

## **PETITION FOR THE REHEARING**

### **PRO SE CIVIL PETITION #21-7999**

#### **SUPREME COURT OF THE UNITED STATES**

*Justice Robert H. Jackson observed once of the United States Supreme Court:*

*"We are not final because we are infallible, but we are infallible only because we are final".*

*But just how final is our nation's court of last resort?*

I Kristine Arutyunyan petition the Supreme Court of the United States to rehear the previously made Order on October 3<sup>rd</sup>, 2022 upon this pro se civil case.

This petition is proceeding the filing in forma pauperis under Supreme Court of the United States *Rule 39 "Proceedings in Forma Pauperis"* for rehearing pro se civil case petition "Kristine Arutyunyan vs. Federal Bureau of Investigation of State of New York", filed to the Supreme Court of the United States on May 27<sup>th</sup>, 2022 docket number #21-7999 under the Supreme Court of the United States *Rule 44 "Rehearing"*.

The following points should be a priority matter on Supreme Court of the United States' table, when rehearing this particular pro se civil case petition:

- 1) National question - federal and diversity of citizenship question on stake.
- 2) Court's own independent judgment should discern the subject matter of the particular civil case. (If the Court's Order was made depending on independent judgment of Supreme Court judges).

3) Joint application of human forces and resources for giving this particular, one of a kind pro se civil case its deserved outcome is required with the Judges of the Supreme Court of the United States and United States House of Representatives, House Committee on the Judiciary, United States Department of Justice Office of the Inspector General, Federal Judicial Center.

To justify the petition for rehearing with positive and deserved outcome the United States House of Representatives, House Committee on the Judiciary representatives' attention and involvement was promptly called into question.

The following House Committee members, Congressmen, Governor of the State of New York, Secretary of the State of California, Senators, and Federal Judicial Center were reached out to within October 3<sup>rd</sup>, 2022 – October 19<sup>th</sup>, 2022 via email, mail, phone and facsimile:

- 1) Secretary of State of California Shirley N. Weber (via email [sosoutreach@sos.ca.gov](mailto:sosoutreach@sos.ca.gov));
- 2) Governor New York State, the Honorable Kathy Hochul (via online complaint)
- 3) New York State Department of State ([dos.ny.gov](http://dos.ny.gov) via online complaint form);
- 4) Adam Schiff, Congressman, U.S. House of Representative for California's 28th Congressional District (Burbank, California office; Washington D.C. office via fax; online casework form);
- 5) Nicole Malliotakis, Congresswoman, U.S. House of Representative for New York's 11th Congressional District (Washington D.C. office via phone; Staten Island office via phone; online complaint);

6) US House Representatives. Committee Repository. Committee of Homeland Security at homeland.house.gov (via online complaint form);

7) House Committee on the Judiciary. Judiciary Committee members:

7.1) Eric Swalwell, Congressman, California's 15th Congressional District;

7.2) Darrell Issa, Congressman, California's 50th Congressional District (CA-50);

7.3) Mondaire Jones, Congressman, New York's 17th Congressional District;

7.4) Hakeem Jeffries, Congressman, New York's 8th Congressional District;

8) House Committee on the Judiciary. Subcommittee – Constitution, Civil Rights, Civil Liberties Committee members:

8.1) Tom McClintock, Congressman, California's 4th Congressional District;

8.2) Mondaire Jones, Chair, Congressman, New York's 17<sup>th</sup> Congressional District;

9) House Committee on the Judiciary. Subcommittee – Crime, Terrorism and Homeland Security Committee members:

9.1) Karen Bass, Congresswoman, California's 37th Congressional District;

9.2) Ted Lieu, Congressman, California's 33rd Congressional District;

9.3) J. Luis Correa, Congressman, California's 46th Congressional District;

10) House Committee on the Judiciary. Subcommittee – Immigration and Citizenship Committee members:

10.1) Zoe Lofgren, Chair, Congresswoman, California's 19<sup>th</sup> Congressional District;

10.2) J. Luis Correa, Congressman, California's 46th Congressional District;

10.3) Tom McClintock, Congressman, California's 4th Congressional District;

11) Civil Rights and Judiciary Committee, Washington House of Representatives (Constitution, Civil Rights, and Civil Liberties):

11.1) Tom McClintock, Congressman, California's 4th Congressional District;

12) Los Angeles City, California Councilmember, District 2 Representative Paul Krekorian (via phone; online message; via email [paul.Krekorian@lacity.org](mailto:paul.Krekorian@lacity.org));

13) Office of the Justice Program, The office of the Civil Rights Division, 810 7th Street, NW, Washington, D.C. 20531; Complaint form filed on October 3rd, 2022; sent via email [askOCR@ojp.usdoj.gov](mailto:askOCR@ojp.usdoj.gov));

14) Office of the Intelligence Community Inspector General, Office of the Director of National Intelligence, Intake Complaint Form sent via email [ICIGHotline@dni.gov](mailto:ICIGHotline@dni.gov).

15) The United States Senator for California Alex Padilla;

16) The United States Senator for California Dianne Feinstein;

17) Federal Judicial Center, Washington DC (via email [ijr@fjc.gov](mailto:ijr@fjc.gov), via phone).

18) Privacy and Civil Liberties Oversight Board (via email [info@pclob.gov](mailto:info@pclob.gov)).

An appropriate metric of national tolerance would be accepted while considering this pro se civil case if it didn't involve high level national security question, federal question, diversity of citizenship question alongside with violation of my civil rights, my privacy and identity theft and fraud performed by one of the Untied States government agencies' – Federal Bureau of Investigation of the State of New York.

All the mentioned above representatives and legal representations are considered as amicus curiae, whether it is a direct influence or consideration, indirect support and consideration, or direct involvement and briefing upon this particular pro se civil petition rehearing.

Since the grounds of denying the petition to the Supreme Court of the United States are unknown to me, I am left with the thought and justified consideration that the Supreme Court's framework for analyzing federal law, statutes based on data and proof of evidences provided in the petition from May 27<sup>th</sup>, 2022 did weaken the status of this pro se civil case, the validity of its holding; and the federal and diversity of citizenship questions that are tangled with the violation of my civil rights, privacy and identity theft were not given a thorough analysis.

I insist on cooperation of the Supreme Court of the United States and the mentioned and other appropriate organizations that can provide with the full picture of the existing violation of my civil rights, privacy and identity fraud performed by one of the government agencies' – Federal Bureau of Investigation, that does have a national security interest on a stake, and should not be ignored, only because this is a pro se civil case petition for rehearing. (*Federal Judicial Center enabling legislation, codified at 28 U.S.C. Title 28. Judiciary and Judicial Procedure. Part III. Court Officers and Employees. Chapter 42. Federal Judicial Center § 620. Federal Judicial Center*).

I highly rely on amicus curiae collaboration from the mentioned organizations and the United States House of Representatives, knowing that they provide the views of experts on this issue. An amicus brief also can supplement this civil case with new or additional facts or data that offer alternative legal grounds for deciding the case; provide

factual background or data that is not in the record; might offer important context to the underlying issues. Amicus Curiae have a unique opportunity to shape the outcome of this case, and provide the Supreme Court with more information and context that neither me, a pro se petitioner, nor the opposing party can. A made up opposing party in the face of the individuals, whose names were taken out of the context of the amended complaint #1 from May 4<sup>th</sup>, 2018 to the Eastern District Court of New York (docket #17-CV-5009) cannot consider the participation of an amicus, since they are not the actual defendants of the pro se civil case.

In addition, an amicus brief can help ensure that this pro se civil case petitioned for rehearing receives adequate representation on key issues that are left out because it was not represented by counsel.

Collaboration with any of mentioned organizations and United States House of Representatives, mentioned government representatives with aligned interests is very critical and does not trigger the disclosure requirements (*see 2010 FRAP 29 Advisory Committee Note*).

*On October 7, 1992, Senator Hugh Heflin of Alabama introduced a number of recommendations from the Federal Courts Study Committee, including legislation to allow “the Federal Judicial Center to work with other organizations to assist in the development of judicial systems in foreign countries.” In his recommendations, he observed, with new democracies forming all over the world, it is essential that our judicial branch officers and employees be authorized to share their expertise in judicial administration and the basic tenets of freedom that this country holds dear. I anticipate that there will be many beneficial developments from the efforts of the Federal Judicial*

*Center, the Judicial Conference, and the Administrative Office of the U.S. Courts in this regard.*

Mentioned United States government organizations and United States government representatives should be considered as “intervening circumstances to substantial grounds not previously presented”. I am leaving it to the Supreme Court of the United States to apply the laws and statutes that are beneficiary to support this specific subject matter civil lawsuit for petition for rehearing.

In support to an “exceptional circumstances” for the review of this particular civil lawsuit by *28 U.S. Code §1651 “Writs” (a) “The Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law”*, I petition the Supreme Court for rehearing pro se civil case “Kristine Arutyunyan vs. Federal Bureau of Investigation of State of New York”.

Because of time limitations and resource limitations for filing, I bring main grounds to the Supreme Court of the United States attention for petition for rehearing.

The rehearing rule is an important and useful devise to bring to the Supreme Court’s attention the “exceptional circumstances” that have substantial effect on the petition for rehearing, issuing explanatory statements that accompany this petition for rehearing without undermining the Supreme Court’s stature and judicial power.

I want to point to the “Cases that shaped the Federal Courts (internet source-  
<https://www.fjc.gov/history/cases/cases-that-shaped-the-federal-courts>) – Federal Jurisdiction: “Cases establishing the power of federal courts to hear certain types of

controversies” and “Defining the Judiciary - Cases establishing what it means for a federal court to exercise “the judicial power”, that shaped the History of Courts.

All the prior judgments upon this pro se civil case and Orders made upon those judgments underestimate the national security question that this particular petition has as substantial grounds for rehearing under “exceptional extraordinary circumstances”.

Therefore, with this pro se civil petition for rehearing I insist Supreme Court of the United States to consider amicus curiae collaboration with the mentioned government organizations, United States House of Representatives, Senators, Congressmen and Congresswomen for substantial extraordinary grounds with important imperative national security question on stake, alongside a violation of my civil rights, privacy and identity fraud and theft.

The petition for rehearing has stated its grounds distinctly and certifies that it is “presented in good faith and not for delay”, as the deadline to petition for rehearing is October 28<sup>th</sup>, 2022.

This particular pro se civil petition does not have an aim to underestimate the judicial power of the Supreme Court or the Justices, who voted for Order to deny the petition from May 27<sup>th</sup>, 2022. This petition for rehearing has substantial circumstances brought to the Supreme Court’s attention to claim that the petition for rehearing has national security and federal question and diversity questions on stake for proper analysis and representations; and the Justices’ decision were made in error. Therefore, to justify the petition for rehearing the amicus curiae is very essential; evolving standards of decency that mark the progress of a maturing society in changing world.

This pro se petition for rehearing has valuable insights regarding the national security question that the Supreme Court of United States should consider, although the Supreme Court already issued an Order to this pro se civil case prior to the new, substantial circumstances brought to the Court's attention in form of amicus curiae consideration of mentioned government organizations and government representatives. The Supreme Court's decision would have unexpected adverse effects when considering to rehear the petition. Here is why.

This pro se petition for rehearing has factual and legal effect on this civil case particularly, and on national security question of imperative subject matter in general.

This pro se civil case presents questions of national security alongside with violation of my civil rights, privacy and identity theft and fraud that deserves to petition for rehearing.

Therefore, the "extraordinary circumstances" for reevaluating the fundamental key reasons for this civil case petition for rehearing are obvious and clear, that should be considered in collaboration with mentioned government organizations and government representatives.

In this respect, as federal questions and diversity of citizenship questions were main considerations to seek justification for the violation of my civil rights, privacy and identity theft and identity fraud performed by the Federal Bureau of Investigation, I am seeking financial reimbursement in the amount of \$10.000.000 (ten million dollars in money).