

No. 18-8890

IN THE
SUPREME COURT OF THE UNITED STATES

CARL LEE JONES, IN PRO PER,
PETITIONER

VS.

WILLIE SMITH, WARDEN, ET AL.
RESPONDENT

REQUEST FOR REHEARING ON
WRIT OF CERTIORARI

Submitted by: Carl Lee Jones #758104*
Petitioner in Propria Persona
Marquette Branch Prison
1960 U.S. Highway 41 South
Marquette, Michigan 49855

*This document was prepared with the assistance of a non-attorney prisoner assigned to the Legal Writer Program with the Michigan Department of Corrections.

To: Mr. Ronald W. Chapman, Sr.
Chapman Law Group
Attorney for Respondent
1441 W. Long Lake Road, Suite 310
Troy, Michigan 48098

From: Carl Lee Jones #758104
Petitioner in propria persona
Marquette Branch Prison
1960 U.S. Highway 41 South
Marquette, Michigan 49855

Re: *Carl Lee Jones v. Willie Smith, et al.*

U.S.S.C. No.: 18-8890
Federal Sixth Circuit No. #16-1319
U.S. District Court No. #1:15-cv-01308

Dear Mr. Chapman:

Enclosed for filing please find an original copy of: Request for Rehearing on Writ of Certiorari and Certificate of Service.

Thank you for your time and assistance in this matter.

Sincerely,

Date: 7/19/2019

Carl Lee Jones
Carl Lee Jones #758104
Petitioner in propria persona

Enc

cc: Clerk of the Court for the U.S.S.C.
File

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NOW COMES Petitioner, Carl Lee Jones, *in pro se*, in the above entitled case, and pursuant to *U.S. Sup. Ct. Rule 44* Request for Rehearing on his Writ of Certiorari, and states the following in support.

1. Petitioner submits that his legal work is being perfected by a Michigan Department of Correction's Legal Writer, who is not an attorney, but a fellow prisoner approved to assist other prisoners with their legal documents.

A. STATEMENT OF CASE:

2. In December 2015, Petitioner sued Warden Willie Smith, Heidi E. Washington, the Michigan Department of Corrections Board of Medicine, Dr. Craig Hutchinson, and Dr. Roger Gerlach, claiming that they exhibited deliberate indifference to his serious medical needs during his incarceration. The bulk of his allegations involved the Defendants' failure to treat his Hepatitis C and he asserted that he received inadequate medical care for his right knee injury and was left in pain to suffer for around 5 years.

3. In May 2016, the district court dismissed sua sponte Jones's claims against the two prison officials and the Michigan Department of Corrections Board of Medicine. The district court ordered the complaint to be served against the remaining defendants, Dr. Hutchinson and Dr. Gerlach.
4. In December 2016, Dr. Hutchinson and Dr. Gerlach moved for summary judgment, arguing that Petitioner's allegations did not show deliberate indifference.
5. On July 26, 2017, a magistrate judge recommended that the motion be granted.
6. On September 26, 2017, over Petitioner's objections, the district court granted the Defendants' motion and entered judgment in their favor.
7. Petitioner filed Notice of Appeal to the Sixth Circuit Court Federal Court of Appeals.
8. On January 3, 2019, the Sixth Circuit denied Petitioner's appeal.
9. Petitioner then file his Writ of Certiorari within this Court.
10. On June 24, 2019, which was received by Petitioner on June 27, 2019, this Court denied Petitioner's Writ of Certiorari. (*Exhibit A, Writ of Certiorari Denial, Dated June 24, 2019*).
11. Petitioner then filed a motion for appointment of counsel which was rejected on July 2, 2019.
12. Petitioner states that because of the forgoing, and the Memorandum of Law in Support, this Court should grant this request and review the information retained within and the attachments to this motion.

RELIEF REQUESTED

WHEREFORE, Petitioner requests that this Honorable Court grant this request.

Sincerely,

Date: 7/19/2019

Carl Lee Jones

Carl Lee Jones #758104
Petitioner *in pro se*
Marquette Branch Prison
1960 U.S. Highway 41 South
Marquette, Michigan 49855

DECLARATION

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 7/19/2019

Carl Lee Jones

Carl Lee Jones #758104
Petitioner *in pro se*

Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001

June 24, 2019

Scott S. Harris
Clerk of the Court
(202) 479-3011

Mr. Carl Lee Jones
Prisoner ID #758104
Marquette Branch Prison
1960 U.S. Highway 41 South
Marquette, MI 49855

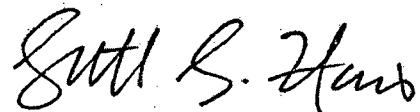
Re: Carl Lee Jones
v. Willie Smith, Warden, et al.
No. 18-8890

Dear Mr. Jones:

The Court today entered the following order in the above-entitled case:

The petition for a writ of certiorari is denied.

Sincerely,



Scott S. Harris, Clerk