

No. 18-6540

In The
Supreme Court of the United States

Maha Zakaria Rayan,
Petitioner,

v.

State of Georgia,
Respondent.

ON WRIT OF CERTIORARI
To the Supreme Court of Georgia

Petition for Rehearing
Before A Full Nine-Member Court

Maha Zakaria Rayan

Petitioner, *Pro se*

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SUPREME COURT, U.S.

TABLE OF CONTENTS

TABLE OF CONTENTS	i
TABLE OF CITATIONS.....	ii
APPENDIX "G "	
APPENDIX "G" Copy of 2017 Human Rights Watch on Untitled States Poverty and Criminal Justice of 2 Pages and as described above. Of 39 Pages	
PETITION FOR REHEARING	1
CONCLUSION	12
CERTIFICATE OF COUNSEL	14

**TABLE OF CITATIONS
&
CONSTITUTIONAL AND STATUTORY
PROVISIONS INVOLVED**

The **Fourth Amendment** to the United States Constitution provides that:- "[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly. Prohibits police from conducting "unreasonable searches and seizures." And a search or seizure is deemed unlawful, any evidence derived from that search or seizure will almost certainly be kept out of any criminal case against the person whose rights were violated. A search warrant is an order issued by a judge or magistrate that gives permission and authorizes the police or other law enforcement agency to conduct a search of a location or person and to seize any evidence of a criminal offense, made it illegal for a state to pass laws "which shall abridge the privileges or immunities of the citizens of the United States... [or] deprive any person of life, liberty, or property without due process of law, [or] deny to any person within its jurisdiction the equal protection of the laws." Similar to paragraph two (2) and three (3) of Section 1, article 1, of the Constitution of Georgia.

The Eighth Amendment to the United States Constitution Prohibits excessive fines and excessive bail, as well as cruel and unusual punishment.

The thirteenth Amendment to the United States Constitution declared that "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction." Formally abolishing slavery in the United States, the 13th Amendment was passed by the Congress on January 31, 1865, and ratified by the states on December 6, 1865.

Art. VI, Sec. I, Par. I of the Georgia Constitution, "[m]unicipal courts shall have jurisdiction over ordinance violations and such other jurisdiction as provided by law." Municipality is defined as: - an Elected local government body having corporate status and limited self-governance rights, and serving a specific political unit such as a town or city.

42 USCA § 1983 deprivation of federal constitutional rights
Diamond v. Marland, 395 FSupp. 432 (S. D. Ga. 1975) Fed.R.Crim. P.3 -
Fed.R.Crim. P. 4.

Cases of U.S. Supreme Court Opinions' Fourth Amendment rule

February 20th, 2019, TIMBS v. INDIANA- CERTIORARI TO THE SUPREME COURT OF INDIANA No. 17-1091. Argued November 28, 2018 - Justice Ginsburg, J., delivered the opinion of the Court, in which Roberts, C. J., and Breyer, Alito, Sotomayor, Kagan, Gorsuch, and Kavanaugh, JJ., joined. Gorsuch, J., filed a concurring opinion. Thomas, J., filed. Just eight days from to date, Held that: The Eighth Amendment's Excessive

Fines Clause is an incorporated protection applicable to the States under the Fourteenth Amendment's Due Process Clause.

Petition for a writ of certiorari No. 14–9496. Argued October 5, 2016—Decided **March 21, 2017**, Opinion of this court delivered by Justice, **Elena Kagan**, in which Justice ROBERTS, C., and Justice KENNEDY, Justice GINSBURG, Justice BREYER, and Justice SOTOMAYOR, joined conclusion.

Gerstein v. Pugh, 420 103, 124-125 (fn. 26) (95 SC 854, 43 LE2d 54) 1975.....

Richmond Concrete Products Co. v. Ward, 212 Ga. 773, 774 (95 SE2d 677)

Diamond v. Marland, 395 FSupp. 432 (S. D. Ga. 1975). deprivation of federal constitutional rights

Johnson v. United States, 333 US 10 (1948).....

Jones v. United States, 357 U. S. 493, 499 (1958).....

United States v. Marion, 404 US 307 - (1971)..... Coolidge v. New Hampshire, 403 U. S. 443, 454-455 (1971).....

Payton v. New York, 445 U. S. 573, 586 (1980).....

Georgia v. Randolph, 547 US 103 (2006).....

Ramos v. U.S. Atty. Gen., 709 F. 3d 1066 (2013).....

Oviatt v. Pearce, 954 F.2d 1470, 1475 (9th Cir.1992)....

Broadrick v. Oklahoma, 413 U.S. 601, 607, 93 S. Ct. 2908, 2913, 37 L. Ed. 2d 830 1973).....

Papachristou v. City of Jacksonville, 405 U.S. 156, 162, 92 S. Ct. 839, 31 L. Ed. 2d 110 972)....

January 25, 2019- **Strickland v. The State**, A18A1829 (2019). second division of the Georgia Court of Appeals

STATUTES AND RULES

Pre-Arrest Procedure Rules

for Theft by shoplifting. (See OCGA § 16-8-14.) et seq.:

OCGA § 17-4-1

OCGA § 17-4-60.

OCGA § 17-4-61 (a).

OCGA § 17-4-61 (b), (c)

OCGA §17-4-41

May 10, 2002- OCGA § 36-32-10.2, GA HB 1169- Bill

Municipal courts- Jurisdiction misdemeanors; trials; accusation or citation

01/28/99- HB 242- OCGA § 36-32-9- Shoplifting; misdemeanor offense

OCGA § 40-13-1

Rules of Department of Public Safety, Rule 570-19-.01

OCGA § 40-6-376(a)

OCGA § 40-6-376(b)

ARRAIGNMENT AND PLEAS PRETRIAL PROCEEDINGS

OCGA § 17-7-90 "Bench warrant

OCGA § 17-7-71(d)

OCGA § 17-7-71(b)

CRIMINAL PROCEDURE

Issuance of special WARRANTS FOR ARREST
OCGA § 17-4-42

Offenses against Public Administration
O.C.G.A. § 16-10-20

PUBLIC OFFICERS AND EMPLOYEES
OCGA § 45-3-9
OCGA § 45-11-1(b)

No. 18-6540

In The
Supreme Court of the United States

Maha Zakaria Rayan, *Petitioner*,

V.

State of Georgia, *Respondent*.

**ON WRIT OF CERTIORARI
To the Supreme Court of Georgia**

**PETITION FOR REHEARING
Before A Full Nine-Member Court**

Pursuant to Rule 44 of this Court, Petitioner, Maha Zakaria Rayan, ("petitioner") hereby respectfully petitions for re-hearing of this case before a full nine-Member Court. Petition for rehearing postmarked [February 1st, 2019], and received [February 5th, 2019] timely **within 25 days ENTRY OF THE JUDGMENT** on January 7, 2019. This Corrected Petition for rehearing Re-submitted postmarked [February 28th, 2019], by the United States Postal Service- [USPS] priority mail fully satisfying the 15 days **AFTER** the date of Clerk of this court Action mailed letter dated [February 13th, 2019] under [Rule 44.6] and [Rule 33.2(b)] Certificate of Good Faith, and [15] page limitation, **repeats before this court all her paragraphs on her original petition** with all attached Appendixes records as described IN her original petition with adding up **[Appendix G of 39 pages]** of the newly intervening circumstances of substantial and controlling effect, **related to the status of officials involved in this case during the pending of this petition** not previously presented, by which she is seeking an order for as follows:-

- (1) Granting rehearing,
- (2) Vacating the Court's **January 07, 2019, order denying certiorari**,
- (3) Re- disposing of this case by Granting the petition for a writ of certiorari, the trial proceedings were procedurally deficient due to judicial corruption bias, prosecutorial and trial judge Criminal misconduct, and ineffective assistance of counsel;
- (4) To grant the motion for leave to proceed in forma pauperis and the petition for a writ of certiorari;
- (5) Vacating the August, 30 2017, First division of Court of Appeals of

Georgia, the barns family, **Presiding, Judge Anne Elizabeth Barnes, Judge Carla Wong McMillian, and Judge Clyde L. Reese III**, judicial biased criminal opinion by on pretrial detention orders she was jailed when she protested the denial of her judicial civil rights, corruption bias, Criminal prosecutorial misconduct appears at Appendix B (Pet. App. 1b) has been published as Precedential, punishable to the First division of Court of Appeals of Georgia under **18 U.S. Code § 4 - Misprision of felony of false imprisonment** by the pre-trial detention as she was jailed when she protested the denial of her civil rights under the Fourteenth Amendment's Due Process Clause with Excessive Fine on fake false proceeding, registered as on traffic hold **based on The STOLEN COPY "Georgia Department of Driver Services-" Uniform Traffic Citation, Summons, Accusation, ["UTC"] No. [115-191]** for the non- related traffic offenses (Pet. App. 5a), and the May 20, 2016 forged accusation No. **[2016D-03366-4]** appears at Appendix (Pet. App. 7a), of the Court of Appeals of the State of Georgia **are both without due process of law, and both are basis of an action under 42 USCA § 1983 of deprivation petitioner's U.S. federal constitutional rights secured by the Constitution and laws of the United States**, prosecutorial Criminal misconduct initiated by non- transferable O.C.G.A. § 40-6-376- (a) & (b) stolen copy of "Georgia Department of Driver Services-" Uniform Traffic Citation, Summons, Accusation, ["UTC"] No. [115-191] as an accusation for city police to arrest, release, accuse the public for **non- traffic laws for State Penal Law and to try it in the City Municipal Court or in the State Court on grounds of the Fourth, and the Fourteenth Amendments rules as a great of All U.S. public importance, and Human Rights Watch in the light of February 20th, 2019, TIMBS v. INDIANA- CERTIORARI TO THE SUPREME COURT OF INDIANA No. 17-1091. Argued November 28, 2018 - Justice Ginsburg, J., delivered the opinion of the Court, in which Roberts, C. J., and Breyer, Alito, Sotomayor, Kagan, Gorsuch, and Kavanaugh, JJ., joined. Gorsuch, J., filed a concurring opinion. Thomas, J., filed, and in the light of Petition for a writ of certiorari No. 14-9496. Argued October 5, 2016—Decided March 21, 2017, Opinion of this court delivered by Justice, **Elena Kagan**, in which Justice ROBERTS, C., and Justice KENNEDY, Justice GINSBURG, Justice BREYER, and Justice SOTOMAYOR, joined conclusion follows from the Court's settled precedent. In Gerstein v. Pugh, 420 U.S. 103, 95 S.Ct. 854, 43 L.Ed.2d 54. But **Justice Clarence Thomas, Associate Justice, current assigned Justice for the Eleventh Circuit - (Alabama, Florida, Georgia) effective October 19, 2018, Anti- Human rights and Anti civil rights, Misprision Of Justice** filed a dissenting opinion. Justice **Samuel Anthony Alito Jr.** filed a dissenting opinion, in which Justice THOMAS joined.**

- (6) Remanding the case to another division of the State of Georgia Courts of Appeal Court of The State Of Georgia for further consideration in by examining the record to make certain that it possess jurisdiction and the trial court judge who is lack of jurisdiction to fulfill its duties as required under OCGA § 5-6-30 as authorized in Article VI, Sections V and VI of the Constitution.

- (7) Refer the misconduct violators named public officers in this petition to U.S. Inspector General for criminal investigation, and taking the applicable prosecution action, and return from Roy Barnes all the illegal money he gained from his illegal unconstitutional signed laws.

1. JURISDICTION

The petition for a writ of certiorari in the above entitled case was filed on [August 20, 2018], and placed on the docket [November 2nd, 2018] as No. 18-6540 appears at Appendix G (Pet. App. 2). This petition for a writ of certiorari is denied on [January 7, 2019] appears at Appendix G (Pet. App. 3). Petition for rehearing postmarked [February 1st, 2019], and received [February 5th, 2019] timely **within 25 days ENTRY OF THE JUDGMENT** on January 7, 2019. This Corrected Petition for rehearing Re-submitted postmarked [February 28th, 2019], by the United States Postal Service- [USPS] priority mail fully satisfying the [15] days **AFTER** the date of Clerk of this court Action mailed letter dated [February 13th, 2019] appears at Appendix G (Pet. App. 1) under [Rule 44.6] and [Rule 33.2(b)] with Certificate of Good Faith, and 15 page limitation. The jurisdiction of this Court is invoked fully under U.S. Constitution (Art. III, §2); [28 U. S. C. §1251]; [28 U.S.C. 1257(a)] ; where the validity of a statute of any State is drawn in question on the ground of its being repugnant to the U.S. Constitution. **The review of this court is required under rule (10) for public nationwide U.S as this petition was subject of 2017 Human Rights Watch report. U.S. Constitutional protection required and secured by the U.S. Constitution (Art. III, §2) and laws of the United States. Petitioner proceeding in forma pauperis under Rule 39**

2. STATEMENT OF THE REHEARING OF THE CASE As Supported By [Appendix G of 39 Pages] Of the Newly Intervening Circumstances of Substantial and Controlling Effect Not Previously Presented

- (1) Ms. Maha Z. Rayan, petitioner, the stubborn Civil Rights and Human Rights fighter's petition denied on **January 07, 2019**, raising the same issue as that raised in this petition, and just this court ruled **on February 20th, 2019**, just eight days from to date, Held that: The Eighth Amendment's Excessive Fines Clause is an incorporated protection applicable to the States under the Fourteenth Amendment's Due Process Clause. See - **TIMBS v. INDIANA- CERTIORARI TO THE SUPREME COURT OF INDIANA** No. 17-1091. Argued November 28, 2018 - Justice Ginsburg, J., delivered the opinion of the Court, in which Roberts, C. J., and Breyer, Alito, Sotomayor, Kagan, Gorsuch, and Kavanaugh, JJ., joined. Gorsuch, J., filed a concurring opinion. Thomas, J., filed an opinion concurring in the judgment appears at Appendix G (Pet. App. 21-23). Second, Furthermore Ms. Maha Z. Rayan, petitioner, the stubborn Civil Rights, and Human Rights fighter leant a discovery that

her petition, raising the same issue as that raised with respect to the Human rights and civil rights appears at Appendix G (Pet. App. 28-29) is published by 2017 **Human Rights Watch report** demonstrated that in USA pre-trial detention—often resulting from failure to pay bail—coerces people, some innocent, into pleading guilty just to get out of jail. Many states and counties fund their court systems, including judges, prosecutors, and public defenders, partly or entirely via fees and fines imposed on criminal and traffic defendants. The privatization of misdemeanor probation services **by several US states has led to abuses**, including fees structured by private probation companies to **penalize poor offenders**. As this constitutional grounds becoming a great public concern constitutional problems that could affect the reputation of justice of United States of America all over the world as published by 2017 **Human Rights Watch report**. Third, Furthermore Ms. Maha Z. Rayan, petitioner, the stubborn Civil Rights and Human Rights fighter leant a discovery that The **STOLEN COPY "Georgia Department of Driver Services-" Uniform Traffic Citation, Summons, Accusation,** ["UTC"] No. [115-191] for the non- related traffic offenses (Pet. App. 5a) is void and invalid where the officer of Lilburn City only listed the title of the offense as [**On January 25, 2019**], Hon. **M. Yvette Miller**, (Presiding Judge), second division of The Georgia Court of Appeals delivered the opinion has overturned a conviction for a traffic offense based on the fact that the officer only listed the title of the offense and the code section. See **Strickland v. The State**, A18A1829 (2019). P. J., BROWN and GOSS, JJ concur appears at Appendix G (Pet. App. 28-29) Ms. Maha Z. Rayan, petitioner, the stubborn Civil Rights and Human Rights fighter, seeks rehearing on those parts of the issues raised in her petition for a writ of certiorari to find the root of the constitutional problems, and who tries to be rich by violation United States of America constitutional as follows:-

- (2)** **ON August 30, 2017**, the Georgia Court of Appeals, FIRST DIVISION, BARNES, P. J., MCMILLIAN and MERCIER, JJ. maliciously based on Judicial criminal misconduct concealed that Maha Z. Rayan has been charged with theft by shoplifting in violation of Code Section 16-8-14 by Title 40 Georgia Department of Driver Services- "Uniform Traffic Citation, Summons and Accusation - DDS " ["UTC"] formed under the regulations of Georgia Department of Driver Services for Title 40, to arrest, seize items, to charge by Municipal City police officer , As initial charging instrument Accusation, for GA Title 16 - Crimes and Offenses non- related for GA traffic offense law Title 40, and then to try it in the Municipal City Court or in the State Court in lieu of Municipal City police officer securing first prompt arrest warrant where under the U.S. Constitution Fourth Amendment requires a judicial determination of probable cause following arrest. Compare with OCGA§§§§§§ 17-4-62; 17-4-40; GA Code § 17-5-1; GA Code § 17-7-20 Commitment Hearings; GA Code § 17-2-2 as criminal accusation used in essence, that OCGA § 36-32-10.2, is unconstitutional. Maliciously based on Judicial criminal misconduct concealed that on April 7, 2017 Maha Z. Rayan filed Notice Of "Direct Appeal" In Void pre-trial Judgments for Lack Of Jurisdiction And Lack Service Pursuant to [OCGA § 17-9-4]Directly appealable under OCGA § 5-6-34(4) All judgments involving applications for discharge in bail trover and "contempt

case" In violations of [OCGA § 17-7-90] and [O.C.G.A. § 17-4-42], and under OCGA § 5-6-34(2) [Refusal of application for interlocutory Appeal of local Corruption] Void Judgments, challenging two pre-trial detention orders, maliciously carrying out of the order the dates were entered as in January 2017, and maliciously based on Judicial criminal misconduct considered that Court of Appeals of the State of Georgia is lack jurisdiction to 18 U.S. Code § 4 -Misprision of felony- [False Imprisonment] of the petitioner BY, the lacked of jurisdiction trial Judge of Gwinnett County State Court [Joseph Charles Iannazzone] (Division 4), THE PARTICIPANT THIEF of copy of the original accusation the [3:30 P.M Saturday, [December, 19th 2015] "Georgia Department of Driver Services-" Uniform Traffic Citation, Summons, original Accusation," ["UTC"] No. [115-191] as criminal accusation used in essence, that OCGA § 3 6-32-10.2, appears at Appendix (Pet. App. 5a) for non- related traffic offenses, stolen from the books' of Clerk of "Lilburn City Municipal Corporation Court", filed, and submitted to Gwinnett County of State of Georgia Board of Registrations and Elections Office, an Affidavit Not Seeking Reelection, and SEPARATION NOTICE as retired is issued for him on 12/31/2018 by the Human Rescues of Gwinnett County of State of Georgia, Who is named to the bench from [January 01st , 2003 UNTIL January 01st , 2007] by Mr. "Roy Eugene Barnes", the 80th Governor of the State of Georgia [from January 11, 1999 – January 13, 2003], the mastermind of private probation company, for illegal fines collection by his willfully and knowingly breakage the U.S. Fourth Amendment constitutional criminal law process procedures by his signed bill OCGA § 36-32-10.2. To conceal that he is lack of any jurisdiction. His two pre-trial detention orders can be attached at any time the appeal is untimely two pre-trial detention orders that were entered in January 2017 the right to attack it cannot be waived or destroyed by laches. *Hubbard v. State*, 225 Ga. App. 154, 155 (483 SE2d 115) 1997). "[w]hen a trial court enters judgment(s) where it does not have jurisdiction, such judgment is a mere nullity" and must be reversed. OCGA 17-9-4"The judgment of a court having no jurisdiction of the person or subject matter, or void for any other cause, is a mere nullity and may be so held in any court when it becomes material to the interest of the parties to consider it. "

- (3) ON **[Wednesday, September 12, 2018]** – few days later of filing this petition on August 20, 2018, Georgia Attorney General Chris Carr announced that Mr. Andrew Alan Pinson, Attorney for Respondent who previously served for the October 2013 term as former judicial clerk for U.S. Supreme Court, **Justice Clarence Thomas**, will be the state Department of Law's New Solicitor General effective Sunday, replacing Sarah Warren as Georgia's solicitor general to ensure that Georgia Attorney General office provides the highest quality representation regarding appeals at both the federal and state levels (Pet. App. 4g-7g);
- (4) ON **[September 17, 2018]** - Sarah Hawkins Warren, former Georgia's solicitor general is appointed by former Governor Nathan Deal as Justice of the Supreme Court of Georgia to fill the vacancy created by the appointment and

confirmation of the Honorable Britt Grant to the U.S. Court of Appeals for the 11th Circuit, for a term of office ending December 31, 2020, (Pet. App. 8g) who was sworn on September 17, 2018, five months of to the Supreme Court of Georgia denial on April 16, 2018 - Certiorari - Writ denied;

- (5) ON [September 30th, 2018], About a month later of the filing date of this petition for a writ of certiorari on August 20, 2018 – the trial **Judge** Gwinnett County State Court trial **Judge** [Joseph Charles Iannazzone] (Division 4), **the participant thief of copy of** the [3:30 P.M Saturday, [December, 19th 2015] "Georgia Department of Driver Services-" Uniform Traffic Citation, Summons, original Accusation," ["UTC"] No. [115-191], appears at Appendix (Pet. App. 5a) for non- related traffic offenses, **stolen from the books'** of Clerk of "Lilburn City Municipal Corporation Court", filed, and submitted to Gwinnett County of State of Georgia Board of Registrations and Elections Office, an Affidavit Not Seeking Reelection (Pet. App. 9g) , and SEPARATION NOTICE (Pet. App. 10g) as retired is issued for him on 12/31/2018 by the Human Rescues of Gwinnett County of State of Georgia, Who is named to the bench **from [January 01st, 2003 UNTIL January 01st, 2007]** by Mr. "Roy Eugene Barnes", the 80th Governor of the State of Georgia [from January 11, 1999 – January 13, 2003], **the mastermind of private probation company**, for illegal fines collection by his willfully and knowingly breakage the U.S. Fourth Amendment constitutional criminal law process procedures by his signed bill OCGA § 36 - 32-10.2.

§ 36-32-10.2. Trial upon citation, summons, or accusation

Notwithstanding any other contrary provision of law, in municipal courts which have jurisdiction over misdemeanor offenses or ordinance violations, such offenses or violations may be tried upon a uniform traffic citation, summons, citation, or an accusation. (Pet. App. 32g-39g)

The municipal court is granted jurisdiction to try and dispose of cases in which:-

1. § 36-32-9. Misdemeanor theft by shoplifting in violation of Code Section 16-8-14 or misdemeanor refund fraud in violation of Code Section 16-8-14.1; transfer of cases; penalties; retention of fines and bond forfeitures; reports;
2. § 36-32-6. Jurisdiction in marijuana possession cases in violation of Code Section 16-13-30; retention of fines and bond forfeitures; transfer of cases
3. § 36-32-6.1. Jurisdiction in cases involving transactions in drug objects; disposition of fines; transfer of cases;
4. § 36-32-10. Jurisdiction in cases of furnishing alcoholic beverages to and purchase and possession of alcoholic beverages by underage persons in violation of Code Section 3-3-23; retention of fines and bond forfeitures; transfer of cases; penalties
5. § 36-32-10.1. Jurisdiction in counties without state court to try violations of Code Section 16-7-21 Criminal trespass; retention of fines and bond forfeitures; transfer of cases; penalties;

6. § 36-32-10.3. Jurisdiction over littering offenses in violation of Code Section § 16-7-43 - Littering public or private property or waters; enforcing personnel.

- (6) On [Sunday November 4, 2018]- couple days later on docking this petition in this court, was the sudden death who killed in car crash of Justice [P. Harris Hines], (Pet. App. 12g-13g) the [Aug. 31, 2018] retired Chief Justice of Supreme Court of Georgia and the [October 31st, 2018], resigned Senior Appellate Court Justice for the State of Georgia two days before this petition for a writ of certiorari docket on [November 2, 2018] as No. 18-6540, as is appointed on 08.23.2018 by former Governor Nathan Deal as Senior Appellate Court Justice for the State of Georgia effective September 1, 2018(Pet. App. 11g) ;
- (7) On [Tuesday, November 6, 2018], the Respondent's, GA State General Election Day. [Tuesday, November 6, 2018], couple days later of the sudden death of Justice [P. Harris Hines] Mr. Andrew Alan Pinson filed Waiver of right of respondent Georgia(Pet. App. 14g), who guarded enforcing since 2003 up to date the OCGA § 36-32-10.2, by his [CITY OF PEACHTREE v. SHAVER] opinion No. [S02G0702] [Decided: March 10, 2003] by which he authorized law enforcement to arrest, charge, State penal law non-related traffic misdemeanor offenses by Municipal City Georgia Uniform Traffic Citation ["UTC"] As initial Accusation to try it in municipal courts, which triggered this petition to your honorable court, and caused the petitioner to be punished for exercising her legal rights in this regard in the Supreme Court of Georgia on January 19, 2017 by pretrial detention orders restraining her liberty by the in dispute in this petition – pre-Trial 1:29 PM -January 20, 2017- Contempt "Arrest Warrant " order and its 3:57 PM -January 24, 2017 - Contempt " Amended Arrest Warrant " Failure to Appear on January 19, 2017 for Jury Trial is captioned by Amended "Arrest Warrant ""Bench Warrant "as Retaliation on petitioner by Justice P. Harris Hines ten days later of his sworn as chief justice and the current justice Melton THROUGH became former Chief Justice in January 2017, who was the latter behind jailing the petitioner on January, 2017, and who on June 5, 2017 – Transferred the appeal of pre-trial this case to Court of Appeals, by his concealment that this case is based on Georgia Department of Driver Services- "Uniform Traffic Citation, Summons and Accusation - DDS " ["UTC"] as criminal accusation, to maintain his 2003 opinion regarding using the Georgia Department of Driver Services- "Uniform Traffic Citation, Summons and Accusation - DDS " ["UTC"] as criminal accusation, by which he affected the judges and lawyers in the state of Georgia who relied on his 2003 opinion to guide their decisions and to advise their clients, by which he broke the U.S. constitutional criminal law due process procedures in order to rich the bloody private probation companies service for profits socking blood of the indigent falsely accused defendants that started by Roy Barnes, and contoured by Nathan Deal. Facilitated by § 36-32-10.2. Trial upon citation, summons, or accusation- Notwithstanding any other contrary provision of law, in municipal courts which have jurisdiction over misdemeanor offenses or ordinance violations, such offenses or violations may be tried upon a

uniform traffic citation, summons, citation, or an accusation.

- (8)** On [Tuesday, November 6, 2018] the citizens of Georgia, who the forger, Rosanna M. Szabo, Solicitor-General of Gwinnett County, Ga. Bar No. [532490] filed, The May 20, 2016 forged accusation. [2016D-03366-4.] against the Petitioner with her jointly forger, [p]articipant Dana Michelle Pagan-Woodall in the name and behalf of the citizens of Georgia, on the their State of GA 2018 General Election Day [Tuesday, November 6, 2018], kicked her out/ voted her out from Gwinnett County Solicitor-General office (Pet. App. 16g) just four days later from this petition is docketed in this court on Nov. 2nd 2018, and in sequence a notice of separation as retired while her age is still [56] yrs old is issued to her on [Nov. 29th, 2018] by Gwinnett County Human Resources Department(Pet. App. 15g), and in sequence her jointly forger, [p]articipant Dana Michelle Pagan-Woodall submitted her resignation as [No reason], and separation notice is issued for her on [December 20th, 2018] (Pet. App. 17g) ;
- (9)** Effective [October 19, 2018]- U.S. Supreme Court Circuit Assignments, effective October 19, 2018. Assigned For the Eleventh Circuit –Clarence Thomas, Associate Justice (Alabama, Florida, Georgia) about one days before re-submitting ON October 20, 2018 the corrected version of this petition attacking the constitutionality GA state OCGA § 3 6-32-10.2. **Justice Clarence Thomas, who** was born in 1948 in Pin Point, Georgia, a small, predominantly black community near Savannah (Pet. App. 18g-19g) .
- (10)** On January 4, 2019, a certified letter as true issued by the Clerk of Lilburn Municipal court confirmed that the [3:30 P.M Saturday, [December, 19th 2015] "Georgia Department of Driver Services-" Uniform Traffic Citation, Summons, original Accusation," ["UTC"] No. [115-191], appears at Appendix (Pet. App. 5a) for non- related traffic offenses, **stolen from** the books' of Clerk of "Lilburn City Municipal Corporation Court" as no transfer court order issued by any judge of Lilburn Municipal court to permit the Clerk of "Lilburn City Municipal Corporation Court" to transfer the [3:30 P.M Saturday, [December, 19th 2015] "Georgia Department of Driver Services-" Uniform Traffic Citation, Summons, original Accusation," ["UTC"] No. [115-191] to the clerk of State Court of Gwinnett County. (Pet. App. 20g)
- (11)** On [January 7, 2019] Justice Clarence Thomas denied this petition. On January 14, 2019 seven days later, **Justice Clarence Thomas**, was named by the current 2019 elected governor of State of Georgia Mr. Brian Kemp as MLK Jr in his presence on Jan. 14, 2019 at the swearing ceremony of the current 2019 elected governor of State of Georgia Mr. Brian Kemp, as also was the justice most willing to exercise judicial review of federal statutes, but among the least likely to **overturn state statutes**. Furthermore, Justice Thomas often favors **police over defendants**. **If MLK J Jr, is alive and receives this petition he will fight all over U.S.A to repeal** The privatization of misdemeanor probation services and penal law in Municipal court Via Georgia

Department of Driver Services." Uniform Traffic Citation, Summons, Accusation," ["UTC"] Justice, Thomas by his denial of this petition HE IS **Anti-civil rights movement**, he is **NOT MLK J Jr**, the leader in the civil rights movement from 1954 until his assassination in 1968. Born in Atlanta. (Pet. App. 3g)

- (12)** On [Tuesday, November 6, 2018] the citizens of Georgia, as voters entered a judgment on this petition as on the this day they kicked her out/ voted out from Gwinnett County Solicitor-General office just four days later from this petition is docketed in this court on Nov. 2nd 2018, the forger, Rosanna M. Szabo, Solicitor-General of Gwinnett County, Ga. Bar No. [532490] who dared to file The May 20, 2016 forged accusation. [2016D-03366-4.] against the Petitioner with her jointly forger, [p]articipant Dana Michelle Pagan-Woodall in the name and beh alf of the citizens of Georgia

3. REASONS FOR GRANTING THE PETITION REHEARING

- (1)** This case is a superior vehicle to establish a nationwide rule under U.S. Fourth, Fourteenth Amendments, Eighth Amendment's Excessive Fines Clause is an incorporated protection applicable to the States under the Fourteenth Amendment's Due Process Clause. See - **TIMBS v. INDIANA-CERTIORARI TO THE SUPREME COURT OF INDIANA** No. 17-1091. Argued November 28, 2018 - Justice Ginsburg, J., delivered the opinion of the Court, in which Roberts, C. J., and Breyer, Alito, Sotomayor, Kagan, Gorsuch, and Kavanaugh, JJ., joined. Gorsuch, J., filed a concurring opinion. Thomas, J., filed an opinion concurring in the judgment by addressing the Human rights and civil rights is published by 2017 **Human Rights Watch report**, appears at Appendix G (Pet. App. 28-29) demonstrated that in USA pre-trial detention—often resulting from failure to pay bail—coerces people, some innocent, into pleading guilty just to get out of jail. Many states and counties fund their court systems, including judges, prosecutors, and public defenders, partly or entirely via fees and fines imposed on criminal and traffic defendants. The privatization of misdemeanor probation services by several US states has led to abuses, including fees structured by private probation companies to penalize poor offenders. As this constitutional grounds becoming a great public concern constitutional problems that could affect the reputation of justice of United States of America all over the world as published by 2017 **Human Rights Watch report in the light of this court just ruled that the 8th Amendment protections against excessive fines and fees are incorporated to the states. The decision is here: Timbs v. Indiana. This decision gives citizens a tremendous weapon against civil seizure. And**

apparently cases are already lined up in various state courts in anticipation of this decision.

- (2) Therefore, On [Tuesday, November 6, 2018] the citizens of Georgia are panicked from the defrauder, Rosanna M. Szabo, former Solicitor-General of Gwinnett County, they entered a judgment on this petition awarding this petition voted her out kicked her out from Gwinnett County Solicitor-General office on the respondent 2018 General Election Day on [Tuesday, November 6, 2018] just four days after from this petition is docketed in this court on [November 2nd , 2018], as the forger, Rosanna M. Szabo, Solicitor-General of Gwinnett County, Ga. Bar No. [532490] dared to file The May 20, 2016 forged, false accusation No. [2016D-03366-4.] against the Petitioner in the name and behalf of the citizens of Georgia with her jointly forger, [p]articipant Dana Michelle Pagan-Woodall, furthermore she is socking their blood by USA pre-trial detention—often resulting from failure to pay bail—coerces people, some innocent, into pleading guilty just to get out of jail. Many states and counties fund their court systems, including judges, prosecutors, and public defenders, partly or entirely via fees and fines imposed on criminal and traffic defendants, and fees structured by private probation companies to penalize poor offenders just to enrich the private misdemeanor probation services companies who could be affiliated with them.
- (3) This case is a superior vehicle for addressing the exceptional presented questions that are in need to establish a nationwide rule under U.S. Fourth, and Fourteenth Amendments to U.S. constitution for all U.S. States on the first important issue of arrest, accuse, charge the alleged misdemeanor Penal law offenses, non-related to traffic law, by Georgia Department of Driver Services- "Uniform Traffic Citation, Summons, Accusation," ["UTC"] issued, and drawn by police officer to prosecute it in Municipal City Court or in Any other Court on basis of Petitioner's of deprivation of a citizen's federal constitutional rights and privileges by persons acting under color of state law was unlawfully arrested . *Diamond v. Marland*, 395 FS upp. 432 (S. D. Ga. 1975), and her on January 25, 2019, Hon. M. Yvette Miller, (Presiding Judge), second division of The Georgia Court of Appeals M. Yvette Miller delivered the opinion has overturned a conviction for a traffic offense based on the fact that the officer only listed on the uniform traffic citation the title of the offense and the code section. See *Strickland v. The State*, A18A1829 (2019). P. J., BROWN and GOSS, JJ concur. If the uniform traffic citation fails to allege the essential elements of the traffic offense, this will raise up under the criminal due process procedures The constitutionality and the validity to Use the Title 40 Georgia Department of Driver Services- "Uniform Traffic Citation, Summons and Accusation - DDS " ["UTC"] formed under the regulations of Georgia Department of Driver Services for Title 40, to arrest, seize items, to charge by Municipal City police officer , As initial charging instrument Accusation, for GA Title 16 - Crimes and Offenses non- related for GA traffic offense law Title 40, and then to try it in the Municipal City Court or in the State Court in lieu of Municipal City police officer securing first

prompt arrest warrant where under the U.S. Constitution Fourth Amendment requires a judicial determination of probable cause following arrest. Compare with OCGA§§§§§ 17-4-62; 17-4-40; GA Code § 17-5-1; GA Code § 17-7-20 Commitment Hearings; GA Code § 17-2-2. Venue generally.

- (4) The Fourth Amendment requires a prompt judicial determination of probable cause as a prerequisite **to restraint or extended restraint of liberty following arrest**. Accordingly, the Georgia procedures of May 9, 2002, the former and the eightieth Governor of Georgia, was sworn in as the eightieth governor from [January 11, 1999 UNTIL January 13, 2003], Attorney, Mr. "Roy Eugene Barnes", Bar #: 039000 signed into law constitutional problems, a bill that amended Article 1 of Chapter 32 of Title 36, and added OCGA § 36-32-10.2, which states, "Notwithstanding any other contrary provision of law, in municipal courts which have jurisdiction over misdemeanor offenses or ordinance violations, such offenses or violations **may be tried upon a uniform traffic citation, summons, citation**, or an accusation." (Act 775; HB 1169) 1. Ga. L.2002, pp. 627-628., and also added O.C.G.A. 36-32-9. to provide that: - (a) The municipal court is granted jurisdiction to try and dispose of cases in which a person is charged with a first, second, or third **offense of the "Divisible" Georgia penal statute O.C.G.A. § 16-8-14 - Theft By Shoplifting when the property which was the subject of the theft was valued at \$300.00 or less, if the offense** occurred within the corporate limits of the municipality. The jurisdiction of such court shall be concurrent with the jurisdiction of any other courts within the county having jurisdiction to try and dispose of such cases. Also he added the privatization of misdemeanor probation services must be challenged here whereby as a person arrested without a warrant and charged by information on **uniform traffic citation, summons** may be jailed or subjected to other restraints pending trial without any opportunity for a probable cause determination, are unconstitutional
- (5) The opinion of the highest Georgia State court to review the merits appears at Appendix A. (Pet. App. 1a) to the petition on its June 5th, 2017 transfer order from Supreme Court of State of Georgia **to Court of Appeals of Georgia**, and is unpublished. The opinion of Court of Appeal appears at Appendix B (Pet. App. 1b) has been published as Precedential, filed Timely reconsideration Denial appears at Appendix (Pet. App. 1b- 2b). The denial Supreme Court of State of Georgia was entered on April 16, 2018. On Petitioner's **"Petition For Writ of Certiorari"** No. [S18C0310] to **Georgia Court of Appeals August 30, 2017** published as Precedential **Judgment** Petitioner's timely Filed Reconsideration, uncaused, was denied on [Monday, May 21st, 2018] appears at Appendix (Pet. App. 1d), to pass this petitioner without taking an immediate action to protect the public civil rights and human right, of the privatization of misdemeanor probation services by imposing criminal charges by traffic citation drawn by the warrantless city police officer is legal scandal of this court all over the world **as the Human Rights Watch reported that :-** The privatization of misdemeanor probation services by several US states has

led to abuses, including fees structured by private probation companies to penalize poor offenders as well as will deter Mr. "Roy Eugene Barnes" from profiting millions of Dollars from his willfully and intentionally made by bad law his violation the terms of his oath as prescribed by law to protect, and defend the Constitution --- of the Constitution of the United States of the former governor of state of Georgia who made these laws by violations his office oath that should be punished by imprisonment for not less than one nor more than five years where justice Ginsburg 85-year-old justice was not on the bench as the court met in a private conference Friday January 4, 2019 Nor on Monday January 7, 2019 to hear arguments To prevent the state of Georgia former government from profiting from bad law, and therefore as a remedy to preserve judicial integrity and respect civil rights and to deter city police from unauthorized acts Herring v. United States, 555 U.S. 135 (2009) as she was discharged from a New York hospital on Dec. 25. 80th Governor of the State of Georgia [from January 11, 1999 – January 13, 2003]. The oath is state law and O.C.G.A. 45-12-4 (2010) 45-12-4 oath of office reads,

"The Governor-Elect shall, before he or she enters on the duties of office, take the following oath in the presence of the General Assembly in joint session of the Senate and House of Representatives: "I do solemnly swear or affirm that I will faithfully execute the office of Governor of the State of Georgia and will, to the best of my ability, preserve, protect, and defend the Constitution thereof and the Constitution of the United States."

Ga. Const. 5, § 1, ¶ 6 O.C.G.A. § 45-12- 4 Cross-References:

The federal constitution requires that the Governor be bound by oath or affirmation to support the federal constitution. See U.S. Const., Art. 6, cl. 3. b.

Any public officer who willfully and intentionally violates the terms of his or her oath as prescribed by law shall, upon conviction thereof, be punished by imprisonment for not less than one nor more than five years. O.C.G.A. §16-10-1."

4. CONCLUSION

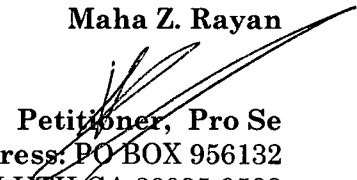
The U.S. Supreme Court its role, applying the Constitution to resolve disputes For the foregoing reasons, this petition for rehearing should be granted. And petitioner Maha Zakaria Rayan prays that this Court to grant all her prayers that is listed above. Rehearing is required, as the demonstrated detailed above of clear of the respondent State of Georgia repugnant to the Fourth, and Fourteenth Amendments to the U.S. Constitution Where an arrest for penal law is effected without a warrant the Fourth Amendment requires a prompt judicial determination

of probable cause following arrest. *Gerstein v. Pugh*, 420 U. S. 103, 124-125 (fn. 26) (95 SC 854, 43 LE2d 54). In Compare with Compare with OCGA§§§§§§ 17-4-62; 17-4-40; GA Code § 17-5-1; GA Code § 17-7-20 Commitment Hearings; GA Code § 17-2-2. Therefore, challenging the direct appealable two pre-trial orders Detention, contempt, and excessive bill judgments for failure to appear is timely to be attacked due to Gwinnett County State Court trial **Judge** [Joseph Charles Iannazzone] (Division 4) lacked jurisdiction where the State has failed to include in the record on appeal **the transfer order** "Georgia Department of Driver Services-" Uniform Traffic Citation, Summons, Accusation," ["UTC"] or indeed any portion of the record in the municipal court. It is a well-established appellate rule that the burden is on the appellant to show error by the record, and when a portion of the evidence bearing upon the issue raised by the enumeration of error is not brought up so that this court can make its determination from a consideration of it all, an affirmance as to that issue must result *Ross v. State*, 195 Ga. App. 624, 626 (3) (394 SE2d 418) (1990). "The judgment of a court having no jurisdiction of the person or subject matter . . . is a mere nullity" OCGA 17-9-4, and the right to attack it cannot be waived or destroyed by laches. *Hubbard v. State*, 225 Ga. App. 154, 155 (483 SE2d 115) (1997).

Respectfully Submitted,

This Thursday, the 28th Day of February, 2019,

Maha Z. Rayan


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No. 18-6540

In The
Supreme Court of the United States
_____□_____

Maha Zakaria Rayan, *Petitioner*,

V.

State of Georgia, *Respondent*.

_____□_____
ON WRIT OF CERTIORARI
To the Supreme Court of Georgia
_____□_____

PETITION FOR REHEARING
Before A Full Nine-Member Court
_____□_____

CERTIFICATE OF PETITIONER

As petitioner, I hereby certify that this petition for rehearing is presented in good faith and not for delay and is restricted to the grounds specified in Rule 44.2.

Respectfully Submitted,

This Thursday, the 28th Day of February, 2019,

Maha Z. Rayan

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