

No. 18-9383

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**IN THE  
SUPREME COURT OF THE UNITED STATES**

**DR. LAKSHMI ARUNACHALAM,**

Petitioner,

v.

**EDWARD J.DAVILA, *ET AL*,**

Respondents,

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

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**PETITION FOR REHEARING**

Dr. Lakshmi Arunachalam

*Pro Se Petitioner*

222 Stanford Avenue

Menlo Park, CA 94025

Tel: (650) 690-0995

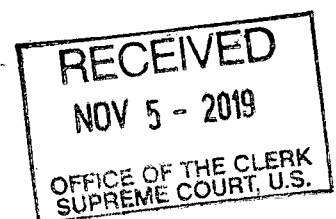
Fax: (650) 854-3393

Email: laks22002@yahoo.com

Dated: October 31, 2019

*Pro Se Petitioner*

*Dr. Lakshmi Arunachalam*



### **RULE 29.6 STATEMENT**

The Rule 29.6 disclosure statement included in the petition for a writ of certiorari remains accurate.

## PETITION FOR REHEARING

Petitioner Dr. Lakshmi Arunachalam ("Dr. Arunachalam") respectfully requests rehearing of the Court's 10/7/2019 Order, which states:

"Because the Court lacks a quorum, 28 U. S. C. §1, and since the qualified Justices are of the opinion that the case cannot be heard and determined at the next Term of the Court, the judgment is affirmed under 28 U. S. C. §2109, which provides that under these circumstances "the court shall enter its order affirming the judgment of the court from which the case was brought for review with the same effect as upon affirmance by an equally divided court." Justice Thomas, Justice Ginsburg, Justice Breyer, Justice Alito, Justice Sotomayor and Justice Kagan took no part in the consideration or decision of this petition."

Six Justices lost jurisdiction and can take no part in the consideration or decision of this Petition for Rehearing (*nor in any of Petitioner's current or past cases.*) Chief Justice Roberts is (*procedurally, by self-recusal*) conflicted out of taking part in the consideration or decision of Petitioner's Petition for Writ of Certiorari or in this Petition for Rehearing (*or in any of Petitioner's current or past cases*), for the same procedural reason(s), as detailed *infra*.

**A. Chief Justice Roberts set a precedent in recusing himself in *Microsoft Corp. v. i4i Limited Partnership*, 563 U.S. (2011), due to relationship and financial conflicts of interest with Microsoft and Microsoft counsel Theodore Olson and Thomas Hungar, Gibson Dunn & Crutcher LLP**

**[The conflict unfettered in this Petition for Rehearing; reversing, this Court's Order of October 7, 2019 affirming the lower court's jurisdictional stay of adjudicative authority by judges in willful and wanton breach of solemn oath(s) and arrogant refusal to recuse upon notice in failing to enforce, protect, and consider the laws of the land and law of the case; patent statutes; as well as, the Constitutional mandates imposed upon them to uphold the Supremacy and Separation of Powers Clauses of the Constitution and sanctity of contracts (specifically) the 'Mandated Prohibition' Constitutional (*stare decisis*) precedent, against repudiating government issued contract grants; ignored by these judges continuing to color the erroneous and fraudulent repudiations of government issued patent contract grants.].**

Microsoft is a Defendant in Petitioner's Case 19-9386 in this Court and a Third Party Requester in Re-Examinations of Petitioner's patents. Therefore, Chief Justice Roberts lost

subject matter jurisdiction and is conflicted out of all of Petitioner's cases, current and past cases, for the same reason(s) delineated in *Microsoft v i4i Limited Partnership*, 563 U.S. (2011).

**B. Seven Justices lost subject matter jurisdiction in all of Petitioner's cases, including the instant case.**

Justices Breyer and Alito are conflicted out of all of Petitioner's current and past cases, because they hold direct stock in IBM, a Defendant in Petitioner's Cases 19-5033 and 19-9386 in this Court. Justice Alito holds direct stock in JPMorgan Chase & Co, Wells Fargo Bank — Defendants in Petitioner's Case Nos. 19-9386 and 19-5033, and in Exxon Mobil Corporation — a Defendant in Petitioner's Cases in Western Texas District Court and the Fifth Circuit; stand, in conflict, along with Justice Roberts, on the same principle delineated in *Microsoft v. i4i Limited Partnership*, 563 U.S. (2011).

**C. This Court's 10/7/19 Order is VOID, erroneous and must be reversed, if for no other reason than to ensure a standard of Judicial Conduct for lower courts to follow; if for no other reason than that, to avoid wasting this Court's time settling 'First Impression' conduct(s) materially applying and ethically self-enforced.**

With seven Justices with conflicts of interest and lack of jurisdiction, this Court's 10/7/19 Order is *erroneous*.

**Where seven Justices removed themselves for conflicting interests to avoid the appearances of impropriety impinging on the question of fundamental fairness in the adjudications thereof.**

**Where the question arising from the lower court comforting Judges refusing to remove themselves from patent breaches of solemn oaths by staying jurisdiction and adjudications (wreaking of conflicting abuses and first impression party conflicts).**

**THE FIRST QUESTION IS WHERE THE JUDICIAL LEADERSHIP [HERE SEVEN JUSTICES.] OF THE HIGHEST COURT SETS OR COMPLIES WITH AN ETHICAL STANDARD DEMONSTRATING IMPARTIALITY AND COMPLIANCE WITH JUDICIAL CONDUCT TO REMOVE ONESELF FROM A CASE.**

**WHY WOULD THIS COURT FAIL TO ENFORCE (OR EXPECT ALL LOWER COURT JUDGES TO COMPLY WITH THE ETHICAL STANDARD OR LEADERSHIP EXAMPLE TO REMOVE ONESELF WHERE A CONFLICT ARISES GIVING A REAL OR REASONABLE APPEARANCE OF IMPROPRIETY; OR, BREACH OF SOLEMN OATH.**

ANY REASONABLE PERSON (OR UNREASONABLE PERSON FOR THAT MATTER) WOULD ASK (UNDER THESE PREVAILING CIRCUMSTANCES): WHO DO THESE LOWER COURT JUDGES THINK THEY ARE TO ARROGANTLY BE IN BREACH OF THEIR SOLEMN OATH(S) AND REFUSE TO REMOVE THEMSELVES FROM THE CASE; AND,

ANY APPELLATE COURT JUDGE COLORING THE SOLEMN OATH BREACH BY AFFIRMING THE ARROGANT REFUSALS TO PREVAIL; CLEARLY, HAS LOST JURISDICTION IN THE SOLEMN OATH BREACH PROCESS.

Where seven Justices maintaining conflicts of interest (however real or imagined), have removed themselves from this Court's Order of October 7, 2019; it, is reasonable to infer their actions were honestly made in the interest of fundamental fairness and justice; made, with an interest to avoid any appearance of impropriety.

However, where the same cannot be inferred from the arrogant refusal of the judges refusing to remove themselves, for breach of solemn oath in failing to uphold, protect, enforce, consider, or acknowledge the laws of the land and law of the case, and the Constitution itself (in every respect); for, good cause showing; and, the appellate court's *erroneous decision* in affirming the judges' arrogant refusal(s) to recuse (*while in breach of solemn oath*). The appellate court, *affirming* in furtherance, *ultra vires*, stays the jurisdiction patently in breach of solemn oath(s) by wanton failure to uphold the Constitution, the laws of the land and law of the case regarding the Mandated Prohibition against repudiating government issued contract grants. Affirming, the appellate court *ultra vires* grant(s) adjudicative authority to continue coloring the repudiations of contract grants without compensation (*under color of law and judicial authority*); promoting, anti-trust and depriving inventors of their right to redress (under the constitutional provision where erroneous and fraudulent decisions (on venue or not) govern adjudicative proceedings.

Clearly, Chief Justice Roberts' decision, notwithstanding the admitted reason voiding his decision in this case (*supra.*), does not fall far from the poisonous tree; giving rise to this decision; warranting reversal.

## CONCLUSION

WHEREFORE, the Court should grant this Petition for Rehearing, vacate its own 10/7/2019 erroneous Order affirming the lower Court's Judgment, and (1) grant certiorari; or alternatively (2) in addition, vacate the judgment below at the Ninth Circuit and Northern California District Court, enter a GVR order and remand to the Ninth Circuit and/or to the Northern California District Court to re-start the case with

an impartial judge. A Certificate of Service is attached.

Respectfully submitted,



Dr. Lakshmi Arunachalam

*Pro Se Petitioner*

222 Stanford Avenue,

Menlo Park, CA 94025

(650) 690-0995

(650) 854-3393 (Fax)

laks22002@yahoo.com

*Pro Se Petitioner*

*Dr. Lakshmi Arunachalam*

October 31, 2019

#### **RULE 44 CERTIFICATE**

I, Dr. Lakshmi Arunachalam, Petitioner *pro se*, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury that the following is true and correct:

1. This petition for rehearing is presented in good faith and not for delay.
2. The grounds of this petition are limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented.



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Signature

Dr. Lakshmi Arunachalam

*Pro Se Petitioner*

222 Stanford Avenue, Menlo Park, CA 94025

(650) 690-0995; laks22002@yahoo.com

Executed on October 31, 2019

Date.