

Supreme Court, U.S.  
FILED

JAN 28 2021

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No. 20-6510

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IN THE  
SUPREME COURT OF THE UNITED STATES

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LAWRENCE W. FORD, PETITIONER

V.

ANITA L. BUDDE, RESPONDENT

---

ON PETITION FOR WRIT OF CERTIORARI TO THE COURT OF APPEALS OF  
NEVADA

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PETITION FOR REHEARING ON WRIT OF CERTIORARI

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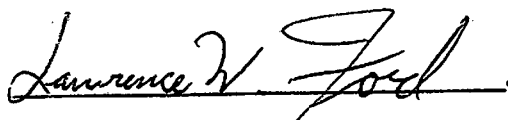
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**RULE 44 CERTIFICATE**

As required by Supreme Court Rule 44.2, I certify that the Petition for Rehearing is limited to "intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented," and that the Petition is presented in good faith and not for delay.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 28, 2021.



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**a) Facts Limited to Question one:**

Based solely upon Counsel Reed's (Reed) filing of the Report, Plaintiff Ford (Ford), on **September 25, 2018**, filed his Objections to the Report, Ford also filed his motion to relieve and sanction Reed on **September 26, 2018**. Then, based solely upon Reed's statements within and in support of the Report, as well as Counsel Clark's affidavit and attachments, Ford filed his motion for a new trial on **September 28, 2018**. All three of the above-mentioned motions were filed timely and with the Notice of Entry of order being issued December 20, 2018.

The Nevada Appellate Court, on April 27, 2020, created the following intervening circumstance of not only a substantial effect, but a controlling effect as well, by stating in its main conclusion:

In the matter of McDaniels v. Kirkland, 813 F.3d 781 (2015), ... quoting Pinholster, 131 S.Ct. at 1398. The Supreme Court thus held that "the record under review is **limited** to the **record** in existence at that same time."

1 It is well known that appellate courts are confined to the record compiled  
2 below and have no part in a record's composition.

3 The March 16, 2018 date was mistakenly inserted and then relied upon by  
4 the appellate court for the first time in its Order of Affirmance. This date was  
5 never mentioned in either the Report, in any of Ford's three motion caused by the  
6 Report, nor was it mentioned in the opening appellate brief.  
7

8 The intervention by the appellate court created circumstances of such a  
9 substantial and/or controlling effect, that it became a "but for" situation, in which  
10 the intervention of the incorrect date by the appellate court becomes the reason  
11 continuing harm resulted. There is absolutely no way Ford could have anticipated  
12 that the court would pick, insert, and then utilize a totally incorrect date, and as  
13 such it becomes an unforeseeable intervening cause.  
14


15  
16 Petitioner's motion for a new trial was based upon what was learned in the  
17 September 14, 2018 Report that was filed by Reed and petitioner so advised the  
18 appellate court that his motion was "NOT" related to a March 16, 2018 order,  
19 that the date of March 16, 2018, was in fact never discussed in his moving  
20 papers, reply papers of the motion, nor the appellant's opening brief. In fact,  
21 Petitioner's appellant's opening brief at the very beginning of the statement of fact,  
22 made it very clear that the dates began with the filing of the Report of  
23 Administration on September 14, 2018. This independent intervening cause  
24 comes as no fault of Ford and broke the "causal connection" between what was  
25 being appealed on and the damages by the aforementioned intervening cause.  
26  
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1 Plaintiff is a retired, disable military veteran who served his country  
2 faithfully, and having served his country to preserve the American way, is now  
3 utilizing his right to demand justice. To go to the Courts and rely upon them for not  
4 only justice on the merits and to have the courts view the exact and correct merits,  
5 but to do so no matter how small his case might be or how small the number of  
6 people it might affect. Though this court looks to resolve cases that effect the mass,  
7 justice is equally important to one man as it is to many.  
8  
9

### 10 CONCLUSION

11 The Court should grant the petition for rehearing on the writ of certiorari and  
12 grant the Writ of Certiorari.  
13

14 Respectfully submitted,

15   
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