

ORIGINAL

Petition for Rehearing (Case No. 23-5501)

SUPREME COURT OF THE UNITED STATES

FILED

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OFFICE OF THE CLERK
SUPREME COURT, U.S.

MAY CHEN,
Petitioner,
v.

METROPOLITAN POLICE DEPT ET.AL.
STATE OF MARYLAND
STATE OF CALIFORNIA
Respondents.

Case No. 23-5501

PETITION FOR REHEARING
(Rule 44)

10 copies

November 21, 2023

On Petition for a Writ of Certiorari
PETITION FOR REHEARING (Rule 44)

May Chen (Petitioner)

Unlawfully Demolished by

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TABLE OF AUTHORITIES

Rules, Statutes, Code, Regulation, Ordinance, etc.

Supreme Court Rule 44

Supreme Court Rule 21

Supreme Court Rule 12.5

Supreme Court Rule 10

Supreme Court Rule 20

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Supreme Court Rule 29.3

Supreme Court Rule 32

Supreme Court Rule 39

Fed.R.C.P. 12

Fed.R.C.P. 55

Court of Appeals Rule 30

All other Authorities please reference to the original Petition for a Writ of Certiorari's Table of Authorities.

BACKGROUND

Pursuant to Supreme Court Rule 44 “1. Any petition for the rehearing of any judgment or decision of the Court on the merits shall be filed within 25 days after entry of the judgment or decision, unless the Court or a Justice shortens or extends the time. The petitioner shall file 40 copies of the rehearing petition and shall pay the filing fee prescribed by Rule 38(b), except that a petitioner proceeding in forma pauperis under Rule 39, including an inmate of an institution, shall file the number of copies required for a petition by such a person under Rule 12.2. The petition shall state its grounds briefly and distinctly and shall be served as required by Rule 29. The petition shall be presented together with certification of counsel (or of a party unrepresented by counsel) that it is presented in good faith and not for delay; one copy of the certificate shall bear the signature of counsel (or of a party unrepresented by counsel). A copy of the certificate shall follow and be attached to each copy of the petition. A petition for rehearing is not subject to oral argument and will not be granted except by a majority of the Court, at the instance of a Justice who concurred in the judgment or decision. 2. Any petition for the rehearing of an order denying a petition for a writ of certiorari or extraordinary writ shall be filed within 25 days after the date of the order of denial and shall comply with all the form and filing requirements of paragraph 1 of this Rule, including the payment of the filing fee under Rule 38(b) in any case in which the filer paid the filing fee under Rule 38(a), but its grounds shall be limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented. The time for filing a petition for the rehearing of an order denying a petition for a writ of certiorari or extraordinary writ will not be extended. The petition shall be presented together with certification of counsel (or of a party unrepresented by counsel) that it

is restricted to the grounds specified in this paragraph and that it is presented in good faith and not for delay; one copy of the certificate shall bear the signature of counsel (or of a party unrepresented by counsel). The certificate shall be bound with each copy of the petition. The Clerk will not file a petition without a certificate. The petition is not subject to oral argument.”

On November 21, 2023 within 25 days after the Supreme Court Clerk entered denial decision on October 30, 2023, I as petitioner hereby file Petition for Rehearing briefly and distinctly which comply with Court rule 44 including certificate of unrepresented counsel. Also, its grounds are limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented. Further, this petition for rehearing is presented in good faith and not for delay.

I, as a petitioner, felt extremely upset, angry, irritated, distressed and depressed after I reviewed a one-page denial decision without any applicable law especially without any clear, convincing facts and evidence to support the denial decision. In fact, I as a petitioner submitted more than 3000 pages original petition including 1407 pages exhibits to accuse a series of crimes targeted on me as a victim of crimes in States of California, State of Maryland and District of Columbia etc. On September 28, 2023 and September 30, 2023. the named Respondents filed WAIVER and failed to file cross-petition (Rule 12.5). On October 2, 2023 petitioner filed Request to Enter Default Judgment (Fed.R.C.P. 55, Court of Appeals Rule 30 and Supreme Court Rule 12.5) including 10 copies for each filing.

However, miscarry justice, failure to implement the law, discrimination, unfairness and misapplication of the law still played a significant role according to

Petition for Rehearing (Case No. 23-5501)

the denial decision on October 30, 2023. On November 20, 2023 Petitioner filed Motions to the Supreme Court (Rule 21). Further, Petitioner filed this Petition for Rehearing (Rule 44) to amend the facts and arguments not previously presented.

ARGUMENT

I. Respondents failed to file cross-petition and answer (Rule 12.5)

On July 27, 2023 and September 30, 2023 Respondents failed to file Cross-Petition including revised vision (requested by the court) within 30 days pursuant to the Supreme Court Rule 12.5 to make them at defend positions. Rule 12.5 clearly stated “No more than 30 days after a case has been placed on the docket, a respondent seeking to file a conditional cross-petition shall file with proof of service as required by Rule 29, 40 copies of the cross-petition prepared as required by Rule 33.1...” Also, within 60 days, Respondents failed to file an answer to the Petition for a Writ of Certiorari starting June 27, 2023.

II. Respondents filed a WAIVER on September 28, 2023.

District of Columbia Attorney General Ms. Caroline S. Van Zile filed a WAIVER stated “I DO NOT INTEND TO FILE A RESPONSE to the Petition for a Writ of Certiorari unless requested by the court” to represent some respondents including “Metropolitan Police Department, District of Columbia, Judge Michael Rankin, Chief Judge Anna Blackburne-Rigsby, Officers Bryant A., Cobb C, Stephen Franchak, Suzie Stears, English, Homere Whyte et.al.”

III. Misapplication of the law (Rule 10, Rule 20 etc.)

Supreme Court Rule 10 stated “A petition for a writ of certiorari is rarely granted when the asserted error consists of erroneous factual findings or the misapplication of a properly stated rule of law.”

Supreme Court Rule 20. "Petition for an Extraordinary Writ, to justify the granting of any such writ, the petition must show that the writ will be in aid of the court's appellate jurisdiction, that exceptional circumstances warrant the exercise of the court's discretionary powers, and that adequate relief cannot be obtained in any other form or from other court".

1. Criminal Evidence & Facts. On June 27, 2023, June 29, 2023, August 10, 2023 Petitioner filed and served 40 pages Petition of Writ of Certiorari (including court requested version & 10 copies per filing) and 1407 pages evidence (total more than 3000 pages) against Respondents accusing the following listed crimes. For details, please see Petition of Writ of Certiorari and all other state & federal court filings.

(A) State of California: sexual crimes, false police report (West Covina), wrongful judgments, miscarry justice, discrimination, intervene privacy, unfairness, failure to provide proof of evidence, life & employment damages, deprive consumer rights, failure to release escrow deposit, overcharged attorney fees, incorrect tax bills without authorized code and benefits, failure to implement R&T code and county adopted resolution, failure to provide overpaid tax refund, property damages, default of lease agreement and failure to pay compatible rents, wrongful lawsuits, etc.

(B) State of Maryland: 10 wrongful judgments, false police reports, miscarry justice, criminal threat, stalking, harassment, trespassing,

discrimination, perjury, burglary, failure to issue burglary report, wrongful confinement, forced medication, criminal injuries, false medical diagnosis, wrongful lawsuits, deprive rights, abuse authorities, stealing bank deposit and account information without consent, vehicle damages (cutting tires, stealing key), failure to provide housing rehab funds, vandalism, illegal demolition (Prince George's County), broke car window, excessive force, fraudulent tax assessment and fraudulent tax bill, failure to apply tax payment, wrongful tax sale, wrongful lawsuit, forced homeless, intentional harm, failure to pay public benefits, invade privacy etc.

(C) District of Columbia: miscarry justice, seven false parking tickets, blocking vehicle registration, failure to provide housing assistance, repeated deprive rights (15 places), bullying, repeated reckless endangerment, repeated vehicles hit & run, vandalism, vehicle damages, failure to settle auto claims, repeated cancel auto insurance, criminal threat, stalking, harassment, misapply law, abuse authorities, wrongful confinement, forced medication, failure to prosecute crimes such as repeated theft activities, simple assault, aggravated assault, aggravated robbery, carjacking, ID theft, criminal injuries (eye, bone, brain injuries etc.), poisoning food, health damages, invade privacy etc.

(D) Employment: career damages and wage losses, punitive damages, failure to hire, promote, pay (\$125000/year) eligible & qualified job applicant for 20 years per 200 job applications, Equal Pay Act (EPA), Age Discrimination in Employment Act (ADEA), Fair Labor Standard, Federal Minimum Wage Act, Prohibited Personnel Practice 5 U.S.C. 2302, 38 U.S.C. 4124(b)(1)(A), Federal Regulations

29 C.F.R. part 1614.109(i), 29 C.F.R. 1614. 201, 202, 203; 29 C.F.R. 1614.403; fair & transparent hiring policies, etc.

2. Violation of Court Rules, Statutes, Codes, Regulations, Ordinance, Policies etc. Please see details of Table of Authorities of the Petition.

(A) State of California: Penal Code 243, Code 261, Code 148.5, Code 502; Civil Code 155.20, Code 170, Code 1161, Code 6200-6206, Code 1687.7, Code 1057.3; Adopted Resolution 2005-524, 2009-061, Adopted Ordinance 4.24 etc. Federal Rules of Civil Procedures 12, Rule 55, Rule 65; U.S. Court of Appeals Rule 31, Rule 35, Rule 36; U.S. Supreme Court Rule 10, Rule 12, Rule 20 etc.

(B) State of Maryland: Maryland Code 3-801, Code 3-802, Code 3-803, Code 6-401, Code 6-402(a), Code 6-408, Code 6-202, Code 10-708, Code 6-403, Code 6-405, Code 6-602, Code 6-606, Code 10-202, Code 2-203, Code 4-201, Code 4-202, Code 6-301, Code 10-304, Code 3-808, Code 6-302, Code 3-502, Code 3-604, Code 8-801, Code 8-103 etc. Federal Rule of Civil Procedures 12, 55, 65; U.S. Court of Appeals Rule 31, 35, 36 and U.S. Supreme Court Rule 10, 12, 20 etc.

(C) District of Columbia: DC Superior Court Rule 54-II, Rule 4(c)(5), Rule 7, Rule 11, Rule 55, Rule 65; DC Court of Appeals Rule 31, 28, 33, 34; DC Code 22-3211, Code 22-404, Code 22-404.01, Code 22-2803, Code 22-2801, Code 22-3227.02, Code 21-521, Code 7-1231.08; DC official code 50-2303.11(g), Code 50-2303.5(a)(2), Code 50-2201.04, Code 50-2201.05, Code 31-2231.17; Federal Rules of Civil

Procedures 12, Rule 55, Rule 65; U.S. Court of Appeals Circuit Rule 31, Rule 35, Rule 36 and U.S. Supreme Court Rule 12, Rule 20 etc.

(D) Employment: Code 5. U.S.C. 2302, Code 38 U.S.C. 4124(b)(1)(A), Federal Sector EEO 29, C.F.R. 1614.109(i), 29 C.F.R. 1614.201, 202, 203; 29 C.F.R. 1614.403, Equal Pay Act of 1963(EPA), Age Discrimination in Employment Act of 1967(ADEA), Title VII Civil Rights Act 1964 (race, color, national origin, sex-female etc.), Federal Minimum Wage Act, Fair Labor Standards Act, etc. Federal Rules of Civil Procedure Rule 12, Rule 55; U.S. Court of Appeals Rule 31, Rule 35, Rule 36; U.S. Supreme Court Rule 10, Rule 12, Rule 20 etc. Other Federal laws 15 U.S.C. 1681 (credit damage U.S. Dept of Treasury); 12 C.F.R. 1024 (CFPB Complaints), 47 C.F.R. 64.1507 (Illegal Phone Disconnection), Code 21 U.S.C. 342 (Poisoning Food Complaints) etc.

IV. Request to post 1407 pages Exhibits submitted on June 30, 2023.

On June 30, 2023 petitioner submitted 1407 pages Exhibits to the Supreme Court to use clear and convincing evidence to support the Petition for a Writ of Certiorari. The Exhibits include 4 parts: District of Columbia matter, State of Maryland matter, State of California matter and Employment matter. Further, petitioner requests the court to consolidate the Employment matter (U.S. District Court Case No. 23-01453 and 23-01459 including appeal) as well as all other new complaint such as damage of petitioner's credit by U.S. Dept of Treasury (15 U.S.C. 1681), repeated deprive rights and bullying by District of Columbia, etc. with the subject Petition for Rehearing.

V. Stays (Rule 23) and Reverse Justice

Due to miscarry justice and misapplication of the law, petitioner present this application to request the Supreme Court to STAY the enforcement of all the judgment. Further, petitioner strongly demand the Supreme Court to reverse denial decision issued on October 30, 2023 and conduct rehearing based on the applicable law, facts, exhibits presented as well as all new complaints not previously presented to make satisfied relief to petitioner who never brought damages, losses to any state according to the law. Petitioner strongly demand the Supreme Court to punish criminal offenders who brought all kinds of harm, damages, losses, shame, poverty, trauma, pain, suffering, misfortune to the petitioner according to the law to reflect the justice system's dignity, accuracy and fairness.

- Criminal prosecution against criminal offenders;
- Penalty \$2280000000000 U.S. Dollar plus 20% late charge;
- Barring Notice, Injunction, Criminal Restraining Order etc.

CONCLUSION

The Court should grant the Petition for Rehearing (20 pages), consider this Petition together with the original Petition for a Writ of Certiorari (40 pages), Exhibits (1407 pages), Request to Enter Default Judgment (4 pages) and Motions to the Supreme Court (13 pages) submitted in a timely manner previously including 10 copies for each filing.

Respectfully Submitted,

mc

May Chen (Petitioner)

CERTIFICATE OF UNREPRESENTED COUNSEL (Rule 44.2)

Pursuant to Rule 44.2, I (petitioner) as an Unrepresented Counsel certifies that the Petition is restricted to the grounds specified in the Rule with substantial grounds not previously presented briefly and distinctly. Counsel certifies that this Petition is presented in good faith and not for delay.

May Chen (Petitioner)

mc

PROOF OF SERVICE

On November 21, 2023 the above referenced “Petition for Rehearing” will be served to the following parties pursuant to Rule 29.3 during COVID-19 pandemic.

Supreme Court of the United States

1 First St NE, Washington DC 20543

via: personal delivery and efilingsupport@supremecourt.gov

State of California

1500 11th St, Sacramento CA 95814

via: stateinfo@state.ca.gov

State of Maryland

100 State Cir, Annapolis MD 21401

via: countyexecutive@co.pg.md.us

Metropolitan Police Department / DC Attorney General

441 4the St NW, DC 20001

via: chad.copeland@dc.gov; stephanie.litos@dc.gov; tonia.robinson@dc.gov

Rule 44. Rehearing

1. Any petition for the rehearing of any judgment or decision of the Court on the merits shall be filed within 25 days after entry of the judgment or decision, unless the Court or a Justice shortens or extends the time. The petitioner shall file 40 copies of the rehearing petition and shall pay the filing fee prescribed by Rule 38(b), except that a petitioner proceeding *in forma pauperis* under Rule 39, including an inmate of an institution, shall file the number of copies required for a petition by such a person under Rule 12.2. The petition shall state its grounds briefly and distinctly and shall be served as required by Rule 29. The petition shall be presented together with certification of counsel (or of a party unrepresented by counsel) that it is presented in good faith and not for delay; one copy of the certificate shall bear the signature of counsel (or of a party unrepresented by counsel). A copy of the certificate shall follow and be attached to each copy of the petition. A petition for rehearing is not subject to oral argument and will not be granted except by a majority of the Court, at the instance of a Justice who concurred in the judgment or decision.

2. Any petition for the rehearing of an order denying a petition for a writ of certiorari or extraordinary writ shall be filed within 25 days after the date of the order of denial and shall comply with all the form and filing requirements of paragraph 1 of this Rule, including the payment of the filing fee under Rule 38(b) in any case in which the filer paid the filing fee under Rule 38(a), but its grounds shall be limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented. The time for filing a petition for the rehearing of an order denying a petition for a writ of certiorari or extraordinary writ will not be extended. The petition shall be presented together with certification of counsel (or of a party unrepresented by counsel) that it is restricted to the grounds

2. A petitioner proceeding *in forma pauperis* under Rule 39 shall file an original and 10 copies of a petition for a writ of certiorari prepared as required by Rule 33.2, together with an original and 10 copies of the motion for leave to proceed *in forma pauperis*. A copy of the motion shall precede and be attached to each copy of the petition. An inmate confined in an institution, if proceeding *in forma pauperis* and not represented by counsel, need file only an original petition and motion.

3. Whether prepared under Rule 33.1 or Rule 33.2, the petition shall comply in all respects with Rule 14 and shall be submitted with proof of service as required by Rule 29. The case then will be placed on the docket. It is the petitioner's duty to notify all respondents promptly, on a form supplied by the Clerk, of the date of filing, the date the case was placed on the docket, and the docket number of the case. The notice shall be served as required by Rule 29.

4. Parties interested jointly, severally, or otherwise in a judgment may petition separately for a writ of certiorari; or any two or more may join in a petition. A party not shown on the petition as joined therein at the time the petition is filed may not later join in that petition. When two or more judgments are sought to be reviewed on a writ of certiorari to the same court and involve identical or closely related questions, a single petition for a writ of certiorari covering all the judgments suffices. A petition for a writ of certiorari may not be joined with any other pleading, except that any motion for leave to proceed *in forma pauperis* shall be attached.

5. No more than 30 days after a case has been placed on the docket, a respondent seeking to file a conditional cross-petition (*i. e.*, a cross-petition that otherwise would be untimely) shall file, with proof of service as required by Rule 29, 40 copies of the cross-petition prepared as required by Rule 33.1, except that a cross-petitioner proceeding *in forma pauperis* under Rule 39 shall comply with Rule 12.2. The cross-petition shall comply in all respects with this Rule and Rule 14, except that material already reproduced in the ap-

W A I V E R

SUPREME COURT OF THE UNITED STATES

No. 23-5501

May Chen

(Petitioner)

Metropolitan Police Department

V.

(Respondent)

I DO NOT INTEND TO FILE A RESPONSE to the petition for a writ of certiorari unless one is requested by the Court.

Please check the appropriate box:

- I am filing this waiver on behalf of all respondents.
- I only represent some respondents. I am filing this waiver on behalf of the following respondent(s):

District of Columbia Metropolitan Police Department, District of Columbia, Judge Michael Rankin, Chief Judge Anna Blackburne-Rigsby, Officers Bryant A, Cobb C, Stephen Franchak, Suzie Stears, English, Homere Whyte

Please check the appropriate box:

- I am a member of the Bar of the Supreme Court of the United States. (Filing Instructions: File a signed Waiver in the Supreme Court Electronic Filing System. The system will prompt you to enter your appearance first.)
- I am not presently a member of the Bar of this Court. Should a response be requested, the response will be filed by a Bar member. (Filing Instructions: Mail the original signed form to: Supreme Court, Attn: Clerk's Office, 1 First Street, NE, Washington, D.C. 20543).

Signature:

Caroline S. Van Zile

Digitally signed by Caroline S. Van Zile
Date: 2023.09.28 19:17:14 -04'00'

Date:

9/28/23

(Type or print) Name

Caroline S. Van Zile

Mr.

Ms.

Mrs.

Miss

Firm

Office of the Attorney General for the District of Columbia

Address

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Washington, D.C.

Zip 20001

Phone

202-724-6609

Email caroline.vanzile@dc.gov

A copy of this form must be sent to petitioner's counsel or to petitioner if *pro se*. Please indicate below the name(s) of the recipient(s) of a copy of this form. No additional certificate of service or cover letter is required.

cc: May Chen
4713 Wisconsin Avenue, NW
Washington, D.C. 20016
nationalhealthcarefdn@gmail.com

Rule 9. Appearance of Counsel

1. An attorney seeking to file a document in this Court in a representative capacity must first be admitted to practice before this Court as provided in Rule 5, except that admission to the Bar of this Court is not required for an attorney appointed under the Criminal Justice Act of 1964, see 18 U. S. C. §3006A(d)(7), or under any other applicable federal statute. The attorney whose name, address, and telephone number appear on the cover of a document presented for filing is considered counsel of record. The names of other members of the Bar of this Court or of the bar of the highest court of a State acting as counsel, and, if desired, their addresses, may be added. If the name of more than one attorney is shown on the cover of the document, the attorney who is counsel of record shall be clearly identified. See Rule 34.1(f). Names of persons other than attorneys admitted to a state bar may not be listed, unless the party is appearing *pro se*, in which case the party's name, address, and telephone number shall appear.

2. An attorney representing a party who will not be filing a document shall enter a separate notice of appearance as counsel of record indicating the name of the party represented. A separate notice of appearance shall also be entered whenever an attorney is substituted as counsel of record in a particular case.

PART III. JURISDICTION ON WRIT OF CERTIORARI**Rule 10. Considerations Governing Review on Certiorari**

Review on a writ of certiorari is not a matter of right, but of judicial discretion. A petition for a writ of certiorari will be granted only for compelling reasons. The following, although neither controlling nor fully measuring the Court's discretion, indicate the character of the reasons the Court considers:

* Rule 10 (page 6) "A petition for a Writ of Certiorari is rarely granted when the asserted error consists of erroneous factual findings or the misapplication of a properly stated rule of law."

4. A Justice denying an application will note the denial thereon. Thereafter, unless action thereon is restricted by law to the Circuit Justice or is untimely under Rule 30.2, the party making an application, except in the case of an application for an extension of time, may renew it to any other Justice, subject to the provisions of this Rule. Except when the denial is without prejudice, a renewed application is not favored. Renewed application is made by a letter to the Clerk, designating the Justice to whom the application is to be directed, and accompanied by 10 copies of the original application and proof of service as required by Rule 29.

5. A Justice to whom an application for a stay or for bail is submitted may refer it to the Court for determination.

6. The Clerk will advise all parties concerned, by appropriately speedy means, of the disposition made of an application.

Rule 23. Stays

1. A stay may be granted by a Justice as permitted by law.

2. A party to a judgment sought to be reviewed may present to a Justice an application to stay the enforcement of that judgment. See 28 U. S. C. § 2101(f).

3. An application for a stay shall set out with particularity why the relief sought is not available from any other court or judge. Except in the most extraordinary circumstances, an application for a stay will not be entertained unless the relief requested was first sought in the appropriate court or courts below or from a judge or judges thereof. An application for a stay shall identify the judgment sought to be reviewed and have appended thereto a copy of the order and opinion, if any, and a copy of the order, if any, of the court or judge below denying the relief sought, and shall set out specific reasons why a stay is justified. The form and content of an application for a stay are governed by Rules 22 and 33.2.

4. A judge, court, or Justice granting an application for a stay pending review by this Court may condition the stay on the filing of a supersedeas bond having an approved surety