

NO. 20-6440

IN THE  
SUPREME COURT OF THE UNITED STATES

BENJAMIN K. TOSCANO -- PETITIONER

VS

NANCY ADAM, et al. -- RESPONDENT(S)

"ON PETITION FOR REHEARING TO THE  
SUPREME COURT OF THE UNITED STATES"

PETITION FOR REHEARING

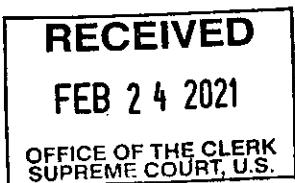
BENJAMIN K. TOSCANO #H57647

P.B.S.P. / B1-123

P.O. BOX 7500

CRESCENT CITY, CA. 95531

1.



PETITIONER FILES THIS PETITION FOR REHEARING IN HOPES THAT THIS COURT WILL EXERCISE IT'S SUPERVISORY POWERS TO ADDRESS THE FOLLOWING ISSUES:

1. TITLE 15 §3084.1(b) IS IN DIRECT CONFLICT WITH FEDERAL LAWS, CASES, STATUTES, RULES OF EVIDENCE, DISCOVERIES & PROCEDURES.
2. PETITIONER'S LUMBAR SPINE (L4-DISC) INJURY IS AN GENUINE ISSUE PER PHYSICAL INJURY REQUIREMENT 42 U.S.C. §1997e(e) AND F.R.C.P. 56.
3. PETITIONER'S 1st AMENDMENT CLAIM WAS OVERLOOKED BY THE LOWER COURTS.

DATED. 2-15-21

/s/ *TDSCW*

NO. 20-6440

IN THE  
SUPREME COURT OF THE UNITED STATES

BENJAMIN K. TOSCANO - PETITIONER

VS

NANCY ADAM, et al., - RESPONDENT(S)

"ON PETITION FOR CERTIFICATION TO THE  
SUPREME COURT OF THE UNITED STATES"

PETITION FOR CERTIFICATION

BENJAMIN K. TOSCANO #H57647

P.B.S.P. / B1-123

P.O. BOX 7500

CRESCENT CITY, CA. 95531

TO THE HONORABLE JUSTICES OF THIS COURT

PETITIONER HEREBY CERTIFY'S THAT THE PETITION FOR REHEARING  
IS PRESENTED IN GOOD FAITH & NOT FOR DELAY  
THE ISSUES ARE:

1. TITLE 15 §3084.1(b) IS IN DIRECT CONFLICT WITH FEDERAL LAWS,  
CASES, STATUTES, RULES OF EVIDENCE, DISCOVERIES & PROCEDURES.
2. PETITIONER'S LUMBAR SPINE (L4-DISC) INJURY IS AN GENUINE  
ISSUE PER PHYSICAL INJURY REQUIREMENT 42 U.S.C. §1997e(e)  
AND F.R.C.P. 56.
3. PETITIONER'S 1st AMENDMENT CLAIM WAS OVERLOOKED BY THE LOWER  
COURTS.

DATED. 2-15-21

/s/ *T. J. Scavo*

NO. 20-6440

IN THE  
SUPREME COURT OF THE UNITED STATES

BENJAMIN K. TOSCANO - PETITIONER

VS

NANCY ADAM, et al., - RESPONDENT(S)

"ON PETITION FOR CERTIFY COUNSEL TO  
SUPREME COURT OF THE UNITED STATES"

PETITION TO CERTIFY COUNSEL

BENJAMIN K. TOSCANO #H57647

P.B.S.P. / B1-123

P.O. BOX 7500

CRESCENT CITY, GA. 95531

PETITIONER HEREBY CERTIFY THAT HE ACTS AS HIS OWN COUNSEL  
IN THIS MATTER AND RRESENTED IN GOOD FAITH & NOT FOR DELAY.

THE ISSUES ARE:

1. TITLE 15 §3084.1(b) IS IN DIRECT CONFLICT WITH FEDERAL LAWS, CASES, STATUTES, RULES OF EVIDENCE, DISCOVERIES & PROCEDURES.
2. PETITIONER'S LUMBAR SPINE (L4-DISC) INJURY IS AN GENUINE ISSUE PER PHYSICAL INJURY REQUIREMENT 42 U.S.C. §1997e(e) AND F.R.C.P. 56.
3. PETITIONER'S 1st AMENDMENT CLAIM WAS OVERLOOKED BY THE LOWER COURTS.

DATED. 2-15-21

/s/ *Tsccm*

# PROOF OF SERVICE BY MAIL

BY PERSON IN STATE CUSTODY  
(Fed. R. Civ. Proc. 5; 28 U.S.C. § 1746)

I, BENJAMIN TOSCANO, declare: I am over eighteen (18) years of age and am a party to this action. I am a resident of Pelican Bay State Prison, in the County of Del Norte, State of California. My State Prison address is: Pelican Bay State Prison, P.O. Box 7500, Housing Unit B1 Cell Number 123, Crescent City, CA, 95532-7500.

On the 15th day of FEBRUARY 2021, I served the following document(s):

1. PETITION FOR REHEARING,
2. PETITION FOR CERTIFICATION
3. PETITION TO CERTIFY COUNSEL.

On the parties herein by placing true and correct copies thereof, enclosed in a sealed envelope, with postage thereon fully paid, in the United States Mail in a receptacle so provided at Pelican Bay State Prison, Crescent City, CA, 95532, and addressed as follows:

1. OFFICE OF THE CLERK  
SUPREME COURT OF THE UNITED STATES  
WASHINGTON, DC. 20543-0001

AMY W. LO  
2. DEPUTY ATTORNEY GENERAL  
455 GOLDEN GATE AVE., STE#11000  
SAN FRANCISCO, CA. 94102

I declare under penalty of perjury that the foregoing is true and correct.

Toscano  
Inmate Signature

2/15/21  
Date