

No. 24-459

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In The  
**Supreme Court of the United States**

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GORDON CLARK,  
*Petitioner,*  
v.  
SANTANDER BANK, N.A.,  
*Respondent.*

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**On Petition for a Writ of Certiorari to the  
Supreme Court of Connecticut**

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**PETITION FOR REHEARING**

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*Pro Se Petitioner*

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**PETITION FOR REHEARING**

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Petitioner Gordon Clark respectfully files this  
*Petition for Rehearing* of this Court's January 13,  
2025 Order denying his *Petition for a Writ of*  
*Certiorari*.

**Reasons for Granting Rehearing**

Supreme Court Rule 44.2 authorizes a *Petition for*  
*Rehearing* based on the " ... grounds shall be limited

to intervening circumstances of a substantial or controlling effect or to ***other substantial grounds not previously presented.***

Consequently, this *Petition for Rehearing* clearly, simply, and concisely explains why this Court's review is warranted due to " ... ***other substantial grounds not previously presented.***"

Therefore, in the Petitioner's *ongoing good faith efforts* to defend, protect, demand, and receive his state and federal constitutional rights to a jury trial and *due process of law*, the Petitioner requests that this Court consider the following " ... ***other substantial grounds not previously presented.***"

First and foremost, **The Constitution of the United States – *The Right of Trial by Jury Clause*, 7<sup>th</sup> Amendment**, states, the following:

"In Suits at common law, where the value in controversy shall exceed twenty dollars, ***the right of trial by jury shall be preserved***, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law."

Moreover, in *Curtis v. Loether, et al.*, 415 U.S. 189 (1974)., it states, *in part*, the following:

“But when Congress provides for enforcement of statutory rights in an ordinary civil action in the district courts, *where there is obviously no functional justification for denying the jury trial right, a jury trial must be available if the action involves rights and remedies of the sort typically enforced in an action at law.*”

Furthermore, in *Parklane Hosiery Co., Inc., et al. v. Shore*, 439 U.S. 322 (1979)., it states, *in part*, the following:

“Virginia's recommended jury trial amendment is typical: "*That, in controversies respecting property, and in suits between man and man, the ancient trial by jury is one of the greatest securities to the rights of the people, and [ought] to remain sacred and inviolable.*"”

Lastly, in *Tull v. United States*, 481 U.S. 412 (1987)., it states, *in part*, the following:

“Nothing in the Amendment's language suggests that the right to a jury trial extends to the remedy phase of a civil trial. *Instead, the language "defines the kind of cases for which jury trial is preserved, namely 'suits at common law.'*" *Colgrove v. Battin*, 413 U. S. 149, 152 (1973). Although "[w]e

have almost no direct evidence concerning the intention of the framers of the seventh amendment itself, *'the historical setting in which the Seventh Amendment was adopted highlighted a controversy that was generated . . . by fear that the civil jury itself would be abolished.'*”

## Conclusion

*With all due respect to this Court*, if this Court knowingly chooses to deny the Petitioner’s *Petition for Rehearing* of his **inviolable right to a jury trial and his right to due process of law**, then we as a nation tragically are no longer a nation under state nor federal constitutions, nor under the **rule of law**. But instead, *if the truth be told*, our *beloved, yet broken, divided, and fragile* nation is under the **rule of judges**, judges whether just or unjust, judges whether honorable or dishonorable, judges whether noble or ignoble, judges whether impartial or partial, judges whether incorruptible or corrupted, and/or judges whether apolitical or political. And consequently, if this Court knowingly chooses to deny the Petitioner’s *Petition for Rehearing* this Court has knowingly chosen to end our *American Experiment* in democracy, and to consent to our **public courts** no longer being a venue of last resort to protect and defend the Constitutional rights of **all Americans**, including and especially *pro se* litigants. But instead, **our public courts will have become private courts** for the rich and powerful to either



evade *just accountability* and/ or purchase desired outcomes.

The Petitioner believes and assert based on the facts, law, and evidence expressed and delineated in this *Petition for Rehearing*, his *Petition for a Writ of Certiorari*, as well as his *Reply Brief* that the *Respondent's Questions* have been answered in the affirmative. That (1) "*The Petitioner correctly asserts that his procedural due process rights have been violated such that review by this Court is proper.*"; and (2) "*The Petitioner has set forth a valid basis on which review by this Court is proper.*"

However, the Petitioner also believes and assert based on the facts, law, and evidence expressed and delineated in this *Petition for Rehearing*, his *Petition for a Writ of Certiorari*, as well as his *Reply Brief* that the Respondent has ***failed to address*** the *Petitioner's Questions* concerning the federal and state unconstitutionality of denying the Petitioner's rights to proper and lawful ***due process of law***, including, but not limited to *discovery, exhibits, witnesses, and a jury trial*, as well as the denial of a full transcript (written, audio, and/or video) of the *Remote Court Trial* proceedings, which would prove ***beyond any reasonable doubt*** that Mr. Clark was ***repeatedly denied*** his *due process of law rights* in this matter. Nor has the Respondent addressed the ***lack of subject matter jurisdiction***, nor the ***lack of in personam jurisdiction***, nor the ***lack of standing*** in this matter.

Finally, *our constitutionally protected due process of law rights*, including, but not limited to a jury trial cannot be *morally, lawfully, and/or justly* taken away by judicial discretion and/or by legislative/judicial fiat *without proper and lawful notice and/or the written and/or verbal consent of any litigant*. Especially not from a *pro se* litigant who does not understand all the *inconsistent rules* between courts, nor should any honorable court allow said *due process of law rights* to be *stolen* from its citizens through *deceit, subterfuge, and/or legislative/judicial/legal trickery*.

For example, this issue of state laws attempting to circumvent the constitutional right to a jury trial in state courts is not a problem in federal courts, since the federal courts do not have such *arcane and unconstitutional rules*. Thus, the *absolute need* for this federal *Supreme Court of the United States* to correct this *ongoing and unconstitutional injustice* in the state courts of Connecticut.

Moreover, there is no honorable federal nor state court that would deny a jury trial to anyone charged with an *alleged crime without their written or verbal consent in a court of law*. Then how is it that the *State of Connecticut* can *routinely and systematically* deny civil litigants, *especially pro se litigants who cannot afford honest and competent legal counsel*, a jury trial *without their written or verbal consent in a court of law*, under the guise of a state law that *violates and is repugnant* both to the *Constitution of the State of Connecticut*, as well as *The Constitution of the United*

*States; and therefore, is unconstitutional, and thus invalid on its face.*

WHEREFORE, for the foregoing reasons in this *Petition for Rehearing*, and the reasons stated in the *Reply Brief for the Petitioner*, as well as those stated in the *Petition for a Writ of Certiorari*, this *Petition for Rehearing* should be **granted** by this Court, and then **grant** the *Petition for Writ of Certiorari*, and review the judgment of the *Supreme Court of Connecticut* to **not only reaffirm** that *The Constitution of the United States*, including, but not limited to the *7<sup>th</sup> Amendment (The Right of Trial by Jury)*, the *5<sup>th</sup> Amendment (The Right to Due Process of Law)*, and the *14<sup>th</sup> Amendment (The Right to Equal Protection)* are **still in effect** in our beloved, yet imperfect nation; but also, that the *Constitution of the State of Connecticut*, including, but not limited to *Article IV (The Right of Trial by Jury)*, *Article XVII (The Right to Due Process of Law)*, and *Article XXI (The Right to Equal Protection)* are **still in effect** in our beloved, yet imperfect State of Connecticut. As well as to **protect and defend** the rights of every American **to a jury trial, to due process of law, and to equal protection under the law**, all of which are bedrocks of our judicial system, and foundational to the *rule of law*, that our beloved, yet imperfect and **fragile democracy** needs to survive and thrive for us today, and for our **precious** posterity for generations to come.

Thank you for your time, consideration, and understanding of this *urgent and critically important* legal matter; and blessings *always* to you and yours. Please continue to stay healthy and be safe.

And may *The Creator of Heaven and Earth* have *Mercy* on our *beloved, yet broken and divided* nation, and may *He* have *Mercy* on *all* our souls.

Respectfully filed on February 7, 2025, by *pro se* Petitioner Gordon Clark.

/s/ Gordon Clark

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*Pro Se Petitioner*

**CERTIFICATION OF COUNSEL  
PRO-SE PETITIONER**

No. 24-459

GORDON CLARK,

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v.

SANTANDER BANK, N.A.,

*Respondent.*

Pursuant to *Supreme Court Rule 44.2*, I, Gordon Clark, *pro se* Petitioner, hereby certify that this *Petition for Rehearing* is restricted to the grounds specified in said Rule 44.2. I further certify that this *Petition for Rehearing* is presented in *good faith* and not for delay.

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

Dated and signed at Enfield, Connecticut on February 7, 2025, by *pro se* Petitioner Gordon Clark, in his individual, spousal, executor, beneficiary, and creditor capacities.

/s/ Gordon Clark

Gordon Clark

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**CERTIFICATE OF COMPLIANCE**

No. 24-459

GORDON CLARK,

*Petitioner,*

v.

SANTANDER BANK, N.A.,

*Respondent.*

As required by Supreme Court Rule 33.1(h), I certify that this *Petition for Rehearing* contains **1,618 words**, excluding the parts of said *Petition for Rehearing* that are exempted by Supreme Court Rule 33.1(d).

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

Dated and signed at Enfield, Connecticut on February 7, 2025, by *pro se* Petitioner Gordon Clark, in his individual, spousal, executor, beneficiary, and creditor capacities.

/s/ Gordon Clark

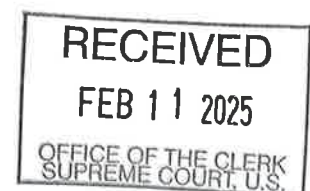
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**CERTIFICATE OF SERVICE**

No. 24-459

GORDON CLARK,

*Petitioner,*

v.

SANTANDER BANK, N.A.,

*Respondent.*

I, *pro se* Petitioner Gordon Clark, certify that three (3) copies of the **PETITION FOR REHEARING** will be served via *USPS Priority Mail* to the following:

Robert J. Wichowski, Esq.  
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***Counsel for Respondent Santander Bank, N.A.***

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

Dated and signed at Enfield, Connecticut on February 7, 2025, by *pro se* Petitioner Gordon Clark, *in his individual, spousal, executor, beneficiary, and creditor capacities.*

/s/ Gordon Clark  
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