

No. 17-7063

In the Supreme Court of the United States

Theresa A. Odejimi
Petitioner

v.

Town of Windsor, New York
Mr. Robert Brinks and Mr. Gregg Story
The New York Municipal Insurance Reciprocal
Respondent's

Petitioner's "Brief for Rehearing"

Compelling Reasons relevant of Courts Decision For

Petitioner's Writ of Certiorari

Theresa A. Odejimi (n/k/a) Theresa A. Logan, Pro Se
50 Williams Road Windsor, New York 13865
607-655-1853

Attorney James P. O'Brien, Esq. (Respondents Attorney)
Mailing Address
P.O. Box 2039
Binghamton, NY 13902-2039

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Chief Justice Thomas,

Justices, Ginsburg, Kennedy, Roberts, Kagan, Alito, Sotomayor, Gorsuch,

BACKGROUND

Petitioner's Name at that time was Theresa A. Odejimi. Petitioner married in September, 2012 and is now known as Mrs. Theresa A. Logan. Petitioner worked in the medical field for over 45 years, the last 20 of those years in the Operating Room/Surgery, before "Resigning from her job in February 2013, due to "Blunt Force Trauma" as snow, rock-salt and gravel was caste upon her defenseless body, from her neck to her lower thighs, while standing at the front of her car after just finishing clearing the snow, from the storm the day before, to drive off to work.

Petitioner suffered serious injuries at the hands of Mr. Gregg Story and Mr. Robert Brinks while in operation of an 80,000 pound/20 ton, Snowplow Truck, "Speeding", "no flashing lights" as seem in photo submitted. Mr. Brinks and Mr. Story after severely injuring the Petitioner, drove away from the scene. They drove back to the scene 10-15 minutes or so later, pointing, laughing and taunting Mrs. Logan after what they had just done to her. She could have been killed, instead, she's maimed for life!

Mrs. Logan was in shock at what had just happened, shaking and

obviously scared, very cold, as she cleared the snow off her body and her feet. She then began to clear the snow from around her car for the second time, (her keys and cell phone were inside her car and the engine was still running). The Respondents Attorney O'Brien states, On the day in question, "Petitioner only lived at her residence for 6 months" this is a lie. Mrs. Logan had been at her residence almost 3.5 years.

Statement of Fact

Petitioner started her job January 2008, working in the "Operating Room/Surgery" at Our Lady Of Lourdes Hospital in Binghamton, New York. Petitioner, is also the "Victim" of this "Total Obstruction of Justice", perpetrated on her and the Court(s), by the Respondents and their Attorney. Attorney O'Brien has bullied the Petitioner and delayed this case. He's tried to insult her intelligence. Petitioner is also "Pro Se". He has stated "Her briefs are unintelligible", "she's sending different documents and briefs to the Courts", which is also a lie. Mrs. Logan has followed protocol where the Courts are concerned as far as filing briefs and evidence.

After going to the clerks office, and speaking with Mr. Rick Blythe in Binghamton New York, spending hours looking over files in February 2015, this is when petitioner found out about a "Scheduled Deposition" for

May 15, 2015 9:30 am. Attorney Benjamin had been non responsive to petitioners telephone calls. He was rude and would hang up the telephone when petitioner would call to inquire about her case, with her husband witnessing this behavior. Mrs. Logan, her husband and their Pastor, showed up for the Deposition on May15, 2015. Attorney Benjamin, "didn't even Acknowledge their presence in the Court Room" at all!.

Then, Judge Lebous Bailiff lead Petitioner, her husband, Attorney Benjamin and his Associate, Attorney O'Brien, to his chambers, the Judge joined us. Attorney Ronald Benjamin was dismissed from Petitioner's case by Judge Lebous at the Supreme Court May 15, 2015. Petitioner phoned and asked Attorney Benjamin for her files and his response was "I'm not giving you anything", he then, hung up the telephone. Petitioner tried and spoke with over 25 Attorneys for Representation but to no avail.

This horrific Intentional Infliction of Physical and Emotional Distress, Negligent and Reckless Driving, "Operated and Driven by Mr. Gregg Story and Mr. Robert Brinks in the Town Of Windsor, New York, is covered by the "New York Municipal Insurance Reciprocal which carries bodily injury limits of \$1,000,000.00 dollars for such accidents, adjuster handling it is Mr. Heeran Persaud.

The Town has reluctantly paid for the "2 major surgeries" Mrs. Logan

had, "Cervical Fusion" C3-4 and C5-6 Cadaver bones, plates and screws also L4-5 and L5-S1 Pedicle screws in 2014, however, she has not had "Physical Therapy" ("her current insurance won't cover no-faults bills"), she has been left with the equipment to do physical therapy at home. (even though this was the equipment used before her surgeries) Mrs. Logan is still left with almost \$10,000 dollars in "unpaid medical bills", monies out of pocket Petitioner, and she has been paying \$25 dollars a month to keep these bills from going to collections and ruining her credit. Also \$20,000 dollars from her Fidelity, Trans America, and Ascension Health 401K retirement plan, for living expenses since 2013.

Respondents testified about flashing lights, on their truck, there are "no flashing lights", they are "Speeding 40-45", miles per hour which "is not the Towns speed limit, 30 miles per hour is". They even admitted going 55MPH during the Video Deposition. Respondents state, "Mrs. Logan was parked in the road", they state "she was parked in her driveway".

Photos will show Mrs. Logan was neither parked "in the road" or "parked in her driveway", especially during "winter months". The Respondents also state "she is the only resident that parks this way". "photo Submitted of Neighbor parked, similar. Mrs. Logan states, "that most

residents located in the same area, park next to the road, on their property, during the winter months for easy access“ because the snow gets so deep.

On the day in question, March 7, 2011. Mrs. Logan was actually parked, “On her property in front of her driveway next to the road. (March 6, 2011 the day before, there was an intense snow storm. The Respondent’s state “This incident happened at 7am, and there was only 4 inches of snow”, that’s a lie. In December 2011, the “First Video Deposition with the Judge“, in Binghamton New York, where Mrs. Logan was being represented by Attorney Eric Gruber, (who now resides in Florida) who, at that time was working as an Associate, of Ronald Benjamin.

Documents will show that petitioner swipes in and reports to work on or before 7am, (except on week-end call) therefore she leaves for work at 6am to be at work by 7am, as she has stated multiple times, and not as the Respondents states that the incident happen at 7am. Pg? Mr. Brinks and Mr. Story stated, during the ”Video Deposition” while under oath, “The Towns speed limit was 55 mph” page? The “Video Deposition” which petitioner was unable to get, because she was told “she needed to be and attorney”.

After working several weeks in tremendous pain and discomfort, getting cortisone injections in her spine while under x-ray, little relief was

felt. Petitioner couldn't get an MRI under her job because it wasn't "Job Related". Petitioner was under contract with her job, she took "Family Medical Leave Of Absence". Mrs. Logan could take only 90 days or lose her job. She took physical therapy at home with her husbands help. She was on multiple medication, including Cymbalta, which causes "short and long term memory loss", she's still recovering from this.

Attorney O'Brien states, his diagnosis to the Courts? "The Petitioner has bone degeneration and arthritis", this is also a lie. Attorney O'Brien states "Petitioner is submitting to the Courts different documents with each one of her motions filed. This is a lie. The first Brief that was sent to the Petitioner by Attorney O'Brien "had between 1000 to 1500 pages". I'm sure Attorney O'Brien knows, "The Purpose of Law is To Right Wrong and "The Arc of The Moral Universe Is Long, But It Bends Towards Justice"!.

The records also will show, that, while in Judges Lebous Chambers, Mrs. Logan was "willing and trying to settle out of Court" on May 15, 2015 and would take, \$40,000 dollars and she asked for \$10,000 dollars to pay her outstanding medical bills. However, Attorney O'Brien wouldn't negotiate with Petitioner.

Reason for granting Petition

Attorney O'Brien has continued to drag this case on and now he's complaining about "The Statue". Three more years have passed, and he's still up to his shenanigans. Petitioner has asked, Attorney O'Brien and pleaded with the Courts for " A Background Check on Mr. Robert Brinks and Mr. Gregg Story to Determine possible, Tickets, Write Ups, Warning, Other Accidents Respondents might be involved in, Were They Under the Influence, Violations and the like".

What do Mr. Brinks and Mr. Story have to Hide? The only information submitted by Attorney O'Brien was, "One of The Respondents was Retiring".

With all the information, and documents submitted to the Courts by the Petitioner in regards to "The day in Question", "Her Personnel Life", This Lawsuit ", Petitioner doesn't understand why Attorney O'Brien continues to "Dodge the Issues at Hand" what does this information have to do with the events of The "Day In Question"?

Petitioner expresses that "The Day In Question" of this Horrific Incident, all she wanted to do was go to work, as she had done thousands of times before. Petitioner wasn't driving the truck that day, so why is she being punished, and the Respondents being protected by the Law? Yet, she

continues to be punished for the Battery upon her person, caused by the Respondents and their Attorney. Why? All the Petitioner wants is, **Justice!**

Petitioner, Mrs. Theresa A. Logan-Pro Se, asks the Court for,

Rehearing of Critical Evidence And

“Grant Petitioner Writ Of Certiorari”, so “Justice Can Be Served”.

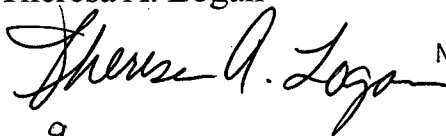
Conclusion

Petitioner was a healthy 58 year old when this incident occurred. “She had no medical issues“. Some of the photos will show what she’s had to endure. Attorney O’Brien is attacking Petitioner again, with lies about her submitting her Motions to the Courts on time, she submitted evidence of certified mails also. How about talking about “The Day In Question“? that you keep avoiding Attorney O’Brien?

Mrs. Logan has missed, “5 years of work as well as Income“. Mrs. Logan can’t quote or speak the law like attorney O’Brien does, however, “right is right” and “wrong is wrong” and she would like to have her life back“. She went into the medical field “To Help Save Lives, And she Did!“. Mrs. Logan pays her taxes and has never even had a ticket. Mrs. Logan would like to go with the original amount of this Lawsuit for \$209,000 dollars with interest” or what the, Justice(s) “deem fair“. Thank-you

Sincerely and Respectfully,

Theresa A. Logan



swan before me
on 3/12/18
ARPAN BHUTWALA
Notary Public, State of New York
Qualified in Broome County
Reg. No. 01BH6367998
My Commission Expires 12/04/2021

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