

No: 20-8397

In The
SUPREME COURT OF THE UNITED STATES

Mr. Louis A Banks, parent of D.B a minor,

Petitioners, et, al

vs.

District of Columbia et, al

Respondent(s)

On Petition for a Writ of Certiorari to the United States Court of Appeals
For The Federal Circuit

PETITION FOR REHEARING

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Unrepresented By Counsel

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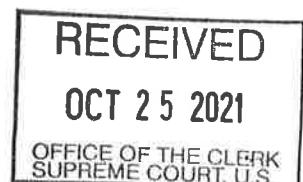


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Pursuant to Rule 44, questions the constitutionality of an Act of Congress, Louis A Banks et al respectfully petitions for rehearing of the Court's Oct,4,2021 order denying certiorari in this case

GROUNDS FOR REHEARING

Petitioner Louis A Banks, parent of DB is pursuant to state law, federal law, has been deprive of our Civil Right standard (Title IX the Education Amendments of 1972) 20 U.S.C. §§ 1681–1688, because of our Sex Black Males, Sex Orientation/Gender Heterosexuality Straight Males, Title IX Civil Law is not just for Woman, LGBTQ or Whites. Title IX Education Amendments of 1972) 20 U.S.C. §§ 1681–1688, is universal principal law “Law is the Law.” Petitioner filed this case arguing among other things, that this compulsory Res judicata violates there “Freedom of Expression Petition clause Right to Sue of the Firs Amendments to the Bill of Rights United State constitution. <https://lawreview.law.ucdavis.edu/>” Freedom of Expression Petition clause Right to Sue United State constitution claims are subject to exacting scrutiny, which requires that state, federal to demonstrate that cannot accomplish its compelling public interests by significantly less intrusive means. The Constitutional Status of Tort Law: Due Process and the Right to a Law for the Redress of Wrongs, 115 YALE L.J. 524, 529 (2005). Therefore, mandatory res judicata is unconstitutional. <https://digitalcommons.law.yale.edu/>

BACKGROUND

Petitioner Louis A Banks and parents of DB a minor was unfair treated because of Sex Black Males, Sex Orientation/Gender Heterosexuality Straight, and Race that shows bias, prejudice, harassment, institutional racism as known as systemic racism by public schools, municipality state actor, LGBTQ, Law Enforcement , Teacher, ,Administrator, social, political institutions, courts, health care, housing, education, media, among others with White Supremacy, by enforcing a mandatory arbitration provision that violated Petitioner Louis A Banks and Parents of DB a minor First Amendment, Fourth Amendment, Due Process Clauses, Fifth Amendment , Fourteenth , Procedural due process and Substantive Due Process Therefore mandatory unconstitutional.

ARGUMENT

I. This Petition and Emmett Till Antilynching Act, and George Floyd Justice in Policing Act Petition show that whether, *Harlow v Fitzgerald*, 457 U.S 800 (1992), Bockweg, 333 N.C. at 491, 428 S.E.2d at 161), should be overruled is important question nationwide.

After this Petition was filed, two other Petition raising substantially the same issue as this Petition's first Question Presented was filed Emmett Till Antilynching Act (H.R. 35) 116 Congress and George Floyd Justice in Policing Act of 2020 H.R.7120. Both Petition, like this one asks the Court to overrule *Harlow v Fitzgerald*, 457 U.S 800 (1992), Bockweg, 333 N.C. at 491, 428 S.E.2d at 161), and to hold the precedent clause First Amendment forbids compulsory District of Columbia et, al. The filing of that Petition demonstrates the exceptional nationwide importance of the question presented here.

District of Columbia et al, State, local educational agency, Teacher, State Actor, Officers, EMS, law enforcement, falsifying records that violated Title IV Sec 4001. General Provision (20 U.S.C 7101), interviewing, interrogated, unreasonable searches False Imprisonment a 6-year-old minor (heterosexuality Straight) black male, violation of *Edwards v. Arizona*. This is a lynching and continue to put the Petitioners in a false light. Therefore, mandatory unconstitutional, *Safford Unified School District v Redding*, 557 U.S. 364.

In other words, there unlawful acts consist of an abuse with misuse of power which is possessed by the official because he/she is an official. *United States v. Classic*, 313 U.S. 299 (1941). Petition Louis A Banks, parent DB minor are still being victimized.

Black students accounted for 15.5 percent of all public-school students, but represented about 39 percent of students suspended from school—an overrepresentation of about 23 percentage points www.gao.gov/products/gao-18-258

Black Americans make up 13% of the population “but are killed by police at more than twice the rate of white Americans www.usatoday.com/story/news/factcheck/2020/06/23/fact-check-how-many-unarmed-black-men

II Suits 1-17 Alleges New Facts, With Worsening Of The Earlier Conditions.

Petitioners Louis A Banks, parent of D.B minor Case # 1 though Case # 17 current grievances complaints raises new facts that do arise out of the same transaction or occurrence res judicata does not bar a suit, even if it involves the same course of wrongful conduct as alleged earlier, Lawlor v National Screen Service Corp. Here, district court mistakenly view Petitioners Louis A Banks Parent of a DB minor earlier dismissal for lack of standing which the, District Court was not on the merits as analogous to dismissal of Case # 1, Louis A Banks Parent of DB a minor v Inspired Teaching School, Case 2, Case 3, Case ,4, Petitioners Louis A Banks et al did appeal there cases in other words, has case # 1 the Petitioners could have chosen not appeal and the court could have allowed case #2, though Case # 17 to procced , consistent with rule that dismissals for lack of standing are not dismissals on the merits regardless of any appeal. See Media Tech. Licensing LLC v. Upper Deck Co, 334, F.3d 1366, 1370(Fed. Cir. 2003) (reversing application of res judicata where first suite was dismissed for lack of standing and not appealed) Also that District of Columbia et al are taking kids DNA from COVID test in schools and sending it to law enforcement for forensics. Therefore, mandatory unconstitutional

This Court, in denying certiorari in eligibility cases since the Bolling v. Sharpe, 347 U.S. 497 (1954), so far has declined to address inconsistent standard applied by the Federal Circuit and trial courts regarding what constitutes an abstract idea under Bolling v. Sharpe, 347 U.S. 497 (1954). Provisions of law requiring, or construed to require, racial separation in the schools of the District of Columbia, held to violate the equal protection component of the due process clause of the Fifth Amendment. Title IV of the Civil Rights Act of 1964 prohibits discrimination based on race, color, national, origin, sex, in public schools this was "unequal", and therefore violate the Equal Protection Clause. "Brown v Board of Education" On the Anniversary of Brown v. Board of Education, Top Democrats to Hold Forum & Introduce a Resolution to Affirm Support for Meaningful Enforcement of the Civil Rights Act | U.S. House of Representatives Judiciary Committee

III A Solutions from Congress Is Not Forthcoming

While the petitions for certiorari was pending, Rep Rush, Bobby L (D-IL-1), and Rep Bass, Karen (D-CA-37), released proposed language for draft Senate bill amend Harlow v Fitzgerald, 457 U.S 800 (1992), Bockweg, 333 N.C. at 491, 428 S.E.2d at 161), Recent testimony before the Senate Judiciary Committee's Subcommittee on Black kids are being lynching in schools, human trafficking through judiciary system for an alleged offense with or without a legal trial. Ninety-nine percent of all perpetrators of lynching escaped from punishment by State or local officials, Prosecutor who are law enforcement as well. About the Rep Rush, Bobby L (D-IL-1), draft bill highlighted the urgency importance of providing guidance on lynching Heterosexuality Straight black males in schools human trafficking kids and Rep Bass, Karen (D-CA-37) draft bill, lowers the criminal intent standard from willful to knowing or reckless to convict a law officer for misconduct in a federal prosecution, limits qualified immunity as a defense to liability in a private civil action against a law enforcement officer, and grants administrative subpoena power to the Department of Justice (DOJ) pattern- or practice investigations.

Congress after days of public hearing on the language for a draft bill regarding Emmett Till Antilynching Act, proposed by Rep Rush, Bobby L (D-IL-1) and George Floyd Justice in Policing Act of 2020 proposed by Rep Bass, Karen (D-CA-37), is no closer to results, leaving urgently needed eligibility guidance to this Court; in this case present question what subject matter is so abstract that it must be excluded Biven Claims racial profiling an unreasonable search with no probable cause by law enforcement in violation of Fourth Amendment rights, depriving people of the right to remain silent and due process, guaranteed by the Fifth Amendment and 42 U.S.C Section 1983 Civil action for deprivation of rights. Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress. Biven Claims

Proposed Bill Language

[Text - H.R.35 - 116th Congress \(2019-2020\): Emmett Till Antilynching Act | Congress.gov | Library of Congress](#)

02/26/2019 Introduced in House

10/31/2019 Reported by the Committee on Judiciary. [H. Rept. 116-267](#)

02/26/2020 Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 410 - 4 ([Roll no. 71](#)).

[Actions - H.R.1280 - 117th Congress \(2021-2022\): George Floyd Justice in Policing Act of 2021 | Congress.gov | Library of Congress](#)

06/08/2020 Introduced in House

06/19/2020 Reported (Amended) by the Committee on Judiciary. [H. Rept. 116-434](#), Part I

06/19/2020 Committee on Armed Services discharged.

06/19/2020 Committee on Energy and Commerce discharged.

06/25/2020 Passed/agreed to in House: On passage Passed by the Yeas and Nays: 236 - 181 ([Roll no. 119](#)). (text: CR [H2440-2453](#))

IV. If the Court determines that Emmett Till Antilynching Act(H.R 35), and George Floyd Justice in Policing Act of 2020 presents an issue that warrants review, this case's evidentiary record will assist the Court in determining the constitutionality of mandatory

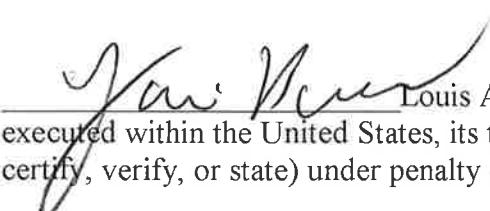
Both this case and Emmett Till Antilynching Act, and George Floyd Justice in Policing Act present the question whether *Harlow v Fitzgerald*, 457 U.S 800 (1992), *Bockweg*, 333 N.C. at 491, 428 S.E.2d at 161) should be overruled. Only this case, however, has a fully developed records, including a detailed decision by the district court that explains systemic racism operates and how it effects millions American People they spent money on political and ideological causes from the District of Columbia et al and other State Actor. Petitioners respectfully recommend that the Court consider the three Petitions together and either grant both Petitions and consolidate the three-case pursuant to Rule 27.3.

V. Judicial Review by the US Supreme Court of constitutional validity of a legislative act

This case is ready to checks and balances in the separation of powers: the power of the judiciary to supervise the legislative and executive branches when the latter exceed their authority. The doctrine varies between jurisdictions, so the procedure and scope of judicial review may differ between and within countries. review by the US Supreme Court of the constitutional validity of a legislative act. Article Three of the United States Constitution. A similar system is adopted in the UK a procedure by which a court review an administrative action by a public body an in England secure a declaration order or award. 17. This procedure by the Civil Procedure (modification of Supreme Court Act 1981) Order 2004 to become a mandatory order (**Marbury v Madison**) Under the United State Administrative law context, can be used. Petitioner Louis A Banks and parents of DB a minor as this Court to enforce the United State Federal Claims default judgment against the Respondents(s)enter judgment direct entry without further argument Rule 42. Favor with sufficient factual allegations that is true and state a claim to relief that is plausible facts Bell Atl. Corp v Twombly, 550 U.S 544, 570 (2009).

CONCLUSION

The Court should grant the Petition for Rehearing, consider this Petition together with Emmett Till Antilynching Act and George Floyd Justice in Policing Act of 2020 and grant certiorari in this case or all three cases to determine the constitutionality of mandatory qualified immunity and whether Harlow v Fitzgerald, 457 U.S 800 (1992), Bockweg, 333 N.C. at 491, 428 S.E.2d at 161), should be overruled.



Louis A Banks et al unrepresented by counsel 28. U.S.C 1746 If executed within the United States, its territories, possession or commonwealth, I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.