

SUPREME COURT OF THE UNITED STATES
NO. 18-6841

ROBERT K. STEWART VS. NORTH CAROLINA

REHEARING / en banc

THE PETITIONER, ROBERT K. STEWART Pro se,
respectfully objects to the ruling of this COURT,
and in Good FAITH, "respectfully REQUEST"
rehearing en banc. Petitioner also submits
certificates as required under Rule 44. Below
is a LIST OF FACTS and issues, I believe this
Honorable COURT is over Looking.

(1.) THE STATE IS in VIOLATION OF N.C.G.S.
15A-266. THRU 15A-270. (a), (c), (1), (2),
and N.C.G.S. 15A-924. (a), (1), , ALSO
N.C.G.S. 122C-58.

STATE V. Cleary, 213 N.C. APP. 198, 712 SED2d
722, 2011 N.C. APP. Lexis 1370

STATE V. Williams, 291 N.C. 442, 455, 230
SED2d 515, 517 (1976)

(2.) THE Petitioner Robert K. Stewart, can be positively Identified Thru DNA DATABASE and DATABANK, And PHOTO'S. AS DUE PROCESS Requires POSITIVE IDENTIFICATION. N.C.G.S. 15A-270.(a),(c),(1),(2) and N.C.G.S. 15A-924.(a),(1):

(3.) Here this is not the CASE, When the STATE is allowed to continue using insufficient indictments, With the description (THE above) in the body of indictment. For example (the above) could mean TUTTI FRUTTI. Where's the DNA for (the above)? Where's PHOTO'S of (the above) TUTTI FRUTTI?

(4.) THE STATE is creating A BRADY VIOLATION of With holding evidence of the identification of (THE above) example TUTTI FRUTTI.

BRADY V. MARYLAND, 373 US 83, 10 LEd2d 215, 83 Sct 1194 (1963)

NETHERY V. COLLINS, 993 F2d 1154 (5th, cir. 1993)

(5.) THE Failure to identify is FATAL, 15A-924.(a),(1).
STATE V. SIMPSON, 302 N.C. 613, 276 SEd2d 36 (1981)

(6) Under N.C.G.S. 122C-58. THE STATE has created A CIVIL RIGHTS ISSUE. THE PETITIONER can SHOW and has shown with Records, THE STATE has and continues to violate His, Constitutional RIGHTS while ACTING under the color of LAW. See THE U.S. Constitution's. 5.th, 6.th, 8.th, 13.th, 14.th Amendments. N.C. Constitution ARTICLE, I.

JONES V. U.S., 16 F3d 979 (8.th Cir. 1994)

I ROBERT K. STEWART Hereby Swear under the Penalty of Perjury, the foregoing is TRUE and Correct.

Respectfully Submitted January 12, 2019.

Robert K. Stewart

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