

No. 24-5463

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

Ashley Wilkerson,

PETITIONER,

v.

City of Houston,

RESPONDENT,

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

PETITION FOR REHEARING

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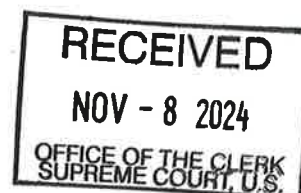


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PETITION FOR REHEARING

Pursuant to Rule 44, Petitioner Ashley Wilkerson respectfully requests a rehearing following the denial of the writ of certiorari on October 7, 2024. The Petitioner seeks the Court's reconsideration in light of intervening circumstances discovered after the denial of the writ.

The Court is respectfully asked to reconsider this case in the interest of preventing injustice. Petitioner requests this Court grant the rehearing request and reverse the decision of the Fifth Circuit. There are extraordinary circumstances that have surfaced that would likely alter the decision, in a just and lawful court. This court has held that "only in the most exceptional cases" that we will consider issues outside the questions presented, *Stone v. Powell*, 428 U.S.465S.Ct. 49 L.Ed.2d 1067 (1976).

Rule 44 allows this court to rehear the Petitioner's denied writ of certiorari based on, "intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented." The Petitioner, like all persons seeking redress through the Courts expects that those entrusted with the responsibility of deciding the cases before their courts are going to represent and defend causes in a lawful manner, in good faith without ulterior motives or motivations. Under the Supreme Court Rule 44 this petition for rehearing is filed within 25 days of this Court's decision in the case.

REASONS FOR GRANTING THE PETITION FOR REHEARING

I. Correspondences were discovered after the writ, and were concealed by the City outlining the patterns and deliberate indifference of policy maker, Constitutional violations- which conflicts with their assertions

The Petitioner moves the court to grant the rehearing given evidence was previously inaccessible to include, a letter that was sent by the City of Houston in 2014. The letter states

that the Respondents, City of Houston legal representatives asserted that they were investigating the petitioner's reports made regarding the high-tech transnational terrorist group, though its police reference the report as a “mental crisis” yet the letter stated an investigation was suspended. *See Appendix A*

Respondents, the City of Houston has permitted its police, representatives and legal counsel to share defaming statements about the Petitioner without correction, verbally, in legal proceedings and the public through its records, which is equally suppressive. To label the Petitioner or any person as mentally ill for the purpose of discrediting and chilling speech, with the absence of any valid basis. Any claims that state the Petitioner is mentally ill is the result of fraud, because she is not mentally ill. The Petitioner is only mentally ill if she reports the crime or government actors, the wireless terrorists are being concealed, a mechanism that is utilized to silence the Petitioner and violate her rights.

This improper classifications permitted by the Respondents, City of Houston, through its policymakers at points, police, legal counsel, and records, undermines her credibility and violates her due process rights before this Court, causing lasting harm to her reputation, emotional distress, employment opportunities, and legal rights but it also contradicts their own claims, that at one point investigating her reports in 2014.

These actions reflect a broader culture of systematic fraud within the City of Houston's government, allegedly, and further substantiated by numerous investigations and instances detailed in the media of officials being prosecuted or accused of misconduct, including theft of government funds, inadequate job performance, failure to execute lawful duties, a history of violence and abuse, drug use, and organized crime within the department. This pattern of unconstitutional actions has not only harmed the Petitioner but, knowingly or unknowingly, has

also impacted the entire country by suppressing the Petitioner's right to report a terrorist network!

See Appendix B

Although the Petitioner did not recall the letter, it remains in the City of Houston's file on the Petitioner. Those files contradict the Respondent's entire defense. The Respondents used a judgment on the pleading motion to block discovery, thus concealing these communications that the Petitioner no longer recalled. This biased tactic directly interfered with her right to a fair and impartial hearing and enabled Respondents legal counsel to present a defense while preventing discovery which further expounds on their intrinsic fraud and why their judgment must be overturned as no fair trial can be achieved in Texas on merits for the Petitioner.

New legal interpretations indicate that the silencing tactics employed by the Respondents, law enforcement and its policy makers has ensured that the Petitioner cannot report the crime and there is no remedy available to have grievances addressed. Therefore the harms remain ongoing and leave her to be subjected to unlawful activities that are depriving her of liberties presently. The actions of Respondents and their representatives can only be interpreted as a real live conspiracy between the Respondents and their representatives and the representatives and the crime group, they at points acknowledge and at others they claim they do not. . The City's Legal Counsel was and remains aware of the constitutional violations, and what has come to light is the actions during the proceedings and the Fifth Circuit appeal, hint to diverting due process violations. New evidence demonstrates the district and Fifth Circuit Judges appear to be very close acquaintances of the Respondents, City of Houston , it's policymakers, and legal counsel.

The notice of claim letter discovered outlines the ongoing patterns of abuses , that continue. The petitioner is sane and misrepresented, retaliated and silenced and made available

to the violation of her rights, by the assertion that she is mentally ill as part of a conspiracy, which exposes her to a practice of abuses from the Respondents, City of Houston, through its police, and representatives. This Courts response in this matter will decide right or wrong, but it will also determine how the government proceeds and whether they will have the approval of this esteemed US Supreme Court to continue this showcase of power, injustice, and unconstitutionality with approval of this court, in the same way that their unconstitutional acts were approved and affirmed by the Judges in the Fifth Circuit.

II. This case involves substantial grounds and discoveries related to two Fifth Circuit Judges who linked to investigations directly and indirectly

The right to an impartial tribunal falls under the Fifth and Fourteenth Amendments. Two of the Three judges in the Fifth Circuit should not have been sitting on a case dealing with a network that is involved in organized crime while dealing with matters of an investigative nature.. Under 28 U.S.C. § 455, federal judges are required to disqualify (recuse) themselves from a case in certain situations to maintain impartiality and fairness. The Fifth Circuit allegedly has a reputation of its own related to how it handled another appeal. *Buck*, 137 S. Ct. at 775–78. This Court has held that in certain instances, recusal is necessary, “these are circumstances in which experience teaches that the probability of actual bias on the part of the judge or decisionmaker is too high to be constitutionally tolerable.” *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868, 877 (2009).

These extraordinary circumstances reveal that two of the Fifth Circuit Judges Ho presided over the Petitioner's appeal, Judge Jennifer Walker Elrod and Judge James C. Ho, both were entangled or in the close proximity to legal matters, which creates an opportunity for the

appearance of impropriety or bias. It appears allegedly that Judge Elrod disclosed information about an ongoing criminal probe that helped the person obstruct justice. *See Appendix C* Judge James C. Ho's spouse allegedly received financial payments from speaking engagements. Though he was not directly involved of the matter is one in which is of a concerning nature, given the facts of this case.

The Constitution guarantees the right to a fair and impartial tribunal. When a judge is accused of being involved or questioned about unlawful activities and a terrorist/ organized crime group is the subject of the case, it creates a conflict of interest and the appearance of bias, which can compromise the fairness of the proceeding. When dealing with a matter such as this and facing an investigation or near one, the appearance of being partial is easily achieved. These intervening factors pose a violation of the Petitioner's due process rights. The Petitioner was unaware of the backgrounds of Judges, until observing excessive partying among government actors who work for the City of Houston and probed further. The courts have rebuked unfair trials. Litigant's due process right to a fair trial before an unbiased judge. *Withrow v. Larkin*, 421 U.S. 35, L.Ed.2d 712 (1975).

This Court is asked to rehear this case based on significant facts such as discoveries that call into question whether it is possible to have a fair trial in the City of Houston, or the State of Texas given the culture among its officials and policymakers. Bthe close social ties maintained by the very persons that are entrusted with the responsibility of investigating, enforcing, rendering judgment and adjudicating the law, but also holding those persons in their official capacities accountable when Constitutional violations occur.

There also exist concerns about whether the close ties between Judge Ellison and Fifth Circuit Judge Jennifer Walker Elrod, also have a close relationship and connection. The Fifth

Circuit Judge Elrod should have recused herself, given that the Petitioner asserted that one of the basis for her appeal was an abuse of discretion of her long-time acquaintance. It is doubtful that any Judge would not have reservations about investigating their long-time acquaintance, that it appears she has repeatedly been featured in award ceremonies honoring her contributions alongside Judge Ellison, with good conscious.

There also presents another constitutional risk that accompanies the culture observed among the City of Houston, policymakers, officials, police, and attorneys through photos, that though in most non-high tech, organized crime matters there hopeful existence minimal chances of partiality, risk of bias, bad faith, or political or social objectives invading the conscious of the legal proceeding, and this matter cast serious doubts about whether in this matter, where a terrorist network has been concealed those same rules are applied.

Another intervening fact is that the Petitioner it can be questioned, whether, given the connections in the City of Houston, she is afforded any meaningful constitutional protections, given a terrorist network operating in the City and has been concealed by Respondents, representatives, and policymakers, while harming persons all over the US and people are linked by personal ties connecting a large number of high-level government persons in the City of Houston and possibly Texas in general.

Further investigation revealed that numerous officials from the City of Houston—including many to whom the Petitioner has reported the high-tech transnational terrorist crimes related to children, women, mass violence, and acts related to government, their practices abuses receiving minimal or no response over the past years—frequently attend and attended social gatherings together, such as family events, galas, award ceremonies, presentations, and private house parties. Sadly, the relationships, among other dynamics, persuaded the violation of the

Petitioner's rights, when it should have evoked a sense of duty that every American should have – but instead the response has been unconstitutional acts under the color of law have followed.

Although social relationships among officials are not necessarily improper, these close ties suggest an appearance of partiality, particularly concerning due process issues such as those central to the Petitioner's case. The Petitioner contends that these close social and political connections might compromise the degree of partiality expected by those in judicial and governmental proceedings. Given the significant social and national implications of these discoveries, the Petitioner respectfully urges this Court to reconsider the matter, reverse the prior judgment, and address these issues.

Respondent , City of Houston through its policy makers have been deliberately indifference and repeated permitted constitutional violations. The intervening evidence demonstrates that the Respondents, through the City of Houston's legal counsel, policymakers, and police, have engaged in clear acts of intrinsic fraud, violating the Petitioner's rights and underscoring a broader pattern of misconduct that requires this Court's granting of the rehearing

CONCLUSION

Rehearing is a necessary, given the compelling, and intervening events that are relevant to the questions presented to this court. Specifically, required to address the systemic problems that require your attention. There is something wrong in the City of Houston, and their problems now are creating problems for the entire United States without it being realized. The Fifth Circuit circumstances illustrate a growing problem within the courts. There is a likelihood the Court will change its position and grant the certiorari.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that this petition for rehearing is presented in good faith and not for delay.

/S/ Ashley Wilkerson

**Additional material
from this filing is
available in the
Clerk's Office.**