

NUMBER-21-5490

IN THE

SUPREME COURT OF THE UNITED STATES

IN RE JOSEPH MONTREL BOURGEOIS
PRO-SE PETITIONER

VS.

BOBBY LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF
CRIMINAL JUSTICE CORRECTIONAL INSTITUTIONS
DIVISIONS

MOTION FOR REHEARING
REINSTATEMENT
OF PETITION FOR
REHEARING

SUPREME COURT RULE 29.2 [PRACTICE AND PROCEDURE]

RULE 29.2

② A DOCUMENT IS TIMELY FILED: IF SUBMITTED BY
AN INMATE CONFINED IN-AN INSTITUTION, A DOCU-
MENT, IS TIMELY FILED IF IT IS DEPOSITED IN THE
INSTITUTION'S INTERNAL MAIL SYSTEM ON OR BEFORE
THE LAST DAY FOR FILING AND IS ACCOMPANIED BY A
NOTARIZED STATEMENT OR DECLARATION IN COMPLIANCE
WITH 28 U.S.C. 1746 SETTING OUT THE DATE OF DEPOSIT
AND STATING THAT FIRST CLASS POSTAGE HAS BEEN PREPAID.
I DID ALL OF THESE THINGS.
HOW CAN I BE TIME BARRED?

BRIEF HISTORY OF MY CASE
PENDING IN THE
SUPREME COURT OF THE UNITED STATES

ON NOVEMBER 01, 2021 THE COURT DENIED MY REQUEST FOR CERTIORARI.

ON NOVEMBER 25, I PLACED AN ENVELOPE CONTAINING DOCUMENTS FOR A PETITION FOR REHEARING INTO THE PRISON'S INTERNAL MAILING SYSTEM FOR THE DELIVERY TO - THE SUPREME OF THE UNITED STATES.

K. BAKER THE JESTER III MAIL PERSON AND LEGAL MAIL PERSON STATED THAT SHE PICKED UP MY LEGAL AND ALL OTHER LEGAL MAIL ON FRIDAY NOVEMBER 26, 2021, AND MAILED IT-OUT. MY PETITION WAS TIMELY FILED WITH THE COURT, NOVEMBER 25, 2021 AND NOVEMBER 26, 2021.

ON DECEMBER 03, 2021 SUPREME COURT CLERK SCOTT S. HARRIS SAID THAT - THEY RECEIVED ON DECEMBER 03, 2021 AND HE THEN RETURNED MY PETITION TO - ME STATING THAT I'M OUT OF TIME. PURSUANT TO RULE-44 OF THE SUPREME COURT, HE ALSO STATED THAT MY PETITION FOR REHEARING WAS DUE ON OR BEFORE NOVEMBER 26, 2021. GRAVE MISTAKE
RULE 29.

② A DOCUMENT IS TIMELY FILED: IF SUBMITTED BY AN INMATE CONFINED IN - AN INSTITUTION, A DOCUMENT IS TIMELY FILED IF DEPOSITED IN THE INSTITUTION'S INTERNAL MAIL SYSTEM ON OR BEFORE THE LAST DAY FOR FILING. I DEPOSITED MY PETITION INTO THE PRISON MAILBOX ON NOVEMBER 25, 2021, THEREFORE MY PETITION WAS AND STILL IS TIMELY. SIGNED Joseph M. Bourgeois 1-11-22