

No: 20-5808

IN THE SUPREME COURT OF THE UNITED STATES

In re. Roger Liverman, — PRO SE PETITIONER

vs.

Lawanda McMurray, et al, — RESPONDENT(S)

ON PETITION FOR A WRIT OF MANDAMUS, TO
THE COURT OF APPEALS, FIFTH CIRCUIT

MOTION FOR LEAVE TO FILE A PETITION FOR EN
BANC REHEARING OF PETITIONERS WRIT OF
MANDAMUS PURSUANT TO U.S. SUPREME COURT
RULE 44 REHEARING

Roger Liverman
422 Holiday Drive
Ponder, Texas 76259
(940) 372-3686

Now comes Roger Liverman, Petitioners, and will show the following:
This Case is now in front of the Supreme Court, and this is shameful.

The history of this case will show that it was fraught with violations of
Due Process, Fraud upon the Court by the Court, ie District Court,
Fifth Circuit, Court of Appeals,

This case was brought under the Civil provisions of RICO, and under
Title 18 U.S.C. Sec. 4 Misprision Felony, - (as required by law and
language contained in the statute.)

Not a single fact has been disputed by any of the Respondents or
through the Respondents Attorneys to date.

Yet here we are. There is a history of criminal acts, Due Process, Equal
Protection clause of the U.S. Constitution by District Clerks, Clerks in
the Federal Court of Appeals Fifth Circuit, and first by the U.S.

Magistrate Judge, District Judge, and through the Appellate Judges in
the Fifth Circuit not addressing any of the Issues brought before it by
Petitioner.

District Court Midland:

- One aspect of the RICO case presented involved the issue of a Murder for Hire Scheme by Katheryn Paine Hall Dutko, that was brought to my attention by a Texas Ranger Ron Pettigrew, (a defendant in Default) The Courts and all Parties of this Case being officers of the court accept Katheryn Paine Hall Dutko were made aware of this by being served by a process server.
- Failure to perform Administrative Duties by not recording Defaults. i.e. The Docket will show that several of the Defendants either did not answer (James McDonald) or filed late and missed legal timeframes.
- A Fraud upon the Court by the Court. A U.S. Magistrate Judge making False Statements, which the U.S. District Court Judge was aware and yet did not correct in his Final Decision. Fraud vitiates everything it touches.

- The Civil Docket sheet was manipulated in an attempt to hide this false statement of the U.S. Magistrate Judge and by the District Judge.
- The Clerk upon Appeal to the Fifth Circuit failed to provide a true and correct and complete file to the Clerk of the Fifth Circuit Court of Appeals.
- The Court was made aware of a criminal act under Title 18 U.S.C. 1512 Intimidation by the Defendants Attorney of Record. Threatening Petitioner he would be in “peril” if I did not drop the lawsuit. This was sent via certified mail, return receipt by the Defendant. The District Judge was made aware of this criminal act under provisions of Title 18 U.S.C. Sec 4 Misprision Felony. No action taken.

Fifth Circuit Court of Appeals:

- The Clerk upon Appeal to the Fifth Circuit failed to provide a true and correct and complete file to the Clerk of the Fifth Circuit

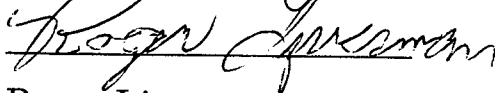
Court of Appeals. The Petitioner notified the Clerk of the Fifth Circuit of this fact. No action taken.

- The Fifth Court was made aware of all the above issues contained in Petitioner's Appeal of the Lower Court Rulings and Petitioners Writ of Mandamus of criminal act provisions of Title 18 U.S.C. Sec 4 Misprision Felony. No action taken.
- The way the Fifth Circuit gave its opinion created a Finality Trap, by only dismissing two of the Defendants out of the several Defendants. This can only be resolved by the U.S. Supreme Court.

PRAYER

That this Court grant the Petitioner's request for Rehearing for the above foregoing reasons. To restore the Integrity of the Lower Courts.

Respectfully submitted.



Roger Liverman

422 Holiday Drive

Ponder, Texas

Supreme Court of the United States

Roger Liverman
(Petitioner)

v.

No. 20-5808

LA WANDA McMURRAY, et al,
(Respondent)

To ATTACHED Counsel for Respondent:

NOTICE IS HEREBY GIVEN that a petition for writ of mandamus in the above-entitled case was filed in the Supreme Court of the United States on August 26, 2020, and placed on the docket September 25, 2020.

Beginning November 13, 2017, parties represented by counsel must submit filings through the Supreme Court's electronic filing system. Paper remains the official form of filing, and electronic filing is in addition to the existing paper submission requirement. Attorneys must register for the system in advance, and the registration process may take several days. Further information about the system can be found at <https://www.supremecourt.gov/filingandrules/electronicfiling.aspx>.

Mr. Roger Liverman
422 Holiday Drive
Ponder, TX 76259
(940) 372-3686

NOTE: This notice is for notification purposes only, and neither the original nor a copy should be filed in the Supreme Court.

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**PETITION FOR EN BANC REHEARING OF
PETITIONERS WRIT OF MANDAMUS PURSUANT TO
U.S. SUPREME COURT RULE 44 REHEARING**

Roger Liverman
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Standing:

Supreme Court Rule 44 Rehearing:

Any petition for the rehearing of an order denying a petition for a writ of certiorari or extraordinary writ shall be filed within 25 days after the date of the order of denial and shall comply with all the form and filing requirements of paragraph 1 of this Rule, including the payment of the filing fee if required, but its grounds shall be limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented. The time for filing a petition for the rehearing of an order denying a petition for a writ of certiorari or extraordinary writ will not be extended.

Relief Sought

Pursuant to Rule 44 of this Court, Roger Liverman Pro Se Petitioner hereby respectfully petitions for rehearing of this case before a full nine-Member Court.

The Court treat Petitioner's Writ of Mandamus and Notification of Title 18 U.S.C. Sec. 4 Misprision Felony as "de novo" and make a binding Opinion on the Requirements and Duties of the Court once Notified by a Citizen as contained in the plain language of Title 18 U.S.C. Sec. 4 Misprision Felony. Forward said criminal complaint to the Proper Authorities to be Investigated fully. Address and resolve all issues contained within- to not further delay the Due Administration of Justice, Due Process and Equal Protection Clauses of the Constitution.

For example, will show the Court the following:

- That the Clerk failed to issue Default Judgment after Parties failed to Answer Complaint after having been properly served a copy of the federal Summons and Complaint,
- That said act of issuing Default Judgment is a ministerial duty of the Clerk, Office of the Clerk, in the United States District Court, for the Western District of Texas, Midland Division,
- That enough time has passed, that makes Writ of Mandamus ripe to be filed on this matter.
- The Default Notice filed occurred on April 25, 2019, April 29, 2019 and May 30, 2019.

That failure of the Clerk, Office of the Clerk, in the United States District Court, for the Western District of Texas, Midland Division, to perform these duties violates Pro Se Plaintiffs right of Due Process and Equal Protection Under the Law and further gives the appearance of impropriety and damages the integrity of this Court by rewarding conduct of ignoring or failing to Answer a Federal Summons in the proper timeframes and failing to do issue said Default gives the appearance of condoning and rewarding failure

The United States 5th Circuit Court of Appeals was given Formal Notification of Title 18 U.S.C. § 4 Misprision Felony of Jeannette J. Clack, Clerk of Court, Philip J. Devlin, Chief Deputy, Office of the Clerk, U.S. District Court, Western District of Texas (Midland Division) for Violating Title 18 U.S.C. § 2071. Concealment, Removal, or Mutilation Generally.

Pro Se Plaintiff-Appellant respectfully Request that this matter be referred to the United States Department of Justice for further Investigation and Prosecution to the fullest extent of the law.

Pursuant to Title 18 U.S.C. Sec. 4 Misprision of Felony

“Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both”. (June 25, 1948, ch. 645, 62 Stat. 684; Pub. L. 103-322, title XXXIII, §330016(1)(G), Sept. 13, 1994, 108 Stat. 2147.)

Plaintiff-Appellant in accordance to Fed R.C.P. 11(b) Representations to Court

By presenting to the court (whether by signing, filing, submitting, or later advocating) a pleading, written motion, or other paper, an attorney or unrepresented party is certifying that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, -

(1) It is not being presented for any improper purposes, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation;

(2) The claims, defenses, and other legal contentions therein are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or establishment of new law,

(3) the allegations and other factual contentions have evidentiary support or, if specifically, so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery;"

In the instant case, Title 18 U.S.C. Sec. 4 Misprision of Felony is very clear the duties and responsibilities of a Private Citizen to notify a "Judge or someone in Authority". Congress has provided that a citizen "shall" do this.

Due to the Separation Clauses in the U.S. Constitution, the Appellate Court does not have authority to execute the enforcement of law, that is reserved to the Executive Branch. The Courts can only "interpret" the law.

Nowhere has Congress given it the option to ignore the provisions of the statute by the Court. The Court does not have the discretion and ability to determine how it will effectuate its statutory duty to achieve the goals expressed by Congress.

The word "shall" is imperative, and, it deprives the Court of the right to do something that is clearly contrary to Congress' intent.

Statement of Facts

- On November 27, 2019, Roger Liverman Plaintiff-Appellant appearing Pro Se and “in forma pauperis made a specific request for the complete file and exhibits for Appeal Brief filing. Sent Return Receipt Requested, Green Card signed by S. Estrada, December 4, 2019.
- On December 05, 2019, the United States Court of Appeals, Fifth Circuit, Office of the Clerk sent a letter to Mr. Roger Liverman, 422 Holiday Drive, Ponder, Texas 76259 regarding No. 19-51053 Roger Liverman v. LaWanda McMurray, et al USDC No. 7:19-CV-62. The letter stated:

“Pro Se litigants may request the record from the district court to prepare their brief. Those proceeding in forma pauperis may receive the record without payment of shipping costs. If you wish to receive exhibits, you must specifically request them,

Once you obtain the record, you should check it within 14 days of receipt for any missing or incomplete items. If you need to request a supplement record or order transcripts, do so promptly, the court will not grant extensions of time to file your brief because you did not timely check the record.”

- On December 10, 2019, Roger Liverman Plaintiff-Appellant appearing Pro Se and “in forma pauperis made a specific request for the missing exhibits and attachments needed for Appeal Brief filing. Sent Return Receipt Requested, Green Card signed by S. Estrada, December 12, 2019.
- On December 19, 2019, Roger Liverman Plaintiff-Appellant appearing Pro Se and “in forma pauperis made a specific request for the missing exhibits and attachments needed for Appeal Brief filing. Made several phone calls to both the Office of the Clerk, U.S. District Court, Western District of Texas (Midland Division) and to the United States Court of Appeals, Fifth Circuit, Office of the Clerk regarding the “missing” filings and exhibits. I was informed that the Documents being sought are “not in the file.”

Specifically, missing documents are the Attachment and Exhibits attached to Pro Se Plaintiffs Objection to Entire US Magistrate Judges Order Denying Plaintiffs Emergency to Recuse and For Sanctions [see Entry 58 (Entered: 10/17/2019)] and Notice of Filing Pro Se Plaintiffs Objection to Entire Report and Recommendation of the US Magistrate Judge [see Entry 59 (Entered: 10/17/2019)] highlighting the false, statements contained therein to the U.S. District Judge David Counts.

- On December 19, 2019, the United States District Court, Western District of Texas, Office of the Clerk sent a letter dated December 16, 2019, to Mr. Roger Liverman, 422 Holiday Drive, Ponder, Texas 76259 regarding: MO:19-CV-62-DC-RCG, stating:

“A CD was mailed to you with a digital copy of your documents, the clerk was kind enough to print a courtesy copy for you. Please refer to your CD which contain all the pages you previously requested. Feel free to contact us with any questions.

- Roger Liverman, Plaintiff-Appellant appearing “Pro Se and in forma pauperis” called the United States District Court, Western District of Texas, Office of the Clerk to inform them I am 76 years old and do not have a computer or know how to use one, Needless to say, the person I spoke to was not helpful. Informed me that I was not getting anything from her.

Introduction

One of the principal responsibilities of the federal criminal law is the protection of government property. The property holdings of the United States, its departments and agencies are extensive and include both real and personal property in this country and abroad. In order for the Federal government to perform the wide range of duties assigned to it

by law, it must have ready access to these properties and resources. Therefore, it is very important that these properties be protected from any theft, misuse or misappropriation.

9-66.400 - Protection of Public Records, Documents and Other Government Information

Protection of Public Records and Documents CRM at 1663

The taking of a public record or document is prohibited by 18 U.S.C. § 641. The destruction of such records may be reached under 18 U.S.C. § 1361. In both instances, however, proving a \$100 loss, the prerequisite to a felony conviction, may be difficult. Thus, neither of these statutes adequately protects government records.

The necessary measure of protection for government documents and records is provided by 18 U.S.C. § 2071. Section 2071(a) contains a broad prohibition against destruction of government records or attempts to destroy such records. This section provides that whoever: willfully and unlawfully; conceals, removes, mutilates, obliterates or destroys; or attempts to conceal, remove, mutilate, obliterate or destroy; or carries away with intent to conceal, remove, mutilate, obliterate or destroy; any record, proceeding, map, book, paper, document or other thing deposited in any public office may be punished by imprisonment for three years, a \$2, 000 fine, or both.

There are several important aspects to this offense. First, it is a specific intent crime. This means that the defendant must act intentionally

with knowledge that he is violating the law. See United States v. Simpson, 460 F.2d 515, 518 (9th Cir. 1972). Moreover, one case has suggested that this specific intent requires that the defendant know that the documents involved are public records. See United States v. DeGroat, 30 F. 764, 765 (E.D.Mich. 1887).

The acts proscribed by this section are defined broadly. Essentially three types of conduct are prohibited by 18 U.S.C. § 2071(a). These are: (1) concealment, removal, mutilation, obliteration or destruction of records; (2) any attempt to commit these proscribed acts; and (3) carrying away any record with the intent to conceal, remove, mutilate or destroy it. It should be noted that all of these acts involve either misappropriation of or damage to public records. This has led one court to conclude that the mere photocopying of these records does not violate 18 U.S.C. § 2071. See United States v. Rosner, 352 F. Supp. 915, 919-22 (S.D.N.Y. 1972).

Subsection (b) of 18 U.S.C. § 2071 contains a similar prohibition specifically directed at custodians of public records. Any custodian of a public record who "willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys (any record) shall be fined not more than \$2,000 or imprisoned not more than three years, or both; and shall forfeit his office and be disqualified from holding any office under the United States." While the range of acts proscribed by this subsection is somewhat narrower than subsection (a), it does provide the additional penalty of forfeiture of position with the United States.

Title 18 contains two other provisions, of somewhat narrower application, which relate to public records. Section 285 prohibits the unauthorized taking, use and attempted use of any document, record or file relating to a claim against the United States for purposes of procuring payment of that claim. Section 1506 prohibits the theft, alteration or falsification of any record or process in any court of the United States. Both of these sections are punishable by a \$5,000 fine or imprisonment for five years.

Title 18 U.S.C. § 2071 Concealment, removal, or mutilation generally

(a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or, with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined under this title or imprisoned not more than three years, or both.

(b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined under this title or imprisoned not more than three years, or both; and shall forfeit his office and be disqualified from holding any

office under the United States. As used in this subsection, the term "office" does not include the office held by any person as a retired officer of the Armed Forces of the United States.

(June 25, 1948, ch. 645, 62 Stat. 795; Pub. L. 101-510, div. A, title V, §552(a), Nov. 5, 1990, 104 Stat. 1566; Pub. L. 103-322, title XXXIII, §330016(1)(I), Sept. 13, 1994, 108 Stat. 2147.)

Historical and Revision Notes

Based on title 18, U.S.C., 1940 ed., §§234, 235 (Mar. 4, 1909, ch. 321, §§128, 129, 35 Stat. 1111, 1112). Section consolidates sections 234 and 235 of title 18, U.S.C., 1940 ed.

Reference in subsection (a) to intent to steal was omitted as covered by section 641 of this title. Minor changes were made in phraseology.

Title 18 USC §1512 (b) Whoever knowingly uses intimidation, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to - (1) influence, delay, or prevent the testimony of any person in an official proceeding; (2) cause or induce any person to -- (A) withhold testimony, or withhold a record, document, or other object, from an official proceeding; (B) alter, destroy, mutilate, or conceal an object with intent to impair the object's integrity or availability for use in an official proceeding; ... shall be fined under this title or imprisoned not more than 20 years, or both. (3) ... (c) Whoever corruptly—(1) alters, destroys, mutilates, or conceals a record, document, or other object, or attempts to

do so, with the intent to impair the object's integrity or availability for use in an official proceeding; or (2) otherwise obstructs, influences, or impedes any official proceeding, or attempts to do so, shall be fined under this title or imprisoned not more than 20 years, or both.

Background

- The U.S. Magistrate Judge Ronald C Griffin, willfully and knowingly did make and use a false writing or document knowing the same to contain a materially false, fictitious, and fraudulent statement and entry with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction or agency of the United States, and did attempt to do the same to wit, U.S. Magistrate Judge Ronald C Griffin, created and signed, and submitted to U.S. District Judge David Counts and to the Clerk of the Court, U.S. District Court, Western Division, (Odessa/Midland) ORDER DENYING 25 Emergency Motion to Recuse Magistrate Judge Ronald C. Griffin and Sanction Defendants and Defendant Attorney of Record and Law Firm (Motion to Recuse and for Sanctions). Signed by Judge Ronald C Griffin. to appear [see entry 53 (Entered:10/03/2019) - on the Official Docket, a materially false instrument indicating that U.S. Magistrate Judge Ronald C Griffin signed and ORDER GRANTING 2 Motion to Leave to Proceed in forma pauperis. Signed by Judge David Counts, [see entry 12 entered 04/03/2019 when he had not in fact done so.

- The U.S. Magistrate Judge Ronald C Griffin, willfully and knowingly did make and use a false writing or document knowing the same to contain a materially false, fictitious, and fraudulent statement and entry with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction or agency of the United States, and did attempt to do the same to wit, U.S. Magistrate Judge Ronald C Griffin, created and signed, and submitted to U.S. District Judge David Counts and to the Clerk of the Court, U.S. District Court, Western Division, (Odessa/Midland) REPORT AND RECOMMENDATON Signed by Judge Ronald C Griffin. to appear [see entry 54 (Entered:10/07/2019) - on the Official Docket¹, a materially false instrument indicating that U.S. Magistrate Judge Ronald C Griffin signed and ORDER GRANTING 2 Motion to Leave to Proceed in forma pauperis. Signed by Judge David Counts, [see entry 12 entered 04/03/2019 when he had not in fact done so.
- It must be highlighted that in both the ORDER DENYING 25 Emergency Motion to Recuse Magistrate Judge Ronald C. Griffin and Sanction Defendants and Defendant Attorney of Record and Law Firm (Motion to Recuse and for Sanctions). Signed by Judge Ronald C Griffin and the REPORT AND RECOMMENDATON

¹ Certified Docket by Clerk of the Court

Signed by Judge Ronald C Griffin. to appear [see entry 54 (Entered:10/07/2019) - on the Official Docket, that the a materially false instrument indicating that U.S. Magistrate Judge Ronald C Griffin signed and ORDER GRANTING 2 Motion to Leave to Proceed in forma pauperis in the Prior Civil Litigation when he had not in fact done so.

- Because there was no Motion to Leave to Proceed in forma pauperis because Roger Liverman, Appellant paid the filing fee in that case as [see the attached receipt.] This is a Significant Fact.
- Notice of Filing Pro Se Plaintiffs Objection to Entire US Magistrate Judges Order Denying Plaintiffs Emergency to Recuse and For Sanctions [see Entry 58 (Entered: 10/17/2019)] and Notice of Filing Pro Se Plaintiffs Objection to Entire Report and Recommendation of the US Magistrate Judge [see Entry 59 (Entered: 10/17/2019)] highlighting the false, statements contained therein to the U.S. District Judge David Counts.
- On 10/24/2019, the Clerk of the Court, knowingly and willfully changed the Official Docket by entering a materially false instrument indicating that U.S. Magistrate Judge Ronald C Griffin signed and ORDER GRANTING 2 Motion to Leave to

Proceed in forma pauperis. Signed by Judge Ronald C. Griffin²,
(se) Modified text to correct Judge's name on 10/24/2019 with the
document being altered, falsified and forged [see entry 12 entered
04/03/2019 when he had not in fact done so in violation of Title 18
U.S.C. § 2071 Concealment, Removal, or Mutilation Generally.
contains a similar prohibition specifically directed at custodians of
public records.

² Thus, attempting to correct the False Narrative and Statement made by the U.S.
Magistrate
Ronald C Griffin in his ORDER DENYING 25 Emergency Motion to Recuse
Magistrate Judge Ronald C. Griffin and Sanction Defendants and Defendant
Attorney of Record and Law Firm (Motion to Recuse and for Sanctions). Signed by
Judge Ronald C Griffin and the REPORT AND RECOMMENDATON Signed by
Judge Ronald C Griffin to appear [see entry 54 (Entered:10/07/2019) - on the
Official Docket,

However, this does not Correct a materially false instrument indicating that U.S.
Magistrate Judge Ronald C Griffin signed and ORDER GRANTING 2 Motion to
Leave to Proceed in forma pauperis in the Prior Civil Litigation when he had not in
fact done so. Because the Appellant paid the filing fee in that prior litigation and
thus NO ORDER GRANTING 2 Motion to Leave to Proceed in forma pauperis was
ever filed or signed in that Case. A Fabricated false Statement that they Clerk of
the Court, U.S. Magistrate Judge Ronald C Griffin and U.S. District Judge David
Counts knew was going to be used in the Docket. [See Entry 60 ORDER
ADOPTING REPORT AND RECOMMENDATION AND AFFIRMING THE
MAGISTRATE JUDGES ORDER as to 54 Report and Recommendations Signed by
Judge David Counts. (see) (Entered 10/28/2019) and FINAL JUDGEMENT. Signed
by Judge David Counts (see) (Entered: 10/28/2019).

- Any custodian of a public record who "willfully and unlawfully conceals, removes, mutilates, obliterates, **falsifies**, or destroys (any record) shall be fined not more than \$2,000 or imprisoned not more than three years, or both; and shall forfeit his office and be disqualified from holding any office under the United States."

While the range of acts proscribed by this subsection is somewhat narrower than subsection (a), it does provide the additional penalty of forfeiture of position with the United States.

The United States Supreme Court shall Grant review not only because the 5th Circuit's Opinion is wrong, and by their Actions created a Finality Trap to the detriment to the Petitioner, as well as U.S. Supreme Court procedures ---violated Petitioner's Right of Due Process and Equal Protection Clauses. but also because, by doing so, the court can clarify ambiguities with Title 18 U.S.C. Section Misprision Felony and the Constitution.

(In addition to focusing directly on the legal questions at issue in this case, often point to disagreements among the federal courts of appeals about those issues and ask the Supreme Court to resolve those disputes by setting a precedent that the lower courts must follow.)

Supreme Court Procedures.

Once all of the cert stage briefs — the cert petition, the BIO (if any), the reply brief (if any) and the amicus briefs (if any) — are filed, they are distributed to the justices' chambers.

- Seven of the current justices participate in the cert pool, which is a labor-saving device in which a cert petition is first reviewed by one law clerk in one of the seven chambers.
- That clerk prepares a memorandum about the case that includes an initial recommendation as to whether the court should review the case.
- The memorandum is circulated to all seven chambers, where it is reviewed by the clerks and possibly the justices there.
- Justices Samuel Alito and Neil Gorsuch do not participate in the cert pool.

Instead, their law clerks review the incoming cert petitions on their own and make recommendations directly to their respective justices.

- Based on these reviews, the justices decide to add the case to the **discuss list**,

A short list of cases they plan to talk about at their next private meeting, or **conference**. (If no justice had asked to add a case to the **discuss list**,

It would have been put on the “dead list,” and the case would automatically have been denied without the justices **having ever** discussed the case or voted on it.)

At least four justices vote to grant review of a Case and the court announces this decision as part of an **order list**, which will generally be released on the Monday morning after the conference.

FRAUD ON THE COURT ---

Fraud on the Court occurs when the judicial machinery itself has been tainted. Fraud on the Court makes void the Orders and Judgments of that Court.

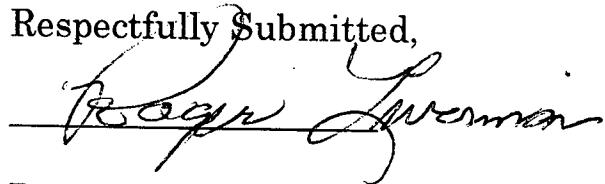
In Bullock v United States, 763 F.2d 1115,1121 (10th Cir. 1985), the Court stated:

“Fraud upon the Court is fraud which is directed to the Judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury.....It is where the Judge has not performed his judicial function --- thus where the impartial functions of the Court have been directly corrupted.”

The Fraud upon the Court is created by allowing cases to be “decided” by Law Clerks – instead of Supreme Court Justices failed to “perform his/her judicial function, “to determine cases of controversy. in violation of Article III of the U.S. Constitution,

The actions of the District Court, Appellate Court, and that of the U.S. Supreme Court gives rise to more than the "hint of impropriety."

Respectfully Submitted,

A handwritten signature in cursive script, reading "Roger Liverman". The signature is written in black ink and is positioned above a horizontal line.

Roger Liverman, Plaintiff-Appellant

422 Holiday Drive,

Ponder, Texas 76259

Supreme Court of the United States

Roger Liverman
(Petitioner)

v.

No. 20-5808

LA WANDA McMURRAY, et al,
(Respondent)

To ATTACHED Counsel for Respondent:

NOTICE IS HEREBY GIVEN that a petition for writ of mandamus in the above-entitled case was filed in the Supreme Court of the United States on August 26, 2020, and placed on the docket September 25, 2020.

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