

CASE NO: 18-8483

IN THE
SUPREME COURT OF THE UNITED STATES

RAFAEL AGOSTO, I.D. #95A3133,
PETITIONER,

V.

CHRISTOPHER MILLER,
RESPONDENT.

REHEARING PETITION PURSUANT
RULE 44 SUBMITTED TO CHIEF
JUDGE JOHN G. ROBERTS JR.,
PURSUANT RULE 22 OF THIS COURT.

RAFAEL AGOSTO, I.D. #95A3133
CLINTON CORR. FACILITY,
P.O. BOX 2000
DENAMORA, N.Y., 12929

TO: JOHN G. ROBERTS JR.,
CHIEF JUDGE OF THE UNITED
STATES SUPREME COURT
WASHINGTON, DC
20543-0001

TO: PAUL B. LYONS
N.Y.S. ATTY. GEN. ASST.
28 LIBERTY ST.,
NEW YORK, NEW YORK
10005

QUESTION PRESENT

1. DO THE JUSTICE OF THIS COURT ISSUED AN ORDER, JUDGMENT OR OPINION IN THE MATTERS IN QUESTION HEREIN IN TOTAL ABSENCE OF SUBJECT MATTER JURISDICTION, IF ANY ISSUED ?
2. DO THIS COURT SHALL ASSUME SUBJECT MATTER JURISDICTION ONCE THE COURT JURISDICTION IT WAS PUT IN QUESTION BY THE PETITIONER HEREIN ?
3. DO JURISDICTION CAN BE ESTABLISH WITHOUT DOCUMENTARY EVIDENCE ONCE IS BEING CHALLENGED BY THE PETITIONER HEREIN ?
4. DO THIS COURT SHALL GRANT RELIEF TO THE OPPOSITION WHO DID NOT FILED ANY DOCUMENTARY EVIDENCE IN ACCORDANCE WITH THIS COURT RULE 12.6 ?
5. DO THIS COURT SHALL ASSUME SUBJECT MATTER JURISDICTION WITHOUT FIRST REVIEWING THE RECORD PROVIDED TO THE COURT BY THE STATE, IF THE STATE PROVIDED ANY ?
6. DO A PERSON NEVER CONVICTED OF ANY CRIME SHALL BE DETAINED INSIDE A CORRECTIONAL FACILITY WITHOUT RECORDS TO ESTABLISH CONVICTION, FOR THE JURISDICTION OF THE COURT TO BE LAWFULL ?
7. DO THE FAILURE OF THE OPPOSITION TO FILE A TIMELY BRIEF OR WAIVER SHALL GRANT THE OPPOSITION ANY RELIEF PURSUANT RULE 12.6 OF THIS COURT ?

CASE NO: 18-8483

IN THE
SUPREME COURT OF THE UNITED STATES

RAFAEL AGOSTO, I.D. NO. 95A3133,
PETITIONER,

V.

CHRISTOPHER MILLER,
RESPONDENTS.

REHEARING PETITION PURSUANT RULE
44 SUBMITTED TO CHIEF JUDGE JOHN G.
ROBERTS JR. PURSUANT RULE 22 OF THIS
COURT.

JURISDICTION STATEMENTS

The Jurisdiction of This court is NOT INVOKED under 28 U.S.C.A. § 1254 (1), ON THE Grounds That The U.S. COURT OF APPEALS FOR THE 2ND. CIR. ISSUED AN ORDER, IF ANY, IN TOTAL ABSENCE OF ALL JURISDICTION, IN WHICH DO NOT GRANT THIS COURT JURISDICTION PURSUANT 28 USCA. § 1254 (1), RULE(S) 14.1(E) (4), 14.1(G) (i) (ii) OF THIS COURT, OR THE U.S. CONST. ART. III, SEC. (2), CL. (1) SUBJECT MATTER JURISDICTION REQUIREMENTS AS IT WILL BE MENTIONED HEREIN BELOW IN A MORE PRECISE AND PERSUASIVE FORM.

HISTORY OF THIS CASE WITHIN THIS COURT

1. ON MARCH 12, 2019, THE PETITIONER HEREIN SUBMITTED A TIMELY WRIT OF CERTIORARY PETITION TO THIS COURT IN WHICH THIS COURT FILED ON MARCH 14TH, 2019 AND PLACED ON THE DOCKET ON MARCH 20, 2019. PURSUANT DKT. NO: 18-8483.

2. THEREAFTER, ON MARCH 20, 2019, The Clerk of This court Notified The Opposition Pursuant Rule 12.3 of This court, That a Petition for a Writ of Certiorari was filed on This court ON MARCH 14TH, 2019 and DOCKET ON MARCH 20, 2019 Pursuant Rule 12.3, AND Pursuant Rule 15.3 The due date for a Brief in Opposition was April 19TH, 2019, And Also Provided The Opposition with a Waiver Form in The Event That The Opposition do Not Attend or Intent To file a Response To The Writ of Certiorari. SEE: PAGE 7 herein.
3. THEREAFTER, ON APRIL 23RD, 2019, The Petitioner herein Timely filed a Reply motion Pursuant Rule 15.6 of This court, Explaining To This court That The Opposition has CONCETED To Each AND EVERY Question Present, Issues, ARGUMENTS, Grounds, case cites, statutory Requirements, and constitutional Requirements mentioned within The Writ of Certiorari, by NOT disputing Them Timely by filing a Brief IN Accordance with This court Rule 15.3. SEE: Page 8 - 13 herein for The Reply.
4. THEREAFTER, ON MAY 20, 2019, This court CLERK SCOTT S. HARRIS Provided The Petitioner herein with a one Page MEMO Notifying The Petitioner herein That ON This day of MAY 20, 2019 The Petition for a Writ of Certiorari is denied, No order, Final Judgment or Opinion was Provided To The Petitioner herein. SEE: PAGE 12 herein.
5. THEREAFTER, ON MAY 24, 2019, The Petitioner herein submitted a one Page Letter/ Affidavit To This court CLERK SCOTT S. HARRIS Requesting That an order, Final Judgment, or Opinion Pronounced or Executed by The Justice or Justices in charge of The matters in Question herein be Provided To him To Appeal or Reargue at his Rehearing Petition. NEVERTHELESS, Today date is MAY 31ST, 2019 and No order, Judgment or Opinion has been Provided To The Petitioner herein To confirm That a Judgment has been EXECUTED In The matters in question herein. SEE: PAGE 13 herein.

LEGAL ARGUMENTS

6. ON MAY 20, 2019, The court clerk of This court SCOTT S. HARRIS Provided The Petitioner herein with a one Page Letter Notifying The Petitioner herein That The Petition for Writ of Certiorari was dismiss/denied [see Page 12 herein], NEVERTHELESS, NO ORDER, JUDGMENT or OPINION issued or Executed by a Justice or Justice(s) of This court was Provided To The Petitioner herein To Appeal or Reargue at his REHEARING PETITION herein, HOWEVER, IF ANY ORDER, JUDGMENT or OPINION was Issued

OR Executed by The Justice or Justice(s) of This court, Was Issued or Executed in total Absent of All Jurisdiction ON The Grounds That No Records of conviction Was Provided To This court by The OPPosition or any Governmental Agency Employee(s) or court Establishing That The Petitioner herein Was convicted and sentence To a crime, IF ANY, for him To be detained Inside a Correctional facility Within This court county, district or State GeoGraphic Jurisdiction for This court To Possess Subject matter Jurisdiction Pursuant The U.S. CONST. ART. III, SEC. (2) IN The Matter in question herein.

7. The Petitioner herein Will Like To Remind This court, That IF ANY Decision, order, Judgment or OPinion Was Issued or Executed by The Justices of This court, Was Not ONLY in total Absent of All Jurisdiction but also with The CONTRARY of This court RULE(s) 15.5 AND 12.6, Allow me To Explain, ON March 20, 2019 This court Issued an Order To The OPPosition Pursuant This court Rule 15.3 directing The OPPosition To submit a Brief or a Waiver by April 19TH, 2019, HOWEVER, The OPPosition NEVER submitted a Brief or a Waiver by The due date of April 19TH, 2019 and This court Still made a Ruling ON The OPPosition behalf in Accordance With The Letter Issued by The clerk of This court Showing herein at Page 12, NEVERTHELESS, The Petitioner herein Will Like To direct This court To This court own Rule 15.5 That Clearly Stated "...The clerk Will distribute The Petition To The court for consideration UPon Receiving an Express Waiver OF The Right To file a brief in OPPosition, or, IF any, or No Waiver or brief in OPPosition is filed, UPon The EXpiration of The Time allowed For filing...", and in The matters in question herein The OPPosition Never Provided This court with a Waiver or a Brief disputing ANY of The TEN Question Present at Page (i) Within The Writ of certiorari Neither disputed Neither one of The (8) Grounds mentioned within The writ in question herein [18-8483], NEVERTHELESS, IF ANY Ruling Was Issued by The Justice(s) of This court denying or dismissing The WRIT IN question herein Was Issued with The CONTRARY of This court Rule 12.6 That Clearly stated "...Parties who file No documents WILL Not qualify for any Relief from This court...", and in The matters in question herein The OPPosition did Not Provided This court with any document, Brief or Waiver for This court To Rule on favor of The OPPosition by denying The Petitioner herein Writ, IF ANY Ruling Was Issued by The Justice(s) of This court.

8. The Petitioner herein Will Like To Remind This court That The OPPosition in The matters in question herein NEVER disputed The facts That No Records of conviction Exist in The matters of People V. Agasto, BRONX COUNTY IND. No. 4275 mentioned Therein Within The writ of certiorary Page (s) 25 AND 26 and The Ruling Issued by The Justice(s) of This court is with The contrary of Rule 12.6 of This court.

9. The Petitioner herein Will Like To Remind This court That The OPPosition in The matters in question

did not disputed The facts That No Records of conviction Exist in The matters of People v. AGosto, Chemung County Ind. No: 2011-102 mentioned Therein Within The writ of certiorari Page 26B, And The Ruling Issued by The Justice of This court, IF ANY, is with The contrary of Rule 12.6 of This court

10. The Petitioner herein Will Like To Remind This court That The opposition in The matters in question herein NEVER disputed The facts That No Records of conviction Such AS: Certificate of Conviction, Sentencing minutes, Pre-sentence Report, Probation Report or FingerPrint Report Exist Within The New York state Department of correctional service Institutional file as mentioned Therein Within The writ of certiorari Page (s) 27, 28, AND 29, and The Ruling Issued by The Justice(s) of This court, IF ANY Issued, is with The contrary of Rule 12.6 of This court.

11. The Petitioner herein Will Like To Remind This court That The opposition in The matters in question NEVER disputed The facts That No Transfer Agreement Exist Within The N.Y.S.D.O.C.C.S. or The N.Y.S. DEPT. OF STATE Authorizing The Transfer of The Petitioner herein To a correctional facility Within This court county, district or state Geographic Jurisdiction for This court To Possess Subject matter Jurisdiction in Accordance with The U.S. CONST. ART. III, SEC. 2, CL. (1) as mentioned Therein at documentary Evidence Within The writ of certiorari Page (s) 31, 32, 33, 34 AND 35, AND The Ruling Issued by The Justice of This court, IF ANY Issued, is with The contrary of Rule 12.6 of This COURT.

12. The Petitioner herein Will Like To Remind This court That The opposition in The matters in question herein NEVER disputed The facts That FORGED documentation was Part of The opposition STATE COURT Records as mentioned and showed Therein Withing The writ of certiorari Page(s) 30, 36, 37, 38, 39, 40, 41, AND 42, and The Ruling Issued by The Justice(s) of This court, IF ANY Issued, is with The contrary of Rule 12.6 of This court.

13. The Petitioner herein Will Like To Remind This court That The opposition in The matters in question herein NEVER disputed The facts That No final Judgment was Executed in The matters of AGosto v. Miller, CASE No: 18-1626 as mentioned and showed Therein Within The WRIT OF CERTIORARI Page(s) 47, 48, 49, AND 50, AND The Ruling Issued by The Justice of This court, IF ANY Issued, is with The contrary of Rule 12.6 of This court.

14. The Petitioner herein Will Like To Remind This court That The opposition in The matters in question herein NEVER disputed The facts That This court do NOT INVOKE Jurisdiction Pursuant 28 USCA § 1254, RULE(s) 14.1 (E), 14.1 (G) (i) (ii) of This court or The U.S. CONST. ART. III, SEC. 2, CL. (1) mentioned Therein Within The writ of certiorari Page 16 Paragraph 27, AND The

Ruling Issued by The Justice(s) of This court, IF ANY ISSUED, is with The Contrary of Rule 12.6 of This court.

14. The Petitioner herein will like to Remind This court That The Opposition in The matters in Question herein NEVER Disputed The Petitioner herein Legal Argument mentioned therein At Paragraph 11 Through 28 within The Writ of certiorari in question herein, AND The Ruling Issued by The Justice of This court, IF ANY ISSUED, is with The Contrary of This court Rule 12.6.

15. The Petitioner herein will like to Remind This court That The Opposition in The matters in Question herein NEVER Disputed The Facts That The Petitioner herein STATUTORY Rights and CONSTITUTIONAL RIGHTS was Violated As mentioned therein At Paragraph 26 within The WRIT OF CERTIORARI in question herein, AND The Ruling Issued by The JUSTICE(S) of This court, IF ANY ISSUED, is with The Contrary of Rule 12.6 of This court.

16. The Petitioner herein will like to direct This court To a case cite Requirement Already Established by This court Pursuant HARRY V. PULLEY, 465 U.S. 37, 104 S.Ct. 871, That Clearly stated "...When The state fails to dispute The factual allegations contained within The Petition, The state essentially Admitted Those Allegations within The Petition...", Also stated "...Where Respondents did Not disputed a claim or claims within The Petition motion, he has CONCEDED To The Allegations stated at The Petition...", AND Also stated "...When No Answer or Evidence was filed disputing The claim or claims within The Petition, A JUDGE SHALL find The evidence of The Petition To be Factual AND True...", AND It's for This Reason That The Ruling Issued by The Justice of This court, IF ANY Issued, is with The Contrary of This court Rule 12.6 That Clearly stated "...Parties That file No Documents WILL NOT QUALIFY FOR ANY RELIEF FROM THIS COURT...", IN Which is The Contrary in The matters in question herein.

17. The Petitioner herein will like to direct This court To one of This court own case cite Requirement Pursuant PEOPLE OF THE STATE OF ILLINOIS V. CITY OF CHICAGO, 33 S.Ct. 178, That Clearly stated "...The U.S. SUPREME COURT had dismissed Appeals Where No Records of final Judgment has been Provided To Them...", Which It's The CONTRARY herein, SINCE No Records of final Judgment was Provided by The OPPOSITION, courts or Governmental EMPLOYEE(S) To Establish conviction, sentence and final Judgment and NO Relief SHALL be Granted To The OPPOSITION Pursuant Rule 12.6 of This court.

ACTION REQUESTED

18. That Pursuant Rule 22 OF This court [Application To Individual Judge] The CLERK OF This court Transfer This Rehearing Petition To The U.S. CHIEF JUDGE JOHN G. ROBERT JR., AS Require under This court Rule 22.1 AND Pursuant This court case cite Requirement Pursuant LUX V. RODRIGUEZ (2010), 131 S. CT. 5, That Clearly Stated "... To Obtain Relief from a Single Justice OF The Supreme court, The Application Most Demonstrate That The Legal Right at Issued are Indisputably Clear, (Per Chief Judge Robert, As Circuit Justice) ...", IN Which are The Matters in Question herein INDISPUTABLY CLEAR.

19. That This court Review This motion herein in Accordance With The case cite Requirements Established Already Established by This court and mentioned therein within The Writ of certiorari IN Question herein, And Also mentioned herein within This motion herein and Most Important IN Accordance with The U.S. CONST. III, SEC. (2), CL. (1) (2) IN The LAWS OR THE FACTS, IF any Subject matter Jurisdiction Exist?.

CONCLUSION

20. The Petitioner herein Respectfully Ask This court To Grant This motion herein and IMMEDIATELY RELEASE The Petitioner herein From False Imprisonment ON The Grounds mentioned therein At The Writ of certiorari IN Question herein and A Paragraphs 1 Through 19 mentioned herein

THEREFORE, The Petitioner herein PRAYS That This court Grant This motion.

I, Rafael Agosto, I.D. No: 95A3133, Declare under declaration OF Penalty of Perjury Pursuant 28 U.S.C.A §1746, That All statements mentioned herein are True and correct. EXECUTED ON MAY 31ST, 2019, AT CLINTON COUNTY, IN NEW YORK STATE.

DATE: MAY 31ST, 2019.

RESPECTFULLY SUBMITTED:

Rafael Agosto

RAFAEL AGOSTO, #95A3133

CLINTON CORR. FACILITY.

P.O. Box 2000

DENAMORA, N.Y. 12929.

Supreme Court of the United States

Rafael Agosto
(Petitioner)

v.

No. 18-8483

Christopher Miller, Superintendent, Great Meadow Correctional Facility
(Respondent)

To _____ Counsel for Respondent:

NOTICE IS HEREBY GIVEN pursuant to Rule 12.3 that a petition for a writ of certiorari in the above-entitled case was filed in the Supreme Court of the United States on March 14, 2019, and placed on the docket March 20, 2019. Pursuant to Rule 15.3, the due date for a brief in opposition is Friday, April 19, 2019. If the due date is a Saturday, Sunday, or federal legal holiday, the brief is due on the next day that is not a Saturday, Sunday or federal legal holiday.

Beginning November 13, 2017, parties represented by counsel must submit filings through the Supreme Court's electronic filing system. Paper remains the official form of filing, and electronic filing is in addition to the existing paper submission requirement. Attorneys must register for the system in advance, and the registration process may take several days. Further information about the system can be found at <https://www.supremecourt.gov/filingandrules/electronicfiling.aspx>.

Unless the Solicitor General of the United States represents the respondent, a waiver form is enclosed and should be sent to the Clerk only in the event you do not intend to file a response to the petition.

Only counsel of record will receive notification of the Court's action in this case. Counsel of record must be a member of the Bar of this Court.

Mr. Rafael Agosto
Clinton Corr. Fac.
P.O. Box 2000
Denamora, NY 12929

NOTE: This notice is for notification purposes only, and neither the original nor a copy should be filed in the Supreme Court.

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)

) SS.:

COUNTY OF DENAMORA)

I, RAFAEL AGOSTO, I.D.#95A3133, Declare Under declaration of Penalty of Perjury Pursuant 28 USCA §1746, That ON This day of APRIL 23RD, 2019, I will Place This Four Page Motion To Reply To The Due date failure of 04/19/2019 by The OPPOSITION IN The Matters of Agosto v. Miller, 18-8483 Inside The U.S. Institutional Mailbox Located At: CLINTON CORR. FACCTY., P.O.Box 2000, Denamora, N.Y., 12929, To be delivered via Postal Service first class mail To The Parties below:

TO: JOHN G. ROBERTS JR., U.S. Chief Judge, SUPREME COURT OF THE UNITED STATES, WASHINGTON, D.C. 20543.

TO: PAUL B. LYONS, N.Y.S. ATT. GEN. ASST., 28 LIBERTY ST., N.Y., N.Y., 10005.

I, RAFAEL AGOSTO, I.D. NO: 95A3133, DECLARE UNDER DECLARATION OF PENALTY OF PERJURY PURSUANT 28 USCA. §1746, THAT ALL STATEMENTS MENTIONED HEREIN ARE TRUE AND CORRECT. EXECUTED ON 04/23/2019, AT CLINTON COUNTY, IN NEW YORK STATE.

DATE: APRIL 23RD, 2019.

RESPECTFULLY SUBMITTED:

Agosto

RAFAEL AGOSTO, #95A3133

CLINTON CORR. FACCTY.,

P.O. Box 2000

DENAMORA, N.Y., 12929.

cc: R.A. / P.F. (2) ET. AL.

SUPREME COURT OF THE UNITED STATE

RAFAEL AGOSTO, I.D. NO: 95A3133,

PETITIONER,

V.

CHRISTOPHER MILLER,

RESPONDENT.

MOTION TO REPLY PURSUANT RULE 15.5 OF THIS COURT, AND ALSO
REQUESTING THAT NO RELIEF BE GRANTED TO THE OPPOSITION
PURSUANT RULE 12.6 OF THIS COURT.

CASE DKt. No: 18-8483.

I, RAFAEL AGOSTO, I.D. NO: 95A3133, Declare under declaration of Penalty of Perjury Pursuant
28 USCA § 1746, That All statements mentioned herein are true and correct.

1. The Petitioner herein will Reply To The due date failure of 04/19/2019 by The Opposition
IN The matters IN question herein, AND will also Ask The court Not To Grant The Opposition
ANY Relief IN Accordance With This court Rule 12.6 ON The Grounds mentioned herein below:
2. GROUND #1, The Petitioner herein will Reply To The Due date failure of 04/19/2019 by The
Opposition, ON The Grounds That ON MARCH 20, 2019 This court Order The Opposition To file
A Brief or a Waiver To The Petition for a Writ of certiorari That It was Place ON The
court Docket ON MARCH 20, 2019 AND Today date is APRIL 23RD, 2019 and No Brief or Waiver
has been filed by The Opposition IN The matters IN question herein, UNLESS It was filed SUB-ROSA
BY The Opposition.
3. GROUND #2, The Petitioner herein will Respectfully Ask This court To distribute The
WRIT OF CERTIORARI Petition IN question herein for CONSIDERATION ON The Grounds That No
Brief or waiver was Timely filed by The Opposition IN question herein AND IN Accordance
With This court Rule 15.5 That clearly stated "...The clerk will distribute The Petition
To The court for it's consideration UPON Receiving an Express Waiver or brief IN OPPOSITION, OR,
IF No Waiver or brief IN OPPOSITION is filed, UPON The EXPIRATION OF The Time allowed for filing...",
AND NEVERTHELESS, IN The matters IN question herein Neither A Waiver or a Brief was filed by
The opposition AND IN Accordance With This court Rule 12.6 clearly stated "...Parties who
file No Documents WILL NOT Qualify for any Relief from This court...", AND IN The matters
IN question herein The Opposition never Provided The court With a Brief or a Waiver or
any Documents disputing or contradicting The one/once Presented To This court at
(s) 24 THROUGH 56 at The Writ of certiorari IN question herein for This

COURT TO GRANT THE OPPOSITION ANY RELIEF IN THE MATTERS IN QUESTION HEREIN.

4. GROUND #3, The OPPOSITION herein has CONSENTED TO EACH AND EVERY QUESTION PRESENT AT PAGE (i) WITHIN THE WRIT OF CERTIORARI, BY NOT TIMELY DISPUTED BY BRIEF OR WAIVED, and NOT SHALL THIS COURT GRANT THE OPPOSITION ANY RELIEF IN ACCORDANCE WITH RULE 12.6 OF THIS COURT.

5. GROUND #4, The OPPOSITION herein has CONSENTED TO THE FACTS THAT THE PETITIONER HEREIN WAS NEVER CONVICTED OF ANY CRIME FOR HIM TO BE DETAINED INSIDE A CORRECTIONAL FACILITY WITHIN THIS COURT COUNTY, DISTRICT OR STATE GEOGRAPHIC JURISDICTION FOR THIS COURT TO POSSESS SUBJECT MATTER JURISDICTION IN ACCORDANCE WITH THE U.S. CONST. ART. III, SEC. (2), CL. (1) IN THE MATTERS IN QUESTION HEREIN BY NOT TIMELY DISPUTED VIA BRIEF OR WAIVER, and NO RELIEF SHALL BE GRANTED TO THE OPPOSITION IN ACCORDANCE WITH THIS COURT RULE 12.6.

6. GROUND #5, The OPPOSITION herein has CONSENTED TO THE FACTS THAT NO RECORDS OF CONVICTION SUCH AS: VERDICT SHEET, PRE-TRIAL TRANSCRIPT PROCEEDINGS, TRIAL TRANSCRIPT PROCEEDINGS, SENTENCING TRANSCRIPT PROCEEDINGS, CERTIFICATE OF CONVICTION OR ANY EXECUTION OF SENTENCE EXIST OR EVER EXISTED AUTHORIZING THE DETENTION OF THE PETITIONER HEREIN INSIDE A CORRECTIONAL FACILITY WITHIN THE UNITED STATES OR THIS COURT GEOGRAPHIC OR TERRITORIAL JURISDICTION, BY NOT TIMELY DISPUTED VIA BRIEF OR WAIVER, and NO RELIEF SHALL BE GRANTED TO THE OPPOSITION IN ACCORDANCE WITH RULE 12.6 OF THIS COURT.

7. GROUND #6, The OPPOSITION herein has CONSENTED TO THE FACTS THAT FORGED DOCUMENTATION WAS INCLUDED AND PRESENTED TO THE COURTS VIA STATE RECORDS ON MARCH 21, 2017 BY A.A.G. PHIL B. LIONS AT HIS STATE COURT RECORD PACKET SUBMITTED IN THE MATTERS OF AGOSTO V. MILLER, 16-CV-568A, BY NOT TIMELY DISPUTED VIA BRIEF OR WAIVER, AND NO RELIEF SHALL BE GRANTED TO THE OPPOSITION IN ACCORDANCE WITH RULE 12.6 OF THIS COURT.

8. GROUND #7, The PETITIONER herein WILL REINSTATE, REVIVE AND RESTORE EACH AND EVERY QUESTION PRESENT WITHIN THE WRIT IN QUESTION HEREIN, EACH AND EVERY STATEMENTS MADE WITHIN THE WRIT IN QUESTION HEREIN, EACH AND EVERY OBJECTIONS TO THE COURT JURISDICTION, EACH AND EVERY CASE CITATIONS REQUISITE INCLUDING PRECEDENTS, EACH AND EVERY STATUTORY PROVISION VIOLATIONS MENTIONED THEREIN AT THE WRIT IN QUESTION HEREIN, EACH AND EVERY CONSTITUTIONAL VIOLATIONS MENTIONED THEREIN AT THE WRIT IN

Question herein, NEVERTHELESS, The Petitioner herein are Reinstating, Reviving and Restoring All This case cite Requirements, Statutory and constitutional Violations Statements and objections mentioned herein for The court Not To Consider Them Waived, Abandoned or forfeited.

CONCLUSION

9. That This COURT APPLY RULE 12.6 OF This COURT and deny The OPPOSITION ANY Relief ON The Grounds That No Timely Brief or Waiver was filed by The OPPOSITION, And Issue and order Granting The Petitioner herein IMMEDIATELY RELEASE FROM FALSE IMPRISONMENT As Requested At Page (i) within The Writ in question herein.

THEREFORE, The Petitioner herein Respectfully Ask This court That IMMEDIATELY RELEASE BE GRANTED IN ACCORDANCE WITH The U.S. CONST. ART. III, SEC. (1) ON The LAWS OR ON THE FACTS.

I, RAFAEL AGOSTO, I.D. No: 95A3133, Declare under Declaration of Penalty of Perjury Pursuant 28 U.S.C.A. §1746, That All statements mentioned herein are True and correct. EXECUTED ON 04/23/2019, AT CLINTON COUNTY, IN NEW YORK STATE.

DATE: APRIL 23RD, 2019.

RESPECTFULLY SUBMITTED;

Agosto

RAFAEL AGOSTO, #95A3133

CLINTON CORR. FACILITY.

P.O. BOX 2000

DENAMORA, N.Y., 12929.

cc: R.A./P.F. (2), ET. AL.

Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001

Scott S. Harris
Clerk of the Court
(202) 479-3011

May 20, 2019

Mr. Rafael Agosto
Prisoner ID #95A3133
Clinton Corr. Fac.
P.O. Box 2000
Denamora, NY 12929

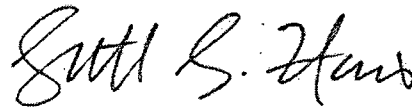
Re: Rafael Agosto
v. Christopher Miller, Superintendent, Great Meadow
Correctional Facility
No. 18-8483

Dear Mr. Agosto:

The Court today entered the following order in the above-entitled case:

The petition for a writ of certiorari is denied.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott S. Harris".

Scott S. Harris, Clerk

RE: AGOSTO V. MILLER, 18-8483.

RAFAEL AGOSTO, #95A3133
CLINTON CORR. FACILITY.
P.O. BOX 2000
DENAMORA, N.Y., 12929.

DATE: MAY 24, 2019.

SCOTT S. HARRIS, U.S. S. CT. CLERK
SUPREME COURT OF THE UNITED STATES
WASHINGTON, DC. 20543-0001

DEAR CLERK,

I am writing you requesting that you provide me the opinions or final judgment issued by the Justice or Justice(s) in charge of the matters in question herein above, if any was pronounced or executed by them in accordance with this U.S. SUPREME COURT RULE 41 AND U.S.V. GREEN, 79 S. CT. 340, THAT CLERK STATED "THE ONLY JUDGMENT KNOWN TO THE LAW, IS THE ONE RENDERED ON COURT RECORDS". AND IN THE MATTER IN QUESTION HEREIN NO ORDER OR FINAL JUDGMENT NEITHER AN OPINION HAVE BEEN PROVIDED TO THE PETITIONER HEREIN IN THE MATTERS IN QUESTION HEREIN FOR HIM TO APPEAL OR REARGUE AT HIS REHEARING PETITION.

That ON THIS DAY OF MAY 24, 2019, I WILL PLACE THIS LETTER HEREIN INSIDE A SEALED ENVELOPE AND I WILL PLACE INSIDE THE U.S. MAILBOX LOCATED AT CLINTON CORR. FACILITY. [SEE ADDRESS ABOVE] TO BE DELIVERED VIA U.S. POSTAL SERVICE TO SCOTT S. HARRIS [SEE ADDRESS ABOVE] AND PAUL B. LYONS THE N.Y.S. ATT. GEN. ASST., 28 LIBERTY ST., N.Y., N.Y., 10005.

I, RAFAEL AGOSTO, I.D. NO. 95A3133, DECLARE UNDER DECLARATION OF PENALTY OF PERJURY PURSUANT 28 USC 1746, THAT ALL STATEMENTS MENTIONED HEREIN ARE TRUE AND CORRECT.
EXECUTED ON 05/24/2019, AT CLINTON COUNTY, IN NEW YORK STATE.

RESPECTFULLY SUBMITTED;
Rafael Agosto
RAFAEL AGOSTO, #95A3133.

cc: R.A. / P.F. (2) ET. AL.

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