

No. 19-1470

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In the  
Supreme Court of the United States

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SAMUEL AMBROSIO GURROLA,

*Petitioner,*

v.

WALGREEN COMPANY,

*Respondent.*

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On Petition for a Writ of Certiorari to the  
United States Court of Appeals for the Fifth Circuit

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**PETITION FOR REHEARING**

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SAMUEL AMBROSIO GURROLA  
*PETITIONER PRO SE*  
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NOVEMBER 13, 2020

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## **PETITION FOR REHEARING**

Pursuant to Rule 44 of this Court, petitioner, Samuel Ambrosio Gurrola, Pro Se, hereby respectfully petitions for re-hearing of this case before a full nine-Member Court.

1. This case involves Judicial Misconduct.
2. Evidence of removed information by Respondent's employees became available on October 20, 2020.
3. Respondent's employees were entering Petitioner's pharmacy from the onset of Respondent's purchase offer to remove documents and wiretap facility. Please see Reh.App.1a. Affidavit of third party witness sustained by purchase records of those dates for vandalized typewriters by Respondent's employees.<sup>1</sup>
4. Respondent hired a non-employee to misrepresent himself as the fictional Walgreen District Manager sent to steal Petitioner's pharmacy. Solicitation to purchase Pharmacy on October 9, 2014<sup>2</sup> by Angela Moore please see the document at Reh.App.2a, Walgreen's manager for its Pharmacy acquisitions department. Process server report. Maria Jackson that District Manager sent was fictional and real Walgreens District Manager was someone else. See the document at App.3a.<sup>3</sup>

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<sup>1</sup> Affidavit of Mohamad Majma.

<sup>2</sup> Solicitation of Acquisition Department Walgreen Angela Moore.

<sup>3</sup> Affidavit of Maria Jackson Finds Respondent's Misrepresentation.

5. At Reh.App.4a is an item not found until October 20, 2020 which lists the fictional Walgreen District Manager Supervisor Michael, but called himself Mark, Who is sent by Respondent to stalk victim, the Petitioner, and attended at Vinton Medical clinic, who supplies Mr/ Saenz with the false testimony of Lorenzo Ureno, Vinton.

6. Medical patient and of course a Walgreen customer Mr. Saenz, the fictitious Walgreen District Manager uses to monitor Walgreen's buyout and extortion victim.

7. Nexus of Michael or Mark Saenz to Lorenzo Ureno, to Vinton Medical Clinic to Respondent to Judge David C. Guaderrama to illegal search warrant to Magistrate to Federal Judge David C. Guaderrama.

7. Conflict of interest, Judge Guaderrama hails from the disputed Texas-New Mexico Corridor, the Respondent monopolized.<sup>4</sup> Because the petitioner's business was a pharmacy and carried controlled substances, then a Federal Court, Magistrate or Judge, had jurisdiction to sign those baseless warrants and promulgate not 10% nor 92% nor 99.9% but 100% monopoly of the disputed Texas-New Mexico Corridor.

8. This Court should find out what role Judge Guaderrama had in the fictitious, Baseless search warrants used to promote greed.

9. Mr. Michael Saenz, the fictitious Walgreen's District Manager also hails from that area. Please see

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<sup>4</sup> Judge Guaderrama was raised in the disputed Texas-New Mexico corridor in dispute and was a wholesale business manager there which lends the chance that he knew the members advocating the respondents monopoly of the area. *i.e.* Conflict of interest.

Reh.App.4a. 602 Hannibal Court, Canutillo (emphasis added) Texas 79831.

10. Mr. Saenz, with help of Walgreen' customer, Lorenzo Ureno obtained false search warrants.<sup>5</sup>

11. Because there is a nexus between Mr. Saenz and Judge Guaderrama did Judge Guaderrama sign the baseless search warrants to monopolize the market for respondent.

12. The document at Reh.App.4a revisited shows the date of September 22, 2014. That is 9 days before Angela Moore, Manager Acquisitions Department, Walgreen Company, Toledo Ohio first mentions Mr. Saenz, the fictitious Walgreen District Manager that lends to premeditation.

13. Intrinsic fraud on the part of Mr. Aldo Lopez, Respondent's legal consul when refused to attend a Court Ordered Conference, as a matter of fact Respondent waived his rights that instance, voluntarily, not forced by illegal Entry and vandalizing of machines and removal of documents that is "RICO" Please see the document at Reh.App.5a and emphasis on Reh.App.8a.

14. Agreed Court Order ends discovery on November 15, 2014. See document at Reh.App.8a.

To be revealed, the cameras he installs, the sound equipment he installs took part nine (9) days before anyone heard of Angela Moore, a lot of trouble is spared, note discovery as to end November 28, 2014. Petitioner had time to spare to present his evidence,

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<sup>5</sup> *Gurrola v. Dodson* (16-cv-00359). Mr. Saenz and true identity revealed, because the next day, Mr. Saenz true identity and office is about.

Judge Guaderrama got together with Michael Saenz, together or indirectly, in which case the Texas Law of Parties is invoked. The fictitious Walgreen District Manager violates “RICO”, intrinsic fraud, Judge Guaderrama joins those violating “RICO”, extrinsic Fraud. See Document at Reh.App.11a, 12a where Petitioner is extorted to write hand-printed documents.

15. *Chevron Corporation v. Maria Aguinda Salazar, Et Al*, 11 Cir. 3718 (LAK)(JCF) (S.D.N.Y. Aug. 2011):

MEMORANDUM AND ORDER  
James Frances IV, Magistrate Judge

The defendants in this case, known collectively as the Lago Agrio plaintiffs (the “LAPs”), obtained a multi-billion dollar judgment against Chevron Corporation (“Chevron”) in Ecuador based on claims of environmental pollution caused by Texaco, Inc. (“Texaco”), which was subsequently acquired by Chevron. In this proceeding, Chevron seeks a declaration that the Ecuadorian judgment is not enforceable outside Ecuador and an injunction preventing its enforcement. Chevron has sought support for its claims by, among other things, serving subpoenas on attorneys involved in the representation of the LAPs: Laura Garr, Andrew Woods, Joseph C. Kohn, and the firm of Kohn, Swift Graf, P.C. (collectively, the “Respondents”). The Respondents objected to the subpoenas, asserted the attorney-client privilege and the work product doctrine, and provided privilege logs. The LAPs join the Respondents and assert privileges on their own behalf. Chevron

contends that none of the documents at issue may be withheld because, among other reasons, (1) any discovery immunity was forfeited by the lead attorney in the Lago Agrio litigation, Steven R. Donziger, when he failed to provide a timely privilege log and (2) the crime-fraud exception to the attorney-client privilege and the work product doctrine apply to the documents at issue.

Chevron prevailed.

16. The destruction of Petitioners typewriters by Mr. Saenz to get a favorable judgement clearly violates "RICO".

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For the foregoing reasons, the petition for rehearing should be granted.

Respectfully submitted,

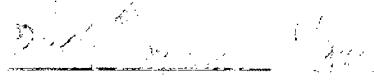
  
SAMUEL AMBROSIO GURROLA  
*PETITIONER PRO SE*  
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NOVEMBER 13, 2020

**RULE 44 CERTIFICATE**

As required by Supreme Court Rule 44.2, I certify that the Petition for Rehearing is limited to "intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented," and that petition is presented in good faith and not for delay.

I declare under penalty of perjury that the foregoing is true and correct. Executed on November 2, 2020.

  
\_\_\_\_\_  
SAMUEL AMBROSIO GURROLA  
*PETITIONER PRO SE*  
619 DE LEON  
EL PASO, TX 79912  
(915) 315-4292  
PALAFOXPHEM1@YAHOO.COM

NOVEMBER 13, 2020

## **REHEARING APPENDIX TABLE OF CONTENTS**

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Reh.App.1a

**AFFIDAVIT OF MOHAMED MAJMA  
(MAY 7, 2020)**

---

State of New Mexico  
County of Bernalillo

**AFFIDAVIT OF MOHAMED MAJMA**

Before me, the undersigned authority, personally appeared Mohammad Majma who, being by me duly sworn, deposed as follows

I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

1. On or about November 12 2017 Mr. Gurroa's Brother typewriter was vandalized.
2. On or about November 17, 2017 helped Mr. Gurrola rent to purchase an IBM office machine typewriter from pioneer office supplies..
3. On or about January 3, 2018, I obtained a 1950 Smith Corona vintage Portable typewriter as his IBM typewriter had been vandalized as well.

/s/ Mohamed Majma

In witness thereto, I have hereto subscribed my name and affixed my Official seal this 27 DAY OF May, 2020

Seal of Carla Hinojos  
My commission expires May 7, 2022

Reh.App.2a

**EMAIL FROM ANGELA MOORE**

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FW: Palafox Pharmacy Snapshot

From: Moore, Angela

To: Saenz, Michael, Me

Oct 9 at 1:14 PM is Seen; Michael, Me

Michael and Sam,

I know Michael is coming to the pharmacy today to complete our site visit, and legal should have the contract complete and ready to send in the morning. One item we need to look at is the number of patents that do not have addresses in the system. Is this something you can work to complete Sam in the next week?

Be Well,

Angela C. Moore

Manager, Pharmacy Acquisitions

Walgreen Co.

224-723-3932-cell

847-368-6342-fax

<http://www.walgreens.com/seimoharmacy>

Click here to view our owner testimonial video

**AFFIDAVIT OF MRS. JACKSON**

---

Affidavit of Mrs. Jackson  
County of El Paso  
State of Texas

I am over 18 years of age, of sound mind and  
able to make this statement.

1. On or about November 16, 2017, I visited The Walgreen Company Pharmacy in El Paso, Texas and asked for Mark Saenz. I was informed that the person was not known and that it was not the name of the district manager for The Walgreen Company.

2. I informed Mr. Samuel Gurrola of this and Mr. Gurrola obtained information provided by the Texas State Board of Pharmacy that there was a Michael Saenz working for La Fe Clinic Pharmacy at 800 South Ochoa, El Paso, Texas.

3. On or about November 20, 2017, Mr. Samuel A. Gurrola informed me that Mr. Saenz was working at The University Medical Center Pharmacy on Dessert Blvd. I did find Mr. Michael Saenz working there.

I swear to the above under penalty of perjury.

Respectfully,  
Mrs. Jackson  
Process Server  
El Paso, Texas 79912

PHARMACY RECORD

MontwoodMedicalCenter.Com

Montwood Medical Center-915-8558550  
NorthPark Medical Center-915-8558550 915-7512448  
Inton Medical Center-915-8558550 ,915-6034264  
Iragoza Medical Exam-915-8558550 915-5989494  
Residlo Medical Center-915-8558550 432-6535005

Dr's Agarwal/Songbandith/Gonzalez NPPA-Sanc/Anaya/Armen/Caro/Crosby

OR: Saenz, Mark A  
DATE: 09/22/2014  
ADDRESS:  
602 Hannibal Rd.  
San Antonio, TX 78211

11/16/2014  
11/22/2014

rx:  
~~10 mg (table)~~ SIC: 1 ~~as needed for allergies orally~~ #10 ~~Tablet(s)~~ Substitutions Allowed  
Refills- 2 Start Date- 09/22/2014 15:47 Days Supply- Notes-  
  
~~Iacinek (Montelukast) Nasal Spray 50 microgram spray SIC: 2 inhalation in each nostril 2 times a day orally #1~~  
~~Tablet(s)~~ Substitutions Allowed Refills- 2 Start Date- 09/22/2014 15:47 Days Supply- Notes-  
  
~~Saline Nasal 0.9% 10 mL SIC: 1 spray(s) into each nostril 4 times a day for 30 days #1 Substitutions- Refills- 2 Start Date- 09/22/2014 15:48 Notes- Days Supply-~~

Substitution permitted

Dispense as written

**PLAINTIFF'S REPORT OF  
PARTIES PLANNING MEETING**

---

**SAMUEL A. GURROLA**  
Plaintiff,

vs.

**Walgreen Company**  
Defendant.

Case No. 17-CV-0078-DCG

**PLAINTIFF'S REPORT OF  
PARTIES PLANNING MEETING**

**TO THE HONORABLE  
JUDGE DAVID C. GUADERRAMA:**

COMES NOW, Plaintiff, Samuel A. Gurrola, Pro Se in the above entitled and numbered cause, and pursuant to Federal Rule of Civil Procedure 16(b), and consistent with the Court's Standing Order on Pretrial Deadlines, files Plaintiff's Report of Parties Planning Meeting. In connection with this report, the Plaintiff would respectfully show the Court as follows:

**Caption of Case:**

Samuel A. Gurrola, Plaintiff v. Walgreen  
Company 17-CV-0078-DCG

**Date complaint filed:**

March 16, 2017

**Date complaint served:**

March 20, 2017

**Date of Defendant's appearance:**

April 10, 2017

Pursuant to Federal Rules of Civil Procedure 16(b), 26(f), and local Rule 16, written correspondence, by electronic mail, was exchanged on May 25, 2017, May 24, 2017, and May 23, 2017 had verbal communications (on May 23 and May 24 the meeting was via telephonic verbal communication). The participants were:

Samuel A. Gurrola, Pro Se Plaintiff and Mr. Aldo Lopez counsel for the law firm of Ray, McChristian & Jeans who represent defendant Walgreen company.

### **I. Certification**

Plaintiff on initial communication with Mr. Aldo Lopez was told that the aforementioned law firm would rather wait for summary judgement which the law firm for defendant requested. Plaintiff conveyed message that plaintiff and defendant had to obey and respect the Court's Standing order or be in violation of the Order and possible sanctions.

### **II. Jurisdiction**

This Court has jurisdiction conferred by 28 U.S.C. § 1332, Diversity Jurisdiction, 28 U.S.C. § 1337 Commerce and Trust regulation, United States Constitution Article III, section 2 for breach of contract, 18 U.S.C. § 241 Conspiracy.

### **III. Brief Description of Case**

#### **Claims of Plaintiff:**

1. An overt violation of the Sherman and Clayton Antitrust Act meant to protect competition.

Reh.App.7a

2. Breach of Contract wherein defendant promised a sum drew out and pulled customers but reneged on its promise finalized by a handshake, witnesses to be produced.
3. Conspiracy to deny civil rights wherein defendant used its employees in conjunction with other nefarious elements with the same aim of putting plaintiff out of business.

**Defenses and Claims (Counterclaims, Third Party Claims, Cross Claims) of Defendant;**

1. Defendant claims plaintiff fails to state a claim even plaintiff shows monetary losses and all encompassing pictorial representation on how defendant eliminated competition.
2. Defendant claims plaintiff uses conclusory statements although pictorial display clearly shows defendant eliminated competition.
3. Defendant states plaintiff's allegations are unfounded even though the maps clearly show the defendant Walgreen company eliminated all competition.
4. Defendant claims that Walgreens told plaintiff the sale would not be taking place, after the handshake, after the contract, after Walgreens accessed plaintiffs custom.

**FINAL JUDGMENT  
(NOVEMBER 15, 2017)**

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS,  
EL PASO DIVISION

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SAMUEL A. GURROLA,

*Plaintiff,*

v.

WALGREEN COMPANY,

*Defendant.*

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EP-17-cv-00078-DCG

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... comply with Fed. R. Civ. P. 8. Any response to an amended pleading shall be filed within the longer of either the time remaining for response to the original pleading or fourteen (14) days after service of the amended pleading.

4. September 29, 2017

All parties asserting claims for relief shall FILE their designation of testifying experts with the Court, including the names of the designated experts, and shall SERVE on all parties, but not file, the materials required by Fed R. Civ. P. 26 (a)(2)(B). All designations of rebuttal experts shall be filed within fifteen (15) days of receipt of the report of the opposing expert.

Reh.App.9a

5. October 29, 2017

Parties resisting claims for relief shall FILE their designation of testifying experts with the Court, including the names of the designated experts, and shall SERVE on all parties, but not file, the materials required by Fed. R. Civ. P. 26(a)(2)(B). All designations of rebuttal experts shall be filed within **fifteen (15) days** of receipt of the report of the opposing expert.

6. An objection to the reliability of an expert's proposed testimony under Fed. R. Evid. 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, within **twenty (20) days** of receipt of the written report of the expert's proposed testimony, or within **twenty (20) days** of the expert's deposition, if a deposition is taken, whichever is later.

7. November 28, 2017

The parties shall complete all discovery, including any supplementation of disclosures and responses under Federal Rule of Civil Procedure 26. Counsel may by agreement continue discovery beyond the deadline, but there will be no intervention by the Court except in extraordinary circumstances, and no trial setting will be vacated because of information obtained in post-deadline discovery.

8. November 28, 2017

All motions to continue the trial date shall be filed. Any such motions shall include detailed grounds for the requested delay and shall note the number and dates of prior motions to continue the trial date that the Court has granted.

Reh.App.10a

9. December 12, 2017

The parties shall file all discovery-related motions.

10. January 11, 2018

All dispositive motions shall be filed. Dispositive motions as defined in Local Rule CV-7(c) and responses to dispositive motions shall be limited to twenty (20) pages in length. The Deadlines to file responses and reply are governed by Local Rule CV-7(e)(2) and (f)(2) respectively. The proximity of the trial setting limits the Court's discretion in granting motions to continue beyond this deadline.

Reh.App.11a

**NOTICE OF DEPOSITION PURSUANT  
TO FED. R. CIV. P. 30(B)(6)  
(NOVEMBER 15, 2017)**

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS,  
EL PASO DIVISION

---

SAMUEL A. GURROLA,

*Plaintiff*,

v.

WALGREEN COMPANY,

*Defendant.*

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EP-17-cv-00078-DCG

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PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 30(b)(6) and 45 plaintiff will take deposition upon oral examination, to be recorded by stenographic means, at the office of Raspberry and Associates, 420 E. Main Ave. El Paso, TX 79901. The deponent is

*Michael Saenz Lafe Cline, Plaintiff, Dated: November 15, 2007  
Court Clerk, El Paso, Texas 79901, DEPARTMENT 2000  
Date: November 15, 2007  
Time: 10:00 AM*

Dated: November 17, 2007

Respectfully submitted,

/s/ Samuel A. Gurrola  
619 De Leon  
El Paso, Texas  
El Paso, Texas 79912  
E-mail: [palafoxpharm@yahoo.com](mailto:palafoxpharm@yahoo.com)

HANDWRITTEN CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE  
I SWEAR under PENALTY of PERJURY THAT  
I DID SEND A TRUE AND CORRECT COPY  
OF THE FOREGOING MATTER TO MR. ALDO  
LOPEZ OF THE LAW FIRM OF RAY, MCGR  
AN & SEANS, LLC TO DAY NOVEMBER:  
2017 VIA CERTIFIED MAIL  
MAIL.

CERTIFICATE OF SERVICE  
I NOTIFYED MR. ALDO LOPEZ OF  
THE TIME, PLACE AND DATE OF  
THE FOREMENTIONED DEPOSITION  
ON NOVEMBER 17, 20017  
SINCERELY

Samuel A. Gandy  
Samuel A. Gandy

**CERTIFICATE OF WORD COUNT**

**No. 19-1470**

Samuel Ambrosio Gurrola,  
*Petitioner*

v.

Walgreen Company,  
*Respondent*

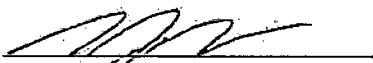
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STATE OF MASSACHUSETTS )  
COUNTY OF NORFOLK ) SS.:

Being duly sworn, I depose and say:

1. That I am over the age of 18 years and am not a party to this action. I am an employee of the Supreme Court Press, the preparer of the document, with mailing address at 1089 Commonwealth Avenue, Suite 283, Boston, MA 02215.
2. That, as required by Supreme Court Rule 33.1(h), I certify that the SAMUEL AMBROSIO GURROLA PETITION FOR REHEARING contains 954 words, including the parts of the brief that are required or exempted by Supreme Court Rule 33.1(d).

I declare under penalty of perjury that the foregoing is true and correct.



Lucas DeDeus

November 2, 2020

SCP Tracking: Gurrola-619 De Leon-Cover Tan