

In the Supreme court of the United States

20-6178

Supreme Court Rule 44 Rehearing
Petition For Rehearing En Banc:
Including Appointment of an Guardian
Ad Litem And an Attorney. Petition
ers In Competency. F.R. Civ. P Rule 17(c)(2)
and 18 USC 3006A.

That in the Petitioners opinion the
Court over looked an Important issue
as a matter of the United States
Constitution:

- Right to a Full and Fair Trial Denied.
- Fraud upon the Court, defense
Counsel Pretending - FAKING
to be Representing Defendant
best interest. That he corruptly
Sold out to the Criminal
Prosecution. Illegally Shleddins Batch, Shek-
ita, Savage, Criminal civil Rights violations.
- Trial Judge manipulating the Court
Improperly reasoning 5:14-CR-240
Judge Fox (EDND) US v Davis: To him
Self Judge Britt. By Fraud upon the
Court, and Illegally having Ex Parte Com-
munications, Extra Judicial Source Commun-
ication. ILLEGALLY Hand Picking ALL
Manning to shledd Their mutual
Friends Criminal and Civil Habilitates
Pg 1 OF 17 18 USC 241, 242, 245, 249, OF Govt witnesses
Batch, Shekita, and Savage

In the Supreme Court of the United States of America

Petition for Rehearing En Banc Rule 44

Rehearing
motion for ~~hearing~~ of the Court, for the Supplement

Writ of Certiorari ISSUES: Manning illegally forced me to testify, and told me what to say against my will. Refusing to impeach Gov't witnesses refusing to enter into evidence my pro se filings exhibits, documents, innocence.

1 McCoy v. Louisiana 138 S.Ct. 1500; 2018 U.S. LEXIS

2802; USCA4 Appeal: 18-4201 Doc: 88-1 Filed 02/08/2019

(Wednesday, December 13, 2017) (IN CHAMBERS

CONFERENCE ON THE RECORD) Defense Counsel

U.S. v Throckmorton 98 US 61, 66 (1878) Fact Trial

Judge Prearrangement, with Manning Shielding

their friends of the State of NC; Wake County NC.

10th Judicial and Prosecutorial Criminal and Civil

Liabilities From Commencing during US v Davis 5:14-

CR-240-BR1 (ED NC) Premeditated, Cold, Hard and

Calculated by ECF 117 Reassignment of 5:14-240-

Jame C Fox (ED NC) To W. Earl Britt See Crandall

v. U.S. 703 F.2d 74, 77-79 (4th Cir 1983) Rankin v. Howard

633 F.2d 849 (CA 9-1980) Britt and Manning

illegally Substituted by State NC; Wake County

Court House, NC Judiciary, Wake County NC Family

Court, Wake County District Attorneys Offices, Town

of Cary NC, and the Cary NC Police Dept, WCHS-

CPS. See Great Coastal Express v Intl Bhd of Team-

sters 675 F.2d 1349, 1355-56 (4th Cir 1982)

2. Illegally denying my Farretta v California 422 US 832 (1975) Right

illegally Gate Keeping Criminal misconduct Batch, Savage, and Shekita, Implicating Britt and Manning Best friends

Fraud on Court US v DAVIS 5:14-CR-240-BRI (ED NC)

Fraud: The Government illegally colored its case in chief in a false and misleading light.

Fraudulent misrepresentations that the E-mails had to do with DAVIS Parental Rights Terminated denial of Visitation, JAWORSKI and her court Appointed Counsel Sydney J Batch winning Visitation and reversal of Termination of Jaworski Parental Rights on appeal. DAVIS Prosecuted By Savage, and Shekita Conviction For Common Law Forgery and obtaining Property by false Pretense. In Re J.D 2010 NC App Lexis 2567, State v DAVIS 2011 NC App Lexis 77.

Illegally Fraudulently Concealing and illegally Suppressing of Exculpatory E-mails of Actual and Factual Innocence, Sent within micro-seconds Before, after, and in between Governments Three E-mail Exhibits illegally Plucked out of Context - Intent - Perspective From Some 100 E-mails Not Felling under 19 USC 2261A(2)(B), & 875(c) when taken together with Government Three E-mail Exhibits Distortions of The Truth, Facts, Intent, Purpose, reality, of NON True Threats, but 4th Amendment Protection.

The Government illegally - unconstitutionally Limited DAVIS 4th Amendment Protections by illegally Suppressing Exculpatory E-mails Some 197 and E-mails Between Batch, Shekita, Savage and others Conspiring to illegally manufacture and Fraudulently Fabricate 19 USC 2261A(2)(B), 875(c). Illegally via Raleigh Police Dep't & USDC ED VA 4:13-CV-7-RBS. Pg 9 of 18

THE USA Illegally Suppress the Criminal misconduct of Sydney J. Batch, Melanie A Shekita, Michelle W Savage 18 USC 241, 242, 245, 18 USC 1201 of J.F.U on 10-2-07, on going Criminal Civil Rights Violations illegal cover ups and Fraudulent Concealments via Fraudulent misrepresentations, and Fraudulent 18 USC 2261(a)(2) & 2251(c) omission of First Amendment Protections Actual-Factual Innocence 31 USC 3729-3731 18 USC 371 Criminal misconduct of Batch, Shekita, Savage, Governments Fraudulent Concealments of the illegalities and Wronsfull Convictions State v DAVIS 07CRS 86181 07CRS 71692 Prosecutorial and Police Misconduct of Shekita, Savage 42 USC 14141, 42 USC 3789(d) 18 USC 241, 242, Including Fraudulently Fabricating of Illegally manufacture Domestic Violence by Town of Cary NC, Cary Police NC, Wake County District Attorney official Repressive official Retaliation 2004-2007 For DAVISES

Filing of Criminal Civil Rights complaints with US DOJ, US FBI, Town of Cary NC, Cary Police NC, Wake County DA retaliated. By Fraudulently Fabricating Domestic Violence malicious Prosecution, Lack of Probable Cause, Lack of Jurisdiction, Illegally Cover-up and Suppress by USA, US v DAVIS 5:14-CR-240-Brl (EV NC) and USCA11-19-4201 Appeal.

USA paraded it Self in False Colors before the Grand Jury and Trial Court Jury, Fraudulent Concealments of Batch Not A Legal Party to NC Family Court 07SA703, 07ST705 in ab initio Violations of NCBS 7-100 A.S.F.A 42 USC 671(a)(15)(D)(III) NK State Jaworski, 1998-2004 Child Abuse of J, S, M, J, K, S and 2004 Child Abuse of J.F.U Resulting in 3-10-08 VA Family Abuse Protective order Two year 11/1/10 Contact J.F.U, and DAVIS Family Illegally Violated By Batch, Fraudulent Concealment of J.F.U Denials NCBS 70-307, 70-101 (18), 70-200, 70-114, III, Shekita, Savage illegal Invasion of DAVIS Family Privacy - Confidential in violation of NCBS 70-3100 codifying of 20 USC 1232a Standing Court order Illegally Violated By Savage, Shekita, WCHS-CPS, J.F.U. School WCPSS US Pert State, US Embassy Belgium, CPD, US FBI, R.P.D, US ICE US Social Security Administration, US Passport Agency 5, USC 552a (1)(3)(4) Criminal Invasions of DAVIS Family Privacy and Confidentiality 4th Amend mental violations Illegally obtained 404(c) T.R. Excl US v DAVIS 5:11-CR-240-Brl (EV NC). Criminal misconduct of Shekita, Savage, Batch. Sec ECF 198; 666-675 el Al Pro-Se State Courts document Filed by DAVIS.

The Government Illegally Presented Savage, Batch, Shekita As Pristine, Clean hands, Fraudulent 18 USC 2261(a)(2)(B) & 2251(c) misrepresentations Illegally Self Concealing or Their Criminal misconduct and Civil Liabilities Actual and Factual Innocence of William Scott DAVIS Jr.

Fraudulent Concealments of Trial, Appellate Counsel's Conflicts of Interest Fraudulent omission of Trial Judge and Appellate Judges, Self Concealing of Frouds on Court By WCHS-CPS, WC-GA, WCPSS, NC Family Court, State NC, Town of Cary, C.P.D, R.P.D, WC-DA, WC-Barit

The USA illegally-UNCONSTITUTIONALLY-SUPPRESSES-EVIDENCE of Actual Innocence and Factual Innocence. As to The true Context, Perspective-Intent of its E-mail Exhibits That Fraudulently misrepresented the Government's Case in Chief 18 USC 2261A(2)(B) & 875(c) in a False and Misleading Light. By illegally Suppressing or Exculpatory E-mails within microseconds of one another immediately before, after, and inbetween the Three E-mail Exhibits of the Government. Illegally plucked out of context, Intent, Perspective, of over 100 E-mails Protected by the 1st Amendment Actual and Factual Innocence From 18 USC 2261A(2)(B), & 875(c) Fraudulent Concealment of Criminal and civil liability of Sydney J Batch, Michelle W Savage, Melanie A Shelkita, illegally Suppress Exculpatory Evidences.

USA Perpetrated a Fraud upon the District Court and the Court of Appeals, US v DAVIS 5:14-cr-240-BR (E.D. Va) USA 4- No 18-4201. Fraudulent misrepresentations, Subordination or Perjury, Fraudulent omission Testimony or All of Government's witnesses, Knowingly False Testimonies by USA.

Sydney J Batch, Melanie A Shelkita, Michelle W Savage Fraudulent Concealments of E-mails having nothing to do with Rape, Sexual Assault upon them by William Scott Davis Jr Cyberstalking, Communications or threats that they illegally manufactured and fraudulently fabricated via NCOS 14A Cyberstalking, NCOS 14A Communication of Threats Initial Investigation of the Raleigh Police Department, Conspiring with Wake County District Attorney's office, Town of Cary NC, Cary Police Department, WCHS-CPD, Wake County Family Court, Wake County Guardian Ad Litem Program, officers of the Wake County Family Court, Familial of Sydney J Batch, Court Appointed Counsel Robin Strickland, J.P. Williams Batch husband, Family Court Judge Margaret Eagle, and Counsel For civil Action U.S.D.C. E.D. VA DAVIS v. Singer et al 11-4:13-cv-7-RBS, DAVIS v. US Dep't State et al 11-4:13-cv-58, Defendants Rule 11 Motions For Sanctions Oct 1 2014 E-mail Exhibits of Cyberstalking NCOS 14A, Communication of threats NCOS 14A Filed in the US DC E.D. VA under F.R.Cr. P Rule 11 Motions of Batch, Shelkita, Savage. Rule 106 F.R. Evid Violation

Fraudulent Concealments of Exculpatory Rule 106 F.R. Evid Evidences, Incriminating, Impeachment and Subordination of Perjury Clear Convincing Evidence of Actual, Factual Innocence US v. DAVIS 5:14-cr-240-Fox (E.D. Va) EFF 33, 97, 106, 111-114 illegal Violations By Batch, Shelkita, Savage 18 USC 371, 18 USC 1201 JED 10-2-07

Petition For ²⁰⁻⁶¹⁷⁸ Re hearing En Banc Supreme Court Rule 44
Petitioner: Permission of Court To Expose miscarriage of Justice.
Notice of fraud upon the Court. by the USA.
Fraudulent concealments, Fraudulent misrepresentations,
Fraudulent omissions of material facts illegally,
Suppressions of Actual and Factual Innocence
Exculpatory Evidence, over 21 different Notices

1. JFD Denying Domestic Violence, Denying Child Neglect.
2. Illegal and Unconstitutional Invasions of Family Privacy.
3. Prosecutorial, Police, WCHS-CPS, WCPSS, misconduct.
4. Illegal Searches and Seizures of State Evidence 07CRS71692.
5. WCFE fraudulently fabricating State v. Davis 06CRS72340-01; 07CRS1657.
6. WC-G.A.L. illegally framed J.F.D. False witness Domestic Violence.
7. State NC Defrauding US DHHS "ACF" US DOS "OSJDP" US. Soc. Security.
8. Shekita, Source Illegal Invasions Davis Family Privacy Confidentiality.
9. Criminal Child Abuse of J.F.D. Framed by Child Family Evaluation.
10. 18 USC 241, 242, 245, 249, and 18 USC 1201 JFD 10-20-07.
11. On going Criminal Civil Rights Violations US v Davis S-14-CR-240.
12. Batch Never a Legal Party, 42 USC 671(a)(15)(D)(i)(iv) and (iii) Joworski.
13. Illegal Concealments VA child Custody order J044450-01-00.
14. State NC Lack Jurisdiction, Lack Subject matter Jurisdiction.
15. State NC Lack personal NCGS 50A.3 209 Jurisdiction.
16. Batch illegally Hired by WC Govt Cnty Atty office Sep 2009.
17. Batch illegally proceeding as Termination parental Right Counsel Local Rule.
18. Davis illegally denied Termination Parental Right. mediation Fed. Law.
19. Mannings and Britt Colluding to shield Criminal misconduct Friends.
20. USA Concealing Exculpatory E-mails. 1st Amendment Protections.
21. USA False list 18 USC 2261A(2)(B) 875(c) misrepresentations.
~~10-20-07~~ PG - 6 of 12

20-6178

Petition for Rehearing En Banc Rule 44

Notice of Fraud upon the Court By the USA.
Fraudulent 18 USC 2261A(2)(B) § 875(c) misrepresentation
Cyberstalking and Communication or Threats. By
Fraudulent Concealments of Melanica Shekita,
Sydney J. Batch, Michelle W. Savage Perjury,
18 USC 1621, Subordination by USA 18 USC 1622, Fraud
upon the Grand Jury 18 USC 1622, Fraudulent
omissions of material facts.

1. That the E-mail Exhibits of the Government Consisting
of Counts 1-6, had Nothing to do with Rape, Sexual
Assault of Batch, Shekita, or Savage.

2. That the E-mails Exhibits of the Government Consisting
of Counts 1-6, were Illegally Plucked out of Context
of over 100 E-mails of July, August, September, October 2014.
Stemming Solely from US DC ED VA Davis v Singer 4:13-cv-7-RBS
and Davis v US Dept State 4:13-cv-58-RBS. Dismissals obtained
by Fraud upon the Court, Fraudulent Concealments.

3. Shekita, Batch, Savage, illegally kind Waits-cps illegally
Substitute UNC School of medicine department of Psychiatry
out Patient program on childhood trauma and maltreatment, LCSW
Nancy Berson, illegally manipulating and controlling Wake County
Family Court 07JA705, 07JT705, via Child Family Forensic Evaluation Fraud.

Page 18

4. July, August 2014 Discovery Exhibit A & B, Illegally Violated By Shekita
Batch, Savage, State VC, Waits-cps, WCF 07JA705, 07JT705 Fraud on NCRA 10-922.

Petition For Rehearing En banc Rule 44

Notice of Individuals (Class) based racial and Gender
Animus, Selective and Vindictive 18 USC 2261A (2)(B)
§ 975 (2) State v DAVIS 07crs 71692, WCF 07JA705 / 07JT705

Exhibit A: Raleigh Police Detpartment Detective R.D. Pike Fabricating Evidence

- I. White Caucasian Females Conspiring on account of
DAVIS race, Color, Gender, White Female Racists, Sexis
ts.
a. NC-COA NO 10-422, and 10-283, State and Fed Government
a. F.B.I S/A Gayle Warner, 5:14-CR-240-BR1 (ED NC)
b. Raleigh Police NC Detective Denia Hubble
c. AUSA Barbara D. Kasher, (ED NC) 5:14-CR-240-BR1 (ED NC)
d. AUSA Jennifer-May Pucker, (ED NC) USCA4-10-18-4201
e. US DOJ Sonya Palston (Wash. D.C.) 18-4201 USCA4
f. ADA Melonie A. Shelkito (Wake County N.C.)
g. Detective Michelle W. Savare (Town Cary N.C.) Police
h. Hon Margaret Esales Wake County Family Court
i. Wendy Kirwan Wake County Guardian Ad Litem Supervisor
j. G.A.L. Charlotte Mitchel
k. Hon Monica Bousman Wake County Family Court
l. N. Lorrice Freeman Wake County District Attorney
m. F.B.I S/A Teresa Whetherby State v DAVIS 07crs 71692
n. Patricia Batemore Cary NC Police Chief.
o. Atty. Robin Strickland Family Court Appointed Counsel

II. All Illegally Aided, and Abetted by All
White Caucasian males Racism, USCA4 10-18-4201

Page 8 of 12

III. Selective- US v DAVIS 5:14-CR-240-BR1 (ED NC) and USCA4-10-4201

Supreme Court 20-1678 Rule 44

Motion for Recruitment of Counsel for Perfecting re-

hearing En Banc Petition for writ of Certiorari Rule 44.

Intervening Circumstances, Petitioner Incompetent Rule 17(2)

i. The USA-4 pointed out ineffective assistance of Appellate Counsel failures to properly brief issues. Lack of jurisdiction, defect indictment § 875(c) F.R. Crim p 761, Failure to develop ineffective assistance of trial counsel, structural error denial of right self representation *Faretta v California* 422 U.S. 832, (1975) and all of the rest of Appellant Counsel ineffective assistance pointed out by USA-4 18-4201 opening, and oral arguments. Denial of due process 18 USC 4247(d) right to testify, Substantive and procedural Denials of 18 USC 4247 due process, Rendering 18 USC 4241(e) void legal Nullity

2. Trial and Appellate Counsel, Fraudulently Concealing Fraud on Court by Trial Judge ECF 686, Davis defrauded in to withdrawing ECF 659. Then illegally denied of *Faretta v California* 422 US 832 (1975) when it became evident during trial. That Britt and Mannings conspired to deny full-fair-hearings, Examinations of Government witness, Concealing and Suppressing their Perjury, Shielding Batch, Savase, Shekita Criminal misconduct, 18 USC 100, 18 USC 241, 242, 245, 249, 18 USC 371, 18 USC 2701(c)(2), 18 USC 1461, 18 USC 1341-1347

Certificate of Deposit Houston v Lack 487 US 266 (1988) on 12-20-20 for mailings to the Court, Postage Pre-Paid First Class mail, 28 USC 1746

12-20-2020

12-20-2020 William Scott Day Jr

Evidences 20-6179

~~Exhibit~~ Petition For Re Hearing En Banc Rule 44
notice of Fraud upon the Court by USA, Subordination
of perjury, 18 USC 1621, 18 USC 1622, 18 USC 1623 Evidence

See US v DAVIS S:14-CR-240-BRJ (ED NC) ECF 39, 97, 106, 111-114, 198, 306,

I • US FBI S/A Gregory Johnson testified that DAVIS E-mail
Accounts Microsoft, Google, Yahoo, and Internet Service
provider Verizon were Accessed by Subpoena. False
testimony, US FBI S/A Gayla Warner, Reports that
Raleigh Police Department Detective R. J. Pilsr obtained
Court orders to Access Microsoft, Google, Yahoo, Verizon,
Not Supported by probable Cause, No Search Warrant,
Fraudulently fabricating NCGS 14A 196.3, and 277.1 Evidence
Knowly False Affidavit Submitted to the Court, Including
having Accessed DAVIS E-mail Accounts and Service providers
with out Subpoena, or 18 USC 2703 (d) Court order,

II • Batch, Shakti, Savage 18 USC 1621, USA 18 USC 1622,
and AUSA's 18 USC 1623, US v DAVIS S:14-CR-240-Fox,
and BRH (ED NC). Exhibit A-B,

II • Fraudulent Concealment of 15 Individuals, minus 3, individ
uals, Some Batch, Shakti, Savage, • Suppression of Exculpatory
Witness Favorable to the defendant, Exhibit B ECF 197,

WCHS-CPS Received E-mails Directed to Duvie, Sellers,
Masri, Wallace, Karlton, Patterson, Thomson Some Content
of Batch, Shakti, and Savage, Directed At WCHS-CPS

pg-13 of 18

266 (1992)

Social Worker, • Certificate of Deposit Houston v Lack 48705
This the 20 day of December 2020 Postage Pre Paid First class mail 611111

Fraudulent concealments of J.F.D. illegally removed from Davis custody. Fraudulently fabricated and illegally manufactured civil child neglect after hours ex-parte writs-cps Petition 10-2-07. Fraudulent misrepresentation of Domestic Violence State v DAVIS 06CR 77340-01, 07CR 51657. Fraudulent omission of Sherkite and Savase illegally ordering of the removal of J.F.D. illegally manufacturing of fraudulently fabricated exigent circumstances. Fraudulent concealments of illegally snappings for whereabouts of JFD Biological mother. Illegally obtained forged US Counselors Report of JFD born in Belgium that indicated JFD Step-Mom Myriam Davis as JFD Bio-mom. Illegally obtained from JFD's School, DAVIS document, Papers, in violation of DAVIS 4th Amendment and a standing Court order that enforced NC GS 70-3100 Codification of 20 USC 1237g. Illegally Violated J.F.D. illegally removed from Davis custody on account of illegally obtained forged US Counselor Report of JFD Born in Belgium. Fraudulent concealments. Fraudulent omission ex-parte after hours Petition Writs-CPS 07JA705, of Oct 2nd 2007.

Self Concealing or Conspiracy of LCSW Nancy Bersen, Detective Savase, Collusion with AYA Sherkite to illegally manufacture fraudulently fabricated State v. DAVIS 06CR 77340-01, 07CR 51657 Child Family Forensic malicious Criminal Prosecution Evaluation NC GS 70-307, 70-101(15), 70-200, 70-1101-III. Fraudulently fabricated and illegally manufactured by the unknown fictitiously fraudulently fabricated Child Family Forensic Evaluation that defrauded the US Dept. US DHHS, US Per's CIDU, US Social Security Administration out of millions if not billions of Dollars 31 USC 3729-3721 False Claims by State NC, Writs-cps, WR 552, WR-6AL, NC DHHS, NCCOA, NC-AAC, NC-DOJ, NC Family Court Attorney Sydney J Batch, AYA Melanie A Sherkite, Detective Michelle W Savase 18 USC 371, § 1341-1347.

July 2014 DAVIS Discovered the illegal-Fraudulent concealments of two Executive orders of Former NC Governor Mike Easley having ordered All DHHS, Directors and C.P.S. only to use UNC School of Medicine Dept of Pediatrics For All NC Family Courts NC 6) 7B-100, 7B-101, 7B-101(15), 7B-200, 7B-1101-III. In 2007 and again in 2008 to only use the Licensed M.D. P.D., Psych for All Child and Parenting Psychological-Psychiatric Evaluations and All Child Family Forensic Evaluations. Fraud on Court US DC ED VA 4:13-CV-7-RBS, 4:13-CV-58-RBS By Batch, Sherkite, Savase, LCSW Nancy Bersen et al Defendants. Fraudulently Concealing or the illegality-unconstitutionality-VOID State v DAVIS 2011 NC App Lexis 77 illegal Fruit of VOID and illegally manufactured fraudulently fabricated In Re JD 2014 NC App Lexis 2867, ECF 56 (A-B) and ECF 32 (A-B) VOID State Court Judgement Exhibits of Defendants, Fraudulent concealments of DAVIS injuries caused by defendants individual misconduct See US v DAVIS 5:14-cr-240-BOX 16 and ECF 97 Exhibit A illegally Violated. Sole Cause of E-mails Batch, Sherkite, Savase Filing of Rule 11.5 R.Civ P Motion 10-1-14 in US DC ED VA 4:13-CV-7-RBS, 4:13-CV-58-RBS, of which the E-mails Perpetrations of Cyberstalking and Communication or threats Rule 11.5 R.Civ P Attachment of Batch, Sherkite, Savase origin solely from US DC ED VA. Fraudulently fabricated and illegally manufactured of Criminal Domestic Violence, "CFE" of Bersen. Fraudulent misrepresentation USA.

Fraudulent omission USEAII-opinion 18-4021 Fraudulent intentional misrepresentation Judge Mutz, NEIMEYER, Richardson Fraudulent concealments 18 USC 371. Pg 12 OF 13

Illegal Cover-ups By Britt, Mannias, Fraudulent 18 USC 2261A (2)(B), 875(C) mis representations of USA, v. DAVIS 514-CK-240-Dr-1 (CVNC) Concealments 18-4201

Judges M. Bousman, E. Chasse, M. Eagles, R. Rader, J. Fullwood, L. Christian, Son; v. Bazier, Paul C. Ridgeway, John C. MANTAIN; John W. Smith, State of NC Judiciary, Fraudulently, Concealings or illegally - Unconstitutionally Acting in All Absences of Jurisdiction, All Absences of Subject Matter Jurisdiction, and All Absences of Personal Jurisdiction, a Self Concealings or Extrinsic Frauds on Courts by Wake County District Attorney's Office, illegally conspiring with Wake County Municipal Governments County Attorney's offices

Fraudulent Concealments of Waits-cps, JFD's School WCPSS Self Concealings of ADA Shokita, Town of Cary NC, and Cary Police Department Illegally manufacturing or Fraudulently Fabricated Criminal domestic Violence illegally via illegally manufacturing or Fraudulently Fabricated NCs 70-302, 70-101, 70-200, 70-1101-1111, Malicious Abuse of Processes 45-CFR 1352, 1356, 1357, 42 USC 601-729 et seq. 42 USC 5101, illegally Self Concealings of JFD Denying Domestic Violence State v DAVIS 06CR72340-01 07CR51652, knowingly falsified Cary NC Police Reports by Waits-cps and JFD School WCPSS, knew the police reports were false and JFD Denies Domestic Violence NCs 70-302 illegal invasions of DAVIS Family Privacy and Confidentiality

Fraudulent Concealments of Facts State v DAVIS 07CR71692 of the Illegal Postponement Trial's State v DAVIS NCs) 06CR72340-01 07CR51652 malicious Domestic Violence Prosecutions, False Pretext of Waits-cps, WCPSS False Pretenses of JFD Needing of a Child and Family Forensic Evaluation, Fraudulent Concealments of Illegal Searches and Seizure of State v DAVIS 2011 NC App 1exis 77 Evidence, In Violation of DAVIS 4th Amendment and a Standing Court order Enforcement of NCs 70-3100 codifying of 20 USC 1332g F.F.P.P.A. illegally violated By ADA Shokita, Detective Savage, Waits-cps P. Doyle, R. Richardson, L. Sellers and Kinswood Elementary School Cary NC, Principle S Schisser, Head Administrator E. Hurrell and LCSW L. Lewis, Fraudulent Concealments of JFD Denying State v DAVIS 06CR72340-01/07CR51652 in ab initio.

Shokita illegally obtained Forged US Counselor Report of JFD Born in Belgium, via her illegal under-cover Secret Agent Waits-cps P. Doyle illegally conspiring with Detective Savage to illegally frame JFD As a False Witness to State v DAVIS 06CR72340-01/07CR51652 to criminally prosecute and convict DAVIS via sham civil child neglect fraudulently illegally manufactured and unauthorized child and Family Forensic Evaluation, Frauds on Courts and School medicine Dept of Psychiatry out Patient Program on Child Head Trauma and mal-treatment, illegal under cover LCSW Nancy Berson Secret Agent of Wake County District Attorney, and Cary NC Police Chief's Fraudulent omissions, misrepresentations, Concealments of Waits-cps, WCPSS, A.L. Program.

Batch, Sherkle, Savage never blocked the E-mails Accounts, Fraudulent
concealments of monitorings of DAVIS E-mails, To see
if DAVIS would ever discovery how Sherkle, Savage,
Batch illegally conspired with others, To illegally
manufacture fraudulently fabricated void in ab
initio In Re: J.D 2010 NC App Lexis 2562, Fraudulent
concealments of Sherkle, and Savage illegally
manufacturing State NC v DAVIS 06cr372340-04/
07cr51657 fraudulently fabricating of NC 657B 302
7B 101(15), 7B-200, 7B-1101-III malicious Abuse-
use of Processes Batch, Sherkle, Savage
illegal invasion of DAVIS Family Privacy

Javier Alberto Sinha, US DOJ Washington D.C, Brian A.
Beez Kowski AUSA, Matthew S Miner Deputy AUSA,
Sonja M. Ralston Appellate Section, Criminal Division US DOJ
Washington D.C, Robert J Higdon Jr US Attorney, Jennifer
May-Darlier AUSA Appellate Chief, Office of US Attorney, USDC ED NC
Raleigh NC, US v DAVIS 5:14-CR-240-BR-1 (ED NC)

Randy Stoker AUSA, George M Kelly AUSA Fraud on Court
Office of US Attorney Norfolk Virginia, 5:16-CV-514-MSP; (EDVA)
5:16 CV-114-MSP, (EDVA), DAVIS v Singer et al
4:13-CV-7-RBS, (EDVA) DAVIS v US Dep't State et al
4:13-CV-58-RBS, (EDVA) Fraud on Court Batch, Sherkle, Savage

Extrinsic Frauds on Courts, See Exhibits US v DAVIS
5:14-CR-240-Fox (ED NC) ECF 33, 97, 106, 111-114
Legal Nullity In Re J.D 2010 NC App Lexis 2562
Wrongful Conviction State NC v DAVIS NC App Lexis 77

90. ~~0000~~
Evidences Petition For Rehearing En Banc Rule 401
notice of Fraud on Court was paraded it self in false
colors:

Fraud upon the Court by the U.S.A.

US v DAVIS 5:14-CR-240-BR-1 (ED NC) ECF 97 Exhibit A:

1. That Just After the dismissals of DAVIS v Singer et al 4:13-CV-2-RBS
(ED VA) and DAVIS v US Dept State et al 4:13-CV-58-RBS (ED VA)

a) DAVIS discovered Fraud upon the Court by the defendants
ECF NO 56-(A-B) and ECF 32-(A-B), F.R. Civ. P Rule 12(b)(6)

motions to dismiss, see US v DAVIS 5:14-CR-240-Fox (ED NC) ECF 97 Exhibit A:

b) DAVIS discovered two Executive orders of N.C. State:

Governor Mike Easley in 2007 and again in 2008 ordering

All DHH-CPS To only USE Exhibit A: Child Medical/child
/Family Evaluation Program, UNC Department of Pediatrics, All
Child Abuse, All Child Neglect, All Child Dependency 2007. Then

In 2008 orders All 100 County All DHH-CPS only to

USE NC DHHS Division of Social Services, Family Services

1422 CMFP/CFEP UNC School of Medicine, Dept Pediatrics

M.D., PHDs, PSYDs Only to Envoke the Jurisdiction, Subject
matter and Personal Jurisdiction of the N.C. Juvenile Court
Abuse / Neglect / Dependency / NC GS-7B, et Seq.

c) The DAVIS Discovered Exhibit A Fraud, illegal referral

Request, WEHS-CPS Fraud upon UNC School Medicine dept
Pediatrics, Fraudulent Concealment of Civil Child Neglect
Petition, goes to illegally obtain a referral to ADA Shakti and

Detective Savas illegal under cover agent L.E.S. W. Nancy
Berson. Setting up DAVIS to be criminally prosecuted

Via False Pretences, False Pretext Civil Child Neglect

Scheme Child Family Forensic Evaluation, Melanie

A Shakti, a monster mind, Conspiracy of All child and

Family Welfare State NC officials, and illegally Aided

and Abetted By Sydney J. Batch and her family or

Court Appointed Attorneys, and Judges.

USCA 4 Chief Judge Rodger Gregory Fraudulently Concealed that Prior to Administratively assigning of DAVIS Direct Appeal of US v DAVIS 5:14-CR-240-BF-1 (ED NC) To Appellate Judges NIEMEYER, MOZT, and Richardson a deal was made to Deny the Appeal. Also Prior to Chief Gregory Administratively Substituting of Appellate Counsel Patricia Palmer Nagel Esq a deal was made to Defeat DAVIS Superior Appealable Issues. Conspiring at the defeat of DAVIS 4, 4, 5, 6, 8, 9, 13, 14" Amendment Rights. Denied by Chief Gregory Non Judicial Functions, Non Judicial Private Secrete Agreements

US DC ED NC WD Chief Judge James C Dever Fraudulently Concealed that Prior to Conspiring to administratively reason US v. DAVIS 5:14-CR-240-Fox. Illegally - unconstitutionally to Judge W Earl Britt via ECF 117. A deal had been made to Criminally Prosecuted Convict DAVIS Guilty Pre-determines out come of Trial Fraudulent Concealment of Non Judicial Functions, Non-Judicial Private Secrete Agreement with the state NC; NC Judiciary; Wake County Government, Sydney J. Batch, Melonie A Shekita, Michelle W Savage, Thomas C menning and Every Civil Action Defendant Named By DAVIS, US DC ED NC and VA In Re J.D 2010 NC App Lexis 2562 Shm. Illegally - unconstitutionally. Invasions of DAVIS Family Privacy State v DAVIS 2011 NC App Lexis 77 Prosecutorial misconduct of ADA Shekita, Police Misconduct Savage, Social Worker Misconduct Weitseps, Attorney Misconduct Sydney J. Batch and her Familial of Corrupt Court Appoint Counsel. Fraudulent Concealments denial of DAVIS 4, 4, 5, 6, 8, 9, 13, 14" Amendment Rights.

Britt, MANNING Fraudulent Concealment, illegally unconstitutionally Shielding, covering-up of their Friends Criminal - Civil liabilities Unclean hands of Batch, Shekita, Savage. Fraudulent Concealment Raleigh Police Dep't Fraudulent omission USA R, P, D Fraudulently Fabricating Evidence NC 63 14A Cyberstalking - Communication of threats, Self Concealing of the Criminal misconduct of Shekita, Batch, Savage Civil liabilities. Fraudulent 18 USC 2261A (7)(B) & 875(c) misrepresentation. Fraudulent Concealments of 4th Amendment Protection, Self Concealing of Fraudulent omissions of Exculpatory e-mails immediately Before, After, Inbetween Governments e-mail Exhibits.

Britt Fraudulent Concealments of Conspiring with MANNING Prior to Britt Illegally - Unconstitutionally Administratively hand Pickings of Atty MANNING to deny DAVIS of 4, 4, 5, 6, 8, 9, 13, 14" Amendment US Can't Prior to Britt Illegally Substituting MANNING without knowledge - Permission of U.S Public Defender At Raleigh NC. In violation C.S.A 18 USC 3606A Fraudulent Concealments of Britt illegally Administratively manipulating the Court vs. DAVIS 5:14-CR-240 Fox (ED NC) USCA 4 No 19-4201 by Extrinsic Frauds on Court ECF 117, Britt "I GOT MY hands on this Case do to Judge Fox Retiring For Medical Reasons" Fraud Upon The Court that became Evident at Sentencing 3-22-18.

pg 15 of 13
Certificate of Deposit Houston v Lack 487 US 266 (1988)
Deposited into Prisons hands 10-20-2020 For mailing to the Court postage Pre Paid First class mail 28 USC 1746 Wills & Warr December 20, 2020

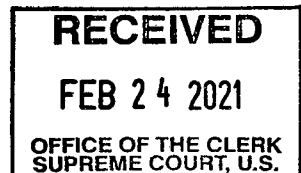
12-20-2020

William Scott Davis, Jr.
#84944-083
USP Thomson
PO Box 1002
Thomson, IL 61285

In RE. DAVIS v United States No-20-6178

Petition For the Rehearing of December
7th 2020 Denial entitled Petition For a writ
of Certiorari. Rule 44 and Certificate of Good
Faith: Certificate of Deposit 28 USC 1746
on 12-20-20, Houston v, Lack 487 US 266
(1988) Postage Pre Paid First Class mail for
mailing to the Supreme Court under penalty of
Perjury William Scott Davis Jr

Supreme Court of the U.S.
Office of the Clerk
1 First Street, N.E.
Washington, DC 20543



Dear Clerk

Please find Enclosed my Petition For Rehearing Rule
44, Sect. Limited to Intervening Circumstances of a Sub
stantial or Controlling Effect or to other Substantial grounds
not previously presented. Including Certificate of
Good Faith and not for delay, and Certificate of Deposit
Houston v Lack 486 US 266 (1988) Timely Filing Rule 44
Petition For Rehearing on December 20, 2020, under
28 USC 1746, Penalty of Perjury William Scott Davis Jr

Judge W Earl Britt conspired with the State of N.C.; ADA Melanie A Shekita, Wake County NC Government, Sydney J Batting Town of Cary NC Police department, Michelle W Savage, and Thomas C Manning defense counsel. Concealments, Savage, Shekita, Batting

7. Construction and interpretation

Penal provisions of predecessor to 18 USCS § 242 would be construed strictly, but not so strictly as to defeat legislative will. *Baldwin v Franks* (1887) 120 US 678, 30 L Ed 766, 7 S Ct 656

Qualification with respect to alienage, color and race, referred only to differences in punishment. *United States v Classic* (1941) 313 US 299, 61 S Ct 1031, 85 L Ed 1368, reh den (1941) 314 US 707, 62 S Ct 51, 86 L Ed 565

For purposes of 18 USCS § 242, "bodily injury" means (A) cut, abrasion, bruise, burn, or disfigurement; (B) physical pain; (C) illness; (D) impairment of function of bodily member, organ, or mental faculty; or (E) any other injury to body, no matter how temporary. *United States v Perkins* (2006, CA4 Va) 470 F.3d 150 (criticized in *United States v Gould* (2007, DC NM) 2007 US Dist LEXIS 33443)

Unpublished Opinion

While plaintiff adoptive father sued defendant federal immigration officials alleging violations of 18 USCS § 242 in connection with his son's immigration proceedings, § 242 was criminal statute that provided no basis for civil remedies. *Milakovich v USCIS-Orlando* (2012, CA11 Fla) 2012 US App LEXIS 25233

8. 18 USCS § 242 and 42 USCS § 1983 as counterparts

Civil counterpart of 18 USCS § 242 is 42 USCS § 1983. *Robinson v Bergstrom* (1978, CA7 Ill) 579 F.2d 401

Because 18 USCS § 242 is merely criminal analog of 42 USCS § 1983, and because Congress intended both statutes to apply similarly in similar situations, civil precedents are equally persuasive in criminal context. *United States v Mohr* (2003, CA4 Md) 318 F.3d 613, 60 Fed Rules Evid Serv 906

18 USCS § 242 is criminal counterpart of 42 USCS § 1983. *Wegwart v Eagle Movers, Inc.* (1977, ED Wis) 441 F Supp 872, 25 FR Serv 2d 311, 23 UCCRS 729

18 USCS § 242 which is criminal analog to 42 USCS § 1983 does not create private right of action. *Powell v Kopman* (1981, SD NY) 511 F Supp 700, 81-1 USTC ¶ 9383, 48 AFTR 2d 5167

Arrestee's 42 USCS § 1983 suit against county sheriff, alleging that she was raped by deputy at county jail, failed as matter of law because 18 USCS § 242 did not provide civil cause of action. *Boyd v Nichols* (2009, MD Ga) 616 F Supp 2d 1337

9. Conspiracy, generally

Where last overt act alleged in indictment and proved by government's evidence occurred within statute of limitations for conspiracy, fact that prosecution for substantive offense charged as overt act was barred by statute of limitations would not bar prosecution for conspiracy. *Culp v United States* (1942, CA8 Ark) 131 F.2d 93

Acquittal on substantive charges of willfully subjecting individual to deprivation of any rights, privileges or immunities (18 USCS § 242), does not preclude use of facts upon which charges were based as noncriminal overt acts in furtherance of conspiracy to commit substantive offenses. *United States v Garza* (1985, CA5 Tex) 754 F.2d 1202, 17 Fed Rules Evid Serv 1151

Defendants violated 18 USCS § 1512(b)(3) by obstructing justice despite fact that false information they gave was directed at state investigators because likelihood existed that information would be transferred to federal investigators to determine whether shooting violated 18 USCS §§ 241 and 242; from time that defendant entered conspiracy to mislead investigators, federal investigation into shooting

USCS

Denial of Full and Fair Trial

US v DAVIS 5:14-cr-240-BR-J (ED NC)
By Defence Counsel!!! Conspiring with opposition

prohibition against private violence motivated by victim's race, religion, etc., and because of victim's use of public facility, etc., falls comfortably within Congress's power under Thirteenth Amendment rationally to determine what are badges and incidents of slavery, and authority to translate that determination into effective legislation. *United States v Sandstrom* (2010, CA8 Mo) 594 F.3d 634

5. Force or threat of force

State prosecution, proceeding as it does in court of law, cannot be characterized as application of "force or threat of force" within meaning of 18 USCS § 245(b); § 245 furnishes federal protection against violence in certain circumstances, but whatever "rights" it may confer, none of them is denied by state criminal prosecution for conspiracy or boycott. *Johnson v Mississippi* (1975) 421 US 213, 44 L Ed 2d 121, 95 S Ct 1591

Forcing minorities out of public park through threats of force for no other reason than their race was violation of their civil rights, and violation of 18 USCS § 245(b)(2)(B), regardless of whether park was open or closed at time of crimes. *United States v Allen* (2003, CA9 Mont) 341 F.3d 870, 2003 CDOS 7747, 2003 Daily Journal DAR 9696, cert den (2004) 541 US 975, 124 S Ct 1876, 158 L Ed 2d 471 and cert den (2004) 541 US 975, 124 S Ct 1876, 158 L Ed 2d 471 and post-conviction relief den (2005, CA9 Mont) 155 Fed Appx 313

6. Protected activities

Although not contempt, employer's demotion of employee because of employee's federal jury service may violate federal law, since jury service is federally protected activity, under 18 USCS § 245(b)(1)(D). *In re Stewart* (1978, CA5 Miss) 571 F.2d 958

Forcing minorities out of public park through threats of force for no other reason than their race was violation of their civil rights, and violation of 18 USCS § 245(b)(2)(B), regardless of whether park was open or closed at time of crimes. *United States v Allen* (2003, CA9 Mont) 341 F.3d 870, 2003 CDOS 7747, 2003 Daily Journal DAR 9696, cert den (2004) 541 US 975, 124 S Ct 1876, 158 L Ed 2d 471 and cert den (2004) 541 US 975, 124 S Ct 1876, 158 L Ed 2d 471 and post-conviction relief den (2005, CA9 Mont) 155 Fed Appx 313

Tavern is facility which serves public within meaning of that term in 18 USCS § 245(b)(2)(F) even though it is not open to persons younger than state drinking age pursuant to Wisconsin law. *United States v Bronk* (1985, WD Wis) 604 F Supp 743

7. -Parades

Anti-Klan parade was "administered" by city, where city provided police protection for demonstrators, despite fact that they had no parade permit, since city did not have ordinance requiring parade permit, and Congress intended statute to be broadly interpreted. *United States v White* (1988, CA11 Ala) 846 F.2d 678, 26 Fed Rules Evid Serv 191, cert den (1988) 488 US 983, 102 L Ed 2d 566, 109 S Ct 535 and cert den (1988) 488 US 984, 102 L Ed 2d 568, 109 S Ct 537, 109 S Ct 538

Anti-Klan parade, although generally characterized as civil rights parade, is not kind of assembly clearly contemplated by "speech and assembly" provision of 18 USCS § 245; § 245 protects rights to racial justice generally by proscribing violent interference with "any activity" administered by any state or subdivision and participants in anti-Klan parade are protected under such proscription. *United States v Griffin* (1983, MD NC) 585 F Supp 1439

8. Private right of action and civil liability

18 USCS § 245 does not create civil cause of action. *Dodge v Nakai* (1968, DC Ariz) 298 F Supp 17

USCS