

No. 23-5614

IN THE SUPREME COURT OF THE UNITED STATES

ELLISON O. JORDAN,
Petitioner

VS.

THE PENNSYLVANIA STATE UNIVERSITY, et, al,
Respondents

PETITION FOR REHEARING

Ellison O. Jordan
P.O. Box 4704
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IN THE SUPREME COURT OF THE UNITED STATES
GROUNDS

Petitioner respectfully requests a rehearing of the Petition for a Writ of Certiorari on the grounds of an omission. The Petitioner's Reply Brief dated October 27, 2023, submitted in response to the Brief of McNess, Wallace and Nurick, LLC, was not filed by this Court (See Appendix A). The Petitioner notified this Court of the omission on or about November 6, 2023 (See Appendix B). However, the reply brief was not distributed by this Court for review during its consideration of the Petitioner's writ.

This Court in 601 U.S. 23-13 (2023) stated "*...part of our deep-rooted historic tradition that everyone should have his own day in court.*" Richards vs Jefferson County, 517 U.S. 793, 798 (1996). The appeals court of Pennsylvania by upholding the lower court's violation of the Petitioner's right to trial by jury conflicts with this Court's "*deep-rooted historic tradition that everyone should have his own day in court*" and "*The right of trial by jury as declared by the Seventh Amendment to the Constitution or as given by a statute of the United States shall be preserved to the parties inviolate*".

Respectfully submitted:

Ellison O. Jordan

Signature

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December 21, 2023

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PROOF OF SERVICE

I, Ellison O. Jordan, do swear or declare that on this date, December 21, 2023, as required by Supreme Court Rule 29, I have served the enclosed PETITION FOR REHEARING on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

<u>Name</u>	<u>Manner of Service</u>
JOHN U. BAKER, ESQUIRE McNees Wallace & Nurick, LLC 100 Pine Street, P.O. Box 1166 Harrisburg, PA. 17108-1166 Attorneys for Defendants, Pennsylvania State University, Sandy Barbour, Charmelle Green and James Franklin	First-Class Mail

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H. Seidenberg, MD., John S. Reid,
MD., Penn State Health, The Milton S.
Hershey Medical Center, Penn State
Hershey Medical Group, Mount Nittany
Health, Renee Messina, Brendan Carr,
Andy Mutnan, Time Bream and Wes Sohns

First-Class Mail

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

Executed on December 21, 2023.

Ellison O. Jordan

Ellison O. Jordan

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CERTIFICATION
PARTY UNREPRESENTED BY COUNSEL

I, *Ellison O. Jordan*, assert that the grounds of omission are limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented. I do swear or declare that on this date, December 21, 2023, that this request for rehearing is presented in good faith and not for delay.

Ellison O. Jordan

Ellison O. Jordan

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**Additional material
from this filing is
available in the
Clerk's Office.**