

12/20/21

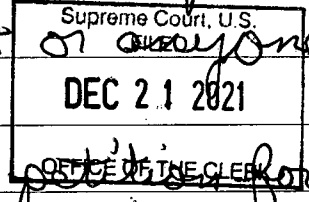
ZOB

21-5919

Clerk of the Supreme Court of the U.S.

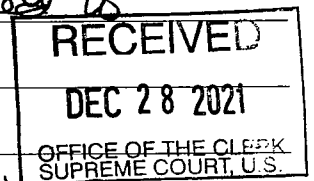
Enclosed is my motion for leave to file my petition for rehearing and my petition for rehearing.

Please file with the court under cause 21-5919, bring to the attention of the court provide me with proof of filing and any response by the court or anyone.



Cc: various media, appendix of enclosed petition for rehearing and as part of a complaint filed with the Administrative Office of the Courts.

I previously submitted via certified mail, my Proof of Service, Emergency Motion for leave for relief from a judgement under FRCP Rule 60 (d)(3), Motion for leave to file a reply brief to any brief in opposition by the respondent, Motion for leave for appointment of counsel, and Motion of Notice. This office has refused to file any of these documents.



I was required to submit Proof of Service under Supreme Court Rule 29 and this office was required to file it.

I had a constitutional right under due process to have the other documents filed. The refusal by this office to file these documents is a violation of my constitutional right to due process and illegal.

(Page 1 of 3)

TDCJ will lie and say that I am eating. They may move me to another unit(s), deny me access to the phone and deny out going mail.

Anyone who reads this can go online to my cause 21-5919. They will clearly see that everything I have presented is 100% true. They will then know that the office of the clerk for the Supreme Court of the US has illegally refused to file my documents.

Anyone who does not go online is afraid of the truth!

The State of Texas has unlawfully taken 7 years. My newly born grand daughter will never know her grand father.

Perhaps God will allow me to watch over her.

Sincerely

Robert Arthur Moses #21013PZ

McConnell 3001 S. Emily Dr Beeville, TX 78102

(Page 3 of 3)



21-5919

In the

Supreme Court of the U.S.

Robert Arthur Moses - Petitioner

v

State of Texas - Respondent

Motion for leave to file petitioner's petition for rehearing.

Comes now, petitioner, Robert Arthur Moses, pro se and files this motion for leave to file his petition for rehearing whereby petitioner asks leave to file his petition for rehearing.

Petitioner urges this ~~to~~ court to grant this motion and thereby file petitioner's petition for rehearing which is included with this motion.

Prays

Petitioner prays this court to grant this motion and thereby file his petition for rehearing.

(Page 1 of 2)

Service

I hereby certify that a true and correct copy of this motion will be sent to the respondent.

Date: 12/20/21

Robert Arthur Moses

Certification

I hereby certify that all statements herein are true and correct.

Date: 12/20/21

Robert Arthur Moses

Respectfully submitted on this the 20th day of December, 2021 via certified #70201290 0001 5252 7630.

Robert Arthur Moses, pro se

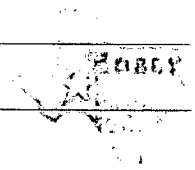
Robert Arthur Moses

#2101342

Mc Connell

3001 S. Emily Dr

Beaville, TX 78102



No. 21-5919

in the

Supreme Court of the United States

Robert Arthur Moses - Petitioner

v

State of Texas - Respondent

Petition for rehearing of the order denying the
petitioner's petition for a writ of certiorari, En Bene

Robert Arthur Moses, pro se

#2101342

McConnell Unit

3001 S. Emily Dr

Beerville, TX 78102

no phone

(i)



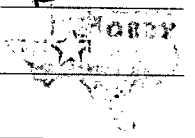
Circumstances of a substantial nature

1) Denial of petitioner's petition for writ of certiorari presents as a precedent which over turns a Supreme Court's unanimous decision.

2) Denial of petitioner's petition for writ of certiorari presents as a precedent that a pretrial writ of habeas corpus can be ignored.

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~~Model Questions~~

Appendix

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Table of Authorities

See parts Garcia 547 SW 271, 274

3

Malloy v US 177 S. Ct 1356

2

Opinions

State of Texas - provided no opinion

Supreme Court of the US - provided no opinion

(iv)

Jurisdiction

Petitioner presents that there are circumstances of a substantial nature which the full court has jurisdiction to consider.

The Supreme Court denied the petitioner's petition for writ of certiorari on 12/6/21. The petitioner received notice of such denial on 12/14/21. This ~~petition~~ ~~motion~~ for rehearing is sent via certified mail

#70201290 0001 5252 7630

on 12/20/21

This petition for rehearing is therefore timely filed.

(V)

FILED

Reasons for Granting Petition for Rehearing

Intro

The petitioner presents that there are circumstances of a substantial nature for which this court should grant this petition for rehearing of the order denying the petitioner's petition for a writ of certiorari.

The petitioner would offer that the circumstances are of such substantial nature that the full court should consider this petition, En Banc.

1

Denial of petition over turns unanimous Supreme Court decision.

The petitioner has presented that the State of Texas failed to magistrate the petitioner, ever. The Supreme



Court of the US in *Mallory v US* (1957) 77 S.Ct 1356

unanimously determined that a person who is not
magistrated is thereafter "unlawfully detained."

By the fact that the petitioner was never magistrated,
the petitioner became and continues to be "unlawfully
detained." The State had no jurisdiction to proceed
against the petitioner in any manner while he is
"unlawfully detained."

The denial of the petitioner's petition for writ of certiorari
presents that the legal precedent of *Mallory* is no longer
valid. This presents that a person need not be
magistrated.

The petitioner would offer that this presents as a
circumstance of a substantial nature. The petitioner

would offer that the full court should consider this new precedent that magistration is unnecessary.

2

Denial of habeas corpus

The petitioner, in his petition for writ of certiorari presented that he filed a pretrial writ of habeas corpus 11.08. The district court "In a habeas corpus proceeding to test the legality of an arrest and detention, the State has the burden of showing the lawfulness thereof and unless that is shown the applicant is entitled to his discharge" Ex parte Garcia 547 SW 271, 274 in the Texas Court of Criminal Appeals.

The denial of the petitioner's petition for writ of certiorari presents as a circumstance of a substantial



mature in that such denial presents that District Courts in Texas and perhaps all District Courts can ignore pretrial writs of habeas corpus.

The petitioner would offer that the full court should consider this circumstance of a substantial nature that there is a new precedent that pretrial writs of habeas corpus can be ignored.

Conclusion

The petitioner urges this court to grant this petition for rehearing of the order denying the petitioner's petition for a writ of certiorari.

The petitioner has presented to this court that the denial of his petition for writ of certiorari presents circumstances of a substantial nature. The denial

presents that the precedent that magistration is no longer necessary and that pretrial writs of habeas corpus can be ignored. This is of such substantial nature that the full court's attention, En Banc, is necessary.

The Supreme Court of the U.S is entrusted by the U.S. Constitution with the duty and responsibility to ensure that all acts are "in the interest of justice."

Prayer

The petitioner prays this court to grant this petition for rehearing of the order denying the petitioner's petition for a writ of certiorari. While this is the petitioner's prayer, the petitioner does not expect this petition to be granted. (See appendix).

Proof of Service

I, Robert Arthur Moses, do swear or declare that on 12/20/21 as required by Supreme Court Rule 29, I have sent by U.S. mail a true and correct copy of this petition for rehearing. To the respondent - The State of Texas % Texas State Attorney PO Box 13046 Austin, TX 78711. I declare under

penalty of perjury that the foregoing is true and correct.
Date: 12/20/21 Robert Arthur Moses

Certification

I hereby certify that all statements herein are true and correct. I further certify that the approximate 469 words in this petition do not exceed the 3000 word limit. Date: 12/20/21 Robert Arthur Moses

This petition for rehearing is respectfully submitted on this the 20th day of December, 2021 via certified mail # 7020 1290 0001 5252 7630.

Robert Arthur Moses, pro se

Robert Arthur Moses

#2101342 Mc Connell

3001 S. Emily Dr Beeville, TX 78102

Appendix

Letter - clerk of court