

IN THE UNITED STATES SUPREME COURT

QUORDALIS V. SANDERS

PETITIONER,

v.

BRIAN FOSTER, WARDEN,

RESPONDENT.

WRIT NO. 20-5974

CASE NO. 18-CV-628 NJ

APP. NO. 19-1581, 7th Cir

PETITION FOR REHEARING

Petitioner, Quordalis Sanders, Pro Se, hereby Petition the U.S. Supreme Court, Pursuant to Rule 44.1, 2, S.Ct. Rules, for Rehearing upon the Court's final order entered therein, on December 14, 2020, in the above noted captioned entitled matter, case, and appeal on certiorari review, therein.

Whereas - in the Court, therein, improperly denied the Petitioner leave to have proceeded in forma pauperis with this matter and dismissed the certiorari Petition, in contravention to Rule 39.8, S.Ct. Rules, therein, citing Bryan v. Johnson, 821 F.2d 455, 457 (7th Cir. 1987) (a complaint is deemed filed upon the resolution of filing fee; A district judge should deny leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915 if an action is frivolous or malicious, but if the motion is granted and the complaint filed, the case cannot be dismissed until a summons has been issued) (quoting Fed. R. Civ. P. Rule 4(a))

Whereas the Court, herein, upon the Petitioner having filed the certiorari Petition, therein, filed docket the Petition and served the Waiver or Notice of Appearance Form on the Petitioner for service upon the Respondent (See Court's Initial order Filing and Service of Waiver / or Notice of Appearance Form, herein).

Whereby on November 13, 2020, the attorney(s) for Respondent, herein, returned the Waiver form back to the Court, notifying the Court that such counsel(s) waived its right to file a Response to the Petition, in contravention to Rule 15.2, S.Ct. Rules (See Respondent(s) Return of Waiver, herein).

Whereas Rule 16.2, S.Ct. Rules, therein, also provides, in relevant parts: "Whenever the Court grants a Petition a writ of certiorari, the clerk will prepare, sign and enter an order to that effect..." (See Rule 16.1, 2, S.Ct. Rules, therein)).

Moreover, Sub. (1), provides "After considering the documents distributed under Rule 15, the Court will enter an appropriate order... The order may be a summary disposition on the merits..." (See

Rule 16.1, S.Ct Rules, therein))

Whereas this Court's decision and order does not comport with any of the provisions of Rules 16.1, 2, or Rule 39.8, S.Ct Rules where as the Petitioner stated earlier, herein, where the Court had initially filed the Petition, therein, and ~~2~~, the Petitioner had made service of process upon the Respondent (s), Pursuant to Rule 15.3, S.Ct Rules, therein, and also although Rule 16.1, S.Ct Rules, provides for summary dismissal on the merits, the Court's decision and order, herein, does not address any of the issues that the Petitioner raise, therein, consistent with the substantive rights of the moving party, as ~~2~~, the Petitioner, herein, in contrary to Federal laws established by U.S. Supreme Court in Johnson v. Avery, 393 U.S. 483, 485 (1969) (Prisoners right to access of courts may not be denied or obstructed)).

Moreover, the Court, herein, also improperly noted within its order that "Petitioner has repeatedly abused this Court's process, and that the is directed not to accept any further Petitions in noncriminal matters from the Petitioner unless filing fees are prepaid..." (See Court's order in contention)).

However, it seem like the Court has forgotten that it was the State of Wisconsin, who subjected ~~1~~, the Petitioner to criminal prosecution in these matters, as referred to by the Court that the Petitioner has "Repeatedly" abused this Court process, or that this Court is incompetent to practice law, therein, but however, the situation may be or the Court's problems may be with me, or ~~1~~, the Petitioner, or people like ~~1~~, the Petitioner, herein, ~~1~~, the Petitioner have constitutional rights upon being accused of a crime in this country and its the State of Wisconsin, who chose to arrest ~~1~~, the Petitioner without sufficient probable cause and evidence to prove ~~1~~, the Petitioner guilty beyond a reasonable doubt, Pursuant to In Re Winship, 367 U.S. 362, 364 (1970)).

WHEREFORE, Petitioner requests that this Petition for Rehearing be granted and the certiorari Petition also be granted.

Dated this 28th day of December, 2020

Quondalis Souders
Quondalis v. Souders
Pro & Petitioner