

The Supreme Court of The United States of America
Petition for Rehearing

Case no. :18-6168
Petitioner : Soonyoung Kim

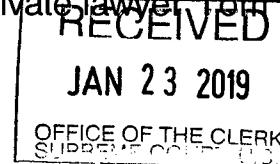
I am very grateful that the court has given me a specific reason for this petition, has not denied, very much. (1) ***But I meant, my previous contents of this petition, as "such certain reason- "Stating distinctly its grounds limited to intervening circumstances of substantial or controlling effect", what The Court let me know. In other word, my previous contents at this petition, clearly demonstrated that The guilt is not because of the facts of the case but because of the absurdity of the court that no one can deny.***

At this time, I will write the certain new reason for rehearing, what this court let me know. Still, I can't help writing the previous but re-maintained content for reviewing.

All the serious miserable contents briefly below, and all contents at the petition for writ of certiorari, were evidence of the 90 appendices with 40 pages of detailed explanation of the case' deals,to prove about the illegal intension of the previous courts at this case.

Decision from The Appeal court, and only (because 40pages is limited) main issues (because, the judge at jury, has not given me any text of guilty as Decision, even though I requested to the judge and theories of charges and charges changed very strangely at jury court, which I proved)for guilty at Jury court, are, with all the obvious lies and most verbal evidence, we don't really need to prove that all blatant lies to the basic common sense and all in fact, impossible, as strange logic as comedy in human real deal. Therefore, my appendices are rather their all insisting for guilty, which are, their insisting record, transcripts and contents selves of Decision. And I appealed the matter that jurist don't care their crimes record, is National matter as well as to destroy my life. And I proved that there were conspiracies and "alive court deception shows", as well as lies. In "alive court lies show," the prosecution shouted at the jury to ignore the law on cases what the judge instructed, and I proved by transcript of this shouting.

I was positive to see such criminal courts' judges and private lawyers together when I saw the Decision and Transcripts as jurists' blatant lie as clearly to be seen. So I attached two Briefs by my private lawyer Tom



Dunn, which were, for guilty. Dunn produced his own lie, and were quoted in Decision. I proved those by documents of the deals with explanation.

The p. Defender, Shui at jury court, immediately invented a short theory that was sinful to me, but the judge Goethals said viable theory and Goethals rather, persisted to me to go with Shui at Jury with threatening me to be guilty if I go without a lawyer, more than 21times, at one court but the lawyer had to be Shui, not any a new lawyer. And I proved private attorney T. Heneghan, The Dist. Attorney at Reply and others at this case, their all kinds such deceptions at this case.

(2)Again, there is no any evidence for guilty at the deals including 2nd deal of the case, not even a shadow for guilty in the world, All the documents including prosecutor's in this case, identify for innocent to you and any human being. I can proclaim, with my deepest heart and best knowledge based on the facts of this case, I attest my claim, except for all the above oral evidence, to all exhibits, including the prosecution's documents. It is preposterous to convict a person of language trading in two international transactions of about \$5 million in basic common sense that requires sufficient documentation. And there are about 80 documents at the deals of the case, I can show. I affirm therefore, the documents of the court's Decision and all insisting on their evidence of conviction, their evidence of dissent and contradiction each other clearly and openly.

Decision mentioned only one time at one out of four documents, which are prosecutor evidence, but changed my invoice sent Komex, to MEMC manufacturer's invoice to Komex.

Pleas take a look just exhibits list then You will know that You will be suspicious that I am guilty, immediately. And in that case, you will actually capture innocent of meaning of any one word, such as a seller or a buyer, or any exhibition or any one signature, clearly and immediately. With my signatures at the seller title and Komex(plaintiff) owner' signatures at buyer title on Komex purchasing order (to seller, me and not to MEMC manufactory) at all 2 deals and there is mention that Komex(the buyer can't contact with MEMC after information from me(seller) at 1st deal. Therefore, all insisting for guilty from jurists are all such ridiculous lies.

The evidence from the prosecution at his Discovery, is only four documents and is only the primary and most verbal evidence. The four documents at the time of the deals, clearly showed that it was impossible to issue as a criminal case, before arguing whether it is a crime,

it was a civil case and Komex' attorney filed as a civil case at first time.

Therefore, all insisting on guilt should be oral evidence produced. Even if you look through four documents once, you can have all the jurists in this case face criminal and you can suffer your pain.

The prosecution has brought none from the MEMC. In that situation, I was convicted as a middleman in the deal between MEMC and Komex. I testified with 48 documents including documents between me and MEMC, with 2 sales contracts which are MEMC 2 invoices to me, and 2 my purchase orders to MEMC ,and submitted such documents for exhibits. There was also documents that showed that I was the only one who could pick up deals from the MEMC. You can see my transcripts of appendices for the judge Goethals tricked me to not submit a few documents.

Due to my less English, when I read transcripts, I was pain more that they were the lair ghost possessed, to keep absurd and groundless lies for a few hours and a few days and full contents of Decision, clear weird fiction lies and the courts are actually the place for the jurists crimes achieved. If you're upset about the justice system of the Nation and one scarified person, in Korea and this nation, at least , please read my appendices.

Korean judgment is exact same lies in here. That's the reason why I came here to adjust this case, because I believed in the jurist of this justice.

I found MEMC' one email to Komex which is, after this case, at prosecutor Discovery and it's one of my appendices at main petition. Of course, the prosecutor, McFetridge did not submit to the court, and this email, proves me, as the buyer of MEMC. The reason why I mention above, before to say my innocent, I want to show how all jurists' crime at the case are hardened, so care less at their crime already at the case by using their title

With 4documents,as the prosecutor evidence, you will make sure that issuing this case is a huge deliberate crime with knowing, and will make sure this case for using the prison to threaten me for money from the civil case basically, for Plaintiff, as his customer, a swindler. Komex tried to swindle about \$120,000 then tried to break this deal of the case after I found. Komex froze my account on Feb. 26 2007 as 2nd time breaking this deal. Komex wired \$1.92 million in advance payment as my invoice and Komex' purchasing order(\$1.94m.) after \$20,000

holding in less shipments as possible, by contract. To void freezing, at same day on Feb.26 I wired Komex \$1.92million, to solve \$1.92million with the owner of Komex,to Seoul where he was.

The prosecution made a mess of the case as much as he threatened to ask me for money, and this case with such four documents and absurd lies as above, was impossible to bail and 3 charges issued (the burglary was none sense and dropped without argument).

Then jurist hid the credit of my Korean prison term at this case. And at first time, my lawyer, Shui, threatened to pay me, then, some jurist and judge threatened that I would be in Jail for more than 16 years. The prosecutor stole my about 30documents by snitches. Snitches are deputies,not fake inmate. The theft of such evidence by the prosecution seems to have long been organized.

You will be sure that appendices are objective and reliable and you can see that their real job, the killer and life destroyer by using their title, is hardened without any hesitancy or caution at crime's record to upper courts and any of the national representative persons or organizations.

(3)Such deliberate misjudgment of the case in the previous courts,as above, yet what other evidence or reason would be needed to consider in this petition ?

I must be in a position to fight for innocence, until I do so, to the people of the world, with the above same reasons but legally I need to be innocent by court.

*From now on, it is for two new reasons what the court instructed. In fact, I have proved all most of the Decisions of the Appeal Court, so, I choose two contents from Decision of the Appeal court for this petition

The section at "I. Kim's Request to Represent Herself"

A shrewd defendant who does not want to represent herself at trial could move for self-representation, knowing the request would likely be denied, thereby building into the appeal at least one issue the court's wrongful denial of a request for self-representation. Page 9 5th I do not choose this, -“the court's wrongful denial”,because, this contents showed certainly evidenced in the main petition, clearly “as the one of their plots” on the experience of judges, public defenders, Shui, and prosecutors.

In the content of, “knowing the request would likely be denied, thereby building into the appeal at least one issue ” that I will prove, with not only transcripts, but

also basic human common sense as a blatant lie which shows historical deception in Decision as follows, Who doesn't want to be innocence, with a good lawyer, but want another appeal court with the reason of no lawyer? If I lose my basic judgment, events will be harder to win, and in the case of courts, people's death, that's the basic common sense. Clear a blatant lie.

How was my testimony and exhibits? My exhibits are much more (24 times more than prosecutor's, of the deal) and my testimony was longer hours than the prosecutor that I have tried with highest enthusiasm for my total left life. And each testimony was with each case transaction document, but the judges denies that my testimony was worth nothing, no merit.

This case is the first of my life then how do I know that going to the Jury without a lawyer, can be the reason in an Appeals court even though if I were shrewd person?

Any judge as any human being, can know and not just such me can not think that a lawyer was not needed in this serious case. Also by my English matter, I didn't know that the court's grand theft of the two strange theories had changed from the same content as the embezzlement in police reports, till the Court of Appeal. And there was no objection from me, no witness for me and various other illegalities that the judge abused my lack of English and used it to their conspiracy. That's exact reason why judge refused any lawyer but only Shui, public defender, one of their comrades. (4) ***Throughout the trial, I testified with calling the name of embezzlement, before jury who was though it was a theft, but the judge cheated and didn't even instruct me, opportunities to teach. There was a small error in the main petition in this matter, which is attached to prevent misunderstanding of the evidence.***

And I showed there are many opposite translations at main issues. The judge should appoint me a new lawyer as the reason as whose native language is not English cannot receive a fair trial through an interpreter in this difficult trial without a lawyer. Within an hour, the judge must know that I can never defend myself in such English, before deciding to represent my self.

One interpreter was fired for repeated misinterpretations by Gothenals, but still was still complaining by a Korean-American jury about the translator's translation by another interpreter, and Gothenals was very

rude at juror's pointing to make him to stop it. And I showed the wrong opposite translations on important issues to me, guilty, by transcripts .

At this time, my English is a lot nicer and better than previous petition, because I have a new Internet app that can translate Korean and English. Nevertheless, each sentence was done by at least about 10times of amendment, at the most sentences, but it is still difficult to listen and speak. I can't find any transcripts of each judge telling me, "I can't issue rasied to the appeals court with "representing my self".

Maybe the reason I can't find it, is judge informed me such, when the judge gave and I write the application after discussion. I was surprised to see two briefs ,about the only issue that is "representing myself" by my personal lawyer Tom Dunn and was not the issues(about 10) what he wrote in the paper and gave to me, that I attached to the main petition.

P,126 IF- -BELIEVE YOU ARE NOT CURRENTLY RECEIVING COMPETENT LEGAL REPRESENTATIVE ORANGE COUNTY PUBLIC DEFENDE'S OFFICE, I WILL GIVE YOU A NEW LAWYER. I proved why I can no longer go to trial with a lawyer, shui who refused to see one of my evidence documents, even to threaten me, my daughter to plead guilty? There are very significant evidence at this matter at the main petition.

P164 The defendant: So I'm thinking that I have no other choice but go with my attorney(the public defender Shui)

Lastly I appealed to Goethals

AT 357 "ALTHOUGH I DESPERATELY BELEVE I NEED A LAWYER".

I'm going to write out just one new transcript P.180 in this petition as below, MS.KIM: OBVIOUSLY I DO NEED HELP OF LEGAL ATTORNEY. HOWEVER, MY ATTORNEY HAD TILL THE VERY END HAD NOT RESPECTED ME THE PROPER RESPECT AND HE TOLD ME THAT HE DOES NOT NEED MY EVIDENCES FOR THE DEFENSE, AND HE HAS NEVER HEARD MY SIDE OF THE STORY AS TO WHY I AM INNOCENT. ALTHOUGH I AM VERY THANKFUL FOR YOUR CONSIDERATION, YOUR HONOR, AND ALTHOUGH I DO REALIZE THAT I NEED THE ASSISTANCE OF A LEGAL COUNSEL STEADILY, HOWEVER I CHOOSE TO REPRESENT MYSELF.

The judges threatened me more than 21 times in only one court without a lawyer that I would be the flame of disaster. Then judge knew that I could not defend and sent me alone. Please refer Shui's theory mention above, at page 2, to me guilty but Goethals said viable theory.

(5)The above blatant lies, therefore, produced to cover the plot which jurists was dealing with the conspiracy to me without a reasonable lawyer.

Those interruptions occurred when the court sustained the prosecution's relevance objections to testimony concerning the Korean court proceedings. Additionally, there was nothing in the trial transcript to suggest the court was anything other than respectful of Kim and her rights. **(5) My new reason at the content on Decision, rather is that all jurists never be respectful me, in order to not do normal testimony as below,**

We can't say this, respectful of Kim and her rights. Because, the judge said "Ma'am" or "Would you, once a while, rather Goethals did it to cover me up for his strong, horrible treatments that I attached the transcripts at the main petition, to show how he ignored me and treated me as a criminal to be convicted, already, and some transcripts show that he ignored my testimony self and testimony contents in front of the jury, he stopped me worse and more frequently than a court before jurors, stopped me more than 32 times. Goethals, judge stopped me in the middle of important main testimony that you can at my attachments of about 90appendices. **(6) Therefore, I felt he was an oppressor and I felt judge was the very other side, strongly and clearly so I was so anxious and deeply sad at that court, already.**

And although someone said it was good to file a petition earlier as soon as possible, that I thought good advice I became to appreciate really in my deep mind as the person in all courts against me. But the court never knows how humans' mind and body can be so difficult and exhausted. An obvious weird lie doesn't have to be proven to be a clear lie, but theoretically with accurate evidence on thousands of sheets of paper so I can live, from the disaster proving all those obvious lies. I knew such jurists who don't care people's anguish of life's ruin for their private befits from the issuing by prosecutor for his private secret profits. The lies on Decision in here are the same contents as South Korea's. My petitions have been rejected in Korea and in here for 10 years.

In fact, the prosecutor did not object to my testimony. Because he could not object to all the documents contained in the deal with 48 exhibits in all of my testimony.

And I tried to testify with the plaintiff's statement,in Korean court, as the evidence, not Korean court matter, to prove their repeat lies at one issue, but he objected it in the middle, my testimony so I told Goethals it was the reason, but Goethals accepted objection and I proved at the main petition. Instead of being so rude and frequent in stopping me, the

judge refused to refuse any prosecutor rather than try his assistant and witness's lawyer at the court in front of jurors (please Check out the transcripts of this scene at the main petition)

The following are two quotations from my main petition to review at this petition from my main petition, as the reason with grounds for intervening circumstance of substantial or controlling effect.

(7)No one can answer the questions of the following quotes. Therefore, as the contents of the deals at Decision and at all contents for guilty from the prosecutor and one witness (? , at this big amount case, no the owner of Komex who signed at all contracts and sent the money, no main witness, MEMC manufactory and no Komex attorney who filed at this criminal case from the civil case), **are impossible to plead guilty in any real human transaction. Because everything about a crime made by their brain is false, it is impossible for anyone to actually business deal.**

"At this matter, I want the jurists and You to answer me at my question, as below, if You decide guilty again,

1. How can the middle person issue the invoice but the amount of dealing merchandise and send to my master who (would) give me commission, and can Komex (plaintiff, the buyer at the deals) accept the invoice and wired to the middle person,(me) the amount of Komex buying price by my invoice!?, (not to MEMC manufactory who they insisted, Komex'seller, but middle person?)

to

2. How can the buyer, Komex issued and sent the purchasing order to the middle person, but not to Komex' seller, MEMC? (there is none of any one spell between MEMC and Komex at 2deals but MEMC and I have about 30 documents including sale contract at 2deals.) And I submitted only one document, at Discovery which was from MEMC to Komex, but the prosecutor did (could) not submit it as exhibit which proves me, seller to Komex, and not thing related Komex and MEMC.

3. How did Komex request me, middle person to sign at Komex purchasing order, as the seller title after Suk, the owner of Komex, signed as the buyer title. And Suk requested to me return it to Komex to maintain the transaction. All weird p.o can't contact with MEMC

4. How did Komex sent me, middle person, \$1.92million by my invoice, and ask to forward MEMC to forward to MEMC by verbal evidence!? How did Komex sent me, middle person, \$1.92million by my invoice,to not MEMC by verbal evidence!?

In closing , the second question below can prove, all content of the Decision for guilty, a bizarre novel that comedy is impossible in any real deal. All the judges who deny my petition, must answer.

1. How can Komex, the buyer from MEMC, receive the purchasing merchandise from shipping company at the deal on Decision(verbal deal)?
2. How can Komex pass the merchandise, from two national customs office , at the deal at Decision?
3. How can I, (special relationship with Komex) or MEMC, ship to Komex, by the deal on Decision?
4. How can ~~I~~ ^{as the middle person} pick the dealing products from MEMC at the deal on Decision?

(8)As You see as above questions, prove clearly that the conviction of linguistic evidence is meaningless as described in the actual transaction.? No one can't help but mention the crazy jurists in the crime.

Lastly, if I were really, a middleman (guilty) for Komex to purchase from MEMC, certainly Komex must use the middle man(me) for Komex to sign a sales contract with MEMC for the money,for commission to me, middle person' job . It's basic business knowledge, not with me, also it's nonsense that Komex let me to sign a sales contract with MEMC if Komex were really the buyer from the MEMC, it means that Komex had nothing to do at my and MEMC' business. Only Komex knew that they were using criminal jurist to create issues and issues in Korea and in here.

(9) Now in concluding , I write another reason- Stating distinctly its grounds limited to intervening circumstances of substantial or controlling effect" as the guilt is not because of the facts of the case but because of the absurdity of the court that no one can deny,with main issue, below,

About commission \$20,000 at 2nd deal of the case, for guilty

a) At Decision,

At p.3 9th from bottom Choi said Baada's commission was \$20,000.

At p.4 2nd, from bottom According to Kim, if she had been acting as Komex's "go- between" or "servant," Komex would have wired her \$1.85 million, not \$1.92 million.

b) At Komex purchasing order, there is a sentence of "the balance \$20,000 after shipment is done".

c) P.244-245 at transcripts, PROSECUTOR; BUT YOU'RE GOING TO KEEP BACK A BALANCE OF 20,000 UNTIL AFTER EVERYTHING GETS WEIGHED? WITNESS, KOMEX; YES. IF THE WEIGHT IS CORRECT, THEN WE CAN PAY THEM IMMEDIATELY IF WE CONFIRM THE WEIGHT. The prosecutor and witness played with lies at the \$20,000 balance from komex purchasing amount, for possible shipping less quantity, to produce to commission from insisting of balance, margin, adjustment, commission or shortage, then commission.

As above, Decision and prosecutor and witness mentions about commission \$20,000 are different, also how can any companies set a \$20,000 commission by one person's saying, at 1.94million international deal. How can the court say \$20,000 commission with the evidence of saying as "witness, Choi said," and who can say \$20,000 commission from the balance \$20,000 on the purchasing amount for holding for possible shortage of shipping quantity. But I am guilty because as a middle person for commission \$20,000, but if you look MEMC invoice of this product is \$1.85million and Komex purchasing order amount \$1.94million. My profit \$90,000 was at this deal. Who can deny MEMC invoice which was sent by internet to my email address from MEMC email address and Komex purchasing order is the prosecutor evidence.

Soonyoung Kim
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Jan. 18 '19