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SUPREME COURT OF THE UNITED STATES
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NOAH F. CORBITT

No. 18-9338

V.

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

MOTION TO RECONSIDER AND VACATE THE 7 OCT 2019 DENIAL OF
MY REQUEST FOR CERTIORARI.

NO JUDGE STATE OR FEDERAL HAS MADE A DECISION ON THE
VIOLATIONS OF THE CONSTITUTION I LISTED IN MY CASE.

I.

JUDGE TUNISON, LOWNDES COUNTY SUPERIOR COURT, DENIED MY
STATE WRIT OF HABEAS CORPUS BECAUSE I DID NOT RAISE THE GROUND
AT TRIAL OR ON APPEAL. THE DENIAL QUOTED PART OF O.C.G.A. 9-14-48d.
THIS DENIAL IGNORED AND VIOLATED O.C.G.A. 9-14-42.

A. O.C.G.A. 9-14-48d PART LEFT OUT

"EVEN ABSENT SUCH A SHOWING OF CAUSE AND PREJUDICE, THE RULE
W/TH REMAIN AVAILABLE TO AVOID A MISCARRIAGE OF JUSTICE."

B. O.C.G.A. 9-14-42 STATES:

(1) "NO WAIVER OF CONSTITUTIONAL CHALLENGE NOT RULED ON - WHEN
A CONSTITUTIONAL CHALLENGE HAS NOT ALREADY BEEN RULED ON AT
TRIAL OR ON APPEAL AND IS THUS NOT BARRED BY RES JUDICATA THE

DEFENDANT HAS NOT WAIVED THE DEFENDANT'S RIGHT TO RAISE THE ISSUE ON HABEAS CORPUS."

(2) PROVIDES THAT A HABEAS ACTION MAY BE BROUGHT BY A PRISONER WHO ASSERTS THAT IN THE PROCEDURES WHICH RESULTED IN HIS CONVICTION THERE WAS A SUBSTANTIAL DENIAL OF HIS RIGHTS UNDER THE CONSTITUTION OF THE UNITED STATES OR OF GEORGIA.

2. JUDGE WOOD, U.S. DISTRICT COURT, BRUNSWICK DENIED MY 28 U.S.C. § 2254 FOR VIOLATING THE ONE-YEAR TIME LIMIT IN THE ANTI-TERRORISM AND EFFECTIVE DEATH PENALTY ACT OF 1996 (AEDPA). THE FINAL ORDER ON MY STATE HABEAS CORPUS WAS ENTERED ON MARCH 7, 2014, AND ON JUNE 2, 2014 THE GEORGIA SUPREME COURT DENIED MY REQUEST FOR A CERTIFICATE OF PROBABLE CAUSE. I FILED MY 28 U.S.C. § 2254 ON 7 JULY 2014. JUDGE WOOD DID NOT TOLL TIME PRIOR TO THE EXHAUSTION OF MY STATE REMEDIES.

A. IT WOULD BE PATENTLY UNFAIR IF THE FEDERAL STATUTE OF LIMITATIONS RAN WHILE PETITIONER WAS NOT ALLOWED TO BRING A FEDERAL PETITION, THEREFORE, EQUITABLE TOLLING SHOULD APPLY AS WELL."

B. 2008 U.S. DIST. LEXIS 62577: VENABLE V. RAY 15 AUGUST 2008.

U.S. DISTRICT COURT FOR THE FOURTH CIRCUIT 2008

III EXHAUSTION AND PROCEDURAL DEFAULT "IN THE INTEREST OF GIVING THE STATE COURTS THE FIRST OPPORTUNITY TO CONSIDER ALLEGED CONSTITUTIONAL ERRORS OCCURRING IN A STATE PRISONER'S TRIAL AND SENTENCING, A STATE PRISONER MUST EXHAUST ALL AVAILABLE

STATE REMEDIES BEFORE HE CAN APPLY FOR HABEAS RELIEF,"
BREARD V. PRUITT 134 F.3d 615, 619 (4TH CIR. 1998) (CITING
MATHEWS V. EVATT, 105 F.3d 907 (4TH CIR. 1997))

C LIST INCLUDED SHOWING STATE REMEDIES MUST BE EXHAUSTED BEFORE
AN INDIVIDUAL IS ALLOWED TO FILE HIS 28 U.S.C. § 2254.

THE U.S. CONSTITUTION AND THE GEORGIA CONSTITUTION GUARANTEES
INDIVIDUAL'S RIGHT TO DUE PROCESS, WHEN INDIVIDUALS, WORKING FOR THE
COURTS, VIOLATE APPLICABLE RULES, CODES, OR POLICIES IN ORDER NOT
TO MAKE DECISIONS ON ALLEGED VIOLATIONS OF THE CONSTITUTION,
THERE CAN BE NO JUSTICE. MY STATE WRIT OF HABEAS CORPUS DENIAL
VIOLATED GEORGIA CODES. MY FEDERAL WRIT OF HABEAS CORPUS WAS
DENIED BY VIOLATING ESTABLISHED POLICY THAT TIME MUST BE
TOLLED UNTILL STATE REMEDIES ARE EXHAUSTED.

I ASK YOU TO REMAND MY CASE BACK TO THE U.S. DISTRICT COURT
IN BRUNSWICK WITH INSTRUCTIONS TO REVIEW MY "ENTIRE"
RECORD, LIST ALL ALLEGATIONS WITH RESULTS OF THE INVESTIGATION
FOR EACH ALLEGATION, AND TAKE CORRECTIVE ACTION AS NEEDED

SUBMITTED: 30 OCT, 2019

Nash F Corbett
GDC 108348

CASES; TIME MUST BE TOLLED

(3) 2008 U.S. DIST. LEXIS 62577: VENABLE V. RAY 15 AUG 2008

U.S. DIST. COURT FOR THE FOURTH CIRCUIT 2008

III EXHAUSTION AND PROCEDURAL DEFAULT "IN THE INTEREST OF GIVING THE STATE COURTS THE FIRST OPPORTUNITY TO CONSIDER ALLEGED CONSTITUTIONAL ERRORS OCCURRING IN A STATE PRISONER'S TRIAL AND SENTENCING, A STATE PRISONER MUST EXHAUST ALL AVAILABLE STATE REMEDIES BEFORE HE CAN APPLY FOR HABEAS RELIEF."

BREARD V. PRUITT 134 F. 3d 615, 619 (4TH CIR, 1998) (CITING MATHEWS V. EVATT, 105 F. 3d 907, 4TH CIR. 1997)

1ST CIR.

UNITED STATES COURT OF APPEALS OF THE FIRST CIRCUIT 2019

913 F. 3d 1: BLUE V. MEDEIROS JAN. 4, 2019

2d CIR.

HAMMOCK V. ZANT, 243 GA. 253 S.E. 2d 727 (1979)

REID V. DERKERSON, 207 GA. 27 (60 S.E. 2d 151 (1950)

MOORE V. BURLETT, 215 GA. 146 (109 S.E. 2d 1959)

PACE V. DIGUGLIEMO, 161 2LD. 2d 669, 544 U.S. 408

ARTUZ V. BENNETT, 148 LEP. 2d 531 U.S. 4

3RD CIR.

VILLEGAS V. JOHNSON, 184 F. 3d 467

ORGAN V. COCKRELL, 297 F. 31 349 154 F 3d 196, 198, (1978)

JACKSON V. RODRIGUEZ, 728 FED. APPX. 78, JUNE 2018

4TH CIR. BATTLE V. LEFORD, 912 F. 3d 708 25 SEPT. 2018

5TH CIR. 154 F. 3d 196, 198 (5TH CIR. 1998) PROVIDING ONE-YEAR
PERIOD AFTER STATE^{COURT} JUDGEMENT BECOMES FINAL.
ORGAN V. COCKRELL 297 F. 3d 349 5TH AND 11TH JUNE 2002

7TH CIR. U.S. DISTRICT COURT LEXIS 9787: EVANS V. CITY OF CHICAGO July 1999
BIBBS V. SHERIFF OF COOK COUNTY 618 FED. APPX. 847 27 MAY 2015

8TH CIR. CLERK V. CASSADY 2019 U.S. DIST. LEXIS 54309 15 MARCH 2019

9TH CIR. WILLIAMS V. FILSON 908 F. 3d 546 20 SEPT. 2017

10TH CIR. MULLER V. PERDUE 744 FED. APPX. 1 AUGUST, 2018

11TH CIR. RICH V. SECY FOR DEPT. OF CORR. 512 F. APPX 981, 982-983
(11TH CIR.) 2013

ORGAN V. COCKRELL 297 F. 3d 349 5TH AND 11TH 28 JUNE 2002

SUPREME COURT OF THE UNITED STATES

OFFICE OF THE CLERK

WASHINGTON, DC 20543-0001

NOAH F. CORBITT

108348

WHEELER CORRECTIONAL FACILITY

P.O. BOX 466

ALMA, GA 30411

RE: CORBITT V. USDC SD GA

No : 18-9338

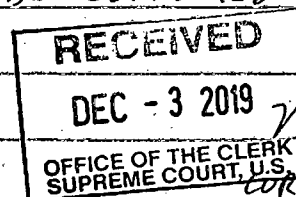
MR. SCOTT S. HARRIS, CLERK

MY PETITION IS AS BRIEF AND CLEAR AS I KNOW HOW TO MAKE IT. I AM NOT AN ATTORNEY AND CAN NOT AFFORD ONE. I DO NOT UNDERSTAND WHY INDIVIDUALS WORKING FOR THE COURTS ARE ALLOWED TO VIOLATE THEIR OWN RULES, CODES, AND POLICIES. I AM NOT FAMILIAR WITH THE RULES OF THIS COURT.

I HEREBY CERTIFY THAT THIS PETITION FOR REHEARING IS PRESENTED IN GOOD FAITH AND NOT FOR DELAY. ALL I AM ASKING FOR IS THAT MISTAKES MADE IN MY CASE BE CORRECTED.

THANK YOU

SUBMITTED 25 NOV 2019



Noah F Corbitt
CORBITT, NOAH F.

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

November 20, 2019

Noah F. Corbitt
#108348
Wheeler Correctional Facility
P.O. Box 466
Alama, GA 30411

RE: Corbitt v. USDC SD GA
No: 18-9338

Dear Mr. Corbitt:

The petition for rehearing in the above-entitled case was postmarked October 31, 2019 and received November 15, 2019 and is herewith returned for failure to comply with Rule 44 of the Rules of this Court. The petition must briefly and distinctly state its grounds and must be accompanied by a certificate stating that the grounds are limited to intervening circumstances of substantial or controlling effect or to other substantial grounds not previously presented.

You must also certify that the petition for rehearing is presented in good faith and not for delay.

Please correct and resubmit as soon as possible. Unless the petition is submitted to this Office in corrected form within 15 days of the date of this letter, the petition will not be filed. Rule 44.6.

Sincerely,
Scott S. Harris, Clerk

By:



Clara Houghteling
(202) 479-5955

Enclosures