

Total - 13 pages (with 3 Exhibits)
(4) 2 Motions - 5 pages

IN THE
SUPREME COURT OF THE UNITED STATES

MITHUN BANERJEE

No. 21-6522

Plaintiff,

Vs.

PETITION DOCKET

Bank Of America N.A.

Respondent.

* * * * *

Plaintiff's Motion for Reconsideration for Extension of Time and Deadline to File Motion for Reconsideration of WRIT OF CERTIORARI

Plaintiff, Mithun Banerjee files the Motion for Reconsideration for Extension of Time and Deadline to File Motion for Reconsideration of Writ of Certiorari.

On January 10th, 2022, Honorable Supreme Court of the United States denied the Writ of Certiorari between Mithun Banerjee Vs Bank of America N.A.

Plaintiff filed Motion for Reconsideration of Writ of Certiorari in person on 02/08/2022. Plaintiff later received communication from the Clerk of the Court that the Deadline was 02/04/2022.

Plaintiff requests the filing on 02/08/2022 to consider as timely due to Medical Reasons. Plaintiff was Exposed to Covid-19 on January 28th, 2022. Due to the reason, Doctors informed the Plaintiff to be isolated for 10 days. Hence, Plaintiff was unable to file the document in person or mail. As Plaintiff is Pro-Se, Plaintiff didn't had option to E-File. Hence, Plaintiff listened to the Doctors and Safety and wellbeing of the Court, submitted the Motion for Reconsideration of WRIT OF CERTIORARI on 02/08/2022. Please find the Proof as Exhibit-A attached.

Date: February 23rd, 2022.

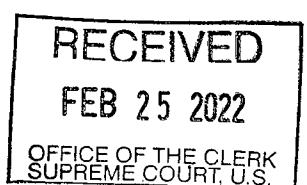
Respectfully submitted,

/s/ Mithun Banerjee

Mithun Banerjee

13119 Fernedge Road, Silver Spring, MD-20906.

409-466-2431, mithunbanerjee@gmail.com



Certificate of Service

I HEREBY CERTIFY that on February 23rd, 2022., a copy of foregoing was filed in person in the Court and served in person/email/via first class mail, postage prepaid to:
Defense Counsel-Tessa L. Frederick & Rosalyn Tang,
11 N Washington Street, Suite-700, Rockville, MD- 20850.

/s/ Mithun Banerjee
Mithun Banerjee

Exhibit A

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

February 11, 2022

Mithun Banerjee
13119 Fernedge Road
Silver Spring, MD 20906

RE: Banerjee v. Bank of America N.A.
Motion for Reconsideration
No: 21-6522

Dear Mr. Banerjee:

The petition for rehearing in the above-entitled case was hand-delivered February 8, 2022 and received February 10, 2022 and is herewith returned as out-of-time.

Pursuant to Rule 44 of the Rules of this Court, a petition for rehearing must be submitted within 25 days after the decision of the Court. As the petition for writ of certiorari was denied on January 10, 2022, the petition for rehearing was due on or before February 4, 2022.

Sincerely,
Scott S. Harris, Clerk
By:

Susan Frimpong
(202) 479-3039

Enclosures

Total-8 pages (with 2 Exhibits) ①

(+) 1 Motion - 2 pages

IN THE

SUPREME COURT OF THE UNITED STATES

MITHUN BANERJEE

No. 21-6522

Plaintiff,

Vs.

Bank Of America N.A.

PETITION DOCKET

RECEIVED

FEB 10 2022

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Respondent.

* * * * *

Plaintiff's Motion For Reconsideration for WRIT OF CERTIORARI

Plaintiff, Mithun Banerjee files the Motion For Reconsideration for Writ of Certiorari.

On January 10th, 2022, Honorable Supreme Court of the United States denied the Writ of Certiorari between Mithun Banerjee Vs Bank of America N.A.

Plaintiff request the Honorable Court to Reconsider it's Decision as it's well known as per the Statement of the Former Chief Judge of Maryland Court of Appeal as follows, **“people of color are being denied their rightful equality.” The same thing happened to me here & I almost lost trust in the system & looks like it works only for the Rich & Famous & not for “Colored People” like me.**

The same thing happened here where Miles & Stockbridge Law firm used their influence with Sitting Judges, Judge Christopher C. Fogleman & Judge Michael J. McAuliffe. Moreover, Judge Michael J. McAuliffe is a Distant Cousin of Principal Miles & Stockbridge Law firm & also their Campaign Manager, having Financial Transaction. Both the Judges ruled against me having financial truncation with Defense Attorney's Principal & moreover, Honorable Judges never bother to disclose the same.

I am quoting the Statement of the Former Chief Judge of Maryland Court of Appeal as follows.

“Many of those among us have taken an oath to support the constitutions of the United States and Maryland. As such, we have the particular responsibility to make the guarantees embodied in them a reality for all people. We have the unique privilege and responsibility to administer justice: equal justice under law.

Judges swear to be fair and impartial, to do justice in every individual case. That cannot change, but we, together, as members of the system of justice, must re-examine how we administer justice. We must determine, along with the other branches of government, how

to ensure that the protections and rights under law are afforded equally to all of us. We must assure that our courts do not suffer bias, conscious or unconscious. We must examine, together, the reasons for disproportionate impact upon people of color, and address those reasons.

All of us—members of the judicial branch and the legal community—must, as Justice Thurgood Marshall, has demanded, ensure that the doors of justice open wide for all people—and that once inside, procedural fairness and due process are a given. Access to legal services and representation in matters that affect the lives of all the people in our state, whether they have means or not, is essential. No one should suffer the degradations that too often accompany poverty—and we, the stewards of the justice system, cannot allow the lack of representation in civil matters to add to the burdens of the poor. Until governments can afford to guarantee representation to all in civil matters, the provision of legal representation pro bono publico—for the public good—and the legal services and information we provide can fill some, but not nearly enough, of the need.”

The key sentence I found is as follows,
“Judges swear to be fair and impartial, to do justice in every individual case.”

What Impartial Justice it is when Justice Fogleman suppress a Perjury Evidence to rule in favor of his Campaign Manager’s Law firm?

What Impartial Justice it is when Justice McAuliffe ignores the Perjury Evidence to rule in favor of his Campaign Manager’s Law firm, who is his Distant Cousin as well?

Again, please consider the following Oath that you all have taken,
“Many of those among us have taken an oath to support the constitutions of the United States and Maryland. As such, we have the particular responsibility to make the guarantees embodied in them a reality for all people. We have the unique privilege and responsibility to administer justice: equal justice under law.”

If Justice System is Possibly Corrupt & Biased & People of Color doesn’t get a Fair Trial & have access to “guaranteed representation” for “Civil Cases”, Don’t you all Honorable Judges think that my Writ of Certirari should be accepted & given an opportunity to get a Fair Trial, which I missed before & it will be the Best Interest of Public?

Isn’t it states that Crime against one is Crime against the State?

Unfortunately but it’s true that Judge Fogleman & Judge McAuliffe didn’t wanted to hear about the Perjury Evidences. Because, if it was heard, then Defense witness would lack total credibility & the case would have been in favor of the Plaintiff. But that would have been bad for their Old Golf Buddies & their Campaign Manager’s Law

firm. That may be a motive for Judge Fogleman & Judge McAuliffe to suppress & ignore the Perjury Evidences.

The District Court Commissioner filed Charges agonists the two Defense Witnesses but even after knowing that Judge Fogleman, ignored the Perjury Evidences. If this is not corruption then what it is Corruption being a sitting Judge & been not fair to both the parties, especially when the Plaintiff is a Colored Person?

Why not provide me an opportunity to be heard & see if my claims are truth or false.

I am the Member of Public & today, I humbly request the Court of Appeal to give me a Fair Hearing, which I missed & of course, this will be for greater good of the People of United States (Including Maryland) & more Greater Good for Colored People of United States (Including Maryland).

I strongly believe that as a Sitting Judges of Supreme Court of the United States, you have a Duty & Responsibility to protect a Citizen of United States (Including Maryland) from any wrong doing & Unfair Trial. That is the biggest Duty you all have towards the People of United States (Including Maryland).

If you all will not provide me that opportunity, then it will be wrong towards me & wrong towards the Colored People of United States (Including Maryland). Hence, this is in Public Interest to correct the wrong doing happening to Colored People like me in the Supreme Court of the United States, way before 1857-Dred Scott v. Sandford to till date.

Now the question is, will you uphold your Oath to the Constitution & give me Justice?

Your Order will give the Response.

Please find attached the Message of Former Chief Judge of Maryland Court of Appeal attached & I am using that as a Newly Discovered Evidence as per the Rule 2-533 and Rule 2-535 & requesting for Reconsideration within 30 days of entry of the Judgement/Order.

Date: February 8th, 2022..

Respectfully submitted,

/s/


Mithun Banerjee

(4)

13119 Fernedge Road, Silver Spring, MD-
20906.

409-466-2431,

mithunbanerjee@gmail.com

Certificate of Service

I HEREBY CERTIFY that on February 8th, 2022., a copy of foregoing was filed in person in the Court and served in person/email/via first class mail, postage prepaid to:
Defense Counsel-Tessa L. Frederick & Rosalyn Tang,
11 N Washington Street, Suite-700, Rockville, MD- 20850.

/s/ 

Mithun Banerjee

Exhibit - A



Message from Chief Judge Mary Ellen Barbera



Statement on Equal Justice under Law

June 9, 2020

The protests of the last several weeks have coalesced into a truth that cannot be ignored: people of color are being denied their rightful equality. Frustration and grief have poured out in response to the recent events that so horribly have illuminated injustices against people of color; injustices, sadly, that are not new. These events represent the extremes of the all-too-common conscious—and unconscious—disrespect and disregard for the dignity of people of color. Difficult and painful, but necessary and overdue, conversations are taking place across our state and our nation.

We may be disheartened, not only that our collective efforts have been insufficient and inadequate, but that so little progress appears to have been made. We cannot falter, as we must fulfill our mandate to ensure equal justice to all under law. We must, individually and collectively, contribute in any way we can to overcome the bias that divides and imperils our civil society and the experiment that is our democracy.

This recognition of the need for collective resolve is not new, but perhaps our determination to address the long-term inequities spawned by slavery and Jim Crow, has, at last, become new. In 1862, President Abraham Lincoln, in his annual message to Congress, noted:

We can succeed only by concert. It is not 'can any of us imagine better?' but, 'can we all do better?' The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise — with the occasion. As our case is new, so we must think anew, and act anew. We must disenthral ourselves, and then we shall save our country.

Many of those among us have taken an oath to support the constitutions of the United States and Maryland. As such, we have the particular responsibility to make the

guarantees embodied in them a reality for all people. We have the unique privilege and responsibility to administer justice: equal justice under law.

Judges swear to be fair and impartial, to do justice in every individual case. That cannot change, but we, together, as members of the system of justice, must re-examine how we administer justice. We must determine, along with the other branches of government, how to ensure that the protections and rights under law are afforded equally to all of us. We must assure that our courts do not suffer bias, conscious or unconscious. We must examine, together, the reasons for disproportionate impact upon people of color, and address those reasons.

All of us—members of the judicial branch and the legal community—must, as Justice Thurgood Marshall, has demanded, ensure that the doors of justice open wide for all people—and that once inside, procedural fairness and due process are a given. Access to legal services and representation in matters that affect the lives of all the people in our state, whether they have means or not, is essential. No one should suffer the degradations that too often accompany poverty—and we, the stewards of the justice system, cannot allow the lack of representation in civil matters to add to the burdens of the poor. Until governments can afford to guarantee representation to all in civil matters, the provision of legal representation *pro bono publico*—for the public good—and the legal services and information we provide can fill some, but not nearly enough, of the need.

In Maryland, we have begun to address some of the systemic inequities that affect the poor and people of color more often and with greater detriment. We have begun pretrial reform, but still need pretrial services state-wide to eliminate the pretrial detention of those who do not pose a risk, but cannot afford even a low monetary bail. We have instituted mediation in landlord-tenant cases, but we need to address the manner in which the hundreds of thousands of landlord-tenant matters are filed and administered each year.

We are working to improve the justice responses to children involved with the courts. But we do still need to better address the problems of our young, our children, who have grown up in violence and poverty, far too many of whom are of color. We must recognize that their suffering is our suffering and their desperation, ours. As long as they are not afforded the stability and opportunity that all children deserve and require, we risk our collective stability as a state and as a nation.

We have been fortunate in Maryland to have had a longstanding commitment to a Judiciary that looks like the people it serves—and an equal commitment to access to justice. We must, however, recognize the economic and racial disparities that persist in our justice system. We cannot eliminate them until we make certain that all voices are

heard and respected and that the perspectives and experience of all realign our practices to make good the promise of equal justice under law.

To answer President Lincoln, we will do better in Maryland because we must, until we achieve what a true democracy requires: equality for all people. Our duty and fealty to the constitutions of our state and country command that we strive toward equality. Let us, in reaffirming our commitment to equal justice under law for all, make it known that, in Maryland, the lives of people of color do matter.

Mary Ellen Barbera
Chief Judge

Exhibit-B

Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001

(8)

January 10, 2022

Scott S. Harris
Clerk of the Court
(202) 479-3011

Mr. Mithun Banerjee
13119 Fernedge Road
Silver Spring, MD 20906

Re: Mithun Banerjee
v. Bank of America, N.A.
No. 21-6522

Dear Mr. Banerjee:

The Court today entered the following order in the above-entitled case:

The petition for a writ of certiorari is denied.

Sincerely,



Scott S. Harris, Clerk

Total - 2 pages.

(1)

IN THE

SUPREME COURT OF THE UNITED STATES

MITHUN BANERJEE

No. 21-6522

Plaintiff,

Vs.

PETITION DOCKET

Bank Of America N.A.

Respondent.

* * * * *

Plaintiff's 2nd Emergency Motion and Request for Whistle Blower Protection against Possible Illegal Actions Against Plaintiff and his Family for bringing Possible Corruption Evidences against Several Sitting Judges from District/Circuit Court of Montgomery County, Maryland

Plaintiff, Mithun Banerjee requests the Honorable Court to request for whistle blower protection against any illegal actions against Plaintiff for bringing Possible Corruption Evidences against Several Sitting Judges from Circuit Court of Montgomery County, Maryland.

Plaintiff already witnessed possible Corruption and possible unethical Practices from Judge Greenburg, Judge Burrell, Judge Fogleman, Judge McAuliffe and possible Defense Attorney Law firm who miraculously able to get all the Four Judges who are either Ex-Colleague, Distant Cousin, Campaign Candidate, Golf Buddies or able to do Ex-Parte Communication.

Plaintiff is not hopeful to get a Fair Judicial Process and Due Process as Plaintiff brought evidences of Possible Corruption against several sitting Judges and Defense Attorney law firm. Either Honorable Court may provide a Fair Judicial Process and Due Process to Plaintiff. Plaintiff is worried, concerned and scared that his Due Process Rights will violate & getting violated and hence, submitting this Motion for Fair Judicial Process, Due Process and Whistle Blower Protection from any illegal actions that these Sitting Judges, their friends who are Sitting Judges and their family can take against the Plaintiff & Plaintiff's Family as Plaintiff already experiencing such unethical & illegal acts where Plaintiff's cases are dismissed wrongfully & adverse decision was taken against Plaintiff

(2)

for some unknown reasons. Plaintiff is scared of his life & liberty & already experienced multiple discriminatory behaviors from Circuit/District Court of Montgomery County, Maryland.

I also request for Whistle Blower Protection against me and my family for possibly any illegal harm which can be done by these Extremely Powerful and Influential Sitting Judges or their families or their Contacts or by Defense law firms or their friend and families or their Contacts. If my Motion for Whistle Blower Protection is been denied and any harm happens to me and my family, then Honorable Court will be responsible for any possible harm to me and my family for denying me and my family any Whistle Blower Protection as Plaintiff finds that several Sitting Judges from Circuit/District Court of Montgomery County, Maryland is acting against Plaintiff & trying to do harm to Plaintiff.

Date: February 8th, 2022.

Respectfully submitted,

/s/


Mithun Banerjee

13119 Fernedge Road, Silver Spring, MD-
20906.
409-466-2431,
mithunbanerjee@gmail.com

Certificate of Service

I HEREBY CERTIFY that on February 8th, 2022, a copy of foregoing was filed in person in the Court and served in person/email/via first class mail, postage prepaid to:
Defense Counsel-Tessa L. Frederick & Rosalyn Tang,
11 N Washington Street, Suite-700, Rockville, MD- 20850.

/s/


Mithun Banerjee