - a. Shall any Judge or Justice have absolute judicial immunity for violation of federal laws or the U.S. Constitution, thus denying citizen rights to due process of law?
6. Shall any court under cover of judicial immunity, dismiss a case of ADA violation as "frivolous" without thorough investigation -- potentially pending by ADA investigative Authority -- thus denying due process and equal protection of law to our most vulnerable citizens?

- 1 7. Shall any Court illegally dismiss a Complaint as frivolous by Abuse of
2 Process when Defendants are in default but the judge fails to enforce
3 the 21-day FRCP rule? This unjust abuse of judicial discretion is
4 systemic throughout the Ninth Circuit Court System.
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Appendix One is illegal order of federal court.

Appendix Two is clear and convincing evidence of Petitioners disability.

Appendix Three is 2nd edition college textbook for environmental science.

Appendix Four is order to remove court documents from Petitioners home title.

Appendix Five A and B are two complaints filed against wayward R2.

TABLE OF AUTHORITIES

Cases:

1) U.S. Supreme Court June 28th 2024.

<https://thelawisyourattorney.com/loper-bright-enterprises/> 22–451 June 28th, 2024 Federal Case number 22–451 in Loper Bright Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce. 6, 18, 20, 21, 23, 24, 26, 41 and 48).

2) Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002): 17 and 13.

Statutes:

3) 18 USC 3 accessory after the fact.....5 and 10.

4) FRCP 20 enjoining..... 17. 27 and 28.

5) 18 U.S.C. 4: Misprision of felony8, 19, 20 and 61.

1 6) <https://www.uscourts.gov/judges-judgeships/code-conduct-united->
2 states-judges 11, 14, 15, 17, and 19.
3 7) 28 U.S. Code § 455 (b), (1) Disqualification of justice, judge, or
4 magistrate judge....., 14, 15, 18, and 19.
5 8) 18 U.S.C. 1621 Perjury, 5, 12, 13, 16, 18, 20, 24 and 59.
6 9) Federal Rule 60. Relief from a Judgment or Order, 26.
7 10) Rule 56. Summary Judgment..... 5, 7 and 13.
8 11) 2021 US Code Title 28 - Judiciary and Judicial Procedure Part I -
9 Organization of Courts Chapter 5 - District Courts Sec. 144 - Bias or
10 prejudice of judge. 9, 12, 14, 17, 27, 37, 38, 40, 46, and 49.
11 12) 42 U.S. Code § 12101 ADA, Americans with Disabilities Act. 7, 8,
12 9, 12, 16, 14, 15, 19, 22, 45 and 50.
13 13) FRAP 31 C and 9th Cir. R. 31-2.1.
14 14) 18 U.S. Code § 1514 Restraining order.
15 15) FRCP 11 Sanctions..... 5 and 10.
16 16) Supreme Court ruling Rooker Feldman. No. 18-390 10, 12, and 13.
17 17) 18 U.S.C. § 1001 False Statements, Concealment.. 5, 12, 13, 16, 18, 20,
18 24 and 59.

19
20
21 **Constitutional Provisions:**

22
23 18) Judicial Immunity from Suit ARTICLE III SECTION 1. U.S.
24 Constitution. 5, 12, 15, 19, 21, 23, 25, 32, 34, 38 and 50.
25
26 19) Article five and fourteen of the US Constitution... 5, 6, 7, 14, 15
27 and 22.

28
29 **(Table of Authorities Ends)**

30
31
32
33 **OPINIONS BELOW**

34
35
36 05/28/2025 25 OPINION & ORDER: For the reasons discussed in the
37 attached, Defendant's Motion to Dismiss (ECF 11) is GRANTED, and Plaintiff's

1 Complaint is dismissed with prejudice. All pending motions are denied as moot.
2 Signed on 5/28/2025 by Judge Amy M. Baggio. (jp) (Entered: 05/28/2025)
3

4 **JURISDICTION**
5

6 Date of order to review is 5/28/2025 in CASE #: 3:25-cv-00501-AB.
7

05/28/2025	<u>25</u>	OPINION & ORDER: For the reasons discussed in the attached, Defendant's Motion to Dismiss (ECF 11) is GRANTED, and Plaintiff's Complaint is dismissed with prejudice. All pending motions are denied as moot. Signed on 5/28/2025 by Judge Amy M. Baggio. (jp) (Entered: 05/28/2025)
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8
9 Plaintiff filed for Summary Judgement by 10) because R1 didn't appear in
10 the case within 21 days. The R1 legal counsel then filed their untimely ECF
11 11 which was riddled with perjury by 8) false statements by 17), and
12
13 violations of FRCP 11. This was in addition to the primary consideration of
14
15 being untimely, which should have automatically disqualified ECF11
16
17 resulting in a summary judgment by 10) in favor of Petitioner. See R(1).
18
19 Incredibly, R2 then used untimely, perjury by 8) and false statements by 17)
20
21 filled ECF 11 as rationale for the illegal dismissal by ECF 25 in the federal
22
23 case. However, page 45 in the complaint is the affidavit below of Jeff NOAH
24
25 Basis for Jurisdiction is a federal ADA question by 12). Is it legal for any
26
27 judge to violate the Americans with Disability Act, Amendments five and
28
29 fourteen of the U.S. Constitution, due process of law by 19) with unlimited
30
31
32

1 judicial immunity? See Q(6).

2
3 Additional violations are: 3), 5), 22—451 by 1), due process of law

4
5 Guaranteed by 19), Judges Code of Conduct by 6), disqualification of

6
7 wayward Judges by 7). This Court has jurisdiction, over the subject matter

8
9 of this Complaint, because of the illegal and unlawful violations of federal

10
11 Constitution and law by R1 and R2.

12
13 They used illegal bias by 11) and Administrative Law in violation of Loper

14
15 Bright Enterprises by 1). A true Article III of the U.S. Constitution court by 4)

16
17 would not violate Federal Rules of Court procedure as in the federal case

18
19 and not violate Loper Bright Enterprises by 1) in the county courts. R1 did

20
21 this by asserting that his judicial discretion allowed Defendant to violate

22
23 ADA by 12) and violate right to due process by 19).

24
25 This is nothing short of a distressing return to the tyrannical days of English

26
27 kings James I and his son Charles I, claiming the divine-right-of-kings. The

28
29 latter was executed by Parliament for his arrogant abuse of power. These

30
31 judges likewise, should be disqualified.

32
33 **STATEMENT OF THE CASE**

34
35 This case is first and foremost a violation of the federal Americans with

36
37 Disability Act (ADA), which has denied Petitioner Constitutional rights of

1 due process and equal protection under the law guaranteed by the 5th and
2
3 14th Amendments in the court of first instance. See Q(6). This is firmly
4
5 established by the latest third-party physician evaluation. But this ADA
6
7 violation has brought with it a host of other illegalities that the Supreme Court
8
9 is urged to address "in order to establish justice," per the Constitution's
10
11 Preamble.

12
13 The severity of Petitioner's ADA disability is documented in the Statement
14
15 of Claims above. Yet in spite of this handicap, R1 violated ADA by 12) and
16
17 due process of law by the 5th and 14th Amendments in denying remote
18
19 access to a hearing. In so doing, R1 failed to adjudicate sixty-six well-
20
21 documented felonies filed in the Federal court of first instance as ECF 10
22
23 (See Q2). Other abuses of R1 included refusal to accept virtually any of
24
25 Petitioner's evidence or witnesses and illegal disbursal of marital assets.
26
27 The disbursal was so lop-sided as to leave Petitioner virtually penniless
28
29 (Accountant's testimony was denied), yet owing his ex-wife \$1100 a month,
30
31 while he himself is unable to get a job.

32
33 These facts are presented in the Writ, but the thing that is now clearer than
34
35 ever in light of the new medical revelations is the mechanism by which
36
37 these injustices are all too easily permitted under the current Administrative
38

1 Law system of "Judicial Discretion" and "Judicial Immunity." See Q(3).

2
3 These constructs serve as shields that make it all too easy for allegedly
4
5 neutral judges, in a sense, to weaponize the law against either of the
6
7 parties in a dispute. These are clarified by adjustments to the Questions for
8
9 Review listed above (See Q1).

10
11 It was this very weaponization that led Plaintiff to file the lawsuit against R1
12
13 out of desperation. R2 became Accessary after the Fact to R1's well-
14
15 documented crimes by dismissing the case under cover of Administrative
16
17 Law. See Q(5). In particular, R2 executed the same (il)legal stratagem of
18
19 dismissing the case after Respondent failed to Appear, that
20
21 Petitioner has encountered in 4 other substantive cases he filed over the
22
23 past year in the Ninth Circuit, making it statistically a systemic problem as
24 described on page 10.

- 25
26 1. First, the corporate defense attorney fails to make any appearance
27 against the lawsuit, which is very suspicious. See Q(1).
28 2. Second after the requisite 21 +1 days, Petitioner files the request for
29 default judgment, which should be automatic under Federal Rules.
30 3. Third, the biased judge ignores federal rules and dismisses Pro Se
31 Petitioner's case as "frivolous" based on subjective Judicial Discretion
32 See Q(3).
33

34 How can we avoid the suspicion of collusion? Or at the very least an
35
36 unspoken "insiders understanding" that a stratagem for dismissal will be
37
38 devised, resulting in well-documented evidence of federal crimes swept

1
2 under the legal rug by a Conspiracy in Obstruction of Justice. See Q(1).

3
4 The fact that this exact same stratagem was used to dismiss all five of
5
6 Petitioner's unique, but substantive lawsuits filed in the Ninth Circuit over
7
8 the past year is overwhelming evidence of a Systemic Conspiracy to
9
10 Obstruct Justice. What rational actor would otherwise fail to respond to a
11
12 lawsuit unless there was a (perhaps) unspoken understanding that the
13
14 judiciary "had their back" in an unspoken collusion.

15
16 Therefore, Petitioner humbly asks the Supreme Court to enjoin R2 in this
17
18 action by FRCP 20, for the amount of \$10 million each for R1 and R2 paid
19
20 to Petitioner for extreme physical, emotional, psychological, elder abuse,
21
22 and financial harms resulting from such an egregious crime. In addition,
23
24 order R1 to remove restrictive court documents from Plaintiff's Home title
25
26 that R1 has refused to sign for almost two years with no good reason except
27
28 bias in abuse of process 11). See Q(5).

29
30 The illegal Lis Pendency filed on Petitioner's home on August 4th, 2022
31
32 has finally been removed after two years. But, Petitioner needs two court
33
34 certified copies signed and shipped to the address on the proposed order.
35
36 No local court has been willing to sign this reasonable request of the
37
38 County Recorder. Therefore, Petitioner humbly requests the Supreme

1
2 Court to order the Prayer for Relief in the Writ and these additional
3
4 requests below.

5
6 In addition to the Prayers in the WRIT for the instant docket, R1 has failed
7
8 to adjudicate sixty-six well-documented violations of collusion, false
9
10 statements and perjury, as a result of his unjust dismissal in the Court of
11
12 first instance (See Q2). Upon request, Petitioner can provide documents
13
14 delineating proof of these felonies.

15
16 **REASONS FOR GRANTING THE WRIT**
17

18 This WRIT needs to be granted so disabled Petitioner is able to remove
19 R1 perjury by 8) and false statements by 17) in the final ruling of
20 21DR02783. Also remove the illegal judgement of 21DR02783 by 9) which
21 contains perjuriously statements and orders completely outside the
22
23 jurisdiction of a local county judge, with many other legal challenges. This is
24
25 similar to the recent U.S. Supreme Court ruling that nation-wide injunctions
26
27 by a Federal Judge are illegal, lacking jurisdiction in the whole Country.
28
29 This county judge has no jurisdiction outside the county of Washington or

1
2 possibly the State of Oregon. R1 was obviously in default in 3:25-CV-
3
4 00501-AB by any reasonable standard and the Court's (R2), inability to
5
6 recognize the obvious has destroyed any confidence in her ability to make
7
8 a rational or just decision. Therefore, Petitioner is insistent that R2 in
9
10 the instant case must recuse 21) herself to be replaced by another judge
11
12 who will abide by the standard of justice articulated by this Court's
13
14 Loper Bright decision by 1). This would necessarily exclude Judges
15
16 McShane, Armistead, Immergut, Russo and Nelson, because they all
17
18 have Complaints pending against them in the Ninth Circuit Court for the
19
20 same kind of illegal bias by 11) and illegal misuse of Administrative Law.

21 [https://thelawisyourattorney.com/judicial-bias-against-litigants-in-dam-](https://thelawisyourattorney.com/judicial-bias-against-litigants-in-dam-removal-cases/)
22 [removal-cases/](https://thelawisyourattorney.com/judicial-bias-against-litigants-in-dam-removal-cases/)
23
24
25

26 INTRODUCTION 27

1 Acceptance of this Extraordinary Writ of Prohibition, Mandamus of Certiorari
2
3 by Rule 20 is necessary -- indeed essential for survival of a free nation -- due
4
5 to universal flaunting of the Supreme Court's Loper, Bright, Enterprises
6
7 landmark decision of June 28, 2024 by 1) among judges of the
8
9 Ninth Circuit Court of Appeals. See Q(1).

10
11 The Extraordinary Writ by Rule 20 is needed to protect Petitioner's rights
12
13 under the Americans with Disability Act (ADA) that have been callously
14
15 stripped away by the lower court judges. This occurred when his request for
16
17 remote access to the hearing due to his disability was denied. See Q(6).

18
19 Petitioner needs to sell his home and move out of state to finish his PhD and
20
21 Teach. Writ of Mandamus is necessary because the lower courts in the Ninth
22
23 Circuit are very biased against Pro Se. The Writ of Prohibition is needed to
24
25 prohibit the Ninth Circuit from illegal rulings with administrative law by 1).

26
27 This Writ shows R1 violated ADA by 12, Due process of law by
28
29 19 and equal protection under the law by comparison with other circuits such
30
31 as the Tenth, per their home page. See Q(4). R2 is accessory after the fact
32
33 for R1's crimes by 3).

34
35 The history of the case unfolded as follows:

- 36
37 1. To set the stage, Respondent refused to make any appearance
38

1 in the Washington County, Oregon case, which leads us to
2
3 suspect collusion in Obstruction of Justice. Why else would a
4
5 person refuse to respond to a lawsuit knowing that it would result
6
7 in Summary Judgment under federal rules? See Q(1).
8

9 2. Appendix Two presents well-documented proof that a pinched
10
11 nerve severely limited Petitioner's mobility and kept him confined
12
13 to his couch during most of the two months prior to the hearing.
14
15 Petitioner is a severely disabled military veteran. See Appendix
16
17 Two.
18

19 3. In spite of this, Plaintiff was denied remote access to the federal
20
21 court hearing in Portland, Oregon by R1 thereby violating the
22
23 Americans with Disability Act, due process of law by 19), and
24
25 equal protection under the law by the 14th Amendment. See
26
27 Q(6). These are all strong Constitutional issues.
28

29 4. R1's legal counsel, Oregon Justice Department attorneys, filed
30
31 the ECF 11 Request for Dismissal late, outside the FRCP 12
32
33 deadline. ECF 11 contains perjury by 8) and false statements by
34
35 17). Therefore, the R1 legal counsel attorneys deserve sanctions
36
37 by 15) and suspicion of conspiracy for obstruction of justice. See
38

1 Q(1).

2
3 5. Plaintiff then filed for Summary Judgment by 10) after 21 plus 1
4
5 days, per Federal Rules of Court Procedure FRCP 12.
6

7 6. At that point, the judge intervened to dismiss the case and
8
9 declared it to be frivolous, completely ignoring the fact that it was
10
11 untimely, perjurious by 8), and contained false statements by
12
13 17). See Q(3). The ruling copied the untimely and legally flawed
14
15 ECF11 almost word-for-word to justify the action, leaving
16
17 allegations of federal crimes committed unresolved and un-
18
19 adjudicated. See Q(2).

20
21 7. R2 is Accessory after the Fact by 3) for R1's crimes against
22
23 Petitioner.

24
25 8. This extraordinary writ is needed for Petitioner to leave Oregon
26
27 and finish the 22 credits needed to complete his PhD and teach
28
29 college-level Environmental Science from his newly published
30
31 textbook (Appendix Three). The illegal lien has finally been
32
33 removed from Petitioner's home title (Appendix Four), but
34
35 Petitioner needs two certified copies of the order (Appendix Four)
36
37 signed and mailed to him to satisfy the innocuous requirements
38
39 of the County Recorder. Why no local judge, especially R1, has

1
2 cared enough to sign this remains a mystery.
3
4

5 **STATED CLAIMS**
6

7 1. Petitioner is a disabled Veteran of the U.S. Army with a pinched nerve in
8
9 his back of Americans with Disability (ADA) level severity. Since first filing
10
11 the Writ by rule 20 on 8/11/2025, Petitioner visited a third-party doctor on
12
13 8/27/2025 who diagnosed Petitioner as having:

- 14
15 1. Multi-level Degenerative Disc Disease
16 2. Facet Arthropathy
17 3. Central Canal Stenosis
18 4. Yellow Ligament Hypertrophy
19

20 He noted that Petitioner has been prescribed strong muscle relaxers that
21
22 can only completely control the pain by essentially drugging him to sleep.
23

24 He also confirmed the many other Doctors who said that this is why
25
26 Petitioner could not get off the couch for two months last November and
27
28 December, the period surrounding the Hearing in question (See Q6).
29

30 These issues can be readily accessed online.
31

32 2. Use of Administrative Law to deny Plaintiff remote access requested due
33
34 to physical disability was and is a violation of ADA, 5th Amendment due
35
36 process of law, and equal protection under the law by the 14th Amendment,
37
38 compared to other compliant Circuits such as the Tenth (See Q4).

1
2 These are all Constitutional issues establishing the Supreme Court's
3
4 jurisdiction. See Q(6).

5
6 Petitioner has found no relief for any of these grievances at
7
8 any level because the entire Ninth Circuit refuses to convene as Article III
9
10 courts under the U.S. Constitution, per Loper Bright. They rest easy in their
11
12 immunity from all correction (See Q5). Petitioner even submitted a very
13
14 politely worded Order for the Chief Justice to sign and distribute to all
15
16 Courts, but it was ignored.

17
18 3. This violation of Americans with Disability Act (ADA) was but one more
19
20 example of R1's typical bias against Pro Se by denying entry of virtually all
21
22 of Petitioner's witnesses, exhibits, and other reasonable requests
23
24 throughout the previous divorce trial. Petitioner was on his couch writhing
25
26 in pain and therefore, requested remote testimony. Yet the judge
27
28 proceeded to rule Petitioner in default for a prima fascia hearing with no
29
30 evidence because he was not allowed to face his accusers in court! See
31
32 Q(6).

33
34 **CONSTITUTIONAL AND**
35 **STATUTORY PROVISIONS INVOLVED**
36

37 Allowance for this Writ is necessary -- indeed essential for survival of a free

1
2 people -- due to universal flaunting of the Supreme Court's Roper, Bright,
3
4 Enterprise landmark decision of June 28, 2024 among judges of the Ninth
5
6 Circuit. The questions posed for review are not isolated incidents, but are
7
8 violations ingrained in the culture and daily routine of the Ninth Circuit
9
10 judges. The violations strike at the very heart of a just legal System and
11
12 have frustrated citizens for decades by Q(x).

13
14 In five unique, substantive lawsuits filed by Petitioner during 2024, the same
15
16 illegal stratagem for dismissal was executed by corporate defense attorneys
17
18 and the Court, in what seems to be a set of unwritten "insider rules."

19
20 Statistically, that means the injustice is systemic throughout the entire Ninth
21
22 Circuit. (See Q(7). This case is but one example, which presents a unique
23
24 opportunity for reform. In the instant case the process proceeded as
25
26 follows:

27
28 1. To set the stage, Defendant refused to appear in the case during the
29
30 21+1 days of time allotted. Why would a rational person do that unless
31
32 aware that they are shielded by some unspoken, insider, protection
33
34 stratagem. See Q(1).

35
36 2. Plaintiff then filed for Summary Judgment by 10) after 21 plus 1 days,
37

1 per Federal Rules of Court Procedure FRCP 12.

2
3 3. With astonishing bias, the judge then ruled to declare the violations
4 frivolous and dismissed them by local Administrative Law, leaving
5 allegations of federal crimes committed un-investigated and un-
6 adjudicated. See Q(3).

7
8 How long will the public tolerate such distortions of justice to prevail under
9
10 the guise of Judicial Immunity? As in a family, it does no good to lay down a
11
12 rule if it is not subsequently enforced. (See Q(5).

13
14 Specifically:

15
16 **1. Federal Court in Portland Oregon Systemic Denial of Due Process of Law:**

17
18 **Article VI, Section 2:**

19
20 This Constitution, and the Laws of the United States which shall be
21 made in Pursuance thereof; ... shall be the supreme Law of the Land;
22 and the Judges in every State shall be bound thereby, any Thing in the
23 Constitution or Laws of any State to the Contrary notwithstanding.

24
25 **Fifth Amendment:**

26
27 No person shall be deprived of life, liberty, or property, without due
28 process of law by 19); nor shall private property be taken for public
29 use, without just compensation.

30
31 The corrupt procedure described above (steps 1-3) makes a mockery of
32 federal rules, the Constitution, and Loper, Bright, Enterprises by 1,
33 denying Plaintiff his "day in court" and due process of law by 19). "Judicial
34 Discretion" must no longer be allowed to violate Federal Rules, such as the
35 21-day deadline for making an appearance. See Q(1). In the instant case,
36 R2 refused to render a summary judgment by 10) for Plaintiff, when Defendant
37 made no appearance within the 21 + 1 day deadline, then used Defendant's
38 tardy and legally flawed arguments to dismiss the case. Judicial immunity

1 must be more carefully defined to balance judicial protection with citizen's
2 Constitutional rights, which are currently vulnerable to any unjust judge. See
3 Q(5).
4

5 **2. Federal Court in Portland Oregon Systemic Denial of Equal Protection of the**
6 **laws:**
7

8 **14th Amendment:**
9

10 No State shall make or enforce any law which shall abridge the
11 privileges or immunities of citizens of the United States; nor shall any
12 State deprive any person of life, liberty, or property, without due
13 process of law; nor deny to any person within its jurisdiction the
14 equal protection of the laws.
15

16 The corrupt procedure described above (steps 1-3) makes a mockery of equal
17 protection under the law among the states and leaves alleged federal crimes
18 un-adjudicated. Judges must be liable for Misprision of Felony by 5) for
19 ignoring clear and convincing evidence of federal crimes due to their frivolous
20 dismissals. See Q(2). A ruling of "frivolous" must no longer be permitted until
21 all facts and law are thoroughly examined See Q(3).
22
23
24
25
26
27

28 **3. Federal Court in Portland Oregon Systemic Denial of "Thorough**
29 **Investigation" for Frivolity:**
30

31 **English Common Law Under Alfred the Great:**
32

33 And the judges shall investigate thoroughly; and if the witness is a
34 false witness and he has accused his brother falsely, then you shall
35 do to him just as he intended to do to his brother. Thus, you shall
36 purge the evil from among you" (Deut. 19:18,19).
37

38 The corrupt procedure described above (steps 1-3) denies the opportunity

1
2 for a "thorough investigation" of clear and convincing evidence of federal
3
4 crimes committed prior to a determination that the case is "frivolous." See
5
6 Q(3). Instead, the determination is based on the judge's subjective
7
8 impressions based on the nebulous concept of "judicial discretion." This is
9
10 nothing more than a return to rule by "Divine Right of Kings" dressed up in
11
12 modern judicial "trade jargon." For this offense that Charles I of England
13
14 was executed.

15
16 **4. Federal Court in Portland Oregon Systemic Denial of Americans with**
17 **Disabilities Act:**

18
19 Americans with Disabilities Act:

20
21 ADA Title II by 12) covers all activities of State and local governments
22
23 regardless of the government entity's size or receipt of Federal
24
25 funding. Title II requires that State and local governments give people
26
27 with disabilities an equal opportunity to benefit from all of their
28
29 programs, services and activities (e.g. public educations,
30
31 employment, transportation, recreation, health care, social services,
32
33 courts, voting, and town meetings).

34
35 A fourth Doctor has now confirmed the severity of Petitioner's ADA
36
37 disability claim which the two Defendant judges dismissed as "frivolous,"
38

1 thus denying Petitioner's right to remote access to a hearing and
2
3 Constitutional rights. See Q(6). Consequent adjustments in the Questions
4
5 for Review and Statement of the Case are also updated. Recently a nurse
6
7 friend took one look at Petitioner's x-rays and stated with emphasis, "O, you
8
9 are in bad shape!" So on 8/27/2025 Petitioner had a third-party doctor's
10
11 exam outside the VA to confirm Petitioner's disability. The doctor displayed
12
13 an image of barbed wire wrapped around the lower spine and Petitioner
14
15 exclaimed, "That's it!" Lower back pain is hard to quantify without an image
16
17 like barbed wire to illustrate.

18
19 This Doctor also said the muscles around my lower spine have an immune
20
21 response is to harden up to prevent more damage. These are also pushing
22
23 on the discs, which are pinching nerves. This doctor said Petitioner needs a
24
25 steroid to relax these muscles.

26
27 Petitioner is a disabled Veteran of the U.S. Army with a pinched nerve in
28
29 his back of Americans with Disability (ADA) level severity. Since filing the
30
31 Writ by rule 20 on 9/05/2025, Petitioner visited a third-party doctor on
32
33 8/27/2025 who diagnosed Petitioner as having:

- 34
- 35 1. Multi-level Degenerative Disc Disease
- 36 2. Facet Arthropathy
- 37 3. Central Canal Stenosis
- 38 4. Yellow Ligament Hypertrophy

1
2 He noted that Petitioner has been prescribed strong muscle relaxers that
3
4 can only completely control the pain by essentially drugging him to sleep.

5
6 He also confirmed the many other Doctors who said that this is why
7
8 Petitioner could not get off the couch for two months last November and
9
10 December, the period surrounding the Hearing in question. These issues
11
12 can be readily accessed online.

13
14 As further proof of the severity of Petitioner's disability, the Veterans
15
16 Administration has scheduled many more appointments in the near future.
17
18 Email received today September 1st, 2025.

19
20 Dear David,

21
22 **This is a reminder that you have one or more upcoming VA**
23 **Appointments.**

24 **Upcoming VA Appointments**

25 Some VA appointments may not be viewable in MyHealtheVet.gov The date
26 and time below reflect the time zone of the scheduled appointment location,
27 all of which are at the Medical Center Division in Portland, Oregon. 503-273-
28 5018

29
04 Sep 2025 @ 11:00 AM PDT
(THURSDAY)

Status: Confirmed

Medical Center Division:
PORTLAND

Clinic Contact Information:
503-273-5018

30

**10 Sep 2025 @ 12:45 PM PDT
(WEDNESDAY)**

Status: Confirmed

Medical Center Division: VA

Video Connect

Clinic Contact Information: 503-
220-8262

1

**15 Sep 2025 @ 08:00 AM PDT
(MONDAY)**

Status: Confirmed

Medical Center Division:
PORTLAND

Clinic Contact Information:
503-273-5018

2

**15 Sep 2025 @ 09:00 AM PDT
(MONDAY)**

Status: Confirmed

Medical Center Division:
PORTLAND

Clinic Contact Information:
503-273-5018

3

**29 Sep 2025 @ 08:30 AM PDT
(MONDAY)**

Status: Confirmed

Medical Center Division:
PORTLAND

Clinic Contact Information:
503-273-5018

4

**29 Sep 2025 @ 09:00 AM PDT
(MONDAY)**

Status: Confirmed

Medical Center Division:
PORTLAND

Clinic Contact Information:

503-273-5018

Note: This information was last updated on 31 Aug 2025 @ 04:08 AM EDT.

For a complete list of all your upcoming VA appointments, go to appointments on VA.gov <https://www.va.gov/my-health/appointments>.

How to prepare for your appointment

Learn about what to bring to your appointment at <https://www.va.gov/resources/what-should-i-bring-to-my-health-care-appointments>.

VA Appointment email address and notification settings

Make sure your email address is up to date in your VA.gov profile to continue receiving email reminder notifications. To change your preferences for appointment reminders and other notifications go to <https://www.va.gov/profile>.

R1 in this case illegally denied Petitioner remote testimony when Petitioner could not get off his couch because of a pinched nerve between two discs in the lower back which closed together over time. See (Q6). This is proved by Images and affidavits in Appendix 3 of people who help Petitioner with daily tasks. R2 assumes the guilt of R1 as Accessory after the Fact by 3), the same corrupt procedure of dismissing the case as frivolous without a thorough investigation. See Q(3). Adding insult to injury the dismissal came when the litigants were two weeks into a negotiated settlement process. No

1 one had informed the judge, but one might be forgiven for asking why she
2
3 didn't reverse the decision when she learned of the error.
4

5 ECF 11 is in violation of 15) 1 and 4 and the three attorneys deserve sanctions of
6
7 1-4 above. In ECF 11, three attorneys were untruthful or confused in alleging that
8
9 Plaintiff didn't state a claim, and that the Rooker-Feldman by 16) doctrine applies.

10
11 However, both assertions are prima facie, false. Appendix 2 contains the civil
12
13 cover sheet with ADA by 12) checked as the Nature of the Federal Complaint
14
15 filed, which was clearly reiterated in Plaintiff's Complaint See Q(6).
16

17 However, ECF 11 in 3:25-CV-00501-AB is a violation of 15), b, 1-4 and the
18
19 first three attorneys on page 2 deserve Sanctions 1-4.
20

21 The Complaint stated that during the period prior to the hearing "Plaintiff at
22
23 that time could not physically get off the couch and requested remote
24
25 testimony which was denied by dishonest and unethical, R1 with his
26
27 premeditated illegal bias 11), 12), 13), and 14) and illegal abuse of
28
29 Administrative Law 27)" (see Appendix 3).

30 The Cause of Action / Claim For Relief Section in the Complaint page 8
31 contains stated claims. Plaintiff apologized that the claims were not all in
32
33 one Section and thanks the Court for making allowance for Plaintiff's lack
34
35 of formal legal training by 2) *Pagtalunan v. Galaza*.

1
2 Claims in Complaint:

3 Pages 8 to 42 in the original Complaint contain material that might be
4 construed as an attempt to "retry the case," when they were intended
5 simply to provide background and illustrate the extent of R1's extreme bias
6
7 in Violations of Judges Code of Conduct by 6). Plaintiff apologized and
8
9 pleaded leniency by 2), lack of legal training.

10
11 The next two items are the Federal Law broken by Defendant in denying
12
13 remote access to the hearing See Q(6).

14 1) Complaint in 3:25-cv-00501-AB pages 42 line 3 to Page 44 line 11 in
15 the (ADA by 12)) complaint, which is the primary federal cause of harm
16 to Plaintiff and therefore the main Statement of Claim.

17 2) The Rooker-Feldman by 16) Doctrine in ECF 11:

18
19 According to the U.S. Supreme Court, "*The Rooker-Feldman by 16)*
20
21 doctrine prevents the lower federal courts from exercising jurisdiction over
22
23 cases brought by 'state-court losers' challenging "state-court judgments
24
25 rendered before the district court proceedings commenced" by 14).

26
27 It does not, therefore, prevent those district court proceedings from
28
29 commencing, as Defendant alleged in ECF 11. Therefore, R1's legal
30

1 counsel asserting in ECF 11 that it applies to this case is perjury by 8) and
2
3 false statements by 17).

4
5 The U.S. Supreme Court goes on to ask, "What Does It Mean to Be
6
7 Inextricably Intertwined?' Section 4 discusses the doctrine's history; this
8
9 Court's attempt to rein the doctrine in under Exxon, what Exxon left
10
11 unanswered, and how the doctrine has been getting used in the wake of
12
13 Exxon. Its findings are still in place today; Rooker-Feldman by 16) is
14
15 misconstrued."

16
17 Thus, by Supreme Court rule, Appellee in the instant case is misconstruing
18
19 Rooker-Feldman by 16). "Rooker-Feldman by 16) doesn't apply because that
20
21 doctrine only prevents moving state cases to federal court under certain conditions.
22
23 But, this case *originated* in Federal court with the filed civil cover sheet on
24
25 3/25/2025 in Appendix three. These decisions in final rulings of unjust R1 and
26
27 illegal dismissal by unjust R2 are in clear violation of the ADA by 12) and due
28
29 process of law by 19).

30
31 Additional violations are: 3), 4) and 5), 22–451 in Loper Bright
32
33 Enterprises v. Raimondo and Relentless by 1), due process of law
34
35 guaranteed by 19), Judges Code of Conduct by 6) and 12), and
36
37 disqualification of wayward Judges by 7).
38

1 The Tenth Circuit has already made the transition to courts under Article III
2
3 by 4), but the Ninth Circuit persists with "business as usual," flaunting the
4
5 authority of the U.S. Supreme Court. See Q(4).
6

7 Please order all courts to convene as Article III courts, consistent with the
8
9 Loper Bright Enterprises Decision by 1), to include all courts down to the
10
11 traffic courts. Such an order would dramatically reduce the number of
12
13 appeals. Thus, Petitioner asks the U.S. Supreme court to re-issue an
14
15 order or memorandum for all federal, state and local courts to
16
17 convene as Article III courts by 1) Loper, Bright, Enterprises
18
19

20 Summary

21

22 As the Court is well aware, any Judge can be impeached by Congress or
23
24 removed by the U. S. Supreme Court. Article III of the U. S. Constitution
25
26 confirms this. Additionally, the fact that two federal Judges were recently
27
28 arrested with Congressional impeachment proceedings against them
29
30 is further proof. Judge R2 in Portland, Oregon let a criminal alien go
31
32 free illegally
33

34 <https://www.courts.mt.gov/courts/2025/01/14/Judge%20R2%20and%20Judge%20R3%20released%20from%20custody%20after%20being%20arrested%20on%20charges%20of%20misprision%20of%20felony%20and%20obstruction%20of%20justice>
35
36

37 R2 also can be charged with 66 counts of Misprision of Felony by 5) for

1
2 failing to adjudicate properly in 3:25-CV-00501-AB
3

04/17/2025	<u>10</u>	Final Motion for Judgment on the Pleadings . Filed by David White. (Attachments: # <u>1</u> Supplement case facts to support complaint, # <u>2</u> Supplement exhibits for hearing, # <u>3</u> Proposed Document motion to fix plaintiffs home title, # <u>4</u> Proposed Order to fix plaintiffs home title) (White, David) (Entered: 04/17/2025)
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- 4 • [https://thelawisyourattorney.com/sample-page/unethical-judge=
5 bailey/.](https://thelawisyourattorney.com/sample-page/unethical-judge-bailey/)
6

7 The Federal DOJ and Homeland Security are aware of this and will likely
8
9 arrest her like the two other Federal Judges recently.

10
11 It is "the right and responsibility of the Congress" to impeach a "wayward
12
13 judge" and the U.S. Supreme Court also has the Constitutional right and
14
15 responsibility to remove a wayward Judge. Therefore, R1 and R2 must be
16
17 removed, disqualified, and charged with their crimes.

18
19
20
21 **CONCLUSION**
22

23 This case was and still is an ADA Case by 12), violations of due process of
24
25 law by 19) and nothing else. See Q(6). R1 violated ADA by 12) and due
26
27 process of law by 19) by denying remote access and failure to correctly
28
29 adjudicate sixty-six well-documented felonies filed in the Federal case as
30
31 ECF 10. R2 violated the same by accessory after the fact to R1's well-
32

1 documented crimes.

2
3 Petitioner humbly asks the Supreme Court to enjoin by 4) R2 in this action

4
5 by FRCP 20, for the amount of \$10 million each for R1 and R2 paid to

6
7 Petitioner for extreme physical, emotional, psychological, elder abuse and

8
9 financial harms. Appendix 1 contains the Federal Court illegal dismissal.

10
11 Appendix 2 contains proof of Plaintiff's pinched sciatic nerve which runs

12
13 down the left leg and triggers a fall if Plaintiff is not using a walker.

14
15 Appendix 4 is an Order to remove court documents from Plaintiff's

16
17 Home title that the obdurate Judge Bailey refuses to sign for no good

18
19 reason except bias 11).

20
21 The illegal Lis Pendancy filed on Petitioners home on August 4th, 2022

22
23 has finally been removed after a year. But, Petitioner needs two court

24
25 certified copies signed and shipped to the address on the proposed order.

26
27 Therefore, Petitioner humbly requests the Supreme Court to order the

28
29
30 Prayer for Relief. Thank you for reading this entire WRIT.

31
32 **PRAYER FOR RELIEF**

33 Rulings requested

34
35 1. Petitioner hereby respectfully requests the Court

36
37 to a ruling that two court certified, signed copies of the

1 document in Appendix 4 be shipped in a flat envelope with DO

2
3 NOT BEND affixed to it, to the address in Appendix 4.

4
5 2. Petitioner hereby respectfully requests the Court

6
7 to enjoin by 4) R2 and change the value to \$10 million for

8
9 R1 and R2 each to pay to disabled veteran Petitioner. Recent Jury

10
11 awards for violations of ADA range from \$1.67 million to \$120 million

12
13 in recent years.

14
15 3. Petitioner humbly asks the Court for a ruling to affirm that:

16 County or Parish Dissolution Judges do not have jurisdiction to

17
18 garnish funds outside either their County or Parish or the State in

19
20 which the court is located. This would be similar to the U.S. Supreme

21
22 Court in 24A1079 where Federal Judges have no authority outside

23
24 their jurisdiction (See Q4).

25
26 4. Petitioner humbly asks the Court for a ruling that removes

27
28 wayward R1, who has forfeited Judicial Immunity by convening

29
30 as an Administrative Law Court in violation of Loper Bright.

31
32 See Q(7). Then, please notify the Federal Prosecutor in

33
34 Portland, Oregon to contact Plaintiff for the documents which

35
36 prove un-adjudicative felonies by R1 and charge R1 will sixty-

1 six counts of Misprision of Felony and four perjuries with false
2
3 statements of R1. See Q(2).
4

5 5. Petitioner humbly asks the Court for a ruling that charges R2 as
6
7 Accessory after the Fact for R1 crimes.
8

9 6. Petitioner humbly asks the Court for a ruling to contact the
10
11 Federal Prosecutor in Portland Oregon to arrest R1 and R2
12
13 also to request files from Plaintiff with which to charge them.
14

15 David White Pro Se 9/5/2025

16 
17

18 CERTIFICATE OF SERVICE

19 I hereby certify that on 9/5/2025, a true and correct copy of the above
20 document shipped filed with the Clerk of the Supreme Court using
21 Fedex. A copy of the document will be served upon interested parties.
22 via email by ORCP 9 C 3.
23

24 Additionally, a courtesy copy is being provided as follows:
25 Also emailed to defendants by email service of
26 thelawisyourattorney.com
27

28 Via hand delivery
29 Via U.S. Mail, 1st Class,
30 Postage Prepaid
31 XX Via Overnight Delivery
32 Via Facsimile
33 XX Via Email
34 Via CM/ECF notification
35 to the extent registered DATED: 9/5/2025

1 By: David White

2
3
4 **APPENDIX 1 Illegal Dismissal**

5
6 The Extraordinary Writ by Rule 20 is needed so Disabled Petitioner can sell
7
8 his home and move out of state to finish his PhD and Teach. Writ of
9
10 Mandamus is necessary because the lower courts in the Ninth Circuit are
11
12 very biased against Pro Se. The Writ of Prohibition is needed to prohibit the
13
14 Ninth Circuit from illegal rulings with administrative law by 1). This Writ
15
16 shows R1 violated ADA by 12 and Due process of law by 19. R2 is
17
18 accessory after the fact for R1's crimes by 3). Federal Court District of
19
20 Portland Oregon illegal biased by 11) and administrative law order. This
21
22 Order is almost a copy of perjury by 8) and false statements by 17) of ECF
23
24 11. Therefore, Petitioner humbly asks for the U. S. Supreme Court to review
25
26 this illegal order with the review based on the case facts here in.

27
28 05/28/202525 OPINION & ORDER: For the reasons discussed in the
29 attached, Defendant's Motion to Dismiss (ECF 11) is GRANTED, and
30 Petitioners Complaint is dismissed with prejudice. All pending motions are
31 denied as moot. Signed on 5/28/2025 by Judge Amy M. Baggio. (jp) (Entered:
32 05/28/2025)

33
34 The judgement above is perjury by 8) and false statements by 17) of ECF
35
36 11 described above and must be vacated by FRCP 60.
37

38 **End of Appendix 1**