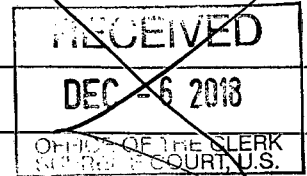


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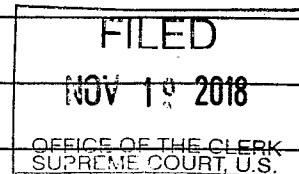


IN THE
SUPREME COURT OF THE UNITED STATES

David Edward Cavalieri - Petitioner

vs.

Virginia - Respondent



Petition For Rehearing of an ORDER

COMES Now the Petitioner, David Edward Cavalieri, pro se and in forma pauperis, who is aggrieved of the Court's order of October 29, 2018, denying his Petition for a Writ of Certiorari.

Petitioner prays the Court for a Rehearing.

IN consideration, Cavalieri proffers :

1.) In addition to denying Cavalieri's petition, the Court effectively denies, perhaps more than 1,000 like him, a chance to challenge the constitutionality of their Ineffective Assistance of Counsel claims per the Court's Holdings in Strickland v. Washington.

2.) The Court effectively condones the unabated refusal ~~of~~ the Fourth Circuit's United States Court of Appeals to recognize as cognizable cumulative effect Ineffective Assistance of Counsel Claims invoking the Sixth Amendment's Fair Trial mandate. [see p. 23 of petitioners petition]

3.) Motion To Dismiss, US District Court, Alexandria, Virginia, civil no. 1:18cv1071 (AJT/TCB) of November 1, 2018 : in which the Attorney General's Office for the Fourth Circuit states : "cumulative prejudice of the totality of his attorney's performance ... the Supreme Court of Virginia ... does not recognize such a claim" applying Fisher v. Angelone, 163 F. 3d. 835, 852 (4th Cir. 1998).

"federal habeas courts in the Fourth Circuit agree that cumulative prejudice claims", argued pursuant to the Holdings of Strickland and the Sixth Amendment, "are not cognizable." ... "the decision is not "contrary to, or involve an unreasonable application of, clearly established Federal law ... " quoting 28 USC § 2254 [pp. 45-46 of Motion To Dismiss]

4.) The Fourth Circuit's interpretation of Strickland, and it's rulings, are contrary to EVERY other US Court of Appeals decisions for the past 20 years. > implicating Rule 10(a) and 10(b) [see pages 23-26 of Cavalieri's petition]

Wherefore, Petitioner moves the Court to Rehear his Petition For a Writ Of Certiorari as a matter of national importance, and to foreclose the continued deprivation and violation of Sixth Amendment rights in the Fourth Circuit courts.

I Ask For This.

Respectfully Submitted,

David E. Cavalieri prose

David Edward Cavalieri

David Cavalieri (DOC #1424382)

Sussex II State Prison

24427 Musselwhite Dr.

Waverly, VA 23891

Certificate

The undersigned Attests, under penalty of perjury, that the information contained in the foregoing document is true and accurate to the best of his knowledge and beliefs.

David E. Cavalieri 11/9/2018

Certificate
(pursuant to Rule 44(2))

This Petition is limited to intervening circumstances of a substantial effect.

It is restricted to the grounds specified, and is presented in good faith and not for delay.

David Elavali

David Edward Cavalieri