

CERTIFICATE OF COMPLIANCE WITH RULE 44

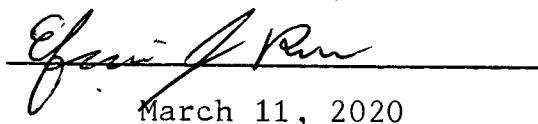
of the RULES OF THIS COURT

The enclosed 5-page petition is being presented in as brief and distinct as Petitioner, being untrained in legal pleadings, can put forth has stated the grounds raised. Enclosed is attachments to support the grounds raised, a question raised, a copy of the denial of certiorari, a copy of your March 4, 2020 letter granting the 15-days to correct and resubmit, and a letter to this Honorable Court in hope that this Court will see to it that this injustice can be corrected.

The grounds raised are limited to intervening circumstances of controlling effect and other substantial grounds not previously presented.

Done under penalty of perjury to the best of Petitioner's knowledge and ability.

Efrain J. Rosa, Pro Se



Efrain J. Rosa

March 11, 2020

CERTIFICATE OF COUNSEL

The enclosed motion for rehearing is being
presented in good faith and not for delay!

Submitted on February 10, 2020

Efrain J. Rosa

Efrain J. Rosa

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USP Tucson

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March, 11 2020

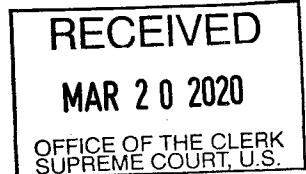
Supreme Court of the United States
Office of the Clerk
One First Street, N.E.
Washington, DC 20543-0001

RE: EFRAIN ROSA v. RHODES, WARDEN
No: 19-6909

Dear Mr. Harris,

Thank you for allowing me to correct the enclosed petition. Your letter of March 4, 2020, was received March 9, 2020, allowing me 11 days to correct of the 15-days provided, so I ask so kindly to forgive any other mistakes I may have included.

I do believe the enclosed 5 page petition for rehearing is brief and distinctly states the grounds raised, those being: the Oswego County, New York, Sherriffs working with the Federal Prosecutor intentionally replaced seized electronic media with their own electronic media and then falsely claimed to have found evidence, knowing that they never had any evidence at all. The officers along with the Federal Prosecutor suppressed this information and suppressed the fact that they never had any evidence for a conviction to begin with and conscientiously and unethically worked with the court assigned counsel to aid in threatening and coercing Petitioner to accept a plea offer withholding the fact they had no evidence (the court assigned Federal Public Defender may even have been aware of this deception) threatening that if the plea was not accepted Petitioner would be



sentenced to life and never get out of prison, four 30-year consecutive sentences is the same as never getting out of prison, it was of no benefit.

Since learning of the newly discovered evidence, Brady material, the lower courts have been unwilling to entertain the Due Process claim as a guilty plea was accepted. The lower courts, however, are divided on whether the failure to disclose Brady material may ever serve to undermine a guilty plea even if the plea was involuntary, unwitting, and unknowing.

This Court should entertain this case to provide the lower courts guidance on this issue to provide uniformity to future defendants in a similar position.

Petitioner maintains he is not guilty of the crimes charged and convicted and never has been. There never was any evidence whatsoever for a conviction. Petitioner's Due Process guarantee provided for in the Fifth Amendment to the United States Constitution, has been flagrantly denied by the trial court and all the lower courts this has been presented.

"It is beyond question, of course, that a conviction based on a record lacking any relevant evidence as to a crucial element of the offence charged would violate due process." *Harris v. United States*, 404 U.S. 1232, 1233 (1971).

Respectfully,



Efrain J. Rosa, Pro Se

**Additional material
from this filing is
available in the
Clerk's Office.**