

In The
Supreme Court of the United States

FAYE RENNELL HOBSON,
Petitioner,

v.

RETIRED GENERAL JAMES MATTIS,
Secretary, Department of Defense,
Respondent.

ON PETITION FOR WRIT OF CERTIORARI TO
THE UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

PETITION FOR REHEARING

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Dated: December 13, 2018

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PETITION FOR REHEARING

COMES Now, The Petitioner, Pro Se, seeking reconsideration for the above name case due to documented acts of judicial interference which rendered a Summary Judgment to a dismissal through subsequent rulings and redacted instructions to a jury. The Petitioner is seeking a determination of the thresholds that must be satisfied for overt and discreet acts of a decision-maker to be regarded as personal bias manifesting judicial interference in the non-partial adjudication of a case involving reprisal by an Agency towards a perceived whistleblower. For it is written, *"Say, 'I seek refuge in the Lord of People. The Sovereign, the Controller of all affairs of the People. The God of People.'" Al-Nas: Surah 114; Ayahs 1-3. (Holy Quran - Public Domain).*

The Questions Presented in this case are too important to leave unsettled due to ramifications of future Petitioners who have defeated a Summary Judgment and a Dismissal as a Pro Se Litigant; and advanced into the damages phase of the adjudication process. Furthermore the Statement of Due Process Timelines with Concerns of Personal Bias regarding Review of Petition for Writ of Certiorari is a concern of the Petitioner as it also has ramifications that are perceived to impact impartiality during adjudication of similar cases. For it is written, *"For we do not wrestle against flesh and blood, but against principalities, against powers, against the rulers of darkness of this age, against spiritual hosts of wickedness in high*

places.” Ephesians 6:11-13 (Holy Bible – Public Domain)

The standard of scrutiny for Petitioner submission to this court is observed as unbalance in rigor as compared to the requirements for due process for the opposing party. On August 17, 2018 the Petitioner filed a timely “Petition for Writ of Certiorari” and the Court returned such a submission on August 22, 2018 stating the Petition fails to comply with the rules of this Court (“SCOTUS”). On September 17, 2018 submissions from Lex Group for the Petitioner were returned indicating Questions presented must be on the first page of a Petition for Writ of Certiorari such is reviewed as the Court of Record requesting that the submission be revised to meet stringent standards set forth for filing with the Supreme Court. On September 25, 2018 the Petitioner submitted by way of Lex Group a third Petition for Writ of Certiorari complying with the Courts request to revised submissions to meet rigorous standards as directed in the resubmission notice received. On September 28, 2018 the Petitioner received notice from the Court that her Petition for a Writ of Certiorari was filed on August 17, 2018 and placed on the docket September 28, 2018 as No. 18-401. *“A just balance and scales belong to the LORD. All the weights of the bag are His concern.” (Proverbs 16:11 – The Bible – Public Domain).*

The standard of scrutiny for the Opposing Party (Agency) submissions to this court are observed as unbalanced and less stringent rigor related to your due processing protocols. In

addition on September 28, 2018 the Petitioner received the NOTICE OF HEREBY GIVEN that Respondents needed to respond. On October 22, 2018 the Respondent submitted a WAIVER stating "The Government hereby waives its right to file a response to the petition in this case, unless requested to do so by the Court." The Respondent Solicitor General Noel J. Francisco failed to sign the one sentence waiver request and in addition failed to provide a certificate of service which is a requirement for all submissions. The Petitioner responded to such a submission on October 27, 2018, which included her required signature and certificate of service. On Friday, November 23, 2018 the Petitioner received a two (2) sentence notice dated November 19, 2018 that stated "Dear Ms. Hobson: The Court today entered the following order in the above-entitled case: The petition for a writ of certiorari is denied. Sincerely, Scott S. Harris, Clerk." *"You shall do no wrong in judgment, in measurement of weight, or capacity. You shall have just balances, just weights, a just ephah, and a just hin; I am the LORD your God, who brought you out of the land of Egypt."* (Leviticus 19: 35-36 – The Bible – Public Domain).

The Questions Presented here are of profound nationwide importance. This case directly raises questions outlined within the United States Constitution, which is the right to due process while subject to rulings under a blatantly biased decision-maker. To leave the questions presented unresolved would needlessly prolong the prevailing uncertainty on issues that concurrent interfere with this Petitioner and known and unknown

similarly situated federal employees who are classified as confirmed or perceived whistleblowers. *"For I, the LORD, love justice; I hate robbery and wrongdoing" (Amos 19: 5:24 – The Bible – Public Domain).*

Rather than defer this issue for resolution in some future case at some future time, I am asking this Court to resolve the matter and to put an end to such unjust acts. Judges are not above the law and the Supreme Court should hold judges accountable for judicial bias demonstrated in any proceedings within a Federal Court. *"Blessed are those who act justly, who always do what is right." (Psalm 106:3 – The Bible – Public Domain).*

The Petitioner asks the Court to consider the following constructs impacting due process in granting her Petition for REMAND of this case for processing through the damages phase without having to navigate judicial bias manifested as judicial interference *"For I, the LORD, love justice; I hate robbery and wrongdoing." (Isaiah 61:8a – the Bible – Public Domain):*

What are the legal thresholds for due process violations that must be satisfied for overt acts of a decision-maker to be regarded as personal bias manifesting judicial interference as it related to expectations for non-partial adjudication of the damages phases of a case involving reprisal by an Agency towards a perceived whistleblower? *"Can I*

excuse dishonest scales or bags of false weights?"
(Micah 6:11 – The Bible – Public Domain).

What are the legal thresholds for due process violations that must be satisfied for discreet acts of a decision-maker to be regarded as personal bias manifesting judicial interference as it relates to expectations for non-partial adjudication of the damages phase of a case involving reprisal by an Agency towards a perceived whistleblower? *"A false balance is an abomination to the LORD; but a just weight is His delight."* *(Proverbs 11:1 – The Bible – Public Domain).*

How many factors must be documented to constitute judicial bias obstructing due process against a Petitioner manifesting as judicial interference for the adjudication of a Petitioner's case to include the instructions given to a jury? *"Do not move the ancient boundary which your fathers have set."* *(Proverbs 22:28 – The Bible – Public Domain).*

Did the Court of Appeals err in its findings when it failed to examine and consider evidence of blatant judicial bias manifested in the form of judicial interference which resulted in Petitioners assigned counsels' failure to prepare and submit a motion for summary judgment due to the following facts:

- a) The decision-maker assigned to adjudicate Plaintiff's complaint was a former employee of the law firm that failed to prepare and submit the motion for summary judgment; *"This is what the LORD Almighty said, 'Administer true justice; show mercy and compassion to one another.'" (Zechariah 7:9 – The Bible – Public Domain).*
- b) The decision-maker continuously harassed the Petitioner during the judicial process as a form of witness intimidation to include denying testimony of key witness and the use of *Touhy v. Ragan 1951* (an outdated law used to supplant civil rights of those seeking justice. *"Diverse weights and diverse measures. They are both alike an abomination to the LORD: (Proverbs 20:23 – The Bible – Public Domain).*
- c) The Judge assigned her former employer and cronies as counsel for the Petitioner.

A merchant, in who hands are false balances. He loves to oppress. (Hosea 12:7-8 – The Bible – Public Domain).

Did the Court of Appeals err in its findings when it failed to examine the hearing record and

weigh the facts of overt judicial bias advanced against the Petitioner in the form of obstructive adjudication? *"Ye shall have just balances, and a just ephah."* (Ezekiel 45:10 - *The Bible - Public Domain*).

- a) Did the Petitioner waive her rights while or was the Petitioner's rights disregarded as the result of the blatant judicial bias manifested as judicial interference which resulted in a manipulated ruling from the jury's receipt of a redacted rubric that did not include considerations required/needed of reprisal for EEO protected activity? *"Ye shall do no unrighteousness in judgment in meteyard, in weight or in measure."* (Leviticus 19:35 - *The Bible - Public Domain*).

Did the judicial rulings constitute judicial bias hindering impartial adjudication of the Petitioners case when the decision-maker used her authority to:

- a) Remove items from the Agency standard reprisal rubric and presented the jury with a redacted version and required the jury to issue a verdict based on altered (redacted) rubric; *"Do not move the ancient boundaries which your fathers have set. Proverbs 22:28).*

- b) Grant the Agency's Touhy v. Ragan 1951 requests while disregarding modern laws in support of discrimination, reprisal and whistleblower reprisal; (*"Can I excuse dishonest scales or bags of false weights?" Micah 6:11*).
- c) Refused to admonish Agency's witness in the act of committing perjury; (*"Diverse weights are an abomination to the LORD. And dishonest scales are not good." Proverbs 20:23*)
- d) Harassed and intimidated the Petitioner during the adjudication process to include falsely accusing the Petitioner of the crime of forgery of validated exhibits. For it is written, *"Hear and understand. It is not what goes into the mouth that defiles a man; but what comes out of the mouth; this defiles a man." Matthew 15:10-11 (Holy Bible – Public Domain)*

The Plaintiff is requesting an opportunity to access justice in the form of remand of this case back to the original civil court for unbiased adjudication of this case as a means to provide an opportunity to process this Complaint without judicial bias manifesting judicial interference after Plaintiff prevailed against Agency's Motion for Summary Judgment. This unjust violation of due process should not be permitted to stand in the place of truth. The U.S. Supreme Court should be

regarded as a place of refuge for those seeking a remedy after bearing the injury of a due process violation. *"Say, I seek refuge in the Lord of the daybreak, and the plain appearing and emergence of truth. From the evil of that which He has created, and from the evil that usually prevail in (the times) of darkness when it spreads (at night). And from the evil of those who try (and whisper evil suggestions) to deter (people) from doing their duty. AL-Falaq, Surah 113, Ayah 1 – Ayah 5. Holy Qur'ran – Public Domain."*

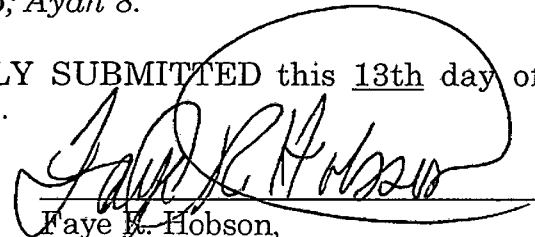
Plaintiff prevailed at Summary Judgment as the environment was observed as a climate of unbiased processing balanced with decision-making that aligned with barrier free processes aligned with regulations and laws focused on protecting due process protocol. Were it not for the judicial interference predicated by judicial bias, this case (per due process protocol) should have proceeded to the Damages Phase. A decision to order a remand of this case back to the juncture of the Summary Judgment for unbiased processing is not unreasonable and protects due process for civil cases for all Plaintiffs (Pro Se' or otherwise). *"God commands justice and fair dealing." Holy Quran; Surah 16; Ayah 90.*

CONCLUSION

The Petitioner's request for remand of this case back to the civil court at the point prior to distortion of case prior to judicial bias manifesting judicial interference is a reasonable request. A remand for unbiased adjudication to resume at the

point of the Summary Judgment is a reasonable request for the Petitioner who's right to a fair trial has been eviscerated due to the bias of the trial court toward the litigant because of their pro se (or former pro se status). Such a rule could be easily carved out of existing law which is easily expanded upon for this purpose. Thus, rehearing with a outcome for a REMAND is warranted to clearly define a rule which is tailored to pro se (or formerly prose litigant). There is historical and traditional precedence for carving out such special rules for application to the pro se litigant such as the recognized need to be taken, construed, and/or read leniently. *"O you who believe, be upright for God, and (be) bearers of witness with Justice." Holy Qur'an; Surah 5; Ayah 8.*

RESPECTFULLY SUBMITTED this 13th day of December, 2018.



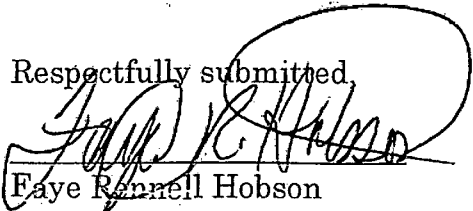
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Another case that produced a rule that could be easily expanded upon is that discussed in U.S. v. Wallace, 597 F.3d 794 (6th Cir. 2010), the second prong of which could be modified to provide that plain and, therefore, reversible error exists when a pro se (or formerly pro se litigant's rights were likely affected, as opposed to obviously and/or clearly affected.

CERTIFICATE OF PETITIONER

Pursuant to Rule 44 of this Court, the Petitioner Faye Rennell Hobson, hereby certify that this petition for rehearing is presented in good faith and not for delay.

Respectfully submitted,



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APPENDIX

**Petitioner Exhibit 1 of 2:
Disparity Matrix: Manifested Action(s)
Impacting Due Process in the form of Judicial
Interference**

Judicial Rulings In favor of Appellant Hobson	Judicial Rulings in Favor of Agency
	Touhy v. Ragan 1951: Accepting Agency Request for use of a law from 1951 (Touhy v. Regan) to suppress evidence for a prima facie reprisal case supplanting recent civil rights laws

***“Diverse weights and diverse measures; they are both alike, an abomination to the LORD.”
(Proverbs 20:10 – The Holy Bible – Public Domain).***

**Petitioner Exhibit 2 of 2:
Submission Disparity Matrix Variance of
Standards for Petitioner & Standards for
Opposing Party**

U.S. Supreme Court Standards	Stringent Standards Enforced for Petitioner Pro'Se Hobson	No Standards Enforced for Opposing Party (Agency)
Forty (40) Booklets	Forty (40) Booklets	No booklets
Questions on a separate page	Forty (40) more booklets with questions repositioned to a separate page	No questions; No booklets;
Formatting per court order standard	Formatting per court ordered standards	No formatting; No questions; No booklets
Certificate of Service per court standard	Certificate of Service per court standard	No certificate of service per court standard; no formatting; no questions; no booklets
Filing fee	Filing fee paid on the record	No filing fee recorded; no certification of service; no formatting; no questions; no booklets
Signature of	Signature of	No signature of

filing Parties	the filing Party	the filing party; No filing fee recorded; no certificate of service; no formatting; no questions; no booklets

“You shall not have in your bag differing weights, a large and a small. You shall have a full and just weight, you shall have a full and just measure, that your days may be prolonged in that your God gives you.” (Deuteronomy 25:13-16 – Holy Bible – Public Domain).