



No.

21 - 5245

IN THE SUPREME COURT OF THE UNITED STATES

Jamie Patrick: Hahn - PETITIONER

vs.

THE STATE OF GEORGIA - RESPONDENT

ON PETITION FOR REHEARING FOR WRIT OF CERTIORARI

TO THE SUPREME COURT OF THE UNITED STATES

PETITIONER FOR REHEARING

Jamie Patrick: Hahn

U.S. Army Veteran

46 1000952908

Riverbend Correctional and Rehabilitational Facility

196 Laying Farm Road

Milledgeville, Georgia 31061

ORIGINAL

QUESTION PRESENTED

1. Is a petitioner's constitutional rights important enough to be heard by this Court when violated by the State against rulings of this Court? Why has this Court refused to hear of said violation without comment?

LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

Decatur County Superior Court

Criminal Indictment No. 17-CA-29

Joseph K. Mulholland

District Attorney Office

South Georgia Judicial Circuit

114 South Broad Street

Post Office Box 1870

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IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR REHEARING FOR WRIT OF CERTIORARI

Petitioner respectfully requests that a rehearing be granted
for writ of certiorari to review the judgment below.

OPINIONS BELOW

The opinion of the Supreme Court of the United States
appears at Appendix A to this Petition.

JURISDICTION

The date on which this Court decided this case was 04 October 2021. A copy of that decision appears at Appendix A.

A timely mailed petition for rehearing was mailed on 21 October 2021. A copy of the certificate of service is at Appendix B. A copy of the facility mail log appears at Appendix C.

The jurisdiction of this Court is invoked under Rules of the Supreme Court of the United States, Rule 44.

CONSTITUTIONAL PROVISIONS INVOLVED

- The Constitution of the United States of America
 - Amendment XIV: "1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny any person within its jurisdiction the equal protection of the laws.

STATEMENT OF THE CASE

Mr. Hahn filed the petition for writ of certiorari on 26 May 2021 and received a letter from the Clerk denying the petition. Letter appears in Appendix A.

A petition for rehearing was timely mailed out on 21 October 2021. See Appendix B and C. Petition was denied as out of time because facility mail room staff held petition for approximately 3 weeks. Letter from Clerk see Appendix D.

Petition for rehearing is being resubmitted because the original out-of-time denial was of no fault of Petitioner.

The need of this Court to hear this case is vital to protecting the rights of the citizens of the State. Whereas the State ignores decisions of this Court and the rights of the people.

REASONS FOR GRANTING PETITION

Issue One

A petitioner's XIV Amendment rights negated when a rehearing is not heard on the issues raised.

The Supreme Court of the United States is duty bound to protect the rights of the people of various States of the Union. By denying the petition for writ of certiorari with no explanation has denied a citizen of the United States his Constitutionally protected rights by this Court whose job and responsibility it is to protect them.

This petition for rehearing is made because the denial of the petition for writ of certiorari has gone against a precedent decision of this Court. See *Blackledge v. Perry* 417 US 21 (1974). This Court has used the *Blackledge* standard as recent as 2018 in *Class v. United States* 138 S. Ct. 798; 200 L. Ed. 2d 37 2018 US LEXIS 1378.

Federal district courts across the Union hear cases of vindictive prosecution by district attorneys giving opinion and the standard used so as to protect the citizens of this Union. See *Nat'l Eng'g & Contracting Co. v. Herman* 181 F.3d 715, 723 (6th Cir. 1999), *United States v. Taylor* 749 F.2d 1513, 1513 (11th Cir. 1985), and *United States v. Stokes* 124 F.3d 39, 45 (1st Cir. 1997).

The abuse of power by elected officials or presumption of such, especially in criminal proceeding, gives rise to

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the denial of constitutional rights. The Supreme Court must step in and ensure that the rights of the citizens are protected. By denying the petition for writ of certiorari this Court is saying that it is alright for a State to trample upon the rights of a citizen sometimes. This cannot be allowed because if allowed even one time then the freedoms that our armed forces have fought, bled and died for were in vain. This Court must uphold the principles upon which it was founded upon.

If the cause of the petition for writ of certiorari was a flaw by the petitioner in the formatting, style, wording, etc. it must be taken into consideration that he is a layman in terms of the law and not as fluent in court procedure as an attorney. A cause such as this should not prevent this Court from its duty to the people. Not every citizen of the Union can afford representation or education in law but should be given full attention by this Court none the less.

It has become a trend in States to process criminal cases as they see fit and to have the higher courts sort out the mess later. This allows for prosecutors to almost 100% conviction rate and guaranteed re-election and judges being elected for the ridiculous amount of incarceration time they promise to give out. Things such as this will eventually break our beloved system if not checked by the proper people, in this situation the Supreme Court.

If relief cannot be achieved by the Court what/

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where does that leave the people. Without proper review the States will start to trample on the people's rights, because unfortunately those with such power will abuse it and oppress others if known that there is no one to stop them.

That is why this petition for rehearing needs, no must be granted. The State of Georgia has already punished the petitioner because he exercised his Constitutional rights. How many others will Georgia do this to unless stopped by the Supreme Court.

This Court must give this petition for rehearing full credit as it would anything coming before it. "Petition for rehearing of denial of petition for certiorari was part of appellate procedure authorized by Rules of Supreme Court, subject to requirements of predecessor to Rule 44 on rehearings; right to such consideration was not to be deemed an empty formality as though such petitions would as a matter of course be denied; denial of petition of certiorari should not be treated as definitive determination in Supreme Court, subject to all consequences of such an interpretation." *Flynn v. United States* 75 S.Ct. 285, 99 L.Ed 1298 (1955)

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CONCLUSION

This petition should be granted for the stated herein. The Supreme Court must grant a rehearing of the case as its duty to protect the constitutional rights of the people. This Court cannot allow a State to trample upon the people without review.

Submitted this 03 day of March, 2022

Submitted by:



Jamie Patrick Hahn, (pro se)

U.S. Army Veteran

C/O 1000952908

Riverbend Correctional &

Rehabilitational Facility

Milledgeville, Georgia 31001

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CERTIFICATE OF JUST CAUSE

Mr. Hahn submits this certificate of just cause to give reason this case should be heard.

1. Mr. Hahn timely Filed petition of rehearing. (See petition Appendix A-D). It is in time and should be heard because it is no fault of his own that prison staff failed to mail out what was delivered to them.
2. The grounds in the petition for rehearing are controlling by this Court's previous decisions, *Blackledge v. Perry*, 417 U.S. 21 (1974), in dealing with vindictive prosecution. On the record (commitment hearing transcripts) the Asst. district attorney threaten Mr. Hahn if he exercised his rights and followed through with the threat, when Mr. Hahn did.

No one should be threatened by a government official when exercising their rights.

So dated this 03 day of March, 2022.

Submitted by



Jamie Patrick Hahn, (pro se)
U.S. Army Veteran

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THE STATE OF GEORGIA - RESPONDENT

CERTIFICATE OF GOOD FAITH

Mr. Hahn submits this certificate of good faith that he did all that was within his power to promptly mail out his petition for rehearing. That the importance of the constitutional violation brought forward is not to delay or bog down the court but to bring to light the States actions against rulings of this Court.

It is Mr. Hahn's belief that this issue is vital not only to himself but to prevent other occurrences from happening.

So dated this 03 day of March, 2022.

Submitted by:



Jamie Patrick: Hahn, (pro se)

U.S. Army Veteran