

CASE NO. 24-6238

IN THE
SUPREME COURT OF THE UNITED STATES

IN RE

Daniel Felix,

**Homeless Cats Of Hatteras Island NC
(representing 87 individual Cats deceased)**

**Non-Property Animals Of Hatteras Island NC
(representing 4092 individual animals deceased)..... PETITIONER(S)**

V.

The United States Of America

US Attorney General Merrick Garland

The State Of North Carolina

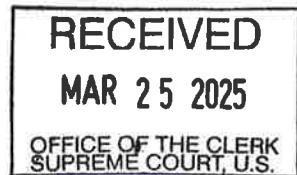
Governor Roy Cooper

NC Attorney General Josh Stein

Dare County North Carolina

MOTION FOR REHEARING UNDER RULE 44

Daniel Felix, 53828 NC Highway 12, PO Box 544, Frisco, NC, 27936



REASON FOR REQUESTING REHEARING UNDER RULE 44

Petitioner, Daniel Felix certifies he is filing this Motion For Rehearing in good faith and not for any reasons of delay. I hereby certify this statement.

The Respondents for the petition as listed have been replaced by President Trump and the elections of NC and were not given the opportunity to respond due to this change. The petition should be reheard after the new respondents have had an opportunity to make their views filed with this court otherwise a re-filing would be necessary under the new political administrations.

The denial of this petition creates a miscarriage of justice by this court that did not adequately review this case. The prongs under Rule 20 for review by this court were all present in the petition and the legal Questions Presented in this petition are all legal issues that have not been resolved by any of the lower courts despite numerous attempts by animal advocate groups who continue to file in the lower courts on these same issues only to be blocked by the lack of published case law by this court.

This court's denial has a second defect in legal reasoning. Relief cannot be obtained by any other court or any other form. It should have been widely understood by this court from the Motion For Emergency Injunctive Relief that petitioner has sought relief over many years, over a decade, from every possible source of local, state, and federal agencies and officials who were openly "deliberately indifferent" to the animal killings, crimes being committed, Rights being violated, and injuries in fact to the animals and petitioner. Corruption in Judge Louise Flanagan's US District Court has led to this Court being the only available remaining source for relief. Judge Flanagan, in multiple pro se cases put forth by petitioner, abandoned court rules and case law and relied on the defendant's attorneys re-written versions of the facts and claims then parroted those deliberately mis-written facts and claims in her decisions. Defendant's attorneys

deliberately misconstrue the facts and claims of pro se plaintiffs to make them appear frivolous hoping the court, in their laziness and corruption, will just defer to those mis-written claims. From those errors it is obvious Judge Flanagan did not even read the pro se complaint and amendment abandoning the "liberally construed" doctrine. This includes every attempt acquire Emergency Injunctive Relief from the District Court. On rehearing Judge Flanagan refused to correct her misstated facts and claims then the Fourth Circuit did not address the legal issues in the present petition nor the error by the District Court. In fact it does not appear the Fourth Circuit bothered to read the Appeal or court record at all either and that has been the "pattern and practice" of that court. **The resulting miscarriage of justice is as follows that requires this court to hear petitioner's case: Judge Flanagan, using the defendant's attorney's version of the claims, ruled that Plaintiff, Daniel Felix, did not present "Next Friend" status because he did not present any injury in fact for the claims. This is absolutely false. Plaintiff presented almost 100 times injuries both, mental, physical, and financial from the animals deaths and it applied to every animal killed. Because of Judge Flanagan's flagrant miscarriage of justice she WITHOUT LEGAL JUSTIFICATION ELIMINATED DANIEL FELIX AS THE NEXT FRIEND MAKING IT IMPOSSIBLE FOR HIM TO FILE ON BEHALF OF THE ANIMALS**-this is a reversible miscarriage of justice for this Court. Because Daniel Felix is the only possible "Next Friend" this renders the Animal Petitioner listed in the style of this case without the possibility for being heard or being protected by Law. Despite Judge Flanagan's dismissal without prejudice. If it were possible for these animals to obtain an attorney, which it is not, by the current court precedent, the attorneys would not be Next Friend nor would any animal group, and the court would not consider the animals legal "persons" that could stand as plaintiffs, and the US District Court would just dismiss the lawsuit. Leaving this COURT the only means

of relief for these deceased animal petitioners. Meaning this Court by it's denial to hear this petition and create case law to assure justice, would be deliberately blocking the administration of justice and enforcement of the Laws passed to protect such animal petitioners.

Likewise, part of the petition deals with the "pattern and practice" by the entire court system of denying Due Process Of Law rights and Equal Protection Of Law rights to prose plaintiffs and petitioner. This case was constructed so that a denial would confirm the "pattern and practice" and that such a denial in a more extreme sense would be an impeachable act in violation of each Justices oath of office for violating the US Constitution. The petition is directed at this Court to create case law no other court can create to uphold the US Constitution for issues of law only this court can decide to govern the lower courts who are flagrantly violating the US Const. and rights of pro se petitioners. This petition is directed at this Court to correct it's own "pattern and practices" where lower courts abuse this Courts contradictory rulings to deny justice. For example: When Chief Justice Roberts denied the Motion For Emergency Injunctive Relief he confirmed and committed another act whereby the US Government openly enforces the "Only Humans Matter" religion on the public. Justice Roberts violated my Rights to religious freedom in violation of his oath of office to uphold everyone's US Constitutional Rights. This COURT cannot say that if 4094 (more animals have been deliberately run down because of his inaction) humans had been deliberately run down in front of my home he would have denied the Emergency Injunctive Relief but since they were only animals his religion cares nothing about he denied it without consideration to the effects. Likewise, denying the petition and refusing to litigate the Animal Rights issues is a confirmation this Court and the entire US Government enforces the "Only Humans Matter" religion and gives NO consideration to those whose religion is opposed to the government's enforced religious views. This COURT ignored

giving the petitions religious questions the "strictest scrutiny" required by this Court's own case law. A religious point of view that animals have rights and are equal to humans in their God given inalienable rights that millions of Americans agree with and possess. This Court's position is to stifle any such religious point of view by denying an animals Due Process Of Law. A flagrant violation of the US Const. committed as a "pattern and practice" by this Court and then parroted by the entire lower courts. The exact thing Rule 20 of this court's rules grants this Court the power to correct. Yet this Court just denied it's own duty to correct such Constitutional violations. The "relief cannot be obtained from any other court or from any other source" stipulation of this Rule. Leaving the Animal Petitioners and Daniel Felix with no other source for relief from this constant Constitutional Rights violation and religious persecution. This Court is sanctioning this cruel and unusual punishment by denying Equal Protection Of Law and denying Due Process Of Law in ~~and~~ act which violates each Justices' oath of office to stop. This Court has made it clear the legal issues of the American People are meaningless and the court only cares about the political infighting of the Democrat and Republican Parties who wallow and parade their immunity from the US Constitution in our faces with the abuses they force us to suffer. Can any Justice who sits on this COURT say that petitioner having to watch 4094 animals and 87 cats illegally killed is NORMAL? And that asking for an Extraordinary legal solution is not justified when every other possible government and private solution has been ignored or denied? If not this Court then WHO will provide a solution to this horror-THAT IS THE PREVAILING LEGAL QUESTION FOR THIS COURT!

CONCLUSION

This court should hereby grant this Motion For Rehearing, consider the legal issues as presented by the actual petition and not some re-written summary by your politically appointed law clerks who are not legal authorities capable of making recommendations to such a high court, grant the Extraordinary WRIT Of Mandamus and hear the legal issues from all sides, and do your jobs on behalf of the American People who pay you with their tax money to uphold their Constitutional Rights and the Laws. Grant the Emergency Injunctive Relief to save the remaining animals lives.



Daniel Felix, petitioner Date

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of this document was sent by way of US Postal Service on March 11th, 2025 to respondents counsel, United States Of America, Solicitor General Of The United States, US Dept. Of Justice, Room 5616, 950 Pennsylvania, Ave., NW, Washington DC, 20530-0001; US Attorney General Merrick Garland, 950 Pennsylvania Ave., NW, Washington DC, 20530; State Of NC and Governor Roy Cooper, Attorney Eric Fletcher, 325 N. Salisbury Street, Raleigh, NC, 27603; NC Attorney General Josh Stein, NC Department Of Justice, PO Box 629, Raleigh, NC, 27602.



Daniel Felix, petitioner

CERTIFICATE UNDER RULE 44

I hereby certify under Rule 44 my Petition for Rehearing is filed in good faith and not for the purpose of delay, and is limited to intervening circumstances of a substantial or controlling affect, or to other substantial grounds not previously presented.


 3/11/25

Daniel Felix, Petitioner