

CASE NO: 23-6324  
RE: CASE NO. 22-5546

IN THE  
SUPREME COURT OF THE UNITED STATES  
WASHINGTON D.C

\*\*\*\*\*  
LOUIS BONANNO SR. - PETITIONER ,

V.  
COMMONWEALTH OF VIRGINIA, ET. AL. - RESPONDENTS.

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ON PETITION FOR A WRIT OF CERTIORARI  
TO THE SUPREME COURT OF WASHINGTON D.C.  
FOR THE SIXTH CIRCUIT COURT OF APPEALS  
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ON PETITION FOR REHEARING  
ON MOTION FOR ARBITRATION  
ON PETITION MOTION FOR LEAVE TO PROCEED IN I.F.P.

TO THE SUPREME COURT OF WASHINGTON D.C.  
-----

Dated: Febuary 24, 2024.

Louis Bonanno Sr. Pro-Se Counsel  
430 Beasley Street Apt. No. 3  
Elizabethton Tennessee 37643  
  
Phone No. 423-773-4451

**THE QUESTION'S PRESENTED**

**AS A MATTER OF LAW**

This case presents a straight-forward question's under Title VII of the Civil Rights Act -1964-1981-83.,

(1.) Whether, The U.S. District Court of Knoxville Tennessee / The Circuit Court of Manassas Virginia / The State of Virginia Employment Commissioner's, / Attorney General Office, erroneously determined that no genuine issues of material fact existed, as to whether the (Employer's) discriminated and retaliated against (Petitioner), because of his protected (ADA) activity. ?

(2.) Whether, the (Respondent's), made an extra-ordinary showing of Obstruction of Justice, that this case justifies Un-Constitutional (Retaliation) and (Deprivation) of a Citizen of the United States, from normal appellate practice of law, initiated since-(2013). ?

(3.) Whether, it requires immediate attention and determination what the real reason(s) were, by this Honorable Supreme Court. (Sup. Ct. Rule 11). ?

(4.) Whether, Rule 60(b)(1) Authorizes relief based on the (Respondents) error of law. ?

## **PARTIES TO THE PROCEEDING'S**

Parties to the proceeding's are respondent's listed in the caption.

## **RELATED PROCEEDING'S**

Louis Bonanno Sr. is the Petitioner ,

v.

Defendant's below are the Respondent's ,

U.S. District Court of Knoxville Tenn.

Attorney General office Richmond Va.

Circuit Court Prince Williams Va.

State Employment Commission, Richmond Va.

Virginia Land & Improvement Corp. Inc., Manassas. Va.

V.P. Donnie Cooper – G.M. Rick Norman.

## **STATEMENT**

**No one is perfect, not even Judges / Lawyer's / Agencies / Specially Pro Se litigants. On rare occasions, Courts fail to apply dispositive precedent. Or they render their judgment unaware that the legislature repealed the statue at issue. Or they interpret the Constitution to prohibit certain conduct, and this Honorable Court confirms years later that the Constitution allowed that conduct all along. Federal Rule of Civil Procedure 60(b)(1) undisputedlly, authorizes litigants to seek relief from final judgments based on these kinds of legal errors and many others. That leaves Rule: 60(b) which covers mistakes as the only option.**

## **JURISDICTION**

On Appeal, to the U.S. District Court of Greenville Tennessee and their-after, re-assigned to Knoxville Tennessee. Appealed to the Sixth Circuit Court of Appeals-Dated- (June 26, 2023- and Denied on July 18, 2023).

## **PETITION FOR REHEARING**

Come now the Petitioner-(Pro-se) Counsel, before this Honorable Court of the United States. Respectfully, prays and submits this Petition for rehearing to the U.S. Supreme Court, for review and details the argument's for this motion to be granted as follows.

Petitioner filed this because, he personally believes, that there were no genuine disputes from the (Respondents) and the motion should be granted. He has told nothing but the truth to this Honorable Court of the United States, [Not] to waste time of this Court. Petitioner, is confident that he's submitting this Petition in good faith. Which, was based upon the (Respondents) irrational or wholly unjustifiable application of law to fact or otherwise unreasonable, abuse of discretion, that resulted in prejudice to (Petitioners) rights, seeking relief.

#### **MEMORANDUM IN SUPPORT OF PETITION.**

Judgment is especially apropos in view of new facts and circumstances, which connected and implicated , the Employer / State of Va. Government appointed official's (Misconduct). Petitioner, now brings new information to this Honorable Court attention. Section 1981-83 of Title 42 of the Code, provides an individual the right to pursue State Government employees and others, violating Federal and State laws.

In the U.S. District Court of Greenville Tenn., (Mr. Bonanno) argued, he raised a plausible claim that his employer's, (V.P. Mr. D. Cooper - G.M. Mr. R. Norman, of V. L. & I. Corp.), unlawfully discharged him. Violations: , Granting the emergency (ADA) protected leave, their-after, requesting to return to work, avoided medical expert testimony, made fraudulent statements to a Government State Agency, Va. Employment Commission. In Retaliation.

Honorable Judge: (Ronnie Greer), U.S. District Court of Greenville, took the (Appropriate) action's in diversity, (Marshall Service; Granted FPI; rejected the Magistrate of Va. recommendation to dismiss the case against the Commonwealth). Which states a claim for relief. A disability person who can safely perform the essential functions of his job with-out accommodations by his medical experts. Petitioner, brought this action in violations of the- First / Fifth / Fourteenth Amendments / American's with Disabilities Act. 1964-1990, Section(s) 2000e-17/ Code: 1981-83.

Their-after, Judge (R. Greer) in recusing himself for retirement issues, re-assigned the case., U.S. District Court of Knoxville Tenn., Judge's: (T.A. Varlan / C.R. Wyrick). Refusing to continue in diversity. After, the District Attorney General office of Va., Refusing to submit to the Court or respond to any allegations. Failed to continue the enforcement of Federal and State laws. Acting (Bias) against (Bonanno's), motion(s) and Defaulted Judgment(s), in Pro-se technicalities. Failed to appoint counsel. (Bonanno) having FPI status, requesting (Court Cost) which (Bonanno)) paid. Judge: (Varlan / Wyrick) ethic's violation who had jurisdiction, promoting private interest in obstruction of justice.

#### **REASONS IN SUPPORT**

Petitioner, was engaged in a protected activity, and he took lawful actions to "Prevent a (ADA) violation" against his employer, by filing for Unemployment benefits. (Employer's) took adverse fraudulent actions against him, to prevent the right to receive unemployment benefits, after refusing to Reinstate back to work. A failure to exercise discretion is an abuse of discretion.

Their-after, V.E. Commissioner's followed and failed to exercise discretion instead, merely applied an erroneous rule of evidence and excluded the medical expert's testimony. Deprivation was carried out by the VEC State Actors, in violation of government policy in their Official decision's. State rule of misconduct, promoting private interest. Unprofessional behavior.

The Commonwealth of Va., failed to observe substantial evidence in support of their findings. Whom sought unemployment compensation under, Title- VII C.R.A of 1964, as amended, 42 C.R.C. 2000e-2000e-17/ Title VII ADA and 42-U.S.C., Sec. 1981-83. Employee's emergency medical leave and deprived the proper due process. UN-excusable negligence.

**In RE: \*Division of Administrative Hearings, v. John G. Van Laningham, Case No. CS-2020-021, Court of Appeals of Florida, (July 13, 2020). Published.\***

#### **REASONS FOR GRANTING THE MOTION**

Where-as, this Supreme Court of the United States, has the power to investigate, question, and overturn cases that were decided in the lower Court's and Agency's, where-as, the judgment(s) was obtained by fraud. Citizens right's to judiciary access, a right to be heard on the merits, and the right to proceed in Forma-Paurpis status. ,

This U.S. Supreme Court has power over Petitioner's Civil Rights claim, under 28 U.S.C- 1331-32(a) / Supplemental power over related, State Law claim under 28 U.S.C. 1367(a). Further, these case judgment(s) should be reversed, applicable to the facilitators and perpetrators of the fraud issue(s). The errors of law subject, The Employer's / Commissioner's, failure to accord by the U.S. Constitutional rights and privilege; The Commonwealth, failure to comply with statutory authority right's, as provided in the basic laws. , .

**The Employer's / VECOMMISSIONER'S / U.S. Circuit Court of Va. / U.S. District Court, of Virginia / Tennessee, knew of his protected (ADA) class, (V.D.O.T.) medical certification and his medical leave certificate to return back to his driving position, the employer terminating him fraudulently. (ADA-42 U.S.C. 12112(b)(5)(A)., Un-exusable negligence. (Bonanno) exhausting all his remedies in the Commonwealth of Va., Filed a diversity complaint (Jan. 08, 2020) in the State of Tennessee.**

## **TABLE OF CONTENTS**

PETITION FOR REVIEW .....	Pg. i
QUESTION PRESENTED .....	Pg. ii
PARTIES TO THE CASE .....	Pg. iii
RELATED PROCEEDINGS .....	Pg. iii
PETITION FOR REVIEW .....	Pg. iii
MEMORANDUM IN SUPPORT OF PETITION .....	Pg. iii
JURISDICTION .....	Pg. iv
REASON IN SUPPORT .....	Pg. iv
REASON FOR GRANTING THE PETITION .....	Pg. iv
STATEMENT'S OF THE CASE .....	Pg. 1-2-3-4-5-6
CONCLUSION .....	Pg. 6
CERTIFICATE OF SERVICE .....	Pg. 6
TABLE OF CONTENT .....	Pg. vi
APPENDIX .....	Pg. vi
STATUES AND RULES .....	Pg. vi
TABLE OF AUTHORITIES .....	Pg. vii

## **APPENDIX**

A.- THE U.S. DISTRICT COURT OF GREENVILLE TENN., GRANTED THE COMPLAINT AND EXECUTED, MARSHALL SERVICE AND GRANTED FPI. ....	Pg. 4
B.- THE U.S. DISTRICT COURT OF KNOXVILLE TENN., DISMISSED THE CASE IN ITS ENTIRELY. THE SIXTH CIRCIUT COURT OF APPEALS ORDER, DATED: JUNE 26, 2023- DENIED ON JULY 10,2023, MOOTED THE CASE...	Pg. iii
C.- THE EMPLOYER, COMMISSION, CIRCIUT COURT, U.S. DISTRICT COURT, ATTORNEY GENERAL OFFICE, ALL OF VIRGINIA, KNEW OF HIS PROTECTED CLASS, AND DISMISSED THE CASE IN ITS ENTIRELY. ....	Pg. iii
D.- THE SUPREME COURT OF THE UNITED STATES: HAS EXPLAINED SUFFICIENT EVIDENCE OF CAUSALITY TO ESTABLISHED A PRIMA FACIE CASE. ....	Pg. 2

## **TABLE OF AUTHORITIES**

GARNER V. RAILWAYS CO., SUPER. CT. NO.CIVDS-1720288-JAN. 04,2024, MEDICAL EXPERT OPINION. REVERSED AND REMAMD.....	Pg. 1
LORRI HAGEN V. SERTA / NATIONAL BEDDING COMP, LLC, AND SAFETY NATIONAL CASUALTY COMP, CASE NO. 22-0684, SUPREME COURT OF OHIO, NOV. 16, 2023, FILED JAN. 05,2024. WORKMEN COMPENSATION CASE.....	Pg. 2
MCDONNELL DOUGLAS CORP. V. GREEN, 411 U.S. 792 (1973). ESTABLISHED A PRIMA FACIE CASE.....	Pg. 3
SHUMWAY V. IDOL, (IDAHO SUPREME COURT) CASE NO. 50045-DEC. 28,2023. GOVERNMENT & ADMIN. LAW.	
JOHN DOE V. V.E.C. NO. 0734-21-4, UNEMPLOYMENT BENEFITS.....	Pg. 3
UNITED STATES V. C.T. WOODY JR. SHERIFF, CITY OF RICHMOND, CASE NO. 3:16-CV-127 DISTRICT COURT OF RICHMOND.....	Pg. 4
D.J. DICOCO M.D. V. ATTORNEY GENERAL OFFICE, E.D. VA. NO. 20-1342-2021, FOURTH CIRCUIT, ADA CLAIM.....	Pg. 4
BELL ATL.CORP. V. TWOMBLY, 55 U.S. 570-(2007).....	Pg. 2
VA. EMPLOYMENT COMMISSION V. BRENDA R. COLE CASE NO. 1268-15-2, (APR. 05,2016)-RAB. REVERSED UNEMPLOYMENT COMPENSATION.....	Pg. 4
GRANITE CONSTITUTION COMP. V. CAL-OHSA, COURT OF APPEALS, CASE NO. CO96704, THE HARMFULL EXPOSURE STANDARD.....	Pg. 5
ASHLEY COX V. ELLEN MARIE HESS, COMMISSIONER OF VEC., 3:21-CV-00253-(JAN. 06, 2022) HEH. UNEMPLOYMENT COMPENSATION /CLASS ACTION.....	Pg. 5

## **STATUES AND RULES**

FEDERALL RULE OF CIV. PROC. 26(b). ....	Pg. 5
SECTION 1981-83 TITLE 42 .....	Pg. 4
ADA- 42 U.S.C. 12112(b)(5)(a) .....	Pg. iii
AMER. WITH DISABILITIES ACT. 1964-1990- SEC. 2000e-17 .....	Pg. iv
FIRST- FIFTH- FOURTEENTH AMENDMENTS .....	Pg. iv
CIVIL RIGHTS ACT. 28 U.S.C. 1331-32(a)- 28 U.S.C. 1367(a) .....	Pg. iv
OSHA OF 1970, SEC. 11(c)(1) .....	Pg. 4
F.O.I. A. ....	Pg. 3
FR.C.P. 60(b)(1) .....	Pg. 4
42 U.S.C. 12112(A)/ ID 12111(8)/1981-83 .....	Pg. 1

**RE: \*See, Garner v. BNSF Railway Co., Super. Ct. No. CIVDS-1720288 (January 04, 2024), Medical experts opinion. Reversed and Remanded.**

**STATEMENT'S OF THE CASE RULE: 60(b)(6)**

Short and Briefly, the Commonwealth of Va., / District Court of Knoxville Tenn. (Mr. Bonanno Sr.) was medically diagnosed in 2005. (Mr. Cooper- Mr. Norman), employed Petitioner, in June 2012). With the knowledge of having, Type II, Diabetes / Thyroid complications / severe Hepatitis-C, issues. The need for special attention, most apparent and sometimes, urgent medical care. (Mr. Cooper), was under serve medical and medicated care, (Deceased in 2015-condolences). "Employer's cannot take action because of the employer's knowledge that (Petitioner) was engaged in (ADA) protected activity."

Here, In (Feb. 2013), as a result of a series of chest / eye's irritation, working night-shift's, being loaded with Asbestos Lime fertilizer, hauling / dumping and having unknown levels of dust clouds, his official assigned duties, by (Mr. Cooper). There-after, having a personal in office conference, who in reality, make's all the decision's and acting dispatcher, granted the medical leave.

There-after, several phone calls, requesting to return to work Stating: Several {No-No not at this time}, also made the decision to unlawfully make statement's to a State Commissioner, State of Massachusetts call center, (Ms. Snead). Whom excepted, the pretext allegations voluntarily quit / wasn't exposed to chemical.

Mr. D. Cooper, / Mr. R. Norman; fraudulently, responded to a State of Va. Commission. Rule: 42 U.S.C. 12112(a) / Id- 12111(8) / 1981-83 / Fourteenth Amendment, after reporting the employer's illegal activities. Also, alleging pattern of practice of employment discrimination cases of, (Harassment- FMLA- Class Action penalties). Government Agencies, must show that discrimination was the standard operating procedure of the employer and may be used in proving discrimination and retaliation animus.

Now comes, (Mr. Norman), G.M. - Safety Coordinator, denied hazardous chemical existed. Carelessly, attempting to justify Mr. Cooper's action's. Here, (Branch-Highways Corp. @ Roanoke Va.) doing business for the State of Virginia Highways, who acquired several dump-trucks from (V.L.I.C.). Confirmed the lime fertilizer removal, and requested a subpoena for a verification letter from the Circuit Court of Manassas Va. Whom failed to do so. (FOIA).

Norman, failed to offer any direct evidence in support of his statement's at the VEC phone conference hearing, which he failed to appear, and could have faxed evidence to the examiner. Pretext retaliation, the close temporal proximity, sufficient to support a reasonable inference of a causal relationship, and (Bonanno) protected activity, As well as Constitutional and State law claims.



Also, claiming, has no knowledge of any personal conversations in office requesting medical leave, or any phone calls made to Mr. Cooper, making an adequate request to return to work, putting the employer on notice, the employer's obligation. Mr. Norman pretext, making assuming claims in the 64pg. Transcript.

**Not all Manager's are in position of trust and confidence. In (2015)- Mr. Norman was discharged by the Employer, for fraudulent engagement against them- \*Fraud Proof.\* If a Supervisory Employee performs an act motivated by discriminatory animus, that is intended by the Supervisor to cause adverse employment action, the Employers are by law liable. Intentional interference.**

There-fore, when the (Commonwealth of Va.) make statements pursuant to their official duties, the U.S. Constitution does not insulate, their communication from the (Employers) misleading discipline. Depriving (Bonanno) back to his driving position and unemployment benefits. (ADA-OSHA-1970). "Carelessly rejecting the protection."

(General Manager's / Agencies-Supervisor's / U.S. Court's), should look closely and carefully, at the reasons behind each and every employment decision, to ensure that those are the true reasons, not a reflection of unconscious bias. (Norman H.R. Dept.), Should have, and failed to do so, personally contact (Bonanno) by phone for a direct concise statement on the fact's, (Bonanno) made several phone request to (D. Cooper), to speak to Rick Norman, failed to connect to his office or disregarded the request. Before any VEC action were taken.

**See, McDonnell Douglas Corp. v. Green, 411 U.S. 792 (1973). Established a prima facie case.**

**Quote: The Supreme Court of the United States, has explained that the cases that accept mere temporal proximity, between an employer's knowledge of the protected activity and the adverse employment action(s) as, sufficient evidence of causality to establish a prima facie case. Medical examiner's report. See, \*Bell Atl. Corp. v. Twombly, 550 U.S. 570-(2007). \***

#### **VIRGINIA EMPLOYMENT COMMISSIONER'S**

When reviewing whether an applicant is eligible for unemployment benefits, the Commissioner(s), must evaluate every evidence and medical opinions in the furnished-(Exhibits). In addition, the Commission must adhere to the treating source rule, the applicant's treating physician's opinion, is entitled to controlling weight in the analysis, unless there is persuasive contradictory in the evidence. The Analysis, "no acute decease in the chest and medically certified, to return to his employment." (Petitioner) saw no reason to file a workers compensation claim. Misconduct against (Bonanno) unlawfully by the Court's and State (Actors).

#### **MEDICAL SOURCE OPINION RULE**

**Medical opinions from treating sources are given controlling weight because, these sources are likely to be the medical professionals, most able to provide a detailed, longitudinal picture of the (Applicant's), medical impairment(s). Here, (Bonanno) No acute decease in the chest, - X-ray's taken; Blood tested; Eye's examined; from different source.**

**See, Lorri Hagen v. Serta / National Bedding Comp., LLC, and Safety National Casualty Comp., Case No. 22-0684, Supreme Court of Iowa, Nov. 16, 2023. Filed Jan. 05, 2024. Workmen Compensation Case.**

**Here,** Several-State Employment Commissioner's and Assist. Attny. Gen., (Mr. T. Hesbitt)- unlawfully appointed, a former VEC Commissioner. Unconstitutionally, engaged under the (ADAct), interfered with the emergency medical leave. Negligently, ignoring medical expert testimony.

Also, an appointed, Attorney for the VEC (Ms. Pruitt), was also claiming, having technicalities with the VEC conference call. Their- after, the transcript error's, favoring the employer, denied unemployment benefit's in its entirety. Carelessly, disregarded the protected class. Unlawful Bias for engaging with a private interest (Exhibits). The hearing dis-advantage's against the Petitioner.

**See, Shumway v. IDOL, (Idaho Supreme Court), Case No. 50045- Dec. 28, 2023. Govern. & Admin. Law.**

### **CIRCUIT COURT OF MANASSAS VA.**

In Petitioner case, under the (ADA) involved, (Judge O'Brien / Johnson / Ms. E. Peay / Ms. H. Lockerman Attorney's: Hardt, Kenneth / Amy Ashworth Esq. for VEC.). (Judge: O'Brien), unconstitutionally, Violated the entire due process, not allowing evidence of extrinsic fraud and, irregularities in 64-Pg. transcript to proceed on the merits which was never heard. (Bonanno) appeared in the District/Circuit Court's. 350-Mile distance. **See, \*John Doe v. V.E.-Commission No. 0734-21-4-(Judge O'Brien / Johnson / Ms. Peay / Ms. Lockermen).\*** Unemployment benefits.

The Employer's proceeding's of the extrinsic should of authorized remand to the Commission, having Citizenship Jurisdiction and over the Commissioner's total error(s). Here, failed to issue a (Default) against (Ms. Peay - Lockermen), Or (Mr. Hardt / Ms. Ashworth), for [Not] appearing in Court as Ordered by Judge O'Brien.

Also, failed to proceed on Motions and Subpoena for document as request (F. O. I. Act). Dismissing the case entirely against (Bonanno), ethics violations acting favorite and bias, in obstruction of justice. The abuse of discretion standard of review applies to any evidentiary ruling, regarding admissibility of an expert's opinion.

**(Bonanno), Filed an EEOC complaint, was granted a right to sue letter in (2014)- Case-Mgr. Mr. Joel Malan. Filed in U.S. District Court of Alexandria Va. Judge: (Ellis) / Present, at the hearing were- Pro-se (Mr. Bonanno) / Assitt. Attny. Gen., Mr. Joshua E. Laws / Mr. Paul Miller, Attorney for (V.L.I. Corp.). Stating a (Roseboro) claim, dismissed and mooted the case, not being represented by counsel. The dis-advantage of the proceedings (Exhibit).**

**Quote: The Supreme Court of the United States “ The State has a sovereign interest, in treating all people equally and not discriminating against out of State residence. So, we're not going to create special privileges for our own residence and give them better access to our courts.” Honorable: Judge (Ms. Sotomayor).**

The United States filed an action alleging that the defendant's violated Title I of the ADA, 42 U.S.C. 12111-12117-(a-b), by discriminating against Emily Hall, a qualified individual with disabilities. Specifically, the complaint alleges that defendant's failed to reassign her to a vacant position which she was qualified as a reasonable accommodations.

**See, United States v. C.T. Woody Jr. Sheriff, City of Richmond, Case No. 3:16-CV-127 Dist. Ct. of Rich. Va.**

The U.S. Dist. Court of Knox. Tenn. / Circuit Court of Man. Va., took unlawful control, by affirming the Employer's / Commissioner's decision's, dismissed the case with-out an appropriate hearing to determine the merit and evidence. Intertwined its standings analysis with the merits.

**See D.J. Dicocco M.D. v. Attorney generals office E.D. Va. No. 20-1342-2021 Fourth Circuit, ADA claim Publ.**

Their-after, Appealing to the 4<sup>th</sup> / 6<sup>th</sup> Circuit's of Appeals, ignored the evidence, supporting (Petitioner's) prima-facie case, disregarded the challenge's of the Court's determination's, and the Commissioner's incorrect interpretation, in its case decision's. Which the (64-pg. transcript) should have been voided. Fraudulent comments to the State of Virginia Commissioner's.

**FED. R. CIV. P.- 60(b)(1)**

Which authorizes relief for mistakes, surprise, excusable neglect. Although, this case was UN-excusable. The In-justice in Va. / Dismissed with prejudice in Knoxville Tenn. Failing to appoint counsel, litigating this case to best of his ability as Pro-se, since 2013. Unconscious bias against a Citizen of the United States.

**See, Va. Employment Commission v. Brenda R. Cole, Case No. 1268-15-2-(Apr. 05,2016)-RAB. Reversed, Unemployment Compensation.**

**Quote: U.S. Appeal's Court's, an abuse of discretion connotes, more than an error of law or judgment, it implies the trial court's attitude is unreasonable, arbitrary, or unconscious-able. This is in direct conflict with the right's granted to all people by the Constitution of the United States. The guaranteed access to justice and right to a fair hearing of the fact's in all case's of law. Civil and Criminal.**

### **O.S.H.A. RULE**

(1.) Section: 11(c)(1), the Occupational Safety and health Act of 1970 (Act). Prohibits an employer from discharging or discriminating against any employee who, exercises any right afforded by the act(s). And, (2.) Among other rights protected, the right of an employee to choose (Not) to perform his assigned task, because of a reasonable apprehension of serious injury.

(Mr. Bonanno) performed his night-shift's assigned task, Stating claims of engagements, in the unlawful employment practice's, in discrimination and retaliation and the due process clause. Which, is all that is required. ,  
**See, Granite Constitution Company v. Cal-OHSA. Court of Appeals, No. C096704. The harmful exposure standard.**

### **THE DUE-PROCESS CLAUSE**

(A.) A course of formal proceedings as (judicial proceedings), carried out regularly and fairly, and in accordance with established rules and principles. \*Procedural due-process.\* (B.) A requirement that laws and regulations must be related to legitimate interest public concern, and may not contain provisions, that result in the unfair or arbitrary treatment of an individual. \*Substantive due process.\* (C.) The clause in the Fifth and Fourteenth Amendments to the U.S. Constitution, \*Prohibits any State, from denying to any person within its Jurisdiction, the equal protection of the laws.\*

### **THE PREPARATORY STATEMENT'S**

U.S. Court's, including Lawyer's; Judge's; Agencies; in every (State) takes an (Oath), which includes the duty to defend the U.S. Constitution and Laws of the United States. Government Act of 1978, requires all State-Actor's, to identify the Source containing material omission. A citizen's trust in the integrity of the Judiciary in the enforcement of Constitutional Right and Protection.. The legitimate public's concern.

### **CONCLUSION**

(Defendants) erroneously failing to articulate a good reason other than pretext statements, or supported by any substantial evidence in the record, and for according little weight to the treating source opinion(s). This rational is well-established in the (Fourth Circuit Court of Appeals) case law, and in other Circuits. When a (Petitioner) pleads sufficient factual context, it allows the court to draw the reasonable inference that the (Defendant's) is liable for the misconduct alleged.

Rule 12(b)(6), Fed. R. C. P., also, satisfies the provisions for dismissal, where a party has failed to state a cause of action. Means that failure to respond to a Court or Motions, (Petitioner), has showed that he made sufficient allegations to support a cause for action against the (Respondent's) recognized by law.

**See, Jones, 16 F. Supp. 3D at 628- Ashcroft v. Iqbal 556 U.S. 662,678 (2009).**

As noted at the hearing(s), the Commissioner's provided no contrary statement's or evidence of the diagnostic in support or opinion of the physician's, no-workplace limitations, and fit to drive. Relied on the fraudulent pretext statement's, voluntarily quit his employment, and denying benefits and due process. Unlawfully.

**Pursuant to Sup. Ct. R. 60(b)(1) Petitioner, Respectfully petitions this Court for an order, Granting arbitration as a matter of law, and dispose of this case by granting the petition. Or \*Back-Front Pay; Attorney Fees; Damages; Costs; to be taxed to the (Defendants),. Pleading an injury in fact, for the lost of employment and the resulting loss of benefits and other financial loss. @This Honorable Courts Discretion.**

**Respectfully Submitted**

Louis Bonanno Sr. pro-se., 430 Beasley Street, Apt.#3

Elizabethton, Tennessee 37643., Ph. (423)773-4451.

**CERTIFIED CERTIFICATE OF SERVICE**

**Respondent's**

**Commonwealth of Virginia**

202 North 9th. Street, Richmond Va. 23219.

**Virginia Land & Improvement Corporation Inc**

6933 Colchester Park Drive, Manassas, Va. 20112.

**U.S. District Court of Tennessee**

800 Market Street/Knoxville. Tenn. 37902.

Suite 143

/s/ 

**Dated Febuary 24, 2024.**

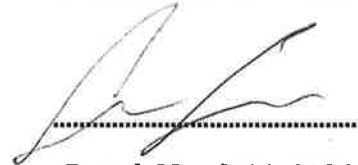
**CERTIFIED CERTIFICATE RULE: 44**

Petitioner filed this because, he personally believes, that there were no response disputes from the (Respondents), and the motion should be granted. He has told nothing but the truth to this Honorable Court of the United States. , [Not] to waste time of this Court.

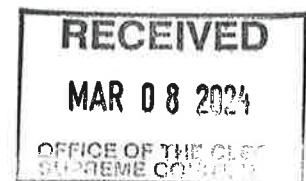
Petitioner, is confident that he's submitting this (Petition) in good faith and not for delay., Which, is based upon the (Respondents) irrational or wholly unjustifiable application of law to fact or otherwise unreasonable abuse of discretion, that resulted in prejudice to (Petitioners) rights seeking relief. Which was not previously presented and it is restricted to the grounds specified in the Petition.

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A handwritten signature in black ink, appearing to read 'Louis Bonanno Sr.', written over a horizontal dotted line.

**Dated: March 04, 2024.**



EXHIBITS



Filing Date	#	Docket Text
6/14/2022	<u>43</u>	Order Dismissing Case
6/13/2022	<u>42</u>	Default Judgment
5/18/2022	<u>41</u>	Application for Clerk's Default
5/18/2022	<u>40</u>	Default Judgment
5/13/2022	<u>39</u>	Order to Show Cause
5/13/2022	<u>38</u>	Order on Motion for Recusal, Order on Motion for Leave to Appeal
12/20/2021	<u>37</u>	Leave to Appeal
12/10/2021	<u>36</u>	~Util - Add and Terminate Parties, Order, ~Util - Terminate Motions
12/10/2021	<u>35</u>	Order on Motion for Miscellaneous Relief
12/9/2021	<u>34</u>	Recusal
11/15/2021	<u>33</u>	Miscellaneous Relief
6/7/2021	<u>32</u>	Miscellaneous Relief
5/26/2021	<u>31</u>	USCA Notice
5/20/2021	<u>30</u>	Response (non-motion)
5/19/2021	<u>29</u>	Response (non-motion)
5/14/2021	<u>28</u>	Response (non-motion)
5/13/2021	<u>27</u>	Order to Show Cause
5/12/2021	<u>26</u>	MEMORANDUM OPINION AND ORDER: Accordingly, this motion [Doc. <u>19</u> ] is DENIED. Further, to the extent that the motion may be construed as a request for the Court to review his case or rule on his motions, it is DENIED as moot. In c onclusion, for the reasons discussed above, plaintiffs motions [Docs. <u>14</u> , <u>15</u> , <u>19</u> ] are DENIED. Signed by District Judge Thomas A Varlan on 5/12/21. (copy mailed to Louis Bonanno, Sr 430 Beasley Street Atp. 3 Elizabethton, TN 37643) (JBR)
5/12/2021	<u>25</u>	Notice (Other)
4/8/2021	<u>24</u>	Petition for Writ of Mandamus
4/7/2021	<u>23</u>	Petition for Writ of Mandamus
3/30/2021	<u>22</u>	Order Reassigning Case
3/30/2021	<u>21</u>	Order of Recusal
2/23/2021	<u>20</u>	Order on Motion for Reconsideration
2/22/2021	<u>19</u>	Expedite
1/27/2021	<u>18</u>	Reconsideration
1/20/2021	<u>17</u>	Order on Motion to Appoint Counsel
1/19/2021	<u>16</u>	Appoint Counsel
1/4/2021	<u>15</u>	Miscellaneous Relief
10/15/2020	<u>14</u>	Miscellaneous Relief
10/5/2020	<u>13</u>	Summons Returned Executed (non-USA)



Filing Date	#	Docket Text
10/5/2020	<u>12</u>	Summons Returned Executed (non-USA)
10/5/2020	<u>11</u>	Summons Returned Executed (non-USA)
9/10/2020	<u>10</u>	Supplement
8/24/2020	<u>9</u>	Summons Issued
8/24/2020	<u>8</u>	Amended Complaint
8/5/2020	<u>7</u>	ORDER: For the above stated reasons, Plaintiff's Motion to Amend, [Doc. <u>6</u> ], is GRANTED, the R&R's grant of Plaintiff's Application to Proceed Without Prepayment of Fees is ADOPTED, and the R&R's ruling that Plaintiff's case should be dismissed is REJECTED. The Clerk of Court is DIRECTED to file the complaint without prepayment of costs or fees and to send service packets to Plaintiff. Signed by District Judge J Ronnie Greer on 08/05/2020. (Copy of Order along with service packets mailed to Louis Bonanno, Sr.) (AMP)
2/27/2020	<u>6</u>	MOTION to Amend <u>1</u> Complaint, by Louis Bonanno, Sr. (Attachments: # <u>1</u> Letter from Supreme Court of Virginia 2-20-20, # <u>2</u> Letter from Supreme Court of Virginia 2-14-20, # <u>3</u> Letter from Supreme Court of Virginia 7-23-19, # <u>4</u> Letter from Supreme Court of Virginia 10-3-19, # <u>5</u> Exhibit K. Snead, # <u>6</u> Exhibit A - Don Cooper Statements, # <u>7</u> Letter from Virginia Employment Commission, # <u>8</u> Exhibit D - Affidavit 1, # <u>9</u> Exhibit C, # <u>10</u> Exhibit 29, # <u>11</u> Exhibit 13 & 14, # <u>12</u> Virginia Civil Court Docket Sheet, # <u>13</u> Order - 2:13-cv-110, # <u>14</u> Medical Records, # <u>15</u> Letter of Objection to Commission Directors, # <u>16</u> Letter from Office of the Clerk of Circuit Court in Virginia, # <u>17</u> Letter from Virginia Court of Appeals 3-29-2017, # <u>18</u> Envelope)(CAT) (Entered: 02/27/2020)
2/18/2020	<u>5</u>	ORDER ON APPLICATION TO PROCEED WITHOUT PREPAYMENT OF FEES AND REPORT AND RECOMMENDATION re <u>3</u> MOTION for Leave to Proceed in forma pauperis filed by Louis Bonanno, Sr, and <u>1</u> Complaint, filed by Louis Bonanno, Sr. The Application to Proceed Without Prepayment of Fees [Doc. 1], therefore, is GRANTED. The Clerk is DIRECTED to file the complaint without prepayment of costs or fees. The Clerk shall not issue process, however, at this time. Accordingly, it is RECOMMENDED that the Complaint be DISMISSED pursuant to 28 U.S.C.A. § 1332(a) and 28 U.S.C. § 1406(a), but without prejudice to the Plaintiff's rights to refile in the appropriate court if in fact his case is not already pending elsewhere in the proper forum. Signed by Magistrate Judge Cynthia R Wyrick on 02/18/2020. (Copy of Order mailed to Louis Bonanno, Sr.) (AMP) (Entered: 02/18/2020)
1/15/2020	<u>4</u>	Notice Regarding Requirement to Notify Court of Change of Address. (Copy of Notice mailed to Louis Bonanno, Sr ) (CAT) (Entered: 01/15/2020)
1/15/2020	<u>3</u>	MOTION for Leave to Proceed in forma pauperis by Louis Bonanno, Sr. (Attachments: # <u>1</u> Envelope) (CAT) (Entered: 01/15/2020)
1/8/2020	<u>2</u>	NOTICE of Deficiency (IFP) - The Court is in receipt of your complaint/petition. However, in order for this matter to proceed, you must either pay the required filing fee or submit an application to proceed in forma pauperis. (Copy of Notice and Application for IFP mailed to Louis Bonanno, Sr.) (CAT) (Entered: 01/08/2020)

**Filing Date      #****Docket Text**

1/8/2020	<u>1</u>	<b>COMPLAINT against Commonwealth of Virginia, Virginia Employment Commission, Rich. Va, Virginia Land &amp; Improvement Corp. Inc. Va. (Filing fee NOT PAID), filed by Louis Bonanno, Sr. (Attachments: # <u>1</u> Attachment 1, # <u>2</u> Envelope) (CAT) (Entered: 01/08/2020)</b>
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Docket Alarm, by Fastcase

**UNPUBLISHED**

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

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**No. 18-1555**

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**LOUIS BONANNO, SR.,**

**Plaintiff - Appellant,**

**v.**

**US ATTORNEY GENERAL; ELIZABETH B. PEAY, Assistant Attorney General;  
VIRGINIA EMPLOYMENT COMMISSION; N. TURNER, Appointed Staff,**

**Defendants - Appellees.**

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**Appeal from the United States District Court for the Eastern District of Virginia, at  
Alexandria. Claude M. Hilton, Senior District Judge. (1:17-cv-00978-CMH-JFA)**

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**Submitted: August 16, 2018**

**Decided: August 20, 2018**

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**Before WYNN and DIAZ, Circuit Judges, and SHEDD, Senior Circuit Judge.**

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**Affirmed by unpublished per curiam opinion.**

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**Louis Bonanno, Sr., Appellant Pro Se. Joshua Edward Laws, OFFICE OF THE  
ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for Appellees.**

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**Unpublished opinions are not binding precedent in this circuit.**

**PER CURIAM:**

Louis Bonanno, Sr., appeals the district court's order dismissing Bonanno's amended civil complaint for lack of subject matter jurisdiction. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. *See Bonanno v. U.S. Attorney Gen.*, No. 1:17-cv-00978-CMH-JFA (E.D. Va. Apr. 24, 2018). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

***AFFIRMED***

# The Supreme Court of Ohio

OFFICE OF THE CLERK

65 SOUTH FRONT STREET, COLUMBUS, OH 43215-3431

CHIEF JUSTICE  
SHARON L. KENNEDY

CLERK OF THE COURT  
ROBERT VAUGHN

JUSTICES  
PATRICK F. FISCHER  
R. PATRICK DEWINE  
MICHAEL P. DONNELLY  
MELODY J. STEWART  
JENNIFER BRUNNER  
JOSEPH T. DETERS

TELEPHONE 614.387.9530  
FACSIMILE 614.387.9539  
[www.supremecourt.ohio.gov](http://www.supremecourt.ohio.gov)

July 31, 2023

Louis Bonanno Sr.  
430 Beasley St. Apt. 3  
Elizabethton, TN 37643

Dear Mr. Bonanno Sr.:

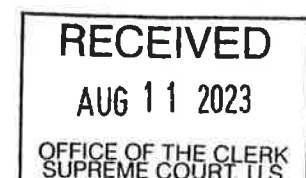
The enclosed document was not filed because it does not comply with the Rules of Practice of the Supreme Court of Ohio. It does not relate to a case currently pending before the Supreme Court of Ohio and is insufficient to initiate a new appeal or original action. The court cannot intervene in a matter not formally before it.

If you wish to file an appeal of a decision by the United States Court of Appeals, please contact the United States Supreme Court. The address is:

Clerk of the United States Supreme Court  
1 First Street NE  
Washington, DC 20543

Sincerely,  
Clerk's Office

Enclosures



UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

**FILED**  
Jul 18, 2023  
DEBORAH S. HUNT, Clerk

LOUIS BONANNO, SR.,

Plaintiff-Appellant,

v.

COMMONWEALTH OF VIRGINIA, Attorney  
Generals Office, Richmond, VA.; VIRGINIA  
EMPLOYMENT COMMISSION, RICHMOND,  
VA.; VIRGINIA LAND & IMPROVEMENT  
CORP. INC.; RICK NORMAN, Gen. Mgr. H.R.  
Dept. Safety Coordinator; PRINCE WILLIAMS  
CIRCUIT COURT,

Defendants-Appellees.

ORDER

Before: GUY, KETHLEDGE, and BUSH, Circuit Judges.

Louis Bonanno, Sr., has filed a petition for rehearing of this court's order of June 26, 2023, affirming the district court's dismissal of his civil action for failure to prosecute under Federal Rule of Civil Procedure 41(b) and denying his motion for reconsideration of this court's order denying his motion to proceed in forma pauperis on appeal.

Upon consideration, this panel concludes that it did not misapprehend or overlook any point of law or fact when it issued its order. *See* Fed. R. App. P. 40(a)(2).

We therefore **DENY** the petition for rehearing.

ENTERED BY ORDER OF THE COURT



Deborah S. Hunt, Clerk

# Product Tracking & Reporting

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Commitments](#)[PTR / EDW](#)[Customer  
Information](#)

January 05, 2024

## USPS Tracking Intranet Tracking Number Result

Result for Domestic Tracking Number 7019 2280 0000 4210 7434

Tracking Expires On  
December 26, 2025

### Destination and Origin

#### Destination

ZIP Code	City	State
232193424	RICHMOND	VA

#### Origin

ZIP Code	City	State
376019998	JOHNSON CITY	TN

### Tracking Number Classification

#### Class/Service

Class/Service: First-Class Mail®  
Class of Mail Code/Description: FC / First Class

#### Destination Address Information

Address: 202 N 9TH ST  
City: RICHMOND  
State: VA  
5-Digit ZIP Code: 23219  
4-Digit ZIP Code add on: 3424  
Delivery Point Code: 99  
Record Type Code: Building/Apartment  
Delivery Type: Business, Other

#### Origin / Return / Pickup Address Information

Address:  
City:  
State:  
5-Digit ZIP Code: 37601  
4-Digit ZIP Code add on: 9998

#### Service Delivery Information

Service Performance Date: Expected Delivery by: Friday, 12/29/2023  
Expected Delivery: by 9:00pm  
Expected Delivery Displayed Externally?: Check service calculation information page  
Delivery Option Indicator: 1 - Normal Delivery  
Zone: 03  
PO Box: N  
Other Information: [Service Calculation Information](#)

#### Payment

Payment Type: Other Postage  
Payment Account Number: 000000000000  
Postage: \$0.66  
Weight: 0 lb(s) 1.00 oz(s)  
Rate Indicator: Single Piece - Letters

#### Agent Information

[Request Internal USPS Tracking Plus Statement](#)

7 DAYS LATER

03/07/2013 01:23:50 PM CST	
Description: Outgoing Call	Type: Debit
Nature of Call: Local	Amount: \$0.00
Call Duration: 0min 12sec	Call Time: 03/07/2013 02:23:50 PM US/Eastern
Number Called: 17034972717	Call Location: -, USA
Service Used: Unlimited Calling	Calling Number: 14237734451
Unit(s) Charged: Not Applicable	
Call Location: -, USA	





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## Prince William County Circuit - Civil Division

### Case Details

<b>Case Number:</b> CL20004381-00	<b>Filed:</b> 05/21/20
<b>Filing Type:</b> Petition	<b>Filing Fee Paid</b>
<b>Number of Plaintiffs:</b> 0001	<b>Number of Defendants:</b> 0001
<b>Commenced By:</b> Initial Filing	
<b>Bond:</b>	<b>Complex Case:</b>

### Plaintiffs

Plaintiff: **BONANNO, LOUIS; SR**  
Trading as:  
Attorney: **PRO SE**

### Defendants

Defendant: **COMMONWEALTH OF VA**  
Trading as:  
Attorney: **ASHWORTH, AMY; ESQ**

### Hearings

#	Date	Time	Type	Room	Duration	Jury	Result
1	09/04/20	9:00AM	Motion - Other-Pretrial	6			Withdrawn

**Date Ordered To Mediation:**

**Final Disposition**

## Hearings

#	Date	Time	Type	Room	Duration	Jury	Result
1	08/07/15	10:00AM	Motion - Other-Pretrial	4			Withdrawn
2	12/18/15	10:00AM	Summary Judgment	4			Denied
3	01/29/16	10:00AM	Other/Miscellaneous	4			Withdrawn
4	02/12/16	10:00AM	Other/Miscellaneous	4			Under Advisement
5	07/15/16	10:00AM	Present Decree And/Or Order	4			Denied

**Date Ordered To Mediation:**

**Final Disposition**

- **Judgment:**
- **Final Order Date:**
- **Appealed Date:**
- **Concluded By:**

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Build #: 3.8.0.1

**Bonanno v. U.S. Attorney General et al****Virginia Eastern District Court**

**Judge:** Claude M Hilton  
**Referred:** John F Anderson  
**Case #:** 1:17-cv-00978  
**Nature of Suit** 899 Other Statutes - Administrative Procedure Act/Review  
or Appeal of Agency Decision  
**Cause** 28:1331 Federal Question  
**Case Filed:** Aug 31, 2017  
**Terminated:** Apr 24, 2018

[Docket](#) [Parties \(5\)](#) [Related Cases \(1\)](#)

Last checked: **Tuesday Feb 27, 2018 4:18 AM EST**

**Defendant**

Elizabeth B. Peay

**Represented By**

Joshua Edward Laws  
*Office Of The Attorney General (richmond)*  
[contact info](#)

**Defendant**

N. Turner

**Represented By**

Joshua Edward Laws  
*Office Of The Attorney General (richmond)*  
[contact info](#)

**Defendant**

U.S. Attorney General

**Represented By**

Joshua Edward Laws  
*Office Of The Attorney General (richmond)*  
[contact info](#)

**Defendant**

Virginia Employment Commission

**Represented By**

Joshua Edward Laws  
*Office Of The Attorney General (richmond)*  
[contact info](#)