20-1665

IN THE
Supreme Court Of The United States

William Shecoby Palmer Petitioner

v.

Harolyn Williams Lake County Petitioner In Rem

Peggy Katona

[Lake County agent acting in Private Capacity In Rem]

John Petalas

[Lake County agent acting Private Capacity In Rem]

On Writ Of Certiorari To The United States Supreme Court

Petition For Rehearing

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Question Presented

1.)It is often argued that the implicit doctrine of Separation of Powers also limits Congress' ability to regulate the Court's jurisdiction. For instance, Congress could not use its Exception Clause power to demand that the Court act in an unconstitutional way.*See* United States v. Klein, 80 U.S. (13 Wall.) 128, 146-48 (1871) Senate Bill No. I,which became the Judiciary Act of 1789. The Act infused Article III with substance and detailed those ingredients necessary for the "due process of law" that the Bill of Rights guaranteed.

2.)I seek first amendment remedy "arising under" as "only those cases in which a well-pleaded complaint establishes either that federal law creates the cause of action of William Shecoby Palmer right to relief necessarily depends on resolution of a substantial question of federal law." Franchise Tax Bd. V. Construction Laborers Vacation Trust, 463 U.S. 1, 27-28 (1983).

3.)William Shecoby Palmer seek petition for rehearing by the original text Section 25 of the Judiciary Act of 1789 reads:*And be it further enacted,* that a final judgment or decree in any suit, in the highest court of law or equity of a State in which a decision in the suit could be had, where is drawn in question the validity of a treaty or statute of, or an authority exercised under the United States, and the decision is against their validity; or where is drawn in question the validity of a statute of, or an authority exercised under any State, on the ground of their beingrepugnant to the constitution, treaties or laws of the United States, and the decision is in Favor of such their validity, or where is drawn in question the construction of any clause of the constitution, or of a treaty, or statute of, or commission held under the United States, and the decision is against the title, right, privilege or exemption specially set up or claimed by either party, under such clause of the said constitution, treaty, statute or

[Cont]commission,may be re-examined and reversed or affirmed in the Supreme Court of the United States upon a writ of error ....Judiciary Act, ch. 20, § 25, 1 Stat. 73, 85-86 (1789).

4.)To alleviate the crush of cases, Congress introduced a discretionary element in to the Supreme Court's appellate jurisdiction in the Circuit Court of Appeals Act of 1891, which instituted the use of the writ of certiorari and created the circuit courts of appeals.The writ of certiorari allowed the Court, for the first time, the discretion to choose which cases it would hear and, consequently, which cases it would not hear."arising under" as "only those cases in which a well-pleaded complaint establishes either that federal law creates the cause of action or that the plaintiff's right to relief necessarily depends on resolution of a substantial question of federal law." Franchise Tax Bd. V. Construction Laborers Vacation Trust, 463 U.S. 1, 27-28 (1983).

5.)28 U.S.C. § 1332(a) (1988) parrots the language of the Constitution and grants federal jurisdiction in "controversies ... between – (1) citizens of different states; (2) citizens of a State and citizens or subjects of a foreign state."

6.)Judiciary Act of 1925,which gave the Supreme Court effective control over its own docket. Chief Justice Taft, an expert administrator,pushed for judicial reform and drafted the Act of 1925. The 1925 Act reduced the number of appeals as a matter of right and replaced automatic access to the Supreme Court with discretionary review by writ of certiorari, allowing the Supreme Court to refuse to hear many of the requests for appellate review.

7.)The Judiciary Act of 1925 permitted the Court to dispose of less important and less worthy cases by simply denying certiorari. *See* permitting review by the Supreme

[Cont]Court in the individual case which reveals a claim fit for decision by the tribunal of last resort."

8.)This petition for rehearing is not to question the integrity of this court ,but to get just do this cause taken from The Lake County Indiana Trial Courts through the Appeal court /Supreme Court never was adjudicated on who has actual standing where I sought to certify the question obligation of contract where the treasury / auditor sell your rights 14th without conducting a depravation hearing first to a tax investor making them the creditor without a meeting of minds where a offer was accepted on what to ,and what not to do this is a direct violation article 1 section 10 by subrogation which I well pled but was ignored where I felt I was denied due process through pleading where Harolyn Williams never presented a argument by a rebuttal pleading where I feel this was intentional ,because they knew if I partition The United States Supreme Court I would fell by discretionary from what is stated in the Judiciary Act of 1925 if my case that is under purview is about the overburden of The United States Supreme docket I can wait my time ,and turn in line just like illegal immigrants who get a court date years down the line ,because of the federal back log and hear is where I am going with this William Shecoby Palmer is born ,and naturalized her where I feel I should afforded the same Due Process protection at a meaningful time ,and a meaningful place to present my oral argument just like they are allowed .

9.)William Shecoby Palmer by this petition for rehearing ask The United States Supreme Court to take notice of due process ,from the judiciary act of 1925 by comparison to my case where I was never granted due process from the lower courts ,and here is why in my belief from the drafter of this act According to Taft's biographer, Chief Justice Taft said of the Court's appellate jurisdiction:
It was vital, he said in opening his drive for the Judges' bill, that cases before the Court be reduced without

[Cont]limiting the function of pronouncing "the last word on every important issue under the Constitution and the statutes of the United States." A supreme court, on the other hand, should not be a tribunal obligated to weigh justice among contesting parties."They have had all they have a right to claim," Taft said, "when they have had two courts in which to have adjudicated their controversy."

10.)From what is stated here how easily could one be deprive at the lower courts where judges have immunity from suite no matter how they decide a case ,and if you disagree it is at the judges discretion to reverse a bad decision no matter how well you plead in my case this is exactly what happened if you read my appendix thoroughly you will see that this action was in rem is completely unconstitutional .

11.)On June 27, 1988, Congress passed the Supreme Court Case Selections Act, This Act governs the routing of cases from the lower federal courts to the Supreme Court,51 allowing the Supreme Court total discretion to choose which cases come before it. *The Supreme Court's Inherent Power is* to administer justice is not simply the power to apply the law to the facts of a case, but also the power to achieve equitable results under the law due to the Constitution's merger of law and equity 52 in the federal judicial power. Under English law, upon which the Framers drew in establishing the federal judicial power, This equitable power, or discretion, could be abused if not for an organizational structure that constrains its use,62 and the Supreme Court's rules provide this structure. Section 17 of the Judiciary Act of 1789 conferred inherent power to make necessary rules "for the orderly conducting [official business" upon all federal courts, including the Supreme Court;

12.)William Shecoby Palmer believe that the crushing demand upon the Court's docket was a result of the Court's "propensity to declare social and economic legislation

[Cont]unconstitutional." Where I ask this court the question on the equal protection clause ,and due process at no point am I accusing William H. Taft of wrong doing ,because he is entitled to his belief the declaration of independence say our rights can't be brought sold or transferred it seems to me our due process rights diminished at The United States Supreme Court when you file a Writ Of Certiorari it's like buying a $300.00 lottery ticket sight unseen ,and find out you lose after waiting for the 9:00 pm drawing where in this case due process should not be like a light switch that can be cut on or cut off where I placed this before The United States Supreme Court how easily could it be that all the judges a pro se litigant come before could be bias ,and prejudice which at some point you could lose steam ,and give up or if you continue from trial to appellate, and to state supreme court ,and you meet the same resistance where you know you prove standing all along the way where standing is easily to prove ,but they create a controversy with the intent that if you take it all the way to The Supreme Court ,and they know your chance is slim to none because of the judiciary act of 1925 this Writ Of Certiorari cause no:20-1665 easily proved In Rem action are fiction in law where there is proof that The Lake County Indiana agents did not conduct a depravation hearing or gave notice by legal summons in violation of there own rules under Indiana rule 4.7 & 4.9 where Harolyn Williams never proved standing ,because she never proved a obligation was formed by her committed action that are voluntary you can't pay something ,and expect to be paid back absent of a agreement in writing where here claim lacks standing I have partitioning the trial courts ,and the appellate ,and The Indiana Supreme Court ,but for some reason they find some technical procedural defect to block ,and evade the fact's ,and merits where I feel they are doing to shield Peggy Katona & John Petalas where if they had just conducted a depravation hearing I would have never had

[Cont]any contact with Harolyn Williams so I ask this court for only one thing that is due process ,and the right to be heard this is how legal disputes are resolved through pleading ,and oral arguments I know I have standing ,and I know I have been injured my petition to this court is only asking for the right to heard on the facts to be presented would irreparable harm.

13.)William Shecoby Palmer asserts by this petition a denial of a rehearing will be a denial to access to this court if youread my appendix it shows I was block my right to assert my claim at the trial court ,and appellate level where the **The Indiana Constitution mandates that "[a]ll courts shall be open," Ind. Const. art. I, § 12, reflecting "the ancient maxim of jurisprudence that every one is entitled to his day in court, and no one shall be condemned unheard."** ***State ex rel. Bd. Of Commr's v. Jamison*****, 42 N.E. 350, 351 (Ind. 1895). The Open Courts clause was intended to prohibit the demanding of fees or costs that influence legal proceedings.** ***Square D. Co. v. O'Neal*****, 72 N.E.2d 654, 657 (Ind. 1947). Further, the provision "guarantees access to the courts to redress injuries to the extent the substantive law recognizes an actionable .wrong."** ***Smith v. Ind. Dep't of Correction*****, 883 N.E.2d 802, 807 (Ind. 2008).**

14.)The First Amendment to the United States Constitution, which is binding on the states, ***State ex re.*** **Post-Tribune Pub. Co. v. Porter Superior Ct.,** ***412 N.E.2d 748, 751 (Ind. 1980),*** **also protects access to the courts:**

15.)William Shecoby Palmer cause taken to this court was to show that I was lawfully exercising my rights to attempt such a claim where my claim at the trial court level, and appeal was ignored; and second, case law does not require

[Cont]perfection of an adverse possession claim before recognizing a claimant's right to possess and exclude others from the subject property. See Blumrosen v. St. Surin, 1995 WL 918312, at *6 (Terr. V.I. Sept. 29, 1995)

16.)The Supreme Court However, where good cause appears for the consideration of such new matters, a court has discretion to do so for the first time on a petition for rehearing. (Mounts v. Uyeda, supra, at p. 121; Hunt v. County of Shasta (1990) 225 Cal.App.3d 432, 446, fn. 12.)

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Statement

Collectively petitioner William Shecoby Palmer respectfully petition for rehearing of the Court.s order denying certiorari in this case on 10/04/2021 to not accuse this court of wrong doing ,but to bring constitution issue to light that may have been missed where my original writ may have lack brevity ,and clarity for the reason for this court to deny my petition where I have made the necessary correction for the writ in good faith of deficiency where I did not receive notice from the clerk in accordance with rule 29.2 where I became aware of this own my own where I ask for leniency see:**Haines v. Kerner, 404 U.S. 520 (1971)**

Because pro se complaints "represent the work of an untutored hand requiring special judicial solicitude," courts must "construe pro se complaintsliberally." Baudette v. City of Hampton, 775 F.2d 1274, 1277-1278 (4th Cir. 1985)Fourth Circuit precedent "expresse[s] the indisputable desire that those litigants with meritorious claims should not be tripped up in court on technical niceties." Id. At 1277-78 (citation omitted). Courts need not, however, "conjure up questions never squarely presented to them. .Even in the case of pro se litigants, they cannot be expected to construct full blown claims from sentence fragments." Id. At 1278.

GROUNDS FOR REHEARING

1.)This petition for rehearing is not to accuse the Supreme Courts Justice Ruling was wrong or to delay this process ,but if this rehearing is denied it would bring extreme mental anguish to my life ,and liberty ,and pursuit of happiness where I ask this court justices to preview my constitutional findings ,and by what information that I put forward, and to put yourself in my shoe's wouldn't you want the highest court of the land to come to you constitutional aid where the legal buck stops here where I seek only impartiality on the fact's ,and merits on this en banc matter to right these wrong .

2.)William Shecoby Palmer ask the Justices of The United States to take under careful review my claim under 43 USC 1068 where cases like this have been decided in your tribunal See Blumrosen v. St. Surin, 1995 WL 918312, at *6 (Terr. V.I. Sept. 29, 1995) (recognizing that "the adverse possessor can maintain an action for trespass against all who allegedly enter onto the adversely possessed property without his consent") it admits that federal law recognizes a statutory right to perfect title obtained by way of adverse possession. See Beaver v. United States, 350 F.2d 4, 9 (9th Cir. 1965) (recognizing that "possession, to be adverse, must still constitute color of title ... [and] be actual, open and notorious to satisfy the Color of Title Act"); see also Cavin v. United States, 956 F.2d 1131, 1134 (Fed. Cir. 1992) (recognizing that the Color of Title Act is, "in effect, an exception to 28 U.S.C. § 2409a(n)"). The Court must recognize that the lawful use of "adverse possession" has a long and well-established legal tradition in the United States, at common law and by way of state and federal

[Cont)statute. See,Ewing's Lessee v. Burnet, 36 U.S. 41, 52 (1837)

3.)I seeking purview for privacy issues ,and due process violation where this petition will bring to this court attention of subrogation for violation of article 1 section 10 being these are In rem action are fiction in law where consideration, will preserve the best vehicle for review of the unquestionably important. Questions presented.**William Shecoby Palmer claim for rehearing is** to raises "other substantial grounds not previously presented.see:**Pillow v. Roberts, 54 U.S. 472, 477 (1851) ("It is not necessary" that an adverse possession claimant "should have a good title, or any title but possession. A wrongful possession, obtained by a forcible ouster of the lawful owner, will amount to a disseisin, and the statute will protect the disseizor. 43 USC 1063 I.C. § 32-21-7-1 One who enters ... claiming for himself upon any pretence or color of title, is equally protected with the forcible disseizor by what is stated my 14th amendment protection to given reasonable notice of a pending tax foreclosure where it will show these actor are conducting these action violation of there own laws I ask this court to take notice of privacy violation stated in there own constitution where there own legislators give a green light to place them In a false light with no mention of a depravation hearing stated in the following .Section 6-1.1-24-3 – Notice of auction sale When real property is eligible for sale under this chapter, the county auditor shall post a copy of the notice required by section 2 of this chapter at a public place of posting in the county courthouse or in another public county building at least twenty-one (21) days before the earliest date of**

[Cont]application for judgment. In addition, the county auditor shall, in accordance with IC 5-3-1-4, publish the notice required in section 2 of this chapter once each week for three (3) consecutive weeks before the earliest date on which the application for judgment may be made.

4.)By what is stated above no mention of a depravation hearing by sùmmons ,and I ask who read a newspaper these days everything is digital. Right to privacy Indiana recognizes the common law- tort for invasion of privacy, which provides that one who invades the right of privacy of another is subject to liability for the resulting harm to the interests of the other person (Doe v. Methodist Hosp., 690 N.E.2d 681 (Ind. 1997)).
The right of privacy is invaded by:
• Unreasonable intrusions on the seclusion of others;
• Appropriating another's name or likeness;
• Giving unreasonable publicity to another's private life; *or*Using publicity that unreasonably places another in a false light before the public.
Indiana recognizes all four of the above common-law privacy claims. See Felsher v. U. of Evansville, 755 N.E.2d 589 (Ind. 2001) (misappropriation); Munsell v. Hambright, 776 N.E.2d 1272 (Ind. Ct. App. 2002) (public disclosure); and Branham v. Celadon Trucking Services, Inc., 744 N.E.2d 514 (Ind. Ct. App. 2001)(intrusion on seclusion, false light). Article I, § 1 of the Indiana Constitution protects and is animated by privacy as a core constitutional value and that this state constitutional right of privacy extends to all Indiana citizens, In State ex rel. Mavity v. Tyndall, our supreme court held that citizens of Indiana have a right to privacy and protection guaranteed by article I, § 21 of the Indiana Constitution, which provides that no services or property may be taken without just compensation. That the right of privacy is a

[Cont]"well-established doctrine, derived from natural law and guaranteed by both the Federal and State Constitutions"). Within the protection of the Indiana Bill of Rights. State Bd. Of Barber Exam'rs v. Cloud, 220 Ind. 552, 572-73, 44 N.E.2d 972, 980 (1942); In addition, Indiana common law tort doctrine embraces the principle that privacy is a cognizable interest. See Creel v. I.C.E. Assocs., Inc., 771 N.E.2d 1276, 1280 (Ind.Ct.App. 2002) (recognizing torts of invasion of privacy by intrusion and public disclosure of private facts), reh'g denied. These privacy interests did not spring up in a vacuum but in the atmosphere created by

5.)The petitioner also would like to bring to this court attention property tax foreclosure are conducted in rem action The United States dismisses this treatment of tax lien as eminent domain proceeds as a "legal fiction."Appellate Division should be reversed, with costs. The proceedings should be converted to declaratory judgment actions, the former real estate tax collection enforcement provisions of the Lake County Administrative Code under which respondent Harolyn William obtained Treasurer'sdeeds should be declared unconstitutional, the deeds declared a nullity, Both tax sales and in rem tax foreclosures are considered actions in rem
Civil forfeiture is a device, a legal fiction , authorizing legal action against inanimate objects for participation in alleged criminal activity, regardless of whether the property owner is proven guilty of a crime — or even charged with a crime.

6.)In Rem Forfeiture
In rem forfeiture is an ancient concept under which courts obtained jurisdiction over property when it was virtually impossible to seek justice against property owners guilty of violating maritime law because they were overseas.
Civil forfeiture traces to ancient Roman and medieval English law ; both made objects used to violate the law subject to forfeiture to the sovereign.

See United States v. 785 St. Nicholas Ave., 983 F.2d 396, 401-02 (2d Cir. 1993). Civil forfeiture is no longer tethered to difficulties in obtaining personal jurisdiction over an individual. It now serves as "one of the most potent weapons in the judicial armamentarium," *See* United States v. 384-390 West Broadway, 964 F.2d 1244, 1248 (1st Cir. 1992

7.)William Shecoby Palmer would like to bring to this court attention subrogation It is well settled that courts of equity do not relieve against deceptive acts which are not charged and shown to have been followed by loss or injury. Where fraud is charged it must be shown that the party thereby misled was injured before he is entitled to relief. Young v. Bumpus, Freeman's Chancery, 250; Griffith's Miss. Chan. Pr., p. 175. The bill shows that the appellee Harolyn Williams was a pure volunteer where her complaint lack standing without proof of meeting minds contract require a meeting of the minds, the absence of which prevents the formation of a contract. Continental Grain Co. v. Followell (1985), Ind. App., 475 N.E.2d 318, 321and it is well settled that such a volunteer cannot invoke the doctrine of subrogation in his favor. *Canton, etc., Bank* v. *Yazoo Co.*, 144 Miss. 579. Complainant admits this rule, but claims that he was not a volunteer for the reason that his money went to pay off a previous mortgage upon this property, and it therefore was to the benefit of appellants. The case at bar does not meet the requirements set down by the court for the application of this doctrine as against appellants for the following reasons

8.)The court went on to enumerate five prerequisites of subrogation:"`(1) Payment must have been made by the subrogee to protect his own interest. (2) The subrogee must not have acted as a volunteer. (3) The debt paid must be one for which the subrogee was not primarily liable. (4) The entire debt must have been paid. (5) Subrogation must not work any injustice to the rights of others.'" 334 P.2d at 662, quoting Grant v. De Otte, 122 Cal.App.2d 724,

[Cont]728, 265 P.2d 952, 955 (1954).

9.)Indiana Code chapter 34-53-1 governs subrogation, but does not address subrogation claims on funds that are or were held by an attorney on behalf of the attorney's client. Another statute, however, suggests that a subrogation claim should be considered a lien. A lien is a claim that one person holds on another's property as a security for an indebtedness or charge. Beam v. Wausau Ins. Co., 765 N.E.2d 524, 532 (Ind. 2002). Indiana Code section 34-51-2-19 .

10.)Subrogation is an equitable doctrine long recognized in Indiana. *Wirth v. Am. Family Mut. Ins. Co.*, 950 N.E.2d 1214 (Ind.Ct.App.2011). It applies whenever a party that is not acting as a volunteer pays the debt of a third party that, in good conscience, should have been paid by the third party. *Id.* When a claim premised upon subrogation is recognized, "a court substitutes another person in the *215place of a creditor, so that the person in whose favor it is exercised succeeds to the right of the creditor in relation to the debt." *Id.* At 1216 (quoting *Erie Ins. Co. v. George*, 681 N.E.2d 188, 186 (Ind.1997)). The purpose of the doctrine is to prevent unjust enrichment. *Wirth v. Am. Family Mut. Ins. Co.*, 950 N.E.2d 1214.

11.)William Shecoby Palmer in closing would like to bring to this court attention the word creditor in subrogation The Lake County Indiana agents Peggy Katona & John Petalas by operation law place Harolyn Williams in postion of creditor so if this is true that's impairing the obligation by following The plaintiff's title to the land in question, is legally derived from Indiana ; how then, on the principles of contract , could Peggy Katona & John Petalas lawfully dispose of it to Harolyn Williams ? As a contract the auditors office /treasury would need to prove a meeting

[Cont]of minds with a witness present ,and signature under oath of affirmation, where it could convey no right, without the owner's consent; without that, The Lake County Indiana Agents action was fraudulent and void by the following Meriwether v. Garrett 102 U.S. 472, 532 (1880)What is meant by "impairing the obligation of a contract " is well defined. Embarrassments thrown by a statute in the way of enforcing payment of a debt, or a statutory substitution for the obligation and liability of the debtor, of the will of some other person, though that person be a State, have not heretofore been recognized as consistent with the Constitution. The protection afforded by its provisions and its prohibition of certain State legislation relate, not to the mode and form of State statutes, but to their operation or effect.

13.)Vanhorne v. Dorrance 2 U.S. 304, 319 (1795)
Because it is an *ex post facto* law.
2. Because it is a law impairing the obligation of a contract
1. That it is an *ex post facto* law. But what is the fact? If making a law be a fact within the words of the Constitution, then no law, when once made, can ever be repealed.

Conclusion

William Shecoby Palmer by everything stated factural

The right to petition for rehearing of an order denying certiorari "is not to be deemed an empty formality as though such petitions will as a matter of course be denied. . . . Accordingly, on an appropriate showing that a substantial matter . . . is to be presented, appropriate opportunity should be given for doing so." Flynn v. United States, 75 S. Ct. 285, 286 (1955) (Frankfurter, J., in chambers).

State of Indiana Oath Affirmation

Indiana Code 35-34-1-2.4

10/29/2021

I William Shecoby Palmer swear,and (affirm),under penalty of perjury as specified by :IC 35-44.1-2-4 that the foregoing (the following) representations are true. true to the best of knowledge in law ,and this not the signature last word on this legal matter William Shecoby Palmer is a non lawyer in Sui Jurist Capacity See HAINES V.KERNER

.

William Shecoby Palmer

Understands this action is In Rem ,and ask THE UNITED STATES SUPREME COURT to take notice to UCC 1-207 & UCC 1-103.6.

Signed William Shecoby Palmer UCC 3-402(b)(1)

All Rights Reserve To The Constitution Of The United States Of America

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