

No. 21-6630

IN THE
Supreme Court of the United States

DANIEL ANGEL RODRIGUEZ

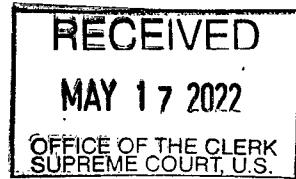
Petitioner,

v.

UNITED STATES OF AMERICA

Respondent.

Petition for Rehearing
Under Rule 44 (2)



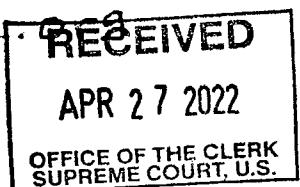
DANIEL A. RODRIGUEZ
PROSE PETITIONER
REG'S # 48128-004
LISP LEE
P.O. BOX 305
Jonesville VA 24263

Corrected,

Email add: DRODRIGUEZ8004@
emailinterface.com

Refiled under Compliance
of Rule 44. 5/09/22

DR



Question Presented:

Whether an unconditional guilty Plea (guilty Plea) waives a Federal Criminal defendant's right to appeal a district court's failure to recuse under 28 USC § 455(a).

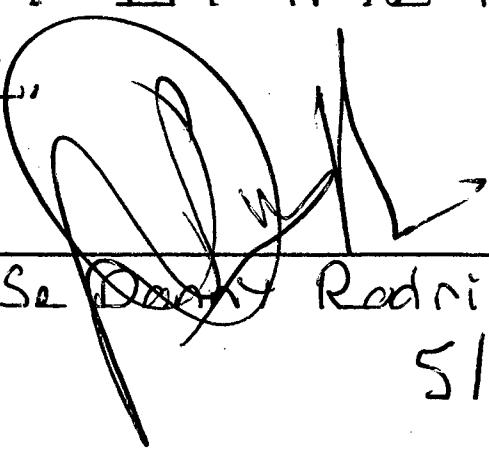
Especially when at the time of Change of Plea it was not known to Appellant or Counsel that the district Judge held an extra-judicial conflict / bias against Appellant, which has since twice cause recusal against Appellant. Dist. Ct. DE 608 pg 11

The district Judge accepted Plea of guilt under the guise of a neutral adjudicator.

Ultimately Appellant was sentenced 40 years for under a 1000 grams of synthetic marijuana.

The Supreme Court Should
Settle Circuit Split, otherwise
Appellant, an American,
will die in Prison due to
a clearly draconian and
unjust sentence adjudicate
by a bias Court.

Appellant submits that the
public interest, Equal Justice
under the law and the
constitutional requirement of
an impartial tribunal is
SUBSTANTIAL reasoning to
"grant" a rehearing of filed
Certiorari: In the interest
of Justice.



Pro Se Plaintiff Rodriguez
Nb. 21-6630 5/09/22

FROM: 48128004
TO:
SUBJECT: REHEARING OF CERT
DATE: 04/20/2022 12:35:15 PM

Foot Note :

PETITION FOR REHEARING

COMES NOW APPELLANT, AFTER CERT'S PUBLISHED DENIAL ON APRIL 18, 2022, ASKING THIS HONORABLE BODY OF JUSTICE, THE UNITED STATES SUPREME COURT TO REVISIT AND RECONSIDER ITS DENIAL. AFTER A DEFENDANT HAS BEEN CONSTITUTIONALLY WRONGED BY A SYSTEM OF JUSTICE THAT PROMISES FAIRNESS AND EQUAL JUSTICE UNDER THE LAW BY A LOWER COURT CONFLICT. THE LAST STEP OF REDRESS REST ON THE VERY DOORS OF OUR SUPREME COURT JUSTICES: AN APPELLANT'S LAST BASTION OF HOPE AND PRAY FOR JUSTICE. APPELLANTS APPEAL FOCUSED ON A JUDGE THAT TWICE "RECUSED" FROM PRESIDING OVER APPELLANT, ALBEIT UNBEKNOWNST TO APPELLANT OR HIS COUNSEL. THIS DISTRICT JUDGE URSULA UNGARO ACCEPTED A CHANGE OF PLEA UNDER THE GUISE OF A NEUTRAL ADJUDICATOR AND WITHOUT DISCLOSING TO APPELLANT NOR HIS COUNSEL OF HER EXTRA JUDICIARY CONFLICT / BIAS AGAINST APPELLANT. IT WASN'T UNTIL AFTER THE CHANGE OF PLEA AND THE HENCE PROCESS THAT FOLLOWED, WHICH WAS FRAUGHT WITH BLATANT CONTRADICTION AND CONTROVERSIAL RULINGS, THAT HER PREVIOUS RECUSALS AGAINST APPELLANT WAS UNCOVERED. THIS COURT HAS HELD IN *CLASS V. UNITED STATES*, 138 S.C.T. 798 (2018), THAT A DEFENDANT'S PLEA CANNOT WAIVE A CONSTITUTIONAL ISSUE. THIS HONORABLE BODY ALSO HELD IN, *CAPERTON V. A.T. MASSEY COAL CO.*, 556 US 868, 129 S.C.T. 2252, 173 L.ED. 2d 1208 (2009), THAT RECUSAL IS A CONSTITUTIONAL ISSUE' UNDER DUE PROCESS. THUS THE QUESTION PRESENTED IS OF NATIONAL IMPORTANCE- AS APPELLANT WAS HELD TO HAVE SILENTLY WAIVED HIS RIGHT TO RECUSE A DISTRICT JUDGE THAT HAD TWICE ALREADY RECUSED, UNBEKNOWNST, IN MATTERS ATTACHED TO APPELLANT HERE. THEREFORE APPELLANT RESPECTFULLY ASKS THIS HONORABLE SUPREME COURT TO REVISIT CERT AND TO NOTE THAT THE GOVERNMENTS RESPONSE CONCURS THAT A CIRCUIT SPLIT EXIST. THE MATTER IS RIPE FOR REVIEW AND THE APPELLANT BEGS THIS COURT TO RIGHT THE WRONG THAT IS CAUSED WHEN A JUDGE WITH AN ACTUAL CONFLICT PRESIDES AGAINST A DEFENDANT- WHERE THE SPECTER OF A POSSIBLE CONFLICT OF INTEREST IS UNMISTAKABLE. THIS MATTER IS ALSO ONE OF GREAT PUBLIC INTEREST. AS IT RECENTLY AFFECTED THIS VERY CHAMBER CAUSING JUSTICE THOMAS TO ELECT RECUSAL OVER A MUCH MORE ALOOF CAUSE. IN THE WORDS OF A GREAT ICON MARTIN LUTHER KING JR. "AN INJUSTICE ANYWHERE IS A THREAT TO JUSTICE EVERYWHERE". THEREFORE, DESPITE MY ATTORNEY HAVING ASSURED

APPELLANT THAT REHEARING'S ARE RARE AND SUPER UNLIKELY TO BE GRANTED, I MUST VENTURE TO ASK THIS MOST HONORABLE COURT TO GRANT A REHEARING UNDER RULE 44 (2) IN LIGHT OF THE EXTRAORDINARY INJUSTICE THIS CAUSE PRESENTS. AND THE CONSEQUENCES THAT WILL FOLLOW APPELLANT (AN AMERICAN) MOVING FORWARD IF THIS RECUSAL ISSUES IS NOT REDRESSED. AS IT WOULD PROVE AN UN-AMERICAN FREE FOR ALL AGAINST APPELLANT BY BOTH THE GOVERNMENT AND A RECUSED COURT. AND EFFECT AN UNCONSTITUTIONAL LIFE-SENTENCE PUNISHMENT FOR A NONVIOLENT SYNTHETIC MARIJUANA OFFENSE.

RESPECTFULLY SUBMITTED

~~XS/ DANNY A RODRIGUEZ, PROSE APPELLANT~~

~~Reg. # 48128-004~~

~~LIS R LEE~~

~~PO Box 305~~

~~Jonesville VA~~

~~24263~~

~~DRODRIGUEZ8004@emailinterface.org~~

4/20/2022

Certificate of Service

On this date April 20, 2022 Petitioner
Mailed all Parties of Record a
Copy of this Rehearing
Petition.

Prose Petitioner