

AUG 14 2024

OFFICE OF THE CLERK

No. 23-6970

IN THE  
SUPREME COURT OF THE UNITED STATESKathy R. Allen *Petitioner 1*

v.

L3Harris Technologies, Inc. - *Respondent(s)*.

On Petition for Writ of Certiorari

To The United States Court of Appeals for the Fourth Circuit

No. 22-1528

Revised Petitioner's Regretfully Submitted SCR 46.2(a) Motion for Voluntary Dismissal



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## Revised Petitioner's Regretfully Submitted SCR 46.2(a) Motion for Voluntary Dismissal

### Why is Revised Motion

The Petitioner, Kathy R. Allen, who is having to file the Petition (Supreme Court "SCR") and motion *pro se* respectfully files this SCR 46.2(a) motion to voluntarily dismiss (VMD) this case. The Petitioner had to file an extension motion for time to file in R. 33.1 format the 33.2 IPF format, May 17, 2024 for Rule 33.1 format and is now due August 2, 2024. After a phone call to o/a July 31,2024 about this writ to Jeffrey Atkins and its costs to do the Rue 33.1 booklet format I filed the August 2, 224 voluntary motion to dismiss. I received Danny Bickell's letter returning that motions saying it included a request for an extension, and was not allow. The Petitioner is revising the motion to exclude the request for the December 15, 2024. As in the August 2,2024 filing the Petitioner had costs in filing the IPF in 33.2 and trying to meet the new due date. Being so it has caused additional and unexpected costs in addition to her own personal expenses and the cost to litigate it including the other petition the Petitioner has with this Court #23-6613 and #23-6614 and whose costs to file in Rule 33.1 format is also excessive and would cost the Petitioner at least \$10,000.00 and does not see having 'funds' to pay it for printing costs by that due date or by an extension These Petitions were filed as court proceedings for the Petitioner's mother estate property and to her employer-paid benefit and is why there were three (3) writs with this court.

Being so it is unfortunate that this Court required the Petitioner to refile the IPF 33.2 format by Rule 33.1. The Petitioner knows the 'questions presented' in the now less than 9,000 word reformatted Petition have merit and are of concern and importance to N.C. courts (which this case was) and to its citizens for rulings and to those of this Court.

The Petitioner also knows that without this Court's review and it remanding, rescinding or reversing the Orders in this was to-be-filed Petition her constitutional rights have been violated and there is no available relief or it as remedial or equitable or injunctive without further means

for litigating it, and will cause the Petitioner further loss and in the lower court as continued ‘questions of violations of rights’ when it reaches these lower N.C. state courts as dismissed either voluntarily or by this Court (if it were to grant the Petition now or later) and of which will require further questions of ‘how to protect the Petitioner’s rights’ which these Orders filed in a civil action ultimately were deficiencies. Now that the Petition has been revised to the required 9,000 word count and ready to print this voluntary dismissal is required, because of the service and filing costs to file it in SCR Rule 33.1 format. This motion provides that I did not ‘abandon’ this case, but is for and without funding to continue it.

There is nothing more the Petitioner can say for her reasons for this voluntary motion to voluntary dismiss and hopes this Court will see it as necessary and as importance to N.C. courts, this Court, and nationally for citizens for lower state court rulings and for filing Petitions and the costs to do so. This voluntary dismissal is effective for August 2, 2024. So there is some docket about this on the record for this writ I am including *Exhibit 1* on these circumstances.

Deny Respondents or Their Attorney any Attorney Fees and/or Costs

The Petitioner asks this Court to deny the Respondents any fees and costs for this Petition, motion or reply, because it is the Respondents’ conduct that required the filing of the appeals and this Petition, and their conduct to not resolving it before costing the Petitioner such drastic costs in this Court.

Respectfully submitted,  
This 14th day of August 2024



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*Exhibit 1*

Memorandum for the Record Included in the Revised Regretfully Submitted SCR 46.2(a) motion  
for voluntary dismissal #23-6970

August 2, 2024/August 14, 2024

To: Clerk of the Court/Justices for Motions Attn: Petition filings  
Supreme Court of the United States  
1 First Street N.E. Washington DC 20543

From: Kathy R. Allen, *Petitioner (pro se)*

Re: Revised Petitioner's Regretfully Submitted SCR 46.2(a) motion for voluntary dismissal #23-6970

Although regretfully I do so because of the cost to continue these with the U.S. Supreme, and is because I know and think the Petition has merit, and the Respondents' conduct and it as violations of the claims presented in the now formatted to the required word count Rule 33.1 writs, but with no funding to pay to print and file them please accept the motion as the Petitioner's motion to voluntary dismiss #23-6970, and so it is in no way 'abandoned' by me or considered so to be by your docket system.

I had two other writs with this court #6613 and #6614 that motions for voluntary dismissal were filed and this one is because of the same reason (costs to continue). These writs were filed as three (3) separate writ, because they were cases for her estate property and this one for an employer-paid life insurance policy benefit (but with different parties and state courts). This motion is the voluntary Motion to Dismiss (MTD) #23-6970 and for the similar reasons of costs as #23-6613 and #23-6614 in compliance with SCR Rule 46, and a preferred 'Or In the Alternative Stay' to find funding to pay the approx \$10,000.00 required for filing and servicing those in SCR Rule 33.1 booklet format after the IPF filings and for those cases was denied.

I paid a large amount to have the IFP and successive motions filed with the court and the servicing company and to deliver these to the Court. I am including this letter with the motion, so the Court and others viewing the case know these dismissals are for no funding to continue the #23-6970 case to file and serve it now that it is within the required Rule 33.1 word count and are not to the 'question presented' or merits in the IPF writ or this now SCR Rule 33.1 word-count ready Petition.

Petitioner and filer:

Kathy Allen  
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M-F 12:00pm-5:30pm EST