

No. 21-6498

RYS

**In the
Supreme Court of the United States**

Supreme Court, U.S.
FILED

MAR 18 2022

OFFICE OF THE CLERK

HYE-YOUNG PARK —*Petitioner*,

v.

BOARD OF TRUSTEES FOR THE
UNIVERSITY OF ILLINOIS, et al., —*Respondent*.

**On Petition for a Writ of Certiorari
to the United States Court of Appeals
for the Seventh Circuit**

PETITION FOR REHEARING

Pro se, Petitioner, Hye-Young Park
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March 18, 2022

Here's what I've learned after 10 years of pain and suffering concerning this case, and I explain why it's crucial that we restore justice at the end.

Petitioner files a petition for rehearing within 25 days after entry of the order dated on Feb. 22, pursuant to Rule 44, because it is the Supreme Court's obligation to grant this petition for the following reasons.

Background

The Seventh Circuit refused Petitioner's right to be heard.

An appeal to circuit courts is a matter of right permitted by law; Petitioner has a right to be heard by the Seventh Circuit for the validity of a district judge's decision.

However, regarding the majority of Petitioner's claims that were filed in her 2015 suit, the Seventh Circuit dismissed by applying claim and issue preclusion.

In Petitioner's 2015 suit, when Petitioner needed to file new evidence and correct false statements in the district court's orders, the Seventh Circuit advised her to file with the district court:

"Under Circuit Rule 10(b), a request to modify or supplement the record must first be filed in the district court" (Order ECF No. 24, Case 18-3017) and "The assigned merits panel will consider the propriety of the disputed statements to the extent that they are relevant to the disposition of the appeals." (Order ECF No. 47, Case 18-3017).

Following the advice, Petitioner filed her motions to correct false statements in the district court's orders and to add new additional evidence on the record. The district court denied by considering them as collateral attacks on the district judge's verdict; further, it did not send the motions, its orders over the motions, or new evidence to the Seventh Circuit, violating FRAP 10.

Its violations led to the Seventh Circuit refusing to consider the vital documents (which would change the verdict) as it stated, “we cannot admit on appeal documents that were not made a part of the record in the district court.” (Seventh Circuit Order p.9, ECF No. 74, Case No. 18-3017).

In Petitioner’s current suit, the Seventh Circuit dismissed by applying claim and issue preclusion without allowing her to file her brief:

“The district court correctly determined that appellant’s claims are frivolous because they are barred by the doctrines of claim and issue preclusion (...) Appellant is warned that further attempts to relitigate these matters may lead to sanctions.”¹

Further, regarding Petitioner’s new claims that were not filed in her 2015 suit, the district court dismissed the new claims by applying “failure to state a claim.”

The Seventh Circuit then affirmed the district court’s order without addressing the new claims and warned Petitioner that any further attempts may lead to sanctions. It also failed to address her appeal against the district court’s denial of her motion for her Amended Complaints. As a result, federal orders have been founded on false statements; additionally, the orders themselves contradict one another.

False statements and contradictions in the federal court’s orders.

To name a few:

(1) The Seventh Circuit ruled: Petitioner “could not identify a single instance of harassment after she complained to the ODEA, so no university defendant could be liable for failing to correct a situation that did not require remedying[.]” (Order 4, ECF No.22, Case 18-2101). However, the district court had ruled: “Secolsky did things Plaintiff considered to be a form of harassment” after her report to the ODEA. (Order 48, ECF No. 162. Case No. 15-2136). Petitioner submitted much evidence of harassment and retaliation from the harassers which continued after reporting to the University.

¹ See Appendix A (the order dated August 26, 2021) in the petition for a writ of certiorari.

(2) Stake admitted that he assaulted Petitioner in the sense that he attempted to kiss her.² He also claimed that his successful kiss was on the forehead and was “the product of a paternal instinct”³ to comfort her when she allegedly became upset because he urged her “to change her plan for dissertation research.”⁴

However, the kiss was in Petitioner’s mouth; her forehead was bandaged due to an injury. Further, Petitioner had already finished her dissertation months prior to this incident. Later, the district court stated that Stake’s kiss was “on the head.”⁵

(3) District judges recused themselves pursuant to 28 U.S.C. § 455(a); Magistrate Judge applied res judicata to Petitioner’s current suit; subsequently, Chief Judge initially applied res judicata & collateral estoppel, then added failure to state a claim as a cause of dismissing the suit, which the Seventh Circuit affirmed, without addressing Chief Judge’s new claim.

(4) The Seventh Circuit ruled: “Once Park reported Secolsky’s misconduct to ODEA, the only harassment she experienced was during her employment at Secolsky’s company, outside of ODEA’s purview.” (Order 6, ECF No.74, Case 18-3017). “Five months after she began working for him, Secolsky decided to end her job.” (Order 3, *Id.*) However, no such company ever existed in Illinois, no employment records existed, and no company work existed. Any collaborative work with her harassers (Secolsky & Stake) was University-related.

These false statements and contradictions are void of logic and common-sense, leading to not only injustice in the current case, but in another court which cited the false statement above, as well as future cases:

“(finding causation requirement not satisfied for Title IX claim because after Petitioner “reported [the] misconduct to [the school], the only harassment she experienced was during her employment at [the alleged harasser’s] company, outside of [the school’s] purview”). *Cunning v. W. Chester Univ.*, CIVIL ACTION NO. 20-836, 10 (E.D. Pa. Feb. 25, 2021).

In sum, Petitioner did not have a chance to be heard in the appellate court due to orders which were founded on false and contradicting statements.

² See Transcript 3, ECF No. 288, Case 15-2136

³ Stake Brief 3, ECF No.41, p.3, Case 18-3017

⁴ Stake Deposition 51, ECF No. 126-10, Case 15-2136.

⁵ Order 6, ECF No. 273, p.6, Case 15-2136, emphasis added.

Questions Presented

Whether the Seventh Circuit's dismissal of Petitioner's current suit breaks the longstanding fundamental principle of the federal court system: an appeal to circuit courts is a matter of right permitted by law.

Reasons for Granting the Petition

Denying this Petition confirms the Supreme Court's failure of its due diligence.

Accepting the current case for review is crucial because the Seventh Circuit's dismissal of Petitioner's suit legitimizes federal courts' malpractice, allowing courts to cite false and conflicting statements for their discretion with no regard to common logic and sense. For example:

(1) Respondents stated that they stopped the investigation because Petitioner had no status at the University. However, Petitioner was legally employed as a student researcher.

(2) The courts⁶ stated that once Petitioner reported harassers' misconduct to the ODEA, the only harassment she experienced was during her employment at Secolsky's company. However, no such company ever existed in Illinois, no employment records existed, and no company work existed.

Note that while neither Respondents nor courts were able to refute Petitioner's arguments above with evidence, none of the judges considered the validity of facts although Petitioner challenged many times.

It is crucial that we restore justice because denying this petition permits this malpractice to continue, corrupting the federal courts and resulting in the inevitable loss of trust in our justice system.

⁶ The district court stated, and the Seventh Circuit agreed without due diligence.

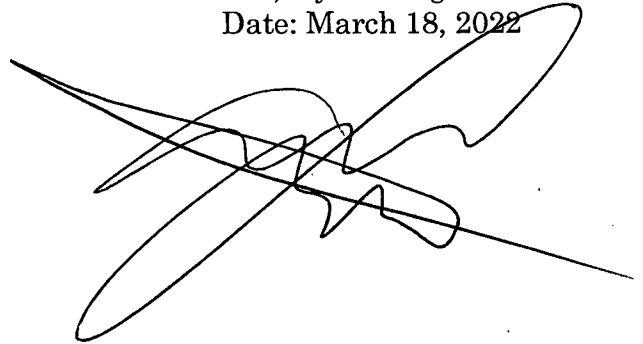
Conclusion

This case well represents federal courts' malpractice and provides an opportunity to reclaim justice. It has been a long journey of pain and suffering, but Petitioner prays to God that His justice will reign on this case through Supreme Court Justices; she prays that the Supreme Court orders:

The petition for rehearing GRANTED. Judgement regarding orders against Petitioner VACATED and case REMANDED for further consideration to the facts and laws.

Petitioner hopes that she is able to testify justice that still stands in the US federal court system.

Respectfully submitted,
Petitioner, Hye-Young Park
Date: March 18, 2022

A large, stylized handwritten signature in black ink, appearing to be 'Hye-Young Park', written over the typed name and date.