

Case No. 21-2513

IN THE SUPREME COURT OF THE UNITED STATES

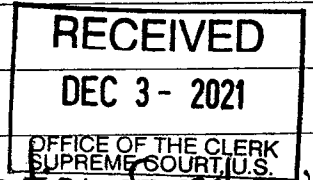
Zachary B. Taylor
(Petitioner)

v

Georgia
(Respondent)

On Petition for Writ of Certiorari to the Supreme Court of Georgia

PETITION FOR REHEARING



Petitioner Zachary Bouvier Taylor files this petition for rehearing in compliance with Supreme Court of the United States Rule 44. Taylor files this petition on the grounds that the Court pursuant to Rule 21 is to reconsider the Court's denial of his petition for a writ of certiorari on October 6, 2021. Taylor certifies that the grounds are limited to intervening circumstances that have not been previously presented. Taylor certifies that the petition is presented in good faith and not for delay.

This noble Court is to grant immediate release of Petitioner Zachary Bouvier Taylor because the Court already filed and docketed the Petition for Writ of Certiorari. Taylor is entitled to prevail as a matter of law. Marbury v. Madison (1803). The Court believes that it should grant the writ and relief.

The judges on this Court with their jurisprudence, are to consider what a remedy the Court extends to Zachary B. Taylor during his birthday season of October 29, 2021.

This Court still has jurisdiction over Taylor's case.

The Supreme Court of the United States is to issue an injunction by the noble High Court that Chief Judge J. Randal Hall denied in error in United States District Court for the Southern District of Georgia, Augusta Division in CV 21-077. The Court has the discretion to grant the stay as soon as possible pursuant to Supreme Court of the United States Rule 23 and 28 U.S.C. Section 2101(f). Judge Hall's order and opinion may be available through legal research such as online, Lexis, Westlaw, inter alia.

The U.S. District Court did not grant the relief that he seeks. Taylor has reviewed A Jailhouse Lawyer's Manual Eleventh Edition 2017 by the Columbia Human Rights Law Review. Supreme Court of the United States Justice Thurgood Marshall said in February, 1992: A Jailhouse Lawyer's Manual should be read or shared by every one involved in, or concerned about, prisoners' rights. That valuable publication has helped to enlighten Zachary B. Taylor about his rights that he petitions the Supreme Court of the United States to protect. This Court is to grant Taylor's stay to stop his involuntary meds because he first sought this relief in the appropriate Court below. This Court has jurisdiction.

Augusta State Medical Prison mental health staff have engaged in cruel & unusual punishment of United States citizen Zachary B. Taylor in violation of his Eighth Amendment U.S. Constitutional rights not to be subject to such.

This Court is to stop Taylor's unwanted treatment for good cause as he shows in this pleading and petition for a writ of certiorari in the above-entitled case. Farmer v. Brennan, 511 U.S. 825, 835, 114 S.Ct. 1970, 1978, 128 L.Ed. 2d 811, 824 (1994) ("Deliberate indifference entails something more than mere negligence, but the cases are also clear that it is satisfied by something less than acts or omissions for the very purpose of causing harm or with knowledge that it will result in harm.")

See Monell v. Dep't. of Soc. Servs. 436 U.S. 658, 694-95, 98 S.Ct. 2018, 2037-38, 56 L.Ed. 611, 638 (1978) (holding that "when execution of a government's policy or custom... inflicts the injury... the government as an entity is responsible under Section 1983"). Taylor is suing state employees in federal court. 42 U.S.C. 1983.

Pabon v. Wright, 959 F.3d 241, 246 (2d Cir. 2006) (holding that since prisoners have a right to refuse treatment) Taylor is not to receive involuntary meds. To prove that officials violated this right, Taylor has shown: (1) government officials did not tell him enough about the treatment for him to make an informed decision, (2) because Taylor couldn't make an informed decision, he was given treatment that he would have refused if Taylor had been informed, and (3) the prison officials acted with deliberate indifference to Mr. Taylor's right to be informed. Mr. Taylor could learn about the treatment. This right is known as "informed consent," and it means that Taylor has the right to learn about all treatment options, such as diet and exercise, not mind altering drugs that cause serious side effects and potentially irreversible damage, and the risks associated with each option before he allows mental health doctors and/or other caregivers to treat him.

Pabon v. Wright (2006) (holding prisoners' constitutionally protected liberty interest in refusing medical care encompasses a right to receive information that would allow a reasonable person to decide. Taylor did not give his consent; therefore, he is refusing treatment.

See U.S. ex rel. Schuster v. Herold 410 F.2d 1071, 1084 (2d Cir 1969) (finding a constitutional violation of prisoner's rights where he received different procedural treatment than civilians receive). A doctor must always inform Taylor of options and risks when there is penetration of the body (such as with a scalpel, needle, or pill). Also, when the direct side effects of treatment are painful or serious, Taylor's informed consent is usually required. Some states specifically require by law that doctors consider alternative forms of care and inform Taylor of the procedures and risks associated with care. They did not apprise Taylor of such. Therefore, the A.S.M.P. medical staff and other Georgia Department of Corrections officials have broken the law. They have failed to exercise due care in the treatment of Zachary Bouvier Taylor.

See Cobbs v. Grant, 502 P.2d 1, 9-10, 8 Cal 3d 229, 242-43 (1972) (Finding doctors must reasonably disclose alternatives to a proposed treatment plan and the risks of any treatment. Psychiatrists Doctor Ara, Doctor Reddy, Doctor Harpold, and Counsellor Barcomb did not do so with Zachary B. Taylor. Alternatives include, but are not limited to, diet, exercise, recreation, worship services, and reprieve to release Taylor from false imprisonment in the GDC and return him home to his family. This Court is to supplant drugs with peaceful recreation.

In re Storar 52 N.Y.2d 363, 376, 420 N.E.2d 67, 70 438 N.Y.S. 2d 272 (1981) (Finding that "[t]he basic right of a patient to control

the course of his medical treatment has been recognized. The rule in California is that consent to a previous treatment, such as activities therapy and not drugs, does not mean consent to another course of treatment; there, a court held that a prisoner who consented to shock treatment did not necessarily consent to administration of drugs that produced nightmares.

Prisoners have a right to refuse antipsychotic or psychotic drugs. *Cruzan v. Dir. Mo. Dept of Health*, 497 U.S. 261, 298, 110 S.Ct. 2841, 2851, 111 L. Ed. 2d 224, 242 (1990) (stating that "prisoners possess a significant liberty interest in avoiding the unwanted administration of antipsychotic drugs under the Due Process Clause of the Fourteenth Amendment,") quoting *Washington v. Harper* 494 U.S. 210, 221-22, 110 S.Ct. 1028, 1036, 108 L. Ed. 2d 178, 198 (1990). Such medications alter a person's perception, emotions, or behavior. For example, psychotropic drugs can have serious side effects, such as nightmares and muscle tics (sudden movements). The law provides protection against the unwanted use of serious drugs by giving prisoners the right to refuse treatments that interfere with the body.

Under the Due Process Clause of the U.S. Constitution, Amendment XIV, Section 1 "no state shall... deprive any person of life, liberty, or property, without due process of law." Some deprivations are so important that the Constitution requires states to establish processes to ensure that you are not deprived unfairly. For example, in *Vitek v. Jones*, the Supreme Court found that characterizing a person as mentally ill and moving him to a psychiatric hospital were such serious ("grievous") losses that the State was required to have procedural protections in place to make sure that the loss was fair. *Vitek v. Jones*, 445 U.S. 480, 488, 100 S.Ct. 1254, 1261, 63 L. Ed. 552, 561 (1980). The GDC made Zachary B. Taylor a MHF

unfairly at Central State Prison in August 2018 and moved to A.S.M.P. unjustly. These losses included the harm to Taylor's health and the change in conditions of confinement. Religion and race raise some ugly eyebrows in this Court. Zachary Bouvier Taylor is a Pentecostal minister in the Apostolic Holiness Church. His godly virtuous mother, pursuant to Proverbs 31 in the Holy Bible, Doctor of Ministry Laverne Meridith Taylor, is a nurse and an evangelist. Reverend Taylor's sister, Ms. L. Renee Richardson, is an Evangelist, an author, and has her own ministry, Women of Vision and Destiny. GDC mental health staff claim on Taylor's treatment plan that he is hyperreligious. However, they put him on involuntary meds because they do not have his same religious beliefs. Taylor would like to remind the Court that some people are so Earthly minded that they are of no Heavenly good. Genesis 18:14 in the Holy Bible raises the issue, "Is any thing too hard for the Lord?" All things are possible with God.

As phenomenal preacher Bishop T.D. Jakes said, the mission is not impossible for this Court to touch the heart and soul of all believers in the gospel here and grant Taylor a stay to stop his involuntary meds with prompt injunctive relief. The time has come for change.

A decision for the A.S.M.P. mental health staff to treat Zachary B. Taylor with drugs triggers due process protections because drugs can produce serious and irreversible side effects that represent a significant state intrusion into his body. *Washington v. Harper*, 494 U.S. 229, 110 S.Ct 1028, 1041, 108 L. Ed. 2d 178, 203 (1990) stating that "The forcible injection of medication into a non-consenting person's body represents a substantial interference with that person's liberty. Taylor has a right to privacy over what someone puts into his body."

Taylor's right to refuse medication may come not only from the Constitution, but also from state laws.

It is only fitting that this High Court grant Taylor a stay with injunctive relief and order the A.S.M.P. nurse to cease and desist and stop the involuntary medication of victim of false imprisonment and much suffering Zachary B. Taylor.

United States Army Veteran and former U.S. Military Academy at West Point, New York Cadet Zachary B. Taylor is "Proud to be an American." He, his father Sergeant Major Dave Taylor, Senior (U.S. Army - retired) and brother, Major Dave Taylor, Junior (U.S. Army - retired) have paid the price of freedom, including combat tours and liberation of foreign countries. "I, too, sing America." ... Poet, author, literary figure Langston Hughes.

Psychiatrist Doctor M. Scott Peck was a guest on the Oprah Winfrey Show pushing his book *Further Along the Road Less Traveled* around 1993. Author Doctor Peck told Oprah that the purpose of trials in life is to teach us to be holy. When Oprah asked Author Doctor Peck how do we cope with trials in life, Peck said "Self-Love!"

Doctor Libbey, M.D., Ph.D., was a guest on a television talk show on religious programming. Doctor Libbey said that the number one medicine for the human body is exercise.

Licensed-Certified nutritionist Michael Seckinger, Senior was also an award-winning professional competitive body building champion in a division that did not allow steroids. Seckinger said that the health of Taylor's mind is not from the neck up, but from the neck down. Diet, exercise, recreation, worship services, and drug free activities are more applicable to Taylor's treatment.

May God touch the hearts of the judges on this Court to right some wrongs that Taylor has suffered.

APPLICATION TO SUPREME COURT OF THE UNITED STATES CHIEF JUSTICE JOHN ROBERTS TO REVIEW THIS CASE WITH STRICT SCRUTINY FOR GOOD CAUSE

Chief Justice of the United States Supreme Court John Roberts has authority to make revolutionary decisions like Chief Justice Earl Warren presided on the Court during the due process revolution of the 1960s. As a Black Civil Rights Activist, Zachary Bauxier Taylor requests that Justice Roberts invoke Supreme Court Rule 22 under these extraordinary circumstances. Taylor seeks to have Justice Roberts review this case with strict scrutiny, Grant Taylor's petition for a writ of certiorari; grant a stay to stop the involuntary meds of Taylor; grant Taylor's release from false imprisonment in the GDC; overturn the bad faith false conviction(s) of Taylor; Grant other relief that Taylor seeks in the petition for a writ of certiorari in the above entitled case!

Victim of lengthy false imprisonment Zachary Bauxier Taylor is a Black man with race and gender as immutable traits. He is a member of a historically-disadvantaged protected suspect class. Chief Justice John Roberts and this Court have an affirmative duty, a compelling interest, and a moral obligation to review this matter with strict scrutiny.

Chief Justice Roberts made an oral presentation on Supreme Court of the United States decisions that are near and dear to the hearts of African-Americans at the dedication of the National Museum of African-American History And Culture in Washington, D.C. several years ago.

Justice Roberts mentioned the Dred Scott decision (1857);
Plessy v. Ferguson (1896); and Brown v. Board of Education, Topeka, Kansas (1954).
Lead National Association for the Advancement of Coloured People (N.A.A.C.P.)
counsel Thurgood Marshall represented the plaintiffs in Brown. Marshall argued
that "separate but substantially" equal from Plessy could not possibly be equal.
Marshall contended that separate connotes inferiority. The United States
Supreme Court considered the doctrine of "Jim Crow" or de jure segregation laws.
The Supreme Court of the United States held that the doctrine of
separate but equal was unconstitutional in the field of public education.
May 17, 1954 was the date of that landmark decision. We fight race
discrimination 67 years later.

Petitioner Zachary Bouvier Taylor moves the Court and Chief Justice
John Roberts to hear Taylor's petition for a writ of certiorari in the
above entitled case and move out with all deliberate speed as the Court
grants Taylor relief on all counts as he has shown for good cause.

Respectfully Submitted,

Zachary Bouvier Taylor

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