

No. 22-5907

IN THE SUPREME COURT OF THE UNITED STATES

Ronald J. Brooking
Petitioner

v.

Daniel Moloney
Respondent

On Petition for Writ of Certiorari to the
Supreme Court of the United States

PETITION FOR REHEARING

Ronald J. Brooking
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QUESTIONS PRESENTED

1. When conflict in the rendering of an opinion in the Court of Special Appeals conflicts with a held opinion in the Supreme Court of the United States occurs, must the Petition for Rehearing be granted?
2. Does an unresolved issue warrant the Supreme Court to grant a Petition of Rehearing?

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TABLE OF AUTHORITIES

Cases

1. Chafin v. Chafin 568 U. S. 165 (2013).
2. Maryland for the Use of Levin ET. AL. v. United States 382 U. S. 159 (1964).
3. United States v. Maryland for the Use of Meyer, 382 U.S. 158 (1965).

STATUTORY PROVISIONS INVOLVED

1. Federal Rule of Civil Procedure 44

1.

PETITION FOR REHEARING

Kentucky Railroad Tax Cases, 115 U.S. 321, 337 (1885)

"The rule of equality... requires the same means and methods to be applied impartially to all the constituents of each class, so that the law shall operate equally and uniformly upon all persons in similar circumstances".

Petitioner, Ronald J. Brooking, does, hereby present, to the Supreme Court of the United States, its Petition for Rehearing of the Denial of Writ of Certiorari, in the Order dated January 9, 2023, in good faith, and not for delay, and Petition for Rehearing this High and Honorable Court.

2, I, 3, II,4, III, & 5

REASONS FOR GRANTING THE PETITION

The Courts Rule 44.2 authorizes a Petition for Rehearing based on intervening circumstances of substantial effect. On January 9, 2023, the Supreme Court of the United States issued an order in *Ronald J. Brookings Petitioner, v. Daniel Moloney Respondent*, No. 22-5907.

In *Chafin v. Chafin* 568 U. S. 165 (2013), the Supreme Court's opinion vacated and remanded a previously filed opinion denying Writ of Certiorari in the District Court. This opinion by the Supreme conflicts with the decision made on March 2, 2022 rendered by the Court of Special Appeals to not address moot controversies, because Courts generally do not address moot controversies, stating the Court is not required to rule on Mr. Brookings pending motion. Courts, specifically, the Supreme Court, is in the business of making such decisions, and has done so. For this, Petitioner's Petition for Rehearing must, respectfully be granted. "A case becomes moot only when it is impossible for a Court, to grant any effectual relief, to the prevailing party." *Chafin v. Chafin* 568 U.S. 165 (2013). There continues to exist between the parties, "that concrete adverseness, which sharpens the presentation of issues." *Camreta v. Green* 563 U.S.

In *Maryland for the Use of Levin v. United States*, 382 U.S. 159 (1964), the Supreme Court granted a rehearing, and a motion to remand, concerning unresolved issues in a judgment rendered, in the Court of Appeals in the Third Circuit. This opinion by the Supreme Court conflicts with the decision made on March 2, 2022 rendered by the Court of Special Appeals, to leave Petitioner's pending motion of an unresolved issue, without a required ruling on the matter.

In *United States v. Maryland for the Meyer*, 382 U.S. 158 (1965), The Supreme Court reversed and remanded, for further proceedings on unresolved issues in this case. Vacating the Order denying Petition for Writ of Certiorari, and reversing the judgment of the Court of Appeals. This opinion by the Supreme Court conflicts with the decision made March 2, 2022 rendered by the Court of Special Appeals, in its declining to render judgment on pending motions.

The Supreme Court is not in the business of making decisions, absent of clarity, and specificity, in its rulings, resulting in actions opposite of the law, and letting stand,

unjust, incorrectly applied orders, and opinions of denial, in clear err of law, by an Appellate Court, in its decision to not bring the rule of law, in its absence, to order of justness.

For the reasons discussed, and stated above in " Chafin v. Chafin 568 U.S. 165 (2013), in Maryland for the Use of Levin v. United States, 382 U.S. 159 (1964), and in United States v. Maryland for the Meyer,382 U.S. 158 (1965), and the conflicting opinions against opinions rendered by the Supreme Court, Petitioner, respectfully, and humbly request, the Petition for Rehearing by granted.

IV

**THE COURT OF SPECIAL APPEALS
RENDERED OPINION,
IN PART,
WAS FUNDAMENTALLY FLAWED**

Appellate Court opinions, in conflict with Supreme Authority, in Supreme Court rulings, are, in itself, void of its effectualness to maintain its judgment.

V

**PETITIONER'S PETITION
FOR REHEARING
IS A
REVIEW WORTHY ISSUE**

A Petition for Rehearing of a Denial of Writ of Certiorari is a Review Worthy Issue, when fundamental law is in question. Appellate Courts rendering opinions, and orders in conflict with Supreme Court held opinions, warrant a rehearing of its decision, in its governance of applicable law, and Petitioner respectfully, and humbly states, it is a Review Worthy Issue.

Unresolved issues, require a resolution, and a rehearing on the matter, that results in uniformity in Appellate Courts with Supreme Authority, in the application of the law, and Petitioner respectfully, and humbly states, it is a Review Worthy Issue.

For the reasons stated, Petitioner Petition for Rehearing is a Review Worthy Issue.

VI
CONCLUSION

As to the aforementioned reasons, in Petitioner's Petition for Rehearing, for the Denial of Writ of Certiorari, the Petitioner requests, the granting of Petition for Rehearing.

Respectfully Submitted,

Ronald J. Brooking
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VII
No. 22-5907

IN THE SUPREME COURT OF THE UNITED STATES

Ronald J. Brooking
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Respondent

CERTIFICATION OF UN-REPRESENTED PETITIONER

Pursuant to 44.1 of the Rules of this Court, I, Ronald J. Brooking, do hereby certify that Petitioner is by and through Pro Se' representation, and that this Certification of Pro Se' representation is presented in Good Faith, and not for delay, to this Honorable Court.

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

Dated this 3rd. Day of February 2023

Respectfully Submitted,

Ronald J. Brooking
Pro Se' Petitioner
5954 South Hil Mar Circle
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(240)422-7783

VIII
No. 22-5907

IN THE SUPREME COURT OF THE UNITED STATES

Ronald J. Brooking
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Daniel Moloney
Respondent

CERTIFICATION OF WORD COUNT

Pursuant to 33.1(h) of the Rules of this Court, I certify that the accompanying Petition for Rehearing of the Denial of Writ of Certiorari, which was prepared using Century Schoolbook, with 12 point typeface, contains 1575 words, excluding the parts, of the document that are exempted by Rule 33.1(d). This certification was prepared in reliance on the word-count function of the word-processing system (Microsoft Word) used to prepare the document.

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

Dated this 3rd. day of February 2023.

Respectfully Submitted,

Ronald J. Brooking
Pro Se' Petitioner
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IX
No. 22-5907

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CERTIFICATE OF SERVICE

I, Ronald J. Brooking Pro Se' Petitioner, hereby certify that on this 3rd. day of February, 2023, I caused 1 copy of Petitioner's Petition for Rehearing of Denial of Writ of Certiorari to be served by United States Postal Service pre-paid mail to the following counsel and Solicitor General below:

Attorney Daniel Hodges
7240 Parkway Drive 4th. Floor
Hanover, Maryland 21076
Attorney for the Respondent

Solicitor General of The United States Department of Justice
950 Pennsylvania Avenue N. W. Room 5614
Washington, D.C. 20530-0001
Solicitor General for the United States Department of Justice

I further certify that all parties required to be served, have been served.

Ronald J. Brooking
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X
APPENDIX

1. APPENDIX A - January 9, 2023, Supreme Court Order in the case of Ronald J. Brooking v. Daniel Moloney/.

APPENDIX A
Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001

January 9 2023

Mr. Ronald J. Brooking 5954 South
Hil Mar Circle District Heights
MD 20747

Re: Ronald J. Brooking
v. Daniel Moloney
No. 22-5907

Scott S. Harris Clerk of
the Court (202)
479-3011

Dear Mr. Brooking:

The Court today entered the following order in the above entitled case:

The petition for a writ of certiorari is denied.

Sincerely

Scott Harris,

Clerk

