

IN THE SUPREME COURT OF
THE UNITED STATES

Marylin Monroe Parker
Petitioner

vs. Luke Stigman et al
Respondent

Petition For Rehearing
From Denial of certiorari
(Court of certiorari n°)

(C No. 22-7006)

PETITION FOR REHEARING:

Pursuant to U.S. Sup. Ct. R. 44(2);
Comes the above Petitioner, respectfully
Petitions for a rehearing of the order
entered on 4-17-23 by the Court
denying the Petition for writ of cert-
iorari to the Tenth Circuit Court of
Appeals. This Petition is made
on the following grounds: (1)
Intervening circumstances of
a substantial & controlling
effect.

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I INTERVENING CIRCUMSTANCES
OF A SUBSTANTIAL OR CONTROLLING
EFFECT: In 1974 this Court issued
Procunier v. Martinez, 416 U.S. 396 (1974)

In this case the court stated "a Policy of Judicial restraint cannot encompass any failure to take cognizance of Valid Constitutional Claims whether arising in a federal or state institution. When a 'Prison regulation or practice' offends a fundamental Constitutional guarantee, federal courts will discharge their duty to protect Constitutional rights." id. 405 ~~and~~ ~~that~~ (Internal quotes added.) And affirmed this again in 1987.

See *Turner v. Safley* 482 U.S. 78, 84 (1987)

"Prison walls do not form a barrier separating Prison inmates from the protections of the Constitution."

(i) Fundamental Constitutional Guarantees P. 2

In *Johnson v. Avery*, 393 U.S. 483 (1969) This Court held Prisoners retain the constitutional right to petition the government for the redress of grievances.

- In this case of Petitioner's writ of cert. The Respondent's Intentionally thwarted her grievance process by

Malice. See: *Ross v. Blake*
578 U.S. 632, 644 (2016). The
District Court and Tenth Circuit gave
"credit" to Petitioner for Proving
Malice. See: *Johnson v. Pettigrew*
2022 WL 17333074 at *5 (10th Cir.
Nov 30, 2022). However, upheld the
dismissal of the Complaint Pursuant
to 42 U.S.C. § 1983(a). This
is Violating ~~the~~ Petitioner's Access
to Courts rights. Her 42 U.S.C. § 1983
Rights to Uphold her Constitutional
Rights. And her Rights of Substantial
Due Process. See *Levin v. Virginia*
388 U.S. 1 (1967); *Turner v. Safley*
449 U.S. 79, 96 (1981). "We conclude that
these elements are sufficient to form a
Constitutionally Protected Marital relationship
in the Prison context." *Obergefell*
v. Hodges 576 U.S. 644, 678 (2015)
To Deny certiorari? Upholds the uncon-
stitutional conduct in Petitioner's
Case, which is opposite to
Substantial Constitutional Law
And Controlling effects of this

Court's decisions

II. Substantial grounds
Previously not presented: The
C.D.C. has new (as of after the
~~Tenth Circuit~~ ^{District Court} ~~Jan 10~~ ²⁰²² decision)
taken the verbal custom of a
flat out ban ~~on~~ from inmates marrying
inmates in placed it in their written
Policy. (See attached Exhibit: Declaration)
While all alone they manipulated and
Lied in their briefs to the District
Court and both Circuit stating that
they prohibited the marriage for other
allegational reasons. This written
Policy conflicts with Turner v. Safley
482 U.S. 78 (1987) decision? The
Court should activate duty now to
Protect Inmates Nationwide.

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Conclusion:

For the reasons set forth,
Petitioner requests the Court to set
aside the order denying the Petitioner

For a writ of certiorari to
the ~~THE~~ SUPREME COURT and Remand
to Concur with *Ross v. Blake*
578 U.S. 632 (2006) and *Turner*
v. Saffley 482 U.S. 78, (1987.)

Date: 4-26-23

Margaret Porter
Pro se

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IN THE SUPREME COURT OF THE
UNITED STATES

Marylin Monae' Porter,
Petitioner

v.
Luke Pettyjohn, et, al
Respondents,

CERTIFICATE
OF COUNSEL
IN SUPPORT OF
PETITION FOR
REHEARING
No. 227006

CERTIFICATE OF COUNSEL

I, Marylin Monae' Porter, Attorney / (Prose)
Unrepresented Party certify that the
above Petition is presented in good
faith and not for delay.

Dated: 4-26-23

Marylin Monae' Porter

IN THE SUPREME COURT
OF THE UNITED STATES

Marylin Monroe Porter
Petitioner ~~Plaintiff~~

v. Luke Pettigrew et al
Defendants

DECLARATION
FOR PETITION
FOR REHEARING
NO. 22-7006

Pursuant to 28 U.S.C. A. § 174(2)
I declare the following:

- (1) I am Marilyn Monroe Porter, A 25
year old Afro-American Creole
woman incarcerated in the
Oklahoma Department of Corrections
(O.D.O.C.)
- (2) I have exhausted my admini-
strative remedies to the full
extent that the O.D.O.C. Facility's
Administration Staff allowed me.
- (3) I was thwarted by mail
delays, interference with grievance
process through machination,
from fully exhausting my remedies
through no fault of my own
accord.

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- (4) I have appealed all the way to this court, which is the ONLY remedy that is available ~~to~~ to me in the United States as an Inmate.
- (5) Loosy Here? Would mean that the people who swore to protect the Constitution? Have giving up on us and the people.
- (6.) This will set Bad Precedent to Future Generations that our country is built on lies and don't keep their promises. Pg. 2
- (7.) The FACTS and LAW are in FAVOR of the Petitioner
- (8.) Millions of Inmates will and are being affected by the tenth Circuit Court of Appeals decision. O.D.C. has adopted written policy (See attached)

I declare under Penalty of Perjury
that the above is true and correct.

Executed on 4-26-23

~~Marylin M. Green~~
M. Green

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