

No. 17-1321

IN THE
SUPREME COURT OF THE UNITED STATES

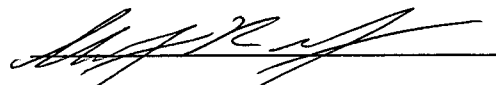
CHRISTOPHER R GRANTON – PETITIONER
VS.
WASHINGTON STATE LOTTERY COMMISSION

MOTION TO DIRECT THE CLERK TO FILE THE
PETITION FOR REHEARING OUT OF TIME

Petitioner Christopher R Granton, humbly asks that this court direct the clerk to file the out of time petition for rehearing out of time. I ask this only because I did not receive anything in the mail about this courts April 23rd decision, and did not find out until I called on July 10th that my Petition for Writ of Certiorari had been denied

8-4-2018

Respectfully submitted,



Christopher R Granton,

Pro Se

No. 17- 1321

In the Supreme Court of the United States

Christopher R Granton, Petitioner

V.

Washington State Lottery Commission.

ON WRIT OF CERTIORARI
FOR THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

PETITION FOR REHEARING

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In the Supreme Court of the United States

17-1321

Christopher R Granton, Petitioner

V.

Washington State Lottery Commission.

**ON WRIT OF CERTIORARI
FOR THE UNITED STATES COURT OF
APPEALS FOR THE NINTH CIRCUIT.**

PETITION FOR REHEARING

Pursuant to rule 44 of this court, Christopher R Granton, Pro Se petitioner hereby respectfully petitions for rehearing of this case. This case has issues of fair play and honest contracting practices, concerning a once in a lifetime Mega Millions jackpot prize. This case also has issues of due process and

equal protection of the law. Finally this case involves a law that as applied is arbitrary and impairs the obligation of contracts. There are other factors:

1) There is the believability factor, what happened to me has never happened before and will likely never happen again. What I was left with was my play slip, which I still have and will submit to the court if it requests. Things like this happen to me. Murphy's law has affected me my whole life. Every time I do something good, or have a chance of something good happening in my life something out of my control ruins it. For example, with this court, I worked very hard on my petition to show this court how I was cheated, and how I'm entitled to the prize. First there was trouble with the printing of the petition, because when the printing co. sent the document to be bound, they had the Appendix out of order. So last minute, the printing co. had someone

wait for the new copies to be finished, then brought them down from Seattle to Lacey, so that I could get them out on time. Well there was another snag, apparently the proofread copy didn't make it to print, so now the appendix was in order, but it still wasn't the way it should have been. I sent it in, and it was good enough to be put on the docket, but not as good as it could have been. Then there was the mailing snafu, I was waiting patiently for a response from this court, only to find out on July 10th that the court had made a decision back on April 23rd, and I had not received anything in the mail from this court.

I believe that the biggest thing that this court should look at concerning the believability factor, is the fact that the Washington State Lottery Commission (WSLC) waived their right to respond. This in itself is not an admission of anything, but with everything alleged in the complaint, and in my

petition, this cannot look good for them. The WSLC is not denying anything that's alleged, this sends a message that they know this court won't spend its time on one citizen, especially one who didn't go to the media. My hope has always been that the courts would get it right. Every time I would explain things better, only to be met with heartbreak after every decision. I've been consistent throughout all the courts, and consistency is a measure of truth.

2) Another factor is the fact that the witness did not get recognition by the courts. The witness (cashier) Phillis Monroe gave a statement. This should have been done right away or soon after I made my complaint to the Lottery. Because of the lottery's inaction to get a statement right away, when I finally got a statement from her, she didn't quite remember as much as I had hoped. This I believe was because it was something that didn't

directly affect her, and because of memory fade. She did remember, that it was a message to start a new game, the break happened early, and that my wager was refused because of it. The message that the cashier showed me on terminal 219907 was proprietary, only someone who this happened to would know it exists. The message read "DRAWBREAK" "WAGER REFUSED BY CENTRAL".

3) The investigation factor, the investigation was incomplete and inconsistent with the facts, and the record will reflect that. From how long it took for an investigation to start, to the facts contained in the reports, as well as facts left out. I believe the facts that were left out are most important, those were; there was no record of number selections played on terminal #219907 @ 6:50pm, there were no date stamps on the transaction listing, and there was no

video footage from the store cameras either. These are fundamental steps in an investigative process, and necessary items for the record in a disallowance decision. I believe that any good judge or justice could tell by looking at the record, that it is incomplete at best. The responsibility was on the WSLC to provide for the record, from their vendor G-Tech, number selections played during the time in question. This would have shown that I had picked the winning numbers.

4) I felt that there was a bias factor as well. The reason I say that is because of the nature of what happened, and because I was playing the game by the rules. If you take the contract element out of the issue, it was still a violation of the rules on the lottery's part that caused me not to have a ticket to provide for validation. If you add the contract element to the equation, then I should still get favor

from the court. This is because the rules of the game are also the terms of the contract. The lottery was in violation of the rules when the draw break happened early. This violation caused a breach of contract on their part, because I did not receive a ticket with number selections on it corresponding to those on my play slip as required by the rules. I believe that issues concerning fair play and honest contracting practices should have sway in our nation's highest court. There is no way that I will ever be able to pick the winning combination again. I know that I've made some questionable choices in my life, maybe I don't deserve that kind of prize. What about the next person this happens to, what if they are worthy, they won't have the protection either, because the courts failed to act.

5) I feel that there is also an equal protection of the law factor as well. Equal protection of the law,

afforded under the 14th Amendment, provides that “No state shall deny to any person within its jurisdiction the equal protection of the laws.” My understanding of this clause regarding my case is, that because of what was held in *Bowen v Massachusetts*, a person trying to get a reversal of an agency’s disallowance decision could. That a person trying to recover what they were already entitled to rather than damages could pursue under the APA 5 USC § 701-706. I know that the late Justice Antonin Scalia dissented in *Bowen v Massachusetts*, but my case is perfect for that ruling, because the lottery’s prize denial is the agency’s disallowance decision. This court’s decision on that case is the only ruling that will give me a chance at recovering what I should already be entitled to. If equal protection of the law applies the same for a citizen as it does for a State, like the Equal Protection Clause of the 14th

Amendment of the United States Constitution says, then this court could have been mistaken when it denied my Petition for Writ of Certiorari.

6) The other factors are things this court cannot control, but do exist and have sway in this court, in one form or another. I understand that to be granted a Writ of Certiorari is not easy, especially when the media isn't involved, or you have to represent yourself. I'm sure that a professionally trained and schooled lawyer could have done a lot better preparing and acting on my case. After finding a lawyer early on in my case, only for his firm to bail on me right before my Superior Court hearing, left me with little trust for lawyers. I have at least shown the courts how I was cheated out of my prize, and now it is on the honor of this court whether it allows that to happen. At the end of the day I will honestly be able to say that I did my best, but now I have

almost no chance, because I need a miracle. I need to convince the most powerful people in the United States, whom have already made a decision, that you have gotten it wrong somehow. I don't know what it's like on the inside of the Supreme Court, as far as how it operates. I do know that from the outside looking in it seems to be very politically motivated and driven by the media. I believe that even with the media circus, and political theatre, justice and equality still exists. Please recognize how I've worked to prove my case, and that even if I don't know the exact way to put things to get your favor, I will be cheated out of a once in a lifetime prize if you don't intervene. Every esteemed Justice in this court knows very well what once in a lifetime is, whether it is earned or won, being cheated out of if it is not justice.

I could have initially used the forms provided

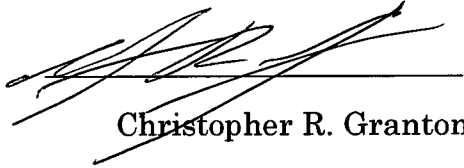
by this court. I decided instead to write my petition in booklet form and pay the \$300 fee, to show this court that both my petition and case should be taken seriously. After the District Court heard my case, I studied online sites from Yale, Stanford, Harvard, and Cornell universities on what makes a contract. I did this because I knew that most of the judges that would be hearing my case, will have gone to one of those schools. I wanted to be able to communicate the issue in a way they and you could understand. I ask this court for a rehearing because it is a matter of national importance. The Washington State Lottery Commission is using a law that as applied, allows a person to be cheated. The law WAC 315-38-050(3) does not offer fair resolution, because it creates an immunity from circumstance, which is the opposite of fair and accountable practice. Because the Washington State Lottery Commission

applied this law to a case where they were in violation of the rules, effectively denying me my rightful prize makes it not only arbitrary, but they also impaired the obligations of a contract reached by mutual assent. Mutual assent or acceptance of a contract happens by exercising the operative power conferred by the one offering the contract, which I did by playing the game by the rules. I humbly ask this court for a rehearing

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For the foregoing reasons, the Petition for
Rehearing should be granted.

Respectfully submitted.

A handwritten signature in black ink, appearing to read "Christopher R. Granton", is written over a horizontal line.

Christopher R. Granton

Pro Se petitioner

July 2018

CERTIFICATE OF COUNCIL

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

A handwritten signature in black ink, appearing to read "Christopher R Granton", written over a horizontal line.

Christopher R Granton

Pro Se petitioner