

IN THE
UNITED STATES SUPREME COURT

JOSEPH MICHAEL LADEAIROUS

Pro-se petitioner

v.

No. 22-5971

UNSTEA
ATTORNEY GENERAL MERRICK B. GARLAND AND
U.S. INSPECTOR GENERAL MICHAEL HOROWITZ

Respondent

PETITION FOR REHEARING

COME NOW, Joseph Michael Ladeairous, petitioner in the above said matter submits this petition for rehearing pursuant to United States Supreme Court Rules, Rule 44, for the following reasons;

On January 9th, 2023 this court would deny petitioner's writ of certiorari pursuant to this court's Rule 39.8 charging that petitioner had "abused this court's processes".

To argue, with the exception of this case, petitioner has submitted six petitions for writ of certiorari to this court. All of which had been denied. These being, Ladeairous v. The Supreme Court of Virgnia 568 U.S. 893 (2012), Ladeairous v. Davis 574 U.S. 847 (2014), Ladeairous v. Holder 574 U.S. 1141 (2015), Ladeairous v. Schniederman 577 U.S. 892 (2015), and Ladeairous v. Goldsmith 577 U.S. 1147 (2016). Three of which had been followed by petitions for rehearing. However, in relation to

Ladeairous v. The Department of Justice (D.O.J.) 139 U.S. 1563 (2019) the court would also enforce Rule 39.8.

Therefore, this is six petitions for writ of certiorari in a seven year span. This is a far cry from the case the court cited to reinforce its decision to ban petitioner. In that case the petitioner submitted 45 petitions in a 10 year span. (Martin v. District of Columbia Court of Appeals 506 U.S. 1 (1992) Not to mention, petitioner's case does not come close to other cases where this court invoked Rule 39.8. (In re; Demos 500 U.S. 16 (1991) 32 petitions in 3 years) (Day v. Day 510 U.S. 1 (1993) 27 petitions in 9 years) (In re; Sassower 540 U.S. 4 (1993) 11 petitions in 3 years) (In re; Vey; 520 U.S. 303 (1997) 11 petitions for writ of certiorari, 12 petitions for extraordinary relief, and 2 bail applications in 6 years).

Furthermore, the reason for so many cases being so clustered together, with the exception of the 'Davis' case, all the cases are interconnected. The 'Holder' case was just a earlier filing of this case concerning abuses of Foreign Intelligence Surveillance Act (F.I.S.A.) surveillances due to support of Irish republican organizations with terror labels. Which had been dismissed without prejudice when mail to the court disappeared. (Ladeairous v. Holder 574 Fed. Appx. 3 (2014) Every case thereafter concerned attempts to obtain the independent information that such a case concerning the abuse of F.I.S.A. requires. (In re; N.S.A. 564 F.supp. 2d 1077 (2009) "Plaintiff must present to the court enough specifics based on non-classified evidence to establish their "aggrieved person" status under F.I.S.A.")

To clarify, the 'Supreme Court of Virginia' case was petitioner's attempt to obtain an interrogation tape of petitioner being proclaimed a member of the Irish Republican Army (I.R.A.) by way of a State writ of

mandamus. All the rest concerned State and Federal Freedom of Information Act (F.O.I.A.) challenges for said independent information. The 'Goldsmith' case was to obtain the same interrogation tape but by federal means. The 'Schniederman' case was to obtain records of the New York State Inspector Generals Office and its solicitation of petitioner to aid in the apprehension of a corrupt investigator investigating petitioner for said Irish republican support. Lastly, the Rule 39.8 banned 'D.O.J.' case concerned F.I.S.A. records after it was revealed during said State interrogation that information obtained via a F.I.S.A. investigation was intended to be used against petitioner at a State trial. Which F.I.S.A. 50 U.S.C. §1806(d) mandates.

Even more, this case has already survived an earlier attempt by the government to ban petitioner with the charge of abusing the system pursuant to the Prison Litigation Reform Act (P.L.R.A.) 28 U.S.C. §1915(g) three strike rule. The court of appeals even assigned an *amicus curiae* to the issue. The court of appeals found that petitioner was NOT abusing the system with approximately the same amount of filings in the same amount of time. (Ladeairous v. Sessions 884 F.3d 1172 (2018) "The Government points to Ladeairous's three dismissed actions recounted here, as well as appeals of those dismissals, all filed over the course of seven years. As we said in Thompson, "[t]his pattern of filing falls substantially short of being abusive") As a result of that decision, this case was sent back to the district court and adjudicated on. Which was appealed to the court of appeals that would assign a second *amicus curiae* with oral arguments on the issue that is before the court in petitioner's writ of certiorari. Where is the abuse?

In closing, the worst petitioner could be guilty of is ignorance of the law in relation to the 'Supreme Court of Virginia' case and not

having known that the Virginia State writ of mandamus was a discretionary ruling. Other than that, there is nothing frivolous, malicious, nor has petitioner ever abused the processes of this court or any other court petitioner has brought forth a matter to be adjudicated. The motive of petitioner is now as it had been since petitioner's very first filing. The quest for justice. The truth is, as the evidence would show if the petitioner was given the chance and not stonewalled as seems to be the case. The only thing that had suffered abuse has been petitioner.

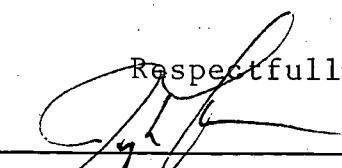
IN CONCLUSION

WHEREFORE, for the reasons set forth in this petition for rehearing befor the court. The petitioner would pray this court will grant this petition for rehearing.

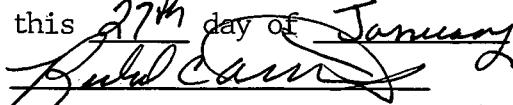
January 26, 2023

Joseph Michael Ladeairous
#1433027
Virginia Department of Corrections
Mail Distribution Center
3521 Woods Way
State Farm, Virginia 23160

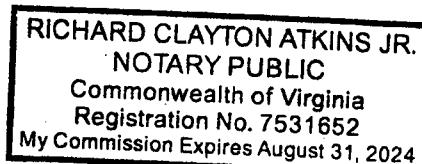
Respectfully,


Joseph Michael Ladeairous
Pro-se petitioner

Subscribed and sworn to before me
this 27th day of January 2023,


Notary Public

My commission expires 8/31/24



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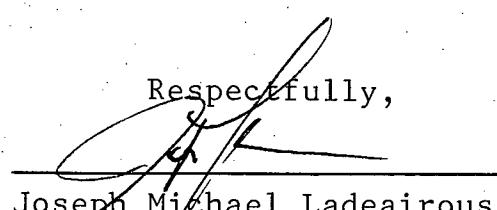
CERTIFICATE OF COUNSEL

Pursuant to Rule 44 of the Rules of the Supreme Court of the United States, this certificate of counsel must accompany a petition for rehearing.

Moreover, this certificate shall reinforce the fact that petitioner's petition for rehearing is restricted to the grounds specified, which are federal courts discharging their duties to protect Constitutional rights solidified in Article III and VI of the U.S. Constitution, and such grounds are substantial and controlling.

This certificate of counsel bears the signature of pro-se petitioner, as shown below.

Respectfully,


Joseph Michael Ladeairous

Pro- se petitioner