

# Supreme Court of The United States

Crystal Nicole Kuei (Jones)

V.

Kansas Dept. of Labor  
Employment Security  
Board of Review

No. 18-6074

## Petition for Rehearing Review. Motion For Rehearing

I Crystal Jones disagrees with the decision for denied petition. I Crystal N. Jones request rehearing and rehearing review. To review all evidence and audio hearing for fairness. I am filing this petition in good faith and not for delay. Petition is limited to grounds not previously presented.

A. Fair Hearing. Hearings must be fair and they must therefore be conducted in accordance with procedural safeguards. The essential requisites of fairness, expressed in many ways, include the following elements which have been excerpted from Case law: "timely notice to all claimants of every

Step in the proceeding "(2)" Full opportunity to be heard in respect of all that bears upon validity, extent and priority of their Claims "(3)" to hear the evidence introduced against him" and "to know the claims of his opponent "(4)" to produce evidence and witnesses" and "to offer evidence in explanation or rebuttal" (5)" to cross-examine witnesses" (6)" to make argument" (7)" evidence adequate to support pertinent and necessary findings of Fact" (8)" that the decision of the Board shall be governed by and based upon evidence produced at the hearing" (9)" that the decision shall not be without substantial evidence taken at the hearing to support it" (10)

(2) Pacific Line Stork Co. v. Oregon Water Board 241 U.S. 410, 453 (1916) (3) ibid. (4) Philadelphia Co. v. Securities and Exchange Commission, 175 F.2d 808, 817 (CA 9, 1948), dismissed 337 U.S. 901 (1949)

(5) National Labor Relations Board v. Prettyman, 117 F.2d 786, 790 (CCA 6, 1941); 18 ALR 2d 556. See also Whitfield v. Hanges, 222 Fed. 745, 749, (CCA 8, 1915)

(6) Interstate Commerce Commission v. Louisville & Nashville Railroad Co., supra. See also The Ottawa, 70 U.S. 268, 271 (1865); Philadelphia Co. v. Securities and Exchange Commission, supra; and

- Swanney v. United States, Supra. Philadelphia Co. v. Securities and Exchange Commission, Supra. See also Morgan v. United States, 298 U.S. 468, 480 (1936); WJR v. Federal Communications Commission, 174 F.2d 226 (CA DC, 1948). Reversed on other grounds 337 U.S. 265 (1949); and L.B. Wilson, Inc. v. Federal Communications Commission, 170 F.2d 793 (CA DC, 1948).
- (8) Morgan v. United States, 298 U.S. 468, 479 (1936).
- (9) National Labor Relation Board v. Prettyman, Supra. See also Morgan v. United States, Supra; Interstate Commerce Commission v. Louisville & Nashville Railroad Co., Supra; and Whitfield v. Hanges, Supra.
- (10) Whitfield v. Hanges, 222 Fed. 745, 749 (CCA 8, 1915).  
See also Morgan v. United States, Supra.
- (11) What is required is elementary fairness-- that is, that the course of the proceeding shall be appropriate to the case and just to the party affected (12) The highly regarded Benjamin Report (13) expresses the view-Young held in regard to this program that "the most satisfactory procedure may call for much more than due process alone would require.
- (14) The recommended procedures are designed to effectuate the objectives discussed above. Whether these or other equally suitable alternatives are

Adopted, it should be kept in mind that more than mere form of procedure is involved:

"Not only the attitude and conduct of the administrator but the form of the procedures themselves should be directed to making the person dealt with feel that he is being fairly dealt with. There is more involved here than the simple desirability that this should be so. To a considerable degree, the successful operation of any procedure requires cooperative effort by all the parties. Fair Procedure on its face will go far to enlist such cooperation.

(15) In so much this may foster those ideas and encourage simplification of appeals and hearings procedures in the States, it will have accomplished its purpose. (11) National Labor Relations Board v. Pre-Hyman, *Supra*. See also Federal Communications Commission v. WJR, The Goodwill Station, Inc. 337 U.S. 265 (1949); Missouri ex rel. Hurwitz v. North 271 U.S. 40, 42 (1926); and Ballard v. Hunter, 204 U.S. 241 255-257 (1907). (12) Whitfield v. Huges, *Supra*. See also Missouri ex rel. Hurwitz v. North, *Supra*; and National Labor Relations Board v. Pre-Hyman, *Supra*; (13) Robert M. Benjamin, Administrative Adjudication in the State of New York 1942.

a report to the Governor of New York.

(14) The Benjamin Report, page 12.

(15) Ibid.

### Certificate of Service

I HERBY CERTIFY that a true and correct  
Copy of the above and foregoing Petition for Rehearing  
review in The Supreme Court of The United States  
was mailed. Postage prepaid and properly addressed  
this Friday Nov. 17th 2018 to: Attorney Glenn  
Howard Griffith

Kansas Department of Labor

401 S.W. Topeka Blvd

Topeka, KS 66603

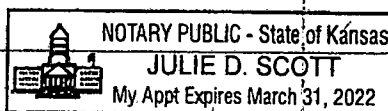
785-296-5000

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Wichita, KS 67214

316-390-2725



5.

Julie D. Scott

11/16/18

[Signature]

<sup>AKA</sup>  
Crystal Jones (Kuei)

Name: Crystal N. Jones

OR

~~Attorney's Name and Bar Number~~

Pro Se

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Telephone Number: 316-390-2725

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E-mail address: N/A

Date: Nov. 17th 2018

### CERTIFICATE OF SERVICE

I certify that a true and correct copy of Petition for Rehearing was sent by United States Mail, postage prepaid, on the 17th day of November, 2018 to: Attorney Glenn

Att: Glenn Howard Griffith  
Kansas Department of Labor  
401 S.W. Topeka Blvd  
Topeka, KS 66603  
785-296-5000

[Signature]

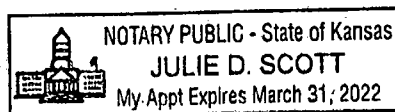
<sup>F.K.A</sup>  
Crystal Jones (Kuei)

Name: Crystal N. Jones

OR

~~Attorney's Name and Bar Number~~

Pro Se



Julie D. Scott  
11/16/18