

No. 23-6059

IN THE

SUPREME COURT OF THE UNITED STATES

Michelle A. Ferrell - Petitioner

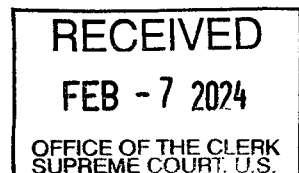
vs.

Marsha L. Fudge, Secretary, Department of HUD
Cathy A. Harris, Acting Chair, MSPB
- Respondents

MOTION FOR LEAVE OF COURT FOR RECONSIDERATION TO PROCEED *IN FORMA PAUPERIS*, AND A THIRTY (30)-DAY EXTENSION

Petitioner is responding to the Court's, Office of the Clerk's, January 8, 2024 letter. In accordance with Rule 39, Petitioner requests a Reasonable Accommodation, due to her disabilities incurred in the Air Force, to be allowed to continue to proceed *in forma pauperis* because her writ is not frivolous or malicious. And she has had problems with interpreting the rules-and-regulations of this Court due to her disability. Petitioner also states her finances do not allow her the opportunity to pay an Attorney.

1. Petitioner request the Supreme Court's Justices reconsider her request as her case involves an unusually legal principle. Lower courts are obligated to follow the precedent set by the Supreme Court when rendering decisions. Yet, the lower courts, MSPB and U.S. Court of Appeals for the District of Columbia, and the U.S. Court of Appeals for the FC allowed MSPB's Judge Mehan to not follow the Rules of the Court, to take out documents and switch petitioner's documents with a new document of the respondent, to not allow petitioner to use her evidence, to yell at the petitioner, and to believe what the HUD Attorney and their coached witnesses stated;



while disregarding petitioner's witnesses statements. These MSPB Judges should not be practicing law if they are not going to abide by the law. The District Courts and the U.S. Court of Appeals for the FC should follow their rules and laws to be fair to the Petitioner. Just because petitioner is pro-se is not a reason to allow the DOJ's Attorney's to win this case; especially since the DOJ has relied on the lies of HUD's Attorneys.

Petitioner states that since her initial submission to this Court, postmarked August 14, 2023, she was subjected to being ignored by the Clerks office, Clayton Higgins and Scott Harris. On November 2, 2023, Petitioner spoke with someone who stated she was a supervisor, named "Susan", who forwarded petitioner's message, to call her, to Mr. Higgins. Mr. Higgins never returned petitioner's call until petitioner reached out to others to contact Mr. Higgins. It was at that time Mr. Higgins would call petitioner. On two occasions, Mr. Higgins returned petitioner's documents. One time stating it was incorrect and to resend. The second time, with no further instructions, petitioner's case was returned. Petitioner had to call the Court for clarification.

Petitioner sent in the required documentation to proceed *in forma pauperis*. The Clerks refused to give petitioner a case number. The Court after months of trying to submit her documents, told petitioner her case was placed on the docket on November 20, 2023 as case No. 23-6059, and would be reviewed by the nine Justices. Not one time did the Court tell Petitioner, who suffers from disabilities, that her *in forma pauperis* request was denied. Why would the Court clerk allow Petitioner to send 10-copies of the case at least three (3) times, giving the impression her *in forma pauperis* was approved; knowing if a petitioner requests leave to proceed *in forma pauperis*, that petitioner "cannot" afford to send in 10-copies, over-and-over again; less alone the 40-copies which is required with a fee for non-*in forma pauperis*?

2. IAW Rule 30 (4.) petitioner is aggrieved by the Clerks' actions pertaining to this case, as listed above, and request that this motion be submitted to a Justice or to the Court. Petitioner request the Clerk to report action under this paragraph to the Court as instructed under this paragraph. Petitioner received a letter dated and post marked, January 8, 2024, from the Court on Monday, January 22, 2024. Petitioner request a 30-day extension to February 29, 2024 if any further action is required of her since she does have disabilities, and she did not received the denial letter from the Court until January 22, 2024. Petitioner cannot afford a lawyer, and the courts refuse to assign an Attorney to her knowing she has documented disabilities; regarding her inability to focus and/or concentrate etc. Petitioner asks the Court's reconsideration for *in forma pauperis*, and to review her briefs to the MSPB and to the U.S. Court of Appeals for the FC; without requiring any additional copies.

Copies were served to the opposing counsel.

Respectfully,

Michelle Ferrell, USAF vet., pro-se


I, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 29, 2023.

**Michelle A. Ferrell, pro-se,
USAF disabled vet**

Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001

Scott S. Harris
Clerk of the Court
(202) 479-3011

January 8, 2024

Ms. Michelle A. Ferrell
PO Box 820032
North Richland Hills, TX 76182

Re: Michelle A. Ferrell
v. Department of Housing and Urban Development
No. 23-6059

Dear Ms. Ferrell:

The Court today entered the following order in the above-entitled case:

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until January 29, 2024, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

Sincerely,



Scott S. Harris, Clerk

OFFICE OF THE CLERK
SUPREME COURT OF THE UNITED STATES
WASHINGTON, DC 20543-0001

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE \$300

*Received
Monday
Jan 22, 2024.*



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