

NO. 19-1251

IN THE  
SUPREME COURT OF THE UNITED STATES

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Arthur O. Armstrong,

Petitioner

Vs.

School District of Philadelphia, Constance E. Clayton, Ruth Hayre, Ann G. Waiter, Arlene B Holtz,  
Arnita B. Sims, Arlene Robin, Norris Elridge, Edward William, Albert M. Gentil, Arnold S. Oblon,  
Willig William & Davidson, Philadelphia Federation of Teachers, Catherine Reisman, Harold D.  
Diamond.

Respondents,

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Petition for rehearing

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On writ of Certiorari  
to the United States Court of Appeals  
For the Third Circuit

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Petition for Rehearing

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19-1251

IN THE  
SUPEME COURT OF THE UNITED STATES

Arthur O. Armstrong

Vs.

School District of Philadelphia, et al

**PETITION FOR REHEARING**

Petitions for rehearing of an order denying certiorari are granted (1) if a petition can demonstrate "intervening circumstances of a controlling effect, or (2) if petitioner raises other substantial grounds not previously presented. Petitioner's petition will do both.

Pursuant to Rule 44.2 of the Supreme Court Rules of Appellate Procedure, Petitioner hereby and respectfully files petition for rehearing on grounds that respondents acted in a conspiracy. In the furtherance of such a conspiracy, respondents failed to conform to the requirements of the federal constitution and laws of the United States, when respondents, without just cause, acted with, including but not limited to: arbitrariness, capriciousness, malice, deception, fraud, falsity, and conspired to go in disguise on the premise thereof for the purpose of depriving, either directly or indirectly, petitioner of property without due process of law in violation of the Fourteenth Amendment to the Constitution of the United States and Article B-VIII of the Grievance Procedure. In March of 1989 at Taggart Elementary School, an eight grade White Female student, named Nicole Inversa had a crush on the Petitioner and demanded attention and was not satisfied with petitioner's response when she told principal Arlene Robin that petitioner hit her and respondent charged petitioner with corporal punishment and put it in his personal file. Petitioner told Nicole what had happened to him and

she cried, said she was sorry and told the principal she made it all up. Principal Robin acknowledged the fact but refused to meet with student and petitioner to clear things up and so it became part of petitioner's permanent record. Petitioner filed a grievance, pursuant to Article B-VIII – Grievance Procedure to have the false information removed, but PFT refused or neglected so to do when PFT denied the petitioner the Grievance Procedure – Article B-VIII in violation of the collective bargaining agreement and the Fourteenth Amendment to the Constitution of the United States. That respondent Arlene Robin acted with active connivance in the making of the corporal punishment false reports and other conduct amounting to official discrimination clearly sufficient to constitute denial of rights protected by the Equal Protection Clause to deprive petitioner of property without due process of law in violation of the Fourteenth Amendment to the Constitution of the United States.

In September of 1989, petitioner was transferred to Wilson Middle School. Petitioner was very glad for the transfer and that the principal Arlene B. Holtz welcomed him with opened arms, would come by the classroom and make complementary remarks. Just simply remarkable and petitioner received a satisfactory rating for the year.

It was well known to the faculty but not to the petitioner that Dr. Holtz had a deep repugnance for Lisa Grillo, a twenty-five year old White female Jehovah's Witness and that the government was evil and that she is the government and evil and is unfair also.

On or about May 20, 1990, petitioner accidentally locked himself out of his car at the Broad Axe Tavern in Ambler, PA and needed some one to take him to get his car. When petitioner arrived at school that morning, he told Lisa Grillo that he locked himself out of his car last night. She said she would take him to get his car. Being silly and ignorant, like not to rock the boat, petitioner said NO to her. At the end of the day petitioner had been turned by all of the black female co-workers and left stranded with a ride. Lisa saw that the petitioner was left

stranded and said, "I will take you to get your car," she said. I said, "Yes, please." When we arrived at the location, I said, Thank you, Get in your car and follow me, we are going to have dinner at the Italian restaurant and off we went and she was tickled pink. Petitioner told the waitress or bartender to give the lady a coke. And Lisa said, "What do you have?" I said a manhattan. She said, "I want what you have." And every body in the place fell out laughing. I want what you have, I thought it was funny, too and I laugh also. Trying to treat the lady like a little child.

The next day at school, Drene Shellman, a math teacher and a friend of petitioner and a trusted friend of Arlene B. Holtz, came running to plaintiff's room screaming and saying, "Mr. Armstrong, you are in trouble. Dr. Holtz got the news that Lisa Grillo took you to Ambler, PA to get your car. That Lisa Grillo is telling every body that you are a nice and sweet man and how nice you were to her. Dr. Holtz is taking this all in, jealous, angry and vindictive thinks you are romancing her like having a romantic relationship, sex and stuff and is jealous and upset and angry. Mr. Armstrong, I don't know just what to tell you but Arlene is very revengeful and knowing her and with her jealousy, she is going to transfer you away from her. She is enraged at the news and there is nothing you can do I don't know what else to tell you, but Arlene is a person who is determined to make person pay for her misery . That she feels dejected and worthless and blaming it on you is appropriate.. She didn't say it exactly that way, but you are her ace.

Mr. Lacey is a legendary teacher, an institution taught English at the school for years, she did not like him and she got rid of him. And since you were in the car with Lisa, you have to go." "Drena, although I am not obligated to do so, I will try to speak to her," petitioner said.. And as soon as he was leaving the room, he bumped smack into her in the hall way and before he could open his mouth to say any thing, she vehemently threatened the petitioner with the loss

of his job when she said to him "Next year is going to be difference," meaning for being in the car with Lisa, romancing her. That she was going to have petitioner administratively transferred for the ultimate goal of discharge. Petitioner tried to do every thing to please her; consequently went to her office to speak to her, she said to him, "Get out!"

Next year, From September 6, 1990 – June 1991 respondent Holtz shunned the petitioner all year long. Didn't say a cordial word, JEALOUSY ANGER and deep REPUGNANCE - took over respondent – ROMANCE GONE WRONG – Issue: Armstrong purportedly romantic relationship with Lisa Grillo – May 20, 1990.

On or about May, 1991, the day (s) petitioner was absent, all of the sixth graders two classes, more than 60 pupils, and others petitioned Dr. Holtz for misbehaving, untruthfulness, not talking to Mr. Armstrong, shunning and stood his up for class display visitation, a no show for a class Christmas party and heard through the grape vine of the illegal transfer without due process of law. On the day petitioner returned, Dr. Holtz, as petitioner was signing in, accused petitioner of putting the pupils up to writing the petitions, when she said, "Look what you got these kids involved in," and threw the petitions at him. Realizing the words were spreading about her attitude and stuff and losing control and respect from the kids, Dr. Holtz acted with totalitarianism when she ordered petitioner to remain in her office and barred him from his home room when she said "You are not allowed to go to your class room this morning. Subsequently, in the yard, the kids saw Mr. Armstrong and rallied around him and said, "We thought you were not coming back and wrote petitions to bring you back to us. Dr. Holtz saw the petitioner surrounded by students including other sixth graders, and chased petitioner from the yard when she said, "I don't want you talking to these kids and told petitioner simply, " Leave the ground and building entirely – go away – go home – away from these kids, back inside. Petitioner went back inside. Few kids came inside, look at Mr. Armstrong from the hall

and began to cry.

Dr. Holtz asked Ann B. Waiter to come to her rescue and transfer the petitioner for being in the car together with the twenty-five year old Jehovah's Witness Lisa Grillo. Now, Ann G. Waiter knew Lisa Grillo was a white twenty-five year old woman and heard the allegations concerning the crush she had on the petitioner and his response thereto, when she refused to talk to petitioner because petitioner is black and Lisa is White and she too was jealous and in the instant action acted with racial discrimination for her own selfish benefit.

Arlene Holtz was jealous because petitioner was in the car with Lisa allegedly romancing her and acted with racial conspiracy.

Arlene Holtz and Ann B. Waiter acted in a conspiracy. In the furtherance of such a conspiracy, on June 27, 1991, after school was unofficially over for the summer, respondents conspired to go in disguise on the premise thereof for the purpose, directly or indirectly, to deprive the petitioner of his job when respondents acted with active connivance in the making of the petitioner's no class control, misspelled word [sympul] but petitioner did not misspell symbol. Poor lesson plan and incompetent false reports and other conduct amounting to official discrimination clearly sufficient to constitute denial of rights protected by the Equal Protection Clause to deprive petitioner of his property when respondents administratively transferred petitioner to Beeber Middle School without due process of law in violation of the Fourteenth Amendment to the Constitution of the United States and Article B-VIII – Grievance Procedure. [Holtz spelled meter meeter, simply a mistake].

The Philadelphia Federation of Teachers said over a phone conversation, "Mr. Armstrong, Do you want your job?" I said, "Yes." "If you want your job, STOP TALKING TO THAT WOMAN" said John Mickens, PFT Representative.

On September 12, 1991, petitioner was subject to a hostile workplace when petitioner

arrived at Beeber Middle School when respondent Arnita B. Sims principal of Beeber Middle School acted with BIGOTRY, JEALOUSY and RACIAL CONSPIRACY and DISCRIMINATION when she said, in response to petitioner's "Hi." "Don't hi me." She said. "You started off on the wrong foot already, I heard about you and your White Jehovah's Witness girl friend and you wont be teaching here long with the school district. You don't like black women, And I am a black woman.. I taught science and you are no smarter than I ..." What's going on. Respondent Sims threatened petitioner with the loss of his job.

Said, Lisa Grillo contacted or tried to contact the petitioner at the school and principal Sims became enraged, jealous and repugnant and thought perhaps Mr. Armstrong was still seeing her and the next day on or about March 19, 1992, petitioner's class room was littered with dirt and paper debris by some person; respondent Norris Eldridge, school co-ordinator for district Four falsely accused petitioner of dirty class room and placed it in petitioner's file.

Respondent Arnold S. Oblon assistant principal, acted with active connivance in the making of the no lesson plan and lesson objective false reports and other conduct amounting to official discrimination clearly sufficient to constitute denial of rights protected by the Equal Protection Clause to deprive the petitioner of his teaching position without due process of law.

Respondent Albert M. Gentil assistant principal acted with active connivance in the making of the student walking around, paying no attention to Mr. Armstrong, talking amongst themselves false reports and other conduct amounting to official discrimination clearly sufficient to constitute denial of rights protected by the Equal Protection Clause to deprive petitioner of property without due process of law in violation of the Fourteenth Amendment to the Constitution of the United States.

Respondents Arnita B. Sims and Edward William acted in a conspiracy. In the furtherance of such a conspiracy, on June 20, 1992, after the school was unofficially over for the summer,

**respondent failed to conform to the requirements of the federal constitution and the laws of the United States when respondents conspired to go in disguise on the premise thereof for the purpose of depriving, either directly or indirectly petitioner of property without due process of law when respondents acted with active connivance in the making of the incompetency, no control, dirty room and left pupils unattended false reports and other conduct amounting to official discrimination clearly sufficient to constitute denial of rights protected by the Equal Protection Clause to deprive petitioner of property without due process of law in violation of the Fourteenth Amendment to the Constitution of the United States and Article B-VIII – Grievance Procedure.**

**Respondent Constance E. Clayton is president of the Board of Education and Ruth Hayre is superintendent of the School District of Philadelphia, acted with active connivance in the making of the state law and afforded Article B-VIII – Grievance Procedure false reports [BLOCK GRIEVANCE PROCEDURE] and other conduct amounting to official discrimination clearly sufficient to constitute denial of rights protected by the Equal Protection Clause to deprive the petitioner of property without due process of law in violation of the Fourteenth Amendment to the Constitution of the United States and Article B-VIII – Grievance Procedure.**

**Each conspirator did some act and omitted some duty and as a result of such commission, petitioner was deprived of having and exercising any right or privilege of a citizen of the United States.**

**That 42 U.S.C.S. 1985 prohibits conspiracy to interfere with civil rights and 1986 proscribes knowing neglect to prevent (or aid and abet after the fact) such a conspiracy.**

**That the respondent, each one of them, had the knowledge of the wrongs conspired to be done and the power to prevent or aid in the preventing of same but refused or neglected so to do.**

**Respondents aided and abetted after the fact such a conspiracy.**

**That on August 25, 1992, the School District of Philadelphia discharged petitioner from his teaching position in violation of Article B-VIII – GRIEVANCE PROCEDURE and the Fourteenth Amendment to the Constitution of the United States without due process of law and petitioner filed a lawsuit against respondents PFT and the Board of Education seeking damages in the sum of \$35,000,000.00 for continuing suffering , including but not limited to: mental anguish, psychic injuries, mental distress, injury to his reputation and humiliation. Then petitioner demanded he be reinstated to his teaching position with back pay and every thing associated with the illegal discharge. So respondents PFT, Harold Diamond Law and the Philadelphia Board of Education signed a written contract guaranteeing reinstatement on the premise petitioner withdraws his state and federal lawsuits. Petitioner withdrew his federal and state lawsuits. On November 18, 1994, PFT, Philadelphia Board of Education and Harold Diamond breached the written contract stipulation when respondent Alan Rosen, counsel for Philadelphia Board of Education had an illegal hearing and acted with active connivance in the making of the afforded Article B-VIII – Grievance Procedure false reports; Harold Diamond acted with legal Professional malpractice for not showing up and Rule 5.1. Willig William and Davidson acted with Article B-VIII Grievance Procedure violation; hired an arbitrator against petitioner's objection and denied petitioner the opportunity to speak.**

**Respondent Arlene Holtz acted with active connivance in the making of the petitioner's afforded Article B-VIII false reports. Ann W. Waiter acted with active connivance in the making of the afforded Article B-VIII false reports. Arnita B. Sims acted with active connivance in the making of the afforded Article B-VIII False reports; Arnold S. Oblon acted with active connivance in the making of the petitioner's afforded Article B-VIII – Grievance Procedure. Albert M. Gentil acted with active connivance in the making of the afforded Article B-VIII – Grievance Procedure**

false reports. Refused petitioner his rights to say anything at the fiasco when respondents said, you are winning. No further action. On January 25, 1995, PFT sent petitioner a letter stating that reinstatement was denied.

That each conspirator had knowledge of the wrongs conspired to be done and had the power to prevent or aid in the preventing of the commission of same but refused or neglected so to do.

42 U.S.C.S. 1985 prohibits conspiracy to interfere with civil rights and 1986 proscribes knowing neglect to prevent (or aid or abet after the fact) such a conspiracy.

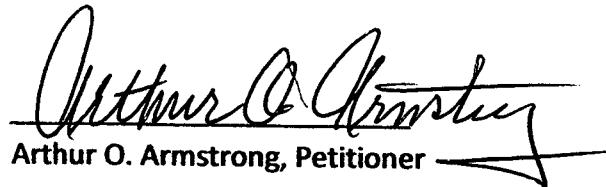
That the respondents did some act and omitted some duty and as a result of such commission, petitioner was deprived of having and exercising any right or privilege as a citizen of the United States

Respondents aided and abetted after the fact such a conspiracy,

**CONCLUSION:**

Conspiracy is a secret plan to do something wrong and unlawful, respondents deprived petitioner of his lively hood by conspiratorial action and petitioner is entitled to relief and petition for rehearing should be granted.

August 11, 2020.

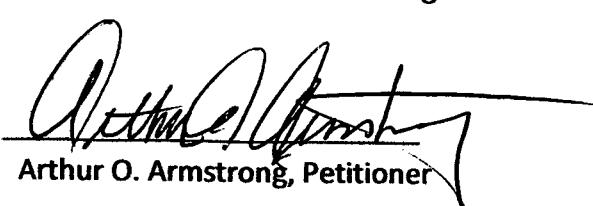


Arthur O. Armstrong  
Arthur O. Armstrong, Petitioner

**CERTIFICATE OF COUNSEL**

I hereby certify that this petition for rehearing is limited to "intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented and that the petition is presented in good faith and not for delay and is restricted to the grounds specified in the Supreme Court Rule 44.2

August 11, 2020



Arthur O. Armstrong  
Arthur O. Armstrong, Petitioner