

No. 20-5732

IN THE

SUPREME COURT OF THE UNITED STATES

ERNEST SEADIN _____ PETITIONER

vs.

DEAN WILLIAMS, DIRECTOR OF THE COLORADO

DEPARTMENT OF CORRECTIONS _____ RESPONDENT

PETITION FOR REHEARING

BECAUSE OF FACILITY, IN WHICH PETITIONER IS BEING HELD,

IS IN COVID-19 LOCK-DOWN, AND COURT RULE 44(2) "TIME

WILL NOT BE EXTENDED", PETITIONER HAS TO SUBMIT HIS

PETITION IN THIS FORM.

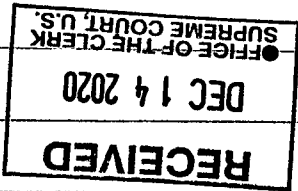
BY DENYING PETITIONER'S PETITION FOR WRIT OF HABEAS

THIS COURT IS CONDONING AND ALLOWING THE STATE OF

COLORADO TO GIVE PETITIONER A LIFE/DEATH IN PRISON

SENTENCE WITHOUT ANY KIND OF DUE PROCESS OF LAW

AS GUARANTEED BY THE UNITED STATES CONSTITUTION.



PETITIONER is submitting AGAIN, JUST TWO PAGES OF THE "NOTICE OF COLORADO PAROLE BOARD ACTION". LOOK AT THE ONE DATED MAY 3, 2004. (MARKED AS EXHIBIT 4) AT THE TOP OF THE PAGE, PAROLE ELIGIBILITY DATE IS LISTED AS 7/23/2001. ACCORDING TO COLORADO LAW 7/23/2001 IS ONE HALF OF PETITIONER'S 25 YEARS SENTENCE. (12 1/2 YEARS)

THEREFORE, THE MAY 3, 2004 HEARING, PETITIONER HAD SERVED 15 1/2 YEARS OF HIS SENTENCE. THE ONE DATED MAY 8, 2008, SHOWS PETITIONER HAVING SERVED 19 1/2 YEARS.

THE COLORADO SUPREME COURT, IN *CHARLIE V. BRITAIN*, 833 P.2D 749 DECLARED "NOTICE OF COLORADO PAROLE BOARD ACTION" AS DOCUMENTARY EVIDENCE OF A PAROLE HEARING ~~BEING~~ HELD. SO PETITIONER HAD THESE TWO PAROLE HEARINGS PLUS 10 OTHER HEARINGS. BOTH DOCUMENTS ESTABLISH PETITIONER'S STAGNANT DISCHARGE DATE AS JANUARY 23, 2014.

PETITIONER HAS PRESENTED THESE "NOTICE OF PAROLE BOARD ACTION" SHEETS TO COLORADO NEWER DISTRICT COURT, CASE

NO. 2018CV30099, COLORADO COURT OF APPEALS, CASE NO. 2018CA402,

THE COLORADO SUPREME COURT, CASE NO. 2019SA167, THEN

PRESENTED THEM AS NEW EVIDENCE TO THE U.S. DISTRICT

COURT OF COLORADO, CASE NO. 1:19-cv-01863-LTB-9PG, AND TO THE

U.S. COURT OF APPEALS FOR THE 10TH CIRCUIT, CASE NO. 20-1026.

NOT ONE OF THESE COURTS WOULD ADDRESS THE FACT THAT THE PAROLE HEARINGS WERE HELD AND THAT PETITIONER'S SENTENCE WAS EXTENDED WITHOUT ANY DUE PROCESS OF LAW IN VIOLATION OF THE U.S. CONSTITUTION. THESE COURTS DID NOT REQUIRE THE STATE OF COLORADO TO PROVIDE ANY ANSWER ON THESE PAROLE HEARINGS, AND BY DOING SO THE COURTS DIDN'T HAVE TO ADDRESS ANY OF PETITIONER'S CLAIMS ABOUT THEM. PETITIONER KNOWS THAT THIS COURT, IF IT CHOSE TO DO SO CAN SEE WHAT PETITIONER FILED IN THE COURT CASES HE LISTED AND COULD ALSO VIEW THE STATE OF COLORADO RESPONSE TO WHAT WAS FILED. NONE OF THE RESPONSES ADDRESSED THE PAROLE HEARINGS. IN THE U.S. DISTRICT COURT CASE NO. 1:19-CV-01923-LTB-9PG, THE STATE OF COLORADO REFERRED TO A PRIOR U.S. DISTRICT COURT CASE NO. 15-CV-00915-LTB, WHERE THE SAME DISTRICT JUDGE ALLOWED PETITIONER TO BE SUBJECTED TO A BREACH OF CONTRACT/PLEA AGREEMENT BY THE STATE OF COLORADO.

IF THIS COURT DOES NOT GRANT THIS PETITION AND THE FIRST PETITION, THEN DEPARTMENT OF CORRECTIONS IN ALL THE STATES WILL CONSIDERED ENABLED TO TAKE A PRISONER WITH SAY 10 YEARS SENTENCE, AND AFTER 9 YEARS ARE SERVED, NULLIFY THAT TIME, AND GIVE SAID PRISONER 10 MORE YEARS

WITHOUT ANY LEGAL PROCEEDINGS. ANY FILINGS AGAINST
SUCH ACTION, JUST POINT PETITIONER'S CASE WHERE ALL
THE COURTS ALLOWED SUCH ACTION, AND THE U.S. SUPREME
COURT REFUSED TO RECTIFY PETITIONER'S FLIGHT.

SUBMITTED BY

E Seadon

ERNEST SEADON #44398

COLORADO CORRECTIONAL PAC.

49030 COLORADO HWY. 715.

LIMON, COLO. 80826

DECEMBER 2, 2020

No. 20-5732

IN THE

SUPREME COURT OF THE UNITED
STATES

ERNEST SEADIN ————— PETITIONER
VS.

DEAN WILLIAMS, DIRECTOR OF THE COLORADO
DEPARTMENT OF CORRECTIONS ————— RESPONDENT

CERTIFICATE OF CERTIFICATION

I, ERNEST SEADIN, hereby certify that this petition
for rehearing is presented in good faith and not for
any delay.

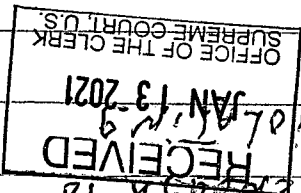
PETITIONER ALSO STATES THAT HE THOUGHT THAT THE

U.S. SUPREME COURT FORM HE USED FOR THE PETITION

FOR A WRIT OF HABEAS CORPUS WAS ADEQUATE ENOUGH TO

SHOW THAT THE STATE OF COLORADO IS VIOLATING

THE EIGHTH AMENDMENT.



PETITIONER ALSO THOUGHT THE SAME FORM ADEQUATELY SHOWED THAT THE STATE COURTS OF COLORADO AND THE U.S. DISTRICT COURT AND 10TH CIRCUIT COURT OF APPEALS DIDN'T FOLLOW THOSE COURT'S OWN RULES AND CASE LAW ALLOWING COLORADO TO CONTINUE VIOLATING THE EIGHTH

AMENDMENT.

PETITIONER HAS FIGURED OUT THE REASON FOR COURT RULES. THEY ARE JUST IN PLACE TO "STICK IT" TO THOSE WHO CAN'T AFFORD THE EXORBITANT PRICES OF THE LEGAL PROFESSION. ESPECIALLY IN THE STATE OF COLORADO WHERE THE DEPARTMENT OF CORRECTIONS CONTROL THE LEGAL PROFESSION AND THE COURTS WITHIN THE STATE. DEFENDING COURT ORDERS NOT LIKED.

PETITIONER HAS SENT LEGAL DOCUMENTATION, AS COLORADO CASE LAW DEQUIRES THEM TO BE SO, (I.E. "NOTICE OF COLORADO PAROLE BOARD ACTION"), TO 5 COURTS AND NOT ONE ADDRESSED THE ISSUE OF THEM. THE FIRST COURT WAS A \$35,000.00 RIF OFF BY A COLORADO ATTORNEY AND DRAINED BY A COURT CLERK WHO AFFIXED A JUDGE'S NAME. THE OTHER 4 WERE PRO SE, PETITIONER'S FAMILY COULDN'T AFFORD ANY MORE. THAT'S WHEN COURT RULES AND CASE LAW DISAPPEARED.

PETITIONER IS BEING SUBJECTED TO RAUEL AND
UNUSUAL PUNISHMENT IN VIOLATION OF THE EIGHTH
AMENDMENT. ALSO DENIED EQUAL PROTECTION OF THE
LAW BY HAVING HIS SENTENCE ~~BE~~ EXTENDED WITHOUT
ANY LEGAL PROCEEDING, HAVING TIME SERVED TAKEN AWAY
WITHOUT ANY LEGAL PROCEEDING. IF THIS COURT CONTINUES
TO ALLOW WHAT THE STATE OF COLORADO IS DOING TO
PETITIONER AND WHAT THE COLORADO COURTS HAVE ALLOWED,
ALONG WITH THE DENIAL SEND THE LETHAL INJECTION SO
THE STATE CAN EXECUTE ME WITHOUT ANY LEGAL
PROCEEDING.

THIS FACILITY IS STILL IN COVID-19 LOCKDOWN, THUS
DEPRIVING ACCESS TO LAW LIBRARY. PETITIONER REQUESTS
THAT THE CLERK SHOW THIS TO THE JUSTICES, ESPECIALLY
THE NEWLY APPOINTED ONES WHO CLAIMED THEY WOULD
UPHOLD THE U.S. CONSTITUTION.

PETITIONER'S FAMILY MEMBERS MAY NOT BE ABLE TO
AFFORD THE PRICE OF THE LEGAL PROFESSION, BUT THEY
WILL BE ABLE TO GET 50 MAYBE 100 COPIES OF THIS
AND SEND IT AROUND THE COUNTRY SHOWING THAT THE
EIGHTH AND FOURTEENTH AMENDMENTS ARE DEAD AND
GAVE WITH THIS COURT. AND THAT THE COLORADO

Courts, Federal and State only deal justly to
illegal aliens, child molesters and teenage killers.

Any one who sees the 'Notice of Colorado Parole Board
Action' sheets, especially in lieu of the Colorado

Supreme Court clearing them to be legal documentation
of parole hearings, wonder what legal proceeding was
used to take the hearings and time served away. They
Also wonder how petitioner can be subjected to a
Plea Agreement that wasn't kept and given no legal
recourse.

E. Keith
Ernest Seadin

No 20-5732

IN THE

SUPREME COURT OF THE UNITED STATES

ERNEST SEADIN ————— PETITIONER

VS.

DEAN WILLIAMS ————— RESPONDENT

PROOF OF SERVICE

I, ERNEST SEADIN, DECLARE THAT ON THIS DATE
DECEMBER 27, 2020, AS REQUIRED BY SUPREME COURT
RULE 29, A COPY OF CERTIFICATE OF CERTIFICATION,
AND ANOTHER COPY OF PETITION FOR REHEARING WAS
MAILED TO:

NICOLE BELLAIR

FIRST ASSISTANT ATTORNEY GENERAL

ATTORNEY FOR THE CODE

1300 BROADWAY, 10TH FLOOR

DENVER, COLO. 80203

E Seadin
ERNEST SEADIN

NOTICE OF COLORADO PAROLE BOARD ACTION

☐ ☐ Table ☐ Full Board Review

Name: SEADIN, ERNEST T DOC#: 44388
 Location: FUG-INMATE Statutory Discharge Date 01/23/2014
 Offense(s): ROBBAGG * BURG2ND (Pursuant to C.R.S. 18-1-105)

PAST - 07/23/2001
 Parole Eligibility Date

Sentence(s): *25Y-25Y* 4Y-4Y*

MRD

PED/5
 Sentencing Type

☒ DEFER TO: 5/05
 (DATE)

☐ RELEASE
 Parole/Reparole to: _____
 Period of: _____
 Effective Release Date: _____

- ☐ AGGRAVATING FACTORS/INADEQUATE TIME SERVED
(Circumstances of Offense; Needs More Time)
- ☐ PUBLIC RISK
(Substantial Parole Risk; Prior Criminal Record)
- ☐ DISCIPLINARY INFRACTION
(Conduct in Correctional Facility)
- ☐ RISK CONTROL PROBLEMS
 - ☐ Needs Continued Correctional Treatment
 - ☐ Psychological Reports Indicate Problems
 - ☐ Incomplete/Unacceptable Parole Plan
- ☐ WAIVED

Reasons:

 - ☐ To Discharge
 - ☐ To Complete Program(s)
 - ☐ Awaiting Admittance Into Program
 - ☐ Parole Plan Difficulties

In addition to C.R.S. 17-2-201(5) (f) (i) the following Special Conditions are added:

- ☐ Mental Health
- ☐ Drug/Alcohol Program
- ☐ Monitored Antabuse/Alternative if medically able
- ☐ No Alcohol Intake or Possession
- ☐ ISP _____ days
- ☐ Obtain AA/NA Sponsor
- ☐ No Liquor Establishments
- ☐ No Driving w/o P.O approval
- ☐ No Contact With
- ☐ No Return to USA, if deported
- ☐ Vocational Rehabilitation
- ☐ Day Reporting Center
- ☐ Curfew
- ☐ No Checking Accounts or other Credit Devices
- ☐ Other _____

☐ OUT TO COURT / IN JAIL

☐ TRANSFERRED

☒ OTHER on escape

State Parole Board Signatures: The undersigned hereby certify that all, but not limited to, parole guidelines set forth in C.R.S. 17-22.5-404(2), (3) and (4), were taken into consideration as per statute.

- 1) [Signature]
- 2) [Signature]
- 3) _____
- 4) _____
- 5) _____
- 6) _____
- 7) _____

* The 2nd and/or additional signatures, if not actually present at the hearing, are signed indicating they "reviewed" the action, pursuant to Board Procedures Manual.

Restitution Per Court Order:

County	Mittimus	Amount
DENVER	8SCR1577	\$2,750.00

Total: \$2,750.00

Payment
☐ To be scheduled by the Parole Officer.

☐ Release Pursuant to CRS 17-22.5-404

- ☐ Acceptable Parole Plan
- ☐ Other: _____

Distribution: ☐ Parole Board ☐ Time Comp ☐ Inmate
☐ DOC Records ☐ Working File

EXHIBIT 4

NOTICE OF 30 DAY PAROLE BOARD ACTION

Full Board Amend
Review

05- 8 -2008

Date Tape No

SEADIN, ERNEST T

44388
DOC #

FUG-INMATE
Location

PED/5
Sentence Type

Offense

Cls Gov County

Case #

Min Sent

MAX Sent

Typ SVP

2: ROBBAGG HABITUAL

3 B DENVER

88CR1290

25 - 0 - 0

25 - 0 - 0

IN

1: BURG2ND

4 DENVER

85CR1577

4 - 0 - 0

4 - 0 - 0

IN

PAST - 07-23-2001
PED

MRD

01-23-2014
SDD

Pursuant to authorization of the Colorado Parole Board, adjustments will be made on qualifying MRD/MRP/PED releases if the release date falls on a weekend day (Fri-Sun) or on a State recognized Holiday.



DEFER TO:

5/2009
(DATE)



AGGRAVATING FACTORS/INADEQUATE TIME SERVED
(Circumstances of Offense)



PUBLIC RISK (Substantial Parole Risk; Prior Criminal Record)

SVP (SEXUALLY VIOLENT PREDATOR) FINDINGS:

JUDICIAL: NONE

PAROLE BOARD: NONE

SVP ASSESSMENT:



DISCIPLINARY INFRACTION (Conduct in Correctional Facility)



RISK CONTROL PROBLEMS



Needs Continued Correctional Treatment



Psychological Reports Indicate Problems



Incomplete/Unacceptable Parole Plan



WAIVED



To Discharge



To Complete Program(s)



Awaiting Admittance Into Program



Parole Plan Difficulties



OUT TO COURT / IN JAIL



TRANSFERRED



OTHER

Escape STATUS

State Parole Board Signatures: The undersigned hereby certify that all, but not limited to, parole guidelines set forth in C.R.S. 17-22.5-404(2), (3) and (4), were taken into consideration as per statute.

1)

2)

3)

4)

5)

6)

7)

* The 2nd and/or additional signatures, if not actually present at the hearing, are signed indicating they "reviewed" the action, pursuant to C.R.S. 17-2-201(9)(a)(I).
38210 (R04/08)



RELEASE

*** DETAINER ***

Parole/Reparole to:

Period of:

Effective Release Date:



TABLED



For Approved Plan



Must Remain Report Free and Program Compliant



Marginal

In addition to C.R.S. 17-2-201(5)(f)(I) the following Special Conditions are added:



Mental Health



Drug/Alcohol Program



Monitored Antabuse/Alternative if medically able



No Alcohol Intake or Possession



ISP 180 days @ CPO discretion



Obtain AA/NA Sponsor



No Liquor Establishments



No Driving w/o P.O approval



No Contact With



No Return to USA, if deported



Vocational Rehabilitation



Day Reporting Center



Curfew



No Checking Accounts or other Credit Devices



Other

Restitution Per Court Order:

County
DENVER

Mittimus
85CR1577

Amount
\$2,750.00

Payment

Total:

\$2,750.00

☐ To be scheduled by the Parole Officer.

☐ Release Pursuant to CRS 17-22.5-404



Acceptable Parole Plan



Other:

Distribution: ☒ Parole Board ☒ Time Comp ☒ Inmate
☒ DOC Records ☒ Working File

Revised 04/2008

EXHIBIT
1