Nos. 21-8142; 21-8242; 21-7806 & 22-5089

In The
Supreme Court of the United States

MAJOR MIKE WEBB, *ET AL.*,

Pro Se Petitioner,

v.

RALPH S. NORTHAM, *ET AL.*,

Respondent.

MAJOR MIKE WEBB, *ET AL.*,

Pro Se Petitioner,

v.

ANTHONY S. FAUCI, *ET AL.*,

Respondent.

MAJOR MIKE WEBB, *ET AL.*,

Pro Se Petitioner,

v.

UNITES STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA,

Respondent.

MAJOR MIKE WEBB, *ET AL.*,

Pro Se Petitioner,

v.

UNITES STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA,

Respondent.

Petition for Rehearing and Grant of Leave Therefor

MAJOR MIKE WEBB, *PRO SE*
Counsel of Record
955 S. Columbus Street, Apartment 426
Arlington, Virginia 22204
(856) 220-1354
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QUESTIONS PRESENTED

"Globally, as of 6:28pm CEST, 7 October 2022, there have been 617,597,680 confirmed cases of COVID-19, including 6,532,705 deaths, reported to WHO", Staff, "WHO Coronavirus (COVID-19) Dashboard," *WHO*, https://covid19.who.int/ (accessed October 7, 2022), and, commencing the new term, on October 3, 2022, the nation's highest court, which had pronounced the rule that "'[i]t is emphatically the province and duty of the judicial department to say what the law is'," *U.S. v. Nixon*, 418 U.S. 683 (1974) (quoting *Marbury v. Madison*, 1 Cranch 137 (1803)), denied applications to proceed *in forma pauperis* (IFPs) in the above captioned matters, despite in the prior term having not denied IFPs in prior matters. *See Webb v. Northam*, Record No. 21-61670; *Webb v. Fauci*, Record No. 21-6868, raising credibly a novel case of a litigant having been treated in disparate treatment *vis á vis* himself, presenting the appearance of arbitrariness and capriciousness, on matters raised in defense of religious liberty, and free speech, entitled to heightened scrutiny, while under the time/decision rule, the time/decision rule, articulated in *Reid v. MSPB*, 508 F.3d 674 (Fed. Cir. 2007), wherein a complainant "need not demonstrate the existence of a retaliatory motive. . . to establish that [the protected activity]. . . was a contributing factor", *Kewley v. HHS*, 153 F.3d 1357 (Fed. Cir. 1998) (quoting *Marano v. DoJ*, 2 F.3d 1137(Fed. Cir. 1993))[1], raising, in assignment of error, the following questions upon rehearing:

1. Whether a requester, deemed to have exhausted administrative remedies under the *Freedom of Information Act (FOIA)*, 5 U.S.C. § 552(a)(6)(C)(i), and, by codified statutory right, is entitled to injunctive relief, 5 U.S.C. § 552(a)(4)(B),a court will have abused discretion by refusal to decide the matter on the technicality arising under the approval of an application to proceed *in forma pauperis*, as authorized under 28 U.S.C. § 1915.

2. Whether a litigant, previously granted permission to proceed *in forma pauperis* in a court, with no change in financial status may be denied later, within the discretion of that court, without infringing upon a due process right and articulated reason as to how such "'further(s) some vital government end by a means that is least restrictive of freedom of belief and association in achieving that end.'" *Gavett v. Alexander*, 477 F. Supp. 1035 (D.D.C. 1979) (quoting *Elrod v. Burns*, 427 U.S. 347 (1976)), and is not retaliation, under the time/decision rule. *Reid*, 508 F.3d, at 674.

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[1] "Once the knowledge/timing test has been met, an administrative judge must find that the appellant has shown that. . . [the protected activity] was a contributing factor. . . , even if, after a complete analysis of all of the evidence, a reasonable factfinder could not conclude that the appellant's [protected activity]. . . was a contributing factor". *Schnell v. Department of the Army*, 114 M.S.P.R. 83 (2010).

PRIOR DECISIONS

On Petition for Rehearing and Grant of Leave Therefor, Appellant, Major Mike Webb, consolidates four matters that had been docketed for certiorari, but which, on October 3, 2022, at the commencement of the new term, had been denied a grant of leave to proceed *in forma pauperis*, but had been permitted to, not later than October 24, 2022, remit payment of the docketing fee required by Rule 38(a), and to submit a petition in compliance with Rule 33.1, affecting the following named matters:

A. *Webb v. U.S. District Court for E.D.Va.*, Record No. 21-7806 (U.S. 2021), as attached the Appendix at Exhibit **A**;

B. *Webb v. Northam*, Record No. 21-8142 (U.S. 2021) as attached the Appendix at Exhibit **B**;

C. *Webb v. Fauci*, Record No. 21-8242 (U.S. 2022) C ;

D. *Webb v. U.S. District Court for E.D.Va.*, Record No. 22-5089 (U.S. 2022) as attached the Appendix at Exhibit **D**.

Of official court record, Appellant had been denied certiorari on two previous matters, with no issue regarding a grant of leave to proceed *in forma pauperis* before this Honorable Court, namely, *Webb v. Northam*, Record No. 6170 (U.S. 2021) and *Webb v. Fauci*, Record No. 21-6868 (U.S. 2022).

JURISDICTION

In accordance with Rule 44, "[a]ny 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, and Appellant here now timely appeals the denial of a grant to proceed *in forma pauperis*

on October 3, 2022, in the above referenced matters.

ON PETITION FOR REHEARING AND LEAVE TO PROCEED THEREFOR

Pursuant to Rule 44, incorporating Rules 10-14, 29, 30, 33.2, 34 and 39 for *pro se* filers *in forma pauperis*, Guidance Concerning Clerk's Office Operations, dated November 13, 2020 and 28 U.S.C. § 1651, Appellant Major Mike Webb ("Applicant" or "Webb") respectfully petitions for rehearing and grant of leave therefor regarding denial of applications to proceed *in forma pauperis* for which in prior matters Appellant had never been denied, with no alteration in financial circumstances.

REASONS FOR GRANTING LEAVE AND REHEARING

I. Whether a requester, deemed to have exhausted administrative remedies under the *Freedom of Information Act (FOIA)*, 5 U.S.C. § 552(a)(6)(C)(i), and, by codified statutory right, is entitled to injunctive relief, 5 U.S.C. § 552(a)(4)(B), a court will have abused discretion by refusal to decide the matter on the technicality arising under the approval of an application to proceed *in forma pauperis*, as authorized under 28 U.S.C. § 1915.

A. A Solicitude for Civil Rights

Prior to this novel case regarding a novel coronavirus, Article III Courts had prudently adopted "the position that its district courts must be especially solicitous of civil rights plaintiffs" and "[t]his solicitude for a civil rights plaintiff with counsel must be heightened when a civil rights plaintiff appears *pro se*." *Gordon v. Leeke*, 574 F.2d 1147 (4th Cir. 1978), extending so as to ensure that a "demurrer should not be granted if its effect would be to incorrectly 'short-circuit' litigation and erroneously deprive parties of trials on the merits." *Vogen Funding, LP v. Wener*, 78 Va. Cir. 448 (2009) (citing *Fultz v. Delhaize America, Inc.*, 278 Va. 84 (2009); *CaterCorp, Inc. v. Catering Concepts, Inc.*, 246 Va. 22 (1993).

"When we allow the desire to reduce court congestion to justify the sacrifice of substantial rights of the litigants in cases like this, we attempt to promote speed in administration, which is desirable, at the expense of justice, which is indispensable to any court system worthy of its name." *Link v. Wabash R. Co.*, 370 U.S. 626 (1962). And, at least the highest court in the Commonwealth has "often warned. . . trial courts about granting motions that 'short circuit' the legal process and deprive litigants of their "day in court and depriv[e] this Court of an opportunity to review a thoroughly developed record on appeal." *Dodge v. Trustees of Randolph-Macon Woman's Coll.*,

276 Va. 1 (2008) (citing *Seyfarth, Shaw, Fairweather & Geraldson v. Lake Fairfax Seven Ltd. P'ship*, 253 Va. 93 (1997). "This case seems to me an excellent example of the sort of wholly unnecessary waste of judicial resources which can result from such overzealous protection of trial court dockets." *Link*, 370 U.S., at 626.

On this Honorable Court, the former Chief Justice Rehnquist, joined by Justices Thomas and O'Connor, in dissent expressed his objection, when "[t]he Court. . . erect[ed] a novel prudential standing principle in order to avoid reaching the merits of the constitutional claim." *Elk Grove Unified Sch. Dist. v. Newdow*, 542 U.S. 1 (2004), *abrogated by Lexmark Int'l, Inc. v. Static Control Components, Inc.*, 572 U.S. 118 (2014). And similarly, on this Honorable Court in dissent, Justice Stevens exasperatingly expressed his objections, stating, in adherence to multiple prior precedents, "I would deny these petitions for writs of certiorari without reaching the merits of the motions to proceed *in forma pauperis*", noting that "[i]n the future, however, I shall not encumber the record by noting my dissent from similar orders denying leave to proceed in forma pauperis, absent exceptional circumstances." *Day v. Day*, 510 U.S. 1 (1993). *But see* Order, *Webb v. Northam*, Civil Action No. 3:2022-cv-00222 (E.D.Va. June 10, 2022).

B. In the Face of Doubt

As explained by the U.S. Department of Justice (DoJ), "[o]n his first full day in office, January 21, 2009, the President[, Barack Obama,] issued a memorandum to all executive departments and agencies emphasizing that the *FOIA* reflects a 'profound national commitment to ensuring an open Government'", *Department of Justice Guide to the Freedom of Information Act*, "President Obama's *FOIA*

Memorandum and Attorney General Holder's FOIA Guidelines," *DoJ*, July 23, 2014, calling for "federal executive departments and agencies to administer the *FOIA* with 'a clear presumption: [i]n the face of doubt, openness prevails.'" *Id.* (quoting).

In that historic memorandum, according to (DoJ), President Obama "directed departments and agencies not to withhold information 'merely because public officials might be embarrassed by disclosure, because errors and failures might be revealed, or because of speculative or abstract fears'", *ibid*, and "[h]e instructed agencies to respond to requests 'promptly and in a spirit of cooperation.'" *Id.* (quoting *Presidential Memorandum for Heads of Executive Departments and Agencies Concerning the Freedom of Information Act*, 74 Fed. Reg. 4683 (Jan. 21, 2009)). "The President further directed agencies to adopt a presumption in favor of disclosure with regard to all *FOIA* decisions", *ibid.*, and "[t]hat presumption requires agencies to proactively release records, without waiting for specific requests, and use technology to inform citizens 'about what is known and done by their [g]overnment.'" *Ibid.* "The President directed the Attorney General to issue *FOIA* Guidelines for the Executive Branch that 'reaffirm[] the commitment to accountability and transparency.'" *Ibid.*

As a matter of codified statutory right, "[a]ny person making a request *to any agency* for records under paragraph (1), (2), or (3) of this subsection shall be deemed to have exhausted his administrative remedies with respect to such request if the agency fails to comply with the applicable time limit provisions of this paragraph", 5 U.S.C. § 552(a)(6)(C)(i) (emphasis added), but, with the sanction of the Courts, the White House, since April 20, 2021, when the deadline for reply had tolled, has been

granted license to ignore this provision of codified law. Why?

As observed in *Doe v. Tangipahoa Par. Sch. Bd.*, 631 F. Supp. 2d 823 (E.D. La. 2009) "[t]he loss of *First Amendment* freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury", *id.* (quoting *Elrod v. Burns*, 427 U.S. 347 (1976). Moreover, at least with regard to the issue of abortion, it had been said that, under *Roe v. Wade*, 410 U. S. 113 (1973), "the right protects the woman from unduly burdensome interference with her freedom to decide whether to terminate her pregnancy", *Planned Parenthood of Southeastern Pa. v. Casey*, 505 U.S. 833 (1992).

Nonetheless, in this issue raised on appeal, raising a presumptive assertion of executive privilege, the White House having elected a dubious right to remain silent for over a year, refusing to consent to the jurisdiction of the Article III Courts, including this Honorable Court, and upon which this Court has stated "[a]bsent a claim of need to protect military, diplomatic, or sensitive national security secrets, we find it difficult to accept the argument that even the very important interest in confidentiality of Presidential communications is significantly diminished by production of such material for *in camera* inspection with all the protection that a district court will be obliged to provide", *U.S. v. Nixon*, 418 U.S. 683 (1974), which, too, has yet to occur. Why?

Moreover, Article III Courts have determined that "[i]t is clear that the *FOIA* contemplates that the courts will resolve fundamental issues in contested cases on the basis of *in camera* examinations of the relevant documents", *Phillippi v. CIA*, 546 F.2d 1009 (D.C. Cir. 1976) (citing *Dep't of the Air Force v. Rose*, 425 U.S. 352 (1976);

5 U.S.C. § 552(a)(4)(B), *as amended* (Supp. V 1975)), and such *in camera* inspections yet to be found, while any and all hearings have been denied, in this exceptional case for some as yet unstated nor acknowledged case of first impression, a matter not even noticed by the watchful press. Why?

Unequivocally, under the law, "*[o]n complaint*, the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in which the agency records are situated, or in the District of Columbia, has jurisdiction *to enjoin the agency from withholding* agency records and to order the production of any agency records improperly withheld from the complainant", 5 U.S.C. § 552(a)(4)(B), but a complaint having been presented on July 7, 2021 has yet to find one court, observe that heightened solicitude for civil rights, *Gordon*, 574 F.2d, at 1147 (4th Cir. 1978). Why?

Beyond a reasonable doubt, on issues arising during the current public health crisis, there is no other litigant, unrepresented or not, who has brought a total of six cases, in less than a year, that have been docketed for certiorari, and yet not even one has, to date, found a trial on the merits, and, as in the present action, found defendants electing a dubious right to remain silent, while, as stated in *U.S. v. Burr*, 25 F. Cas. 55 (C.C.D. Va. 1807), "if the gentleman had believed this decision to be favorable to him, we should have heard of it in the beginning of his argument, for the path of inquiry in which he was led him directly to it", and even today, "evidence of . . . flight. . . [is] admissible even if offered solely to prove his consciousness of guilt as to that predicate act." *U.S. v. Pungitore*, 910 F.2d 1084 (3d Cir. 1990).

"The infectious dose of SARS-CoV-2 needed to transmit infection has not been established." Staff, "Scientific Brief: SARS-CoV-2 Transmission," *CDC*, May 7, 2021. It is empirically and clinically significant, of at least probative value to a trier of fact, that this still elusive, quantifiable metric is required, *sine qua non*, to determine the proper correlates of protection to develop an effective vaccine, without the requirement for large stage three clinical trials, Shuo Feng, *et al.*, *Correlates of protection against symptomatic and asymptomatic SARS-CoV-2 infection*, MedRix, June 24, 2021, doi: https://doi.org/10.1101/2021.06.21.21258528.

Further, prior to receipt of the subject *FOIA* request, the President, ceremoniously, had expressed a deep concern that "this country didn't have nearly enough vaccine supply to vaccinate all or near all of the American public", had "announced our plan to buy an additional 100 million doses of Johnson & Johnson vaccines", placed the nation on a "war footing" and had expressed a commander's intent to "have enough vaccine supply for all adults in America by the end of May", assuring that "[i]f we do all this, if we do our part, if we do this together, by July the 4th, there's a good chance you, your families, and friends will be able to get together in your backyard or in your neighborhood and have a cookout and a barbeque and celebrate Independence Day." Briefing Room, "Remarks by President Biden on the Anniversary of the COVID-19 Shutdown," *White House*, March 11, 2021.

Yet, far from over, every week there is the equivalent of another 9/11 terror attack, Jacob Stern, "Hundreds of Americans Will Die From COVID Today," *The Atlantic*, September 16, 2022, by a virus, of official report, that "isn't stupid", Meg

Tirrell, "CDC director says the Covid pandemic's end date depends on human behavior," *MSNBC*, October 8, 2021, while "[a] new study from a group of Yale University scholars found that Republicans experienced a meaningfully higher death rate from Covid-19 than Democrats — and the difference was almost entirely concentrated in the period after the vaccine became available." Dylan Scott, "A wave of anti-vaccine legislation is sweeping the United States," *Vox Media*, October 6, 2022.

Perhaps, "[w]hat we can't really predict is human behavior", and, sadly, human behavior in this pandemic hasn't served us very well." Meg Tirrell, "CDC director says the Covid pandemic's end date depends on human behavior," *supra.*"My trust is in the mercy and wisdom of a kind Providence, who ordereth all things for our good," Staff, "Robert E. Lee Quotes," *American Civil War History*, http://www.americancivilwarstory.com/robert-e-lee-quotes.html (accessed June 17, 2022), for "[s]urely we have learned by now, that we underestimate this virus at our peril." Staff, "2021 Year in Review: 'We underestimate this virus at our peril'," *UNSDG*, December 28, 2021. "How long their subjugation may be necessary is Known & ordered by a wise & merciful Providence", Robert E. Lee, *Letter to Mary Randolph Custis Lee*, December 27, 1856.

II. Whether a litigant, previously granted permission to proceed *in forma pauperis* in a court, with no change in financial status may be denied later, within the discretion of that court, without infringing upon a due process right and articulated reason as to how such "'further(s) some vital government end by a means that is least restrictive of freedom of belief and association in achieving that end.'" *Gavett v. Alexander*, 477 F. Supp. 1035 (D.D.C. 1979) (quoting *Elrod v. Burns*, 427 U.S. 347 (1976)), and is not retaliation, under the time/decision rule. *Reid*, 508 F.3d, at 674.

A. Disparate Treatment

Pursuant to 28 U.S.C. § 1915, in a discretionary grant, "any court of the United States may authorize the commencement, prosecution or defense of any suit, action or proceeding, civil or criminal, or appeal therein, without prepayment of fees or security therefor, by a person who submits an affidavit that includes a statement of all assets such prisoner possesses that the person is unable to pay such fees or give security therefor", and, by action of this Honorable Court, one who had previously been at least presumptively adjudged to be in a sufficient state of impoverishment to find certiorari denied, *see Webb v. Northam*, Record No. 21-61670; *Webb v. Fauci*, Record No. 21-6868, was denied, arguably, "'[t]o establish a claim for relief under the *Equal Protection Clause*, a plaintiff must demonstrate that the government treated the plaintiff disparately as compared to similarly situated persons and that such disparate treatment either burdens a fundamental right, targets a suspect class, or has no rational basis." (quoting *Club Italia Soccer & Sports Org., Inc. v. Charter Township*, 470 F.3d 286 (6th Cir.2006) (internal quotation marks omitted)". *See also Henry v. Metropolitan Sewer Dist.*, 922 F.2d 332 (6th Cir.1990)[2]. Herein presents the novel case of first impression where the record finds a litigant treated in disparate treatment *vis á vis* his former self, on claims raised most directly with regard to the *Freedom of Access to Clinic Entrances (FACE) Act*, 18 U.S.C. § 248(a)(2), religious liberties guaranteed under the *First Amendment*, *Webb v. Fauci*, Record No. 21-8242 (U.S. 2022); *see also Webb v. Fauci*, Record No. 21-6868 (U.S. 2022), *cert. denied.* And, one fictionalized character in a historical drama had posited: "That's the real

[2] "To state a claim under the Equal Protection Clause, a § 1983 plaintiff must allege that a state actor intentionally discriminated against the plaintiff because of membership in a protected class." *Id.*

question, isn't it? Why?", noting that "[t]he how and the who is just scenery for the public", and "[p]revents them from asking the most important question: why?" Oliver Stone, *JFK*, Warner Brothers (1991).

And yet another popular film, based upon a 1980's novel, *see* Umberto Eco, *The Name of the Rose*, HBJ (1980), the year in which this Honorable Court had decided the matter *Diamond v. Chakrabarty*, 447 U. S. 303 (1980), had chosen a Franciscan, who had been convinced that "reasoning about causes and effects is a very difficult thing," and that "the only judge of that can be God", Umberto Eco, *The Name of the Rose*, *supra*, as its protagonist, and placed in a setting of an abbey, in the year during which some have opined that the Mongols had, by accident, set off the Black Death Pandemic, Thinley Kalsang Bhutia, *et al.*, "Biological Weapons In History," *Britannica*, November 27, 2017, https://www.britannica.com/technology/biological-weapon/Biological-weapons-in-history (February 1, 2021); *but see* Staff, "First use of biological warfare,"*Guiness Book of World Records*, January 20, 2002, https://www.guinnessworldrecords.com/world-records/first-use-of-biological-warfare (accessed February 1, 2021)[3], to consider the question: a fraternal debate regarding the poverty of Jesus. Umberto Eco, *The Name of the Rose*, *supra.*

Would this Honorable Court here acknowledge, by this action, that "if any man be in Christ, he is a new creature: old things are passed away; behold, all things are become new"? *2 Corinthians* 5:17 (KJV). Might this Honorable Court, hereby, endorse a new rule that if one "seek ye first the kingdom of God, and his righteousness; and

[3] Attributing the first use of biological warfare to the Assyrians in the 6th Century B.C.

all these things shall be added unto you?" *Matthew* 6:33 (KJV).

B. Time/Decision Rule

Under the time/decision rule, articulated in *Reid v. MSPB*, 508 F.3d 674 (Fed. Cir. 2007), a burden shifting mechanism, a complainant "need not demonstrate the existence of a retaliatory motive. . . to establish that [the protected activity]. . . was a contributing factor", *Kewley v. HHS*, 153 F.3d 1357 (Fed. Cir. 1998) (quoting *Marano v. DoJ*, 2 F.3d 1137(Fed. Cir. 1993)). "This case is no different." Informal App. Opp.Brief, *Webb v. Garland*, Record No. 2022-2065 (Fed.Cir. 2022).

And, if, as the record establishes, beyond a preponderance of evidence, that if such phenomenon were to be classified information, *i.e.*, infectious dose, the causative biological agent could only be owned and/or controlled by the government, Executive Order 12,958, *Classified National Security Information*, April 17, 1995[4], and by operation of law, if classified, Executive Order, 12,958, could only have been cultivated and/or manipulated, in a laboratory. *Association for Molecular Pathology v. Myriad Genetics*, Docket No. 12-398, 566 U.S. ___ (2013)[5], while, under strict scrutiny, to which Appellant, a Negro, raising a claim "[w]here certain 'fundamental rights'" are involved, these denial actions, "limiting these rights may be justified only by a 'compelling state interest,' " requiring that such "must be narrowly drawn to express only the legitimate state interests at stake." *Roe*, 410 U.S., at 113.

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[4] "'Information' means any knowledge that can be communicated or documentary material, regardless of its physical form or characteristics, that is *owned by, produced by or for, or is under the control of the United States Government.*" *Id.* Part I, Section 1.1(b).

[5] "that a naturally occurring DNA segment is a product of nature and not patent eligible merely because it has been isolated, but that cDNA is patent eligible because it is not naturally occurring." *Id.*

Accordingly, all remedies exhausted, availing a defense of necessity, *U.S. v. Bailey*, 444 U.S. 394 (1980), a grant of relief would be proper and in the interest of justice.

CONCLUSION

For the reasons stated above, Appellant respectfully requests the Court grant leave for rehearing to grant the application to proceed *in forma pauperis*, as well as such other equitable relief that the Court may deem proper, under the circumstances.

CERTIFICATION

In accordance with Rule 44, I declare that this Petition for Rehearing and Grant of Leave Therefore "is presented in good faith and not for delay."

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

Name of Party (Print or Type): Major Mike Webb, 955 S. Columbus Street, Unit # 426, Arlington, Virginia 22204, GiveFaithATry@gmail.com, 856-220-1354.

Signature of Party

Executed on: Oct 8, 2022
(Date)

Subscribed, acknowledged and sworn to before me, the undersigned Notary Public in the County of Alexandria, in the Commonwealth of Virginia, this 8th day of October, 2022.

NOTARY PUBLIC

COMMONWEALTH OF VIRGINIA
HUMAH MUSTAFA
NOTARY PUBLIC
REG. #7518851
MY COMMISSION EXPIRES
12/31/2023

My commission expires: 12/31/23 Registration Number: 7518851

Nos. 21-8142; 21-8242; 21-7806 & 22-5089

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Respondent.

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UNITES STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA,

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UNITES STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA,

Respondent.

Appendix of Authorities: Court Orders
Petition for Rehearing and Grant of Leave Therefor

MAJOR MIKE WEBB, *PRO SE*
Counsel of Record
955 S. Columbus Street, Apartment 426
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GiveFaithATry@gmail.com

EXHIBIT A

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

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

October 3, 2022

Mr. Mike Webb
955 S. Columbus St., Apt. 426
Arlington, VA 22204

Re: Mike Webb
v. United States District Court for the Eastern District of Virginia
No. 21-7806

Dear Mr. Webb:

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

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until October 24, 2022, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

Sincerely,

Scott S. Harris

Scott S. Harris, Clerk

EXHIBIT B

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

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

October 3, 2022

Mr. Mike Webb
955 S. Columbus St., Apt. 426
Arlington, VA 22204

Re: Major Mike Webb, aka Michael D. Webb
v. Ralph Northam, et al.
No. 21-8142

Dear Mr. Webb:

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

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until October 24, 2022, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

Sincerely,

Scott S. Harris

Scott S. Harris, Clerk

EXHIBIT C

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

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

October 3, 2022

Mr. Mike Webb
955 S. Columbus St., Apt. 426
Arlington, VA 22204

Re: Mike Webb
v. United States District Court for the Eastern District of Virginia
No. 22-5089

Dear Mr. Webb:

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

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until October 24, 2022, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

Sincerely,

Scott S. Harris

Scott S. Harris, Clerk

EXHIBIT D

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

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

October 3, 2022

Mr. Mike Webb
955 S. Columbus St., Apt. 426
Arlington, VA 22204

Re: Michael David Webb
v. Anthony S. Fauci, et al.
No. 21-8242

Dear Mr. Webb:

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

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until October 24, 2022, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court. Justice Alito took no part in the consideration or decision of this motion.

Sincerely,

Scott S. Harris

Scott S. Harris, Clerk

Nos. 21-8142; 21-8242; 21-7806 & 22-5089

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Respondent.

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Pro Se Petitioner,

v.

UNITES STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA,

Respondent.

Appendix: Rule 33.1 Certification
Petition for Rehearing and Grant of Leave Therefor

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Arlington, Virginia 22204
(856) 220-1354
GiveFaithATry@gmail.com

RULE 33.1 CERTIFICATION ON WORD LIMITATIONS

Pursuant to Rule 33(1)(h), Major Mike Webb, the Appellant, certifies that the document filed with this certification (Application for Petition for Certiorari) contains exactly 3,000 words, excluding document parts exempted by Rule 33.1(d), according to the word-count function of the word-processing program used to prepare it, and, further, is duly authorized to make this statement upon his own behalf, and in accordance with 28 U.S.C. § 1746(2).

Pursuant to Rule 33(1)(h), Major Mike Webb, the Affiant, is duly authorized to make this statement upon his own behalf, and in accordance with 28 U.S.C. § 1746(2), I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.

Name of Party (Print or Type): Major Mike Webb, 955 S. Columbus Street, Unit # 426, Arlington, Virginia 22204, GiveFaithATry@gmail.com, 856-220-1354.

Signature of Party

Executed on: Oct 8, 2022
(Date)

Subscribed, acknowledged and sworn to before me, the undersigned Notary Public in the County of Alexandria, in the Commonwealth of Virginia, this 8th day of October, 2022.

HUMAH MUSTAFA
NOTARY PUBLIC
REG. #7518851
MY COMMISSION EXPIRES
12/31/2023
COMMONWEALTH OF VIRGINIA

NOTARY PUBLIC

My commission expires: 12/31/23 Registration Number: 7518851