
**IN THE SUPREME COURT
OF THE UNITED STATES**

IN RE ROBERT K. HUDNALL

Robert K. Hudnall – Petitioner

vs.

State Bar of Georgia – Respondents

**MOTION TO PROCEED AS A VETERAN AND
FOR WAIVER OF ALL COSTS AND FEES
UNDER RULE 40 [38 U.S.C. 4323(H)]**

SUPREME COURT OF THE STATE OF GEORGIA
(NAME OF COURT THAT LAST RULED ON THE MERITS OF THE CASE)

ROBERT K. HUDNALL

5823 N. MESA, #839

EL PASO, TEXAS 79912

915-478-1114

IN THE SUPREME COURT OF THE UNITED STATES

Petitioner does petition this Court to allow him to proceed as a veteran under the provisions of Rule 40(1) with all costs and fees waived under the provisions of Rule 40 (38 USC 4323(h)). Petitioner is a 100% disabled veteran as shown in the document from the Department of Veterans Affairs and the affidavit submitted by Petitioners attached as **EXHIBIT A**. Petitioner would show that he has been a disabled veteran since 1980. This exemption from fees and court costs requested by Petitioner is authorized under the provisions of 38 USC Section 4301-4335 (specifically 38 USC Section 4323, 4324 and 4325) known as **USERRA**. Petitioner would show that rights he was entitled **USERRA** were violated by the State Bar of Georgia acting as an arm of the Supreme Court of Georgia in the continuation of a racially based conspiracy.

Petitioner would show that the State Bar of Georgia, an arm of the Supreme Court of the State of Georgia has violated Petitioner's right to due process of law, committed perjury and forgery in an effort to discredit Petitioner and keep him from practicing. Petitioner was labeled a traitor to his race by Superior Court John H. Land due to his efforts to expose a criminal conspiracy that involved judges and attorneys, who conspired to steal property from minority citizens in the State of Georgia.

In their efforts to punish Petitioner, all actions by the State Supreme Court of Georgia were done without the benefit of any hearing of any type in direct violation of both US Supreme Court decisions as well as the Bill of Rights of the U.S. Constitution. Additionally, the procedure that was held was a trial in absentia, where

Petitioner was not made aware that there would be a hearing, not made aware of any charges nor allowed to have representation. The only evidence against him was the forged document styled as **Petition for Voluntary Surrender of License**.

The State Bar of Georgia has conducted a well-funded program of harassment, following Petitioner through five states. Agents of the State Bar of Georgia have intentionally deprived Petitioner of the opportunity for membership in other bars, blocked his employment by certain employers, gotten him fired from private employers and directly, and intentionally, took part in a scheme to bribe a state official in New Mexico and interfered with both Petitioner's federal employment as well as re-employment rights under **USERRA**.

Petitioner would also show that as a disabled veteran, under the provisions of the **Vocational Rehabilitation and Employment Program (VR&E)**¹, administered by the Department of Veterans Affairs, the federal government sent Petitioner to law school and paid for the Bar Exam as well furnished any assistance required by Petitioner to enable him to successfully pass the Bar Exam. Assistance was also afforded Petitioner to open his practice.

Petitioner would show that under the rehabilitation plan developed for Petitioner by the Department of Veterans Affairs and the provisions of the VR&E program he had to meet certain federally mandated standards in order to receive the benefits in question that would ensure him a stream of income and benefits. This program was administered in a manner very similar to the way the welfare system

¹ 38 USC Chapter 38 and Chapter 31

works. Both are government programs affording benefits for those who meet the requirements for which the recipients must be statutorily entitled. The only difference is magnitude of value. Both programs are designed to enable recipients to prepare to return to the workforce.

Thus, Petitioner becoming an attorney (specifically Petitioner receiving his license to practice law) was a government benefit given as part compensation for the injuries he suffered on active duty in the United States Army. According to the U.S. Supreme Court, in a decision in a case cited as Goldberg v. Kelly², such things as welfare benefits and other benefits that are a matter of statutory entitlement (Petitioner had to be statutorily qualified to receive entry into the Vocational Rehabilitation and Employment Program) for persons qualified to receive them and procedural due process is applicable to their termination.

Petitioner would show that as a matter of federal law, his acceptance into the **Vocational Rehabilitation and Employment Program** was a matter of statutory entitlement under 38 United States Code and it was determined by the Department of Veterans Affairs that Petitioner was entitled to receive this government benefit (enter into training to become an attorney) as an *entitlement* because of injuries suffered during his military service.

Petitioner's license to practice law was a government benefit. Therefore, under the same logic this very court used to decide the holding in Goldberg v. Kelly, (see

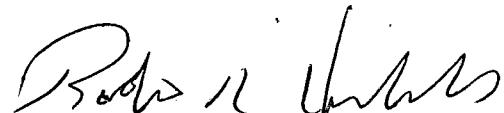
² Goldberg v. Kelly, 397 US 254 (1970)

footnote 2 for citation) Petitioner could not be deprived of this government benefit without the state affording him procedural due process.

Specifically, as to the waiver of fees and costs, under the provisions of 38 USC, Section 4323(h)(1) of the **Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA)** *no fees or court costs may be charged or taxed against any person claiming rights under this chapter.*

Based on the foregoing, Petitioner would ask that this Motion be granted allowing him to proceed as a Veteran and that all costs and fees be waived.

Respectfully submitted,



ROBERT K. HUDNALL
PETITIONER, PRO SE
915-478-1114

Enclosures:

Statement from the Department of Veterans Affairs
Petitioner's Sworn Affidavit

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WASHINGTON DC 20543-0001

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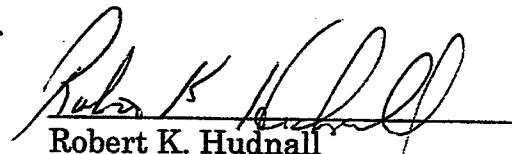
AFFIDAVIT

Comes now Robert K. Hudnall, Petitioner in the above styled case and being first duly sworn, under oath and does state as follows:

1. Petitioner was commissioned as an officer in the United States Army July 1, 1975 and was discharged with an honorable discharge July 31, 1980 as a result of a service-connected injury.
2. As a direct result of his service-connected injury, Petitioner was entered into the Department of Veterans Affairs' Vocational Rehabilitation Program. The training plan created by the Department of Veterans Affairs called for Petitioner to enter Law School, which he successfully completed.
3. Petitioner's medical condition continued to worsen resulting in the increase in his disability rating until it reached the current 100%.

Further Affiant sayeth not.

I SWEAR OR AFFIRM THAT THE ABOVE AND FOREGOING REPRESENTATIONS ARE TRUE AND CORRECT TO THE BEST OF MY INFORMATION, KNOWLEDGE, AND BELIEF.

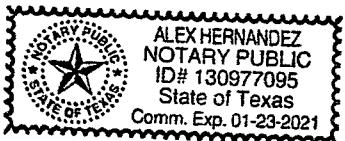


Robert K. Hudnall
Petitioner Pro S
915-478-1114

STATE OF TEXAS

COUNTY OF EL PASO

I, the undersigned Notary Public, do hereby affirm that Robert K. Hudnall personally appeared before me on the 18 day of August 2017, and signed the above Affidavit as his free and voluntary act and deed.



A handwritten signature in black ink, appearing to read "Alex Hernandez". The signature is written over a horizontal line.

**Additional material
from this filing is
available in the
Clerk's Office.**