

No. 23-7686

Supreme Court of the United States

Sammy David McLain Jr.

Petitioner

vs.

Dr. Michelle L. Thaller NASA Goddard Flight Center,
Mary W. Jackson NASA Headquarters, Matt Young,
Pepco Holdings LLC company

Respondent(s)

On Petition for a Writ of Certiorari to
The United States Court of Appeals for the Fourth
Circuit

**Petition For The Rehearing Of An
Order Denying A Petition For A Writ
of Certiorari**

Sammy David McLain Jr.

Pro Se

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On March 23, 2023. Sammy David Mclain Jr. filed a complaint against Dr. Michelle L. Thaller a Director for Science Communication at NASA Goddard Flight Center and Matt Young a Sr. Project Manager at Pepco Holdings llc for deprivation of rights and negligence and reason(s) damages and relief to person and property is sought in a court of law. *Sammy Mclain Jr. v. Michelle Thaller, et al. C-15-CV-23-001142 The Circuit Court for Montgomery County Maryland (March 23, 2023).*

1. 18 U.S.C. 242 Deprivation of Rights Under Color of Law

According to 18 U.S.C. 242 Deprivation of Rights Under Color of Law ¹“This statute makes it a crime for any person acting under color of law statute ordinance regulation or custom to willfully deprive or cause to be deprived from any person those rights privileges or immunities secured or protected by the Constitution and laws of the United States. Section 242 does not criminalize any particular type of abusive conduct. Instead it incorporates by reference rights defined by the Constitution federal statutes and interpretive case law.” ²“For the purpose of Section 242 acts under color of law include acts not only done by federal state or local officials within their lawful authority but also acts done beyond the bounds of that official’s lawful authority if the acts are done while the official is purporting to or pretending to act in the performance of his/her official duties.” ³“Defendants act under color of law when they wield power vested by a government entity. However other government actors such as judges district attorneys other public officials and public school employees can also act under color of law and can be prosecuted under this statute.”

2. Negligence ⁴“A negligent tort refers to a legal claim or lawsuit brought against an individual or entity for causing harm or injury to another person due to their negligent behavior.” ⁵“If a plaintiff successfully proves all the necessary elements, they may be entitled to compensation for their losses, including medical expenses, pain and suffering, lost wages, and other damages.”

¹ 18 U.S.C. 242 Deprivation of Rights Under Color of Law Misconduct by law enforcement and other Government Actors justice.gov

² Civil Rights Division
US Department of Justice
deprivation of rights under color of law

³ 18 U.S.C. 242 Deprivation of Rights Under Color of Law Misconduct by law enforcement and other Government Actors justice.gov

⁴ Cornell Law School law.cornell.edu/wex/negligent_tort

⁵ Cornell Law School law.cornell.edu/wex/negligent_tort

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Certification of Counsel

**Restricted to the grounds in Rule. 44(2) in good faith not filed for
delay pro se requesting a response and to ask the Supreme Court of the
United States to grant a petition for the rehearing of an order denying a
petition for a writ of certiorari and grant a petition for a writ of certiorari
and to review this case as the court of last resort for those looking for
justice.**

/s/



11-12-2024



**Sammy David Mclain Jr.
(PRO SE)**

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1013

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