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19-5148

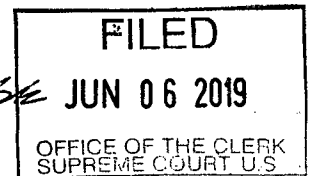
IN THE SUPREME COURT OF THE
UNITED STATES

VINODH RAGHUBAR
PETITIONER / PLAINTIFF V. SECRETARY, DEPT. OF CORRECTIONS U.S. DISTRICT COURT,
U.S. COURT OF APPEALS, RESPONDENTS

ON APPEAL OF THE FINAL ORDER OF U.S.
DISTRICT COURT CASE # 6:18-cv-1016-ORL-37ME TO
THE UNITED STATES COURT OF APPEALS FOR THE
ELEVENTH CIRCUIT. CASE # 1814577.

PETITION FOR WRIT OF CERTIORARI

VINODH RAGHUBAR, PRO. SE
X92396
TAILOR CORRECTIONAL INSTITUTE
8501 HAMPTON SPRINGS ROAD
PERRY, FLORIDA 32348



V. Rm

5.25.19

D.M.G. / KZ

QUESTIONS PRESENTED FOR REVIEW

① "DID THE U.S. COURT OF APPEALS IMPROPERLY DENY THE RECONSIDERATION AS TO THE IFD IN RELATION TO THE APPEAL IN REVIEW OF THE INCORRECT ORDER AND "CLAIM" TO IMPROPERLY REFUSE TO FILE THE PANEL REHEARING PETITION WHEN INTENTIONAL MISCONSTRUCTION & INTENTIONAL MISFILING WERE UTILIZED IN STATE, US DISTRICT, & US CIRCUIT COURTS CAUSING "FAR DEVIANCE FROM THE ACCEPTED AND USUAL COURSE OF JUDICIAL PROCEEDINGS"

② "IS INTENTIONAL MISFILING & INTENTIONAL MISCONSTRUCTION, CONDUCT ACCEPTED AND IN THE USUAL COURSE OF JUDICIAL PROCEEDINGS AS CONDUCTED IN THESE PROCEEDINGS STREAMING FROM 2016 CE 1833 & 2016 CE 5831

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Table of Authorities

Fed. R. Civ. P. 60

Fed. R. Civ. P. 8

Fed. R. Civ. P. 72

Fed. R. App. P. 40

Fed. R. App. P. 41

28 USC 351

Hampton v. U.S. 425 US 484 48 LEd 113, 96 S. Ct 1646

Rochin v. California, 342 US 165 LEd 162 72 S. Ct 181 1952

Ham v. South Carolina 409 US 584 35 LEd 21 41 93 S. Ct 1418 1973

28 USC 1927

28 USC 471 thru 473

Amendments V & XIV

* "The U.S. Court of Appeals Improperly Denied the IED in Relation to the Appeal in Review of the Incorrect Order and Improperly Refused to File the Panel Rehearing Petition"

STATEMENT OF THE CASE AND FACTS AND
ARGUMENT & CONCLUSION.

UPON THE UNLAWFUL DISMISSAL OF THE HABEAS PETITION IN CASE # 6:18-W-1016-ORL-37DEC, MULTIMODIOUS MOTIONS TO VACATE <DOC 44>, PURSUANT TO FED. R. CIV. P. 60, WERE FILED IN THE DISTRICT COURT. IN THE COURT'S REFUSAL TO ADMIT THE FRAUD, DECEIT, COLLUSION, GOVERNMENT CRIME, THE COURT ACTED INCONSISTENTLY WITH THE PROCESS OF LAW, VIOLATING AMENDMENTS V & XIV, DENYING THE MOTIONS, CONTRARY TO THE CLEAR EVIDENCE PRESENTED, ALTERING, AMENDING, ABRIDGING, MODIFYING, ENLARGING, SUBSTANTIVE RIGHTS & ^{FEDERAL} RULES OF PROCEDURE. FURTHER, WHERE THE DEFENDANT STATE FAILED TO ADDRESS THE SUBSTANCE OF THE HABEAS PETITION, FAILED TO DENY THE ALLEGATIONS OF THE HABEAS PETITION, PURSUANT TO FED. R. CIV. P. 8, THE DEFENDANT STATE ADMITTED TO THE ALLEGATIONS. THE DISTRICT COURT JUDGE INTERPRETED THE PLEADING LIKE THE MAGISTRATE, INCONSISTENT WITH FED. R. CIV. P. 72, ACCEPTING THE DEFENDANT STATES FRAUDS AS TRUE, KNOWINGLY.

THE PLAINTIFF FILED A NOTICE OF APPEAL IN CASE # 1814577 <DOC 49>, AS TO <DOC 44>, THE FINAL ORDER.

THE 11TH CIRCUIT DENIED AN IFP IN RELATION TO THE APPEAL, INTENTIONALLY MISCONSTRUING THE APPEAL "AS TO <DOC 46>", AS OPPOSED TO <DOC 44>, AFTER THE COURT INTENTIONALLY MISFILED THE NOTICE OF APPEAL AS TO <DOC 46>, LATER CORRECTING THE DOCKET PURSUANT TO THE PLAINTIFF'S SUBSEQUENT CORRESPONDENCE NOTING THE DOCKET ERROR.

HOWEVER, THE COURT WAS VERY AWARE THAT THE CORRECT ORDER TO BE REVIEWED WAS <DOC 44>, THE FINAL ORDER. IN CASE # 1813800, AN ORDER DENYING THAT IFP IN RELATION TO THE AFOREMENTIONED PROHIBITION PETITION STATED "AFTER

THE DISTRICT COURT DISMISSED HIS 2054 PETITION, HE APPEALED
WHICH BRINGS UP AN PRECEDING NON FINAL ORDER" THAT
ORDER WAS ISSUED 1.18.19 IN CASE 1813800, WEARS
BEFORE THE DENIAL IN 1814577. THE COURT ACTED
INCONSISTENTLY WITH DUE PROCESS OF LAW, ALTERING,
AMENDING, ABRIDGING, MODIFYING, ENLARGING, SUBSTANTIVE
RIGHTS AND FEDERAL RULES OF PROCEDURE. THE JUDGMENTS
ARE VOID.

A MOTION FOR REHEARING WAS DENIED, RELYING ON
THE PRIOR INTENTIONAL MISCONSTRUCTION & INTENTIONAL MISFILING.

PURSUANT TO FED. R. APP. P. 40, A PETITION FOR
PANER REHEARING WAS TIMELY FILED WITHIN 14 DAYS OF THAT
ORDER, HOWEVER, CONTRARY TO RULE, THE COURT TO DATE,
REFUSES TO PROPERLY DOCKET THE DOCUMENT, DESPITE
MULTIPLE PLEADINGS CITING RULE 40, INTENTIONALLY
MISFILING AND INTENTIONALLY MISCONSTRUCTING FEDERAL LEGISLATION.
RULE 41 ALSO DICTATES THE PETITION STAYS THE MANDATE.
THE RECONSIDERATION ORDER WAS ISSUED 4.2.19.

WHERE THERE WAS A PRESUMPTION OF INTEGRITY &
IMPARTIALITY, THE COURTS ENAGED IN CONDUCT PRIVILEGED TO THE
EFFECTIVE AND EXPEDIENT ADMINISTRATION OF THE BUSINESS OF
THE COURTS, VIOLATING 28 USC 351, INTENTIONALLY MISCONSTRUCTING,
INTENTIONALLY MISFILING, ALTERING, AMENDING, ABRIDGING,
MODIFYING, ENLARGING, SUBSTANTIVE RIGHTS & RULES OF
PROCEDURE / LEGISLATION, DENYING DUE PROCESS OF LAW;
EXERCISING ABUSE OF DISCRETION, MISAPPREHENSION, USURPATION
OF POWER, TO THE EXTENT OF ORGANIZED RACKET &
RACKETEERING, WHERE THE CONDUCT FACILITATED UNLAWFUL
ATTEMPT & / OR ACTUAL, IN SOMEWAY, & / OR COLLECTION OF
FEES, COSTS, FINES, CONFINEMENT, AWARDED RESTITUTION,
WITHOUT THIS CRIMINAL ENTERPRISE, RELIEF WOULD HAVE ONLY
BEEN OBLIGED, WITH OR WITHOUT PANER REHEARING.

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"DUE PROCESS, IN ESSENCE MEANS FUNDAMENTAL FAIRNESS, AND THE COURT'S CASES ARE REplete WITH EXAMPLES OF JUDGMENTS AS TO WHETHER SUCH FAIRNESS HAS BEEN DENIED AN ALLEGED IN LIGHT OF ALL THE CIRCUMSTANCES; SEE ROBIN V. CALIFORNIA, HOPE V. SOUTH CAROLINA. THE FACT THAT THERE IS SOMETIMES NO SHARPLY DEFINED STANDARD AGAINST WHICH TO MAKE THESE JUDGMENTS IS NOT ITSELF SUFFICIENT REASON TO DENY THE FEDERAL JUDICIARY'S POWER TO MAKE THEM WARRANTED BY THE CIRCUMSTANCES." (HARRISON V. U.S. 415 US 484 486 23 113, 96 S. CT. 1646)

THE COURTS ARE GIVEN DISCRETION TO DETERMINE WHETHER THE ALLEGED VIOLATION / DEPRIVATION HAS OCCURRED AND IF SO, GRANT RELIEF. NOT TO DENY FOR POLITICAL, PERSONAL, MONETARY, OR OTHER REASONS, KNOWING THAT THE ALLEGED VIOLATION / DEPRIVATION HAS OCCURRED, WHETHER TO GRANT RELIEF, AND FOR THE LATTER PURPOSE, INTENTIONALLY MISCONSTRUCTING, INTENTIONALLY MISFILING, CONSTITUTING A DENIAL OF DUE PROCESS AND A DENIAL OF EQUAL PROTECTION OF LAWS, WHERE THE COURTS HAVE ACTED INCONSISTENTLY WITH DUE PROCESS OF LAW, THE JUDGMENTS ARE VOID. WHERE AN ORDER, JUDGMENT, OR DECREE ISSUED WITH THE APPEARANCE OF VALIDITY, HOWEVER RELIES UPON A PRIOR INTENTIONAL MISCONSTRUCTION, INTENTIONAL MISFILING, THE ORDER, JUDGMENT, DECREE ARE VOID. WITH THIS NARRATIVE SO LIES THE ARGUMENT WITHIN THE HABEAS PETITION CONSTITUTED, THE UNLAWFULLY DISMISSED.

THAT UNLAWFUL MISCONDUCT, FRAUD, DECEIT, CORRUPTION, GOVERNMENT CRIME, PROCURED THE INTENTIONAL MISCONSTRUCTION, INTENTIONAL MISFILING HERE IN THIS INSTANCE. THE 11TH CIRCUIT.

MUST PROPERLY DOCKET THE PANEL REHEARING PETITION, REHEARINGS AND REMANDS PURSUANT TO REVIEW OF THE CORRECT ORDER < DOU 44 >, FOR ALL RELIEF AVAILABLE IMMEDIATELY, IN ADDITION TO THE INTENTIONALLY OVERLOOKED RULES.

FURTHER, THE PETITIONER SEeks SANCTION PURSUANT TO THE MISCONDUCT OF THE 11TH CIRCUIT, U.S. DISTRICT COURT, & DEFENDANT STATE, COMMENCEMENT WITH REQUIREMENT "BY THE COURT TO SATISFY PERSONALLY THE EXCESS "CURRENT & FUTURE " COSTS, EXPENSES, AND ATTORNEY'S FEES REASONABLY INCURRED BECAUSE OF SUCH CONDUCT" PURSUANT TO 28 USC 1927, WRITTEN CONFIRMATION OF THE COURT'S FUTURE COMMITMENT TO ADHERENCE OF 28 USC 471 THEN 473, "REQUIREMENT FOR A DISTRICT COURT CIVIL JUSTICE EXPENSE AND DELAY REDUCTION PLAN" & ITS CONTENT, UPON ANY OTHER AVAILABLE SANCTION.

RELIEF MAY BE GRANTED WITH OR WITHOUT PANEL REHEARING, HOWEVER THERE IS A REQUIREMENT THAT THE PANEL REHEARING PETITION BE PROPERLY DOCKETED AND HEARD, AS IT IS FILED. < SEE FED. R. APP. P. 45(a) & 40(a) & 25(a)(4) >

* THE HINDERANCE OF RELIEF IS BI-PRODUCT OF ORGANIZED FRAUD & RACKETEERING, & SIMULTANEOUSLY A RESULT OF.

* THE INHIBITING OF THE PROCESS IS FACILITATED BY THE "APPEARANCE" OF THE PROCESS, INTENTIONALLY MISCONSTRUCTING, INTENTIONALLY MISFILING &/OR BASING DECISION UPON A PRIOR INTENTIONAL MISCONSTRUCTION, INTENTIONAL MISFILING.

* STOP FALSE DUE PROCESS & GOVERNMENT BURNING.

* SEE EXHIBITS ① ENTIRE RECORD OF 6:18-CV-1016-ORL ~~ADDED~~ & ② ENTIRE RECORD OF 6:18-CV-1017-ORL. 18125 LRM PRODUCED & PROVIDED BY US DISTRICT COURT CLERK, VERIFIED FOR AUTHENTICITY BY VINODIT RAJWABIR, PETITIONER >.

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