

NO. 17-8867

IN THE SUPREME COURT OF THE UNITED STATES

JOHN BENJAMIN CLOPTON, JR.,

Petitioner,

v.

MARY MURPHY, Judge,

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI

TO THE SUPREME COURT OF TEXAS

FROM 443RD DISTRICT COURT OF ELLIS

COUNTY, TEXAS, CAUSE NO. 93384

PETITION FOR REHEARING

The Petitioner, herein,

respectfully, moves this Court for an order (1) vacating its denial of the petition for writ of certiorari that was entered on October 1, 2018, and (2) granting the petition. As grounds for this ~~petition~~, petitioner states the following, to wit:

The petition for rehearing of the Petitioner's "petition for writ of certiorari" should be granted because the order, erroneously, docketed the caption/style of the case as arising from the District Court of Grayson County, Texas. Respondent MARY MURPHE was merely acting in her official capacity as "the Presiding Judge, First Administrative Judicial Region of the state of Texas, over the 443RD District Court of Ellis County, Texas, Cause No. 93384. Judge MURPHY was not acting in her official capacity over the

District Court of Grayson County, Texas for Case No. 17-8867 whatsoever; Judge MURPHY was acting over the 443RD District Court of Ellis County, Texas, Cause No. 93384. See the facts contained in the Petitioner's "Petition For A Writ Of Certiorari" at pages 1, 4, 6, 9, and "APPENDIX A" & APPENDIX B.

Petitioner clearly was entitled, as a matter of due process pursuant to the principles of MARSHALL V. JERRICO, INC., 446 U.S. 238, 242 (1980), the right to a fair and impartial tribunal as guaranteed by the United States Constitution. But these said principles were egregiously violated in the enforcement of Texas Rule of Civil Procedure 18a by the Court below; and this error — is of constitutional

proportions; and Tex. R. Civ. P. 18a must be found to be unconstitutional, because this combination of circumstances is so grossly violative of the principles of MARSHALL V. JERRICO, INC., SUPRA, as to call for reevaluation of the denial of certiorari and the Court must strike the Tex. Rule Civ. P. 18a(g)(3)(A) to insure that the litigants in the State of Texas, such as the Petitioner, have the right to a fair and impartial tribunal, which is the Public's right of Public integrity and transparency which is critical to protecting our democracy.

CONCLUSION

For the reasons set forth above, as well as those contained in the petition for writ of certiorari, petitioner prays that the Supreme Court of the United States grant rehearing of the order of denial, vacate that order, grant the petition and review the judgment and order below.

Respectfully submitted,

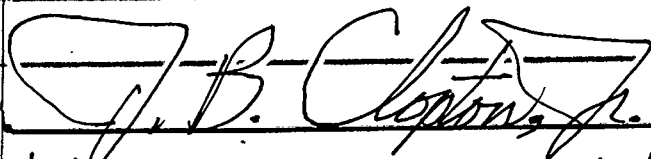


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October 25, 2018

CERTIFICATE OF PRO SE COUNSEL:

I ^{hereby} As Pro se Petitioner,
I certify that this petition for
rehearing is presented in
good faith and not for delay and
is restricted to the grounds speci-
fied in Rule 44.2.



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