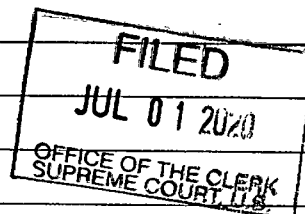


19-8357

IN THE SUPREME COURT FOR
THE UNITED STATES.



CAUSE: 19-8357

JEFFERY J. LOUT, Pro Se,
Appellant/Petitioner

VS.;

STATE OF MONTANA;
Appellee/Respondent.

NOTICE OF OBJECTIONS AND

REQUEST FOR REHEARING TO THE

COURTS JUNE 29, 2020 DENIAL

OF LOUT'S WRIT OF CERTIORARI.

Counsel For Appellant.

Jeffery J. Lout, AD#46407

Pro Se, Appearing In Propria Persona

Sui-Jurist-Individual

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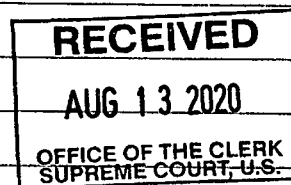
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NOTICE OF OBJECTIONS

OBJECTIONS:

4) Lout OBJECTS TO THE ENTIRETY OF THE COURT'S DENIAL OF JUNE 29, 2020.

GROUND - 1:

5) Lout States; The June 29, 2020 DENIAL of Lout's Writ of Certiorari is FACTUALLY without Merit as there is no FORMAL ORDER which Bares the Official and Authenticity Signatures of each Justices including Chief Justice, Showing These Justices have Factually Reviewed Lout's Writ of Certiorari.

GROUND 2:

6) Lout Asserts; He has set out FACTS OF LAW which have been set out in precedence rendered by this very Court, The Highest Court of the Land, That This HIGH COURT MUST REVIEW Lout's WRIT OF CERTIORARI as a 'COURT OF PRECEDENT' and Address the Constitutional Errors Regarding Lout's CERTIORARI which critically Jeopardize the Integrity of the Judicial System, will end has created a MANIFEST INJUSTICE of Unlawful and Illegal Imprisonment of Lout; and has shown that Lout's Writ of Certiorari is critical to the Faith and Reliability of the Criminal Process. (See: BRECHT vs. ABRAHAMSON; 507 U.S. 619 (1993))

GROUND-3:

7) Lout's certiorari calls into question the EFFECT THOSE ISSUES PRESENTED; Which ["SERIOUSLY AFFECT"] THE FAIRNESS, INTEGRITY and/or PUBLIC REPUTATION OF THE JUDICIAL PROCEEDINGS. (See: U.S. v. Council 470 U.S. 1, 15 (1978); quoting U.S. v. ATKINSON: 397 U.S. 157, 160 (1930)).

CONCLUSIONS TO LOUT'S OBJECTIONS:

8) Lout, Concludes; Here the Clerk or Deputy Assistance Clerk of the U.S. Supreme Court sent out a FORM LETTER stating the Denial of Lout's certiorari. There has been Absolutely no Factual Showing that Lout's certiorari was PHYSICALLY PRESENTED and REVIEWED by All Actual (9) Nine Justice Panel of the Highest Court of the Land. First; The Denial is merely a letter not a Formal Order. Second; There are Absolutely no Rulings as to why Lout's certiorari has been denied and as to why even after Lout has CLEARLY RAISED MULTIPLE SUPPORTING CASE LAW PRECEDENCE by this very Court, which Has Concluded in those very precedence cases the Immediate Release of Unconstitutional Imprisonments through the Participation of a Biased and/or Prejudiced Judge; who engaged and Participated in the very Acts, Illegal Acts, surrounding Cases; Like here where the Court had a Personal Interest in the outcome of the case, with this case at bar to protect both Judge Langton's Political Career and his Personal Character and Reputation, which Resulted in Langton's Harshness of Lout's EXCESSIVE IMPRISONMENT SENTENCES; The Unequility of being sentenced Equally to Others of the Same or Alike Crimes of Lout and by such Supports the Court Lacked Subject Matter Jurisdiction due to his Personal Involvements with both the case and his Involvements within the cases themselves.

GROUND 1: GROUND 2:

GROUND 1:

"ON CERTIORARI THE U.S. SUPREME COURT [WILL ACCEPT] THE FACTUAL CHARACTERIZATION OF THE PETITIONERS CLAIM BY A LOWER COURTS AS CHALLENGING THE [LEGALITY] OF HIS CONVICTION." HECK V. HUMPHREY: 512 U.S. 477 (1994)

9) Here Lout Asserts Once again; The Court in Lout's case Lacked Subject Matter Jurisdiction based on the Court's (Langton's) own personal Involvement regarding the Alleged Illegal Crimes; which Langton was a part of; Therefore Langton had an obligational Duty to Recuse or Disqualify himself from the Proceedings in both Lout's Cases; Rather than to openly on Court Record DENY Said involvement and Immediately upon Denial PERJURED HIMSELF ON OFFICIAL COURT RECORD. (See: Langton's October 27, 2007 order denying withdrawal of guilty plea).

GROUND 2:

"THE 'CUMULATIVE EFFECT' OF [MULTIPLE] ERRORS CAN VIOLATE [DUE PROCESS] EVEN WHERE NO SINGLE ERROR RISES TO A LEVEL OF [CONSTITUTIONAL VIOLATION] OR WOULD [INDEPENDANTLY WARRANT REVERSAL]". PARLE V. RUNNELS: 505 F.2d 922 (9th Cir. 2007) citing CHAMBERS V. MISSISSIPPI: 404 U.S. 884 (1973)..., "... APPELLATE COURT MAY REVIEW [SENTENCES IMPOSED IN A CRIMINAL CASE] IF IT'S ALLEGED THAT [SUCH A SENTENCE IS ILLEGAL]. A SENTENCE IS ILLEGAL WHEN THE COURT IS [WITHOUT STATUTORY AUTHORITY] FOR A SENTENCE".

10) Lout Asserts; He's Raised Substantial Supporting Grounds in and throught his certiorari as the entirety of the Record as a whole shall fully Support the State District Court (Langton) did Maliciously

Impose such HARSH SENTENCES upon Lout in which does Constitutionally Establish was and is Illegal and Unjustified EXCESSIVE SENTENCES which EXCEED the NORMAL SENTENCES handed down by Langton of the Same or Similarly Situated others who of the Same or Equivalent Caliber of Lout's who Received much lesser Sentences Consisting of no Less than 4 years and no more than 20 years of Imprisonment.

11) Lout contends; The HARSHNESS and the EXCESSIVENESS of his Sentences were Merely handed down by Langton as a DIRECT RESULT of Jeffrey H. Langton's Own PERSONAL INVOLVEMENTS in and throughout the Actual Crimes which Lout has Allegedly been Accused of Committing.

12) AS A MATTER OF FACT: Lout has Laid out CLEAR AND CONVINCING EVIDENCE coupled with the CRIMINAL FEDERAL INVESTIGATION that Langton was PERSONALLY INVOLVED and DIRECTLY ENGAGED in the Activities with Lout; thus showing Langton had an obligation duty of Law to Disqualify himself from all Proceedings of both Lout's Cases.

GROUND 3:

"THE LAWS AND CONSTITUTION ARE DESIGNED TO SURVIVE AND REMAIN ENFORCED IN [EXTRAORDINARY] TIMES. [LIBERTY AND SECURITY CAN BE RECONCILED] AND IN OUR [SYSTEM] THEY ARE RECONCILED WITHIN [THE FRAMEWORK OF THE LAW]". *BOUMEDIENE VS. BUSH*: 128 S. Ct. 2229, 2244 (2008). "THE PRESUMPTION OF CORRECTNESS IS OBTAINED UNLESS ONE (1) OF THE CIRCUMSTANCES LISTED IN 28 U.S.C. § 2244 (d)(1) thru (7) EXISTS, [OR UNLESS THE 'STATE COURTS' DETERMINATION IS NOT FAIRLY SUPPORTED BY STATE RECORD] OR [UNLESS PETITIONER SHOWS BY 'CONVINCING' EVIDENCE THAT THE STATE COURT WAS ERRONEOUS]". *TINSLEY V. BORG*: 875 F.2d 520, 575 (9th Cir. 1990).

13) Lout Asserts; The entirety of the Court Record currently on Appeal for a Writ of Certiorari does in fact show CLEAR AND CONVINCING EVIDENCE; Just based on (Langton's) The Courts DIRECT and PERSONAL INVOLVEMENTS in the Crimes Alleged; That Langton should've Recused or Disqualified himself for Presiding over every stage; Including the ACCUSATORY INFORMATION PROCESS; of both Lout's cases, Hence Langton's Failure to do so did in fact Affect Langton's PERSONAL BIAS Towards Lout Coupled with the FEARS of what damage would be done to Langton's Own Personal Character and His Reputation including both the damage and embarrassment which would occur to his Political Career if His own personal and direct Involvements with Lout and the Involvements Surrounding the crimes to which Langton sentenced Lout for.

14) Lout contends; Langton's Sentencings which are EXTREMELY HARSH compared with the other Multiple Sentences (See Lout's Appendix to the Certiorari) which Langton handed down; were done as a direct Result of Langton's Personal Bias and Prejudices towards Lout and done so in an Attempt to Silence Lout of Langton's Personal and Direct involvements with Lout and the Alleged Crimes Committed.

GROUND 4:

"DUE PROCESS GUARANTEES THAT [NO MAN CAN BE A JUDGE IN HIS OWN CASE]; "AN ABSENCE OF ACTUAL BIAS" ON PART OF A JUDGE." IN RE MURCHISON: 349 U.S. 133, 136 (1955). "THIS OBJECTIVE RISK OF BIAS IS REFLECTED IN THE [DUE PROCESS MAXIM] THAT NO MAN CAN BE A JUDGE IN HIS OWN CASE AND NO MAN IS PERMITTED TO TRY CASES WHERE HE HAS AN INTEREST IN THE OUTCOME." Id @ 136.

15) Lout contends: By Contrast, Langton who was personally Directly involved with the crimes related to Lout through the Saling order

giving of Drugs (Marijuana and Cocaine) to Lou in Accord with and connected with the Placements of the Youths in Lou's home in trade of Lou's time involved with Managing and Training the Youth Boxers of the Hamilton Eagles Boxing Club and the Trade or the Bartering thereafter with The Youths' Mothers (Rhonda Ray) who engaged and participated in Sexual Favors in trade for Liency for her Son (Youth A) Howard Henson's Sentencings and Langton's Influence to employing the Walker Brothers (Charles - Youth C and Rex - Youth D) Mother (Marrian Walker) at the Ravalli County Detention Center to which Shows Langtons overbarring involvement and direct Interests in the Out come not only of Lou's cases; but Also Interests in the Cases of the Walker Brother and Howard Henson All which has Initially Stemed from Lou's 1999 case.

Grounds:

"THE [CANON OF CONSTITUTIONAL AVOIDANCE] PROVIDES THAT A COURT [WILL NOT] PASS UPON A CONSTITUTIONAL QUESTION IF THERE IS SOME OTHER GROUND UPON WHICH THE CASE MAY BE DISPOSED." MARSHAL V. MARSHAL (In re Marshall) 721 F.3d 1032 (9th Cir. 2013); U.S. V. PERCY: 250 F.3d 720 (9th Cir. 2001); In re BORDER INFRASTRUCTURE ENVTL. LITIGATION: 254 F. Supp. 3d. 1092 (9th Cir. 2018); U.S. V. COLACURE: 84 F.3d 326 (9th Cir. 1996) and DORADO V. KEHR: 454 F.2d 892 (9th Cir. 1972) "IN CASES WHICH THE CAUSE AND PREJUDICE STANDARD IS ADEQUATE TO PROTECT AGAINST A [FUNDAMENTAL MISCARriage OF JUSTICE]; THE CAUSE AND PREJUDICE REQUIREMENT [MUST YIELD] TO THE IMPERATIVE OF CORRECTING A [FUNDAMENTAL UNJUST INCARCERATION]". ENGLE V. ISSAC: 456 U.S. 107 (1982); CALDRON V. THOMPSON: 523 U.S. 938, 118 S. Ct. 1469 (1998); and MURRAY V. CARRIER: 477 U.S. 478 (1986).

16) Lout Declares; He has Shown and Raised a QUESTION OF CLEARLY ESTABLISHED LAW Showing that his DUE PROCESS RIGHTS were substantially violated through (Langton's) The State Courts Failure to Recuse or disqualify himself; Having not only a direct Personal Interest in the out come of the case, Rather the Fact that Langton was Personally and Directly involved in and with Committing such Illegal Acts while occupying the Bench as a District Court Judge; breaching his obligation Duty of Law arising from the participation of criminal Activities, then to Participate in the Accusatory Information Process of Sitting Criminal Charges Against Lout to which he himself as a sitting Judge willfully engaged in the very same Criminal Activity; Then Langton continued to proceed over both Lout's Cases; to which He had a direct and personal Interest in the outcome of the case; Thus; EXCESSABLY SENTENCING LOUT, WITH AN ATTEMPT TO SILENCE LOUT OF COMING FORWARD OF LANGTON'S PERSONAL AND DIRECT INVOLVEMENTS OF THE CRIMINAL ACTIVITIES; which has clearly shown that a Fundamental Mis carriage of Justice does exist and through such This High Court is obligated to Correct Lout's Fundamental Unjust Incarceration.

CONCLUSIONS

17) Lout Concludes; Langton's Personal Involvement in the Alleged Crimes with Lout as a sitting Judge, The Use of Langton's Power in which to Barter or trade in Favor for Leniency for the Youths involved in and throughout Lout's Cases Coupled with the critical decision in the Lout's Cases, When Proceeding and Presiding over both Lout's Cases The Risk of Actual Bias within both Lout's Judicial Proceedings have risen to an UNCONSTITUTIONAL LEVEL, whereas Lout is entitled to a proceeding where he may present his case with assurance, that no member of the Court is [PREDISPOSED] to Find Against him. Citing in part: MARSHALL V JERRICO, INC. 446 U.S. 238, 242 (1980)

18) Lout further concludes; The CONSTITUTIONAL LAW and BILL OF RIGHTS; The Asserted Denial of [DUE PROCESS] IS TO BE TESTED BY AN APPRAISAL OF THE [TOTALITY OF FACTS] IN A GIVEN CASE; That which May, In one Setting, CONSTITUTE A DENIAL OF [FUNDAMENTAL FAIRNESS], SHOCKING TO THE UNIVERSAL SENSE OF JUSTICE, May in other circumstances, and in light of other considerations, Fall short of Such denial. GIDEON V. WAINWRIGHT: 372 U.S. 335.

19) Lout Concludes; He is entitled to have his cases DC:99-22 and DC:02-79 VACATED AS VOID; IMMEDIATELY RELEASED FROM HIS UNLAWFUL and UNJUST INCARCERATION, In which to be DISCHARGED UNDER CLEMENCY as Lout has served 2 1/2 years of Incarceration and to be treated Equally to all other Criminal Offenders; Lout's IMMEDIATE DISCHARGE without Any Parole or Probation Must be Granted and So Ordered by this High Court.

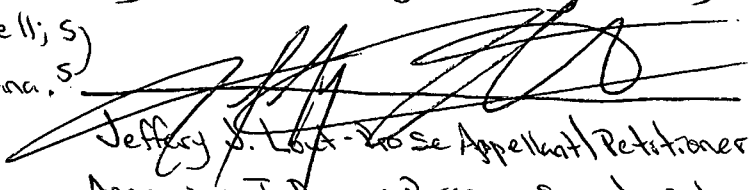
20) Lout Further States; He did in fact offer a PROPOSED STIPULATIONS to the State of Montana in his December 20, 2019 MEMORANDUM IN SUPPORT OF Lout's OBJECTIONS AND REQUEST FOR REHEARING TO THE MONTANA SUPREME COURT (APPX. 2-A to writ Certiorari) In which Lout Again Reinstates as an offer to Resolve the Unjust Sentences of Life which was handed down by a Biased and Prejudice Judge, Langton.

OATH, CERTIFICATION AND VERIFICATION

This being Certified and Verified as True and correct, The Above foregoing Information is True and correct to the best of Lout's knowledge Understanding and belief, and is Presented in Good Faith and Not for delay and is Sworn to under the penalty of perjury pursuant to 28 USC § 1746 before the Under signed Authority on this 28th day of July, 2020.

In the County of: Powell; S)

In the State of: Montana. S)


Jeffery B. Lout - Pro Se Appellant/Petitioner
Appearing In Propria Persona - Sui Jurist.