

Petition For
Rehearing

No. 21-6576

RE: Peacock v. United States

Supreme Court, U.S.
FILED

JAN 21 2022

This motion is for "other substantial grounds not previously presented."
Below is a brief overview of my case versus the case of Irey v. United States heard in the 11th Circuit appellate court.

The reasons for listing both cases will soon become apparent.

My Case

- #1: Number of alleged victims: 1
- #2: Years of alleged abuse: <1
- #3: Instances of stated abuse: 3-4
(2-3 sexual chats, once having sex)
- #4: Intentions of Suspect:
Marriage, Love, Companionship.
- #5: Cruel or unusual treatment of victim by suspect:
None.
- #6: Whether suspects actions were wanted by victim:
Yes.
- #7: Was victim sexually, mentally mature: Yes.
Victim was physically mature, past puberty, mentally mature with I.Q. over 135, was involved in adult relationships over a year before meeting suspect, and was looking for a long term companion, a husband.
- #8: Favorable Statements by victim:
Many.
Victim stated suspect saved her life on 2 separate occasions, loved and wanted to be with suspect, was happy, respected/loved by him. 8 months worth of statements.
- #9: Mitigating circumstances: Many.
Victims own statements (see above), Suspect never forced victim, gave emotional/mental support over 8 months, Suspect only person in victim's history that respected her,

Irey's Case

- #1: Number of alleged victims: 50+
- #2: Years of alleged abuse: >5
- #3: Instances of stated abuse: Hundreds
- #4: Intentions of suspect: To degrade, humiliate, abuse and exploit 50+ girls aged 6-14 for sexual gratification and to video-tape these encounters for financial gain, for 5+ years.
- #5: Cruel or unusual treatment of victim by suspect:
Humiliation, torture, sexual depravity, pushing live insects inside the vaginas of young girls while making fun of and videotaping them, painful forced rape of 6 to 14 year old girls, videotaping/immortalizing these acts ensuring mental anguish of victims for the rest of their lives knowing their abuse now lies forever on the internet from Irey selling the tapes, uploading videos.
- #6: Whether suspects actions were wanted by victims:
Definitely not.
- #7: Were victims sexually, mentally mature:
Some may have been. Most weren't.
- #8: Favorable Statements by victims:
None.
- #9: Mitigating circumstances: Other than potential mental issues, None.

My Case (cont.)

Suspect repeatedly encouraged victim to seek help for the abuse endured by her family; choked out, raped, broken bones;

Almost entirety of suspect's and victim's communications favorable to suspect.

#10: Years Suspect Sentenced:

27.5

Irey's Case (cont.)

#10: Years Suspect Sentenced:

30

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One suspect was giving emotional support to his alleged victim. The other was shoving live insects inside of 6 year old girls and laughing while videotaping it. One suspect, on two separate occasions, saved his alleged victim's life while the other was tearing his victim's lives apart; over 50 lives.

Yet, astonishingly, they both got almost the exact, same sentence.

27.5 Years v. 30 Years

But wait, didn't Congress expressly sign into law the 1984 Sentencing Reform Act to stop sentencing disparities?

And here's an even worse reality:

According to the doctrine of Marginal Deterrence, separating the sentences of these 2 cases by only 2.5 years gives added incentive for sex offenders to create as many victims as possible,

since they're going to get the same sentence anyway.

And it slams, equally hard, all people convicted of a sex offense who have minimal culpability, by giving them the same sentence - or worse in many cases - as a man who raped, abused, viciously raped/tortured, and videotaped/financially profitted from such actions.

The two cases are not the same.

The sentencing laws are broken.

Many people are being hurt by them.

These laws do not take into account: intentions, history, mental/sexual fitness of suspect/victim, whether actual coercion or exploitation occurred, whether actions were wanted by both parties, and sentence many defendants well above what comparable sentences are given by the state the crime was committed in.

Randall Lockhart, my co-counsel, stated during sentencing that my case was the least in terms of culpability the court had seen; stated the court has certainly seen much, much worse.

In Conclusion

Do you know what the worst thing is about being in prison that I find?

Being given a nearly 30 year sentence and feeling I didn't deserve any of it.

Did I hurt anyone? HOW?

I caused someone injury "for the rest of her life?"

HOW?

Did you prove it?

Does the evidence show any injury?

Or are you just taking indecent liberties with my life? (...that's what rapists do...)

How many others have been hurt in similar fashion?
How many others fell for a younger girl, maybe caused no injury, yet were counted the same as a 50+ child raping, torturing, son of a bitch?

How come neither this court, nor any other court, is able to answer even ONE of these questions?

And all I hear is silence when I ask these questions.

That's all you're good for. That's all any of you are good for: is silence. (Hope I'm wrong about this court - time will tell)

And you'll let a judge sit on a bench and give her unwarranted opinion* that I injured a girl - in direct opposition to all evidence - "for the rest of her life," and when I asked, "How?", that same judge

can't answer a word.

If this were a murder case, a bank robbery case, or ANY other case other than a sex offense, these disparities wouldn't have lasted a year. Never will I see a man convicted of manslaughter sentenced the same as a man who killed** over 50 people in fully planned out, cold blood. But this is a sex offense case I'm talking about!

WE'RE ALWAYS PREJUDICED AGAINST.

I hope this motion was "brief[ly] and distinctly" stated enough.

Succinctly,

~~Nutshell~~ George Peacock
Nicholas George Peacock
DEFENDANT

*Non expert medical witness' opinion used as justification for nearly 30 year sentence.

**Ironically, murderers have gotten shorter sentences than I.

Certification

I swear and certify this petition for rehearing is
"presented in good faith and not for delay."

2-8-2022 Nicholas George Peacock
Nicholas George Peacock
Defendant

Certificate

I swear* this petition is raised on "othersubstantial grounds not previously presented."

* and certify

2-8-2022

Nicholas George Peacock
Nicholas George Peacock
Defendant

Dear Clerk,

I started getting angry as I wrote my motion. A lot of anger comes out when I have to do anything that deals with this case. I hate what I have to go through everyday. I didn't hurt anyone. I never hurt Faith Smith. I never will. I still think about her every day. I still love her and miss her. I never hurt her.

Yet I had to endure an unfit judge who conspired to keep evidence out of my hands and out of the courts tell me I hurt Faith for "the rest of her life." I never did such a thing. And the judge was allowed to throw me into the same category as a 50+^{persqa} child serial rapist and torturer. And she's getting away with it.

You need to get this petition granted certiorari for the simple fact that this court could force the lower courts to actually judge each case individually instead of just rubber stamping all sex offense cases the same. They're not. There are vast differences in these cases just like all other areas of crime. The lower courts need to be forced to look at ALL cases individually. They are not doing so. They need SANE sentencing laws. They do not have them.

I grew up as a kid watching ^{on TV} 1st degree murderers get 15-20 years, the worst ~~go~~ who had multiple victims got 25 years. I got more time than that. I am so tired of this sex offender bashing society, who give murderers better treatment. In response, I dare you to go up to the family who lost their 16 year old daughter to a murderer-robbery suspect who shot the girl and tell them, "I'm sorry for your loss, but losing your daughter isn't as bad as the fact my 15 yr. old daughter made love to a 20 year old - that's bad!"

Yeah, there's a BIG difference between the two. One thing about murderers - the victim NEVER COMES BACK, EVER.

How are sex offenders of a simple enticement offense getting WORSE sentences than murderers? This does not make any damn sense. I'll end with this. I hear people in prison tell of their crimes ~~and~~ (murder, gang banging, bank robberies, cartel smugglers) and that they deserve their sentences.

I ENVY THEM,

Because the hardest thing is feeling I don't deserve each and every day I'm in prison. I wish I had deserved it. Then I could accept it.

