

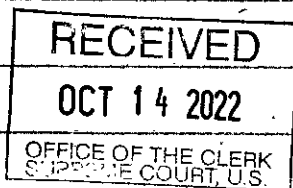
SUPREME COURT OF THE
UNITED STATES

IN RE: Johnny Brett Gregory
petitioner

No. 21-8259

MOTION FOR RECONSIDERATION

Johnny Brett Gregory
172 Webb Dr. Ne.
Calhoun GA 30701
470-633-6277



COMES NOW, Johnny Brett Gregory
"petitioner" in Pro-se, under supreme
Court Rule 44, Rehearing to the
Court order Dated October 03, 2022
erred by passing "The motion for
leave proceed in forma pauperis is
denied, and the petition for a
writ of mandamus/prohibition is
dismissed. See Rule 39.8. As the
petitioner has repeatedly abused this
Court's process, the clerk is directed
not to accept any further petitions
in noncriminal matters from petitioner
unless the docketing fee required by
Rule 38(a) is paid and the petition
is submitted in compliance with Rule
33.1. See *Martin v. District of Columbia
Court of Appeals*, 506 U.S. 1 (1992)"

1. First, the petitioner has not abuse of
a court process based on the fact
this writ of mandamus/prohibition
arise from a federal Tort claims Act (FTCA)
that all exhaustion under the FTCA,

administrative remedies has been exhausted prior to filing the petitioner's personal injury lawsuit against the probation agency. However, the District Court Judge Thomas W. Thrash Jr. public Remark: on August 24 2021 " Judge Thomas W. Thrash, Jr. declines to allow the Complaint [1-1] to be filed as a civil case, " see exhibit 1 hereto is a clear abuse on filing procedures in federal court, by the District Court Judge, not the petitioner, as this Honorable Court apparently inadvertently misunderstood, as articulated in its order on Docket Search - Supreme Court of the United States, lines 3-4 "As the petitioner has repeatedly abused this court's process" Here, the petitioner has experience severe interference with "access to the courts" LEWIS V. CASEY (1996) 518 U.S. 343, 350, 116 S.Ct. 2174, 135 L.Ed.2d 606, legal principles petitioner adopts

as it set forth fully herein. Stated otherwise, this Honorable Court has abdicated its duties, by now routinely denied physical access to the petitioner in related captioned Cause of Action on appeal Number: 21-14103-CC Case Style: Johnny Gregory V. Commissioner, Social Security Administration, District Court Docket NO: 4:21-0060-WEJ-TWT Same District Court Judge Thomas W Thrash, Jr. denial of a Federally protected and Guaranteed Constitutional Right, as stated in this matter, when petitioner in fact complains that the District Court Judge Thomas W. Thrash Jr. have and are denying petitioner access to even initial file any document into the district Court system - procedurally. (FTCA).

Footnote 1 See exhibit 2 Dated September 28, 2022 SSA extension of time inheriting this Courts Order Dated October 03 2022 (Noncriminal matter to not be accepted.) denial of due process.

3.

2. Next, the court also erred by denied the petitioner's motion for leave to proceed in forma pauperis and denied the petition for a writ of Mandamus/prohibition as the kernel of petitioners filings are controlled by Boddie v. Connecticut, 401 U.S. 371 (where the U.S. Supreme Court held that a court could not consistently with due process and equal protection requirements deny access to courts to indigents unable to pay filing fee provisions, as applied to [petitioner Gregory] would be an unconstitutional denial of fifth Amendment right of due process including equal protection) i.e., Gregory v. Commissioner SSA and in re Johnny Brett Gregory

3. It is clear from the record that this Honorable Court has inadvertently misunderstood petitioner's motion for leave proceed in forma pauperis and petition for a writ of mandamus/prohibition, and now violation of due process for noncriminal of Johnny Brett Gregory, so petitioner now herein requests that this Honorable Court reconsider its position, and rescind its order October 03 2022 and remove the Command "the clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required".

Dated: October 5 2022

Respectfully Submitted.


Johnny Brett Gregory
172 Webb Dr. NE
Calhoun GA 30701

**U.S. District Court
Northern District of Georgia (Rome)
CIVIL DOCKET FOR CASE #: 4:21-mi-00003-TWT**

**Gregory v. United States Probation Office
Assigned to: Judge Thomas W. Thrash, Jr
Case in other court: 11th Circuit, 21-13106-C
11th Circuit, 21-13106-C
11th Circuit, 21-13106-C
Cause: 00:0000 No Cause Specified
Date Filed: 08/20/2021
Date Terminated: 08/24/2021
Jury Demand: None
Nature of Suit: 890 Other Statutory Actions
Jurisdiction: Federal Question
Plaintiff**

**Johnny Brett Gregory represented by Johnny Brett Gregory
172 Webb Dr NE
Calhoun, GA 30701
PRO SE**

**V.
Defendant
United States Probation Office
Counter Terrorism Unit (CTU) Agency**

Date Filed #	Docket Text
08/20/2021	1 NOTICE Of Filing Complaint for review, by Johnny Brett Gregory. (Attachments: # 1 Complaint, # 2 Exhibits, # 3 Envelope)(rvb) (Entered: 08/24/2021)
08/24/2021	Submission of 1 Notice of Filing of Complaint for review to District Judge Thomas W. Thrash Jr. Per 8 Order in 4:21-cv-35-TWT, the Clerk is directed not to accept any Complaint for filing without the express written consent of the undersigned or Magistrate Judge Johnson. (rvb) (Entered: 08/24/2021)
08/24/2021	Remark: Judge Thomas W. Thrash, Jr. declines to allow the Complaint [1-1] to be filed as a civil case. (rvb) (Entered: 08/24/2021)
08/24/2021	Miscellaneous Case Terminated. (rvb) (Entered: 08/24/2021)
08/24/2021	Clerk's Certificate of Mailing as to Johnny Brett Gregory re Remark. (rvb) (Entered: 08/24/2021)
08/24/2021	ORAL ORDER declining to allow the Complaint [1-1] to be filed as a civil case. Ordered by Judge Thomas W. Thrash, Jr. on 8/24/2021. (jeh) (Entered: 09/01/2021)

EX -1

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

For rules and forms visit
www.ca11.uscourts.gov

September 28, 2022

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U.S. Attorney Service - Northern District of Georgia
U.S. Attorney's Office
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ATLANTA, GA 30303

Appeal Number: 21-14103-CC
Case Style: Johnny Gregory v. Commissioner, Social Security Administration
District Court Docket No: 4:21-cv-00060-WEJ

Electronic Filing

All counsel must file documents electronically using the Electronic Case Files ("ECF") system, unless exempted for good cause. Although not required, non-incarcerated pro se parties are permitted to use the ECF system by registering for an account at www.pacer.gov. Information and training materials related to electronic filing are available on the Court's website.

The following action has been taken in the referenced case:

An extension of time has been granted to and including November 7, 2022, for filing the Appellee brief.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: Carol R. Lewis/cb, CC
Phone #: 404-335-6179

EXT-1 Extension of time

EX - 2