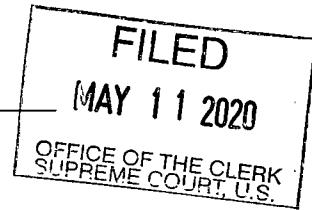


**ORIGINAL**

No. 19-7669



IN THE  
SUPREME COURT OF THE UNITED STATES

LAWRENCE E. MATTISON; Petitioner

vs.

JANIE D. WILLIS, SHERRY A. ZAMORA, TIMOTHY M. O'BOYLE, ADRIENNE R. MAUNHEY, EMILY S. HUNT, TONYA HENDERSON-STITH, BONNIE L. JONES, BARBARA T. HANNA; Respondents

On Petition For Writ Of Certiorari To  
The Fourth Circuit Court of Appeals

**PETITION FOR REHEARING**

Lawrence E. Mattison  
948 Copper Stone circle  
Chesapeake, Virginia 23320  
(757) 604-7894  
La7matt@yahoo.com

## TABLE OF CONTENTS

	<u>Page</u>
TABLE OF CONTENTS .....	i
TABLE OF AUTHORITIES .....	i
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED .....	i
REASONS FOR GRANTING THE PETITION .....	1
1. Petitioner 'Questions Presented' creates a genuine case and controversy related to the exclusive criminal jurisdiction of a Department of Veterans Affairs Hospital .....	2
2. Justice should not ignore a State's Legislative Act which was consistent with and written to protect Federal Interests .....	2
3. This court should not decline to use it's supervisory powers in this case without full briefing and argument .....	5
CONCLUSION .....	5
CERTIFICATE .....	7

## TABLE OF AUTHORITIES CITED

<u>U. S. Constitutional Provision involved</u>	<u>Pages</u>
U.S. Constitution Article III .....	1

Related cases involved

Negonsott v. Samuels U.S. Sup ct. No. 91-5397 (1992) .....	3
Michael M. Smith v. Commonwealth of Virginia , 248 SE 2d 135 (1978) .....	3
United States v. Kristen Gilbert, 94 F. Supp. 2d 157-59 (2000) ...	4

IN THE  
SUPREME COURT OF THE UNITED STATES  
PETITION FOR REHEARING

**JURISDICTION**

The Jurisdiction of this Court is invoked under U.S Supreme court rule 44

**RELATED CASE**

Mattison v. Virginia , U.S. Sup ct. case No. 17-8868

In Re: Lawrence E. Mattison, U.S. Sup Ct. case No. 19-7509

**CONSTITUTIONAL PROVISIONS**

This case involves a clear U. S. Const. Article III controversy.

Article III of the U. S. Constitution States in Relevant part:

Article III.

Section. 2 The Judicial power shall extend to All cases, in Law and Equity, arising under this Constitution, the laws of the United States, and the Treaties made, or which shall be made, under their Authority; --- to all Cases of admiralty and maritime jurisdiction; --- to controversies to which the United States shall be a Party; .....

*Id. U. S. Const. Art. III (June 21, 1788)*

**GROUND AND REASONS FOR GRANTING REHEARING**

The case and or controversy in this case has is of Federal Interest, whether the Legislative Act of Virginia granting exclusive criminal jurisdiction to a Department of Veterans Affairs Hospital was violated, creates an Article III case and or controversy

that requires responses from Federal and State Governments. This case is also about the “dumbing down” and the corruption of the U.S. judiciary at the State and Federal level. Without this Court’s supervisory powers ---- less the usage of “Pool memos” --- nothing changes.

- 1. Petitioner ‘Questions Presented’ creates a genuine case and controversy related to the exclusive criminal jurisdiction of a sovereign Federal Agency — The Department of Veterans Affairs.**

The case and controversy is whether the State of Virginia gains criminal jurisdiction to use their criminal process over a sovereign Department of Veterans Affairs (“DVA”) Hospital, in spite of the Virginia Legislative act repealing criminal jurisdiction, simply because the DVA did not intervene to stop the Virginia criminal process at it's outset. Both Federal and State governments need to respond to Plaintiff's Petition and answer “Where Virginia's authority to criminalize federal employment issues on DVA property arises?”. Therefore, the ‘Questions Presented’ show a clear U.S. Const. Article III case and controversy.

- 2. Justice should not ignore a State's Legislative Act which was consistent with and written to protect Federal Interests**

Whether a U.S. State has criminal jurisdiction over Any Federal enclave based on their own legislative Act creates an absolute federal interests case that affects every federal employee working on a federal enclave.

In Negonsoft v. Samuels, U. S. Sup ct. No. 91-5397(October Term 1992) this Court granted cert. based on the question of exclusive jurisdiction vs. Federal Law. The question granted by this Court was:

“Whether 18 U.S.C. §3243 confers jurisdiction on the State of Kansas to prosecute petitioner for the crime of aggravated battery, one of the crimes included in the major crimes act, 18 U.S.C. §1153, when the prosecution of such crimes is within the exclusive jurisdiction of the Federal courts.”

*Id. On Petition for Writ of cert. to the Ct. of apps for the Tenth Cir*

This Court has Granted Cert. when the exclusive jurisdiction of the Federal Government and it's Agencies vs. State & Federal legislative Acts and Federal Administrative Laws are at issue, meaning this Court has Never turned it's back on Petitioner's type case.

In Smith v. Commonwealth, 219 Va. 455 248 S.E.2d 135, the Virginia Supreme Court acknowledged the 1976 legislative Act which repealed criminal jurisdiction under code of Virginia 7.1-21(1). *Id.* @ foot note 2 (“This paragraph of the statute was repealed by Acts 1976, c. 211, but, by the same enactment, a similar provision was incorporated in Code s 7.1-18.1 (Cum.Supp.1978)”). *Ibid.* The repeal of criminal jurisdiction is the lack of subject matter jurisdiction and this Court needs to request a response from Virginia on their 1976 Legislative act and refute, deny or affirm criminal jurisdiction.

In United States v. Kristen Gilbert, 94 F. Supp. 2d 157 (2000) the Federal 1<sup>st</sup> Circuit acknowledged the Department of Veterans Affairs' desire to retrocede some of their jurisdiction which did not interfere with the federal process:

"In May, 1974, the Department of Veterans Affairs (the then Veterans Administration) explored the possibility of ceding some of its exclusive jurisdiction back to the states to establish concurrent jurisdiction to insure the immediate assistance and availability of state and local agencies in emergency situations.

On July 21, 1975, the Department formally offered to retrocede some of its exclusive jurisdiction over the VAMC to establish concurrent jurisdiction between the United States and the Commonwealth of Massachusetts. On August 6, 1975, the then Governor Michael Dukakis formally accepted the offer, and on July 19, 1976, Dukakis confirmed acceptance of retrocession pursuant to Chapter 221 of the Massachusetts Public Acts of 1976". *See U.S. v. Gilbert* 94 F. Supp. 2d @ 158-59

**Retrocession** authorizes specific types of shared authority or specific types of assistance the federal government needs from the State. Virginia's law enforcement has some shared authority in a Memorandum of Understanding ( Virginia's 1976 legislative act and 38 CFR 14.560 makes clear there is no shared criminal jurisdiction over Veterans Affairs hospitals). In the mid 1970's the Department of Veterans Affairs sought the retrocession for it's exclusive enclaves (pre 1940 enclaves) based on the law of the State at that time. This Court needs to request a response from the Federal Government to refute, deny or agree that the Department and Virginia do not share criminal jurisdiction.

The justification for these defendants use of a State court action is not supported by the Federal constitution, Federal Law, DVA Administrative Law or the Virginia Legislative acts. This entire controversy started when Federal Attorneys opposed Petitioner's claims by alleging the Hampton Veterans Affairs Medical Center was not an enclave but a "mere owner of land". The Fourth Circuit accepted those inconsistent claims regardless of Federal Law, Administrative law and settled case law.

**3. This court should not decline to use it's supervisory powers in this case without full briefing and argument**

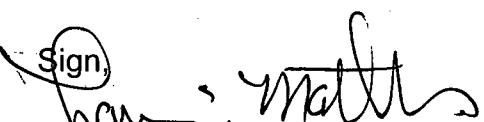
This Court has always upheld the Federal Constitution, Federal laws and Administrative Law of federal agencies as a federal interest. This Court has always taken interest in cases where the federal appellate courts have not upheld federal law and administrative law because these issues are of National interest and interest in a consistent and honest judiciary. When evidence has been submitted that prove a State has interfered with the function of federal government, and inconsistent with their legislative acts, every court in this nation has found the State action Void. It is necessary for this Court to exercise its' powers and request both Federal and State responses.

## **CONCLUSION**

This case raise valid concerns whether the Federal Constitution, Federal Law and Virginia's legislative acts run parallel or in opposite direction, therefore the question on whether Virginia has criminal jurisdiction, shared or otherwise, with the Hampton

Veterans Affairs Medical Center is a question of the state's legislative act vs. federal law  
& federal administrative law and must be responded to by Both Federal and State  
Solicitor Generals involved in this case.

Sign,



Lawrence E. Mattison

948 Copper Stone Circle  
Chesapeake, Virginia 23320  
(757) 265-8788  
La7matt@yahoo.com