

SUPREME COURT OF THE UNITED STATES

KENNETH ROSE
(Petitioner)

v.

No. 19-7173

United States, et al.
(Respondent)

MOTION FOR RECONSIDERATION

Petitioner, Kenneth Rose, moves for reconsideration of the court's 2/24/20 denial. Petitioner had been denied a COA in 2255 proceedings, followed by a COA denial in the Sixth Circuit despite claims that reasonable jurists would reach a different result after considering the overlooked material facts existing in the record but never actually discussed/reasoned on the record. Petitioner asked the district court for an extension of time to file a formal COA with the assistance of appointed counsel and instead of responding to those requests, the district decided on its own which issues would be presented to the Sixth Circuit. The Sixth Circuit summarily adopted the district court's mis-appraisal of the COA claims despite protestations by Petitioner requesting expansion of the scope of issues for review in the COA process. Petitioner's Sixth Circuit filings are hereby incorporated by reference. Petitioner's District Court motions are hereby incorporated by reference.

The basis for consideration is the Petitioner's understanding that the Sixth Circuit violated Buck v. Davis, 137 S. Ct. 759 (2017) in denying COA. Petitioner requests that the court remand this case to the lower court to reassess COA matter in accord with Buck v. Davis, 137 S. Ct. 759 (2017)

Petitioner certifies that this petition for rehearing is limited to substantial grounds not previously presented and is presented in good faith and not for delay.

The above declarations are made under penalty of perjury that they are true and correct, as well as the following declaration that is accordance with the inmate mailbox rule, Movant delivered this motion to prison authorities for forwarding to the court on 3/19/20.

Executed on: 3-19-20.

Kenneth Rose
Kenneth Rose, 655-843
Warren Correctional Inst.
5787 State Route 63
Lebanon, OH 45036

PROOF OF SERVICE

Petitioner, Kenneth Rose, further declares that a copy of this filing was mailed on the same date and manner above to Christy Muncy, Assistant United States Attorney at 221 East Fourth Street, Suite 400, Cincinnati, OH 45202 and Solicitor General of the United States, Room 5614, 950 Pennsylvania Ave, Washington, D.C. 20530-0001

Kenneth Rose

