

No. 17-7313
IN THE
SUPREME COURT OF THE UNITED STATES

Theodore Luczak
Petitioner,

- VS -

Lisa Madigan
Respondent,

PETITION FOR REHEARING

Now comes petitioner, Theodore Luczak, pro-se, respectfully moving this court, pursuant to Rule 44 of the Supreme Court, seeking a Rehearing on the denial of his Writ of Certiorari.

In support of this petition the petitioner presents the following:

"Experience hath shown that, even under the best forms of [Government], those entrusted with power in time, and by slow operation;

pervert it into tyranny". Thomas Jefferson - 3rd President. Such is the matter now before this court, where the Prison Litigation Reform Act (PLRA) has become beyond unconstitutional, and has perverted federal judges into Radical Terrorist; in ignoring the imminent danger exception, all under the cover of law, and with color of justice; in which there is no more tyranny then such. U.S. v. Jannottie, 673 F.2d 578, 614.

Petitioner does not use the words "Radical Terrorist" with any kind of spite, as the following exhibits expreses such actions.

In Luczak v. Pfister et al., at a merit review hearing, the Honorable Harold A. Baker of the U.S. Central District of Illinois, found that the petitioner stated a claim of retaliation in violation of his First Amendment. (See Exhibit #1) Shortly thereafter, the defendant's in the case, took further retaliatory actions against petitioner that resulted in petitioner filing a Temporary Restraining Order, that was subsequently denied. Prior to this denial, petitioner adequately demonstrated to the court, the need for a T.R.O., in his response to the defendant's answer to his

request for a T.R.O. Petitioner presented the following documented evidence, that in the past the defendant's subjected him to assaults by Staff and Inmates; Mail Tampering; Created Tention between petitioner and his known enemy, and Frequent Cell Transfers (See Exhibit #2)

In that courts order entered on April 2, 2015, it held that; the Prison Litigation Reform Act (PLRA) limits its scope of authority, to enter an injunction in the corrections context. (See Exhibit #3 at page 2 of Analysis) In the same order, the court acknowledged the fact that; an inmate threatened to break petitioner's jaw, (See Page 4 of Exhibit #3) but made a Radical Finding by stating: "there is no evidence that petitioner has been exposed, or is currently being exposed to the alleged risk of harm". But had the petitioner been assaulted, then this same Radical Terroristic Court would have denied petitioner leave to proceed in forma pauperis; basd on a past harm, as they have done in Luczak v. Pfister. et al., 13-1094. (See Exhibit #4)

The court then enforced further retaliatory actions against petitioner; by first denying his T.R.O., (See Exhibit #3) then after the defendant's in that case, placed petitioner in segregation for six months; (See Exhibit #5) was only feed half portions of the meals served. (See Exhibit

#6) was denied adequate clothing; (See Exhibit #7) was assaulted by staff again, (See Exhibit #8) and had all his legal documents destroyed. (See Exhibit #9) Upon moving for Sanctions, the defendant's only claimed that plaintiff was in the wrong court. (See Exhibit #10, Page 2 ¶9) Petitioner even filed a complaint against the federal judge, that was denied. (See Exhibit #11) Next, the actions taken by the judge, can only be described as Terroristic, as after all the retaliatory actions taken against petitioner and the court having personal knowledge of said actions, the federal judge then vacated its order allowing petitioner leave to proceed in forma pauperis, and dismissed the complaint. (See Exhibit #12)

Upon petitioner attempting to file a complaint against the defendant's, for assaulting him and subjecting him to unconstitutional conditions of his confinement, the petitioner was subjected to the following Radical Terroristic actions: First, the defendant's refused to provide him a six month audit of his trust account, so he had to request an extension of time to file an in forma pauperis application. (See Exhibit #13) As the defendant's refused to provide petitioner the required six

month audit, the federal judge found a way through the Prison Litigation Reform Act (PLRA) § 1915(a)(2) to deny plaintiff leave to proceed in forma pauperis, knowing that the defendant's have full control of providing petitioner the required six month audit, it ordered petitioner to provide the court with such audit. (See Exhibit #14) So petitioner had to request another extension of time. (See Exhibit #15) On July 7, 2016, the court ordered the prison officials, to provide petitioner with the required six month audit. (See Exhibit #16) As the defendant's failed to comply with the court's July 7th order, he requested sanctions. (See Exhibit #17 Page 2)

The actions next taken by the federal court, can only be described as Radical and Terroristic, as the court dismissed petitioner's complaint, because the defendant's refused to provide the petitioner with the six month audit. (See Exhibit #18) To make matters worst; this same Radical Judge denied petitioner's Writ Of Execution, when the defendant's took petitioner's typewriter, and in said order the judge held that: "But the judgment in this case was a dismissal with prejudice; it did not, by its terms, require return of plaintiff's typewriter". (See Exhibit #19)

Given these facts supported by documents, the

[Government] has become a lawbreaker, and thereupon breeding contempt for the law; and inviting every man to become a law unto himself, and further inviting anarchy. For this court to declare that in the federal system; under the mandates of the Prison Litigation Reform Act (PLRA), the end justifies the means - to declare that the [Government] may commit civil crimes, in order to prevent complaints against defendants - would bring terrible retribution.

Sir Erskine May eloquently declared: "Nothing more revolting to Englishmen than the espionage which forms part of the administrative system of continental despotisms. It ~~and~~ haunts men like evil genius; chills their gaiety, restrains their wit, casts a shadow over their friendships, and blights their domestic hearth".

It is just as well that; justice is blind, because she would not like the things done in her name, if she could see them.

You tell society a lot of lies about prisons and its prisoners, but the biggest of them all, is calling it the criminal justice system. It is not a system; but only that of a hovel, and has nothing to do with justice; but everything to do with

criminal conduct, where its only mission is to make its inmates lifelong anti-social animals.

The right to be let alone, is the most comprehensive of rights one has. Olmstead v. U.S. 277 U.S. 438, 478 (1928)

WHEREFORE, petitioner has some confidence in this court that, after its adequate review of the attached documents, it reconsiders its denial of petitioner's Writ of Certiorari, and order a full briefing.

1st Theodore J. Jupp
Petitioner Pro-Se

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