

No. 22- 6093

IN THE
Supreme Court of the United States

—
STEVEN L. LONDON,

Petitioner,

v.

DENIS MCDONOUGH, SECRETARY OF VETERANS
AFFAIRS,

Respondent.

—
**On Petition for Writ of Certiorari to the United States
Court of Appeals for the Federal Circuit**

—
PETITION FOR REHEARING

—
STEVEN L. LONDON

Pro Se Petitioner

Ulitsa Vasil Mechkuevski 14

2700 Blagoevgrad

Bulgaria

+359(0)876529421

steven.london1@hotmail.com

Pro Se Petitioner

January 23, 2023

(i)

CORPORATE DISCLOSURE

**The Corporate Disclosure statement in the petition
remains unchanged.**

(ii)

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PETITION FOR REHEARING

Petitioner Steven Lee London respectfully petitions for rehearing of this Court's January 09, 2023, Order denying his petition for a writ of certiorari.

REASONS FOR GRANTING REHEARING

Rule 44.2 authorizes a petition for rehearing based on "intervening circumstances of a substantial... effect."¹ Mr. London's petition explained why this Court's review was warranted in the first instance—namely, the existence of clear, continuous violations of his constitutional rights.

The ongoing deprivation of Mr. London's constitutional rights, permitted by denials in the courts below and this Court, contradicts the oaths taken by the current Court to uphold the Constitution and its rights and protections.

Mr. London's suffers "concrete harm", establishing Article III standing. *TransUnion LLC v. Ramirez*, 141 S. Ct. 2190 (2021). Article III authorizes this Court to resolve the "cases" and "controversies" forced upon Mr. London by the unlawful actions of the Secretary and courts below. U.S. Const. art. III. When the government harms a person without following the exact course of the law, the violation of due process occurs, contradicting the rule of law. U.S. Const. amend. V.

¹ These circumstances include, inter alia: forced loss of Mr. London's Combat Related Special Compensation (CRSC), unlawful withholding of Mr. London's earned VA disability compensation, and the unresolved Tort Claim

Mr. London's appeal has reached this Court because the Secretary continues to violate laws, regulations, and constitutional protections, with the courts below failing to hold the Secretary accountable to the law.

Moreover, the question must be raised, and answered: What hinders this Court from holding the Secretary and courts below accountable to the law and Constitution?

Mr. London's petition noted the Court's denial does not maintain decisional uniformity with: *Brooke Group Ltd. v. Brown & Williamson Tobacco Corp.*, 509 U.S. 242 (1993); *FEC v. Wis. Right to Life, Inc.*, 551 U.S. 449, 462 (2007); *Los Angeles v. Lyons*, 461 U. S. 95, 109 (1983); *Lujan v. Defenders of Wildlife*, 504 U. S. 555, 560–561 (1992); *Mullane v. Cent. Hanover Tr. Co.*, 339 U.S. 306, 313, 70 S.Ct. 652, 94 L.Ed. 865 (1950); *Murphy v. Hunt*, 455 U. S. 478, 482 (1982); *Raines v. Byrd*, 521 U. S. 819 (1997); *TransUnion LLC v. Ramirez*, 141 S. Ct. 2190 (2021), and other federal cases.

The Court's January 09, 2023, denial bypasses the unresolved, unlawful constitutional infringements and the live controversies in this case. These controversies warrant a review of the memorandum and other documents² to verify whether the deprivation of Mr. London's constitutional rights, inter alia, were properly presented prior to the Court's January 06, 2023, conference. Mr. London would gratefully accept copies of these documents to review for judicial transparency.

² With personal identifying information (PII) of members of the Court redacted to preserve privacy

The Court should consider the consequences of selectively denying cases, like Mr. London's, that involve clear, unjustified constitutional violations. The Court's denial unjustly neglects Mr. London's due process rights and protections guaranteed by the Constitution. The Court is charged with ensuring the American people the promise of equal justice under law – it must not allow violations of constitutional rights to escape proper judicial review.

The Secretary and courts below willfully neglected multiple opportunities to properly adjudicate and make the record whole during the 9+ years Mr. London's appeal has languished, instead prolonging the legal process, and hindering the due administration of justice. Mr. London suffers the undue consequences of their unlawful actions.

The Court's denial enables and encourages the unlawful deprivation of Mr. London's (and others') constitutional rights.

The unresolved constitutional violations in this case are grounds for reversal and the award of damages. If the Court holds the Secretary (and court below) accountable to constitutional and statutory provisions, then justice prevails. If not, justice fails, and the continued deprivation of Mr. London's constitutional rights invites scrutiny from the legislative and executive branches, media, and veterans' groups.

A continued denial signals a loss of confidence in the justice system for Mr. London and the thousands of veterans and U.S. citizens facing similar due process issues, thereby weakening constitutional protections. The proper remedy is to grant certiorari and to uphold the Constitution, statutory provisions, and legal precedents.

CONCLUSION

For the foregoing reasons, and those stated in the petition for a writ of certiorari, the Court should grant rehearing, addressing all unresolved constitutional and statutory issues within its authority, and then grant the petition and review the judgment below.

Respectfully submitted,

STEVEN L. LONDON

Pro Se Petitioner

Ulitsa Vasil Mechkuevski 14

2700 Blagoevgrad

Bulgaria

+359(0)876529421

steven.london1@hotmail.com

Pro Se Petitioner

January 23, 2023

CERTIFICATE OF PETITIONER

Pursuant to Rule 44.2, petitioner Steven Lee London, hereby certifies that the petition for rehearing is restricted to the grounds specified in Rule 44.2, and that the petition for rehearing is presented in good faith and not for delay.

January 23, 2023

/s/ Steven Lee London

Steven Lee London

A handwritten signature in black ink that reads "Steven London". The signature is written in a cursive style with a long horizontal flourish at the end.