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

DAVID C. WHITE Petitioner Pro Se

Vs.

**Susana Dietrich
601 Jackpine Dr,
Grants Pass, OR 97526
2140 Bobcat Ave SW
Albany, OR 97321-4872
mitt@dietrichconst.com
541-974-3251**

Defendant 2. (D2)

**Mary Lou Soscia in her
Personal capacity as President of
Water Watch of Oregon**

Defendant 3 (D3)

**Bryan Sohlin in his Personal capacity as Vice
President of Water Watch of Oregon**

Defendant 4 (D4)

**Neil Brandt in his personal capacity as
Executive Director of
Water Watch of Oregon
503-295-4039x 101
neil@waterwatch.org**

Melanie Klym (D5)

**River Design Group
311 SW Jefferson Avenue
Corvallis, Oregon 97333
Phone: 541.738.2920
info@riverdesigngroup.com
Legal Counsel for Water Watch defendants
Kaitlin Lovell
Attorney-Advisor
213 SW Ash St., Suite 208**

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Portland, OR 97204
213 SW Ash St., Suite 208
Portland, OR 97204
(503) 295-4039
info@waterwatch.org

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

PETITION FOR A WRIT OF CERTIORARI

Docket 24-6015

Goal: The questions presented for review, are expressed concisely in relation to the circumstances of the case, without unnecessary detail.

Questions Presented for review By Petitioner Pro Se are based on knowledge and Research of law the U.S. Supreme Court has never ruled on, especially judge's misprision of felony 6) with extreme 3) bias against Pro Se litigant. Such abuse of Administrative law to override federal law and the U.S. Constitution is pervasive in the United States courts at all levels.

QUESTIONS PRESENTED FOR REVIEW

1. 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.

1 2. Shall U.S. Courts at all levels persist in exercising extreme bias 3)
2 against pro se litigants, contrary to Loper Bright, 8) and Pagtalunan v.
3 Galaza, 291 F.3d 639, 642 (9th Cir. 2002): 7) especially in use of
4 Administrative Law to nullify federal law for Summary Judgment, by
5 dismissing a case when defense fails to make any appearance. This
6 corrupt procedure is systemic throughout the Ninth Circuit. Also
7 <https://pacificlegal.org/post-chevron-mine-case/>
8

9
10
11 3. Shall the judge who decides for such a dismissal be innocent of
12 Misprision of felony 6), having reviewed the felonies admitted by failure
13 of the defense to appear, and then doing nothing to adjudicate them.
14

15 4. Shall the Circuit Court of Appeals violate its protocol for selecting a
16 unique panel of judges for each case tried, when litigant has
17 simultaneously presented two or more unique cases for review?
18

19 5. Shall the Circuit Court of Appeals refer a PETITION FOR
20 RECONSIDERATION OF DISPOSITIVE ORDER to the same panel of
21 judges whose extreme bias 3) in dismissing that very case is being
22 challenged by pro se litigants?
23

24 6. Shall the Circuit Court of Appeals violate its protocol for selecting a
25 unique panel of judges for each case tried when a litigant has
26 simultaneously presented two or more unique cases for review?
27

28 LIST OF PARTIES [X] All parties appear in the caption of the case on
29 the cover page.
30

31 TABLE OF CONTENTS

32
33 OPINIONS BELOW.....4, Appendix B
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38 CONCLUSION.....10
39

40 OPINIONS BELOW

1 11/19/2024 15

2 11/20/2024 9

3 ORDER FILED. (Sidney R. THOMAS, Jay S. BYBEE, Daniel P. COLLINS)

4 Upon a review of the record and the opening brief received on October 23,

5 2024, we conclude this appeal is frivolous. We therefore deny appellant's

6 motion to proceed in forma pauperis (Docket Entry No. 5), see 28 U.S.C. §

7 1915(a), and dismiss this appeal as frivolous, pursuant to 28 U.S.C. §

8 1915(e)(2) (court shall dismiss case at any time, if court determines it is

9 frivolous or malicious). All other pending motions, petitions and requests

10 are denied as moot. No further filings will be entertained in this closed

11 case. DISMISSED. [Entered: 11/20/2024 12:45 PM]

12 JURISDICTION

13

14 Basis for Jurisdiction is a federal environmental question. An

15

16 environmental disaster in the Cave Junction Basin has resulted from

17

18 Water Watch's willful destruction of the environment and dam in violation of

19

20 known stipulations and restrictions. These are in clear violation of the

21

22 Federal Clean Air, Federal Clean Water, and Wild & Scenic Rivers Acts of

23

24 the U.S. Congress, which require preservation of hydroelectric dams. Also

25

26 includes violations of wanton killing of fish.

27

28 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,

29

30 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18

31

32 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.

33

34 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP

35

36 16.

37

38 This Court has jurisdiction, over the subject matter of this complaint,

39

40 because the illegal and unlawful actions of Water Watch are violating

1
2 Federal Law, to include (Wild and Scenic Rivers Act, PL 90-542), (Clean
3
4 Water Act), and (Commerce Clause of the U.S. Constitution).

5
6 Additionally, This Court has jurisdiction, over the subject matter of this
7
8 complaint, because the massive environmental damage in the Cave
9
10 Junction Area is most proximate to the ninth circuit court which so flippantly
11
12 dismissed three cases without any legal standing to do so.

13
14 Petitioner Pro Se presents this Complaint respectfully, requesting this Court
15
16 to convene this case as an article III, of the U.S. Constitution Court case,

17
18 Per the recent U.S. Supreme Court ruling in 13) 2024 Loper Bright

19
20 Enterprises v. Raimondo and Relentless, Inc. v. Department of Commerce

21
22 8). Article III, Section 2 of the U. S. Constitution stipulates “The

23
24 Judicial Power shall extend to all cases in law and equity, arising under this
25
26 constitution, the laws of the United States and Treaties, which will be made
27
28 under the Authority;

29
30 - to all cases affecting ambassadors, other public Ministers and

31
32 Counsels, to controversies to which the United States shall be a party;

33
34 - to controversies between two or more states, ... between citizens of
35
36 different states, between a state or the citizens thereof.

37
38 First Page, second paragraph, Held: The Administrative Procedure Act

39
40 requires courts to exercise their independent judgment in deciding whether

1
2 an agency has acted within its statutory authority, and courts may not defer
3
4 to an agency interpretation of the law simply because a statute is
5
6 ambiguous; Chevron is overruled. Pp. 7–35.

7
8 (<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/>).

9
10
11 Therefore, agencies like the Federal Energy Regulatory Commission
12
13 (FERC) are no longer permitted to cherry pick data to match their
14
15 administrative agenda. For example, about 90% of Cave Junction
16
17 residents were strongly opposed to the Pomeroy dam being removed. The
18
19 desires of these local stakeholders were simply ignored.
20
21 .

22 23 VENUE

24
25 Venue is proper in this Court because the location of the Ninth Circuit
26
27 Court is in the same geographical location as the Illegal acts and their
28
29 lethal consequences that are NOW occurring. The Court’s location is close
30
31 to the environmental damage incurred and ongoing, allowing for easy
32
33 visual inspection.

34
35 The Illinois River's rights to a wild and scenic condition is actively being
36
37 violated by Water Watch, and therefore the Public (Petitioner Pro Se and
38
39 Class action members) have a legal right to speak on behalf of the Illinois
40

1 River.

2
3 In addition, the public's right to enjoyment of that condition as mandated by
4
5 Congress has forever been taken away and destroyed. Therefore,
6
7 Petitioner Pro Se has standing. Additionally, this is a class
8
9 action complaint with class action members residing in the Cave Junction
10
11 area.

14 CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

15
16
17 These are in clear violation of the Federal Clean Air and Federal Clean
18
19 Water Acts of the U.S. Congress. Also, violations of wanton killing fish.

20
21 Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41,
22
23 Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18
24
25 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
26
27 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP

28
29 Respondents proceeded with their flagrant act of vandalizing private
30
31 property in violation of Section 7 of the Wild & Scenic Rivers Act.

32
33 Section 7 directs federal agencies to protect the “free-flowing
34
35 condition, water quality, *and* outstandingly remarkable values” of
36
37 designated rivers and congressionally authorized study rivers. These
38
39 values include preservation of hydroelectric and other dams.

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A direct and concise argument amplifying the reasons relied on for allowance of the writ.

In the Federal Court Case 1:24-CV-1395-IM the defendants were in default and the Federal Judge with extreme bias 3) against Pro Se illegally dismissed the case when then Plaintiff filed for a Rule 55 default judgement.

Respondents removed a dam by falsifying permits. This was an egregious crime, proceeding with callous disregard for the law in vandalizing of fully capitalized public property.

These are felonies for which the Federal judges at the 9th Circuit and Federal Court should be charged with Misprision of Felony 6). Please see letter written to Susan Soong the chief executive of the 9th Ninth Circuit Court about strong Judicial Bias 3)on <https://thelawisyourattorney.com/judicial-bias-against-litigants-in-dam-removal-cases/>.

Susan Soong's response is in the Appendix C.

By These actions are in clear violation of the Federal Clean Air and Federal 4) Clean Water Act of the U.S. Congress. Also, Respondents crimes include confession to wanton killing of fish, including endangered Salmon without permits.

Additional violations are: 18 USC 3, 16 USCA § 1532, 18 U.S. Code § 41, Item 3 below, The Endangered Species Act of 1973, 18 U.S.C. § 1001, 18

1 U.S.C. 621, 18 USC 3, 29 CFR § 1606.8, 28 U.S. Code § 4101, 33 U.S.C.
2
3 §1251, 29 CFR § 1606.8, 28 U.S. Code § 4101, 18 U.S.C. 1743 and FRCP
4
5 16.

7 **STATEMENT OF THE CASE**

9 Concise statement of the basis for jurisdiction in this Court

- 10 ➤ • Date the judgment or order sought to be reviewed was entered is
11 item 11 on 11/20/2024 a statement that the petition is filed under
12 Extreme Bias 3) is pervasive against Pro Se litigants in the U.S. Court
13 system.
- 14 ➤ This is a violation of Judges Code of Conduct, Canons 2 and 3;
- 15 ➤ Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002): 7) 8
16 U.S.Code § 455 (b), (1) and illegal abuse of Administrative
17 Law by 22–451 June 28th, 2024 Loper Bright 8).
- 18 ➤ Having the same Justices review a PETITION FOR
19 RECONSIDERATION OF DISPOSITIVE ORDER. is a violation of
20 2021 U.S. Code Title 28 Judiciary and Judicial Procedure chapter
21 three section 47.
- 22 ➤ The Appellees abandoned these case issues by making no response
23 to any pleading in Docket 24-6015 or Case 1:24-CV-1395-IM.
- 24 ➤ Complaint filed in 9th Circuit court concerning Judge Imerguts illegal
25 bias 3) and illegal abuse of Administrative Law 9).
- 26
27 ➤ The Federal Court illegally dismissed this case when Respondents
28 Water Watch were in default. Additionally, the Trial Court Judge did
29 not allow a requested hearing. Thus, the appeal was filed against
30 procedural abuse. Then three 9th Circuit Court Justices illegally
31 dismissed the appeal because they naively accepted the illegal
32 dismissal of the Federal Court rather than condemning it, as was their
33 duty. This even though Appellees abandoned every pleading filed
34
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1
2 and did not file any response within the 10 day timeframes.

3
4 Consequently, the Federal Court judge has a Complaint filed against
5
6 him in the 9th Circuit Court of Appeals for illegal judicial bias 3),
7
8 violations of Judicial Code of Conduct 6) and illegal abuse of
9
10 Administrative Law. Likewise, the three Appeals Court Justices have
11
12 similar Complaints and dockets filed. See Appendix A. The Appellees
13
14 abandoned these case issues by making no response to any
15
16 pleading in Docket 24-6015 and Case 1:24-CV-1395-IM.

17
18 ➤ Thus, Plaintiff has exposed many reasons for granting this Writ.
19

20 21 22 CONCLUSION

23
24 The illegal final ruling (Appendix B) stems from the illegal bias 3) of Judges.
25
26 Appendix C. contains the Return Letter from Susan Soong Chief Executive
27
28 of the 9th Circuit Court recognizing illegal misconduct and bias 3). The
29
30 Appellees were in default and had abandoned every pleading of
31
32 Appellant. Appellees abandoned all of the issues Appellant raised after
33
34 more than the 10 days allowed by law and Appellees may not file again.
35
36 Therefore, Appellant should have been granted the victory by Appellate
37
38 Court rules that none of these pleadings have received any response from
39
40 any Appellee within the prescribed period. Therefore, by Federal Law, the

1
2 Court is constrained to rule in Appellant’s favor for the rulings requested
3
4 below. (1) the appellee may raise alternative arguments in defense of the
5
6 judgment below that the trial court either rejected or ignored (the so-called
7
8 right for any reason rule), and (2) the Appellant waives any argument in
9
10 favor of reversal not raised in its opening brief. By the logical combination
11
12 of these two rules—Appellant waiver by-omission and “right for any
13
14 reason”—presents a trap for the unwary Appellee. As the U.S. Court of
15
16 Appeals for the Eleventh Circuit recently held, if the Appellee fails to raise
17
18 an issue in its response brief, it is deemed to have abandoned that issue. 3
19
20 In *Hamilton v. Southland Christian School*, as succinctly stated by Judge
21
22 Ed Carnes. This is *stare decisis* vertical to the Constitution as required by
23
24 *Loper*, 28 June 2024 Supreme Court Docket 22–451 8).

25
26 Water Watch by their illegal actions in removing the
27
28 Pomeroy Dam killed fish without permits. In addition,
29
30 Water Watch entered false information on their permits and were untruthful
31
32 about the dam being an impediment to salmon migration. Photo evidence
33
34 shows salmon easily jumping the dam. Plaintiff presented this Pleading to
35
36 the Medford Federal Court with full knowledge of Defendants’ willful
37
38 violation of federal law, no permits, bullying local residents into signing a
39
40 fallacious agreement and being untruthful in their Army Corps of Engineers

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Joint

Application. Their Joint Application declared that the Illinois River was not a “Wild and Scenic River” and not navigable in Section 8 of their Joint application below. This is a critical habitat for spawning salmon and a wild and scenic river by the legal definition below. This, by definition, they were required to check Yes, on questions 2 and 3 in section 8 of the Joint Application. Choosing yes then would have required Section 404 or 408 permits, which were withdrawn March 12, 2024.

(8) ADDITIONAL INFORMATION	
Are there state or federally listed species on the project site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
Is the project site within designated or proposed critical habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
Is the project site within a national Wild and Scenic River ?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
Is the project site within a State Scenic Waterway ?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
Is the project site within the 100-year floodplain ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes to any above, explain in Block 6 and describe measures to minimize adverse effects to those resources in Block 7.	
Is the project site within the Territorial Sea Plan (TSP) Area ?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, attach TSP review as a separate document for DSL.	
Is the project site within a designated Marine Reserve ?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, certain additional DSL restrictions will apply	

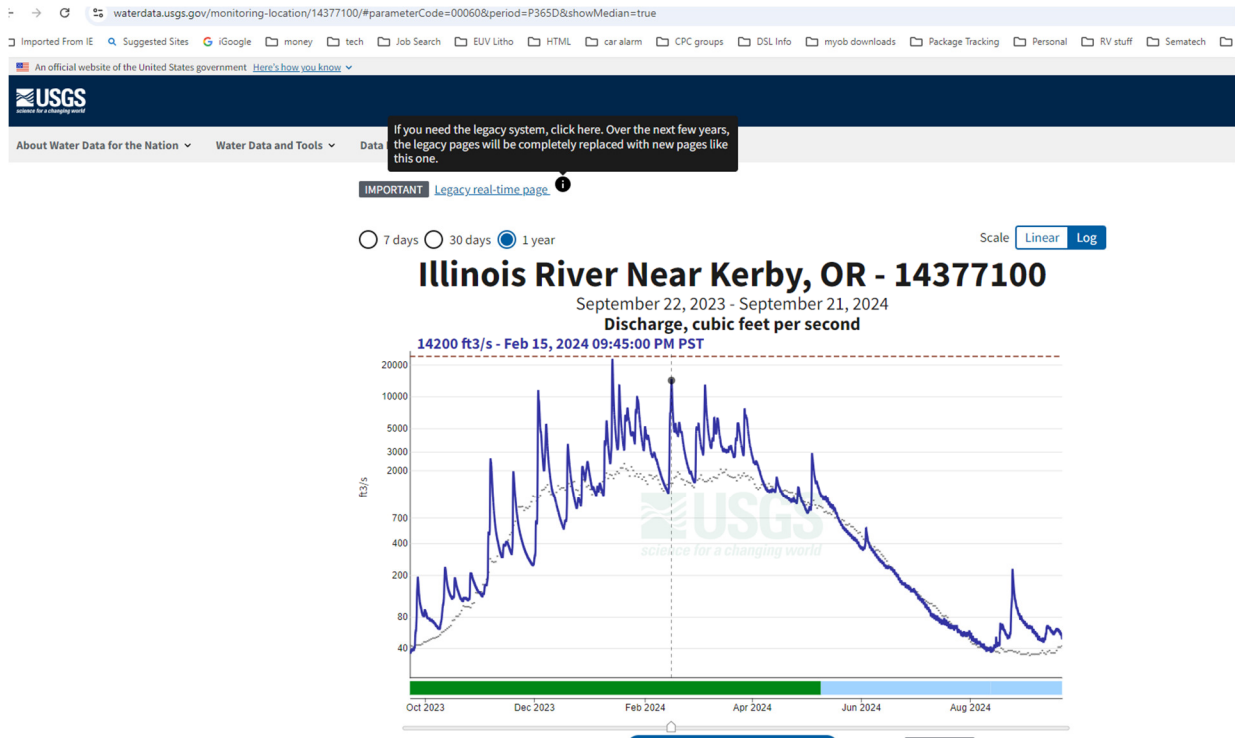
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1
2 Image 1 July 8th. 2024 However, water still flowing over the dam. A salmon
3 jumping over the dam.
4



1
2 Dead fish including endangered Salmon.
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4



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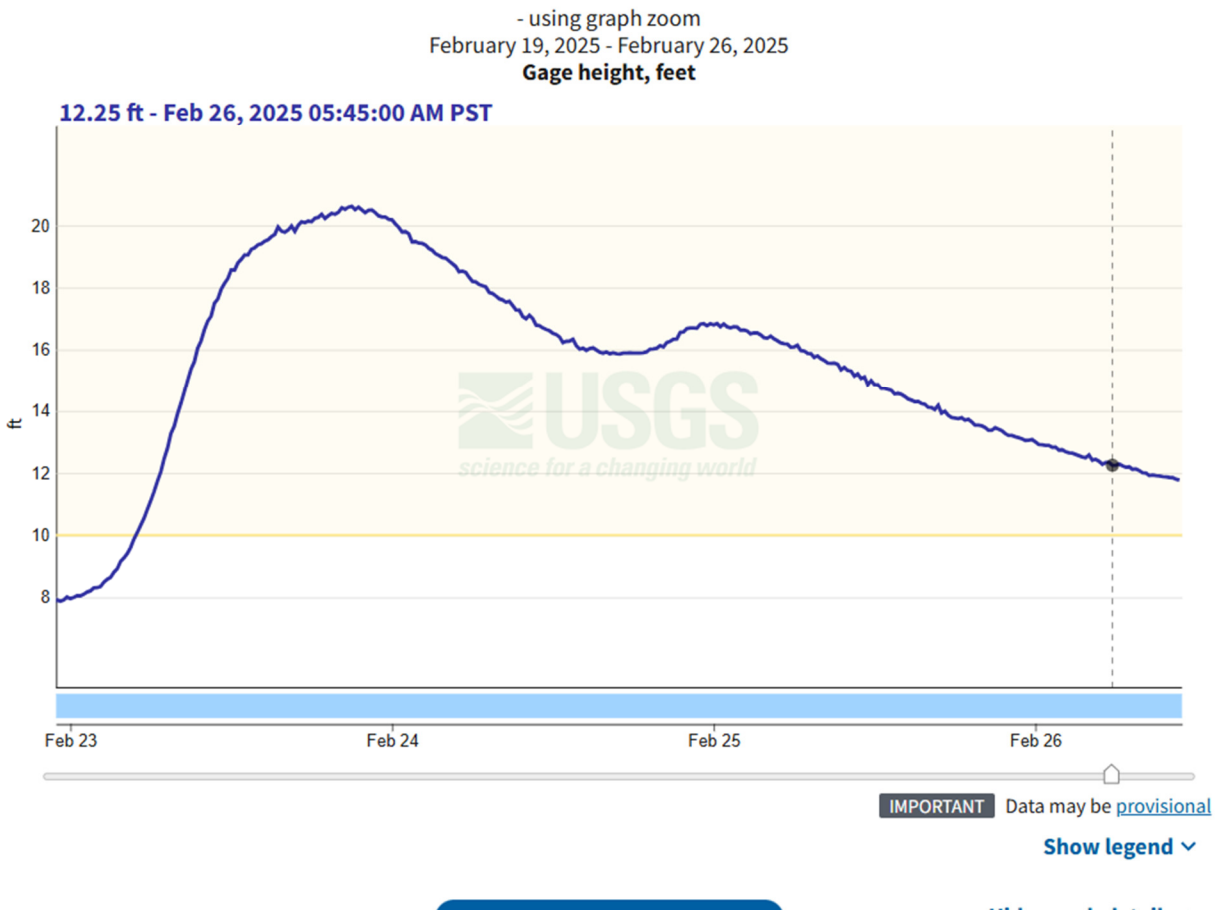
Pomeroy Dam has been illegally removed. The Kerby station in the image above for USGS is upstream of the removed dam. The image clearly shows the snowmelt will send over 10,000 cubic feet between February and May each year. Currently on February 24th 2024 almost 20,000 cubic feet is flowing down the river.

<https://waterdata.usgs.gov/monitoring-location/14377100/#dataTypeId=continuous-00065-0&period=P7D&showMedian=false>

Continuous data

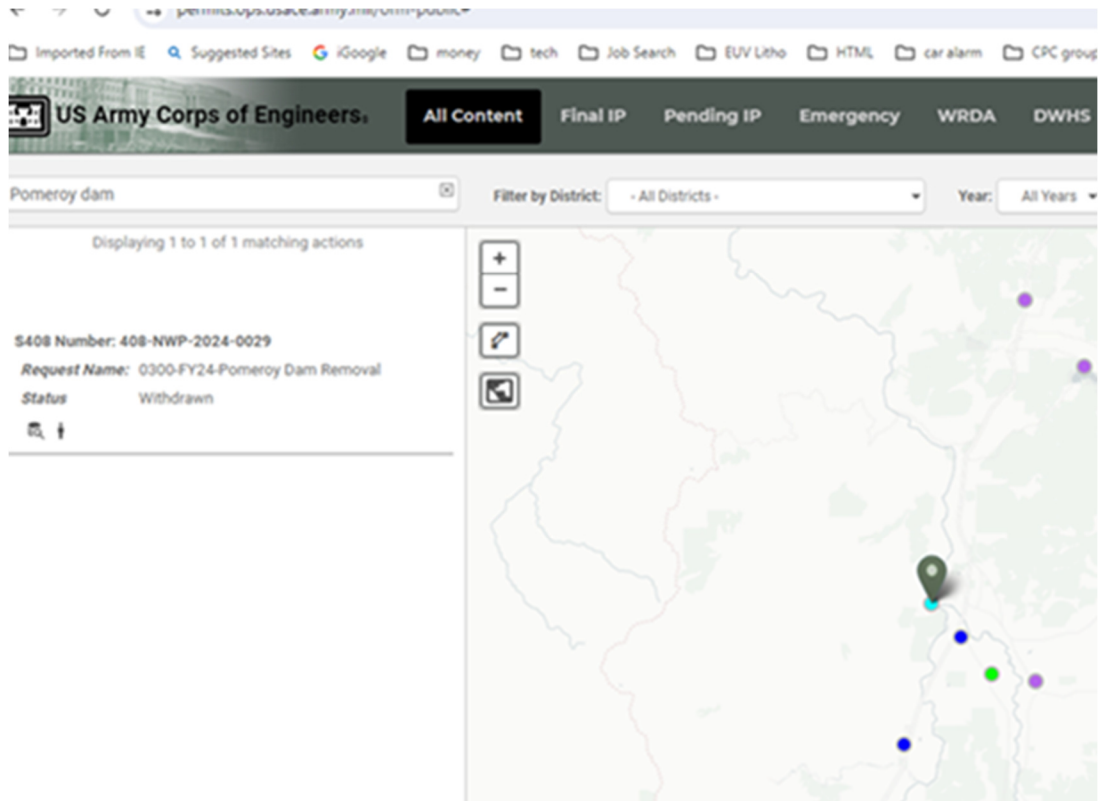
Illinois River Near Kerby, OR - 14377100

[Subscribe to WaterAlert](#)



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The Pomeroy dam provided limited, but essential flood control. The dam needs to be replaced as soon as possible to prevent two to four feet of flood water in Cave Junction most likely killing pets, livestock and potentially even some local stakeholders. This is an Emergency! Appellant has applied for Army Corps of Engineers Section 404, 408 and a joint application is on-going. It is correctly filled out.



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See also News article. https://oregoneagle.com/pomeroy-dam-removal-requires-clean-water-act-permit-illinois-river-national-wild-and-scenic-river-system/daniel_haas@fws.gov
Web: www.rivers.gov
https://www.wyden.senate.gov/imo/media/doc/RiverDemocracyAct_TOTAL_22.pdf

Page 9 list the complete Illinois River is wild and scenic by law.

Existing Wild and Scenic River

Map Number	Wild and Scenic River Name
1	Chetco Wild and Scenic River
2	Elk Creek Wild and Scenic River
3	Illinois Wild and Scenic River
4	Jenny Creek Wild and Scenic River
5	North Fork Silver Creek Wild and Scenic River
6	River Styx Wild and Scenic River
7	Rogue Wild and Scenic River
8	Spring Creek Wild and Scenic River

1
2
3 <https://www.rivers.gov/rivers/rivers/sites/rivers/files/2022-06/wsr-primer.pdf>
4

5 Therefore, Petitioner respectfully requests this Writ to correct adjudication
6 and provide the relief requested below. With the relief requested below
7 Petitioners team will rebuild the dam and install a fish ladder and a water
8 wheel device to generate power.
9

10 **CERTIFICATE OF SERVICE**

11 I hereby certify that on 2/27/2025, a true and correct copy of the
12 above document was electronically filed with the Clerk of the Supreme
13 Court using Fedex. A copy of the document will be served upon
14 interested parties via email by ORCP 9 C 3.
15

16 Additionally, a courtesy copy is being provided as follows:
17 Also emailed to defendants Attorneys for Defendants Dave
18 Coffman, Mark Bransom and Klamath River Renewal Corp.
19 Julia E. Markley, OSB No. 000791
20 JMarkley@perkinscoie.com
21 Megan K. Houlihan, OSB No. 161273
22 MHoulihan@perkinscoie.com
23 1120 N.W. Couch Street, Tenth Floor
24 Portland, Oregon 97209-4128
25 Telephone: +1.503.727.2000

1
2 Also emailed to docketpor@perkinscoie.com;
3 JeannetteKing@perkinscoie.com; skroberts@perkinscoie.com;
4 sburley@res.us; mhoulhan@perkinscoie.com;
5 BJones@perkinscoie.com; mitt@dietrichconst.com;
6 neil@waterwatch.org; info@riverdesigngroup.com;
7 info@waterwatch.org

8
9 _____ Via hand delivery
10 _____ Via U.S. Mail, 1st Class,
11 Postage Prepaid
12 xx Via Overnight Delivery
13 _____ Via Facsimile
14 XX Via Email
15 Via CM/ECF notification
16 to the extent registered DATED: 12/03/2024
17 By: David White

18 

19
20 **PRAYER FOR RELIEF**

- 21
- 22 1. Plaintiff respectfully requests the Federal Court to acknowledge
23 standing based on Federal Environmental laws broken with
24 associated 7 Values denied to Plaintiff and class action members due
25
26 to harms inflicted by D1, D23' malfeasance.
27
 - 28 2. Petitioner respectfully requests the Federal Court for strong
29
30 adjudication of Defendants to the Federal Prosecutor for felony
31
32 charges against them
33
34
 - 35 3. Petitioner hereby respectfully requests the Court to issue a Writ of
36
37

1 Mandamus charging Petitioner' team with the task of
2
3 restoring the Illinois river back to its Original Wild and Scenic
4
5 condition with dams and fish ladders as mandated by Congress, and
6
7 grant Injunctive Relief to halt all further vandalism of the Pomeroy
8
9 dam and other such dam removal projects in progress.

10
11 4. Petitioner hereby respectfully requests the Court to award \$1 million
12
13 from respondents so item 3, dam restoration, may be accomplished.

14
15 5. Also, to issue a Summary Judgement because Defendants continue
16
17 to ignore what they are legally required to do by the Army Corp of
18
19 Engineers, and the federal Clean Water Act, Section 404. The
20
21 gravity of this case requires a court order that commands a
22
23 government official or entity to perform an act it is legally required to
24
25 perform as part of its official duties, or refrain from performing an act
26
27 the law forbids.

28
29
30 6. Plaintiff hereby respectfully requests the court to order Defendants
31
32 to immediately stop deconstruction and transfer all remaining control
33
34 and funds to Salmon Protection Device non-profit for remediation.

35
36 Salmonprotectiondevice.com retains engineers and scientists who
37
38 know how to mitigate the contaminated silt, dredge behind the dam,
39
40 and install fish ladders if needed on Pomeroy Dam.

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7. Plaintiff hereby respectfully requests the court to provide relief with and take judicial notice of the lethal environmental consequences D23's actions, which must cease immediately. Rule Salmon Protection Device remediation team to the task of project mitigation immediately, to avoid more lethal environmental consequences of D23's gross negligence.

8. Plaintiff again requests a writ of mandamus and a Summary Judgment in Plaintiff's favor because Respondents are clearly biased 3) against Federal Environmental law, not doing what they are legally required to do.

9. Plaintiff respectfully requests the federal court to provide any cost up to \$1 million to Plaintiff's mitigation team as the court sees fit.

10. Appellant moves the Supreme Court to issue a bulletin to all state and federal officers of the Court within their jurisdiction to henceforth convene all proceedings as Article III, Section 2 Courts in accord with the U.S. Supreme Court Loper Decision 8). No longer is Administrative Law permitted to supersede federal or state law and well-documented

1
2 case facts in any Court ruling.

3
4 The Court is respectfully reminded that these Prayers for Relief are
5
6 incontestable and undeniable under Federal Law because the 10 days
7
8 granted for a ruling on Appellant’s previous Emergency Motion filed on
9
10 October 3 2024 has expired.

11
12
13 APPENDIX A

14 **TABLE OF AUTHORITIES CITED**

15
16 **CASES** **PAGE NUMBER**

17
18
19 1) The Endangered Species Act of 1973,
20 <https://www.fws.gov/laws/endangered-species-act/section-11> 4, 7, 8

21
22
23 2) 33 U.S.C. §1251 et seq. (1972) Clean water act Section 404. 8

24
25 3) 28 U.S. Code § 455 (b), (1) which says, “Where he (The Judge)
26 has a personal bias or prejudice concerning a party, or personal
27 knowledge of disputed evidentiary facts concerning the proceeding;”
28 2,3,8,10,21, 24

29
30 5) Judges Code of Conduct Canons 2 and 3
31 [https://www.uscourts.gov/judges-judgeships/code-conduct-united-](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges)
32 [states-judges,](https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges) 10

33
34 6) 18 U.S.C. 4 says, “Whoever, having knowledge of the actual
35 commission of a felony cognizable by a court of the United States,
36 conceals and does not as soon as possible make known the same to
37 some judge or other person in civil or military authority under the
38 United States, shall be fined under this title or imprisoned not more

1 than three years, or both.” Misprision of felony. 2, 3, 8

2
3
4 7) Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002):
5 Pagtalunan was Pro Se and made numerous mistakes in filing his
6 complaint resulting in the case being dismissed. However, upon
7 appeal, the higher Court ruled that the lower Court was in error
8 because they did not give allowance for Pagtalunan’s lack of legal
9 training. 3, 9, 23

10
11 8) 22–451 June 28th, 2024 Federal Case number 22–451 in Loper
12 Bright Enterprises v. Raimondo and Relentless, Inc. v. Department of
13 Commerce that all courts shall no longer function as administrative
14 law courts. https://www.supremecourt.gov/opinions/23pdf/22-10451_7m58.pdf3, 5,9, 11,14,23, 24
15
16 Administrative law is illegal and ALL courts must convene as Article
17 three of the US Constitution. The Chevron doctrine is invalid. Federal
18 and state agencies can no longer cherry pick data for their **personal**
19 agenda. Stare decisis must be vertical to the Constitution not lower or
20 sideways. This is because any other case can’t be guaranteed to
21 have enough similarities to warrant use unless the Judge and each
22 counsel have read that case transcripts, exhibits and final ruling. Six
23 to three decision.

24
25 22-863 DIAZ-RODRIGUEZ, RAFAEL V. GARLAND, ATT'Y GEN.
26 The petition for a writ of certiorari is granted. The
27 judgment is vacated, and the case is remanded to the United
28 States Court of Appeals for the Ninth Circuit for further
29 consideration in light of Loper Bright Enterprises v. Raimondo,
30 603 U. S. (2024) 9).

31
32 22-868
33 BASTIAS, ARIEL M. V. GARLAND, ATT'Y GEN.
34 The petition for a writ of certiorari is granted. The
35 judgment is vacated, and the case is remanded to the United
36 States Court of Appeals for the Eleventh Circuit for further
37 consideration in light of Loper Bright Enterprises v. Raimondo,
38 603 U. S. ____ (2024). 9).

1
2 22-1246

3 EDISON ELEC. INST., ET AL. V. FERC, ET AL.

4 The petition for a writ of certiorari is granted. The
5 judgment is vacated, and the case is remanded to the United
6 States Court of Appeals for the District of Columbia Circuit for
7 further consideration in light of *Loper Bright Enterprises v.*
8 *Raimondo*, 603 U. S. ____ (2024) 9). .

9
10 24–5006. Jason Steven Kokinda, Petitioner v. United States. On
11 petition for writ of certiorari to the United States Court of Appeals for
12 the Fourth Circuit. Motion of petitioner for leave to proceed in forma
13 pauperis and petition for writ of certiorari granted. Judgment vacated,
14 and case remanded to the United States Court of Appeals for the
15 Fourth Circuit for further consideration in light of *Loper Bright*
16 *Enterprises*
17 *v. Raimondo*, 603 U. S. — (2024) 9). .

18
19 24–92. Kwok Sum Wong, Petitioner v. Merrick B. Garland, Attorney
20 General. On petition for writ of certiorari to the United States
21 Court of Appeals for the Second Circuit. Petition for writ of certiorari
22 granted. Judgment vacated, and case remanded to the United States
23 Court of Appeals for the Second Circuit for further consideration in
24 light of *Loper Bright Enterprises v. Raimondo*, 603 U. S. — (2024)
25 9).

26
27 APPENDIX B

28 EXHIBIT ONE NINITH CIRCUIT COUT OF APPEALS ORDER

29 Docket 24-5811ORDER FILED. (Sidney R. THOMAS, Jay S. BYBEE,
30 Daniel P. COLLINS)

31 Upon a review of the record, the response to the court’s October 11,
32 2024 order, and the opening brief, we conclude this appeal is
33 frivolous. We therefore deny appellant’s motion to proceed in forma
34 pauperis (Docket Entry No. 5), see 28 U.S.C. § 1915(a), and dismiss
35 this appeal as frivolous, pursuant to 28 U.S.C. §1915(e)(2) (court shall
36 dismiss case at any time, if court determines it is frivolous or

1 malicious). No further filings will be entertained in this closed case.
2 DISMISSED. [Entered: 11/20/2024 02:46 PM]

3 APPENDIX C Judicial Bias 3) of Appendix B is Illegal



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