#23-6997

IN THE SUPREME COURT OF THE UNITED STATES

Russell Rope,

Petitioner,

vs.

Facebook, Inc., Apple, Inc., Alphabet, Inc., Twitter, Inc.,
JPMorgan Chase & Co., & John Does 1 to 10,

Respondents,

On Petition for Rehearing of Petition for Writ of Habeas Corpus
The Supreme Court of the United States; Case #19-5616 & #20-5236
The United States Court of Appeals for the Ninth Circuit; Case #18-55782
District Court for the Central District of California; Case #2:17-cv-04921

IN RE RUSSELL ROPE. PETITION FOR REHEARING FOR WRIT OF HABEAS CORPUS

Russell Rope

#1607 POB 1198
Sacramento, CA 95812
(310) 663-7655

Petitioner In Pro Per

"GIVE ME LIBERTY [IS THE LOOT]"

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QUESTIONS PRESENTED

Based on Reliance; Obstruction = Concealment Causing Damages

- Whether *habeas corpus* aka Suspension Clause, and due process will be honored?

- How is Petitioner's argument against lower courts, including some new points included in this document, impossibly incorrect and rights not being violated due to fraud if not obstruction of justice; nevertheless, in conspiracy to RICO?

- Evidence lodged with filings was not docketed, rejected, destroyed several times, and stolen by handlers, no federal judge has seen the evidence that is Petitioner's eyes do not lie, nor does the scarred living body, so how can anyone conclude against Petitioner "IN PRO PER" without all the details and evidence?

- Is *habeas corpus* right to hearing not a sacred & undeniable Constitutional right?

- How can a Petitioner be expected to believe a denial with a pixelated signature on standard printer paper from the suspect clerk is official when there is already good reason to doubt the docket and lack of information?

- Is it not a sign, if not an admission, of guilt if someone intelligent can not answer simple questions before or addressed to the court?

- Why have reports of docket hacks been neglected, and is it normal for case numbers to be assigned based on a returned filing where this hack case number follows patterns of racketeering and suggested conspiracy to deny rights based on weaponized sex while unwanted defendant wannabe debt forcing pimptards keep sending mismatched untrustworthy trap hoes to stalk Petitioner in addition to, and as enabling false justification for, more stalkers sent to agitate and provoke?

- Why is Petitioner the only known person in the USA who is not allowed to earn income no matter what he does like no good deed goes unpunished?

- How is it not fraud in addition to obstruction of justice plus liability for all causes of action by adopting the crime via the doctrine of conspiracy if a judge or group of judges at any level in any court contribute to the concealment of vital information, and fail to provide valid reason for disruption of relevant discovery?

- Without a hearing in person, why should courts be given benefits of total doubt?

- Whether previous and additional questions will be answered and reliance fulfilled?

LIST OF PARTIES

To Be Amended As Necessary

A. PETITIONER:

Russell Rope is an independent American genius and prisoner of wars.

@ russellrope.com/original-genius-og/ & @ russellrope.com/real-legaltrillog-revolution

B. RESPONDENTS:

- Facebook [Meta], Inc. is located in Menlo Park, CA.
- Apple, Inc. is located in Cupertino, CA.
- Alphabet, Inc. is located in Mountain View, CA.
- Twitter [X], Inc. is located in San Francisco, CA.
- JPMorgan Chase [Bank] & Co. is located in New York, NY.
- John & Jane Does 1 to 10 are located locally to internationally.
    - List of some Does was lodged under seal @ CACD
    - No confirmation and neglected communication from 9th Circuit & SCOTUS regarding inquiries as to receipt of all exhibits.

** Defending respondents have not filed any opposition to previous petitions at SCOTUS, and that should be considered a sign of guilt if not similar to a no contest plea. They have not once denied any of the accusations.*

TABLE OF CONTENTS

★ QUESTIONS PRESENTED..2

★ LIST OF PARTIES...4

★ TABLE OF CONTENTS. 5

★ INDEX TO APPENDICES..6

★ TABLE OF AUTHORITIES CITED..7

★ OPINIONS BELOW...8

★ JURISDICTION...9

★ CONSTITUTIONAL & STATUTORY PROVISIONS INVOLVED 9

★ STATEMENT OF THE CASE...9
  - CASE SUMMARY & RELIEF SOUGHT
  - "THE ISSUES PRESENTED"
  - "THE FACTS NECESSARY...."

★ REASONS FOR GRANTING THE WRIT(s)...13
  - "THE REASONS WHY THE WRIT[(s)] SHOULD ISSUE"

★ CONCLUSION...15

INDEX TO APPENDICES

- **APPENDIX A: 18-55782** - *9th Circuit Court of Appeal*
    - INVALID; case is not frivolous or malicious. Civil + punitive deterrent

- **APPENDIX B: 2:17-cv-04921** - *Central District of California*
    - INVALID for reasons previously stated, & IRRELEVANT to this petition, but also disproven again in this document with some new points just in case someone thinks Petitioner missed something, which he did not, and the obstruction should be obvious to anyone competent who gave everything a thorough read. This also illustrates an example of why oral argument is crucial; not only because so much could be more easily communicated in person using the FAC as a reference point, but there is also a new issue being that AI could be used to simulate Justices in telephone or video conferences. Petitioner responded to oppositions' every line only to be treated like his responses were nonexistent; probably because minds of judges were made for them upon someone casting evil court actors. Communication is everything and lower court judges intentionally disconnected from responsibility in their obstructions of justice.

TABLE OF AUTHORITIES CITED

- **28 USC §§ 2241, 2242, & 1254(2)** - SCOTUS Jurisdiction - Page 11
- **SCOTUS Rule 20.(4)(a)** - Habeas Corpus - Page 18
- **Article III, § II of The Constitution** - Establishes SCOTUS - Page 13
- **28 USC § 1651** - Due Process - Pages 13
- **Article I, § IX of The Constitution** - Habeas Corpus - Page 14
- **Judiciary Act of 1789** - Habeas Corpus @ SCOTUS - Page 14
- **First Amendment** - Right to Petition to Government - Page 14
- **Second Amendment** - Right to Keep & Bear Arms - Page 14
- **Fifth Amendment** - Due Process - Page 15
- **Sixth Amendment** - "Assistance" of Counsel - Page 15
- **Eighth Amendment** - Cruel & Unusual Punishment - Page 16
- **Fourteenth Amendment** - Due Process - Pages 13 & 17
- **18 USC § 1962(a)(c) & 18 USC § 1964** - RICO / Remedies - FAC Pages 1-4, 70-74
- **18 USC §§ 1962(a)(b)(c)(d) & 1349** - RICO/Civil Conspiracy - FAC Pages 74-76
- **18 USC §§ 1510, 1513, & 1985** - Obstruction of Justice - FAC Pages 94-96
- **PEN § 470, 18 USC § 1001, CIV § 1710, CIV § 3294** - FRAUD - FAC Pages 77-79
- **18 USC § 1030 (a)(2)(c) & (a)(4), 18 USC § 1030(b) & (g)** - Computer Fraud
- **CFAA § 1030(a)/(c)(4)(A)(i)(I)-(V)** - Computer Fraud & Abuse Act
- **1240-1: PEN §§ 210.5, 236; 42 USC § 1983** - False Imprisonment - FAC Pages 98-99

IN THE SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF HABEAS CORPUS

Petitioner respectfully DEMANDS justice, which begins with a REAL hearing. This is the only way to ensure secure communication with an honorable court in the collective case where Petitioner has not once faced a judge or opposing attorney. Justices must preferably bring Petitioner to SCOTUS, or also reconsider previous petitions and send the case back to a new and impartial judge at CACD. There are valid reasons for Petitioner to question everything; specifically, in this court because Petitioner has alleged communication interference not limited to with technology, but also having exhibited evidence of mail fraud, and snail mail being the only way approved for *pro se* correspondence with SCOTUS is obsolete. Petitioner has been working on this case for an entire decade and will never give up. The courts must respect this civil mind, legal applications, and freedom of honest information. These claims are true.

OPINIONS BELOW

CASE # 20-5236 @ SCOTUS - No opinion provided; Obstructed via shady filing process?

CASE # 19-5616 @ SCOTUS - No opinion provided; Obstructed via shady filing process?

CASE # 18-55782 @ 9th Circuit - Dismissed by judges seem to be aligned with one-sided religious conflict based on names & defamatory, fraudulent label for nonexistent appeal

CASE # 2:17-cv-04921 @ USA CA Central District - Judge proven wrong if not corrupt

JURISDICTION

Jurisdiction of **SCOTUS** is invoked, as previously detailed, under not limited to: **28 USC §§ 22419(a) & §1254(2), § 2241**, **§ 2242, & §1651; Article III, Section II of The Constitution**; **14th Amendment; SCOTUS Rule 44**

CONSTITUTIONAL & STATUTORY PROVISIONS INVOLVED

The Constitution & as previously detailed: **Suspension Clause** (Clause 2) @ **Article I, Section 9**; **1st, 2nd, 3rd, 5th, 6th, 8th, & 14th Amendments; Judiciary Act of 178**

STATEMENT OF THE CASE

Obstruction = False Imprisonment

SCOTUS RULES 20.4(a) STATEMENT: Exceptional circumstances warrant the exercise of discretionary powers because this case is like none other and adequate relief cannot be obtained in any other form or from any other court because SCOTUS is the only court that can overrule all three federal courts. The alternative next course of action would be to file anew, but that does not provide proper relief, which can be acquired at SCOTUS.

CASE SUMMARY: This Petition follows several neglected Petitions to SCOTUS, an obstructed appeal process that was disrupted when the 9th Circuit went out of order and neglected the application for counsel, and complaints that were dismissed by District Court for invalid reasons. Petitioner has apparently been falsely confined to a new form

of private prison, held incommunicado in the sense of certainty that not all communications are going through, denied employment rights and other forms of income, denied proper medical care and SSI after respondents caused three qualifying physical disabilities, denied both representation and the right to a hearing before a judge. This is exactly what *habeas corpus* is intended for as is humbly presented.

RELIEF SOUGHT: Same as in original petition(s); Bring Petitioner to SCOTUS

THE ISSUES PRESENTED:

- No valid or logically relevant reason used in false justification to dismiss
- Obstruction of justice caused, if not extremely exacerbated, false imprisonment
- F2F hearing is necessary to prove whether everything was received & reviewed
- Not limited to due process rights violated until writs issue & conflict resolution

FACTS NECESSARY TO UNDERSTAND ISSUES PRESENTED BY THE PETITION: Petitioner is always honest: no tricks, no lies, no contradictions, no exaggerations, no discrepancies, and no problem speaking for himself under oath on truth serum and hooked up to a lie detector. Respondents have been abusing power to troll every aspect of Petitioner's life. All claims are supported by clear and convincing facts and evidence. The future amendment, or next RICO complaint against John Does 1 to 10, goes into more detail about each element for less causes of action and explains justification for

relief sought using copycat startups with $100M annual revenue and multi-billion dollar valuations as examples of financial loss incurred over the span of more than a decade. Several Defendants have gone from billionaire to centi-billionaire, and from multi-billion dollar company to trillion dollar companies. "Yesterday's price is not today's price" and punitive damages must be deterrents. Perhaps Petitioner is still not requesting enough relief to deter Respondents and several amendable deep pockets including our government. Defendants mockingly, pretentiously, and contradictorily pleaded that they did understand the claim, yet perfectly summarized the gist of it. The courts permitted evil to evolve for an entire decade since complaints were filed. This is an extraordinarily complex case and Petitioner is trying to keep it simple. The original complaint was intended to be amended after discovery, or by request for additional details. This should be resolved in ADR, and Respondents know what they are defending against, so is it really necessary to add another 100 pages of complaint without first seeing if this can be settled? Petitioner has been fighting for his life with no time to spare in meeting all deadlines. The FAC completes the incomplete complaint where all elements for each cause of action have always been alleged in the COA section; by adding more references to paragraphs with corresponding statements. Perhaps CACD is not used to this method, but it is efficiently organized and goes above and beyond stating the claim. The criminal laws have purpose not limited to fulfilling prerequisite elements of the civil RICO claim and are covered by jurisdiction as accordingly cited. Was the RICO Act not intended to create means for a civilian to prosecute criminals by order of a judge in the event of

corrupt authorities? If not, then this should set precedent. CACD judges failed to accept the simple fact that all Defendants are being held liable for everything via the conspiracy tort; therefore, the example used for *res judicata* regarding the bank's involvement was invalid, and in addition to neglect of case law previously cited with explanation of the fact that Defendants are collectively extending claims and statutes of limitations as they continue to violate with new iterations of similar crimes. Petitioner explained and exhibited a timeline of the racket's relentless attacks. Precise timestamps were offered upon necessity; for every photograph, screenshot, video, etc. The FAC is a major upgrade, and has room for improvement. It corrected the alleged flaws; such as rewording conclusory statements and clarifying the statement of the RICO claim. The judges did not make any valid points, only contradictions regarding page-length, obviously with no interest for details, which are still pending discovery where the judge jeopardized the mission and Petitioner's security by quashing relevant subpoenas. Petitioner acquired several RICO complaints, which were similar page-length and used as models for doing it right. Lower court judges should have been recused and defendant attorneys are dishonest. The 9th Circuit was also wrong. There is nothing frivolous or malicious about the case; not even the reason it was dismissed by CACD. They went out of order and brought back the same lie used to obstruct *pro se* Plaintiffs *in pro per* as they have probably gotten away with in the past against less intelligent Plaintiffs and before initial fees were paid to bypass the go to lies for obstructing. Defendants blocked countless attempts to acquire help and representation, similar to the job hunt, to the

point where it would have been insane to continue putting in thousands of hours expecting different results. Petitioner is not doing the same thing by filing different types of petitions and complaints. The new facts constrained herein disprove the remainder of the invalid CACD framework. Someone evil appears to have hand-picked lower court judges in an effort to obstruct. Case assignment is alleged to be random in the lower courts where name hack judges, similar to case analysts, seem to have been hand selected like a jury of Defendant peers to represent Defendants as their attorneys; based on immoral and delusional religious motives. Petitioner has tried to acquire support from representative politicians since alleged obstructions of justices. Has any government entity or individual influenced SCOTUS behind the scenes? Several politicians have definitely received campaign funding from Respondents and Defendant Does; others probably conspired for career advancement. Money and power are obvious motives.

REASONS FOR GRANTING THE PETITION; WHY THE WRIT(s) SHOULD ISSUE:

- ★ LOWER COURT DISMISSALS ARE INVALID
- ★ This is why *habeas corpus* & processes leading up to this exist
- ★ Life threatening reliance on answers to questions
- ★ No reason to believe Justices reviewed the case
- ★ Respondents have not stopped violating
- ★ New facts, evidence to exhibit & details to amend
- ★ Petitioner is confined to the situation & TRUTH must arise

SIGNIFICANT CONSTITUTIONAL & LEGAL ISSUES: This case is important for modern society, democracy, and legal principles at stake including *habeas corpus,* due process, abuse of *res judicata*, and literally everything pleaded. The court should set an example for civil conflict resolution over violence and other less than civil means of justice. Several of these issues are of Constitutional significance, point out flaws in the system that can be corrected, and could set precedent or legal authority for the greater good; if not by legal standards, then as a deterrent to these unethical and inhumane violations.

HYPOTHESIS; HYPOTHETICAL & PLAUSIBLE JUSTIFICATION: Justices and lower court judges could have conspired to obstruct as if Petitioner would miss deadlines or not call them out, and if that happened, then they would blame it on disruptions caused by Defendant hackers. The system is obsolete and flawed because this is possible, especially for these defendants and their unlimited resources. A problem for national security is the breach caused by leaving backdoors open for billionaires to bribe courts. Moreover, this case touches on issues of great importance regarding criminal networks, liabilities, and governance and abuse of power over communications technology. Then there are "theories" which should be of public interest and that require investigation regarding government actors, suspected fake deaths, hacks corresponding to this case, the pandemic, and possibly election fraud. Time for good karma to catch bad apples.

CONCLUSION

There is no justification for denying Petitioner's Constitutional rights or relentless attacks on every aspect of his personal and professional life. Petitioner is demanding nothing more in this petition than the right to a real hearing with direct lines of honest communication. Please hear the oral argument against whatever the courts must stop concealing. Additionally, Petitioner suspects a reason for obstruction is based on haters of evidence. The sealed list of individual 'suspect' Does identifies government actors including corrupt: cops, politicians, and people of personal relation who were labeled by their connections, including by religion where delusional beliefs have been used as false justification for bogus entitlements. Petitioner was only illustrating connections between suspects who have not been filed against because Petitioner desires the most civil solution, which is holding the trigger pulling enabler corporations responsible. Doe defendants have not been dismissed. Let us resolve this with the most civil solution as originally intended. Granting everything and issuing the writ should be based on law, not politics, religion, or uninformed decisions. In conclusion, LOWER COURT JUDGES ARE WRONG and Petitioner has the right to no less than due process beginning with what should be a unanimous decision for the writ of *habeas corpus* to be GRANTED.

Respectfully,
/s/ **RUSSELL ROPE** 06/01/2024
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More information & exhibits posted @ **russellrope.com/real-legaltrillog-revolution**

#23-6997

IN THE SUPREME COURT OF THE UNITED STATES

Russell Rope,

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Facebook, Inc., Apple, Inc., Alphabet, Inc., Twitter, Inc.,
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The United States Court of Appeals for the Ninth Circuit; Case #18-55782
District Court for the Central District of California; Case #2:17-cv-04921

APPENDIX A

Cover Sheet & Copy of Original 1 Page Justice Obstructing Order/Opinion of 9th Circuit

/s/ **RUSSELL ROPE** 05/08/2024
Petitioner In Pro Per
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UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

DEC 18 2018

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

RUSSELL ROPE,

Plaintiff-Appellant,

v.

FACEBOOK, INC.; et al.,

Defendants-Appellees.

No. 18-55782

D.C. No.
2:17-cv-04921-MWF-PLA
Central District of California,
Los Angeles

ORDER

Before: LEAVY, BYBEE, and HURWITZ, Circuit Judges.

Upon a review of the record and the responses to the court's July 31, 2018 order, we conclude this appeal is frivolous. We therefore deny appellant's motion to proceed in forma pauperis (Docket Entry No. 2), *see* 28 U.S.C. § 1915(a), and dismiss this appeal as frivolous, pursuant to 28 U.S.C. § 1915(e)(2) (court shall dismiss case at any time, if court determines it is frivolous or malicious).

All other pending motions are denied as moot.

DISMISSED.

sz/MOATT

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

MAY 8 2019

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

RUSSELL ROPE, Plaintiff-Appellant, v. FACEBOOK, INC.; et al., Defendants-Appellees.	No. 18-55782 D.C. No. 2:17-cv-04921-MWF-PLA Central District of California, Los Angeles ORDER

Before: LEAVY, BYBEE, and HURWITZ, Circuit Judges.

The filings at Docket Entry Nos. 28, 29, and 31 are construed as motions for reconsideration of this court's December 18, 2018 order.

Appellant's motions for reconsideration (Docket Entry No. 26, 27, 28, 29, and 31) of this court's December 18, 2018 order are denied. *See* 9th Cir. R. 27-10.

No further filings will be entertained in this closed case.

sz/MOATT

#23-6997

IN THE SUPREME COURT OF THE UNITED STATES

Russell Rope,

Petitioner,

vs.

Facebook, Inc., Apple, Inc., Alphabet, Inc., Twitter, Inc.,
JPMorgan Chase & Co., & John Does 1 to 10,

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On Petition for Rehearing of Petition for Writ of Habeas Corpus
The Supreme Court of the United States; Case #19-5616 & #20-5236
The United States Court of Appeals for the Ninth Circuit; Case #18-55782
District Court for the Central District of California; Case #2:17-cv-04921

APPENDIX B

Cover Sheet & Copy of Justice Obstructing Order/Opinion(s) of CA Central District Court

/s/ **RUSSELL ROPE** 05/08/2024
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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA **JS-6**

CIVIL MINUTES—GENERAL

Case No. CV17-04921-MWF (PLAx) **Date: May 14, 2018**

Title: Russell Rope -*v*- Facebook, Inc., et al.

Present: The Honorable MICHAEL W. FITZGERALD, U.S. District Judge

Deputy Clerk:	Court Reporter:
Rita Sanchez	Not Reported
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:
None Present	None Present

Proceedings (In Chambers): ORDER GRANTING MOTIONS TO DISMISS [222] [224]; PLAINTIFF'S VARIOUS REQUESTS RE: MOTIONS [237] [242] [243] [244] [245]

Before the Court are two motions to dismiss Pro Se Plaintiff Russell Rope's First Amended Complaint ("FAC"), which was filed on February 19, 2018. (Docket No. 136). Defendant JPMorgan Chase Bank, N.A. ("JPMorgan"), filed a Motion to Dismiss (the "JPMorgan Motion") on March 16, 2018. (Docket No. 222). Plaintiff filed an Opposition on April 23, 2018 (Docket No. 238), to which JPMorgan replied on April 30, 2018. (Docket No. 240).

On March 19, 2018, Defendants Apple Inc., Facebook, Inc., Alphabet, Inc., and Twitter, Inc. (together, "Tech Defendants") also filed a Motion to Dismiss (the "Tech Motion"). (Docket No. 224). Plaintiff filed an Opposition on April 23, 2018 (Docket No. 239), and the Tech Defendants filed a Reply on April 30, 2018. (Docket No. 241).

Plaintiff also sought leave to file sur-replies to JPMorgan's and the Tech Defendants' Replies. (Docket Nos. 242, 243, 244, 245). Those requests are **DENIED**. Plaintiff already filed over-sized Oppositions of at least 50 pages each to each Motion, and the proposed sur-replies are not necessary for the Court's determination of the Motions.

In connection with his Oppositions, Plaintiff also requested that the Court consider all of the exhibits filed in connection with his initial Complaint as

incorporated into the FAC. (Docket No. 237). The Court considers the exhibits as necessary to determine the Motions; the request is **GRANTED**.

Pursuant to Rule 78 of the Federal Rules of Civil Procedure and Local Rule 7-15, the Court determined that the Motions were appropriate for submission on the papers, and vacated the hearing set for May 14, 2018. (Docket No. 246). The Court has read and considered the papers filed on the Motions, and for the reasons set forth below, the JPMorgan Motion and the Tech Motion are both **GRANTED *without leave to amend***. Plaintiff's FAC suffers from the same defects as his initial Complaint.

I. DISCUSSION

First, like the initial Complaint, the FAC fails to meet the requirements of Rule 8 of the Federal Rules of Civil Procedure. The initial Complaint was 100 pages long (without the 66 exhibits), and contained 310 paragraphs of "rambling, unrelated allegations against the named Defendants as well as his doctors, strangers on the street, law enforcement officers, doormen at night clubs, his brothers, his landlords, and myriad other companies and individuals." (Order re Motions to Dismiss at 7 (Docket No. 114)). In the Court's prior Order granting Defendants' Motions to Dismiss the Complaint, the Court afforded Plaintiff ***one*** opportunity to "remove excessive redundancy, allegations irrelevant to the claims for relief, and conclusory or excessively argumentative allegations" such that the amended Complaint conformed to the Rule 8. (*Id.*).

Plaintiff has failed to comply with the Court's directives in this regard. The FAC is now 126 pages (without exhibits) and contains 365 paragraphs in which Plaintiff doubles down on the conclusory, unrelated allegations asserted in the initial Complaint. The allegations in the FAC do no more to put Defendants on notice of the nature of the claims against them than did the allegations in the initial Complaint. Indeed, Plaintiff's failure to comply – or even attempt to comply – with the Court's order is itself reason to dismiss the FAC. *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1260

(9th Cir. 1992) (stating that district court may dismiss action for failure to comply with any order of the court).

Again, it is not the Court's responsibility to "expend time and effort searching through large masses of conclusory, argumentative, evidentiary and other extraneous allegations in order to discover whether the essentials of claims asserted can be found in such a mélange." *Jacobson v. Schwartzenegger*, 226 F.R.D. 395, 397 (C.D. Cal. 2005) (citation omitted) (dismissing 200-page complaint for failure to comply with Rule 8); *Hatch v. Reliance Ins. Co.*, 758 F.2d 409, 415 (9th Cir. 1985) (affirming district court's dismissal of complaints that "exceeded 70 pages in length, were confusing and conclusory, and not in compliance with Rule 8"); *McHenry v. Renne*, 84 F.3d 1172, 1178 (9th Cir. 1996) (affirming dismissal of complaint that was "argumentative, prolix, replete with redundancy, and largely irrelevant").

Second, as with the initial Complaint, it appears that at least some, if not all, of Plaintiff's claims are barred by the doctrine of res judicata, although the confusing nature of the FAC makes it impossible for the Court to determine conclusively that the claims are barred. In the FAC, Plaintiff himself refers to and incorporates by reference his multiple prior actions in federal and state court against Defendants. (*See, e.g.*, FAC ¶¶ 41, 85, 321). Regardless of how Plaintiff now styles his claims for relief, even he acknowledges that they are based on the same facts and issues – for example, JPMorgan's allegedly wrongful closing of Plaintiff's bank account, theft of his money, and attempts to thwart his job searches. The "true inquiry" for res judicata purposes is whether the "claims arose from the same transactional nucleus of facts." *United States v. Liquidators of European Fed. Credit Bank*, 630 F.3d 1139, 1151 (9th Cir. 2011); *Turtle Island Restoration Network v. U.S. Dep't of State*, 673 F.3d 914, 918 (9th Cir. 2012) (holding that where claims arise out of "same transactional nucleus of facts" res judicata may apply even if actions present different legal claims).

In the Court's prior Order dismissing the Complaint, the Court ordered Plaintiff to amend his Complaint to ensure that it raised "only claims that have not already been dismissed on the merits" in Plaintiff's prior actions against Defendants. (Order re Motions to Dismiss at 10). Although the Court does not conclusively determine

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES—GENERAL

Case No. CV17-04921-MWF (PLAx) **Date: May 14, 2018**
Title: Russell Rope -*v*- Facebook, Inc., et al.

which claims are barred by res judicata – nor does it need to do so, in light of its determination that the FAC fails under Rule 8 – it is apparent that Plaintiff has not complied with the Court's instructions with respect to amending his Complaint.

Third, Defendants correctly argue that no one of Plaintiff's 22 claims is properly pled. Although the Court need not reach this issue in light of its conclusion under Rule 8, it is apparent that Plaintiff's claims fail under Rule 12(b)(6) as well. For example, 11 of Plaintiff's claims are brought pursuant to the California Penal Code or federal criminal statutes that do not create private rights of action. (*See* JPMorgan Mot. at 12-15; Tech Mot. at 16-20). In his Opposition to the JPMorgan Motion, Plaintiff admits he is not seeking liability pursuant to these claims, and instead pleads them as "prerequisite[s]" for the alleged RICO conspiracy. (Opp. at 25).

In another example, Plaintiff's various fraud claims (fraud, computer fraud, wire fraud, and mail fraud) all fail to meet the heightened pleading standards of Rule 9(b). "Rule 9(b) demands that, when averments of fraud are made, the circumstances constituting the alleged fraud be specific enough to give defendants notice of the particular misconduct so that they can defend against the charge[.]" *Vess v. Ciba-Geigy Corp. USA*, 317 F.3d 1097, 1106 (9th Cir. 2003) (internal citations omitted). Under Rule 9(b), fraud allegations must include the "time, place, and specific content of the false representations as well as the identities of the parties to the misrepresentations." *Swartz v. KPMG LLP*, 476 F.3d 756, 764 (9th Cir. 2007) (citing *Edwards v. Marin Park, Inc.*, 356 F.3d 1058, 1066 (9th Cir. 2004)). In his Opposition to the Tech Motion, Plaintiff points to the timeline in Exhibit 39 and the "broad factual allegations stated throughout the body of the complaint" as satisfying this heightened standard. (Opp. at 27). But Exhibit 39 is a long list of vague, cryptic line items such as "Loan Fraud" and "Continuous Housing Fraud++ @ Hollywood". Neither Exhibit 39 nor the allegations in the FAC state the necessary time, place, specific content, or specific parties involved in any misrepresentations.

In response to the Court's grant of leave to amend the initial Complaint, Plaintiff ignored the Court's directives regarding Rule 8 and res judicata. It is apparent that permitting Plaintiff another opportunity to amend would be futile. *See,*

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES—GENERAL

Case No. CV17-04921-MWF (PLAx) **Date: May 14, 2018**
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e.g., *Plumeau v. School Dist. No. 40 County of Yamhill*, 130 F.3d 432, 439 (9th Cir. 1997) (affirming district court's denial of leave to amend where "any such amendment would have been futile"); *Hawkins v. Thomas*, No. EDCV 09-1862 JST (SS), 2012 WL 1944828, at *1-2 (C.D. Cal. May 29, 2012) (dismissing pro se plaintiff's complaint with prejudice where "the dismissed claims could not be cured by any amendment"). Plaintiff acknowledges as much in his Opposition to the Tech Motion, stating, "Further amendment of the FAC at this point would mostly be a waste of time." (Opp. at 53).

II. CONCLUSION

Accordingly, the Motions are **GRANTED** ***without leave to amend.***

This Order shall constitute notice of entry of judgment pursuant to Federal Rule of Civil Procedure 58. Pursuant to Local Rule 58-6, the Court **ORDERS** the Clerk to treat this Order, and its entry on the docket, as an entry of judgment.

IT IS SO ORDERED.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES—GENERAL

Case No. CV17-04921-MWF (PLAx) **Date: December 20, 2017**
Title: Russell Rope -*v*- Facebook, Inc., et al.

Present: The Honorable MICHAEL W. FITZGERALD, U.S. District Judge

Deputy Clerk:	Court Reporter:
Rita Sanchez	Not Reported

Attorneys Present for Plaintiff:	Attorneys Present for Defendant:
None Present	None Present

Proceedings (In Chambers): ORDER RE MOTIONS TO DISMISS [67] [88]; PLAINTIFF'S VARIOUS REQUESTS RE MOTIONS [85] [94] [111] [112]

Before the Court are two motions to dismiss. Defendant JPMorgan Chase Bank, N.A. ("JPMorgan"), filed a Motion to Dismiss Complaint (the "JPMorgan Motion") on August 29, 2017. (Docket No. 67). Pro Se Plaintiff Russell Rope filed an Opposition on September 8, 2017 (Docket No. 76), to which JPMorgan replied on September 29, 2017. (Docket No. 92). Plaintiff filed an unsolicited Response in Opposition to that Reply on October 30, 2017. (Docket No. 105).

On September 28, 2017, Defendants Apple Inc., Facebook, Inc., Alphabet, Inc., and Twitter, Inc. (together, "Apple Defendants") also filed a Motion to Dismiss (the "Apple Motion"). (Docket No. 88). Plaintiff did not timely file an Opposition to the Apple Motion, as the Apple Defendants point out in their Response in Support of Motion to Dismiss, filed on October 13, 2017. (Docket No. 98). After the Apple Defendants' Response was filed, Plaintiff filed what appears to be an Opposition, also dated October 13, 2017. (Docket No. 100). He filed another Opposition on October 30, 2017. (Docket No. 108).

The Court determined that these Motions were appropriate for submission on the papers without oral argument, and vacated the hearings on the Motions. (*See* Docket No. 103).

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES—GENERAL

Case No. CV17-04921-MWF (PLAx) **Date: December 20, 2017**
Title: Russell Rope -*v*- Facebook, Inc., et al.

Under Local Rule 7-12, Plaintiff's failure to file an Opposition in response to the Apple Motion within the deadline may be deemed consent to the granting of the Apple Motion. However, as the Court indicated in its Order Denying Plaintiff's Ex Parte Application, dated October 30, 2017, the Court will consider all the papers filed on the Motions, including Plaintiff's untimely and unsolicited additional filings. (Order Denying Ex Parte Application at 2 (Docket No. 109)).

For the reasons set forth below, the Court **GRANTS** the JPMorgan Motion and the Apple Motion ***with leave to amend***. The Complaint fails to comply with the pleading requirements of Federal Rule of Civil Procedure 8. Moreover, although the Court cannot determine it conclusively at this time due to the confusing nature of the Complaint, it appears that Plaintiff has already brought similar actions in state and federal court against the same defendants, such that his claims in this action are barred by res judicata.

Plaintiff also filed various other requests related to the Motions: Request for Order and Explanation (Docket No. 85); Request and Notice of Opposition (Docket No. 94); Request for Order for Opposition Against Defendants' Motions to Dismiss (Docket No. 111); and another Request for Order for Opposition Against Defendants' Motions to Dismiss. (Docket No. 112). These Requests are all **DENIED as moot.**

I. BACKGROUND

Plaintiff initiated this action in July 2017 against Defendants JPMorgan Chase Bank, N.A., Apple Inc., Facebook, Inc., Alphabet, Inc., and Twitter, Inc. (*See* Complaint (Docket No. 17)). The 166-page Complaint contains 310 paragraphs, 66 exhibits and sets forth 20 claims for relief against all Defendants, each of which incorporates all the preceding paragraphs: (1) RICO violation of 18 U.S.C. § 1962(c); (2) RICO conspiracy of 18 U.S.C. § 1962(d); (3) fraud; (4) computer fraud; (5) wire fraud; (6) criminal threats; (7) obscene, threatening, and annoying communications; (8) stalking; (9) assault and battery; (10); espionage; (11) theft of trade secrets; (12) obstruction of justice; (13) false imprisonment; (14) perjury; (15) grand theft &

robbery; (16) defamation; (17) unfair competition; (18) intentional infliction of emotional distress; (19) cybersquatting; (20) employment discrimination.

Plaintiff describes this action as "a mashup and major update of three separate but connected and originally incorrectly filed cases." (Compl. ¶ 1). He alleges that Defendants are "criminals breaking the law not limited to abusing power Internet and technology corporations to defraud Plaintiff of life, freedom, business, a domain name, and perssonal relationships [sic]." (*Id.*). Essentially, Plaintiff claims that "Defendants engaged in a multi-district conspiracy to defraud Plaintiff of money and property." (*Id.* ¶ 11). Plaintiff refers to Defendants as the "Bad Karma Enterprise" (*Id.* ¶ 13), and alleges they have been "terrorizing" Plaintiff for over a decade. (*Id.* ¶ 35). It appears that the conspiracy reached all aspects of Plaintiff's life.

The Defendants have allegedly "attempt[ed] to steal, sabotage, and control business [and] gone so low as to interfere with personal relations." (Compl. ¶ 30). Defendant JPMorgan is allegedly withholding money after tricking Plaintiff into signing an indemnity agreement, and engaged in employment discrimination by removing job postings from its website before Plaintiff could apply to them. (*Id.* ¶¶ 33, 84–86). Defendant Facebook and its subsidiary, Instagram, are sabotaging Plaintiff's accounts by interfering with friend requests and censoring posts, and is "get[ing] away with cyber murder over and over." (*Id.* ¶¶ 50, 52, 53). Apple has disabled Plaintiff's accounts and webpages and interfered with his smart phone connectivity and social media life. (*Id.* ¶ 51). Defendant Alphabet and its subsidiaries likewise have terminated and sabotaged Plaintiff's accounts. (*Id.* ¶ 54). Defendant Twitter is also accused of "name and number hacks including cryptic message harassment such as modifying URLs or hyper links in tweets to form harassing messages." (*Id.* ¶ 55).

Plaintiff appears to allege that Defendants have somehow conspired to steal the "rise.com" domain name that Plaintiff intended to purchase by leaking the name to people in the entertainment industry, even though Plaintiff had only told a few family members about his intentions. (Compl. ¶¶ 65–76). Now, despite Plaintiff's secrecy, the word "rise" is appearing in various movies, television shows, and advertisements.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES—GENERAL

Case No. CV17-04921-MWF (PLAx) **Date: December 20, 2017**
Title: Russell Rope -*v*- Facebook, Inc., et al.

(*Id.*). People have allegedly attempted to kill Plaintiff in attempts to steal this domain name. (*Id.* ¶ 149). Defendants are alleged to have gained access to Plaintiff's unpublished book, from which they are stealing trade secrets. (*Id.* ¶ 90).

Plaintiff alleges that Defendants are hacking his equipment to spy on him and stalk him, to sexually harass him, and to engage in sex trafficking, (Compl. ¶¶ 56, 58). He also alleges he is being physically "stalked . . . all around tinsel town" by females who wear clothes with threatening messages, cars with Florida license plates, and Australians. (*Id.* ¶¶ 114–17). Plaintiff also alleges that a series of car accidents are a part of the conspiracy orchestrated by Defendants. (Compl. ¶¶ 123–26).

The conspiracy is also alleged to involve health care fraud extending back to Plaintiff's birth in 1982. (Compl. ¶ 109). Defendants are accused of "using dermatology and other health care related fraud to control the Plaintiff; to trap the Plaintiff in his own skin." (*Id.*). Doctors are accused of "aging" Plaintiff, making him wait in examination rooms, and prescribing medication with dangerous side effects. (*Id.* ¶ 110–12).

Plaintiff lists "additional problems," including "Google Maps/iPhone Hack", "Car Computer Hack False System Malfunction Errors", "Pharmacy and Doctor Office Harassment", "License Plate Stalking Hacks", and "Food, Gas Station, and Entertainment Hacks". (*Id.* ¶ 61). Plaintiff also makes allegations against parties not named as Defendants in the action, such as PayPal, Spotify, Comm100, Mail Chimp, Uber, Model Mayhem, and AirBnb, as well as door men at night clubs, law enforcement officers, the court system, the EEOC, Plaintiff's family members, and Plaintiff's landlords and roommates. (*Id.* ¶¶ 60, 78, 80–83, 103–5. 113–15, 123–26, 129–41). Plaintiff also suggest that Facebook CEO Mark Zuckerberg, Apple CEO Tim Cook, and Twitter CEO Jack Dorsey are involved directly in the conspiracy. (*Id.* ¶¶ 152, 154, 157). Plaintiff further alleges that Defendants are publishing fake news online and on television to control Plaintiff. (Compl. ¶ 108).

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES—GENERAL

Case No. CV17-04921-MWF (PLAx) Date: December 20, 2017
Title: Russell Rope -*v*- Facebook, Inc., et al.

The JPMorgan Motion seeks dismissal of the Complaint pursuant to Rule 12(b)(6) and the doctrine of res judicata. The Apple Motion also seeks dismissal pursuant to Rule 12(b)(6) and res judicata, as well as Rule 8.

II. FAILURE TO STATE A CLAIM

A. Legal Standard

"Dismissal under Rule 12(b)(6) is proper when the complaint either (1) lacks a cognizable legal theory or (2) fails to allege sufficient facts to support a cognizable legal theory." *Somers v. Apple, Inc.*, 729 F.3d 953, 959 (9th Cir. 2013). "Federal Rule of Civil Procedure 8(a)(2) requires only 'a short and plain statement of the claim showing that the pleader is entitled to relief,' in order to 'give the defendant fair notice of what the . . . claim is and the grounds upon which it rests . . . .'" *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (quoting *Conley v. Gibson*, 355 U.S. 41, 47 (1957)).

In ruling on the Motion under Rule 12(b)(6), the Court follows *Bell Atlantic* and *Ashcroft v. Iqbal*, 556 U.S. 662 (2009). "To survive a motion to dismiss, a complaint must contain sufficient factual matter . . . to 'state a claim to relief that is plausible on its face.'" *Iqbal*, 556 U.S. at 678 (quoting *Twombly*, 550 U.S. at 570). The Court must disregard allegations that are legal conclusions, even when disguised as facts. *See id.* at 681 ("It is the conclusory nature of respondent's allegations, rather than their extravagantly fanciful nature, that disentitles them to the presumption of truth."); *Eclectic Properties E., LLC v. Marcus & Millichap Co.*, 751 F.3d 990, 996 (9th Cir. 2014). "Although 'a well-pleaded complaint may proceed even if it strikes a savvy judge that actual proof is improbable,' plaintiffs must include sufficient 'factual enhancement' to cross 'the line between possibility and plausibility.'" *Eclectic Properties*, 751 F.3d at 995 (quoting *Twombly*, 550 U.S. at 556–57) (internal citations omitted).

The Court must then determine whether, based on the allegations that remain and all reasonable inferences that may be drawn therefrom, the complaint alleges a

plausible claim for relief. *See Iqbal*, 556 U.S. at 679; *Cafasso, U.S. ex rel. v. Gen. Dynamics C4 Sys., Inc.*, 637 F.3d 1047, 1054 (9th Cir. 2011). "Determining whether a complaint states a plausible claim for relief is 'a context-specific task that requires the reviewing court to draw on its judicial experience and common sense.'" *Ebner v. Fresh, Inc.*, 838 F.3d 958, 963 (9th Cir. 2016) (quoting *Iqbal*, 556 U.S. at 679). Where the facts as pleaded in the complaint indicate that there are two alternative explanations, only one of which would result in liability, "plaintiffs cannot offer allegations that are merely consistent with their favored explanation but are also consistent with the alternative explanation. Something more is needed, such as facts tending to exclude the possibility that the alternative explanation is true, in order to render plaintiffs' allegations plausible." *Eclectic Properties*, 751 F.3d at 996–97; *see also Somers*, 729 F.3d at 960.

B. Discussion

Apple Defendants argue that the Complaint fails to satisfy Rule 8's basic notice requirements. (Apple Mot. at 6). Rule 8 requires pleadings to contain "a short and plain statement of the claim showing that the pleader is entitled to relief." Fed. R. Civ. P. 8(a)(2).

A court may dismiss a complaint "for failure to satisfy Rule 8 if it is so confusing that 'its true substance, if any, is well disguised.'" *Bailey v. BAC Home Loan Serv., LP*, No. CV 11-648-LEK (BMKx), 2012 WL 589414, at *1 (D. Haw. Feb. 12, 2012) (quoting *Hearns v. San Bernardino Police Dep't*, 530 F.3d 1124, 1131 (9th Cir. 2008). Indeed, the Ninth Circuit has affirmed dismissal of excessively long, redundant, and confusing complaints for failure to comply with Rule 8. *See, e.g.*, *McHenry v. Renne*, 84 F.3d 1172, 1178 (9th Cir. 1996) (affirming dismissal of complaint that was "argumentative, prolix, replete with redundancy, and largely irrelevant"); *Carrigan v. Cal. State Legislature*, 263 F.2d 560, 566 (9th Cir. 1959) (affirming dismissal of a 150-page complaint describing plaintiff's thoughts, worries, hearsay conversations, frustrations and difficulties with doctors and insurance companies, and medical reports); *Nevijel v. North Coast Life Ins. Co.*, 651 F.2d 671, 675 (9th Cir. 1981) (affirming dismissal of complaint that was "verbose, confusing

and almost entirely conclusory"); *Hatch v. Reliance Ins. Co.*, 758 F.2d 409, 415 (9th Cir. 1985) (affirming district court's dismissal of complaints that "exceeded 70 pages in length, were confusing and conclusory, and not in compliance with Rule 8");

District Courts regularly dismiss complaints containing indecipherable claims for relief. *See, e.g.*, *United States ex rel. Mateski v. Raytheon Co.*, No. CV 06-3614-ODW (KSx), 2017 WL 1954942 (C.D. Cal. Feb. 10, 2017) (dismissing with leave to amend 134-page, undecipherable complaint); *Adams v. California*, No. CV 02-5419-CRB, 2003 WL 202638, at *3 (N.D. Cal. Jan 24, 2003) (dismissing claims with prejudice where "Plaintiff has not stated a coherent claim against any of the defendants"); *George v. Dutcher*, No. CV 16-679-RCJ (VPCx), 2017 WL 1393064, at *2 (D. Nev. Feb. 28, 2017) ("[P]laintiff's largely incomprehensible narrative makes it nearly impossible for the court to identify the factual or legal basis for her claims or the nature of her requested relief.").

Here, Plaintiff's Complaint is 166 pages long, and filled with rambling, unrelated allegations against the named Defendants as well as his doctors, strangers on the street, law enforcement officers, doormen at night clubs, his brothers, his landlords, and myriad other companies and individuals. Plaintiff includes every slight and setback he has encountered in the last several years in the Complaint, claiming that they are all part of one conspiracy. He attaches 66 exhibits which only add to the confusion. For example, Exhibits 1 and 2 to the Complaint are lists of other suspected conspirators, ranging from Plaintiff's high school and college classmates and his siblings to attorneys he has contacted and companies like AT&T and MySpace. (Docket Nos. 17-13, 17-4). Exhibit 4 appears to be a collage of appearances of the number "187" in Plaintiff's social media pages. (Docket No. 17-6).

It is neither Defendants' nor the Court's responsibility to "expend time and effort searching through large masses of conclusory, argumentative, evidentiary and other extraneous allegations in order to discover whether the essentials of claims asserted can be found in such a mélange." *Jacobson v. Schwartzenegger*, 226 F.R.D. 395, 397 (C.D. Cal. 2005) (citation omitted) (dismissing 200-page complaint with leave to amend for failure to comply with Rule 8). Plaintiff's conclusory assertion

that "Rule 8 does not apply" because Plaintiff did provide short and plain statements (Docket No. 108) does not make it so.

The Motions are therefore **GRANTED**. The Court will permit Plaintiff one opportunity to amend his Complaint to remove excessive redundancy, allegations irrelevant to the claims for relief, and conclusory or excessively argumentative allegations. Because the Court concludes that the Complaint fails to meet the requirements of Rule 8, it does not reach Defendants' arguments regarding why the Complaint fails to state each of the 20 claims for relief, which in any case appear to largely point to the conclusory, vague, and confusing nature of the allegations. Defendants may raise these arguments again in response to Plaintiff's First Amended Complaint, if there is one.

III. RES JUDICATA

Both Motions argue that some of Plaintiffs' claims are barred by res judicata. (JPMorgan Mot. at 5–7; Apple Mot. at 7 n.3). Under the doctrine of res judicata, "a final judgment on the merits bars further claims by parties or their privies based on the same cause of action." *In re Schimmels*, 127 F.3d 875, 881 (9th Cir. 1997). The doctrine precludes a party from re-litigating (1) the same claim, (2) against the same party, (3) when that claim proceeded to a final judgment on the merits in a prior action." *MHC Fin. Ltd. P'ship v. City of San Rafael*, 714 F.3d 1118, 1125 (9th Cir. 2013). Federal courts are required to give state court judgments the same preclusive effect they would be given by other courts in that state. *Brodheim v. Cry*, 584 F.3d 1262, 1268 (9th Cir. 2009).

JPMorgan argues that, although Plaintiff's Complaint in this action contains 20 vague claims for relief, the factual allegations against JPMorgan are the same as the allegations in Plaintiff's state court action, filed in 2016: *Russell Rope v. JP Morgan Chase & Co.*, Case No. BC608501. Essentially, both actions alleged that JPMorgan closed Plaintiff's account, withheld his money, tried to force him to sign an indemnity agreement, and engaged in employment discrimination. (JPMorgan Mot. at 6, Ex. A). The superior court sustained JPMorgan's demurrer in that action, which was based on

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES—GENERAL

Case No. CV17-04921-MWF (PLAx) **Date: December 20, 2017**
Title: Russell Rope -*v*- Facebook, Inc., et al.

Plaintiff's failure to state a claim upon which relief could be granted. The case was subsequently dismissed with prejudice. (*See id.*, Exs. B, D, and E).

Likewise, the Apple Defendants argue that to the extent Plaintiff's allegations in this Complaint are based on the same facts and evidence alleged in his prior state court action against Apple and its CEO, Facebook and its CEO, Alphabet, and Twitter, which was dismissed in its entirety without leave to amend, the current claims are barred by res judicata. (Apple Mot. at 6–7, n.3). The similar state court action, *Russell Rope v. Apple, Inc., et al.*, Case No. BC607769, was filed in 2016. (*See id.*, Ex. B). In 2014, Plaintiff also attempted to file a similar case in federal court against the same defendants as the current action (excepting JPMorgan). That case, *Russell Rope v. Facebook, Inc., et al.*, Case No. 2:14-cv-04900 (C.D. Cal), was dismissed in its entirety by the Magistrate Judge for failure to state a claim upon which relief could be granted. (*Id.*, Ex. A at 10 ("Plaintiff's Complaint contains conclusory allegations but not specific facts to support a claim of conspiracy.").

Plaintiff himself refers to and incorporates by reference all of the prior actions described above. He acknowledges that "[t]his case was originally filed incorrectly as three individual cases. It now makes most sense to refile as a single new case." He appears to think that by filing this case and paying the filing fee, he "bypass[ed] the previously false frivolous case block, which is allegedly a trick used against poor pro se litigants legitimately filing in forma pauperis." (Compl. ¶ 41). He says this action is "most similar" to the 2014 federal action against Facebook, et al. (*Id.* ¶ 45). He attaches that federal court complaint as Exhibit 41 to the Complaint. (Docket No. 17-43). He also references the state court action against JPMorgan throughout the Complaint, even incorporating it by reference as Exhibit 45 to the Complaint. (*See* Compl. ¶¶ 41, 85, 264).

Plaintiff argues in Opposition to the JPMorgan Motion that res judicata cannot apply because Defendants "basically kidnapped Plaintiff thereby making him unable to attend court." (Opp. at 2). This allegations is irrelevant to the three elements of res judicata, listed above. He further asserts that res judicata does not apply because the Complaint in this action is "brought under a different title and with a lot of new

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES—GENERAL

Case No. CV17-04921-MWF (PLAx) **Date: December 20, 2017**
Title: Russell Rope -*v*- Facebook, Inc., et al.

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subject matter." (*Id.*). This, too, may not be relevant to the application of res judicata. The "true inquiry" for res judicata purposes is whether the "claims arose from the same transactional nucleus of facts." *United States v. Liquidators of European Fed. Credit Bank*, 630 F.3d 1139, 1151 (9th Cir. 2011); *Turtle Island Restoration Network v. U.S. Dep't of State*, 673 F.3d 914, 918 (9th Cir. 2012) (holding that where claims arise out of "same transactional nucleus of facts" res judicata may apply even if actions present different legal claims).

He further suggests that res judicata should not apply because he was "fraudulently denied his rights" and because the prior courts made "bad decisions." (Opp. at 2, 3). The remedy for Plaintiff's dissatisfaction with any prior rulings would have been to file motions to vacate the judgment or for reconsideration, or to appeal the decisions, not to re-plead the same allegations in a new Complaint.

Although the confusing nature of the allegations of the Complaint make it impossible to determine conclusively that this action is barred by res judicata, it appears highly likely that at least some of the claims are so barred. To the extent Plaintiff chooses to amend his Complaint to comply with Rule 8, as described above, he must also ensure that his Complaint raises only claims that have not already been dismissed on the merits. That Plaintiff may not agree with the decisions of the courts in the prior actions is irrelevant to their preclusive effect in this action, and he may not raise the same allegations again here.

IV. CONCLUSION

Accordingly, the Motions are **GRANTED** ***with leave to amend***. Although the Court doubts Plaintiff can state a non-frivolous claim that is not barred by res judicata, Plaintiff may file a First Amended Complaint, if any, consistent with the Court's instructions above on or before **January 16, 2018**.

IT IS SO ORDERED.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES—GENERAL

Case No. CV17-04921-MWF (PLAx) **Date: December 20, 2017**

Title: Russell Rope -*v*- Facebook, Inc., et al.

The Court notes that a party to this lawsuit does not have a lawyer. Parties in court without a lawyer are called "pro se litigants." These parties often face special challenges in federal court. Public Counsel runs a free Federal Pro Se Clinic at the Los Angeles federal courthouse where pro se litigants can get information and guidance. The clinic is located in Room G-19, Main Street Floor, of the United States Courthouse, 312 North Spring Street, Los Angeles, California 90012. For more information, litigants may call (213) 385-2977 (x 270) or they may visit the Pro Se Home Page found at http://prose.cacd.uscourts.gov/federal-pro-se-clinics . Clinic information is found there by clicking "Pro Se Clinic - Los Angeles".

#23-6997

IN THE SUPREME COURT OF THE UNITED STATES

Russell Rope,

Petitioner,

vs.

Facebook, Inc., Apple, Inc., Alphabet, Inc., Twitter, Inc.,
JPMorgan Chase & Co., & John Does 1 to 10,

Respondents,

On Petition for Rehearing of Petition for Writ of Habeas Corpus
The Supreme Court of the United States; Case #19-5616 & #20-5236
The United States Court of Appeals for the Ninth Circuit; Case #18-55782
District Court for the Central District of California; Case #2:17-cv-04921

AFFIDAVIT & CERTIFICATION OF A PARTY UNREPRESENTED BY COUNSEL

Petitioner, Russell Rope, seeks a Writ of Habeas Corpus and any available relief as requested for the above entitled case; inclusive to notated cases with all statements and exhibits by this reference made a part of this action. **Briefly and distinctly stated, this petition is necessary and not limited to based on grounds not previously presented. LOWER COURT JUDGES ARE WRONG, Constitutional rights are being violated, and life is on the line, but remedy can arise from *habeas corpus*, which shall not be suspended.** Justice obstructing errors falsely imprisoned Petitioner who must be brought to hearing for reasons elaborated upon in **this Petition presented in great faith and not for delay.**

/s/ **RUSSELL ROPE** 06/01/2024
Petitioner In Pro Per
justice@russellrope.com
+1 (310) 663-7655

#23-6997

IN THE SUPREME COURT OF THE UNITED STATES

Russell Rope,

Petitioner,

vs.

Facebook, Inc., Apple, Inc., Alphabet, Inc., Twitter, Inc.,
JPMorgan Chase & Co., & John Does 1 to 10,

Respondents,

Proof of Service
On Petition for Rehearing of Petition for Writ of Habeas Corpus
The Supreme Court of the United States; Case #19-5616 & #20-5236
The United States Court of Appeals for the Ninth Circuit; Case #18-55782
District Court for the Central District of California; Case #2:17-cv-04921

PROOF OF SERVICE OF PETITION FOR REHEARING FOR HABEAS CORPUS

I, Russell Rope, declare that on the date of June 1, 2024, as required by Supreme Court, that I have again served the enclosed EMERGENCY: MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* as well as again serving the APPLICATION OR DECLARATION IN SUPPORT, PETITION FOR WRIT OF *HABEAS CORPUS*, AFFIDAVIT & CERTIFICATION OF A PARTY UNREPRESENTED BY COUNSEL on each party to the above proceeding (including judges), specifically on their counsel by both electronically filing said documents in the Ninth Circuit and emailing where they have previously agreed to electronic service. Furthermore, Petitioner is exempt from traditional methods of serving Respondents for the following reason:

SCOTUS Rule 29.3:

"…unless the party filing the document is proceeding *pro se* and *in forma pauperis*..."

Plaintiff is both *pro se* and *in forma pauperis*. The rule is not clear as what exactly to do in this extraordinary situation, but other SCOTUS instructions and rules give reason for Petitioner to believe The Court can and will provide service if unbelievably necessary.

Names & Addresses of Served Attorneys & Judges as Follows:

- Alphabet Inc. & Twitter, Inc. Attorneys:
  - Bali, Sunita @ sbali@perkinscoie.com
  - Snell, James G. @ jsnell@perkinscoie.com

- Apple, Inc. Attorneys:
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  - Furman, Rebecca @ bfurman@lewisllewellyn.com

- Facebook, Inc. Attorneys:
  - Malhotra, Paven @ pmalhotra@keker.com
  - Mehta, Neha @ ymehta@lewisllewellyn.com

- JPMorgan Chase & Co. Attorneys:
  - Watson, Brett D. @ bwatson@ldattorneys.com & bwatson@cozen.com

- Trial-Court Judge(s):
  - Michael W. Fitzgerald @ MWF_Chambers@cacd.uscourts.gov
  - Paul. L. Abrams @ pla_chambers@cacd.uscourts.gov
  - Circuit Court Judges Via CM/ECF @ ca9.uscourts.gov/cmecf

I declare under penalty of perjury, that to the best of my knowledge, all of the aforementioned is true and correct.

/s/ **RUSSELL ROPE** 06/01/2024
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