

original

18-5903

NO. _____

IN THE
SUPREME COURT OF THE UNITED STATES

RUFUS JONES PRO SE,(PETITIONER)

COMMISSIONER OF SOCIAL SECURITY(,RESPONDENTS)
MONROE COUNTY DEPT. OF HUMAN SERVICES

ON PETITION FOR REHEARING

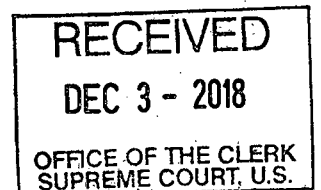
UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

RUFUS JONES PRO SE

150 VANAUKE STREET APT 6E

ROCHESTER NEW YORK 14608

(585) 414-4895



original

SUPREME COURT OF THE UNITED STATES

RUFUS JONES PRO SE

PETITIONER

V.

COMMISSINER OF SOCIAL SECURITY

MONROE COUNTY DEPT. OF HUMAN

SERVICES

RESPONENTS

DOCKET NO. 18-5903

NOTICE OF CORRECTIONS

TO PETITION FOR REARING

THIS IS A AMENDMENT


PAGES 1A, 1B

THIS PETITION IS PRESENTED WITH INTERVEINING CIRCUMSTANCES, TO INVESTIGATE IF THE COURT OF APPEALS FOR THE SECOND CIRCUIT AND THE DISTRICT COURT IS IN VIOLATION OF SEPERATION OF POWERS IN REFERENCE TO NEW YORK STATE VIOLATION OF RUFUS JONES 14 AMENDMENT RIGHTS TO THE U.S. CONSTITTUTION. PURSUANT TO ARTICLE III Pp (3) SECTION (2). REQUEST THAT THE COURT EXCEPT THIS PETITION AS ORIGINAL. ISSUES PRESENTED IN THIS PETITION WAS NOT PREVIOUSLY PRESENTED. New York State Government officials Have no authority over Federal law; Federal law preempts state laws under the Doctrine Of preemption. The Constitution Article III “the U.S. Supreme Court shall have Original Jurisdiction in which the state shall be a party. Petitioner money was stolen by New York

Monroe County Officials, request the Supreme Court investigate to find out the truth (DUE PROCESS), because we are not living in the 1940s and 1950s, 1960s, it appears That local Government officials are stuck in the past; local state Government officials Can steal Federal money right under are noses and it is being covered up by Judges, and Court personnel and Attorneys, the evidence presented in the courts Records is clear, the Laws and case laws are true without any proven evidence of rebuttle. Respectfully Submitted.

CERTIFICATE OF SERVICE

I RUFUS JNES PRO SE HERE BY CERTIFY THAT I SERVED
ALL 3 DEFENDANTS A COPY OF THIS AMENDEMNENT OF CORRECTIONS
IN THE CARE OF THE U.S. POSTAL SERVICE WITH N NEW YORK STATE I
MAILED 11 COPIES TO THE U.S. SUPREME COURT THE SAME DATE I DECLARE
UNDER PENALTY OF PERJURY THAT THE FRE GOING IS TRUE AND CORRECT.

DATED 12/11 2018 

RUFUS JONES PRO SE
150 VANAUKER ST.
ROCH N.Y. 14608
(585) 414-4895

DEFENDANTS U.S. ATTORNEY NOEL
FRANCISCO U.S. DEPT. OF JUSTICE
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SUPREME COURT OF THE UNITED STATES

RUFUS JONES PRO SE

DOCKET NO. 18-5903

PETITIONER

PETITION FOR REHEARING

PROOF OF SERVICE PAGE-5

VS.

**COMMISSIONER OF SOCIAL SECURITY
MONROE COUNTY DEPT. OF HUMAN
SERVICES**

RESPONDENTS

**PURSUANT TO SUPREME COURT RULE 44 THIS PETITION IS
PRESENTED IN GOOD FAITH AND NOT FOR DELAY. THIS
PETITION IS ABOUT VIOLATION OF SEPERATION OF POWERS,
REQUEST OF ORGINAL JURISDICTION TO APPLY TO DOCKET
NUMBER 18-5903 PURSUANT TO ARTICLE III Pp (3) SECTION (2)
OF THE U.S. CONSTITUTION, VIOLATION OF SOCIAL SECURITY
PROTECTION ACT H.R. 4070. ALSO SEE 28 USC 1251 ORIGINAL
JURISDICTION BY THE SUPREME COURT. ALSO VIOLATION
OF THE R.I.C.O. ACT OF 1970, PUBLIC CORRUPTION, 18 USC 641.**

With respect to Rule 44 Pp (2), with all due respect, the Judicial Branch

Of the federal government: the District Court and the Court Of Appeals For The

Second Circuit, is in violation of separation of powers (**U. S. V. BROWN**)
381, U.S. 437, (1965)

The U.S. Constitution establishes three branches of Federal Government,

The Legislative Branch makes the law, the Executive Branch enforces the law, and

The Judicial Branch interprets the law. Congress passed the law 42 USC 407 (a) to

Protect the elderly and Disabled, from garnishments and attachments by the states

And Creditors. (1.) The District Court and the Court Of Appeals for the Second

Circuit has no Authority to go against U.S. Congress, unless previously ruled by the

U.S. Supreme Court.

PAGE-1

SEPERATION OF POWERS

See **CHEVRON VG. NATURAL RESOURCE DEFENSE COUNCIL**
467, U.S. 837, (1984), Quoting "The issue facing the courts was
What standard of review should be applied by a court to a government?
Agency own reading of a statue. Holding, the opinion by Justice
John Paul Stevens, "A party analysis was born from Cheveron,
Decision. First always has Congress directly spoken to the precise?
Question at issue, if the intent of Congress is clear that is the in
Of the matter for the court as well as the agency, the courts must
Give the unambiguously expressed intent of Congress.

I am not an Attorney; I do have an Associate Degree in Criminal Justice
And know the U.S. Constitution very well. I was forced to retire early because my
Heart is bad and my Kidneys as well.

ORIGINAL JURISDICTION

"The Supreme Court shall have original Jurisdiction in all cases before mentioned
Which the state shall be a party Article III Pp (3) Section (2). Monroe County Dept.
Of Human Services are under New York State Authority in regards to Social Service
Benefits under New York State Laws. New York State is clearly violating Rufus Jones
14 Amendment Rights to the U.S. Constitution in reference to freedoms and immunities
Form the State. See District Court order page (5) By District Court Judge Siragusa.

"The New York State Notification of interim assistance establishes that the State has
Valid authorization. Petitioner pro se request with all due respect that the Supreme Court
Pursuant to Article III and **28 USC 1251** review this case as original jurisdiction, because
Petitioner is in desperate need of the money in question that money was earned that I
Worked for and paid into the Federal system. Also request that the Commissioner of
Social Security, and New York State Attorneys prove that the Garnishment of Rufus
Jones back payments are legal, **(DUE PROCESS)**.

H.R. 4070 SOCIAL SECURITY PROTECTION ACT

The Social Security Program Protection Act of 2002 " quoting on April
2002 Congress passed this law instructing for reissuance of Title II, Title VIII,
And Title XVI benefits in case of misuse by organizational payee

PATCHAK V. ZINKE, " 138, S, 897(2018), the separation of powers in our system of government
Is designed to protect individuals, Article III Branch of Federal Government determines
When principle of separation of powers has been violated". District Court Judge Siragusa
Order confirmed by the Court Of Appeals clearly changes Federal law and case law already
Decided in reference to Docket No. 18-5903 if this case is not decided on by the Supreme
Court, judge Siragusa order will be effective in the Federal court system further destroying
The American way of life: will be allowed and excepted by the U.S. Supreme Court if not Reversed,
Request Reversal of the Court of Appeals order based on Violation of Separation of Powers.

RACKETEERING/RICO

Defined when an organized crime ring uses legitimate organizations to embezzle
Funds. Such activities can have devastating consequences for both public and private
Institutions. Prosecutors must prove: (1) the defendants manage an organization,
(2) The organization regularly performs 1 or more illegal activity. Congress passed
The Social Security Protection Act in 2002, and 2011, New York State welfare
Department has consistently garnished claimants Social Security Benefits.

FRAUD AND FINANCIAL CRIMES

"Quoting fraud and financial crimes as a form of theft/ larceny that occur
When a person or entity takes money or property, or uses them in an illicit manner,
With intent to gain a benefit from it. These crimes typically involve some form of deceit,
Subterfuge or the abuse of a position of trust, which distinguishes them from common
Theft or Robbery. **Illicit** is defined as: forbidden by law, rules or customs.

See **UNITED STATES V. BROWN 381, U.S. 437, 448, and (1965)**

Defined, "Separation of Powers, Tyranny cruel and oppressive government behavior,
Or arbitrary use of use or control. New York State is clearly in violation of the U.S.
Constitution, District Court and the Court of Appeals is in Violation of Separation
Of powers.

CONCLUSION

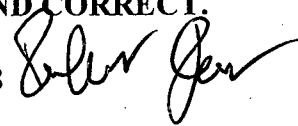
This petition for Rehearing should also be granted based on **Federal question Jurisdiction**, quoting "the jurisdiction of the Federal courts arising under Article III OF The U.S. Constitution, there is clearly a conflict between the state and federal law and the U.S. Constituion. Social Security benefits affect everyone in this Country, if the intent of U.S. Congress is clear Federal Courts have known Authority except the U.S. Supreme to Strike down Federal law as unconstitutional; this is not the case. Federal Grand Larceny Is defined as taking the property of a another and moving it from one location to another, And with intent to steal ownership, see **MATHEWS V. ELDRIDGE 424, U.S. 319, (1976)**. The Supreme Court clearly stated that Social Security benefits Statutory property Created property rights violation of **18 U.S.C. 641** "quoting whoever embezzles, steals Purloins, or knowingly converts to his use or the use of another, without authority sells, Conveys, or dispose of any voucher, money or thing of the United States. The Elements of The crime is clear because it involves the misuse of Federal money of the United States. The money in question belongs to claimant Rufus Jones and no one else. The Defendants has not proven any signed contract as stated by Judge Siragusa which Would be a violation of Congressional law and the Social Security protection Act.

I demand with all due respect that the defendants prove that the money
In question \$ 9.838.18 cents was taken by New York State legally; Federal court
Cases should not be Dictated, or Tyrannized, by personalities or prejudices or because
A plaintiff does not have an Attorney. The Court System is much bigger than that it is
Put in place by the most **High Yah** the Creator of all, See **Exodus 20:15 Thow shall**
Not steal, one of the 10 Commandments of the **Most High** which is understood as moral
Imperatives by legal scholars, and post reformation scholars, **Respectfully Submitted.**
(IN YESHUA NAME SUBMITTED SON OF THE MOST HIGH).

CERTIFICATE OF SERVICE FRAP 1746

I Rufus Jones Prose Petitioner here by certify that I served the entire Commissioner
Attorneys U.S. Solicitor General Noel Francisco U.S. Department of Justice 950,
Pennsylvania Avenue Washington D.C. 20530-0001, Social Security Special Counsel
Of New York State Regional office, Attorney Prahant Tamaskar at 26 Federal plaza
New York N.Y. 10278 Room 3904, Attorney for Monroe County Michael E Davis
39 West Main Street Rochester New York 14614 Room 307 **I DECLARE UNDER**
PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

All defendants was served the same date

11/28 2018 

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U.S. SOLICITOR GENERAL
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MICHAEL E DAVIS