

Anthony Leon Latimer a/k/a Gerald Smith
Petitioner,

V.

Ben Jones, et al,

Respondents.

★ IN THE SUPREME COURT OF
★ THE UNITED STATES

★ DOCKET NO.: 20-5399
★

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(DEMAND ORAL HEARING)

PETITION FOR RECONSIDERATION

NOW COMES the Petitioner, Anthony Leon Latimer a/k/a Gerald Smith, requesting this Honorable Court to reconsider and Grant this Petition for rehearing, Pursuant to Rule 44, based on the reasons states as following:

1. Petitioner respectfully request this Honorable Supreme Court to reconsider based on a breach of the 4th Amendment, pertaining to this Claim having substantial Grounds not previously presented. (see attached Memorandum Opinion pg.#10 Highlighted 4. at the very bottom, EXH.-A).
2. The reconsideration will be based upon the the evidence leading to the breach of 4th Amendment Right.
3. Evidence clearly shows no preponderance for the justification of the search of the residence, the search only turned up contraband that further indicated personal use by the deceased.
4. As per the Affidavit of truth, the petitioner had no knowledge of the drug use by the deceased other than the prescription pain medication for a recent surgery.




5. Judge Kenneth Long discovered that (N.T.F. Sgt. Ben Jones) respondent submitted a fraudulent application for a Search and Seize Warrant for the deceased residence, and struck the perjured portion of the Search and seizure Affidavit, confirming No preponderance of evidence to justify a Search, which was the respondent only allege Probable Cause.
6. The respondent (N.T.F. Sgt. Ben Jones) chose to still execute the Warrantless search and seizure, and the only additional contraband found was drugs in the deceased on effects (Louis Vuitton Purse), which only indicate's more evidence of personal use by the deceased.
7. Petitioner had no knowledge that the deceased was using any drugs other than the prescribed pain medication that she was taking for her recent surgery. The Petitioner's arrest was apparently based on previously acquired bias against the Petitioner do to previous interaction's with the Washington County Narcotic Task Force, and nothing more.
8. It was accurately a violation of the Petitioner's Fourth Amendment Right to be free from Warrantless Searches and Seizures do to the Invalidity of the Warrant. The Warrant was also Invalid due to:
 - a) The Warrant was not signed in Blue.
 - b) It was not signed with the full name of the authorizing agent.
 - c) It was not signed by a JUDGE.

CONCLUSION

Petitioner prays that this Honorable Court GRANT this Petition, and Reconsider, and Reverse for a Rehearing or any further Relief deem necessary.

DATE: December 18, 2020

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 Anthony Leon Latimer a/k/a Bertald
 Smith - #1956719/466791.