IN THE

SUPREME COURT OF THE UNITED STATES

No. **26-5001**

HOUHE ZENG,
Petitioner,
v.
OWNER OF 8020 QUARTZ LANE, ET AL.,
Respondents.

On Petition for a Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit, Case No.:25-40449

PETITION FOR REHEARING OF ORDER DENYING PETITION FOR A WRIT OF CERTIORARI

Pursuant to Supreme Court Rule 44.2
Houhe Zeng, Petitioner Pro Se
3002 Arbor Edge Crossing
La Marque, TX 77568
Telephone: (832) 523-5003
Email: Jts990616@gmail.com

RECEIVED
OCT 22 2026
OFFICE OF THE CLERK
SUPREME COURT, U.S.

TABLE OF CONTENTS

Preliminary Statement....1
I. Rule 44.2 and Intervening Record....1
II. Judgment Under Review and Rule 60(b)(4) 2
III. Ramirez and Jury Process....3
IV. September-October Events in No. 00345.... 4
V. Separate Federal Proceedings....6

VI. Recusal, Two Warnings and Counsel.....8
VII. Counsel and Meaningful Court Access..... 10
VIII. Strongest Objections to Rehearing.....12
IX. Request for a Response and Relief.....13
Conclusion.....14

Rule 44.2

Certification.....15

TABLE OF CITED AUTHORITIES

CASES

AAPS Educational Foundation v. ABIM, No. 23-40423 (5th Cir. 2024) 9
Christopher v. Harbury, 536 U.S. 403 (2002) 11, 13
Erickson v. Pardus, 551 U.S. 89 (2007) 11
Haines v. Kerner, 404 U.S. 519 (1972) 11
In re Houhe Zeng, Nos. 25-40767/26-40004 (5th Cir. Apr. 13, 2026) 9
In re Murchison, 349 U.S. 133 (1955) 8
Liljeberg v. Health Services Acquisition Corp., 486 U.S. 847 (1988) 8
Liteky v. United States, 510 U.S. 540 (1994) 8, 11
McNeil v. United States, 508 U.S. 106 (1993) 11
Pinemont Bank v. Belk, 722 F.2d 232 (5th Cir. 1984) 4
Ramirez v. City of Texas City, No. 25-40475 (5th Cir. 2026) 1, 3–4, 9, 12–13
Teague v. Lane, 489 U.S. 288 (1989) 1
United Student Aid Funds, Inc. v. Espinosa, 559 U.S. 260 (2010) 2
Zeng v. Owner of 8020 Quartz Lane, No. 25-40449 (5th Cir. 2026) 2

TABLE OF CITED AUTHORITIES (CONTINUED)

CONSTITUTION, RULES, AND STATUTES

U.S. Const.amend VII..... 3
28 U.S.C.§455(a).....8
Fed.R. Civ.P11..... 9–10
Fed. R. Civ. P. 4(m), 12(b)(6), 15(a)..... 2, 4–5, 7, 12
Fed. R. Civ. P. 38–39..... 3–4, 9, 12
Fed. R. Civ. P. 60(b)(4), 60(c)(2), 77(d)..... 1–2, 5–8, 12–14

Fed. R. App. P. 4(a), 10–11 5–7
Fifth Cir.R.11.3 ..... 6, 13
Sup. Ct. Rules 10(a),
15.8 ..... 1, 13
Sup. Ct. Rules 44.2–44.3 ..... 1–2, 4–5, 9–10, 12–15

OTHER AUTHORITY

Mitchell Levy, Empirical Patterns of Pro Se Litigation in Federal District Courts, 85 U. Chi. L. Rev.1819 (2018) 10

PRELIMINARY STATEMENT

Petitioner seeks rehearing of the October 5, 2026, denial of certiorari in No. 26-5001 under Supreme Court Rule 44.2. She asks for a narrow, evidence-based reconsideration, not a declaration that judicial misconduct is proven, nor a new appeal of several unrelated judgments. The petition directly concerns S.D. Tex. No. 3:25-cv-00091, Fifth Circuit No. 25-40449, and this Court's No. 26-5001.

The question is whether substantial post-petition developments, including a September 3, 2026, Fifth Circuit decision correcting a denial of jury procedure and Petitioner's October 14, 2026, discovery of material notice questions in a separate civil-rights action, warrant a response and reconsideration when assessed with an already disclosed, still-unresolved collateral Rule 60(b)(4) proceeding. Petitioner understands the formidable limits of Rule 44.2 and the distinction between a legally insufficient claim, a disputed court record, and a proven denial of process.

I. THE NARROW RULE 44.2 QUESTION AND THE NEW RECORD

Rule 44.2 limits rehearing after certiorari is denied to intervening circumstances of substantial or controlling effect or other substantial grounds not previously presented. The denial does not adjudicate the merits of the underlying claims. See ***Teague v. Lane, 489 U.S. 288, 296 (1989).*** Yet rehearing is not a substitute for a Rule 15.8 supplemental

brief that could have been filed while certiorari was pending, nor an automatic means to reopen final litigation. Petitioner must identify what is actually new, when it arose, and how it bears on this case.

The new material is discrete: (1) ***Ramirez v. City of Texas City, No. 25-40475 (5th Cir. Sept. 3,2026)***, issued after the May 14 certiorari submission, specifically addressed whether repeated jury-demand-indicators and Rule 39(b) had been wrongly disregarded; (2) a September 10, 2026, final disposition in separate No. 3:25-cv-00345, reportedly issued before a court-stated September 18 response deadline; and (3) Petitioner's first reported notice on October 14 of that disposition and cancellation of a previously scheduled October 14 conference. The latter discovery occurred after this Court denied certiorari.

The September judgment itself preceded October 5; the October 14 discovery, by contrast, followed it. Petitioner does not claim that the existence of another lawsuit or the mere late discovery of an old fact automatically meets Rule 44.2. She asks the Court to examine the precise chronology and significance. The independent records required to corroborate her reports are the signed orders,filing timestamps, docket entries, and service-transmission records, not speculation about motive.

II. THE ACTUAL JUDGMENT UNDER REVIEW AND RULE 60(b)(4)

In the direct case, Petitioner alleged that she has impaired smell and that her landlord and manager refused repairs concerning moldy carpeting and air-conditioning filters. The district court dismissed under Rule 12(b)(6). The Fifth Circuit expressly affirmed on April 7, 2026: it found insufficient pleaded facts linking the repair decisions to disability discrimination under 42 U.S.C. §3604(f)(2), held that Petitioner had been afforded an opportunity to amend, and rejected the recusal challenge on the appellate record. ***Zeng v. Owner of 8020 Quartz Lane, No. 25-40449*** (5th Cir. Apr.7, 2026). These holdings are acknowledged rather than avoided.

The appellate chronology is material. Rehearing in the Fifth Circuit was denied May 13, 2026;the mandate issued May 20. The certiorari petition was filed May 14 and denied October 5.

Separately, Petitioner reports submitting a Rule 60(b)(4) motion in the district-court proceeding on December 29, 2025; her working record identifies an early-January 2026 docket entry. Those dates must be reconciled with the filed motion and current district docket. Petitioner reports that it remains unadjudicated as of October 15, 2026, without asserting that the alleged nondecision automatically voids the judgment.

Rule 60(b)(4) addresses genuinely void judgments, not every legal error. ***United Student Aid Funds, Inc. v. Espinosa, 559 U.S. 260, 270–71 (2010).*** Rule 60(c)(2) explicitly provides that a Rule 60 motions do not suspend the judgment's operation or finality. Thus the pending motion did not,merely by existing, invalidate the direct appeal or automatically require this Court to grant certiorari. 2The separate district-court motion is neither a judgment reviewed in No. 25-40449 nor an independent matter that can be decided first in this Rule 44 proceeding.

The narrower and still significant issue is that the collateral mechanism for testing asserted jurisdictional or fundamental due-process defects should, when properly presented, culminate in an identifiable judicial ruling capable of whatever review the rules permit. Petitioner requests no advance merits ruling on that motion. She emphasizes the present lack of a reviewable disposition and seeks only the limited relevance, if any, that this procedural posture properly has under Rule 44.2.

III. RAMIREZ: A POST-PETITION APPELLATE CLARIFICATION OF JURY PROCESS

On September 3, 2026, the Fifth Circuit vacated and remanded Judge Brown's judgment in ***Ramirez v. City of Texas City, No.* 25-40475**, after finding abuse of discretion in denial of a jury trial under Rule 39(b). It emphasized repeated documentary indications of a jury demand and the

district court's decision to convert a scheduled jury trial to a bench trial. The panel expressly did not decide that Ramirez had made a technically sufficient Rule 38 demand. It decided a particular Rule 39(b) question on that record.

That distinction matters here. Petitioner reports that original JS-44 materials in separate **Nos.3:24-cv-00224** and **3:24-cv-00274** reflected jury requests but later court materials failed to preserve consistent designations; she identifies an August 27, 2024,jury notation and an inconsistent September 18, 2024,cover sheet in No. 00274. By contrast, the public docket for No. 3:25-cv-00345 shows "**Jury Demanded By: Plaintiff.**" These are asserted document-to-document differences to be tested against filed complaints, separately served Rule 38 demands, any consent to withdrawal,docket history, and any Rule 39 ruling.

The Seventh Amendment is implemented by Federal Rules 38 and 39. A civil cover sheet alone does not necessarily fulfill Rule 38(b). Nor does a jury demand prevent dismissal of an inadequate complaint under Rule 12(b)(6). Compare ***Pinemont Bank v. Belk, 722 F.2d 232 (5th Cir. 1984)*** (record confusion and Rule 39(b) discretion); ***Fed. R. Civ. P. 38–39.*** For that reason, Ramirez does not overturn the Fifth Circuit's FHA pleading ruling in No. 25-40449, and the jury issues in other cases are not newly imported into its judgment. But Ramirez does supply a concrete, post-petition appellate example involving the same district judge and court system in which the tribunal did not treat repeated jury requests as mere rhetoric. It examined the actual filings and procedural choices before determining whether discretion was abused. Petitioner asks for comparable care in distinguishing an administrative-record question from an unsuccessful demand to win a particular case. Whether this comparison has the substantial, case- specific effect **Rule 44.2** requires is the question submitted, not a conclusion assumed.

IV. SEPTEMBER–OCTOBER 2026: DOCUMENTED QUESTIONS IN NO. 00345

No. 3:25-cv-00345 is a separate civil-rights lawsuit concerning alleged confinement, forced medication, governmental involvement, and asserted

interference with efforts to seek redress. It is not a lower-court judgment in No. 26-5001. Its limited relevance is that certain events came to Petitioner's attention after her certiorari filing and, as to reported receipt, after the October 5 denial.

She asserts the chronology from firsthand knowledge and working copies; signed orders and notice records are necessary to establish the full administrative history.

First, an August 31, 2026, **show-cause** order, identified by Petitioner as Dkt. 35, directed a response by September 18 about claims involving Sheriff Jake Linkey, Clear Lake Behavioral Hospital, and Galveston County. Petitioner filed responses in early September, identified as Dkts. 36 and 37, including a request to amend. A **September 10** five-page Order and **Final Judgment** identified as Dkt. 38, dismissed the federal claims with prejudice and declined supplemental jurisdiction over state-law claims. It was entered **eight** calendar days before the stated deadline. The judgment reportedly considered the responses already submitted; Petitioner does not claim that the judge ignored every filing.

The narrower procedural question is whether terminating the action before the outstanding court-4ordered response period expired deprived her of an identifiable remaining opportunity: to file a proposed amended pleading, supply details about individual acts or concerted action under Rule 15(a) or address the asserted futility of amendment. A court may rule after receiving an adequate response; early timing alone is not reversible error. The signed show-cause order, responses, judgment, and proposed amendment, if any, are essential to testing actual prejudice.

Second, Petitioner states that she did not receive the September 10 judgment through her ordinary notice channels and first learned of it on October 14. Under Rule 77(d), the clerk ordinarily serves notice of entry, but a failure of receipt does not automatically extend the appeal deadline. The relevant questions include Rule 58 separate-judgment treatment, actual docket entry, notice generated or mailed, and the narrowly defined relief available under Federal Rule of Appellate Procedure 4(a)(5) or

4(a)(6). Petitioner initiated protective efforts in that separate case and must pursue the appeal-timing issue there, not through No. 26-5001. **Third**, Petitioner had a court notice setting an October 14, 2026, Zoom conference for 9:00 a.m. before Magistrate Judge **Andrew M. Edison**. She reports three changes in scheduling, no received cancellation notice, and first learning approximately two hours after the appointed time that the hearing had been cancelled. Without the actual calendar entries, cancellation notice, transmission logs, and clerk correspondence, responsibility for non-receipt cannot fairly be assigned to Judge Brown or any other individual. The point is the objectively resolvable notice question.

These events do not confer jurisdiction here over No. 00345. They do, however, illustrate why Petitioner presses for comparison of promised deadlines, the entry of dispositive orders, and actual notice. **Whether** their later discovery is sufficiently consequential and connected to the direct judgment for **Rule 44.2** remains a strict obstacle. Her evidence-based request is narrower than a charge that every unfavorable result was engineered.

V. THE PATTERN IN PETITIONER'S SEPARATE FEDERAL PROCEEDINGS

Petitioner has brought several distinct matters in the Southern District of Texas. Their factual grievances vary, but her procedural complaints commonly concern the gap between a paper right and an effective chance to invoke it. The following are offered solely as corroborative background, not as additional judgments on certiorari here. No. **3:24-cv-00224** arose from the **March 2021** residential fire, asserted contamination, disputed insurance treatment, and related regulatory complaints. The earlier Fifth Circuit appeal, **No. 24-40770**, was dismissed as frivolous; this Court denied certiorari in **No. 24-7514.**

In a **DISTINCT** post-judgment proceeding, Judge Brown denied Petitioner's Rule 60(b)(4) motion on August 31, 2026 (Reported Dkt. 58). Thus No. 00224 is **NOT** another undecided Rule **60(b)(4)** motion. Petitioner reports filing a notice of appeal on September 8, 2026; the separate Fifth Circuit appeal, No. **26-40559**, appears on the public docket as opened on September 15, 2026. That newer appeal is neither the earlier

No. 24-40770 appeal nor part of the appellate chain of Supreme Court No. 26-5001.

On October 13, 2026, Petitioner states that the Fifth Circuit Clerk advised that the record on appeal in No. 26-40559 had not yet been received and that the briefing notice would issue only after receipt. The issue is the **RECORD ON APPEAL**, which is distinct from a hearing transcript, if any. Under Fed. R. App. P. 10–11 and Fifth Cir. R. 11.3, the district clerk must determine completeness and transmit the record; if transmission does not occur within 15 days after the notice of appeal or after a necessary transcript is filed, whichever is later, the district clerk must report the reason for delay and request an extension. The present materials do not establish whether any transcript order,no-transcript certificate, extension, or transmission occurred. Petitioner requests examination of those records, without presuming intentional obstruction.

No. 3:24-cv-00274 concerned alleged seven-day involuntary psychiatric confinement in August 2024, lack of a judicial hearing, physical restraint, and compelled administration of medication.

Petitioner identifies a February 25, 2025, service-extension order (Dkt. 14) that she says acknowledged a clerk-related problem; the case was dismissed on Rule 4(m) service grounds on July 28, 2025. The Fifth Circuit affirmed in No. 25-40483 on November 17, 2025. Neither court's service disposition adjudicated the factual truth of the confinement and medication allegations. This is an important distinction, not a claim that the dismissal was necessarily unlawful.

No. **3:24-cv-00331** and Fifth Circuit **No. 25-40438** involved a separate service-based dismissal.

The appellate docket records a rehearing petition marked "**made sufficient**" on January 16, 2026.Petitioner reports no timely receipt of the January 27 rehearing denial or February 3 mandate, first learning of those actions through clerk correspondence in August; a request to recall the mandate was reportedly denied September 15. Those alleged appellate notice failures concern the appellate clerk and transmission history, not acts automatically attributable to the district judge. The original notices and delivery records are critical.Petitioner further reports that Rule 60(b)(4) motions in Nos. 3:24-cv-00274, 3:24-cv-00331, and the directly related No. 3:25-cv-00091 remain without district-court rulings. These are three reported non-dispositions, **DISTINCT** from the August 31 express denial in No. 00224. Filed motions, proof of filing, and current dockets are needed to establish each motion's status.

An unresolved district motion does not by itself establish Fifth Circuit neglect or relieve an appellant of deadlines.

The direct No. 00091 suit involved rental conditions and alleged disability discrimination; the Fifth Circuit affirmed the pleading dismissal and the recusal denial. Its separate Rule 60(b)(4) motion dated December 29, 2025, and docketed in January 2026 according to Petitioner's materials, remains reportedly unadjudicated. No. 00345 concerns the separate September–October 2026 deadline and notice events described above. Courts did issue rulings in several of these matters; the legally material distinction is between decisions actually made and the specific unresolved motions or transfer duties alleged to remain unfulfilled. The objectively testable comparisons are original jury-demand filings versus docket designations; service-related orders versus Rule 4(m) dispositions; a stated response deadline versus the judgment date; notice records versus first actual receipt; three reported pending Rule 60(b)(4) motions versus one expressly denied motion; and district-clerk compliance with appellate-record transmission rules. A record-based explanation must be considered fairly whether it supports or refutes Petitioner's position. These different matters are context, not additional judgments placed before this Court in No. 26-5001.

VI. RECUSAL, TWO SANCTIONS WARNINGS, AND ACCESS TO COUNSEL

Petitioner moved for Judge Brown's disqualification more than once, including in Nos. 00091 and 00345. No. 00345 docket materials identify recusal requests in Dkts. 2, 13, and 18, denied by Dkt. 27 on January 14, 2026, and a discovery stay in Dkt. 28. She also sought review through district-court administration and two Fifth Circuit judicial-conduct matters. Those avenues did not produce the corrective outcome she sought; the fact of dismissal or denial of a complaint does not prove its accusations. ***Liteky v. United States, 510 U.S. 540, 555–56 (1994)***, makes adverse rulings an ordinarily insufficient basis for recusal; the Fifth Circuit applied that principle against Petitioner in No. 25-40449. A judge may ordinarily decide a § 455 recusal motion in the first instance. The legally appropriate question under 28 U.S.C. § 455(a), ***Liljeberg v. Health Services Acquisition Corp., 486 U.S. 847 (1988)***, and ***In re Murchison, 349 U.S. 133, 136 (1955)***, is whether specific supported

circumstances reasonably call impartiality into question, not whether Petitioner feels personally injured by the result.

THE TWO DISTINCT SANCTIONS WARNINGS

First, Petitioner identifies Judge Jeffrey V. Brown's May 20, 2025, sua sponte order in the direct district-court action, No. 3:25-cv-00091, Dkt. 14, as a warning that further frivolous litigation could trigger sanctions under Federal Rule of Civil Procedure 11. Petitioner challenges the premise that her repeated requests for judicial relief are frivolous and states that this warning inhibited her willingness to submit corrective filings. The docket confirms the order's date; its exact wording should be checked against the signed Dkt. 14. Petitioner does not contend that this warning itself imposed a monetary penalty or a prefiling injunction.

Second, on April 13, 2026, the Fifth Circuit issued an express "**COURT SANCTION WARNING**" in ***In re Houhe Zeng, Nos. 25-40767*** and ***26-40004,*** Dkt. 34. The public appellate docket states that future repetitive or frivolous filings could result in dismissal, monetary sanctions, and restrictions on filing pleadings in the Fifth Circuit and courts subject to its jurisdiction. That is a documented warning from a SECOND judicial level, distinct from the earlier district-court Rule 11 warning. It did not, by itself, impose the threatened penalties, and it arose in separate mandamus matters, not in Supreme Court No. 26-5001.

Together, these two warnings amplified Petitioner's stated fear that continuing to challenge alleged service, notice, docket, and post-judgment errors might expose her too substantial financial consequences or even filing restrictions. For a litigant who reports being unable—not merely unwilling—to secure counsel, that prospect is an alleged practical deterrent to invoking the very procedures available for correction. Lawful sanctions against abusive filings remain permissible; the warnings do not establish retaliatory intent. Their legally relevant effect, if proved, must be evaluated by reference to the precise orders, the nature of the corrective filings, and any identifiable lost opportunity for review.

Independent Fifth Circuit corrections in cases involving Judge Brown, including ***AAPS Educational Foundation v. ABIM, No. 23-40423 (2024)*** (pleading amendment) and ***Ramirez (2026) (Rule 39(b)***, illustrate that procedural judgments are reviewable and may sometimes be found erroneous. AAPS predated the certiorari filing; it is not new Rule 44.2 material. Neither case establishes personal animus nor controls the

FHA holding in this appeal. Petitioner seeks application of legal standards, not an inference of bad faith from reversal statistics.

VII. THE PRACTICAL DENIAL OF COUNSEL AND MEANINGFUL JUDICIAL ACCESS

A court can formally accept a complaint while the litigant remains practically unable to vindicate the rights pleaded. Petitioner presents this concern as one of equal process, not an entitlement to judgment, trial, or appointed civil counsel. When court-controlled notification, service administration, time to respond, docket accuracy, and review of post-judgment motions are genuinely disputed, effective access turns on how those procedural safeguards actually operate. A docket number alone does not resolve that issue.

Published empirical research illustrates the gravity of the representation divide, but not its cause in any individual case. Mitchell Levy, Empirical Patterns of Pro Se Litigation in **Federal District Courts, 85 U. Chi. L. Rev. 1819 (2018)**, Table 2C, reports that among federal civil cases from 1998–2017 ending in a judgment expressly favoring either plaintiff or defendant, plaintiffs acting pro se prevailed approximately **4%** of the time, compared with **54%** where both parties were represented.

The difference is **50** percentage points, **NOT** evidence that representation alone caused that difference or that any court must equalize litigants' win rates. The data exclude settlements and other dispositions and compare differently situated claims.

Petitioner does not offer them as proof of discrimination, a probability calculation for her five cases, or a newly arisen Rule 44.2 circumstance. Their limited institutional significance is that the legal system must be vigilant against avoidable procedural prejudice when a litigant lacks counsel. The question is not who must supply the missing 47 percentage points; it is who must ensure that access, notice, a lawful opportunity to respond, and the availability of proper review do not become illusory.

For Petitioner, pro se litigation has not been a preferred strategy. She speaks Mandarin, cannot independently conduct English-language federal litigation, and reports sustained but unsuccessful efforts to obtain attorneys in civil-rights, insurance, and appellate matters. She states that some attorneys expressed reluctance to litigate against the district judge. The **DOUBLE WARNING**—potential Rule 11 consequences below and possible dismissal, monetary sanctions, and filing restrictions on appeal—intensified her reported inability to seek correction without fear. Private conversations remain Petitioner's account, not corroborated findings that Judge Brown threatened attorneys or that lawyers collectively refused representation because of him. This has become an unspoken rule: civil rights cases are 99% guaranteed to fail.

This Court directs that pro se pleadings be construed liberally. ***Haines v. Kerner, 404 U.S. 519,10520–21 (1972)***; ***Erickson v. Pardus, 551 U.S. 89, 94 (2007)***. At the same time, ***McNeil v. United States, 508 U.S. 106, 113 (1993),*** rejects a general exemption from procedural rules. These decisions are reconcilable. They provide neither a right to automatic amendment nor a right to ignore service or jurisdictional requirements. They reinforce the need to assess what the court actually required, what papers Petitioner actually submitted, what court officials actually communicated, and whether the governing rules were accurately applied. Petitioner specifically alleges that the cumulative process felt punitive and crushing serial threshold terminations, disputed notice of judgments, questioned jury-demand designations, and failures to resolve corrective requests allegedly left her less able to retain counsel or pursue accountability for governmental and private conduct. She believes that the pattern reflects hostility and retaliation. The assertion of retaliatory motive remains **UNPROVEN**; repeated adverse decisions
or the normal act of a judge deciding a recusal motion cannot substitute for an objectively sufficient
showing of bias. See Liteky v. United States, 510 U.S. 540, 555–56 (1994). The narrow, reviewable concern is instead a claimed loss of concrete procedural opportunities: the ability to supplement a response before a

stated deadline; to know when judgment has entered; to preserve a timely appellate remedy; to identify whether a properly submitted jury demand was preserved; and to obtain an appealable disposition of a distinct motion asserting voidness. ***Christopher v. Harbury, 536 U.S. 403, 414–16 (2002)***, requires identification of the underlying claim and the remedy impaired. Petitioner accordingly distinguishes each alleged lost opportunity from the separate question whether the underlying claims would ultimately prevail.

These historic statistics, longstanding cases, earlier attempts to retain counsel, and **BOTH** sanctions warnings predated the May 14, 2026, certiorari petition. Accordingly, none is misrepresented as a freestanding intervening Rule 44.2 event. They describe the practical context in which Petitioner allegedly discovered, on October 14, new notice problems and feared that further **good-faith** procedural requests would be condemned as repetitive. Equal justice does not require equal outcomes; it requires fair enforcement of filing, service, notice, jury, and corrective-review rules even when the litigant stands alone.

VIII. ADDRESSING THE STRONGEST OBJECTIONS TO REHEARING

Four objections warrant direct answers.

First, the Rule 60(b)(4) motion in direct No. 00091 preceded the May 2026 certiorari petition; continued pendency by itself is not a new Rule 44.2 ground. Rule 60(c)(2) precludes treating a postjudgment motion as an automatic suspension of finality. The express August 31 denial in separate No. 00224 and the new No. 26-40559 appeal must be distinguished from the reported nondecisions in Nos. 00274, 00331, and 00091. Neither the separate ruling nor any asserted record-transfer delay enlarges this Court's jurisdiction over the Fifth Circuit judgment in No. 25-40449.

Second, the Fifth Circuit already affirmed that No. 00091 did not plausibly plead disability causation under the FHA and that the recusal showing was inadequate. The petition does not assert

that Ramirez silently overruled those conclusions; a jury-trial ruling after trial scheduling is different from a Rule 12(b)(6) pleading dismissal. The asserted jury notations primarily arose in other cases,
so their probative reach in this petition is limited.

Third, No. 00345 is procedurally independent. The September 10 order preceded this Court's denial; Petitioner's asserted lack of notice became known after it. Rule 44.2 requires more than chronology. A substantial relation to the certiorari judgment must be shown. Petitioner offers that proceeding, with its precise caveats, to illuminate newly noticed procedural administration rather than to obtain appellate reversal of a case not before this Court.

Fourth, allegations of bias, conspiracy, retaliatory sanction threats, or intentional manipulation cannot substitute for signed orders, court-record transmission logs, filed demands, notice histories, or clerk correspondence. Under Fifth Cir. R. 11.3, whether the district clerk timely transmitted the record or explained a delay in No. 26-40559 is an objectively verifiable question. The April 2026 appellate sanction warning is a separate proceeding and does not itself establish misconduct. ***Christopher v. Harbury, 536 U.S. 403, 414–16 (2002),*** requires an access-to-courts allegation to identify the underlying claim and lost remedy. Petitioner seeks testing of specific procedural facts rather than a presumption of retaliation. These limitations do not render the petition frivolous; they define what it can properly request.

This Court's Rule 10(a) recognizes that exceptional procedural departures may justify supervisory review, but Rule 10 does not displace the stricter post-denial requirements of Rule 44.2. The contention here is that an apparently recurring set of specific notice and docket problems should be assessed through legally available channels without equating every independently checkable procedural complaint with discontent about a judgment.

IX. REQUEST FOR A RESPONSE AND PRECISE RELIEF

Petitioner respectfully asks the Court to evaluate the post-petition Ramirez decision, the separately reported October 14 newly discovered notice problems, and the confined context of the still-unresolved Rule 60(b)(4) filing. She requests that the Court determine whether any of those matters, alone or cumulatively and only insofar as lawfully germane to this judgment, qualifies as a substantial intervening circumstance or other substantial ground not previously presented.

Rule 44.3 provides that, absent extraordinary circumstances, the Court will not grant rehearing without first requesting a response. Petitioner accordingly asks the Court, as an intermediate step, to call for a response if it concludes that a substantial and properly presented Rule 44.2 ground warrants one. She does not demand an evidentiary investigation of separate judgments, a declaration of judicial wrongdoing, automatic recusal, or an original ruling upon a motion pending below. If relief is granted, Petitioner asks that the **October 5, 2026**, certiorari denial be reconsidered only as allowed by the Court's Rules. She understands that separate remedies for the No. 00345 judgment, its notice dispute, and any undecided Rule 60(b)(4) motion must be sought in their respective courts.

The essential principle is accuracy: the legality of a court-controlled procedural event is tested by the original record and the governing standard, not presumed from either an adverse outcome or an unverified accusation.

CONCLUSION

For these reasons, Petitioner respectfully requests rehearing of the October 5, 2026, order denying certiorari in No. 26-5001 or, alternatively, a request for a response to the narrowly identified issues under Rule 44.3. This petition does not ask the Court to accept allegations as proof. It asks for consideration of specified later developments under the standard that Rule 44.2 itself prescribes.

Respectfully submitted,

Signature: Houhe Zeng
Houhe Zeng, Petitioner Pro Se
Date: October 16,2026

CERTIFICATION UNDER SUPREME COURT RULE 44.2

I, **Houhe Zeng**, appearing without counsel, certify that this petition for rehearing of the October 5,
2026 order denying certiorari is restricted to intervening circumstances of substantial or controlling
effect or to other substantial grounds not previously presented within the meaning of Supreme Court
Rule 44.2. I further certify that it is presented in good faith and not for delay.

This certification is made based on my good-faith understanding of the record, expressly
distinguishing court orders and matters within my personal knowledge from allegations or inferences that require further documentary corroboration.

Signature: Houhe Zeng
Houhe Zeng, Petitioner Pro Se
Date: October 16,2026
Email: Jts990616@gmail.com
Address:3002 Arbor Edge Crossing,
La Marque,TX77568

IN THE

SUPREME COURT OF THE UNITED STATES

Case No.:26-5001

PROOF OF SERVICE

I, Houhe Zeng, Petitioner Pro Se, declare that on **October 16,2026**, I served a true and correct copy of this Petition for Rehearing upon counsel for Respondents in a manner permitted by Supreme Court Rule 29, with postage or delivery charges prepaid.

Service was made by: UPS Mail, Tracking: 1Z44K1032249701N

[Counsel for Respondents]
Austin R. DuBois, Esq.
Barry & Sewart, PLLC
Email: austin@barryandsewart.com
Address: 4151 Southwest Freeway, Suite 680,

Houston, Texas 77027

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

Executed on October 16,2026.

/s/ Houhe Zeng
Houhe Zeng
Petitioner Pro Se

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