

No. 20-932

In The
SUPREME COURT OF THE UNITED STATES

BOBBY L. FRANKLIN, D/B/A DAYDREAM
LAND & SYSTEMS DEVELOPMENT,

Petitioner,

v.

D.J. LAUGHLIN; ATTORNEY WILLIAM R. URGA,
Respondents.

On Petition for a Writ of Certiorari to
The Supreme Court of the State of Nevada

PETITION FOR REHEARING

BOBBY L. FRANKLIN
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Pursuant to Rule 44.2, the Petitioner Franklin petitions for rehearing of his petition for certiorari that was denied on March 1, 2021.

REASONS FOR GRANTING REHEARING

The lower courts, and moreover this U.S. Supreme Court has not recognized its own *stare decisis* land patent law under the Desert Land Act of Congress, in *Stockley, et al., v. United States*, 260 U.S. 532 (1923). 43 CFR 1862.6 - “*Patent to issue after the lapse of 2 years from date of manager’s final receipt. ... and thus to transfer from the land officers to the regular judicial tribunals the authority to deal with any subsequent controversy over the validity of the entry.*”

Such *manager’s final receipt(s)* was issued to Franklin in 1988. For decades, such *judicial tribunals* have denied its jurisdiction to deal with such patent law of this Supreme Court of the United States.

In accordance with Rule 33.1(c), the three adverse patent documents below were reformatted in URL, because the district court had stricken and deleted such evidence from its record, and are hereby duplicated on 8.5” X 11” paper, as is necessary in a separate appendix to this booklet.

Franklin’s *stare decisis* patent rights is published in his *certified* First Title on the 80 acres, in “Appendix E”.
https://drive.google.com/file/d/1U6WkUiIvtv4FPQsCT3Wn_h0DW7pjxqWMC/view .

In 2006, Respondent Laughlin acquired his *adverse* patent rights on Franklin’s 80 acre estate, *Appendix F*.
https://docs.google.com/document/d/1ZB6adR_IlhUbBRkkUcSFn9ALPN2_PITTyPZOOrKvfSUQ/edit#heading=h.gjdgxs .

In 2016, Mr. Laughlin’s attorney Urga finally *documented* his fabricated and undisputed five counts

of his *fraud on the district court minutes* in 2016, which falsified Franklin's patent rights. See, "Appendix G". <https://drive.google.com/file/d/0B0jiIQV1AnnCUIVvWVJlb282eU0/view>.

On 06/04/2020, the district court had stricken such evidence from its record; the Nevada Supreme Court denied its *stare decisis* jurisdiction; and days ago, this Court denied to recognize, stand with or enforce its longstanding *stare decisis* patent law decision clearly written in *Stockley*. Google defines such doctrine:

"Under the rule of *stare decisis*, courts are obligated to uphold their previous rulings or the rulings made by higher courts within the same court system." ... "The doctrine of *stare decisis* makes the decisions of courts, usually the higher forums, binding on subordinate courts in cases in which similar or identical questions of law are raised before the court. The application of this doctrine ensures that there is uniformity and certainty in the law."

INTERVENING CIRCUMSTANCES OF A SUBSTANTIAL OR CONTROLLING EFFECT NOT PREVIOUSLY PRESENTED

"The Desert Land Act was passed by the United States Congress on March 3, 1877, to encourage and promote the economic development of the arid and semiarid public lands of the Western states. Through the Act, individuals may apply for up to 320 acres a desert-land entry to reclaim, irrigate, and cultivate arid and semiarid public lands." Published by the *Department of Interior, Bureau of Land Management*.

The intervening circumstance is that if this Court chooses to abandon its own *stare decisis* land patent law on valid and existing desert-land entries on public lands, then that would effectively repeal the 1877 Desert Land Act of Congress and make it entirely

meaningless and unenforceable in any *judicial tribunal* of law, and vulnerable to such fraud on the court(s).

**OTHER GROUNDS
NOT PREVIOUSLY PRESENTED**

The *standard* of this Court to review its own *stare decisis* land patent law are clearly written in Stockley.

The *basic standard* of any court to review the undisputed and *documented* five counts of "fraud on the district court minutes" done by attorney Urga in 2016 was not previously presented, and is now: (1) an intention fraud; (2) by an officer of the court; (3) which is directed at the court itself; and (4) in fact deceives the court. All elements not previously presented are met here. Appendix E clearly proves that attorney Urga has been deceiving the courts for the last fourteen-years to defraud Franklin's patent rights in his existing First Title on the 80 acres, and Appendix G finally *documents* attorney Urga's *fraud on the district court minutes* in 2016, the same he has been falsely stating since 2006.

**IRREPARABLE HARM AND DAMAGES
NOT PREVIOUSLY PRESENTED**

At this time, Franklin waives all injury and damage claims, until he establishes his *stare decisis* patent rights of this Court in Stockley, which is published in Franklin's existing and *certified* First Title on the disputed 80 acres. See, Appendix E.

SUMMATION

Thus, this Court should recognize, address and enforce its *stare decisis* patent law written in Stockley, to stop and finally put an end to the Respondents' fourteen-years of their planned court actions and racket to defraud the courts, and extort Franklin's 80 acre estate described in his *certified* First Title without any due process of law to do so. Otherwise, the 1877 Desert

Land Act would effectively become meaningless and unenforceable; vulnerable to such fraud; *cancel culture* elimination of any desert-farming to be done on any public lands; and, the Franklin family would be cheated out of over thirty-years of their life, liberty, and their *entered* property rights without any due process of law to do so.

CONCLUSION

Based on the foregoing, the Court should grant rehearing and request the Respondents to respond.

Respectfully submitted by,

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CERTIFICATE OF COUNSEL *PRO SE*

Pursuant to Rule 44.2, petitioner Franklin certifies that the foregoing *Petition for Rehearing* is restricted to the grounds specified in this Rule and that it is presented in good faith and not for delay.

Respectfully submitted by,

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**Additional material
from this filing is
available in the
Clerk's Office.**