

CALIFORNIA COURT OF APPEALS
FIRST APPELLATE DISTRICT
SAN FRANCISCO
300 McAllister Street
San Francisco, California 94102 zip

HERBERT WILLIAM MULLIN
Petitioner

Court Case # _____

versus

John J. O'Connor
&
The Archdiocese of
San Francisco
i.e., Archbishop Levada

(Petition for Appointment
of Competant Legal Counsel)

To the Honorable Judge &/or Judges of the California Court of Appeals,
First Appellate District, San Francisco.

My name is Herbert William Mullin. I am a layman at law. I believe I am entitled to petition the Honorable Court for assistance, as well as appointment of Competant Legal Counsel for my defense & behalf. That is what this Petition is.

Enclosed with this cover-sheet is the original Petition for Appointment of Competant Legal Counsel which was sent to San Francisco Superior Court, Civil Court Department, during the last two weeks of August 2003. Said Petition contained exhibits #'s A, B, C, D, E, F, & G. Some (52) fifty-two pages of typewritten &/or handwritten matterial.

Also enclosed with this cover-sheet is a follow-up letter to the Clerk of the San Francisco Superior Court, c/o Civil Court Department, dated October 21, 2003. Said letter explains to the Clerk of the Court that no word &/or response from the Clerk's Court had been received by the Petitioner between the time period of August 14th and October 21st. Said letter indicates that Petitioner would like to know why the Clerk of the Court did not respond, and what could be done to expedite the matter.

I believe that Your Honour can appoint competant legal counsel to represent me in my Civil Suit against John J. O'Connor & the Archdiocese of San Francisco, i.e. Archbishop Levada.

The contents of this Petition show without doubt that I have good reason to file civil suit. It further shows that I am in need of Competant Legal Counsel.

I believe the California Court of Appeals, First Appellate District, San Francisco, Judge &/or Judges have the power and the right to Appoint Competant Legal Counsel in my defense &/or in my behalf.

That is what this Petition is asking for at this time with these exhibits. Thank-You for your considerations in these matters.

Decem 2nd, 2003
12/2/2003

Herbert Wm Mullin
HERBERT WILLIAM MULLIN

TO THE HONORABLE JUDGE &/or JUDGES
OF THE CALIFORNIA COURT OF APPEALS
FIRST APPELLATE DISTRICT
SAN FRANCISCO, CALIFORNIA

PERSONAL STATEMENTS IN SUPPORT OF PETITION FOR APPOINTMENT OF COMPETANT
LEGAL COUNSEL re: Herbert William Mullin (Petitioner) versus
The Archdiocese of San Francisco, California; i.e., John J. O'Connor
& Archbishop Levada Court Case # _____

- #1. I am Herbert William Mullin. I believe that the exhibits it the original petition show clerly that the catholic priest John J. O'Connor stold my Criminal Court Case Transcripts, i.e., # 50219 from Santa Cruz County Superior Court (Summer of 1973).
- #2. The exhibits show that the Archbishop Levada of the Archdiocese of San Francisco was notified of the theft and yet did nothing to solve the problems resulting from the theft.
- #3. The exhibits further show that the Archbishop was notified that the priest J.J. O'Connor was guilty of homosexual date-rape misconduct. The Archbishop refused to deal with this problem in a legal or appropriate fashion.
- #4. The priest, J.J.O'Connor, has been involved with my former family and me scince September of 1960, some 43 years ago (plus). I was 13 years old when I began going to 'CONFESSION' to him in the catholic cnurch sacrament of confession. I am 56 years old now.
- #5. I believe that the California Court of Appeals, First Appellate District, San Francisco, California, has the power to appoint a competant legal attorney to act as my legal counsel in this matter. I believe that that attorney could make a 1½ to 2½ hour cam-corder interview (question & answer format) with me. That interview on tape or DVD would serve as evidense to your California Court of appeals showing without doubt that I deserve to win a legal suit against the catholic church of San Francisco.
- #6. One of the most basic rights of the Constitution of The United States Of America, as well as the Constitution of the State of California, is the right of the citizen to petition the Government for redress of grievences. That is what this is. It was not right for the catholic church to sabbatage my mental & emotional health. It was not right for them to cause me to become a law-breaker. The California Court of Appeals, First Appellate District, San Francisco, California, has the power to appoint competant legal counsel in my behalf. The illegal activity of the catholic church in this case should not be over-looked and hidden away. I hope that your honorable court will decide to make the appointment immediately. Enough time has been wasted; it is time to bring this matter into the Light of Justice and Circumspection. I hope Your Honors will decide to do so.

Respectfully yours,

Herbert Wm. Mullin

Herbert William Mullin

12/2/2003

(dated)

Herbert William Mullin
Mule Creek State Prison
#B-51410 at Rm.# 8-249 up
4001 Highway # 194
Ione, California zip 95640

October 21st, 2003
Tuesday Morning

To the Clerk of San Francisco Superior Court
c/o The Civil Court Department

Dear Clerk of the San Francisco Superior Court:

During the week of August 20th thru August 25th, 2003,
I mailed a 'PETITION FOR APPOINTMENT OF COMPETANT LEGAL COUNSEL' to
your office in San Francisco at your 400 Mcallister St. address in the
Civic Center Courthouse complex, zip coded @ 94102. The Petition I
sent to you had (7) seven exhibits and consisted of approx. (50) fifty
pages of type-written &/or handwritten letters, et cetera.

It has been two months and I still have not heard back from you.
I write this letter to you today to inquire as to the where-abouts of my
petition.

What can I do, what should I do, to find out wether or not your
office received my Petition ?

Is there anything I can do, is there anything I should do, to
bring my Petition into the hands of The Judges of The San Francisco
Superior Court, Civil Court Department ?

In the upper left-hand corner of my Petition's face page I indicated
that it was HERBERT WILLIAM MULLIN versus the catholic church archdio-
ceses of San Francisco, i.e., Archbishop Levada and J.J. O'Connor.

I hope that this letter helps to expidite the processing of my
'PETITION FOR APPOINTMENT OF COMPETANT LEGAL COUNSEL'.

Yours trully,

HERBERT Wm. Mullin

Herbert William Mullin

10/21/2003

DATED

TO THE CHIEF JUSTICE & THE ASSOCIATE JUSTICES
OF THE CALIFORNIA SUPREME COURT

Personal Statements in support of the Petition for Appointment of
Competant Legal Counsel re: Herbert William Mullin (Petitioner)
versus The Archdiocese of San Francisco, California, i.e., J.J. O'Connor
and Archbishop Levada COURT CASE # _____

- #1. I am Herbert William Mullin. I believe that the exhibits in this petition show clearly that the catholic priest, John J. O'Connor, stold my Criminal Court Case Transcripts, i.e., # 50219 from the Santa Cruz County Superior Court (Summer of 1973).
- #2. The exhibits show that Archbishop Levada was notified of the theft and yet did nothing to solve the problems resulting from that theft. Furthermore the Archbishop was notified that J.J. O'Connor was guilty of homosexual date--rape misconduct & psychological abuse misconduct, and yet the Archbishop refused to deal with this problem in a legal or appropriate fashion.
- #3. The priest, John J. O'Connor, has been involved with my former family and former friends, and me, scince September of 1960 (43 years). I was 13 years old when I began going to 'CONFESSION' to him in the catholic churches sacrament of confession. I am 56 years old+, now.
- #4. I believe that Appointed Legal Counsel could make a 1½ or 2½ hour cam-corder interview with me (question & answer format). That inter-view on cam corder tape (or DVD) would serve as evidense to your California Supreme Court. It would show without doubt that I deserve to win a Legal Civil Suit against the catholic church of San Francisco. Furthermore, it would show that 'I AM NOT GUILTY BY REASON OF INSANITY' for the crime spree that I have been in Calif. State Prison for the past thirty (30) years (plus). By appointing competant legal counsel at this time, the California Supreme Court would be assisting me in preparing to make the appropriate Petition for Mandamus/Habeas Corpus.
- #5. One of the most basic rights of The Constitution of the United States of America, as well as that of the Constitution of the State of California, is the right of the citizen to 'petition the government for redress of grievences'. That is what this is. It was not right for the catholic church to sabbatage my mental & emotional health. It was not right for them to cause me to become a law-breaker. The California Supreme Court has the power to 'Appoint Competant Legal Counsel' in my behalf. The illegal activity of the catholic church in this case should not be over-looked and hidden away.

I hope that Your Honorable Supreme Court will make the
appointment of Competant Legal Counsel immediately.

12/16/2003 —

HERBERT Wm. Mullin —

Herbert William Mullin

CALIFORNIA SUPREME COURT
350 McAllister Street
San Francisco, California 94102

HERBERT WILLIAM MULLIN

RECEIVED

Court Case # _____

versus

Hohn J. O'Connor
&
The Archdiocese of
San Francisco
i.e., Archbishop Levada

DEC 18 2003

CLERK SUPREME COURT (Petition for Appointment
of Competant Legal Counsel)

To The Honorable Chief Justice & Associate Justices of The California Supreme Court for the State of California in the United States of America.

My name is Herbert William Mullin. I believe I am entitled to petition your Honorable Court for assistance in the form of 'Appointment of Competant Legal Counsel' for my defense and in my behalf.

Enclosed with this front cover-sheet are my communications with the San Francisco Superior Court & the California Court of Appeals, First Appellate District.

The original petition to the San Francisco Superior Court (Civil Court -Law Department) is enclosed with this communication to you. It contends that the catholic priest John J. O'Connor used his power and influence as a catholic priest to perpetrate psychological & sexual abuse upon and within this petitioner. Furthermore, it contends that O'Connor stold the original criminal trial court transcripts #50219 from Santa Cruz County Superior Court (Summer 1973). Furthermore it shows that I contacted the Archbishop of the San Francisco Diocese, Archbishop Levada, and informed him about the theft & psychological/sexual abuse.

I believe that The Californai Supreme Court has the power and the right to appoint competant legal counsel to represent me in my Civil Suit against J.J. O'Connor & the Archdiocese of San Francisco, i.e., Archbishop Levada.

The contents of this Petition show without doubt that I have good reason to file civil suit. It further shows that I am in need of Competant Legal Counsel.

Furthermore, The California Supreme Court could look upon this Petition from both the 'Criminal Court' & the 'Civil Court' viewpoints. This petitioner is the victim of psychological & sexual abuse. It is very likely that Competant Legal Counsel will want to rectify legal problems that are plaguing the petitioner because of the psychological abuse perpetuated upon him by the catholic church & /or J.J. O'Connor.

I am requesting assistance from you for my defense & in my behalf. Thank-You for your coniderations in these criminal & civil court matters.

12/16/2003 -

Herbert Wm. Mullin

HERBERT WILLIAM MULLIN



RON D. BARROW
CLERK OF THE COURT

STATE OF CALIFORNIA

Court of Appeal
OFFICE OF THE CLERK
FIRST APPELLATE DISTRICT
350 McALLISTER STREET
SAN FRANCISCO, CA 94102-3600

TELEPHONE
(415) 865-7200
FAX
(415) 865-7209
E-MAIL
frst.district@jud.ca.gov

December 8, 2003

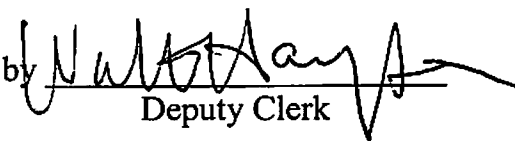
Mr. Herbert William Mullin
Mule Creek State Prison
#B-51410; Room 8-249 up
4001 Highway 104
Ione, CA 95640

Re: Petition for Appointment of Competent Legal Counsel

Dear Mr. Mullin:

The court has directed me to return your Petition for Appointment of Competent Legal Counsel, dated December 2, 2003. This court cannot assist you in securing counsel to file a civil lawsuit on your behalf.

Very truly yours,
RON D. BARROW, Clerk

by 
Deputy Clerk

Enclosure

I HAVE KEPT THE
ORIGINAL FOR MY
OWN PERSONAL FILES —
H.W. Mullin —
12/16/2003 —

JOHN C. ROSSI
ASSISTANT CLERK-ADMINISTRATOR
SAN FRANCISCO

NATALIE ROBINSON
SUPERVISING DEPUTY CLERK
LOS ANGELES



SAN FRANCISCO 94102
EARL WARREN BUILDING
350 McALLISTER STREET
(415) 865-7000

 LOS ANGELES 90013
RONALD REAGAN BUILDING
300 SOUTH SPRING STREET
(213) 830-7570

Supreme Court of California

FREDERICK K. OHLRICH
COURT ADMINISTRATOR AND
CLERK OF THE SUPREME COURT

December 18, 2003

Herbert W. Mullin #B-51410
Mule Creek State Prison
4001 Hwy. 104, Rm. 8-249 up
Ione, CA 95640

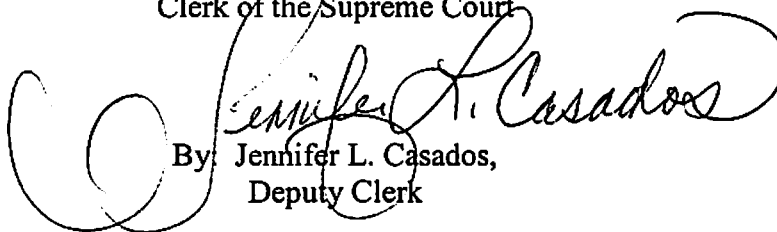
Re: Request for Appointment of Counsel

Dear Mr. Mullin:

No action may be taken on your "petition for appointment of competent legal counsel" because this Court does not have jurisdiction in this matter. The court is limited by law to hear and decide cases within its jurisdiction and may not involve itself with any matter that may be related to current or future litigation. Therefore, I am returning your material.

Very truly yours,

FREDERICK K. OHLRICH
Court Administrator and
Clerk of the Supreme Court


By: Jennifer L. Casados,
Deputy Clerk

Enclosures

I HAVE KEPT THE
ORIGINAL FOR MY
OWN PERSONAL FILES —
H.W. Mullin —
7/20/2004

page # 2 Personal Statements in support of this Petition

- #6. I believe that Competant Legal Counsel could make a 1½ or 2½ Hour cam-corder interview with me (question & answer format). That interview on DVD would serve as evidence to your Court. It would show without doubt that "I AM NOT GUILTY BY REASON OF INSANITY" re: the crime spree. Furthermore it would show that I deserve to win a Civil Suit against the archdiocese of San Francisco (et cetera). Furthermore it would show that I have been rehabilitated & re-educated during my 31½ years in prison. Furthermore it would show that I am deserving of my freedom now.
- # 7. One of the basics rights of The Constitution of the United States is the right of the citizen to 'petition the government for redress of grievances'. That is what this is. It was not right for my former family and former friends and the catholic church & school to sabbatage my mental & emotional health. It was not right for them to cause me to become a law-breaker. The United States Distict Court for the Northern District of California has the Power to appoint competant legal counsel for my defense & in my behalf. The 6th Amendment to the United States Constitution guarantees me the right to competant legal counsel & I have not had that. The 14th Amendment to the United States Constitution guarantees me the right to equal protection under law & due process, yet I have not received either. The illegal activities of my former family & former friends & the catholic church should not be over-looked and hidden away any longer.

I hope that Your Honorable United States District Court for the Northern District of California will make the Appointment of Competant Legal Counsel immediately. This is a Petition for Writ of Habeas Corpus, and a Petition for writ of Mandamus, and Petition for appointment of counsel.

July 20th, 2004
(dated)

HERBERT Wm. Mullin
Herbert William Mullin

TO THE SENIOR DISTRICT JUDGES & THE CHIEF JUDGE & THE DISTRICT JUDGES
& THE US MAGISTRATE JUDGES OF THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO AREA

Personal Statements in support of this Petition for Writ of Habeas Corpus
&/or Petition for Writ of Mandamus &/or Petition for Appointment of
Competant Legal Counsel re: Herbert William Mullin (Petitioner)
versus The Archdiocese of San Francisco, California, i.e., John J. O'con
nor and Archbishop Levada.

COURT CASE # _____

- #1. I am Herbert William Mullin. I believe that the exhibits in this
Petition show clearly that I am in need of Competant Legal Counsel.
- #2. The exhibits indicate that am 57 years old and have been in prison
in California scince February 13th, 1973. Some 31½ years (approx.).
The crime spree that resulted because of the psychological & sexual
abuse needs to be brought to Court and re-evaluated. My former
family & former friends & the catholic church should not be allowed
freedom from chastisement by your Honorable Court.
- #3. Incompetance of Legal Counsel is part of the problem. At the orig-
inal Criminal Trial in the Summer of 1973 (~~XXXXXX~~)(Trial # 50219 in
Santa Cruz County) my Public Defender, James Jackson, refused to put
the Catholic Priest on the stand to be cross examined. Furthermore,
James Jackson's Home Residence was burned to the ground during the
first week of the trial against me. After his home residence burned
down he became very incompetant and inefficient. In essence, he
assisted the prosecutors in building their case against me. He ~~did~~
did not request 'change of venue'. He allowed both the ~~XXXXXX~~
'sanity ~~XXXXXX~~ phase' and the 'guilt or innocense phase' to be com-
bined into just one trial. That was prejudicial against my defense.
Furthermore, his defense tactics were aimed at ridiculing my behavior
in the past years prior to the crime spree, whereas I was requesting
that he persuade the judge & jury to look at the conspiracy of my
former family & former friends to keep me extremely naive & gullible
& immature (et cetera). He refused to do this in obnoxious fashion.
- #4. The Jury Foreman was Ken Springer. He was allowed on the jury even
though I spoke to my Public Defender James Jackson about his bad be-
havior. Springer was an Electronics Retail Store manager in Felton,
California, where I lived & went to High School in 1963 & 64 & 65.
When I went into his store for the first time in 1963 and asked about
purchasing a phonograph, he became extremely verbally abusive and
threatened me with ~~XXXX~~ harm because I would not buy a \$ 300.00 phon-
ograph. Springer weighed close to 200 lbs. at that time, yet I was
just at 130 lbs. He should not have been my jury foreman. Nor should
he have been allowwd to travel around Santa Cruz County giving 'hate'
seminars concerning what he thought about my mental health.
- # 5. The exhibits show that Archbishop Levada was notified of the theft
and yet did nothing to solve the problems resulting from the theft,
(i.e., the original court transcripts # 50219 Santa Cruz Superior
Court, Summer 1973).

page # 2

UNITED STATES DISTRICT COURT FOR NORTHER CALIFORNIA

The contents of this Petition show without doubt that I have good reason to file for Petition for Writ of Habeas Corpus, and good reason to file a Civil Suit, and good reason to file for Petition for Writ of Mandamus. The contents of this petition show without doubt that I am in need of Competant Legal Counsel.

In closing I want to emphasige that The Honorable Judges of the United States Dæstrict Court for the Northern District of California, San Francisco Area, can look upon this petition before them from both the 'Criminal Court' and the 'Civil Court' viewpoints. I am Herbert William Mullin. I am the victim of psychological & sexual abuse. It is very likely that Competant Legal Counsel will want to restify the legal problems that are plaguing me because of the psychological abuse perpetrated upon me by the catholic church & J.J. O'Connor.

I am requesting assistance from you for my defense & in my behalf. Thank-You for your consideration in these criminal & civil court matters.

July 20th, 2004
(dated)

HERBERT Wm. Mullin
Herbert William Mullin