

No. 25-175

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IN THE

# Supreme Court of the United States

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## PETITION FOR REHEARING

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By:

In re: ANDY DESTY,  
*Petitioner-Appellant,*

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**ON PETITION FOR A WRIT OF MANDAMUS  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT- FROM APPEAL No. 24-13600-D**

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ANDY DESTY  
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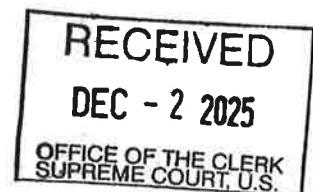
*Representing Self as Petitioner in Good Faith and not for Delay*

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October 17, 2025

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**FOR THE RECORD:**

**QUESTIONS FOR REHEARING**

**Is** there anywhere in the SCOTUS case No. **25-175**, that Petitioner was found wrong or guilty?

**Did** the Court lack jurisdiction to make determinations upon the merits of the case prior to F.R.C.P. Rules 12, 37, 28 U.S.C. § 1651, Article III and the Fourth-Fifth-Fourteenth Amendments of the U.S. Constitution?

**According** to Chief Justice John Marshall in *Cohens v. Virginia*, 19 U.S. 264 (1821) interpreting the Due Process Clause and the Equal Protection Clause found in the 5<sup>th</sup> and 14<sup>th</sup> Amendments of the Constitution, is this Court allowed to pass a case by because it is doubtful or difficult to permit the Court of Appeals to allow Georgia Department of Human Services/Child Support Services to continue to create controversies arising under the Constitution without due process?

**Is** the Respondent allowed to seize money from individuals' accounts pursuant to *Sniadach v. Family Finance Corp.*, 395 U.S. 337, 340-42, 89 S.Ct. 1820, 23 L.Ed2d 349 (1969), and report to third parties without any form of consent according to *Bartel v. FAA*, 725 F.2d 1403, 1409 (D.C. Cir. 1984), and revoke individuals' privileges and immunities from operating their motor vehicles without due process?

**If** this Honorable Court decide not to attend to this case, what will the Petitioner have to do with his American

passport and passport card that have been destroyed by this Respondent-Defendant?

**According** to Chief Justice John Marshall's decision in *Cohens v. Virginia*, 19 U.S. 264 (1821), if this Honorable Court refuses Due Process in this case and pass it by or not deciding it just because it approaches the confines of the constitution, isn't that treason to the Constitution?

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## **CORPORATE DISCLOSURE STATEMENT RULE 29**

Georgia Department of Human Services/Child Support Services, the Respondent-Appellee or Defendant, is a corporation/agency conducting business in the state of Georgia. The agency recently projects an annual budget report of \$2.3 Billion. *See* <https://gov.georgia.gov/press-releases/2021-06-29/gov-kemp-announces-gerlda-hines-lead-department-human-services> and <https://sao.georgia.gov/gerlda-hines> . The agency has no parent company, and no public held corporation holds 10% or more of its shares, in Petitioner's opinion.

## **LAWFUL AUTHORITIES WITH DEFINITIONS INVOLVED**

***Cohens v. Virginia***, 19 U.S. 264 (1821)

*“The judiciary cannot, as the legislature may, avoid a measure because it approaches the confines of the constitution. We cannot pass it by because it is doubtful. With whatever doubts, with whatever difficulties, a case may be attended, we must decide it if it be brought before us. We have no more right to decline the exercise of jurisdiction, which is given, than to usurp that which is not given. The one or the other would be treason to the constitution.”*

***Marbury v. Madison***, 5 US (2 Cranch) 137, 174, 176 (1803)

*“All laws which are repugnant to the Constitution are null and Void.”*

***Sniadach v. Family Finance Corp.***, 395 U.S. 337, 340-42, 89 S.Ct. 1820, 23 L.Ed2d 349 (1969)

*“Wisconsin’s prejudgment garnishment of wages procedure, with its obvious taking of property without notice and prior hearing, violates the fundamental principles of procedural due process.*

**Bartel v. FAA**, 725 F.2d 1403, 1409 (D.C. Cir. 1984)

*“Agencies generally are prohibited from disclosing records by any means of communication—written, oral, electronic, or mechanical—without the written consent of the individual.”*

***United States v. Lee***, 106 U.S. at 220, (1882)

*“All officers of the government from top to bottom are all creatures of the law and MUST be bound to obey it.”*

***Stone v. Powell***, 428 U.S. 465, 483 n. 35, 96 S. Ct. 3037, 49 L (1976)

*The United States Supreme Court ruled that “State Courts, like Federal Courts, have a constitutional obligation to safeguard PERSONAL liberties, and to uphold federal law.”*

***Shuttlesworth v. Birmingham***, 373 U.S. 262 (1963)

*“If a state (like the state of Georgia or Alabama or any other state) does erroneously convert basic rights into privileges and require a **license** or fee, a **citizen may ignore the license** or fee with total impunity for such exercise of a basic right.”*

***Sherar v. Cullen***, 481 F 945 (1973)

*“For a crime to exist, there MUST be an injured party (*Corpus Delicti*). There can be no sanction or penalty imposed on one because of this Constitutional right.”*

**California v. Farley**, 98 Cal. Rep. 89 20 CA 3d 1032 (1971)

*“Speeding, driving without a license, wrong plates or no plates, no registration, no tags, etc., have been held to be ‘non-arrestable offenses and no crime.’”*

**Rodriguez v. Ray Donovan (U.S. Department of Labor)**, 769 F.2d 1344, 1348 (1985)

*“All codes, rules, and regulations are for government authorities only. All codes, rules, and regulations are unconstitutional and lacking due process.”*

**Kent v. Dulles**, 357 U.S. 116, 125-127 (1958)

*"The right to travel is a part of the "liberty" of which a citizen cannot be deprived without due process of law under the Fifth Amendment."*

## CONSTITUTIONAL CLAUSES AND PROVISIONS INVOLVED

**The Due Process Clause**, U.S. Const. Amends V, XIV.

*"No person shall be **deprived** of life, liberty (liber- ty), or property, without due process of law. (The Bill of Rights)"*

**The Equal Protection Clause**, U.S. Const. Amend. XIV.

*"No state can deny equal protection of the law to any- one within its jurisdiction, without due process of law. (The Bill of Rights)"*

**The Privileges and Immunities Clause**, Article IV § 2 Cl.1 of the U.S. Const.

*"No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States and of the State wherein they reside, without due process of law. (The Bill of Rights)"*

**The Full Faith and Credit Clause**, U.S. Const. Article IV § 1, and § 2 Cl. 1.

*"All States within the United States have to respect the public acts, records, and judicial proceedings of every other state where Full Faith and Credit shall be given." (The Bill of Rights)"*

**The Treason Clause**, U.S. Const. Article III § 3 Cl.1.

*"Treason against the United States, shall consist only in levying war against them, OR in adhering to their Enemies, giving them Aid and Comfort."*

## STATUTORY PROVISIONS INVOLVED

42 U.S.C. § 1983, 18 U.S.C. § 2381



**NO WRONG OR GUILT IS FOUND FROM THIS  
PETITIONER IN THIS CASE**

**This** Petition for Rehearing of the denial of the Court on the merits of this Petitioner's Petition for a Writ of Mandamus, Case No. **25-175**, is submitted respectfully **pursuant to** Rule 44 for consideration as this case raises several federal questions and concerns that involved the United States Constitution, its government, federal laws, and Georgia Department of Human Services.

**PETITION FOR REHEARING**

Petitioner-Appellant, Andy Desty, *in propria persona*, one of "We the People," respectfully submits, in good faith and not for delay, his Petition for Rehearing under the authority and decision of this Honorable Court in *Cohens v. Virginia*, 19 U.S. 264 (1821), and its Rule 44, to review the constraints of the United States Constitution and the conflicts projected in the decisions taken by the Court of Appeals and the District Court that overruled this Honorable Court's precedents.

**On October 14, 2025**, the Court erroneously denied the Petitioner's Petition for a Writ of Mandamus, (**EXHIBIT AA**), without due process, without any Justice's opinion, without any investigation for the denial, at least to find out if the Petitioner, the Respondent-Appellee, and the evidence presented in this case do actually exist or not.

A Petition for Rehearing and consideration of the Court's decision dated October 14, 2025, (**EXHIBIT AA**), is necessary to maintain uniformity of the Court's decisions.

This Honorable Court did not respond nor decide the questions presented in this case, SCOTUS Case No. **25-175**.

The Court made it clear and affirmed its decision in *Cohens v. Virginia*, 19 U.S. 264 (1821), that its power to review decisions taken from lower courts cannot conflict with the Constitution and decisions taken in the Court. The Court continued to say that it MUST exercise its jurisdiction to decide all cases that come before it, because it cannot pass a case by just because it is doubtful. With whatever doubts and difficulties, a case may be attended to. The Supreme Court of the United States, in which the judicial Power of the United States was vested, must decide all cases that are brought into the Court. (*Article III Sections 1 & 2*)

The request for a Petition for Rehearing on this Petitioner's Petition for a Writ of Mandamus is mandated as resolution of the unaddressed constitutional issues has important, outcome-determinative implications for the serious issues presented in this petition.

**All things considered**, Petitioner invokes the grounds for granting this Petition pursuant to Rule 44.2, as presented in subsequent Sections, which include overlooked meritorious points and extraordinary intervening circumstances of a substantial or controlling effect, or other substantial grounds that were not previously presented.

### **GROUNDS FOR GRANTING THIS PETITION**

**This** Petition for Rehearing must be granted **because**:

1. The Court's decision on October 14, 2025, (**EXHIBIT AA**), will give more power to the Court of Appeals and the Respondent-Appellee, to overrule this Court's decisions in *Shuttlesworth v. Birmingham*, 373 U.S. 262 (1963); *Rodriguez v. Ray* *Donovan (U.S. Department of Labor)*, 769

F.2d 1344, 1348 (1985), and all the lawful authorities with definitions on page *iii*.

(*See EXHIBIT P1 and P2 attached for evidence*)

**2.** The Petitioner's American passport and passport card still remain damaged, and thus unconstitutional. It must be decided that the action violated the Privacy Act 5 U.S.C. § 552a(b)(g), the Due Process of the Fifth Amendment. See *Kent v. Dulles*, 357 U.S. 116, 125-127 (1958); *Bartel v. FAA*, 725 F.2d 1403, 1409 (D.C. Cir. 1984), **EXHIBITS L, D1, C** attached for evidence.

**3.** Petitioner claims that recently he was being harassed and threatened by Respondent-Appellee, and the action violates the **XIV Amendment**, the **Privileges and Immunities Clause**, Article IV § 2 Cl.1 of the Constitution. These constitutional issues must be decided. See *Cohens v. Virginia*, 19 U.S. 264 (1821), and *Marbury v. Madison*, 5 US (2 Cranch) 137, 174, 176 (1803). (*See also EXHIBIT AC attached for evidence*)

**4.** The Court did not indicate how the Respondent-Appellee exclusively possesses a federal due process right to execute the Separation of Powers Doctrine by making laws, enforcing laws, and interpreting laws inside every court [of law] in America.

(*See EXHIBITS AC, AF, and D1 attached for evidence*)

**5.** The Respondent-Appellee's right of takings without consent and without due process is still ongoing. This action must be reversed. (*See EXHIBIT C*)

**6.** The Respondent-Appellee has been generating/harassing Petitioner with phony-bills and fraudulent invoices. **On October 1, 2025,**

Respondent-Appellee sent a notice to the Petitioner stating that Petitioner owes a past-due amount of \$8,122.12. On **October 19, 2025**, the same Respondent-Appellee sent a different notice with a different past-due amount of \$7,860.00.

Is this really the American dream we have been telling the world about? (Please, see **EXHIBITS AC** and **AF** attached for evidence)

**7.** The Respondent-Appellee denied this Petitioner access to identification, traveling, and operating his own property. The action violated due process. (*See EXHIBITS D1, E, L, and P1* attached for evidence)

**8.** If the Court decides not to attend to this case with whatever doubts, whatever difficulties, it will be treason to the Constitution. See *Cohens v. Virginia*, 19 U.S. 264 (1821).

**9.** The Respondent-Appellee's ongoing actions give access to third parties to invade and interfere with Petitioner's liberty, immunity, and privileges without due process. These accesses are serious issues that contradict the principles and freedom established in the Constitution. (*See EXHIBITS AH, AI, and AG* attached from the Municipal Court of Atlanta case No. **25TR060504**, and the Municipal Court of Conyers case No. **2025-00056276**)

**10.** The Due Process Clause of the Fifth and Fourteenth Amendments to the Constitution made it clear that "*No person shall be deprived of life, liberty, or property without due process of law.*"

**11.** Compensation is due under the Takings Clause.

**12.** This Honorable Court condemns violations of the Takings Clause.

**13.** The Respondent's decision of takings for the purpose of its economic development satisfied this Petitioner's use requirement of the Fourth, the Fifth, and the Fourteenth (Sec. 1) Amendments.

#### **STATEMENT OF THE ISSUES ASSERTED TO MERIT CONSIDERATION**

**On July 11, 2023**, Petitioner-Appellant, Andy Desty, filed a Complaint as a class action lawsuit at the District Court against the Respondent-Defendant, *Georgia Department of Human Services/Child Support services*, seeking to resolve constitutional issues like: **(1)** Separation of Powers Doctrine **(2)** Validation of debt claimed by the Respondent-Appellee, **(3)** Deprivation of properties without just compensation, **(4)** Violation of the Privacy Act, 5 U.S.C. § 552a (b)(g) without any consent, **(5)** Violations of this Honorable Court's rulings and decisions stated in Petitioner's Writ of Mandamus. (*See District Court* Case No. 1:23-CV-03073-SDG-JEM)

Petitions for rehearing are permitted "for the purpose of correcting any error which the Court may have made in its opinion, or of enabling counsel to direct the attention of the Court to matters presented at the argument which may have been overlooked in the decision." See ***Francisco v. Pacific Bank***, 89 Cal. 232, 25 (1891).

WHEREFORE, Petitioner moves this Court under the BILL OF RIGHTS to grant this Petition for Rehearing WITHOUT PREJUDICE and consider this case on the merits.

**Furthermore**, it is therefore reasserted that an extraordinary remedy or compensation for the past flagrant errors, and damages brought in this case due to the Court of Appeals and to the Respondent-Appellee's erroneous acts, with all Petitioner's claims and suffering, this Honorable Court must immediately grant and reward Petitioner his request of around \$6,280,000.00 Million Dollars as payment from the *Georgia Department of Human Services/Child Support Services* without having Petitioner to wait to initiate a separate lawsuit on the *Georgia Department of Human Services/Child Support Services*.

#### **STATEMENT OF ANY ADDITIONAL RULINGS AND FACTS NECESSARY TO ARGUMENT OF THE ISSUES**

**1:**

Prejudgment garnishment of wages or money procedure violates due process. *Sniadach v. Family Finance Corp.*, 395 U.S. 337, 340-42, 89 S.Ct. 1820, 23 L.Ed2d 349 (1969). (See EXHIBIT C attached for evidence)

**2:**

The Respondent-Appellee conspired again with a different third-party and revoked Petitioner's Driver's License without due process. The action recently allowed Petitioner to be falsely arrested, kidnapped by the City of Conyers, Georgia on September 23, 2025, paid a ransom under duress because the Petitioner feared for his life. The action willfully deprived this Court's rulings and decisions in *Shuttlesworth v. Birmingham*, 373 us 262 (1963); *Sherar v. Cullen*, 481 F 945 (1973); *California v. Farley*, 98 Cal. Rep. 89 20 CA 3d 1032 (1971).

(See: *City of Conyers v. Andy Desty* (2025) Case No. 2025-00056276 and EXHIBIT AG attached for evidence)

**Fact 1-** Respondent NEVER presented to the courts any evidence or facts proving their jurisdiction in their matter of creating laws, being a debt collector, threatening individuals to remove their traveling privileges and immunities guaranteed by the Constitution.

**Fact 2-** The Respondent-Appellee NEVER presented to the courts any evidence or law proving how the Petitioner owes them \$8,122.12 **on October 1, 2025**, and then turned out to be \$7,860.00 **on October 19, 2025**, when there was no interaction between the parties.

### CONCLUSION

Petitioner expresses a belief, based on the rulings of this Court's precedents, **EXHIBIT AA** is contrary to chief justice decisions and interpretations in *Marbury v. Madison*, 5 US (2 Cranch) 137, 174, 176 (1803), and consideration by the full court is necessary to secure and maintain uniformity of decisions taken in this court to correct abuse of discretion: ***In re: Andy Desty* Case No.: 25-175.**

WHEREFORE, Petitioner prays that this Court of Justice grant this **Petition for Rehearing WITHOUT PREJUDICE**.

Respectfully submitted and signed on October 17, 2025.

All unalienable rights reserved without prejudice under the BILL OF RIGHTS, UCC 1-308, and without recourse.

By:



Andy: Desty  
c/o 227 Spring Creek Way  
Douglasville, Georgia [30134]  
[godkeyboard@gmail.com](mailto:godkeyboard@gmail.com)

**CERTIFICATION OF PARTY  
UNREPRESENTED BY COUNSEL**

UNDER PENALTY OF PURJURY, I, Andy Desty, hereby certify on this 17<sup>th</sup> day of October 2025, that this Petition for Rehearing is submitted in good faith and not for delay **Pursuant to** the Court's Rule 44 and all information provided therein are true and correct, and based on grounds that are limited to intervening circumstances of a substantial or controlling effect and to other substantial grounds not previously presented.

Respectfully submitted and signed on October 17, 2025.

By: \_\_\_\_\_

Andy: Desty  
c/o 227 Spring Creek Way  
Douglasville, Georgia [30134]  
[godkeyboard@gmail.com](mailto:godkeyboard@gmail.com)

A handwritten signature in red ink, appearing to read "Andy Desty", is placed over the signature line.

No. 25-175

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IN THE

# Supreme Court of the United States

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## PETITION FOR REHEARING

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By:

IN RE: ANDY DESTY,

*Petitioner-Appellant,*

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**ON PETITION FOR A WRIT OF MANDAMUS  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT- FROM APPEAL No. 24-13600-D**

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## INDEX TO EXHIBITS

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ANDY DESTY  
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*Representing Self as Petitioner*

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October 17, 2025

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No. 25-175.

IN THE

**Supreme Court of the United States**

**PETITION FOR REHEARING**

By

In re: ANDY DESTY,

*Petitioner-Appellant,*

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**ON PETITION FOR A WRIT OF MANDAMUS  
TO THE UNITED STATES COURT OF APPEALS - ELEVENTH CIRCUIT  
FROM U.S.C.A. APPEAL NO. 24-13600-D**

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**CERTIFICATE OF COMPLIANCE**

This Petition complies with the word or type-volume limitations of 2,998 **pursuant to** Rule 33.1(g)(h)(i) of the United States Supreme Court, and is submitted **pursuant to** Rule 44 in good faith and not for delay, and the All-Writs Act, 28 U.S.C. § 1651.

UNDER PENALTY OF PERJURY, I, Andy Desty, Petitioner herein, hereby declare and affirm on this 17<sup>th</sup> day of October 2025 that this foregoing Petition for Rehearing on Petition for Writ of Mandamus is true and correct due to my ability and evidence of the facts presented to this Court with the applicable laws stated thereof.

*Representing Self as Petitioner in Good Faith and not for Delay*



Andy Desty, *sui juris en lex*, Petitioner.

All Unalienable Rights Reserved Without Prejudice under the BILL OF RIGHTS, U.C.C. 1-308.



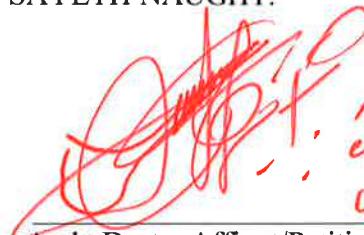
**AFFIDAVIT OF COMPLIANCE OF PETITION**

STATE OF GA)  
COUNTY OF Douglas)  
ss.

BEFORE ME personally appeared, Andy Desty, who being by me first duly sworn and identified in accordance with the Rule of Law, deposes and says:

1. My name is Andy Desty.
2. I have read and understood the attached foregoing Petition filed herein, and each fact alleged therein is true and correct of my own personal knowledge.
3. I am the Petitioner-Appellant in this SCOTUS case No. 25-175.
4. I have caused the preparation of the foregoing AFFIDAVIT IN COMPLIANCE with 28 U.S.C. § 1746.
5. IN WITNESS WHEREOF, I have hereby affixed my signature this 17 day of October 2025 in the State of Georgia.

FURTHER THE AFFIANT SAYETH NAUGHT.

  
All Rights Reserved  
without prejudice  
UCC 1-308  
Andy Desty, Affiant/Petitioner

SWORN TO and subscribed before me Donna Morgan, Notary

Public, this 17 day of October 2025.

  
Notary Public

My commission expires:

2-7-2026

Seal:



Najee Clayton  
Witness name:

Witness signature Najee Clayton



No. 25-175.

IN THE

**Supreme Court of the United States**

---

In re: ANDY DESTY,  
*Petitioner-Appellant,*

---

**PETITION FOR REHEARING**

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**On Petition for a Writ of Mandamus, from Court of Appeals No. 24-13600-D**

**CERTIFICATE OF SERVICE**

UNDER PENALTY OF PERJURY, I, Andy Desty, Petitioner, hereby declare and certify on this 17<sup>th</sup> day of October 2025 that this Petition for Rehearing on Petition for a Writ of Mandamus is true and correct due to my knowledge and evidence of the facts presented herein, to the applicable laws stated above, and is submitted in good faith and not for delay. I hereby certify that a true and correct copy of this foregoing was signed by me, the Petitioner, and mailed to all parties involved including the U.S. Supreme Court Clerk and through their attorney or representative of record via First Class Mail to the referenced contact below:

**The Clerk of the U.S. SUPREME COURT**  
Office of the Clerk of U.S. Supreme Court  
1 First Street, NE  
Washington, DC 20543-0001

**GEORGIA DEPARTMENT OF HUMAN SERVICES/**  
Child Support Services  
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Atlanta, Georgia 30334, email: [nwaller@law.ga.gov](mailto:nwaller@law.ga.gov)  
Tel: 404-817-8500 - Fax: 404-881-0470

**U.S. COURT OF APPEALS 11<sup>TH</sup> CIR.**  
c/o Office of the Clerk  
56 Forsyth Street, NW  
Atlanta, Georgia 30303  
Tel: 404-335-6100



Andy Desty, *sui juris en lex*, Petitioner.

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**Additional material  
from this filing is  
available in the  
Clerk's Office.**

