

SUPREME COURT OF THE UNITED STATES

JOSE JOAQUIN RAMIREZ

VS.

APONTE ET. AL.

CASE # 18-5425

PETITION FOR REHEARING

This legal document is to serve as a petition for a rehearing for the above case. This is the first such request being made.

The undersigned does assert and affirm that the contents of this request are limited to intervening circumstances that the court has not considered and has not been properly presented. This is done under the pains and penalties of perjury pursuant to the mandates set forth within Title 28 U.S.C. Section 1746.

The undersigned does assert and affirm, stress and verifies, swears and declares under the pains and penalties of perjury pursuant to the mandates set forth within Title 28 U.S.C. Section 1746 that this request is made in the highest of good faith and this request is not a attempt to delay any proceedings.

I, Jose Joaquin Ramirez, formally proceeding in the de jure status of Propria Persona do hereby assert, affirm, stress, verify, swear and declare under the pains and penalties of perjury pursuant to the mandates set forth within Title 28 U.S.C. Section 1746 that this document was given to the A.M.K.C. Mailroom services on Friday - November 16th, 2018 - and that any and all other delays for getting postmarked cannot be attributed to the undersigned.

X

Jose Joaquin Ramirez - Hotg Hotg

Date: Friday - November 16th, 2018

Jose Joaquin Ramirez
Propria Persona - Sui Juris
Political Prisoner
Prisoner of Conscience

Addressing Exhibits

1 - First and foremost, the request for rehearing is to be construed as ended once this specific document finishes. This is simply to stress that any and all exhibits are to be construed as an appendix and are not to be counted towards the page submission.

2 - If this does not please the courts, then the court can not take do a way with the entire submission, but instead, simply disregard the exhibits. This has to be duly noted.

3 - Many of the exhibits were already sent to the court. Any documents that were printed on legal size paper were done out of need, as there was no standard size paper when said documents were created. The undersigned does not have control over what supplies are furnished.

4 - In either event, said exhibits are only in place to show the court of past efforts made in lower courts in which the case at bar has been properly presented.

5 - The submission which is referred to by the court that was dated October 11th, 2018 was actually sent out on September 29th, 2018. This was not to be construed as a motion for reconsideration, nor could it been - the decision of the court was entered on the date of October 9th, 2018 - and this has to be properly noted.

6 - A similar problem has happened with documents in the Second Circuit court of Appeals in case # 18-1584, this is directly due to the fact that the Riker's Island Slave Complex holds mail for weeks at a time before sending the mail out to the proper post office.

7 - Should the Court use discretion and dissect the exhibits, it is made obvious that Jose Joaquin Ramirez has Sued Jeffery C. Bloom in a Federal Court - see S.D.N.Y. # 18-CV-6203, and the State knows of this suit as the arguments were presented to all levels of State Courts, and yet the Government forces said lawyer upon the undersigned.

Intervening Circumstance

8 - The biggest and most obvious issue is that Jose Joaquin Ramirez has represented self in each and every court available, and no court has questioned the capacity to do so. In Fact, the undersigned was even able to win an appeal - See S.D.N.Y. # 17-CV-10171. Further, the undersigned was able to get copies of medical documents that prove there is no mental illness, and this has to be duly noted, for it is a pretended mental illness that the State continues to force a mental health lawyer upon the undersigned.

9 - Jose Joaquin Ramirez has filed formal complaints against the Legal Aid Society and Jeffery C. Bloom. Jose Joaquin Ramirez has filed law suits against Jeffery C. Bloom. There is an overwhelming Conflict of interest. Jose Joaquin Ramirez has consistently and continuously refused the pretended services of State defense lawyers. Yet, the tragic horrors continue without recourse.

Legal Changes

10 - The undersigned wishes to point attention to the very well stated position of the Honorable Justice Breyer in his February 27th, 2018 dissent in Jennings v. Rodriguez, 138 S. Ct. 830, 200 L. Ed. 2d 122, 2018 U.S. LEXIS1516; 86 U.S.L.W. 4094; No. 15-1204.

11 - "The Constitution's language, its basic purpose, the relevant history, our tradition, and many of the relevant cases point in the same interpretive direction. They tell us that an interpretation of the statute before us that would deny bail proceedings where detention is prolonged would likely mean that the statute violates the constitution."

12 - By the next pretended court date on November 28th, 2018 the undersigned would have been enslaved for 499 days without a trial and without any fair hearings - and without any bail.

13 - The undersigned is not a flight risk, nor a threat to self, nor to others, nor to the community, has a family, and no acts of violence anywhere that can be documented. Yet, the Government is holding Jose Joaquin Ramirez hostage without a bail, this is obvious, this is a severe violation of the 8th Amendment right to Bail.

14 - Further, the court should be reminded of past assertions made by very well abled and learned minds.

15 - "A...statute which provides for...punishment, without affording the procedural safeguards guaranteed by the Fifth and Sixth Amendments cannot be upheld because of the availability, after the fact, of administrative and judicial proceedings to contest the validity of the sanction."

"The Bill of Rights and the procedures it guarantees are not to be abrogated merely because a guilty man may escape prosecution, or for any other expedient reason."

- Kennedy v. Mendoza-Martinez, 1963, 372 U.S. 144, 9 L.Ed. 2d. 644

16 - With this in mind, it has to be clearly noted to the court, Jose Joaquin Ramirez has yet to be given a copy of the complaint, nor of the indictment by the Prosecution, nor the pretended defense lawyer, nor a bill of discovery, nor any formal accusation.

17 - Jose Joaquin Ramirez was forced to have a State defense lawyer question the mental capacity of a college educated and college graduated individual, with no history of mental illness at all whatsoever, and even with filing suit, the State refuses to remove the State defense lawyer, this is beyond absurd and egregious at this point.

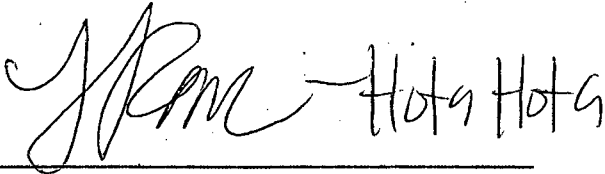
18 - Jose Joaquin Ramirez yet again demanded trial on September 7th, 2018 and the Government still refuses to provide a trial.

Final Points

- 19 - Jose Joaquin Ramirez is a college graduated individual with a degree with a top ranked school - Baruch College, Zicklin School of Business, number 78 nationally and the number 23 accounting program, number 3 in New York City behind only Columbi and NYU.
- 20 - Jose Joaquin Ramirez has at all points and at all times been completely logical, rational, sound, sane, cognitive, and aware.
- 21 - Jose Joaquin Ramirez has absolutely no history of mental disease and or defect. Further, current medical documents prove no such disease nor defect is currently present.
- 22 - Jose Joaquin Ramirez at all points and at all times has refused State defense lawyers and has consistently and continously asserted to Proceed Propria Persona.
- 23 - Jose Joaquin Ramirez has never asked for an adjournment, and has never consented to a single adjournment, yet was kept out of the court room and off of the court record without consent and held hostage upon the Riker's Island Slave Complex.
- 24 - Jose Joaquin Ramirez has been bankrupted, losing all worldly items without limitations and it has been over 500 days and counting by the time the court receives this document.
- 25 - Jose Joaquin Ramirez has no history of flight, nor of being a threat to the community - yet has been denied bail for over the stated 500 days and has been tortured on a non stop basis.
- 26 - Jose Joaquin Ramirez has moved the "Trial court", the higher Appellate Division First Department and the New York Court of Appeals for relief to no avail.
- 27 - Jose Joaquin Ramirez has moved the Southern District of New York and the Second Circuit to no avail. There is nowhere to go. The State refuses to provide a trial, the State refuses to dismiss the case, and the case has not made a single plea offer. Enough is enough.
- 28 - This marks the end of this document, the request for rehearing is only four pages, well within the maximum of 15 pages, the exhibits are to be an appendix, if the court does not want to read the items, very well, this request should suffice.
- 29 - Any and all improper request and or formats should be construed liberally and address the merits of the substance asserted.
- 30 - Jose Joaquin Ramirez does sincerely thank the court for the consideration and for allowing for this case to be presented.

Verification

I, Jose Joaquin Ramirez do hereby assert, affirm, stress and verify under the pains and penalties of perjury that the contents of this submission are presented in good faith, are not intended to cause any delay, and have been given to the mailroom on Friday November 16th, 2018.

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Date: Friday - Novemeber 16th, 2018

Jose Joaquin Ramirez
Propria Persona - Sui Juris
P olitical Prisoner
Prisoner of Conscience

- Unlawfully enslaved; deprived of life, liberty, and property without due process of law - and forced into shackles, chains, peonage, involuntary servitude, and slavery without being duly convicted of any crime !!!!!!!!! !!!!!!!!! !!!!!!!!! !!!!!!!!! !