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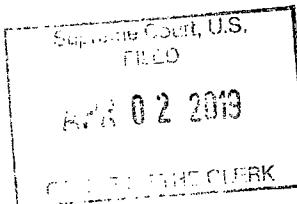
No. 18-7450

*RB*

**In the Supreme Court of the United States**

**BRADLEY B. MILLER, PETITIONER**

*v.*



**STATE OF TEXAS, AND  
VIRGINIA TALLEY DUNN, RESPONDENTS**

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

**PETITION FOR REHEARING**

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*“No man in this country is so high that he is above the law. No officer of the law may set that law at defiance with impunity. All the officers of the government, from the highest to the lowest, are creatures of the law and are bound to obey it. It is the only supreme power in our system of government, and every man who by accepting office participates in its functions is only the more strongly bound to submit to that supremacy, and to observe the limitations which it imposes upon the exercise of the authority which it gives.”*

—United States v. Lee, 106 U.S. 196 at 220 (1882).

## **PETITION FOR REHEARING**

Pursuant to Rule 44 of this Court, pro se Petitioner Miller hereby respectfully petitions for rehearing of this case.

1. Since the filing of this case, the United States District Court for the District of Maine has issued a final Order and Judgment in a case with remarkable parallels to this one. *Filler v. Hancock County*, No. 1:15-cv-00048-JAW (District Court, D. Maine, Mar. 12, 2019). *Filler*, like the instant case, involved a divorce, a child-custody court battle, an ex-wife with serious psychiatric illness, false accusations of abuse against an ex-husband, enlistment of police (and the courts) as proxy abusers, prosecutorial misconduct, abuse carried out by numerous state actors, and a **removal of a state-court case to federal court on civil rights grounds**. *Id.* Both cases have gone on

for years. Like Mr. Filler in that case, Petitioner Miller was also fraudulently jailed (though thankfully for far less time). But there the similarities end. In *Filler*, the federal district court heard the case after removal, **eventually finding in his favor and imposing a \$1.76 million judgment**; in the instant case, the district court remanded the case, refusing to hear it, and the federal appellate court then refused to observe federal law. Why this disparate treatment of similarly-situated parties in highly similar cases? Does the Constitution allow differential treatment of removing parties—and differential application of federal law—depending on whether the original case resides in Civil Court or Family Court? The simple answer: obviously not. **This Court must address this glaring contradiction in rulings.**

2. Every federal judge, before assuming office, must take the following oath:

“I, \_\_ \_\_, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and **that I will faithfully and impartially discharge and perform all the duties incumbent upon me as \_\_ under the Constitution and laws of the United States. So help me God.**” 28 U.S. Code § 453 (emphasis added).

Every Justice of this Court took this oath. These duties, with regard to

The Supreme Court of the United States, primarily involve deciding the constitutionality of legislation and the decisions of lower courts:

“The judicial power of the United States, shall be vested in one Supreme Court.... The judicial power shall extend to all cases, in law and equity, rising under this Constitution, [and] the laws of the United States...” U.S. CONST., ARTICLE III §§ 1, 2.

All judges in America are bound by the Constitution:

“This Constitution, and the laws of the United States...shall be the supreme law of the land; and the judges in every state shall be bound thereby....” U.S. CONST., ARTICLE VI § 2.

And, as previously noted in the petition for writ of certiorari (but which apparently bears repeating), all state courts have been also deemed by this Court to be bound by federal law:

“Federal law is enforceable in state courts not because Congress has determined that federal courts would otherwise be burdened or that state courts might provide a more convenient forum—although both might well be true—but because the Constitution and laws passed pursuant to it are as much laws in the States as laws passed by the state legislature. The Supremacy Clause makes those laws ‘the supreme Law of the Land,’ and charges state courts with a coordinate responsibility to enforce that law according to their regular modes of procedure.” *Howlett v. Rose*, 496 U.S. 356 at 367 (1990).

There is no legal question then, that the Constitution reigns supreme in this country; that federal legislation, as an extension of the

Constitution, holds equal power; and that federal law applies equally to federal and state courts.

3. Odd thing about the instant case, though: the state court (330<sup>th</sup> Family District Court) violated federal law governing removals (28 U.S. Code § 1446); the federal district court (NDTX) refused to observe the same federal law; and the United States Court of Appeals also refused to observe this law. By dismissing the case before briefing, the Fifth Circuit further refused to observe 28 U.S. Code § 1291. All of these courts clearly (and egregiously) violated the Due Process clause of the Fourteenth Amendment. And all of these courts—and their judges—thus thumbed their noses at both the Constitution *and* federal law. Toilet paper usually receives better treatment.

4. And why does this happen? It happens because the lower courts know that they can get away with breaking the law. So do the lawyers involved. Appeals from such cases are ignored—just as this Court ignored the petition in the instant case. Each appellate court aids and abets the criminal actions of the court below. And by denying certiorari in cases like this one, this Court applies its silent stamp of approval to such crimes. So much for the Constitution, and so much for

federal law. They simply don't apply to the courts, either state or federal. The judiciary has become a crime syndicate. And the Supreme Court merely acts as its supreme protector.

5. What faith should American citizens have in this Court? The recent Senate confirmation hearings showed that the system simply does not work. Brett Kavanaugh behaved like a petulant, bratty three-year-old—conduct that should have disqualified any nominee—yet he was confirmed to this Court nonetheless. Narcissists truly believe that they are above the law; such explains the conduct of the judges involved in the instant case, and of the American judiciary in general.

6. This Court's recent denial of certiorari in case number 18A963 (*GOA v. William P. Barr*) is another example of its habitual dereliction of duty to the Constitution. The Second Amendment is clear in its guarantee of the right to bear arms. Yet this Court intentionally allowed the infringement of that right by presidential and bureaucratic fiat. These repeated failures to defend the Constitution have emboldened every branch of government to participate in its habitual violation. With a wink and a nod, this Court has allowed it to happen. The Constitution is no longer really the “Supreme Law of the Land”; it

is just a hollow vessel, now honored more often in the breach than the observance. Such is how republics fall.

7. This Court has now ignored three cases brought by Petitioner Miller from the same fraud-ridden Family Court case. (*See also* SCOTUS case numbers 16-9012 and 17-6836.) In doing so—despite constitutional guarantees to the contrary—this Court has confirmed that American citizens have no right to free speech, no right to petition government for redress of grievances, no right to contract, no right to Due Process or Equal Treatment, and no right to parent without government interference. Because of a fraudulent order issued by the state court in this case—and due to the failure of the federal district and appellate courts to vacate this fraudulent order—the **Petitioner has not seen his 11-year-old daughter in eleven months.** Family Courts across the country regularly engage in such abusive conduct, affecting **and harming** millions of families and children. (*See Divorce Corp.* (2014). [DVD] Candor Entertainment.) Yet this Court will never hear a case that might discipline a judge, or might negatively impact the profits of lawyers. Shame on you. It is clear that Americans cannot

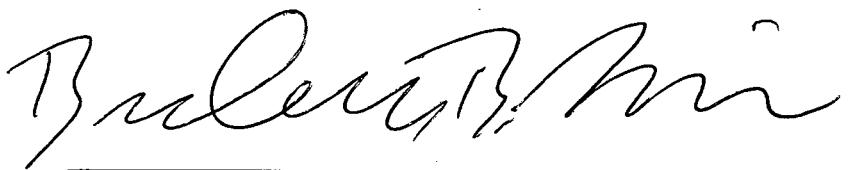
rely upon this Court to uphold the law or to protect the rights of parents and families, and that we must protect ourselves.

So be it.

## CONCLUSION

For the foregoing reasons, the petition for rehearing should be granted.

Respectfully submitted,



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April 2, 2019

## CERTIFICATE

As pro se Petitioner in this matter, I hereby certify that this petition for rehearing is presented in good faith and not for delay and is restricted to the grounds specified in Rule 44.2. (The filing of this appeal did not stay the underlying litigation, so no potential delay exists.)

I further certify that the grounds of this petition are limited to intervening circumstances of substantial or controlling effect or to other substantial grounds not previously presented.

Respectfully submitted,



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April 2, 2019