Case No. 19-6387

IN THE
SUPREME COURT OF THE UNITED STATES

TRENT STEVEN GRIFFIN, SR., Petitioner-Appellant,

v.

AMERICAN ZURICH INSURANCE COMPANY; WALGREENS COMPANY; GREG WASSON, Chief Executive Officer; **JIM REILLY, SR.,** Director Human Resources; **CHESTER STEVENS,** District Manager; **JANUARI LEWIS,** Pharmacy Supervisor; **JERRY PADILLA,** Pharmacy Supervisor; **FELICIA FELTON,** Store Manager; **JERLINE WASHINGTON,** Pharmacy Manager; **VANESSA STRONG,** Store Manager; **MIRANDA MARTINEZ,** Pharmacy Technician; **DARAVANH KHANMANIVANH,** Pharmacy Technician; **TEXAS DEPARTMENT OF INSURANCE,** Division of Workers' Compensation; **RYANN BRANNAN,** Texas Workers' Compensation Commissioner; **ROD BORDELON,** in his individual capacity; Texas Workers' Compensation Commissioner; **GREG ABBOTT**, Governor, State of Texas and in his individual capacity; **RICK PERRY**, in his individual capacity; **KEN PAXTON,** Attorney General; **HENRY WHITMAN, JR.,** Commissioner C.P.S.; **STEPHEN MCKENNA,** Child Support Officer; **MARY IVERSON,** Authorized Agent; **WELLS FARGO BANK,N.A.; ANDREW COLE,** Designated Doctor; **NICOLE BUSH,** Market Scheduler; **VALERIE RIVERA,** Ombudsman; **THOMAS HIGHT,** Hearing Officer; **TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES,** Respondents-Appellees.

PETITION FOR REHEARING

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Due Date: February 7, 2020 Mailed: February 5, 2020

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TERM 2020,
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Petitioner - Appellant,

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AMERICAN ZURICH INSURANCE COMPANY; WALGREENS COMPANY; GREG WASSON, Chief Executive Officer; **JIM REILLY, SR.,** Director Human Resources; **CHESTER STEVENS,** District Manager; **JANUARI LEWIS,** Pharmacy Supervisor; **JERRY PADILLA,** Pharmacy Supervisor; **FELICIA FELTON,** Store Manager; **JERLINE WASHINGTON,** Pharmacy Manager; **VANESSA STRONG,** Store Manager; **MIRANDA MARTINEZ,** Pharmacy Technician; **DARAVANH KHANMANIVANH,** Pharmacy Technician; **TEXAS DEPARTMENT OF INSURANCE,** Division of Workers' Compensation; **RYANN BRANNAN,** Texas Workers' Compensation Commissioner; **ROD BORDELON,** in his individual capacity; Texas Workers' Compensation Commissioner; **GREG ABBOTT**, Governor, State of Texas and in his individual capacity; **RICK PERRY**, in his individual capacity; **KEN PAXTON,** Attorney General; **HENRY WHITMAN, JR.,** Commissioner C.P.S.; **STEPHEN MCKENNA,** Child Support Officer; **MARY IVERSON,** Authorized Agent; **WELLS FARGO BANK,N.A.; ANDREW COLE,** Designated Doctor; **NICOLE BUSH,** Market Scheduler; **VALERIE RIVERA,** Ombudsman; **THOMAS HIGHT,** Hearing Officer; **TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES,**
Respondents - Appellees.

PETITION FOR REHAERING

Pursuant to this Court's Rule 44.2, Petitioner Trent S. Griffin, Sr. petition for rehearing of the Court's order denying certiorari in the case. The grounds for granting the petition for rehearing are intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented, and the petitioner will show as follows:

GROUNDS FOR REHEARING

A. Intervening circumstances of substantial or controlling effect.

First, the 5TH *Circuit Court of Appeals* has entered a decision under (16-10695) and (15-30563) as it relates to *pro se* litigant and petitioner, that has so far departed from the accepted and usual course of judicial proceedings, or sanctioned such a departure by the U.S. District Court for the Northern District of Texas and Eastern District of Louisiana. It is clear that 5TH CA undermine the Rules in the litigation process enacted by Congress, or its expressed decisions have the effect of "Rule of Law " or "Law of the Case."

1) As provide in its decision, petitioner asserted claims in violation of his rights, inter alia, under: First, Fourth, Fifth, Thirteenth, and Fourteenth Amendments rights; Title VII of the Civil Rights Act of 1964; the Americans with Disabilities act ("ADA"); the Age Discrimination in Employment Act; and 38 U.S.C. 5301. (Id. at 2).

2) Additionally, 5TH CA expressed, "petitioner filed out-of-time amended complaints and motions for summary judgment." (Id. at 3).

a. Petitioner disagree, specifically under Rule 15(c)(1)(C), provide "[t]he amendment changes the party or the naming of the party against whom a claim is asserted, if Rule 15(c)(1)(B) is satisfied and if, within the period provided by Rule 4(m) for serving the summons and complaint, the party to be brought in by amendment : (ii) Knew or should have known that the action would have been brought against it, but for mistake concerning the proper party's identity. Pursuant Rule 15(c)(1)(B), provide "the amendments asserts a claim or defense that arose out of the conduct, transaction, or occurrence set out--- or attempted to be set out--- in the original pleading; or . . . . Upon filing of the amended complaint that added new defendants, a 120-day service of process is created specifically to those newly added defendants. *See Bolden v. City of Topeka*, 441 F.3d 1129, 1146 - 1149 (10th Cir. 2006) (citing **Moore's**; 120-day period provided by Rule 4(m) is not restarted by filing of amended complaint, except as to those defendants newly added in amended complaint). On July 10, 2014, petitioner filed his original complaint. On September 24, 2014, petitioner 1) filed his amended complaint that adopted the original complaint, 2) in his amended complaint it added four new defendants, petitioner believed was directly conspiring against him to further the deprivation of his rights, because each defendant had direct contact with pro se petitioner, 3) summons were issued for respondents T.Hight, A. Cole, and V. Rivera State Defendants and N. Bush Walgreens defendant, 4) summons were returned as to the newly added defendants well before 120-days prescribed limits by Rule, 5) district

court abused its discretion by striking the amended complaint, based on petitioner not asking for leave to file or the district court's failure to liberally construe his amended complaint. 5th CA's express decision failed to give effect to this Court's precedent under (09-337) *Krupski*. On **April 28, 2015**, this Court amended Rule 4(m) from 120-day to a 90-day period for service of newly added defendants to be served, that was not effective until December 1, 2015. Even so, all summons were returned against all defendants (respondents) well before 120-days or 90-days. Therefore, all respondents were before the district court properly. In a unanimous court, this Court granted certiorari , reversed and remanded 11TH CA's decision, in case 09-337 *Krupski v. Costa Crociere, S.P.A*, 560 U.S. 538 (2010). Fed. R. Civ. P. 15(c). However, its clear 5TH CA failed to follow its own precedent cases, particularly when it comes to pro se appellants. *See McLellan v. Miss. Power & Light Co.,* F.2d 870, 872-873 (5th Cir. 1976), *modified on other grounds*, 545 F.2d 919 (1977) (citing **Moore's**, leave not needed to drop or add parties).

b. Pursuant Rule 56(a), provides in pertinent part, "[A] party may move for summary judgment, identifying each claim or defense---or *the part of each claim* or defense---on which summary judgment is sought. The court shall grant summary judgment if the movant shows that there is no material genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law." 56(b) provide, "[U]nless a different time is set by local rule or the court orders otherwise, a party may

file a motion for summary judgment at anytime until 30 days after the close of all discovery." This entitlement is made explicit in the 2010 amendments to Rule 56(a). Fed. R. Civ. P. 56; *see Celotex Corp. v. Catrett,* 477 U.S. 317, 323-24, 106 S. Ct. 2548, 2552-53, 91 L. Ed. 2d 265 (1986).

3) Further, 5TH CA undermined this Court's and its case precedent, that failed to give effect to the case precedents, provide that " Griffin repeatedly argues that, as a pro se plaintiff, the district court was under obligation to liberally construe his complaint and fail to do so."(Id at 4). *See above* at paragraph 2(a); It would be impractical for petitioner not to cite cases that are precedent, especially from this Court. However, citing of the cases that require the less stringent or inartful pleading standard apply to the petitioner, but it also applies to "attorneys are held to high standards of perfection." *See Haines v. Kerner,* 404 U.S. 519, 92 S. Ct. 594, 30 L. Ed. 2d 652 (1972). This case or other cases of precedential authority, 5TH CA express decision fails to give effect to this Court precedent more times than one (one time is too many). 5TH CA undermines precedential cases as it pertains to pro se litigants, because it affirmed a dismissal for statute of limitation in a cause of action filed on March 12, 2014 (4 months prior July 10, 2014) case no. 14-559 *Trent S. Griffin v. City of New Orleans,* et al. (uncited) under appeal case no. 15-30563 (uncited), wherein the clerk failed to notice the decision before the ninety-day time limits, but it did entertain an untimely motion for rehearing and this Court's clerk refused to accept the petitioners application to

extend the time to file petition for writ of certiorari in accordance with this Court's Rule 13.3, more than once that directly affected the petitioner's *due process* and *equal protection* or other claims against more conspirators [(case no. 14-559) *Trent S. Griffin v. City of New Orleans, et al* (uncited)] that, subsequently were believed to have conspired with an instrumentality of the State of Texas, specifically Texas State Board of Pharmacy for reprisal, wherein it suspended, then, subsequently revoked petitioner's license to practice pharmacy (for a traffic ticket in 2003) that is displayed on their website for public view and now is set for a non-jury trial on May 4, 2020 under case no. DC-16-02833 *Trent S. Griffin v. Texas State Board of Pharmacy*. Moreover, the OAG is preventing petitioner from registering his vehicle and has repeated its garnishment of VA benefits and now petitioner's daughters social security benefits without notice or a contempt order or a valid judgment in connection with JP Morgan Chase Bank, N.A.. and others while being homeless (orig. proceeding mandamus in the 5th COA, Dallas County, then Tx. Sup. Ct. denied). *See Rose v. Rose*, 481 U.S. 619, 630-34 (1987). Under the Freedom of Information Act, TDI-DWC refuse to provide petitioner's records. The Attorney General's office oversees the acts or omissions of the States instrumentalities or agencies. On October 4, 2019, Tex. Sup. Ct. denied a writ of mandamus giving effect to a wholly void order or judgment under case no. DC-05-17315, and 05-19-00782-CV under the 303rd District Court and Fifth Court of Appeals, Dallas County, Texas. More importanly, 303rd D.C. used coercive or concealed measures to have a public defender

in a civil matter, that resulted in the public defender performing acts he was informed more than once, was not required by petitioner. Instead he submitted an order, for the purpose of granting the OAG authority to collect $200 per month as a purported agreement by petitoner to pay child support towards a void judgment, specifically using coercion or intimidation to be incarcerated for failure to pay against a purported child support orde. These acts or omissions prevent petitioner's ability to acquire housing. Again, a law enforcement officer of the State of Texas, Hill County, Texas, initiated a traffic stop without probable at nighttime, that resulted in two citation (expired registration and failure to maintain finacial responsibility). Petitioner does not feel safe in the country he loves, particularly becasue he believes this action stemmed from OAG preventing his registration efforts or petitioner requesting housing assistance through the Veteran's Administration Case Management Team or both, after the case manager received information that petitioner and his daughter was sleeping in a car. Case manager used undue influence to have petitioner sign a form he believed was for "Agencies" as it related to housing, but it was for the purpose of CPS, through the use of law enforcement or other agents, assigns, employees, officials or officers, federal or state. The appropriate actions by this Court calls for intervening substantial cicumstances or controlling effect, because petitioner's rights were being violated wiihout his knowledge since November 22, 1992, patrticularly after retaining attorneys that is believed to be part of the conspiracy. Respondent Walgreens Company was the

[hub] for this or other deprivations.

4) Even further, 5Th CA expressed, "Griffin's amended complaint, even under a liberal construction, failed to raise anything more than speculative claims." (Id. at 4), that appears to be unjust or bias against a pro se litigant. **On April 28, 2015**, this Court amended Rule 84 by its abrogation of the forms for pleading in civil actions. Petitioner followed the form 11 format for pleadings, but adjusted as necessary for his lawsuit. Pursuant Rule 8(e), provide "[P]leadings must be construed so as to do justice." *Erickson v. Pardus,* 551 U.S. 89, 127 S. Ct. 2197, 167 L. Ed. 2d 1081, 1086 (2007) ("The Court of Appeals' departure from the liberal pleading standards set forth by Rule 8(a)(2) is even more pronounced in this particular case because petitioner has been proceeding, from the litigant's outset, without counsel. A document filed *pro se* is to be liberally construed, . . . and *pro se* complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers"); *see also Pena v. United States*, 122 F.3d 3, 4 (5th Cir. 1997) (pro se litigant's pleadings must be construed liberally). Ergo, under Rule 84 the forms are deemed to "suffice under these rules and illustrates the simplicity and brevity that these rules contemplate. Fed. R. Civ. P. 84. In re *Bill of Lading Transmission & Processing Sys. Patent Litig.,* 681 F.3d 1323, 1334 (Fed. Cir. 2012) (annotation omitted); *See also Perkin Elmer v. Trans. Mediterranean Airways, S.A.L.*, 107 F.R.D. 55, 58 - 59 (E.D.N.Y. 1985) (("Although the forms provide in the Appendix of Forms of the [FRCPs] are suffcient under the rules, . . .

it is clear that they need not be used in haec verba.").

5) Furthermore, 5TH CA expressed its diagreement with petitioner's understanding of the Fed. R. Civ. P., specifically when it express "the district court [did not] abuse its discretion when it gave Griffin leave to file an amended complaint." (Id. at 5). *See above* at paragraph 2(a). The court abused its discretion when it granted each of the respondents motion to strike an entire amended complaint that added new defendants and statements of fact as it pertained to the newly added defendants for their part in an alleged conspiracy. However, Rule 12(f) contemplate striking insufficient defenses or redundant, immaterial, impertinent, or scandalous matter. Fed. R. Civ. P. 12(f); *cf* Fed. R. Civ. P. 15(c); *see also Krupski v. Costa Crociere, S.P.A*, 560 U.S. 538 (2010).

6) Moreover, 5TH CA expressed, "Griffin's claims that the motions to dismiss his amended complaint were untimely also fail given his request to [refile] his amended his amended complaint. The subsequent motions to dismiss were all timely based on this refiling." (Id. at 5). Pursuant Rule 5(b)(2)(C) provide "[m]ailing it to the persons's last known address---to which event service is complete upon mailing. Fed. R. Civ. P. 5(b)(2)(C); *see . See Vincent v. Consolidated Oper. Co.*, 17 F.3d 782, 785 n.9 (5th Cir. 1994). On April 28, 2015, this Court amended Rule 6(d) that express, as of December 1, 2015 the effective date of the amendment, serving documents by mail, now requires the addition of 3 days. Fed. R. Civ. P. 6 (d). Even so, prior to the amendment, the 1st, 2d.,

7th, 9th, 10th and D.C. Circuits, including the 5TH CA, the mailing of document, service is complete. *Id.*; Fed. R. Civ. P. 6(a)(1); *see also Havinga v. Crowley Towing & Trans.,* 24 F.3d 1480, 1490 (1st Cir. 11994); *Greene v. WCI Holding Corp.,* 136 F.3d 313, 315 (2d Cir. 1998); *Russell v. Delco Remy Div. of Gen. Motors Corp.,* 51 F.3d 746, 750 (7th Cir. 1995); *Kim v. Commadant, Def. Language Inst.,* 772 F.2d 521, 524 (9th Cir. 1985); *Theede v. U.S. Dep't of Labor,* 172 F.3d 1262, 1266(10th Cir. 1999); *U.S. v. Kennedy,* 133 F.3d 53, 59 (D.C. Cir. 1998).

7) The 5TH CA under its decision (16-10695), expressed "[o]nce filed, that amended complaint rendered . . ., including Griffin's motion for partial summary judgment, moot" (Id. at 5), and it went on to express "[r]es judicata bars his claims." (Id. at 5 - 6). As painful as it may be, the 5TH CA's reasoning is nonsensical, specifically for petitioners claims under 42 U.S.C. 1981 that may have ended the case altogether as it related to all other claims as stated above at paragraph 1. More importantly, this Court has settled cases involving final judgment under *Rooker-Feldman.* In a unanimous Court decided in *Exxon Mobil v. Saudi Basic Indus. Corp.*, 544 U.S. 280, 284 (2005), similar to this case, wherein the unanimous court reversed and remanded to the 3rd Circuit Court of Appeals that resolved a split between federal circuit courts of appeals.

The opinion of the Court delivered by Justice Ginsburg, that provide "[i]n parallel litigation, a federal court may be bound to recognize the claim and issue preclusive effects of a state court judgment, but federal jurisdiction over an action does not

terminate automatically on the entry of judgment in the state court" (*id.* at 293). "[N]or does section 1257 stop a district court from exercising subject-matter jurisdiction simply because a party attempts to litigate in federal court a matter previously litigated in state court" (*Id.* at 293). " [R]ather, it appears Exxon Mobil filed suit in Federal District Court (only two weeks after SABIC filed in Delaware and well before any judgment in state court) to protect itself in the event it lost in state court on grounds (such as the state statute of limitation) that might not preclude relief in the federal venue" (*Id.* at 293 - 294). Petitioner filed his suit to toll the statute of limitation, particularly when a judicial review required by State law, imposed a 45-day time limit for judicial review as prescribed by the Texas Workers' Compensation Act cited as Texas Labor Code. *See* Tex. Lab. Code 410.252(a); *see also* Tex. Lab. Code. 410.253 et seq..

8) Again, 5TH CA, provide "Griffin's appeal as to Walgreens appears to only challenge the district court's determination that his ADA claim failed because he failed to identify any major life activities that are substantial limited by an impairment " or "[w]ithout pleading facts of how his major life activities were limited . . . cannot . . . a claim . . . ." (Id. at 6). That is nonsensical, specifically an untimely motion, cannot be determined and the respondent failed to file a pleading or otherwise defend against the lawsuit, that becomes a default, then default judgment. Fed. R. Civ. P. 55(a); *Bass v. Hoagland*, C.A. 5TH, 1949, 172 F.2d 205, certorari denied 70 S. Ct. 57, 338 U.S. 816, 94 L. Ed. 494; see *also Servicios Azucareros de Venezuela, C.A. v. John Deere, Inc.,* 702 F.3d

794, 806 (5th Cir. 2012) (annotation omitted). However, petitioner's partial summary judgment for claims under 42 U.S.C. 1981 provided substantial probative evidence that established petitioner is entitled to summary judgment on the claims. *See Lujan v. National Wildlife Federation*, 497 U.S. 871, 888-89, 110 S. Ct. 3177, 3188-89, 111 L. Ed. 2d 695 (1990); *Beard v. Banks*, 548 U.S. 521, 529, 126 S. Ct. 2572, 2578, 165 L. Ed. 2d 697 (2006).

9) Third, 5TH CA expressed "[b]ut the district court correctly converted the motion to dismiss into a motion for judgment on the pleadings and ruled on that motion, citing *Jones v. Greniger,* 188 F.3d 322, 324 (5th Cir. 1999)." (Id. at 7). Other defendants failed to file a pleading in the case, therefore the pleadings did not close in a case with four groups of defendants, and the case was not severed, particularly when the case alleged a conspiracy. *See Doe v. United States*, 419 F.3d 1058, 1061-1062 (9th Cir. 2005) (annotation omitted). 5TH CA, under appeal no. 15-30653 for case no. 14-559 *Trent S. Griffin v. City of New Orleans, et al.* (uncited), actions were the same in that proceeeding, that resulted in further actions of State actors in more than one state (Ala., Ga., La., and Tx.) that created more injuries in the furtherance of depriving petitioner, directly or indirectly of equal protection of the laws or equal privileges or immunities under the law. *See* 28 U.S.C 1343 et seq.; 42 U.S.C 1985(3); *Griffin v. Breckenridge*, 403 U.S. 88, 91 S. Ct. 1790, 29 L. Ed. 2d 338 (1971).

10) Fourth, 5TH CA provide, "[G]riffin provides no law to support his allegations

that Wells Fargo was required to provide notice before placing the liens on his accounts, . . . Griffin's complaint is devoid of factual allegations . . . support a claim." (Id. at 7). The pleading stage [does not] call for case law, only notice pleading of the claims. More importantly, there were admissions to the factual allegation by respondent Wells Fargo Bank, N.A. in the district court (Id. at 7) or its 12(b)(6) motion was untimely (Id. at 8) that was filed on May 19, 2015 (25 days after service) as provided by the district court, as it relates to Rule 12(c) is remarkable, as it granted motions to strike newly added defendants and the factual allegations as it applied to the newly added defendants. Petitioner adopts by reference paragraphs 1-10 as provided above.

11) Fifth, 5TH CA decision expressed, "[A]ssuming arguendo that Griffin's complaint pleads a defect in the foreclosure, Griffin pleaded neither that the selling price was inadequate nor that the inadequate selling price was caused by that defect, citing *Martin v. BAC Homes Loans Serv., L.P.,* 722 F.3d 249, 256 (5th Cir. 2013) (per curiam)." (Id. at 7). Whether or not, petitioner plead these defects are irrevelant, specifically because there is theft of personal and real estate property. The respondent had no authority or power to act, ergo, 5TH CA undermine the Texas Constitution, Article XVI, section 50 or Property Code 41.001 et seq. or Penal Code 31.01(1)(D) as it pertain to homestead or residential business property or VA benefits, even in connection with respondent OAG, specifically there is no contempt judgment or valid

order to collect child support. Recently, on October 4, 2019, Texas Supreme Court under case no. 19-0608, denied an original proceeding for mandamus against 303rd District Court, Dallas County, Texas under case no. DC-05-17315 *In the Interest of* D.F. Griffin and M.F. Griffin that had no power or authority to order petitioner to release his children to their mother or pay child support or the court's interference with his primary custody rights, that is believed to be part of a systemic conspiracy, that involved petitioner's retained attorneys, since 1992 under case. no DR-92-350-M *Stefanie Lynn Griffin v. Trent S. Griffin* in the Circuit Court of Dale County, Alabama (interferred with primary custody rights), ergo is the petitioner's reasons for proceeding pro se.

12) 5TH CA express "[G]riffin appeal as to the State Defendants attacks . . . on the basis . . . , inter alia, sovereign immunity, qualified immunity, the *Rooker-Feldman* doctrine, and Griffin's failure to state a claim. None of his arguments on appeal is persuasive." (Id. at 8). This is nonsensical, particularly when state actors are required to plead 11th Amendment sovereign or qualified immunity, and it is liable when it defaults. *See* paragraph 1-11 and adopts by reference; *see also Buckley v. Fitzsimmons,* 509 U.S. 259, 113 S. Ct. 2606, 125 L. Ed. 2d 209 (1993); *Gomez v. Toledo,* 446 U.S. 635, 100 S. Ct. 1920, 64 L. Ed. 2d 572 (1980); *Harlow v. Fitzgerald,* 457 U.S. 800, 102 S. Ct. 2727, 73 L. Ed. 2d 396 (1982).

13) Additionally, 5TH CA expressed decision, failed to give effect to this Court's

precedential auhtority as provided in the above paragraphs 1-12.

14) Finally, 5TH CA express "[a]s a final matter, Griffin . . .court improperly set aside a default . . . , Valeria Rivera. Griffin is incorrect. . . . Griffin fails . . . amended complaint on Rivera: the summons he relies upon . . . was returned months before Griffin filed his amended complaint. This summons therefore could not have included the amended complaint. As such, the district court did not err in dismissing all claims against the State Defendants." (Id. at 8 - 9). As remarkable as the 5TH CA's entire expressed decision under appeal case no. 16-10695 , the summons for the four newly added defendants were served properly in accordance with Rule 4. Respondents Andrew Cole, and Thomas Hight, including Valerie Rivera, the Attorney General received notice of the September 24, 2014 amended complaint, filed an untimely motion for joinder on behalf of Hight and Cole, but failed to joinder Rivera. Sevice was perfected as required by rule. Petitioner adopts by reference paragraphs 1 - 13 above. Fed. R. Civ. P. 4 et seq.; 15(c) et seq., 55(a) et seq; 56(a) et seq.

15) This case was filed under 28 U.S.C 1331, and 1343, and this Court has the power to render a state law unconstitutional. Under the Texas Labor Code 409.021(e), provide "[A]n insurance company commits an administrative violation if the insurance carrier does not initiate payments or file a notice of refusal as required by this section." Whether it is unconstitutional for the State to have knowledge of failure of a party that violates a section under the Labor Code, to collect administrative violation fees and at

the same time have a severely injured worker exhaust administrative proceedings, specifically with the knowledge the insurance carrier waived its rights to contest work related injuries, stop payment of the policy or force return to work with a serious injury or other Labor Code violations in direct contarvention of the United Sates Constituion.

CONCLUSION AND PRAYER

Trent S. Griffin, Sr., petitioner, as provided above have demonstrated the district and appeals courts, have abused their discretion, specifically as it relates to a *pro se* litigant. Additionally, as the docket shows, respondents State Defendants or American Zurich Insurance Company did not respond to the petition for writ of certiorari after service in accordance with this Court's Rules 15.5 and 29, respectively. It would not be inappropriate for this Court to issue an permanent injunction to enjoin all respondents, their agents, assigns, employees, officers or officials from their continued acts or omissions that are unconstituional in direct violation of established law.

For the reasons presented above and in the petition for certiorari, this Court should grant the petition for rehearing, immediately vacate the lower court's judgment, and use this Court's supervisory power to render judgment.

Respectfully submitted,

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IN THE SUPREME COURT OF THE UNITED STATES
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CASE NO. 19-6387

CERTIFICATION OF TRENT S. GRIFFIN, SR.

Trent S. Griffin, Sr., pro se and petitioner, certify the petition for rehearing is restricted to the grounds, limited to intervening circumstances of substantial or controlling effect or to other substantial grounds not previously presented.

Respectfully submitted,

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