

No. 25-7338

IN THE
SUPREME COURT OF THE UNITED STATES

Sheena Sitzema— PETITIONER

VS.

Michigan Civil Service Commission— RESPONDENT(S)

ON PETITION FOR WRIT OF CERTIORI TO THE MICHIGAN SUPREME COURT

PETITION FOR REHEARING ON WRIT OF CERTIORI

Petition for Rehearing based on substantial grounds not previously presented or overlooked.

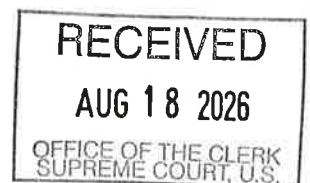


Sheena Sitzema

12680 Novotny Rd

Charlevoix, MI 49720

231-675-2556



STATEMENT OF FACTS

Sedgwick is the Third Party Administrator for the Long Term Disability Plan for the State of Michigan. I paid premiums to Sedgwick for my Long Term Disability Plan from March 30, 2013 through October 2022.

Sedgwick approved my disability for my actual physical disabling symptoms, and when the payout of the policy exceeded the amount I had paid in premiums, then denied my disability based on symptoms that were never present. Sedgwick changed the symptoms they were “basing their decision on” explicitly to deny my claims. Chief United States District Judge Richard E. Myers II stated in his ruling on *Griffin v North Carolina State Board of Elections* 5:24-CV-00731-M: “You establish the rules before the game. You don’t change them after the game is done.” Sedgwick changed the rules after the game had started by changing the symptoms they were determining my disability on.

The MCSC decision is also unlawful because it is arbitrary and capricious. Even in *Wescott v. Civil Serv. Comm'n*, 298 Mich. App. 158, 825 N.W.2d 674 (Mich. Ct. App. 2012), the Michigan State of Appeals Court questions how a court can determine if a decision is arbitrary and capricious in footnote 4 of the decision. “There would appear to be some tension between the arbitrary and capricious standard and the inapplicability of the substantial evidence test in cases where no hearing was required, where, for example, there might be an absolute dearth of evidence supporting an agency's decision, which would seem to render the decision completely arbitrary and capricious, yet the rule against

examining the evidentiary support for the decision would appear to mandate a holding affirming the decision.” Wescott v Civil Serv Commn, 298 Mich App 158, 162 n.4; 825 NW22d 674 (2012). It does beg a few questions. Why does MCR 7.104(D)(3), which states, “in an agency appeal, a copy of a written request or order for a certified copy of the record to be sent to the circuit court” require the appellant to request the record be sent to the circuit court? Why require the record to be sent if the presiding court cannot review the record?

Again, why are required by Michigan Court Laws to bring cases to the Circuit Court, when, apparently, the Circuit Court can never actually judge these cases based on facts and the record?

Please reconsider these additional points as well as the original documents I submitted to show the State of Michigan Civil Service Commission strips the due process of every Michigan Civil Servant. There is a visage of justice, because there are rules and laws that make it appear there is legal oversight of the Michigan Civil Service Commission, but in reality, there is no oversight.

Respectfully submitted,

A handwritten signature in blue ink, reading "Sheena Sitzema". The signature is written in a cursive, flowing style.

Sheena Sitzema

Certificate of Good Faith

I, Sheena Sitzema, file this petition in good faith and not in an attempt to delay.

Respectfully,

A handwritten signature in blue ink, appearing to read "Sheena Sitzema", with a stylized flourish at the end.

Sheena Sitzema

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PROOF OF SERVICE

I, Sheena Sitzema , do swear or declare that on this date, August 12, 2026 , as required by Supreme Court Rule 29 I have served the enclosed PETITION FOR REHEARING ON WRIT OF CERTIORI 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:

Ann Maureen Sherman

Michigan Department of the Attorney General P.O. Box 30212 Lansing, MI 48909

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

Executed on August 12, 2026.