

IN THE

SUPREME COURT OF THE UNITED STATES

MOTION FOR LEAVE TO FILE PETITION FOR REHEARING

Richard Barroso-Petitioner,

v.

STATE OF TEXAS; TEXAS DEPARTMENT OF CRIMINAL JUSTICE (TDCJ);
TEXAS BOARD OF CRIMINAL JUSTICE (TBCJ);
TDCJ, EXECUTIVE DIRECTOR, BRYAN COLLIER;
& ACTORS THEREOF THESE-Respondents.

TO THE HONORABLE SUPREME COURT OF THE UNITED STATES:

COMES NOW, Richard Barroso, petitioner, prisoner, member of the suspect class of qualified individuals with disabilities, indigent, and pro se in most extraordinary circumstances, including unconstitutional conditions of his confinement, severely prejudicing him as a litigant in all previous and current state and federal litigations against him and by him and files this motion pursuant to Supreme Court Rule 44(6), and Rule 21, as latest Court response dated ¹Agust 28, 2024.

In support petitioner would show:

I.
PURPOSE

FOR AND ON THE RECORD, petitioner's purpose in this motion for leave is for the Court to find that, given petitioner failed to receive NOTICE that his petition for writ of certiorari was DENIED November 20, 2023 and was unaware of the denial until he received letter from Robert ~~Heek~~ on May 06, 2024, dated April 30, 2024 returning petitioner's "Application To Individual Justice Alito", stating "the Court had no jurisdiction over your case." This letter included date petitioner's writ of certiorari was denied, which brought some light into why Texas prison law library erred in depriving petitioner his 8-10 cubic feet of legal materials sought protected in (Leave)

noted application to Justice Alito, along with other confiscated personal property, of authorized and legally rightful possession, all deprived via prison actors' acts or omissions of retaliations for asserting his access to courts, speech, petition, cruel & unusual punishments, equal protections, and due process of these ongoing deprivations causing petitioner, his causes of action against prison actors and the prison injury/harm, and petitioner ongoing serious physical injuries, including degenerations of disabilities requiring multiple surgeries, and more scheduled or soon to be.

This was petitioner's first and only notice received that his petition was denied November 20, 2023, which from he diligently endured pushing production of papers to the Court beyond the capacity of disabilities, and despite interferences ongoing as harassments, retaliations, and discriminations to comply as this Supreme Court Case No. 23-5580 is the most important case of his life and MOST RELEVANT TO THE UNCONSTITUTIONAL CONVICTIONS AGAINST HIM, CONFINING HIM CURRENTLY UNLAWFULLY.

As such petitioner seeks to be granted leave to file petition for REHEARING.

2. Petitioner's purpose is also for this Court to recognize and lend extra leniency in this matter as petitioner is confined in conditions with "EXTRA SECURITY MEASURES" by the prison mailroom, which have been denying legal mail to prisoners from the state and federal courts. (SEE EXHIBIT A) Exhibit"A" is TDCJ Step 1 & 2 exhausted grievance # 2024070869, inmate name, Ben Arevalo III, confined at the Ramsey Unit and which petitioner assisted with the grievance of the inmate being denied legal mail from the Court of Criminal Appeals of Texas, because the mail from said Court was denied "for not passing the extra security measures. No disposition is allowed and the denial is non-appealable. Proper procedures were followed and no further action required." Petitioner had previously been denied mail from the courts and denied appeal, but did not keep grieving. Petitioner contends this most likely the reason he was denied NOTICE of November 20, 2023 DENIED petition. Further support would be this Court's Clerk's record of petitioner's submissions, retaliations or not.

(Leave)

3. Petitioner's purpose also, granted leave to file petition for rehearing seeking reinstatement of S.Ct. No. 23-5580, the case to be docketed that jurisdiction of this Court may be exercised to suspend the Order dated November 20, 2023 pending Petitioner's Application to Justice Alito for EMERGENCY RELIEF VIA ORDER OR VIA THIS COURT COMPELLING TDCJ TO PRESERVE FROM DESTRUCTION PETITIONER'S PERSONAL PROPERTY DEPRIVED BEGINNING JANUARY 03, 2023 through 2024 and provide all relevant POLICIES & DOCUMENTATIONS, INCLUDING CHAIN OF CUSTODIES, NAMES OF STATE ACTORS, AND CURRENT LOCATION OF ALL DEPRIVED PROPERTY, DOCUMENTATIONS TO INCLUDE PETITIONER'S ATTEMPTS AT RESOLUTION & GRIEVANCES. THIS PRIMARILY CONCERNS PETITIONER'S 8-10 CUBIC FEET OF LEGAL MATERIALS GERMANE TO CHALLENGING CONVICTIONS AND CIVIL ACTIONS STATE AND FEDERAL CHALLENGING CONDITIONS OF HIS CONFINEMENT DEPRIVING AND INTERFERING WITH HIS ACCESS TO COURTS AND PETITION RIGHTS, AND MORE.

Further sought relief via application upon suspended Order is hearing and determination of petitioner as a qualified individual with disabilities, which significantly impair several of his major daily life activities necessary to exercise public entities provided programs, services, or activities, AND those reasonable accommodations previously determined as reasonable, agreed upon via January 25, 2018 TRO teleconference via Brazoria County, Texas 412th District Court Cause No. 92497-I with Judge Denman presiding, and facilitated/provided the next day in compliance with RA/ADA.

Next on this subject is determination of "PUBLIC ENTITIES" pursuant to legislation of U.S. Congress, which according to petitioner's understanding, state prisons are public entities, but are state and federal court systems, such that petitioner's many requests for equal protections should have been answered with due process rather than "IGNORED" and "EVADED", "EVEN GIVING THE PLRA AUTHORITY OVER PROTECTED CONSTITUTIONAL RIGHTS & U.S. CONGRESS LEGISLATION PROVIDED RIGHTS, PRIVILEGES, OR IMMUNITIES NECESSARY TO PARTICIPATE IN SAID COURTS' PROGRAMS, SERVICES, OR ACTIVITIES WITHOUT CRUEL & UNUSUAL PUNISHMENTS, TO COMPLY WITH PLRA REQUISITES.

4. Petitioner has no other remedy at law than this Court and denied to be heard and (Leave)

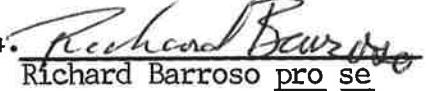
deterrmined of those deprivations and interferences, and serious physical injuries caused by them, petitioner will be denied JUSTICE & the RICO claims and the violations related and/or other habits & routine prison and courts practices will continue to be allowed to be superior to the Supreme Laws of the Land and gain unconscionably more momentum. Petitioner has the supporting documents if he may have them protected from loss, damage, theft, destruction, etc.

CONCLUSION

Petitioner prays for leave to be granted for said purposes and more that the rule of law will govern these proceedings for no more and no less than justice served.

UNSWORN DECLARATION

I, Richard Barroso, currently confined at the Ramsey Unit, Brazoria County, Texas, declare under penalty of perjury that the foregoing is true and correct.

Executed this the 12th day of September, 2024. 
Richard Barroso pro se