

In the Supreme Court of the United States

BK

Christopher Scott Pfoff,
Petitioner,

ORIGINAL

v.

No. 20-696

Supreme Court, U.S.
FILED

MAR 15 2021

OFFICE OF THE CLERK

United States of America,
Respondent.

On Petition for a Writ of Certiorari to
US Court of Appeals for the Eighth Circuit

Petition for Rehearing

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MAR 23 2021

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SUPREME COURT, U.S.

I, Christopher Pfoff, hereby request the Court to reconsider my petition for a writ of Certiorari for the following reasons.

1) The government waived its right to oppose my petition, which is an acknowledgement that the case presents a novel and unresolved issue. See *Strunk v US*, 412 US 434 (1973). Also, by waiving their right to oppose, they also waive any objections to all misstatements of fact or law in the petition. See Supreme Court Rule 15. It would therefore be logical to believe they agree with all statements of fact and law presented in my petition.

2) The Courts violated my constitutional rights by sentencing

me without an indictment. The Courts cannot perform executive duties, nor treat them as performed when they have been neglected. See *US v McLean*, 95 US 750 (1878). No executive officer signed my indictment. To allow the Courts to enforce laws without the approval of the executive branch will completely destroy the balance of powers between the 3 branches of the government. Also, to allow rights that are guaranteed by the Constitution to be violated would render our Constitution meaningless, not just for myself, but for every US Citizen.

3) The Supreme Court has had an almost 100 year precedent of vacating coerced plea deals. See *Hercheval v. US*, 274 US 220 (1927); *Walker v. Johnston*, 312 US 275 (1941); *Waley v. Johnson*, 316 US 101 (1942); *Wells v. US*, 318 US 257 (1943); *Pennsylvania ex rel. Herman v. Claudy*, 350 US 116 (1956); *Machibroda v. US*, 368 US 487 (1962); *Mempa v. Rhay*, 389 US 128 (1967); *US v. Jackson*, 390 US 570 (1968); *Boykin v. Alabama*, 395 US 238 (1969); *Brady v. US*, 397 US 742 (1970); *McMann v. Richardson*, 397 US 759 (1970); *Parler v. North Carolina*, 397 US 790 (1970). The Supreme Court has even stated that "[i]t is elementary that a coerced plea is open to collateral attack". See *Fontaine v. US*, 411 US 213 (1973). Since all parties agree that I was threatened and the Courts refuse to remedy this act, there exists a real

and embarrassing conflict of opinion, requiring the Supreme Court to act. See *N.L.R.B. v. Pittsburgh S.S. Co.*, 340 US 498 (1951).

4) As stated in my original petition, and unopposed by the Government, the Court showed its prejudice against me by repeatedly denying me the right to respond to documents submitted against me. Since the Court refused to identify the deciding factors it used to make its determination and has shown prejudice against me, to allow its judgment to stand would completely invalidate the fairness and integrity that our judicial system was founded upon.

Conclusion

The Courts have repeatedly and deliberately denied me multiple rights that are protected by the Constitution. If these actions are not remedied, then the purpose and intentions of the Constitution will amount to nothing, and the Freedom we, as a people, hold dear will slip through our fingers and forever be lost. The reason why our Country is such a large beacon of hope and opportunity is because of the rights our constitution guarantees for all, not just a select few. You cannot allow these rights to be infringed, or you will be guaranteeing the death of

our great nation. All I ask is that you fulfill the duties and obligations that you swore to the American people that you would perform.

Dated: 3/15/21

Respectfully Submitted,
Christopher Pfoff
Christopher Pfoff, pro se

Certificate of Good Faith by Counsel

I, Christopher Pfoff, pro se, certify that this Petition for Prehearing is presented in good faith and not for delay, and that it is restricted to the grounds specified in Supreme Court Rule 44 of the Rules of this Court.

Christopher Pfoff
Christopher Pfoff, pro se