

MANIFESTO OF FRED BATES

I WILL DIE ON THIS HILL

My report completed in October 2024, to be submitted to Congress, the Supreme Court, and the Department of Justice, is the basis for this manifesto. My manifesto is a statement that I will never accept the order of the Ninth Circuit Court of Appeals affirming the judgment of the US District Court in San Jose dismissing my lawsuit against the City of San Jose that was filed in August 2006. The judgment is based on fraud by the City, a violation of the law by the courts, and bias against me by the courts. My lawsuit resulted when several police officials violated my civil rights by denying me a CCW permit upon my medical disability retirement from the San Jose Police Department in 2004. Their actions were malicious, racist, and done with the intent to humiliate me, and to cause me emotional pain and suffering.

Final judgment was entered in my lawsuit in 2009. The judgment is unconstitutional and unenforceable by law. All of my efforts to obtain a reversal of the judgment beginning in 2010 have failed. My most recent effort for relief is a petition for writ of certiorari filed in the Supreme Court in July 2023. My petition for writ of certiorari was denied in October 2023. Since all of my options to obtain relief in the courts have been exhausted, I will seek relief through extrajudicial means. This is not meant to be a threat of violence, nor is it meant to be belligerent or menacing in any way. My manifesto is a statement that **I will die on this hill**. I mean this figuratively and literally. It means that I will pursue justice in this matter at all costs through respectful non-violent protest, civil disobedience, or other reasonable means. I have a moral obligation to do so.

Our Constitutional Republic, as established by our founding fathers, provides for an independent judiciary based on the separation of powers doctrine. This means that judges have the independence and obligation to make decisions that safeguard the rights of citizens, and uphold the rule of law. It is established in my report that the judges made rulings in my lawsuit, all in favor of the City of San Jose, that were clearly erroneous, failed to safeguard my rights, and did not follow the rule of law. The actions and rulings of the judges in my case are revolting.

The blatant lack of respect for the rule of law by these judges is reflected in comments made by Ninth Circuit Court of Appeals Judge William Fletcher during the hearing on my appeal of the district court's judgment granting the City of San Jose's motion for summary judgment in November 2009. Judge Fletcher said, "I'm going to cut to the chase a little bit. I understand all the legal arguments that we've been going through. I mean, it's a cliché to say, why did you make a federal case out of this? He asked for the concealed weapons permit. He's denied. He requested it again. He's granted. Why doesn't he just drop the darn thing?"

From the report, it is clear that Judge Fletcher understood that the district court's dismissal of my lawsuit based on collateral estoppel was in violation of the Constitution and the full faith and credit act. He also discredited the City of San Jose's claim that there was insufficient evidence in the record to support my Monell Claim. This blatant disregard for the rule of law, and the flagrant bias against me by Judge Fletcher completely delegitimizes the judgment of the Ninth Circuit Court of Appeals.

Further evidence of the courts' blatant lack of respect for the rule of law are comments made to me by Senior San Jose Deputy City Attorney Matthew Pritchard in 2021. Pritchard told me in a phone call that courts do not have to follow the law, because the law is whatever the courts

say it is. He also told me that the rulings of the courts on the issue of collateral estoppel in my lawsuit are clearly wrong. He said that I will lose because the courts never change their decisions, even those that are clearly erroneous. He said that I should accept the erroneous decisions of the courts because he accepted decisions by the courts that were wrong when he was a Public Defender. Pritchard also made a statement that was quite shocking. He said the City did not care that I was black and that I grew up in the South during Jim Crow. This is evidence that the discriminatory acts against me by the City were racially motivated.

For the past fourteen years, more or less, I have sought to have the courts vacate the clearly erroneous and unconstitutional judgment in my lawsuit filed against the City of San Jose in 2006, all to no avail. The judgment in my lawsuit does not remotely resemble justice, and it shows contempt for the Constitution and the rule of law by the courts. For our judicial system to have any credibility, the judgement in my lawsuit must be set aside. I will accept nothing less, and I have no intention of waiting another fourteen years for this to happen. **This is a hill I'm willing to die on!** The rule of law must prevail if we are to have a constitutional republic or a democracy.

My report documents in detail my unsuccessful efforts to initiate an investigation into this matter by government officials at every level, as well as the media. This failure to act by government officials and the media is quite shocking being that San Jose city officials and the Courts committed several crimes that are felonies under federal corruption laws. A post in a blog I started in 2015 in order to expose the misconduct of the City of San Jose and the Courts in this scandal emphasizes my commitment to respectful non-violent protest. That post, along with other posts worthy of note, are listed below:

[A Cheating Scandal in the Silicon Valley - Justice for Sale: Democracy Requires an Independent Judiciary Free from Violence and Intimidation that Adheres to the Rule of Law](#)

[A Cheating Scandal in the Silicon Valley - Justice for Sale: San Jose City Officials and Federal Court Officials Engaged in Criminal Misconduct During Litigation of My Lawsuits Against the City](#)

[A Cheating Scandal in the Silicon Valley - Justice for Sale: The Backstory to My Lawsuits Against the City of San Jose!](#)

[A Cheating Scandal in the Silicon Valley - Justice for Sale: The Hill I Will Die On!](#)

[A Cheating Scandal in the Silicon Valley - Justice for Sale: Congressman-elect Sam Liccardo is unfit and unqualified to serve in Congress](#)

[A Cheating Scandal in the Silicon Valley - Justice for Sale: It's our Federal Judiciary that poses the greatest threat to Democracy, not January 6th or Donald Trump](#)

[A Cheating Scandal in the Silicon Valley - Justice for Sale: The Supreme Court Covers up Corruption in the 9th Circuit Court of Appeals and the U.S. District Court in San Jose!](#)

[A Cheating Scandal in the Silicon Valley - Justice for Sale: Sam Liccardo - America's Most Contemptible Mayor and Biggest Hypocrite](#)

[A Cheating Scandal in the Silicon Valley - Justice for Sale: US District Judge Ronald M. Whyte Violation of My Rights Conjures Up Memories of Jim Crow](#)

[A Cheating Scandal in the Silicon Valley - Justice for Sale: U.S. District Judge Beth Labson Freeman's Ethics Are Questionable](#)

[A Cheating Scandal in the Silicon Valley - Justice for Sale: Chief Justice Roberts Condemns Fake News With His Own Fake News](#)

[A Cheating Scandal in the Silicon Valley - Justice for Sale: Chief Justice John Roberts Lost All Credibility By Defending The 9th Circuit Court Of Appeals](#)

<https://crnctz.blogspot.com/2025/01/chief-justice-roberts-makes-misleading.html>

[A Cheating Scandal in the Silicon Valley - Justice for Sale: San Jose Mayor Sam Liccardo and the San Jose City Council - Most Corrupt City Officials In America?](#)

[A Cheating Scandal in the Silicon Valley - Justice for Sale: The Ninth Circuit Court of Appeals - No Honor and No Integrity](#)

[A Cheating Scandal in the Silicon Valley - Justice for Sale: July 2015](#)

<https://crnctz.blogspot.com/2024/10/why-i-will-not-be-voting-in-2024.html>