No. 17-6071

In The

Supreme Court of the United States

GREGORY SHAWN MERCER,

Petitioner,

vs.

FAIRFAX COUNTY BOARD OF SUPERVISORS, *et al.*,

Respondents.

On Petition For Writ Of Certiorari To The United States Court Of Appeals for The Fourth Circuit

AMENDED SUPPLEMENTAL BRIEF OF PETITIONER

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AMENDED SUPPLEMENTAL BRIEF OF PETITIONER

In accordance with Rule 15.8, there has been two intervening new cases after the 9/21/2017 Docketing of Case Nos. 17-6071 & 17-6072 being: **(a)** a 10/6/2017 Final Order in the SCV (Record No. 170569); and **(b)** 11/7/2017-11/8/2017 Final Orders in FCCC Case Nos. MI-2017-1481 & MI-2017-1482. Additionally, this Court **(c)** denied Petitioner's 9/21/2017 Motions to Proceed In Forma Pauperis in Case Nos. 17-6071 & 17-6072 on 11/27/2017 and 10/30/2017, respectively.

Petitioner responded two ways: **(1)** on 10/12/2017, Petitioner filed in both Case Nos. 17-6071 & 17-6072 a now **MOOT** "Supplemental Brief of Petitioner / Second Petition for Writ of Certiorari to the Supreme Court of Virginia [Record No. 170569]" which "Second Petition" was Clerk-Denied on 11/2/2017 by Jeffrey Atkins (He advised that a new, proper, and separate Petition for Writ of Certiorari to the SCV for Record No. 170569 should be re-filed within 90 days of 10/6/2017); and **(2)** Petitioner filed on 12/18/2017 two Paid Petitions for Writ of Certiorari in accordance with Rule 33.1 (hereafter "**Reprints**").

Herein, Petitioner **(3)** responds to the 11/7/2017-11/8/2017 Final Orders in FCCC Case Nos. MI-2017-1481 & MI-2017-1482 which are very relevant to Case Nos. 17-6071 & 17-6072 (See Petition Pages 59, 70-71) demonstrating the misplaced Allegiance of Virginia Judges guided by the SCV (COV, Article VI, Section 1) to the Virginia

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"Police" Government. This Allegiance ignored this Petitioner's United States Citizen's & Virginia Citizen's Rights. This is in violation of the Oath and Supremacy Clauses (CUS, Article VI, Clause 2 & 3) and contrary to Due Process (U.S. Amendment V & XIV) which emphasizes the language of COV, Article I, Section 2. Petitioner argues the Virginia Government is a Police and Renewed Confederate Government after the 1902 COV which was not ratified by the PEOPLE. ***A distinguishing feature of the CUS's Republican Form of Government is that it has Citizens' Rights which are consistently ENFORCED!***

The Amendments to the 9/21/2017-Docketed In Forma Pauperis Petitions for Writ of Certiorari in both Case Nos. 17-6071 & 17-6072 which were noted 21 days thereafter in accordance with FRCP Rule 15(a)(1)(A) and in the 10/12/2017 "Supplemental Brief of Petitioner / Second Petition for Writ of Certiorari to the Supreme Court of Virginia [Record No. 170569]," Paragraph 2 have been incorporated into Petitioner's Rule 33.1 Reprints filed 12/18/2017. The 10/12/2017 "Supplemental Brief of Petitioner / Second Petition for Writ of Certiorari to the Supreme Court of Virginia [Record No. 170569]" is truly **MOOT**.

In order to differentiate this "Amended Supplemental Brief of Petitioner" from the previous 10/12/2017 "Supplemental Brief of Petitioner / Second Petition for Writ of Certiorari to the Supreme Court of Virginia [Record No. 170569]," the word "AMENDED" was added to this new Supplement.

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The 9/21/2017 In Forma Pauperis Appendix contains three Exhibits which would have needed to be photographs in the Rule 33.1 Appendix to do them Justice. Rule 33.1 does not really address this situation and Petitioner has acted conservatively by not including photographs of Virginia Senator Chap Petersen's Campaign Sign and Petitioner's 3/19/2016 Present-Sense Impression Notes in his Appendices for the Reprints. These are in the 9/21/2017 In Forma Pauperis Appendices. Petitioner did not want to have his Reprints "bounced" over photographs. The latter of these being Notes that are Hearsay Exception Evidence (Federal Rules of Evidence, Rule 803 (1 & 2)) led Petitioner to hire a Forensic Audio Expert Barry G. Dickey, DABRE, FACFE in April of 2016 who provided a 5/4/2016 Certified Report. Petitioner described these Exhibits with words as best he could and believes no apparent mention of photographs in this Court's Rule 33.1 gives him this liberty.

Petitioner corrected a few other typos from the 9/21/2017 In Forma Pauperis Petitions for Writ of Certiorari in the Reprints. He missed a comma on Page 8 (U.S. Amendment XIV) and "Propsequied" on Page 23 (Paragraph 15 on same line as bold "**a**") of the Reprints. Also missed under "**JURISDICTION**" on Page 7, the latter half of Paragraph 5 is now on Page "13" and the latter half of Paragraph 7 is now on Page "15." Paragraph 13 on Page 21 has "5/19/2026." None of these typos change any Arguments. One typo removed quotation marks where there was argument in information Petitioner gathered from the web (Page 25).

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SCV Record No. 170569, *Commonwealth of Virginia v. Gregory Shawn Mercer*, was described in the Petitions for Writ of Certiorari (Case Nos. 17-6071 & 17-6072) on Pages 5, 56, 59-60 (Questions #7 - #8, #10 - #11), 62-63 (Question #25), 69-72, 75-78 ("Alexandra P. Vakos," "3/31/2017," "8/22/2017," "11/2/2017," "Judge S. J. Stoney"), and "Appendix Explanation" pages A29-A43. Petitioner has until 1/4/2018 to file his Petition for Writ of Certiorari to the SCV for Record No. 170569 based on a 10/6/2017 SCV Final Order.

Petitioner alleges the Justices of the SCV En Banc committed another **ACT OF TREASON** in Record No. 170569 by violating their Oath of Office to support the Constitution of the United States inclusive of the Supremacy Clause (Article VI, Clauses 2 & 3) and U. S. Amendments V and XIV when the SCV denied Petitioner's Federal Right to Due Process and Protection from ***Vindictive Prosecution***. The FCCC Prosecutor Alexandra P. Vakos had reneged on a 2/1/2016-arranged plea agreement (See *United State v. Goodwin*, 457 U.S. 368, 102 S.Ct. 2485, 73 L.Ed.2d (1982)), the arresting officer FCPD Officer Carl Jenkins misled the 3/9/2016 Jury by committing perjury, then the arresting officer proved his Perjury by re-arresting Petitioner on 3/31/2017 collecting subsequent Passenger-Side Rear Window Tint evidence that conflicts with and emphasizes Perjury in the arresting officer's previous testimony concerning Petitioner's school-bound daughter being in the car at the time of the first arrest. This Perjury, in turn, provides evidence of 3/31/2017 Stalking and 3/9/2016, 8/22/2017, & 11/2/2017 ***Vindictive Prosecution***.

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This case concerning the 3/31/2017 re-arrest was heard in the FCGDC before Judge S. J. Stoney on 8/22/2017 then in the FCCC before Judge B. A. Kassabian on 11/2/2017 as FCCC Case Nos. MI-2017-1481 & MI-2017-1482. Petitioner filed an 11/13/2017 "Objection and Motion for Rehearing / Notice of Filing Transcripts / Attachment to Petition for Writ of Certiorari to the Supreme Court of Virginia Filed in the Supreme Court of the United States (hereafter '**11/13/2017 Objection and Motion for Rehearing**')."

Petitioner would like this Court to read his 11/13/2017 Objection and Motion for Rehearing as it relates to the cases in this Court (Case Nos. 17-6071 & 17-6072). Petitioner's argument in this Court is that COV, Article VI, Section 7, Paragraph 1 makes the Virginia General Assembly instead of the PEOPLE the Electorate of Virginia Judges. The Police endorse the Virginia Representatives for Office in General Elections. This creates a Conflict of Interest where Virginia Judges have more Allegiance to the Police who are connected to the Judges' Electorate than to the State Rights of the PEOPLE contrary to COV, Article I, Section 2. This was played out by Judge S. J. Stoney on 8/22/2017 in the FCGDC. This was played out by Judge B. A. Kassabian on 11/2/2017 in the FCCC. As of 11/30/2017 by FCCC Notice of Appeal then "11/31/2017" (Oops! – 12/1/2017) FCCC Amendment by Addition to Notice of Appeal stating two Transcripts were filed in the FCCC cases, these FCCC cases have become COAV Record No. 1931-17-4. **The Virginia Sovereign is no longer the PEOPLE. The new Virginia Sovereign is the *VIRGINIA POLICE*. COV, Article VI, Section**

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7, Paragraph 1 is Unconstitutional and conflicts with the intent of COV, Article I, Section 2! Petitioner invokes COV, Article I, Section 3 to reform, alter, or abolish the Virginia Constitution according to his indubitable, inalienable, and indefeasible Right as a Virginia Citizen.

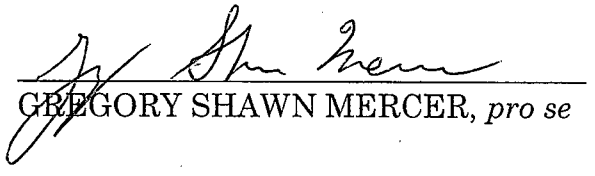
While the SCV Record No. 170569 case has until 1/4/2018 to be filed in this Court and there will be a Motion to Join this new case with Case No. 17-6072 which both involve Petitions for Writ of Certiorari to the SCV (Rule 12.4), what is contained in the Appendix to follow is a demonstration of the fact that Virginia Judges Allegiance is now with the VIRGINIA POLICE. As argued by Petitioner in Case Nos. 17-6071 & 17-6072, this is because the PEOPLE do not elect Virginia Judges which elections are made by the Virginia General Assembly endorsed by the Virginia Police due to the Constitution of Virginia, Article VI, Section 7, Paragraph 1 which is contrary to *Duncan v. McCall*, 139 U.S. 449, 461, 11 S.Ct. 573, 577 (1891).

Petitioner herein complies with Rule 14.1(f) (Appendix hereto has Constitutional Provisions and Statutes) which he missed the first time around but which the 11/13/2017 Objection and Motion for Rehearing now provides him a second correcting opportunity. Petitioner reminds this Court he is *pro se* and is expected to have more difficulties than lawyers but he is still reasonably required to provide the required material [*Taylor v. Books a Million, Inc.*, 296 F.3d 376, 378 (5th Cir. 2002); *Riddle v. Mondragon*, 83 F.3d 1197, 1202 (10th Cir.

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1996); *Atherton v. District of Columbia Office of Mayor*, 567 F.3d 672, 681-82 (D.C.Cir 2009)]. 'Pro se complainants are held to less stringent standards than formal pleadings drafted by lawyers.' 'Conclusory allegations or legal conclusions masquerading as factual conclusions will not suffice to prevent a motion to dismiss.' 'But even a *pro se* complainant must plead "factual matter" that permits the court to infer "more than the mere possibility of misconduct."'

Respectfully Submitted,



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