

November 22, 2021

Clerk  
Supreme Court of the United States  
One First Street, N. E.  
Washington, DC 20543

Re: *James Tolle v. Ralph Northam, et al.*  
Emergency Application No. 21A159

Dear Clerk:

The enclosed renewed emergency application is submitted under Supreme Court Rule 22.4 following denial of the *in re* emergency application. Chief Justice Roberts denied my emergency application, which is based on the lower court's defiance of this Court's precedent for mootness in *Roman Catholic Diocese of Brooklyn v. Cuomo*, No. 20A87 (U.S. Nov. 25, 2020) even though the Governor is publicly promising renewed restrictions in the future based on increasing hospitalizations. It seems that the Chief Justice, who dissented with that decision, is not that concerned with the lower courts ignoring Supreme Court precedents with which he does not agree, even if this may reflect on his tenure as Chief Justice. I hope that my renewed application today will give the majority of the Court the opportunity to protect its precedent and standard for mootness from *Roman Catholic Diocese of Brooklyn v. Cuomo* and *Friends of the Earth, Inc. v. Laidlaw Environmental Services (TOC), Inc.*, 528 U. S. 167 (2000), which the Court cited in the recent decision. The accompanying Emergency Application for Relief or Injunction Pending Appeal is directed towards Associate Justice Samuel Alito, Jr., for this reason. The request is accompanied by ten copies of my emergency application No. 21A159 and proof of service as required by Rule 22.4. Service of other parties has been completed according to the sworn statement of service enclosed with the renewed Application.

If you have any issue or question concerning this matter which may delay the submission of the enclosed Emergency Application for Relief or Injunction Pending Appeal to the Justice designated, please contact me as soon as possible at 703-232-9970.

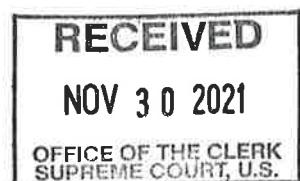
Sincerely,

  
James Tolle  
Pro Se  
11171 Soldiers Court  
Manassas, VA 20109  
703-232-9970  
jtmail0000@yahoo.com

Attachments:

Sworn Statement for Proof of Service

10 Copies of the Emergency Application for Relief or Injunction Pending Appeal submitted to Associate Justice Samuel Alito, Jr.



No. 21A159

IN THE  
SUPREME COURT OF THE UNITED STATES

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JAMES TOLLE,

*Applicant,*

vs.

GOVERNOR RALPH NORTHAM  
AND THE COMMONWEALTH OF VIRGINIA,

*Respondents.*

I, James Tolle, do swear or declare that on this date, November 22, 2021, as required by Supreme Court Rule 29 I have served the enclosed EMERGENCY APPLICATION FOR RELIEF OR INJUNCTION PENDING APPEAL on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days. The names and addresses of those served are as follows:

Governor Northam and Commonwealth of Virginia  
c/o AG Mark Herring, (Acting)SG Michelle Kallen and AAG Calvin Brown  
Office of the Attorney General  
202 N. Ninth Street  
Richmond, Virginia 23219

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

Executed on November 22, 2021

By: jt  
James Tolle  
Pro Se  
11171 Soldiers Court  
Manassas, VA 20109  
703-232-9970  
jtmail0000@yahoo.com