

# No. 19-5725

(United State Court of Appeals Docket Above)

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CHARLES ROCHESTER

Petitioner Pro-se

Vs.

FORTUNE SOCIETY

Respondents.

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PETITION FOR WRIT OF CERTIORARI REHEARING

FRCP 44

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To: Littler Mendelson P.C., -  
One Newark Center,  
1085 Raymond Blvd. 8<sup>th</sup> Floor  
Newark, N.J. 07102, and

To: New York State Division of Human Rights  
One Fordham Plaza 4<sup>th</sup> Floor  
Bronx N.Y. 10458

Charles Rochester

9-15 Adrian Ave. # 1-F

Bronx N.Y. 10463

**RECEIVED**

**DEC 12 2019**

General Counsel's Office

The petitioner is sending in this Amended petitioner to conform to the Court FRCP 44, as well as to make known the petitioner, will leave the prior WRIT ATTACHED, for history of the Case, and Reference, that consist of 13 pages.

The Petitioner Charles Rochester avers at the heart of this Rehearing application consist of the bedrock of the Due-process and the right to have a fair opportunity to be heard, free of bias, prejudice and abuse of power and fairness to the opposing party.

In this appeal is a direct nexus link to the New York State Court of Appeal that can be use as reference if the Court want all of the Facts , due to the limited amount of time, I have, I will use this argument to state the United States District Judge Southern District of New York ,stated in his Order -Collateral Estoppel for my arguments due to these issues were litigated , I try to argue the important of the case and why jurisdiction was needed to protect the Constitution of the poor and public, When I first file to the United State District Court , that Judge said in his order , that equal pay and Age discrimination and Retaliation is not bound by collateral estoppel and can't be dismissed , he never brought these case for hearing when cancel the dates of hearing to addressed the Fortune Society Attorney Motion to dismissed .

My Argument is and will always be Fraud Upon the Court , and the denial of my right to be heard and my evidence to be ignored of Cutout Document, and missing evidence, that were easy to see , the parties was engage of aiding and abetting each other .

Before the Court is a right or wrong question

1. Can Administrative Agency N.Y.S. D.H.R. get away with leave out your testimony and changing the testimony words?
2. Can an Administrative Agency N.Y.S.D.H.R. get away with preventing you from reviewing your files,
3. Can the N.Y.S.D.H.R. get away with cutting out your evidence and alter your documents and denial you the right to review hour files, right before you have a WEIGHT REVIW HEARING ?
4. Can an officer of the Court, who is an Attorney, who under the Model Rule of Professioni Responsibility, be allowed to share evidence, without petitioner having the same documents as N.Y.S.D.H.R. ?
5. Can a Party violates their owe, rules code, and regulations and policies that was put in place to prevent job discrimination and intentionally leave this out of a report. Does the Unclean Hands Doctrine apply?
6. Can the Fortune Society Attorney summit a Rebuttal Report to the petitioner verified complaint that is against the rules and regulations of conflict of interest of their own Company Policies and have been proven to be fabricated then pass this un-ethical document to the Courts, who gave the nefarious Job Recruiters credence over plaintiff complaint?
7. Can the Court leave out an explanation on why my documents was alter and refuse to look at them or have a hearing on who was responsible for concealing documents.

Company Policies and have been proven to be fabricated then pass this un-ethical document to the Courts, who gave the nefarious Job Recruiters credence over plaintiff complaint?

7. Can the Court leave out an explanation on why my documents was alter and refuse to look at them or have a hearing on who was responsible for concealing documents.
8. Will the Court leave the same laws and policies in place that Non- profit don' have to obey their own rules and regulation and can interview and discriminate as they please when the job applicant have an achromatic history with the job panel, that forbids sitting on a job panel.
9. Can a State N.Y.S. D.H.R. Investigator removes documents from your case files, before you have a Weight Review, with U.S.E.E.O.C. ?
10. Can a plaintiff be deny a fair opportunity to be heard, when he a former employees with proof of official misconduct of former co/workers tampering with files. ?
11. Can the Court reward & be silent on State Employees Arbitrary and capricious one-side investigation, whereas the record reflect not any of the job recruiters, was interviewed by the New York State Division of Human Right investigators ?
12. Can you be denied a Public Hearing, and with evidence that will reveal shoddy investigation?
13. The Due Process Clause prohibits state and local governments from depriving persons of life, liberty, or property without a fair procedure. The Supreme Court has ruled this clause makes most of the Bill of Rights as applicable to the states as it is to the federal government, as well as to recognize substantive and procedural requirements that state laws must satisfy. The Equal Protection Clause requires each state to provide equal protection under the law to all people, including all non-citizens, within its jurisdiction. This clause has been the basis for many decisions rejecting irrational or unnecessary discrimination against people belonging to various groups. By denying the plaintiff who haven't been proven to lie or deceit or violated any rules, as well as to have the Fortune Society Job Recruiters was silent on my complaint and history and the fact they violated their own rules , and to deny the plaintiff the right to a fair hearing to confront the nefarious defendants is a denial of the basic right of the Constitution and the right to a descendants of slaves , and a direct contradiction to Fourteen Amendment
14. Will We be allowed the rights be protected and the poor in New York State, due to the preponderance of evidence, that is being concealed ,also ,due to the fact there is no job AND discrimination Laws to protect us and our right to a Right To Sue Letter, when State are allowed to go un-check and block U.S.E.E.O.C. weight review.?
15. Before this Court is do your reward Unclean Hands and deny the public the right to defend, and present evidence , when no one is denying that my documents were cut out and alter , that is what is before your abuse of power , that deny the poor the right to a public Hearing,  
IF FORTUNE SOCIETY CAN VIOLATE THEIR OWN MCONFLICT OF INTEREST RULES THEN THEY WE BE GRANTED TO VIOLATE OTHER AND STARDARD OF PROFESIONAL AND CODE ENTHICAL MUST BE AHEARD TO AND BLACK CODES THAT DENY US THIS RIGHT TO MUST CEAE AND DISIST

The Grounds are limited to the above issues and, I attached  
2 Prior Writs, only for reference and history of the case, if needed

# No. 19-5725

IN SUPREME COURT OF THE UNITED STATES

WASHINGTON D.C.

Charles Rochester v Fortune Society

**FRCP- RULE 44**

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## **CERTIFICATE ON THE GROUNDS OF GOOD FAITH AND LIMITED to CIRCUMSTANCES**

I Charles Rochester swear that the grounds are limited to the intervening circumstance of substantial  
And controlling effects of the 15 reasons mention and are the basic to protect the poor and the  
Descendants of slaves as myself, the points that are made is abuse of power when it goes un-check it  
Will affect other who will come before a tribunal who has no respect of the rules of law of their own  
Organization

I have no power over your decision, but nobody can make a wrong a right when one  
is denied his due- process it will only lead to the Black Code and Concealment of the Truth

- Copies were be sent to all Parties

Dated December 12<sup>th</sup> 2019



Charles Rochester

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Tel- # 646-245-4984

To: Littler Medelson P.C.  
Fortune Society Attorney Tyler A. Sims,  
One Newark Center, 1085 Raymond Blvd. 8<sup>th</sup> floor  
Newark N.J. 07102, and to,  
To: New York State Division of Human Rights,  
One Fordham Plaza, Bronx N.Y. 10458