SUPREME COURT OF THE UNITED STATES

NO. 24-7281

LAWRENCE WATSON

Petitioner

v

PAMERSON IFILL

Respondent

PETITIONER'S MOTION FOR RECONSIDERATION

In the above captioned matter on October 6, 2025 This Court denied Petitioner's motion for leave to proceed in forma pauperis and dismissed his petition for a writ of certiorari, pursuant to Rule 39.8. Additionally, This Court ordered. "the Clerk...not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid...", allegedly because, "the petitioner has repeatedly abused this Court's process."

REASONS FOR GRANTING THE RECONSIDERATION

Rule 39.8 states, "If satisfied that a petition for a writ of certiorari, jurisdictional statement, or petition for an extraordinary writ **is frivolous or malicious,** the Court may deny leave to proceed in forma pauperis." (emphasis added) Petitioner's motion and petition is neither frivolous nor malicious. Petitioner has documented and proven that The Commonwealth of Massachusetts has violated and conspired to violate Petitioner's constitutional rights for more than three decades; the U.S, District Court in Massachusetts (Boston) and the Court of Appeals

for the First Circuit have been complicit in the violation and conspiracy to violate Petitioner's constitutional rights by issuing orders and decisions that were in direct contravention to established case law from This Court.

This Court's decision to restrict Petitioner's filings in This Court violates his First Amendment rights.

This Court has failed and has refused to answer questions of national significance and national relevance, pursuant to This Court's Rule 10.

I. Petitioner's petition for a writ of certiorari is neither frivolous nor malicious

Merriam-Webster dictionary defines frivolous as, "of little weight or importance; having no sound basis (as in fact or law); lacking in seriousness." Merriam-Webster dictionary defines malicious as, "having or showing a desire to cause harm to someone; given to, marked by, or arising from malice." Petitioner's petition addresses blatant violation of his constitutional rights and decisions that are in direct contravention to opinions of This Court.

Article III Section I of the U.S. Constitution established This Court as the supreme court of the nation. Pursuant to Supreme Court Rule 10, This Court can grant a petition for writ of certiorari if a state court of last resort and/or a United States court of appeals has so far departed from the accepted and usual course of judicial proceedings, or sanctioned such a departure by a lower court, as to call for an exercise of this Court's supervisory power or if either type of court has decided

an important question of federal law that has not been, but should be, settled by this Court, or has decided an important federal question in a way that conflicts with relevant decisions of this Court.

In the matter of Docket 23-7498, on February 9, 1995 an abuse prevention order was issued against Petitioner, in violation of Massachusetts General Law Chapter 209A, section3. Petitioner filed a timely notice of appeal on March 2, 1995. To date Petitioner has been denied an appeal in the matter. **Petitioner's petition at 3-5**

Also despite the timely filing of a notice of appeal in the probate court , in the matter of Docket 23-7498 Petitioner was denied a timely assembly of the record to the Appeals Court, as required by law, and denied repeatedly an appeal within 2 years of filing a timely notice of appeal, despite the Massachusetts Rules of Appellate Procedure. **Petitioner's petition at 7, 28**

Additionally in the matter of Docket 23-7498 the courts of the Commonwealth have denied routinely and repeatedly Petitioner access to court documents and court tapes. **Petitioner's petition at 3 footnote 1, 28** Court tapes are destroyed in 18 months and therefore Petitioner was unable to perfect a complete record for appellate review.

This Court has determined that the fundamental requisite of the procedural component of the Due Process Clause demands the opportunity to be heard "at a meaningful time and in a meaningful manner." Mathews v Eldridge, 424 U.S. 319,

96 S.Ct 893, 47 L.Ed.2d 18 (1976); Armstrong v Manzo, 380 U.S. 545, 552, 85 S.Ct. 1187, 1191, 14 L.Ed2d 62 (1965); Grannis v Ordean, 234 U.S. 385, 394, 34 S.Ct. 779, 783, 58 L.Ed 1363 (1914) The courts of the Commonwealth violated repeatedly Petitioner's due process rights under the Fourteenth Amendment. **Petitioner's petition at 26-28**

In the matter of Docket 23-7498 (**Petitioner's petition at 26,27**), the repeated refusal of the courts of the Commonwealth to provide Petitioner access to court tapes and court documents violated not only Petitioner's due process rights but also Petitioner's First Amendment and rights. See Nixon v Warner Communications. Inc., 435 US 589 at 597, 98 S. Ct. 1306, 55 L. Ed. 2d 570 (1978) ("It is clear that the courts of this country recognize a general right to inspect and copy public records and documents, including judicial records and documents."

In the matter of Docket 23-7498 (**Petitioner's petition at 27**), the repeated failure and the repeated refusal of the courts of the Commonwealth to comply with state statutes and rules of the court violated Petitioner's equal protection rights under the Fourteenth Amendment. Village of Willowbrook v Olech, 528 US 562 at 564, 120 S. Ct. 1073, 145 L. Ed. 2d 1060 (2000) ("`[t]he purpose of the equal protection clause of the Fourteenth Amendment is to secure every person within the State's jurisdiction against intentional and arbitrary discrimination, whether occasioned by express terms of a statute or by its improper execution through duly constituted agents.'")

In the above captioned matter it was unconstitutional for the Commonwealth to deny Petitioner access to his daughter for more than two decades using the preponderance of evidence standard in abuse prevention proceedings and probate court proceedings (**Petitioner's Petition at 6 last paragraph, 17,18**).

II. This Court's decision to restrict Petitioner's filings in This Court violates his First Amendment rights.

The Free Speech Clause of the First Amendment provides that "Congress shall make no law . . . abridging the freedom of speech." The clause applies to any government action, whether federal, state, or local. Individuals may be able to challenge violations of their free speech rights in a variety of ways. One basis for such a challenge may be that an official took adverse action against an individual in response to the individual engaging in protected speech—often known as a First Amendment retaliation claim.

First Amendment retaliation may arise in a variety of circumstances. For example, during its 2023 term, This Court heard a case involving an alleged retaliatory arrest of a former city councilmember. In 2025, law firms have raised First Amendment retaliation claims against the Trump Administration based on the President's executive orders aimed at specific firms.

This Court has identified three general considerations. To demonstrate First Amendment retaliation, an individual must show that (1) they have engaged in expression protected by the First Amendment, (2) a government official took an

adverse action against the individual, and (3) the individual's protected expression motivated the official to take the adverse action.

Petitioner maintains that his applications for a petition for a writ of habeas corpus and petition for a writ of habeas corpus respectively were expressions that were protected by the First Amendment. This Court's decisions in this matter are adverse reactions in retaliation for Petitioner's criticism of the U.S. District Court and the Court of Appeals for the First Circuit; Petitioner criticized heavily these courts and brought their integrity respectively into question. In his applications to This Court Petitioner has shown consistently the violation of his constitutional rights by the Commonwealth and the federal courts of Massachusetts.

The Commonwealth's persecution of Petitioner has resulted in Petitioner's unemployment, loss of business, homelessness, false imprisonment, physical disability, and debt in excess of $100,000.00. Denying Petitioner to allow to file an application to file in forma pauperis terminates his ability to seek redress in This Court for the wrongs committed against him by the state and federal courts of the Commonwealth.

As expressed in Hensley v. Municipal Court, 411 U.S. 345, 93 S.Ct. 1571, 36 L.Ed.2d 294 (1973), the awesome power of the writ to avoid res judicata, and its implications for our federalism, demand that its use be confined to its proper role: the preservation of individual liberty and the relief from unlawful custody.

In United States v. Swift & Co.. 286 U.S. 106, 52 S.Ct. 460, 76 L.Ed. 999 (1932), This Court held that it was the inherent right of a court of equity to modify an injunction in adaptation to changed circumstances which rendered the injunction an instrument of wrong. Petitioner has not abused the process; he has sought to compel the federal courts to exercise its right and its authority to address and to correct wrongs

III. This Court has failed and has refused to decide important questions of federal law that have not been, but should be, settled by this Court, pursuant to This Court's Rule 10

This case presents the opportunity for the Court to unequivocally articulate the constitutionality of abuse prevention orders and other issues that involve such deeply grounded fundamental rights guaranteed under the Constitution and embedded in the history and tradition of this nation.

Every state and territory in the United States issues abuse prevention orders (also call temporary restraining orders ("TROs")) and applies the preponderance of evidence standard throughout the proceedings to restrict, to deny parental rights, and to permanentlyterminate as in the instant matter. Petitioner maintains that the use of the preponderance of evidence standard in abuse prevention and TRO proceedings is unconstitutional, pursuant to Matthews v Eldridge, 424 US 319, 96 S. Ct. 893, 47 L. Ed. 2d 18 (1976) and Santosky v Kramer, 455 U.S. 745, 102 S. Ct. 1388, 71 L. Ed. 2d 599 (1982) **Petitioner's petition at 20-22**

In *Santosky*, This Court held that before a State could sever completely and irrevocably the rights of parents in their natural child, due process required that the State support its allegations by at least clear and convincing evidence. Id, at 747 This Court found that the "fair preponderance of the evidence" standard was inconsistent with due process because the private interest in parental rights affected was substantial and the countervailing governmental interest favoring the preponderance standard was comparatively slight. Id, at 758

In Wisconsin v. Yoder, 406 U.S. 205 (1972), This Court declared that "[t]his primary role of the parents in the upbringing of their children is now established beyond debate as an enduring American tradition." Id. at 232 In 2005, quoting *Yoder* and Troxel v Granville, 530 U.S. 57, 65, 120 S.Ct. 2054, 147 L.Ed. 2d 49 (2000) in response to a public school district's subjection of children to inappropriate and sexually explicit content, the United States House of Representatives affirmed that "the fundamental right of parents to direct the education of their children is firmly grounded in the Nation's Constitution and traditions." House Resolution 547 (November 16, 2005).

In District of Columbia v. Heller, 554 U.S. 570, 128 S.Ct. 2783, 171 L.Ed.2d 637, This Court stated, "when the Second Amendment's plain text covers an individual's conduct, the Constitution presumptively protects that conduct, and to justify a firearm regulation the government must demonstrate that **the regulation is consistent with the Nation's historical tradition of firearm regulation.** " (emphasis added) As Justice Gorsuch noted in United States v. Rahimi, 144 S. Ct.

1889 at 1909-1910, 602 US 680, 219 L. Ed. 2d 351 (2024), " We do not resolve whether the government may disarm an individual permanently...(stressing that, "like surety bonds of limited duration, Section 922(g)(8)'s restriction was temporary as applied to [Mr.] Rahimi")."

Relatedly, Title 18 U.S. Code § 921 states a person shall not be considered to have been convicted of misdemeanor crime of domestic violence unless the person, "was represented by counsel in the case, or knowingly and intelligently waived the right to counsel in the case." Id, at (a)(33)(B)(i) Defendants in abuse prevention and TRO proceedings are provided neither counsel nor a jury trial. Nevertheless, states and territories report the orders to federal law enforcement, who then deny applicants for firearms purchases, in violation of the supremacy clause. The Supremacy Clause instructs courts to give federal law priority when state and federal law clash. Gibbons v. Ogden, 22 US 1, 6 L. Ed. 23, 1824 US LEXIS 370 (1824).

As Petitioner stated previously in this matter, defendants of abuse prevention orders and TROs are in custody, pursuant to Jones v. Cunningham, 371 US 236, 83 S. Ct. 373, 9 L. Ed. 2d 285 (1963). As in Jones, defendants of abuse prevention orders and TROs suffer restriction of freedom of movement, of housing, and of employment while being subject to arrest for conditions beyond their control.

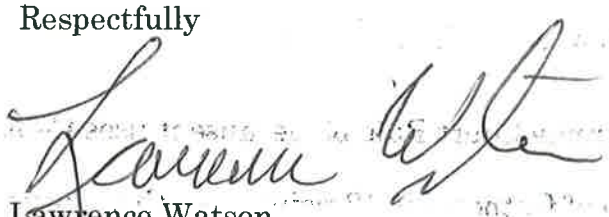
Petitioner's petition at 29-31

Finally, This Court needs to address a petitioner's resolution when a state or territory denies a petitioner the opportunity to seek a petition for extraordinary relief due to acts of fraud on the court. **Petitioner's petition at 31-35** As stated previously, in the matter of Docket 23-7498, to date Petitioner has been denied an appeal of the abuse prevention order that was issued against him in the matter.

PRAYERS FOR RELIEF

For the reasons stated above, Petitioner requests that This Court vacate the dismissal of Petitioner's motion to proceed in forma pauperis, vacate the restrictions on his filings in This Court, and grant him a review of his petition in the above captioned matter.

Respectfully



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Date: October 25, 2025

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this document was served by first class mail on October 25, 2025upon Gabriel Thomas Thornton of the Office of the Attorney General at One Ashburton Place in Boston, MA 02108

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CERTIFICATE OF COMPLIANCE

This motion complies with Supreme Court Rule 33 because it uses Century Schoolbook 12-point type, its typeface of footnotes is 12-point type, the paper is 81/2-by 11-inch, double spaced and the print is double sided.

This motion complies with Supreme Court Rule 44 because this brief contains 1481 words, excluding the Certificate of Service and the Certificate of Compliance.

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