

No. _____

**IN THE
SUPREME COURT OF THE UNITED STATES**

KAREEM SALESSI

Petitioner,

v.

**“WACHOVIA MORTGAGE, FSB FKA WORLD
SAVINGS BANK, FSB, A FEDERAL SAVINGS BANK”
[a Fictional Non-Entity], Respondents.**

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

PETITION FOR A WRIT OF CERTIORARI

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QUESTIONS PRESENTED

The question presented is whether the systemic chain of events in three tiers of California courts, beginning with Judge William Monroe's failure to recuse himself, leading to the summary denials of: a statutory writ; several appeals; and two petitions for review (by its Supreme Court), all without mandatory bankruptcy relief-from-stay orders, and in spite of an existing quiet-title arbitration, in addition to a pending civil federal rights action against the judge, rise to unconstitutional levels, in violation of petitioner's due process, thus rendering trial and appellate court proceedings void *ab initio*, pursuant to California judicial challenge laws, federal bankruptcy laws, and based on the due process thresholds, as refined by this court in *Caperton v. A.T. Massey Coal Co.* (2009), [129 S.Ct. at p. 2259]

Sub-questions presented for review are:

- 1- Do the trial, and appellate, court proceedings without any bankruptcy court relief-from-stay orders violate due process?
- 2- Can a judge who calls himself "A NUTCASE" in open court, as a threat, pass the *Caperton* constitutional due process threshold to sit as a judge?
- 3- Did the appellate court fail to recognize bias from the record?
- 4- Did the appellate court fail to recognize bias from the record, owing to its own predispositions due its publicized policy to deny all writs?
- 5- Does the California Judiciary have pecuniary interests in the foreclosure of California real estate

in order to add value to CALPERS leading to its conflicts of interest, thus precluding it from adjudicating such cases?

PARTIES TO THE PROCEEDING AND RULE 29.6 STATEMENT

In addition to the parties named in the caption, Fidelity National Agency Sales & Posting (Fidelity), were defendant-appellants below and are respondents in this court. Fidelity had been inadvertently omitted from the underlying Petition For Review (PFR) (S194916- 2011 WL 3560103).

Pursuant to petitioner's knowledge Fidelity is a wholly owned subsidiary of Fidelity National Financial (FNF). FNF's subsidiary title companies have reportedly issued more than 1/4th of the United States real-estate title policies. FNF acquired Commonwealth Title Insurance in 2007.

Pursuant to petitioner's uncontested documentations, the undersigned counsel for Wachovia have repeatedly filed contradictory and false corporate status reports, and corporate ownership reports, and appeared under false, and fictional unregistered names, in these, and numerous related court proceedings.

However, according to a Wachovia counsel local to this court, Wachovia no longer exists, as quoted from 2010 "NOTICE OF REMOVAL" filed in the Washington D.C. District Court of Judge Collyer available at (2010 WL 4236437), stating at ¶11: "Wachovia is an inactive North Carolina corporation without a principal place of business". Therefore, Wachovia should probably not be entitled to file any documents in this court, and was probably not entitled to have filed any documents in any other courts.

Petitioner's latest Freedom Of Information Act Request (FOIAR) FOIA#2012-00208-F to the U.S. Treasury is

currently pending, regarding the changes in the official capacities of Wachovia, and its related entities.

TABLE OF CONTENTS:

| | <u>Page#</u> |
|---|--------------|
| QUESTIONS PRESENTED | i |
| PARTIES TO THE PROCEEDING AND RULE 29.6 STATEMENT | iii |
| TABLE OF APPENDICES | vi |
| TABLE OF AUTHORITIES | vii |
| OPINIONS BELOW | 1 |
| JURISDICTION | 1 |
| CONSTITUTIONAL PROVISIONS INVOLVED | 1 |
| STATEMENT | 2 |
| PROCEDURAL HISTORY | 7 |
| DRUG MONEY BUYS WORLD SAVINGS BANK | 12 |
| THE UNDERLYING CASE TO THESE APPEALS AND THE GAMING OF JUDICIAL CHALLENGES | 13 |
| BANKRUPTCY RELIEF-FROM-STAY VIOLATIONS | 21 |
| VIOLATIONS OF AMERICAN ARBITRATION ACT | 23 |
| JUDGE MONROE CALLING HIMSELF "A NUTCASE" IN OPEN COURT | 24 |

| | |
|--|-----------|
| THE 8/23/11 FILING PROMPTED DISMISSALS | 25 |
| REASONS FOR GRANTING THE PETITION | 27 |
| Questions Presented are Exceptionally Important To Preserve Public Confidence In California and State Court Systems Across The Nation | 32 |
| CONCLUSION | 36 |

TABLE OF APPENDICES:

Appendix A:

California Supreme Court order dated: 8/24/2011

California Court of Appeal Dismissal dated: 9/1/2011

Appendix B:

Opinion of California Court of Appeal dated: 6/8/2011

Appendix C:

Subpoenaed Letter of Commonwealth Title of 3/28/06

Appendix D:

Summary Denial of Judicial Challenge Writ G040713

Appendix E:

California Supreme Court order dated: 9/10/2008

Summarily Denying to Review Writ Peition G040713

Appendix F:

Subpoenaed Lenders Closing Instructions of 11/4/2002

Appendix G:

THE AMERICAN MELTDOWN

TABLE OF AUTHORITIES:

CASES FOLLOWED BY PAGES NUMBERS:

Buckeye Check Cashing, Inc. v. Cardeona (2006) 546 U.S. 44023

Caperton v. A.T. Massey Coal Co. (2009), [129 S.Ct. at p. 2259],2, 3, 5, 22, 24, 27

Christie v City of El Centro (2006) 135 CA4th 767...19, 28

Hamdi v. Rumsfeld, 542 U.S. 507, 124 S.Ct. 2633..... 30

In re Gruntz (9th Cir.2000) 202 F.3d 1074.....22

In re Marriage of Sprague & Spiegel...(2003)105 Cal.App.4th 215 21, 28

In re Murchison, 349 U.S. 133, 136, 75 S.Ct. 623,(1955).... 1

In re Veal, (9th Cir.BAP (Ariz.)), (2011),AZ-10-1055-MKKIJU.....1

Mistretta v. United States, 488 U.S. 361, 407 (1989).....2

Olson v. Cory (1980) 27 C3d 532, 537,32

People v. Freeman (2010) 47 Cal.4th 993,.....3, 5, 27

Roth v. Parker (1997) 57 Cal.App.4th 542,.....5, 42

People v. Brown (1993) 6 Cal.4th 322,..... 5, 42

People v. Ault (2004) 33 Cal.4th 1250,9, 29, 33

***People v. Lavergne* (1971) 4 Cal.3d 735..... 29**

Ward v. Village of Monroeville, 409 U.S. 57 (1972)..9, 15, 30

***Watters v. Wachovia Bank, N.A.*, 550 U.S. 1 (2007)....13**

***Withrow v. Larkin*, 421 U.S. 35, 47, 95 S.Ct. 1456, (1975)....2**

PETITION FOR A WRIT OF CERTIORARI

Petitioner Kareem Salessi (Salessi) respectfully submits this petition for a writ of certiorari to review the judgment of the Supreme Court of California.

OPINIONS BELOW

The opinion of the Supreme Court of California, and a related appellate order, are at (Appendix A). Opinions of the California Fourth Appellate District Court Division Three (4th-Appellate-3) are at (Appendix B).

JURISDICTION

The Supreme Court of California entered judgment on August 24, 2011. The Jurisdiction of this court is invoked under 28 U.S.C. §1257(a).

CONSTITUTIONAL PROVISIONS INVOLVED

The Fourteenth Amendment to the U.S. Constitution provides, in relevant part:

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

U.S. Const. amend. XIV, § 1.

STATEMENT

To uphold the “reputation for impartiality and non-partisanship” - and, ultimately, the “legitimacy” - “of the Judicial Branch.” *Mistretta v. United States*, 488 U.S. 361, 407 (1989), this Court has consistently emphasized that:

““It is axiomatic that “[a] fair trial in a fair tribunal is a basic requirement of due process.”” *Caperton v. A.T. Massey Coal Co.* (2009), [129 S.Ct. at p. 2259], citing *In re Murchison*, 349 U.S. 133, 136, 75 S.Ct. 623, 99 L.Ed. 942 (1955), and further declared:

““under our precedents there are objective standards that require recusal when “the probability of actual bias on the part of the judge or decision maker is too high to be constitutionally tolerable.” *Caperton, supra*, citing *Withrow v. Larkin*, 421 U.S. 35, 47, 95 S.Ct. 1456, 43 L.Ed.2d 712 (1975). Applying those precedents, we find that, in all the circumstances of this case, due process requires recusal.””

This case presents the court the opportunity to clarify the prevailing judicial environment in California, where statutory judicial challenges are systemically gamed, and defeated, in California Superior Courts, or are decided arbitrarily by its appellate court’s self-confessed blanket denials of statutory writ-petitions, all to the detriments of aggrieved parties. With its landmark *Caperton* decision *supra*, this court refined its unconstitutionality yardstick to the finding of a mere “potential for bias”, (*Caperton* at p. 2262), as the ultimate standard and can now enforce those

standards in California courts, which have defied *Caperton*.

In August 2010, when under duress, and in absence of a lack of relief from stay order from petitioner's Chapter-11 case #8:09-bk-13791ES to proceed, petitioner's Opening Brief was filed in the California Court of Appeal, not only *Caperton* had been decided and published by this court, but also *People v. Freeman*¹ had been published, in which the California Supreme Court forensically dissected *Caperton* to its elements reiterating from it that "the due process clause provides the "constitutional floor" in matters involving judicial disqualification". *Freeman, supra*, further continued to quote *Caperton* as follows:

"As the court also observed, the states have moved to adopt judicial conduct codes to eliminate "even the appearance of partiality". Also: "Because the codes of judicial conduct provide more protection than due process requires, most disputes over disqualification will be resolved without resort to the Constitution. Application of the constitutional standard implicated in this case will thus be confined to rare instances." *Freeman, supra*, (citing *Caperton* at p. 2266).

The above *Caperton* constitutional due process standard, of "potential for bias", must be implicated in the instant case, against the lower courts' decisions, because the judicial bias went beyond the border of

¹ *People v. Freeman (2010) 47 Cal.4th 993, 222 P.3d 177.*

Please Note: This petition will soon be available online at:

Google: "Salessi Petition for a Writ of Certiorari" with live links to the referenced documents.

“potential”, and even egregious, by reaching cynical, as well as criminal levels, which may be the reason that the California Appellate, and its Supreme Court, decided to contain Salessi’s challenges by summary denials at all levels. Judge Monroe’s behavior had been way out of line in many ways including, but not limited to, the following un-judicial acts:

- Ignoring the codified mandates of the California Codes of Civil Procedure (CCP) §§170.1-170.9, thus treating the statutes as nullity (PFR);
- Overtly, and covertly, conspiring with opposing counsel to defeat the challenges by solicited oral, and written, extortions;
- Conversion of court documents by removal from court file; by alteration of court-reporter transcripts; by alteration of court documents;
- Judge Monroe’s self-admission of being “A NUTCASE” in open court, as an apparent threat directed at petitioner, while waiting to be heard, on 9/23/08;
- Continuing to grant false motions, and false money judgments, to fictional defendants with total disregard of petitioner’s Chapter-11 case filed on 4/28/09, and in violation of 11 USC §362, et seq.;
- Total disregard of petitioner’s active quiet-title arbitration regarding the subject property of the lawsuit;
- Total disregard of petitioner’s Federal Civil Rights action filed against the judge, on 3/11/09, which created new grounds for recusal;2

2 Federal Case # SACV 08-01274 DOC (2009 WL 3873625) had been published and is made available by:

Google: “KAREEMSALESSI-Federal Case-part1”

The material facts contained in the complaint must be deemed true

However, as petitioner Salessi documented in his appellate briefs, and in the follow up Petition For Review (PFR- S194916) to the Supreme Court of California, in this case, the Superior Court's handling of Judge Monroe's judicial challenges totally ignored all the codified mandates referenced above, thus rendering the challenge statutes a nullity, while leaving constitutional due process the only remedy of last resort on appeal, in the consolidated appellate cases G040958- G041464 (2010 WL 3777367), where the court in its summary ruling stated in part:

""To the extent Salessi's appeal can be construed as a "nonstatutory constitutional challenge[] to the judgment," we conclude following our independent review of the record that there is no evidence of any judicial bias in this case. (*Roth v. Parker* (1997) 57 Cal.App.4th 542, 548-549; see also *People v. Brown* (1993) 6 Cal.4th 322, 332-337.)""

With the above ruling, the California Appellate Court effectively disregarded all that had been accomplished by this court, in *Caperton, Freeman*, and beyond. Later, Salessi's (PFR- S194916) was also denied without an opinion. This court should grant review, in part to overturn the above decisions of the state courts and to render void *ab initio* the trial court's rulings, while implementing the judicial challenge against Judge Monroe, by enforcing this court's due process constitutional standards, through all levels of California courts, as refined in *Caperton*.

true since they have NOT been contested. Although newly discovered facts complement the above complaint, its contents are adopted herein with this reference.

This Court's review of the California Supreme Court decision above is warranted to provide authoritative guidance to them, and to California's lower courts, to restrict the gaming of the facially strict California judicial disqualification laws in the ways described by Salessi in his appellate briefs and in his Petition For Review (PFR-S194916). Their failure to recognize Judge Monroe's evident bias against petitioner conflicted with the constitutional recusal standards articulated by this Court; conflicted with California judicial disqualification laws; denied Salessi his due process rights, and substantially undermined the integrity and reputation of the California judicial system.

PROCEDURAL HISTORY

In 2004 Salessi filed his first related lawsuit in the Orange Superior Court (Orange Case #04CC11080). The case arose from a 2002 robo-signing scheme, among a forgery triad run by First Team Real Estate/Coast Cities Escrow, World Savings Bank, and Commonwealth Title Insurance, which had probably contemplated thousands of similar forgeries in which the above triad forged the loan-closing, and grand deed, documents with which they cashed the loan proceeds, together with buyers' down payments, gave them forged grant deed, similar to the one given to Salessi, and years later stole the houses from them with the pretext that the buyers never had legal titles to begin with!

Salessi was victimized by this triad in an exact modus operandi forgery scheme, as described above. Petitioner Salessi called this real estate laundering, coupled with money laundering (AOB 6). In the instant case, the above triad pretended to have sold a residential property on Aloma Ave, in 92677 (Aloma) to Salessi by forging his loan and deed documents, stealing his money, cashing loan funds, and giving Salessi a worthless forged grant deed, after escrow had already been cancelled in writing!

Nine years later, on 10/25/2011, upon a federal bankruptcy subpoena in a related Chapter-11 adversary proceeding (Case #11-ap-1197ES), among the documents discovered, was a letter dated March 23, 2006 (Appendix C) proving that Commonwealth Title Insurance (Commonwealth) was directly involved in the forgeries, and of the identity of the 2002 forger/s. In spite of this knowledge of the forgeries Commonwealth had promptly acknowledged, and recorded, the forged

loan and deed documents in the Orange County Hall of Records, a popular hub of counterfeit crimes.³

Another concealed document which surfaced on 10/25/11, at (Appendix F) was the loan closing instructions from World Savings, as the condition to close escrow and release funds. The document demands missing other documents which must be completed to close the escrow and disburse funds. However, since escrow had already been cancelled in writing, the forgery triad above robo-signed all the documents and cashed \$55,000 of Salessi's entrusted funds, plus any proceeds of the loans. Thus, the recently publicized robo-signing scandals accused of signing forged foreclosure papers, were actually creating (by forgeries) the majority of the loans currently foreclosed on, according to uncontested testimony of Paul Bishop, a World Savings whistle-blower in his Alameda County lawsuit, with a partial testimony viewable at: YouTube: "CBS 60 Minutes World of trouble"⁴.

According to Paul Bishop loan document forgery was a modus operandi crime of World Savings.

According to the standard practice, and for the purpose of crime-fraud, namely to prevent Salessi from discovering any details of their elaborate forgery operations, and to commit additional frauds during the litigation of (Orange Case #04CC11080), the 2004 defendants resorted to liability insurance lawyers. Shortly before trial date, the trial court judge (Nakamura) was reassigned to another court, and the represented defendants were dismissed primarily by defense attorneys' frauds on the new court which was unfamiliar

3 GOOGLE: ""ORANGE COUNTY RECORDER IS HUB OF COUNTERFEIT CRIMES""

4 Paul Bishop Declaration at:

Google: ""World Savings Forgery of Loan Docs. p.13""

with the case. Default prove-up trials against the remaining defendants (who had no liability insurance) resulted in judgments totaling \$825,000 for Salessi, rendering him the prevailing party.

In late 2007, while an appeal was pending (G038002) against the dismissals of the above dismissed defendants, Salessi obtained forensic expert's testimony of the 2002 forgeries and passed them on to defendants World Savings, and to Commonwealth. World Savings' former attorneys were honest and withdrew from the case upon the actual proof of forgeries by expert, while Commonwealth offered to open an arbitration proceeding, which was ordered reinstated by the bankruptcy court, on 12/6/10, but is still pending.

World Savings, on the other hand, promised Salessi to commence investigations, regarding the forgeries, but instead secreted a fraudulent non-judicial foreclosure by ambush with the assistance of new lawyers who committed numerous criminal acts in the course of these cases, among them confessing to have forged the 2002 loan and deed documents, but claiming that since Salessi's grant deed and loans had been forged, Salessi's title was invalid thus the court should allow the bank to steal his house under the pretext of a non-judicial foreclosure, despite the fact that the bank had no loan, nor any valid liens, thus no standing, and in spite of their blatant confessions to the forgeries.⁵

As it is well known, in this, and similar California cases, courts have bent over backwards to accommodate lenders' wishes in granting them judgments by accepting only perjured affidavits of their lawyers, or other hired guns commonly known as "ROBO-SIGNERS", fabricated to stage foreclosures.

5 (2011 WL 2304200) (9th Cir.BAP (Ariz.)), *In re Veal*, June 10/2011, AZ-10-1055-MKKIJU;

As an example, MERS, which is only a computer database (i.e. a collection of files), was in fact engineered as the nationwide application of robo-signing to the creation, and assignment, of mortgage loans created by computer-based forgeries; making the forgeries untraceable to public records; and to facilitate the colossal number of staged foreclosures which we have encountered since 2008. MERS modus operandi motive was to prevent any public-records documentations relating to mortgages, in order to pledge each mortgage to countless mortgage pools, resulting in the creation of unlimited counterfeit computer-money in the form of derivatives.⁶

The Federal Reserve System has been a similar colossal computer-money counterfeit operation (AOB 7), as proved by Salessi in 2004, and as confessed by its chairman, Mr. Bernanke.⁷

One of lenders' messages to homeowners is that since people have negative equities in their homes, they no longer own them, and thus they must abandon them, never mind that most lenders can't produce any originally recorded proofs that they have any rights to claim those properties (AOB 6-10);(ARB 1-5).⁸

These negative equities were engineered by the lending industry to plunder the bulk of the American real estate, under the disguise of foreclosures, and to destroy its economy and society as discovered by Salessi in 2002/3, and disclosed in his Orange Case #04CC11080,

6 YouTube: "Housing Shock - A report from 60 Minutes"

See also at WESTLAW: "548 PLI/Real 185" Provided by: Mortgage Electronic Registration Systems, Inc. (MERS CORP, Inc.)

7 YouTube: "Get out of US Dollars or perish with the middle class!" & "Ron Paul : Fed is the Biggest Counterfeiter in the History of the World 12/2/10" & "Fed Chairman Bernanke On The Economy".

8 Google: "8/11/10 Opening Brief G040958-Bank Modus Operandi Crimes"; also Google: "Appellant's Reply Brief as Exhibit to RJN"

unveiling in detail the mechanics of the modern American Credit Counterfeit Industry (ACCI), falsely named "lending industry".⁹

Also, according to the 10/25/11 discovery, in 2002 Commonwealth, having played a crucial role in the forgeries, had also issued the subject property's joint title and lender policies. However, in 2008, when Commonwealth had induced an active arbitration with Salessi with the pretext of clearing his forged title, Fidelity was secretly assisting Wachovia to steal Salessi's house, without disclosing that Fidelity and Commonwealth were in fact the same, thus backstabbing Salessi, while holding out the arbitration as bait! This is a fundamental problem when a single alter ego, such as Fidelity, disguised as multiple corporate persons, inflicts irreparable harm on vulnerable people from multiple directions by ambush, just as the harm inflicted on this petitioner.

9 Google: "Orange County Plaintiff's detailed account of today's financial collapse"

DRUG MONEY BUYS WORLD SAVINGS BANK

Meantime in 2006, Wachovia, which had engineered an elaborate global drug money laundering infrastructure (Google: "Wachovia Drug Cartel"), purchased World Savings, and its mortgage portfolio, with around 1/5th of the \$1/2 trillion drug dollars, which Wachovia confessed to have laundered during the past decade.¹⁰ However, in January 2009, long before the above 3/17/10 confession, Wachovia had already transferred (i.e. Laundered) its drug funds, together with its drug funded assets, into Wells Fargo, in order to prevent the forfeiture of the assets upon the expected drug convictions on 3/17/10, and the inevitable elimination of Wachovia entity names on 3/20/10. The sham Wachovia entities having been criminalized, as fruits of poisonous trees, had become subject to mandatory drug-money forfeiture, upon the 3/17/10 confession, and by the operation of law, pursuant to *inter alia*, 21 USC §853 (1982-asset forfeiture laws).

As of 3/20/10, upon Wachovia's historic confession of judgment, the DOJ allowed Wachovia to avoid statutory forfeitures by literally going underground and concealing its criminal dirt under the larger rug of Wells Fargo, while pocketing at least \$60 billion of TARP, and other, funds as subsidies, even though it was sailing in \$1/2 trillion drug cash! In reality, Wachovia's drug-funded assets had since long been laundered into Wells Fargo (ARB 19).

10 Google: "7-15-11 Uncontested FEDERAL COURT Testimony Against Wachovia"

Google: "12/2010 DOCUMENTS FILED IN FEDERAL COURT";

Google: "Wachovia Enters Into Deferred Prosecution Agreement";

In fact, during Wachovia's innocent appearances in this court in the case of **Watters v. Wachovia Bank, N.A.**, 550 U.S. 1 (2007), Wachovia was at the height of its drug money laundering operations, and thus its appearance in this court as a legitimate bank counts as the most egregious type of crime-fraud and subversion on this court, thus calling for indictments of its executives, for appearing as a legal entity. In addition, pursuant to 21 USC §853, the above case's attorneys' fees could be confiscated by Ohio, since their lawyers must have known that Wachovia was laundering drug money by plane-loads, throughout the above litigation. Similar forfeiture of attorney fees apply to the lawyers litigating against Salessi.

THE UNDERLYING CASE TO THESE APEPALS AND CALIFORNIA COURTS' GAMING OF JUDICIAL CHALLENGES

Probably due to the forgeries, as to the Aloma property no assignments of rights, or of anything else, had ever been effectuated from World Savings into Wachovia, in spite of the fact that Wachovia's name had been fraudulently interjected in the injunction action which Salessi filed to enjoin World Savings' foreclosure by ambush, while trying to quiet his tile by arbitration. This injunction action, which is the underlying case to this petition, was filed on 6/4/08, upon World Savings' threat to steal the house, under the pretext of foreclosure, even though they had confessed to have taken foreclosure off calendar, owing to their proffered forgery investigation-which turned out to be a new fraud.

The underlying case to this petition was to be assigned to Orange Superior Court Judge Kirk Nakamura, the same judge who had originally heard the Orange Case #04CC11080. However, because on the early morning of 6/4/08, Judge Nakamura could not be located in the courthouse, in order to hear the emergency Temporary Restraining Order (TRO), the case was temporarily sent to Judge William Monroe's for a possible hearing on the TRO, to be later assigned to Judge Nakamura for all purposes. Therefore, the case was never assigned to Judge Monroe, or anyone else for all purposes, in order to trigger the 10 day deadline to file a preemptory challenge, on the basis of CCP §170.6. (AOB 20). California Rules of Court, 3.501, et seq., and rule 3.521, et seq., mandate that cases subject to civil case management must indicate the name of the judicial officer assigned for all purposes in the caption of the document, as enumerated in rule 314 (formerly 435).

Salessi was represented by counsel only in the TRO hearing, whereupon Judge Monroe began making disparaging remarks against Salessi, and while vowing to force Salessi pay all of defendants' attorneys' fees if he couldn't prevail, and disregarding the fact that Salessi had already prevailed in the original Orange case #04CC11080. Judge Monroe then demanded a TRO bond and dashed off the bench once Salessi's counsel began to raise objections to the bond, thus avoiding to hear any objections. That was the first blatant undue process in the Monroe court. During the TRO hearing, having received the papers only minutes earlier, Judge Monroe challenged the forged nature of the grant deed, without considering the forensic evidence attached, while attempting to fabricate his opinion that there were no forgeries! (PFR 8) (AOB 29).

The enumerated prejudicial statements of the TRO judge on 6/4/08, at inception of the case, retroactively disqualified him as to that date, upon the service of challenge on 7/8/08 (AOB 17).

Judge Monroe was never assigned for all purposes to the case, which case was going to be assigned to Judge Nakamura, the same judge who had originally heard the Orange Case #04CC11080. The preliminary injunction hearing in the Monroe Court was set for the afternoon of 7/8/08. On the morning of 7/8/08, Salessi served Judge Monroe the judicial challenge papers, on the basis of both of the applicable California Codes of Civil Procedure (CCP), in particular CCP §170.1 (for cause), and CCP §170.6 (peremptory challenge). The gaming of the challenges by Judge Monroe, the presiding judge of the Superior Court, the Appellate Court, the Supreme Court, and again the appellate court followed.

After the 7/8/08 challenges, and while the Writ proceeding which followed, and the PFR following the Writ were in the pipelines, Judge Monroe continued to render rulings against Salessi, by awarding them illusory attorney fees, and by regularly asking the bank's counsel to assure that Salessi's house was stolen without further delays [under color of law]. Further, the judge prevented the court-reporter to provide Salessi with the 7/8/08, and the 7/15/08, transcripts for a considerable period. Eventually, when Salessi received the overdue transcript, it was clearly forged, by redactions and alterations. Following the forgeries, the court-reporter disappeared, allegedly having moved to Canada. Salessi's confrontation of the judge, and the court reporters' administrative offices, about the forgeries resulted in the Judge's actual admission to the forgery (AOB 21-22).

The behavior of Judge Monroe became so erratic that Salessi had to serve him a second, and a third challenge for cause, pursuant to CCP §170.1. On each occasion, the illegal brain-storming and conspiracy with defense counsel occurred in open court, to defeat the challenge (AOB 24).

In his consolidated Appellant's Opening Brief (AOB 26-27), and his Petition For Review (PFR 10), Salessi documented the California Appellate Court's publicized policy of blanket denials of all writs to cynical levels (PFR 10) as presented by the court's justices in a public seminar, attended by over 100 lawyers and judges¹¹.

In disbelief of the lawyers attending the presentation, the appellate justices gave assurance to county judges that the appellate court's modus operandi was to deny all writs [including judicial challenge writs] on a serial basis and, thus conveying the message that judges could arbitrarily deny all judicial challenges at their pleasure, disregarding all the mandates of CCP §§170.1-170.6 statutes, and related case laws, thus rendering them worthless. In the past few years, such daunting practices have brought disrepute to Orange County courts, and to the California Judicial System, since they have been abused against aggrieved citizens, on grand scales.

Orange County, California (OC) had historically been an honest rural farming community, growing cattle and oranges. Within two decades (1980-2000), in conjunction with a boom in housing, OC transformed into a primarily service-industry society, and became riddled with fraudulent practices, to the point of being

11 Justices declared that their Appellate Court discards all writs upon filing, but cashes the checks anyway, because writs are a great source of revenue!

nicknamed "the world capital of fraud", by local private investigators. The volume of OC fraud escalated many folds during the past decade's bank-heists by banking insiders, encompassing its local public establishments, such as county recorders and assessor's offices, law enforcement departments, and its courts. It's famous Sheriff Michael Carona (a/k/a America's Sheriff), was convicted on multiple federal charges and is currently in federal custody. Carona's office refused to investigate the frauds, and forgeries, of Salessi's case, despite countless follow-ups. (AOB 12)

Orange County courts have operated in many ways contrary to the mandates of statutes, and government codes, by permitting routine abuses of the courts' loopholes, and by overlooking illegal manipulations of court files by court-staff, such as by dishonest judicial officers. For example, in the instant case, and in two other recent OC cases of petitioner Salessi had documented the illegal removals of vital documents from court files; replacement of original documents with fabricated ones; addition of fabricated documents to court file; and forgeries of court reporters transcripts. In the instant case, all of the above illegal acts occurred, all of which are not only in violation of Salessi's constitutional due process rights but also cross the boundaries of crimes, committed by court staff. Salessi has published many of these documentations on his weblog <http://KareemSalessi.wordpress.com>, linked at www.Salessi.com.

Unfortunately, in all the referenced Salessi cases, the above routine illegalities had been supported by: the OC Courts' administration; the OC Appellate Panel; the Fourth Appellate District Court Division Three (4th-Appellate-3); the Supreme Court of California; The Commission for Judicial Performance; The California Bar

Association (CALBAR); and by California, and OC law enforcements, because Salessi complained of these illegalities to all of the above named bodies, without any avail. They all consolidate their efforts against aggrieved parties.

In fact the Supreme Court of California, and the California Commission for Judicial Performance, which are purportedly two independent bodies, sent separate, but simultaneous letters dismissing Salessi's complaints against multiple lawyers, for litigation fraud, and against three judicial officers, namely Judge Monroe, and Commissioners Pacheco and De Liema, for judicial misconducts. The simultaneous timing of both dismissals was to give Salessi a clear message that such judicial and lawyer misconducts are accepted routines, in Orange County, and across California, and within the tolerance of the above named bodies. This type of conduct has brought disrepute to the entirety of the Orange County judicial community, including its many honest members, and must not be tolerated by this court, as it crosses the boundaries of due process violations, and enters forbidden territories. Similar practices may be rampant across the state.

The underlying appeal to this petition arose from Judge Monroe's refusal to recuse himself upon simultaneous peremptory, and for cause, challenges on 7/8/08. To defeat the challenges in open court, while in *ex parte*, Judge Monroe brainstormed with opposing counsel and decided to defeat the challenges with any possible excuses, such as untimeliness, whereupon the judge instructed counsel as to when, and as to how, to auction [fraudulently convert] petitioner's house [under false pretenses] on 7/15/08, the date he planned to strike the challenges, upon filing a predetermined answer (PFR 9). This was a blind violation of the

California's Challenge mandates, including CCP 170.3(b)(3), whereupon a judge must not seek to discover which person favored or disfavored his disqualification. See California Judges Benchbook (Benchbook)[§7.30].¹² Further, "Irrespective of when a judge's disqualifying conduct is discovered or when a motion to disqualify the judge is made, all of the actions that the judge takes in the case, after the facts creating the disqualification arise, must be set aside. *Christie v City of El Centro* (2006) 135 CA4th 767, 776-780, 37 CR3d 718. Benchbook [§7.29].

In spite of the above mischiefs in the striking of the challenges, the appellate court properly recognized the peremptory, as well as the statutory, challenge to have been timely and properly served on 7/8/08, but decided to overlook Salessi's due process claims.

Thereafter, the judge rendered serial blanket rulings in favor of defendants, with total disregard of the mandates of the challenge statutes, or petitioner's due process rights, and without evidentiary hearings. Statutory writ of mandate (G040713) against Judge Monroe's denial was summarily denied by the Court of Appeal, by definition without explanation (Appendix D). Petition For Review-PFR (S166021-2008 WL 4381227) to the above denial was also summarily denied by the California Supreme Court, without an opinion. (Appendix E) Judge Monroe purposefully dismissed defendants without evidentiary hearings, because defendants' forgeries were undisputed material facts,

12 California Judges Benchbook: Civil Proceedings - Before Trial, Chapter 7 (Benchbook) as available at WESTLAW under "CJER-BTRIAL Ch. 7", was used in the underlying appeals as the primary source of Judicial Challenge laws, because it is believed to be the most referenced bench-book by California judges. That entire chapter is incorporated herein with this reference.

and that defendants had already conceded to the forgeries, and would have lost the case if it had proceeded on the merits.

Appeals were taken against dismissals. On appeal, constitutional due process violations as to the denial of statutory recusals, were properly raised (G040958; G041464- 2010 WL 3777367), and were properly accepted by the appellate court. However, in its unpublished summary opinion, (4th-Appellate-3) affirmed, while claiming to have found no evidence of bias in the record in violation of due process, while denying to take judicial notice of crucial documents proving judicial bias, and much more (APPENDIX B) (2011 WL 2238933). Probably in order to gloss over its own blanket denials of writs, which was a violation of petitioner's due process in and of itself, the appellate court had chosen to close its eyes on the evidence before it, which evidence amounted to proof of actual bias, and highly un-judicial activities of the Monroe court.

BANKRUPTCY RELIEF-FROM-STAY VIOLATIONS

The appellate court's (4th-Appellate-3) double standards in these appeals is bolstered by their violation of federal bankruptcy laws, leading to that court's own violations of Salessi's due process rights, thus rendering the proceedings in (4th-Appellate-3), and all proceedings, and judgments obtained in the Monroe court void *ab initio*, pursuant to that appellate court's own published opinion in: *In re Marriage of Sprague & Spiegel-Sprague*, Cal. App. 4 Dist.(2003); 105 Cal.App.4th 215, as quoted below according to their sequence of appearance:

““Continuation of the stayed proceeding can derive legitimacy only from the bankruptcy court order, as only an order of the bankruptcy court can authorize any further progress in the stayed proceedings. Bankr. Code, 11 U.S.C.A. § 362(a).”

“Any action, including any judicial proceeding, taken in violation of the automatic stay is void. Bankr. Code, 11 U.S.C.A. § 362(a)(1, 2).”

“The resulting state court order characterizing the attorney fees as non-dischargeable was therefore void, and Booth's claim for attorney fees was discharged in bankruptcy.”

“With some exceptions, all proceedings against the debtor and the debtor's property are stayed during the pendency of the bankruptcy. (11 U.S.C. § 362(a)(1) & (2).) The automatic stay is self-executing and is effective upon filing the bankruptcy petition. (See 11 U.S.C. § 362(a).) Any action, including any judicial proceeding, taken in violation of the automatic stay is void. (*In re*

Gruntz (9th Cir.2000) 202 F.3d 1074, 1082.)”

“Bankruptcy courts have the sole authority to determine the scope of the automatic stay imposed by title 11 United States Code section 362(a), subject to federal appellate review. (*In re Gruntz, supra*, 202 F.3d at p. 1087.)”

“If a state court proceeds without the creditor obtaining relief from the automatic stay, the state court “risks having its final judgment declared void.” (*In re Gruntz, supra*, 202 F.3d at p. 1087.) Booth took that risk.”

“In light of our conclusion, we need not address Toby's argument that dismissal of the dissolution action before Booth filed the characterization action rendered it invalid.””

Therefore, according to the exact words of (4th-Appellate-3), as cited and quoted above, as in Booth *supra*, defendant/respondents in the Monroe Court, and in its related appeals herein, took the risk of proceeding in both courts without first obtaining specific relief-from-stay orders from Salessi's Chapter-11 proceedings, therefore, all their proceedings, attorney fee judgments, and orders must be rendered void according to (4th-Appellate-3)'s own opinion above. However, since they are not going to do that voluntarily, this court is the only forum now to seek that relief, either on the basis of due process, or on the basis of original federal subject matter jurisdiction of this court. At the minimum this court can summarily grant this petition and remand it to the state court with orders to implement Caperton, and its progeny.

The bankruptcy relief mentioned in (AOB 30) does

not relate to these proceedings, but to the court of Commissioner Pacheco. That relief order is currently on appeal in the Federal District Court.

VIOLATIONS OF THE AMERICAN ARBITRATION ACT

Upon the request of Commonwealth Title Company, On 7/19/10, Salessi filed a motion in the bankruptcy court to compel the stayed arbitration with Commonwealth, in order to quiet his title of the Aloma subject property. That motion, and its subsequent order, are incorporated herein with this reference and can be readily viewed online.¹³

Petitioner Salessi upon receiving an order from the bankruptcy court pursuant to the reinstatement of arbitration filed a request to stay the appeal in order to reinstate and concluded the arbitration, however, it was denied. This denial was a violation of petitioner's due process rights, in addition to statutory violations of Title 9 U.S.C §2 and 9 U.S.C. §3, and against California law, for its violation of *inter alia* of CCP 1281.4, as documented on the 7th page of the 7/19/10 Application.

Under the specific circumstances of the underlying Salessi case, even though the entirety of the property purchase contract had been void, for forgeries and fraud, the arbitration provision remained enforceable, pursuant to this court's mandate in *Buckeye Check Cashing, Inc. v. Cardeona* (2006) 546 U.S. 440 at 444-446. After all, the United States Congress had enacted the Federal Arbitration Act (FAA), 9 U.S.C. §§ 1-16 to overcome judicial resistance to arbitration.

13 Google: "7-19-10 DEMAND FOR ARBITRATION"
Google: "12-6-10 ORDER REINSTATING ARBITRATION"

JUDGE MONROE CALLING HIMSELF "A NUTCASE" IN OPEN COURT

Has this court established a threshold standard of physical, and mental, infirmity for state judges? Petitioner has not found a *Capertone* parallel addressing these issues.

In (AOB 21-22) of G043669 (2011 WL 2357169) petitioner Salessi asked the court of appeal to answer if due process was at all viable in the court of Judge Monroe who openly declared himself to be "A NUTCASE" in open court on 9/23/08, when Salessi was waiting to be heard. No reasonable person can believe that a judge, who is entrusted with the public's confidence, and who characterizes himself as "A NUTCASE" could possibly rule from the bench with due process of law. Certainly this can't pass the *Caperton* threshold, as refined by this court. The definitions of NUTCASE cited on page 20 above, automatically erode the possibility of sound decision making by a judge, and wreck due process entirely.

Clearly a judge who makes such absurd declarations, has to be suffering from specific infirmities, and must be subjected to proper mental evaluations, upon inquiry notice of the court's administration as to such problematic behavior of a judge. Petitioner had provided ample actual notice to all levels of court administration, and law enforcement, and they had all collectively refused to deal with it. There was nothing more he could do.

California judicial challenge statutes are silent on this critical issue of mental infirmity and only address physical infirmity, in that: "a physical impairment that would hinder the judge from perceiving evidence or conducting a proceeding is a basis for disqualification"

CCP §170.1(a)(7).¹⁴ Because an individual cannot be blamed for his failure to determine his own mental infirmity, external intervention upon questionable behavior, as in here, should be mandated by this court with some stringent guidelines, applicable to trusted public officers, just as it is implemented in the medical profession.

As examples, a surgeon who suffers a seizure, or a stroke, only once, is permanently barred from performing surgeries. Similarly, an ophthalmologist who suddenly suffers from a partial-vision syndrome is barred from practicing ophthalmology, because he becomes unable to see, and diagnose, his patients' visions. Likewise, a judge who makes an implied confession of being unstable, as in here, should be removed from the bench, or at the minimum be subjected to mental evaluations as a public policy.

Petition for Review (S194916- 2011 WL 3560103) was filed against the above opinion of (4th-Appellate-3) affirming the Monroe Court, and to consolidate a third appeal (G043669- 2011 WL 2357169) with the underlying PFR to this case, as it was unlikely that the third appeal would have been treated with due process either.

THE 8/23/11 FILING EVIDENTLY PROMPTED SUMMARY DISMISSALS:

On 8/23/11 petitioner reported to California Supreme Court, and to the Appellate court, his new finding of a potentially fatal pecuniary conflict of interest of California judiciary barring it from hearing any mortgage related cases. This may have been a concealed conflict created by California judges' ownership of pecuniary

14 Benchbook chapter [§ 7.21]

interests in CALPERS, and their pension payments derived from CALPERS.¹⁵

In addition to discussing the CALPERS enigma on 8/23/11, Salessi documented why respondent Wachovia Mortgage's 2007 banking charter was void *ab initio*, because it had been obtained solely for the illegal purpose of investing laundered drug money in American mortgages and real estate, and to steal American real estate by drug cartel/s down the line. Wachovia commenced this illegal process immediately after its purchase of World Savings, and transferred the drug proceeds into Wells Fargo, and similarly shifted its colossal property plundering operations into Wells Fargo. On 8/24/11, the very next day, the second Petition for Review (\$194916) was summarily denied by the California Supreme Court, without an opinion. Immediately thereafter the third related appeal (G043669) was also dismissed. This petition followed.

15 CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
(a \$240 billion investment fund) available at:
Google: "CALPERS 2010 Annual Investment Report"; ALSO:
Google: "8-23-11 G043669 APPEAL OPPOSITION Unveils California
DOJ & Courts' Potential Conflicts"

REASONS FOR GRANTING THE PETITION

This court should grant certiorari to clarify to California courts that the application of due process to the recusal of a challenged California judge begins with the service of the challenge to the judge and includes the handling of its related writ proceedings, and its petition for review, with equally due process, as already refined by this court in *Caperton v. A.T. Massey Coal Co.* (2009), [129 S.Ct. at p. 2259], and confirmed by Freeman, *supra*.

California's 40 million-strong population makes it the nation's most populous state, and even more populated than many sovereign nations. California has the nation's largest network of courts, both in state and federal jurisdictions. California has strict, and sophisticated, state judicial challenge statutes, as codified in CCP §§170.1-170.6, in addition to up-to-date case precedents in this arena. However, the challenge laws are of no avail when they are systemically ignored, or mishandled, as in here, in every level of state courts, as documented in the underlying appeals, and its two Petitions For Review (PFR).

The TRO Judge Monroe, having clearly assumed an ownership interest in the case *ab initio* on 6/4/08, began threatening Salessi with attorney fees, and other disparaging remarks, and was timely challenged, both for cause, and by preemption, and became disqualified as of the morning of 7/8/08, whereupon the judge should have simply called the hearing off calendar, until further notice by the court. However, in the afternoon of 7/8/08, the judge called the case anyway, as if he had not been challenged.

Next, without asking for appearances, and unaware of Salessi's presence, the Judge began openly

conspiring with two defense counsel before him to determine how to defeat the challenges, and further conspired with them in the theft of Salessi's house by instructing them to auction it the next week, after the hearing of 7/15/08, the date he intended to answer and strike the challenge (ARB 28)(PFR 9), an act in violation of the strict California statutes CCP §§170.3(c)(5);170.3(3), and whereby Judge Monroe could not have held any hearings at all once served with the challenge [and until it could have been decided by another judge-not by himself] *Christie v City of El Centro* (2006) 135 CA4th 767, 776-780, 37 CR3d 718. (PFR 10)(AOB 21)

These facts alone were overwhelming for a neutral Appellate Court to reverse and remand the case on appeal owing to the violations of constitutional due process, and in light of the statutory writ which had followed the denial of the challenge. However, in this case (4th-Appellate-3) decided to apply its self-induced, and self-declared, undue process of blanket writ-denials, to the denial of the underlying appeals by closing its eyes on the documented proof of serial undue process in the Monroe court. In addition, the appellate court breached its own published, and strict, guidelines of requiring bankruptcy relief from stay orders to proceed any further in either the appellate court, or in the Monroe court, as *in re Sprague, supra*.

What the appellate court contemplated was a policy of "willful blindness" to the proof of bias, or indifference thereto (PFR 10). Because willful blindness, or indifference, each amount to a violation of due process, the appellate decision should be overturned by this court. Salessi had provided substantial proof of constitutional due process violations on the part of Judge Monroe and the appellate court itself, however,

(4th-Appellate-3) chose to overlook the facts thus avoiding California guidelines as set forth by its Supreme Court in *People v. Ault* (2004) 33 Cal.4th 1250, 95 P.3d 523, 17 Cal.Rptr.3d 302:

“...the grounds for the unsuccessful motion [*here judicial challenges*] are assessed on appeal from the underlying final judgment against the complaining party (*People v. Lavergne* (1971) 4 Cal.3d 735, 745, 94 Cal.Rptr. 405, 484 P.2d 77). Accordingly, article VI, section 13 of the California Constitution obliges the appellate court to conduct an independent examination of the proceedings to determine whether a miscarriage of justice occurred. [citations omitted] As in any appeal from a final judgment, the reviewing court must determine for itself whether errors denied a fair trial to the party against whom the judgment was entered. [citations omitted]....”

Therefore, by inadvertence, or intent, the Appellate Court (4th-Appellate-3) failed to properly “conduct an independent examination of the proceedings” of the Monroe’s court, while claiming to the contrary. Had the court properly done so it would have found ample examples of conversion, concealment, and fabrication of court documents, all of which amount to violations of due process, at the minimum. The facts are clear, and uncontested in the record, that these offenses, and other undue processes, occurred (AOB 21-24).

The law is clear that the conversion and forgery (AOB 21-22) of court documents had indeed occurred, and everyone involved in it should be chargeable with criminal felony offenses, pursuant to, inter alia, California Gov. Code §6200; Ca. Penal Codes §§182; 484; in

conjunction with numerous RICO predicate acts, in violations of *in re alia*: Title 18 USC §§1341:1343, which in turn amounted to the violations of Title 18 U.S.C. §§1961:1969 (RICO).

However, the (4th-Appellate-3) probably decided to close its eyes on the violations, rather than uphold the due process of law in favor of petitioner. Denial of due process of law, as in here is reversible on review. The Due Process Clause of the 14th Amendment to the United States Constitution guarantees the right to a fair and impartial judge. A neutral judge is considered the starting point of a fair trial *Ward v. Village of Monroeville*, 409 U.S. 57 (1972). Even an alleged enemy combatant is entitled to present evidence before a *neutral* decision maker. *Hamdi v. Rumsfeld*, 542 U.S. 507, 124 S.Ct. 2633 (U.S. 2004).

Similar egregious offences mentioned above occurred in the related proceedings of Commissioner Richard Pacheco. For over two years, that case has been on appeal, pending clerks' preparation of transcript, but because so many documents had been stolen, and fabricated by the court, the clerk had evidently been instructed to do nothing with the file (or what was left of it)! [Evidently, due to filing of petitioner's original writ on 11/22/11, the Pacheco case above was ordered to be prepared, because the clerk's transcript was mailed to petitioner on 1/23/12, two and a half years after its Notice of Appeal]! The Pacheco transcript provided above appears materially deficient, and the modus operandi of that court in the fabrication of its documents seems to be provable with ease.

Petitioner has herein documented a systemic practice of avoidance of due process in California courts, as against California laws; against federal and

constitutional laws; against due process, and especially against self-represented parties.

The question and sub-questions presented here are unique, both for California, and for state courts across the country, in terms of the reality of what people face in this country today on a routine basis, in courts, when they resort to the laws which those very courts, that are commissioned to uphold them, in fact evade them, therefore turning the back of due process to the aggrieved average citizen (the 99%), while having granted the ultimate control of the society to the 0.01% ruling class, which few in turn collect royalties from the 99% with the help of 0.09%, who in turn utilize the services of the 0.9% of this country's population, to enslave the 99% bulk of the country, thus resulting in today's socio-economic and political meltdowns, which petitioner Salessi had proved to have been engineered long ago, as he documented with precision in his 2004 lawsuit, as cited earlier in this petition. See (Appendix G)

Petitioner believes that the above functionaries assure a constant flow of all wealth, created by the bulk of the U.S. population, to the top 0.01%, as elaborated by financial expert Walter Burién in his documentary website www.CAFR1.com .

The history of fraudulent foreclosures and evictions, under the color of law, goes back thousands of years, as told 1400 years ago at Google: "Ancient History of Fraudulent Evictions & Foreclosures".¹⁶

16 Or see: <http://quran.com/2/82-88>

Questions Presented are Exceptionally Important To Preserve Public Confidence In California and State Court Systems Across The Nation

Although the gaming of California judicial challenge laws, as it occurred in the underlying cases, may seem rare in California but the petitioner has proved that they are very systemic and very broad, and engineered to evade due process.

The CALPERS's question of conflicts of interest, which appears to have prompted the abrupt denial of Salessi's Petition For Review (S194916) needs supplemental briefing as it calls for investigation and amicus briefing, by experts familiar with CAPLERS' operations. The significance of this court's grant of review of the CALPERS question is colossal in that the establishment of such a conflict would probably have to result in the retroactive annulment of every foreclosure in California in the past few years, numbering over one million. Such action will undoubtedly inject an unprecedented boost into the California community and economy, and reverberate through the country in reversing the deepening national depression, which catastrophe Salessi documented (in 2004) to will have occurred by 2008, as it did occur by 2008. Petitioner is a documented witness to the fact that the entire U.S. meltdown had been engineered long ago. When every California judge has a financial interest in the outcome of a case then every California Judge is automatically disqualified to hear it. *Olson v Cory* (1980) 27 C3d 532, 537, 164 CR 217. 17

It is widely known that financial derivatives under many generic names, under the disguise of private

17 Benchbook: [§ 7.17] "Financial Interest".

securities contracts, have been generated by U.S. financial companies in the past decade, and sold to “investment funds” nationally, and globally. These instruments which assumed many colorful names such as: Special Purpose Vehicles (SPV); real estate mortgage investment conduit (REMIC); mortgage-backed securities (MBS); asset backed securities (ABS); collateralized debt obligations (CDO); credit default swaps (CDS); mortgage backed obligations (MBO); auction rate securities (ARS), and many more, are all forms of counterfeit financial instruments, of which over one quadrillion dollars (\$1000 trillion) had been sold to countless “investment funds” worldwide, in order to extract all wealth from the U.S., and from the world population, by the year 2010, as Salessi had documented in his 2004 Orange Case.¹⁸

The above derivatives are also known as junk bonds, which are worthless papers, similar to those sold to Orange County by Mike Milken in the early 1990’s, a transaction which caused OC’s bankruptcy.

The above \$1000 trillion junk bonds are purportedly backed by less than \$7 trillion of U.S. mortgages, thus amounting to a counterfeit ratio of more than 100 to one, thus devaluating the U.S. dollars’ worth to less than the value of one cent, as one cent was worth in the year 2000. A fraction of the above junk bonds were sold to CALPERS, and to the Orange County Employee’s Retirement System (OCERS) making these funds nose-dive in value, and in their returns.

18 YouTube: “Ron Paul Hearing on Restoring Sound Money”

Google: “Table 19: Amounts outstanding of over-the-counter (OTC) derivative”; also, see page 299 of: Google: “THE FINANCIAL CRISIS INQUIRY REPORT”; or Google: “\$700 trillion Counterfeit on Page 299”

Evidently over \$20 billion of CALPERS' funds had been funneled into buying such junk bonds and are thus worthless. It is highly likely that lenders, which sold those junk bonds to CALPERS, and to OCERS have pressured California courts; its law enforcements, and legislature, to assist the junk sellers to foreclose the maximum number of California real estate, in order to determine the title of the stolen properties, with false promises that their titles would revert back to the junk bonds' underlying mythical securities, thus, disguising the state-wide property plunder, as the only potential means of adding value to the assets backing those junk instruments. In addition, lenders have probably threatened the same authorities that, the \$20 billion+ would be wiped off the books, with no pension payments in sight, if the lenders don't receive full cooperation of the authorities in plundering peoples' homes.

To make matters worse, evidently over \$30 billion more of the CALPERS' funds, and some of OCERS' funds, had been syphoned into the purchase of banks' shares and their bonds, all of which would have been worthless absent the recent bank bailouts, and all of which should become worthless if the bailout funds were to be expunged from banks. Therefore, the California state government system; the County of Orange government system; and probably most other county systems, including their judiciary and law enforcements, must have direct pecuniary interests in the plunder of California, and Orange County, real estate by way of foreclosures, or otherwise. Salessi, in his documentary weblog, has catalogued proof that all U.S. securities are worthless, owing to the explained \$1 quadrillion counterfeiting alone.

Similar syphoning of public funds have probably occurred all across California, and across the United States, causing county and state outcries for disappearance of funds, because a few people stole the pension funds, and other public funds, by selling to the funds countless worthless Milken-brand junk bonds.

CALPERS, OCERS, and probably all large public funds, have been vigorously litigating against lenders and issuers of these bonds since 2009, accusing the junk-bond sellers of colossal crime-frauds, while in courts the same state or county authorities who are accusing lenders and issuers of the junk bonds of fraud, freely sell out defrauded private plaintiffs to the same lenders, in order to plunder their homes under the illusion that it will add value to the pool of mortgages which mythically back the junk bonds in their pension fund pools. Therefore, this court's review of this question is of California-wide, and nation-wide significance, and probably requiring amicus briefings by experts.

The appellate court's own failure in determining the violation of due process, and its broad double standards, merit review of this court, as it is routinely exercised, and more extremely so against self-represented parties. Manipulations of court-files as documented, and published, by petitioner on his weblog are proofs of fact pursuant to California and federal evidence codes, as they have not been contested, nor can they be, now well over a year since their publications.

CONCLUSION

For all the foregoing reasons, or for any one of the foregoing reasons, the petition for a writ of certiorari should be granted.

Respectfully submitted,

Dated: 2, 2, 2012

Kareem Salessi,
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(Appendix A)

**CALIFORNIA SUPREME COURT ORDER DENYING PETITION
FOR REVIEW:**

Court of Appeal, Fourth Appellate District, Division Three-
Nos. G040958/G041464

S194196

IN THE SUPREME COURT OF CALIFORNIA

En Banc

KAREEM SALESSI, Plaintiff and Appellant,
v.
"WACHOVIA MORTGAGE, FSB et al., Defendants and
Respondents.

AND CONSOLIDATED CASE.

The petition for review is denied.

Baxter and Corrigan, JJ., were recused and did not
participate.

SUPREME COURT

FILED:

AUG 24, 2011

/s/ Frederick K. Ohlrich Clerk

Deputy

/s/ CANTIL-SAKAUYE

Chief Justice

In the Court of Appeal of the State of California,
Fourth Appellate District,
DIVISION THREE

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| |) | |
| |) | |
| KAREEM SALESSI, |) | G043669 |
| |) | |
| Plaintiff and Appellant, |) | (Super.Ct.No.30-2008-00107531) |
| |) | |
| v. |) | ORDER |
| |) | |
| WACHOVIA MORTGAGE, FSB |) | |
| et al., |) | |
| |) | |
| Defendants and Respondents) |) | |

THE COURT:*

This court lacks jurisdiction to review by appeal an order expunging a lis pendens. (Code Civ. Proc., §405.39). Respondents’ motion to dismiss the appeal is GRANTED.

/s/ RYLAARSDAM, J.

RYLAARSDAM, ACTING P.J.

*Before Rylaarsdam, Acting P.J., Aronson, J.,and Ikola, J.

(Appendix B)

NOT TO BE PUBLISHED IN OFFICIAL REPORTS

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

In the Court of Appeal of the State of California,
Fourth Appellate District,
DIVISION THREE

)
)
KAREEM SALESSI,) G040958 (Consol. with G041464)
)
Plaintiff and Appellant,)(Super.Ct.No.30-2008-00107531)
)
v.) **OPINION**
)
WACHOVIA MORTGAGE, FSB)
)
et al.,)
)
Defendants and Respondents)

Appeal from a judgment of the Superior Court of Orange County, William M. Monroe, Judge. Affirmed.

Kareem Salessi, in pro. per., for Plaintiff and Appellant.

Anglin, Flewelling, Rasmussen, Campbell & Trytten, Robin C. Campbell, and Fred Hickman for Defendants and Respondents Wachovia Mortgage, FSB, and Golden West Savings Association Service Co.

Brian P. Stewart for Defendant and Respondent Fidelity National Agency Sales and Posting.

In an attempt to prevent the foreclosure of his residence, plaintiff Kareem Salessi sued defendants Wachovia Mortgage, FSB, Golden West Savings

Association Service Co., and Fidelity National Agency Sales and Posting. The court eventually entered judgments of dismissal following orders sustaining the defendants' respective demurrers to the complaint.

In his appellate briefs, Salessi raises a single germane legal issue : whether the trial court erred when it struck Salessi's two motions to disqualify Judge William M. Monroe.**[1]** (See Code Civ. Proc., §§ 170.1, 170.4, subd. (b), 170.6.) But "[t]he determination of the question of the disqualification of a judge is not an appealable order and may be reviewed only by a writ of mandate The petition for the writ shall be filed and served within 10 days after service of written notice of entry of the court's order determining the question of disqualification ." (Code Civ. Proc., § 170.3, subd. (d); see also *People v. Panah* (2005) 35 Cal.4th 395, 444.) With regard to one of his disqualification motions, Salessi in fact filed a petition for writ of mandate with this court (which was denied) and a petition for review with the California Supreme Court (which was denied). We have no jurisdiction to entertain an appeal of the trial court's rulings on Salessi's disqualification motions brought under Code of Civil Procedure section 170.1 et seq.

To the extent Salessi's appeal can be construed as a "nonstatutory constitutional challenge[] to the judgment," we conclude following our independent review of the record that there is no evidence of any judicial bias in this case. (*Roth v. Parker* (1997) 57 Cal.App.4th 542, 548-549; see also *People v. Brown* (1993) 6 Cal.4th 322, 332-337.)

Salessi does not identify any other alleged errors. The judgment is affirmed. Defendants shall recover costs incurred on appeal . We deny Salessi's requests for judicial notice and his motion for sanctions against defendants.

IKOLA, J.

WE CONCUR:

RYLAARSDAM, ACTING P. J.

O'LEARY, J.

[1] Salessi's briefs also catalogue various facts and accusations pertaining to defendants' general business practices and roles in the financial/mortgage crisis. But Salessi does not effectively link such information to the issues in this case or otherwise identify any reasons the court should not have sustained the demurrers to Salessi's complaint.

FILED: JUNE, 08, 2011

(Appendix C)

LAW OFFICE
OF
DOUGLAS J. FARRELL

file

DOUGLAS J. FARRELL
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March 28, 2006

Mark L. Cwern, Esq.
Manning & Marder Kass, Ellrod, Ramirez LLP
660 South Figueroa Street
23rd Floor
Los Angeles, California 90017

Re: Salessi v. Abercrombie, et al.
Case No. 04CC11080

Dear Mr. Cwern:

Thank you for speaking to me yesterday about the above entitled matter. As we discussed, I represent Commonwealth Title and the Plaintiff, Mr. Salessi, who has filed a claim asking Commonwealth to prosecute the above lawsuit under the terms of his title policy.

Mr. Salessi is claiming that the deed into him from his sellers was forged and improperly notarized. In light of the fact that you represent Ann Skinner, who was both the Escrow Officer and the Notary, I request your assistance in reviewing Mr. Salessi's claims.

Please provide me with a copy of the Notary Book page that shows the seller's signature being notarized. I would like a statement from you or your client that in fact Ms. Simmons did act as the Notary.

Thank you for your help and if you have any questions please give me a call.

Very truly yours,


DOUGLAS J. FARRELL

DJF/pjv

cc: Client (Claim #C113850) ✓

cl-salessi\ltr\cwern 01

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MAR 30 2006

LANDAMERICA
CLAIMS DEPARTMENT

(Appendix D)

FILED: AUG, 07, 2008

In the Court of Appeal of the State of California,
Fourth Appellate District,
DIVISION THREE

| | | |
|-----------------------------|---|--------------------------------|
| |) | |
| |) | |
| KAREEM SALESSI, |) | G040713 |
| |) | |
| Petitioner, |) | (Super.Ct.No.30-2008-00107531) |
| |) | |
| v. |) | ORDER |
| |) | |
| THE SUPERIOR COURT OF |) | |
| ORANGE COUNTY, |) | |
| |) | |
| Respondent; |) | |
| |) | |
| WORLD SAVINGS BANK, et al., |) | |
| |) | |
| Real Parties In Interest. |) | |

THE COURT:*

The petition for a writ of mandate/prohibition is DENIED.

/s/ RYLAARSDAM, J.

RYLAARSDAM, ACTING P.J.

*Before Rylaarsdam, Acting P.J., Fybel, J., and Ikola, J.

(Appendix E)

**CALIFORNIA SUPREME COURT ORDER DENYING PETITION
"REQUEST FOR IMMEDIATE ACTION" AND FOR REVIEW:**

Court of Appeal, Fourth Appellate District, Div.3
No.G040713

S166021

IN THE SUPREME COURT OF CALIFORNIA

En Banc

KAREEM SALESSI, Petitioner,
v.

ORANGE COUNTY SUPERIOR COURT, Respondent;

WORLD SAVINGS BANK, et al., Real Parties in interest.

The "request for immediate action" and petition for review are denied.

Chin, J. was recused and did not participate.

SUPREME COURT

FILED:

SEP 10, 2008

/s/ Frederick K. Ohlrich Clerk

Deputy

/s/ GEORGE

Chief Justice

(Appendix F)

WORLD SAVINGS MODUS OPERANDI CRIME

LOANS WHICH NEVER CLOSED

| WORLD SAVINGS | LENDER'S CLOSING INSTRUCTIONS |
|---|--|
| TO: COAST CITIES ESCROW 10104 ADAMS AVENUE HUNTINGTON BEACH, CA 92646 ATTN: ANN E. SKINNER (714)378-9000 FAX # (714)378-9098 COMMONWEALTH LAND TITLE CO. 2207951-1 BORROWER PHONE NUMBERS HOME: (949)383-5270 WORK: (805)895-6879 | DATE: NOVEMBER 04, 2002 LOAN NUMBER: 0019560432 CONCURRENT LOAN NO.: 19560440 ELOC GF/ORDER/FILE NO.: 454-1152 BORROWER(S): KAREEM SALESI PROPERTY ADDRESS: 28841 ALOMA AVENUE LAGUNA NIGUEL, CA 92677 |

*** ATTENTION CLOSING AGENTS ***

THIS DOCUMENT CONSTITUTES WORLD SAVINGS' CLOSING INSTRUCTIONS FOR LOAN NUMBER 0019560432, WHICH IS TO BE A FIRST LIEN.

SEPARATE INSTRUCTIONS HAVE BEEN PROVIDED TO YOU FOR THE CONCURRENT LOAN NUMBER 0019560440 WHICH IS AN EQUITY LINE OF CREDIT ("ELOC") THAT IS TO CLOSE CONCURRENTLY WITH THE FIRST LIEN LOAN.

INDEX

SECTION I: GENERAL INSTRUCTIONS, PAGE 2

SECTION II: TRANSACTION TERMS AND COST ALLOCATION/BREAKDOWN, PAGE 3

SECTION III, IV, V AND VI: THIRD PARTY SETTLEMENT SERVICE PROVIDER NAME(S); PAYEES, FEES PAID AT CLOSING BY LENDER; FEES PAID OUTSIDE OF CLOSING, PAGE 4

SECTION VII: WORLD LOAN DOCUMENTS, PAGE 5

SECTION VIII: DOCUMENTS PREPARED OR FORWARDED BY CLOSING AGENT, PAGE 6

SECTION IX: TITLE INSURANCE, PAGE 7

SECTION X AND XI: TAXES/HAZARD/FIRE/FLOOD INSURANCE; STATE SPECIFIC REQUIREMENTS, PAGE 8

SECTION XII AND XIII: STATE SPECIFIC REQUIREMENTS CONTINUED; ADDITIONAL REQUIREMENTS, PAGE 9

SECTION XIV: SPECIAL INSTRUCTIONS, PAGE 10

SECTION XV: FUNDING INSTRUCTIONS, LAST PAGE

PLEASE TAKE A MOMENT TO REVIEW OUR CLOSING INSTRUCTIONS.

QUESTIONS

For questions concerning:

- the closing or funding of this loan, please call our Final Documentation Department at: 1-800-873-7340; or
- the Payoff of an existing World loan, please call our Payoff Department at: 1-800-642-0257

TO REQUEST FUNDS Fax the Funding Instructions, last page of these closing instructions, to: **1-210-509-1157**



| WORLD SAVINGS | LENDER'S CLOSING INSTRUCTIONS |
|--|--|
| DATE: NOVEMBER 04, 2002 GF/ORDER/FILE NUMBER: 454-1152 BORROWER(S): KAREEM SALESI | LOAN NUMBER: 0019560432 CONCURRENT LOAN NUMBER: 19560440 ELOC |
| SECTION I - GENERAL INSTRUCTIONS | |
| YOU MUST COMPLY WITH ALL INSTRUCTIONS AND CONDITIONS IN THESE CLOSING INSTRUCTIONS BEFORE YOU CLOSE AND FUND THIS LOAN. | |
| <p>1. AUTHORIZED CLOSING AGENT World Savings ("we") requires that an independent third party, called a "closing agent ("you"), coordinate the settlement of every real estate loan we make. Depending on local custom, a closing agent may be an escrow company, a title insurance company or an attorney. A borrower, a mortgagor or a real estate broker or any other person who is a party to the transaction may not act as the closing agent. You represent and warrant that you are not a party to the transaction. You further represent and warrant that you are an escrow company, a title insurance company or an attorney, duly licensed and legally authorized to perform the services required by these instructions.</p> <p>2. AGREEMENT TO ADHERE TO CLOSING INSTRUCTIONS By closing the above referenced loan, you represent and warrant that you have followed each of the requirements and instructions set forth in these Lender's Closing Instructions.</p> <p>3. SIGNATURE REQUIREMENTS You warrant the authenticity of the signatures of each party executing each document and the authority of each representative executing any document on behalf of another, except to the extent such signatures are warranted by a United States National Bank. DO NOT MAIL out or otherwise release documents from your office for signature without our prior approval. All original documents must be signed and dated where applicable. For Equity Lines of Credit that are not closing concurrently with another World loan. If you were authorized in writing by World to use a signing agent to obtain signatures from the executing parties, you will verify the signing agent's compliance with each of our instructions given in the "Documents To Be Signed At Closing" form.</p> <p>4. NOTARY/WITNESS REQUIREMENTS Our Security Instrument requires acknowledgement/notarization. Prepare and attach notarial acknowledgement(s) with current notarial stamp as required by state law. If state statute so requires, please have each borrower's signature witnessed.</p> <p>5. ALTERATIONS/ERASURES ON DOCUMENTS Alterations or Erasures are not permitted on any document without prior written approval from our Final Documentation department. Any approved alterations or attachments must be initialed by the parties concerned.</p> | |
| <p>6. *** DOCUMENT EXPIRATION DATE *** The loan documents are VOID and must be returned to World Savings for cancellation within 24 hours if the documents are not executed and you have not disbursed the loan funds by: 11/15/02, THE INTEREST PAID TO DATE, OR 12/08/02, THE COMMITMENT EXPIRATION DATE, WHICHEVER IS EARLIER. Your scheduled closing date may affect time for performance. Please call if you have any questions. THIS LOAN MUST CLOSE CONCURRENTLY WITH THE LOAN IDENTIFIED ABOVE BY THE CONCURRENT LOAN NUMBER.</p> | |
| <p>7. REDRAW REQUIREMENTS To request a redraw, (a) contact your loan origination office, (b) return the voided loan documents and any loan funds to World, as applicable. [NOTE: World will not redraw documents unless we are in receipt of previously issued documents and funds,] and (c) notify the borrower that they may be charged a \$100.00 redraw fee per occurrence.</p> <p>8. MORTGAGE BROKER CHECK DISBURSALS You are instructed to only release mortgage broker checks, to the broker, once the loan has funded.</p> | |
| <p>9. INSTRUCTIONS FOR RETURNING DOCUMENTS Ensure that all original documents are signed and dated as required. Please return the documents to be recorded. Forward, CERTIFIED copies of the documents sent for recording, together with all other original signed documents including the final HUD-1 or HUD-1A Settlement Statement to: WORLD SAVINGS, ATTN: IMAGING DEPARTMENT, 4101 WISEMAN BOULEVARD, BLDG. # 108, SAN ANTONIO, TEXAS 78251, WITHIN 24 HOURS AFTER LOAN DISBURSAL/SETTLEMENT VIA <u>OVERNIGHT COURIER</u>.</p> <p>WORLD SAVINGS WILL NOT PAY COURIER FEES.</p> | |

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Handwritten initials and scribbles on the right margin.

| | |
|-------------------------------------|-------------------------------|
| WORLD SAVINGS | LENDER'S CLOSING INSTRUCTIONS |
| SECTION XIII - SPECIAL INSTRUCTIONS | |
| 0019560432 | |

SPECIAL INSTRUCTIONS:

In compliance with Subsection § 8045 of the Internal Revenue Code and as the person responsible for closing this real estate transaction, you will file as the Reporting Person an information return with the Internal Revenue

NON-OWNING/NON-BORROWING SPOUSE SIGNATURE REQUIREMENTS

If the Borrower(s) is married and taking title individually, ensure that the non-owning/non-borrowing spouse(s) signs either the regular signature page of the Security Instrument or the special BORROWER(S) SPOUSE(S) signature page if provided

- X MANDATORY TAX AND INSURANCE IMPOUNDS.
- X C/C NOTARIZED QUITCLAIM DEED FROM SPOUSE.
- X C/C ESCROW AMEND ER: LENDER , RATE & TERM

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(Appendix G)

THE AMERICAN MELTDOWN

Petitioner's estimate of USA's "Royal-Class" is 30,000 (.01%); his estimate of its "Lords-Class" who mainly enforce demands of (.01%) on to the U.S. population, is around 300,000 (.09%); his estimate of the "Operator-Class" (0.9%), operating for the gain of all the above, is around 3,000,000, thus leaving the bulk of the chronically drained 300+ million (99%) in the class of "Subjects", who have to struggle, just to make a living.

The Bretton Woods Agreements Act, Title 22 U.S.C. §286 (July 31, 1945) initiated the global American counterfeiting of U.S. dollars. Since 1945, in order to compel the world to continue accepting its counterfeit currency, the U.S. has resorted to relentless attacks on sovereign nations, while chronically creating artificial warfare (always under false pretexts), followed with permanent occupations of most of those countries. As an example, having realized the worthlessness of the U.S. dollar, Iraq, Venezuela, and Libya, had all begun rejecting U.S. dollars in exchange for their oil exports, because it resulted in them endlessly subsidizing U.S.A. Soon thereafter, all those countries were attacked.¹⁹

19 Google: "Allen Roland's blog- Follow the money, it's all about

If the majority of sovereign nations were to downgrade the U.S. dollar to its real value, of less than ONE CENT, then the following events would most likely occur: the U.S. dollar would quickly lose its false global-reserve-currency status; most wars and human sufferings would come to a halt; the colossal debts of the world and America's (99%), as created by the above \$1 quadrillion counterfeit would quickly dissipate. The only unhappy group would be the top (0.1%) because over 90% of their counterfeit wealth, created last decade, would vanish with such a dollar devaluation.²⁰

As one reaction, the (.01%) Royal-Class, who can discard elected officials on demand (as they did with Elliot Spitzer), may enforce martial law in the U.S., as they were about to do in 2008, when legislators did not quickly approve their demanded bailout packages, which were subsequently passed, under the gun(.01%).²¹

petrodollars"; Also Google: " Petrodollars videos"

20 Salessi believes that the famous "Military-Industrial-Congressional Complex" enterprise, as identified by President Eisenhower, is the above 0.09%, with their uninterrupted operations of draining the U.S. and the world's population of their wealth, under color of law (in U.S.A.), or with direct destructive attacks (overseas).

21 YouTube: "Congressman Brad Sherman: Martial Law if We Voted No"; Also YouTube: "Obama Signs NDAA Martial Law"

