

IN THE SUPREME COURT OF THE UNITED STATES

JOYCE ANN SMITH, pro-se Petitioner.

VS-

CITY OF PRINCETON, TEXAS, Respondents,

FIRST CHOICE TOWING, Respondents.

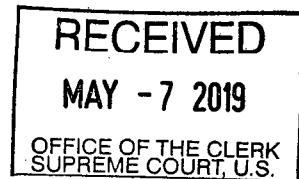
JOYCE ANN SMITH, PRO-SE MOTION FOR REHEARING

THE UNDERSIGNED party moves the Court for an order rehearing a prior of the Court. The Court entered an order on April 15, 2019. I am asking the Court for a rehearing on the motion because of Constitutional and Statutory Provisions Involved:

1. 42. U.S.C. 1983 Municipal Liability (Monroe v. Pape, 365 U.S. 167(1961)).
2. 18 U.S.C. Section 242 Deprivation of Rights under the color of Law (United States v. Price, 383 U.S.787 (1966)).
3. 18 U.S.C. 1956(a) (1) Laundering of Monetary Instruments (United States v. Emerson, 128F 3d 557, 561 (7th Cir. 1997)).
4. Texas Penal Code Section 31.03(a) (c) (6) Unlawful Appropriation without the owner's consent.

A 12(B) (6) MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM IS RARELY GRANTED. Myers v. Guardian Life Ins. Co. of Am., 5F. Supp 2d 423(D.Miss.1998), citing Clark v. Amoco Pro.Co., 794 F.2d 967, 970(5th Cir.1986); Sosa v. Coleman, 646 F.2d 991,993(5th Cir.1981).

The Court must construe the complaint in favor of the Petitioner and assume the truth of the facts pleaded. Brown v. NationsBank Corp., 188F_3d 579, 586 (5th cir 1999). The complaint should not be dismissed unless "it is clear that no relief could be granted under any set facts that could be proved consistent with the allegations." Hishon v. King & Spalding, 467 U.S. 69, 73(1984). In a civil rights action, the court should not frustrate the broad remedial purpose of the statute by narrowly applying the exceptions though the limitations period. Briley v. State of Cal., 564 F2d 849,855(CA Cal. 19777.

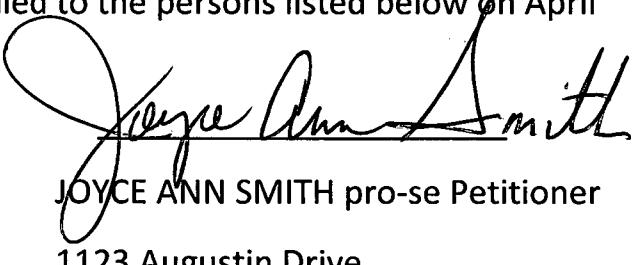


It is upon the Petitioner as the party that carries the burden of proof on this issue, to identify to the Supreme Court specific, competent evidence that resolves an undisputed issue of facts and articulate how that evidence weighs in Petitioner Favor.

Other than the raw facts submitted, Petitioner have provided the court with statistical information and cited specific City of Princeton Texas (Ord. No. 2015-08-17, § 3, 8-17-2015) for HOA's that all support Petitioner position.

The Supreme Court must **CULL** through this governing ordinances, Petitioners Exhibits to determine whether Petitioner conclusory representation is accurate. To that end, Petitioner have also proved to verify the authenticity of the Governing Ordinances, (Ord. No. 2015-08-17, § 3, 8-17-2015). Petitioner also submitted exhibits of evidence to support all claims.

I certify that a copy of this motion was mailed to the persons listed below on April 27, 2019.



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Respondents:

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