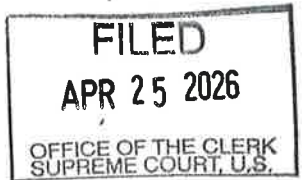


No. 25-6832



IN THE
SUPREME COURT OF THE UNITED STATES

Stanley Donald, *Petitioner,*

vs.

Carol Mici & Others, *Respondents.*

ON PETITION FOR A WRIT OF CERTIORARI TO
STATE OF MASSACHUSETTS SUPREME JUDICIAL COURT

PETITION FOR REHEARING PARTIAL OF WRIT OF CERTIORARI

Stanley Donald,
Senior Law Clerk
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P.O. Box 43
Norfolk, Massachusetts 02056

REQUEST FOR REHEARING PARTIAL OF PETITION

Pursuant to Supreme Court Rule 44, the petitioner, Stanley Donald, requests rehearing partial of his petition for writ of certiorari solely for this Court to remand to State Court to Allow him to amend his complaint to include those who denied him emergency medical treatment as he requested in his original petition for writ of certiorari page#8.

QUESTION PRESENTED

Did the State Court error when it denied inmate to amend his complaint to include those who denied him emergency medical treatment ?

STATEMENT OF THE CASE

In 2018, the **petitioner, Stanley Donald**, was diagnosed as a severe chronic diabetic with high blood pressure and arthritis that required medication daily.

On March 10, 2020, the Governor of Massachusetts declared a “COVID-19 virus emergency.” On November 5, 2020, the petitioner-inmate, Stanley Donald, became infected with virus due to a major outbreak in prison.

On November 6, 2020, the **respondents, Carol Mici, et al.**, placed inmate Donald into a two-man cell with infected inmate Michael Brown in violation of Centers for Disease Control guidance on prisons. While being held in a two-man cell inmate Donald became seriously ill and unable to stand up or walk. The **respondents, Wellpath Medical Staff**, failed to provide inmate Donald with insulin for diabetes.

On September 1, 2022, petitioner commenced a complaint in State Superior Civil Court and pleaded with the Court to order all respondents to provide him with emergency medical treatment. On September 12, 2022, all respondents opposed to provide inmate Donald with emergency medical treatment.

Thereafter, being denied emergency medical treatment then inmate Donald had a stroke, heart attack with nose bleeds and was unable to walk.

On October 20, 2022, inmate Donald filed a grievance for D.O.C. Supt. Nelson Alves to order medical contractor Wellpath to provide him with medical treatment.

The grievance stated:

“On 10/20/22, I told medical contractor Wellpath (provider) I had a mild stroke and mild heart attack with nose bleed for three days and feel like I am dying and my legs feel like they are on fire and it’s hard to walk to med line. I was denied medical treatment. ...”

The inmate, Stanley Donald, on October 20, 2022, filed the same type of grievance with Wellpath but stated: “I need emergency medical treatment.”

Inmate Donald never received the emergency medical treatment until several days later: he was requested to go to Health Unit and when he proceeded to Health Service Unit he had to stagger and crawl about half a mile in a dying manner because no Correctional Staff nor Medical Staff came to assist him with a wheelchair and when he finally arrived on his own at Health Service Unit then Wellpath’s Nurse Practitioner Alexis Cushman state to inmate Donald that she made a mistake, there was an ambulance waiting out front because there is no oxygen in inmate Donald’s blood and he might be dying.

The paramedics determined that inmate Donald was dying and he was immediately taken by ambulance at high speed while paramedics kept him breathing. Inmate Donald was given an emergency blood transfusion on arrival at Milford Hospital.

The hospital doctors confirmed inmate Donald was in danger of dying and had him stay in the hospital for 8 days. It was determined Donald had organ damage which causes him to uncontrollably urinate on himself and severe nerve damage in his legs.

While the petitioner-inmate was in the hospital, all respondents filed motions to dismiss the complaint.

On December 27, 2023, the State Court allowed respondents motions dismiss complaint pursuant to Civil Rule 12(b)(6) for failure to state a plausible claim for relieve.

On September 30, 2025, the State Apples court affirmed judgment of dismissal by electronic filing system.

On November 14, 2025, the State Supreme Judicial Court denied further appellate review without a hearing.

On December 3, 2025, the U.S. Supreme Court Justice Jackson extended the time to file petition for a writ of certiorari until March 2, 2026. On April 20, 2026, the U.S. Supreme Court denied petition for a writ of certiorari.

REASON FOR GRANTING REHEARING PARTIAL OF PETITION

Its imperative to grant rehearing of petition for writ of certiorari in the interest of public safety wherein the petitioner was denied emergency medical treatment where this Court has held "where society takes from prisoners the means to provide for thier own needs, the failure to provide such care[emergency medical treatment]may actually produce physical torture of a lingering death." Brown V. Plata, 131 S.Ct.1910, at 1928(2011).

As here, the State Court denied the petitioner's motion to amend his complaint to include those who denied him emergency medical treatment that resulted in internal organ damage and physical injuries. The amendment of the complaint should have been freely given for an inmate to be provided with an opportunity to offer supporting evidence. Haines V. Kerner, 404 U.S.519,520-521,92 S.Ct.594)1972)) This claim of being denied emergency medical treatment does state a valid cause of action for this Court to remand to State Court to Allow the amendment to the complaint.

CONCLUSION

The Petition For Rehearing Partial Of Petition For a Writ of Certiorari Should Be Granted.

Respectfully Submitted,


Stanley Donald, pro-se

IN THE
SUPREME COURT OF THE UNITED STATES

STANLEY DONALD — PETITIONER
(Your Name)

VS.

CAROL MICI AND OTHERS — RESPONDENT(S)

PROOF OF SERVICE

I, STANLEY DONALD, do swear or declare that on this date, MAY 27, 2026, as required by Supreme Court Rule 29 I have served the enclosed PETITION FOR REHEARING PARTIAL OF WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an-envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

<u>Bradley A. Sultan, Esq.</u>	<u>William D. Saltzman, Esq.</u>
<u>DOC LEGAL DIVISION</u>	<u>KOEFMAN LAW GROUP, LLC</u>
<u>70 Franklin Street, Suite#600</u>	<u>88 Broad Street, Suite#402</u>
<u>Boston, Mass 02110-1300; And Clerk of SJC Mass. 1 Pemberton Sq.</u>	<u>Boston, Mass 02110</u>
	<u>Boston, Mass 02108</u>

I declare under penalty of perjury that the foregoing is true and correct.

Executed on MAY 27, 2026

Stanley Donald
(Signature)