

No. 23-6059

IN THE

**SUPREME COURT OF THE UNITED STATES**

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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 ADDITIONAL THIRTY (30)-DAY EXTENSION**

Petitioner is responding to the Court's, Office of the Clerk's, January 8, 2024 and February 8, 2024 letters. In accordance with Rule 39, Petitioner requested a Reasonable Accommodation, due to her disabilities incurred in the Air Force, to be allowed reconsideration 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 disabilities. Petitioner also states her finances do not allow her the opportunity to afford an Attorney.

1. IAW Rule 30 (4.) Petitioner is **aggrieved** by the Clerks' actions pertaining to this case, as listed above, and **requested her January 29, 2024, Motion be submitted to a Justice or to the Court.** (Request this Motion, dated February 29, 2024, also be submitted to the Chief Justice.) Petitioner requested the Clerk to report action under this paragraph to the Court as instructed under Rule 30 (4.) On February 13, 2024, Petitioner received a letter from the "Office of the Clerk" Jeffrey Atkins, dated February 8, 2024. The letter did not show that the Chief Justice reviewed petitioner's concerns listed on her January 29, 2024 Motion. To be exact

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petitioner requested the Court's Justices reconsider and allow her "*in forma pauperis*" status; Petitioner believes she was misled from her initial case submission, August 2024, until she received Clerk, Scott S. Harris', letter on January 22, 2024. Prior to January 22, 2024, petitioner was told to send copies of her documents, in denominations of 10; spending money on ink, paper and mailings; while given the impression her "*in forma pauperis*" was approved. Clerk Higgins would not return petitioner's phone calls. Petitioner believes the Chief Justice, or anyone over the Office of the Clerk Scott S. Harris, has not reviewed her January 29, 2024 Motion, or her case IAW Rule 30 (4). The February 8, 2024 letter from Clerk, Scott S. Harris, signed for by Jeffrey Atkins, Deputy Clerk, gave Petitioner an extension to February 29, 2024. However, there was no response or signature showing the Chief Justice, reviewed Petitioner's Motion for Reconsideration. Especially since petitioner stated she is aggrieved by the "Clerks" actions and concerned the Clerk's Office intentionally is sabotaging her case against a Federal Agency to discourage Petitioner from succeeding in bringing her Appeal to this Court for review.

Petitioner also believes the Office of the Clerk intentionally stalled on her "*in forma pauperis*" request which was submitted to the Supreme Court in August 2023, and was intentionally held-up until January 8, 2024; while the Clerk told petitioner she had to send the Court numerous documents - 10 copies; on 3 separate occasions; prior to January 8, 2024. (The letter denying petitioner *in forma pauperis*.) **Petitioner asks the Courts 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.**

2. Petitioner requested 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 no reason to allow the DOJ's Attorneys to win this case; especially since the DOJ has relied only on lies conjured by HUD's Attorney, Maureen Villarreal, et al.

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.

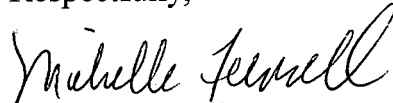
3. Petitioner sent in the required documentation to proceed *in forma pauperis*. The Clerks refused to give petitioner a case number. The Court, told Petitioner, after months of her trying to

submit 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 Clerk(s) 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 petitioner 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*?

4. Additionally, Petitioner cannot afford a lawyer, and the Court/Court Clerks’ refuse to assign an Attorney to her knowing **she has documented disabilities; regarding her inability to focus and/or concentrate etc. Respectfully, again request Reconsideration for *in forma pauperis* and additional extension to March 30, 2024.**

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 February 29, 2024.**

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