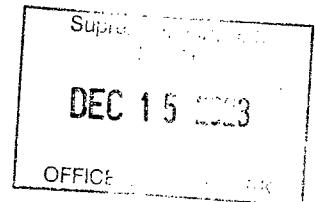


No. 23-5643

RECEIVED
IN THE
SUPREME COURT OF THE UNITED STATES

IN RE: GREGORY SHAWN MERCER



ON PETITION FOR EXTRAORDINARY WRIT OF MANDAMUS TO
THE CHIEF JUDGE OF THE SUPREME COURT OF VIRGINIA,
S. BERNARD GOODWYN

SCOTUS MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

SCOTUS PETITION FOR REHEARING

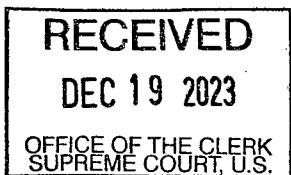
SCOTUS RULE 29 CERTIFICATE OF SERVICE (at the End)
(28 U.S.C. §2403(b) MAY APPLY)

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SCOTUS PETITION FOR REHEARING

Petitioner has been motivated to expend his limited resources losing \$3,523.38 per month filing concurrent SCV Record No. 230354 Documents and SCOTUS Case No. 23-5643 Documents in the hope of receiving Justice because he has personal experienced Virginia's abusive Confederate Police Government. In accordance with SCOTUS Rule 44.1 & 44.2, this Petition for Rehearing is presented in Good Faith and Not For Delay being limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented. On 10/31/2023 through SCOTUS Clerk Robert Meek's Letter, Petitioner was informed that his "Renewed Application and Three Related Motions" were being returned apparently because each needed to be mailed separately according to SCOTUS Rules 21 & 22.4. Petitioner is *pro se* and still learning about the SCOTUS. Petitioner was encouraged to "correct and resubmit [his 10/25/2023 Filings] as soon as possible." However, the Renewed Application for a SCOTUS Stay of the SCV 10/26/2023 "Final Order" became moot when Petitioner filed his 11/1/2023 "SCV Petition for Rehearing" requesting a SCV Stay of its own 10/26/2023 "Order" which is still pending in the SCV. One of the three Motions meant to update a previous "Motion for Leave to File Documents in Handwritten Format" became moot because Petitioner was further delayed in the start of his job as a Tractor Trailer Driver due to Emergency House Repairs which delay will continue until at least 1/1/2024 when Covenant Transport Inc. is scheduled to end its 2023 Hiring Freeze. Just before the 11/17/2023 SOTUS Conference, Petitioner filed his 11/16/2023 "SCOTUS Motion for Leave to Withdraw Two Issues" together with an 11/16/2023 "Application to Update for 11/17/2023 Conference." This SCOTUS granted Petitioner's Motion for Leave to Proceed *In Forma Pauperis* and he thanks the SCOTUS. Petitioner could not refile one of his 10/25/2023 Motions requesting Sanctions before the 11/17/2023 SCOTUS Conference due to his Emergency House Repairs involving eviction of his pernicious attic squirrels. The continued drain on Petitioner's financial resources (which have amounted to \$28,000 since he began to litigate in the SCV & SCOTUS) simultaneously to Emergency House Repairs (which finally did evict the pernicious attic squirrels on or about 12/1/2023) delayed Petitioner so he did not refile his third Motion concerning Sanctions before the 11/17/2023 SCOTUS Conference. These are Petitioner's intervening circumstances of substantial and controlling effect: his increasing debt at the rate of \$3,523.38 per month and the on or about 12/1/2023 eviction of the pernicious attic squirrels.

This SCOTUS decided on 11/20/2023 to DENY Petitioner's Petition for Extraordinary Writ of Mandamus to the Chief Judge of the SCV, S. Bernard Goodwyn. But by the very fact that SCOTUS Rule 44 exists, Petitioner believes

that this SCOTUS is not yet necessarily stating that Petitioner does not deserve and is not due Justice through SCOTUS consideration of this timely 12/15/2023 Petition for Rehearing. And Petitioner offers the SCOTUS a way to An Alternative Justice (See below). Denial based only on the 3/19/2023 “Petition for Extraordinary Writ of Mandamus to the Chief Judge of the Supreme Court of Virgnia, S. Bernard Goodwyn” means this SCOTUS is not yet convinced. Petitioner now adds other substantial grounds not previously presented.

In Gregory Shawn Mercer v. Commonwealth of Virginia, FCCC Case No. MI-2006-2302 (6/1/2007), COAV Record No. 0828-07-4 (2/18/2009), SCV Record No. 090536 (9/22/2009), SCOTUS Case No. 09-8206 (*certiorari denied 4/19/2010; rehearing denied 6/7/2010*) [**Doc #2 – 48-49, Apx 3; Doc. SCV – 9**], the seven-member FCCC jury which convicted Petitioner on 3/27/2007 of Simple Assault of Virginia State Trooper Kenneth S. Houtz included one Esther S. Verona. In Voir Dire, Ms. Verona was asked, “Are there any of you who have ever worked in law enforcement? Is there any of you that has a close friend or family member that works in law enforcement? ... Would you be able to weigh the law enforcement officer’s [Virginia State Police Trooper Houtz’s] credibility according to the same standards that you would of any other witness? **[3/26/2007 FCCC Transcript, Case No. MI-2006-2302/2343, Page 26, Lines 6-9 & Page 27, Lines 4-7 reprinted in SCOTUS Case No. 20-348, Pages A595-596]**. Juror Esther S. Verona who was a retired nurse on 3/26/2007 sat silently and did not respond to these questions while her husband (Dr. Jack Verona) was a CIA Source working for the Defense Intelligence Agency (DIA). During the FCCC two-day Trial and on 3/27/2007, the Trial Judge denied Petitioner’s **U.S. Amendment VI & XIV Right/Demand** to see Virginia State Trooper Kenneth S. Houtz’s 6/9/2006 Police Report. More on this later.

Trooper Houtz testified that Petitioner had assaulted him on 6/9/2006 followed by Petitioner’s immediate arrest during a four-car traffic stop while the Trooper was explaining Petitioner’s Summons to him. The Trooper started with Petitioner’s car first of the four cars stopped on east-bound I-66 above I-495. Petitioner had interrupted the Trooper’s Summons Explanation asking if the Summons was for a moving violation or a parking violation. Petitioner was never asked to sign his Summons up to this interruption. Trooper Houtz testified he answered, “It is a moving violation” and at this point an alleged assault occurred followed by the Trooper backing up into a lane of traffic with his Summons Book and his pen laying the Summons Book down in a 55-mile-per-hour, I-66 lane of traffic. The Summons Book was never run over by traffic. The Trooper testified that he then immediately arrested Petitioner. Trooper Houtz had testified in the

FCGDC he kept control of the pen “at all times” which precludes Petitioner signing his Summons which FCGDC testimony mysteriously disappeared from the 11/30/2006 FCGDC Transcript among other anomalies. Petitioner testified in the FCCC that Trooper Houtz had told Petitioner it was a moving violation, the Trooper finished explaining the Summons to Petitioner, the Trooper asked Petitioner to sign his Summons not as an admission but that he would come to Court, and the Trooper gave Petitioner the Summons Book and pen before backing up. Petitioner testified that after he had read the Summons completely Trooper Houtz returned to his driver window literally as Petitioner was signing his Summons and the Trooper stated, “You ripped the pen out of my hand” to which Petitioner finished signing his Summons, returned the Summons Book with pen to the Trooper, and responded, “I think you are cruel, obnoxious and an asshole.” At this point, Petitioner testified he was immediately arrested with his hands continuously immobilized first on the top of his car as he was frisked, then on the trunk of his car as Trooper Houtz went to the other three stopped cars in front of Petitioner’s car to issue their Summons, then (because Petitioner complained about the dangers of standing on the shoulder of I-66 just after where cars exit to I-495 at 55 miles-per-hour) on a guardrail support as Trooper Houtz returned to his motorcycle to ask Virginia State Police Sergeant Kerry S. Allander if Trooper Houtz could arrest Petitioner, and then in handcuffs in a police car until Petitioner’s signed Summons Copies were all separated at the Fairfax County Police Station. This whole case was about how and/or when Petitioner signed his Summons.

In the FCGDC, right-handed Trooper Houtz’s alleged assault demonstration was horizontally from *his left to his right* ending at his right arm between the elbow and wrist. In the FCCC, Trooper Houtz’s alleged assault demonstration was diagonally from *his right to his left* ending at his hands. The driver of the car stopped directly in front of Petitioner’s car (Eyewitness Jong Han) testified in the FCCC, “And as the officer was [with] the last car, were you watching or not watching?” “Yes, I was watching [with] a lot of interest. I just wanted to see what was going on. I was actually parked no more than probably five or – the car behind me was parked no more than, I would say, 6 feet or so behind me, so I had a real clear view of the car behind me and everything going on. So I was very interested as to what was going on. So I fixed my eyes on what was behind me the whole time” and “[Petitioner] was just sitting in his - in the driver’s seat. He looked like he was listening at first, and at one moment, as I mentioned, it looked like he grabbed – he went over to grab the pen or something from the officer’s hand.” “And did you see any kind of contact between that person and the Trooper before the driver came out of the car, physical contact?” “No [R85-86, R174B-D].” “And how was it that you

were seeing behind you? Were you looking over your shoulder or were you looking in the mirror?" "I was looking through the rear view mirror [R86-87, R175A]." "What was it that he grabbed? "It looked like a pen." "But you did see something come back in his hand?" I believe so [R87, R175C]." "Is it fair to say from where you were looking through the rear view mirror, you couldn't tell whether there was physical contact between this Defendant and the Trooper?" "I did not see any physical contact. I did have a pretty good view of the area in which I believe the contact is assumed to – or alleged to have taken place [R88, R175D-176A]." During cross-examination it was revealed that ten years earlier when Eyewitness Han was in college he was found guilty of lying, cheating, or stealing.

Trooper Houtz was asked questions and testified as follows [3/26/2007 FCCC Transcript, Case No. MI-2006-2302/2343 reprinted in SCOTUS Case No. 09-8206, Pages APX. I – 25-28 (above) & Pages APX. I – 43-48 then 12-18 (below)]:

BY MR. MANIKAS [Circuit Court Prosecutor]:

Q – Trooper, you testified earlier about the course of events that took place when you were at the Defendant's window. At some point therein you testified that after the physical contact you stepped back. I want you to tell us at what point, either before or after, that this Defendant signed the package of papers that you presented him to sign?

BY TROOPER KENNETH S. HOUTZ [Under oath on 3/26/2007]:

A – It was sometime after that, but I don't remember exactly when [R72, R189D-190A].

.....

BY TROOPER KENNETH S. HOUTZ [Under oath on 3/26/2007]:

A – The first time, the first contact is when took his driver's license and registration, and the second time is when I came back [with] the summons book and I was describing to him – I was trying to explain the summons. That is when he struck me.

BY MR. MANIKAS [Circuit Court Prosecutor]:

Q – Right.

A – At some point after that is when he signed. I don't remember if it was – it was sometime after that. I really could not pin down exactly when.

Q – How about in relation to when you stepped back from the vehicle and you put the summons book on the ground?

A – It was before or after that point [R72-73, R190A-B].

.....

BY MS. MELEEN [Circuit Court Defense Counsel]:

Q – When you testified on November 30, did you ever say that Mr. Mercer signed the summons?

BY TROOPER KENNETH S. HOUTZ [Under oath on 3/26/2007]:

A – I don't know.

Q – Would you like to see your testimony?

A – Do you want me to read the whole thing?

Q – I want you to take whatever time you need and tell me if you ever testified that he signed the summons on the scene [R190B]?

.....

BY MS. MELEEN [Circuit Court Defense Counsel]:

Q – Did you ever testify when you testified previously under oath as to when Mr. Mercer signed those summons [R190C]?

.....

BY TROOPER KENNETH S. HOUTZ [Under oath on 3/26/2007]:

A – I think I'm at the end of it, 23.

BY MS. MELEEN [Circuit Court Defense Counsel]:

Q – So is it there?

A – No.

Q – Do you have your summary notes with you? Is it in there that Mr. Mercer signed the summons?

A – Probably not. The thing is that we know he did because it is on the summons.

Q – Is it there of when he signed it?

A – Probably not [R73, R190C-D].

.....

BY MS. MELEEN [Circuit Court Defense Counsel]:

Q – Did you find it in your notes?

BY TROOPER KENNETH S. HOUTZ [Under oath on 3/26/2007]:

A – No [R73, R190D].

.....

BY MR. MANIKAS [Circuit Court Prosecutor]:

Q – With respect to your notes, explain why that would not be reflected in your notes whether he signed the summons?

BY TROOPER KENNETH S. HOUTZ [Under oath on 3/26/2007]:

A – I think it is obvious that he did sign it [R190D-191A].

.....

BY MR. MANIKAS [Circuit Court Prosecutor]:

Q – What is your practice?

BY TROOPER KENNETH S. HOUTZ [Under oath on 3/26/2007]:

A – I don't understand the question. When it is obvious – that is why we have the summons, because it shows that they understand and they are going to appear in the court.

Q – Is it your practice that you –

A – It's pointless.

Q – Have you done it before?

A – No [R191A].

.....

BY MS. MELEEN [Circuit Court Defense Counsel]:

Q – Mr. Manikas asked you if you were asked whether he signed this summons in your earlier testimony. But the question that was presented to you was, can I ask you to state the details of what actually happened as you

approached the car; is that correct? Do you remember that – they are asking you to tell the story in your own words? Is that not what this is about.

MR. MANIKAS [Circuit Court Prosecutor]:

Your Honor, that doesn't go to the issue of what was raised before.

THE COURT [FCCC Judge Kathleen H. Mackay]:

Overruled.

BY TROOPER KENNETH S. HOUTZ [Under oath on 3/26/2007]:

A – These are open-ended questions about giving details of what happened [R191B].

.....

MS. MELEEN [Circuit Court Defense Counsel]:

Okay. Your Honor, I'm going to move to strike the evidence in this case. ...

.....

I would also like to raise one additional thing that Mr. Manikas has been kind enough to talk to me about. And I want to bring it to the Court's attention. In light of Trooper Houtz's testimony, we actually knew what he was going to testify to, because although I did not represent Mr. Mercer below in the general district court case, I did get the information that was available from the other lawyer. So we had a copy of the [FCGDC] transcript, and we had a copy of the summary notes.

And before the trial I asked Mr. Manikas if it was possible for me to see the police report given this date that I thought that this trial was going to be in. We – he did tell me he doesn't have a copy of it. And it was unavailable to him.

We have never seen it. We think that we should – we always think we should have the right to it, and we don't but particularly in this case, particularly when the trooper has, given his own circumstances, testified and written notes. And he came in here yesterday. In all of these things, in all of these statements whether they be oral or written, he never said that Mr. Mercer signed that before.

And we think that we should be entitled under the 6th Amendment – I'm sorry – under the 14th Amendment, under the due process section and the

6th Amendment which is the right to effective assistance of counsel as well as Article I, Section 8 of the Virginia Constitution to see that and to see if there is another prior inconsistent statement. So we have two motions, actually.

MR. MANIKAS [Circuit Court Prosecutor]:

Let me just address the police report first. I think there may be some confusion on this, and I tried to clarify it early on. What this trooper did is unusual in that he actually turned over his police report.

There's two parts to that. There's a narrative section, which is where he describes what had occurred, and then there's like a cover page that sort of gives biographical information on himself and – or I'm sorry – on the defendant.

The narrative was actually turned over by the trooper to this defendant's prior counsel. And this counsel has that. So she actually has his narrative police report of the event. There's nothing else for me to give her with the exception of that cover page that identifies the defendant's date of birth, things of that nature. That doesn't contain any information relating to this event. So she actually does have the police report.

As for the testimony, the Commonwealth's position would be at this point it is an issue of credibility for the jury, that it should go to the jury. The testimony from these other witnesses was inconsistent in certain respects with this defendant's. And counsel –

THE COURT [FCCC Judge Kathleen H. Mackay]:

I agree with you.

MR. MANIKAS [Circuit Court Prosecutor]:

Okay. Thank you, your Honor.

THE COURT [FCCC Judge Kathleen H. Mackay]:

But I'm confused about the police report. She did have it; is that what you're saying?

MR. MANIKAS [Circuit Court Prosecutor]:

Yes.

MS. MELEEN [Circuit Court Defense Counsel]:

Your Honor, I have – remember when I asked the officer about his summary notes?

THE COURT [FCCC Judge Kathleen H. Mackay]:

Yeah.

MS. MELEEN [Circuit Court Defense Counsel]:

I have summary notes which, according to Mr. Manikas – and I have no reason to doubt him – are a portion of the police report that's lifted and printed separately. I don't believe that Mr. Manikas actually has a copy of the police report with him. I don't know if that's true or not.

But obviously our concern is given the light of how this came out and what we've been arguing – well, we will be arguing it – and the way the evidence came out, I don't believe that the trooper has been forthcoming. And what he relates to Mr. Manikas we have to rely on as being the end of it.

THE COURT [FCCC Judge Kathleen H. Mackay]:

Can't you get a police report just by going down to the police station and asking for it?

MS. MELEEN [Circuit Court Defense Counsel]:

No. Mr. Mercer tried that. You cannot. They will not give them over. And he actually before he ever had counsel right afterwards he walked into the state police and asked for it. And of course it was refused, because this is a criminal charge, and they will not give them. I don't get them. I never have them.

THE COURT [FCCC Judge Kathleen H. Mackay]:

Okay. Well, I can't do anything about that. Whatever motion you've got on that is denied.

You don't have the copy of the police report?

MR. MANIKAS [Circuit Court Prosecutor]:

I don't. What I have, your Honor – and I just want everyone to be clear. I don't want anyone to think that I'm holding something back. I'm not.

What I have is his narrative. He took this out of the police report. He doesn't have to do this. He does this so that he can turn this over, because the initial

part of the police report, the first part, that he's prohibited by state police regulations from disclosing outside his office. So he cuts and pastes the narrative section into this separate document so that he can give that to defense counsel.

THE COURT [FCCC Judge Kathleen H. Mackay]:

Okay. All right. ... [R218D-220D].

This False Arrest turned into a False Conviction with Petitioner's U.S. **Amendment VI & XIV Right** violated by Virginia's Confederate Police Government. After Petitioner finished working as a Stay-at-Home-Dad, Petitioner was turned down for employment by Michael's and Domino's Pizza because of Petitioner's Violent Police Record. The FCGDC and FCCC Trials cost Petitioner approximately \$20,000. Now Petitioner works as an Activist and Tractor Trailer Truck Driver working far below what Petitioner is capable of for employment.

In Gregory Shawn Mercer v. Fairfax County Board of Supervisors, et al., VAED Case No. 1:15-cv-302-LO-TCB (2/11/2016), 4th Circuit Case No. 16-1138 (3/13/2017), SCOTUS Case No. 17-6071 (*certiorari denied* 1/8/2018; *rehearing denied* 2/26/2018) [Doc #2 – 48-49, Apx 3; Doc. SCV – 9], the Fairfax County Board of Supervisors acting as the Fairfax County Department of Code Compliance had the Fairfax County Board of Supervisors acting as the Fairfax County Child Protective Services search Petitioner's house on 3/6/2014 then report back to the Fairfax County Department of Code Compliance about what the search of Petitioner's house revealed. Petitioner's U.S. **Amendment IV & XIV Right** was violated with the Unlawful Search of Petitioner's house by the Fairfax County Board of Supervisors acting as the Fairfax County Department of Code Compliance. In this case/cases, Petitioner had Defendants: Fairfax County Board of Supervisors; Virginia State Police Officers Kerry S. Allander & Kenneth S. Houtz; VSC Justices S. Bernard Goodwyn, Lawrence L. Koontz, Jr., Donald W. Lemons, & Leroy F. Millette, Jr.; COAV Justice Elizabeth A. McClanahan; and FCCC Judge Kathleen H. Mackay among others served after filing his case in the U.S. District Court for the Eastern District of Virginia (herein "VAED"). Virginia State Police Special Agent E. A. Vega immediately alleged four bogus criminal charges on 6/1/2015 of eleven bogus criminal charges (includes 6/26/2015 & 8/19/2015) against Petitioner (**See attached eleven bogus criminal charges against Petitioner**) after Petitioner had his two Virginia State Police Defendants served. Virginia State Police Special Agent E. A. Vega had Petitioner arrested after four days of TERROR while Petitioner fled the Virginia Police, had Petitioner Unlawfully Imprisoned from 6/6/2015 to 6/9/2015, (**See attached 6/19/15 "Affidavit of U.S. Constitutional**

Amendment IV [& XIV] Violations”), and Unconstitutionally Searched Petitioner’s house on 6/8/2015 for simply having Petitioner’s two Virginia State Police Officer Defendants served VAED Summons (See attached 6/8/2015 “Search Warrant”). Petitioner’s U.S. Amendment IV & XIV Right was violated twice more with the Unlawful Imprisonment and Unlawful Search of Petitioner’s house by the Virginia State Police. Most of Petitioner’s issues were left unaddressed by the VAED as Petitioner was overwhelmed defending himself from E. A. Vega’s eleven bogus criminal charges for which Petitioner was denied production of associated Police Reports in Virginia’s non-transparent Confederate Police Government (See attached 4/25/2016 & 5/13/2016 Virginia State Police Letters to Petitioner). E. A. Vega had used the Fairfax County Criminal Justice System to effect an advantage in a VAED Case No. 1:15-cv-302-LO-TCB Civil Litigation which later FCGDC Criminal Trial cost Petitioner more than \$5,250 to successfully defend his innocence.

During *Gregory Shawn Mercer v. E. A. Vega*, VAED Case No. 1:18-cv-346-LO-TCB (5/24/2019), 4th Cir. Case No. 19-1584 (2/3/2020), SCOTUS Case No. 20-348 (*certiorari denied* 11/9/2020; *rehearing denied* 1/11/2021) [Doc #2 – 48-49, Apx 3; Doc. SCV – 9], Petitioner discovered on 8/26/2019 to 8/29/2019 relevant information about FCCC Case No. MI-2006-2302/2343 Juror Esther S. Verona’s husband [SCOTUS Case No. 20-348, Pages A595-596 (below)]. Apparently, Dr. Jack Verona was recognized on 10/11/2011 by U.S. Representative Gerry Connolly in the U.S. House of Representatives for “invaluable leadership in developing scientific and technical intelligence programs during the height of the Cold War [which] helped keep America safe … [d]uring a 25 year career at the DIA [Defense Intelligence Agency].” FCCC Case No. MI-2006-2302/2343 Juror Esther S. Verona’s husband worked in the DIA and as a CIA Source for psychic spying, psychokinesis, parapsychology, weapons research, and mind control. **Petitioner is not making this up!** Dr. Jack Verona was described, “DIA, TSS Head, Psi researcher, committee member managing UFO disinfo., member of the so-called Aviary.” This information was not revealed on 3/26/2007 in FCCC Case No. MI-2006-2302/2343 Voir Dire by Juror Esther S. Verona as to family members working in law enforcement. Since Petitioner’s 3/26/2007 to 3/27/2007 FCCC Trial was a two-day trial, Juror Esther S. Verona had ample opportunity to talk to her husband Dr. Jack Verona after the first day of trial (the night of 3/26/2007) whereafter the other six FCCC Case No. MI-2006-2302/2343 Jurors could have been influenced with Dr. Jack Verona’s voodoo. Petitioner did not receive a fair trial on 3/26/2007 to 3/27/2007 in FCCC Case No. MI-2006-2302/2343. Juror Esther S. Verona did not reveal in Voir Dire her association with husband Dr. Jack Verona whose DIA & CIA

career involved influencing others and arguably may have been used to influence the seven-member of the FCCC Case No. MI-2006-2303/2343 Jury. Petitioner had a right to be put on notice of Dr. Jack Vorona's expertise as the husband of a potential Juror before Petitioner's Defense Attorney made her Juror Strikes on 3/26/2007 of the members of the Jury Pool appearing at Voir Dire in FCCC Case No. MI-2006-2303/2343:

- <http://www.diaalumni.org/images/DIAA Log December 2011.pdf>
- http://pageturnpro2.com.s3-website-us-east-1.amazonaws.com/Publications/201612/3838/75926/PDF/131256885118927941_PathwaysAnnualReport2016_WEBREADY_rev128b.pdf
- <https://mankindresearchunlimited.weebly.com/rv-timeline.html>
- <http://flyingtigercomics.blogspot.com/2012/06/recognizing-dr-jack-voronas-induction.html>
- <https://www.govinfo.gov/content/pkg/CREC-2011-10-11/pdf/CREC-2011-10-11-extensions.pdf>
- <http://cryptome.org/cia-2619.htm>
- <https://ce399.typepad.com/weblog/jack-vorona/>
- <https://www.urigeller.com/timeline-cias-interest-paranormal-human-consciousness/>

In neither VAED Case No. 1:18-cv-346-LO-TCB (5/24/2019) nor Petitioner's FCGDC Criminal Trial involving the eleven bogus criminal charges was there any consequence for three violations of Petitioner's **U.S. Amendment IV & XIV Right** by the Fairfax County Board of Supervisors acting as the Fairfax County Department of Code Compliance and/or by Virginia State Police Special Agent E. A. Vega.

In this case being *In Re: Gregory Shawn Mercer*, SCOTUS Case No. 23-5643, Petitioner petitions the SCOTUS to hold the FCGDC, FCCC, COAV, & SCV accountable for violating his **U.S. Amendment V & XIV Right** to Protection from Double Jeopardy in *Gregory Shawn Mercer v. Commonwealth of Virginia & County of Fairfax*, FCGDC Case No. GT20027665-00 (9/21/2021), FCCC Case No. MI-2021-776 (11/4/2021), COAV Record No. 1193-21-4 (4/18/2023), SCV Record No. 230354 (denied 10/26/2023 with rehearing pending). Based on Petitioner's personal experience, Virginia is a ROGUE STATE that has been defying the **U.S.**

Supremacy Clause since 1902 with now a **racially-inspired** 1971 Constitution of Virginia where Article VI, Sections 1, 2, & 7 re-create a U.S.-Congressional-eradicated-from-1866-to-1870 Confederate Police Government. No State or Federal Rights are enforced in Virginia. This SCOTUS is ultimately the protector of

Federal Rights including Petitioner's **U.S. Amendments IV, V, VI, and XIV Rights**. But when does the SCOTUS administer Justice concerning these Federal Rights?

AN ALTERNATIVE JUSTICE

Petitioner adopts and incorporates the 14 attachments hereto and the content of the eight websites listed above herein as if these were all fully rewritten verbatim hereat. Petitioner wants to make it clear to the SCOTUS that Petitioner is basing his case on the ***U.S Guarantee Clause*** "The United State shall guarantee to every STATE in this Union a Republican Form of Government, ..." So, Duncan v McCall, 139 U.S. 449, 461, 11 S.Ct. 573, 577 (1891) means "... the distinguishing feature of that form is the right of the people to choose their own [State] officers for governmental administration, ..." Petitioner is not questioning the Federal System for the selection of Judges though this case may offer this SCOTUS to give its thoughts on any proposed term limits for SCOTUS Judges.

↑ the opportunity

Petitioner knows this case is a reasonable SCOTUS case but SCOTUS has the prerogative to choose to review it or not. Petitioner would prefer this SCOTUS give to the approximately four million Virginians and those passing through Virginia their State and Federal Rights back but Petitioner offers the following alternative. Justice can be served more specifically in the interest of encouraging Responsible Government in Virginia. Petitioner does not believe Virginia deserves the power to tax him with all the above abuse that that the Virginia Government(s) has(have) forced Petitioner to endure. But two certainties of life are death and taxes. So, Petitioner asks the SCOTUS to make an example of the Virginia Government with this case. Scare the SCV a little! Order the SCV to GRANT Petitioner, Petitioner's Spouse now ex-Spouse, and Other Dependent that their Virginia Income Tax, Virginia Real Estate Tax, and Virginia Personal Property Tax shall each reduce to \$1 for as long as Petitioner lives in Virginia or owns property in Virginia and make this reduction to \$1 retroactive to December of 2003. Petitioner, his ex-wife, and Other Dependent would still be paying taxes (albeit each paying only \$1 per category) and should be afforded full service to all Virginia Government Services. Petitioner's ex-wife was Dr. Anne K. Kerttula and they were married living in Virginia from December 2003 to 2014 while they owned 3114 Borge Street, Oakton, VA, 22124 together. Dr. Kerttula moved out and now lives in Fairfax, Virginia. Petitioner's Other Dependent's Name and Social Security Number are on Petitioner's IRS Form 1040. Additionally, each one of E.A. Vega's bogus 6/2015 criminal charges which were filed against Petitioner for lawfully serving Virginia

State Police Officers Houtz and Allander VAED Summons was totally punitive. Each of the eleven bogus 6/2015 charges costs the County of Fairfax and Commonwealth of Virginia jointly and severally \$100,000. Both the Fairfax County Board of Supervisors and the Virginia State Police Unlawfully Searched Petitioner's house – \$100,000 each. Petitioner was Unlawfully Imprisoned by the Virginia State Police for three days – \$300,000. The Double Jeopardy currently being litigated costs only \$100,000 as the inclusion of the second party creates one violation of Double Jeopardy. This money to Petitioner should be at the very least Virginia Tax Free and Petitioner hopes for Federal Tax Free as well. **Petitioner's 6/9/2006 Police Record must be expunged because Petitioner never assaulted Virginia State Police Trooper Kenneth S. Houtz but appropriately called him an Asshole.** This won't evict those Pernicious Attic Squirrels on the 5th and 6th floors of 100 North Ninth Street, Richmond, Virginia, 23219, but they may stop chewing the insulation off wires and making stupid holes in walls long enough to start burying their nuts like they are supposed to behave. SCOTUS can do wonders to create Responsible Government in Virginia when given the opportunity and the idea. The Virginia State Police are part of the Commonwealth of Virginia and the County of Fairfax is the Fairfax County Board of Supervisors:

- 1) SCV to order the expungement of Petitioner's Police Record;
- 2) The following to be paid Jointly and Severally by Commonwealth of Virginia & Fairfax County Board of Supervisors:

Bogus 6/2015 Charges	\$1,100,000
Unlawful Searches	\$ 200,000
Unlawful Imprisonment	\$ 300,000
Double Jeopardy	\$ 100,000

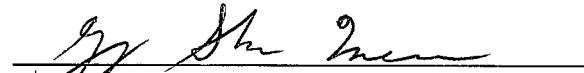
- 3) Retroactively, Currently, and into the Future for Petitioner's, Ex-Spouse's, and Other Dependent's Taxes :

Virginia Income Tax (2003 – Petitioner's Death)	\$1
Virginia Real Estate Tax (2003 – Petitioner's Death)	\$1
Virginia Personal Property Tax (2003 – Petitioner's Death)	\$1

And a more responsible, less-pernicious Christmas & New Year's to all of Virginia.

28 U.S.C §1746 DECLARATIONS WITH SIGNATURES

I DECLARE under penalty of perjury that the foregoing "SCOTUS Petition for Rehearing / SCOTUS Rule 29 Certificate of Service" was completed thoroughly being true and correct. I am executing this document on December 15, 2023.



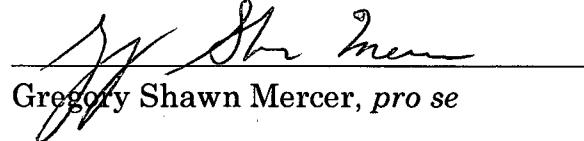
Gregory Shawn Mercer, *pro se*
3114 Borge Street
Oakton, Virginia 22124
202-431-9401
gregorysmercер@gmail.com

SCOTUS RULE 29 CERTIFICATE OF SERVICE (28 U.S.C. §2403(b) MAY APPLY)

I CERTIFY that I mailed certified true copies of the foregoing "SCOTUS Petition for Rehearing / SCOTUS Rule 29 Certificate of Service" to counsel for **Respondent Chief Judge of the SCVS. Bernard Goodwyn** being Flora T. Hezel and to **Respondent Attorney General of Virginia** being Jason Miyares at the following addresses:

Flora T. Hezel	Jason Miyares
Senior Assistant Attorney General and Chief:	Attorney General of Virginia
Financial Law and Government Support	Office of the Attorney General
202 North Ninth Street	202 North Ninth Street
Richmond, Virginia 23219	Richmond, Virginia 23219
804-786-0067	804-786-2071
fhezel@oag.state.va.us	

I DECLARE under penalty of perjury that the foregoing "SCOTUS Rule 29 Certificate of Service" is true and correct. I am executing this document on December 15, 2023.



Gregory Shawn Mercer, *pro se*