

SUPREME COURT OF THE UNITED STATES

WASHINGTON ,D.C. 20543-0001

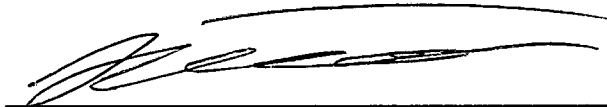
MOTION FOR REHEARING

UNITED STATES SUPREME COURT RULE 44

JANUARY 21,2019

NOW COMES PETITIONER;S , JOHN MICHAEL TEDESCO'S MOTION FOR REHEARING UNDER UNITED STATES SUPREME COURT RULE 44 , JOHN TEDESCO V . MONROE COUNTY , PENNSYLVANIA , et al NO 18-6509 , WHEREFORE PETITIONER RESPECTFULLY REQUESTS THE SUPREME COURT TO RECONSIDER HIS CASE .

JOHN TEDESCO 660 STATE ROUTE 11 HUNLOCK CREEK P.A. 18621

A handwritten signature in black ink, appearing to read 'John Tedesco', is written over a horizontal line.

SUPREME COURT COPY

SUPREME COURT OF THE UNITED STATES
WASHINGTON , D.C. 20543-0001

JANUARY 18, 2019

PROCEDURAL HISTORY

PETITIONERS, AS WELL HIS WIFE WERE CONVICTED , SENTENCED AND THEN INCARCERATED FOR CRIMES THAT THEY NEVER COMMITTED , PETITIONER WAS MALICIOUSLY PROSECUTED , PETITIONER ACCUMULATED EIGHT MONTHS OF TIME TO SUBMIT APPEALS TO THE SUPERIOR IN 2016 ON BEHALF OF HIM AND HIS WIFE ONLY TO COINCIDENTALLY AS WELL AS CONSEQUENTLY HAVE THE PENNSYLVANIA DEPARTMENT OF CORRECTIONS LOOSE ALL OF PETITIONERS APPEALS , LEGAL DOCUMENTS , TRANSCRIPTS, THOUSAND OF PAGES OF DISCOVERY , PETITIONER FILED A MALICIOUS PROSECUTION CLAIM IN FEDERAL COURT , AND THE FEDERAL COURT DISMISSED PETITIONERS § 1983 CLAIM WITHOUT EVEN GIVING THE PETITIONER AN OPPORTUNITY TO AMEND HIS COMPLAINT AS REQUIRED BY FEDERAL LAW , PETITIONER WAS FORCED TO FILE A TORT CLAIM IN STATE COURT AGAINST THE COUNTY THAT PROSECUTED HIM ON OCTOBER 30, 2019, PETITIONER HAS NOT HAD ANY ACCESS TO ANY OF HIS LEGAL DOCUMENTS FOR **THIRTY ONE MONTHS** , AND WAS FORCED TO FILE ANY FEDERAL CLAIMS AS WELL AS STATE CLAIMS WITHOUT ANY OF HIS LEGAL DOCUMENTS DATING BACK TO 2011, APPARENTLY THESE DOCUMENTS WERE DETRIMENTAL TO THE DEVELOPEMENT OF ANY TYPE OF LITIGATION CLAIM , AS WELL AS PETITIONERS WRIT OF CERTIORARI CLAIM AND NOW PETITIONER CANNOT EVEN FILE FOR ANY POST CONVICTION RELIEF THAT HE MIGHT BE ENTITLED TO AS WELL AS ANY HABEAS CORPUS PLEASE SEE **EXHIBITS A1-A5** , THAT IS PROOF OF THE PETITIONERS EFFORT OVER THE YEARS BY HIMSELF AS WELL AS HIS FAMILY TO REGAIN ALL OF HIS LEGAL DOCUMENTS .

**SUPREME COURT OF THE UNITED STATES
WASHINGTON , D.C. 20543-0001**

JANUARY 18, 2019

REASONS FOR GRANTING A REHEARING

IN SUPPORT OF PETITIONERS CLAIM AN ALLEGED DEPRIVATION OF CORE LEGAL MATERIALS IS NOT A FRIVOLOUS CLAIM SEE PETERKIN V . JEFFES 855 F.2d 1021, 1041 (3d CIR 1998) IN PETITIONERS CASE HE HAS NOT HAD ACCESS TO ANY OF HIS LEGAL DOCUMENTS DATING BACK TO 2011 , AND HAS BEEN WITHOUT ANY LEGAL DOCUMENTS FOR THIRTY THREE MONTHS APPROACHING THREE YEARS , WERE NOT TALKING ABOUT ONE HUNDRED PAGES OR SO WERE TALKING ABOUT THOUSANDS OF PAGES OF DOCUMENTS AS WELL AS PETITIONERS DIRECT APPEALS THAT HE SPENT THOUSANDS OF HOURS AS WELL AS EIGHT MONTHS WORKING ON WITH HELP FROM HIS FAMILY , IT IS APPARENT WITHOUT ANY OF HIS LEGAL DOCUMENTS PETITIONER HAS MISSED AND WILL MISS ANY FURTHER COURT IMPOSED DEADLINES , LET ALONE A WRIT IF CERTIORARI OR A PETITION FOR REHEARING , PLAINTIFFS FEDERAL COURT CLAIM WAS MORE THEN ADEQUATE TO SATISFY THE KERSNER REQUIREMENT IT IS CLEAR THAT PRISON REGULATIONS WHICH IMPINGE ON AN INMATES CONSTITUTIONAL RIGHTS MAY BE VALID AS LONG AS THEY ARE REASONABLY RELATED TO PENOLOGICAL INTERESTS , THE ISSUE HERE IS THERE WAS IS NO PENOLOGICAL REASON FOR PETITIONER TO GO THROUGH THIRTY THREE MONTHS OF LITIGATION AND STILL NOT BE ANY FURTHER TO OBTAINING ANY OF HIS LEGAL DOCUMENTS IS ABSURD , AT LEAST ONE COURT HAS HELD THAT ACCESS TO LEGAL MATERIALS MUST BE PROVIDED AT CORRECTIONAL INTAKE FACILITY WHICH RETAINS PRISONERS FOR NO LONGER THAN NINETY DAYS SEE BERRY V . DEPARTMENT OF CORRECTIONS 591 A.2d 330 144 ARIZ 318, 697, P.2d 711 AS STATED IT HAS BEEN ALMOST THREE YEARS WITHOUT ANY OF PETITIONERS LEGAL DOCUMENTS, FOR THE SUPREME COURT NOT TO INTERVENE ON PETITIONERS BEHALF WOULD BE VERY SAD , PETITIONER RESPECTFULLY REQUESTS HE BE GRANTED A REHEARING UP UNTIL HIS LEGAL DOCUMENTS ARE RETURNED TO HIM SO HE CAN FUTHER PRESENT INTERVENING CIRCUMSTANCES THAT HAVE HAD A CONTROLLING EFFECT ON ANY TYPE OF LITIGATION CIVIL OR CRIMINAL .

CONCLUSION

FOR THE REASONS SET FORTH DUE TO THE DEPARTMENT OF CORRECTION'S GROSS MISCONDUCT AND THE CONSTITUTIONAL RESTRICTIONS THAT WERE PLACED ON PETITIONER DURING THE MOST IMPORTANT TIME OF THE APPEALS PROCESS AS WELL AS PRESENTING EVIDENCE TO FURTHER PRESENT HIS MALICIOUS PROSECUTION CLAIM IN FEDERAL COURT , PETITIONER IS MORE OR LESS BEING TOLD BY THE COURTS THAT THE DEPARTMENT OF CORRECTIONS , LOST, DESTROYED OR MISPLACED ALL OF YOUR LEGAL DOCUMENTS DATING BACK TO 2011, AND THAT IT IS MY PROBLEM IF I WANT TO TRY TO LITIGATE ANY CLAIMS CIVIL OR CRIMINAL WITHOUT ANY OF HIS LEGAL DOCUMENTS , PETITIONER HAS IDENTIFIED ALL OF THE LEGAL PROCEEDINGS IN WHICH HE NEEDS HIS LEGAL DOCUMENTS FOR AND , DUE TO THE PROSECUTORIAL MISCONDUCT THAT WAS IMPLEMENTED IN PETITIONERS CASE IT IS APPARENT MR TEDESCO WAS ADVERSELY AFFECTED BY THE CONTINUING CONSTITUTIONAL VIOLATIONS THAT HAVE TAKEN PLACE AND NOT HAVING ANY COURT INTERVENE ON HIS BEHALF IS VERY DISTURBING TO THE PETITIONERS CONSTITUTIONAL RIGHTS AS WELL AS HIS WIFE'S .

TABLE OF AUTHORITIES

§ 1983

BERRY V . DEPARRTMENT OF CORRECTIONS 591 A.2d 330 144 ARIZ
318,697,P.2d 711

PETERKIN V . JEFFES F.2d , 1021,1041 (3d cir 1998)

SUPREME COURT OF THE UNITED STATES

WASHINGTON ,D.C. 20543-0001

JANUARY 21, 2019

CERTIFICATE FOR RULE 44

I JOHN TEDESCO PRESENT THIS PETITION FOR REHEARING , AND HAVE LIMITED IT'S CONTENTS TO
INTERVENING CIRCUMSTANCES OF A SUBSTANTIAL OR CONTROLLING EFFECT OR TO OTHER
SUBSTANTIAL GROUNDS NOT PRESENTED ON WRIT OF CERTIORARI .

JOHN TEDESCO 660 STATE ROUTE 11 HUNLOCK CREEK P.A. 18521



SUPREME COURT COPY

SUPREME COURT OF THE UNITED STATES

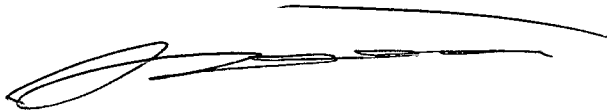
WASHINGTON ,D.C. 20543-0001

JANUARY 21, 2019

CERTIFICATE OF COUNSEL OR A PARTY UNREPRESENTED BY COUNSEL

I JOHN TEDESCO PRESENT THIS CERTIFICATE OF COUNSEL , AS I HAVE BEEN REPRESENTING MYSELF PRO
SE , IN GOOD FAITH AND FOR NO DELAY FOR ANY REASON , AS PETITIONER IS ONLY TRYING TO HAVE
THE SUPREME COURT RECTIFY THE IRREGULAR INFRACTIONS IN HIS CASE .

JOHN TEDESCO 660 STATE ROUTE 11 HUNLOCK CREEK P.A. 18621

A handwritten signature in black ink, appearing to read 'John Tedesco', is written above a horizontal line.

SUPREME COURT COPY

SUPREME COURT OF THE UNITED STATES

WASHINGTON ,D.C. 20543-0001

JANUARY 21, 2019

CERTIFICATE OF GOOD FAITH

I JOHN TEDESCO RERESSENTING MYSELF PRO SE HAS SUBMITTED THIS PETITION FOR REHEARING IN
GOOD FAITH AND NOT FOR DELAY FOR ANY REASON AS PETITIONER IS ONLY ATTEMPTING TO RECTIFY
THE ALLEGED MALICIOUS PROSECUTION , AS WELL AS THE ALLEGED CONSTITUTIONAL VIOLATIONS
THAT WERE IMPLEMENTED AGAINST HIM .

JOHN TEDESCO 660 STATE ROUTE 11 HUNLOCK CREEK P.A 18621

A handwritten signature in black ink, appearing to read 'John Tedesco', is written above a horizontal line.

SUPREME COURT COPY

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