No. 24-6779

In the Supreme Court of the United States

DANIEL E. HALL, PETITIONER

v.

TWITTER INC., RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT
CASE NO. 23-1555

MOTION FOR RECONSIDERATION OF THE APRIL 21, 2025 ORDER DENYING LEAVE TO PROCEED IN FORMA PAUPERIS

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Original Date: May 9, 2025

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CERTIFICATE OF GOOD FAITH

I certify that this Petition for Rehearing is presented in good faith and not for purposes of delay, in compliance with Supreme Court Rule 44.

Dated: May 9, 2025

/s/ Daniel E. Hall
Pro Se Petitioner

To the Honorable Chief Justice and the Associate Justices of the Supreme Court of the United States:

Pursuant to Rule 44 of this Court, Petitioner Daniel E. Hall respectfully petitions for rehearing of the Court's order entered on April 21, 2025, which denied leave to proceed in forma pauperis and dismissed the petition for a writ of certiorari under Rule 39.8.

This request is made in good faith and not for the purposes of delay. Petitioner believes the dismissal was the result of a misclassification of the petition as "frivolous or malicious," and seeks reconsideration on the grounds of substantial constitutional questions, procedural due process, and newly relevant developments in related law.

I. INTRODUCTION

This Court's decision to summarily dismiss Petitioner's certiorari petition as "frivolous or malicious" under Rule 39.8 is a **misuse of judicial discretion and an affront to the Constitution.** Petitioner presented verified, well-supported claims involving:

- Unauthorized legal practice under an illegal court policy,
- Structural judicial bias and administrative conflicts,
- Obstruction of justice and civil rights violations,
- And a pattern of racketeering activity involving both district and appellate judges.

To label such a petition frivolous isn't merely inaccurate — it is a **strategic institutional evasion of accountability**. The evidence submitted proves a pattern of concealment, collusion, and retaliation at every level of the judiciary — culminating in this Court's own coordinated evasion of oversight.

II. MISCLASSIFICATION AND SYSTEMIC JUDICIAL MISCONDUCT

Labeling this petition "frivolous or malicious" under Rule 39.8 is a fundamental misclassification of its purpose and content. The petition presents verified, fact-intensive claims of systemic judicial misconduct, procedural fraud, and constitutional violations—claims meriting full review by this Court.

Petitioner submitted evidence of over 100 unauthorized legal filings by unadmitted attorneys under a concealed pro hac vice policy crafted by Magistrate Judge Andrea Johnstone and knowingly permitted by District Judges Steven McAuliffe and Samantha D. Elliott. These actions violated Local Rule 83.1(a), the Federal Rules of Civil Procedure, and federal criminal statutes, including 18 U.S.C. §§ 1001, 1346, 1503, and 371.

The record includes:

- Sworn declarations,
- Certified court filings,
- Suppressed bar admission records,
- Recusal violations under 28 U.S.C. §§ 144 and 455.

Constitutional violations include:

- Delegation of censorship under 47 U.S.C. § 230,
- Systemic denial of equal protection and due process under 42 U.S.C. §§ 1981 and 1985,
- Judicial bias aimed at suppressing pro se litigants.

These are not generalized grievances—they are substantiated by certified documents and binding law. Under *Neitzke v. Williams*, 490 U.S. 319 (1989), a claim is "frivolous" only when it lacks any arguable basis in law or fact. Petitioner's claims exceed that threshold.

Rule 39.8 exists to prevent abusive filings—not shield entrenched misconduct. This case presents a matter of first impression with national implications: whether federal judges can permit and conceal unauthorized filings while evading oversight through procedural gatekeeping. That question demands adjudication—not dismissal.

As *Neitzke* confirms, a claim's political inconvenience does not make it frivolous. Yet in silencing this petition, the Court has not merely ignored the evidence—it has denied access to justice itself, subverting the core protections of *Bivens* and the First Amendment.

The Absurdity of the "Frivolous" Label

That this Court could label such a petition *"frivolous"* or *"malicious"* is not only absurd—it is institutionally shameful. The allegations presented are supported by court-certified filings, sworn declarations, and direct citations to federal law and procedure. To characterize such a record as 'frivolous' strains logic, legal ethics, and common sense to the breaking point. It suggests one of two possibilities: either *gross judicial incompetence* or a *calculated refusal* to confront corruption within the judiciary itself.

In the words of Justice Gorsuch:

> **"When we defer too readily to the preferences of others, we risk surrendering the rule of law to the rule of men."**
>
> Here, the Court has not just surrendered—it has abdicated.

Worse still, the invocation of Rule 39.8 under these circumstances is not a shield of judicial economy—it is a **veil of cowardice**. The Court, faced with evidence that would shatter the illusion of institutional integrity, has chosen silence over scrutiny, evasion over examination.

This is not the conduct of an impartial tribunal. It is the conduct of an institution cowering before its own reflection.

By labeling this case as malicious or meritless, the Court has not just insulted the petitioner—it has mocked the Constitution. It has confirmed that no matter how carefully one documents the fraud, no matter how clearly one points to the law, justice will be denied if the truth is inconvenient to those in power.

To dismiss this petition is to deny the rule of law itself.

It is not neutrality. It is cowardice.

It is not discretion. It is **complicity**.

III. REASONS FOR GRANTING REHEARING

1. Misclassification of Petition as Frivolous or Malicious

Petitioner submits that the original petition for certiorari raised substantial and non-frivolous legal questions concerning unauthorized practice of law in federal court, systemic due process violations, and unconstitutional judicial procedures affecting pro se litigants. These claims were presented with supporting documentation, case law, and constitutional analysis.

The allegations, including the unlawful acceptance of over 100 filings by attorneys not admitted to the court, implicate well-established doctrines of due process (Goldberg v. Kelly, 397 U.S. 254 (1970)), unauthorized practice of law (N.H. RSA 311:7), and judicial impartiality (Caperton v. A.T. Massey, 556 U.S. 868 (2009)).

Petitioner knows of no other case in which such a volume of unauthorized filings was formally brought to a court's attention and ignored at all levels of review. The systemic nature of the underlying claims and the legal basis presented demonstrate the petition was not frivolous or malicious in nature.

Moreover, the petition was supported by extensive factual records and legal analysis—including formal filings, court orders, and judicial conduct that raise reasonable questions under well-settled constitutional doctrines. The petition cited specific, documented violations of federal rules, state law, and judicial ethics canons. It does not assert abstract or speculative grievances, but rather identifies verifiable procedural defects and substantial due process violations that directly affected the outcome of litigation.

The petition was filed in good faith with the intent of seeking judicial redress for constitutional violations, not to harass or unduly burden the court. Therefore, its classification as "frivolous or malicious" constitutes a misapplication of Rule 39.8, and warrants reconsideration under Rule 44.

2. Violation of Procedural Due Process and Equal Protection

The summary dismissal without addressing the substance of the claims raises grave concerns under the Fifth and Fourteenth Amendments. Petitioner was denied a meaningful opportunity to be heard on serious allegations implicating the integrity of judicial proceedings. The record includes motions for judicial notice that were denied without explanation, and multiple requests for recusal that went unaddressed.

The appearance of bias and procedural double standards—favoring corporate litigants while dismissing claims by a pro se plaintiff without hearing or investigation—undermine public confidence in the judiciary and contradict the principles set forth in Mathews v. Eldridge, 424 U.S. 319 (1976).

3. New and Clarifying Developments in Executive Oversight

Petitioner incorporates by reference the attached sworn declaration, *Exhibit A (Executive Oversight),* which details recent Executive Orders and Congressional submissions reinforcing the urgency and constitutional relevance of this petition.

4. Pattern of Procedural Deflection and Institutional Self-Preservation

This is not Petitioner's first request for constitutional redress before this Court. In fact, it is the fifth time that a petition filed by Petitioner has been distributed for conference—each time raising verified claims of judicial fraud, unauthorized legal filings, or structural misconduct implicating multiple Article III judges. The record includes:

- 22-7601 (Mandamus Petition – Judicial Recusal Violations)
- 22-7607 (Certiorari – Magistrate Judge Johnstone's Misconduct)
- 24-5964 (Mandamus – Twitter Final Appeal Concealment, twice: original and reconsideration)
- 24-6779 (Certiorari – Twitter Final Appeal)

Five separate times—a rare feat for any pro se litigant—this Court has had full access to the evidentiary record, including declarations, docket filings, and constitutional arguments concerning systemic fraud upon the court. Each petition was distributed for conference, meaning the Justices received summaries, and had the opportunity to engage. Not once did the Court address the core merits. And now, on the fifth attempt—when the record is most complete and the misconduct publicly documented across multiple oversight bodies—this Court reaches for Rule 39.8.

This is not a neutral application of procedure. It is an institutional defense mechanism—a strategic act of self-preservation masquerading as gatekeeping. **The Justices could not rebut**

the record without implicating their colleagues or acknowledging that the judiciary has permitted a pattern of criminal violations, including:

- Fraudulent pro hac vice practices,
- Judicial obstruction and retaliation,
- Violations of 42 U.S.C. §§ 1983, 1985(2) and 18 U.S.C. §§ 1001, 1346, 1503, 371.

Rule 39.8 is meant to block meritless litigation—not shield **verifiable institutional corruption**. Its use here betrays not just a failure to weigh facts, but a refusal to be seen weighing them, for fear of exposing what lies beneath.

This Court is not merely denying certiorari—it's denying the legitimacy of evidence. The judiciary is meant to be impartial. But this Court, when faced with well-supported allegations implicating its own officers and peers, has chosen silence, then deflection, then suppression. "Frivolous," in this context, is not a legal term—it is a shield.

Yet Petitioner respectfully insists: this Court has a duty, not a discretionary courtesy, when confronted with documented constitutional breakdowns across multiple layers of the judiciary. Justice demands more than silence—it demands courage.

The misuse of Rule 39.8 here stems not from the petition's content—but from its implications. If this Court acknowledged the verified filings and declarations, it would be forced to confront the complicity of its own officers and the systemic failure of judicial self-regulation. That **confrontation has been avoided—not because the petition is meritless, but because it is too well-supported to ignore without consequence.**

The judiciary is expected to be impartial and deliberative. Yet this Court has shown that when allegations touch its own legitimacy, it circles the wagons. The Justices may not be thin-

skinned—but the institution exhibits a survival reflex—one that treats facts as threats and dismisses constitutional injury as inconvenience.

The result is the same: a litigant with verified, unrebutted evidence of fraud upon the court is cast aside as "frivolous"—not because of merit, but because of fear. Fear that opening the door to this petition would require the judiciary to police its own corruption. Fear that justice would mean accountability.

But fear is not a constitutional principle. And Rule 39.8 is not a license to conceal misconduct. When five petitions reach the gates of this Court and are turned away without engagement, that is not coincidence. It is policy. It is complicity. It is lawlessness. It is a breach of duty.

IV. SUPREME COURT COMPLICITY

In further support, Petitioner incorporates by reference the attached sworn declaration, *Exhibit B (Documenting Predicate Acts by Sitting Justices in Relation to Supreme Court Case No. 24-6779)* which documents over 47 specific acts of constitutional and statutory violations—including fraud, obstruction, and deliberate suppression—committed by the current Justices of this Court in connection with the petitions at issue. These actions were not inadvertent judicial errors but coordinated refusals to address confirmed procedural corruption, across multiple constitutional petitions. The pattern documented in **Exhibit B** directly implicates the institutional integrity of this Court and requires urgent corrective review.

When Rule 39.8 Becomes a Shield for Judicial Misconduct, It Betrays the Constitution

"Democracy Dies in Darkness" is a phrase popularized by The Washington Post, emphasizing the necessity of transparency in a democratic society. Yet, when this Court employs Rule 39.8 to summarily dismiss petitions without addressing substantiated allegations of judicial misconduct,

it risks perpetuating the very darkness it seeks to dispel. This practice not only undermines public trust but also raises concerns about accountability within the judiciary.

Justice Ketanji Brown Jackson has emphasized the importance of confronting uncomfortable truths:

> **"If we are going to continue to move forward as a nation, we cannot allow concerns about discomfort to displace knowledge, truth or history."**

Similarly, Justice Sonia Sotomayor has highlighted the dangers of **systemic injustices:**

Justice Amy Coney Barrett has stated:

> **"A judge may never subvert the law or twist it in any way to match the judge's convictions from whatever source they derive."**

Chief Justice John Roberts has affirmed the role of the judiciary in upholding democracy:

> **"I will be vigilant to protect the independence and integrity of the Supreme Court, and I will work to ensure that it upholds the rule of law and safeguards those liberties that make this land one of endless possibilities for all Americans."**

These declarations underscore the judiciary's commitment to justice, transparency, and accountability. Yet, the Court's repeated dismissals of my petitions under Rule 39.8, without substantive engagement with the allegations presented, **stand in stark contrast to these principles.**

This motion for rehearing is not merely a procedural step; it is an opportunity for the Court to align its actions with its professed values. I urge the Justices to reflect on their own words and to consider the implications of their decisions on the integrity of our legal system.

V. INCORPORATION BY REFERENCE

Since filing my original petition, I have submitted detailed evidentiary reports to multiple federal oversight bodies—each submission grounded in the same core record of judicial misconduct and unauthorized legal practice, but tailored to the specific jurisdiction, mandate, and enforcement scope of the receiving entity.

Petitioner incorporates by reference his comprehensive April 7, 2025 report titled *"The Unauthorized Practice of Law in Federal Court: A Pattern of Judicial Concealment and Corporate Privilege"*, submitted to multiple oversight bodies:

- **Congress (House & Senate Judiciary Committees):**
  https://www.scribd.com/document/847829122
- **DOJ – Criminal Division:**
  https://www.scribd.com/document/847831951
- **DOJ – Civil Rights Division:**
  https://www.scribd.com/document/847834139
- **Office of the Inspector General (AOUSC):**
  https://www.scribd.com/document/847835405
- **Judicial Council of the First Circuit:**
  https://www.scribd.com/document/847837268
- **Judicial Conference of the United States:**
  https://www.scribd.com/document/847838328

These submissions collectively document over 100 unauthorized filings by Perkins Coie LLP under a concealed pro hac vice policy, and systemic misconduct involving at least 12 federal judges. Each includes certified dockets, sworn affidavits, procedural transcripts, and bar

admission records—substantiating violations of Local Rule 83.1(a), 18 U.S.C. §§ 1001, 1346, 1503, 371, and 42 U.S.C. §§ 1983, 1985(2), and 1986.

The complete evidentiary appendix is publicly accessible here:

https://www.scribd.com/document/846224052

Petitioner respectfully asks the Court to take judicial notice under Fed. R. Evid. 201. These filings are not conjectural grievances—they confirm sustained constitutional violations that demand this Court's review.

VI. TIMELINESS AND RULE 44.2 COMPLIANCE

- The original Petition was **docketed** and **distributed for conference on April 2, 2025**.
- The Court issued its denial on April 21, 2025 — invoking **Rule 39.8**.
- This motion is filed **within 25 days**, as required under Rule 44.2.

The dismissal was a final "ruling," thus rehearing is procedurally valid and necessary.

VII. EVERY FILING CUTS BOTH WAYS

Every petition or motion filed with this Court operates as a double-edged sword. On its face, it seeks justice. But beneath that, it becomes a breadcrumb—a permanent, timestamped record of what the Court knew, when it knew it, and how it chose to respond. This is an institutional test. Each submission offered the Court a choice: uphold the Constitution—or to document its own complicity. Over time, these filings form a trail of evidence, not unlike the careless fingerprints left behind by common criminals. And while this Court may act with impunity, confident in its procedural armor and institutional privilege, it is not immune from accountability. Should the

Department of Justice, Congress, or future tribunals take up these claims, the record will speak for itself.

In choosing not to act, the Court does more than deny redress—it adds to a growing archive of judicial indifference to criminal misconduct. What the Court does now will either validate the rule of law or forever stain its legacy. Justice demands more than silence. It demands **courage**.

To the Justice(s) Who Saw the Truth

To the Justice or Justices who permitted these filings to reach conference, Petitioner offers one final request: **summon the courage to go on record.** You have already taken the first step by not burying these petitions. Now take the next. The silence surrounding this Court's gatekeeping may be institutional—but **conscience is personal**. If you believe this case deserved more than a procedural shield, say so. Even a single voice from within this chamber could break the cycle of impunity that now defines the judiciary's response to its own misconduct. History will not look kindly on complicity—but it remembers integrity.

VIII. PRAYER FOR RELIEF

Refusing to review the petition on the merits, while citing Rule 39.8, not only disregards the factual record but also **risks weaponizing Rule 39.8** as a tool to silence inconvenient truths. If this Court will not defend access to justice in the face of substantiated judicial misconduct, then the structural promises of due process, equal protection, and judicial accountability will remain hollow for all but the powerful.

Petitioner urges this Court to reconsider not out of frustration, but out of duty—to ensure that valid constitutional claims concerning federal judicial conduct are not extinguished through procedural shortcuts. The American judiciary's legitimacy rests not on reputation, but on its **willingness to confront its own errors**.

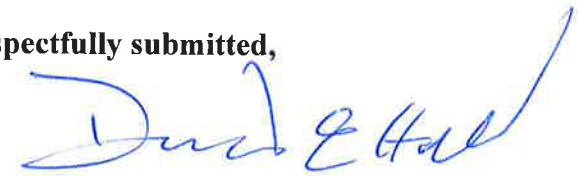
Petitioner respectfully demands that this Court:

1. **Vacate its April 21, 2025 dismissal of the Petition for Writ of Certiorari;**
2. **Grant Petitioner's motion to proceed in forma pauperis;**
3. **Restore the Petition for full review, or at minimum, provide a legal justification for invoking Rule 39.8 against a verified constitutional and criminal fraud case;**
4. **Refer the allegations outlined in Section V and Exhibit B for independent investigation by the Judicial Conference and/or Congress.**

The integrity of the judiciary — and of this Court — is now on trial. Refusal to act in the face of fraud is itself a form of fraud. The American people deserve more than silence from those entrusted with the highest judicial power in the land.

Justice delayed is justice denied. Silence now will not erase the record—it will become part of it.

Respectfully submitted,



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Dated: May 9, 2025

CERTIFICATE OF COMPLIANCE

1. This document complies with the word limit of Fed. R. App. P. 21(d)(1) because, excluding the parts of the document exempted by the Fed. R. App. P. 32(f) as this document contains no more than 3,000 words.

2. This document complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because this document has been prepared in a proportionally spaced typeface using Microsoft Word 2010 in Times New Roman, 12-point font.

Dated: May 9, 2025

/s/ Daniel E. Hall
Pro Se Petitioner

CERTIFICATE OF SERVICE

As required by Rules 29 and 39, service of a single copy of the foregoing MOTION FOR RECONSIDERATION OF PETITIONER'S PETITION FOR WRIT OF MANDAMUS, was made upon the Defendant of record via U.S. Mail to Appellee's attorney of record, Demetrio F. Aspiras, III OF Drummond Woodsum, 670 N Commercial St, Ste 207, Manchester, NH 03101-1845, and mailed first class, and that the service of 10 copies and the original of the foregoing was mailed on this day to the United States Supreme Court Clerk via United States Postal Service by first-class mail.

Dated: May 9, 2025

/s/ Daniel E. Hall
Pro Se Petitioner

CERTIFICATE PURSUANT TO RULE 44.2

I certify that this Petition for Rehearing is limited to intervening circumstances of a substantial or controlling effect and to other substantial grounds not previously presented, in compliance with Supreme Court Rule 44.2. This includes newly issued Executive Orders directly supporting the constitutional issues raised, as well as substantial new arguments regarding the Court's application of Rule 39.8 and predicate acts previously omitted.

Dated: May 20, 2025

/s/ Daniel E. Hall
Pro Se Petitioner