

No: 18-1573

In the Supreme Court of the United States

MOTION FOR REHEARING

On Petition for Writ of Certiorari

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Judges Laura Carter Higley, Terry Jennings, and Evelyn Keyes,
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First Court of Appeals, 301 Fannin Street, Room 245, Houston,
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November 19, 2019

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MOTION FOR REHEARING

**Honorable Justices of the Supreme Court of the
United States,**

We, Zsolt Petko and Zsuzsanna Adam petitioners are appearing pro se to ask re-hearing of our case and Petition for Writ of Certiorari that was denied without further explanation and hearing.

Why is relief in our case not available from any other court or judge:

The reason we are asking re-hearing is because as we pointed out in eighteen (18) questions in our Petition for Writ of Certiorari, our entire case started as an injustice and that injustice was overlooked by the local justice of the peace and then by every other judiciary body we appealed to, and during the appeals we became victims of mail fraud multiple times when our correspondence to the courts were displaced (even at the Supreme Court of the United States) in order to obstruct proper processing of our case. In other words, we were victims of discriminative decision making by courts officials for the purpose to justify illegal profit making by local companies, which is against the law, and our appeals were rejected and dismissed at every level of the appeals without sufficient review and explanation, and by wrongful practice in order for judiciary officials to cover for each other using their position in

the justice system and in our society, which is abuse of power of their office and is against the law as well.

For the above reasons, relief in our case could not and cannot be obtained from any court other than the Supreme Court of the United States, the highest legal court in the country.

Why is our case extraordinary:

As evidenced by numerous disciplinary actions by the Texas State Commission on Judicial Conduct, judicial misconduct is not uncommon in the State of Texas (www.scjc.texas.gov/disciplinary-actions/).

What makes our case extraordinary is:

- 1.) The series of errors, violations, misconducts that happened throughout the entire legal process in our case involving judges and judiciary workers from the justice of the peace to the county judge, the district judge, all the way to the state supreme judge;
- 2.) Several instances of tampering with the postal service of our legal correspondence including our petition to the Supreme Court of the United States (which is federal crime); and
- 3.) The judge who dismissed our case at the state court of appeals claiming non-existing errors on our part (associated with the tampering with our mail) was experiencing neurocognitive issues during the time period of processing our case and was diagnosed with Alzheimer's disease.

Why is hearing our case is of imperative public importance:

Discriminative and partial decision making by local courts officials against ordinary people to justify illegal profit making by local companies is against the law, and the practice of judiciary officials to cover for each other using their position in the justice system where people appeal their cases is abuse of power of their office and is against the law as well. Allowing judiciary officials to overlook each other's errors create grounds for "quid pro quo" practice and corruption in the legal system that puts ordinary people like us at significant disadvantage. As we pointed out in our Petition for Writ of Certiorari, the way our case was handled is in conflict not only with the Laws of the State of Texas but with the Constitution of the United States as well. Further, tampering with the postal service of legal correspondence – as in our case – is a crime.

These are compelling reasons for hearing our case by the Supreme Court of the United States *so precedent can be established* to:

1. Deter judiciary officials, legal workers, and local interest groups from overlooking errors, violations, and misconducts in processing cases for ordinary people.
2. Deter judiciary officials, legal workers, and local interest groups from using their position in the

justice system and in the society to influence the outcomes of a legal claim and trial.

3. Deter people from manipulating the postal service in order to achieve what they want in court.

4. Protect the public image of the US legal system; affirm proper application of state, federal, and constitutional law; and promote people's trust in the legal system.

5. Protect people's right to equitable legal process and impartial and fair trial in accordance with the Constitution of the United States.

6. Restore confidence that the Supreme Court of the United States is the one deliberative body whose incorruptibility is inviolate.

7. Restore confidence that the United States is a democracy and the democratic principles that govern this country are inviolate.

Specific issues:

Our car was towed from the parking lot of our apartment where it was parking legally, we sued.

In Case No. 16-TOW03-0097 the Justice of the Peace refused to consider our evidence – facts and photos – but considered extra information and word of the defendant for fact, and allowed defendant to change testimony to fit their cause and verdict.

In Case No. CV-0077741 the County Court Judge communicated with defendant but not informed us about important details in the case (a hearing), then accused us of not following instructions that were withheld from us, and allowed defendant legal actions they are not entitled to just to dismiss our case.

In Case No. 01-17-00918-CV the Court of Appeals Judge allowed misplacing our legal correspondence (tampering with US mail) and refused to consider it and refused to review what happened at the lower court in order to dismiss our case without hearing in the following circumstances:

Tuesday, November 5, 2019 it was publicly announced in the local media (ABC News, Houston, Texas) above mentioned judge (Justice Laura Higley) resigned her post, according to the First Court of Appeals, which Texas Governor Greg Abbott accepted (Appendix A). The judge's resignation was explained by the court stating

"Due to the recent (and rapid) progression of her Alzheimer's disease, Justice Higley's mental state has deteriorated to the point that she is no longer able to care for her own physical health or her own financial affairs". We did confirm the name of Judge Higley has been removed from the list of First Court of Appeals judges (Appendix B).

This is relevant and important news to our case because Judge Higley was the judge to dismiss our case under Case No. 01-17-00918-CV at the First Court of Appeals, Houston, Texas claiming failure to pay required fees and failure to timely respond on our part, while our correspondence to the court – that we filed timely and in which we explained paying the required fees – disappeared, and the court refused to acknowledge the loss for 185 day, and using the reasons mentioned earlier, Judge Higley did not allow us a hearing in that matter and at all in our case at the First Court of Appeals.

We became aware from the media (Houston Chronicle) "The judge began experiencing mild neurocognitive issues as early as November 2017" (Appendix C), which makes the time period overlap with the First Court of Appeals processing our case. The Houston Chronicle only gives a brief description of Alzheimer's disease, and we do not know details of Judge Higley's exact condition during the time the judge

reviewed our case, but given the unusual circumstances around our filings in the case – e.g. disappearance of mail despite proof of delivery by US Postal Service, refusal to acknowledge the loss, refusal to consider the missing contents – it is logical to conclude error in judgement has been involved and affected the decision that was reached at the First Court of Appeals.

In Case No. 18-0860 the Supreme Court of Texas Judge(s?) – no name was disclosed to us) refused to consider the facts and evidence and what happened at the lower courts and used false claims to explain their legal actions to dismiss our case without hearing.

Most recently, in Case No. 18-1573 our filing to the Supreme Court of the United States was tampered with (documents were taken out, payment removed), which further slowed the processing of our case.

By committing and overlooking errors, violations, misconducts all the lower courts denied us fair trial and equitable legal process, and violated the state's code of judicial conduct. Their intent to influence the courts is most evident in their attempt to interfere with our filing at the Supreme Court of the United States. In other words, affiliates of the defendant and the very legal professionals who are supposed to protect citizens and uphold the law disrespected and violated the law and people's rights.

We, ordinary people lost our confidence in the judiciary system because the judiciary system appeared not to function but serve the private interest of certain individuals by abusing the interest of ordinary people and causing the costs of keeping the system going to waste.

Because courts are essential part of government, and one of the key principles of democracy – the form of government of the United States – is "equality before the law for all citizens, regardless of race, creed, color, gender, national origin, or other immutable characteristics", when members of the courts do not respect the principle as demonstrated by their actions, they put ordinary citizens and democracy in jeopardy.

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CONCLUSION

This Court should enter an order granting rehearing and grant petitioner Zsolt Petko and Zsuzsanna Adam's Petition for a Writ of Certiorari, and stay the matter for certiorari review.

Respectfully submitted,



Zsolt Petko

Zsuzsanna Adam

(Signatures)

Date: November 19, 2019

**CERTIFICATION OF PARTY
UNREPRESENTED BY COUNSEL**

We petitioners certify that the foregoing Motion for Rehearing our case and Petition for Writ of Certiorari in the Supreme Court of the United States (Case No. 18-1573) after denial is presented in good faith and not for delay. We further certify that the grounds for the motion contain extraordinary intervening circumstances of substantial or controlling effect that have not been previously presented in support of the granting of our Petition for a Writ of Certiorari.



Zsolt Petko



Zsuzsanna Adam

(Signatures)

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