

IN THE  
SUPREME COURT  
OF THE  
UNITED STATES OF AMERICA

No. 20-8301

Daniel J. Heffley v. Kimberly Steele et al.  
*Petitioner* *Respondents*

**Petition for Panel Rehearing and Rehearing *En Banc***

Under the heading of "Statement of the Case," in the original petition for writ of certiorari dated March 17, 2021, the petitioner establishes that he is unable to read, write or execute documents unless assisted by his facilitator. This is a laborious task, but it is what we are doing here.

Therefore;

*The petitioner expresses a belief, based on reason, common sense, and fairness that the Panel did not give appropriate consideration to the fact that the Petitioner requested accommodations and those requests were ignored.*

The Petition for Certiorari asked two relatively simple and easily defined questions to wit:

1. Does the Federal Court have an obligation to follow the spirit and letter of the ADA and 504 of the Rehabilitation Act?
2. Does the failure of the lower courts, to accommodate the disabled Petitioner, rise to the level of deliberate indifference and discriminatory intent.

These questions were distributed for Conference of 9/27/21 and a denial was issued on October 4, 2021.

**Substantive Law**

The petitioner's rights, as defined by the various constitutional amendments, were summarily destroyed in family court.

No consideration was given to the fact that the Petitioner is disabled.

Supreme Court, U.S.  
FILED  
OCT 16 2021  
OFFICE OF THE CLERK

RECEIVED  
NOV - 3 2021  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

ORIGINAL

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The indifference to the Petitioners disability was placed on steroids once the Petitioner sought redress in the Federal Court Paradigm.

### Procedures

It is essential that the system manages its affairs by adhering to a published set of procedures. The court is empowered to do this by the peoples elected representatives in congress.

In this instance, the adherence to those protocols have abridged the fundamental purpose of the court.

The court has done so by invalidating the ADA and 504. The petitioner requested accommodations in the form of a law clerk or law school student to provide interpretations of the language in which the rules are written.

### Question

Is it appropriate for this court, or any other, to grade the disabled Petitioners submissions against the backdrop of the specialized criteria established by the various federal rules?

Follows is a re-submission of a Supplemental Brief submitted to this court on August 15, 2021.

The Petitioners facilitator has just now recognized that the following documents were not docked and therefore not read. We humbly beg this court to read this submission.

There are literally hundreds of thousand handicap persons out here. Most are indigent and those who wish to seek redress for an injustice simply have to eat it. This court has an opportunity to begin to remedy this circumstance.

Respectfully submitted,



Daniel J. Heffley  
Petitioner

October 16, 2021

IN THE  
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OF THE  
**UNITED STATES OF AMERICA**

**Daniel J. Heffley v. Kimberly Steele et al.**  
*Petitioner* *Respondents*

MOTION FOR LEAVE TO FILE A SUPPLEMENTAL BRIEF IN SUPPORT OF THE  
GRANTING OF CERTIORARI

The petition for a Writ of Certiorari was filed on March 17, 2021 and placed on the docket June 14, 2021 as 20-8301.

The Petitioner, through and with his Facilitator James P. Heffley, Jr., respectfully request this court to allow this submission of clarifications and subordinate material in support of the Writ of Certiorari.

Respectfully submitted,

Daniel J. Heffley  
Petitioner

August 15, 2021

**Attached to Petition**

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### SUPPLEMENTAL BRIEF FOR PETITIONER

IS TABRON APPLICABLE TO THIS CASE? NO.

Broadly asserted this Petitioner has stated that the lower courts "... *failed to give any consideration whatsoever to the National Rehabilitation Act and its prodigy the Americans with Disability Act.*"

Absent the consideration of the Petitioners disability the district court has:

1. Wrongly transformed a request for a clerk or law school student to a request for a *pro bono* attorney.

~ and then ~

2. Denied the fabricated request, citing Tabron

A simple and achievable accommodation to a **disabled litigant** became a baseless academic exercise in denial.

WHERE THE ADA AND § 504 CLAIMS UNTIMELY? NO.

- At issue is "... *what a reasonable person should have known.*"
- The terms "reasonable" is subjective and ambiguous.
- What is neither subjective nor ambiguous is the fact that the litigant is disabled, and the lower courts were fully aware of his limitations.

Given the Petitioner's cognitive challenges, is it reasonable for the lower courts to apply a cite without first formally defining the applicability and reasonableness of that citation?

## CONSIDERATIONS

The following are the considerations here:

1. Exhibit A -Constitutional considerations

2. Exhibit B -*Pro se* considerations

- The exhibit doesn't seem to be a citation defining how the court should accommodate a disabled litigant.

3. Exhibit C -The ADA - considerations

- Should and could have guided the court with regard to the disabled litigant.

These three offerings represent the premise from which the Petitioner attempted to communicate with the court. The lower courts gave them no consideration whatsoever.

These three exhibits are gleanings from the internet.



Daniel J. Heffley  
Petitioner

August 15, 2021

Exhibits Attached

Attached to Petition