

No. 23-5961

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IN THE SUPREME COURT OF THE UNITED STATES

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Martin Robinson- Petitioner

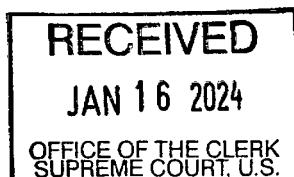
v.

OH Civil Rights Commission, et al. – Respondents

Rule 44. Rehearing

On Petition for Rehearing

Martin Robinson – Petitioner  
756786  
Wrongfully Imprisoned  
Address redacted for safety, see confidential personal identifier



[Robinson v. Ohio C.R. Comm'n, 2023 U.S. LEXIS 4670, S.Ct., 2023 WL 8532111 \(U.S. December 11, 2023\)](#)

[Robinson v. Ohio C.R. Comm'n, 2023 U.S. LEXIS 4670, S.Ct., 2023 WL 8532111 \(U.S. December 11, 2023\)](#)

## **Robinson v. Ohio C.R. Comm'n, 2023 U.S. LEXIS 4670**

Copy Citation

Supreme Court of the United States

December 11, 2023, Decided

No. 23-5961.

**Reporter**

[2023 U.S. LEXIS 4670 \\*](#) |   S.Ct.   | 2023 WL 8532111

**Martin Robinson**, Petitioner v. Ohio Civil Rights Commission, et al.

**Prior History:** [Robinson v. Ohio Civ. Rights Comm., 170 Ohio St. 3d 1487, 2023-Ohio-2348, 2023 Ohio LEXIS 1355, 212 N.E.3d 931, 2023 WL 4488112 \(July 12, 2023\)](#)

**Judges:** [\[\\*1\] Roberts, Thomas, Alito, Sotomayor, Kagan, Gorsuch, Kavanaugh, Barrett, Jackson.](#)

## Opinion

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The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See [Rule 39.8](#).

### *Shepard's®*

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- No subsequent appellate history. Prior history available.

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On Dec 18, 2023, petitioner, Martin Robinson received by regular mail, dismissal from Scott S. Harris, Clerk from Dec 11, 2023 of No. 23-5961. Prior to this, I kited the mailroom to request legal mail from this court be opened in front of me as an opt in. So far, that request has not been approved. Straughter v. Eddy, 2023 U.S. Dist. LEXIS 172839, 2023 WL 6290069 (S.D. Ohio September 27, 2023)

Petitioner, Martin Robinson requests rehearing according to Rule 44 or motions for objection to the dismissal. Petitioner, Robinson claims that this case was not heard on its merits at any level and was not frivolous or malicious, so for the court to make that designation would need to produce some sort of evidence.

**“Rule 39. Proceedings *In Forma Pauperis* 8.** If satisfied that a petition for a writ of certiorari, jurisdictional statement, or petition for an extraordinary writ is frivolous or malicious, the Court may deny leave to proceed *in forma pauperis*.”

“**Dissenting opinions regarding frivolous or malicious filings.** The July 1, 1991 amendment of Rule 39 was accompanied by the following dissenting opinion of Justice Marshall (114 L. Ed. 2d 15, 111 S. Ct. 1572): “This Court’s rules now embrace an invidious distinction. Under the amendment adopted today, an indigent litigant may be denied a disposition on the merits of a petition for certiorari, jurisdictional statement, or petition for an extraordinary writ following a determination that the filing “is frivolous or malicious.” Strikingly absent from this Court’s rules is any similar provision permitting dismissal of “frivolous or malicious” filings by paying litigants, even though paying litigants are a substantial source of these filings.

“This Court once had a great tradition: “All men and women are entitled to their day in Court.” [footnote omitted] That guarantee has now been conditioned on monetary worth. It now will read: ‘All men and women are entitled to their day in Court only if they have the means and the money.’ ‘I dissent.’.

The July 1, 1991 amendment of Rule 39 was also accompanied by the following dissenting opinion of Justice Stevens, with whom Justice Blackmun joined:

“In my opinion it is neither necessary nor advisable to promulgate the foregoing Amendment to Rule 39. During my years of service on the Court, I have not detected any significant burden on the Court, or threat to the integrity of its processes, caused by the filing of frivolous petitions. It is usually much easier to decide that a petition should be denied than to decide whether or not it is frivolous. Moreover, the cost of administering the amended rule will probably exceed any tangible administrative saving. Transcending the clerical interest that supports the rule is the symbolic interest in preserving equal access to the Court for both the rich and the poor. I believe the Court makes a serious mistake when it discounts the importance of that interest. I respectfully dissent.”. Lexis Nexis

This court appears to be practicing the art of “legal gaslighting” and the obstruction of justice.

It also appears to be retaliating for petitioner, Robinson filing suit against public officials and formal criminal complaints against this Clerks’ Office and Scott S. Harris.

This court failed to explain its reason for dismissal based on Rule 39.8. It appears according to case law; an explanation may be required.

"Rule would be amended to add Rule 39.8 providing that, if Supreme Court is satisfied that petition for writ of certiorari, jurisdictional statement, or petition for extraordinary relief is frivolous, court may deny motion to proceed in forma pauperis, because controls imposing on paying litigant certain printing class, docketing fee, and risk of having to pay damages in case of frivolous filing are not effective with reference to proceedings in forma pauperis, and in order to preserve meaningful access to court's resources and insure integrity of court's processes, it is necessary and advisable to promulgate amendment to provide court some control over frivolous and malicious in forma pauperis filings. In re Amendment to Rule 39, 500 U.S. 13, 111 S. Ct. 1572, 114 L. Ed. 2d 15, 91 D.A.R. 4868, 1991 U.S. LEXIS 2431 (1991).

United States Supreme Court, pursuant to Supreme Court Rule 39.8, will deny request for leave to proceed in forma pauperis under Supreme Court Rule 39 with respect to petition for certiorari that court determines to be frivolous. Fertel-Rust v. Milwaukee County Mental Health Ctr., 527 U.S. 469, 119 S. Ct. 1997, 144 L. Ed. 2d 447, 12 Fla. L. Weekly Fed. S 402, 99 Cal. Daily Op. Service 4817, 99 D.A.R. 6210, 1999 U.S. LEXIS 4203 (1999).

United States Supreme Court, pursuant to Rule 39.8, will deny request for leave to proceed in forma pauperis under Supreme Court Rule 39 with respect to petition court deems to be frivolous. Whitfield v. Texas, 527 U.S. 885, 119 S. Ct. 2333, 144 L. Ed. 2d 764, 99 Cal. Daily Op. Service 5057, 99 D.A.R. 6551, 1999 U.S. LEXIS 4559 (1999)." Lexis Nexis

Petitioner, Martin Robinson would also challenge Clerk, Scott S. Harris to produce proof that this case was dismissed by any of the justices and not him alone; what evidence supports the decision.

If this is not filed timely, it's due to the back log of prints in the law library.

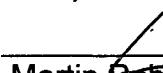
I declare under penalty of perjury that the foregoing is true and correct.

Executed on (date) Dec. 21, 2023.

01/04/24  
Martin Robinson 756785; Wrongfully Imprisoned  
Address redacted for his safety

#### PROOF OF SERVICE

I mailed a copy of Rule 44. Rehearing to OH Atty. General at 30 E. Broad St. floor 14 Columbus, OH 43215 on or about 01/05/24.

  
Martin Robinson 756785; Wrongfully Imprisoned