

195140 #102
Docket # 195148

IN THE SUPREME COURT OF THE
UNITED STATES

VINODH RAGHUBIR
PETITIONER / PLAINTIFF

V.

SECRETARY, DEPARTMENT OF CORRECTIONS
U.S. COURT OF APPEALS 11TH CIRCUIT
U.S. DISTRICT COURT

RESPONDENTS / DEFENDANTS

ON PETITION FOR REHEARING
"EN BANC" WITH DEMAND FOR
JURY TRIAL & ADMISSIONS

ARISING FROM USCA11 CASE # _____

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V. R.

10.16.19

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THE PETITION FOR WRIT OF HABEAS CORPUS,
PRESENTED IN THIS CASE WAS FORWARDED ON THE
PREMISE, THAT RELIEF IS UNAVAILABLE FROM ANY
OF THE LOWER TRIBUNALS PURSUANT TO
"THE CONSPIRACY TO PREDETERMINE THE OUTCOME
OF JUDICIAL PROCEEDINGS" ^{SEE ASHMAN V. POPE},
WITHIN UPON THE MERIT CONSIDERATION OF
IMPROPRIETY, A JUDGE MUST REFUSE/DISQUALIFY
THEMSELVES, "TO AVOID EVEN THE APPEARANCE OF
IMPROPRIETY," WITHIN THE CONSPIRACY IN WHICH AN
STATE, US DISTRICT, & US COURT OF APPEALS, CIRCUIT
& JUDICIARY, AND IN THIS CASE COMMENCED "AS IN ITTO",
PRIOR TO ISSUANCE OF ARREST WARRANTS UPON FRAUDULENT
EVIDENCE & AFFIDAVITS. EVERY ORDER DEMONSTRATES FRAUD, DECEIT, COLLUSION

AS PRESENTED TO THE COURTS, DILIGENTLY &
MULTIPICIOUSLY, PURSUANT TO THE "CONSPIRACY TO PRE-
DETERMINE THE OUTCOME OF JUDICIAL PROCEEDINGS", DENYING
MEANINGFUL ACCESS TO THE COURTS, INTENTIONALLY MIS-
CONSTRUCTIVE, INTENTIONALLY MISFEINING, ABOUSING,
ABRIDGING, ALTERING, TAMING, MODIFYING, ENLARGING,
RULES OF PROCEDURE, & SUBSTANTIVE RIGHTS, THE
COURTS EXERCISED ABUSE OF DISCRETION, OVERSIGHT,
MISAPPREHENSION, & USURPTION OF POWER, DEMONSTRATING
BY THE RECORDS AS PRIMA FACIE EVIDENCE, AN
"EXTRAORDINARY CIRCUMSTANCE",
REQUIRING THE OPINION OF THE US. SUPREME
COURT, AS NO STANDING PRECEDENT EXISTS.
SEE RECORDS ATTACHED TO PETITION FOR WRIT
OF HABEAS CORPUS

* PURSUANT TO THE CONSPIRACY, IT HAS BEEN
PREDETERMINED BY THE COURTS THAT
NO RELIEF WILL BE GRANTED.

As to Brady principle, filed in Brady case, the court grants the request to deny relief rather than apply the strict rules in a "followed manner to the uncontroverted facts." 2017 US Dist Ct is gift v. U.S. sent in 2012 with this the results of admissions "remains" and "Extraditionary circumstances" The Supreme Court Rule 41(3) provide position of the parties in and or advice from the above broadly violating cases 2016 CP 1833 / 6:11 W. 1016.02.3742 & 2016 CP 5831 / 6:18 W. 1012.02.1108/101.

"What countries and extraditionary circumstances is a fair evidence analysis; in fact the circumstances must be extraditable and comply" < Section V. 3012.02.215 > 3012.02.215 beyond the movants, control and unavailability with disclosure "512 Fed App 10110302 V. U.S. March 18 2013 USA 511" < The U.S. Supreme Court filed that motion misstates that goes beyond "Graham V. White" < Extraditionary and is extraditable > many countries may contribute my extraditionary circumstances" and have the desired result of the country is first "Hill" stand to where down the petition, in violation of protection afforded by the Double Jeopardy clause.

"THE MOST COMMON EXAMPLE OF AN EXTRAORDINARY CIRCUMSTANCE IS WHEN THE DEFENDANT'S MISCONDUCT INDUCED THE PLAINTIFF INTO ALLOWING THE FILING DEADLINE TO PASS" < 327 F.2D 816 ROBINSON V. U.S. OCTOBER 15 2007 131 F.3D 962, 969 11th CIR 1997 > < STATE BAR OF INDIANA COUNTY WELCOME CTR. 466 US AT 157, 104 S. CT. AT 1726 > < PERMISSIBLE TO DO IF AFFIRMATIVE MISCONDUCT ON THE PART OF A DEFENDANT LED THE PLAINTIFF INTO ACTION >. < STATE IRWIN V. DEPT. OF VETERAN AFFAIRS 498 US 89, 96, 111 S. CT 453, 458 112 LHD 2D 435 1990 > "STANDARD FOR FORGIVING TO DOING APPLIES WHEN 'THE CLAIMANT HAS ACTIVELY PURSUED HIS JUDICIAL REMEDIES BY FILING A DEFECTIVE PLEADING, DURING THE STATUTORY PERIOD, OR WHERE THE COMPLAINANT HAS BEEN INDUCED OR TRICKED BY HIS ADVERSARIES MISCONDUCT INTO ALLOWING THE FILING DEADLINE TO PASS. < OTT V. JOHNSON 198 F 3D 50 1513 5TH CIR 1999 > WE RECENTLY EXPLAINED THAT FORGIVING TO DOING APPLIES PRINCIPALLY WHERE THE PLAINTIFF IS ACTIVELY MISLED BY THE DEFENDANT ABOUT THE CAUSE OF ACTION OR IS 'PREVENTED IN SOME EXTRAORDINARY WAY FROM ASSERTING HIS RIGHTS'. IN THAT WITHOUT DEFENDANT MISCONDUCT, COURTS HAVE USUALLY BEEN MUCH LESS FORGIVING IN GRANTING LATE FILING WHEN THE CLAIMANT FAILED TO EXERCISE DUE DILIGENCE IN PRESERVING HIS LEGAL RIGHTS." < IRWIN 198 US AT 96 111 S. CT AT 458 WALKER V. R.R. RET. Bd 131 F 3D 962, 969 11th CIR 1997 >.

ANALOGOUS IN THIS INSTANCE, IT IS NOT

EQUITABLE TO UNLAWFUL, RATHER IF IN
RELATION TO A FINE, THE LOGIC STILL APPLIES.

< See DUTTON V. HERNANDEZ 504 US 25 118 LEd 2d
340 112 S. CT 1215 1992 > HOLDING ...

(A) "THE INITIAL ASSESSMENT OF AN INFORMA PRAESENS
PLAINTIFFS FACTUAL ALLEGATIONS MUST BE WEIGHTED
IN FAVOR OF THE PLAINTIFF"

✓ "THE COURTS INTENTIONALLY MISCONSTRUED THE FACTUAL
ALLEGATIONS."

(B) "A COMPLAINT MAY NOT BE DISMISSED UNDER 1915 (d)
SIMPLY BECAUSE A COURT FINDS THE PLAINTIFF'S
ALLEGATIONS UNLIKELY."

✓ "BECAUSE THE COURTS INTENTIONALLY MISCONSTRUED
THE ALLEGATIONS, PURSUANT TO THE CONSPIRACY, IN ORDER TO
DEFEAT THE CLAIMS, THE COURTS FINDINGS WERE
ENTERED IN COMPLETE ABERCROMBIE OF DISREGARD AS
PREREQUISITE TO EVEN CONSIDER THE IMPROPRIETY
THE JUDGES SHOULD HAVE REFUSED THEMSELVES TO
'AVOID EVEN THE APPEARANCE OF IMPROPRIETY'."

(C) "A DISMISSAL OF AN INFORMA PRAESENS ACTION AS ...
FRIVOLOUS UNDER 1915 (d) IS PROPERLY REVIEWABLE ON
ON APPEAL FOR ABUSE OF DISCRETION BECAUSE A
FRIVOLOUSNESS DETERMINATION UNDER 1915 IS DISCRETIONARY"

✓ "BECAUSE THE COURTS, PURSUANT TO THE CONSPIRACY,
ARE PREDISPOSED TO DENY RELIEF AT ALL COSTS,
APPEALATE REVIEW, AT LEAST "MEANINGFUL APPEALATE
REVIEW" IS UNAVAILABLE IN THE LOWER COURTS."

" A COMPLAINT IS FRIVOLOUS UNDER 1915 (d) WHEN THE COMPLAINT LACKS AN ADEQUATE BASIS IN EITHER LAW OR FACT " NETZKE V. WILLIAMS 1989 490 US 319
104 LEd 2d 338 109 S.Ct 1877

THE TRUE NATURE AND SUBSTANCE OF THE
PLAINTABLE FACT MATTER, HOWEVER THE INTENTIONALLY
MISCONSTRUCTED VERSION, THE VERSION DRAFTED BY
THE COURTS, OR INTENTIONALLY MISFILED BY THE
COURTS, IS, THUS THE PETITIONER AB INITIO,
PRIOR TO ARREST WARRANT WAS 'PREVENTED' IN
SOME EXTRAORDINARY WAY FROM ASSERTING
HIS RIGHTS! <IRWIN>

THE COURTS FINDINGS WERE "BASED ON OBVIOUSLY UNREASONABLE, AND IN SOME INSTANCES SIMPLY FALSE Factual FINDINGS ... AND THEREFORE ITS APPLICATION ... RESTS ON A FAULTY Factual PREMISE AND MERITS NO DEFERENCE!"

WILLIAMS V. TAYLOR 509 US 363, 388.99, 120 S.Ct. 1495, 1146 LEd 2d 389 2000.

TO GRANT REVERT WILL DESTROY PUBLIC
 CONFIDENCE IN THIS COURTS JUDICIARY, AS
 RESTRICTION OF PUBLIC CONFIDENCE IN THE JUDICIARY
 OF THE LOWER COURTS IS INEVITABLE, PURSUANT
 TO UNLIMITED RESOURCES, AND PUBLICATION OF
 THE TRUTH, SEE "PREFACE TO" GIVEN IN ALL
 CASES, WHERE "THE GOVERNMENT MAY PROVE A
 CONSPIRACY WITH CIRCUMSTANTIAL EVIDENCE ALONE, BECAUSE
 THE ESSENTIAL NATURE OF CONSPIRACY IS SECRECY"
U.S. V. BURK 732 F2D 963 VSCA 11 + 5
 JUNE 14 2018

I Vinodit Raghavir, swear under penalties of perjury
that the foregoing is true, correct and not meant
to mislead. I also certify that a true, correct
copy has been forwarded 10.16.19

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