

DIMITRI BERNARD ROBINSON

Petitioner

Vs

CASE NO 19-5972

KYM WORTHY

Respondent

Chief Prosecutor for Wayne County

MOTION FOR

RECONSIDERATION

FILED

DEC 06 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

PETITIONER DIMITRI BERNARD ROBINSON MOVES THIS HONORABLE COURT TO RECONSIDER ITS NOVEMBER 18th 2019 DECISION TO DENY CERTIORARI REVIEW IN THE ABOVE CAPTIONED MATTER IN SUPPORT OF THIS REQUEST FOR RECONSIDERATION THE PETITIONER STATES THE FOLLOWING

- 1) PETITIONER IS REQUESTING RECONSIDERATION OF (1) ONE CLAIM THAT DETECTIVE OBTAINED A COURT ORDER TO PING MY PHONE WITHOUT PROBABLE CAUSE OR WARRANT FOR MY LOCATION
- 2) THAT THIS HONORABLE COURTS RULING IN CARPENTER Vs UNITED STATES 138 SCT 2206 (2018) HAS SET FORTH THE STANDARD ON WHICH INAPPROPRIATELY OBTAINED CELLPHONE SITE LOCATION INFORMATION (C S L I) VIOLATES A CITIZENS REASONABLE EXPECTATION OF PRIVACY UNDER THE FORTH AMENDMENT TO THE UNITED STATES CONSTITUTION
- 3) THE UNITED STATES APPEAL COURTS HAVE SINCE ADOPTED AND APPLIED THE STANDARD IN CASES SUCH AS UNITED STATES Vs GOLDSTEIN 914 F 3d 200(2019) LEXIS 1939 SOLIDIFYING THIS

HONORABLE COURTS MAJORITY RULING IN CARPENTER IS

4) THAT THIS PETITIONERS FORTH AMENDMENT RIGHTS TO A
REASONABLE EXPECTATION OF PRIVACY WAS VIOLATED IN THE EXACT
SAME CONTEXT OUTLINED IN BOTH CARPENTER 138 SCT 2206 AND
GOLDSTIEN 914 F 3d 200; QUOTING THE RECENT DECISION IN
CARPENTER THAT DEFENDANTS DO IN FACT HAVE A PRIVACY
INTEREST IN THEIR C S L I

5) THAT THIS CONSTITUTIONAL CLAIM OF ERROR WAS ADDRESSED AND
DENIED IN THE PETITIONERS STATE COURT PROCEEDINGS PRIOR TO
THIS HONORABLE COURTS RULINGS IN CARPENTER

6) THAT UPON THE ADVISE OF HIS STATE APPELLATE ATTORNEY HE
FILED A PETITION IN THIS COURT FOR CERTIORARI ON THE BASIC OF
ITS RECENT RULINGS

7) PETITIONER IS A PRISONER IN THE STATE OF MICHIGAN AND HAS
VERY LIMITED RESOURCES AND KNOWLEDGE OF LAW AND WOULD
RESPECTFULLY ASK THIS COURT TO CONSIDER HIS REQUEST ON THE
MERIT OF HIS CLAIM

8) THIS HONORABLE COURT CAN RETAIN JURISDICTION AND
CONSIDERATION OF THE PETITION PURSUANT TO 28 U S C §2254 AND
GRANT RECONSIDERATION

9) THAT THE PETITIONERS FORTH AMENDMENT RIGHTS WERE VIOLATED
BY THE NAMED RESPONDANT KIMBERLY WORTHY PROSECUTOR FOR WAYNE
COUNTY IN THE STATE OF MICHIGAN WHEN SHE WITHOUT PROBABLE
CAUSE OBTAINED THE PETITIONERS CELLPHONE SITE LOCATION
INFORMATION THEN USED THAT INFORMATION TO LOCATE AND ILLEGALLY
ARREST PETITIONER WITHOUT A PROPER WARRANT

CONT

CONT PG III

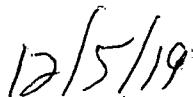
PRAYER FOR RELIEF!

10) THAT THIS HONORABLE COURT RECONSIDER ITS ORDER DENYING CERTIORARI AND GRANT REVIEW OF HIS PETITION ON THE CONSTITUTIONAL CLAIM OUTLINED IN PARAGRAPH (1) ONE AND / OR REMAND THIS MATTER TO THE MICHIGAN STATE COURT OF APPEALS FOR A RULING IN LIGHT OF CARPENTER Vs UNITED STATES 138 S CT 2206(2018)

RESPECTFULLY SUBMITTED


X/s/ 
DIMITRI BERNARD ROBINSON
REG NO#609119
SAGINAW CORRECTIONAL FACILITY(SRF)
9625 PIERCE ROAD
FREELAND MICHIGAN(48623)

DATED


12/5/19

VERIFICATION

I DEMITRI BERNARD ROBINSON DOES HEREBY SWEAR UNDER PENALTY OF PERJURY THAT ALL THE INFORMATION CONTAINED HEREIN IS TRUE TO THE BEST OF MY KNOWLEDGE PURSUANT TO MCR 2.114


X/s/ 
DEMITRI BERNARD ROBINSON #609119

GROUNDS FOR RELIEF

- 1). THE PETITIONERS PREVIOUSLY FILED A REQUEST TO PRECEED IN FORMA PAUPERIS, WHICH WAS GRANTED ON 9/18/19.
- 2). THE PETITIONERS FOURTH AMENDMENT RIGHTS WERE VIOLATED BY THE RESPONDANT KIMBERLY WORTHY (PROSECUTOR FOR WAYNE COUNTY IN THE STATE OF MICHIGAN WHEN SHE WITHOUT PROBABLE CAUSE OBTAINED THE PETITIONERS CELL PHONE SITE LOCATION AND ILLEGALLY ARREST PETITIONER WITHOUT A PROPER WARRANT.

CERTIFICATION

3). PETITIONER PRESENTS THIS ISSUE GOOD FAITH AND NOT FOR ANY DELAY IN THIS FEDERAL HABEUS FILING UNDER THE AEDPA PURSUANT TO 28 USC 2254 WHICH IS DUE IN JULY OF 2020.