

Petition for Rehearing Rule 44

Ground for Rehearing and Relief herein:

Statement of facts.

1. on 9-28-2017 Petitioner file a Federal Rule (b) (6) motion to the United States District Court for the Central district.

The Petitioner Attack the defect in the integrity of the habeas corpus Proceeding which resulted in the denial and violation of Petitioner federal Constitutional Right, Right to Procedural due Process of law, And to have the assistance of Counsel for his defense under the fifth and six Amendment to the United States Constitution

See Attach Exhibit A

2. under the fifth and six Amendment harm occurred when district Court Judge Keller violated the integrity of the habeas corpus Proceeding by removing habeas corpus Counsel in the midst of the evidentiary hearing without Appointing Substitute Counsel AS mandated and require 18 USC 3006(a)(C) Petitioner was denied of the compulsory Process to which was his due entitlement under federal law, To have the Assistance of for his defense. See Attach Exhibit (A)

Petitioner was left unrepresented and defenseless at a very critical stage of the evidentiary hearing, without the required Assistance of Counsel Petitioner was unable to file a timely written objection in response to magistrate Judge Black Report and Recommendation.

There was a reasonable probability that had the district Court Judge Keller Appointed Substitute Counsel to Continue to Represent the Petitioner throughout the critical stage of the habeas corpus Proceeding, the Proceeding and outcome would have been different, in favor of the Petitioner being Granted a reversal, or New trial

1 This Petition briefly and distinctly states its grounds for a Rehearing
2 which include the emergence of intervening Circumstance of Substantial
3 importance with respect to Respondents failure to act in Compliance with
4 Supreme Court order AS well as the Supreme Court Rule 15.3. Due date
5 for Respondents to file a brief in opposition to writ of Certiorari was
6 due on September 31, 2018. Therefore Respondents have defaulted by their
7 failure to act in Accord with Supreme Court order And Rule 15.3.
8 There has been no Answer or defense file in opposition to writ of
9 Certiorari, It AS though Respondents, Attorney General lance winters have
10 Conceded to the Factual issues Presented to the United States District Court
11 in Petitioner Federal Rule of Civil Procedure, Rule 60(b)(6) See Exhibit B, C.
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13

14 Conclusion:

15 For All reasons stated herein Petitioner respectfully request that this Court
16 reverse the order denying Petitioner writ of Certiorari. Petitioner Prays that
17 this Court Grant a Rehearing and review of the Factual issues and order Central
18 district Court to vacate its Judgment denying Petitioner Federal Rule of Civil
19 Procedure Rule 60(b)(6)
20

21 I, declare under Penalty of Perjury that the foregoing is true and correct.
22
23

24 11-29-2018

25 George Budgett
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**Additional material
from this filing is
available in the
Clerk's Office.**