

CASE NO.: 18-5020

In re: Lewis Brown, Petitioner

Submitted by Petitioner:

Lewis Brown, Pro Se  
USM# 52293-060  
FCI Beaumont Low  
P.O. Box 26020  
Beaumont, TX 77720-6020

Filed this 25<sup>th</sup> day of October, 2018, pursuant to Houston v. Lack mailbox rule.

IN THE SUPREME COURT OF THE UNITED STATES

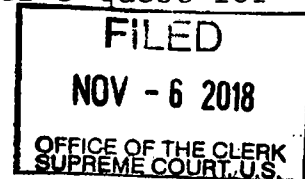
IN RE: LEWIS BROWN, PETITIONER  
MOTION FOR RECONSIDERATION

COMES NOW, PETITIONER PRO SE, LEWIS BROWN, pursuant to Rule 44.2 on Motion for Reconsideration of this Court's Order of Denail for Leave to Proceed in forma pauperis and dismissal of Petitioner's Writ of Mandamus and/or Prohibition. Order was entered on October 1, 2018. Petitioner filed an Emergency Petition under the All Writs Act, a petition for a Writ of Mandamus/Prohibition to the Sixth Circuit Court of Appeals, Judge Polster, Respondent.

Re: United States v. Brown, et al, Case No: 5:05-CR-00147-KMO-L Mandamus 17-3711 Rule 42(a)(1) Criminal Contempt and Fraud on the Court.

Petitioner now submits the below facts, including some not previously brought before this Honorable Court in support of this Petition for Reconsideration, Pursuant to Rule 44.2.

- 1) This Motion is brought forth in Petitioner's quest for



transparency as Petitioner seeks the truth in his quest for justice.

2) Petitioner had to uncover by himself the fact that Judge Polster, not only was employed by the AUSA at the time of Petitioner's Trial, but also worked out of the very same office in the Northern District of Ohio, Cleveland from which Sam Yannucci and Bernard Smith operated while prosecuting Petitioner.

3) The fact the cross reference of Defendants' names are required before a judge sits on a case. Judge Polster's decision not to reveal his proximity and association with the prosecution team who were named in Petitioner's original Fraud on the Court and 42(a)(1) Criminal Contempt Motion, definitely had the appearance of bias. And done in violation of not only the Cannon governing Judges, but § 455.

4) Petitioner never intentionally embarked on a journey seeking to file any motion against anyone, whether the prosecution or Judge Polster. All Petitioner simply requested was a 42(a)(1) Motion of Discovery, seeking to enforce and order from the Court requesting discoveries, which Petitioner to this day has yet to receive.

5) Petitioner is pro se and in his limited capacity (not only being pro se, unlearned/unskilled, but in terms of being incarcerated) is already at a major disadvantage, seeks these relevant documents. Documents whose contents were quoted several times in very important pleadings by the government in opposition to Petitioner's Motions for Dismissal.

6) Discovery and inspection of these documents could prove

perjury, tampering with evidence, and obstruction of justice among many other things.

7) Petitioner originally filed the 42(a)(1) Motion for discovery and inspection. seeking as Petitioner is pro se, to ensure that Petitioner received due process of law. There was an still is no malicious intent.

Petitioner has ran into fierce resistance to the due process of law and the obstruction of justice, and has utilized the available tools legally, seeking legal recourse.

Judge Polster has blocked the way of Petitioner's legal recourse, by blatantly and unapologetically, violating rule 42(a)(1)'s requirement of a show cause order thus sheltering the defendants named in Petitioner's fraud on the court, aiding and abetting the violations of Petitioner's due process of law.

Petitioner has been incarcerated since 1995, over 23 years, and has scarcely petitioned this Supreme Court of the United States, as compared to those who are denied forma pauperis pursuant to Rule 39.8

As the above mentioned facts have shown, Petitioner has gotten to this point in the pursuit of justice, there is no malicious intent and the documents Petitioner is seeking are relevant to Petitioner's entire case, as these contents have been quoted by the prosecution. They, the prosecutor, have basically introduced these documents, in the case. All Petitioner seeks is a chance (as a pro se litigant) for inspection. There is nothing frivolous about Petitioner's request. Denying Petitioner's request is equivalent to introducing a witness's testimony yet

denying the defendant an opportunity to confront the witness.

Petitioner humbly prays this Honorable Court for the opportunity for a reconsideration of the decision to deny forma pauperis and also to dismiss Petitioner's mandamus/prohibition in Petitioner's pursuit of truth and justice.

Dated: 10/24/2018

Respectfully submitted,

L. Brown  
Lewis Brown  
Reg #: 52293-060  
FCI Beaumont Low  
P.O. Box 26020  
Beaumont, TX 77720-6020

CERTIFICATE OF SERVICE

By my signature I hereby declare under penalties of perjury pursuant to 28 U.S.C. § 1746 that on the date stated below this document was submitted to the Court through the BOP legal mail system and delivered to all parties entitled to same, as addressed below, by being placed in the inmate outgoing mailbox with proper first class postage affixed:

Dated: 10/25/2018

Lewis Brown  
Lewis Brown

VERIFICATION

I hereby declare that the foregoing material factual statements made herein are true and correct to the best of my knowledge and belief, and are within my personal knowledge. I make this declaration pursuant to 28 U.S.C. § 1746 and under the penalties of perjury.

Dated: 10/25/2018

L. Brown  
Lewis Brown

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