

Case No.: 21-5018

IN THE SUPREME COURT OF THE UNITED STATES

In Re., Zoe Ajjahnon, Petitioner

**ON PETITION FOR REHEAR OF EXTRAORDINARY
WRIT OF MANDAMUS TO THE NEW JERSEY DISTRICT COURT
(CASE No.:2:19-CV-16990 BRM-JAD)**

ZOE AJJAHNON
PRO SE PETITIONER
110 Chestnut Ridge Rd.,
Montvale, NJ 07645
Ph.:551-315-2409

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Case No.: 21-5018

In The Supreme Court of The United States

In Re., Zoe Ajjahnon, Petitioner

On Petition for Rehear of Extraordinary Writ of Mandamus
to the New Jersey District Court (Case No.: 2:19-CV-16990 BRM-JAD)

Pursuant Rule 44 of the U.S. Supreme Court, petitioner respectfully submits this petition for rehear of the petition for extraordinary writ of mandamus denied October 4th, 2021. Petitioner certifies the petition is presented in good faith and not for delay and is founded in controlling substantial grounds not previously presented.

JURISDICTION

The Court's jurisdiction for Extraordinary Writ is invoked under *Article III, Sec.2*, and *28 U.S.C. § 1651*

CONSTITUTIONAL AND STATUTORY PROVISIONS AT ISSUE

U.S. Constitution Article III and Federal Rule of Civil Procedure, 56

REASONS TO GRANT PETITION FOR EXTRAORDINARY WRIT OF MANDAMUS

In *Cohens v. Virginia*, 19, U.S. (6 Wheat) 264, 404 (1821), Chief Justice Marshall wrote, "It is most true that this Court will not take jurisdiction if it should not: but it is equally true, that it must take jurisdiction if it should. The judiciary cannot, as the legislature may, avoid a measure because it approaches the confines of the constitution. We cannot pass it by because it is doubtful. With whatever doubts, with whatever difficulties, a case may be attended, we must

decide it, if it be brought before us. We have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the constitution."

The Court's denial of the petition for extraordinary writ in this case amounts to 'treason to the constitution' as Justice Marshall defines it here. The Court's appellate jurisdiction invoked in the petition for mandamus was ripe for a grant of the extraordinary writ of mandamus under all preceding grants and teachings of the Court. Clearly and irrefutably substantiated were the grounds for grant as set by the Court in *Kerr v. United States Dist. Court for Northern Dist. of Cal.*, 426 U. S. 394, 403 (1976) specified as,

1) All previous appellate review procedures were taken, petitioner has no other adequate means for the relief, *Ex parte Fahey*, 332, U.S. 258 (1947). The record of related petition for certiorari (case no.: 20-7606) substantiates this.

2) Petitioner satisfied " 'the burden of showing [the] right to issuance of the writ is 'clear and indisputable.' " *Kerr, supra*, at 403 (quoting *Bankeris Life & Casualty Co., supra*, at 384). The Court found in this case, gross judicial misconduct in the trial court, where the district defied clear, quite unambiguous uniformed court standards - defined rules of civil procedure - and did so with the intent to dismiss the case.

F.R.Civ. P Rule 56(a) unequivocally gives: "The court shall grant summary judgment if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law." The trial court willfully did not rule on – in fact, except for

filing the case, everywhere failed to acknowledge petitioner's motion for summary judgment founded in defendants' failure to dispute the claims. This outright defiance of *Article III*, § 2 at trial was intentional, expedient for even greater corruption from the district. Where, *Article III*, § 2 "makes clear the Framers did not intend for federal judges to roam at large in construing the Constitution and laws of the United States, but rather preferred and provided for resolution of disputes arising in a "judicial" manner." [citation omitted], the trial court abused judicial powers to prejudice the case in favor defendants. "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." *Muskrat v. United States*, 219 U.S. 346 (1911); and over and above the trial court' flagrant contempt of court proceedings in flouting of standard court regulations in not deciding the summary motion, what decision it did make, i.e. the trial court' further dismissal of the case, was based on the district' own invented, manufactured, falsified statement of claim. The petition for extraordinary writ at pages 8 -12 argues this outrage to court proceedings where the trial court falsified the record of petitioner's case in clear abuse of judicial powers.

The petition roundly substantiates that the trial court purposefully and with full and clear knowledge that the claims before it, expressly, repeatedly, and clearly state the claims are of plaintiff-petitioner' damages, cast them as claims of government damages. The trial court' opinion manipulated the facts herein by both deliberate, outright false statements nowhere in the complaint and purposeful partial quotes of statements in the complaint. See the opinion at 3a, lines, 5 and 17 respectively. Petitioner previously defended against these specified manipulations of the record in the trial court on Appeal in the Third circuit. The record of the district' falsification of the case extends to the record of the case in the Third Circuit cited in the related

Petition for Certiorari (case no.:20-7606) at p.31, App. D 15a-28a - the Appeal before the circuit court.

3) These exceptional circumstances warrant the extraordinary writ of mandamus and are appropriate to aid the Court's appellate jurisdiction. Court doctrine gives: "The traditional use of the writ in aid of appellate jurisdiction both at common law and in the federal courts has been to confine [the court against which mandamus is sought] to a lawful exercise of its prescribed jurisdiction. *Roche v. Evaporated Milk Assn.*, 319 U. S. 21, 26 (1943)." Instant denial of writ of mandamus not so much "avoid[ed] this measure" (*Cohen v. Virginia* above) as defied it.

That extraordinary writ of mandamus should be granted in this case is irrefutable, indisputable, self-evident under all Court teachings/laws that warrant this grant. Wherefore, that it is denied is not a matter of law (and, in fact, the Court did not advance any such reason/opinion as is its prerogative) and this argument/reason for rehear therefore speaks the facts that context the denial and the willful and constitutional intolerable abuse of judicial power that grounds the denial. This comes not from the Court en banc but specifically the assignment judge / justice ultimately over this New Jersey district court in evince of a distinct pattern of "serious abuse of the powers of [his] office ... his conduct here ``constitute[s] repeated and continuing abuse of the powers of [the Court]in disregard of the fundamental principle of the rule of law in our system of government." Deschler Ch 14 Sec. 3.7. Petitioner here adopts the language in *House Practice: A Guide to the Rules, Precedents and Procedures of the House* on President Nixon's 1974 impeachment proceeding that qualifies / concludes this Rehear's further petition to Congress, House Judiciary Committee for the removal of this judge, Justice Samuel Alito from the office he violates.

SUBSTANTIAL GROUNDS FROM THE RECORD OF IMPEACHEABLE MISCONDUCT OF JUSTICE SAMUEL ALITO, ASSIGNMENT JUDGE OVER COURT FOR WHICH MANDAMUS IS SOUGHT

“Impeachments have commonly involved charges of misconduct incompatible with the official position of the office holder. This conduct falls into three broad categories: (1) abusing or exceeding the lawful powers of the office; (2) behaving officially or personally in a manner grossly incompatible with the office; and (3) using the power of the office for an improper purpose or for personal gain.” See Deschler Ch 14 App. p 719. Id.

This *pro se* litigant is not a lawyer by trade. Petitioner is a writer for an information analysis company, primary content development treats international affairs of economic and physical securities, as such petitioner has had dealings with this Court regarding national securities. Petitioner refers specifically to a communication in November of 2008 of the theft of the US oval office by Barack Hussein Obama, then put generally as a ‘terrorist’ and since substantiated as a member of the al Qaeda terror group. The relevance here is that the negation marginalization of significant breach to national physical securities as it relates to Justice Samuel Alito is characteristic of this Justice’ misconduct and abuse of power in negating gross trespass against the constitution in the court system under his assignment.

Justice Samuel Alito is assigned to the Third Circuit and over therefore the New Jersey district court, the trial court for which mandamus is sought. It is clear from the facts of the record that the district court, Hon. Brian R. Martinotti, to use colloquial terms, “fixed the case”; to use the language of law, violated the constitution, intentionally violated positive laws – in both acts committed and omitted (that is, the above-discussed purposeful casting the case as in pursuit of Government money - which it clearly is not, and in ignoring denying to rule on the case’ March

17th 2020 Motion for Summary Judgment, respectively) to prejudice the case for FCA defendants, and prejudiced the case for defendants in flagrant abuse of judicial powers.

The corruption from Justice Alito matches this and is done by simply ‘avoiding the matter’ easily done in ‘declining the exercise of jurisdiction’/denying to hear the matter. Quickly here, petitioner is not unaware that the Court’s grant to hear a case is not by right and is at the discretion of the Court, the petition for rehear does not take issue with that (in fact would be absurd if pointless to dare instruct the Court on the exercise of its duties responsibilities to the nation to the constitution). *This Rehear’s argument that determines impeachment of the assignment judge of the court system of this mandamus draws the Court’s attention to a course of conduct a pattern of denial by Justice Alito that guards impunity for perpetrators of acts devastating to public safety*, for money of course, and in this case, from members of the public violated in False Claims Act violations and in draining the national treasury in the theft of untold millions of dollars per year in government money through FCA abuse of government funded programs. Justice Alito violations in his official capacity aids the ongoing practice of this in the state of New Jersey by barring any course of justice taken by the victim from taking effect. The rehear provides yet another substantiation of this.

The preceding November 2008 communication to the Court that came specifically to Justice Alito’ attention, was subsequent his denial of a petition, also coming through the Third circuit/New Jersey court system, that sought personal physical security from the adversary on the case. The Justice’s off-the-record statement was that the Court deals only with cases of ‘national importance’. Understood; however, petitioner was seeking protection in the last Court of resort whatever the humble standing of the average citizen, that under *Article III* does not determine the

case or controversy presented to the Court, nor qualify for its jurisdictional duty. Petitioner's individual pursuit for physical securities was denied in the Supreme Court, the final Court of resort without any allowance for it to be revisited in a lower court, another accompanying off-the-record statement out of the NJ Court system, finally represented in the US Supreme Court in Justice Alito was, '[petitioner] should have satisfied the judgment [as opposed seeking protection from adversary in what was, in colloquial terms' a mob-hit (adversary, John Russo (and his family) it is published in local traditional news source / newspaper, are part of the well-known New York Gambino crime family) – a mob-generated case, complete with attempted murder, petitioner' car was tampered with, and a bribe to the Superior court judge that granted the judgment.

Justice Alito' abuse of his judicial powers is at work again for the New Jersey federal courts in this denial of the writ of mandamus. (True, at least 4 of the 9 must vote to take the case, in theory, in practice, the assigned justice carries weight in ascribing the 'level of importance' of the case.) Subsequent his part in the judiciary of the US government to negate petitioner' warning to not ratify a suspected terrorist' (i.e. Barack Hussein Obama') theft of the US president title by inaugurating the alleged terrorist, Justice Alito would provide the Court' initial general teachings on Mr. Obama's 2009 FCA reforms from which this case arises (see, Petition for Certiorari, case no.: 20-7606). Mr. Obama and his gross illegalities that effected his term as US president offers an underlying connection here; (and, it is this 'underlying connection' with which the petition concerns itself – not the person of Barack Obama but the principle of lawlessness / securities breach effecting or providing the environment for greater securities breach to thrive, to broach what informs the 'underlying connection'/ dynamics of this level of

illegalities in the U.S. government the nation' legal system).

The trial court in this case was appointed by Mr. Obama and is a part of other securities breaches affecting petitioner. Almost verbatim is the wording of the district' opinion to dismiss to a letter purporting to be from the US government (see, page 29 of the Petition for Certiorari, App. F-2, 44a-46a) "suggesting" dismissal of the complaint. There is no record that the complaint was assigned to this actor, one Andrew A. Caffery III, a US assistant attorney; in fact, there is no record of the complaint beyond reaching the mailroom at the US Office of the Attorney General. This actor alleges to be representing the U.S. in a matter that was NOT sent under seal as prescribed for U.S. Government intervention. In addition to what appears to be Caffrey' directing my copy of the complaint to the OAG' attention by way of interference in my email communication, Caffrey subsequently hacked into petitioner's accounts, my private bank account and at the NJ State Department of Labor government (COVID relief) funds in this case' 'organized' manipulation of government money in New Jersey' legal system.

In this matter of organized siphoning of government money Justice Alito's part in preventing prosecution is easy where the justice simply denies the case should it reach the Supreme Court. Common enough as cases before the Court goes so that any 'fixing' or manipulation of the record below will never face legal consequence. The Justice' modus operandi here in perverting and preventing justice is not as impenetrable as it appears. It rather provides an easier more direct way to unravel the illegal organization, starting as it does at the very top or end of the trail, here the Justice' violations. So routine is the Justice' illegalities spoken of here that the district's dismissal on Appeal in the Third circuit was essentially not heard as supported in the fact that Mr. Caffery' language of the 'suggestion to dismiss adopted by the trial court is the same

(again, practically verbatim) wording of the Third circuit' per curiam in that court' uphold of the district's dismissal. The circuit court had no need to give its own opinion, whatever the district stated would suffice for the reason to uphold the lower court's judgment. The case would be denied jurisdiction in the US Supreme Court. This abuse of judicial power to guard impunity for FCA violators in the state of New Jersey is understood in Justice Alito' Third circuit – before the fact, before it reaches the US Supreme Court.

The perpetrators of mob activities or other organized criminal conduct for government money in the state of New Jersey are protected from legal consequence in the US Supreme Court as matter of the assignment circuit judge', Justice Alito' abuse of judicial powers. The perfect environment for NJ healthcare services providers to perpetrate, continue to perpetrate criminal acts of FCA violations and theft of government funds thereby undisturbed in the New Jersey court system. Assured of impunity in the New Jersey court system, neither defendant of this case answered the claims against them (St. Joseph's sent papers to the court with a falsified statement of service, (see, page 7 of Pet. for Mandamus, App. E,15a), RWJ Barnabas in contempt of FRCP guides did not trouble at all with any semblance of response, however irregular as co-defendant's.

US assistant attorney Andrew Caffery (of the wording of the 'suggestion' to dismiss, adopted in the trial court opinion and further in the Third circuit' per curiam upholding dismissal) claims himself to have brought the 2006 \$265 million dollars in FCA penalties against defendant, RWJ Barnabas Health of this case. 2006 as it turns out, is also memorable for former NJ Attorney General Justice Alito' appointment to the bench – an incidental, but RWJ Barnabas Health subsequent to 2006 not only has continued its FCA illegalities it has morphed into a greater

entity for FCA crimes merging as it did with yet another NJ healthcare services provider convicted of FCA violations, this defendant is now New Jersey' largest healthcare services provider with a history of illegalities and FCA violations that rivals any other career thief'. See, pages 24-25 of the Pet. for Certiorari. Additionally, in instant case of FCA violations, RWJ Barnabas Health, in addition to false diagnoses (plural), forced medication, false imprisonment, etc. this defendant stole petitioner's personal information, that is, RWJ Barnabas Health' Clara Maass used petitioner' personal identification without her knowledge or consent to apply for Medicaid and subsequently billed for Medicaid, Government health insurance that petitioner never once applied for nor was receiving (Exhibits 12 a, b & c, appended at 215a – 223a of the Pet. for Cert. case no.: 20-7606). It is unconscionable comprehensive abuse of petitioner and of the government system by defendant, RWJ Barnabas Health, the Complaint at pages 56-64 speaks to the false diagnoses. Petitioner is not without some authority here, petitioner holds advanced degree in Psychology and in fact was professionally employed in the diagnosing and treatment, including indicated medical treatment, of mental illnesses. In the state of New Jersey, to be schizophrenic – the clinical manifest of Schizophrenia past or present, is to be mentally incompetent and forced medication is allowed. RWJ Barnabas forces drugs – and forces drugs routinely on individuals at the STCF, Clara Maass, where everyone is diagnosed with Schizophrenia as understood in the Schizoaffective diagnosis. (*Harrison's Principles of Internal Medicine*, 16th Edition, *Diagnostic & Statistic Manual (DSM IV)*, and another diagnostic guide, the current *International Classification of Diagnosis 10th Revision (ICD-10)*).

At RWJ Barnabas Health' STCF, Clara Maas, carte blanche diagnoses the entire patient population there with Schizophrenia and forces Haldol therefore and other drugs besides.

In petitioner's case the false diagnosis of Schizophrenia (*for the record*: petitioner had no, has no, nor has ever had any, symptom of this disease (nor of a mood disorder of any kind for that matter) used to force Haldol and Lithium the latter produced a rear cardiac side effect additionally context RWJ Barnabas Health' theft of petitioner' personal identification to apply for Medicaid in her name – to steal from the Government – in petitioner' name!! and then bill petitioner – the 'other recipient' of the FCA claim/demand for money (*FERA § 4(b)(2)(A)(ii)*) the portion that the Medicaid would not cover. See, referenced Pet. for Cert. Page 7, *Pub.111-21, 123 Stat. 1617 (2009)*. Audacious doesn't begin to describe this singular depravity, one that continues undisturbed under assignment Justice Alito' routine denials to hear petitions arising from this organized crime in the state of New Jersey.

Where Mr. Caffery also has ties to Barack Obama (this founded in his connection to former New York City Mayor, Michael R. Bloomberg – a whole other record of gross illegalities impacting national physical securities risks) the business of control over, manipulation of government funds – or more directly here, the protection of those who drain the national treasury / abuse regulations for government money by guaranteed impunity organized within the NJ court system no less, the 2009 FCA reforms in these irregularities at court are at worse a nuisance in generating more court actions, but more "positively" (for those of the judiciary that guard the FCA violator) provide for potential increase of whatever compensation from the FCA violations perpetrators to the US government officials of this petition. On this note, petitioner requests an investigation of Judge Alito' financial records. Given his office, the petition holds that the judge would be astute in account transactions of 'unexplained funds" wherefore the probe needs to be refined along those lines, perhaps looking beyond unexplained lump sum deposits to possibly a

gradual increase in money that is without legal base, i.e. the source is not informed in the Justice's salary nor explained in a legitimate investment portfolio.

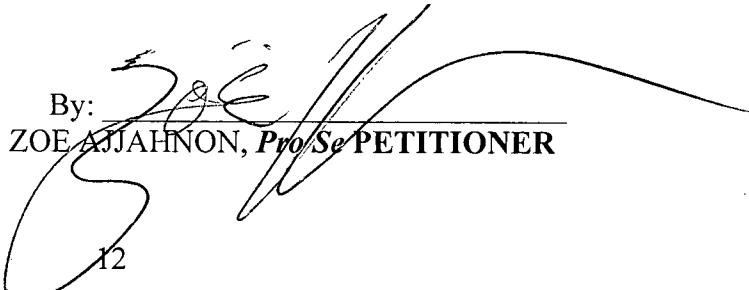
Justice Alito's course of misconduct, as they relate to the protection of mob crimes in the state of New Jersey and guard impunity for NJ healthcare services providers who perpetrate - routinely and without restraint perpetrate - FCA violations, his "offense[s] ... prejudicial to the public interest ... [arising] from willful intent, [and a] reckless disregard of duty. . . . constitute intentional violation of positive law, dereliction of his duty to the constitution and contempt of Congressional guides of his office (quoting, *House Practice: A Guide to the Rules, Precedents and Procedures of the House*, citing, Brown, *The Impeachment of the Federal Judiciary*, 26 Harv. L. Rev. 684, 703, 704 (1912)) are the ARTICLES OF IMPEACHMENT this petition for rehear will further petition before the House Judiciary Committee for the removal of Justice Samuel Alito from office.

CONCLUSION

In light of these grounds for impeachment of the assignment Justice for the trial court the extraordinary writ of mandamus is sought, petitioner asks the Court to rehear and grant the petition for extraordinary writ of mandamus.

Respectfully submitted,

ZOE AJAHNON, PRO SE PETITIONER

By: 
ZOE AJAHNON, Pro Se PETITIONER

DATED: *October 18th, 2021*

Case No.: 21-5018

In The Supreme Court of The United States

In Re., Zoe Ajjahnon, Petitioner

On Petition for Rehear of Petition for Extraordinary Writ of Mandamus
to the U.S. District Court, District of New Jersey (Case No.: 2:19-cv-16990 BRM-JAD)

CERTIFICATE OF STATEMENT

I, Zoe Ajjahnon, petitioner in this matter, in compliance with Rule 44 of the U.S. Supreme Court Rules hereby certify that the grounds for rehear are limited to intervening circumstances of substantial or controlling effect or to other substantial grounds not previously presented.

Petitioner states instant petition' grounds for rehear is of the substantial matter of the extreme relief circumstances that occasions a petition for impeachment of Justice Samuel Alito, the assignment Judge over the court for which extraordinary writ of mandamus is sought. Petitioner certifies that these substantial grounds for rehear were not previously presented.

Petitioner further certifies that the petition for rehear is presented in good faith and not for delay.

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

DATED: October 18th, 2021



Zoe Ajjahnon, Pro Se Petitioner