

HAROLD B. ROTTE  
84 Crooked Tree Lane, #103  
Vero Beach, Florida 32962  
772-257-1497

January 13, 2020

To: Scott S. Harris  
Clerk of the Court  
Supreme Court of the United States  
One First Street, NE  
Washington, DC 20543-0001

Re: Petition  
Rotte v United States  
No. 19-6481

Petitioner now motions the Clerk of the Court requesting or directing the Clerk to file it "out of time" as Petitioner was misinformed to have 30 days to file for a rehearing and can only apologize for not verifying the correct time allowed, and can only say that December was not a good month for me. I spent several days with 2 different eye doctors that recommended surgery – that I have postponed for now. My brother passed away December 16 – and I went to funeral services in Hamilton, Ohio. In these 25 days we had 2 separate holidays that affected services needed to prepare petition.

Sincerely and  
respectfully submitted,

*Harold B. Rotte*  
Harold B. Rotte

RECEIVED

JAN 16 2020

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

No. 19-6481

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IN THE  
SUPREME COURT OF THE UNITED STATES

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HAROLD B. ROTTE – PETITIONER

vs.

UNITED STATES OF AMERICA – RESPONDENT(S)

ON PETITION FOR REHEARING OF A WRIT OF CERTIORARI TO  
11<sup>TH</sup> CIRCUIT COURT OF APPEALS

HAROLD B. ROTTE  
84 Crooked Tree Lane, #103  
Vero Beach, Florida 32962  
772-257-1497

## LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

U.S. District Court Judges

Honorable Jose Martinez

Honorable Kenneth A. Marra

Frank Lynch, Jr.

U.S. Court of Appeals Judges,

The Honorable Tjoflat, Hull, Wilson

## STATEMENT REGARDING ORAL ARGUMENTS

Appellant believes oral arguments would be a benefit to the Court, and allow the IRS and the attorney from Department of Justice to be challenged.

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## STATEMENT OF THE CASE

1. I, Harold B. Rotte, Petitioner, would first thank the Court, for allowing my valid complaint to be filed, on record with the Supreme Court of the United States.
2. Now comes to the Court for a Petition for Rehearing and Reconsideration for a Writ of Certiorari that was denied on December 9, 2019, this at the time the former Director of the FBI was claiming on national TV the FBI did nothing wrong with regards to the FISA Court, and the I.G. Report vindicated the FBI. Later, the I.G. stated the report vindicates no one and the former Director had to admit he was wrong.
3. Petitioner believes the FISA Court was friendly, not impartial to the government. The reason this is important, Petitioner's claim includes the same actors, the FBI and the Department of Justice. And the complaint was the Lower Courts were friendly to the government, was not impartial or fair and like the FISA Court covered for the government.
4. The IRS, the FBI and Department of Justice all have great influence that should not be used against the Courts.
5. Petitioner, being falsely accused, and reputation damaged by the IRS, did petition the government for redress of grievance and did believe would be decided by a separate and impartial branch of government.

6. The IRS by design did make several false claims to be complicated, caused a lot of smoke because IRS was the arsonist. This caused prospective counsel to decline their services and the Court denied counsel being appointed.
7. Petitioner had informed the Court early on, because of the multiple false accusations, this did interfere with thought process, affected abilities, and did request the Court to accept the totality of all claims submitted and should not have to compete with trained attorneys or to waive rights for being denied counsel. Petitioner believes the Appeals Court's opinion to be a miscalculation to be selective without the total number of false claims against Petitioner.
8. Also, just for the tax year 2004, a review would show that not to be a miscalculation, the District Court stated. The earlier claim did not connect with the claim of 2004. The record proves otherwise.
9. And their decision not to accept amended complaint for excessive fines to be unfair, and would be discriminating for not having counsel. And believes this case deserves the Court's reconsideration as involves fundamental rights.
10. The IRS wrongly threatened petitioner, the false IRS tax lien could be reinstated if a different false tax bill for over \$100,000 was not paid. Petitioner, a good citizen with an impeccable record, believes the only thing that needs to be reinstated is this valid appeal.

11. And for a jury to decide the issues, if the government, the Petitioner, or Courts was right, and prays this Honorable Court permit that, counsel for defendant acknowledges the tax bill for \$6,800 of December 2018 had nothing to do about unpaid taxes, or any tax. And was for fines. And because of this Court's recent ruling. Petitioner did give notice to Defendant the intent to sue, as of this date Petitioner has heard nothing on his valid claim.
12. The IRS knew or should have known that such a claim from the IRS for \$6,800 for tax year 2004 would be a shock that could and did cause mental distress, worry and terror. This as one has to consider the mindset of Petitioner, the totality of IRS false claims, then the total of the tax year 2004 claims, and that tedious process – first the false claims, then met with senior agents at IRS offices in Plantation, FL. Then, with the counsel before going to US District Court, then the US District Court being unfairly dismissed Petitioner took complaint to Congress, IRS then removes tax lien for \$89,325, corrected the amount owed to “zero” amount. IRS did officially clear all penalties, fines, for tax year 2004.
13. Then Petitioner receives copy of letter from the IRS that was sent to Congress falsely claiming Petitioner still owed the IRS over \$100,000 and if not paid the lien could be reinstated. Petitioner believes this letter was deliberate to discredit him and cause trouble., was harassment, was the subject of the same offense

even after Petitioner was officially clear of all taxes and ~~files~~ for tax year 2004. Petitioner felt the IRS weaponized their power for speaking truth to power.

14. Petitioner fears and believes a deliberate fabricated false fine to be unfair or unconstitutional, to be required paid in advance before a Court review, especially when it was a “ruse” or scam, a misuse of authority.
15. Also, what fears and worries petitioner would be dealing with deceitful attorneys again from Department of Justice that had earlier made false representation to the U.S. District Court in writing, that they were willing to dedicate, discuss, a settlement.
16. They reneged on their promise, petitioner believes, because they know they had fear or favor over the Court to have the case dismissed. Why else would they break promise. It is difficult to be the victim and an advocate for justice at the same time.
17. Citizens in the future should not be falsely accused by the government without a remedy and in this Court reconsider-ation, send back for a jury to confirm or deny the lower Court decisions.
18. Petitioner had a valid claim, gave a good reason to be reinstated. Also, the tax bill for fines for \$6,800 in December 2018 to Petitioner was unfounded and contained a message -- it is the IRS that is absolute, not the Courts, not Congress. Was extreme harassment to intimidate. Petitioner believes the Lower Courts

should have recognized to be a misuse of authority, to be charged with the same offense twice, especially when it had officially been cleared by the IRS.

19. Being falsely accused in no small thing. Petitioner brought his valid claims to the Courts. The U.S. Tax Court twice, three separate times to this Court, the Supreme Court of the United States. This because the IRS has been weaponized or is just incompetent. Petitioner believed the courts would be guided by the U.S. Constitution and now prays this Court reconsider, and now allow a jury to review.

## CERTIFICATE

Comes now Petitioner to the Court with valid request for Rehearing and Reconsideration of the denial of Writ of Certiorari Case #19-6481 hereby stating and certifying petition is restructured to the grounds specified by the rules of this Court and is only presented in good faith and not for any delay or to be a waste of this Court's most valuable time.

Dated: January 5, 2020

Sincerely and most respectfully,

By Pro Se:

Harold B. Rotte

HAROLD B. ROTTE  
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