

No. 20-348

In The

Supreme Court of the United States

GREGORY S. MERCER,

Petitioner,

vs.

E. A. Vega, *et al.*

Respondents.

On Petition For Writ Of Certiorari To The United
States Court Of Appeals for The Fourth Circuit

PETITION FOR REHEARING

GREGORY SHAWN MERCER,
Petitioner, *pro se*
3114 Borge Street
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202-431-9401

PETITION FOR REHEARING

This is a 12/1/20 Petition for Rehearing in accordance with SCOTUS Rule 44.2 of Petitioner's 9/11/20 731-Page (includes cover) Petition for Writ of Certiorari which was intercepted by agents of Respondents after it was filed with/delivered to the SCOTUS Guard behind the SCOTUS Building on 9/11/20 at or about 2:55 pm. This was a 9/11/20 Obstruction of Justice involving fraudulent use of the two SCOTUS Guard Booths behind the SCOTUS Building on 2nd Street, NE, Washington, DC. Petitioner's 648-Page Appendix was removed from his 9/11/20 Petition for Writ of Certiorari by agents of Respondents. A 12-Page Unauthorized Prejudicial Appendix was substituted for Petitioner's 648-Page Petition for Writ of Certiorari Appendix by agents of Respondents. Page number two (2) stating "8,995 Words" was removed from Petitioner's associated 9/11/20 4-Page (includes cover) Certificate of Compliance by agents of Respondents. The first five (5) pages *including the Adhesive "Clerk-Stamped" Cover Page* stating "TB468 RECEIVED SUPREME COURT U.S. POLICE OFFICE 2020 SEP 11 P 2:55" were removed from Petitioner's associated 9/11/20 7-Page Certificate of Service. Then Petitioner's three SCOTUS Filings (9/11/20 Petition for Writ of Certiorari and Appendix with associated Certificates of Compliance and Service) were returned to the SCOTUS Clerk who entered onto the SCOTUS Website what was received from the SCOTUS Police Office at the SCOTUS Clerk's Office. This was the only in-person filing method available to Petitioner for his SCOTUS documents on 9/11/20. *For more specific*

details about the Obstruction of Justice by agents of Respondents using the two SCOTUS Guard Booths when Petitioner filed on 9/11/20, please see attached 10/27/20 "Affidavit of Gregory Shawn Mercer" and attached 10/28/20 "Corrected Affidavit of Kashavera S. Williams."

This 9/11/20 Obstruction of Justice by agents of Respondents fraudulently using the two Guard Booths behind the SCOTUS Building was a violation of the intent of SCOTUS Rule 1.2 (protecting SCOTUS Filings from Obstruction of Justice/Fraud after those Filings have been received by the SCOTUS). Current SCOTUS Rule 1.2 has not been substantially modified since at least 1989 (Petitioner filed in-person a previous SCOTUS Case No. 94-21066 inside the SCOTUS Building). In order to keep current with the changing in-person filing methods to the SCOTUS Clerk's Office, current SCOTUS Rule 1.2 needs to be updated. In-person filing methods to the SCOTUS Clerk's Office changed between 1994 and 2020. In-person filing methods to the SCOTUS Clerk's Office now necessitate personally handing SCOTUS Filings to a SCOTUS Guard behind the SCOTUS Building at a SCOTUS Guard Booth on 2nd Street, NE, Washington, DC. This requirement was due to past episodes of Anthrax contained in delivered mail and the current COVID-19 Pandemic (Mask required) as Petitioner understands it. This Petition for Rehearing with two attached AFFIDAVITS explains in detail the current vulnerability of SCOTUS documents filed in-person at the SCOTUS. Petitioner adopts and incorporates the entire Appendix attached hereto as if rewritten verbatim hereat:

1989 SCOTUS Rule 1.1 – “The Clerk shall maintain the Court’s records and shall not permit any of them to be removed from the Court building except as authorized by the Court. Any pleading, paper, or brief filed with the Clerk and made a part of the Court’s records may not thereafter be withdrawn from the official Court files. ...”

2019 SCOTUS Rule 1.2 – “The Clerk maintains the Court’s records and will not permit any of them to be removed from the Court building except as authorized by the Court. Any document filed with the Clerk and made a part of the Court’s records may not thereafter be withdrawn from the official Court files. ...”

This Petition for Rehearing concerns an intervening circumstance of a substantial or controlling effect after Petitioner filed his three SCOTUS documents: 9/11/20 Petition for Writ of Certiorari and Appendix with associated Certificates of Compliance and Service. This Petition for Rehearing concludes with a signed **CERTIFICATE** that it is presented in good faith and not for delay followed by a signed **28 U.S.C. §1746 DECLARATION** that this entire Petition for Rehearing is true and correct.

Petitioner was born in Houston, Texas (Harris County) and lives in Northern Virginia. In accordance with U.S. Amendment XIV [A214], Petitioner is both a United States Citizen and a Virginia Citizen entitled to and protected by the Federal Rights in the Constitution of the United States being the first ten

U.S. Amendments to that U.S. Constitution known as the U.S. Bill of Rights [A217]. On 3/28/18, Petitioner invoked his **U.S. Amendment VII Right to Trial by Jury [A214]** in the U.S. District Court for the Eastern District of Virginia (herein and hereafter “VAED”) by filing through counsel Gregory S. Mercer v. E.A. Vega, Case No. 1:18-cv-346-LO-TCB. In the VAED, Petitioner’s 3/28/18 Complaint was dismissed without prejudice by 4/3/18 Order [A27-29] so Petitioner again invoked his **U.S. Amendment VII Right to Trial by Jury [A214]** in the same Case No. 1:18-cv-346-LO-TCB by filing his 4/16/18 First Amended Complaint [A286-293] which states:

“**PRAYER FOR RELIEF – WHEREFORE**, Plaintiff Gregory S. Mercer, by counsel, demands for: ... C. Trial by Jury [A292-293].”

The nine Justices of this SCOTUS take two oaths (5 U.S.C. §3331 and 28 U.S.C. §453) to support and defend the Constitution of the United States inclusive of **U.S. Amendment VII** and to administer justice equally without respect to persons:

“I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.”

"I, _____, do solemnly swear or affirm that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as (Associate/Chief) Justice of the Supreme Court of the United States, according to the best of my abilities and understanding, agreeably to the constitution and laws of the United States. So help me God."

In a Summary Judgment Proceeding where Judges or Justices decide whether or not there exists one or more Jury Question(s) that must proceed to a Jury Trial and in order not to infringe on the invoked **U.S. Amendment VII Right to Trial by Jury** (not Bench Trial) of the non-moving Party that invoked this Right, the accepted legal standard is for the Judges or Justices to give the Party that invoked the Right to Trial by Jury (here the Plaintiff/Previous Plaintiff) the benefit of the doubt by viewing all facts and any justifiable inferences from those facts in the light most favorable to the non-moving Plaintiff/Previous Plaintiff. From Petitioner's 9/11/20 Petition for Writ of Certiorari, Pages 21-22:

"The Fourth Circuit and this SCOTUS have already ruled about procedures in Summary Judgment Proceedings. Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248-49, 106 S.Ct 2505, 91 L.Ed.2d 202 (1986) ("A fact is material when proof of its existence or nonexistence would affect the outcome of the case, and an issue is genuine if a reasonable jury might

return a verdict in favor of the nonmoving party on the basis of such an issue.”) [A58-59, D3, O24]. Matsushita Elec. Indus. Co. v. Zenith Radio Corp., 475 U.S. 585-88 n. 10 & 11, 586-87, 106 S.Ct 1348, 89 L.Ed.2d 538 (1986) “A party moving for summary judgment has the initial burden of establishing the basis for its motion and identifying the evidence which demonstrates the absence of a genuine issue of material fact. *Id.* Once the moving party satisfies its initial burden, the opposite party may show, by means of affidavits or other verified evidence, that there exists a genuine dispute of material fact.”) [A102-103, D3, G5, H5, J40, O23-24]. U.S. v. Carolina Transformer Co., 978 F.2d 832, 835 (4th Cir., 1992) (“In reviewing a summary judgment motion, the court must “draw all justifiable inferences in favor of the nonmoving party.”) [A157-158, G5-6, H5, 32, 50, J40, L42, O24].”

According to Respondent E.A. Vega’s 7/30/19 Informal Response Brief in the appeal of Petitioner’s VAED Summary Judgment Proceeding in the U.S. Court of Appeals for the Fourth Circuit (herein and hereafter “**Fourth Circuit**”), this accepted legal standard to give the non-moving Previous Plaintiff the benefit of the doubt is reviewed *de novo* in the FOURTH CIRCUIT as Petitioner expects this SCOTUS will now review Case No. 20-348 herein *de novo*:

“This Court reviews the District Court’s ‘grant of summary judgment *de novo*, viewing the facts

and the reasonable inferences therefrom in the light most favorable to the nonmoving party.’ Bonds v. Leavitt, 629 F.3d 369, 380 (4th Cir. 2011) (citation omitted). Under Rule 56(c) of the Federal Rules of Civil Procedure, summary judgment may be granted when the pleadings and evidence show that there is no genuine issue as to any material fact. Celotex Corp. v. Catrett, 477 U.S. 317, 322 (1986) [A61, K17, L77, O1].”

Therefore, Gregory S. Mercer v. E.A. Vega, et al., SCOTUS Case No. 20-348 herein is a *de novo* appeal of a 3/15/19 to 5/24/19 Summary Judgment Proceeding in VAED Case No. 1:18-cv-346-LO-TCB where Petitioner was the non-moving Plaintiff filing a 5/22/19 belated Disputed Statement of Facts [A339-399, H6-49, L24-54]. Petitioner’s 5/22/19 belated Disputed Statement of Facts was presented as a “FRCP Rule 59 Motion for New Trial; **Altering or Amending a Judgment** // Three Additional Motions on Pages 5-6 and Paragraphs 188 & 189 [A339-399, H6-49]” following what Petitioner argued was **ABUSE OF DISCRETION** by the VAED via a footnote in its 4/24/19 Memorandum Opinion [A32-43 at A42, G1-9 at G8], 4/24/19 Order [A43-44], and 4/25/19 Judgment [A44-45]. This VAED Summary Judgment Proceeding was appealed from 5/24/19 to 2/3/20 in the FOURTH CIRCUIT as Case No. 19-1584 where Petitioner argued there was **CLEAR ERROR** by the VAED because the VAED Judge had reviewed by 5/24/19 VAED Order [A187-189] Petitioner’s 5/22/19 FRCP Rule 59 Motion to *alter or amend* the VAED Judgment containing **ABUSE OF**

DISCRETION. The reviewed 5/22/19 FRCP Rule 59 Motion documented Petitioner's belated Disputed Statement of Facts [**A339-399, H6-49, L24-54**]. Despite the review of Petitioner's 5/22/19 belated Disputed Statement of Facts in the VAED Summary Judgment Proceeding, the VAED Judge had not viewed Petitioner's Disputed Facts drawing any justifiable inferences from those Disputed Facts in the light most favorable to Petitioner which was the accepted legal standard of the FOURTH CIRCUIT and this SCOTUS [**A58-59, 61, 102-103, 157-158**]. Petitioner petitioned the FOURTH CIRCUIT as he now petitions this SCOTUS to grant his VAED 5/22/19 FRCP Rule 59 Motion upon remand to the VAED.

With 9/11/20 Obstruction of Justice by agents of Respondents via fraudulent use of the two SCOTUS Guard Booths behind the SCOTUS Building which Petitioner believes was actually a Virginia State Police Operation conducted on SCOTUS Grounds, Respondents have created the appearance of an unwritten Undisputed Statement of Facts which Petitioner counters with a SCOTUS Disputed Statement of Facts (this Petition for Rehearing) containing "affidavits or other verified evidence" being *an attached 10/27/20 "Affidavit of Gregory Shawn Mercer" and an attached 10/28/20 "Corrected Affidavit of Kashavera S. Williams.*" Respondents' unwritten Undisputed Statement of Facts are: **1)** that Petitioner on 9/11/20 at or about 2:55 pm did not file a 648-Page Appendix with his [Corrected] Petition for Writ of Certiorari but **2)** instead filed Respondents' 12-Page Unauthorized Prejudicial Appendix with his [Corrected] Petition for Writ of Certiorari then **3)**

omitted page two (2) of his associated Certificate of Compliance indicating that Petitioner's 7/14/20 to 9/11/20 correction to his 9/11/20 [Corrected] Petition for Writ of Certiorari brought the Word Count from 13,618 Words to 8,995 Words in accordance with SCOTUS Rule 33.1(g) and 4) that Petitioner failed to serve three copies of his 9/11/20 [Corrected] Petition for Writ of Certiorari on the three Respondents but instead had relied on the fact that Petitioner had previously served on Respondents three copies of his 7/2/20 Petition for Writ of Certiorari without the needed 9/11/20 corrections by mail and private process server on 7/2/20.

While the argument above establishes that the accepted legal standard in this SCOTUS *de novo* appeal of the 3/15/19 to 5/24/19 VAED Summary Judgment Proceeding then the 5/24/19 to 2/3/20 FOURTH CIRCUIT Summary Judgment Proceeding would require this SCOTUS to view all Petitioner's Disputed Statement of Facts concerning events of 9/11/20 herein and any justifiable inferences from those 9/11/20 Disputed Facts in the light most favorable to Petitioner, Petitioner points out further facts and justifiable inferences including the agents of Respondents' greatest errors.

- The Adhesive "Clerk-Stamped" Cover Page of the Certificate of Service for Petitioner's 9/11/20 Petition for Writ of Certiorari on the SCOTUS Website does not having a matching "TB468 RECEIVED SUPREME COURT U.S. POLICE OFFICE 2020 SEP 11 P 2:55" sticker but has a 7/3/20 date because agents for the Respondents

clearly violated the intent of SCOTUS Rule 1.2 by removing an actual "Clerk-Stamped" document from the SCOTUS along with 653 other pages of Petitioner's documents as detailed in Petitioner's 10/27/20 Affidavit;

- Petitioner is of the understanding that four Justices are needed to grant a Petition for Writ of Certiorari but five might be needed to grant a Petition for Rehearing according to SCOTUS Rule 44.1 (not 44.2) so agents of Respondents' Obstruction of Justice/Fraud might be rewarded by this SCOTUS inappropriately.
- **See attached USPS receipts** – Where Petitioner served/delivered Respondents in triplicate his 7/2/20 749-Page (includes cover) double-sided Petition for Writ of Certiorari including its 648-Page double-sided Appendix on or about 7/2/20 then served Respondents in triplicate his 9/11/20 [Corrected] Petition for Writ of Certiorari by 27 double-sided Replacement Pages without major corrections to the 648-Page Appendix (three Pages edited – See Petition for Writ of Certiorari Pages 12-13 not pages xii-xiii) which corrected/eliminated 18 pages from the 7/2/20 Petition for Writ of Certiorari to lower the Word Count from 13,618 Words to 8,995 Words in the 9/11/20 [Corrected] Petition for Writ of Certiorari, the 7/2/20 USPS receipt (13 Lb 10.6 Oz; 13 Lb 10.2 Oz; 3rd Respondent serviced by Private Process Server) compared with the 9/11/20 USPS receipt (1 Lb

4.1 Oz; 1 Lb 2.7 Oz; 1 Lb 4.2 Oz) is indicative of the fact that $3[(648/2) - 12] = 936$ additional pages of a 7/2/20 648-Page double-sided Appendix in triplicate were mailed/delivered to Respondents on 7/2/20 (exact difference was actually 1051 pages) – Petitioner's 9/11/20-filed 648-Page Appendix was much more massive than only 12 pages or only six double-sided pages as agents of the Respondents wish this SCOTUS to believe.

- Where Petitioner has argued that the Virginia Government is a Confederate Police Government (as opposed to a Confederate Army Government) that does not respect the **U.S. Supremacy Clause [A218]** (See Petition for Writ of Certiorari Pages 27-34 not Pages xxvii-xxxiv), Petitioner herein alleges that the Virginia State Police conducted an extrajurisdictional 9/11/20 Police Operation characterized by Obstruction of Justice/Fraud on SCOTUS Grounds in complete disrespect of the Sovereignty of this SCOTUS and consistent with Petitioner's argument in his 9/11/20 Petition for Writ of Certiorari on Pages 27-34.
- That the SCOTUS Guards in their enforcement duties which are hampered by Citizens' Federal Rights would have an affinity for the Virginia State Police or Virginia Government such that the SCOTUS Guards might be expected by Respondents to be helpful where Petitioner

argues in his 9/11/20 Petition for Writ of Certiorari on Page 33 (not xxxiii) that:

“Virginia needs a Constitutional Convention to rewrite the 1971 Constitution of Virginia, Article VI, Sections 1, 2, and 7 at a minimum so that the People elect their own Judges and the Supreme Court of Virginia **ALWAYS** (within reason) enforces Virginia and Federal Rights. The current Virginia Judicial Branch ought to be decapitated for gross incompetence. Likewise, the current Virginia Police Forces ought to be decapitated for incompetence and abuse of the People.”

- That SCOTUS Guards may be trained to handle desperate SCOTUS Litigants then report back to the nine SCOTUS Justices allowing those Justices to gain a fuller knowledge of a case so Justice may be best administered.

Petitioner believes that he should be granted appropriate Punitive Sanctions as determined by this SCOTUS for the Obstruction of Justice/Fraud carried out on SCOTUS Grounds in disrespect of the **U.S. Supremacy Clause [A218]** by agents of Respondents who Petitioner believes were Virginia State Police Officers.

Petitioner has no way to verify if this 12/1/20 Petition for Rehearing does or does not get intercepted by agents of Respondents other than by reading what

is uploaded to the SCOTUS Website. The SCOTUS Website, Case No. 20-348, 7/2/20 "Appendix" has 12 Pages that were inserted into Petitioner's Appendix by agents of Respondents on 9/11/20. These 12 Pages under "Appendix" are not Authorized by Petitioner, should be deleted then replaced with Petitioner's Authorized 648-Page Appendix attached hereto.

Petitioner moves this SCOTUS to upload to the SCOTUS Website this entire Petition for Rehearing with its entire previously adopted and incorporated Appendix which (short of further Obstruction of Justice) includes: **1)** 10/27/20 **6-Page** Affidavit of Gregory Shawn Mercer; **2)** 10/28/20 **1-Page** Corrected Affidavit of Kashavera S. Williams; **3)** **1-Page** of USPS 7/2/20 and 9/11/20 receipts; **4)** 9/11/2020 **83-Page** Petition for Writ of Certiorari; **5)** the missing 9/11/20 **648-Page** Appendix; **6)** 9/11/20 **4-Page** Certificate of Compliance with Page two (2); and **7)** 9/11/20 **7-Page** Certificate of Service with copy of removed "Clerk-Stamped" cover page.

**CERTIFICATION OF PRESENTATION IN
GOOD FAITH AND NOT FOR DELAY**

I certify that this Petition for Rehearing is limited to intervening circumstances of a substantial or controlling effect, is limited to other substantial grounds not previously presented, is presented in Good Faith, and is not presented for delay.

On the 1st day of December, 2020

Gregory S. Mercer
GREGORY S. MERCER, *pro se*

28 U.S.C. §1746 DECLARATION / SIGNED

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Respectfully Submitted,
On the 1st day of December, 2020

Gregory S. Mercer
GREGORY S. MERCER, *pro se*
3114 Borge Street
Oakton, Virginia 22124
202-431-9401

AFFIDAVIT OF GREGORY SHAWN MERCER
***Pro se* Petitioner for SCOTUS Case No. 20-348,**
Gregory S. Mercer vs. Eliezel A. Vega, et al.

I Gregory Shawn Mercer, am documenting facts related to my personal 9/11/2020 filing of my 731-Page Petition for Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit at the Supreme Court of the United States' Southern Guard Booth nearest to East Capitol Street & 2nd Street, NE, Washington, DC. While I have filed many SCOTUS documents over the years including after SCOTUS documents needed to be filed outside at the Supreme Court of the United States' Northern Guard Booth nearest to A Street & 2nd Street, NE, Washington, DC, due to fear of anthrax on Court Filings, I have never filed before 9/11/2020 any SCOTUS documents at the Supreme Court's Southern Guard Booth nearest East Capitol Street & 2nd Street, NE, Washington, DC. I now believe this anomaly on 9/11/2020 at or about 2:55 pm was part of a bold and carefully designed fraud against me which I explain below.

The Fourth Circuit denied my 12/12/2019 Informal Petition for Rehearing on 2/3/2020 setting a 90-day deadline according to SCOTUS Rule 13.1 or until 5/3/2020 to file my Petition for Writ of Certiorari in the SCOTUS. By the 3/19/2020 SCOTUS Order due to COVID-19, this deadline was extended to 7/2/2020. I concentrated on writing my 648-Page Appendix first then finished up with my 9,000-word Facts and Argument Sections last. On 6/28/2020, I realized I was running over the 9,000-word limit for my Facts and Argument Sections so I wrote an Application with the Fourth Circuit's assigned Circuit Justice (Chief Justice John G. Roberts, Jr.) to extend the 9,000-word limit which I filed at the Supreme Court's Northern Guard Booth on 2nd Street, NE. By SCOTUS Rule 33.1(d), this Application to Extend the Word Limit was required to be filed 15 days before 7/2/2020 or by 6/17/2020 which was no longer possible on 6/28/2020. I ultimately filed at the Supreme Court's Northern Guard Booth on 2nd Street, NE, a 749-Page Petition

for Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit in the SCOTUS on 7/2/2020 which had 13,618 words in the Facts and Argument Sections.

Between 7/2/2020 and 7/13/2020, either SCOTUS Chief Justice Roberts or a SCOTUS Clerk working for Chief Justice Roberts became aware of my 648-Page Appendix, reviewed my 13,618-word Facts and Argument Sections, then denied my 6/28/2020 Application to Chief Justice Roberts (the Fourth Circuit's Circuit Justice). By 7/14/2020 Letter from the SCOTUS Clerk Scott S. Harris, I was asked to rewrite the Facts and Argument Section to comply with the 9,000-word limit according to SCOTUS Rule 33.1(g) and given 60 days to make this correction to my 7/2/2020 Petition for Writ of Certiorari or on or before 9/12/2020.

On or about 7/28/2020, I became employed for the first time since being Falsely Convicted on 3/27/2007 of Assaulting Virginia State Police Trooper Kenneth S. Houtz on 6/9/2006 (See 9/11/2020 Appendix Pages A344, A348, & A352 at Paragraphs 23, 37, 53, & 54). I was hired by the 2020 Census and worked until counting Fairfax County, Virginia residents was completed then I was transferred by the 2020 Census to count residents in Philadelphia, Pennsylvania until 10/5/2020. I served my Corrected Petition for Writ of Certiorari by Replacement Pages to my 7/2/2020 Petition for Writ of Certiorari on my three Respondents on 9/10/2020 and prepared to re-file a complete Corrected Petition for Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit at the Supreme Court's Northern Guard Booth on 9/11/2020.

After making copies at FedEx Office in Fairfax, Virginia creating duplicate copies of my 731-Page Corrected Petition for Writ of Certiorari with duplicate copies of Compliance/Service Certificates, I drove to 7008 Little River Turnpike in Annandale, Virginia to pick-up Kashavera S. Williams from her place of employment just after 2:00 pm on 9/11/2020. I then drove with Kashavera S. Williams to the Supreme Court's Northern Guard Booth nearest to A Street & 2nd Street, NE, Washington, DC to file 742 Pages of SCOTUS documents which quantity was a subject of discussion between us. The 742 Pages with

duplicates for myself filled an entire FedEx Office Box and included: 1) my 731-Page (including cover) Corrected Petition for Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit; 2) my 4-Page (including cover) Certificate of Compliance for Petition for Writ of Certiorari (8,995 words); and 3) my 7-Page (including cover) Certificate of Service for Petition for Writ of Certiorari (attaching my previous 7/2/2020 or 6/32/2020 Certificate of Service and my previous 7/3/2020 or 6/33/2020 Amended Certificate of Service). This latter 7-Page Certificate of Service together with Affidavit of Kashavera S. Williams is critical evidence of the **FRAUD against me** at the SCOTUS about to occur as described below.

I drove with Kashavera S. Williams and parked at or about A Street & 2nd Street, NE, Washington, DC facing North near the Supreme Court's Northern Guard Booth. I took my FedEx Office Box full of SCOTUS documents to be filed to the Supreme Court's Northern Guard Booth where the Guard instructed me to proceed to the Supreme Court's Southern Guard Booth nearest to East Capitol Street & 2nd Street, NE, Washington, DC to file my SCOTUS documents. I returned to my car with my SCOTUS documents, explained to Kashavera S. Williams that I needed to file my SCOTUS documents at the Supreme Court Guard Booth behind us on 2nd Street, I did a U-turn further North on 2nd Street, I did a three-point turn further South on 2nd Street, and then I re-parked facing North on 2nd Street, NE near Supreme Court's Southern Guard Booth closer to East Capitol Street. I walked to the Supreme Court's Southern Guard Booth and thereat filed my SCOTUS documents beginning with producing my Virginia Driver's License as ID to one of the Guards (there were at least three or four Guards), placing six Adhesive Court Clerk Stickers with "**2020 SEP 11 P 2:55**" and hand-written "**TB468**" on them upon the SCOTUS copies and my copies of the three SCOTUS documents to be filed, added to the FedEx Box a piece of cardboard with the \$300 Court Fee and a FedEx Thumb Drive containing electronic copies of my Petition with Appendix taped to the cardboard, and placed my FedEx Box with only the SCOTUS copies of the three documents along with \$300 check and FedEx Thumb Drive into a clear plastic bag supplied by the Guard,

gave my bagged FedEx Box to the Guard, and returned to my car where Kashavera S. Williams was waiting for me.

I drove to Philadelphia later that night exhausted pulling over to sleep on the way at or about 11:00 pm near Maryland's Northern Border on I-95. I remained in Philadelphia almost exclusively until 10/5/2020. I did receive SCOTUS Clerk Scott S. Harris' 9/15/2020 Letter identifying Gregory S. Mercer v. E.A. Vega, et al. as SCOTUS Case No. "**20-348**" which letter also returned my FedEx Thumb Drive and I then served copies of this 9/15/2020 SCOTUS Clerk Letter on my three Respondents on 9/21/2020 notifying them that Mercer V. Vega, et al. had been placed on the SCOTUS Docket (this service included a Potential Respondent Waiver Form to each Respondent). On or about 10/6/2020, I learned two Respondents had waived their Response. The third Respondent neither waived a Response nor Responded by his 10/15/2020 deadline.

On or about 10/22/2020, I discovered files I did not recognize on my FedEx Thumb Drive which spontaneously copied themselves onto my computer with virus-like behavior and this Thumb Drive was missing files I had previously loaded onto it on 9/11/2020. The SCOTUS Website: **1)** did not contain my 648-Page Appendix with my complete Disputed Statement of Facts from the 2019 VAED Summary Judgment Proceeding on Appeal but had instead a 12-Page Prejudicial Replacement Appendix which: **2)** had for 4/24/2019 VAED Memorandum Opinion blank pages as pages 8 & 9 omitting a FOOTNOTE central to my **ABUSE OF DISCRETION** Argument against the VAED; **3)** excluded the 5/24/2019 VAED Order (VAED Document #40) central to my **CLEAR ERROR** Argument against the VAED; **4)** omitted page 2 of my Certificate of Compliance indicating that my 9/11/2020 Petition was **8,995 words** for the Facts and Argument Section (Compliant with SCOTUS Rule 33.1(g)); and **5)** omitted the first 5 pages of my 9/11/2020 Certificate of Service leaving only my previous 7/3/2020 or 6/33/2020 Amended Certificate of Service.

The fact that my 9/11/2020 Certificate of Service was not on the SCOTUS Website necessarily involves a Guard or SCOTUS

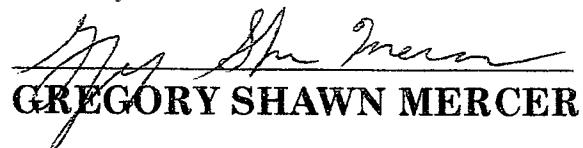
Clerk other than myself to either remove my 7-Page 9/11/2020 Certificate of Service from the SCOTUS entirely or fail to upload this 9/11/2020 Certificate of Service to the SCOTUS Website in order to portray me as being negligent. However, I have an Adhesive Court Clerk Stamped copy of this 9/11/2020 Certificate of Service with “**2020 SEP 11 P 2:55**” and hand-written “**TB468**” on the Adhesive Court Clerk Stamp. This is solid proof that a **FRAUD against me** involving the two Supreme Court Guard Booths on 2nd Street, NE, Washington, DC was designed to intercept my SCOTUS documents before they were filed **WITH THE SCOTUS CLERK** and then: **1)** Remove my 648-Page Appendix with my complete Disputed Statement of Facts from the 2019 VAED Summary Judgment Proceeding on Appeal; **2)** Substitute a 12-Page Prejudicial Appendix for my 638-Page Appendix; **3)** Remove Page 2 of my Certificate of Compliance about the **8.995-word** Fact and Argument Section; **4)** Remove the first 5 pages of my 9/11/2020 Certificate of Service; and **5)** Reconfigure my FedEx Thumb Drive with a virus.

The Remedy here is not to allow Fraud to Prevail obstructing fair and impartial Justice but to give me as the Petitioner leave to refile my three SCOTUS documents with 28 U.S.C. §1746 Declaration that the Re-filings are exact duplicates of what was served to Respondents on 9/10/2020 then filed at the Supreme Court’s Southern Guard Booth on 9/11/2020 where parties sympathetic to the Opposition waited masquerading as SCOTUS Guards. Petitioner believes significant Sanctions are due him including refusal to allow Respondents to now file Responses after previously waiving those Responses plus financial Sanctions against Respondents paid to Petitioner. Petitioner’s Conference by the now 9-Justice Court should be postponed until Mercer vs. Vega, et al., Case No. **20-348** has had a fair and impartial review by the SCOTUS Clerk Pool and all Justices of this Court.

Attached is a copy of my 7-Page 9/11/2020 Adhesive Court Clerk Stamped Certificate of Service (contains “**2020 SEP 11 P 2:55**” and hand-written “**TB468**”) that proves the **FRAUD against me** on 9/11/2020 justifying re-filing my: **1)** 9/11/2020 731-Page Petition for

Writ of Certiorari to the Court of Appeals for the Fourth Circuit; 2) 9/11/2020 4-Page Certificate of Compliance for Petition for Writ of Certiorari; and 3) 9/11/2020 7-Page Certificate of Service for Petition for Writ of Certiorari.

I would welcome the opportunity to produce my 7-Page 9/11/2020 Adhesive Court Clerk Stamped Certificate of Service to **SCOTUS Clerk Jeff Atkins** for inspection. It verifies the occurrence of the fraud against me described above. It would not surprise me that the SCOTUS knows what happened on 9/11/2020 and is waiting to figure out what I want to do about the situation. It is my solemn prayer at least. I am moving this SCOTUS to allow me to re-file my three 9/11/2020 documents as they were filed on 9/11/2020 through **SCOTUS Clerk Jeff Atkins** who I know and believe trustworthy. I am asking the 11/6/2020 SCOTUS Conference be for this purpose and a latter SCOTUS Conference decide the merits of my Petition for Writ of Certiorari after a fair and impartial review by the SCOTUS Clerk Pool.



GREGORY SHAWN MERCER

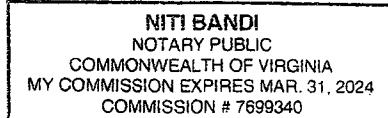
**VIRGINIA
COUNTY / CITY OF FAIRFAX**

Before me Affiant Gregory Shawn Mercer swears and affirms under penalty of perjury in accordance with Federal and Virginia Law upon personal knowledge and belief that the foregoing "Affidavit of Gregory Shawn Mercer, *Pro se* Petitioner for SCOTUS Case No. 20-348, Gregory S. Mercer vs. Eliezel A. Vega, et al." is true and correct occurring as stated above. Sworn this 27th day of October, 2020.



NOTARY

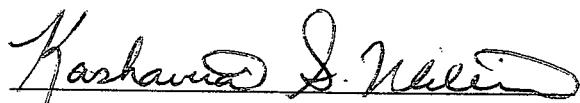
My Commission Expires: 02/21/2024



CORRECTED AFFIDAVIT OF KASHAVERA S. WILLIAMS

On the afternoon of September 11th, 2020, my boyfriend Gregory S. Mercer picked me up from my former job at the Fairfax County Methadone Treatment Center located at 7008 Little River Turnpike in Annandale, Virginia a little after 2:00 pm. We then drove downtown to the back of the Supreme Court of the United States building where there is a guard house at 2nd and A Streets, NE. Mr. Mercer tried twice that day to file a petition that had 700 plus pages in the Supreme Court. After exiting the vehicle with his petition for the first attempt, Mr. Mercer returned to the vehicle with his petition unfiled.

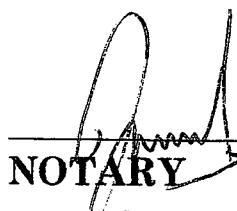
When I inquired about what had happened, Mr. Mercer told me he had been informed by the guard at the first guard house that Court documents were currently not accepted there. He had to go to the next guard house closer to East Capitol Street, NE to file. Mr. Mercer drove us down 2nd Street, NE, to where he was able to successfully file his petition on the second try. I remained in the vehicle at both locations.



KASHAVERA S. WILLIAMS

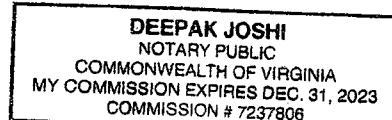
VIRGINIA COUNTY / CITY OF FAIRFAX

Before me Affiant Kashavera S. Williams swears and affirms under penalty of perjury in accordance with Federal and Virginia Law upon personal knowledge and belief that the foregoing "Corrected Affidavit of Kashavera S. Williams" is true and correct occurring as stated above. Sworn this 28th day of October, 2020.



NOTARY

My Commission Expires: *Dec. 31, 2023*



NORVIEW
1112 GREEN ST
NORFOLK, VA 23513-9998
516521-0582
(800)275-8777

07/02/2020 12:49 PM

Product	Qty	Unit	Price
		Price	
PM 2-Day	1	\$18.30	\$18.30
Domestic			
RICHMOND, VA 23219			
Weight:13 Lb 10.6 Oz			
Expected Delivery Day			
Wednesday 07/08/2020			
USPS Tracking #			
9505 5152 1862 0184 2770 68			
Insurance			\$0.00
Up to \$50.00 included			
PM 2-Day	1	\$18.30	\$18.30
Domestic			
RICHMOND, VA 23219			
Weight:13 Lb 10.2 Oz			
Expected Delivery Day			
Wednesday 07/08/2020			
USPS Tracking #			
9505 5152 1862 0184 2770 75			
Insurance			\$0.00
Up to \$50.00 included			
Total:			\$36.60

Credit Card Remitd	\$36.60
Card Name:MasterCard	
Account #:XXXXXXXXXXXX6763	
Approval #:01548S	
Transaction #:114	
AID:A0000000041010	Chip
AL:MasterCard	
PIN:Not Required	

Due to limited transportation availability as a result of nationwide COVID-19 impacts package delivery times may be extended. Priority Mail Express® service will not change.

Includes up to \$50 insurance

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit www.usps.com USPS Tracking or call 1-800-222-1811.

Save this receipt as evidence of insurance. For information on filing an insurance claim go to <https://www.usps.com/help/claims.htm>

Preview your Mail
Track your Packages
Sign up for FREE @
www.informeddelivery.com

All sales final on stamps and postage.
Refunds for guaranteed services only.



OAKTON
10449 WHITE GRANITE DR
OAKTON, VA 22124-9998
(800)275-8777

09/11/2020 12:05 AM

Product	Qty	Unit	Price
PM 2-Day	1		\$8.25
Richmond, VA 23219			
Weight:1 lb 4.10 oz			
Expected Delivery Day			
Mon 09/14/2020			
USPS Tracking #			
9502 6066 9791 0254 2509 01			
Certified			\$3.55
Total			\$11.80
PM 2-Day	1		\$8.25
Norfolk, VA 23510			
Weight:1 lb 2.70 oz			
Expected Delivery Day			
Mon 09/14/2020			
USPS Tracking #			
9502 6066 9791 0255 2509 24			
Certified			\$3.55
Total			\$11.80
PM 2-Day	1		\$8.25
Richmond, VA 23219			
Weight:1 lb 4.20 oz			
Expected Delivery Day			
Mon 09/14/2020			
USPS Tracking #			
9502 6066 9791 0255 2509 48			
Insurance			\$0.00
Up to \$50.00 included			
Certified			\$3.55
Total			\$11.80
Grand Total:			\$35.40

MasterCard	\$35.40
Account #:XXXXXXXXXXXX6763	
Approval #:07683S	
Transaction #:856	
Receipt #:000858	
AID:A0000000041010	Chip
AL:MasterCard	
PIN:Not Required	

Due to limited transportation availability as a result of nationwide COVID-19 impacts package delivery times may be extended. Priority Mail Express® service will not change.

Includes up to \$50 insurance

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit www.usps.com USPS Tracking or call 1-800-222-1811.

Save this receipt as evidence of insurance. For information on filing an insurance claim go to

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