

No. 23-6450

IN THE
SUPREME COURT OF THE UNITED STATES

ALFRED C. DIZON - PETITIONER

(PRO-SE LITIGANT)

vs.

VECTRUS SYSTEMS CORPORATION - RESPONDENT

**MOTION FOR LEAVE TO FILE FOR RECONSIDERATION OF DENIAL
TO PROCEED IN FORMA PAUPERIS.**

Re: Motion for Reconsideration of Denial of Motion to proceed in Forma Pauperis

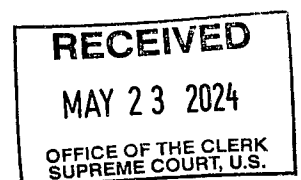
CASE NUMBER: 23-6450 ,

CASE NUMBER: 23-10734 : in regards to "Final Decision" of the Northern
- District Court of Texas, Date Filed: Nov 14, 2023;
"Unpublished order for Want of Jurisdiction"

Dear Clerk of the Supreme Court,

I, Alfred C. Dizon, (Pro-Se Litigant), hereby submit these Questions presented for Review, in regards to: my Motion for Reconsideration to proceed in Forma Pauperis. I respectfully request the Court to reconsider its decision based on the following grounds:

1.) Errors in the Courts decision:



A.) A “Miscarriage of Justice” occurred regarding my case, because No Preliminary Hearing took place, and No Initial, Actual Procedural Hearing was never granted, at all. In which “denial of due process of the law” can also be counted and considered as miscarriage of justice; due to the fact that my proffered Evidence/Exhibits were never included in the review, assessment, or in adjudication (in the final decision) of my case or cause, which is also a violation of Appellant’s Right under 7th Amendment of the United States Constitution.

B.) An error also occurred in Courts “Final Decision” because findings, and conclusions were not based on the “Merits of the Case” wherein, **Magistrate Judge** totally “neglected and ignored” Appellant’s “proffered exhibits/ evidences” (on said case).

In which Appellant’s proffered Exhibits (Clear and Convincing Evidences) consisting of: “17- Attachments”, which would prove my claim/s (against Defense party), as well as, exculpate me from the “false and unsupported/ allegations/accusations of Defense party (against me), and finally, to divulge Defense party’s utilization of “*pretext*”, in illegally and unlawfully terminating me (from gainful employment) be exposed. All “**Exhibits**” proffered Appellant were:

“Concrete, Clear, and Convincing evidences”
and all were:

“Admissible, Authentic, Complete, Reliable, and Believable”

plus, all proffered Exhibits met the “**3-R Standards of Evidence**” of :

“Relevance, Reliable, and Right to Admit” standards.

Due to the fact, that Evidence/Exhibits were not actually presented in a court of law, for a Judge/Jury to Review, Assess or Adjudicate my case, opens a one-way relief valve to grant Appellant an “initial, actual procedural court hearing” (in lieu of a “motion for rehearing”) and the court denying me to present my case, (in a court of law) in presenting/showing/proving - “***burden of proof***” (to present and illustrate to Judge or Jury my Exhibits) in meeting and also satisfying the process of “**preponderance of evidence**” standard, in order to prove that something is more likely than not; and denying Appellant such action or process is just a total injustice to me (the Appellant). Because under “***Exclusion of Evidence***”, under (Evid. Code § 354) :

Wherein purpose, and relevance of the excluded evidence was made known to the judges, and the ruling of the judges made compliance with subdivision futile.

Judge’s final decision was futile because they blatantly disregarded Appellant’s pertinent evidences/exhibits (of said case) that could have turned around unscrupulous and biased decision.

Because under Evid. Code 405 § (a) When a trial court “***Excludes Evidence***”, the party who offered the evidence must make an “offer of proof” to avoid waiving the right to a new trial, or an appeal based on the

erroneous exclusion of evidence [Evid. Code § 354 (a)]:

Because under (Evid. Code & 140) “Evidence” means testimony, writings, material writings, material objects or other things presented to the senses that are offered “to prove the existence or non-existence of a fact”.

“But in my case, how can I prove (the truth) existence of my claims if/when I am denied to present my clear and convincing evidences/exhibits in a court of law? In where the burden of proof lies in me... (to prove), and for the judge or jury to review, assess, and adjudicate (my case) based on the “*merits of the case*” and if Exhibits/Evidences were blatantly neglected, ignored, disregarded, or are thrown out the door... which is obviously a clear and transparent, total injustice to me (the Appellant), and to add, “*denial of due process*” is just overwhelming...

Because under Evid. Code § 351 which states:

“Except otherwise provided by statute, “All relevant Evidence is Admissible”.

And under “**Rule of Law**”:

“A principle under which, all persons, institutions, and entities are accountable to laws that are: Publicly Promulgated, Equally Enforced, and Independently Adjudicated and Consistent with International Human Rights Principle”.

Wherein under “Rule 5 of Law” that:

- 1.) *No one is above the Law.
- 2.) *Everyone is treated equally/justly under the law.
- 3.) Everyone is held accountable to the same laws.
- 4.) *There are clear and fair processes for enforcing laws.
- 5.) There is an Independent Judiciary and Human Rights are guaranteed

for all.

Therefore, it's apparent that Appellant has the right to be treated equally, fairly, and clearly deserves a fair process (to a just and impartial hearing) according to the law.

C.) Violation of Appellant's 7th Amend. Right under U.S. Constitution.

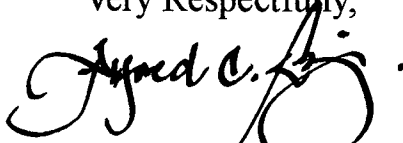
In which the 7th Amendment's purpose is to protect the right of an individual, to have a jury trial, not just for the parties involved, but also for the jury's purpose in protecting the legal rights of all citizens.

In conclusion, based on the above grounds, and "unique circumstance/s of my case, the "miscarriage of justice" & erroneous exclusion of evidences, I respectfully, request that this High Court reconsider its denial of my Motion to proceed in Forma Pauperis / and denial to proceed as a Veteran, and in-turn grant requested relief (to: "assign a court with the right/proper jurisdiction, to hear and adjudicate my case", in order for the truth to be revealed, for justice to prevail, and reparation of wrongdoings (against me) be granted in equity or by law.

"So help me God"

Thank you for your undivided attention regarding this matter.

Very Respectfully,



ALFRED C. DIZON

20 MAY 2024

