

Docket No. 19-8435 (re: No.5:2018cv06921)

IN THE SUPREME COURT OF THE UNITED STATES

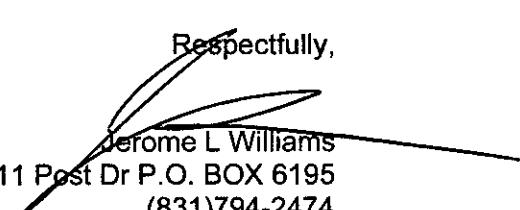
Jerome Lemeal Williams VS. Duffy et al

**PETITION FOR REHEARING**

Pursuant to Rule 40. & Fed. R. App. P. 35(a). Petition for Panel Rehearing of (Judicial Review). I, Jerome L Williams , hereby respectfully petition for a Rehearing;(state with particularity the points of law or fact that the petitioner believes the court has overlooked or misapprehended and must argue in support of the petition). Fed. R. App. P. 40; Loc. R. 40(a) & (b) and rehearing "En Banc";( or the proceeding involves a question of exceptional importance). Fed. R. App. P. 35(a). and declaration in support of petition. Also vacate the judgment ordered October 5th, 2020. of the Court's writ of certiorari decision to deny my petition on October 5th 2020.

I Jerome L Williams, the plaintiff moves this court to Grant this petition for rehearing "En Banc", accompanied with APPENDIX, proof of service and permission to proceed informer pauperis which was granted in the district court but denied in the Ninth Circuit courts of Appeals. I also move the court to consider all motions that were pending waiting for response of The Writ of Certiorari;( submission of /videoaudio recorded evidence, supplemental brief, Entry of Default Judgment) and give a published opinion or decision, to have my case heard before a full nine-member Court. "On a Judicial Review". Pursuant to Supreme Court rule 44.2 & Fer. R. App. 35(a). This pension for rehearing and Rehearing "En Banc" has been filed within 25 days of the Court's decision in this case.

Respectfully,

  
Jerome L Williams  
1011 Post Dr P.O. BOX 6195  
(831)794-2474  
[justice4williams@gmail.com](mailto:justice4williams@gmail.com)

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SUPREME COURT, U.S.

## LIST OF PARTIES

All parties do not appear in the caption of the case on the cover page.

A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

Superior Court (Salinas), Judge Wendy Duffy, Tim Roberts, Mark Hood, (Monterey Division),

Judge Larry Hayes, and (Marina Division) Commissioner Christopher R. Martin, Public

Defender's Office (Salinas), Seaside, Monterey, Marina, Carmel Police Department and

Monterey County Sheriff's Office, The Village Projects, Monterey Peninsula School District,

Community Hospital of Monterey Peninsula, Monterey County Family and Children's

Services, Child Protective Services/Adult Protective Services), Monterey County Child

Support Services, De'Maine Manor Apartments Property Management John Stewart

Company, Wendy Duffy, Dean Flippo, Jim Pazzetta, Deisha Monique Beverly, Angie Brooks,

Friendship Baptist Church, Emmanuel Quares, Miriam Turner Smith Hall.

## **Reason for granting the pension: "JUDICIAL REVIEW"**

If one or more of the following situations exist: a material factual or legal matter was overlooked in the decision; orThe proceeding involves one or more questions of exceptional importance.

That there was Judicial misconduct done by The Northern District Court Judge and done by the Ninth Circuit Court of Appeals three Judge panel; No. 1 & 4- Which led to a review to the Supreme Court by way of Writ of Certiorari filed February 11, 2020 and docketed May 12, 2020. The Supreme Court clerks sent down an order ordering the 9th Circuit Court of Appeals to answer the questions in my writ of certiorari on June 25, 2020. The Ninth Circuit Court of Appeals did not obey the order sent down from a Superior agency.

- 1). On October 5, 2020. The Supreme Court closed my complaint (Jerome Lemeal Williams v. Wendy Duffy, et al. No. 19-8435). Various Constitutional and federal laws were overlooked.
- 2).No one in The Supreme or Ninth Circuit Court of Appeals addressed or looked at the opinions, discussions or legal standards 1/3/19, letter dismissing my claim stating it was frivolous or malicious, that it fails the state of claim of which relief may be granted, or 6 months relief depending on the union from such to leave.
- 3). In the 9th Circuit Court of Appeals docket review of The District Court. Discussion and order of my complaint the judge certified that this appeal experience and has revoked my in forma pauperis because they deemed the claim as MOOT, frivolous and scattered 28 U.S.C.sec 1915(a).

## **Table of Contents**

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2. Constitutional & Federal Laws (broken).
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8. Proof of service
9. Proceed In Forma pauperis

## **FACTS IDENTIFIED**

Now since a rehearing is strictly on the grounds of intervening circumstances or a substantial or controlling effect to be considered:

A). We are still living in a motel, I am still registering and sex offender, I lose my job due to not being murdered at work (Good Nite Inn). We can't get county aid(food stamps,housing asst.,or cash aid. And now my girlfriend who still works for goodnite inn is about to lose her job due to Monterey county buying the building.

B). On October 5, 2020. The Supreme Court closed my complaint (Jerome Lemeal Williams v. Wendy Duffy, et al. No. 19-8435). Various Constitutional and federal laws were overlooked.

C). Nov. 21 2019- Ninth Circuit Court of Appeals didn't addressed or looked at the opinions, discussions or legal standards 1/3/19, letter dismissing my claim stating it was frivolous or malicious, that it fails the state of claim of which relief may be granted, or 6 months relief depending on the union from such to leave.

D). Feb 14th 2019- District Court trial judge error in sustaining a demurrer to my complaint because the complaint legally States a cause of action;

E). Feb.25th 2019- The District Court. Discussion and order of my complaint the judge certified that this appeal experience and has revoked my in forma pauperis because they deemed the claim as MOOT, frivolous and scattered 28 U.S.C.sec 1915 (a). 28 U.S.C. Code sec 1292. Interlocutory decisions. (B) (which is showing that I proved "clearly established" (constitutional law ) which takes away qualify immunity.

## LAWs

Article 1. Section 1: The judicial Power of the United States,The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

Article III. Primary tabsSection 1. The judicial power of the United States,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 treaties made, or which shall be made, under their authority;--to all cases affecting ambassadors, other public ministers and consuls;--to all cases of admiralty and maritime jurisdiction;--to controversies to which the United States shall be a party;or the citizens thereof. In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

Section 3. Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Amendments: I Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Amendment IV: The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated,supported by Oath or affirmation.

Amendment V: ,nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VI: In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

Amendment XIII: Section 1 Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Amendment XIV: Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

(3). LAW OF THE LAND; CONSTITUTIONAL & FEDERAL LAWS: 28 U.S. Code § 2403. Intervention by United States or a State; constitutional question:

(a) In any action, suit or proceeding in a court of the United States to which the United States or any agency, officer or employee thereof is not a party, wherein the constitutionality of any Act of Congress affecting the public interest is drawn in question, the court shall certify such fact to the Attorney General, and shall permit the United States to intervene for presentation of evidence, if evidence is otherwise admissible in the case, and for argument on the question of constitutionality. The United States shall, subject to the applicable provisions of law,

28 U.S.C. § 1346 - U.S. Code - Unannotated Title 28. Judiciary and Judicial Procedure § 1346. United States as defendant: (b)(1) Subject to the provisions of chapter 171 of this title, the district courts, together with the United States District Court for the District of the Canal Zone and the District Court of the Virgin Islands, shall have exclusive jurisdiction of civil actions on claims against the United States, for money damages, accruing on and after January 1, 1945, for injury or loss of property, or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred.

28 U.S. Code § 2675. Disposition by federal agency as prerequisite; evidence: (a) An action shall not be instituted upon a claim against the United States for money damages for injury or loss of property or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, unless the claimant shall have first presented the claim to the appropriate Federal agency and his claim shall have been finally denied by the agency in writing and sent by certified or registered mail. The failure of an agency to make final disposition of a claim within six months after it is filed shall, at the option of the claimant any time thereafter, be deemed a final denial of the claim for purposes of this section

42 U.S. Code § 1981. Equal rights under the law: (a) Statement of equal rights. All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens,

42 U.S. Code § 1983.Civil action for deprivation of rights: Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable.

42 U.S. Code § 1985.Conspiracy to interfere with civil rights: ell Law SchoolSearch Co

42 U.S. Code § 1985.Conspiracy to interfere with civil rights: (1)Preventing officer from performing duties. If two or more persons in any State or Territory conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of the United States to leave any State, district, or place, where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties;

(2)Obstructing justice; intimidating party, witness, or juror. If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness in any court of the United States from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to injure such party or witness in his person or property on account of his having so attended or testified, or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws;

(3)Depriving persons of rights or privileges. If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws;or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators. (R.S. § 1980.

Constitution laws: Invidious discrimination. Treating a class of persons unequally in a manner that is malicious, hostile, or damaging.

Arbitrary: 1. When used in reference to a judge's ruling in a court case, arbitrary means based on individual discretion rather than a fair application of the law. However, a discretionary decision is not always arbitrary. Although, the law sometimes gives judges discretionary powers,

it also requires them to act within boundaries when applying general principles of law to the facts of a particular case. As a result, a judge cannot act in disregard of the evidence or ignore established precedent. Such disregard would be arbitrary.

2. Historically, arbitrary has also been used to describe the actions of the executive and legislative branches. The concern of arbitrariness arose in part because chancellors' broad discretionary powers were often accused of being arbitrary. In a democracy, arbitrariness cannot be allowed; but discretion is sometimes allowed by law.

Substantive due process:

#### 16-10. Case Management Conference

(a) Initial Case Management Conference. Unless otherwise ordered, no later than the date specified in the Order Setting Initial Case Management Conference, the Court will conduct an initial Case Management Conference. The assigned District Judge may designate a Magistrate Judge to conduct the initial Case Management Conference and, subject to 28 U.S.C. § 636, other pretrial proceedings in the case. Unless excused by the Judge, lead trial counsel for each party must attend the initial Case Management Conference. Requests to participate in the conference by telephone must be filed and served at least 7 days before the conference or in accordance with the Standing Orders of the assigned Judge.

#### (4). CITIED CASES:

(1). In *Lochner v New York* (1905), Constitutional Basis and Purpose The Confrontation Clause found in the Sixth Amendment provides that "in all criminal prosecutions, the accused shall enjoy the right...to be confronted with the witnesses against him." The Clause was intended to prevent the conviction of a defendant upon written evidence (such as depositions or ex parte affidavits) without that defendant having an opportunity to face his or her accusers and to put their honesty and truthfulness to test before the jury.

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(2).In *Mattox v. United States*, 156 U.S. 237 (1895), the Supreme Court enunciated the three fundamental purposes that the Confrontation Clause was meant to serve:

To ensure that witnesses would testify under oath and understand the serious nature of the trial process; To allow the accused to cross-examine witnesses who testify against him; and To allow jurors to assess the credibility of a witness by observing that witness's behavior.

(3). In *Lee v. Illinois*, 476 U.S. 530 (1986), the Court noted that the Confrontation Clause is one of several constitutional safeguards to promote fairness in the criminal justice system. In *Ohio v. Roberts*, 448 U.S. 56 (1980), the Supreme Court left open the possibility that competing interests, such as a jurisdiction's interest in effective law enforcement, might prevail over the right to confront opposing witnesses.

(4). However, in *Coy v. Iowa*, 487 U.S. 1012 (1988), the Supreme Court held that taking other interests into account should not be interpreted as creating exceptions to "the irreducible literal meaning of the clause," reaffirming that a defendant has the right to confront his alleged victim "face-to-face."

## Unresolve Acts and Issues

(A).Specify the issues in the: we are citizens of the United States and are being treated worse than dead animals on the side of the road. And not one judge, federal / state official, police officer, county service worker, holds any integrity on the position they swore to uphold or went to school for to be voting in to get.

(B). My job was ticking because I didn't defend myself from trying to be murdered in rooms I was going to do service in, and now all of a sudden the boss Mr. Ho sold the Salinas property to Monterey county.

Answer each issue: (a). I don't know why people sit around and watch other individuals in power order people around to abuse, kidnap ( force to leave county) kids and mother, false imprison me, then try to take my life as I sit outside and drink coffee and smoke cigarettes, laugh at my Injustice and call themselves "Americans". (b). And other people who I have proven have been victims to the same individuals who abused my family and self.

Reasons for each issue: (a)because we are American citizens with rights just like, if not more than the gangster/immigrants and the public officials involved who allowed them to take my life over the last few months.

(b). and because it's your job for the Supreme Court to be The last resort human resources on judgment review in the United States.

## APPENDIX A

- 1) Comments about Judge Panetta.
- 2) 7/9/20 Comm on judicial performance voted to close complaint sent 4/21/20  
B. TRO/Preliminary injunction (Ninth Circuit Court of appeals & Nor District Court of Cali.)." Representation Statement"
- 3) 3rd request for transcript & sealed records from Salinas Superior Court
- .4) Carmel Valley man kills Salinas mom in DUI crash. Sent to Program
- 5) 12/5/2019- Leon Panetta says the Trump White House operates like the mafia.
- 6) 9/11/2018 updated Carrie Panetta appointed to Monterey Sup Court bench.
- 7) 5/9/2018- no manslaughter charges to be filed against Mirian Smith.
- B) 8/29/17- Seaside activist Mariam Smith killed a man on motorcycle. released

- 8) 2/16/2018- Dean flipper will be retiring after his term is up.
- 9) 9/7/2017- questions about Justice.
- 10) defendant's attorney clashes with judge Carrie Panetta.
- 11) Judge Panetta & D.A Jimmy Panetta husband in same courtroom same day.
- 12) 8/30/2013- political bloggers move to Monterey county.
- 13) public defender's role (a) 3-26-2015 sentencing Memorandum (b) 3 converted audio voice messages, 1. From Tracy Moody. 2. From Calvin t i 10-16-20183. 3. Important message memo.

## **APPENDIX B**

- 1) GoodNite Inn sold to Monterey County after petition of certiorari was denied.
- 2) The privileged kids and parents who pay tuition can rejoin the world.

## **APPENDIX C**

### **SOCIAL SECURITY 7/2018-CURRENT 6/19/2020**

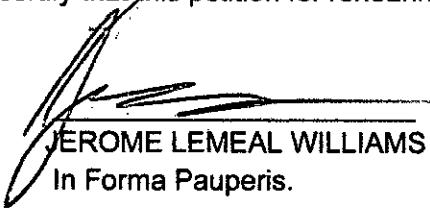
- 1) June 13, 2018- Notice of hearing
- 2) 12/6/2018- forms to reschedule hearing
- 3) 3/29/2019- Notice of hearing date and time.
- 4) 4/3/2019- Notice of hearing
- 5) 6/24/2019- Notice of hearing.
- 6) 7/15/2019- Letter to show good cause.
- 7) 8/8/2019- Notice of dismissal.
- 8) 9/26/2019- notice of dismissal.
- 9) notice of statement of account amount due.
- 10) 12/10/2019- Notice of call-in.
- 12) 12/10/2019- Notice of remittance of check.

## APPENDIX D

1. District Judge denying my TRO / PRELIMINARY INJUNCTION
2. TRO / PRELIMINARY INJUNCTION to Ninth Circuit Court of Appeals

# CERTIFICATE OF COUNSEL

I hereby certify that this petition for rehearing is presented in good faith and not for delay.



JEROME LEMEAL WILLIAMS  
In Forma Pauperis.

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

Respectfully Submitted.

JEROME LEMEAL WILLIAMS  
1011 Post Dr. P.O. Box # 6195  
Salinas, Ca 93912  
[justice4williams@gmail.com](mailto:justice4williams@gmail.com)  
(831)794-2474

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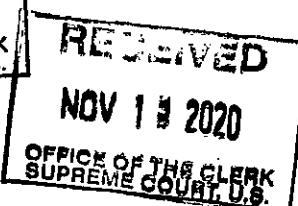
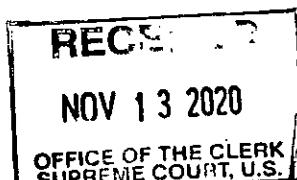
Jerome Lemeal Williams  
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**PROOF OF SERVICE**

On *Nov. 4<sup>th</sup>* 2020 I served the foregoing document described as on all interested parties in this  
**PETITION FOR REHEARING OF PETITION OF CERTIORARI**

**The names and addresses of those served**

*BY MAIL - I deposited such an envelope in the mail at Salinas, California. The envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Salinas, California in the ordinary course of business. I am aware that on the motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one (1) day after the date of deposit for mailing in the affidavit.*



**Additional material  
from this filing is  
available in the  
Clerk's Office.**

