

No. 23-5053

**In The
Supreme Court of the United States**

JOANN ARTIS STEVENS,

Petitioner,

vs.

TOWN OF SNOW HILL, et al.,

Respondents.

**On Petition For A Writ Of Certiorari
To The United States Court Of Appeals
For The Fourth Circuit**

PETITION FOR REHEARING

JOANN STEVENS
712 West Harper St.
Snow Hill, NC 28580
252-933-9490
JArtisStevens@yahoo.com

Pro Se Petitioner

QUESTIONS PRESENTED – Continued

School. State Actors allowing adverse effect to ensue upon this resource to its demolition by neglect, under the auspices of N.C. State Preservation Officer John Wood, whose wife assisted Plaintiff in successful nomination process of the Snow Hill Colored School. State Law requires agencies to “explore all feasible and prudent plans” prior to taking action that could harm historic properties. The Appellate Court of Illinois, enforced the state’s preservation act. The Appellate Court ruled in July 2020 that the National Trust and Landmarks Illinois had standing to enforce the state preservation act, and issued a strong interpretation of the act, which is useful in preservation battles. i.e. National Trust for Historic Preservation, October 12, 2023 Legal Review Advocacy in Review.

3. Whether the Courts will consider the questions of national significance surrounding Motion 12(b)(6) and its standing in this case.

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INTRODUCTION

To the Honorable U.S. Supreme Court and Supreme Court Justices, Petition for Rehearing & Rehearing EN BANC is not for the purposes of delay nor to merely argue or reargue my case as it was disposed of before discovery by controversial Motion 12(b)(6). Neither is this for abuse of privilege in all due respect to our Honorable Judiciary. Plaintiff alleges her case was argued by lower court Judge in light most favorable to Defendants to include reference to Defendants Exhibits. No reference was made to the material facts of Plaintiff's case, affidavits and exhibits of which would have caused a favorable decision on Plaintiff's behalf.

Petitioner's judgement is that one or more legal matters were overlooked in the decision.

The Petition involves one or more questions of exceptional importance.

Irreparable harm has ensued. On March 7, 2023 during the time plaintiff was preparing writ of certiorari to the U.S. Supreme Court, plaintiff's husband a disabled veteran with spinal cord injury was under his shelter on his scooter and saw a spark. He caught fire and obtained 3rd Degree burns on 25 percent of his body. 911 was called, no police came, there was no investigation of fire. There were surges in my home, light poles caught fire behind my home and next to my home since his accident. There were numerous problems with electrical surges, outages that have been resolved per Mayor Liles but excluded the pole in front

in Defendants favor. Plaintiff has succinctly state her claims meritoriously, with facts Facts plausible on their face stating cause of action and the elements required for Redress.

1. **Genuine Issue of Material fact** that are legally relevant to Plaintiff's Claim –
 - a. Plaintiff case deemed by the Honorable Judge James Dever III as a Title VII at admission of Defendants Greene County and Lenoir Community College, Town of Snow Hill deeming it as a 42 USC §1981 claim, changing the legal and material facts of Plaintiff's claim; at **App 24-C paragraph 3**. Plaintiff's intentions were not to seek employment with Lenoir Community College and Foundation, County of Greene nor Snow Hill, NC. Plaintiff partnered with Defendants as the Community Economic Development Leader of Rosenwald Center for the preservation and restoration of the Snow Hill Colored School and revitalization of the LMI West Harper Street Community. Exhibits substantiate the material facts thereof which were not excluded by the court. Much of the brief order by the Honorable Judge is confusing and cross references misrepresentations of facts.
 - b. **App 25-1 paragraphs 1 and 2** – Genuine Issue of Material Fact is that Plaintiff's claim is not a Title VII Claim as Plaintiff did not work for nor sought to work for Defendants. This genuine issue of material fact misrepresents and changes the trajectory of claim, as a U.S.C. §1983 claim is different from a U.S.C.

were referenced whereas Plaintiff's material facts exhibits were not referenced of which were substantiating evidence of claim. Material facts of the courts rationale in view of Plaintiff's claim were not referenced as to Plaintiff needing only to prove at dismissal she was treated differently than non-minority males and it was because of her race and gender. **Cardoza Law Review, Stanford University, Thomas Reuters and other Reviews, Judges, Attorneys and Law School Professionals** reviewed 12(b)(6) Motions as controversial and site they are utilized before a case is developed. Law Professionals, and Reviews have sited that 12(b)(6) motions are rarely successful, and when they are it is due to the Judge.

- d. Section 1983 of 42 U.S.C. states as follows: "Every person who, under color of any, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, Suit in equity, or other proper proceeding for redress".

Petitioner request the court hear the case and review all facts and exhibits and affidavits presented by Plaintiff to substantiate claim.