

No. 18-7785  
Docketed February 6, 2019

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IN THE  
SUPREME COURT OF THE UNITED STATES

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**PETITION FOR WRIT OF CERTIORARI / IN RE DAVID DERRINGER UNDER US  
CODE TITLE 28 SECTION 1651(A), PETITION FOR SUPERINTENDING CONTROL-  
DIRECTIVE TO SENATE AND DOJ INVOLVING RICO OF JUDICIARY; AND  
REQUEST FOR RELIEF**

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DAVID DERRINGER,  
Petitioner,

V.

NEW MEXICO SECOND JUDICIAL DISTRICT COURT, NEW MEXICO SUPREME  
COURT, THE STATE OF NEW MEXICO, US DISTRICT COURT FOR THE DISTRICT OF  
NEW MEXICO 10<sup>TH</sup> CIRCUIT

V.

ISIDRO RUIS SAENZ (New Mexico Supreme Court No. 18-7785)  
Respondents,

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**PURSUANT TO THE SCOTUS LETTER OF JULY 30, 2019, PETITIONER  
SUBMITS HIS CERTIFICATION OF COMPLIANCE WITH RULE 44 OF  
THE TIMELY PETITION FOR REHEARING**

**PURSUANT TO RULE 44(1)(2) WITH APPLICATION THAT THIS  
ENTIRE CASE BE STUDIED BY INDIVIDUAL JUSTICES CLARENCE  
THOMAS, BRETT KAVANAUGH, AND NEIL GORSUCH  
UNDER RULE 22**

The Petitioner, David Derringer hereby certifies that the Petition for Rehearing presented on April 24, 2019 and received by the Supreme Court of the United States on April 30, 2019 was presented timely and in good faith and not interposed for delay, and indicated extreme violations of lower courts ongoing, wherein by Canon

3(D)(1) it is mandatory that these matters contained in the Petition be fully examined and legal accountability to be ordered encompassing named government officials, Judges, attorneys and political subdivisions of both the United States and the State of New Mexico.<sup>1</sup> There has been intervening circumstances ongoing defining more violations by alleged lower authorities of Constitution, due process and equal protection violations, criminal violations by usurpation of power, encompassing violations of the 1<sup>st</sup>, 2<sup>nd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 13<sup>th</sup> and 14<sup>th</sup> amendments and violations of US Code Title 42 Section 1981, Title 18 Sections 241, 242, 1503 and others as well as RICO.

The Petition for rehearing encompasses the several previous Motions to Take Judicial Notice that show the Court the ongoing egregious violations as well as the noted fact that the original Petition had been denied, not by a Justice, but by a Court Clerk, with ambiguity as to whether any Justice had seen the contents, which are so in violation against the Petitioner that the Court conscience would be shocked to realize the persecution of an American had proceeded ongoing for a period of 25 years, totally defying the “fair and competent” judiciary<sup>2</sup> defeating any concept of

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<sup>1</sup> Code of Judicial Conduct Canon 3 (D)(1) Disciplinary responsibilities: “A judge who receives information indicating a substantial likelihood that another judge has committed a violation of this Code should take appropriate action. A Judge having “knowledge” that another judge has committed a violation of this Code that raises a substantial question as to the other judge’s fitness for office shall inform the appropriate authority.

<sup>2</sup> Canon: “Our legal system is based on the principle that an independent, fair, and competent judiciary will interpret and apply the laws that govern us. The role of the judiciary is central to American concepts of justice and the rule of law. Intrinsic to all sections of this Code are the precepts that judges, individually and collectively, must respect and honor the judicial office as a public trust and strive to enhance and maintain confidence in our legal system. The

“rule of law”. It became clear that the clerk denial of the original Petition caused circumstances of deprivation of due process, the Petition having not been read at all by any of the 9 Justices of the court making a substantial and controlling effect of no “opportunity to be heard at a meaningful time and place” which renders completely substantial grounds not previously presented in the Petition and mandating the Justices to take action pursuant to Canon 3(D)(1) of the duties of a Justice to preserve the very integrity of the United States Judicial system itself, far of importance even in superseding the other content of the Petition similarly requiring an Order, not simply dismissing the entire matter. The documents clearly show that David Derringer has been denied and banned legal use of the courts by judges reaching outside the court records to persecute, create hoops to jump through and malicious perusal of pleadings to be filed well ahead of any legal jurisdiction; instances where judgments are premised either on a certain type of jurisdictional error or on a violation of due process that deprives a party of notice or the opportunity to be heard.. The “discrimination” and “retaliation” by misuse of power by lower judges, attorneys, and government officials mandates a proper “opportunity to be heard” and due process to be afforded by the United States Supreme Court.

**Supreme Court of the United States** June 17, 1976 426 U.S. 572 96 S. Ct. 2264

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judge is an arbiter of facts and law for the resolution of disputes and a highly visible symbol of government under the rule of law.”

..If the Fourteenth Amendment applies, the Equal Protection Clause nullifies.. exclusion; whereas, if the Fifth Amendment and its Due Process Clause apply, the.. discrimination is so egregious as to violate due process. It is clear.. that the protections accorded by either the Due Process Clause of the Fifth Amendment or the Due Process and Equal Protection Clauses of the Fourteenth Amendment apply to residents.; **Supreme Court of the United States** June 25, 1979, 443 U.S. 55 99 S. Ct. 2642 ..The fundamental requirement of due process is the opportunity to be heard ‘at a meaningful time and in a meaningful manner’..

**CERTIFICATE OF COMPLIANCE WITH SUPREME COURT RULE 44**

David Derringer, Pro-Se Petitioner in this matter of No. 18-7785 hereby states that the Petition and all subsequent Motions to Take Judicial Notice and such content is presented in good faith and meant to seek not only redress, but to afford “knowledge” to the highest Court of last resort of the defiance of all Rule of Law by the lower echelon of the judiciary and government pursuant to Canon 3(D)(1). The Petition for Rehearing is based on intervening circumstances of ongoing and substantial effect that denies current and past redress and has blocked use of the court or alternatively place a stay on current judicial proceedings to defeat the due process and equal protection of David Derringer. These ongoing outrageous underlying acts are substantial grounds not previously presented to undeniably grant “standing” to David Derringer for all presented matters to be heard by the Petitioner’s chosen

Justice of Justice Thomas, Justice Kavanaugh, and Justice Gorsuch, particularly indicating that it is Justice Gorsuch that adamantly denied the prior format of simple court clerks making decisions on cases and denial of petitions that never apparently crossed the desks of any of the 9 Justices of the Supreme Court. As perceived by the Petitioner this has occurred in the Petition, “standing” for rehearing is mandated pursuant to the 5<sup>th</sup> and 14<sup>th</sup> Amendments of “due process”.

Pursuant to Rule 44, the Petitioner has this certificate of compliance notarized below and has attached a copy of this RESPONSE TO THE LETTER OF SCOTUS OF JULY 30, 2019 with the attached notarized Certificate of Compliance of Rule 44 to each copy of the original Petition.

Respectfully submitted by: David Deering

David Derringer Pro-Se, Box 7431, Albuquerque, New Mexico 87194

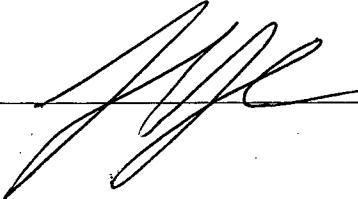
I, David Derringer, being first duly sworn, upon my oath state that I have knowledge and have read the foregoing Statement of Compliance of United States Supreme Court Rule 44 and know the contents thereof, and that the text contained therein are true to my knowledge, except for those statements made on information and belief, which I believe are true.

David Derringer David Derringer

SUBSCRIBED AND SWORN to before me on August 6, 2019 by David Derringer.

(Seal)

My Commission Expires: 11-7-21



NOTARY PUBLIC

