

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

ANGIE WALKER — PETITIONER
(Your Name)

vs.

UNITED STATES — RESPONDENT(S)

ON PETITION FOR A REHEARING OF WRIT OF
CERTIORARI TO
9TH CIRCUIT COURT OF APPEALS
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR A REHEARING OF WRIT OF CERTIORARI

ANGIE WALKER

(Your Name)

94141 W CAUGHELL ST APT 8

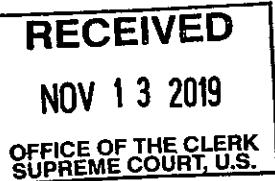
(Address)

GOLD BEACH, OREGON, 97444

(City, State, Zip Code)

541.698.6358

(Phone Number)



When we started this fight for justice, we were still being poisoned by our air being secondhand smoke from the tenants who smoked next door. When the tenant died a few weeks later, we thought that there was some kind of poetic justice. God had taken away what was killing us by letting the tenant die as he had sought, by lung cancer.

Since then, the legal system has thwarted justice in every way imaginable. From the first dismissal, which was based on the first complaint, whose amendment was completely ignored; Rule 15. Amended and Supplemental Pleadings. This was an abuse of Discretion on the District Court's part.

<https://definitions.uslegal.com/a/abuse-of-discretion/>

"Abuse of discretion does not necessarily imply a willful abuse, or intentional wrong. In a legal sense, discretion is abused whenever, in its exercise, a court exceeds the bounds of reason -- all the circumstances before it being considered." *Sharon v. Sharon*, 75 Cal. 1 (Cal. 1888)

"The term as used in the decisions of courts and in the books, implying, in common parlance, a bad motive or wrong purpose, is not the most appropriate. It is really a discretion exercised to an end or purpose not justified by, and clearly against, reason and evidence." *Murray v. Buell*, 74 Wis. 14 (Wis. 1889)

Abuse of discretion occurs when a court does not apply the correct law or if it bases its decision on a clearly erroneous finding of a material fact. A court may also abuse its discretion when the record contains no evidence to support its decision. Abuse of discretion is one of the reasons a court of appeals may use to reverse the trial court judgment. A judge may be found to commit an abuse of discretion by not allowing an important witness to testify, making improper comments that might influence a jury, showing bias, or making rulings on evidence that deny a person a chance to tell his or her side of the matter.

To the dismissal by the 9th Circuit Court, who never gave me the chance to appeal. 28 USC App., FEDERAL RULES OF APPELLATE PROCEDURE, TITLE II: APPEAL FROM A JUDGMENT OR ORDER OF A DISTRICT COURT From Title 28—Appendix FEDERAL RULES OF APPELLATE PROCEDURE

TITLE II. APPEAL FROM A JUDGMENT OR ORDER OF A DISTRICT COURT

TITLE 28 App. > FEDERAL > TITLE > Rule 3. Appeal as of Right Rule 3. Appeal as of Right—How Taken. An appeal "as of right" is one that is guaranteed by statute or some underlying constitutional or legal principle. The appellate court cannot refuse to listen to the appeal.

Now I stand before the Supreme Court of the land, of the United States of America, who swore an Oath: 5 U.S.C. 3331: Oath of Office for Federal Officials.

Employees of the United States Government including all members of Congress are required to take the following oath before assuming elected or appointed office.

5 U.S.C. 3331:

"An individual, except the President, elected or appointed to an office of honor or profit in the civil service or uniformed services shall take the following oath: 'I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.'"

An Oath to uphold the Law: "Are judges special? Sure. But not because of the privileges they have enjoyed. They're special because they're entrusted with enormous power. They explicitly swear to uphold the law and they are given life tenure under the state constitution."

In 1789, the 1st United States Congress created an oath to fulfill the requirement of Article VI of the United States Constitution:

I, A. B. do solemnly swear or affirm (as the case may be) that I will support the Constitution of the United States.[81]

It also passed the Judiciary Act of 1789, which established an additional oath taken by federal judges:

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 on me, according to the best of my abilities and understanding, agreeably to the Constitution, and laws of the United States. [So help me God.]

Federal Judiciary Oaths

In the United States, federal judges are required to take two oaths. The first oath is this:

I, (name), 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 (office) under the Constitution and laws of the United States. [So help me God.][88]

Where is the justice of the United States of America? Why are my rights as guaranteed by the Constitution being violated by the justice legal system?

To this day, we are still being poisoned by secondhand smoke that federal employees through gross negligence, allow to continue unabated. We are suffering from the off gassing of 3rd hand smoke damage, which is completely ignored by federal employees upon inspection of our apartment unit for these past several years. We have filed a claim for gross negligence and complete disregard for our health and safety by the United States Department of Agriculture, whose failure to perform their duties led to our suffering serious adversities to our health and which continue to this day. This is substantial damage to our health and safety, to our very lives. Yet, this indefensible act by the negligence of USDA employees goes unaddressed.

We stand before the court seeking justice as is our Constitutional Right, the 14th Amendment: Due Process of Law. [LII U.S. Constitution 14th Amendment](#)

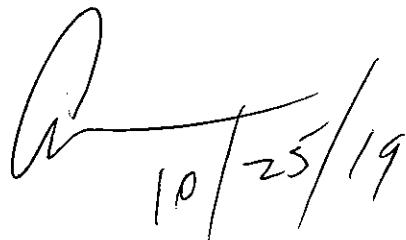
14TH AMENDMENT DUE PROCESS:

Amendment XIV

Due Process of Law :: Fourteenth Amendment -- Rights Guaranteed: Privileges and Immunities of Citizenship, Due Process, and Equal Protection :: US Constitution Annotated :: Justia:

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

I petition the court for a rehearing of our petition for certiorari to remand the amended complaint back to the court of appeals so we can seek justice as is our constitutional right as citizens of the United States of America.



A handwritten signature in black ink, followed by the date 10/25/19.

CERTIFICATE OF COUNSEL

The grounds are limited to intervening circumstances of substantial and controlling effect. Exhibits 1-3, Growing precancerous mole on scalp and worsening nicotine stains on ceiling and wall.

I hereby certify that this petition for rehearing is presented in good faith and not for delay.

ANGIE WALKER

Date: November 8, 2019

**Additional material
from this filing is
available in the
Clerk's Office.**