

No. 19-1041

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In The  
Supreme Court of the United States

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ROSTISLAV KHRAPKO,

*Petitioner,*

v.

KRISTIN SPLAIN,

*Respondent.*

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**On Petition For Writ Of Certiorari  
To The United States Court Of Appeals  
For The Second Circuit**

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**PETITION FOR REHEARING**

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**PEPITION FOR REHEARING**

Pursuant to Rule 44.2 of this Court, petitioner Rostislav Khrapko respectfully petitions this Court for an order (1) granting rehearing (2) vacating the Court's March 23, 2020, order denying certiorari (3) redispensing of this case by granting the petition for a writ of certiorari in light of intervening circumstances and substantial grounds presented below.

Federal Legislature and about 20 States including New York State are working on new laws making equally shared parenting a rebuttable presumption. This effort is motivated by the goal of putting families first, and by the appreciation of children needing both parents in their lives.

This massive legislative effort reflects the dissatisfaction with the state court's practice of routinely separating children from their parents. Such decisions maximize institutional financial gain for the states, personal financial gain for attorneys, and bring a lot of pain and suffering to the society. The scale of this problem is enormous: tens of billions of dollars of annual financial gain, and millions of discriminatory decisions passed by state courts. Discrimination for profit is not compatible with the Fourteenth Amendment and becomes exceedingly painful in the times of economic uncertainty due to COVID-19.

In many cases it can be proven that biased court decisions were made exclusively for institutional or personal financial gain and purposefully violated the Equal Protection Clause. In most cases fathers are discriminated against, and discriminatory decisions against them result in higher institutional and personal financial gains.

Unfortunately, fathers do not fall into any of the protected categories, while discrimination for profit does *not* qualify as vindictiveness or a hate crime. Class of one Equal Protection claims are wrongfully dismissed by the Second Circuit federal courts, as it happened in my exemplary case where purposeful discrimination for personal financial gain was strongly suggested by factual allegations.

In this difficult economic situation, our Nation as never before needs a firm support for the rule of law and the assertion that Equal Protection violation for financial gain violates the Constitution. This is recognized by the first question of the present petition for a writ of certiorari.

Many of us, affected by injustice, learned that the Constitution does not apply in family court. The fallout from this notion is a catastrophic breakdown of justice. Tens of millions of children and parents are separated, parents are not allowed to give love and care to their children, while billions of dollars of profit are made by the family court industry.

Federal district court erred in that no challenges to the proceedings or the outcomes of the state court can be made due to domestic relations exception. It is the duty and the opportunity for this Court to give our citizens the protection that we need and to assert that Constitution does apply to the actions of state court officials regardless of the matters they decide. Violation of substantive or procedural due process does not classify as "domestic relations". When judicial officer acts irrationally, uses perjury to order cash payments to an attorney, there should be no exception to federal jurisdiction.

Our Nation has made a great progress in protecting Human Rights, eliminating hate crime, and promoting support and trust among people. However, money is the strongest incentive to breach the law and ignore the Constitution. If egregious Constitutional violations by state court employees can hide behind the domestic relations exception, no new laws will ever work. Despite the huge scale of the problem, very few cases reach the Supreme Court.

The second question presented in the present petition for a writ of certiorari addressed the misuse of domestic relations exception to federal jurisdiction. This Court can restore the rule of law in state courts, something that we as a Nation need so badly in the present dire economic situation caused by COVID-19.

### CONCLUSION

For the foregoing reasons, petitioner Rostislav Khrapko prays that this Court grants rehearing of the order denying his petition for a writ of certiorari.

Respectfully submitted,

April 6 2020



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CERTIFICATE OF PRO SE PARTY

As a pro se petitioner unrepresented by counsel, 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.

April 6 2020



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