

**IN THE
SUPREME COURT OF THE UNITED STATES
FEBRUARY 2025 TERM**

DAVID C. WHITE Petitioner Pro Se

Vs.

**Respondent 1. (R1)
Chairman Willie L. Phillips, in his
personal capacity as chairman of
Federal Energy Regulatory
Commission (FERC) Chairman_Phillips_Meetings@ferc.gov
202-502-8550**

**Respondent 2. (R2)
Commissioner Mark Christie in his
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
202-502-8110 Commissioner_Christie_Meetings@FERC.gov**

**Respondent 3 (R3)
Commissioner David Rosner in his
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
202-502-6500 Commissioner_Rosner_Meetings@FERC.gov**

**Respondent 4 (R4)
Commissioner Lindsay S. See in her
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
Commissioner_See_Meetings@FERC.gov**

**Respondent 5 (D5)
Commissioner Judy W. Chang in her
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
Commissioner_Chang_Meetings@FERC.gov**

Respondents

Danielle Mechling

**Counsel of Record
Attorney-Advisor
Federal Energy Regulatory Commission
Office of Enforcement, Division of Investigations
Tel: 202-502-8924
Email: danielle.mechling@ferc.gov**

**On Petition for a Writ of Certiorari to the United State Court
of Appeals for the Ninth Circuit Docket 24-5811**

PETITION FOR A WRIT OF CERTIORARI

**David White
18965 NW Illahe Street
Portland, Oregon 97229
503-608-7611
Dave@salmonprotectiondevice.com**

QUESTIONS PRESENTED FOR REVIEW

- Shall the U.S. participate in illegal and catastrophic, Bio-diversity programs, such as public dam removal, which were never ratified by Congress?
Please refer to any excerpt from <https://www.agenda21course.com/category/lesson-one/>, “So what is Agenda 21, also referred to as ‘Sustainable Development?’” It is emphatically NOT an environmental movement; it IS a deceptive political movement, which seeks to control the world’s economy, dictate its development, capture and redistribute its wealth on a national, state, and local level.
- Shall any hydroelectric dam be removed in the United States without the express consent of Congress? The proper solution is regular dam maintenance to include dredging behind the dam to remove contaminated silt and installing or repairing fish ladders.
- Shall U.S. Courts at all levels persist in exercising extreme bias against pro se or any litigants, contrary to Judicial Code of conduct

and Loper Bright Enterprises, especially in use of Administrative Law to nullify federal law for Summary Judgment, by dismissing a case when defense fails to make any appearance? This corrupt procedure is systemic throughout the Ninth Circuit Court System. Also <https://pacificlegal.org/post-chevron-mine-case/>

- Shall the judge who decides for such a dismissal be innocent of Misprision of felony, having reviewed the felonies admitted by failure of the defense to appear, and then doing nothing to adjudicate them?
- Shall the Circuit Court of Appeals violate its protocol for selecting a unique panel of judges for each case tried when a litigant has simultaneously presented two or more unique cases for review?
- Shall the Circuit Court of Appeals refer a PETITION FOR RECONSIDERATION OF DISPOSITIVE ORDER to the same panel of judges whose extreme bias in dismissing that very case is being challenged by pro se or any litigants?
- Shall Horizontal Stare Decisis, the doctrine of following rules or principles laid down in previous judicial decisions, apply without question to any case? Horizontal Stare Decisis is unreliable because it can never be guaranteed to apply to the instant be the exact same-case with a unique history, without studying the transcripts and exhibits of the previous case. This is like comparing Apples to Oranges; they are both fruits, but different.
- Shall any Court habitually and illegally dismiss a Complaint when Defendants are in default by the 21-day FRCP rule? By FRCP rules when a complaint is filed the defendants have 21 days to respond or risk a summary judgement against them. Amdt6.2.1 Overview of Right to a Speedy Trial (<https://www.law.cornell.edu/constitution-conan/amendment-6/overview-of-right-to-a-speedy-trial>) shows clearly the Constitution requires a speedy trial. However, Petitioner Pro Se is involved in many cases where the defendants were in default by the 21-day rule. Petitioner Pro Se then filed for a summary judgement and a Writ of Mandamus. In every case, the Judge illegally dismissed the case, proof that this illegal tactic is systemic throughout the 9th

Circuit Court.

LIST OF PARTIES [X] All parties appear in the caption of the case on the cover page.

TABLE OF CONTENTS

OPINIONS
BELOW..... 5
JURISDICTION.....6
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED8
STATEMENT OF THE CASE8
REASONS FOR GRANTING THE WRIT13
CONCLUSION.....13

OPINIONS BELOW

List of Docket entries from 24-5811

9/24/2024 1 **CASE OPENED.** A copy of your notice of appeal / petition filed in 1:2 office of the United States Court of Appeals for the Ninth Circ The U. of Appeals docket number **24-5811** has been assign the court must i this Court of Appeals docket number. Please name(s) and contact information are correct. It is your responsibility changes.
Resources Available
For more information about case processing and to assist you in pre Opening Information (for [attorneys](#) and [pro se litigants](#)) and review th consider contacting the court's [Appellate Mentoring Program](#) [Entere 09/24/2024 02:28 PM]

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10/8/2024	4	DEFECTIVE --- NOTICE that No Answering Brief Will be Filed by type, correct entry is DE 6.] [Entered: 10/08/2024 05:20 PM] [Edited:
10/8/2024	5	MOTION to Proceed In Forma Pauperis filed by Appellant David White. [PDF of motion.] [Entered: 10/08/2024 06:26 PM] [Edited: 10/09/2024
10/8/2024	6	CORRESPONDENCE filed by Appellant David White. [COURT ENT 10/09/2024 09:26 AM]
10/11/2024	7	ORDER FILED. It appears that this appeal may be frivolous. If the appellant is granted permission to proceed in forma pauperis and dismiss the appeal. See Fed. R. App. P. 42(b). If appellant must: (1) file a statement explaining why the appeal is not frivolous, or any other response other than a motion to dismiss, the appeal will be dismissed. If it is frivolous, the appeal will be dismissed. If it is not frivolous, the appeal will be stayed. If appellant does not respond to this order, the court may dismiss the appeal. The clerk will serve on appellant: (1) a form motion to voluntarily dismiss the appeal should go forward. [Entered: 10/11/2024 01:42 PM]
10/15/2024	8	RESPONSE to Order - General OSC (DE 7) filed by Appellant David
10/17/2024	9	OPENING BRIEF submitted for filing by Appellant David White. [Ent
10/18/2024	10	CLERK ACTION: Opening Brief submitted at DE 9 by Appellant Dave White [Entered: 10/18/2024 03:04 PM]
11/20/2024	11	ORDER FILED. (Sidney R. THOMAS, Jay S. BYBEE, Daniel P. COLSON) Upon a review of the record, the response to the court's October 11, 2024 Order (Entry No. 5), see 28 U.S.C. § 1915(a), and dismiss this appeal as frivolous. (court shall dismiss case at any time, if court determines it is frivolous) entertained in this closed case. DISMISSED. [Entered: 11/20/2024 0
12/3/2024	12	MOTION to Reconsider Dispositive Order filed by

5 The Appellees abandoned these case issues by no response
6
7 to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.
8

9 JURISDICTION

10
11 Basis for Jurisdiction is a federal environmental question. An
12
13 environmental disaster in the Klamath Basin has resulted from KRRRC's
14
15 willful destruction of the environment in violation of known stipulations and
16
17 restrictions of the FERC license. These are in clear violation of the Federal
18
19 Clean Air and Federal Clean Water Acts of the U.S. Congress. Also
20
21 includes violations of wanton killing of fish, including endangered Salmon
22
23 without permits.

24
25 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
26
27 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
28
29 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
30
31 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
32
33 16.

34
35 This Court has jurisdiction, over the subject matter of this complaint,
36
37 because the illegal and unlawful actions of KRRRC are violating Federal
38
39 Law, to include (Wild and Scenic Rivers Act, PL 90-542), (Clean Water
40

1 Act), and (Commerce Clause of the U.S. Constitution). The Defendants are
2
3 complicit in these statute violations by negligently providing KRRRC with its
4
5 license.

6
7 Additionally, This Court has jurisdiction, over the subject matter of this
8
9 complaint, because the massive environmental damage in the Klamath
10
11 River basin is most proximate to the ninth circuit court which so blatantly
12
13 dismissed three cases without any legal standing to do so.

14
15 Petitioner Pro Se presents this Complaint respectfully, requesting this Court
16
17 To convene this case as an article III, of the U.S. Constitution Court case,
18
19 Per the recent U.S. Supreme Court ruling in 13) 2024 Loper Bright
20
21 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce
22
23 above. Article III, Section 2 of the U. S. Constitution stipulates “The Judicial
24
25 Power shall extend to all cases in law and equity, arising under this
26
27 constitution, the laws of the United States and Treaties, which will be made
28
29 under the Authority;

30
31 - to all cases affecting ambassadors, other public Ministers and
32
33 Counsels, to controversies to which the United States shall be a party;
34
35 - to controversies between two or more states, ... between citizens of
36
37 different states, between a state or the citizens thereof.

38
39 First Page, second paragraph, Held: The Administrative Procedure Act
40

1 requires courts to exercise their independent judgment in deciding whether
2 an agency has acted within its statutory authority, and courts may not defer
3 to an agency interpretation of the law simply because a statute is
4 ambiguous; Chevron is overruled. Pp. 7–35.

5
6
7
8
9 (<https://www.foleyhoag.com/news-and-insights/publications/alerts-and-updates/2024/july/chevrons-demise-and-what-it-means-for-healthcare-and-life-sciences-companies/>).

10
11
12
13 Therefore, agencies like the Federal Energy Regulatory Commission
14 (FERC) are no longer permitted to cherry pick data to match their
15 administrative agenda. For example, about 80% of Klamath Basin
16 residents were strongly opposed to the Klamath dams being removed,
17 a well-documented fact which the FERC agency simply ignored.

21 22 23 VENUE

24
25 Venue is proper in this Court because the location of the Ninth Circuit
26 Court is in the same geographical location as the Illegal act's that are NOW
27 taking place. The Court's location is close to the environmental damage
28 incurred and ongoing, allowing for easy visual inspection.

29
30
31
32
33 The Klamath River's rights to a wild and scenic condition is actively being
34 violated by KRRRC, the defendant's licensee, and therefore the Public
35 (Petitioner Pro Se and Class action members) have a legal right to speak
36 on behalf of the Klamath River. In addition, the public's right to enjoyment
37
38
39
40

1 of that condition as mandated by Congress has forever been taken away.

2
3 Therefore, Petitioner Pro Se have standing. Additionally, this is a class
4
5 action complaint with class action members residing in the Klamath Basin
6
7 which extends from Klamath Falls Oregon to Yreka California.

8
9 **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

10
11 These are in clear violation of the Federal Clean Air and Federal Clean
12
13 Water Acts of the U.S. Congress. Also, violations of wanton killing fish
14
15 including endangered Salmon without permits.

16
17 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
18
19 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
20
21 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
22
23 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
24
25 16.

26
27 **STATEMENT OF THE CASE**

28
29 Petitioner Pro Se is part of a team of 3 professionals, all volunteering, pro
30
31 bono. One is a 40-year retired, Federal Attorney, expert in the application
32
33 of Federal and Case law, environmental law in particular. Another is an
34
35 investigative journalist, providing legal research and serving as Legal Editor
36
37 for all Court Documents.

38
39 This team has three docket cases before the Ninth Circuit Court to correct

1
2 illegal administrative law rulings and potentially discipline four federal
3
4 judges who made arbitrary rulings contrary to Federal law.
5 Prior to filing a claim against the Federal Energy Regulatory
6
7 Commissioners, Petitioner Pro Se filed in FERC to have a hearing and
8
9 present their legal violations in their process of providing a license to
10
11 KRRRC. However FERC has not provided a hearing and its been six
12
13 months.

14
15 After waiting 1 month for a response, on August 8th, 2024, Petitioner Pro Se
16
17 filed a Complaint against the Federal Energy Regulatory Commissioners
18
19 (FERC), which had unlawfully issued Klamath River Renewal Corporation
20
21 (KRRRC) a license to remove four of the dams on the lower Klamath River.

22
23
24 This license was accomplished by cherry picking data as part of a scheme
25
26 to overrule Federal environmental law which guarantees preservation of the
27
28 dams. As evidence of KRRRC lawbreaking, Appellant found more than nine
29
30 violations of environmental law in the FERC licensing document. Trial
31
32 Court Judge in the case 1:24-CV-1301-MC then manipulated or ignored
33
34 this lawful evidence to claim that Petitioner Pro Se was suing FERC in
35
36 conjunction with KRRRC, resulting in Petitioner Pro Se's loss. Petitioner Pro
37

1 Se was simply referring to FERC documentation as evidence. Debunking
2
3 the [2018 FERC document](#) so the Supreme Court can make it invalid.

4
5 The Defendants were in Default by failing to respond to the Complaint.

6
7 This, even though Appellant called and emailed them and also submitted
8
9 the Complaint and Memorandum of Points Pleading, which shows FERC
10
11 violated their own rules and federal law by illegal cherry-picking data. This
12
13 document was previously uploaded to Appeals Court docket.

14
15 About 80% of local stakeholders didn't want the dams removed.

16
17 FERC blatantly ignored overwhelming objections of local stakeholder's in
18
19 polling and sworn testimony against removal of the dams in both Klickitat
20
21 County, California and Klamath County, Oregon. One doctor stands out,
22
23 who testified that his wife died due to the Chromium 6 poisoning and he
24
25 has a steady flow of patients likewise suffering the same symptoms. See
26
27 the 2009 to 2011 Chemistry test on silt behind each dam is high
28
29 contaminated with Chromium 6 and Arsenic.

30
31 [https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-Evaluation-of-Contaminants-in-Sediments.pdf)
32 [Evaluation-of-Contaminants-in-Sediments.pdf](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-Evaluation-of-Contaminants-in-Sediments.pdf)

33
34 This is illegal by the clean water act and KRRC's section 404 permit.

35
36 This is also illegal by the U.S. Supreme Court Ruling 12) in Case 22-451
37

1 Loper Bright, June 28, 2024.

2
3 The Loper Bright decision has two components:

- 4
- 5 1. All courts from the U.S. Supreme Court to the lowest city traffic court
 - 6 must convene as courts under Article III, Section 2 of the United
 - 7 States Constitution, and
 - 8 2. Federal entities may no longer cherry pick data to promote a
 - 9 preferred agenda, in this case the ill-informed demands for dam
 - 10 removal of upstream stakeholders to the extreme detriment of all
 - 11 others.

12 Lower Court refusal to abide by the letter and spirit of this Ruling at every
13 level lies at the heart of this Petition. Prior to this egregious act of public
14 vandalism, Petitioner Pro Se likewise issued strong objections from the
15 perspective of his training and lifetime experience as a Chemical Engineer,
16 including partial completion of a doctorate in the field. Appellant (Petitioner
17 Pro Se) explained
18 repeatedly that a far less draconian and less expensive option – one that
19 would not defy federal law -- was to:
20
21
22
23
24
25
26

- 27 1. dredge accumulated silt behind the dams,
- 28 2. heat scrub out deadly chemicals onsite, such as Arsenic and
- 29 Chromium 6,
- 30 3. then repair or install fish ladders.
- 31

32
33 This would allow for gradual drainage and cleansing of any water quality
34 issues above the dam. Salmon Protection Devices (stainless steel cages)
35 might also be installed to prevent sea lions from gorging on fish at the base
36
37

1
2 of the most downstream fish ladders. These scientific recommendations
3
4 were ignored, thus destroying the invaluable utility of the dams for flood
5
6 control, hydroelectricity, irrigation, recreation, fire-fighting, and more. The
7
8 tragic California wildfires burning out of control were the immediate result of
9
10 this unforgiveable vandalism of fully-capitalized public property.

11 Klamath River Renewal Corp malfeasance is transferred to FERC
12
13 defendants by 1)18 USC 3 accessory after the fact.

14
15 Appellant (Petitioner Pro Se) filed Case 3:24-cv-00755-JR in federal court
16
17 as an environmental suit against Defendants' Klamath River Renewal Corp
18
19 (KRRC) and RES, who confessed in a press conference to killing over
20
21 2000 fish including endangered salmon and a herd of elk without permits.
22

23
24 Petitioner Pro Se's request for an emergency injunction to temporarily stop
25
26 work was denied by Defendants' deceitful manipulation of Administrative
27
28 Law to delay any Court action to stop the crime in progress by injunction.

29
30 But this should not excuse the lower court's pusillanimous inaction in the
31
32 face of cries for justice and relief from the harm being inflicted before their
33
34 very eyes. This is, in effect, Misprision of Felony.

35
36 Here is an email from a local stakeholder as one small example of the
37
38 human damage inflicted by this egregious action. Not to mention the
39

1 environmental calamity that remains unmitigated due to a massive release
2
3 of poisoned flood water in January, 2024. This is an Exxon-Valdez level of
4
5 environmental havoc papered over by defendants planting grass on
6
7 contaminated riverbanks. It killed all aquatic life for 120 River Miles
8
9 between the Iron Gate Dam and Pacific Ocean, and still poses a lethal
10
11 threat to unsuspecting human and wildlife in the area.
12

13 From: Rick Dowdy <rhadowdy@gmail.com>
14 Sent: Monday, September 16, 2024 9:47 AM
15 To: dave@salmonprotectiondevice.com
16 <dave@salmonprotectiondevice.com>
17 Subject: Dam removal
18

19 Hi, my name is Rick Dowdy. I live at Copco where they have removed our
20 Dam. Our community well went dry 2 days after they released the water
21 from our lake. They gave us a 5,000-gallon tank for 10 houses. They
22 currently fill it weekly. I have heard KRRC will be finished at the end of
23 October. I am concerned they are going to leave us high and dry without a
24 permanent well. I also have damage to my home from their blasting on the
25 dam. To find another home to retire at would cost me at least 1 million
26 dollars. The poisons left from dam removal could be life threatening. Thank
27 you for going for justice. From Rick Dowdy.
28

29 30 REASONS FOR GRANTING THE WRIT

31
32 The Federal Court illegally dismissed this case when defendants (FERC
33
34 Commissioners) were in default. Thus, the appeal was filed. But then three
35
36 9th Circuit Court Justices illegally dismissed the appeal because they
37
38 naively accepted the illegal dismissal of the Federal Court. The Federal
39
40 Court judge has a Complaint filed against him in the 9th Circuit Court of

1
2 Appeals for illegal judicial bias, violations of Judicial Code of Conduct and
3
4 illegal abuse of administrative law. Likewise, the three Appeals Court
5
6 Justices have similar Complaints and dockets filed. See Appendix A. The
7
8 Appellees abandoned these case issues by no response
9
10 to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.

11
12 Therefore, many reasons have been given got granting this writ.

13
14
15 **CONCLUSION**

16
17 Petitioner Pro Se respectfully requests the following rulings or remand of this
18
19 case back to the 9th Circuit, ~~and order~~ ordering them to impanel three different
20
21 justices and instructing them to refrain from illegal judicial bias, violation of
22
23 Judicial Code of Conduct, and illegal abuse of Administrative Law. Appendix A
24
25 is a letter from Susan Soong 9th Circuit Court Chief executive acknowledging
26
27 illegal judicial bias. The Appellees abandoned these case issues by no
28
29 response to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.

30
31
32 **PRAYER FOR RELIEF**

- 33
34 1. Petitioner Pro Se hereby respectfully requests the Supreme Court to
35
36 issue a Writ of Mandamus that Defendants charge Petitioner Pro Se's
37
38 team with the task of restoring the Klamath River back to its Original

1
2 Wild and Scenic condition with dams and fish ladders as mandated
3
4 by Congress. Also to pay ten million dollars to Salmon Protection
5
6 Device Inc. These funds will start the cleanup of the environmental
7
8 damage in the Klamath Basin. The Respondents abandoned these
9
10 case issues by no response to any pleading in Docket 24-5811 and
11
12 Case 1:24CV-1301-MC.

13
14
15 2. Grant Injunctive Relief to halt all further deconstruction and grant
16
17 Summary Judgment because Defendants' licensee, KRRC continues
18
19 to ignore the actions they are legally required to perform by FERC
20
21 and the Army Corp of Engineers, under the Federal Clean Water Act,
22
23 Section 404. KRRC has made public confession of these crimes and
24
25 has nonetheless proceeded with their nefarious, criminal activity. The
26
27 gravity of this case requires a court order that commands a
28
29 government official or entity to perform an act it is legally required to
30
31 perform as part of its official duties, or refrain from performing an act
32
33 the law forbids. The Respondents abandoned these
34
35 case issues by no response to any pleading in Docket 24-5811 and
36
37 Case 1:24CV-1301-MC.

1
2 3. Petitioner Pro Se hereby respectfully requests the Supreme Court to
3
4 order Defendants to immediately remove KRRC's license and
5
6 transfer all remaining control and money to Salmon Protection Device
7
8 non-profit. The Respondents abandoned these
9
10 case issues by no response to any pleading in Docket 24-5811 and
11
12 Case 1:24CV-1301-MC.
13

14 Salmonprotectiondevice.com has a team of engineers and scientists
15
16 who know how to mitigate the contaminated silt and install fish
17
18 ladders on rebuilt Iron Gate and JC Boyle Dams.
19

20 4. Petitioner Pro Se respectfully requests the Supreme Court to
21
22 vacate the 3:24-cv-00755-JR final dismissal on 7/26/2024. This
23
24 Federal Court dismissal was based on KRRC legal counsel's
25
26 concocted ECF's and manipulation of case law and Federal Law.
27
28 Petitioner Pro Se has already warned defendants that if they continue
29
30 to repeat these perjuries he will ask for full adjudication to the FBI for
31
32 prosecution to the full extent of the law. The Respondents abandoned
33
34 these case issues by no response to any pleading in Docket 24-5811
35
36 and Case 1:24CV-1301-MC.
37

1 5. Petitioner Pro Se respectfully requests the Supreme Court to
2
3 acknowledge standing based on Federal Environmental laws broken
4
5 with associated 7 Environmental Values denied to Petitioner Pro Se,
6
7 Class Action members, and the River itself. Likewise, standing based
8
9 on harms inflicted on Petitioner Pro Se resulting in preparations taken
10
11 to move out of state to ~~California~~ due to harms inflicted by KRRC's
12
13 malfeasance.

14
15 6. Petitioner Pro Se hereby respectfully requests the Supreme Court to
16
17 provide relief, and take judicial notice of the lethal environmental
18
19 consequences of KRRC's actions, which require immediate
20
21 mitigation. Rule Salmon Protection Device remediation team to the
22
23 task of project mitigation immediately, to avoid further lethal
24
25 environmental consequences from KRRC's gross negligence. This is
26
27 much worse than the Exxon-Valdez oil spill because KRRC's actions
28
29 devastated all aquatic life for 120 River Miles (RM) west of the Iron
30
31 Gate Dam and destroyed vital estuaries. EPA has been notified and
32
33 is likely to declare this a Super-Fund Cleanup site.

34
35 This designation needs to specify that no person shall go near the
36
37 Klamath River without wearing a gas mask until the Salmon Protection

1 Device team removes and scrubs the contaminated silt on the
2
3 river banks. Every day that goes by without an injunction is a threat to
4
5 the lives of local residents and wildlife. This amounts to failure to
6
7 impede a crime in process. How is this not akin to “Misprision of a
8
9 Felony?”

10
11 The active agents in the crime must provide funds for replacement of
12
13 the J.C. Boyle and Iron Gate Dams. The Kiewit Corporation knowingly
14
15 participated as accomplice in commission of this unconscionable crime
16
17 against the environment, in spite of warnings. They proceeded with full
18
19 knowledge and warning of the environmental laws that they were
20
21 violating with impunity. This too-big-to-fail attitude must not go
22
23 unrequited.

24
25 Petitioner requests a Writ of Mandamus and a Summary Judgment in
26
27 Petitioner’s favor because Defendants are clearly biased against
28
29 Federal Environmental law, not doing what they are legally required to
30
31 do, especially scrubbing the silt and installing fences to protect the many
32
33 elk that have perished in what amounts to quick-sand.

34
35 Petitioner respectfully requests the Supreme Court to award any other
36
37 cost to the Petitioner Pro Se as the Court sees fit.

38
39 7. Petitioner hereby respectfully requests that the 9th Circuit Appeals Court
40

1 be required to issue an official notification to all courts in its jurisdiction,
2
3 ordering them that Administrative Law shall no longer take precedence
4
5 over Article III, Section 2 of the U.S. Constitution, or standing case law and
6
7 statute law made in pursuance thereof (U.S. Supreme Court, Loper Case
8
9 22-451). Case 21DR02783, Marriage Dissolution, and the current Case
10
11 might be used as prime examples of such abuse and violations of the
12
13 Judicial Code of Conduct.

14
15 Although not part of the Loper Decision, Article VI, Section 2 of the U.S.
16
17 Constitution also strongly reinforces this principle in stating that: “This
18
19 Constitution, and the Laws of the United States which shall be made in
20
21 Pursuance thereof; and all Treaties made, or which shall be made, under
22
23 the Authority of the United States, shall be the supreme Law of the Land;
24
25 and the Judges in every State shall be bound thereby, any thing in the
26
27 Constitution or Laws of any State to the Contrary notwithstanding. The
28
29 judge in question is, of course, sworn by sacred oath to uphold this
30
31 Constitution.

32
33 8. Accordingly, Petitioner Pro Se calls upon the **Supreme Court** to take
34
35 appropriate disciplinary action in light of the fact that such behavior is subject
36
37 to permanent removal of the bar license and defrocking of any Federal Judge
38
39 in violation of 10) 20-1199 Loper Bright Enterprises, 15) Judges Code of
40

1 Conduct, Canons 2 and 3; [https://www.uscourts.gov/judges-](https://www.uscourts.gov/judges-judgeships/code-)
2 [judgeships/code-](https://www.uscourts.gov/judges-judgeships/code-)
3
4 [conduct-united-states-judges](https://www.uscourts.gov/judges-judgeships/code-), 18 U.S.C. § 1001 False Statements,
5
6 Concealment., 15) 18 U.S. Code § 1621 – Perjury, 16) 28 U.S. Code §
7 455 (b),
8
9 (1) which says, “Where he (The Judge) has a personal bias or prejudice
10
11 concerning a party, or personal knowledge of disputed evidentiary facts
12
13 concerning the proceeding;
14
15 18 U.S.C. 4 says, “Whoever, having knowledge of the actual commission of
16
17 a felony cognizable by a court of the United States, conceals and does not
18
19 as soon as possible make known the same to some judge or other person
20
21 in civil or military authority under the United States, shall be fined under this
22
23 title or imprisoned not more than three years, or both.” The crimes
24
25 described in the Complaint are future flooding in the Klamath basin with
26
27 hundreds of millions in damages yearly and exposure of human and wildlife
28
29 to deadly arsenic and Chromium 6 poisoning.
30
31 **9.** Petitioner is adding this additional request, moving the to require that all
32
33 future river reclamation projects within the purview of the 9th Circuit Court
34
35 shall comply with the intent of the Wild and Scenic Rivers Act, Section 7IA2
36
37 to preserve existing dam projects from removal, by the far less draconian
38
39 strategy of
40

- 1 a. Dredging behind the dam and heat-scrubbing silt onsite,
- 2 b. Installing or repairing fish ladders on each dam,
- 3 c. Installing Salmon Protection Device cages at the foot of the fish
- 4 ladder on the lower dam if needed to deter predatory Sea Lions,
- 5 and
- 6 d. Treating reservoirs for algae or other contaminants, if necessary
- 7 <https://www.rivers.gov/rivers/rivers/sites/rivers/files/2023-07/section-7.pdf>

8
9
10
11
12 With a favorable ruling against FERC or the Federal Court, Petitioner Pro

13
14
15 Se will relocate to the Klamath Basin in California and rectify the

16
17 environmental mess created and left unmitigated by KRRRC. Petitioner Pro

18
19 Se's home is

20
21 for sale at [18965 NW Illahe St, Portland, OR 97229 | Zillow, pending a](#)

22 [favorable decision.](#) Petitioner Pro Se was 11 Bravo in the Army and

23
24 Vietnam who knows firsthand what a war zone looks like. The devastation

25
26 in the Klamath Basin is akin to a war zone.

27
28 INDEX TO APPENDICES

29
30 APPENDIX A

31 Letter from Susan Soong 9th Circuit Court Chief executive acknowledging

32 illegal judicial bias.



SUSAN Y. SOONG
CIRCUIT EXECUTIVE

OFFICE OF THE CIRCUIT EXECUTIVE
UNITED STATES COURTS FOR THE NINTH CIRCUIT

JAMES R. BROWNING UNITED STATES COURTHOUSE
95 SEVENTH STREET
POST OFFICE BOX 193939
SAN FRANCISCO, CA 94119-3939

January 3, 2025

Dave White
18965 NW Illahe St.
Portland, OR 97229

Re: Complaint of Judicial Misconduct Nos. 25-90001, 25-90002, 25-90003

Dear Mr. White:

We have received your complaint of judicial misconduct filed pursuant to 28 U.S.C. § 351(a) against Judges Jay S. Bybee, Sidney R. Thomas and Daniel P. Collins. Docket Numbers 25-90001, 25-90002 and 25-90003, respectively, have been assigned to this matter.

We will use the address in your complaint to communicate with you. Until your complaint has been concluded, you must promptly provide written notice of any address changes to the Office of the Circuit Executive, referencing your complaint number. A change of address notification submitted in any other case or appeal is insufficient.

Pursuant to the Rules for Judicial-Conduct and Judicial-Disability Proceedings, a copy of the complaint has been forwarded to Chief Judge Mary H. Murguia and each of the named subject judges.

Very truly yours,

Susan Y. Soong
Circuit Executive

SYS/aa

1 Appendix B.
2

3 11/20/2024 11 **ORDER FILED.** (Sidney R. THOMAS, Jay S. BYBEE,
4 Daniel P. COL

5 Upon a review of the record, the response to the court's
6 October 11, conclude this appeal is frivolous. We
7 therefore deny appellant's moti Entry No. 5), see 28
8 U.S.C. § 1915(a), and dismiss this appeal as fri (court
9 shall dismiss case at any time, if court determines it is
10 frivolous entertained in this closed case. DISMISSED.
11 [Entered: 11/20/2024 0
12

13 Appendix C

10/17/2024	23	ORDER: The Motion for Default Judgment 22 is DENIED. The Court is still evaluating Plaintiff's IFP Application 2 and Amended Complaint 21 . He has not been granted leave to proceed, this action has not yet formally commenced with service, and therefore, Defendant does not yet have a duty to appear and defend. Plaintiff is reminded to heed this District's Local Rules as well as the Federal Rules of Civil Procedure prior to filing any other documents. Ordered by Judge Michael J. McShane. (cp) (Entered: 10/17/2024)
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TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
1)18 USC 3 accessory after the fact.	1
2) 16 USCA § 1532(19); see also Goble, D. D.; George, S. M.; Mazaika, K.;	6,8
3) The Endangered Species Act of 1973, https://www.fws.gov/laws/endangered-species-act/section-11	6,8
4) 18 U.S.C. § 1001 False Statements, Concealment.	16
5) 29 CFR § 1606.8 (1) – Harassment has the purpose or effect of creating an intimidating, hostile or offensive working environment.	2, 21
6) 33 U.S.C. §1251 et seq. (1972) Clean water act Section 404.	10, 14, 21

- 1 7) 18 U.S. Code § 1621 – Perjury. 16
- 2
- 3 8) 28 U.S. Code § 455 (b), (1) which says, “Where he (The Judge) has a
4 personal bias or prejudice concerning a party, or personal knowledge of
5 disputed evidentiary facts concerning the proceeding;” 16
- 6
- 7 9) Judges Code of Conduct Canons 2 and 3
8 [https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges)
9 [judges](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges), 1, 13
- 10
- 11 10) 18 U.S.C. 4 says, “Whoever, having knowledge of the actual
12 commission of a felony cognizable by a court of the United States,
13 conceals and does not as soon as possible make known the same to some
14 judge or other person in civil or military authority under the United States,
15 shall be fined under this title or imprisoned not more than three years, or
16 both.” 16
- 17
- 18
- 19
- 20 11) Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002): Pagtalunan
21 was Pro Se and made numerous mistakes in filing his complaint resulting
22 in the case being dismissed. However, upon appeal, the higher Court
23 ruled that the lower Court was in error because they did not give allowance
24 for Pagtalunan’s lack of legal training. 25
- 25
- 26
- 27
- 28
- 29
- 30 12) 18 U.S. Code § 4 - Misprision of felony. 3, 12, 25
- 31
- 32
- 33 13) 22–451 June 28th, 2024 Federal Case number 22–451 in Loper Bright
34 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce
35 that all courts shall no longer function as administrative law courts.
36 https://www.supremecourt.gov/opinions/23pdf/22-451_7m58.pdf
37 Administrative law is illegal and ALL courts must convene as Article three
38 of the US Constitution. The Chevron doctrine is invalid. Federal and state
39 agencies can no longer cherry pick data for their false agenda. Stare

1 decisis must be vertical to the Constitution not lower or sideways. This is
2 because any other case can't be guaranteed to have enough similarities to
3 warrant use unless the Judge and each counsel have read that case
4 transcripts, exhibits and final ruling. Six to three decision. 2, 6. 10, 16 24
5
6
7

8 IN THE
9
10 SUPREME COURT OF THE UNITED STATES

11 PETITION FOR WRIT OF CERTIORARI

12 Petitioner respectfully prays that a writ of certiorari issue to review the judgment
13 below.

14
15 **OPINIONS BELOW**

16
17 For cases from federal courts:

18 The opinion of the United States court of appeals appears at
19 Appendix __ to the petition and is in Appendix B

20
21 The opinion of the United States district court appears at
22 Appendix C.
23

24 **JURISDICTION**

25
26 For cases from **federal courts**:

27 The date on which the United States Court of Appeals decided
28 my case was .

29
30 No petition for rehearing was timely filed in my case.

31
32 A timely petition for rehearing was denied by the United States
33 Court of Appeals on the following date: and a copy of the order
34 denying rehearing appears at Appendix .

35
36 An extension of time to file the petition for a writ of certiorari was

1 granted to and including _____ (date) on
2 (date) in Application No. A .
3

4 The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).
5
6

7
8 The petition for a writ of certiorari should be granted.
9

10
11 Respectfully submitted,
12
13

14 
15
16

17 Date: 2/11/2025
18

CERTIFICATE OF SERVICE

I hereby certify that on 2/11/2025, a true and correct copy of the above document was electronically filed with the Clerk of the Court using CM/ECF. A copy of the document will be served upon interested parties via the Notices of Electronic Filing that are generated by CM/ECF. Additionally, a courtesy copy is being provided as follows:

Also emailed to defendants

Chairman_Phillips_Meetings@ferc.gov;

Commissioner_Christie_Meetings@FERC.gov;

Commissioner_Rosner_Meetings@FERC.gov;
Commissioner_See_Meetings@FERC.gov;
Commissioner_Chang_Meetings@FERC.gov

Attorney for Legal Counsel for all defendants
Danielle Mechling
Attorney-Advisor
Federal Energy Regulatory Commission
Office of Enforcement, Division of Investigations
Tel: 202-502-8924
Email: danielle.mechling@ferc.gov
___ Via hand delivery
___ Via U.S. Mail, 1st Class,
Postage Prepaid
___ Via Overnight Delivery
___ Via Facsimile
XX Via Email
XX Via CM/ECF notification
to the extent registered DATED: 2/11/2025
By: David White



**IN THE
SUPREME COURT OF THE UNITED STATES
FEBRUARY 2025 TERM**

DAVID C. WHITE Petitioner Pro Se

Vs.

**Respondent 1. (R1)
Chairman Willie L. Phillips, in his
personal capacity as chairman of
Federal Energy Regulatory
Commission (FERC) Chairman_Phillips_Meetings@ferc.gov
202-502-8550**

**Respondent 2. (R2)
Commissioner Mark Christie in his
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
202-502-8110 Commissioner_Christie_Meetings@FERC.gov**

**Respondent 3 (R3)
Commissioner David Rosner in his
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
202-502-6500 Commissioner_Rosner_Meetings@FERC.gov**

**Respondent 4 (R4)
Commissioner Lindsay S. See in her
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
Commissioner_See_Meetings@FERC.gov**

**Respondent 5 (D5)
Commissioner Judy W. Chang in her
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
Commissioner_Chang_Meetings@FERC.gov**

Respondents

Danielle Mechling

**Counsel of Record
Attorney-Advisor
Federal Energy Regulatory Commission
Office of Enforcement, Division of Investigations
Tel: 202-502-8924
Email: danielle.mechling@ferc.gov**

**On Petition for a Writ of Certiorari to the United State Court
of Appeals for the Ninth Circuit Docket 24-5811**

PETITION FOR A WRIT OF CERTIORARI

**David White
18965 NW Illahe Street
Portland, Oregon 97229
503-608-7611
Dave@salmonprotectiondevice.com**

QUESTIONS PRESENTED FOR REVIEW

- Shall the U.S. participate in illegal and catastrophic, Bio-diversity programs, such as public dam removal, which were never ratified by Congress?
Please refer to any excerpt from <https://www.agenda21course.com/category/lesson-one/>, “So what is Agenda 21, also referred to as ‘Sustainable Development?’” It is emphatically NOT an environmental movement; it IS a deceptive political movement, which seeks to control the world’s economy, dictate its development, capture and redistribute its wealth on a national, state, and local level.
- Shall any hydroelectric dam be removed in the United States without the express consent of Congress? The proper solution is regular dam maintenance to include dredging behind the dam to remove contaminated silt and installing or repairing fish ladders.
- Shall U.S. Courts at all levels persist in exercising extreme bias against pro se or any litigants, contrary to Judicial Code of conduct

and Loper Bright Enterprises, especially in use of Administrative Law to nullify federal law for Summary Judgment, by dismissing a case when defense fails to make any appearance? This corrupt procedure is systemic throughout the Ninth Circuit Court System. Also <https://pacificlegal.org/post-chevron-mine-case/>

- Shall the judge who decides for such a dismissal be innocent of Misprision of felony, having reviewed the felonies admitted by failure of the defense to appear, and then doing nothing to adjudicate them?
- Shall the Circuit Court of Appeals violate its protocol for selecting a unique panel of judges for each case tried when a litigant has simultaneously presented two or more unique cases for review?
- Shall the Circuit Court of Appeals refer a PETITION FOR RECONSIDERATION OF DISPOSITIVE ORDER to the same panel of judges whose extreme bias in dismissing that very case is being challenged by pro se or any litigants?
- Shall Horizontal Stare Decisis, the doctrine of following rules or principles laid down in previous judicial decisions, apply without question to any case? Horizontal Stare Decisis is unreliable because it can never be guaranteed to apply to the instant be the exact same-case with a unique history, without studying the transcripts and exhibits of the previous case. This is like comparing Apples to Oranges; they are both fruits, but different.
- Shall any Court habitually and illegally dismiss a Complaint when Defendants are in default by the 21-day FRCP rule? By FRCP rules when a complaint is filed the defendants have 21 days to respond or risk a summary judgement against them. Amdt6.2.1 Overview of Right to a Speedy Trial (<https://www.law.cornell.edu/constitution-conan/amendment-6/overview-of-right-to-a-speedy-trial>) shows clearly the Constitution requires a speedy trial. However, Petitioner Pro Se is involved in many cases where the defendants were in default by the 21-day rule. Petitioner Pro Se then filed for a summary judgement and a Writ of Mandamus. In every case, the Judge illegally dismissed the case, proof that this illegal tactic is systemic throughout the 9th

Circuit Court.

LIST OF PARTIES [X] All parties appear in the caption of the case on the cover page.

TABLE OF CONTENTS

OPINIONS
BELOW..... 5
JURISDICTION.....6
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED8
STATEMENT OF THE CASE8
REASONS FOR GRANTING THE WRIT13
CONCLUSION.....13

OPINIONS BELOW

List of Docket entries from 24-5811

9/24/2024 1 **CASE OPENED.** A copy of your notice of appeal / petition filed in 1:2 office of the United States Court of Appeals for the Ninth Circ The U. of Appeals docket number **24-5811** has been assign the court must i this Court of Appeals docket number. Please name(s) and contact information are correct. It is your responsibility changes.
Resources Available
For more information about case processing and to assist you in pre Opening Information (for [attorneys](#) and [pro se litigants](#)) and review th consider contacting the court's [Appellate Mentoring Program](#) [Entere 09/24/2024 02:28 PM]

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10/8/2024	4	DEFECTIVE --- NOTICE that No Answering Brief Will be Filed by type, correct entry is DE 6.] [Entered: 10/08/2024 05:20 PM] [Edited:
-----------	---	--

10/8/2024	5	MOTION to Proceed In Forma Pauperis filed by Appellant David White. [PDF of motion.] [Entered: 10/08/2024 06:26 PM] [Edited: 10/09/2024
-----------	---	--

10/8/2024	6	CORRESPONDENCE filed by Appellant David White. [COURT ENT 10/09/2024 09:26 AM]
-----------	---	---

10/11/2024	7	ORDER FILED. It appears that this appeal may be frivolous. If the appellant is granted permission to proceed in forma pauperis and dismiss the appeal. See Fed. R. App. P. 42(b). If appellant must: (1) file a statement explaining why the appeal is not frivolous, or any other response other than a motion to dismiss, the appeal will be dismissed. If it is frivolous, the appeal will be dismissed. If it is not frivolous, the appeal will be stayed. If appellant does not respond to this order, the court may dismiss the appeal. The clerk will serve on appellant: (1) a form motion to voluntarily dismiss the appeal should go forward. [Entered: 10/11/2024 01:42 PM]
------------	---	---

10/15/2024	8	RESPONSE to Order - General OSC (DE 7) filed by Appellant David
------------	---	--

10/17/2024	9	OPENING BRIEF submitted for filing by Appellant David White. [Ent
------------	---	--

10/18/2024	10	CLERK ACTION: Opening Brief submitted at DE 9 by Appellant Dave White [Entered: 10/18/2024 03:04 PM]
------------	----	---

11/20/2024	11	ORDER FILED. (Sidney R. THOMAS, Jay S. BYBEE, Daniel P. COLSON) Upon a review of the record, the response to the court's October 11, 2024 order (Entry No. 5), see 28 U.S.C. § 1915(a), and dismiss this appeal as frivolous. (court shall dismiss case at any time, if court determines it is frivolous) entertained in this closed case. DISMISSED. [Entered: 11/20/2024 0
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12/3/2024	12	MOTION to Reconsider Dispositive Order filed by
-----------	----	--

5 The Appellees abandoned these case issues by no response
6
7 to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.
8

9 JURISDICTION

10
11 Basis for Jurisdiction is a federal environmental question. An
12
13 environmental disaster in the Klamath Basin has resulted from KRRRC's
14
15 willful destruction of the environment in violation of known stipulations and
16
17 restrictions of the FERC license. These are in clear violation of the Federal
18
19 Clean Air and Federal Clean Water Acts of the U.S. Congress. Also
20
21 includes violations of wanton killing of fish, including endangered Salmon
22
23 without permits.

24
25 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
26
27 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
28
29 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
30
31 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
32
33 16.

34
35 This Court has jurisdiction, over the subject matter of this complaint,
36
37 because the illegal and unlawful actions of KRRRC are violating Federal
38
39 Law, to include (Wild and Scenic Rivers Act, PL 90-542), (Clean Water
40

1 Act), and (Commerce Clause of the U.S. Constitution). The Defendants are
2
3 complicit in these statute violations by negligently providing KRRRC with its
4
5 license.

6
7 Additionally, This Court has jurisdiction, over the subject matter of this
8
9 complaint, because the massive environmental damage in the Klamath
10
11 River basin is most proximate to the ninth circuit court which so blatantly
12
13 dismissed three cases without any legal standing to do so.

14
15 Petitioner Pro Se presents this Complaint respectfully, requesting this Court
16
17 To convene this case as an article III, of the U.S. Constitution Court case,
18
19 Per the recent U.S. Supreme Court ruling in 13) 2024 Loper Bright
20
21 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce
22
23 above. Article III, Section 2 of the U. S. Constitution stipulates “The Judicial
24
25 Power shall extend to all cases in law and equity, arising under this
26
27 constitution, the laws of the United States and Treaties, which will be made
28
29 under the Authority;

30
31 - to all cases affecting ambassadors, other public Ministers and
32
33 Counsels, to controversies to which the United States shall be a party;
34
35 - to controversies between two or more states, ... between citizens of
36
37 different states, between a state or the citizens thereof.

38
39 First Page, second paragraph, Held: The Administrative Procedure Act
40

1 requires courts to exercise their independent judgment in deciding whether
2 an agency has acted within its statutory authority, and courts may not defer
3 to an agency interpretation of the law simply because a statute is
4 ambiguous; Chevron is overruled. Pp. 7–35.

5
6
7
8
9 (<https://www.foleyhoag.com/news-and-insights/publications/alerts-and-updates/2024/july/chevrons-demise-and-what-it-means-for-healthcare-and-life-sciences-companies/>).

10
11
12
13 Therefore, agencies like the Federal Energy Regulatory Commission
14 (FERC) are no longer permitted to cherry pick data to match their
15 administrative agenda. For example, about 80% of Klamath Basin
16 residents were strongly opposed to the Klamath dams being removed,
17 a well-documented fact which the FERC agency simply ignored.

21 22 23 VENUE

24
25 Venue is proper in this Court because the location of the Ninth Circuit
26 Court is in the same geographical location as the Illegal act's that are NOW
27 taking place. The Court's location is close to the environmental damage
28 incurred and ongoing, allowing for easy visual inspection.

29
30
31
32
33 The Klamath River's rights to a wild and scenic condition is actively being
34 violated by KRRRC, the defendant's licensee, and therefore the Public
35 (Petitioner Pro Se and Class action members) have a legal right to speak
36 on behalf of the Klamath River. In addition, the public's right to enjoyment
37
38
39
40

1 of that condition as mandated by Congress has forever been taken away.

2
3 Therefore, Petitioner Pro Se have standing. Additionally, this is a class
4
5 action complaint with class action members residing in the Klamath Basin
6
7 which extends from Klamath Falls Oregon to Yreka California.

8
9 **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

10
11 These are in clear violation of the Federal Clean Air and Federal Clean
12
13 Water Acts of the U.S. Congress. Also, violations of wanton killing fish
14
15 including endangered Salmon without permits.

16
17 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
18
19 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
20
21 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
22
23 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
24
25 16.

26
27 **STATEMENT OF THE CASE**

28
29 Petitioner Pro Se is part of a team of 3 professionals, all volunteering, pro
30
31 bono. One is a 40-year retired, Federal Attorney, expert in the application
32
33 of Federal and Case law, environmental law in particular. Another is an
34
35 investigative journalist, providing legal research and serving as Legal Editor
36
37 for all Court Documents.

38
39 This team has three docket cases before the Ninth Circuit Court to correct

1
2 illegal administrative law rulings and potentially discipline four federal
3
4 judges who made arbitrary rulings contrary to Federal law.
5 Prior to filing a claim against the Federal Energy Regulatory
6
7 Commissioners, Petitioner Pro Se filed in FERC to have a hearing and
8
9 present their legal violations in their process of providing a license to
10
11 KRRRC. However FERC has not provided a hearing and its been six
12
13 months.

14
15 After waiting 1 month for a response, on August 8th, 2024, Petitioner Pro Se
16
17 filed a Complaint against the Federal Energy Regulatory Commissioners
18
19 (FERC), which had unlawfully issued Klamath River Renewal Corporation
20
21 (KRRRC) a license to remove four of the dams on the lower Klamath River.

22
23
24 This license was accomplished by cherry picking data as part of a scheme
25
26 to overrule Federal environmental law which guarantees preservation of the
27
28 dams. As evidence of KRRRC lawbreaking, Appellant found more than nine
29
30 violations of environmental law in the FERC licensing document. Trial
31
32 Court Judge in the case 1:24-CV-1301-MC then manipulated or ignored
33
34 this lawful evidence to claim that Petitioner Pro Se was suing FERC in
35
36 conjunction with KRRRC, resulting in Petitioner Pro Se's loss. Petitioner Pro
37

1 Se was simply referring to FERC documentation as evidence. Debunking
2
3 the [2018 FERC document](#) so the Supreme Court can make it invalid.

4
5 The Defendants were in Default by failing to respond to the Complaint.

6
7 This, even though Appellant called and emailed them and also submitted
8
9 the Complaint and Memorandum of Points Pleading, which shows FERC
10
11 violated their own rules and federal law by illegal cherry-picking data. This
12
13 document was previously uploaded to Appeals Court docket.

14
15 About 80% of local stakeholders didn't want the dams removed.

16
17 FERC blatantly ignored overwhelming objections of local stakeholder's in
18
19 polling and sworn testimony against removal of the dams in both Klickitat
20
21 County, California and Klamath County, Oregon. One doctor stands out,
22
23 who testified that his wife died due to the Chromium 6 poisoning and he
24
25 has a steady flow of patients likewise suffering the same symptoms. See
26
27 the 2009 to 2011 Chemistry test on silt behind each dam is high
28
29 contaminated with Chromium 6 and Arsenic.

30
31 [https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-Evaluation-of-Contaminants-in-Sediments.pdf)
32 [Evaluation-of-Contaminants-in-Sediments.pdf](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-Evaluation-of-Contaminants-in-Sediments.pdf)

33
34 This is illegal by the clean water act and KRRRC's section 404 permit.

35
36 This is also illegal by the U.S. Supreme Court Ruling 12) in Case 22-451
37

1 Loper Bright, June 28, 2024.

2
3 The Loper Bright decision has two components:

- 4
- 5 1. All courts from the U.S. Supreme Court to the lowest city traffic court
 - 6 must convene as courts under Article III, Section 2 of the United
 - 7 States Constitution, and
 - 8 2. Federal entities may no longer cherry pick data to promote a
 - 9 preferred agenda, in this case the ill-informed demands for dam
 - 10 removal of upstream stakeholders to the extreme detriment of all
 - 11 others.

12 Lower Court refusal to abide by the letter and spirit of this Ruling at every
13 level lies at the heart of this Petition. Prior to this egregious act of public
14 vandalism, Petitioner Pro Se likewise issued strong objections from the
15 perspective of his training and lifetime experience as a Chemical Engineer,
16 including partial completion of a doctorate in the field. Appellant (Petitioner
17 Pro Se) explained

18 repeatedly that a far less draconian and less expensive option – one that
19 would not defy federal law -- was to:

- 20
- 21 1. dredge accumulated silt behind the dams,
 - 22 2. heat scrub out deadly chemicals onsite, such as Arsenic and
 - 23 Chromium 6,
 - 24 3. then repair or install fish ladders.

25
26 This would allow for gradual drainage and cleansing of any water quality
27 issues above the dam. Salmon Protection Devices (stainless steel cages)
28 might also be installed to prevent sea lions from gorging on fish at the base

1
2 of the most downstream fish ladders. These scientific recommendations
3
4 were ignored, thus destroying the invaluable utility of the dams for flood
5
6 control, hydroelectricity, irrigation, recreation, fire-fighting, and more. The
7
8 tragic California wildfires burning out of control were the immediate result of
9
10 this unforgiveable vandalism of fully-capitalized public property.

11 Klamath River Renewal Corp malfeasance is transferred to FERC
12
13 defendants by 1)18 USC 3 accessory after the fact.

14
15 Appellant (Petitioner Pro Se) filed Case 3:24-cv-00755-JR in federal court
16
17 as an environmental suit against Defendants' Klamath River Renewal Corp
18
19 (KRRC) and RES, who confessed in a press conference to killing over
20
21 2000 fish including endangered salmon and a herd of elk without permits.
22

23
24 Petitioner Pro Se's request for an emergency injunction to temporarily stop
25
26 work was denied by Defendants' deceitful manipulation of Administrative
27
28 Law to delay any Court action to stop the crime in progress by injunction.

29
30 But this should not excuse the lower court's pusillanimous inaction in the
31
32 face of cries for justice and relief from the harm being inflicted before their
33
34 very eyes. This is, in effect, Misprision of Felony.

35
36 Here is an email from a local stakeholder as one small example of the
37
38 human damage inflicted by this egregious action. Not to mention the
39

1 environmental calamity that remains unmitigated due to a massive release
2
3 of poisoned flood water in January, 2024. This is an Exxon-Valdez level of
4
5 environmental havoc papered over by defendants planting grass on
6
7 contaminated riverbanks. It killed all aquatic life for 120 River Miles
8
9 between the Iron Gate Dam and Pacific Ocean, and still poses a lethal
10
11 threat to unsuspecting human and wildlife in the area.
12

13 From: Rick Dowdy <rhadowdy@gmail.com>
14 Sent: Monday, September 16, 2024 9:47 AM
15 To: dave@salmonprotectiondevice.com
16 <dave@salmonprotectiondevice.com>
17 Subject: Dam removal
18

19 Hi, my name is Rick Dowdy. I live at Copco where they have removed our
20 Dam. Our community well went dry 2 days after they released the water
21 from our lake. They gave us a 5,000-gallon tank for 10 houses. They
22 currently fill it weekly. I have heard KRRC will be finished at the end of
23 October. I am concerned they are going to leave us high and dry without a
24 permanent well. I also have damage to my home from their blasting on the
25 dam. To find another home to retire at would cost me at least 1 million
26 dollars. The poisons left from dam removal could be life threatening. Thank
27 you for going for justice. From Rick Dowdy.
28

29 30 REASONS FOR GRANTING THE WRIT

31
32 The Federal Court illegally dismissed this case when defendants (FERC
33
34 Commissioners) were in default. Thus, the appeal was filed. But then three
35
36 9th Circuit Court Justices illegally dismissed the appeal because they
37
38 naively accepted the illegal dismissal of the Federal Court. The Federal
39
40 Court judge has a Complaint filed against him in the 9th Circuit Court of

1
2 Appeals for illegal judicial bias, violations of Judicial Code of Conduct and
3
4 illegal abuse of administrative law. Likewise, the three Appeals Court
5
6 Justices have similar Complaints and dockets filed. See Appendix A. The
7
8 Appellees abandoned these case issues by no response
9
10 to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.

11
12 Therefore, many reasons have been given got granting this writ.

13
14
15 **CONCLUSION**

16
17 Petitioner Pro Se respectfully requests the following rulings or remand of this
18
19 case back to the 9th Circuit, ~~and order~~ ordering them to impanel three different
20
21 justices and instructing them to refrain from illegal judicial bias, violation of
22
23 Judicial Code of Conduct, and illegal abuse of Administrative Law. Appendix A
24
25 is a letter from Susan Soong 9th Circuit Court Chief executive acknowledging
26
27 illegal judicial bias. The Appellees abandoned these case issues by no
28
29 response to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.

30
31
32 **PRAYER FOR RELIEF**

- 33
34 1. Petitioner Pro Se hereby respectfully requests the Supreme Court to
35
36 issue a Writ of Mandamus that Defendants charge Petitioner Pro Se's
37
38 team with the task of restoring the Klamath River back to its Original

1
2 Wild and Scenic condition with dams and fish ladders as mandated
3
4 by Congress. Also to pay ten million dollars to Salmon Protection
5
6 Device Inc. These funds will start the cleanup of the environmental
7
8 damage in the Klamath Basin. The Respondents abandoned these
9
10 case issues by no response to any pleading in Docket 24-5811 and
11
12 Case 1:24CV-1301-MC.

13
14
15 2. Grant Injunctive Relief to halt all further deconstruction and grant
16
17 Summary Judgment because Defendants' licensee, KRRC continues
18
19 to ignore the actions they are legally required to perform by FERC
20
21 and the Army Corp of Engineers, under the Federal Clean Water Act,
22
23 Section 404. KRRC has made public confession of these crimes and
24
25 has nonetheless proceeded with their nefarious, criminal activity. The
26
27 gravity of this case requires a court order that commands a
28
29 government official or entity to perform an act it is legally required to
30
31 perform as part of its official duties, or refrain from performing an act
32
33 the law forbids. The Respondents abandoned these
34
35 case issues by no response to any pleading in Docket 24-5811 and
36
37 Case 1:24CV-1301-MC.

1
2 3. Petitioner Pro Se hereby respectfully requests the Supreme Court to
3
4 order Defendants to immediately remove KRRC's license and
5
6 transfer all remaining control and money to Salmon Protection Device
7
8 non-profit. The Respondents abandoned these
9
10 case issues by no response to any pleading in Docket 24-5811 and
11
12 Case 1:24CV-1301-MC.
13

14 Salmonprotectiondevice.com has a team of engineers and scientists
15
16 who know how to mitigate the contaminated silt and install fish
17
18 ladders on rebuilt Iron Gate and JC Boyle Dams.
19

20 4. Petitioner Pro Se respectfully requests the Supreme Court to
21
22 vacate the 3:24-cv-00755-JR final dismissal on 7/26/2024. This
23
24 Federal Court dismissal was based on KRRC legal counsel's
25
26 concocted ECF's and manipulation of case law and Federal Law.
27
28 Petitioner Pro Se has already warned defendants that if they continue
29
30 to repeat these perjuries he will ask for full adjudication to the FBI for
31
32 prosecution to the full extent of the law. The Respondents abandoned
33
34 these case issues by no response to any pleading in Docket 24-5811
35
36 and Case 1:24CV-1301-MC.
37

1 5. Petitioner Pro Se respectfully requests the Supreme Court to
2
3 acknowledge standing based on Federal Environmental laws broken
4
5 with associated 7 Environmental Values denied to Petitioner Pro Se,
6
7 Class Action members, and the River itself. Likewise, standing based
8
9 on harms inflicted on Petitioner Pro Se resulting in preparations taken
10
11 to move out of state to ~~California~~ due to harms inflicted by KRRC's
12
13 malfeasance.

14
15 6. Petitioner Pro Se hereby respectfully requests the Supreme Court to
16
17 provide relief, and take judicial notice of the lethal environmental
18
19 consequences of KRRC's actions, which require immediate
20
21 mitigation. Rule Salmon Protection Device remediation team to the
22
23 task of project mitigation immediately, to avoid further lethal
24
25 environmental consequences from KRRC's gross negligence. This is
26
27 much worse than the Exxon-Valdez oil spill because KRRC's actions
28
29 devastated all aquatic life for 120 River Miles (RM) west of the Iron
30
31 Gate Dam and destroyed vital estuaries. EPA has been notified and
32
33 is likely to declare this a Super-Fund Cleanup site.

34
35 This designation needs to specify that no person shall go near the
36
37 Klamath River without wearing a gas mask until the Salmon Protection

1 Device team removes and scrubs the contaminated silt on the
2
3 river banks. Every day that goes by without an injunction is a threat to
4
5 the lives of local residents and wildlife. This amounts to failure to
6
7 impede a crime in process. How is this not akin to “Misprision of a
8
9 Felony?”

10
11 The active agents in the crime must provide funds for replacement of
12
13 the J.C. Boyle and Iron Gate Dams. The Kiewit Corporation knowingly
14
15 participated as accomplice in commission of this unconscionable crime
16
17 against the environment, in spite of warnings. They proceeded with full
18
19 knowledge and warning of the environmental laws that they were
20
21 violating with impunity. This too-big-to-fail attitude must not go
22
23 unrequited.

24
25 Petitioner requests a Writ of Mandamus and a Summary Judgment in
26
27 Petitioner’s favor because Defendants are clearly biased against
28
29 Federal Environmental law, not doing what they are legally required to
30
31 do, especially scrubbing the silt and installing fences to protect the many
32
33 elk that have perished in what amounts to quick-sand.

34
35 Petitioner respectfully requests the Supreme Court to award any other
36
37 cost to the Petitioner Pro Se as the Court sees fit.

38
39 7. Petitioner hereby respectfully requests that the 9th Circuit Appeals Court
40

1 be required to issue an official notification to all courts in its jurisdiction,
2
3 ordering them that Administrative Law shall no longer take precedence
4
5 over Article III, Section 2 of the U.S. Constitution, or standing case law and
6
7 statute law made in pursuance thereof (U.S. Supreme Court, Loper Case
8
9 22-451). Case 21DR02783, Marriage Dissolution, and the current Case
10
11 might be used as prime examples of such abuse and violations of the
12
13 Judicial Code of Conduct.

14
15 Although not part of the Loper Decision, Article VI, Section 2 of the U.S.
16
17 Constitution also strongly reinforces this principle in stating that: “This
18
19 Constitution, and the Laws of the United States which shall be made in
20
21 Pursuance thereof; and all Treaties made, or which shall be made, under
22
23 the Authority of the United States, shall be the supreme Law of the Land;
24
25 and the Judges in every State shall be bound thereby, any thing in the
26
27 Constitution or Laws of any State to the Contrary notwithstanding. The
28
29 judge in question is, of course, sworn by sacred oath to uphold this
30
31 Constitution.

32
33 8. Accordingly, Petitioner Pro Se calls upon the **Supreme Court** to take
34
35 appropriate disciplinary action in light of the fact that such behavior is subject
36
37 to permanent removal of the bar license and defrocking of any Federal Judge
38
39 in violation of 10) 20-1199 Loper Bright Enterprises, 15) Judges Code of
40

1 Conduct, Canons 2 and 3; [https://www.uscourts.gov/judges-](https://www.uscourts.gov/judges-judgeships/code-)
2 [judgeships/code-](https://www.uscourts.gov/judges-judgeships/code-)

3
4 [conduct-united-states-judges](https://www.uscourts.gov/judges-judgeships/code-), 18 U.S.C. § 1001 False Statements,

5
6 Concealment., 15) 18 U.S. Code § 1621 – Perjury, 16) 28 U.S. Code §
7 455 (b),

8
9 (1) which says, “Where he (The Judge) has a personal bias or prejudice
10 concerning a party, or personal knowledge of disputed evidentiary facts
11 concerning the proceeding;
12

13
14 18 U.S.C. 4 says, “Whoever, having knowledge of the actual commission of
15 a felony cognizable by a court of the United States, conceals and does not
16 as soon as possible make known the same to some judge or other person
17 in civil or military authority under the United States, shall be fined under this
18 title or imprisoned not more than three years, or both.” The crimes
19 described in the Complaint are future flooding in the Klamath basin with
20 hundreds of millions in damages yearly and exposure of human and wildlife
21 to deadly arsenic and Chromium 6 poisoning.
22

23
24
25
26
27
28
29
30
31 **9.** Petitioner is adding this additional request, moving the to require that all
32 future river reclamation projects within the purview of the 9th Circuit Court
33 shall comply with the intent of the Wild and Scenic Rivers Act, Section 7IA2
34 to preserve existing dam projects from removal, by the far less draconian
35 strategy of
36
37
38
39
40

- 1 a. Dredging behind the dam and heat-scrubbing silt onsite,
- 2 b. Installing or repairing fish ladders on each dam,
- 3 c. Installing Salmon Protection Device cages at the foot of the fish
- 4 ladder on the lower dam if needed to deter predatory Sea Lions,
- 5 and
- 6 d. Treating reservoirs for algae or other contaminants, if necessary
- 7 <https://www.rivers.gov/rivers/rivers/sites/rivers/files/2023-07/section-7.pdf>
- 8
- 9
- 10
- 11

12 With a favorable ruling against FERC or the Federal Court, Petitioner Pro

13
14 Se will relocate to the Klamath Basin in California and rectify the
15 environmental mess created and left unmitigated by KRRRC. Petitioner Pro

16
17
18 Se's home is

19
20 for sale at [18965 NW Illahe St, Portland, OR 97229 | Zillow, pending a](#)
21 [favorable decision.](#) Petitioner Pro Se was 11 Bravo in the Army and

22
23
24 Vietnam who knows firsthand what a war zone looks like. The devastation
25 in the Klamath Basin is akin to a war zone.

26
27
28 INDEX TO APPENDICES

29
30 APPENDIX A

31 Letter from Susan Soong 9th Circuit Court Chief executive acknowledging
32 illegal judicial bias.



SUSAN Y. SOONG
CIRCUIT EXECUTIVE

OFFICE OF THE CIRCUIT EXECUTIVE
UNITED STATES COURTS FOR THE NINTH CIRCUIT

JAMES R. BROWNING UNITED STATES COURTHOUSE
95 SEVENTH STREET
POST OFFICE BOX 193939
SAN FRANCISCO, CA 94119-3939

January 3, 2025

Dave White
18965 NW Illahe St.
Portland, OR 97229

Re: Complaint of Judicial Misconduct Nos. 25-90001, 25-90002, 25-90003

Dear Mr. White:

We have received your complaint of judicial misconduct filed pursuant to 28 U.S.C. § 351(a) against Judges Jay S. Bybee, Sidney R. Thomas and Daniel P. Collins. Docket Numbers 25-90001, 25-90002 and 25-90003, respectively, have been assigned to this matter.

We will use the address in your complaint to communicate with you. Until your complaint has been concluded, you must promptly provide written notice of any address changes to the Office of the Circuit Executive, referencing your complaint number. A change of address notification submitted in any other case or appeal is insufficient.

Pursuant to the Rules for Judicial-Conduct and Judicial-Disability Proceedings, a copy of the complaint has been forwarded to Chief Judge Mary H. Murguia and each of the named subject judges.

Very truly yours,

Susan Y. Soong
Circuit Executive

SYS/aa

1 Appendix B.

2

3 11/20/2024 11 **ORDER FILED.** (Sidney R. THOMAS, Jay S. BYBEE,
4 Daniel P. COL

5 Upon a review of the record, the response to the court’s
6 October 11, conclude this appeal is frivolous. We
7 therefore deny appellant’s moti Entry No. 5), see 28
8 U.S.C. § 1915(a), and dismiss this appeal as fri (court
9 shall dismiss case at any time, if court determines it is
10 frivolous entertained in this closed case. DISMISSED.
11 [Entered: 11/20/2024 0

12

13 Appendix C

10/17/2024	23	ORDER: The Motion for Default Judgment 22 is DENIED. The Court is still evaluating Plaintiff's IFP Application 2 and Amended Complaint 21 . He has not been granted leave to proceed, this action has not yet formally commenced with service, and therefore, Defendant does not yet have a duty to appear and defend. Plaintiff is reminded to heed this District's Local Rules as well as the Federal Rules of Civil Procedure prior to filing any other documents. Ordered by Judge Michael J. McShane. (cp) (Entered: 10/17/2024)
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14

15

16

17

TABLE OF AUTHORITIES CITED

18

CASES

PAGE NUMBER

19

20 1)18 USC 3 accessory after the fact.

1

21

22 2) 16 USCA § 1532(19); see also Goble,
23 D. D.; George, S. M.; Mazaika, K.;

6,8

24

25 3) The Endangered Species Act of 1973,

26 <https://www.fws.gov/laws/endangered-species-act/section-11> 6,8

27

28 4) 18 U.S.C. § 1001 False Statements, Concealment.

16

29

30 5) 29 CFR § 1606.8 (1) – Harassment has the purpose or effect of creating
31 an intimidating, hostile or offensive working environment.

2, 21

32

33 6) 33 U.S.C. §1251 et seq. (1972) Clean water act Section 404. 10, 14, 21

- 1 7) 18 U.S. Code § 1621 – Perjury. 16
2
3 8) 28 U.S. Code § 455 (b), (1) which says, “Where he (The Judge) has a
4 personal bias or prejudice concerning a party, or personal knowledge of
5 disputed evidentiary facts concerning the proceeding;” 16
6
7 9) Judges Code of Conduct Canons 2 and 3
8 [https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges)
9 [judges,](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges) 1, 13
10
11 10) 18 U.S.C. 4 says, “Whoever, having knowledge of the actual
12 commission of a felony cognizable by a court of the United States,
13 conceals and does not as soon as possible make known the same to some
14 judge or other person in civil or military authority under the United States,
15 shall be fined under this title or imprisoned not more than three years, or
16 both.” 16
17
18
19
20 11) Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002): Pagtalunan
21 was Pro Se and made numerous mistakes in filing his complaint resulting
22 in the case being dismissed. However, upon appeal, the higher Court
23 ruled that the lower Court was in error because they did not give allowance
24 for Pagtalunan’s lack of legal training. 25
25
26
27
28
29
30 12) 18 U.S. Code § 4 - Misprision of felony. 3, 12, 25
31
32
33 13) 22–451 June 28th, 2024 Federal Case number 22–451 in Loper Bright
34 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce
35 that all courts shall no longer function as administrative law courts.
36 https://www.supremecourt.gov/opinions/23pdf/22-451_7m58.pdf
37 Administrative law is illegal and ALL courts must convene as Article three
38 of the US Constitution. The Chevron doctrine is invalid. Federal and state
39 agencies can no longer cherry pick data for their false agenda. Stare

1 decisis must be vertical to the Constitution not lower or sideways. This is
2 because any other case can't be guaranteed to have enough similarities to
3 warrant use unless the Judge and each counsel have read that case
4 transcripts, exhibits and final ruling. Six to three decision. 2, 6. 10, 16 24
5
6
7

8 IN THE
9
10 SUPREME COURT OF THE UNITED STATES

11 PETITION FOR WRIT OF CERTIORARI

12 Petitioner respectfully prays that a writ of certiorari issue to review the judgment
13 below.

14
15 **OPINIONS BELOW**

16
17 For cases from federal courts:

18 The opinion of the United States court of appeals appears at
19 Appendix __ to the petition and is in Appendix B

20
21 The opinion of the United States district court appears at
22 Appendix C.
23

24 **JURISDICTION**

25
26 For cases from **federal courts**:

27 The date on which the United States Court of Appeals decided
28 my case was .

29
30 No petition for rehearing was timely filed in my case.

31
32 A timely petition for rehearing was denied by the United States
33 Court of Appeals on the following date: and a copy of the order
34 denying rehearing appears at Appendix .

35
36 An extension of time to file the petition for a writ of certiorari was

1 granted to and including _____ (date) on
2 (date) in Application No. A .
3

4 The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).
5
6
7

8 The petition for a writ of certiorari should be granted.
9

10
11 Respectfully submitted,
12
13

14 
15
16

17 Date: 2/11/2025
18

CERTIFICATE OF SERVICE

I hereby certify that on 2/11/2025, a true and correct copy of the above document was electronically filed with the Clerk of the Court using CM/ECF. A copy of the document will be served upon interested parties via the Notices of Electronic Filing that are generated by CM/ECF. Additionally, a courtesy copy is being provided as follows:

Also emailed to defendants

Chairman_Phillips_Meetings@ferc.gov;

Commissioner_Christie_Meetings@FERC.gov;

Commissioner_Rosner_Meetings@FERC.gov;
Commissioner_See_Meetings@FERC.gov;
Commissioner_Chang_Meetings@FERC.gov

Attorney for Legal Counsel for all defendants
Danielle Mechling
Attorney-Advisor
Federal Energy Regulatory Commission
Office of Enforcement, Division of Investigations
Tel: 202-502-8924
Email: danielle.mechling@ferc.gov
___ Via hand delivery
___ Via U.S. Mail, 1st Class,
Postage Prepaid
___ Via Overnight Delivery
___ Via Facsimile
XX Via Email
XX Via CM/ECF notification
to the extent registered DATED: 2/11/2025
By: David White



**IN THE
SUPREME COURT OF THE UNITED STATES
FEBRUARY 2025 TERM**

DAVID C. WHITE Petitioner Pro Se

Vs.

**Respondent 1. (R1)
Chairman Willie L. Phillips, in his
personal capacity as chairman of
Federal Energy Regulatory
Commission (FERC) Chairman_Phillips_Meetings@ferc.gov
202-502-8550**

**Respondent 2. (R2)
Commissioner Mark Christie in his
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
202-502-8110 Commissioner_Christie_Meetings@FERC.gov**

**Respondent 3 (R3)
Commissioner David Rosner in his
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
202-502-6500 Commissioner_Rosner_Meetings@FERC.gov**

**Respondent 4 (R4)
Commissioner Lindsay S. See in her
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
Commissioner_See_Meetings@FERC.gov**

**Respondent 5 (D5)
Commissioner Judy W. Chang in her
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
Commissioner_Chang_Meetings@FERC.gov**

Respondents

Danielle Mechling

**Counsel of Record
Attorney-Advisor
Federal Energy Regulatory Commission
Office of Enforcement, Division of Investigations
Tel: 202-502-8924
Email: danielle.mechling@ferc.gov**

**On Petition for a Writ of Certiorari to the United State Court
of Appeals for the Ninth Circuit Docket 24-5811**

PETITION FOR A WRIT OF CERTIORARI

**David White
18965 NW Illahe Street
Portland, Oregon 97229
503-608-7611
Dave@salmonprotectiondevice.com**

QUESTIONS PRESENTED FOR REVIEW

- Shall the U.S. participate in illegal and catastrophic, Bio-diversity programs, such as public dam removal, which were never ratified by Congress? Please refer to any excerpt from <https://www.agenda21course.com/category/lesson-one/>, “So what is Agenda 21, also referred to as ‘Sustainable Development?’” It is emphatically NOT an environmental movement; it IS a deceptive political movement, which seeks to control the world’s economy, dictate its development, capture and redistribute its wealth on a national, state, and local level.
- Shall any hydroelectric dam be removed in the United States without the express consent of Congress? The proper solution is regular dam maintenance to include dredging behind the dam to remove contaminated silt and installing or repairing fish ladders.
- Shall U.S. Courts at all levels persist in exercising extreme bias against pro se or any litigants, contrary to Judicial Code of conduct

and Loper Bright Enterprises, especially in use of Administrative Law to nullify federal law for Summary Judgment, by dismissing a case when defense fails to make any appearance? This corrupt procedure is systemic throughout the Ninth Circuit Court System. Also <https://pacificlegal.org/post-chevron-mine-case/>

- Shall the judge who decides for such a dismissal be innocent of Misprision of felony, having reviewed the felonies admitted by failure of the defense to appear, and then doing nothing to adjudicate them?
- Shall the Circuit Court of Appeals violate its protocol for selecting a unique panel of judges for each case tried when a litigant has simultaneously presented two or more unique cases for review?
- Shall the Circuit Court of Appeals refer a PETITION FOR RECONSIDERATION OF DISPOSITIVE ORDER to the same panel of judges whose extreme bias in dismissing that very case is being challenged by pro se or any litigants?
- Shall Horizontal Stare Decisis, the doctrine of following rules or principles laid down in previous judicial decisions, apply without question to any case? Horizontal Stare Decisis is unreliable because it can never be guaranteed to apply to the instant be the exact same-case with a unique history, without studying the transcripts and exhibits of the previous case. This is like comparing Apples to Oranges; they are both fruits, but different.
- Shall any Court habitually and illegally dismiss a Complaint when Defendants are in default by the 21-day FRCP rule? By FRCP rules when a complaint is filed the defendants have 21 days to respond or risk a summary judgement against them. Amdt6.2.1 Overview of Right to a Speedy Trial (<https://www.law.cornell.edu/constitution-conan/amendment-6/overview-of-right-to-a-speedy-trial>) shows clearly the Constitution requires a speedy trial. However, Petitioner Pro Se is involved in many cases where the defendants were in default by the 21-day rule. Petitioner Pro Se then filed for a summary judgement and a Writ of Mandamus. In every case, the Judge illegally dismissed the case, proof that this illegal tactic is systemic throughout the 9th

Circuit Court.

LIST OF PARTIES [X] All parties appear in the caption of the case on the cover page.

TABLE OF CONTENTS

OPINIONS
BELOW..... 5
JURISDICTION.....6
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED8
STATEMENT OF THE CASE8
REASONS FOR GRANTING THE WRIT13
CONCLUSION.....13

OPINIONS BELOW

List of Docket entries from 24-5811

9/24/2024 1 **CASE OPENED.** A copy of your notice of appeal / petition filed in 1:2 office of the United States Court of Appeals for the Ninth Circ The U. of Appeals docket number **24-5811** has been assign the court must i this Court of Appeals docket number. Please name(s) and contact information are correct. It is your responsibility changes.
Resources Available
For more information about case processing and to assist you in pre Opening Information (for [attorneys](#) and [pro se litigants](#)) and review th consider contacting the court's [Appellate Mentoring Program](#) [Entere 09/24/2024 02:28 PM]

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10/8/2024	4	DEFECTIVE --- NOTICE that No Answering Brief Will be Filed by type, correct entry is DE 6.] [Entered: 10/08/2024 05:20 PM] [Edited:
10/8/2024	5	MOTION to Proceed In Forma Pauperis filed by Appellant David White. [PDF of motion.] [Entered: 10/08/2024 06:26 PM] [Edited: 10/09/2024
10/8/2024	6	CORRESPONDENCE filed by Appellant David White. [COURT ENT 10/09/2024 09:26 AM]
10/11/2024	7	ORDER FILED. It appears that this appeal may be frivolous. If the appellant is granted permission to proceed in forma pauperis and dismiss the appeal. See Fed. R. App. P. 42(b). If appellant must: (1) file a statement explaining why the appeal is not frivolous, or any other response other than a motion to dismiss, the appeal will be dismissed. If it is frivolous, the appeal will be dismissed. If it is not frivolous, the appeal will be stayed. If appellant does not respond to this order, the court may dismiss the appeal. The clerk will serve on appellant: (1) a form motion to voluntarily dismiss the appeal should go forward. [Entered: 10/11/2024 01:42 PM]
10/15/2024	8	RESPONSE to Order - General OSC (DE 7) filed by Appellant David
10/17/2024	9	OPENING BRIEF submitted for filing by Appellant David White. [Ent
10/18/2024	10	CLERK ACTION: Opening Brief submitted at DE 9 by Appellant Dave White [Entered: 10/18/2024 03:04 PM]
11/20/2024	11	ORDER FILED. (Sidney R. THOMAS, Jay S. BYBEE, Daniel P. COLSON) Upon a review of the record, the response to the court's October 11, 2024 order (Entry No. 5), see 28 U.S.C. § 1915(a), and dismiss this appeal as frivolous. (court shall dismiss case at any time, if court determines it is frivolous) entertained in this closed case. DISMISSED. [Entered: 11/20/2024 0
12/3/2024	12	MOTION to Reconsider Dispositive Order filed by

5 The Appellees abandoned these case issues by no response
6
7 to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.
8

9 JURISDICTION

10
11 Basis for Jurisdiction is a federal environmental question. An
12
13 environmental disaster in the Klamath Basin has resulted from KRRRC's
14
15 willful destruction of the environment in violation of known stipulations and
16
17 restrictions of the FERC license. These are in clear violation of the Federal
18
19 Clean Air and Federal Clean Water Acts of the U.S. Congress. Also
20
21 includes violations of wanton killing of fish, including endangered Salmon
22
23 without permits.

24
25 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
26
27 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
28
29 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
30
31 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
32
33 16.

34
35 This Court has jurisdiction, over the subject matter of this complaint,
36
37 because the illegal and unlawful actions of KRRRC are violating Federal
38
39 Law, to include (Wild and Scenic Rivers Act, PL 90-542), (Clean Water
40

1 Act), and (Commerce Clause of the U.S. Constitution). The Defendants are
2
3 complicit in these statute violations by negligently providing KRRRC with its
4
5 license.

6
7 Additionally, This Court has jurisdiction, over the subject matter of this
8
9 complaint, because the massive environmental damage in the Klamath
10
11 River basin is most proximate to the ninth circuit court which so blatantly
12
13 dismissed three cases without any legal standing to do so.

14
15 Petitioner Pro Se presents this Complaint respectfully, requesting this Court
16
17 To convene this case as an article III, of the U.S. Constitution Court case,
18
19 Per the recent U.S. Supreme Court ruling in 13) 2024 Loper Bright
20
21 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce
22
23 above. Article III, Section 2 of the U. S. Constitution stipulates “The Judicial
24
25 Power shall extend to all cases in law and equity, arising under this
26
27 constitution, the laws of the United States and Treaties, which will be made
28
29 under the Authority;

30
31 - to all cases affecting ambassadors, other public Ministers and
32
33 Counsels, to controversies to which the United States shall be a party;
34
35 - to controversies between two or more states, ... between citizens of
36
37 different states, between a state or the citizens thereof.

38
39 First Page, second paragraph, Held: The Administrative Procedure Act
40

1 requires courts to exercise their independent judgment in deciding whether
2 an agency has acted within its statutory authority, and courts may not defer
3 to an agency interpretation of the law simply because a statute is
4 ambiguous; Chevron is overruled. Pp. 7–35.

5
6
7
8
9 (<https://www.foleyhoag.com/news-and-insights/publications/alerts-and-updates/2024/july/chevrons-demise-and-what-it-means-for-healthcare-and-life-sciences-companies/>).

10
11
12
13 Therefore, agencies like the Federal Energy Regulatory Commission
14 (FERC) are no longer permitted to cherry pick data to match their
15 administrative agenda. For example, about 80% of Klamath Basin
16 residents were strongly opposed to the Klamath dams being removed,
17 a well-documented fact which the FERC agency simply ignored.

21 VENUE

22
23
24
25 Venue is proper in this Court because the location of the Ninth Circuit
26 Court is in the same geographical location as the Illegal act's that are NOW
27 taking place. The Court's location is close to the environmental damage
28 incurred and ongoing, allowing for easy visual inspection.

29
30
31
32
33 The Klamath River's rights to a wild and scenic condition is actively being
34 violated by KRRRC, the defendant's licensee, and therefore the Public
35 (Petitioner Pro Se and Class action members) have a legal right to speak
36 on behalf of the Klamath River. In addition, the public's right to enjoyment
37
38
39
40

1 of that condition as mandated by Congress has forever been taken away.

2
3 Therefore, Petitioner Pro Se have standing. Additionally, this is a class
4
5 action complaint with class action members residing in the Klamath Basin
6
7 which extends from Klamath Falls Oregon to Yreka California.

8
9 **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

10
11 These are in clear violation of the Federal Clean Air and Federal Clean
12
13 Water Acts of the U.S. Congress. Also, violations of wanton killing fish
14
15 including endangered Salmon without permits.

16
17 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
18
19 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
20
21 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
22
23 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
24
25 16.

26
27 **STATEMENT OF THE CASE**

28
29 Petitioner Pro Se is part of a team of 3 professionals, all volunteering, pro
30
31 bono. One is a 40-year retired, Federal Attorney, expert in the application
32
33 of Federal and Case law, environmental law in particular. Another is an
34
35 investigative journalist, providing legal research and serving as Legal Editor
36
37 for all Court Documents.

38
39 This team has three docket cases before the Ninth Circuit Court to correct

1
2 illegal administrative law rulings and potentially discipline four federal
3
4 judges who made arbitrary rulings contrary to Federal law.
5 Prior to filing a claim against the Federal Energy Regulatory
6
7 Commissioners, Petitioner Pro Se filed in FERC to have a hearing and
8
9 present their legal violations in their process of providing a license to
10
11 KRRRC. However FERC has not provided a hearing and its been six
12
13 months.

14
15 After waiting 1 month for a response, on August 8th, 2024, Petitioner Pro Se
16
17 filed a Complaint against the Federal Energy Regulatory Commissioners
18
19 (FERC), which had unlawfully issued Klamath River Renewal Corporation
20
21 (KRRRC) a license to remove four of the dams on the lower Klamath River.

22
23
24 This license was accomplished by cherry picking data as part of a scheme
25
26 to overrule Federal environmental law which guarantees preservation of the
27
28 dams. As evidence of KRRRC lawbreaking, Appellant found more than nine
29
30 violations of environmental law in the FERC licensing document. Trial
31
32 Court Judge in the case 1:24-CV-1301-MC then manipulated or ignored
33
34 this lawful evidence to claim that Petitioner Pro Se was suing FERC in
35
36 conjunction with KRRRC, resulting in Petitioner Pro Se's loss. Petitioner Pro
37

1 Se was simply referring to FERC documentation as evidence. Debunking
2
3 the [2018 FERC document](#) so the Supreme Court can make it invalid.

4
5 The Defendants were in Default by failing to respond to the Complaint.

6
7 This, even though Appellant called and emailed them and also submitted
8
9 the Complaint and Memorandum of Points Pleading, which shows FERC
10
11 violated their own rules and federal law by illegal cherry-picking data. This
12
13 document was previously uploaded to Appeals Court docket.

14
15 About 80% of local stakeholders didn't want the dams removed.

16
17 FERC blatantly ignored overwhelming objections of local stakeholder's in
18
19 polling and sworn testimony against removal of the dams in both Klickitat
20
21 County, California and Klamath County, Oregon. One doctor stands out,
22
23 who testified that his wife died due to the Chromium 6 poisoning and he
24
25 has a steady flow of patients likewise suffering the same symptoms. See
26
27 the 2009 to 2011 Chemistry test on silt behind each dam is high
28
29 contaminated with Chromium 6 and Arsenic.

30
31 [https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-Evaluation-of-Contaminants-in-Sediments.pdf)
32 [Evaluation-of-Contaminants-in-Sediments.pdf](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-Evaluation-of-Contaminants-in-Sediments.pdf)

33
34 This is illegal by the clean water act and KRRRC's section 404 permit.

35
36 This is also illegal by the U.S. Supreme Court Ruling 12) in Case 22-451
37

1 Loper Bright, June 28, 2024.

2
3 The Loper Bright decision has two components:

- 4
- 5 1. All courts from the U.S. Supreme Court to the lowest city traffic court
 - 6 must convene as courts under Article III, Section 2 of the United
 - 7 States Constitution, and
 - 8 2. Federal entities may no longer cherry pick data to promote a
 - 9 preferred agenda, in this case the ill-informed demands for dam
 - 10 removal of upstream stakeholders to the extreme detriment of all
 - 11 others.

12 Lower Court refusal to abide by the letter and spirit of this Ruling at every
13 level lies at the heart of this Petition. Prior to this egregious act of public
14 vandalism, Petitioner Pro Se likewise issued strong objections from the
15 perspective of his training and lifetime experience as a Chemical Engineer,
16 including partial completion of a doctorate in the field. Appellant (Petitioner
17 Pro Se) explained

18 repeatedly that a far less draconian and less expensive option – one that
19 would not defy federal law -- was to:

- 20
- 21 1. dredge accumulated silt behind the dams,
 - 22 2. heat scrub out deadly chemicals onsite, such as Arsenic and
 - 23 Chromium 6,
 - 24 3. then repair or install fish ladders.

25
26 This would allow for gradual drainage and cleansing of any water quality
27 issues above the dam. Salmon Protection Devices (stainless steel cages)
28 might also be installed to prevent sea lions from gorging on fish at the base

1
2 of the most downstream fish ladders. These scientific recommendations
3
4 were ignored, thus destroying the invaluable utility of the dams for flood
5
6 control, hydroelectricity, irrigation, recreation, fire-fighting, and more. The
7
8 tragic California wildfires burning out of control were the immediate result of
9
10 this unforgiveable vandalism of fully-capitalized public property.

11 Klamath River Renewal Corp malfeasance is transferred to FERC
12
13 defendants by 1)18 USC 3 accessory after the fact.

14
15 Appellant (Petitioner Pro Se) filed Case 3:24-cv-00755-JR in federal court
16
17 as an environmental suit against Defendants' Klamath River Renewal Corp
18
19 (KRRC) and RES, who confessed in a press conference to killing over
20
21 2000 fish including endangered salmon and a herd of elk without permits.
22

23
24 Petitioner Pro Se's request for an emergency injunction to temporarily stop
25
26 work was denied by Defendants' deceitful manipulation of Administrative
27
28 Law to delay any Court action to stop the crime in progress by injunction.

29
30 But this should not excuse the lower court's pusillanimous inaction in the
31
32 face of cries for justice and relief from the harm being inflicted before their
33
34 very eyes. This is, in effect, Misprision of Felony.

35
36 Here is an email from a local stakeholder as one small example of the
37
38 human damage inflicted by this egregious action. Not to mention the
39

1 environmental calamity that remains unmitigated due to a massive release
2
3 of poisoned flood water in January, 2024. This is an Exxon-Valdez level of
4
5 environmental havoc papered over by defendants planting grass on
6
7 contaminated riverbanks. It killed all aquatic life for 120 River Miles
8
9 between the Iron Gate Dam and Pacific Ocean, and still poses a lethal
10
11 threat to unsuspecting human and wildlife in the area.
12

13 From: Rick Dowdy <rhadowdy@gmail.com>
14 Sent: Monday, September 16, 2024 9:47 AM
15 To: dave@salmonprotectiondevice.com
16 <dave@salmonprotectiondevice.com>
17 Subject: Dam removal
18

19 Hi, my name is Rick Dowdy. I live at Copco where they have removed our
20 Dam. Our community well went dry 2 days after they released the water
21 from our lake. They gave us a 5,000-gallon tank for 10 houses. They
22 currently fill it weekly. I have heard KRRC will be finished at the end of
23 October. I am concerned they are going to leave us high and dry without a
24 permanent well. I also have damage to my home from their blasting on the
25 dam. To find another home to retire at would cost me at least 1 million
26 dollars. The poisons left from dam removal could be life threatening. Thank
27 you for going for justice. From Rick Dowdy.
28

29 30 REASONS FOR GRANTING THE WRIT

31
32 The Federal Court illegally dismissed this case when defendants (FERC
33
34 Commissioners) were in default. Thus, the appeal was filed. But then three
35
36 9th Circuit Court Justices illegally dismissed the appeal because they
37
38 naively accepted the illegal dismissal of the Federal Court. The Federal
39
40 Court judge has a Complaint filed against him in the 9th Circuit Court of

1
2 Appeals for illegal judicial bias, violations of Judicial Code of Conduct and
3
4 illegal abuse of administrative law. Likewise, the three Appeals Court
5
6 Justices have similar Complaints and dockets filed. See Appendix A. The
7
8 Appellees abandoned these case issues by no response
9
10 to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.

11
12 Therefore, many reasons have been given got granting this writ.

13
14
15 **CONCLUSION**

16
17 Petitioner Pro Se respectfully requests the following rulings or remand of this
18
19 case back to the 9th Circuit, ~~and order~~ ordering them to impanel three different
20
21 justices and instructing them to refrain from illegal judicial bias, violation of
22
23 Judicial Code of Conduct, and illegal abuse of Administrative Law. Appendix A
24
25 is a letter from Susan Soong 9th Circuit Court Chief executive acknowledging
26
27 illegal judicial bias. The Appellees abandoned these case issues by no
28
29 response to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.

30
31
32 **PRAYER FOR RELIEF**

- 33
34 1. Petitioner Pro Se hereby respectfully requests the Supreme Court to
35
36 issue a Writ of Mandamus that Defendants charge Petitioner Pro Se's
37
38 team with the task of restoring the Klamath River back to its Original

1
2 Wild and Scenic condition with dams and fish ladders as mandated
3
4 by Congress. Also to pay ten million dollars to Salmon Protection
5
6 Device Inc. These funds will start the cleanup of the environmental
7
8 damage in the Klamath Basin. The Respondents abandoned these
9
10 case issues by no response to any pleading in Docket 24-5811 and
11
12 Case 1:24CV-1301-MC.

13
14
15 2. Grant Injunctive Relief to halt all further deconstruction and grant
16
17 Summary Judgment because Defendants' licensee, KRRC continues
18
19 to ignore the actions they are legally required to perform by FERC
20
21 and the Army Corp of Engineers, under the Federal Clean Water Act,
22
23 Section 404. KRRC has made public confession of these crimes and
24
25 has nonetheless proceeded with their nefarious, criminal activity. The
26
27 gravity of this case requires a court order that commands a
28
29 government official or entity to perform an act it is legally required to
30
31 perform as part of its official duties, or refrain from performing an act
32
33 the law forbids. The Respondents abandoned these
34
35 case issues by no response to any pleading in Docket 24-5811 and
36
37 Case 1:24CV-1301-MC.

1
2 3. Petitioner Pro Se hereby respectfully requests the Supreme Court to
3
4 order Defendants to immediately remove KRRC's license and
5
6 transfer all remaining control and money to Salmon Protection Device
7
8 non-profit. The Respondents abandoned these
9
10 case issues by no response to any pleading in Docket 24-5811 and
11
12 Case 1:24CV-1301-MC.
13

14 Salmonprotectiondevice.com has a team of engineers and scientists
15
16 who know how to mitigate the contaminated silt and install fish
17
18 ladders on rebuilt Iron Gate and JC Boyle Dams.
19

20 4. Petitioner Pro Se respectfully requests the Supreme Court to
21
22 vacate the 3:24-cv-00755-JR final dismissal on 7/26/2024. This
23
24 Federal Court dismissal was based on KRRC legal counsel's
25
26 concocted ECF's and manipulation of case law and Federal Law.
27
28 Petitioner Pro Se has already warned defendants that if they continue
29
30 to repeat these perjuries he will ask for full adjudication to the FBI for
31
32 prosecution to the full extent of the law. The Respondents abandoned
33
34 these case issues by no response to any pleading in Docket 24-5811
35
36 and Case 1:24CV-1301-MC.
37

1 5. Petitioner Pro Se respectfully requests the Supreme Court to
2
3 acknowledge standing based on Federal Environmental laws broken
4
5 with associated 7 Environmental Values denied to Petitioner Pro Se,
6
7 Class Action members, and the River itself. Likewise, standing based
8
9 on harms inflicted on Petitioner Pro Se resulting in preparations taken
10
11 to move out of state to ~~California~~ due to harms inflicted by KRRC's
12
13 malfeasance.

14
15 6. Petitioner Pro Se hereby respectfully requests the Supreme Court to
16
17 provide relief, and take judicial notice of the lethal environmental
18
19 consequences of KRRC's actions, which require immediate
20
21 mitigation. Rule Salmon Protection Device remediation team to the
22
23 task of project mitigation immediately, to avoid further lethal
24
25 environmental consequences from KRRC's gross negligence. This is
26
27 much worse than the Exxon-Valdez oil spill because KRRC's actions
28
29 devastated all aquatic life for 120 River Miles (RM) west of the Iron
30
31 Gate Dam and destroyed vital estuaries. EPA has been notified and
32
33 is likely to declare this a Super-Fund Cleanup site.

34
35 This designation needs to specify that no person shall go near the
36
37 Klamath River without wearing a gas mask until the Salmon Protection

1 Device team removes and scrubs the contaminated silt on the
2
3 river banks. Every day that goes by without an injunction is a threat to
4
5 the lives of local residents and wildlife. This amounts to failure to
6
7 impede a crime in process. How is this not akin to “Misprision of a
8
9 Felony?”

10
11 The active agents in the crime must provide funds for replacement of
12
13 the J.C. Boyle and Iron Gate Dams. The Kiewit Corporation knowingly
14
15 participated as accomplice in commission of this unconscionable crime
16
17 against the environment, in spite of warnings. They proceeded with full
18
19 knowledge and warning of the environmental laws that they were
20
21 violating with impunity. This too-big-to-fail attitude must not go
22
23 unrequited.

24
25 Petitioner requests a Writ of Mandamus and a Summary Judgment in
26
27 Petitioner’s favor because Defendants are clearly biased against
28
29 Federal Environmental law, not doing what they are legally required to
30
31 do, especially scrubbing the silt and installing fences to protect the many
32
33 elk that have perished in what amounts to quick-sand.

34
35 Petitioner respectfully requests the Supreme Court to award any other
36
37 cost to the Petitioner Pro Se as the Court sees fit.

38
39 7. Petitioner hereby respectfully requests that the 9th Circuit Appeals Court
40

1 be required to issue an official notification to all courts in its jurisdiction,
2
3 ordering them that Administrative Law shall no longer take precedence
4
5 over Article III, Section 2 of the U.S. Constitution, or standing case law and
6
7 statute law made in pursuance thereof (U.S. Supreme Court, Loper Case
8
9 22-451). Case 21DR02783, Marriage Dissolution, and the current Case
10
11 might be used as prime examples of such abuse and violations of the
12
13 Judicial Code of Conduct.

14
15 Although not part of the Loper Decision, Article VI, Section 2 of the U.S.
16
17 Constitution also strongly reinforces this principle in stating that: “This
18
19 Constitution, and the Laws of the United States which shall be made in
20
21 Pursuance thereof; and all Treaties made, or which shall be made, under
22
23 the Authority of the United States, shall be the supreme Law of the Land;
24
25 and the Judges in every State shall be bound thereby, any thing in the
26
27 Constitution or Laws of any State to the Contrary notwithstanding. The
28
29 judge in question is, of course, sworn by sacred oath to uphold this
30
31 Constitution.

32
33 8. Accordingly, Petitioner Pro Se calls upon the **Supreme Court** to take
34
35 appropriate disciplinary action in light of the fact that such behavior is subject
36
37 to permanent removal of the bar license and defrocking of any Federal Judge
38
39 in violation of 10) 20-1199 Loper Bright Enterprises, 15) Judges Code of
40

1 Conduct, Canons 2 and 3; [https://www.uscourts.gov/judges-](https://www.uscourts.gov/judges-judgeships/code-)

2 [judgeships/code-](#)

3

4 [conduct-united-states-judges](#), 18 U.S.C. § 1001 False Statements,

5

6 Concealment., 15) 18 U.S. Code § 1621 – Perjury, 16) 28 U.S. Code §

7 455 (b),

8

9 (1) which says, “Where he (The Judge) has a personal bias or prejudice

10 concerning a party, or personal knowledge of disputed evidentiary facts

11 concerning the proceeding;

12

13 18 U.S.C. 4 says, “Whoever, having knowledge of the actual commission of

14

15 a felony cognizable by a court of the United States, conceals and does not

16

17 as soon as possible make known the same to some judge or other person

18

19 in civil or military authority under the United States, shall be fined under this

20

21 title or imprisoned not more than three years, or both.” The crimes

22

23 described in the Complaint are future flooding in the Klamath basin with

24

25 hundreds of millions in damages yearly and exposure of human and wildlife

26

27 to deadly arsenic and Chromium 6 poisoning.

28

29

30

31 **9.** Petitioner is adding this additional request, moving the to require that all

32

33 future river reclamation projects within the purview of the 9th Circuit Court

34

35 shall comply with the intent of the Wild and Scenic Rivers Act, Section 7IA2

36

37 to preserve existing dam projects from removal, by the far less draconian

38

39 strategy of

40

- 1 a. Dredging behind the dam and heat-scrubbing silt onsite,
- 2 b. Installing or repairing fish ladders on each dam,
- 3 c. Installing Salmon Protection Device cages at the foot of the fish
- 4 ladder on the lower dam if needed to deter predatory Sea Lions,
- 5 and
- 6 d. Treating reservoirs for algae or other contaminants, if necessary
- 7 <https://www.rivers.gov/rivers/rivers/sites/rivers/files/2023-07/section-7.pdf>
- 8
- 9
- 10
- 11

12 With a favorable ruling against FERC or the Federal Court, Petitioner Pro

13
14 Se will relocate to the Klamath Basin in California and rectify the
15 environmental mess created and left unmitigated by KRRRC. Petitioner Pro

16
17
18 Se's home is

19
20 for sale at [18965 NW Illahe St, Portland, OR 97229 | Zillow, pending a](#)
21 [favorable decision.](#) Petitioner Pro Se was 11 Bravo in the Army and

22
23
24 Vietnam who knows firsthand what a war zone looks like. The devastation
25 in the Klamath Basin is akin to a war zone.

26
27
28 INDEX TO APPENDICES

29
30 APPENDIX A

31 Letter from Susan Soong 9th Circuit Court Chief executive acknowledging
32 illegal judicial bias.



SUSAN Y. SOONG
CIRCUIT EXECUTIVE

OFFICE OF THE CIRCUIT EXECUTIVE
UNITED STATES COURTS FOR THE NINTH CIRCUIT

JAMES R. BROWNING UNITED STATES COURTHOUSE
95 SEVENTH STREET
POST OFFICE BOX 193939
SAN FRANCISCO, CA 94119-3939

January 3, 2025

Dave White
18965 NW Illahe St.
Portland, OR 97229

Re: Complaint of Judicial Misconduct Nos. 25-90001, 25-90002, 25-90003

Dear Mr. White:

We have received your complaint of judicial misconduct filed pursuant to 28 U.S.C. § 351(a) against Judges Jay S. Bybee, Sidney R. Thomas and Daniel P. Collins. Docket Numbers 25-90001, 25-90002 and 25-90003, respectively, have been assigned to this matter.

We will use the address in your complaint to communicate with you. Until your complaint has been concluded, you must promptly provide written notice of any address changes to the Office of the Circuit Executive, referencing your complaint number. A change of address notification submitted in any other case or appeal is insufficient.

Pursuant to the Rules for Judicial-Conduct and Judicial-Disability Proceedings, a copy of the complaint has been forwarded to Chief Judge Mary H. Murguia and each of the named subject judges.

Very truly yours,

Susan Y. Soong
Circuit Executive

SYS/aa

1 Appendix B.
2

3 11/20/2024 11 **ORDER FILED.** (Sidney R. THOMAS, Jay S. BYBEE,
4 Daniel P. COL

5 Upon a review of the record, the response to the court's
6 October 11, conclude this appeal is frivolous. We
7 therefore deny appellant's moti Entry No. 5), see 28
8 U.S.C. § 1915(a), and dismiss this appeal as fri (court
9 shall dismiss case at any time, if court determines it is
10 frivolous entertained in this closed case. DISMISSED.
11 [Entered: 11/20/2024 0
12

13 Appendix C

10/17/2024	23	ORDER: The Motion for Default Judgment 22 is DENIED. The Court is still evaluating Plaintiff's IFP Application 2 and Amended Complaint 21 . He has not been granted leave to proceed, this action has not yet formally commenced with service, and therefore, Defendant does not yet have a duty to appear and defend. Plaintiff is reminded to heed this District's Local Rules as well as the Federal Rules of Civil Procedure prior to filing any other documents. Ordered by Judge Michael J. McShane. (cp) (Entered: 10/17/2024)
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28

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31

32

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TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
1)18 USC 3 accessory after the fact.	1
2) 16 USCA § 1532(19); see also Goble, D. D.; George, S. M.; Mazaika, K.;	6,8
3) The Endangered Species Act of 1973, https://www.fws.gov/laws/endangered-species-act/section-11	6,8
4) 18 U.S.C. § 1001 False Statements, Concealment.	16
5) 29 CFR § 1606.8 (1) – Harassment has the purpose or effect of creating an intimidating, hostile or offensive working environment.	2, 21
6) 33 U.S.C. §1251 et seq. (1972) Clean water act Section 404.	10, 14, 21

- 1 7) 18 U.S. Code § 1621 – Perjury. 16
- 2
- 3 8) 28 U.S. Code § 455 (b), (1) which says, “Where he (The Judge) has a
4 personal bias or prejudice concerning a party, or personal knowledge of
5 disputed evidentiary facts concerning the proceeding;” 16
- 6
- 7 9) Judges Code of Conduct Canons 2 and 3
8 [https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges)
9 [judges](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges), 1, 13
- 10
- 11 10) 18 U.S.C. 4 says, “Whoever, having knowledge of the actual
12 commission of a felony cognizable by a court of the United States,
13 conceals and does not as soon as possible make known the same to some
14 judge or other person in civil or military authority under the United States,
15 shall be fined under this title or imprisoned not more than three years, or
16 both.” 16
- 17
- 18
- 19
- 20 11) Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002): Pagtalunan
21 was Pro Se and made numerous mistakes in filing his complaint resulting
22 in the case being dismissed. However, upon appeal, the higher Court
23 ruled that the lower Court was in error because they did not give allowance
24 for Pagtalunan’s lack of legal training. 25
- 25
- 26
- 27
- 28
- 29
- 30 12) 18 U.S. Code § 4 - Misprision of felony. 3, 12, 25
- 31
- 32
- 33 13) 22–451 June 28th, 2024 Federal Case number 22–451 in Loper Bright
34 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce
35 that all courts shall no longer function as administrative law courts.
36 https://www.supremecourt.gov/opinions/23pdf/22-451_7m58.pdf
37 Administrative law is illegal and ALL courts must convene as Article three
38 of the US Constitution. The Chevron doctrine is invalid. Federal and state
39 agencies can no longer cherry pick data for their false agenda. Stare

1 decisis must be vertical to the Constitution not lower or sideways. This is
2 because any other case can't be guaranteed to have enough similarities to
3 warrant use unless the Judge and each counsel have read that case
4 transcripts, exhibits and final ruling. Six to three decision. 2, 6. 10, 16 24
5
6
7

8 IN THE
9
10 SUPREME COURT OF THE UNITED STATES

11 PETITION FOR WRIT OF CERTIORARI

12 Petitioner respectfully prays that a writ of certiorari issue to review the judgment
13 below.

14
15 **OPINIONS BELOW**

16
17 For cases from federal courts:

18 The opinion of the United States court of appeals appears at
19 Appendix __ to the petition and is in Appendix B

20
21 The opinion of the United States district court appears at
22 Appendix C.
23

24 **JURISDICTION**

25
26 For cases from **federal courts**:

27 The date on which the United States Court of Appeals decided
28 my case was .

29
30 No petition for rehearing was timely filed in my case.

31
32 A timely petition for rehearing was denied by the United States
33 Court of Appeals on the following date: and a copy of the order
34 denying rehearing appears at Appendix .

35
36 An extension of time to file the petition for a writ of certiorari was

1 granted to and including _____ (date) on
2 (date) in Application No. A .

3
4 The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).
5
6

7
8 The petition for a writ of certiorari should be granted.
9

10
11 Respectfully submitted,
12
13

14 

15
16 Date: 2/11/2025
17
18

CERTIFICATE OF SERVICE

I hereby certify that on 2/11/2025, a true and correct copy of the above document was electronically filed with the Clerk of the Court using CM/ECF. A copy of the document will be served upon interested parties via the Notices of Electronic Filing that are generated by CM/ECF. Additionally, a courtesy copy is being provided as follows:

Also emailed to defendants

Chairman_Phillips_Meetings@ferc.gov;

Commissioner_Christie_Meetings@FERC.gov;

Commissioner_Rosner_Meetings@FERC.gov;
Commissioner_See_Meetings@FERC.gov;
Commissioner_Chang_Meetings@FERC.gov

Attorney for Legal Counsel for all defendants
Danielle Mechling
Attorney-Advisor
Federal Energy Regulatory Commission
Office of Enforcement, Division of Investigations
Tel: 202-502-8924
Email: danielle.mechling@ferc.gov
___ Via hand delivery
___ Via U.S. Mail, 1st Class,
Postage Prepaid
___ Via Overnight Delivery
___ Via Facsimile
XX Via Email
XX Via CM/ECF notification
to the extent registered DATED: 2/11/2025
By: David White



**IN THE
SUPREME COURT OF THE UNITED STATES
FEBRUARY 2025 TERM**

DAVID C. WHITE Petitioner Pro Se

Vs.

**Respondent 1. (R1)
Chairman Willie L. Phillips, in his
personal capacity as chairman of
Federal Energy Regulatory
Commission (FERC) Chairman_Phillips_Meetings@ferc.gov
202-502-8550**

**Respondent 2. (R2)
Commissioner Mark Christie in his
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
202-502-8110 Commissioner_Christie_Meetings@FERC.gov**

**Respondent 3 (R3)
Commissioner David Rosner in his
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
202-502-6500 Commissioner_Rosner_Meetings@FERC.gov**

**Respondent 4 (R4)
Commissioner Lindsay S. See in her
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
Commissioner_See_Meetings@FERC.gov**

**Respondent 5 (D5)
Commissioner Judy W. Chang in her
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
Commissioner_Chang_Meetings@FERC.gov**

Respondents

Danielle Mechling

**Counsel of Record
Attorney-Advisor
Federal Energy Regulatory Commission
Office of Enforcement, Division of Investigations
Tel: 202-502-8924
Email: danielle.mechling@ferc.gov**

**On Petition for a Writ of Certiorari to the United State Court
of Appeals for the Ninth Circuit Docket 24-5811**

PETITION FOR A WRIT OF CERTIORARI

**David White
18965 NW Illahe Street
Portland, Oregon 97229
503-608-7611
Dave@salmonprotectiondevice.com**

QUESTIONS PRESENTED FOR REVIEW

- Shall the U.S. participate in illegal and catastrophic, Bio-diversity programs, such as public dam removal, which were never ratified by Congress?
Please refer to any excerpt from <https://www.agenda21course.com/category/lesson-one/>, “So what is Agenda 21, also referred to as ‘Sustainable Development?’” It is emphatically NOT an environmental movement; it IS a deceptive political movement, which seeks to control the world’s economy, dictate its development, capture and redistribute its wealth on a national, state, and local level.
- Shall any hydroelectric dam be removed in the United States without the express consent of Congress? The proper solution is regular dam maintenance to include dredging behind the dam to remove contaminated silt and installing or repairing fish ladders.
- Shall U.S. Courts at all levels persist in exercising extreme bias against pro se or any litigants, contrary to Judicial Code of conduct

and Loper Bright Enterprises, especially in use of Administrative Law to nullify federal law for Summary Judgment, by dismissing a case when defense fails to make any appearance? This corrupt procedure is systemic throughout the Ninth Circuit Court System. Also <https://pacificlegal.org/post-chevron-mine-case/>

- Shall the judge who decides for such a dismissal be innocent of Misprision of felony, having reviewed the felonies admitted by failure of the defense to appear, and then doing nothing to adjudicate them?
- Shall the Circuit Court of Appeals violate its protocol for selecting a unique panel of judges for each case tried when a litigant has simultaneously presented two or more unique cases for review?
- Shall the Circuit Court of Appeals refer a PETITION FOR RECONSIDERATION OF DISPOSITIVE ORDER to the same panel of judges whose extreme bias in dismissing that very case is being challenged by pro se or any litigants?
- Shall Horizontal Stare Decisis, the doctrine of following rules or principles laid down in previous judicial decisions, apply without question to any case? Horizontal Stare Decisis is unreliable because it can never be guaranteed to apply to the instant be the exact same-case with a unique history, without studying the transcripts and exhibits of the previous case. This is like comparing Apples to Oranges; they are both fruits, but different.
- Shall any Court habitually and illegally dismiss a Complaint when Defendants are in default by the 21-day FRCP rule? By FRCP rules when a complaint is filed the defendants have 21 days to respond or risk a summary judgement against them. Amdt6.2.1 Overview of Right to a Speedy Trial (<https://www.law.cornell.edu/constitution-conan/amendment-6/overview-of-right-to-a-speedy-trial>) shows clearly the Constitution requires a speedy trial. However, Petitioner Pro Se is involved in many cases where the defendants were in default by the 21-day rule. Petitioner Pro Se then filed for a summary judgement and a Writ of Mandamus. In every case, the Judge illegally dismissed the case, proof that this illegal tactic is systemic throughout the 9th

Circuit Court.

LIST OF PARTIES [X] All parties appear in the caption of the case on the cover page.

TABLE OF CONTENTS

OPINIONS
BELOW..... 5
JURISDICTION.....6
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED8
STATEMENT OF THE CASE8
REASONS FOR GRANTING THE WRIT13
CONCLUSION.....13

OPINIONS BELOW

List of Docket entries from 24-5811

9/24/2024 1 **CASE OPENED.** A copy of your notice of appeal / petition filed in 1:2 office of the United States Court of Appeals for the Ninth Circ The U. of Appeals docket number **24-5811** has been assign the court must i this Court of Appeals docket number. Please name(s) and contact information are correct. It is your responsibility changes.
Resources Available
For more information about case processing and to assist you in pre Opening Information (for [attorneys](#) and [pro se litigants](#)) and review th consider contacting the court's [Appellate Mentoring Program](#) [Entere 09/24/2024 02:28 PM]

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10/8/2024	4	DEFECTIVE --- NOTICE that No Answering Brief Will be Filed by type, correct entry is DE 6.] [Entered: 10/08/2024 05:20 PM] [Edited:
10/8/2024	5	MOTION to Proceed In Forma Pauperis filed by Appellant David White. [PDF of motion.] [Entered: 10/08/2024 06:26 PM] [Edited: 10/09/2024
10/8/2024	6	CORRESPONDENCE filed by Appellant David White. [COURT ENT 10/09/2024 09:26 AM]
10/11/2024	7	ORDER FILED. It appears that this appeal may be frivolous. If the appellant is granted permission to proceed in forma pauperis and dismiss the appeal. See Fed. R. App. P. 42(b). If appellant must: (1) file a statement explaining why the appeal is not frivolous, or any other response other than a motion to dismiss, the appeal will be dismissed. If it is frivolous, the appeal will be dismissed. If it is not frivolous, the appeal will be stayed. If appellant does not respond to this order, the court may dismiss the appeal. The clerk will serve on appellant: (1) a form motion to voluntarily dismiss the appeal should go forward. [Entered: 10/11/2024 01:42 PM]
10/15/2024	8	RESPONSE to Order - General OSC (DE 7) filed by Appellant David
10/17/2024	9	OPENING BRIEF submitted for filing by Appellant David White. [Ent
10/18/2024	10	CLERK ACTION: Opening Brief submitted at DE 9 by Appellant Dave White [Entered: 10/18/2024 03:04 PM]
11/20/2024	11	ORDER FILED. (Sidney R. THOMAS, Jay S. BYBEE, Daniel P. COLSON) Upon a review of the record, the response to the court's October 11, 2024 Order (Entry No. 5), see 28 U.S.C. § 1915(a), and dismiss this appeal as frivolous. (court shall dismiss case at any time, if court determines it is frivolous) entertained in this closed case. DISMISSED. [Entered: 11/20/2024 0
12/3/2024	12	MOTION to Reconsider Dispositive Order filed by

5 The Appellees abandoned these case issues by no response
6
7 to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.
8

9 JURISDICTION

10
11 Basis for Jurisdiction is a federal environmental question. An
12
13 environmental disaster in the Klamath Basin has resulted from KRRRC's
14
15 willful destruction of the environment in violation of known stipulations and
16
17 restrictions of the FERC license. These are in clear violation of the Federal
18
19 Clean Air and Federal Clean Water Acts of the U.S. Congress. Also
20
21 includes violations of wanton killing of fish, including endangered Salmon
22
23 without permits.

24
25 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
26
27 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
28
29 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
30
31 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
32
33 16.

34
35 This Court has jurisdiction, over the subject matter of this complaint,
36
37 because the illegal and unlawful actions of KRRRC are violating Federal
38
39 Law, to include (Wild and Scenic Rivers Act, PL 90-542), (Clean Water
40

1 Act), and (Commerce Clause of the U.S. Constitution). The Defendants are
2
3 complicit in these statute violations by negligently providing KRRC with its
4
5 license.

6
7 Additionally, This Court has jurisdiction, over the subject matter of this
8
9 complaint, because the massive environmental damage in the Klamath
10
11 River basin is most proximate to the ninth circuit court which so blatantly
12
13 dismissed three cases without any legal standing to do so.

14
15 Petitioner Pro Se presents this Complaint respectfully, requesting this Court
16
17 To convene this case as an article III, of the U.S. Constitution Court case,
18
19 Per the recent U.S. Supreme Court ruling in 13) 2024 Loper Bright
20
21 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce
22
23 above. Article III, Section 2 of the U. S. Constitution stipulates “The Judicial
24
25 Power shall extend to all cases in law and equity, arising under this
26
27 constitution, the laws of the United States and Treaties, which will be made
28
29 under the Authority;

30
31 - to all cases affecting ambassadors, other public Ministers and
32
33 Counsels, to controversies to which the United States shall be a party;
34
35 - to controversies between two or more states, ... between citizens of
36
37 different states, between a state or the citizens thereof.

38
39 First Page, second paragraph, Held: The Administrative Procedure Act
40

1 requires courts to exercise their independent judgment in deciding whether
2 an agency has acted within its statutory authority, and courts may not defer
3 to an agency interpretation of the law simply because a statute is
4 ambiguous; Chevron is overruled. Pp. 7–35.

5
6
7
8
9 (<https://www.foleyhoag.com/news-and-insights/publications/alerts-and-updates/2024/july/chevrons-demise-and-what-it-means-for-healthcare-and-life-sciences-companies/>).

10
11
12
13 Therefore, agencies like the Federal Energy Regulatory Commission
14 (FERC) are no longer permitted to cherry pick data to match their
15 administrative agenda. For example, about 80% of Klamath Basin
16 residents were strongly opposed to the Klamath dams being removed,
17 a well-documented fact which the FERC agency simply ignored.

21 22 23 VENUE

24
25 Venue is proper in this Court because the location of the Ninth Circuit
26 Court is in the same geographical location as the Illegal act's that are NOW
27 taking place. The Court's location is close to the environmental damage
28 incurred and ongoing, allowing for easy visual inspection.

29
30
31
32
33 The Klamath River's rights to a wild and scenic condition is actively being
34 violated by KRRRC, the defendant's licensee, and therefore the Public
35 (Petitioner Pro Se and Class action members) have a legal right to speak
36 on behalf of the Klamath River. In addition, the public's right to enjoyment
37
38
39
40

1 of that condition as mandated by Congress has forever been taken away.

2
3 Therefore, Petitioner Pro Se have standing. Additionally, this is a class
4
5 action complaint with class action members residing in the Klamath Basin
6
7 which extends from Klamath Falls Oregon to Yreka California.

8
9 **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

10
11 These are in clear violation of the Federal Clean Air and Federal Clean
12
13 Water Acts of the U.S. Congress. Also, violations of wanton killing fish
14
15 including endangered Salmon without permits.

16
17 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
18
19 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
20
21 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
22
23 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
24
25 16.

26
27 **STATEMENT OF THE CASE**

28
29 Petitioner Pro Se is part of a team of 3 professionals, all volunteering, pro
30
31 bono. One is a 40-year retired, Federal Attorney, expert in the application
32
33 of Federal and Case law, environmental law in particular. Another is an
34
35 investigative journalist, providing legal research and serving as Legal Editor
36
37 for all Court Documents.

38
39 This team has three docket cases before the Ninth Circuit Court to correct

1
2 illegal administrative law rulings and potentially discipline four federal
3
4 judges who made arbitrary rulings contrary to Federal law.
5 Prior to filing a claim against the Federal Energy Regulatory
6
7 Commissioners, Petitioner Pro Se filed in FERC to have a hearing and
8
9 present their legal violations in their process of providing a license to
10
11 KRRRC. However FERC has not provided a hearing and its been six
12
13 months.

14
15 After waiting 1 month for a response, on August 8th, 2024, Petitioner Pro Se
16
17 filed a Complaint against the Federal Energy Regulatory Commissioners
18
19 (FERC), which had unlawfully issued Klamath River Renewal Corporation
20
21 (KRRRC) a license to remove four of the dams on the lower Klamath River.

22
23
24 This license was accomplished by cherry picking data as part of a scheme
25
26 to overrule Federal environmental law which guarantees preservation of the
27
28 dams. As evidence of KRRRC lawbreaking, Appellant found more than nine
29
30 violations of environmental law in the FERC licensing document. Trial
31
32 Court Judge in the case 1:24-CV-1301-MC then manipulated or ignored
33
34 this lawful evidence to claim that Petitioner Pro Se was suing FERC in
35
36 conjunction with KRRRC, resulting in Petitioner Pro Se's loss. Petitioner Pro
37

1 Se was simply referring to FERC documentation as evidence. Debunking
2
3 the [2018 FERC document](#) so the Supreme Court can make it invalid.

4
5 The Defendants were in Default by failing to respond to the Complaint.

6
7 This, even though Appellant called and emailed them and also submitted
8
9 the Complaint and Memorandum of Points Pleading, which shows FERC
10
11 violated their own rules and federal law by illegal cherry-picking data. This
12
13 document was previously uploaded to Appeals Court docket.

14
15 About 80% of local stakeholders didn't want the dams removed.

16
17 FERC blatantly ignored overwhelming objections of local stakeholder's in
18
19 polling and sworn testimony against removal of the dams in both Klickitat
20
21 County, California and Klamath County, Oregon. One doctor stands out,
22
23 who testified that his wife died due to the Chromium 6 poisoning and he
24
25 has a steady flow of patients likewise suffering the same symptoms. See
26
27 the 2009 to 2011 Chemistry test on silt behind each dam is high
28
29 contaminated with Chromium 6 and Arsenic.

30
31 [https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-Evaluation-of-Contaminants-in-Sediments.pdf)
32 [Evaluation-of-Contaminants-in-Sediments.pdf](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-Evaluation-of-Contaminants-in-Sediments.pdf)

33
34 This is illegal by the clean water act and KRRC's section 404 permit.

35
36 This is also illegal by the U.S. Supreme Court Ruling 12) in Case 22-451
37

1 Loper Bright, June 28, 2024.

2

3 The Loper Bright decision has two components:

4

5 1. All courts from the U.S. Supreme Court to the lowest city traffic court
6 must convene as courts under Article III, Section 2 of the United
7 States Constitution, and

8 2. Federal entities may no longer cherry pick data to promote a
9 preferred agenda, in this case the ill-informed demands for dam
10 removal of upstream stakeholders to the extreme detriment of all
11 others.

12 Lower Court refusal to abide by the letter and spirit of this Ruling at every

13

14 level lies at the heart of this Petition. Prior to this egregious act of public

15

16 vandalism, Petitioner Pro Se likewise issued strong objections from the

17

18 perspective of his training and lifetime experience as a Chemical Engineer,

19

20 including partial completion of a doctorate in the field. Appellant (Petitioner

21

22 Pro Se) explained

23

24 repeatedly that a far less draconian and less expensive option – one that

25

26 would not defy federal law -- was to:

27

28 1. dredge accumulated silt behind the dams,

29 2. heat scrub out deadly chemicals onsite, such as Arsenic and
30 Chromium 6,

31 3. then repair or install fish ladders.

32

33 This would allow for gradual drainage and cleansing of any water quality

34

35 issues above the dam. Salmon Protection Devices (stainless steel cages)

36

37 might also be installed to prevent sea lions from gorging on fish at the base

1
2 of the most downstream fish ladders. These scientific recommendations
3
4 were ignored, thus destroying the invaluable utility of the dams for flood
5
6 control, hydroelectricity, irrigation, recreation, fire-fighting, and more. The
7
8 tragic California wildfires burning out of control were the immediate result of
9
10 this unforgiveable vandalism of fully-capitalized public property.

11 Klamath River Renewal Corp malfeasance is transferred to FERC
12
13 defendants by 1)18 USC 3 accessory after the fact.

14
15 Appellant (Petitioner Pro Se) filed Case 3:24-cv-00755-JR in federal court
16
17 as an environmental suit against Defendants' Klamath River Renewal Corp
18
19 (KRRC) and RES, who confessed in a press conference to killing over
20
21 2000 fish including endangered salmon and a herd of elk without permits.
22

23
24 Petitioner Pro Se's request for an emergency injunction to temporarily stop
25
26 work was denied by Defendants' deceitful manipulation of Administrative
27
28 Law to delay any Court action to stop the crime in progress by injunction.

29
30 But this should not excuse the lower court's pusillanimous inaction in the
31
32 face of cries for justice and relief from the harm being inflicted before their
33
34 very eyes. This is, in effect, Misprision of Felony.

35
36 Here is an email from a local stakeholder as one small example of the
37
38 human damage inflicted by this egregious action. Not to mention the
39

1 environmental calamity that remains unmitigated due to a massive release
2
3 of poisoned flood water in January, 2024. This is an Exxon-Valdez level of
4
5 environmental havoc papered over by defendants planting grass on
6
7 contaminated riverbanks. It killed all aquatic life for 120 River Miles
8
9 between the Iron Gate Dam and Pacific Ocean, and still poses a lethal
10
11 threat to unsuspecting human and wildlife in the area.
12

13 From: Rick Dowdy <rhadowdy@gmail.com>
14 Sent: Monday, September 16, 2024 9:47 AM
15 To: dave@salmonprotectiondevice.com
16 <dave@salmonprotectiondevice.com>
17 Subject: Dam removal
18

19 Hi, my name is Rick Dowdy. I live at Copco where they have removed our
20 Dam. Our community well went dry 2 days after they released the water
21 from our lake. They gave us a 5,000-gallon tank for 10 houses. They
22 currently fill it weekly. I have heard KRRC will be finished at the end of
23 October. I am concerned they are going to leave us high and dry without a
24 permanent well. I also have damage to my home from their blasting on the
25 dam. To find another home to retire at would cost me at least 1 million
26 dollars. The poisons left from dam removal could be life threatening. Thank
27 you for going for justice. From Rick Dowdy.
28

29 30 REASONS FOR GRANTING THE WRIT

31
32 The Federal Court illegally dismissed this case when defendants (FERC
33
34 Commissioners) were in default. Thus, the appeal was filed. But then three
35
36 9th Circuit Court Justices illegally dismissed the appeal because they
37
38 naively accepted the illegal dismissal of the Federal Court. The Federal
39
40 Court judge has a Complaint filed against him in the 9th Circuit Court of

1
2 Appeals for illegal judicial bias, violations of Judicial Code of Conduct and
3
4 illegal abuse of administrative law. Likewise, the three Appeals Court
5
6 Justices have similar Complaints and dockets filed. See Appendix A. The
7
8 Appellees abandoned these case issues by no response
9
10 to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.

11
12 Therefore, many reasons have been given got granting this writ.

13
14
15 **CONCLUSION**

16
17 Petitioner Pro Se respectfully requests the following rulings or remand of this
18
19 case back to the 9th Circuit, ~~and order~~ ordering them to impanel three different
20
21 justices and instructing them to refrain from illegal judicial bias, violation of
22
23 Judicial Code of Conduct, and illegal abuse of Administrative Law. Appendix A
24
25 is a letter from Susan Soong 9th Circuit Court Chief executive acknowledging
26
27 illegal judicial bias. The Appellees abandoned these case issues by no
28
29 response to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.

30
31
32 **PRAYER FOR RELIEF**

- 33
34 1. Petitioner Pro Se hereby respectfully requests the Supreme Court to
35
36 issue a Writ of Mandamus that Defendants charge Petitioner Pro Se's
37
38 team with the task of restoring the Klamath River back to its Original

1
2 Wild and Scenic condition with dams and fish ladders as mandated
3
4 by Congress. Also to pay ten million dollars to Salmon Protection
5
6 Device Inc. These funds will start the cleanup of the environmental
7
8 damage in the Klamath Basin. The Respondents abandoned these
9
10 case issues by no response to any pleading in Docket 24-5811 and
11
12 Case 1:24CV-1301-MC.

13
14
15 2. Grant Injunctive Relief to halt all further deconstruction and grant
16
17 Summary Judgment because Defendants' licensee, KRRC continues
18
19 to ignore the actions they are legally required to perform by FERC
20
21 and the Army Corp of Engineers, under the Federal Clean Water Act,
22
23 Section 404. KRRC has made public confession of these crimes and
24
25 has nonetheless proceeded with their nefarious, criminal activity. The
26
27 gravity of this case requires a court order that commands a
28
29 government official or entity to perform an act it is legally required to
30
31 perform as part of its official duties, or refrain from performing an act
32
33 the law forbids. The Respondents abandoned these
34
35 case issues by no response to any pleading in Docket 24-5811 and
36
37 Case 1:24CV-1301-MC.

1
2 3. Petitioner Pro Se hereby respectfully requests the Supreme Court to
3
4 order Defendants to immediately remove KRRC's license and
5
6 transfer all remaining control and money to Salmon Protection Device
7
8 non-profit. The Respondents abandoned these
9
10 case issues by no response to any pleading in Docket 24-5811 and
11
12 Case 1:24CV-1301-MC.
13

14 Salmonprotectiondevice.com has a team of engineers and scientists
15
16 who know how to mitigate the contaminated silt and install fish
17
18 ladders on rebuilt Iron Gate and JC Boyle Dams.
19

20 4. Petitioner Pro Se respectfully requests the Supreme Court to
21
22 vacate the 3:24-cv-00755-JR final dismissal on 7/26/2024. This
23
24 Federal Court dismissal was based on KRRC legal counsel's
25
26 concocted ECF's and manipulation of case law and Federal Law.
27
28 Petitioner Pro Se has already warned defendants that if they continue
29
30 to repeat these perjuries he will ask for full adjudication to the FBI for
31
32 prosecution to the full extent of the law. The Respondents abandoned
33
34 these case issues by no response to any pleading in Docket 24-5811
35
36 and Case 1:24CV-1301-MC.
37

1 5. Petitioner Pro Se respectfully requests the Supreme Court to
2
3 acknowledge standing based on Federal Environmental laws broken
4
5 with associated 7 Environmental Values denied to Petitioner Pro Se,
6
7 Class Action members, and the River itself. Likewise, standing based
8
9 on harms inflicted on Petitioner Pro Se resulting in preparations taken
10
11 to move out of state to ~~California~~ due to harms inflicted by KRRC's
12
13 malfeasance.

14
15 6. Petitioner Pro Se hereby respectfully requests the Supreme Court to
16
17 provide relief, and take judicial notice of the lethal environmental
18
19 consequences of KRRC's actions, which require immediate
20
21 mitigation. Rule Salmon Protection Device remediation team to the
22
23 task of project mitigation immediately, to avoid further lethal
24
25 environmental consequences from KRRC's gross negligence. This is
26
27 much worse than the Exxon-Valdez oil spill because KRRC's actions
28
29 devastated all aquatic life for 120 River Miles (RM) west of the Iron
30
31 Gate Dam and destroyed vital estuaries. EPA has been notified and
32
33 is likely to declare this a Super-Fund Cleanup site.

34
35 This designation needs to specify that no person shall go near the
36
37 Klamath River without wearing a gas mask until the Salmon Protection

1 Device team removes and scrubs the contaminated silt on the
2
3 river banks. Every day that goes by without an injunction is a threat to
4
5 the lives of local residents and wildlife. This amounts to failure to
6
7 impede a crime in process. How is this not akin to “Misprision of a
8
9 Felony?”

10
11 The active agents in the crime must provide funds for replacement of
12
13 the J.C. Boyle and Iron Gate Dams. The Kiewit Corporation knowingly
14
15 participated as accomplice in commission of this unconscionable crime
16
17 against the environment, in spite of warnings. They proceeded with full
18
19 knowledge and warning of the environmental laws that they were
20
21 violating with impunity. This too-big-to-fail attitude must not go
22
23 unrequited.

24
25 Petitioner requests a Writ of Mandamus and a Summary Judgment in
26
27 Petitioner’s favor because Defendants are clearly biased against
28
29 Federal Environmental law, not doing what they are legally required to
30
31 do, especially scrubbing the silt and installing fences to protect the many
32
33 elk that have perished in what amounts to quick-sand.

34
35 Petitioner respectfully requests the Supreme Court to award any other
36
37 cost to the Petitioner Pro Se as the Court sees fit.

38
39 7. Petitioner hereby respectfully requests that the 9th Circuit Appeals Court
40

1 be required to issue an official notification to all courts in its jurisdiction,
2
3 ordering them that Administrative Law shall no longer take precedence
4
5 over Article III, Section 2 of the U.S. Constitution, or standing case law and
6
7 statute law made in pursuance thereof (U.S. Supreme Court, Loper Case
8
9 22-451). Case 21DR02783, Marriage Dissolution, and the current Case
10
11 might be used as prime examples of such abuse and violations of the
12
13 Judicial Code of Conduct.

14
15 Although not part of the Loper Decision, Article VI, Section 2 of the U.S.
16
17 Constitution also strongly reinforces this principle in stating that: “This
18
19 Constitution, and the Laws of the United States which shall be made in
20
21 Pursuance thereof; and all Treaties made, or which shall be made, under
22
23 the Authority of the United States, shall be the supreme Law of the Land;
24
25 and the Judges in every State shall be bound thereby, any thing in the
26
27 Constitution or Laws of any State to the Contrary notwithstanding. The
28
29 judge in question is, of course, sworn by sacred oath to uphold this
30
31 Constitution.

32
33 8. Accordingly, Petitioner Pro Se calls upon the **Supreme Court** to take
34
35 appropriate disciplinary action in light of the fact that such behavior is subject
36
37 to permanent removal of the bar license and defrocking of any Federal Judge
38
39 in violation of 10) 20-1199 Loper Bright Enterprises, 15) Judges Code of
40

1 Conduct, Canons 2 and 3; [https://www.uscourts.gov/judges-](https://www.uscourts.gov/judges-judgeships/code-)

2 [judgeships/code-](https://www.uscourts.gov/judges-judgeships/code-)

3
4 [conduct-united-states-judges](https://www.uscourts.gov/judges-judgeships/code-), 18 U.S.C. § 1001 False Statements,

5
6 Concealment., 15) 18 U.S. Code § 1621 – Perjury, 16) 28 U.S. Code §
7 455 (b),
8
9 (1) which says, “Where he (The Judge) has a personal bias or prejudice
10
11 concerning a party, or personal knowledge of disputed evidentiary facts
12
13 concerning the proceeding;

14
15 18 U.S.C. 4 says, “Whoever, having knowledge of the actual commission of
16
17 a felony cognizable by a court of the United States, conceals and does not
18
19 as soon as possible make known the same to some judge or other person
20
21 in civil or military authority under the United States, shall be fined under this
22
23 title or imprisoned not more than three years, or both.” The crimes
24
25 described in the Complaint are future flooding in the Klamath basin with
26
27 hundreds of millions in damages yearly and exposure of human and wildlife
28
29 to deadly arsenic and Chromium 6 poisoning.

30
31 **9.** Petitioner is adding this additional request, moving the to require that all
32
33 future river reclamation projects within the purview of the 9th Circuit Court
34
35 shall comply with the intent of the Wild and Scenic Rivers Act, Section 7IA2
36
37 to preserve existing dam projects from removal, by the far less draconian
38
39 strategy of
40

- 1 a. Dredging behind the dam and heat-scrubbing silt onsite,
- 2 b. Installing or repairing fish ladders on each dam,
- 3 c. Installing Salmon Protection Device cages at the foot of the fish
- 4 ladder on the lower dam if needed to deter predatory Sea Lions,
- 5 and
- 6 d. Treating reservoirs for algae or other contaminants, if necessary
- 7 <https://www.rivers.gov/rivers/rivers/sites/rivers/files/2023-07/section-7.pdf>

8
9
10
11
12 With a favorable ruling against FERC or the Federal Court, Petitioner Pro

13
14
15 Se will relocate to the Klamath Basin in California and rectify the

16
17 environmental mess created and left unmitigated by KRRRC. Petitioner Pro

18
19 Se's home is

20
21 for sale at [18965 NW Illahe St, Portland, OR 97229 | Zillow, pending a](#)

22 [favorable decision.](#) Petitioner Pro Se was 11 Bravo in the Army and

23
24 Vietnam who knows firsthand what a war zone looks like. The devastation

25
26 in the Klamath Basin is akin to a war zone.

27
28 INDEX TO APPENDICES

29
30 APPENDIX A

31 Letter from Susan Soong 9th Circuit Court Chief executive acknowledging

32 illegal judicial bias.



SUSAN Y. SOONG
CIRCUIT EXECUTIVE

OFFICE OF THE CIRCUIT EXECUTIVE
UNITED STATES COURTS FOR THE NINTH CIRCUIT

JAMES R. BROWNING UNITED STATES COURTHOUSE
95 SEVENTH STREET
POST OFFICE BOX 193939
SAN FRANCISCO, CA 94119-3939

January 3, 2025

Dave White
18965 NW Illahe St.
Portland, OR 97229

Re: Complaint of Judicial Misconduct Nos. 25-90001, 25-90002, 25-90003

Dear Mr. White:

We have received your complaint of judicial misconduct filed pursuant to 28 U.S.C. § 351(a) against Judges Jay S. Bybee, Sidney R. Thomas and Daniel P. Collins. Docket Numbers 25-90001, 25-90002 and 25-90003, respectively, have been assigned to this matter.

We will use the address in your complaint to communicate with you. Until your complaint has been concluded, you must promptly provide written notice of any address changes to the Office of the Circuit Executive, referencing your complaint number. A change of address notification submitted in any other case or appeal is insufficient.

Pursuant to the Rules for Judicial-Conduct and Judicial-Disability Proceedings, a copy of the complaint has been forwarded to Chief Judge Mary H. Murguia and each of the named subject judges.

Very truly yours,

Susan Y. Soong
Circuit Executive

SYS/aa

1 Appendix B.
2

3 11/20/2024 11 **ORDER FILED.** (Sidney R. THOMAS, Jay S. BYBEE,
4 Daniel P. COL

5 Upon a review of the record, the response to the court's
6 October 11, conclude this appeal is frivolous. We
7 therefore deny appellant's moti Entry No. 5), see 28
8 U.S.C. § 1915(a), and dismiss this appeal as fri (court
9 shall dismiss case at any time, if court determines it is
10 frivolous entertained in this closed case. DISMISSED.
11 [Entered: 11/20/2024 0
12

13 Appendix C

10/17/2024	23	ORDER: The Motion for Default Judgment 22 is DENIED. The Court is still evaluating Plaintiff's IFP Application 2 and Amended Complaint 21 . He has not been granted leave to proceed, this action has not yet formally commenced with service, and therefore, Defendant does not yet have a duty to appear and defend. Plaintiff is reminded to heed this District's Local Rules as well as the Federal Rules of Civil Procedure prior to filing any other documents. Ordered by Judge Michael J. McShane. (cp) (Entered: 10/17/2024)
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14

15

16

17

TABLE OF AUTHORITIES CITED

18

CASES

PAGE NUMBER

19

20 1)18 USC 3 accessory after the fact.

1

21

22 2) 16 USCA § 1532(19); see also Goble,
23 D. D.; George, S. M.; Mazaika, K.;

6,8

24

25 3) The Endangered Species Act of 1973,

26 <https://www.fws.gov/laws/endangered-species-act/section-11> 6,8

27

28 4) 18 U.S.C. § 1001 False Statements, Concealment.

16

29

30 5) 29 CFR § 1606.8 (1) – Harassment has the purpose or effect of creating
31 an intimidating, hostile or offensive working environment.

2, 21

32

33 6) 33 U.S.C. §1251 et seq. (1972) Clean water act Section 404. 10, 14, 21

- 1 7) 18 U.S. Code § 1621 – Perjury. 16
2
3 8) 28 U.S. Code § 455 (b), (1) which says, “Where he (The Judge) has a
4 personal bias or prejudice concerning a party, or personal knowledge of
5 disputed evidentiary facts concerning the proceeding;” 16
6
7 9) Judges Code of Conduct Canons 2 and 3
8 [https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges)
9 [judges,](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges) 1, 13
10
11 10) 18 U.S.C. 4 says, “Whoever, having knowledge of the actual
12 commission of a felony cognizable by a court of the United States,
13 conceals and does not as soon as possible make known the same to some
14 judge or other person in civil or military authority under the United States,
15 shall be fined under this title or imprisoned not more than three years, or
16 both.” 16
17
18
19
20 11) Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002): Pagtalunan
21 was Pro Se and made numerous mistakes in filing his complaint resulting
22 in the case being dismissed. However, upon appeal, the higher Court
23 ruled that the lower Court was in error because they did not give allowance
24 for Pagtalunan’s lack of legal training. 25
25
26
27
28
29
30 12) 18 U.S. Code § 4 - Misprision of felony. 3, 12, 25
31
32
33 13) 22–451 June 28th, 2024 Federal Case number 22–451 in Loper Bright
34 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce
35 that all courts shall no longer function as administrative law courts.
36 https://www.supremecourt.gov/opinions/23pdf/22-451_7m58.pdf
37 Administrative law is illegal and ALL courts must convene as Article three
38 of the US Constitution. The Chevron doctrine is invalid. Federal and state
39 agencies can no longer cherry pick data for their false agenda. Stare

1 decisis must be vertical to the Constitution not lower or sideways. This is
2 because any other case can't be guaranteed to have enough similarities to
3 warrant use unless the Judge and each counsel have read that case
4 transcripts, exhibits and final ruling. Six to three decision. 2, 6. 10, 16 24
5
6
7

8 IN THE
9
10 SUPREME COURT OF THE UNITED STATES

11 PETITION FOR WRIT OF CERTIORARI

12 Petitioner respectfully prays that a writ of certiorari issue to review the judgment
13 below.

14
15 **OPINIONS BELOW**

16
17 For cases from federal courts:

18 The opinion of the United States court of appeals appears at
19 Appendix __ to the petition and is in Appendix B

20
21 The opinion of the United States district court appears at
22 Appendix C.
23

24 **JURISDICTION**

25
26 For cases from **federal courts**:

27 The date on which the United States Court of Appeals decided
28 my case was .

29
30 No petition for rehearing was timely filed in my case.

31
32 A timely petition for rehearing was denied by the United States
33 Court of Appeals on the following date: and a copy of the order
34 denying rehearing appears at Appendix .

35
36 An extension of time to file the petition for a writ of certiorari was

1 granted to and including _____ (date) on
2 (date) in Application No. A .

3
4 The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).
5
6

7
8 The petition for a writ of certiorari should be granted.
9

10
11 Respectfully submitted,
12
13

14 

15
16 Date: 2/11/2025
17
18

CERTIFICATE OF SERVICE

I hereby certify that on 2/11/2025, a true and correct copy of the above document was electronically filed with the Clerk of the Court using CM/ECF. A copy of the document will be served upon interested parties via the Notices of Electronic Filing that are generated by CM/ECF. Additionally, a courtesy copy is being provided as follows:

Also emailed to defendants

Chairman_Phillips_Meetings@ferc.gov;

Commissioner_Christie_Meetings@FERC.gov;

Commissioner_Rosner_Meetings@FERC.gov;
Commissioner_See_Meetings@FERC.gov;
Commissioner_Chang_Meetings@FERC.gov

Attorney for Legal Counsel for all defendants
Danielle Mechling
Attorney-Advisor
Federal Energy Regulatory Commission
Office of Enforcement, Division of Investigations
Tel: 202-502-8924
Email: danielle.mechling@ferc.gov
___ Via hand delivery
___ Via U.S. Mail, 1st Class,
Postage Prepaid
___ Via Overnight Delivery
___ Via Facsimile
XX Via Email
XX Via CM/ECF notification
to the extent registered DATED: 2/11/2025
By: David White



**IN THE
SUPREME COURT OF THE UNITED STATES
FEBRUARY 2025 TERM**

DAVID C. WHITE Petitioner Pro Se

Vs.

**Respondent 1. (R1)
Chairman Willie L. Phillips, in his
personal capacity as chairman of
Federal Energy Regulatory
Commission (FERC) Chairman_Phillips_Meetings@ferc.gov
202-502-8550**

**Respondent 2. (R2)
Commissioner Mark Christie in his
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
202-502-8110 Commissioner_Christie_Meetings@FERC.gov**

**Respondent 3 (R3)
Commissioner David Rosner in his
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
202-502-6500 Commissioner_Rosner_Meetings@FERC.gov**

**Respondent 4 (R4)
Commissioner Lindsay S. See in her
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
Commissioner_See_Meetings@FERC.gov**

**Respondent 5 (D5)
Commissioner Judy W. Chang in her
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
Commissioner_Chang_Meetings@FERC.gov**

Respondents

Danielle Mechling

**Counsel of Record
Attorney-Advisor
Federal Energy Regulatory Commission
Office of Enforcement, Division of Investigations
Tel: 202-502-8924
Email: danielle.mechling@ferc.gov**

**On Petition for a Writ of Certiorari to the United State Court
of Appeals for the Ninth Circuit Docket 24-5811**

PETITION FOR A WRIT OF CERTIORARI

**David White
18965 NW Illahe Street
Portland, Oregon 97229
503-608-7611
Dave@salmonprotectiondevice.com**

QUESTIONS PRESENTED FOR REVIEW

- Shall the U.S. participate in illegal and catastrophic, Bio-diversity programs, such as public dam removal, which were never ratified by Congress? Please refer to any excerpt from <https://www.agenda21course.com/category/lesson-one/>, “So what is Agenda 21, also referred to as ‘Sustainable Development?’” It is emphatically NOT an environmental movement; it IS a deceptive political movement, which seeks to control the world’s economy, dictate its development, capture and redistribute its wealth on a national, state, and local level.
- Shall any hydroelectric dam be removed in the United States without the express consent of Congress? The proper solution is regular dam maintenance to include dredging behind the dam to remove contaminated silt and installing or repairing fish ladders.
- Shall U.S. Courts at all levels persist in exercising extreme bias against pro se or any litigants, contrary to Judicial Code of conduct

and Loper Bright Enterprises, especially in use of Administrative Law to nullify federal law for Summary Judgment, by dismissing a case when defense fails to make any appearance? This corrupt procedure is systemic throughout the Ninth Circuit Court System. Also <https://pacificlegal.org/post-chevron-mine-case/>

- Shall the judge who decides for such a dismissal be innocent of Misprision of felony, having reviewed the felonies admitted by failure of the defense to appear, and then doing nothing to adjudicate them?
- Shall the Circuit Court of Appeals violate its protocol for selecting a unique panel of judges for each case tried when a litigant has simultaneously presented two or more unique cases for review?
- Shall the Circuit Court of Appeals refer a PETITION FOR RECONSIDERATION OF DISPOSITIVE ORDER to the same panel of judges whose extreme bias in dismissing that very case is being challenged by pro se or any litigants?
- Shall Horizontal Stare Decisis, the doctrine of following rules or principles laid down in previous judicial decisions, apply without question to any case? Horizontal Stare Decisis is unreliable because it can never be guaranteed to apply to the instant be the exact same-case with a unique history, without studying the transcripts and exhibits of the previous case. This is like comparing Apples to Oranges; they are both fruits, but different.
- Shall any Court habitually and illegally dismiss a Complaint when Defendants are in default by the 21-day FRCP rule? By FRCP rules when a complaint is filed the defendants have 21 days to respond or risk a summary judgement against them. Amdt6.2.1 Overview of Right to a Speedy Trial (<https://www.law.cornell.edu/constitution-conan/amendment-6/overview-of-right-to-a-speedy-trial>) shows clearly the Constitution requires a speedy trial. However, Petitioner Pro Se is involved in many cases where the defendants were in default by the 21-day rule. Petitioner Pro Se then filed for a summary judgement and a Writ of Mandamus. In every case, the Judge illegally dismissed the case, proof that this illegal tactic is systemic throughout the 9th

Circuit Court.

LIST OF PARTIES [X] All parties appear in the caption of the case on the cover page.

TABLE OF CONTENTS

OPINIONS
BELOW..... 5
JURISDICTION.....6
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED8
STATEMENT OF THE CASE8
REASONS FOR GRANTING THE WRIT13
CONCLUSION.....13

OPINIONS BELOW

List of Docket entries from 24-5811

9/24/2024 1 **CASE OPENED.** A copy of your notice of appeal / petition filed in 1:2 office of the United States Court of Appeals for the Ninth Circ The U. of Appeals docket number **24-5811** has been assign the court must i this Court of Appeals docket number. Please name(s) and contact information are correct. It is your responsibility changes.
Resources Available
For more information about case processing and to assist you in pre Opening Information (for [attorneys](#) and [pro se litigants](#)) and review th consider contacting the court's [Appellate Mentoring Program](#) [Entere 09/24/2024 02:28 PM]

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10/8/2024	4	DEFECTIVE --- NOTICE that No Answering Brief Will be Filed by type, correct entry is DE 6.] [Entered: 10/08/2024 05:20 PM] [Edited:
10/8/2024	5	MOTION to Proceed In Forma Pauperis filed by Appellant David White. [PDF of motion.] [Entered: 10/08/2024 06:26 PM] [Edited: 10/09/2024
10/8/2024	6	CORRESPONDENCE filed by Appellant David White. [COURT ENT 10/09/2024 09:26 AM]
10/11/2024	7	ORDER FILED. It appears that this appeal may be frivolous. If the appellant is granted permission to proceed in forma pauperis and dismiss the appeal. See Fed. R. App. P. 42(b). If appellant must: (1) file a statement explaining why the appeal is not frivolous, or any other response other than a motion to dismiss, the appeal will be dismissed. If it is frivolous, the appeal will be dismissed. If it is not frivolous, the appeal will be stayed. If appellant does not respond to this order, the court may dismiss the appeal. The clerk will serve on appellant: (1) a form motion to voluntarily dismiss the appeal should go forward. [Entered: 10/11/2024 01:42 PM]
10/15/2024	8	RESPONSE to Order - General OSC (DE 7) filed by Appellant David
10/17/2024	9	OPENING BRIEF submitted for filing by Appellant David White. [Ent
10/18/2024	10	CLERK ACTION: Opening Brief submitted at DE 9 by Appellant Dave White [Entered: 10/18/2024 03:04 PM]
11/20/2024	11	ORDER FILED. (Sidney R. THOMAS, Jay S. BYBEE, Daniel P. COLSON) Upon a review of the record, the response to the court's October 11, 2024 Order (Entry No. 5), conclude this appeal is frivolous. We therefore deny appellant's motion (court shall dismiss case at any time, if court determines it is frivolous) entertained in this closed case. DISMISSED. [Entered: 11/20/2024 0
12/3/2024	12	MOTION to Reconsider Dispositive Order filed by

5 The Appellees abandoned these case issues by no response
6
7 to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.
8

9 JURISDICTION

10
11 Basis for Jurisdiction is a federal environmental question. An
12
13 environmental disaster in the Klamath Basin has resulted from KRRRC's
14
15 willful destruction of the environment in violation of known stipulations and
16
17 restrictions of the FERC license. These are in clear violation of the Federal
18
19 Clean Air and Federal Clean Water Acts of the U.S. Congress. Also
20
21 includes violations of wanton killing of fish, including endangered Salmon
22
23 without permits.

24
25 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
26
27 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
28
29 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
30
31 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
32
33 16.

34
35 This Court has jurisdiction, over the subject matter of this complaint,
36
37 because the illegal and unlawful actions of KRRRC are violating Federal
38
39 Law, to include (Wild and Scenic Rivers Act, PL 90-542), (Clean Water
40

1 Act), and (Commerce Clause of the U.S. Constitution). The Defendants are
2
3 complicit in these statute violations by negligently providing KRRRC with its
4
5 license.

6
7 Additionally, This Court has jurisdiction, over the subject matter of this
8
9 complaint, because the massive environmental damage in the Klamath
10
11 River basin is most proximate to the ninth circuit court which so blatantly
12
13 dismissed three cases without any legal standing to do so.

14
15 Petitioner Pro Se presents this Complaint respectfully, requesting this Court
16
17 To convene this case as an article III, of the U.S. Constitution Court case,
18
19 Per the recent U.S. Supreme Court ruling in 13) 2024 Loper Bright
20
21 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce
22
23 above. Article III, Section 2 of the U. S. Constitution stipulates “The Judicial
24
25 Power shall extend to all cases in law and equity, arising under this
26
27 constitution, the laws of the United States and Treaties, which will be made
28
29 under the Authority;

30
31 - to all cases affecting ambassadors, other public Ministers and
32
33 Counsels, to controversies to which the United States shall be a party;
34
35 - to controversies between two or more states, ... between citizens of
36
37 different states, between a state or the citizens thereof.

38
39 First Page, second paragraph, Held: The Administrative Procedure Act
40

1 requires courts to exercise their independent judgment in deciding whether
2 an agency has acted within its statutory authority, and courts may not defer
3 to an agency interpretation of the law simply because a statute is
4 ambiguous; Chevron is overruled. Pp. 7–35.

5
6
7
8
9 (<https://www.foleyhoag.com/news-and-insights/publications/alerts-and-updates/2024/july/chevrons-demise-and-what-it-means-for-healthcare-and-life-sciences-companies/>).

10
11
12
13 Therefore, agencies like the Federal Energy Regulatory Commission
14 (FERC) are no longer permitted to cherry pick data to match their
15 administrative agenda. For example, about 80% of Klamath Basin
16 residents were strongly opposed to the Klamath dams being removed,
17 a well-documented fact which the FERC agency simply ignored.

21 22 23 VENUE

24
25 Venue is proper in this Court because the location of the Ninth Circuit
26 Court is in the same geographical location as the Illegal act's that are NOW
27 taking place. The Court's location is close to the environmental damage
28 incurred and ongoing, allowing for easy visual inspection.

29
30
31
32
33 The Klamath River's rights to a wild and scenic condition is actively being
34 violated by KRRRC, the defendant's licensee, and therefore the Public
35 (Petitioner Pro Se and Class action members) have a legal right to speak
36 on behalf of the Klamath River. In addition, the public's right to enjoyment
37
38
39
40

1 of that condition as mandated by Congress has forever been taken away.

2
3 Therefore, Petitioner Pro Se have standing. Additionally, this is a class
4
5 action complaint with class action members residing in the Klamath Basin
6
7 which extends from Klamath Falls Oregon to Yreka California.

8
9 **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

10
11 These are in clear violation of the Federal Clean Air and Federal Clean
12
13 Water Acts of the U.S. Congress. Also, violations of wanton killing fish
14
15 including endangered Salmon without permits.

16
17 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
18
19 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
20
21 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
22
23 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
24
25 16.

26
27 **STATEMENT OF THE CASE**

28
29 Petitioner Pro Se is part of a team of 3 professionals, all volunteering, pro
30
31 bono. One is a 40-year retired, Federal Attorney, expert in the application
32
33 of Federal and Case law, environmental law in particular. Another is an
34
35 investigative journalist, providing legal research and serving as Legal Editor
36
37 for all Court Documents.

38
39 This team has three docket cases before the Ninth Circuit Court to correct

1
2 illegal administrative law rulings and potentially discipline four federal
3
4 judges who made arbitrary rulings contrary to Federal law.
5 Prior to filing a claim against the Federal Energy Regulatory
6
7 Commissioners, Petitioner Pro Se filed in FERC to have a hearing and
8
9 present their legal violations in their process of providing a license to
10
11 KRRRC. However FERC has not provided a hearing and its been six
12
13 months.

14
15 After waiting 1 month for a response, on August 8th, 2024, Petitioner Pro Se
16
17 filed a Complaint against the Federal Energy Regulatory Commissioners
18
19 (FERC), which had unlawfully issued Klamath River Renewal Corporation
20
21 (KRRRC) a license to remove four of the dams on the lower Klamath River.

22
23
24 This license was accomplished by cherry picking data as part of a scheme
25
26 to overrule Federal environmental law which guarantees preservation of the
27
28 dams. As evidence of KRRRC lawbreaking, Appellant found more than nine
29
30 violations of environmental law in the FERC licensing document. Trial
31
32 Court Judge in the case 1:24-CV-1301-MC then manipulated or ignored
33
34 this lawful evidence to claim that Petitioner Pro Se was suing FERC in
35
36 conjunction with KRRRC, resulting in Petitioner Pro Se's loss. Petitioner Pro
37

1 Se was simply referring to FERC documentation as evidence. Debunking
2
3 the [2018 FERC document](#) so the Supreme Court can make it invalid.

4
5 The Defendants were in Default by failing to respond to the Complaint.

6
7 This, even though Appellant called and emailed them and also submitted
8
9 the Complaint and Memorandum of Points Pleading, which shows FERC
10
11 violated their own rules and federal law by illegal cherry-picking data. This
12
13 document was previously uploaded to Appeals Court docket.

14
15 About 80% of local stakeholders didn't want the dams removed.

16
17 FERC blatantly ignored overwhelming objections of local stakeholder's in
18
19 polling and sworn testimony against removal of the dams in both Klickitat
20
21 County, California and Klamath County, Oregon. One doctor stands out,
22
23 who testified that his wife died due to the Chromium 6 poisoning and he
24
25 has a steady flow of patients likewise suffering the same symptoms. See
26
27 the 2009 to 2011 Chemistry test on silt behind each dam is high
28
29 contaminated with Chromium 6 and Arsenic.

30
31 [https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-Evaluation-of-Contaminants-in-Sediments.pdf)
32 [Evaluation-of-Contaminants-in-Sediments.pdf](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-Evaluation-of-Contaminants-in-Sediments.pdf)

33
34 This is illegal by the clean water act and KRRC's section 404 permit.

35
36 This is also illegal by the U.S. Supreme Court Ruling 12) in Case 22-451
37

1 Loper Bright, June 28, 2024.

2
3 The Loper Bright decision has two components:

- 4
- 5 1. All courts from the U.S. Supreme Court to the lowest city traffic court
 - 6 must convene as courts under Article III, Section 2 of the United
 - 7 States Constitution, and
 - 8 2. Federal entities may no longer cherry pick data to promote a
 - 9 preferred agenda, in this case the ill-informed demands for dam
 - 10 removal of upstream stakeholders to the extreme detriment of all
 - 11 others.

12 Lower Court refusal to abide by the letter and spirit of this Ruling at every
13 level lies at the heart of this Petition. Prior to this egregious act of public
14 vandalism, Petitioner Pro Se likewise issued strong objections from the
15 perspective of his training and lifetime experience as a Chemical Engineer,
16 including partial completion of a doctorate in the field. Appellant (Petitioner
17 Pro Se) explained
18 repeatedly that a far less draconian and less expensive option – one that
19 would not defy federal law -- was to:
20
21
22
23
24
25
26

- 27 1. dredge accumulated silt behind the dams,
- 28 2. heat scrub out deadly chemicals onsite, such as Arsenic and
- 29 Chromium 6,
- 30 3. then repair or install fish ladders.
- 31

32
33 This would allow for gradual drainage and cleansing of any water quality
34 issues above the dam. Salmon Protection Devices (stainless steel cages)
35 might also be installed to prevent sea lions from gorging on fish at the base
36
37

1
2 of the most downstream fish ladders. These scientific recommendations
3
4 were ignored, thus destroying the invaluable utility of the dams for flood
5
6 control, hydroelectricity, irrigation, recreation, fire-fighting, and more. The
7
8 tragic California wildfires burning out of control were the immediate result of
9
10 this unforgiveable vandalism of fully-capitalized public property.

11 Klamath River Renewal Corp malfeasance is transferred to FERC
12
13 defendants by 1)18 USC 3 accessory after the fact.

14
15 Appellant (Petitioner Pro Se) filed Case 3:24-cv-00755-JR in federal court
16
17 as an environmental suit against Defendants' Klamath River Renewal Corp
18
19 (KRRC) and RES, who confessed in a press conference to killing over
20
21 2000 fish including endangered salmon and a herd of elk without permits.
22

23
24 Petitioner Pro Se's request for an emergency injunction to temporarily stop
25
26 work was denied by Defendants' deceitful manipulation of Administrative
27
28 Law to delay any Court action to stop the crime in progress by injunction.

29
30 But this should not excuse the lower court's pusillanimous inaction in the
31
32 face of cries for justice and relief from the harm being inflicted before their
33
34 very eyes. This is, in effect, Misprision of Felony.

35
36 Here is an email from a local stakeholder as one small example of the
37
38 human damage inflicted by this egregious action. Not to mention the
39

1 environmental calamity that remains unmitigated due to a massive release
2
3 of poisoned flood water in January, 2024. This is an Exxon-Valdez level of
4
5 environmental havoc papered over by defendants planting grass on
6
7 contaminated riverbanks. It killed all aquatic life for 120 River Miles
8
9 between the Iron Gate Dam and Pacific Ocean, and still poses a lethal
10
11 threat to unsuspecting human and wildlife in the area.
12

13 From: Rick Dowdy <rhadowdy@gmail.com>
14 Sent: Monday, September 16, 2024 9:47 AM
15 To: dave@salmonprotectiondevice.com
16 <dave@salmonprotectiondevice.com>
17 Subject: Dam removal
18

19 Hi, my name is Rick Dowdy. I live at Copco where they have removed our
20 Dam. Our community well went dry 2 days after they released the water
21 from our lake. They gave us a 5,000-gallon tank for 10 houses. They
22 currently fill it weekly. I have heard KRRC will be finished at the end of
23 October. I am concerned they are going to leave us high and dry without a
24 permanent well. I also have damage to my home from their blasting on the
25 dam. To find another home to retire at would cost me at least 1 million
26 dollars. The poisons left from dam removal could be life threatening. Thank
27 you for going for justice. From Rick Dowdy.
28

29 30 REASONS FOR GRANTING THE WRIT

31
32 The Federal Court illegally dismissed this case when defendants (FERC
33
34 Commissioners) were in default. Thus, the appeal was filed. But then three
35
36 9th Circuit Court Justices illegally dismissed the appeal because they
37
38 naively accepted the illegal dismissal of the Federal Court. The Federal
39
40 Court judge has a Complaint filed against him in the 9th Circuit Court of

1
2 Appeals for illegal judicial bias, violations of Judicial Code of Conduct and
3
4 illegal abuse of administrative law. Likewise, the three Appeals Court
5
6 Justices have similar Complaints and dockets filed. See Appendix A. The
7
8 Appellees abandoned these case issues by no response
9
10 to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.

11
12 Therefore, many reasons have been given got granting this writ.

13
14
15 **CONCLUSION**

16
17 Petitioner Pro Se respectfully requests the following rulings or remand of this
18
19 case back to the 9th Circuit, ~~and order~~ ordering them to impanel three different
20
21 justices and instructing them to refrain from illegal judicial bias, violation of
22
23 Judicial Code of Conduct, and illegal abuse of Administrative Law. Appendix A
24
25 is a letter from Susan Soong 9th Circuit Court Chief executive acknowledging
26
27 illegal judicial bias. The Appellees abandoned these case issues by no
28
29 response to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.

30
31
32 **PRAYER FOR RELIEF**

- 33
34 1. Petitioner Pro Se hereby respectfully requests the Supreme Court to
35
36 issue a Writ of Mandamus that Defendants charge Petitioner Pro Se's
37
38 team with the task of restoring the Klamath River back to its Original

1
2 Wild and Scenic condition with dams and fish ladders as mandated
3
4 by Congress. Also to pay ten million dollars to Salmon Protection
5
6 Device Inc. These funds will start the cleanup of the environmental
7
8 damage in the Klamath Basin. The Respondents abandoned these
9
10 case issues by no response to any pleading in Docket 24-5811 and
11
12 Case 1:24CV-1301-MC.

13
14
15 2. Grant Injunctive Relief to halt all further deconstruction and grant
16
17 Summary Judgment because Defendants' licensee, KRRC continues
18
19 to ignore the actions they are legally required to perform by FERC
20
21 and the Army Corp of Engineers, under the Federal Clean Water Act,
22
23 Section 404. KRRC has made public confession of these crimes and
24
25 has nonetheless proceeded with their nefarious, criminal activity. The
26
27 gravity of this case requires a court order that commands a
28
29 government official or entity to perform an act it is legally required to
30
31 perform as part of its official duties, or refrain from performing an act
32
33 the law forbids. The Respondents abandoned these
34
35 case issues by no response to any pleading in Docket 24-5811 and
36
37 Case 1:24CV-1301-MC.

1
2 3. Petitioner Pro Se hereby respectfully requests the Supreme Court to
3
4 order Defendants to immediately remove KRRC's license and
5
6 transfer all remaining control and money to Salmon Protection Device
7
8 non-profit. The Respondents abandoned these
9
10 case issues by no response to any pleading in Docket 24-5811 and
11
12 Case 1:24CV-1301-MC.
13

14 Salmonprotectiondevice.com has a team of engineers and scientists
15
16 who know how to mitigate the contaminated silt and install fish
17
18 ladders on rebuilt Iron Gate and JC Boyle Dams.
19

20 4. Petitioner Pro Se respectfully requests the Supreme Court to
21
22 vacate the 3:24-cv-00755-JR final dismissal on 7/26/2024. This
23
24 Federal Court dismissal was based on KRRC legal counsel's
25
26 concocted ECF's and manipulation of case law and Federal Law.
27
28 Petitioner Pro Se has already warned defendants that if they continue
29
30 to repeat these perjuries he will ask for full adjudication to the FBI for
31
32 prosecution to the full extent of the law. The Respondents abandoned
33
34 these case issues by no response to any pleading in Docket 24-5811
35
36 and Case 1:24CV-1301-MC.
37

1 5. Petitioner Pro Se respectfully requests the Supreme Court to
2
3 acknowledge standing based on Federal Environmental laws broken
4
5 with associated 7 Environmental Values denied to Petitioner Pro Se,
6
7 Class Action members, and the River itself. Likewise, standing based
8
9 on harms inflicted on Petitioner Pro Se resulting in preparations taken
10
11 to move out of state to ~~California~~ due to harms inflicted by KRRC's
12
13 malfeasance.

14
15 6. Petitioner Pro Se hereby respectfully requests the Supreme Court to
16
17 provide relief, and take judicial notice of the lethal environmental
18
19 consequences of KRRC's actions, which require immediate
20
21 mitigation. Rule Salmon Protection Device remediation team to the
22
23 task of project mitigation immediately, to avoid further lethal
24
25 environmental consequences from KRRC's gross negligence. This is
26
27 much worse than the Exxon-Valdez oil spill because KRRC's actions
28
29 devastated all aquatic life for 120 River Miles (RM) west of the Iron
30
31 Gate Dam and destroyed vital estuaries. EPA has been notified and
32
33 is likely to declare this a Super-Fund Cleanup site.

34
35 This designation needs to specify that no person shall go near the
36
37 Klamath River without wearing a gas mask until the Salmon Protection

1 Device team removes and scrubs the contaminated silt on the
2
3 river banks. Every day that goes by without an injunction is a threat to
4
5 the lives of local residents and wildlife. This amounts to failure to
6
7 impede a crime in process. How is this not akin to “Misprision of a
8
9 Felony?”

10
11 The active agents in the crime must provide funds for replacement of
12
13 the J.C. Boyle and Iron Gate Dams. The Kiewit Corporation knowingly
14
15 participated as accomplice in commission of this unconscionable crime
16
17 against the environment, in spite of warnings. They proceeded with full
18
19 knowledge and warning of the environmental laws that they were
20
21 violating with impunity. This too-big-to-fail attitude must not go
22
23 unrequited.

24
25 Petitioner requests a Writ of Mandamus and a Summary Judgment in
26
27 Petitioner’s favor because Defendants are clearly biased against
28
29 Federal Environmental law, not doing what they are legally required to
30
31 do, especially scrubbing the silt and installing fences to protect the many
32
33 elk that have perished in what amounts to quick-sand.

34
35 Petitioner respectfully requests the Supreme Court to award any other
36
37 cost to the Petitioner Pro Se as the Court sees fit.

38
39 7. Petitioner hereby respectfully requests that the 9th Circuit Appeals Court
40

1 be required to issue an official notification to all courts in its jurisdiction,
2
3 ordering them that Administrative Law shall no longer take precedence
4
5 over Article III, Section 2 of the U.S. Constitution, or standing case law and
6
7 statute law made in pursuance thereof (U.S. Supreme Court, Loper Case
8
9 22-451). Case 21DR02783, Marriage Dissolution, and the current Case
10
11 might be used as prime examples of such abuse and violations of the
12
13 Judicial Code of Conduct.

14
15 Although not part of the Loper Decision, Article VI, Section 2 of the U.S.
16
17 Constitution also strongly reinforces this principle in stating that: “This
18
19 Constitution, and the Laws of the United States which shall be made in
20
21 Pursuance thereof; and all Treaties made, or which shall be made, under
22
23 the Authority of the United States, shall be the supreme Law of the Land;
24
25 and the Judges in every State shall be bound thereby, any thing in the
26
27 Constitution or Laws of any State to the Contrary notwithstanding. The
28
29 judge in question is, of course, sworn by sacred oath to uphold this
30
31 Constitution.

32
33 8. Accordingly, Petitioner Pro Se calls upon the **Supreme Court** to take
34
35 appropriate disciplinary action in light of the fact that such behavior is subject
36
37 to permanent removal of the bar license and defrocking of any Federal Judge
38
39 in violation of 10) 20-1199 Loper Bright Enterprises, 15) Judges Code of
40

1 Conduct, Canons 2 and 3; [https://www.uscourts.gov/judges-](https://www.uscourts.gov/judges-judgeships/code-)

2 [judgeships/code-](https://www.uscourts.gov/judges-judgeships/code-)

3
4 [conduct-united-states-judges](https://www.uscourts.gov/judges-judgeships/code-), 18 U.S.C. § 1001 False Statements,

5
6 Concealment., 15) 18 U.S. Code § 1621 – Perjury, 16) 28 U.S. Code §
7 455 (b),
8
9 (1) which says, “Where he (The Judge) has a personal bias or prejudice
10
11 concerning a party, or personal knowledge of disputed evidentiary facts
12
13 concerning the proceeding;

14
15 18 U.S.C. 4 says, “Whoever, having knowledge of the actual commission of
16
17 a felony cognizable by a court of the United States, conceals and does not
18
19 as soon as possible make known the same to some judge or other person
20
21 in civil or military authority under the United States, shall be fined under this
22
23 title or imprisoned not more than three years, or both.” The crimes
24
25 described in the Complaint are future flooding in the Klamath basin with
26
27 hundreds of millions in damages yearly and exposure of human and wildlife
28
29 to deadly arsenic and Chromium 6 poisoning.

30
31 **9.** Petitioner is adding this additional request, moving the to require that all
32
33 future river reclamation projects within the purview of the 9th Circuit Court
34
35 shall comply with the intent of the Wild and Scenic Rivers Act, Section 7IA2
36
37 to preserve existing dam projects from removal, by the far less draconian
38
39 strategy of
40

- 1 a. Dredging behind the dam and heat-scrubbing silt onsite,
- 2 b. Installing or repairing fish ladders on each dam,
- 3 c. Installing Salmon Protection Device cages at the foot of the fish
- 4 ladder on the lower dam if needed to deter predatory Sea Lions,
- 5 and
- 6 d. Treating reservoirs for algae or other contaminants, if necessary
- 7 <https://www.rivers.gov/rivers/rivers/sites/rivers/files/2023-07/section-7.pdf>
- 8
- 9
- 10
- 11

12 With a favorable ruling against FERC or the Federal Court, Petitioner Pro

13
14 Se will relocate to the Klamath Basin in California and rectify the
15 environmental mess created and left unmitigated by KRRRC. Petitioner Pro

16
17
18 Se's home is

19
20 for sale at [18965 NW Illahe St, Portland, OR 97229 | Zillow, pending a](#)
21 [favorable decision.](#) Petitioner Pro Se was 11 Bravo in the Army and

22
23
24 Vietnam who knows firsthand what a war zone looks like. The devastation
25 in the Klamath Basin is akin to a war zone.

26
27
28 INDEX TO APPENDICES

29
30 APPENDIX A

31 Letter from Susan Soong 9th Circuit Court Chief executive acknowledging
32 illegal judicial bias.



SUSAN Y. SOONG
CIRCUIT EXECUTIVE

OFFICE OF THE CIRCUIT EXECUTIVE
UNITED STATES COURTS FOR THE NINTH CIRCUIT

JAMES R. BROWNING UNITED STATES COURTHOUSE
95 SEVENTH STREET
POST OFFICE BOX 193939
SAN FRANCISCO, CA 94119-3939

January 3, 2025

Dave White
18965 NW Illahe St.
Portland, OR 97229

Re: Complaint of Judicial Misconduct Nos. 25-90001, 25-90002, 25-90003

Dear Mr. White:

We have received your complaint of judicial misconduct filed pursuant to 28 U.S.C. § 351(a) against Judges Jay S. Bybee, Sidney R. Thomas and Daniel P. Collins. Docket Numbers 25-90001, 25-90002 and 25-90003, respectively, have been assigned to this matter.

We will use the address in your complaint to communicate with you. Until your complaint has been concluded, you must promptly provide written notice of any address changes to the Office of the Circuit Executive, referencing your complaint number. A change of address notification submitted in any other case or appeal is insufficient.

Pursuant to the Rules for Judicial-Conduct and Judicial-Disability Proceedings, a copy of the complaint has been forwarded to Chief Judge Mary H. Murguia and each of the named subject judges.

Very truly yours,

Susan Y. Soong
Circuit Executive

SYS/aa

1 Appendix B.
2

3 11/20/2024 11 **ORDER FILED.** (Sidney R. THOMAS, Jay S. BYBEE,
4 Daniel P. COL

5 Upon a review of the record, the response to the court's
6 October 11, conclude this appeal is frivolous. We
7 therefore deny appellant's moti Entry No. 5), see 28
8 U.S.C. § 1915(a), and dismiss this appeal as fri (court
9 shall dismiss case at any time, if court determines it is
10 frivolous entertained in this closed case. DISMISSED.
11 [Entered: 11/20/2024 0
12

13 Appendix C

10/17/2024	23	ORDER: The Motion for Default Judgment 22 is DENIED. The Court is still evaluating Plaintiff's IFP Application 2 and Amended Complaint 21 . He has not been granted leave to proceed, this action has not yet formally commenced with service, and therefore, Defendant does not yet have a duty to appear and defend. Plaintiff is reminded to heed this District's Local Rules as well as the Federal Rules of Civil Procedure prior to filing any other documents. Ordered by Judge Michael J. McShane. (cp) (Entered: 10/17/2024)
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TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
1)18 USC 3 accessory after the fact.	1
2) 16 USCA § 1532(19); see also Goble, D. D.; George, S. M.; Mazaika, K.;	6,8
3) The Endangered Species Act of 1973, https://www.fws.gov/laws/endangered-species-act/section-11	6,8
4) 18 U.S.C. § 1001 False Statements, Concealment.	16
5) 29 CFR § 1606.8 (1) – Harassment has the purpose or effect of creating an intimidating, hostile or offensive working environment.	2, 21
6) 33 U.S.C. §1251 et seq. (1972) Clean water act Section 404.	10, 14, 21

- 1 7) 18 U.S. Code § 1621 – Perjury. 16
2
3 8) 28 U.S. Code § 455 (b), (1) which says, “Where he (The Judge) has a
4 personal bias or prejudice concerning a party, or personal knowledge of
5 disputed evidentiary facts concerning the proceeding;” 16
6
7 9) Judges Code of Conduct Canons 2 and 3
8 [https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges)
9 [judges,](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges) 1, 13
10
11 10) 18 U.S.C. 4 says, “Whoever, having knowledge of the actual
12 commission of a felony cognizable by a court of the United States,
13 conceals and does not as soon as possible make known the same to some
14 judge or other person in civil or military authority under the United States,
15 shall be fined under this title or imprisoned not more than three years, or
16 both.” 16
17
18
19
20 11) Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002): Pagtalunan
21 was Pro Se and made numerous mistakes in filing his complaint resulting
22 in the case being dismissed. However, upon appeal, the higher Court
23 ruled that the lower Court was in error because they did not give allowance
24 for Pagtalunan’s lack of legal training. 25
25
26
27
28
29
30 12) 18 U.S. Code § 4 - Misprision of felony. 3, 12, 25
31
32
33 13) 22–451 June 28th, 2024 Federal Case number 22–451 in Loper Bright
34 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce
35 that all courts shall no longer function as administrative law courts.
36 https://www.supremecourt.gov/opinions/23pdf/22-451_7m58.pdf
37 Administrative law is illegal and ALL courts must convene as Article three
38 of the US Constitution. The Chevron doctrine is invalid. Federal and state
39 agencies can no longer cherry pick data for their false agenda. Stare

1 decisis must be vertical to the Constitution not lower or sideways. This is
2 because any other case can't be guaranteed to have enough similarities to
3 warrant use unless the Judge and each counsel have read that case
4 transcripts, exhibits and final ruling. Six to three decision. 2, 6. 10, 16 24

5
6
7
8 IN THE
9
10 SUPREME COURT OF THE UNITED STATES

11 PETITION FOR WRIT OF CERTIORARI

12 Petitioner respectfully prays that a writ of certiorari issue to review the judgment
13 below.

14
15 **OPINIONS BELOW**

16
17 For cases from federal courts:

18 The opinion of the United States court of appeals appears at
19 Appendix __ to the petition and is in Appendix B

20
21 The opinion of the United States district court appears at
22 Appendix C.
23

24 **JURISDICTION**

25
26 For cases from **federal courts**:

27 The date on which the United States Court of Appeals decided
28 my case was .

29
30 No petition for rehearing was timely filed in my case.

31
32 A timely petition for rehearing was denied by the United States
33 Court of Appeals on the following date: and a copy of the order
34 denying rehearing appears at Appendix .

35
36 An extension of time to file the petition for a writ of certiorari was

1 granted to and including _____ (date) on
2 (date) in Application No. A .
3

4 The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).
5
6
7

8 The petition for a writ of certiorari should be granted.
9

10
11 Respectfully submitted,
12
13

14 
15
16

17 Date: 2/11/2025
18

CERTIFICATE OF SERVICE

I hereby certify that on 2/11/2025, a true and correct copy of the above document was electronically filed with the Clerk of the Court using CM/ECF. A copy of the document will be served upon interested parties via the Notices of Electronic Filing that are generated by CM/ECF. Additionally, a courtesy copy is being provided as follows:

Also emailed to defendants

Chairman_Phillips_Meetings@ferc.gov;

Commissioner_Christie_Meetings@FERC.gov;

Commissioner_Rosner_Meetings@FERC.gov;
Commissioner_See_Meetings@FERC.gov;
Commissioner_Chang_Meetings@FERC.gov

Attorney for Legal Counsel for all defendants
Danielle Mechling
Attorney-Advisor
Federal Energy Regulatory Commission
Office of Enforcement, Division of Investigations
Tel: 202-502-8924
Email: danielle.mechling@ferc.gov
___ Via hand delivery
___ Via U.S. Mail, 1st Class,
Postage Prepaid
___ Via Overnight Delivery
___ Via Facsimile
XX Via Email
XX Via CM/ECF notification
to the extent registered DATED: 2/11/2025
By: David White



**IN THE
SUPREME COURT OF THE UNITED STATES
FEBRUARY 2025 TERM**

DAVID C. WHITE Petitioner Pro Se

Vs.

**Respondent 1. (R1)
Chairman Willie L. Phillips, in his
personal capacity as chairman of
Federal Energy Regulatory
Commission (FERC) Chairman_Phillips_Meetings@ferc.gov
202-502-8550**

**Respondent 2. (R2)
Commissioner Mark Christie in his
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
202-502-8110 Commissioner_Christie_Meetings@FERC.gov**

**Respondent 3 (R3)
Commissioner David Rosner in his
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
202-502-6500 Commissioner_Rosner_Meetings@FERC.gov**

**Respondent 4 (R4)
Commissioner Lindsay S. See in her
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
Commissioner_See_Meetings@FERC.gov**

**Respondent 5 (D5)
Commissioner Judy W. Chang in her
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
Commissioner_Chang_Meetings@FERC.gov**

Respondents

Danielle Mechling

**Counsel of Record
Attorney-Advisor
Federal Energy Regulatory Commission
Office of Enforcement, Division of Investigations
Tel: 202-502-8924
Email: danielle.mechling@ferc.gov**

**On Petition for a Writ of Certiorari to the United State Court
of Appeals for the Ninth Circuit Docket 24-5811**

PETITION FOR A WRIT OF CERTIORARI

**David White
18965 NW Illahe Street
Portland, Oregon 97229
503-608-7611
Dave@salmonprotectiondevice.com**

QUESTIONS PRESENTED FOR REVIEW

- Shall the U.S. participate in illegal and catastrophic, Bio-diversity programs, such as public dam removal, which were never ratified by Congress?
Please refer to any excerpt from <https://www.agenda21course.com/category/lesson-one/>, “So what is Agenda 21, also referred to as ‘Sustainable Development?’” It is emphatically NOT an environmental movement; it IS a deceptive political movement, which seeks to control the world’s economy, dictate its development, capture and redistribute its wealth on a national, state, and local level.
- Shall any hydroelectric dam be removed in the United States without the express consent of Congress? The proper solution is regular dam maintenance to include dredging behind the dam to remove contaminated silt and installing or repairing fish ladders.
- Shall U.S. Courts at all levels persist in exercising extreme bias against pro se or any litigants, contrary to Judicial Code of conduct

and Loper Bright Enterprises, especially in use of Administrative Law to nullify federal law for Summary Judgment, by dismissing a case when defense fails to make any appearance? This corrupt procedure is systemic throughout the Ninth Circuit Court System. Also <https://pacificlegal.org/post-chevron-mine-case/>

- Shall the judge who decides for such a dismissal be innocent of Misprision of felony, having reviewed the felonies admitted by failure of the defense to appear, and then doing nothing to adjudicate them?
- Shall the Circuit Court of Appeals violate its protocol for selecting a unique panel of judges for each case tried when a litigant has simultaneously presented two or more unique cases for review?
- Shall the Circuit Court of Appeals refer a PETITION FOR RECONSIDERATION OF DISPOSITIVE ORDER to the same panel of judges whose extreme bias in dismissing that very case is being challenged by pro se or any litigants?
- Shall Horizontal Stare Decisis, the doctrine of following rules or principles laid down in previous judicial decisions, apply without question to any case? Horizontal Stare Decisis is unreliable because it can never be guaranteed to apply to the instant be the exact same-case with a unique history, without studying the transcripts and exhibits of the previous case. This is like comparing Apples to Oranges; they are both fruits, but different.
- Shall any Court habitually and illegally dismiss a Complaint when Defendants are in default by the 21-day FRCP rule? By FRCP rules when a complaint is filed the defendants have 21 days to respond or risk a summary judgement against them. Amdt6.2.1 Overview of Right to a Speedy Trial (<https://www.law.cornell.edu/constitution-conan/amendment-6/overview-of-right-to-a-speedy-trial>) shows clearly the Constitution requires a speedy trial. However, Petitioner Pro Se is involved in many cases where the defendants were in default by the 21-day rule. Petitioner Pro Se then filed for a summary judgement and a Writ of Mandamus. In every case, the Judge illegally dismissed the case, proof that this illegal tactic is systemic throughout the 9th

Circuit Court.

LIST OF PARTIES [X] All parties appear in the caption of the case on the cover page.

TABLE OF CONTENTS

OPINIONS
BELOW..... 5
JURISDICTION.....6
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED8
STATEMENT OF THE CASE8
REASONS FOR GRANTING THE WRIT13
CONCLUSION.....13

OPINIONS BELOW

List of Docket entries from 24-5811

9/24/2024 1 **CASE OPENED.** A copy of your notice of appeal / petition filed in 1:2 office of the United States Court of Appeals for the Ninth Circ The U. of Appeals docket number **24-5811** has been assign the court must i this Court of Appeals docket number. Please name(s) and contact information are correct. It is your responsibility changes.
Resources Available
For more information about case processing and to assist you in pre Opening Information (for [attorneys](#) and [pro se litigants](#)) and review th consider contacting the court's [Appellate Mentoring Program](#) [Entere 09/24/2024 02:28 PM]

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10/8/2024	4	DEFECTIVE --- NOTICE that No Answering Brief Will be Filed by type, correct entry is DE 6.] [Entered: 10/08/2024 05:20 PM] [Edited:
10/8/2024	5	MOTION to Proceed In Forma Pauperis filed by Appellant David White. [PDF of motion.] [Entered: 10/08/2024 06:26 PM] [Edited: 10/09/2024
10/8/2024	6	CORRESPONDENCE filed by Appellant David White. [COURT ENT 10/09/2024 09:26 AM]
10/11/2024	7	ORDER FILED. It appears that this appeal may be frivolous. If the appellant is granted permission to proceed in forma pauperis and dismiss the appeal. See Fed. R. App. P. 42(b). If appellant must: (1) file a statement explaining why the appeal is not frivolous, or any other response other than a motion to dismiss, the appeal will be dismissed. If it is frivolous, the appeal will be dismissed. If it is not frivolous, the appeal will be stayed. If appellant does not respond to this order, the court may dismiss the appeal. The clerk will serve on appellant: (1) a form motion to voluntarily dismiss the appeal should go forward. [Entered: 10/11/2024 01:42 PM]
10/15/2024	8	RESPONSE to Order - General OSC (DE 7) filed by Appellant David
10/17/2024	9	OPENING BRIEF submitted for filing by Appellant David White. [Ent
10/18/2024	10	CLERK ACTION: Opening Brief submitted at DE 9 by Appellant Dave White [Entered: 10/18/2024 03:04 PM]
11/20/2024	11	ORDER FILED. (Sidney R. THOMAS, Jay S. BYBEE, Daniel P. COLSON) Upon a review of the record, the response to the court's October 11, 2024 Order (Entry No. 5), see 28 U.S.C. § 1915(a), and dismiss this appeal as frivolous. (court shall dismiss case at any time, if court determines it is frivolous) entertained in this closed case. DISMISSED. [Entered: 11/20/2024 0
12/3/2024	12	MOTION to Reconsider Dispositive Order filed by

5 The Appellees abandoned these case issues by no response
6
7 to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.
8

9 JURISDICTION

10
11 Basis for Jurisdiction is a federal environmental question. An
12
13 environmental disaster in the Klamath Basin has resulted from KRRRC's
14
15 willful destruction of the environment in violation of known stipulations and
16
17 restrictions of the FERC license. These are in clear violation of the Federal
18
19 Clean Air and Federal Clean Water Acts of the U.S. Congress. Also
20
21 includes violations of wanton killing of fish, including endangered Salmon
22
23 without permits.

24
25 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
26
27 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
28
29 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
30
31 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
32
33 16.

34
35 This Court has jurisdiction, over the subject matter of this complaint,
36
37 because the illegal and unlawful actions of KRRRC are violating Federal
38
39 Law, to include (Wild and Scenic Rivers Act, PL 90-542), (Clean Water
40

1 Act), and (Commerce Clause of the U.S. Constitution). The Defendants are
2
3 complicit in these statute violations by negligently providing KRRC with its
4
5 license.

6
7 Additionally, This Court has jurisdiction, over the subject matter of this
8
9 complaint, because the massive environmental damage in the Klamath
10
11 River basin is most proximate to the ninth circuit court which so blatantly
12
13 dismissed three cases without any legal standing to do so.

14
15 Petitioner Pro Se presents this Complaint respectfully, requesting this Court
16
17 To convene this case as an article III, of the U.S. Constitution Court case,
18
19 Per the recent U.S. Supreme Court ruling in 13) 2024 Loper Bright
20
21 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce
22
23 above. Article III, Section 2 of the U. S. Constitution stipulates “The Judicial
24
25 Power shall extend to all cases in law and equity, arising under this
26
27 constitution, the laws of the United States and Treaties, which will be made
28
29 under the Authority;

30
31 - to all cases affecting ambassadors, other public Ministers and
32
33 Counsels, to controversies to which the United States shall be a party;
34
35 - to controversies between two or more states, ... between citizens of
36
37 different states, between a state or the citizens thereof.

38
39 First Page, second paragraph, Held: The Administrative Procedure Act
40

1 requires courts to exercise their independent judgment in deciding whether
2 an agency has acted within its statutory authority, and courts may not defer
3 to an agency interpretation of the law simply because a statute is
4 ambiguous; Chevron is overruled. Pp. 7–35.

5
6
7
8
9 (<https://www.foleyhoag.com/news-and-insights/publications/alerts-and-updates/2024/july/chevrons-demise-and-what-it-means-for-healthcare-and-life-sciences-companies/>).

10
11
12
13 Therefore, agencies like the Federal Energy Regulatory Commission
14 (FERC) are no longer permitted to cherry pick data to match their
15 administrative agenda. For example, about 80% of Klamath Basin
16 residents were strongly opposed to the Klamath dams being removed,
17 a well-documented fact which the FERC agency simply ignored.

21 22 23 VENUE

24
25 Venue is proper in this Court because the location of the Ninth Circuit
26 Court is in the same geographical location as the Illegal act's that are NOW
27 taking place. The Court's location is close to the environmental damage
28 incurred and ongoing, allowing for easy visual inspection.

29
30
31
32
33 The Klamath River's rights to a wild and scenic condition is actively being
34 violated by KRRRC, the defendant's licensee, and therefore the Public
35 (Petitioner Pro Se and Class action members) have a legal right to speak
36 on behalf of the Klamath River. In addition, the public's right to enjoyment
37
38
39
40

1 of that condition as mandated by Congress has forever been taken away.

2
3 Therefore, Petitioner Pro Se have standing. Additionally, this is a class
4
5 action complaint with class action members residing in the Klamath Basin
6
7 which extends from Klamath Falls Oregon to Yreka California.

8
9 **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

10
11 These are in clear violation of the Federal Clean Air and Federal Clean
12
13 Water Acts of the U.S. Congress. Also, violations of wanton killing fish
14
15 including endangered Salmon without permits.

16
17 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
18
19 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
20
21 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
22
23 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
24
25 16.

26
27 **STATEMENT OF THE CASE**

28
29 Petitioner Pro Se is part of a team of 3 professionals, all volunteering, pro
30
31 bono. One is a 40-year retired, Federal Attorney, expert in the application
32
33 of Federal and Case law, environmental law in particular. Another is an
34
35 investigative journalist, providing legal research and serving as Legal Editor
36
37 for all Court Documents.

38
39 This team has three docket cases before the Ninth Circuit Court to correct

1
2 illegal administrative law rulings and potentially discipline four federal
3
4 judges who made arbitrary rulings contrary to Federal law.
5 Prior to filing a claim against the Federal Energy Regulatory
6
7 Commissioners, Petitioner Pro Se filed in FERC to have a hearing and
8
9 present their legal violations in their process of providing a license to
10
11 KRRRC. However FERC has not provided a hearing and its been six
12
13 months.

14
15 After waiting 1 month for a response, on August 8th, 2024, Petitioner Pro Se
16
17 filed a Complaint against the Federal Energy Regulatory Commissioners
18
19 (FERC), which had unlawfully issued Klamath River Renewal Corporation
20
21 (KRRRC) a license to remove four of the dams on the lower Klamath River.

22
23
24 This license was accomplished by cherry picking data as part of a scheme
25
26 to overrule Federal environmental law which guarantees preservation of the
27
28 dams. As evidence of KRRRC lawbreaking, Appellant found more than nine
29
30 violations of environmental law in the FERC licensing document. Trial
31
32 Court Judge in the case 1:24-CV-1301-MC then manipulated or ignored
33
34 this lawful evidence to claim that Petitioner Pro Se was suing FERC in
35
36 conjunction with KRRRC, resulting in Petitioner Pro Se's loss. Petitioner Pro
37

1 Se was simply referring to FERC documentation as evidence. Debunking
2
3 the [2018 FERC document](#) so the Supreme Court can make it invalid.

4
5 The Defendants were in Default by failing to respond to the Complaint.

6
7 This, even though Appellant called and emailed them and also submitted
8
9 the Complaint and Memorandum of Points Pleading, which shows FERC
10
11 violated their own rules and federal law by illegal cherry-picking data. This
12
13 document was previously uploaded to Appeals Court docket.

14
15 About 80% of local stakeholders didn't want the dams removed.

16
17 FERC blatantly ignored overwhelming objections of local stakeholder's in
18
19 polling and sworn testimony against removal of the dams in both Klickitat
20
21 County, California and Klamath County, Oregon. One doctor stands out,
22
23 who testified that his wife died due to the Chromium 6 poisoning and he
24
25 has a steady flow of patients likewise suffering the same symptoms. See
26
27 the 2009 to 2011 Chemistry test on silt behind each dam is high
28
29 contaminated with Chromium 6 and Arsenic.

30
31 [https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-Evaluation-of-Contaminants-in-Sediments.pdf)
32 [Evaluation-of-Contaminants-in-Sediments.pdf](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-Evaluation-of-Contaminants-in-Sediments.pdf)

33
34 This is illegal by the clean water act and KRRC's section 404 permit.

35
36 This is also illegal by the U.S. Supreme Court Ruling 12) in Case 22-451
37

1 Loper Bright, June 28, 2024.

2
3 The Loper Bright decision has two components:

- 4
- 5 1. All courts from the U.S. Supreme Court to the lowest city traffic court
 - 6 must convene as courts under Article III, Section 2 of the United
 - 7 States Constitution, and
 - 8 2. Federal entities may no longer cherry pick data to promote a
 - 9 preferred agenda, in this case the ill-informed demands for dam
 - 10 removal of upstream stakeholders to the extreme detriment of all
 - 11 others.

12 Lower Court refusal to abide by the letter and spirit of this Ruling at every
13 level lies at the heart of this Petition. Prior to this egregious act of public
14 vandalism, Petitioner Pro Se likewise issued strong objections from the
15 perspective of his training and lifetime experience as a Chemical Engineer,
16 including partial completion of a doctorate in the field. Appellant (Petitioner
17 Pro Se) explained
18 repeatedly that a far less draconian and less expensive option – one that
19 would not defy federal law -- was to:
20
21
22
23
24
25
26

- 27 1. dredge accumulated silt behind the dams,
- 28 2. heat scrub out deadly chemicals onsite, such as Arsenic and
- 29 Chromium 6,
- 30 3. then repair or install fish ladders.
- 31

32
33 This would allow for gradual drainage and cleansing of any water quality
34 issues above the dam. Salmon Protection Devices (stainless steel cages)
35 might also be installed to prevent sea lions from gorging on fish at the base
36
37

1
2 of the most downstream fish ladders. These scientific recommendations
3
4 were ignored, thus destroying the invaluable utility of the dams for flood
5
6 control, hydroelectricity, irrigation, recreation, fire-fighting, and more. The
7
8 tragic California wildfires burning out of control were the immediate result of
9
10 this unforgiveable vandalism of fully-capitalized public property.

11 Klamath River Renewal Corp malfeasance is transferred to FERC
12
13 defendants by 1)18 USC 3 accessory after the fact.

14
15 Appellant (Petitioner Pro Se) filed Case 3:24-cv-00755-JR in federal court
16
17 as an environmental suit against Defendants' Klamath River Renewal Corp
18
19 (KRRC) and RES, who confessed in a press conference to killing over
20
21 2000 fish including endangered salmon and a herd of elk without permits.
22

23
24 Petitioner Pro Se's request for an emergency injunction to temporarily stop
25
26 work was denied by Defendants' deceitful manipulation of Administrative
27
28 Law to delay any Court action to stop the crime in progress by injunction.

29
30 But this should not excuse the lower court's pusillanimous inaction in the
31
32 face of cries for justice and relief from the harm being inflicted before their
33
34 very eyes. This is, in effect, Misprision of Felony.

35
36 Here is an email from a local stakeholder as one small example of the
37
38 human damage inflicted by this egregious action. Not to mention the
39

1 environmental calamity that remains unmitigated due to a massive release
2
3 of poisoned flood water in January, 2024. This is an Exxon-Valdez level of
4
5 environmental havoc papered over by defendants planting grass on
6
7 contaminated riverbanks. It killed all aquatic life for 120 River Miles
8
9 between the Iron Gate Dam and Pacific Ocean, and still poses a lethal
10
11 threat to unsuspecting human and wildlife in the area.
12

13 From: Rick Dowdy <rhadowdy@gmail.com>
14 Sent: Monday, September 16, 2024 9:47 AM
15 To: dave@salmonprotectiondevice.com
16 <dave@salmonprotectiondevice.com>
17 Subject: Dam removal
18

19 Hi, my name is Rick Dowdy. I live at Copco where they have removed our
20 Dam. Our community well went dry 2 days after they released the water
21 from our lake. They gave us a 5,000-gallon tank for 10 houses. They
22 currently fill it weekly. I have heard KRRC will be finished at the end of
23 October. I am concerned they are going to leave us high and dry without a
24 permanent well. I also have damage to my home from their blasting on the
25 dam. To find another home to retire at would cost me at least 1 million
26 dollars. The poisons left from dam removal could be life threatening. Thank
27 you for going for justice. From Rick Dowdy.
28

29 30 REASONS FOR GRANTING THE WRIT

31
32 The Federal Court illegally dismissed this case when defendants (FERC
33
34 Commissioners) were in default. Thus, the appeal was filed. But then three
35
36 9th Circuit Court Justices illegally dismissed the appeal because they
37
38 naively accepted the illegal dismissal of the Federal Court. The Federal
39
40 Court judge has a Complaint filed against him in the 9th Circuit Court of

1
2 Appeals for illegal judicial bias, violations of Judicial Code of Conduct and
3
4 illegal abuse of administrative law. Likewise, the three Appeals Court
5
6 Justices have similar Complaints and dockets filed. See Appendix A. The
7
8 Appellees abandoned these case issues by no response
9
10 to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.

11
12 Therefore, many reasons have been given got granting this writ.

13
14
15 **CONCLUSION**

16
17 Petitioner Pro Se respectfully requests the following rulings or remand of this
18
19 case back to the 9th Circuit, ~~and order~~ ordering them to impanel three different
20
21 justices and instructing them to refrain from illegal judicial bias, violation of
22
23 Judicial Code of Conduct, and illegal abuse of Administrative Law. Appendix A
24
25 is a letter from Susan Soong 9th Circuit Court Chief executive acknowledging
26
27 illegal judicial bias. The Appellees abandoned these case issues by no
28
29 response to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.

30
31
32 **PRAYER FOR RELIEF**

- 33
34 1. Petitioner Pro Se hereby respectfully requests the Supreme Court to
35
36 issue a Writ of Mandamus that Defendants charge Petitioner Pro Se's
37
38 team with the task of restoring the Klamath River back to its Original

1
2 Wild and Scenic condition with dams and fish ladders as mandated
3
4 by Congress. Also to pay ten million dollars to Salmon Protection
5
6 Device Inc. These funds will start the cleanup of the environmental
7
8 damage in the Klamath Basin. The Respondents abandoned these
9
10 case issues by no response to any pleading in Docket 24-5811 and
11
12 Case 1:24CV-1301-MC.

13
14
15 2. Grant Injunctive Relief to halt all further deconstruction and grant
16
17 Summary Judgment because Defendants' licensee, KRRC continues
18
19 to ignore the actions they are legally required to perform by FERC
20
21 and the Army Corp of Engineers, under the Federal Clean Water Act,
22
23 Section 404. KRRC has made public confession of these crimes and
24
25 has nonetheless proceeded with their nefarious, criminal activity. The
26
27 gravity of this case requires a court order that commands a
28
29 government official or entity to perform an act it is legally required to
30
31 perform as part of its official duties, or refrain from performing an act
32
33 the law forbids. The Respondents abandoned these
34
35 case issues by no response to any pleading in Docket 24-5811 and
36
37 Case 1:24CV-1301-MC.

1
2 3. Petitioner Pro Se hereby respectfully requests the Supreme Court to
3
4 order Defendants to immediately remove KRRC's license and
5
6 transfer all remaining control and money to Salmon Protection Device
7
8 non-profit. The Respondents abandoned these
9
10 case issues by no response to any pleading in Docket 24-5811 and
11
12 Case 1:24CV-1301-MC.
13

14 Salmonprotectiondevice.com has a team of engineers and scientists
15
16 who know how to mitigate the contaminated silt and install fish
17
18 ladders on rebuilt Iron Gate and JC Boyle Dams.
19

20 4. Petitioner Pro Se respectfully requests the Supreme Court to
21
22 vacate the 3:24-cv-00755-JR final dismissal on 7/26/2024. This
23
24 Federal Court dismissal was based on KRRC legal counsel's
25
26 concocted ECF's and manipulation of case law and Federal Law.
27
28 Petitioner Pro Se has already warned defendants that if they continue
29
30 to repeat these perjuries he will ask for full adjudication to the FBI for
31
32 prosecution to the full extent of the law. The Respondents abandoned
33
34 these case issues by no response to any pleading in Docket 24-5811
35
36 and Case 1:24CV-1301-MC.
37

1 5. Petitioner Pro Se respectfully requests the Supreme Court to
2
3 acknowledge standing based on Federal Environmental laws broken
4
5 with associated 7 Environmental Values denied to Petitioner Pro Se,
6
7 Class Action members, and the River itself. Likewise, standing based
8
9 on harms inflicted on Petitioner Pro Se resulting in preparations taken
10
11 to move out of state to ~~California~~ due to harms inflicted by KRRC's
12
13 malfeasance.

14
15 6. Petitioner Pro Se hereby respectfully requests the Supreme Court to
16
17 provide relief, and take judicial notice of the lethal environmental
18
19 consequences of KRRC's actions, which require immediate
20
21 mitigation. Rule Salmon Protection Device remediation team to the
22
23 task of project mitigation immediately, to avoid further lethal
24
25 environmental consequences from KRRC's gross negligence. This is
26
27 much worse than the Exxon-Valdez oil spill because KRRC's actions
28
29 devastated all aquatic life for 120 River Miles (RM) west of the Iron
30
31 Gate Dam and destroyed vital estuaries. EPA has been notified and
32
33 is likely to declare this a Super-Fund Cleanup site.

34
35 This designation needs to specify that no person shall go near the
36
37 Klamath River without wearing a gas mask until the Salmon Protection

1 Device team removes and scrubs the contaminated silt on the
2
3 river banks. Every day that goes by without an injunction is a threat to
4
5 the lives of local residents and wildlife. This amounts to failure to
6
7 impede a crime in process. How is this not akin to “Misprision of a
8
9 Felony?”

10
11 The active agents in the crime must provide funds for replacement of
12
13 the J.C. Boyle and Iron Gate Dams. The Kiewit Corporation knowingly
14
15 participated as accomplice in commission of this unconscionable crime
16
17 against the environment, in spite of warnings. They proceeded with full
18
19 knowledge and warning of the environmental laws that they were
20
21 violating with impunity. This too-big-to-fail attitude must not go
22
23 unrequited.

24
25 Petitioner requests a Writ of Mandamus and a Summary Judgment in
26
27 Petitioner’s favor because Defendants are clearly biased against
28
29 Federal Environmental law, not doing what they are legally required to
30
31 do, especially scrubbing the silt and installing fences to protect the many
32
33 elk that have perished in what amounts to quick-sand.

34
35 Petitioner respectfully requests the Supreme Court to award any other
36
37 cost to the Petitioner Pro Se as the Court sees fit.

38
39 7. Petitioner hereby respectfully requests that the 9th Circuit Appeals Court
40

1 be required to issue an official notification to all courts in its jurisdiction,
2
3 ordering them that Administrative Law shall no longer take precedence
4
5 over Article III, Section 2 of the U.S. Constitution, or standing case law and
6
7 statute law made in pursuance thereof (U.S. Supreme Court, Loper Case
8
9 22-451). Case 21DR02783, Marriage Dissolution, and the current Case
10
11 might be used as prime examples of such abuse and violations of the
12
13 Judicial Code of Conduct.

14
15 Although not part of the Loper Decision, Article VI, Section 2 of the U.S.
16
17 Constitution also strongly reinforces this principle in stating that: “This
18
19 Constitution, and the Laws of the United States which shall be made in
20
21 Pursuance thereof; and all Treaties made, or which shall be made, under
22
23 the Authority of the United States, shall be the supreme Law of the Land;
24
25 and the Judges in every State shall be bound thereby, any thing in the
26
27 Constitution or Laws of any State to the Contrary notwithstanding. The
28
29 judge in question is, of course, sworn by sacred oath to uphold this
30
31 Constitution.

32
33 8. Accordingly, Petitioner Pro Se calls upon the **Supreme Court** to take
34
35 appropriate disciplinary action in light of the fact that such behavior is subject
36
37 to permanent removal of the bar license and defrocking of any Federal Judge
38
39 in violation of 10) 20-1199 Loper Bright Enterprises, 15) Judges Code of
40

1 Conduct, Canons 2 and 3; [https://www.uscourts.gov/judges-](https://www.uscourts.gov/judges-judgeships/code-)
2 [judgeships/code-](https://www.uscourts.gov/judges-judgeships/code-)

3
4 [conduct-united-states-judges](https://www.uscourts.gov/judges-judgeships/code-), 18 U.S.C. § 1001 False Statements,

5
6 Concealment., 15) 18 U.S. Code § 1621 – Perjury, 16) 28 U.S. Code §
7 455 (b),

8
9 (1) which says, “Where he (The Judge) has a personal bias or prejudice
10 concerning a party, or personal knowledge of disputed evidentiary facts
11 concerning the proceeding;
12

13
14 18 U.S.C. 4 says, “Whoever, having knowledge of the actual commission of
15 a felony cognizable by a court of the United States, conceals and does not
16 as soon as possible make known the same to some judge or other person
17 in civil or military authority under the United States, shall be fined under this
18 title or imprisoned not more than three years, or both.” The crimes
19 described in the Complaint are future flooding in the Klamath basin with
20 hundreds of millions in damages yearly and exposure of human and wildlife
21 to deadly arsenic and Chromium 6 poisoning.
22

23
24
25
26
27
28
29
30
31 **9.** Petitioner is adding this additional request, moving the to require that all
32 future river reclamation projects within the purview of the 9th Circuit Court
33 shall comply with the intent of the Wild and Scenic Rivers Act, Section 7IA2
34 to preserve existing dam projects from removal, by the far less draconian
35 strategy of
36
37
38
39
40

- 1 a. Dredging behind the dam and heat-scrubbing silt onsite,
- 2 b. Installing or repairing fish ladders on each dam,
- 3 c. Installing Salmon Protection Device cages at the foot of the fish
- 4 ladder on the lower dam if needed to deter predatory Sea Lions,
- 5 and
- 6 d. Treating reservoirs for algae or other contaminants, if necessary
- 7 <https://www.rivers.gov/rivers/rivers/sites/rivers/files/2023-07/section-7.pdf>

8
9
10
11
12 With a favorable ruling against FERC or the Federal Court, Petitioner Pro

13
14
15 Se will relocate to the Klamath Basin in California and rectify the

16
17 environmental mess created and left unmitigated by KRRRC. Petitioner Pro

18
19 Se's home is

20
21 for sale at [18965 NW Illahe St, Portland, OR 97229 | Zillow, pending a](#)

22 [favorable decision.](#) Petitioner Pro Se was 11 Bravo in the Army and

23
24 Vietnam who knows firsthand what a war zone looks like. The devastation

25
26 in the Klamath Basin is akin to a war zone.

27
28 INDEX TO APPENDICES

29
30 APPENDIX A

31 Letter from Susan Soong 9th Circuit Court Chief executive acknowledging

32 illegal judicial bias.



SUSAN Y. SOONG
CIRCUIT EXECUTIVE

OFFICE OF THE CIRCUIT EXECUTIVE
UNITED STATES COURTS FOR THE NINTH CIRCUIT

JAMES R. BROWNING UNITED STATES COURTHOUSE
95 SEVENTH STREET
POST OFFICE BOX 193939
SAN FRANCISCO, CA 94119-3939

January 3, 2025

Dave White
18965 NW Illahe St.
Portland, OR 97229

Re: Complaint of Judicial Misconduct Nos. 25-90001, 25-90002, 25-90003

Dear Mr. White:

We have received your complaint of judicial misconduct filed pursuant to 28 U.S.C. § 351(a) against Judges Jay S. Bybee, Sidney R. Thomas and Daniel P. Collins. Docket Numbers 25-90001, 25-90002 and 25-90003, respectively, have been assigned to this matter.

We will use the address in your complaint to communicate with you. Until your complaint has been concluded, you must promptly provide written notice of any address changes to the Office of the Circuit Executive, referencing your complaint number. A change of address notification submitted in any other case or appeal is insufficient.

Pursuant to the Rules for Judicial-Conduct and Judicial-Disability Proceedings, a copy of the complaint has been forwarded to Chief Judge Mary H. Murguia and each of the named subject judges.

Very truly yours,

Susan Y. Soong
Circuit Executive

SYS/aa

1 Appendix B.
2

3 11/20/2024 11 **ORDER FILED.** (Sidney R. THOMAS, Jay S. BYBEE,
4 Daniel P. COL

5 Upon a review of the record, the response to the court's
6 October 11, conclude this appeal is frivolous. We
7 therefore deny appellant's moti Entry No. 5), see 28
8 U.S.C. § 1915(a), and dismiss this appeal as fri (court
9 shall dismiss case at any time, if court determines it is
10 frivolous entertained in this closed case. DISMISSED.
11 [Entered: 11/20/2024 0
12

13 Appendix C

10/17/2024	23	ORDER: The Motion for Default Judgment 22 is DENIED. The Court is still evaluating Plaintiff's IFP Application 2 and Amended Complaint 21 . He has not been granted leave to proceed, this action has not yet formally commenced with service, and therefore, Defendant does not yet have a duty to appear and defend. Plaintiff is reminded to heed this District's Local Rules as well as the Federal Rules of Civil Procedure prior to filing any other documents. Ordered by Judge Michael J. McShane. (cp) (Entered: 10/17/2024)
------------	----	--

14

15

16

17

TABLE OF AUTHORITIES CITED

18

CASES

PAGE NUMBER

19

20 1)18 USC 3 accessory after the fact.

1

21

22 2) 16 USCA § 1532(19); see also Goble,
23 D. D.; George, S. M.; Mazaika, K.;

6,8

24

25 3) The Endangered Species Act of 1973,

26 <https://www.fws.gov/laws/endangered-species-act/section-11> 6,8

27

28 4) 18 U.S.C. § 1001 False Statements, Concealment.

16

29

30 5) 29 CFR § 1606.8 (1) – Harassment has the purpose or effect of creating
31 an intimidating, hostile or offensive working environment.

2, 21

32

33 6) 33 U.S.C. §1251 et seq. (1972) Clean water act Section 404. 10, 14, 21

- 1 7) 18 U.S. Code § 1621 – Perjury. 16
2
3 8) 28 U.S. Code § 455 (b), (1) which says, “Where he (The Judge) has a
4 personal bias or prejudice concerning a party, or personal knowledge of
5 disputed evidentiary facts concerning the proceeding;” 16
6
7 9) Judges Code of Conduct Canons 2 and 3
8 [https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges)
9 [judges,](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges) 1, 13
10
11 10) 18 U.S.C. 4 says, “Whoever, having knowledge of the actual
12 commission of a felony cognizable by a court of the United States,
13 conceals and does not as soon as possible make known the same to some
14 judge or other person in civil or military authority under the United States,
15 shall be fined under this title or imprisoned not more than three years, or
16 both.” 16
17
18
19
20 11) Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002): Pagtalunan
21 was Pro Se and made numerous mistakes in filing his complaint resulting
22 in the case being dismissed. However, upon appeal, the higher Court
23 ruled that the lower Court was in error because they did not give allowance
24 for Pagtalunan’s lack of legal training. 25
25
26
27
28
29
30 12) 18 U.S. Code § 4 - Misprision of felony. 3, 12, 25
31
32
33 13) 22–451 June 28th, 2024 Federal Case number 22–451 in Loper Bright
34 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce
35 that all courts shall no longer function as administrative law courts.
36 https://www.supremecourt.gov/opinions/23pdf/22-451_7m58.pdf
37 Administrative law is illegal and ALL courts must convene as Article three
38 of the US Constitution. The Chevron doctrine is invalid. Federal and state
39 agencies can no longer cherry pick data for their false agenda. Stare

1 decisis must be vertical to the Constitution not lower or sideways. This is
2 because any other case can't be guaranteed to have enough similarities to
3 warrant use unless the Judge and each counsel have read that case
4 transcripts, exhibits and final ruling. Six to three decision. 2, 6. 10, 16 24

5
6
7
8 IN THE
9
10 SUPREME COURT OF THE UNITED STATES

11 PETITION FOR WRIT OF CERTIORARI

12 Petitioner respectfully prays that a writ of certiorari issue to review the judgment
13 below.

14
15 **OPINIONS BELOW**

16
17 For cases from federal courts:

18 The opinion of the United States court of appeals appears at
19 Appendix __ to the petition and is in Appendix B

20
21 The opinion of the United States district court appears at
22 Appendix C.
23

24 **JURISDICTION**

25
26 For cases from **federal courts**:

27 The date on which the United States Court of Appeals decided
28 my case was .

29
30 No petition for rehearing was timely filed in my case.

31
32 A timely petition for rehearing was denied by the United States
33 Court of Appeals on the following date: and a copy of the order
34 denying rehearing appears at Appendix .

35
36 An extension of time to file the petition for a writ of certiorari was

1 granted to and including _____ (date) on
2 (date) in Application No. A .
3

4 The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).
5
6
7

8 The petition for a writ of certiorari should be granted.
9

10
11 Respectfully submitted,
12
13

14 
15
16

17 Date: 2/11/2025
18

CERTIFICATE OF SERVICE

I hereby certify that on 2/11/2025, a true and correct copy of the above document was electronically filed with the Clerk of the Court using CM/ECF. A copy of the document will be served upon interested parties via the Notices of Electronic Filing that are generated by CM/ECF. Additionally, a courtesy copy is being provided as follows:

Also emailed to defendants

Chairman_Phillips_Meetings@ferc.gov;

Commissioner_Christie_Meetings@FERC.gov;

Commissioner_Rosner_Meetings@FERC.gov;
Commissioner_See_Meetings@FERC.gov;
Commissioner_Chang_Meetings@FERC.gov

Attorney for Legal Counsel for all defendants
Danielle Mechling
Attorney-Advisor
Federal Energy Regulatory Commission
Office of Enforcement, Division of Investigations
Tel: 202-502-8924
Email: danielle.mechling@ferc.gov
___ Via hand delivery
___ Via U.S. Mail, 1st Class,
Postage Prepaid
___ Via Overnight Delivery
___ Via Facsimile
XX Via Email
XX Via CM/ECF notification
to the extent registered DATED: 2/11/2025
By: David White



**IN THE
SUPREME COURT OF THE UNITED STATES
FEBRUARY 2025 TERM**

DAVID C. WHITE Petitioner Pro Se

Vs.

**Respondent 1. (R1)
Chairman Willie L. Phillips, in his
personal capacity as chairman of
Federal Energy Regulatory
Commission (FERC) Chairman_Phillips_Meetings@ferc.gov
202-502-8550**

**Respondent 2. (R2)
Commissioner Mark Christie in his
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
202-502-8110 Commissioner_Christie_Meetings@FERC.gov**

**Respondent 3 (R3)
Commissioner David Rosner in his
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
202-502-6500 Commissioner_Rosner_Meetings@FERC.gov**

**Respondent 4 (R4)
Commissioner Lindsay S. See in her
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
Commissioner_See_Meetings@FERC.gov**

**Respondent 5 (D5)
Commissioner Judy W. Chang in her
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
Commissioner_Chang_Meetings@FERC.gov**

Respondents

Danielle Mechling

**Counsel of Record
Attorney-Advisor
Federal Energy Regulatory Commission
Office of Enforcement, Division of Investigations
Tel: 202-502-8924
Email: danielle.mechling@ferc.gov**

**On Petition for a Writ of Certiorari to the United State Court
of Appeals for the Ninth Circuit Docket 24-5811**

PETITION FOR A WRIT OF CERTIORARI

**David White
18965 NW Illahe Street
Portland, Oregon 97229
503-608-7611
Dave@salmonprotectiondevice.com**

QUESTIONS PRESENTED FOR REVIEW

- Shall the U.S. participate in illegal and catastrophic, Bio-diversity programs, such as public dam removal, which were never ratified by Congress? Please refer to any excerpt from <https://www.agenda21course.com/category/lesson-one/>, “So what is Agenda 21, also referred to as ‘Sustainable Development?’” It is emphatically NOT an environmental movement; it IS a deceptive political movement, which seeks to control the world’s economy, dictate its development, capture and redistribute its wealth on a national, state, and local level.
- Shall any hydroelectric dam be removed in the United States without the express consent of Congress? The proper solution is regular dam maintenance to include dredging behind the dam to remove contaminated silt and installing or repairing fish ladders.
- Shall U.S. Courts at all levels persist in exercising extreme bias against pro se or any litigants, contrary to Judicial Code of conduct

and Loper Bright Enterprises, especially in use of Administrative Law to nullify federal law for Summary Judgment, by dismissing a case when defense fails to make any appearance? This corrupt procedure is systemic throughout the Ninth Circuit Court System. Also <https://pacificlegal.org/post-chevron-mine-case/>

- Shall the judge who decides for such a dismissal be innocent of Misprision of felony, having reviewed the felonies admitted by failure of the defense to appear, and then doing nothing to adjudicate them?
- Shall the Circuit Court of Appeals violate its protocol for selecting a unique panel of judges for each case tried when a litigant has simultaneously presented two or more unique cases for review?
- Shall the Circuit Court of Appeals refer a PETITION FOR RECONSIDERATION OF DISPOSITIVE ORDER to the same panel of judges whose extreme bias in dismissing that very case is being challenged by pro se or any litigants?
- Shall Horizontal Stare Decisis, the doctrine of following rules or principles laid down in previous judicial decisions, apply without question to any case? Horizontal Stare Decisis is unreliable because it can never be guaranteed to apply to the instant be the exact same-case with a unique history, without studying the transcripts and exhibits of the previous case. This is like comparing Apples to Oranges; they are both fruits, but different.
- Shall any Court habitually and illegally dismiss a Complaint when Defendants are in default by the 21-day FRCP rule? By FRCP rules when a complaint is filed the defendants have 21 days to respond or risk a summary judgement against them. Amdt6.2.1 Overview of Right to a Speedy Trial (<https://www.law.cornell.edu/constitution-conan/amendment-6/overview-of-right-to-a-speedy-trial>) shows clearly the Constitution requires a speedy trial. However, Petitioner Pro Se is involved in many cases where the defendants were in default by the 21-day rule. Petitioner Pro Se then filed for a summary judgement and a Writ of Mandamus. In every case, the Judge illegally dismissed the case, proof that this illegal tactic is systemic throughout the 9th

Circuit Court.

LIST OF PARTIES [X] All parties appear in the caption of the case on the cover page.

TABLE OF CONTENTS

OPINIONS
BELOW..... 5
JURISDICTION.....6
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED8
STATEMENT OF THE CASE8
REASONS FOR GRANTING THE WRIT13
CONCLUSION.....13

OPINIONS BELOW

List of Docket entries from 24-5811

9/24/2024 1 **CASE OPENED.** A copy of your notice of appeal / petition filed in 1:2 office of the United States Court of Appeals for the Ninth Circ The U. of Appeals docket number **24-5811** has been assign the court must i this Court of Appeals docket number. Please name(s) and contact information are correct. It is your responsibility changes.
Resources Available
For more information about case processing and to assist you in pre Opening Information (for [attorneys](#) and [pro se litigants](#)) and review th consider contacting the court's [Appellate Mentoring Program](#) [Entere 09/24/2024 02:28 PM]

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10/8/2024	4	DEFECTIVE --- NOTICE that No Answering Brief Will be Filed by type, correct entry is DE 6.] [Entered: 10/08/2024 05:20 PM] [Edited:
10/8/2024	5	MOTION to Proceed In Forma Pauperis filed by Appellant David White. [PDF of motion.] [Entered: 10/08/2024 06:26 PM] [Edited: 10/09/2024
10/8/2024	6	CORRESPONDENCE filed by Appellant David White. [COURT ENT 10/09/2024 09:26 AM]
10/11/2024	7	ORDER FILED. It appears that this appeal may be frivolous. If the appellant is granted permission to proceed in forma pauperis and dismiss the appeal. See Fed. R. App. P. 42(b). If appellant must: (1) file a statement explaining why the appeal is not frivolous, or any other response other than a motion to dismiss, the appeal will be dismissed. If it is frivolous, the appeal will be dismissed. If it is not frivolous, the appeal will be stayed. If appellant does not respond to this order, the court may dismiss the appeal. The clerk will serve on appellant: (1) a form motion to voluntarily dismiss the appeal should go forward. [Entered: 10/11/2024 01:42 PM]
10/15/2024	8	RESPONSE to Order - General OSC (DE 7) filed by Appellant David
10/17/2024	9	OPENING BRIEF submitted for filing by Appellant David White. [Ent
10/18/2024	10	CLERK ACTION: Opening Brief submitted at DE 9 by Appellant Dave White [Entered: 10/18/2024 03:04 PM]
11/20/2024	11	ORDER FILED. (Sidney R. THOMAS, Jay S. BYBEE, Daniel P. COLSON) Upon a review of the record, the response to the court's October 11, 2024 order (Entry No. 5), see 28 U.S.C. § 1915(a), and dismiss this appeal as frivolous. (court shall dismiss case at any time, if court determines it is frivolous) entertained in this closed case. DISMISSED. [Entered: 11/20/2024 0
12/3/2024	12	MOTION to Reconsider Dispositive Order filed by

5 The Appellees abandoned these case issues by no response
6
7 to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.
8

9 JURISDICTION

10
11 Basis for Jurisdiction is a federal environmental question. An
12
13 environmental disaster in the Klamath Basin has resulted from KRRRC's
14
15 willful destruction of the environment in violation of known stipulations and
16
17 restrictions of the FERC license. These are in clear violation of the Federal
18
19 Clean Air and Federal Clean Water Acts of the U.S. Congress. Also
20
21 includes violations of wanton killing of fish, including endangered Salmon
22
23 without permits.

24
25 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
26
27 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
28
29 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
30
31 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
32
33 16.

34
35 This Court has jurisdiction, over the subject matter of this complaint,
36
37 because the illegal and unlawful actions of KRRRC are violating Federal
38
39 Law, to include (Wild and Scenic Rivers Act, PL 90-542), (Clean Water
40

1 Act), and (Commerce Clause of the U.S. Constitution). The Defendants are
2
3 complicit in these statute violations by negligently providing KRRRC with its
4
5 license.

6
7 Additionally, This Court has jurisdiction, over the subject matter of this
8
9 complaint, because the massive environmental damage in the Klamath
10
11 River basin is most proximate to the ninth circuit court which so blatantly
12
13 dismissed three cases without any legal standing to do so.

14
15 Petitioner Pro Se presents this Complaint respectfully, requesting this Court
16
17 To convene this case as an article III, of the U.S. Constitution Court case,
18
19 Per the recent U.S. Supreme Court ruling in 13) 2024 Loper Bright
20
21 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce
22
23 above. Article III, Section 2 of the U. S. Constitution stipulates “The Judicial
24
25 Power shall extend to all cases in law and equity, arising under this
26
27 constitution, the laws of the United States and Treaties, which will be made
28
29 under the Authority;

30
31 - to all cases affecting ambassadors, other public Ministers and
32
33 Counsels, to controversies to which the United States shall be a party;
34
35 - to controversies between two or more states, ... between citizens of
36
37 different states, between a state or the citizens thereof.

38
39 First Page, second paragraph, Held: The Administrative Procedure Act
40

1 requires courts to exercise their independent judgment in deciding whether
2 an agency has acted within its statutory authority, and courts may not defer
3 to an agency interpretation of the law simply because a statute is
4 ambiguous; Chevron is overruled. Pp. 7–35.

5
6
7
8
9 (<https://www.foleyhoag.com/news-and-insights/publications/alerts-and-updates/2024/july/chevrons-demise-and-what-it-means-for-healthcare-and-life-sciences-companies/>).

10
11
12
13 Therefore, agencies like the Federal Energy Regulatory Commission
14 (FERC) are no longer permitted to cherry pick data to match their
15 administrative agenda. For example, about 80% of Klamath Basin
16 residents were strongly opposed to the Klamath dams being removed,
17 a well-documented fact which the FERC agency simply ignored.

21 22 23 VENUE

24
25 Venue is proper in this Court because the location of the Ninth Circuit
26 Court is in the same geographical location as the Illegal act's that are NOW
27 taking place. The Court's location is close to the environmental damage
28 incurred and ongoing, allowing for easy visual inspection.

29
30
31
32
33 The Klamath River's rights to a wild and scenic condition is actively being
34 violated by KRRRC, the defendant's licensee, and therefore the Public
35 (Petitioner Pro Se and Class action members) have a legal right to speak
36 on behalf of the Klamath River. In addition, the public's right to enjoyment
37
38
39
40

1 of that condition as mandated by Congress has forever been taken away.

2
3 Therefore, Petitioner Pro Se have standing. Additionally, this is a class
4
5 action complaint with class action members residing in the Klamath Basin
6
7 which extends from Klamath Falls Oregon to Yreka California.

8
9 **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

10
11 These are in clear violation of the Federal Clean Air and Federal Clean
12
13 Water Acts of the U.S. Congress. Also, violations of wanton killing fish
14
15 including endangered Salmon without permits.

16
17 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
18
19 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
20
21 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
22
23 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
24
25 16.

26
27 **STATEMENT OF THE CASE**

28
29 Petitioner Pro Se is part of a team of 3 professionals, all volunteering, pro
30
31 bono. One is a 40-year retired, Federal Attorney, expert in the application
32
33 of Federal and Case law, environmental law in particular. Another is an
34
35 investigative journalist, providing legal research and serving as Legal Editor
36
37 for all Court Documents.

38
39 This team has three docket cases before the Ninth Circuit Court to correct

1
2 illegal administrative law rulings and potentially discipline four federal
3
4 judges who made arbitrary rulings contrary to Federal law.
5 Prior to filing a claim against the Federal Energy Regulatory
6
7 Commissioners, Petitioner Pro Se filed in FERC to have a hearing and
8
9 present their legal violations in their process of providing a license to
10
11 KRRRC. However FERC has not provided a hearing and its been six
12
13 months.

14
15 After waiting 1 month for a response, on August 8th, 2024, Petitioner Pro Se
16
17 filed a Complaint against the Federal Energy Regulatory Commissioners
18
19 (FERC), which had unlawfully issued Klamath River Renewal Corporation
20
21 (KRRRC) a license to remove four of the dams on the lower Klamath River.

22
23
24 This license was accomplished by cherry picking data as part of a scheme
25
26 to overrule Federal environmental law which guarantees preservation of the
27
28 dams. As evidence of KRRRC lawbreaking, Appellant found more than nine
29
30 violations of environmental law in the FERC licensing document. Trial
31
32 Court Judge in the case 1:24-CV-1301-MC then manipulated or ignored
33
34 this lawful evidence to claim that Petitioner Pro Se was suing FERC in
35
36 conjunction with KRRRC, resulting in Petitioner Pro Se's loss. Petitioner Pro
37

1 Se was simply referring to FERC documentation as evidence. Debunking
2
3 the [2018 FERC document](#) so the Supreme Court can make it invalid.

4
5 The Defendants were in Default by failing to respond to the Complaint.

6
7 This, even though Appellant called and emailed them and also submitted
8
9 the Complaint and Memorandum of Points Pleading, which shows FERC
10
11 violated their own rules and federal law by illegal cherry-picking data. This
12
13 document was previously uploaded to Appeals Court docket.

14
15 About 80% of local stakeholders didn't want the dams removed.

16
17 FERC blatantly ignored overwhelming objections of local stakeholder's in
18
19 polling and sworn testimony against removal of the dams in both Klickitat
20
21 County, California and Klamath County, Oregon. One doctor stands out,
22
23 who testified that his wife died due to the Chromium 6 poisoning and he
24
25 has a steady flow of patients likewise suffering the same symptoms. See
26
27 the 2009 to 2011 Chemistry test on silt behind each dam is high
28
29 contaminated with Chromium 6 and Arsenic.

30
31 [https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-Evaluation-of-Contaminants-in-Sediments.pdf)
32 [Evaluation-of-Contaminants-in-Sediments.pdf](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-Evaluation-of-Contaminants-in-Sediments.pdf)

33
34 This is illegal by the clean water act and KRRC's section 404 permit.

35
36 This is also illegal by the U.S. Supreme Court Ruling 12) in Case 22-451
37

1 Loper Bright, June 28, 2024.

2
3 The Loper Bright decision has two components:

- 4
- 5 1. All courts from the U.S. Supreme Court to the lowest city traffic court
 - 6 must convene as courts under Article III, Section 2 of the United
 - 7 States Constitution, and
 - 8 2. Federal entities may no longer cherry pick data to promote a
 - 9 preferred agenda, in this case the ill-informed demands for dam
 - 10 removal of upstream stakeholders to the extreme detriment of all
 - 11 others.

12 Lower Court refusal to abide by the letter and spirit of this Ruling at every
13 level lies at the heart of this Petition. Prior to this egregious act of public
14 vandalism, Petitioner Pro Se likewise issued strong objections from the
15 perspective of his training and lifetime experience as a Chemical Engineer,
16 including partial completion of a doctorate in the field. Appellant (Petitioner
17 Pro Se) explained
18 repeatedly that a far less draconian and less expensive option – one that
19 would not defy federal law -- was to:
20
21
22
23
24
25
26

- 27 1. dredge accumulated silt behind the dams,
- 28 2. heat scrub out deadly chemicals onsite, such as Arsenic and
- 29 Chromium 6,
- 30 3. then repair or install fish ladders.
- 31
- 32

33 This would allow for gradual drainage and cleansing of any water quality
34 issues above the dam. Salmon Protection Devices (stainless steel cages)
35 might also be installed to prevent sea lions from gorging on fish at the base
36
37

1
2 of the most downstream fish ladders. These scientific recommendations
3
4 were ignored, thus destroying the invaluable utility of the dams for flood
5
6 control, hydroelectricity, irrigation, recreation, fire-fighting, and more. The
7
8 tragic California wildfires burning out of control were the immediate result of
9
10 this unforgiveable vandalism of fully-capitalized public property.

11 Klamath River Renewal Corp malfeasance is transferred to FERC
12
13 defendants by 1)18 USC 3 accessory after the fact.

14
15 Appellant (Petitioner Pro Se) filed Case 3:24-cv-00755-JR in federal court
16
17 as an environmental suit against Defendants' Klamath River Renewal Corp
18
19 (KRRC) and RES, who confessed in a press conference to killing over
20
21 2000 fish including endangered salmon and a herd of elk without permits.
22

23
24 Petitioner Pro Se's request for an emergency injunction to temporarily stop
25
26 work was denied by Defendants' deceitful manipulation of Administrative
27
28 Law to delay any Court action to stop the crime in progress by injunction.

29
30 But this should not excuse the lower court's pusillanimous inaction in the
31
32 face of cries for justice and relief from the harm being inflicted before their
33
34 very eyes. This is, in effect, Misprision of Felony.

35
36 Here is an email from a local stakeholder as one small example of the
37
38 human damage inflicted by this egregious action. Not to mention the
39

1 environmental calamity that remains unmitigated due to a massive release
2
3 of poisoned flood water in January, 2024. This is an Exxon-Valdez level of
4
5 environmental havoc papered over by defendants planting grass on
6
7 contaminated riverbanks. It killed all aquatic life for 120 River Miles
8
9 between the Iron Gate Dam and Pacific Ocean, and still poses a lethal
10
11 threat to unsuspecting human and wildlife in the area.
12

13 From: Rick Dowdy <rhadowdy@gmail.com>
14 Sent: Monday, September 16, 2024 9:47 AM
15 To: dave@salmonprotectiondevice.com
16 <dave@salmonprotectiondevice.com>
17 Subject: Dam removal
18

19 Hi, my name is Rick Dowdy. I live at Copco where they have removed our
20 Dam. Our community well went dry 2 days after they released the water
21 from our lake. They gave us a 5,000-gallon tank for 10 houses. They
22 currently fill it weekly. I have heard KRRC will be finished at the end of
23 October. I am concerned they are going to leave us high and dry without a
24 permanent well. I also have damage to my home from their blasting on the
25 dam. To find another home to retire at would cost me at least 1 million
26 dollars. The poisons left from dam removal could be life threatening. Thank
27 you for going for justice. From Rick Dowdy.
28

29 30 REASONS FOR GRANTING THE WRIT

31
32 The Federal Court illegally dismissed this case when defendants (FERC
33
34 Commissioners) were in default. Thus, the appeal was filed. But then three
35
36 9th Circuit Court Justices illegally dismissed the appeal because they
37
38 naively accepted the illegal dismissal of the Federal Court. The Federal
39
40 Court judge has a Complaint filed against him in the 9th Circuit Court of

1
2 Appeals for illegal judicial bias, violations of Judicial Code of Conduct and
3
4 illegal abuse of administrative law. Likewise, the three Appeals Court
5
6 Justices have similar Complaints and dockets filed. See Appendix A. The
7
8 Appellees abandoned these case issues by no response
9
10 to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.

11
12 Therefore, many reasons have been given got granting this writ.

13
14
15 **CONCLUSION**

16
17 Petitioner Pro Se respectfully requests the following rulings or remand of this
18
19 case back to the 9th Circuit, ~~and order~~ ordering them to impanel three different
20
21 justices and instructing them to refrain from illegal judicial bias, violation of
22
23 Judicial Code of Conduct, and illegal abuse of Administrative Law. Appendix A
24
25 is a letter from Susan Soong 9th Circuit Court Chief executive acknowledging
26
27 illegal judicial bias. The Appellees abandoned these case issues by no
28
29 response to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.

30
31
32 **PRAYER FOR RELIEF**

- 33
34 1. Petitioner Pro Se hereby respectfully requests the Supreme Court to
35
36 issue a Writ of Mandamus that Defendants charge Petitioner Pro Se's
37
38 team with the task of restoring the Klamath River back to its Original

1
2 Wild and Scenic condition with dams and fish ladders as mandated
3
4 by Congress. Also to pay ten million dollars to Salmon Protection
5
6 Device Inc. These funds will start the cleanup of the environmental
7
8 damage in the Klamath Basin. The Respondents abandoned these
9
10 case issues by no response to any pleading in Docket 24-5811 and
11
12 Case 1:24CV-1301-MC.

13
14
15 2. Grant Injunctive Relief to halt all further deconstruction and grant
16
17 Summary Judgment because Defendants' licensee, KRRC continues
18
19 to ignore the actions they are legally required to perform by FERC
20
21 and the Army Corp of Engineers, under the Federal Clean Water Act,
22
23 Section 404. KRRC has made public confession of these crimes and
24
25 has nonetheless proceeded with their nefarious, criminal activity. The
26
27 gravity of this case requires a court order that commands a
28
29 government official or entity to perform an act it is legally required to
30
31 perform as part of its official duties, or refrain from performing an act
32
33 the law forbids. The Respondents abandoned these
34
35 case issues by no response to any pleading in Docket 24-5811 and
36
37 Case 1:24CV-1301-MC.

1
2 3. Petitioner Pro Se hereby respectfully requests the Supreme Court to
3
4 order Defendants to immediately remove KRRC's license and
5
6 transfer all remaining control and money to Salmon Protection Device
7
8 non-profit. The Respondents abandoned these
9
10 case issues by no response to any pleading in Docket 24-5811 and
11
12 Case 1:24CV-1301-MC.
13

14 Salmonprotectiondevice.com has a team of engineers and scientists
15
16 who know how to mitigate the contaminated silt and install fish
17
18 ladders on rebuilt Iron Gate and JC Boyle Dams.
19

20 4. Petitioner Pro Se respectfully requests the Supreme Court to
21
22 vacate the 3:24-cv-00755-JR final dismissal on 7/26/2024. This
23
24 Federal Court dismissal was based on KRRC legal counsel's
25
26 concocted ECF's and manipulation of case law and Federal Law.
27
28 Petitioner Pro Se has already warned defendants that if they continue
29
30 to repeat these perjuries he will ask for full adjudication to the FBI for
31
32 prosecution to the full extent of the law. The Respondents abandoned
33
34 these case issues by no response to any pleading in Docket 24-5811
35
36 and Case 1:24CV-1301-MC.
37

1 5. Petitioner Pro Se respectfully requests the Supreme Court to
2
3 acknowledge standing based on Federal Environmental laws broken
4
5 with associated 7 Environmental Values denied to Petitioner Pro Se,
6
7 Class Action members, and the River itself. Likewise, standing based
8
9 on harms inflicted on Petitioner Pro Se resulting in preparations taken
10
11 to move out of state to ~~California~~ due to harms inflicted by KRRC's
12
13 malfeasance.

14
15 6. Petitioner Pro Se hereby respectfully requests the Supreme Court to
16
17 provide relief, and take judicial notice of the lethal environmental
18
19 consequences of KRRC's actions, which require immediate
20
21 mitigation. Rule Salmon Protection Device remediation team to the
22
23 task of project mitigation immediately, to avoid further lethal
24
25 environmental consequences from KRRC's gross negligence. This is
26
27 much worse than the Exxon-Valdez oil spill because KRRC's actions
28
29 devastated all aquatic life for 120 River Miles (RM) west of the Iron
30
31 Gate Dam and destroyed vital estuaries. EPA has been notified and
32
33 is likely to declare this a Super-Fund Cleanup site.

34
35 This designation needs to specify that no person shall go near the
36
37 Klamath River without wearing a gas mask until the Salmon Protection

1 Device team removes and scrubs the contaminated silt on the
2
3 river banks. Every day that goes by without an injunction is a threat to
4
5 the lives of local residents and wildlife. This amounts to failure to
6
7 impede a crime in process. How is this not akin to “Misprision of a
8
9 Felony?”

10
11 The active agents in the crime must provide funds for replacement of
12
13 the J.C. Boyle and Iron Gate Dams. The Kiewit Corporation knowingly
14
15 participated as accomplice in commission of this unconscionable crime
16
17 against the environment, in spite of warnings. They proceeded with full
18
19 knowledge and warning of the environmental laws that they were
20
21 violating with impunity. This too-big-to-fail attitude must not go
22
23 unrequited.

24
25 Petitioner requests a Writ of Mandamus and a Summary Judgment in
26
27 Petitioner’s favor because Defendants are clearly biased against
28
29 Federal Environmental law, not doing what they are legally required to
30
31 do, especially scrubbing the silt and installing fences to protect the many
32
33 elk that have perished in what amounts to quick-sand.

34
35 Petitioner respectfully requests the Supreme Court to award any other
36
37 cost to the Petitioner Pro Se as the Court sees fit.

38
39 7. Petitioner hereby respectfully requests that the 9th Circuit Appeals Court
40

1 be required to issue an official notification to all courts in its jurisdiction,
2
3 ordering them that Administrative Law shall no longer take precedence
4
5 over Article III, Section 2 of the U.S. Constitution, or standing case law and
6
7 statute law made in pursuance thereof (U.S. Supreme Court, Loper Case
8
9 22-451). Case 21DR02783, Marriage Dissolution, and the current Case
10
11 might be used as prime examples of such abuse and violations of the
12
13 Judicial Code of Conduct.

14
15 Although not part of the Loper Decision, Article VI, Section 2 of the U.S.
16
17 Constitution also strongly reinforces this principle in stating that: “This
18
19 Constitution, and the Laws of the United States which shall be made in
20
21 Pursuance thereof; and all Treaties made, or which shall be made, under
22
23 the Authority of the United States, shall be the supreme Law of the Land;
24
25 and the Judges in every State shall be bound thereby, any thing in the
26
27 Constitution or Laws of any State to the Contrary notwithstanding. The
28
29 judge in question is, of course, sworn by sacred oath to uphold this
30
31 Constitution.

32
33 8. Accordingly, Petitioner Pro Se calls upon the **Supreme Court** to take
34
35 appropriate disciplinary action in light of the fact that such behavior is subject
36
37 to permanent removal of the bar license and defrocking of any Federal Judge
38
39 in violation of 10) 20-1199 Loper Bright Enterprises, 15) Judges Code of
40

1 Conduct, Canons 2 and 3; [https://www.uscourts.gov/judges-](https://www.uscourts.gov/judges-judgeships/code-)

2 [judgeships/code-](https://www.uscourts.gov/judges-judgeships/code-)

3
4 [conduct-united-states-judges](https://www.uscourts.gov/judges-judgeships/code-), 18 U.S.C. § 1001 False Statements,

5
6 Concealment., 15) 18 U.S. Code § 1621 – Perjury, 16) 28 U.S. Code §
7 455 (b),
8
9 (1) which says, “Where he (The Judge) has a personal bias or prejudice
10
11 concerning a party, or personal knowledge of disputed evidentiary facts
12
13 concerning the proceeding;

14
15 18 U.S.C. 4 says, “Whoever, having knowledge of the actual commission of
16
17 a felony cognizable by a court of the United States, conceals and does not
18
19 as soon as possible make known the same to some judge or other person
20
21 in civil or military authority under the United States, shall be fined under this
22
23 title or imprisoned not more than three years, or both.” The crimes
24
25 described in the Complaint are future flooding in the Klamath basin with
26
27 hundreds of millions in damages yearly and exposure of human and wildlife
28
29 to deadly arsenic and Chromium 6 poisoning.

30
31 **9.** Petitioner is adding this additional request, moving the to require that all
32
33 future river reclamation projects within the purview of the 9th Circuit Court
34
35 shall comply with the intent of the Wild and Scenic Rivers Act, Section 7IA2
36
37 to preserve existing dam projects from removal, by the far less draconian
38
39 strategy of
40

- 1 a. Dredging behind the dam and heat-scrubbing silt onsite,
- 2 b. Installing or repairing fish ladders on each dam,
- 3 c. Installing Salmon Protection Device cages at the foot of the fish
- 4 ladder on the lower dam if needed to deter predatory Sea Lions,
- 5 and
- 6 d. Treating reservoirs for algae or other contaminants, if necessary
- 7 <https://www.rivers.gov/rivers/rivers/sites/rivers/files/2023-07/section-7.pdf>

8
9
10
11
12 With a favorable ruling against FERC or the Federal Court, Petitioner Pro

13
14
15 Se will relocate to the Klamath Basin in California and rectify the

16
17 environmental mess created and left unmitigated by KRRRC. Petitioner Pro

18
19 Se's home is

20
21 for sale at [18965 NW Illahe St, Portland, OR 97229 | Zillow, pending a](#)

22 [favorable decision.](#) Petitioner Pro Se was 11 Bravo in the Army and

23
24 Vietnam who knows firsthand what a war zone looks like. The devastation

25
26 in the Klamath Basin is akin to a war zone.

27
28 INDEX TO APPENDICES

29
30 APPENDIX A

31 Letter from Susan Soong 9th Circuit Court Chief executive acknowledging

32 illegal judicial bias.



SUSAN Y. SOONG
CIRCUIT EXECUTIVE

OFFICE OF THE CIRCUIT EXECUTIVE
UNITED STATES COURTS FOR THE NINTH CIRCUIT

JAMES R. BROWNING UNITED STATES COURTHOUSE
95 SEVENTH STREET
POST OFFICE BOX 193939
SAN FRANCISCO, CA 94119-3939

January 3, 2025

Dave White
18965 NW Illahe St.
Portland, OR 97229

Re: Complaint of Judicial Misconduct Nos. 25-90001, 25-90002, 25-90003

Dear Mr. White:

We have received your complaint of judicial misconduct filed pursuant to 28 U.S.C. § 351(a) against Judges Jay S. Bybee, Sidney R. Thomas and Daniel P. Collins. Docket Numbers 25-90001, 25-90002 and 25-90003, respectively, have been assigned to this matter.

We will use the address in your complaint to communicate with you. Until your complaint has been concluded, you must promptly provide written notice of any address changes to the Office of the Circuit Executive, referencing your complaint number. A change of address notification submitted in any other case or appeal is insufficient.

Pursuant to the Rules for Judicial-Conduct and Judicial-Disability Proceedings, a copy of the complaint has been forwarded to Chief Judge Mary H. Murguia and each of the named subject judges.

Very truly yours,

Susan Y. Soong
Circuit Executive

SYS/aa

1 Appendix B.
2

3 11/20/2024 11 **ORDER FILED.** (Sidney R. THOMAS, Jay S. BYBEE,
4 Daniel P. COL

5 Upon a review of the record, the response to the court's
6 October 11, conclude this appeal is frivolous. We
7 therefore deny appellant's moti Entry No. 5), see 28
8 U.S.C. § 1915(a), and dismiss this appeal as fri (court
9 shall dismiss case at any time, if court determines it is
10 frivolous entertained in this closed case. DISMISSED.
11 [Entered: 11/20/2024 0
12

13 Appendix C

10/17/2024	23	ORDER: The Motion for Default Judgment 22 is DENIED. The Court is still evaluating Plaintiff's IFP Application 2 and Amended Complaint 21 . He has not been granted leave to proceed, this action has not yet formally commenced with service, and therefore, Defendant does not yet have a duty to appear and defend. Plaintiff is reminded to heed this District's Local Rules as well as the Federal Rules of Civil Procedure prior to filing any other documents. Ordered by Judge Michael J. McShane. (cp) (Entered: 10/17/2024)
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TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
1)18 USC 3 accessory after the fact.	1
2) 16 USCA § 1532(19); see also Goble, D. D.; George, S. M.; Mazaika, K.;	6,8
3) The Endangered Species Act of 1973, https://www.fws.gov/laws/endangered-species-act/section-11	6,8
4) 18 U.S.C. § 1001 False Statements, Concealment.	16
5) 29 CFR § 1606.8 (1) – Harassment has the purpose or effect of creating an intimidating, hostile or offensive working environment.	2, 21
6) 33 U.S.C. §1251 et seq. (1972) Clean water act Section 404.	10, 14, 21

- 1 7) 18 U.S. Code § 1621 – Perjury. 16
2
3 8) 28 U.S. Code § 455 (b), (1) which says, “Where he (The Judge) has a
4 personal bias or prejudice concerning a party, or personal knowledge of
5 disputed evidentiary facts concerning the proceeding;” 16
6
7 9) Judges Code of Conduct Canons 2 and 3
8 [https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges)
9 [judges,](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges) 1, 13
10
11 10) 18 U.S.C. 4 says, “Whoever, having knowledge of the actual
12 commission of a felony cognizable by a court of the United States,
13 conceals and does not as soon as possible make known the same to some
14 judge or other person in civil or military authority under the United States,
15 shall be fined under this title or imprisoned not more than three years, or
16 both.” 16
17
18
19
20 11) Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002): Pagtalunan
21 was Pro Se and made numerous mistakes in filing his complaint resulting
22 in the case being dismissed. However, upon appeal, the higher Court
23 ruled that the lower Court was in error because they did not give allowance
24 for Pagtalunan’s lack of legal training. 25
25
26
27
28
29
30 12) 18 U.S. Code § 4 - Misprision of felony. 3, 12, 25
31
32
33 13) 22–451 June 28th, 2024 Federal Case number 22–451 in Loper Bright
34 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce
35 that all courts shall no longer function as administrative law courts.
36 https://www.supremecourt.gov/opinions/23pdf/22-451_7m58.pdf
37 Administrative law is illegal and ALL courts must convene as Article three
38 of the US Constitution. The Chevron doctrine is invalid. Federal and state
39 agencies can no longer cherry pick data for their false agenda. Stare

1 decisis must be vertical to the Constitution not lower or sideways. This is
2 because any other case can't be guaranteed to have enough similarities to
3 warrant use unless the Judge and each counsel have read that case
4 transcripts, exhibits and final ruling. Six to three decision. 2, 6. 10, 16 24
5
6
7

8 IN THE
9
10 SUPREME COURT OF THE UNITED STATES

11 PETITION FOR WRIT OF CERTIORARI

12 Petitioner respectfully prays that a writ of certiorari issue to review the judgment
13 below.

14
15 **OPINIONS BELOW**

16
17 For cases from federal courts:

18 The opinion of the United States court of appeals appears at
19 Appendix __ to the petition and is in Appendix B

20
21 The opinion of the United States district court appears at
22 Appendix C.
23

24 **JURISDICTION**

25
26 For cases from **federal courts**:

27 The date on which the United States Court of Appeals decided
28 my case was .

29
30 No petition for rehearing was timely filed in my case.

31
32 A timely petition for rehearing was denied by the United States
33 Court of Appeals on the following date: and a copy of the order
34 denying rehearing appears at Appendix .

35
36 An extension of time to file the petition for a writ of certiorari was

1 granted to and including _____ (date) on
2 (date) in Application No. A .
3

4 The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).
5
6
7

8 The petition for a writ of certiorari should be granted.
9

10
11 Respectfully submitted,
12
13

14 
15
16

17 Date: 2/11/2025
18

CERTIFICATE OF SERVICE

I hereby certify that on 2/11/2025, a true and correct copy of the above document was electronically filed with the Clerk of the Court using CM/ECF. A copy of the document will be served upon interested parties via the Notices of Electronic Filing that are generated by CM/ECF. Additionally, a courtesy copy is being provided as follows:

Also emailed to defendants

Chairman_Phillips_Meetings@ferc.gov;

Commissioner_Christie_Meetings@FERC.gov;

Commissioner_Rosner_Meetings@FERC.gov;
Commissioner_See_Meetings@FERC.gov;
Commissioner_Chang_Meetings@FERC.gov

Attorney for Legal Counsel for all defendants
Danielle Mechling
Attorney-Advisor
Federal Energy Regulatory Commission
Office of Enforcement, Division of Investigations
Tel: 202-502-8924
Email: danielle.mechling@ferc.gov
___ Via hand delivery
___ Via U.S. Mail, 1st Class,
Postage Prepaid
___ Via Overnight Delivery
___ Via Facsimile
XX Via Email
XX Via CM/ECF notification
to the extent registered DATED: 2/11/2025
By: David White



**IN THE
SUPREME COURT OF THE UNITED STATES
FEBRUARY 2025 TERM**

DAVID C. WHITE Petitioner Pro Se

Vs.

**Respondent 1. (R1)
Chairman Willie L. Phillips, in his
personal capacity as chairman of
Federal Energy Regulatory
Commission (FERC) Chairman_Phillips_Meetings@ferc.gov
202-502-8550**

**Respondent 2. (R2)
Commissioner Mark Christie in his
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
202-502-8110 Commissioner_Christie_Meetings@FERC.gov**

**Respondent 3 (R3)
Commissioner David Rosner in his
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
202-502-6500 Commissioner_Rosner_Meetings@FERC.gov**

**Respondent 4 (R4)
Commissioner Lindsay S. See in her
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
Commissioner_See_Meetings@FERC.gov**

**Respondent 5 (D5)
Commissioner Judy W. Chang in her
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
Commissioner_Chang_Meetings@FERC.gov**

Respondents

Danielle Mechling

**Counsel of Record
Attorney-Advisor
Federal Energy Regulatory Commission
Office of Enforcement, Division of Investigations
Tel: 202-502-8924
Email: danielle.mechling@ferc.gov**

**On Petition for a Writ of Certiorari to the United State Court
of Appeals for the Ninth Circuit Docket 24-5811**

PETITION FOR A WRIT OF CERTIORARI

**David White
18965 NW Illahe Street
Portland, Oregon 97229
503-608-7611
Dave@salmonprotectiondevice.com**

QUESTIONS PRESENTED FOR REVIEW

- Shall the U.S. participate in illegal and catastrophic, Bio-diversity programs, such as public dam removal, which were never ratified by Congress?
Please refer to any excerpt from <https://www.agenda21course.com/category/lesson-one/>, “So what is Agenda 21, also referred to as ‘Sustainable Development?’” It is emphatically NOT an environmental movement; it IS a deceptive political movement, which seeks to control the world’s economy, dictate its development, capture and redistribute its wealth on a national, state, and local level.
- Shall any hydroelectric dam be removed in the United States without the express consent of Congress? The proper solution is regular dam maintenance to include dredging behind the dam to remove contaminated silt and installing or repairing fish ladders.
- Shall U.S. Courts at all levels persist in exercising extreme bias against pro se or any litigants, contrary to Judicial Code of conduct

and Loper Bright Enterprises, especially in use of Administrative Law to nullify federal law for Summary Judgment, by dismissing a case when defense fails to make any appearance? This corrupt procedure is systemic throughout the Ninth Circuit Court System. Also <https://pacificlegal.org/post-chevron-mine-case/>

- Shall the judge who decides for such a dismissal be innocent of Misprision of felony, having reviewed the felonies admitted by failure of the defense to appear, and then doing nothing to adjudicate them?
- Shall the Circuit Court of Appeals violate its protocol for selecting a unique panel of judges for each case tried when a litigant has simultaneously presented two or more unique cases for review?
- Shall the Circuit Court of Appeals refer a PETITION FOR RECONSIDERATION OF DISPOSITIVE ORDER to the same panel of judges whose extreme bias in dismissing that very case is being challenged by pro se or any litigants?
- Shall Horizontal Stare Decisis, the doctrine of following rules or principles laid down in previous judicial decisions, apply without question to any case? Horizontal Stare Decisis is unreliable because it can never be guaranteed to apply to the instant be the exact same-case with a unique history, without studying the transcripts and exhibits of the previous case. This is like comparing Apples to Oranges; they are both fruits, but different.
- Shall any Court habitually and illegally dismiss a Complaint when Defendants are in default by the 21-day FRCP rule? By FRCP rules when a complaint is filed the defendants have 21 days to respond or risk a summary judgement against them. Amdt6.2.1 Overview of Right to a Speedy Trial (<https://www.law.cornell.edu/constitution-conan/amendment-6/overview-of-right-to-a-speedy-trial>) shows clearly the Constitution requires a speedy trial. However, Petitioner Pro Se is involved in many cases where the defendants were in default by the 21-day rule. Petitioner Pro Se then filed for a summary judgement and a Writ of Mandamus. In every case, the Judge illegally dismissed the case, proof that this illegal tactic is systemic throughout the 9th

Circuit Court.

LIST OF PARTIES [X] All parties appear in the caption of the case on the cover page.

TABLE OF CONTENTS

OPINIONS
BELOW..... 5
JURISDICTION.....6
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED8
STATEMENT OF THE CASE8
REASONS FOR GRANTING THE WRIT13
CONCLUSION.....13

OPINIONS BELOW

List of Docket entries from 24-5811

9/24/2024 1 **CASE OPENED.** A copy of your notice of appeal / petition filed in 1:2 office of the United States Court of Appeals for the Ninth Circ The U. of Appeals docket number **24-5811** has been assign the court must i this Court of Appeals docket number. Please name(s) and contact information are correct. It is your responsibility changes.
Resources Available
For more information about case processing and to assist you in pre Opening Information (for [attorneys](#) and [pro se litigants](#)) and review th consider contacting the court's [Appellate Mentoring Program](#) [Entere 09/24/2024 02:28 PM]

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10/8/2024	4	DEFECTIVE --- NOTICE that No Answering Brief Will be Filed by type, correct entry is DE 6.] [Entered: 10/08/2024 05:20 PM] [Edited:
10/8/2024	5	MOTION to Proceed In Forma Pauperis filed by Appellant David White. [PDF of motion.] [Entered: 10/08/2024 06:26 PM] [Edited: 10/09/2024
10/8/2024	6	CORRESPONDENCE filed by Appellant David White. [COURT ENT 10/09/2024 09:26 AM]
10/11/2024	7	ORDER FILED. It appears that this appeal may be frivolous. If the appellant is granted permission to proceed in forma pauperis and dismiss the appeal. See Fed. R. App. P. 42(b). If appellant must: (1) file a statement explaining why the appeal is not frivolous, or any other response other than a motion to dismiss, the appeal will be dismissed. If it is frivolous, the appeal will be dismissed. If it is not frivolous, the appeal will be stayed. If appellant does not respond to this order, the court may dismiss the appeal. The clerk will serve on appellant: (1) a form motion to voluntarily dismiss the appeal should go forward. [Entered: 10/11/2024 01:42 PM]
10/15/2024	8	RESPONSE to Order - General OSC (DE 7) filed by Appellant David
10/17/2024	9	OPENING BRIEF submitted for filing by Appellant David White. [Ent
10/18/2024	10	CLERK ACTION: Opening Brief submitted at DE 9 by Appellant Dave White [Entered: 10/18/2024 03:04 PM]
11/20/2024	11	ORDER FILED. (Sidney R. THOMAS, Jay S. BYBEE, Daniel P. COLSON) Upon a review of the record, the response to the court's October 11, 2024 order (Entry No. 5), see 28 U.S.C. § 1915(a), and dismiss this appeal as frivolous. (court shall dismiss case at any time, if court determines it is frivolous) entertained in this closed case. DISMISSED. [Entered: 11/20/2024 0
12/3/2024	12	MOTION to Reconsider Dispositive Order filed by

5 The Appellees abandoned these case issues by no response
6
7 to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.
8

9 JURISDICTION

10
11 Basis for Jurisdiction is a federal environmental question. An
12
13 environmental disaster in the Klamath Basin has resulted from KRRRC's
14
15 willful destruction of the environment in violation of known stipulations and
16
17 restrictions of the FERC license. These are in clear violation of the Federal
18
19 Clean Air and Federal Clean Water Acts of the U.S. Congress. Also
20
21 includes violations of wanton killing of fish, including endangered Salmon
22
23 without permits.

24
25 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
26
27 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
28
29 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
30
31 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
32
33 16.

34
35 This Court has jurisdiction, over the subject matter of this complaint,
36
37 because the illegal and unlawful actions of KRRRC are violating Federal
38
39 Law, to include (Wild and Scenic Rivers Act, PL 90-542), (Clean Water
40

1 Act), and (Commerce Clause of the U.S. Constitution). The Defendants are
2
3 complicit in these statute violations by negligently providing KRRRC with its
4
5 license.

6
7 Additionally, This Court has jurisdiction, over the subject matter of this
8
9 complaint, because the massive environmental damage in the Klamath
10
11 River basin is most proximate to the ninth circuit court which so blatantly
12
13 dismissed three cases without any legal standing to do so.

14
15 Petitioner Pro Se presents this Complaint respectfully, requesting this Court
16
17 To convene this case as an article III, of the U.S. Constitution Court case,
18
19 Per the recent U.S. Supreme Court ruling in 13) 2024 Loper Bright
20
21 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce
22
23 above. Article III, Section 2 of the U. S. Constitution stipulates “The Judicial
24
25 Power shall extend to all cases in law and equity, arising under this
26
27 constitution, the laws of the United States and Treaties, which will be made
28
29 under the Authority;

30
31 - to all cases affecting ambassadors, other public Ministers and
32
33 Counsels, to controversies to which the United States shall be a party;
34
35 - to controversies between two or more states, ... between citizens of
36
37 different states, between a state or the citizens thereof.

38
39 First Page, second paragraph, Held: The Administrative Procedure Act
40

1 requires courts to exercise their independent judgment in deciding whether
2 an agency has acted within its statutory authority, and courts may not defer
3 to an agency interpretation of the law simply because a statute is
4 ambiguous; Chevron is overruled. Pp. 7–35.

5
6
7
8
9 (<https://www.foleyhoag.com/news-and-insights/publications/alerts-and-updates/2024/july/chevrons-demise-and-what-it-means-for-healthcare-and-life-sciences-companies/>).

10
11
12
13 Therefore, agencies like the Federal Energy Regulatory Commission
14 (FERC) are no longer permitted to cherry pick data to match their
15 administrative agenda. For example, about 80% of Klamath Basin
16 residents were strongly opposed to the Klamath dams being removed,
17 a well-documented fact which the FERC agency simply ignored.

21 VENUE

22
23
24
25 Venue is proper in this Court because the location of the Ninth Circuit
26 Court is in the same geographical location as the Illegal act's that are NOW
27 taking place. The Court's location is close to the environmental damage
28 incurred and ongoing, allowing for easy visual inspection.

29
30
31
32
33 The Klamath River's rights to a wild and scenic condition is actively being
34 violated by KRRRC, the defendant's licensee, and therefore the Public
35 (Petitioner Pro Se and Class action members) have a legal right to speak
36 on behalf of the Klamath River. In addition, the public's right to enjoyment
37
38
39
40

1 of that condition as mandated by Congress has forever been taken away.

2
3 Therefore, Petitioner Pro Se have standing. Additionally, this is a class
4
5 action complaint with class action members residing in the Klamath Basin
6
7 which extends from Klamath Falls Oregon to Yreka California.

8
9 **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

10
11 These are in clear violation of the Federal Clean Air and Federal Clean
12
13 Water Acts of the U.S. Congress. Also, violations of wanton killing fish
14
15 including endangered Salmon without permits.

16
17 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
18
19 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
20
21 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
22
23 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
24
25 16.

26
27 **STATEMENT OF THE CASE**

28
29 Petitioner Pro Se is part of a team of 3 professionals, all volunteering, pro
30
31 bono. One is a 40-year retired, Federal Attorney, expert in the application
32
33 of Federal and Case law, environmental law in particular. Another is an
34
35 investigative journalist, providing legal research and serving as Legal Editor
36
37 for all Court Documents.

38
39 This team has three docket cases before the Ninth Circuit Court to correct

1
2 illegal administrative law rulings and potentially discipline four federal
3
4 judges who made arbitrary rulings contrary to Federal law.
5 Prior to filing a claim against the Federal Energy Regulatory
6
7 Commissioners, Petitioner Pro Se filed in FERC to have a hearing and
8
9 present their legal violations in their process of providing a license to
10
11 KRRRC. However FERC has not provided a hearing and its been six
12
13 months.

14
15 After waiting 1 month for a response, on August 8th, 2024, Petitioner Pro Se
16
17 filed a Complaint against the Federal Energy Regulatory Commissioners
18
19 (FERC), which had unlawfully issued Klamath River Renewal Corporation
20
21 (KRRRC) a license to remove four of the dams on the lower Klamath River.

22
23
24 This license was accomplished by cherry picking data as part of a scheme
25
26 to overrule Federal environmental law which guarantees preservation of the
27
28 dams. As evidence of KRRRC lawbreaking, Appellant found more than nine
29
30 violations of environmental law in the FERC licensing document. Trial
31
32 Court Judge in the case 1:24-CV-1301-MC then manipulated or ignored
33
34 this lawful evidence to claim that Petitioner Pro Se was suing FERC in
35
36 conjunction with KRRRC, resulting in Petitioner Pro Se's loss. Petitioner Pro
37

1 Se was simply referring to FERC documentation as evidence. Debunking
2
3 the [2018 FERC document](#) so the Supreme Court can make it invalid.

4
5 The Defendants were in Default by failing to respond to the Complaint.

6
7 This, even though Appellant called and emailed them and also submitted
8
9 the Complaint and Memorandum of Points Pleading, which shows FERC
10
11 violated their own rules and federal law by illegal cherry-picking data. This
12
13 document was previously uploaded to Appeals Court docket.

14
15 About 80% of local stakeholders didn't want the dams removed.

16
17 FERC blatantly ignored overwhelming objections of local stakeholder's in
18
19 polling and sworn testimony against removal of the dams in both Klickitat
20
21 County, California and Klamath County, Oregon. One doctor stands out,
22
23 who testified that his wife died due to the Chromium 6 poisoning and he
24
25 has a steady flow of patients likewise suffering the same symptoms. See
26
27 the 2009 to 2011 Chemistry test on silt behind each dam is high
28
29 contaminated with Chromium 6 and Arsenic.

30
31 [https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-Evaluation-of-Contaminants-in-Sediments.pdf)
32 [Evaluation-of-Contaminants-in-Sediments.pdf](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-Evaluation-of-Contaminants-in-Sediments.pdf)

33
34 This is illegal by the clean water act and KRRRC's section 404 permit.

35
36 This is also illegal by the U.S. Supreme Court Ruling 12) in Case 22-451
37

1 Loper Bright, June 28, 2024.

2
3 The Loper Bright decision has two components:

- 4
- 5 1. All courts from the U.S. Supreme Court to the lowest city traffic court
 - 6 must convene as courts under Article III, Section 2 of the United
 - 7 States Constitution, and
 - 8 2. Federal entities may no longer cherry pick data to promote a
 - 9 preferred agenda, in this case the ill-informed demands for dam
 - 10 removal of upstream stakeholders to the extreme detriment of all
 - 11 others.

12 Lower Court refusal to abide by the letter and spirit of this Ruling at every
13 level lies at the heart of this Petition. Prior to this egregious act of public
14 vandalism, Petitioner Pro Se likewise issued strong objections from the
15 perspective of his training and lifetime experience as a Chemical Engineer,
16 including partial completion of a doctorate in the field. Appellant (Petitioner
17 Pro Se) explained
18 repeatedly that a far less draconian and less expensive option – one that
19 would not defy federal law -- was to:
20
21
22
23
24
25
26

- 27 1. dredge accumulated silt behind the dams,
- 28 2. heat scrub out deadly chemicals onsite, such as Arsenic and
- 29 Chromium 6,
- 30 3. then repair or install fish ladders.
- 31

32
33 This would allow for gradual drainage and cleansing of any water quality
34 issues above the dam. Salmon Protection Devices (stainless steel cages)
35 might also be installed to prevent sea lions from gorging on fish at the base
36
37

1
2 of the most downstream fish ladders. These scientific recommendations
3
4 were ignored, thus destroying the invaluable utility of the dams for flood
5
6 control, hydroelectricity, irrigation, recreation, fire-fighting, and more. The
7
8 tragic California wildfires burning out of control were the immediate result of
9
10 this unforgiveable vandalism of fully-capitalized public property.

11 Klamath River Renewal Corp malfeasance is transferred to FERC
12
13 defendants by 1)18 USC 3 accessory after the fact.

14
15 Appellant (Petitioner Pro Se) filed Case 3:24-cv-00755-JR in federal court
16
17 as an environmental suit against Defendants' Klamath River Renewal Corp
18
19 (KRRC) and RES, who confessed in a press conference to killing over
20
21 2000 fish including endangered salmon and a herd of elk without permits.
22

23
24 Petitioner Pro Se's request for an emergency injunction to temporarily stop
25
26 work was denied by Defendants' deceitful manipulation of Administrative
27
28 Law to delay any Court action to stop the crime in progress by injunction.

29
30 But this should not excuse the lower court's pusillanimous inaction in the
31
32 face of cries for justice and relief from the harm being inflicted before their
33
34 very eyes. This is, in effect, Misprision of Felony.

35
36 Here is an email from a local stakeholder as one small example of the
37
38 human damage inflicted by this egregious action. Not to mention the
39

1 environmental calamity that remains unmitigated due to a massive release
2
3 of poisoned flood water in January, 2024. This is an Exxon-Valdez level of
4
5 environmental havoc papered over by defendants planting grass on
6
7 contaminated riverbanks. It killed all aquatic life for 120 River Miles
8
9 between the Iron Gate Dam and Pacific Ocean, and still poses a lethal
10
11 threat to unsuspecting human and wildlife in the area.
12

13 From: Rick Dowdy <rhadowdy@gmail.com>
14 Sent: Monday, September 16, 2024 9:47 AM
15 To: dave@salmonprotectiondevice.com
16 <dave@salmonprotectiondevice.com>
17 Subject: Dam removal
18

19 Hi, my name is Rick Dowdy. I live at Copco where they have removed our
20 Dam. Our community well went dry 2 days after they released the water
21 from our lake. They gave us a 5,000-gallon tank for 10 houses. They
22 currently fill it weekly. I have heard KRRC will be finished at the end of
23 October. I am concerned they are going to leave us high and dry without a
24 permanent well. I also have damage to my home from their blasting on the
25 dam. To find another home to retire at would cost me at least 1 million
26 dollars. The poisons left from dam removal could be life threatening. Thank
27 you for going for justice. From Rick Dowdy.
28

29 30 REASONS FOR GRANTING THE WRIT

31
32 The Federal Court illegally dismissed this case when defendants (FERC
33
34 Commissioners) were in default. Thus, the appeal was filed. But then three
35
36 9th Circuit Court Justices illegally dismissed the appeal because they
37
38 naively accepted the illegal dismissal of the Federal Court. The Federal
39
40 Court judge has a Complaint filed against him in the 9th Circuit Court of

1
2 Appeals for illegal judicial bias, violations of Judicial Code of Conduct and
3
4 illegal abuse of administrative law. Likewise, the three Appeals Court
5
6 Justices have similar Complaints and dockets filed. See Appendix A. The
7
8 Appellees abandoned these case issues by no response
9
10 to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.

11
12 Therefore, many reasons have been given got granting this writ.

13
14
15 **CONCLUSION**

16
17 Petitioner Pro Se respectfully requests the following rulings or remand of this
18
19 case back to the 9th Circuit, ~~and order~~ ordering them to impanel three different
20
21 justices and instructing them to refrain from illegal judicial bias, violation of
22
23 Judicial Code of Conduct, and illegal abuse of Administrative Law. Appendix A
24
25 is a letter from Susan Soong 9th Circuit Court Chief executive acknowledging
26
27 illegal judicial bias. The Appellees abandoned these case issues by no
28
29 response to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.

30
31
32 **PRAYER FOR RELIEF**

- 33
34 1. Petitioner Pro Se hereby respectfully requests the Supreme Court to
35
36 issue a Writ of Mandamus that Defendants charge Petitioner Pro Se's
37
38 team with the task of restoring the Klamath River back to its Original

1
2 Wild and Scenic condition with dams and fish ladders as mandated
3
4 by Congress. Also to pay ten million dollars to Salmon Protection
5
6 Device Inc. These funds will start the cleanup of the environmental
7
8 damage in the Klamath Basin. The Respondents abandoned these
9
10 case issues by no response to any pleading in Docket 24-5811 and
11
12 Case 1:24CV-1301-MC.

13
14
15 2. Grant Injunctive Relief to halt all further deconstruction and grant
16
17 Summary Judgment because Defendants' licensee, KRRC continues
18
19 to ignore the actions they are legally required to perform by FERC
20
21 and the Army Corp of Engineers, under the Federal Clean Water Act,
22
23 Section 404. KRRC has made public confession of these crimes and
24
25 has nonetheless proceeded with their nefarious, criminal activity. The
26
27 gravity of this case requires a court order that commands a
28
29 government official or entity to perform an act it is legally required to
30
31 perform as part of its official duties, or refrain from performing an act
32
33 the law forbids. The Respondents abandoned these
34
35 case issues by no response to any pleading in Docket 24-5811 and
36
37 Case 1:24CV-1301-MC.

1
2 3. Petitioner Pro Se hereby respectfully requests the Supreme Court to
3
4 order Defendants to immediately remove KRRC's license and
5
6 transfer all remaining control and money to Salmon Protection Device
7
8 non-profit. The Respondents abandoned these
9
10 case issues by no response to any pleading in Docket 24-5811 and
11
12 Case 1:24CV-1301-MC.
13

14 Salmonprotectiondevice.com has a team of engineers and scientists
15
16 who know how to mitigate the contaminated silt and install fish
17
18 ladders on rebuilt Iron Gate and JC Boyle Dams.
19

20 4. Petitioner Pro Se respectfully requests the Supreme Court to
21
22 vacate the 3:24-cv-00755-JR final dismissal on 7/26/2024. This
23
24 Federal Court dismissal was based on KRRC legal counsel's
25
26 concocted ECF's and manipulation of case law and Federal Law.
27
28 Petitioner Pro Se has already warned defendants that if they continue
29
30 to repeat these perjuries he will ask for full adjudication to the FBI for
31
32 prosecution to the full extent of the law. The Respondents abandoned
33
34 these case issues by no response to any pleading in Docket 24-5811
35
36 and Case 1:24CV-1301-MC.
37

1 5. Petitioner Pro Se respectfully requests the Supreme Court to
2
3 acknowledge standing based on Federal Environmental laws broken
4
5 with associated 7 Environmental Values denied to Petitioner Pro Se,
6
7 Class Action members, and the River itself. Likewise, standing based
8
9 on harms inflicted on Petitioner Pro Se resulting in preparations taken
10
11 to move out of state to ~~California~~ due to harms inflicted by KRRC's
12
13 malfeasance.

14
15 6. Petitioner Pro Se hereby respectfully requests the Supreme Court to
16
17 provide relief, and take judicial notice of the lethal environmental
18
19 consequences of KRRC's actions, which require immediate
20
21 mitigation. Rule Salmon Protection Device remediation team to the
22
23 task of project mitigation immediately, to avoid further lethal
24
25 environmental consequences from KRRC's gross negligence. This is
26
27 much worse than the Exxon-Valdez oil spill because KRRC's actions
28
29 devastated all aquatic life for 120 River Miles (RM) west of the Iron
30
31 Gate Dam and destroyed vital estuaries. EPA has been notified and
32
33 is likely to declare this a Super-Fund Cleanup site.

34
35 This designation needs to specify that no person shall go near the
36
37 Klamath River without wearing a gas mask until the Salmon Protection

1 Device team removes and scrubs the contaminated silt on the
2
3 river banks. Every day that goes by without an injunction is a threat to
4
5 the lives of local residents and wildlife. This amounts to failure to
6
7 impede a crime in process. How is this not akin to “Misprision of a
8
9 Felony?”

10
11 The active agents in the crime must provide funds for replacement of
12
13 the J.C. Boyle and Iron Gate Dams. The Kiewit Corporation knowingly
14
15 participated as accomplice in commission of this unconscionable crime
16
17 against the environment, in spite of warnings. They proceeded with full
18
19 knowledge and warning of the environmental laws that they were
20
21 violating with impunity. This too-big-to-fail attitude must not go
22
23 unrequited.

24
25 Petitioner requests a Writ of Mandamus and a Summary Judgment in
26
27 Petitioner’s favor because Defendants are clearly biased against
28
29 Federal Environmental law, not doing what they are legally required to
30
31 do, especially scrubbing the silt and installing fences to protect the many
32
33 elk that have perished in what amounts to quick-sand.

34
35 Petitioner respectfully requests the Supreme Court to award any other
36
37 cost to the Petitioner Pro Se as the Court sees fit.

38
39 7. Petitioner hereby respectfully requests that the 9th Circuit Appeals Court
40

1 be required to issue an official notification to all courts in its jurisdiction,
2
3 ordering them that Administrative Law shall no longer take precedence
4
5 over Article III, Section 2 of the U.S. Constitution, or standing case law and
6
7 statute law made in pursuance thereof (U.S. Supreme Court, Loper Case
8
9 22-451). Case 21DR02783, Marriage Dissolution, and the current Case
10
11 might be used as prime examples of such abuse and violations of the
12
13 Judicial Code of Conduct.

14
15 Although not part of the Loper Decision, Article VI, Section 2 of the U.S.
16
17 Constitution also strongly reinforces this principle in stating that: “This
18
19 Constitution, and the Laws of the United States which shall be made in
20
21 Pursuance thereof; and all Treaties made, or which shall be made, under
22
23 the Authority of the United States, shall be the supreme Law of the Land;
24
25 and the Judges in every State shall be bound thereby, any thing in the
26
27 Constitution or Laws of any State to the Contrary notwithstanding. The
28
29 judge in question is, of course, sworn by sacred oath to uphold this
30
31 Constitution.

32
33 8. Accordingly, Petitioner Pro Se calls upon the **Supreme Court** to take
34
35 appropriate disciplinary action in light of the fact that such behavior is subject
36
37 to permanent removal of the bar license and defrocking of any Federal Judge
38
39 in violation of 10) 20-1199 Loper Bright Enterprises, 15) Judges Code of
40

1 Conduct, Canons 2 and 3; [https://www.uscourts.gov/judges-](https://www.uscourts.gov/judges-judgeships/code-)

2 [judgeships/code-](#)

3

4 [conduct-united-states-judges](#), 18 U.S.C. § 1001 False Statements,

5

6 Concealment., 15) 18 U.S. Code § 1621 – Perjury, 16) 28 U.S. Code §

7 455 (b),

8

9 (1) which says, “Where he (The Judge) has a personal bias or prejudice

10 concerning a party, or personal knowledge of disputed evidentiary facts

11 concerning the proceeding;

12

13 18 U.S.C. 4 says, “Whoever, having knowledge of the actual commission of

14

15 a felony cognizable by a court of the United States, conceals and does not

16

17 as soon as possible make known the same to some judge or other person

18

19 in civil or military authority under the United States, shall be fined under this

20

21 title or imprisoned not more than three years, or both.” The crimes

22

23 described in the Complaint are future flooding in the Klamath basin with

24

25 hundreds of millions in damages yearly and exposure of human and wildlife

26

27 to deadly arsenic and Chromium 6 poisoning.

28

29

30

31 **9.** Petitioner is adding this additional request, moving the to require that all

32

33 future river reclamation projects within the purview of the 9th Circuit Court

34

35 shall comply with the intent of the Wild and Scenic Rivers Act, Section 7IA2

36

37 to preserve existing dam projects from removal, by the far less draconian

38

39 strategy of

40

- 1 a. Dredging behind the dam and heat-scrubbing silt onsite,
- 2 b. Installing or repairing fish ladders on each dam,
- 3 c. Installing Salmon Protection Device cages at the foot of the fish
- 4 ladder on the lower dam if needed to deter predatory Sea Lions,
- 5 and
- 6 d. Treating reservoirs for algae or other contaminants, if necessary
- 7 <https://www.rivers.gov/rivers/rivers/sites/rivers/files/2023-07/section-7.pdf>
- 8
- 9
- 10
- 11

12 With a favorable ruling against FERC or the Federal Court, Petitioner Pro

13
14 Se will relocate to the Klamath Basin in California and rectify the
15 environmental mess created and left unmitigated by KRRRC. Petitioner Pro

16
17
18 Se's home is

19
20 for sale at [18965 NW Illahe St, Portland, OR 97229 | Zillow, pending a](#)
21 [favorable decision.](#) Petitioner Pro Se was 11 Bravo in the Army and

22
23
24 Vietnam who knows firsthand what a war zone looks like. The devastation
25 in the Klamath Basin is akin to a war zone.

26
27
28 INDEX TO APPENDICES

29
30 APPENDIX A

31 Letter from Susan Soong 9th Circuit Court Chief executive acknowledging
32 illegal judicial bias.



SUSAN Y. SOONG
CIRCUIT EXECUTIVE

OFFICE OF THE CIRCUIT EXECUTIVE
UNITED STATES COURTS FOR THE NINTH CIRCUIT

JAMES R. BROWNING UNITED STATES COURTHOUSE
95 SEVENTH STREET
POST OFFICE BOX 193939
SAN FRANCISCO, CA 94119-3939

January 3, 2025

Dave White
18965 NW Illahe St.
Portland, OR 97229

Re: Complaint of Judicial Misconduct Nos. 25-90001, 25-90002, 25-90003

Dear Mr. White:

We have received your complaint of judicial misconduct filed pursuant to 28 U.S.C. § 351(a) against Judges Jay S. Bybee, Sidney R. Thomas and Daniel P. Collins. Docket Numbers 25-90001, 25-90002 and 25-90003, respectively, have been assigned to this matter.

We will use the address in your complaint to communicate with you. Until your complaint has been concluded, you must promptly provide written notice of any address changes to the Office of the Circuit Executive, referencing your complaint number. A change of address notification submitted in any other case or appeal is insufficient.

Pursuant to the Rules for Judicial-Conduct and Judicial-Disability Proceedings, a copy of the complaint has been forwarded to Chief Judge Mary H. Murguia and each of the named subject judges.

Very truly yours,

Susan Y. Soong
Circuit Executive

SYS/aa

1 Appendix B.
2

3 11/20/2024 11 **ORDER FILED.** (Sidney R. THOMAS, Jay S. BYBEE,
4 Daniel P. COL

5 Upon a review of the record, the response to the court's
6 October 11, conclude this appeal is frivolous. We
7 therefore deny appellant's moti Entry No. 5), see 28
8 U.S.C. § 1915(a), and dismiss this appeal as fri (court
9 shall dismiss case at any time, if court determines it is
10 frivolous entertained in this closed case. DISMISSED.
11 [Entered: 11/20/2024 0
12

13 Appendix C

10/17/2024	23	ORDER: The Motion for Default Judgment 22 is DENIED. The Court is still evaluating Plaintiff's IFP Application 2 and Amended Complaint 21 . He has not been granted leave to proceed, this action has not yet formally commenced with service, and therefore, Defendant does not yet have a duty to appear and defend. Plaintiff is reminded to heed this District's Local Rules as well as the Federal Rules of Civil Procedure prior to filing any other documents. Ordered by Judge Michael J. McShane. (cp) (Entered: 10/17/2024)
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28

29

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31

32

33

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
1)18 USC 3 accessory after the fact.	1
2) 16 USCA § 1532(19); see also Goble, D. D.; George, S. M.; Mazaika, K.;	6,8
3) The Endangered Species Act of 1973, https://www.fws.gov/laws/endangered-species-act/section-11	6,8
4) 18 U.S.C. § 1001 False Statements, Concealment.	16
5) 29 CFR § 1606.8 (1) – Harassment has the purpose or effect of creating an intimidating, hostile or offensive working environment.	2, 21
6) 33 U.S.C. §1251 et seq. (1972) Clean water act Section 404.	10, 14, 21

- 1 7) 18 U.S. Code § 1621 – Perjury. 16
2
3 8) 28 U.S. Code § 455 (b), (1) which says, “Where he (The Judge) has a
4 personal bias or prejudice concerning a party, or personal knowledge of
5 disputed evidentiary facts concerning the proceeding;” 16
6
7 9) Judges Code of Conduct Canons 2 and 3
8 [https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges)
9 [judges,](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges) 1, 13
10
11 10) 18 U.S.C. 4 says, “Whoever, having knowledge of the actual
12 commission of a felony cognizable by a court of the United States,
13 conceals and does not as soon as possible make known the same to some
14 judge or other person in civil or military authority under the United States,
15 shall be fined under this title or imprisoned not more than three years, or
16 both.” 16
17
18
19
20 11) Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002): Pagtalunan
21 was Pro Se and made numerous mistakes in filing his complaint resulting
22 in the case being dismissed. However, upon appeal, the higher Court
23 ruled that the lower Court was in error because they did not give allowance
24 for Pagtalunan’s lack of legal training. 25
25
26
27
28
29
30 12) 18 U.S. Code § 4 - Misprision of felony. 3, 12, 25
31
32
33 13) 22–451 June 28th, 2024 Federal Case number 22–451 in Loper Bright
34 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce
35 that all courts shall no longer function as administrative law courts.
36 https://www.supremecourt.gov/opinions/23pdf/22-451_7m58.pdf
37 Administrative law is illegal and ALL courts must convene as Article three
38 of the US Constitution. The Chevron doctrine is invalid. Federal and state
39 agencies can no longer cherry pick data for their false agenda. Stare

1 decisis must be vertical to the Constitution not lower or sideways. This is
2 because any other case can't be guaranteed to have enough similarities to
3 warrant use unless the Judge and each counsel have read that case
4 transcripts, exhibits and final ruling. Six to three decision. 2, 6. 10, 16 24

5
6
7
8 IN THE
9
10 SUPREME COURT OF THE UNITED STATES

11 PETITION FOR WRIT OF CERTIORARI

12 Petitioner respectfully prays that a writ of certiorari issue to review the judgment
13 below.

14
15 **OPINIONS BELOW**

16
17 For cases from federal courts:

18 The opinion of the United States court of appeals appears at
19 Appendix __ to the petition and is in Appendix B

20
21 The opinion of the United States district court appears at
22 Appendix C.
23

24 **JURISDICTION**

25
26 For cases from **federal courts**:

27 The date on which the United States Court of Appeals decided
28 my case was .

29
30 No petition for rehearing was timely filed in my case.

31
32 A timely petition for rehearing was denied by the United States
33 Court of Appeals on the following date: and a copy of the order
34 denying rehearing appears at Appendix .

35
36 An extension of time to file the petition for a writ of certiorari was

1 granted to and including _____ (date) on
2 (date) in Application No. A .

3
4 The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).
5
6

7
8 The petition for a writ of certiorari should be granted.
9

10
11 Respectfully submitted,
12
13

14 

15
16 Date: 2/11/2025
17
18

CERTIFICATE OF SERVICE

I hereby certify that on 2/11/2025, a true and correct copy of the above document was electronically filed with the Clerk of the Court using CM/ECF. A copy of the document will be served upon interested parties via the Notices of Electronic Filing that are generated by CM/ECF. Additionally, a courtesy copy is being provided as follows:

Also emailed to defendants

Chairman_Phillips_Meetings@ferc.gov;

Commissioner_Christie_Meetings@FERC.gov;

Commissioner_Rosner_Meetings@FERC.gov;
Commissioner_See_Meetings@FERC.gov;
Commissioner_Chang_Meetings@FERC.gov

Attorney for Legal Counsel for all defendants
Danielle Mechling
Attorney-Advisor
Federal Energy Regulatory Commission
Office of Enforcement, Division of Investigations
Tel: 202-502-8924
Email: danielle.mechling@ferc.gov
___ Via hand delivery
___ Via U.S. Mail, 1st Class,
Postage Prepaid
___ Via Overnight Delivery
___ Via Facsimile
XX Via Email
XX Via CM/ECF notification
to the extent registered DATED: 2/11/2025
By: David White



**IN THE
SUPREME COURT OF THE UNITED STATES
FEBRUARY 2025 TERM**

DAVID C. WHITE Petitioner Pro Se

Vs.

**Respondent 1. (R1)
Chairman Willie L. Phillips, in his
personal capacity as chairman of
Federal Energy Regulatory
Commission (FERC) Chairman_Phillips_Meetings@ferc.gov
202-502-8550**

**Respondent 2. (R2)
Commissioner Mark Christie in his
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
202-502-8110 Commissioner_Christie_Meetings@FERC.gov**

**Respondent 3 (R3)
Commissioner David Rosner in his
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
202-502-6500 Commissioner_Rosner_Meetings@FERC.gov**

**Respondent 4 (R4)
Commissioner Lindsay S. See in her
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
Commissioner_See_Meetings@FERC.gov**

**Respondent 5 (D5)
Commissioner Judy W. Chang in her
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
Commissioner_Chang_Meetings@FERC.gov**

Respondents

Danielle Mechling

**Counsel of Record
Attorney-Advisor
Federal Energy Regulatory Commission
Office of Enforcement, Division of Investigations
Tel: 202-502-8924
Email: danielle.mechling@ferc.gov**

**On Petition for a Writ of Certiorari to the United State Court
of Appeals for the Ninth Circuit Docket 24-5811**

PETITION FOR A WRIT OF CERTIORARI

**David White
18965 NW Illahe Street
Portland, Oregon 97229
503-608-7611
Dave@salmonprotectiondevice.com**

QUESTIONS PRESENTED FOR REVIEW

- Shall the U.S. participate in illegal and catastrophic, Bio-diversity programs, such as public dam removal, which were never ratified by Congress?
Please refer to any excerpt from <https://www.agenda21course.com/category/lesson-one/>, “So what is Agenda 21, also referred to as ‘Sustainable Development?’” It is emphatically NOT an environmental movement; it IS a deceptive political movement, which seeks to control the world’s economy, dictate its development, capture and redistribute its wealth on a national, state, and local level.
- Shall any hydroelectric dam be removed in the United States without the express consent of Congress? The proper solution is regular dam maintenance to include dredging behind the dam to remove contaminated silt and installing or repairing fish ladders.
- Shall U.S. Courts at all levels persist in exercising extreme bias against pro se or any litigants, contrary to Judicial Code of conduct

and Loper Bright Enterprises, especially in use of Administrative Law to nullify federal law for Summary Judgment, by dismissing a case when defense fails to make any appearance? This corrupt procedure is systemic throughout the Ninth Circuit Court System. Also <https://pacificlegal.org/post-chevron-mine-case/>

- Shall the judge who decides for such a dismissal be innocent of Misprision of felony, having reviewed the felonies admitted by failure of the defense to appear, and then doing nothing to adjudicate them?
- Shall the Circuit Court of Appeals violate its protocol for selecting a unique panel of judges for each case tried when a litigant has simultaneously presented two or more unique cases for review?
- Shall the Circuit Court of Appeals refer a PETITION FOR RECONSIDERATION OF DISPOSITIVE ORDER to the same panel of judges whose extreme bias in dismissing that very case is being challenged by pro se or any litigants?
- Shall Horizontal Stare Decisis, the doctrine of following rules or principles laid down in previous judicial decisions, apply without question to any case? Horizontal Stare Decisis is unreliable because it can never be guaranteed to apply to the instant be the exact same-case with a unique history, without studying the transcripts and exhibits of the previous case. This is like comparing Apples to Oranges; they are both fruits, but different.
- Shall any Court habitually and illegally dismiss a Complaint when Defendants are in default by the 21-day FRCP rule? By FRCP rules when a complaint is filed the defendants have 21 days to respond or risk a summary judgement against them. Amdt6.2.1 Overview of Right to a Speedy Trial (<https://www.law.cornell.edu/constitution-conan/amendment-6/overview-of-right-to-a-speedy-trial>) shows clearly the Constitution requires a speedy trial. However, Petitioner Pro Se is involved in many cases where the defendants were in default by the 21-day rule. Petitioner Pro Se then filed for a summary judgement and a Writ of Mandamus. In every case, the Judge illegally dismissed the case, proof that this illegal tactic is systemic throughout the 9th

Circuit Court.

LIST OF PARTIES [X] All parties appear in the caption of the case on the cover page.

TABLE OF CONTENTS

OPINIONS
BELOW..... 5
JURISDICTION.....6
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED8
STATEMENT OF THE CASE8
REASONS FOR GRANTING THE WRIT13
CONCLUSION.....13

OPINIONS BELOW

List of Docket entries from 24-5811

9/24/2024 1 **CASE OPENED.** A copy of your notice of appeal / petition filed in 1:2 office of the United States Court of Appeals for the Ninth Circ The U. of Appeals docket number **24-5811** has been assign the court must i this Court of Appeals docket number. Please name(s) and contact information are correct. It is your responsibility changes.
Resources Available
For more information about case processing and to assist you in pre Opening Information (for [attorneys](#) and [pro se litigants](#)) and review th consider contacting the court's [Appellate Mentoring Program](#) [Entere 09/24/2024 02:28 PM]

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10/8/2024	4	DEFECTIVE --- NOTICE that No Answering Brief Will be Filed by type, correct entry is DE 6.] [Entered: 10/08/2024 05:20 PM] [Edited:
10/8/2024	5	MOTION to Proceed In Forma Pauperis filed by Appellant David White. [PDF of motion.] [Entered: 10/08/2024 06:26 PM] [Edited: 10/09/2024
10/8/2024	6	CORRESPONDENCE filed by Appellant David White. [COURT ENT 10/09/2024 09:26 AM]
10/11/2024	7	ORDER FILED. It appears that this appeal may be frivolous. If the appellant is granted permission to proceed in forma pauperis and dismiss the appeal. See Fed. R. App. P. 42(b). If appellant must: (1) file a statement explaining why the appeal is not frivolous, or any other response other than a motion to dismiss, the appeal will be dismissed. If it is frivolous, the appeal will be dismissed. If it is not frivolous, the appeal will be stayed. If appellant does not respond to this order, the court may dismiss the appeal. The clerk will serve on appellant: (1) a form motion to voluntarily dismiss the appeal should go forward. [Entered: 10/11/2024 01:42 PM]
10/15/2024	8	RESPONSE to Order - General OSC (DE 7) filed by Appellant David
10/17/2024	9	OPENING BRIEF submitted for filing by Appellant David White. [Ent
10/18/2024	10	CLERK ACTION: Opening Brief submitted at DE 9 by Appellant Dave White [Entered: 10/18/2024 03:04 PM]
11/20/2024	11	ORDER FILED. (Sidney R. THOMAS, Jay S. BYBEE, Daniel P. COLTON) Upon a review of the record, the response to the court's October 11, 2024 Order (Entry No. 5), see 28 U.S.C. § 1915(a), and dismiss this appeal as frivolous. (court shall dismiss case at any time, if court determines it is frivolous) entertained in this closed case. DISMISSED. [Entered: 11/20/2024 0
12/3/2024	12	MOTION to Reconsider Dispositive Order filed by

5 The Appellees abandoned these case issues by no response
6
7 to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.
8

9 JURISDICTION

10
11 Basis for Jurisdiction is a federal environmental question. An
12
13 environmental disaster in the Klamath Basin has resulted from KRRRC's
14
15 willful destruction of the environment in violation of known stipulations and
16
17 restrictions of the FERC license. These are in clear violation of the Federal
18
19 Clean Air and Federal Clean Water Acts of the U.S. Congress. Also
20
21 includes violations of wanton killing of fish, including endangered Salmon
22
23 without permits.

24
25 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
26
27 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
28
29 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
30
31 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
32
33 16.

34
35 This Court has jurisdiction, over the subject matter of this complaint,
36
37 because the illegal and unlawful actions of KRRRC are violating Federal
38
39 Law, to include (Wild and Scenic Rivers Act, PL 90-542), (Clean Water
40

1 Act), and (Commerce Clause of the U.S. Constitution). The Defendants are
2
3 complicit in these statute violations by negligently providing KRRRC with its
4
5 license.

6
7 Additionally, This Court has jurisdiction, over the subject matter of this
8
9 complaint, because the massive environmental damage in the Klamath
10
11 River basin is most proximate to the ninth circuit court which so blatantly
12
13 dismissed three cases without any legal standing to do so.

14
15 Petitioner Pro Se presents this Complaint respectfully, requesting this Court
16
17 To convene this case as an article III, of the U.S. Constitution Court case,
18
19 Per the recent U.S. Supreme Court ruling in 13) 2024 Loper Bright
20
21 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce
22
23 above. Article III, Section 2 of the U. S. Constitution stipulates “The Judicial
24
25 Power shall extend to all cases in law and equity, arising under this
26
27 constitution, the laws of the United States and Treaties, which will be made
28
29 under the Authority;

30
31 - to all cases affecting ambassadors, other public Ministers and
32
33 Counsels, to controversies to which the United States shall be a party;
34
35 - to controversies between two or more states, ... between citizens of
36
37 different states, between a state or the citizens thereof.

38
39 First Page, second paragraph, Held: The Administrative Procedure Act
40

1 requires courts to exercise their independent judgment in deciding whether
2 an agency has acted within its statutory authority, and courts may not defer
3 to an agency interpretation of the law simply because a statute is
4 ambiguous; Chevron is overruled. Pp. 7–35.

5
6
7
8
9 (<https://www.foleyhoag.com/news-and-insights/publications/alerts-and-updates/2024/july/chevrons-demise-and-what-it-means-for-healthcare-and-life-sciences-companies/>).

10
11
12
13 Therefore, agencies like the Federal Energy Regulatory Commission
14 (FERC) are no longer permitted to cherry pick data to match their
15 administrative agenda. For example, about 80% of Klamath Basin
16 residents were strongly opposed to the Klamath dams being removed,
17 a well-documented fact which the FERC agency simply ignored.

21 VENUE

22
23
24
25 Venue is proper in this Court because the location of the Ninth Circuit
26 Court is in the same geographical location as the Illegal act's that are NOW
27 taking place. The Court's location is close to the environmental damage
28 incurred and ongoing, allowing for easy visual inspection.

29
30
31
32
33 The Klamath River's rights to a wild and scenic condition is actively being
34 violated by KRRRC, the defendant's licensee, and therefore the Public
35 (Petitioner Pro Se and Class action members) have a legal right to speak
36 on behalf of the Klamath River. In addition, the public's right to enjoyment
37
38
39
40

1 of that condition as mandated by Congress has forever been taken away.

2
3 Therefore, Petitioner Pro Se have standing. Additionally, this is a class
4
5 action complaint with class action members residing in the Klamath Basin
6
7 which extends from Klamath Falls Oregon to Yreka California.

8
9 **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

10
11 These are in clear violation of the Federal Clean Air and Federal Clean
12
13 Water Acts of the U.S. Congress. Also, violations of wanton killing fish
14
15 including endangered Salmon without permits.

16
17 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
18
19 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
20
21 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
22
23 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
24
25 16.

26
27 **STATEMENT OF THE CASE**

28
29 Petitioner Pro Se is part of a team of 3 professionals, all volunteering, pro
30
31 bono. One is a 40-year retired, Federal Attorney, expert in the application
32
33 of Federal and Case law, environmental law in particular. Another is an
34
35 investigative journalist, providing legal research and serving as Legal Editor
36
37 for all Court Documents.

38
39 This team has three docket cases before the Ninth Circuit Court to correct

1
2 illegal administrative law rulings and potentially discipline four federal
3
4 judges who made arbitrary rulings contrary to Federal law.
5 Prior to filing a claim against the Federal Energy Regulatory
6
7 Commissioners, Petitioner Pro Se filed in FERC to have a hearing and
8
9 present their legal violations in their process of providing a license to
10
11 KRRRC. However FERC has not provided a hearing and its been six
12
13 months.

14
15 After waiting 1 month for a response, on August 8th, 2024, Petitioner Pro Se
16
17 filed a Complaint against the Federal Energy Regulatory Commissioners
18
19 (FERC), which had unlawfully issued Klamath River Renewal Corporation
20
21 (KRRRC) a license to remove four of the dams on the lower Klamath River.

22
23
24 This license was accomplished by cherry picking data as part of a scheme
25
26 to overrule Federal environmental law which guarantees preservation of the
27
28 dams. As evidence of KRRRC lawbreaking, Appellant found more than nine
29
30 violations of environmental law in the FERC licensing document. Trial
31
32 Court Judge in the case 1:24-CV-1301-MC then manipulated or ignored
33
34 this lawful evidence to claim that Petitioner Pro Se was suing FERC in
35
36 conjunction with KRRRC, resulting in Petitioner Pro Se's loss. Petitioner Pro
37

1 Se was simply referring to FERC documentation as evidence. Debunking
2
3 the [2018 FERC document](#) so the Supreme Court can make it invalid.

4
5 The Defendants were in Default by failing to respond to the Complaint.

6
7 This, even though Appellant called and emailed them and also submitted
8
9 the Complaint and Memorandum of Points Pleading, which shows FERC
10
11 violated their own rules and federal law by illegal cherry-picking data. This
12
13 document was previously uploaded to Appeals Court docket.

14
15 About 80% of local stakeholders didn't want the dams removed.

16
17 FERC blatantly ignored overwhelming objections of local stakeholder's in
18
19 polling and sworn testimony against removal of the dams in both Klickitat
20
21 County, California and Klamath County, Oregon. One doctor stands out,
22
23 who testified that his wife died due to the Chromium 6 poisoning and he
24
25 has a steady flow of patients likewise suffering the same symptoms. See
26
27 the 2009 to 2011 Chemistry test on silt behind each dam is high
28
29 contaminated with Chromium 6 and Arsenic.

30
31 [https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-Evaluation-of-Contaminants-in-Sediments.pdf)
32 [Evaluation-of-Contaminants-in-Sediments.pdf](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-Evaluation-of-Contaminants-in-Sediments.pdf)

33
34 This is illegal by the clean water act and KRRC's section 404 permit.

35
36 This is also illegal by the U.S. Supreme Court Ruling 12) in Case 22-451
37

1 Loper Bright, June 28, 2024.

2
3 The Loper Bright decision has two components:

- 4
- 5 1. All courts from the U.S. Supreme Court to the lowest city traffic court
 - 6 must convene as courts under Article III, Section 2 of the United
 - 7 States Constitution, and
 - 8 2. Federal entities may no longer cherry pick data to promote a
 - 9 preferred agenda, in this case the ill-informed demands for dam
 - 10 removal of upstream stakeholders to the extreme detriment of all
 - 11 others.

12 Lower Court refusal to abide by the letter and spirit of this Ruling at every
13 level lies at the heart of this Petition. Prior to this egregious act of public
14 vandalism, Petitioner Pro Se likewise issued strong objections from the
15 perspective of his training and lifetime experience as a Chemical Engineer,
16 including partial completion of a doctorate in the field. Appellant (Petitioner
17 Pro Se) explained
18 repeatedly that a far less draconian and less expensive option – one that
19 would not defy federal law -- was to:
20
21
22
23
24
25
26

- 27 1. dredge accumulated silt behind the dams,
- 28 2. heat scrub out deadly chemicals onsite, such as Arsenic and
- 29 Chromium 6,
- 30 3. then repair or install fish ladders.
- 31
- 32

33 This would allow for gradual drainage and cleansing of any water quality
34 issues above the dam. Salmon Protection Devices (stainless steel cages)
35 might also be installed to prevent sea lions from gorging on fish at the base
36
37

1
2 of the most downstream fish ladders. These scientific recommendations
3
4 were ignored, thus destroying the invaluable utility of the dams for flood
5
6 control, hydroelectricity, irrigation, recreation, fire-fighting, and more. The
7
8 tragic California wildfires burning out of control were the immediate result of
9
10 this unforgiveable vandalism of fully-capitalized public property.

11 Klamath River Renewal Corp malfeasance is transferred to FERC
12
13 defendants by 1)18 USC 3 accessory after the fact.

14
15 Appellant (Petitioner Pro Se) filed Case 3:24-cv-00755-JR in federal court
16
17 as an environmental suit against Defendants' Klamath River Renewal Corp
18
19 (KRRC) and RES, who confessed in a press conference to killing over
20
21 2000 fish including endangered salmon and a herd of elk without permits.
22

23
24 Petitioner Pro Se's request for an emergency injunction to temporarily stop
25
26 work was denied by Defendants' deceitful manipulation of Administrative
27
28 Law to delay any Court action to stop the crime in progress by injunction.

29
30 But this should not excuse the lower court's pusillanimous inaction in the
31
32 face of cries for justice and relief from the harm being inflicted before their
33
34 very eyes. This is, in effect, Misprision of Felony.

35
36 Here is an email from a local stakeholder as one small example of the
37
38 human damage inflicted by this egregious action. Not to mention the
39

1 environmental calamity that remains unmitigated due to a massive release
2
3 of poisoned flood water in January, 2024. This is an Exxon-Valdez level of
4
5 environmental havoc papered over by defendants planting grass on
6
7 contaminated riverbanks. It killed all aquatic life for 120 River Miles
8
9 between the Iron Gate Dam and Pacific Ocean, and still poses a lethal
10
11 threat to unsuspecting human and wildlife in the area.
12

13 From: Rick Dowdy <rhadowdy@gmail.com>
14 Sent: Monday, September 16, 2024 9:47 AM
15 To: dave@salmonprotectiondevice.com
16 <dave@salmonprotectiondevice.com>
17 Subject: Dam removal
18

19 Hi, my name is Rick Dowdy. I live at Copco where they have removed our
20 Dam. Our community well went dry 2 days after they released the water
21 from our lake. They gave us a 5,000-gallon tank for 10 houses. They
22 currently fill it weekly. I have heard KRRC will be finished at the end of
23 October. I am concerned they are going to leave us high and dry without a
24 permanent well. I also have damage to my home from their blasting on the
25 dam. To find another home to retire at would cost me at least 1 million
26 dollars. The poisons left from dam removal could be life threatening. Thank
27 you for going for justice. From Rick Dowdy.
28

29 30 REASONS FOR GRANTING THE WRIT

31
32 The Federal Court illegally dismissed this case when defendants (FERC
33
34 Commissioners) were in default. Thus, the appeal was filed. But then three
35
36 9th Circuit Court Justices illegally dismissed the appeal because they
37
38 naively accepted the illegal dismissal of the Federal Court. The Federal
39
40 Court judge has a Complaint filed against him in the 9th Circuit Court of

1
2 Appeals for illegal judicial bias, violations of Judicial Code of Conduct and
3
4 illegal abuse of administrative law. Likewise, the three Appeals Court
5
6 Justices have similar Complaints and dockets filed. See Appendix A. The
7
8 Appellees abandoned these case issues by no response
9
10 to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.

11
12 Therefore, many reasons have been given got granting this writ.

13
14
15 **CONCLUSION**

16
17 Petitioner Pro Se respectfully requests the following rulings or remand of this
18
19 case back to the 9th Circuit, ~~and order~~ ordering them to impanel three different
20
21 justices and instructing them to refrain from illegal judicial bias, violation of
22
23 Judicial Code of Conduct, and illegal abuse of Administrative Law. Appendix A
24
25 is a letter from Susan Soong 9th Circuit Court Chief executive acknowledging
26
27 illegal judicial bias. The Appellees abandoned these case issues by no
28
29 response to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.

30
31
32 **PRAYER FOR RELIEF**

- 33
34 1. Petitioner Pro Se hereby respectfully requests the Supreme Court to
35
36 issue a Writ of Mandamus that Defendants charge Petitioner Pro Se's
37
38 team with the task of restoring the Klamath River back to its Original

1
2 Wild and Scenic condition with dams and fish ladders as mandated
3
4 by Congress. Also to pay ten million dollars to Salmon Protection
5
6 Device Inc. These funds will start the cleanup of the environmental
7
8 damage in the Klamath Basin. The Respondents abandoned these
9
10 case issues by no response to any pleading in Docket 24-5811 and
11
12 Case 1:24CV-1301-MC.

13
14
15 2. Grant Injunctive Relief to halt all further deconstruction and grant
16
17 Summary Judgment because Defendants' licensee, KRRC continues
18
19 to ignore the actions they are legally required to perform by FERC
20
21 and the Army Corp of Engineers, under the Federal Clean Water Act,
22
23 Section 404. KRRC has made public confession of these crimes and
24
25 has nonetheless proceeded with their nefarious, criminal activity. The
26
27 gravity of this case requires a court order that commands a
28
29 government official or entity to perform an act it is legally required to
30
31 perform as part of its official duties, or refrain from performing an act
32
33 the law forbids. The Respondents abandoned these
34
35 case issues by no response to any pleading in Docket 24-5811 and
36
37 Case 1:24CV-1301-MC.

1
2 3. Petitioner Pro Se hereby respectfully requests the Supreme Court to
3
4 order Defendants to immediately remove KRRC's license and
5
6 transfer all remaining control and money to Salmon Protection Device
7
8 non-profit. The Respondents abandoned these
9
10 case issues by no response to any pleading in Docket 24-5811 and
11
12 Case 1:24CV-1301-MC.
13

14 Salmonprotectiondevice.com has a team of engineers and scientists
15
16 who know how to mitigate the contaminated silt and install fish
17
18 ladders on rebuilt Iron Gate and JC Boyle Dams.
19

20 4. Petitioner Pro Se respectfully requests the Supreme Court to
21
22 vacate the 3:24-cv-00755-JR final dismissal on 7/26/2024. This
23
24 Federal Court dismissal was based on KRRC legal counsel's
25
26 concocted ECF's and manipulation of case law and Federal Law.
27
28 Petitioner Pro Se has already warned defendants that if they continue
29
30 to repeat these perjuries he will ask for full adjudication to the FBI for
31
32 prosecution to the full extent of the law. The Respondents abandoned
33
34 these case issues by no response to any pleading in Docket 24-5811
35
36 and Case 1:24CV-1301-MC.
37

1 5. Petitioner Pro Se respectfully requests the Supreme Court to
2
3 acknowledge standing based on Federal Environmental laws broken
4
5 with associated 7 Environmental Values denied to Petitioner Pro Se,
6
7 Class Action members, and the River itself. Likewise, standing based
8
9 on harms inflicted on Petitioner Pro Se resulting in preparations taken
10
11 to move out of state to ~~California~~ due to harms inflicted by KRRC's
12
13 malfeasance.

14
15 6. Petitioner Pro Se hereby respectfully requests the Supreme Court to
16
17 provide relief, and take judicial notice of the lethal environmental
18
19 consequences of KRRC's actions, which require immediate
20
21 mitigation. Rule Salmon Protection Device remediation team to the
22
23 task of project mitigation immediately, to avoid further lethal
24
25 environmental consequences from KRRC's gross negligence. This is
26
27 much worse than the Exxon-Valdez oil spill because KRRC's actions
28
29 devastated all aquatic life for 120 River Miles (RM) west of the Iron
30
31 Gate Dam and destroyed vital estuaries. EPA has been notified and
32
33 is likely to declare this a Super-Fund Cleanup site.

34
35 This designation needs to specify that no person shall go near the
36
37 Klamath River without wearing a gas mask until the Salmon Protection

1 Device team removes and scrubs the contaminated silt on the
2
3 river banks. Every day that goes by without an injunction is a threat to
4
5 the lives of local residents and wildlife. This amounts to failure to
6
7 impede a crime in process. How is this not akin to “Misprision of a
8
9 Felony?”

10
11 The active agents in the crime must provide funds for replacement of
12
13 the J.C. Boyle and Iron Gate Dams. The Kiewit Corporation knowingly
14
15 participated as accomplice in commission of this unconscionable crime
16
17 against the environment, in spite of warnings. They proceeded with full
18
19 knowledge and warning of the environmental laws that they were
20
21 violating with impunity. This too-big-to-fail attitude must not go
22
23 unrequited.

24
25 Petitioner requests a Writ of Mandamus and a Summary Judgment in
26
27 Petitioner’s favor because Defendants are clearly biased against
28
29 Federal Environmental law, not doing what they are legally required to
30
31 do, especially scrubbing the silt and installing fences to protect the many
32
33 elk that have perished in what amounts to quick-sand.

34
35 Petitioner respectfully requests the Supreme Court to award any other
36
37 cost to the Petitioner Pro Se as the Court sees fit.

38
39 7. Petitioner hereby respectfully requests that the 9th Circuit Appeals Court
40

1 be required to issue an official notification to all courts in its jurisdiction,
2
3 ordering them that Administrative Law shall no longer take precedence
4
5 over Article III, Section 2 of the U.S. Constitution, or standing case law and
6
7 statute law made in pursuance thereof (U.S. Supreme Court, Loper Case
8
9 22-451). Case 21DR02783, Marriage Dissolution, and the current Case
10
11 might be used as prime examples of such abuse and violations of the
12
13 Judicial Code of Conduct.

14
15 Although not part of the Loper Decision, Article VI, Section 2 of the U.S.
16
17 Constitution also strongly reinforces this principle in stating that: “This
18
19 Constitution, and the Laws of the United States which shall be made in
20
21 Pursuance thereof; and all Treaties made, or which shall be made, under
22
23 the Authority of the United States, shall be the supreme Law of the Land;
24
25 and the Judges in every State shall be bound thereby, any thing in the
26
27 Constitution or Laws of any State to the Contrary notwithstanding. The
28
29 judge in question is, of course, sworn by sacred oath to uphold this
30
31 Constitution.

32
33 8. Accordingly, Petitioner Pro Se calls upon the **Supreme Court** to take
34
35 appropriate disciplinary action in light of the fact that such behavior is subject
36
37 to permanent removal of the bar license and defrocking of any Federal Judge
38
39 in violation of 10) 20-1199 Loper Bright Enterprises, 15) Judges Code of
40

1 Conduct, Canons 2 and 3; [https://www.uscourts.gov/judges-](https://www.uscourts.gov/judges-judgeships/code-)
2 [judgeships/code-](https://www.uscourts.gov/judges-judgeships/code-)

3
4 [conduct-united-states-judges](https://www.uscourts.gov/judges-judgeships/code-), 18 U.S.C. § 1001 False Statements,

5
6 Concealment., 15) 18 U.S. Code § 1621 – Perjury, 16) 28 U.S. Code §
7 455 (b),

8
9 (1) which says, “Where he (The Judge) has a personal bias or prejudice
10 concerning a party, or personal knowledge of disputed evidentiary facts
11 concerning the proceeding;
12

13
14 18 U.S.C. 4 says, “Whoever, having knowledge of the actual commission of
15 a felony cognizable by a court of the United States, conceals and does not
16 as soon as possible make known the same to some judge or other person
17 in civil or military authority under the United States, shall be fined under this
18 title or imprisoned not more than three years, or both.” The crimes
19 described in the Complaint are future flooding in the Klamath basin with
20 hundreds of millions in damages yearly and exposure of human and wildlife
21 to deadly arsenic and Chromium 6 poisoning.
22

23
24
25
26
27
28
29
30
31 **9.** Petitioner is adding this additional request, moving the to require that all
32 future river reclamation projects within the purview of the 9th Circuit Court
33 shall comply with the intent of the Wild and Scenic Rivers Act, Section 7IA2
34 to preserve existing dam projects from removal, by the far less draconian
35 strategy of
36
37
38
39
40

- 1 a. Dredging behind the dam and heat-scrubbing silt onsite,
- 2 b. Installing or repairing fish ladders on each dam,
- 3 c. Installing Salmon Protection Device cages at the foot of the fish
- 4 ladder on the lower dam if needed to deter predatory Sea Lions,
- 5 and
- 6 d. Treating reservoirs for algae or other contaminants, if necessary
- 7 <https://www.rivers.gov/rivers/rivers/sites/rivers/files/2023-07/section-7.pdf>

8
9
10
11
12 With a favorable ruling against FERC or the Federal Court, Petitioner Pro

13
14
15 Se will relocate to the Klamath Basin in California and rectify the

16
17 environmental mess created and left unmitigated by KRRRC. Petitioner Pro

18
19 Se's home is

20
21 for sale at [18965 NW Illahe St, Portland, OR 97229 | Zillow, pending a](#)

22 [favorable decision.](#) Petitioner Pro Se was 11 Bravo in the Army and

23
24 Vietnam who knows firsthand what a war zone looks like. The devastation

25
26 in the Klamath Basin is akin to a war zone.

27
28 INDEX TO APPENDICES

29
30 APPENDIX A

31 Letter from Susan Soong 9th Circuit Court Chief executive acknowledging

32 illegal judicial bias.



SUSAN Y. SOONG
CIRCUIT EXECUTIVE

OFFICE OF THE CIRCUIT EXECUTIVE
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January 3, 2025

Dave White
18965 NW Illahe St.
Portland, OR 97229

Re: Complaint of Judicial Misconduct Nos. 25-90001, 25-90002, 25-90003

Dear Mr. White:

We have received your complaint of judicial misconduct filed pursuant to 28 U.S.C. § 351(a) against Judges Jay S. Bybee, Sidney R. Thomas and Daniel P. Collins. Docket Numbers 25-90001, 25-90002 and 25-90003, respectively, have been assigned to this matter.

We will use the address in your complaint to communicate with you. Until your complaint has been concluded, you must promptly provide written notice of any address changes to the Office of the Circuit Executive, referencing your complaint number. A change of address notification submitted in any other case or appeal is insufficient.

Pursuant to the Rules for Judicial-Conduct and Judicial-Disability Proceedings, a copy of the complaint has been forwarded to Chief Judge Mary H. Murguia and each of the named subject judges.

Very truly yours,

Susan Y. Soong
Circuit Executive

SYS/aa

1 Appendix B.
2

3 11/20/2024 11 **ORDER FILED.** (Sidney R. THOMAS, Jay S. BYBEE,
4 Daniel P. COL

5 Upon a review of the record, the response to the court's
6 October 11, conclude this appeal is frivolous. We
7 therefore deny appellant's moti Entry No. 5), see 28
8 U.S.C. § 1915(a), and dismiss this appeal as fri (court
9 shall dismiss case at any time, if court determines it is
10 frivolous entertained in this closed case. DISMISSED.
11 [Entered: 11/20/2024 0
12

13 Appendix C

10/17/2024	23	ORDER: The Motion for Default Judgment 22 is DENIED. The Court is still evaluating Plaintiff's IFP Application 2 and Amended Complaint 21 . He has not been granted leave to proceed, this action has not yet formally commenced with service, and therefore, Defendant does not yet have a duty to appear and defend. Plaintiff is reminded to heed this District's Local Rules as well as the Federal Rules of Civil Procedure prior to filing any other documents. Ordered by Judge Michael J. McShane. (cp) (Entered: 10/17/2024)
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16

17

TABLE OF AUTHORITIES CITED

18

CASES

PAGE NUMBER

19

20

1)18 USC 3 accessory after the fact. 1

21

22

2) 16 USCA § 1532(19); see also Goble, 6,8
D. D.; George, S. M.; Mazaika, K.;

23

24

25

3) The Endangered Species Act of 1973,
<https://www.fws.gov/laws/endangered-species-act/section-11> 6,8

26

27

28

4) 18 U.S.C. § 1001 False Statements, Concealment. 16

29

30

5) 29 CFR § 1606.8 (1) – Harassment has the purpose or effect of creating
an intimidating, hostile or offensive working environment. 2, 21

31

32

33

6) 33 U.S.C. §1251 et seq. (1972) Clean water act Section 404. 10, 14, 21

- 1 7) 18 U.S. Code § 1621 – Perjury. 16
2
3 8) 28 U.S. Code § 455 (b), (1) which says, “Where he (The Judge) has a
4 personal bias or prejudice concerning a party, or personal knowledge of
5 disputed evidentiary facts concerning the proceeding;” 16
6
7 9) Judges Code of Conduct Canons 2 and 3
8 [https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges)
9 [judges,](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges) 1, 13
10
11 10) 18 U.S.C. 4 says, “Whoever, having knowledge of the actual
12 commission of a felony cognizable by a court of the United States,
13 conceals and does not as soon as possible make known the same to some
14 judge or other person in civil or military authority under the United States,
15 shall be fined under this title or imprisoned not more than three years, or
16 both.” 16
17
18
19
20 11) Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002): Pagtalunan
21 was Pro Se and made numerous mistakes in filing his complaint resulting
22 in the case being dismissed. However, upon appeal, the higher Court
23 ruled that the lower Court was in error because they did not give allowance
24 for Pagtalunan’s lack of legal training. 25
25
26
27
28
29
30 12) 18 U.S. Code § 4 - Misprision of felony. 3, 12, 25
31
32
33 13) 22–451 June 28th, 2024 Federal Case number 22–451 in Loper Bright
34 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce
35 that all courts shall no longer function as administrative law courts.
36 https://www.supremecourt.gov/opinions/23pdf/22-451_7m58.pdf
37 Administrative law is illegal and ALL courts must convene as Article three
38 of the US Constitution. The Chevron doctrine is invalid. Federal and state
39 agencies can no longer cherry pick data for their false agenda. Stare

1 decisis must be vertical to the Constitution not lower or sideways. This is
2 because any other case can't be guaranteed to have enough similarities to
3 warrant use unless the Judge and each counsel have read that case
4 transcripts, exhibits and final ruling. Six to three decision. 2, 6. 10, 16 24
5
6
7

8 IN THE
9
10 SUPREME COURT OF THE UNITED STATES

11 PETITION FOR WRIT OF CERTIORARI

12 Petitioner respectfully prays that a writ of certiorari issue to review the judgment
13 below.

14
15 **OPINIONS BELOW**

16
17 For cases from federal courts:

18 The opinion of the United States court of appeals appears at
19 Appendix __ to the petition and is in Appendix B

20
21 The opinion of the United States district court appears at
22 Appendix C.
23

24 **JURISDICTION**

25
26 For cases from **federal courts**:

27 The date on which the United States Court of Appeals decided
28 my case was .

29
30 No petition for rehearing was timely filed in my case.

31
32 A timely petition for rehearing was denied by the United States
33 Court of Appeals on the following date: and a copy of the order
34 denying rehearing appears at Appendix .

35
36 An extension of time to file the petition for a writ of certiorari was

1 granted to and including _____ (date) on
2 (date) in Application No. A .
3

4 The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).
5
6
7

8 The petition for a writ of certiorari should be granted.
9

10
11 Respectfully submitted,
12
13

14 
15
16

17 Date: 2/11/2025
18

CERTIFICATE OF SERVICE

I hereby certify that on 2/11/2025, a true and correct copy of the above document was electronically filed with the Clerk of the Court using CM/ECF. A copy of the document will be served upon interested parties via the Notices of Electronic Filing that are generated by CM/ECF. Additionally, a courtesy copy is being provided as follows:

Also emailed to defendants

Chairman_Phillips_Meetings@ferc.gov;

Commissioner_Christie_Meetings@FERC.gov;

Commissioner_Rosner_Meetings@FERC.gov;
Commissioner_See_Meetings@FERC.gov;
Commissioner_Chang_Meetings@FERC.gov

Attorney for Legal Counsel for all defendants
Danielle Mechling
Attorney-Advisor
Federal Energy Regulatory Commission
Office of Enforcement, Division of Investigations
Tel: 202-502-8924
Email: danielle.mechling@ferc.gov
___ Via hand delivery
___ Via U.S. Mail, 1st Class,
Postage Prepaid
___ Via Overnight Delivery
___ Via Facsimile
XX Via Email
XX Via CM/ECF notification
to the extent registered DATED: 2/11/2025
By: David White



**IN THE
SUPREME COURT OF THE UNITED STATES
FEBRUARY 2025 TERM**

DAVID C. WHITE Petitioner Pro Se

Vs.

**Respondent 1. (R1)
Chairman Willie L. Phillips, in his
personal capacity as chairman of
Federal Energy Regulatory
Commission (FERC) Chairman_Phillips_Meetings@ferc.gov
202-502-8550**

**Respondent 2. (R2)
Commissioner Mark Christie in his
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
202-502-8110 Commissioner_Christie_Meetings@FERC.gov**

**Respondent 3 (R3)
Commissioner David Rosner in his
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
202-502-6500 Commissioner_Rosner_Meetings@FERC.gov**

**Respondent 4 (R4)
Commissioner Lindsay S. See in her
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
Commissioner_See_Meetings@FERC.gov**

**Respondent 5 (D5)
Commissioner Judy W. Chang in her
Personal capacity as Commissioner of
Federal Energy Regulatory Commission (FERC)
Commissioner_Chang_Meetings@FERC.gov**

Respondents

Danielle Mechling

**Counsel of Record
Attorney-Advisor
Federal Energy Regulatory Commission
Office of Enforcement, Division of Investigations
Tel: 202-502-8924
Email: danielle.mechling@ferc.gov**

**On Petition for a Writ of Certiorari to the United State Court
of Appeals for the Ninth Circuit Docket 24-5811**

PETITION FOR A WRIT OF CERTIORARI

**David White
18965 NW Illahe Street
Portland, Oregon 97229
503-608-7611
Dave@salmonprotectiondevice.com**

QUESTIONS PRESENTED FOR REVIEW

- Shall the U.S. participate in illegal and catastrophic, Bio-diversity programs, such as public dam removal, which were never ratified by Congress?
Please refer to any excerpt from <https://www.agenda21course.com/category/lesson-one/>, “So what is Agenda 21, also referred to as ‘Sustainable Development?’” It is emphatically NOT an environmental movement; it IS a deceptive political movement, which seeks to control the world’s economy, dictate its development, capture and redistribute its wealth on a national, state, and local level.
- Shall any hydroelectric dam be removed in the United States without the express consent of Congress? The proper solution is regular dam maintenance to include dredging behind the dam to remove contaminated silt and installing or repairing fish ladders.
- Shall U.S. Courts at all levels persist in exercising extreme bias against pro se or any litigants, contrary to Judicial Code of conduct

and Loper Bright Enterprises, especially in use of Administrative Law to nullify federal law for Summary Judgment, by dismissing a case when defense fails to make any appearance? This corrupt procedure is systemic throughout the Ninth Circuit Court System. Also <https://pacificlegal.org/post-chevron-mine-case/>

- Shall the judge who decides for such a dismissal be innocent of Misprision of felony, having reviewed the felonies admitted by failure of the defense to appear, and then doing nothing to adjudicate them?
- Shall the Circuit Court of Appeals violate its protocol for selecting a unique panel of judges for each case tried when a litigant has simultaneously presented two or more unique cases for review?
- Shall the Circuit Court of Appeals refer a PETITION FOR RECONSIDERATION OF DISPOSITIVE ORDER to the same panel of judges whose extreme bias in dismissing that very case is being challenged by pro se or any litigants?
- Shall Horizontal Stare Decisis, the doctrine of following rules or principles laid down in previous judicial decisions, apply without question to any case? Horizontal Stare Decisis is unreliable because it can never be guaranteed to apply to the instant be the exact same-case with a unique history, without studying the transcripts and exhibits of the previous case. This is like comparing Apples to Oranges; they are both fruits, but different.
- Shall any Court habitually and illegally dismiss a Complaint when Defendants are in default by the 21-day FRCP rule? By FRCP rules when a complaint is filed the defendants have 21 days to respond or risk a summary judgement against them. Amdt6.2.1 Overview of Right to a Speedy Trial (<https://www.law.cornell.edu/constitution-conan/amendment-6/overview-of-right-to-a-speedy-trial>) shows clearly the Constitution requires a speedy trial. However, Petitioner Pro Se is involved in many cases where the defendants were in default by the 21-day rule. Petitioner Pro Se then filed for a summary judgement and a Writ of Mandamus. In every case, the Judge illegally dismissed the case, proof that this illegal tactic is systemic throughout the 9th

Circuit Court.

LIST OF PARTIES [X] All parties appear in the caption of the case on the cover page.

TABLE OF CONTENTS

OPINIONS
BELOW..... 5
JURISDICTION.....6
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED8
STATEMENT OF THE CASE8
REASONS FOR GRANTING THE WRIT13
CONCLUSION.....13

OPINIONS BELOW

List of Docket entries from 24-5811

9/24/2024 1 **CASE OPENED.** A copy of your notice of appeal / petition filed in 1:2 office of the United States Court of Appeals for the Ninth Circ The U. of Appeals docket number **24-5811** has been assign the court must i this Court of Appeals docket number. Please name(s) and contact information are correct. It is your responsibility changes.
Resources Available
For more information about case processing and to assist you in pre Opening Information (for [attorneys](#) and [pro se litigants](#)) and review th consider contacting the court's [Appellate Mentoring Program](#) [Entere 09/24/2024 02:28 PM]

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10/8/2024	4	DEFECTIVE --- NOTICE that No Answering Brief Will be Filed by type, correct entry is DE 6.] [Entered: 10/08/2024 05:20 PM] [Edited:
10/8/2024	5	MOTION to Proceed In Forma Pauperis filed by Appellant David White. [PDF of motion.] [Entered: 10/08/2024 06:26 PM] [Edited: 10/09/2024
10/8/2024	6	CORRESPONDENCE filed by Appellant David White. [COURT ENT 10/09/2024 09:26 AM]
10/11/2024	7	ORDER FILED. It appears that this appeal may be frivolous. If the appellant is granted permission to proceed in forma pauperis and dismiss the appeal. See Fed. R. App. P. 42(b). If appellant must: (1) file a statement explaining why the appeal is not frivolous, or any other response other than a motion to dismiss, the appeal will be dismissed. If it is frivolous, the appeal will be dismissed. If it is not frivolous, the appeal will be stayed. If appellant does not respond to this order, the court may dismiss the appeal. The clerk will serve on appellant: (1) a form motion to voluntarily dismiss the appeal should go forward. [Entered: 10/11/2024 01:42 PM]
10/15/2024	8	RESPONSE to Order - General OSC (DE 7) filed by Appellant David
10/17/2024	9	OPENING BRIEF submitted for filing by Appellant David White. [Ent
10/18/2024	10	CLERK ACTION: Opening Brief submitted at DE 9 by Appellant Dave White [Entered: 10/18/2024 03:04 PM]
11/20/2024	11	ORDER FILED. (Sidney R. THOMAS, Jay S. BYBEE, Daniel P. COLSON) Upon a review of the record, the response to the court's October 11, 2024 order (Entry No. 5), see 28 U.S.C. § 1915(a), and dismiss this appeal as frivolous. (court shall dismiss case at any time, if court determines it is frivolous) entertained in this closed case. DISMISSED. [Entered: 11/20/2024 0
12/3/2024	12	MOTION to Reconsider Dispositive Order filed by

5 The Appellees abandoned these case issues by no response
6
7 to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.
8

9 JURISDICTION

10
11 Basis for Jurisdiction is a federal environmental question. An
12
13 environmental disaster in the Klamath Basin has resulted from KRRRC's
14
15 willful destruction of the environment in violation of known stipulations and
16
17 restrictions of the FERC license. These are in clear violation of the Federal
18
19 Clean Air and Federal Clean Water Acts of the U.S. Congress. Also
20
21 includes violations of wanton killing of fish, including endangered Salmon
22
23 without permits.

24
25 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
26
27 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
28
29 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
30
31 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
32
33 16.

34
35 This Court has jurisdiction, over the subject matter of this complaint,
36
37 because the illegal and unlawful actions of KRRRC are violating Federal
38
39 Law, to include (Wild and Scenic Rivers Act, PL 90-542), (Clean Water
40

1 Act), and (Commerce Clause of the U.S. Constitution). The Defendants are
2
3 complicit in these statute violations by negligently providing KRRRC with its
4
5 license.

6
7 Additionally, This Court has jurisdiction, over the subject matter of this
8
9 complaint, because the massive environmental damage in the Klamath
10
11 River basin is most proximate to the ninth circuit court which so blatantly
12
13 dismissed three cases without any legal standing to do so.

14
15 Petitioner Pro Se presents this Complaint respectfully, requesting this Court
16
17 To convene this case as an article III, of the U.S. Constitution Court case,
18
19 Per the recent U.S. Supreme Court ruling in 13) 2024 Loper Bright
20
21 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce
22
23 above. Article III, Section 2 of the U. S. Constitution stipulates “The Judicial
24
25 Power shall extend to all cases in law and equity, arising under this
26
27 constitution, the laws of the United States and Treaties, which will be made
28
29 under the Authority;

- 30
31 - to all cases affecting ambassadors, other public Ministers and
32
33 Counsels, to controversies to which the United States shall be a party;
34
35 - to controversies between two or more states, ... between citizens of
36
37 different states, between a state or the citizens thereof.

38
39 First Page, second paragraph, Held: The Administrative Procedure Act
40

1 requires courts to exercise their independent judgment in deciding whether
2 an agency has acted within its statutory authority, and courts may not defer
3 to an agency interpretation of the law simply because a statute is
4 ambiguous; Chevron is overruled. Pp. 7–35.

5
6
7
8
9 (<https://www.foleyhoag.com/news-and-insights/publications/alerts-and-updates/2024/july/chevrons-demise-and-what-it-means-for-healthcare-and-life-sciences-companies/>).

10
11
12
13 Therefore, agencies like the Federal Energy Regulatory Commission
14 (FERC) are no longer permitted to cherry pick data to match their
15 administrative agenda. For example, about 80% of Klamath Basin
16 residents were strongly opposed to the Klamath dams being removed,
17 a well-documented fact which the FERC agency simply ignored.

21 VENUE

22
23
24
25 Venue is proper in this Court because the location of the Ninth Circuit
26 Court is in the same geographical location as the Illegal act's that are NOW
27 taking place. The Court's location is close to the environmental damage
28 incurred and ongoing, allowing for easy visual inspection.

29
30
31
32
33 The Klamath River's rights to a wild and scenic condition is actively being
34 violated by KRRRC, the defendant's licensee, and therefore the Public
35 (Petitioner Pro Se and Class action members) have a legal right to speak
36 on behalf of the Klamath River. In addition, the public's right to enjoyment
37
38
39
40

1 of that condition as mandated by Congress has forever been taken away.

2
3 Therefore, Petitioner Pro Se have standing. Additionally, this is a class
4
5 action complaint with class action members residing in the Klamath Basin
6
7 which extends from Klamath Falls Oregon to Yreka California.

8
9 **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

10
11 These are in clear violation of the Federal Clean Air and Federal Clean
12
13 Water Acts of the U.S. Congress. Also, violations of wanton killing fish
14
15 including endangered Salmon without permits.

16
17 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
18
19 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
20
21 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
22
23 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
24
25 16.

26
27 **STATEMENT OF THE CASE**

28
29 Petitioner Pro Se is part of a team of 3 professionals, all volunteering, pro
30
31 bono. One is a 40-year retired, Federal Attorney, expert in the application
32
33 of Federal and Case law, environmental law in particular. Another is an
34
35 investigative journalist, providing legal research and serving as Legal Editor
36
37 for all Court Documents.

38
39 This team has three docket cases before the Ninth Circuit Court to correct

1
2 illegal administrative law rulings and potentially discipline four federal
3
4 judges who made arbitrary rulings contrary to Federal law.
5 Prior to filing a claim against the Federal Energy Regulatory
6
7 Commissioners, Petitioner Pro Se filed in FERC to have a hearing and
8
9 present their legal violations in their process of providing a license to
10
11 KRRRC. However FERC has not provided a hearing and its been six
12
13 months.

14
15 After waiting 1 month for a response, on August 8th, 2024, Petitioner Pro Se
16
17 filed a Complaint against the Federal Energy Regulatory Commissioners
18
19 (FERC), which had unlawfully issued Klamath River Renewal Corporation
20
21 (KRRRC) a license to remove four of the dams on the lower Klamath River.

22
23
24 This license was accomplished by cherry picking data as part of a scheme
25
26 to overrule Federal environmental law which guarantees preservation of the
27
28 dams. As evidence of KRRRC lawbreaking, Appellant found more than nine
29
30 violations of environmental law in the FERC licensing document. Trial
31
32 Court Judge in the case 1:24-CV-1301-MC then manipulated or ignored
33
34 this lawful evidence to claim that Petitioner Pro Se was suing FERC in
35
36 conjunction with KRRRC, resulting in Petitioner Pro Se's loss. Petitioner Pro
37

1 Se was simply referring to FERC documentation as evidence. Debunking
2
3 the [2018 FERC document](#) so the Supreme Court can make it invalid.

4
5 The Defendants were in Default by failing to respond to the Complaint.

6
7 This, even though Appellant called and emailed them and also submitted
8
9 the Complaint and Memorandum of Points Pleading, which shows FERC
10
11 violated their own rules and federal law by illegal cherry-picking data. This
12
13 document was previously uploaded to Appeals Court docket.

14
15 About 80% of local stakeholders didn't want the dams removed.

16
17 FERC blatantly ignored overwhelming objections of local stakeholder's in
18
19 polling and sworn testimony against removal of the dams in both Klickitat
20
21 County, California and Klamath County, Oregon. One doctor stands out,
22
23 who testified that his wife died due to the Chromium 6 poisoning and he
24
25 has a steady flow of patients likewise suffering the same symptoms. See
26
27 the 2009 to 2011 Chemistry test on silt behind each dam is high
28
29 contaminated with Chromium 6 and Arsenic.

30
31 [https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-Evaluation-of-Contaminants-in-Sediments.pdf)
32 [Evaluation-of-Contaminants-in-Sediments.pdf](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-Level-Evaluation-of-Contaminants-in-Sediments.pdf)

33
34 This is illegal by the clean water act and KRRC's section 404 permit.

35
36 This is also illegal by the U.S. Supreme Court Ruling 12) in Case 22-451
37

1 Loper Bright, June 28, 2024.

2

3 The Loper Bright decision has two components:

4

5 1. All courts from the U.S. Supreme Court to the lowest city traffic court
6 must convene as courts under Article III, Section 2 of the United
7 States Constitution, and

8 2. Federal entities may no longer cherry pick data to promote a
9 preferred agenda, in this case the ill-informed demands for dam
10 removal of upstream stakeholders to the extreme detriment of all
11 others.

12 Lower Court refusal to abide by the letter and spirit of this Ruling at every

13

14 level lies at the heart of this Petition. Prior to this egregious act of public

15

16 vandalism, Petitioner Pro Se likewise issued strong objections from the

17

18 perspective of his training and lifetime experience as a Chemical Engineer,

19

20 including partial completion of a doctorate in the field. Appellant (Petitioner

21

22 Pro Se) explained

23

24 repeatedly that a far less draconian and less expensive option – one that

25

26 would not defy federal law -- was to:

27

28 1. dredge accumulated silt behind the dams,

29 2. heat scrub out deadly chemicals onsite, such as Arsenic and
30 Chromium 6,

31 3. then repair or install fish ladders.

32

33 This would allow for gradual drainage and cleansing of any water quality

34

35 issues above the dam. Salmon Protection Devices (stainless steel cages)

36

37 might also be installed to prevent sea lions from gorging on fish at the base

1
2 of the most downstream fish ladders. These scientific recommendations
3
4 were ignored, thus destroying the invaluable utility of the dams for flood
5
6 control, hydroelectricity, irrigation, recreation, fire-fighting, and more. The
7
8 tragic California wildfires burning out of control were the immediate result of
9
10 this unforgiveable vandalism of fully-capitalized public property.

11 Klamath River Renewal Corp malfeasance is transferred to FERC
12
13 defendants by 1)18 USC 3 accessory after the fact.

14
15 Appellant (Petitioner Pro Se) filed Case 3:24-cv-00755-JR in federal court
16
17 as an environmental suit against Defendants' Klamath River Renewal Corp
18
19 (KRRC) and RES, who confessed in a press conference to killing over
20
21 2000 fish including endangered salmon and a herd of elk without permits.
22

23
24 Petitioner Pro Se's request for an emergency injunction to temporarily stop
25
26 work was denied by Defendants' deceitful manipulation of Administrative
27
28 Law to delay any Court action to stop the crime in progress by injunction.

29
30 But this should not excuse the lower court's pusillanimous inaction in the
31
32 face of cries for justice and relief from the harm being inflicted before their
33
34 very eyes. This is, in effect, Misprision of Felony.

35
36 Here is an email from a local stakeholder as one small example of the
37
38 human damage inflicted by this egregious action. Not to mention the
39

1 environmental calamity that remains unmitigated due to a massive release
2
3 of poisoned flood water in January, 2024. This is an Exxon-Valdez level of
4
5 environmental havoc papered over by defendants planting grass on
6
7 contaminated riverbanks. It killed all aquatic life for 120 River Miles
8
9 between the Iron Gate Dam and Pacific Ocean, and still poses a lethal
10
11 threat to unsuspecting human and wildlife in the area.

12
13 From: Rick Dowdy <rhadowdy@gmail.com>
14 Sent: Monday, September 16, 2024 9:47 AM
15 To: dave@salmonprotectiondevice.com
16 <dave@salmonprotectiondevice.com>
17 Subject: Dam removal

18
19 Hi, my name is Rick Dowdy. I live at Copco where they have removed our
20 Dam. Our community well went dry 2 days after they released the water
21 from our lake. They gave us a 5,000-gallon tank for 10 houses. They
22 currently fill it weekly. I have heard KRRC will be finished at the end of
23 October. I am concerned they are going to leave us high and dry without a
24 permanent well. I also have damage to my home from their blasting on the
25 dam. To find another home to retire at would cost me at least 1 million
26 dollars. The poisons left from dam removal could be life threatening. Thank
27 you for going for justice. From Rick Dowdy.

28 29 30 REASONS FOR GRANTING THE WRIT

31
32 The Federal Court illegally dismissed this case when defendants (FERC
33
34 Commissioners) were in default. Thus, the appeal was filed. But then three
35
36 9th Circuit Court Justices illegally dismissed the appeal because they
37
38 naively accepted the illegal dismissal of the Federal Court. The Federal
39
40 Court judge has a Complaint filed against him in the 9th Circuit Court of

1
2 Appeals for illegal judicial bias, violations of Judicial Code of Conduct and
3
4 illegal abuse of administrative law. Likewise, the three Appeals Court
5
6 Justices have similar Complaints and dockets filed. See Appendix A. The
7
8 Appellees abandoned these case issues by no response
9
10 to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.

11
12 Therefore, many reasons have been given got granting this writ.

13
14
15 **CONCLUSION**

16
17 Petitioner Pro Se respectfully requests the following rulings or remand of this
18
19 case back to the 9th Circuit, ~~and order~~ ordering them to impanel three different
20
21 justices and instructing them to refrain from illegal judicial bias, violation of
22
23 Judicial Code of Conduct, and illegal abuse of Administrative Law. Appendix A
24
25 is a letter from Susan Soong 9th Circuit Court Chief executive acknowledging
26
27 illegal judicial bias. The Appellees abandoned these case issues by no
28
29 response to any pleading in Docket 24-5811 and Case 1:24-CV-1301-MC.

30
31
32 **PRAYER FOR RELIEF**

- 33
34 1. Petitioner Pro Se hereby respectfully requests the Supreme Court to
35
36 issue a Writ of Mandamus that Defendants charge Petitioner Pro Se's
37
38 team with the task of restoring the Klamath River back to its Original

1
2 Wild and Scenic condition with dams and fish ladders as mandated
3
4 by Congress. Also to pay ten million dollars to Salmon Protection
5
6 Device Inc. These funds will start the cleanup of the environmental
7
8 damage in the Klamath Basin. The Respondents abandoned these
9
10 case issues by no response to any pleading in Docket 24-5811 and
11
12 Case 1:24CV-1301-MC.

13
14
15 2. Grant Injunctive Relief to halt all further deconstruction and grant
16
17 Summary Judgment because Defendants' licensee, KRRC continues
18
19 to ignore the actions they are legally required to perform by FERC
20
21 and the Army Corp of Engineers, under the Federal Clean Water Act,
22
23 Section 404. KRRC has made public confession of these crimes and
24
25 has nonetheless proceeded with their nefarious, criminal activity. The
26
27 gravity of this case requires a court order that commands a
28
29 government official or entity to perform an act it is legally required to
30
31 perform as part of its official duties, or refrain from performing an act
32
33 the law forbids. The Respondents abandoned these
34
35 case issues by no response to any pleading in Docket 24-5811 and
36
37 Case 1:24CV-1301-MC.

1
2 3. Petitioner Pro Se hereby respectfully requests the Supreme Court to
3
4 order Defendants to immediately remove KRRC's license and
5
6 transfer all remaining control and money to Salmon Protection Device
7
8 non-profit. The Respondents abandoned these
9
10 case issues by no response to any pleading in Docket 24-5811 and
11
12 Case 1:24CV-1301-MC.
13

14 Salmonprotectiondevice.com has a team of engineers and scientists
15
16 who know how to mitigate the contaminated silt and install fish
17
18 ladders on rebuilt Iron Gate and JC Boyle Dams.
19

20 4. Petitioner Pro Se respectfully requests the Supreme Court to
21
22 vacate the 3:24-cv-00755-JR final dismissal on 7/26/2024. This
23
24 Federal Court dismissal was based on KRRC legal counsel's
25
26 concocted ECF's and manipulation of case law and Federal Law.
27
28 Petitioner Pro Se has already warned defendants that if they continue
29
30 to repeat these perjuries he will ask for full adjudication to the FBI for
31
32 prosecution to the full extent of the law. The Respondents abandoned
33
34 these case issues by no response to any pleading in Docket 24-5811
35
36 and Case 1:24CV-1301-MC.
37

1 5. Petitioner Pro Se respectfully requests the Supreme Court to
2
3 acknowledge standing based on Federal Environmental laws broken
4
5 with associated 7 Environmental Values denied to Petitioner Pro Se,
6
7 Class Action members, and the River itself. Likewise, standing based
8
9 on harms inflicted on Petitioner Pro Se resulting in preparations taken
10
11 to move out of state to ~~California~~ due to harms inflicted by KRRC's
12
13 malfeasance.

14
15 6. Petitioner Pro Se hereby respectfully requests the Supreme Court to
16
17 provide relief, and take judicial notice of the lethal environmental
18
19 consequences of KRRC's actions, which require immediate
20
21 mitigation. Rule Salmon Protection Device remediation team to the
22
23 task of project mitigation immediately, to avoid further lethal
24
25 environmental consequences from KRRC's gross negligence. This is
26
27 much worse than the Exxon-Valdez oil spill because KRRC's actions
28
29 devastated all aquatic life for 120 River Miles (RM) west of the Iron
30
31 Gate Dam and destroyed vital estuaries. EPA has been notified and
32
33 is likely to declare this a Super-Fund Cleanup site.

34
35 This designation needs to specify that no person shall go near the
36
37 Klamath River without wearing a gas mask until the Salmon Protection

1 Device team removes and scrubs the contaminated silt on the
2
3 river banks. Every day that goes by without an injunction is a threat to
4
5 the lives of local residents and wildlife. This amounts to failure to
6
7 impede a crime in process. How is this not akin to “Misprision of a
8
9 Felony?”

10
11 The active agents in the crime must provide funds for replacement of
12
13 the J.C. Boyle and Iron Gate Dams. The Kiewit Corporation knowingly
14
15 participated as accomplice in commission of this unconscionable crime
16
17 against the environment, in spite of warnings. They proceeded with full
18
19 knowledge and warning of the environmental laws that they were
20
21 violating with impunity. This too-big-to-fail attitude must not go
22
23 unrequited.

24
25 Petitioner requests a Writ of Mandamus and a Summary Judgment in
26
27 Petitioner’s favor because Defendants are clearly biased against
28
29 Federal Environmental law, not doing what they are legally required to
30
31 do, especially scrubbing the silt and installing fences to protect the many
32
33 elk that have perished in what amounts to quick-sand.

34
35 Petitioner respectfully requests the Supreme Court to award any other
36
37 cost to the Petitioner Pro Se as the Court sees fit.

38
39 7. Petitioner hereby respectfully requests that the 9th Circuit Appeals Court
40

1 be required to issue an official notification to all courts in its jurisdiction,
2
3 ordering them that Administrative Law shall no longer take precedence
4
5 over Article III, Section 2 of the U.S. Constitution, or standing case law and
6
7 statute law made in pursuance thereof (U.S. Supreme Court, Loper Case
8
9 22-451). Case 21DR02783, Marriage Dissolution, and the current Case
10
11 might be used as prime examples of such abuse and violations of the
12
13 Judicial Code of Conduct.

14
15 Although not part of the Loper Decision, Article VI, Section 2 of the U.S.
16
17 Constitution also strongly reinforces this principle in stating that: “This
18
19 Constitution, and the Laws of the United States which shall be made in
20
21 Pursuance thereof; and all Treaties made, or which shall be made, under
22
23 the Authority of the United States, shall be the supreme Law of the Land;
24
25 and the Judges in every State shall be bound thereby, any thing in the
26
27 Constitution or Laws of any State to the Contrary notwithstanding. The
28
29 judge in question is, of course, sworn by sacred oath to uphold this
30
31 Constitution.

32
33 8. Accordingly, Petitioner Pro Se calls upon the **Supreme Court** to take
34
35 appropriate disciplinary action in light of the fact that such behavior is subject
36
37 to permanent removal of the bar license and defrocking of any Federal Judge
38
39 in violation of 10) 20-1199 Loper Bright Enterprises, 15) Judges Code of
40

1 Conduct, Canons 2 and 3; [https://www.uscourts.gov/judges-](https://www.uscourts.gov/judges-judgeships/code-)
2 [judgeships/code-](https://www.uscourts.gov/judges-judgeships/code-)

3
4 [conduct-united-states-judges](https://www.uscourts.gov/judges-judgeships/code-), 18 U.S.C. § 1001 False Statements,

5
6 Concealment., 15) 18 U.S. Code § 1621 – Perjury, 16) 28 U.S. Code §
7 455 (b),

8
9 (1) which says, “Where he (The Judge) has a personal bias or prejudice
10 concerning a party, or personal knowledge of disputed evidentiary facts
11 concerning the proceeding;
12

13
14 18 U.S.C. 4 says, “Whoever, having knowledge of the actual commission of
15 a felony cognizable by a court of the United States, conceals and does not
16 as soon as possible make known the same to some judge or other person
17 in civil or military authority under the United States, shall be fined under this
18 title or imprisoned not more than three years, or both.” The crimes
19 described in the Complaint are future flooding in the Klamath basin with
20 hundreds of millions in damages yearly and exposure of human and wildlife
21 to deadly arsenic and Chromium 6 poisoning.
22

23
24
25
26
27
28
29
30
31 **9.** Petitioner is adding this additional request, moving the to require that all
32 future river reclamation projects within the purview of the 9th Circuit Court
33 shall comply with the intent of the Wild and Scenic Rivers Act, Section 7IA2
34 to preserve existing dam projects from removal, by the far less draconian
35 strategy of
36
37
38
39
40

- 1 a. Dredging behind the dam and heat-scrubbing silt onsite,
- 2 b. Installing or repairing fish ladders on each dam,
- 3 c. Installing Salmon Protection Device cages at the foot of the fish
- 4 ladder on the lower dam if needed to deter predatory Sea Lions,
- 5 and
- 6 d. Treating reservoirs for algae or other contaminants, if necessary
- 7 <https://www.rivers.gov/rivers/rivers/sites/rivers/files/2023-07/section-7.pdf>
- 8
- 9
- 10
- 11

12 With a favorable ruling against FERC or the Federal Court, Petitioner Pro

13
14 Se will relocate to the Klamath Basin in California and rectify the
15 environmental mess created and left unmitigated by KRRRC. Petitioner Pro

16
17
18 Se's home is

19
20 for sale at [18965 NW Illahe St, Portland, OR 97229 | Zillow, pending a](#)
21 [favorable decision.](#) Petitioner Pro Se was 11 Bravo in the Army and

22
23
24 Vietnam who knows firsthand what a war zone looks like. The devastation
25 in the Klamath Basin is akin to a war zone.

26
27
28 INDEX TO APPENDICES

29
30 APPENDIX A

31 Letter from Susan Soong 9th Circuit Court Chief executive acknowledging
32 illegal judicial bias.



SUSAN Y. SOONG
CIRCUIT EXECUTIVE

OFFICE OF THE CIRCUIT EXECUTIVE
UNITED STATES COURTS FOR THE NINTH CIRCUIT

JAMES R. BROWNING UNITED STATES COURTHOUSE
95 SEVENTH STREET
POST OFFICE BOX 193939
SAN FRANCISCO, CA 94119-3939

January 3, 2025

Dave White
18965 NW Illahe St.
Portland, OR 97229

Re: Complaint of Judicial Misconduct Nos. 25-90001, 25-90002, 25-90003

Dear Mr. White:

We have received your complaint of judicial misconduct filed pursuant to 28 U.S.C. § 351(a) against Judges Jay S. Bybee, Sidney R. Thomas and Daniel P. Collins. Docket Numbers 25-90001, 25-90002 and 25-90003, respectively, have been assigned to this matter.

We will use the address in your complaint to communicate with you. Until your complaint has been concluded, you must promptly provide written notice of any address changes to the Office of the Circuit Executive, referencing your complaint number. A change of address notification submitted in any other case or appeal is insufficient.

Pursuant to the Rules for Judicial-Conduct and Judicial-Disability Proceedings, a copy of the complaint has been forwarded to Chief Judge Mary H. Murguia and each of the named subject judges.

Very truly yours,

Susan Y. Soong
Circuit Executive

SYS/aa

1 Appendix B.
2

3 11/20/2024 11 **ORDER FILED.** (Sidney R. THOMAS, Jay S. BYBEE,
4 Daniel P. COL

5 Upon a review of the record, the response to the court's
6 October 11, conclude this appeal is frivolous. We
7 therefore deny appellant's moti Entry No. 5), see 28
8 U.S.C. § 1915(a), and dismiss this appeal as fri (court
9 shall dismiss case at any time, if court determines it is
10 frivolous entertained in this closed case. DISMISSED.
11 [Entered: 11/20/2024 0
12

13 Appendix C

10/17/2024	23	ORDER: The Motion for Default Judgment 22 is DENIED. The Court is still evaluating Plaintiff's IFP Application 2 and Amended Complaint 21 . He has not been granted leave to proceed, this action has not yet formally commenced with service, and therefore, Defendant does not yet have a duty to appear and defend. Plaintiff is reminded to heed this District's Local Rules as well as the Federal Rules of Civil Procedure prior to filing any other documents. Ordered by Judge Michael J. McShane. (cp) (Entered: 10/17/2024)
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14

15

16

17

TABLE OF AUTHORITIES CITED

18

CASES

PAGE NUMBER

19

20 1)18 USC 3 accessory after the fact.

1

21

22 2) 16 USCA § 1532(19); see also Goble,
23 D. D.; George, S. M.; Mazaika, K.;

6,8

24

25 3) The Endangered Species Act of 1973,

26 <https://www.fws.gov/laws/endangered-species-act/section-11> 6,8

27

28 4) 18 U.S.C. § 1001 False Statements, Concealment.

16

29

30 5) 29 CFR § 1606.8 (1) – Harassment has the purpose or effect of creating
31 an intimidating, hostile or offensive working environment.

2, 21

32

33 6) 33 U.S.C. §1251 et seq. (1972) Clean water act Section 404. 10, 14, 21

- 1 7) 18 U.S. Code § 1621 – Perjury. 16
2
3 8) 28 U.S. Code § 455 (b), (1) which says, “Where he (The Judge) has a
4 personal bias or prejudice concerning a party, or personal knowledge of
5 disputed evidentiary facts concerning the proceeding;” 16
6
7 9) Judges Code of Conduct Canons 2 and 3
8 [https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges)
9 [judges,](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges) 1, 13
10
11 10) 18 U.S.C. 4 says, “Whoever, having knowledge of the actual
12 commission of a felony cognizable by a court of the United States,
13 conceals and does not as soon as possible make known the same to some
14 judge or other person in civil or military authority under the United States,
15 shall be fined under this title or imprisoned not more than three years, or
16 both.” 16
17
18
19
20 11) Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002): Pagtalunan
21 was Pro Se and made numerous mistakes in filing his complaint resulting
22 in the case being dismissed. However, upon appeal, the higher Court
23 ruled that the lower Court was in error because they did not give allowance
24 for Pagtalunan’s lack of legal training. 25
25
26
27
28
29
30 12) 18 U.S. Code § 4 - Misprision of felony. 3, 12, 25
31
32
33 13) 22–451 June 28th, 2024 Federal Case number 22–451 in Loper Bright
34 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce
35 that all courts shall no longer function as administrative law courts.
36 https://www.supremecourt.gov/opinions/23pdf/22-451_7m58.pdf
37 Administrative law is illegal and ALL courts must convene as Article three
38 of the US Constitution. The Chevron doctrine is invalid. Federal and state
39 agencies can no longer cherry pick data for their false agenda. Stare

1 decisis must be vertical to the Constitution not lower or sideways. This is
2 because any other case can't be guaranteed to have enough similarities to
3 warrant use unless the Judge and each counsel have read that case
4 transcripts, exhibits and final ruling. Six to three decision. 2, 6. 10, 16 24

5
6
7
8 IN THE
9
10 SUPREME COURT OF THE UNITED STATES

11 PETITION FOR WRIT OF CERTIORARI

12 Petitioner respectfully prays that a writ of certiorari issue to review the judgment
13 below.

14
15 **OPINIONS BELOW**

16
17 For cases from federal courts:

18 The opinion of the United States court of appeals appears at
19 Appendix __ to the petition and is in Appendix B

20
21 The opinion of the United States district court appears at
22 Appendix C.
23

24 **JURISDICTION**

25
26 For cases from **federal courts**:

27 The date on which the United States Court of Appeals decided
28 my case was .

29
30 No petition for rehearing was timely filed in my case.

31
32 A timely petition for rehearing was denied by the United States
33 Court of Appeals on the following date: and a copy of the order
34 denying rehearing appears at Appendix .

35
36 An extension of time to file the petition for a writ of certiorari was

1 granted to and including _____ (date) on
2 (date) in Application No. A .
3

4 The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).
5
6
7

8 The petition for a writ of certiorari should be granted.
9

10
11 Respectfully submitted,
12
13

14 
15
16

17 Date: 2/11/2025
18

CERTIFICATE OF SERVICE

I hereby certify that on 2/11/2025, a true and correct copy of the above document was electronically filed with the Clerk of the Court using CM/ECF. A copy of the document will be served upon interested parties via the Notices of Electronic Filing that are generated by CM/ECF. Additionally, a courtesy copy is being provided as follows:

Also emailed to defendants

Chairman_Phillips_Meetings@ferc.gov;

Commissioner_Christie_Meetings@FERC.gov;

Commissioner_Rosner_Meetings@FERC.gov;
Commissioner_See_Meetings@FERC.gov;
Commissioner_Chang_Meetings@FERC.gov

Attorney for Legal Counsel for all defendants
Danielle Mechling
Attorney-Advisor
Federal Energy Regulatory Commission
Office of Enforcement, Division of Investigations
Tel: 202-502-8924
Email: danielle.mechling@ferc.gov
___ Via hand delivery
___ Via U.S. Mail, 1st Class,
Postage Prepaid
___ Via Overnight Delivery
___ Via Facsimile
XX Via Email
XX Via CM/ECF notification
to the extent registered DATED: 2/11/2025
By: David White

