

Original

No. 22-5855

IN THE
SUPREME COURT OF THE UNITED STATES

KENRICK HAMILTON,
PETITIONER,

VS.

NOVA District Office/ SCU County of Cattaraugus
RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI BEFORE THE JUDGMENT
To The United States Court of Appeals
For the Fourth Circuit

PETITION FOR REHEARING

KENRICK HAMILTON
14489 GOLDEN OAK RD.
CENTREVILLE, VA. 20121
571-269-1376

Dated: January 17, 2023

PREAMBLE

Pursuant to Rule 44, Rule 39, and Rule 29 of this Court, Petitioner Kenrick Hamilton, respectfully petitions for a rehearing of the denial of a writ of certiorari to review the decision from the United States Court of Appeals for the Fourth Circuit.

The Fourth Circuit, to the belief of the petitioner, is overlooking the bear for this appeal. When the defendant(s) applied two debt(s) owing from one account, to the plaintiff credit report. causing the petitioner the inability to be hired for a new employer, at the petitioner's skill set, from 2016 to present. This matter raised a falsified amount, to an account that should have been closed in 2007, as paid in full. The petitioner has proven with evidence(s) of the unlawful action(s). See case 1:20-cv-00644 RDA MSN, page 7 of 10, paragraph 2. The court read reference 5 CFR § 581.104(h)(1)(i-xiii); from petitioner is an error. This is not true. The (i-xiii) means; (i) uniform allowances,(ii) Travel and transportation expenses,(iii) relocation expenses, and (xiv) Per diem allowances. This law proven the correct take home salary, when deductions are implied for garnishment enforcement. The court interpret these deductions as a guideline. This is false. This law(s) are implied to protects those that serve and protect, took an oath and follow the Use of Force policy and procedure, when carrying weapons for the defense for the federal government and agencies, when providing document(s) to the public,

that are protected under the executive order(s) from public view, due to security clearance. Therefore these funds that are deducted from employee's salary, are protected under this law. The defendant(s) believes these funds are apart of the petitioner salary, his take home. The defendant(s) believes the petitioner made a salary of over \$100,000, when his take home or base salary was from \$60,000-\$80,000 a year. When a federal employee travels away from the office, they are given a travel credit card for expenses. The employee, upon their return, to the office, submit a voucher (receipts and purchase(s) used on credit card) for funds to pay back to credit card. The funds are included in employee's salary/ tax returns. These funds are business expenses. These business expense are not subject to public review, due to the agency's security clearance, to include under " the need to know", define in 49 CFR parts 15 and 1520 and/or 5 U.S.C. section 552. The petitioner has no control of proving these document(s) for funds. These provisions list reimbursement expenses of federal employees that are not subject to garnishment or review. If the defendant(s) corrected this action(s) of the two debts submitting on the credit bureau, the action(s) was done long after the petitioner lost his security clearance, with job, and a high balance, owing. The three credit bureau's, to the belief of the petitioner, and evidence(s) shown, are in the subject matter of personal jurisdiction.

PETITION FOR REHEARING

The petition for certiorari was asked by this court to resolve the issue(s) that give(s) this court jurisdiction, base on the unlawful action(s). The petitioner made an attempt to pay back it's creditors, from filing Chapter 13 bankruptcy in 2015, during employment with the Department of Homeland Security, from evidence(s) shown. Petitioner was making payment(s) to the trustee, until the petitioner lost his job, due to the defendants action(s) of over garnishment of salary. Due to the executive orders (Top Security Clearance), the petitioner job and salary was taken away, on 09/2016. The petitioner seek out for new employment in 2016, when the petitioner was made aware of two debts reported by the defendant on the petitioner's credit report. This debt disallowed the petitioner to be employed at his skill set (Law enforcement). The petitioner took on other employment (not law enforcement), to attempt to pay his creditors owning. Again, the defendant was over garnishing his hourly wages, leaving no money available to pay for everyday bills, for example, gas to get to work. This has left the petitioner's wife, with limited skill set to support a family of seven.

REASONS FOR REHEARING

A petition must briefly and distinctly state its grounds and must be accompanied by certificate stating that the grounds are limited to intervening circumstances of

a substantial or controlling effect or to other substantial grounds not previously presented.

The petitioner has filed for a rehearing, on the decision(s) to deny the petitioner writ of Certiorari, on January 9, 2023. The petitioner did not include the fact(s) from question four, concerning bankruptcies filed, due to the respondents actions. Case number 14-13921BFK, Exhibit G, from U.S.District court 1:20-cv-00644 RDA-MSN. The Motion for bankruptcy was granted, but due to the respondents actions to over garnish wages, and false credit report, leaving the petitioner, the inability to pay creditors, former employer (DHS/TSA/OLE/FAMS) revoked his Top security clearance and employment during payments to bankruptcy. Bankruptcy Court had no jurisdiction to enforce the employer, to reinstate the petitioner back to work, the court stated from motion to enforce, from petitioner. Therefore, the petitioner is asking for a rehearing for the facts proven or lack of review, due to a more details not included in petition for Writ of Certiorari. This evident(s) shows the break down of a false salary, that cause bankruptcy, lost of job, and the inability to get new employment, which is still current, as of January of 2023. The amount owing on his credit report, is unjust and unlawful, upon already receiving over \$300.000.00, of the tax payers money, that is not even justified, and/or proven to garnish a salary, that does not exist. The petitioner has been unemployed from 2016 to present, from career opportunities, at his skill set.

CONCLUSION

For the foregoing reason, the petition for rehearing is presented in good faith and without for delay.

Certificate of Services

By first-Class postage and/or certified mail.

Supreme Court of the United States
C/O
Clerk Office
1 First Street, N.E.
Washington, D.C. 20543-0001

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RESPECTFULLY SUBMITTED,
KENRICK HAMILTON
14489 GOLDEN OAK RD.
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Revised
DATE: 01/26/2023

SIGN: *KCH*