

No. 17-8702

IN THE
Supreme Court of the United States

ELOUISE BRADLEY
Petitioner

v.

WISCONSIN DEPARTMENT OF CHILDREN AND FAMILIES, et al
Respondents

**ON WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS
FOR THE SEVEN CIRCUIT**

PETITION FOR REHEARING

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PETITION FOR REHEARING

Pursuant to Supreme Court Rule 44.2, (Elouise Bradley)(pro se) petitioner respectfully petitions this Court for rehearing of its June 25, 2018 order denying the petition for a writ of certiorari in this case, with Justice _____dissenting from the denial of certiorari. Petitions for rehearing of an order denying certiorari are generally granted in two instances: if a petitioner can demonstrate "intervening circumstances of a substantial or controlling effect"; or if a petitioner raises "other substantial grounds not previously presented." R. 44.2. As set forth below, petitioner satisfies both categories..

I

AN INTERVENING MATTER

An intervening matter is about 55 percent to 60 percent of the litigants who file appeals with the 7th Circuit represent themselves without lawyers. Very few pro se litigants are provided the opportunity to argue their cases in court. The 7th Circuit rules on most of those cases based on the briefs. Judge Richard A. Posner¹ says clashes with his fellow judges over the way the 7th U.S. Circuit Court of Appeals treats litigants who represent themselves led him to retire from the bench earlier than he planned on Sept. 6, 2017.²

¹ Judge Richard A. Posner (Circuit Judge whom decided #No. 13-1609 Aug. 30, 2013 *Elouise Bradley v.s Wisconsin Dept. of Children and Families denied and also Oct. 2013*

² <https://www.chicagolawbulletin.com/archives/2017/09/06/posner-benc>

II

SUBSTANTIAL GROUND

The petitioner respectfully submits, on substantial grounds not previously presented, that the Supreme Court should exercise the judicial courage to review the combination of substantial or controlling effect of the intervening matter under the Due Process Clause of the United States Constitution, that all litigants are entitled to objective impartiality from the judiciary. *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009).³ the United States Supreme Court offered guidance on this standard. In multiple interviews, United States Court of Appeals for the Seventh Circuit Judge Richard Posner disclosed that most judges regard pro per litigants as "kind of trash not worth the time." "Judge Posner has admitted what no active judge in California will ever admit in public. From the trial courts to the Supreme Court, the poor who can't afford to pay for an attorney and are forced to represent themselves in court are treated as second class citizens," said whistleblower Ulf Carlsson. "California courts are pay-to-play."

^{3.5} *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009). is a case in which the United States Supreme Court held that the Due Process clause of the Fourteenth Amendment requires a judge to recuse himself not only when actual bias has been demonstrated or when the judge has an economic interest in the outcome of the case, but also when "extreme facts" create a "probability of bias."

III

ARGUMENT

Posner's retirement leaves four of the 7th Circuit's 11 seats vacant. Terence T. Evans took senior status in January 2010 and died the following year. John Daniel Tinder took senior status in February 2015 and retired from the bench eight months later. Ann Claire Williams took senior status in June and intends to retire by the end of the year. In his e-mail, Posner conceded his departure from the 7th Circuit "will greatly increase the burden on the existing judges." Judge J.P. Stadmueller dismiss the petitioner case on Sept. 17, 2017. Then around 3/21/2018 Judge Richard A. Posner wrote his first brief ⁴ "fight for pro se litigants to the next level". Judge J.P. Stadmueller than sanction the petitions for two years, until 3/ 2020.

The intervening matter provides evidence that 7th district court had no interest this case,, the poor who can't afford to pay for an attorney and are forced to represent themselves in court are treated as second class citizens.

*Brown v. Board of Education*⁵ (17 May 1954) —It is impossible to mention victories of the Civil Rights Movement without pointing to *Brown v. Board of Education*.

^{4, 10} <https://abovethelaw.com/2018/03/judge-posner-files-first-brief-sinceleaving-the-bench-lights-into-federal-judiciary/2>

^{5,1,3,8} *Brown v. Board of Education* see complaint filed by petitioner

*Brown v. Board of Education*⁵ (17 May 1954) —It is impossible to mention victories of the Civil Rights Movement without pointing to *Brown v. Board of Education*. Following the Court's ruling in 1896 of *Plessy v. Ferguson*⁶, segregation of public schools based solely on race was allowed by states if the facilities were "equal." *Brown* overturned that decision. Regardless of the "equality" of facilities, the Court ruled that separate is inherently unequal. Thus public school segregation based on race was found in violation of the 14th Amendment's Equal Protection Clause. The petitioner could not continue this class on June 27, 2013 because she was no longer license. Elouise Bradley⁷(pro-se) civil rights was violated and as long as the state entity receives federal funding, 42 U.S.C § 1983⁸ sovereign immunity for discrimination cases is not abrogated, but voluntarily waived, also see *Ex parte Young*, 209 U.S. 123.(1908)⁹.

REASONS FOR GRANTING THE PETITION

THE COURT SHOULD GRANT REHEARING AT THE APPROPRIATE TIME IN LIGHT OF ONGOING EFFORTS TO SEEK RELIEF on 12/06/2012 DK #1 by EEOC (Right to Sue) Rule 8(f) FRCP to construe my pleading without regard to technicalities¹⁰

^{5,1,3,8} *Brown v. Board of Education* see complaint filed by petitioner

⁶ see complaint filed by the petitioner on 12/06/2012 DK #1 by EEOC (Right to Sue)

⁷ [https://content.next.westlaw.com/Document/ Reply Brief of Plaintiff-Appellant Elouise Bradley](https://content.next.westlaw.com/Document/Reply%20Brief%20of%20Plaintiff-Appellant%20Elouise%20Bradley)

⁸ Rtr the Honorable Judge Rudolph T. Randa No. 13-1609. July 29, 2013.

⁹ *Ex parte Young*, 209 U.S. 123 is a United States Supreme Court case that allows suits in federal courts against officials acting on behalf of states of the union to proceed despite the State's sovereign immunity, when the State acted unconstitutionally.

¹⁰ Rule 8(f) FRCP to construe my pleading without regard to technicalities.

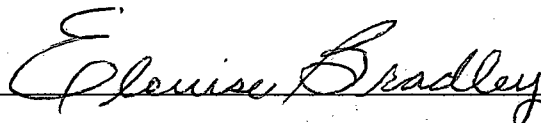
CONCLUSION

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

Copy sent to:

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Date: Friday June 29, 2018



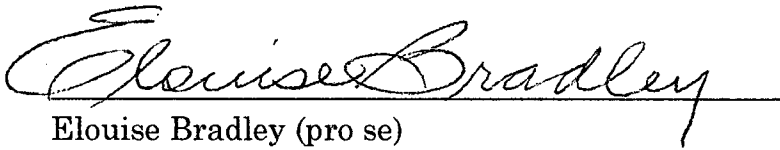
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To the Clerk

Elouise Bradley mail 10 copies of PETITION FOR REHEARING on Friday June 29, 2018 with one extra copy totaling 11 copies. And one copy was sent to Counsel for the Respondents also.

A handwritten signature in cursive script that reads "Elouise Bradley". The signature is written in black ink and is positioned above a horizontal line.

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