

No. 21-315

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In the  
Supreme Court of the United States

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JACQUELYN BOUAZIZI,

Petitioner,

v.

HILLSBOROUGH COUNTY CIVIL SERVICE BOARD, and  
HILLSBOROUGH COUNTY

Respondent.

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On Petition for a Writ of Certiorari To  
The United States Court of Appeals  
For the Eleventh Circuit

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RULE 44.2 PETITION FOR REHEARING

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Jacquelyn Bouazizi - Petitioner Pro Se

3619 East Caracas Street

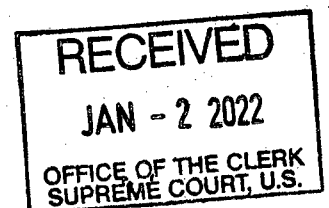
Tampa, Florida 33610

Tel: (813) 205- 2687;

E-Mail: [mom1luy9@aol.com](mailto:mom1luy9@aol.com)

Petitioner, Pro Se

Dated: January 27, 2022





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**TABLE OF CITATIONS**

**Provisions of Law**

1. Rule 44.1 of the U.S. Supreme Court
2. Rule 44.2 of the U.S. Supreme Court
3. Rule 33 of the U.S. Supreme Court
4. 28 U.S. Code § 1254

**Case Laws**

1. Muskrat v. United States, 219 U.S. 346, 361 (1911).



**OPINIONS BELOW**

On the 10<sup>th</sup> of January 2022 the Court entered an Order of Denial in Petition No. 21-315.

The Petition for Writ of Certiorari of Petitioner Jacquelyn Bouazizi was denied. See Rule 44.2.

The denial of Petitioner Jacquelyn Bouazizi Petition for Writ of Certiorari was entered into the United States Supreme Court website on January 10, 2022.

USSC Rule 44.1. Any petition for the rehearing of any judgment or decision of the Court on the merits shall be filed within 25 days after entry of the judgment or decision, unless the Court or a Justice shortens or extends the time...

USSC Rule 44.2. Any petition for the rehearing of an order denying a petition for a writ of certiorari or extraordinary writ shall be filed within 25 days after the date of the order of denial and shall comply with all the form and filing requirements of paragraph 1 of this Rule, including the payment of the filing fee if required, but its grounds shall be limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented...

The jurisdiction of this Court is invoked under Rule 44.1, Rule 44.2 and 28 U.S. Code § 1254.

Pursuant to Supreme Court Rule 44.1 and 44.2, this petition for rehearing is filed within 25 days of this Court's decision in this case.



**CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

1. U.S. Constitution > Article III, Section 1. The judicial power of the United States, shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive their services, a compensation, which shall not be diminished during their continuance of office.
2. Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. The clause which took effect in 1868, provides that no state shall deny to any person within its jurisdiction "the equal protection of the laws".  
[https://en.wikipedia.org/wiki/Equal\\_Protection\\_Clause](https://en.wikipedia.org/wiki/Equal_Protection_Clause)
3. Amendment 14, Section 1 to the U.S. Constitution: No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.



### PETITION FOR REHEARING

Numerous disruptions to my cause of action which resulted to the denial of my Petition for Writ of Certiorari give rise to this Petition for Rehearing.

My conclusion is that, there are two rivals school of thought to the U.S. Supreme Court for what Article III Section 1 of the U.S. Constitution refer to as the "judicial power of the Supreme Court". One rival is that of The Florida Bar, which is an unincorporated association and the so-called discipline arm governing courts within the State of Florida and the other being, the U.S. Department of Justice.

The U.S. Supreme Court is the only court created by the U.S. Const. Art. III, § 1 to wit:

"The judicial power of the United States, shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behaviour, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office."

However, after considering the statement of U.S. Circuit Judge Richard Posner when he opined and as reported by the American Bar Association (ABA)<sup>1</sup>, I firmly believe that the rivals above manifests a threat to the U.S. Supreme Court:

"Well, I don't like the Supreme Court," Posner says. "I don't think it's a real court. I think of it as basically ... it's like a House of Lords. It's a quasi-political body. President, Senate, House of Representatives, Supreme Court. It's very political. And they decide which cases to hear, which doesn't strike me as something judges should do. You should take what comes. When you decide which case to hear it means you've decided the cases ahead of time."

My name is Jacquelyn Bouazizi who understands the judicial power of the Supreme Court to review decisions of all lower courts, having in regards justice, equity and fair-play, not merely relying on the language of the law but of its spirit which giveth life. I am a Pro Se litigant appearing and representing myself as I am unable to obtain adequate counsel. I initially hired three private counsels to represent my interests but has been seriously let down as shown in my Petition for Writ of Certiorari and both Reply Briefs as attached.

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<sup>1</sup> Posner has 'absolutely no desire' to join SCOTUS, which 'isn't a real court', By Debra Cassens Weiss, Posted November 11, 2013, 11:44 am CST, American Bar Association Daily News.  
[http://www.abajournal.com/news/article/posner\\_has\\_absolutely\\_no\\_desire\\_to\\_join\\_scotus\\_which\\_isnt\\_a\\_real\\_court](http://www.abajournal.com/news/article/posner_has_absolutely_no_desire_to_join_scotus_which_isnt_a_real_court)



I am a person of advance age, a vulnerable adult suffering from infirmities of aging, henceforth in the first person. I am reluctantly appearing Pro Se for my inability to afford the cost of hiring a private counsel to represent my interests against the defendants Hillsborough County and Hillsborough County Civil Service Board. I was wrongfully denied of the benefits due me as shown on my various submission to this Honorable Court.

The Supreme Court also has jurisdiction under the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. The clause, which took effect in 1868, provides that no state shall deny to any person within its jurisdiction "the equal protection of the laws".  
[https://en.wikipedia.org/wiki/Equal\\_Protection\\_Clause](https://en.wikipedia.org/wiki/Equal_Protection_Clause)

Judicial power is the power "of a court to decide and pronounce a judgment and carry it into effect between persons and parties who bring a case before it for decision."<sup>2</sup> It is "the right to determine actual controversies arising between diverse litigants, duly instituted in courts of proper jurisdiction."<sup>3</sup> It is my humble submission to this Honorable Court that the above matter falls within the ambit of the judicial power of the Supreme Court to review actual controversies between the parties at hand.

Ratified as it was after the Civil War in 1868, there is little doubt what the Equal Protection Clause was intended to: stop states from discriminating against blacks. But the text of the Clause is worded very broadly and it has come a long way from its original purpose. For example, despite its reference to "state[s]," the Clause has been read into the Fifth Amendment to prevent the federal government from discriminating as well.

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws, Amendment 14, Section 1.

It is the humble submission of this Pro Se litigant that the denial of her Petition for Writ of Certiorari by the U.S. Supreme Court reinforces the deprivation of her right to property as provided for in Section 1 of the Fourteenth Amendment to the U.S. Constitution. The denial is tantamount to the denial of benefits due to me which in turn deprives me of my right to property in terms of its monetary value.

In the same wavelength, the denial of my Petition for Writ of Certiorari violates my right to equal protection sanctioned by the law. It is my humble submission that every American citizen is equally protected from the deprivation of

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<sup>2</sup> Justice Samuel Miller, On The Constitution 314 (1891).

<sup>3</sup> Muskrat v. United States, 219 U.S. 346, 361 (1911).



one's right to life, liberty and of property. In a long line of cases, this Honorable Court has continuously upheld that "money" claims is a property right within the purview of the due process and the equal protection clauses. It can be noted that the defendants in this case are governmental instrumentalities on which great regard to justice, fairness and equity is expected.

I likewise humbly submit that there is a fusion of law and equity within the United States court system. Adherence to the letters of the law alone will not serve social justice, thus equity may come into play when great injustice will result thereto. The denial of the benefits due to me will not injure any private individual, as I have continuously manifested, the defendants are government instrumentalities and the payment of any benefits due me should not fall prey to the rules of technicality but instead adhere to equity and social justice.

The Constitution of the United States and its early amendments clearly recognize law and equity as being distinct branches of jurisprudence as shown in a long line of cases decided by the U.S. Supreme Court.

Petitioner filed a Motion For Relief From Judgment based on attorney Fraud and Attorney behavior which have been proven with hard copies. In the United States, common law generally identifies nine elements needed to establish fraud: (1) a representation of fact; (2) its falsity; (3) its materiality; (4) the representer's knowledge of its falsity or ignorance of its truth; (5) the representer's intent that it should be acted upon by the person in the manner reasonably contemplated; (6) the injured party's ignorance of its falsity; (7) the injured party's reliance on its truth; (8) the injured party's right to rely thereon; and (9) the injured party's consequent and proximate injury<sup>4</sup>. The Petitioner filed for Rehearing, Exhibit 16. Representative of the nine elements of fraud was likewise adduced in Exhibit 16.

There is a concurrence of all the elements of fraud as provided based on the above cited case law. Firstly, there has been a representation of fact from attorneys Stephen Todd, Peter Zinober, Gretchen Lehman, Carl Hayes, Erik Del E'toile, and Craig Berman; the represented facts were an absolute falsity which was greatly material in the determination of the merits of the case, thereby proving the same to be fatal on the cause of the Petitioner. Petitioner Bouazizi respectfully submits that the said attorneys either have knowledge of the falsity or were merely ignorant of the truth when they ticked the disability box in the EEOC claim despite its absence. Arguably, the intent of the said attorneys was for the court to decide negatively against Petitioner as a result of said misrepresentation. At the time the fraud was committed, Petitioner Bouazizi as the injured party was completely ignorant as to the fraudulent machinations of the said attorneys. As a mere lay person, Petitioner

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<sup>4</sup> Strategic Diversity, Inc. v. Alchemix Corp., 666 F.3d 1197, 1210 n.3, 2012 U.S. App. LEXIS 1175, at \*25 n.3 (9th Cir. 2012) (quoting Staheli v. Kauffman, 122 Ariz. 380, 383, 595 P.2d 172, 175 (1979))



Bouazizi relied on the truth as presented by her counsels and the counsels of the defense and having hired counsels who Petitioner perceived to be competent, Petitioner had every right to depend and rest her fate on them. Lastly, the resulting injury to the Petitioner is the denial of her cause of action against the defendants by reason of the fraud perpetrated by the said attorneys.

Every single issue that the Appeals Court questioned in its decision dated January 29, 2021 has been sufficiently addressed by the Petitioner with hard copy as proof in her Petition for Writ of Certiorari including in the Motion For Leave to File an Amended Petition, Exhibit 35 and Exhibit 16 respectively.

Attorneys Todd, Zinober, Lehman, Hayes, Del E'toile, and Berman have all not denied that they committed fraud and attorney behavior listed in the Petition For Writ of Certiorari such as the failure of Todd, Zinober and Lehman to prove that Petitioner filed a disability claim with the Equal Employment Opportunity Commissioner nor the fact that Petitioner had a permanent disability. Zinober and Lehman has never denied that they submitted a fraudulent order of dismissal with prejudice to the court. In the said documents of attorneys Todd and Zinober, Petitioner Bouazizi have debunk all their responses when they alleged that the Petition has no merit. In fact, they have not produce any documents to show that Petitioner had a disability let alone a permanent disability which resulted to Judge Covington dismissing Petitioner's complaint Orders Doc. 43 and 50, Exhibit 2.

### **REASON FOR GRANTING REHEARING**

The denial of a rehearing against myself will run afoul with the constitutional mandate of the U.S. Supreme Court in upholding justice and fair play. As I have previously stated, the denial of my Petition for Writ of certiorari tantamount to the denial of my rights to property and my right to the equal protection of the laws. Furthermore, the payment of the benefits due me will not injure any private party as the defendants to this case are governmental instrumentalities. In addition thereto, the grant of rehearing is not premised in causing delay against the court in disposing of cases presented before it, but I am merely asking the court to give me an opportunity to present and argue the merits of my case.

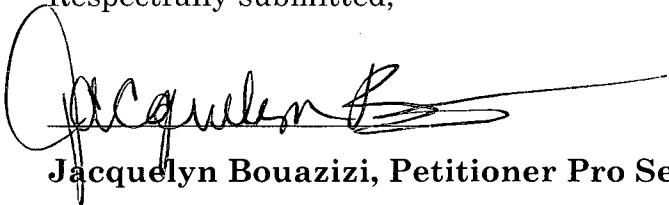


**CONCLUSION**

**Insofar as the issues presented in Petitioner's Petition for Certiorari, Reply Briefs and Petition for rehearing are of great importance and gravity to the public otherwise the attorneys will continue to commit fraud and present bad behavior as they have in Petitioner's case. Petitioner respectfully requests that this court GRANT Petitioner's Petition for Rehearing.**

DATED this 27<sup>th</sup> day of January 2022

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jacquelyn Bouazizi', with a long horizontal flourish extending to the right.

**Jacquelyn Bouazizi, Petitioner Pro Se**

**3619 East Caracas Street, Tampa Florida 33610**

**Tel: (813) 205- 2687**

**E-Mail: mom1luv9@aol.com**