

Supreme Court of  
The United States

Priscilla A. Ellis

V.

No. 22-5040

Clo: Chief Judge

United States of America

Judge Roberts

Motion to Re-instate  
per FRCP 60(b)(6)  
& 59(c) & 41

RECEIVED

OCT 18 2022

Petitioner is a U.S. Army Veteran  
Office of the Clerk  
have a right to have fees certified.

Petitioner will pay fees if Clerk  
directs amount, which they have not.

Petitioner request Appeal to be re-instituted  
per FRCP 60(b) FRCP 59(c) &  
FRCP (41) as Petitioner has multiple  
constitutional violations, therefore this  
is NOT an Abuse of Judicial Process.

See Gonzalez \* 778\* 545 U.S. at 535, 125  
S Ct 2641. In determining whether  
extraordinary circumstances are present, a  
Court may consider a wide range of  
factors - to include the risk of injustice  
to the parties, such as this with

petitioner being denied access to  
an attorney at the critical stage

of a criminal proceeding, a S.I.  
Hearing to extradite to a foreign  
venue unknown to petitioner.

Petitioner served the County Honorable  
& seeking Justice & Constitutional  
protection is not an abuse but  
a Constitutional protected right  
in which Plaintiff, her spouse  
siblings & daughter & son in law  
whom is still serving in the U.S.  
Army as U.S. Army Guard - Serve  
to protect these same rights being  
denied by paper pushers.

Respectfully Petitioner Request  
The Clerk to send the appropriate  
amount of docket fees as costs as

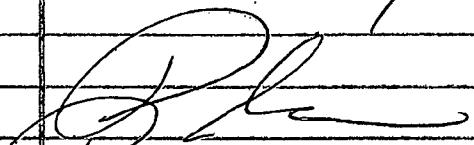
ment based & full of 6<sup>e</sup>, 8<sup>e</sup>  
14<sup>e</sup> & Article III 2, cl. 3 provides  
pursuant to the U.S. Constitution.

This is part of petitioner's Criminal matter  
unfair Process which led to unlawful conviction  
Page 2

Petitioner request the Honorable  
Justice Roberts to allow the  
Petition to be reinstated &  
decided upon the merits &  
constitutional denied protection

per 10-3-14 & Article III, 2. cl 3  
of the U.S. Const.

Respectfully Submitted;



Donald A. Ely

U.S. Army Veteran 303-78-4951  
PID-5C

Petitioner of Service

MAILED 10-11-2022 from  
Alameda FCI reception for ms. 1



701 CLAY AVE  
WACO TX 76799

January 14, 2020

Veteran's Name:  
Ellis, Priscilla, Ann

# 000054643  
I=0000  
64643 1 AV 0.380  
PRISCILLA ANN ELLIS  
PO BOX 27137  
FMC CARSWELL  
ADMIN UNIT  
FORT WORTH TX 76127

This letter is a summary of benefits you currently receive from the Department of Veterans Affairs (VA). We are providing this letter to disabled Veterans to use in applying for benefits such as housing entitlements, free or reduced state park annual memberships, state or local property or vehicle tax relief, civil service preference, or any other program or entitlement in which verification of VA benefits is required. Please safeguard this important document. This letter replaces VA Form 20-5455, and is considered an official record of your VA entitlement.

**--America is Grateful to You for Your Service--**

Our records contain the following information:

**Personal Claim Information:**

Your VA claim number is: 303 78 4951

You are the Veteran

**Military Information:**

Your character(s) of discharge and service date(s) include:

Army, Honorable, 28-Nov-1983 - 28-Jan-1988

(You may have additional periods of service not listed above)

**VA Benefits Information:**

Service-connected disability: Yes

Your combined service-connected evaluation is: 20 PERCENT

The effective date of the last change to your current award was: 01-DEC-2019

Your current monthly award amount is: [REDACTED]

You should contact your state or local office of Veterans' affairs for information on any tax, license, or fee-related benefits for which you may be eligible. State offices of Veterans' affairs are available at <http://www.va.gov/statedva.htm>.

**Need Additional Information or Verification?**

If you have any questions about this letter or need additional verification of VA benefits, please call us at 1-800-827-1000. If you use a Telecommunications Device for the Deaf (TDD), the federal relay number is 711. Send electronic inquiries through the Internet at <https://iris.custhelp.va.gov/>.

Sincerely yours,

Regional Office Director

TRULINS 03260180 - ELLIS, PRISCILLA ANN - Unit: ALI-C-A

Barrera, Betzabel on 10/5/2022 9:06 PM wrote:

The amendment settles this problem by making fraud an express ground for relief by motion; and under the saving clause, fraud may be urged as a basis for relief by independent action insofar as established doctrine permits. See Moore and Rogers, *Federal Relief from Civil Judgments* (1946) 55 Yale L.J. 623, 653 659; 3 Moore's *Federal Practice* (1938) 3267 et seq. And the rule expressly does not limit the power of the court, when fraud has been perpetrated upon it, to give relief under the saving clause. As an illustration of this situation, see *Hazel-Atlas Glass Co. v. Hartford Empire Co.* (1944) 322 U.S. 238.

The time limit for relief by motion in the court and in the action in which the judgment was rendered has been enlarged from six months to one year.

It should be noted that Rule 60(b) does not assume to define the substantive law as to the grounds for vacating judgments, but merely prescribes the practice in proceedings to obtain relief.

It should also be noted that under ??200(4) of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. [App.] ??501 et seq. [??520(4)]), a judgment rendered in any action or proceeding governed by the section may be vacated under certain specified circumstances upon proper application to the court.

Notes of Advisory Committee on Rules 1948 Amendment

The amendment substitutes the present statutory reference.

Notes of Advisory Committee on Rules 1987 Amendment

The amendment is technical. No substantive change is intended.

Committee Notes on Rules 2007 Amendment

The language of Rule 60 has been amended as part of the general restyling of the Civil Rules to make them more easily understood and to make style and terminology consistent throughout the rules. These changes are intended to be stylistic only.

The final sentence of former Rule 60(b) said that the procedure for obtaining any relief from a judgment was by motion as prescribed in the Civil Rules or by an independent action. That provision is deleted as unnecessary. Relief continues to be available only as provided in the Civil Rules or by independent action.

Rule 59. New Trial; Altering or Amending a Judgment up Rule 61. Harmless Error  
Federal Rules of Civil Procedure Toolbox

Wex: Civil Procedure: Overview

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TRULINCS 03260180 - ELLIS, PRISCILLA ANN - Unit: ALI-C-A

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PRISCILLA ANN ELLIS on 10/5/2022 7:22:22 PM wrote  
Hello Ms Paula;

How are you today? I am trying to cope. Please can you tell me what would be the reference that is similar to FRCP 60(b) 6 to re-instate without them stating or weighing the merits of the case. Fifth Circuit said that I had to quote Civil App P, that they do not have to re-instate based upon 60 (b).

Do you know a correlation to 60(b)(6) under Fed App P? If so what is the reference number so that I may resubmit my motion to re-instate. They want me to go to the Supreme Court, but I keep filing with them in hopes that I will get it re-opened because I know that the Supreme Court is just another delay and stall tactic.

Thank you

Hope that you are having a good day. I will get you out some postage as soon as they sign the BP 199 to go out.

Have a blessed evening;

Priscilla Ellis