

IN THE
SUPREME COURT OF THE UNITED STATES

JUAN M. CRUZADO - LAUREANO

Petitioner-Pro-Se

Vs.

W. STEPHEN MULDROW
U.S. District Attorney of PR
Respondent

NO: 21-6910

On Petition for Writ of Certiorari to the
U.S. Court of Appeals for the First
Circuit- Case #20-1590

**ON PETITION FOR A WRIT OF CERTIORARI TO U.S. COURT OF
APPEALS FOR THE FIRST CIRCUIT OF APPEALS - CASE NO. 20-1590**

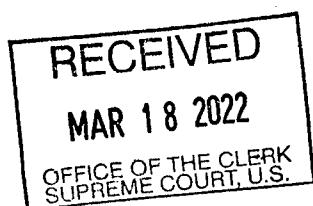
PETITION FOR REHEARING

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On Petition for a Writ of Certiorari to
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Circuit – Case # 20-1590

**QUESTIONS PRESENTED FOR COURT REVIEW IN THE
PETITION FOR REHEARING**

- 1- An **Indictment** is valid whose “*True Bill*” only contains the signature of the US District Attorney?
- 2- Does Rule #7 (c) (1) of Federal Criminal Procedure require that every “*attorney for the government*” that participates before a Grand Jury be a signatory to the True Bill of the indictment produced, for it to be valid?
- 3- Can a federal judge or magistrate authorize an amendment and substitution of an **Indictment**, when it is requested by an AUSA that did not participate in the supervision of the Grand Jury as “*attorney for the government*” in its determination of probable cause?

IN THE
SUPREME COURT OF THE UNITED STATES

JUAN M. CRUZADO - LAUREANO
Petitioner-Pro-Se

Vs.

W. STEPHEN MULDROW
U. S. District Attorney of PR
Respondent

NO: 21-6910
Placed on Docket January 20, 2022

On Petition for Writ of Certiorari to the
U.S. Court of Appeals for the First
Circuit- Case #20-1590

PETITION FOR REHEARING

Appears before this Honorable Supreme Court of the United States, Juan Manuel Cruzado-Laureano exercising his right to legal self-representation (**Pro-Se**), Expose and Request:

- 1- On February 25, 2022, the Petitioner for Certiorari #21-6910 received by regular mail the Order of the Court dated February 22, 2022, which reads as follows:
*“The Court today entered the following order in the above-entitled case:
The petition for a writ of certiorari is denied.”*
- 2- This Petition for Rehearing is being filed today, March 16, 2022, the date of which complies with the provisions of Rule #44 of this Court. The Petitioner requests that the *“Motion for leave to procedure in Forma Pauperis”*, approved for Certiorari #21-6910, cover the filling fees for this Petition for Rehearing.
- 3- The three questions before the consideration of this Honorable Court in the Rehearing requested, arise from the violations by the US Attorney of PR of Fed. R. Crim. P. #6 and #7 in the creation and criminal prosecution of illegal Indictment 01-690 (JAG) of 10-24-2001. Indictment used to substantiate a “*Lawfare*” case against the Petitioner from the Office of the US Attorney of PR in the years 2001-2002.

HOW DO THE VIOLATIONS OF RULES #6 AND #7, INDICATED IN THE THREE QUESTIONS SUBMITTED, ORIGINATE?

On August 24, 2001, PR US Attorney Guillermo Gil Bonar convened a Grand Jury to hear a partisan political complaint against the Petitioner, who was the elected Mayor of Vega Alta Municipality for the Popular Democratic Party (PPD). The complaint was filed publicly by leaders of the annexationist PR party, the New Progressive Party ((PNP). In that first convocation of the Grand Jury, US Attorney Gil Bonar, being the sole representative of his Office, presented the “*preliminary indictment*” and questioned FBI Agent Brenda Díaz, who was in charge of investigating the complaint filed against the Petitioner.

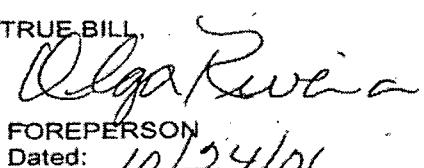
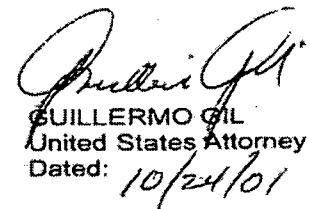
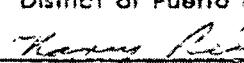
Following the terrorist events of 9/11, the sessions of the Grand Jury first convened on August 24, 2001, were resumed on October 2, 2001. That day he returned to depose FBI Agent Brenda Díaz. In that session the US Attorney of PR Guillermo Gil Bonar was not alone. He was accompanied by *AUSA Lynn Doble Salicrup*, although she did not participate in the interrogation before the Grand Jury of Agent Díaz. The same happens in the post-initial sessions of the Grand Jury, where the presence of the *AUSA Lynn Doble Salicrup* is recorded on the “covers” of the transcripts of the depositions, but Doble Salicrup does not carry out any interrogation.

On October 24, 2001 at 6:00 pm, the US District Attorney of PR Guillermo Gil Bonar, personally presented in the Clerk’s Office of the Federal District Court of PR an Indictment against the “Popular” Mayor of Vega Alta, Juan (Mane) Cruzado. The Indictment filed by US Attorney Gil Bonar contained 11 Counts, with the #1 as the main Count, “**Theft**” from an organization that receives federal funds and 4 Counts of money laundering associated with said “**Theft**”. The Indictment, which only signed its “True Bill” by the US Attorney Guillermo Gil Bonar, was given the No. 01-690 and assigned to Judge Jay A. García-Gregory(JAG). Mayor Cruzado was arrested at his home at 6:20 pm on the night of October 24,2001 by FBI agents from El Paso, Texas, who took him to the Guaynabo Federal Detention Center, where he was incarcerated.

On October 25, 2001, Magistrate Judge Jesús Castellanos set bail for the only accused of Indictment 01-690(JAG) on 10-24-01, against the will of US Attorney Gil Bonar, who postulated that Mayor Cruzado was a risk of leakage. At the bail hearing, the only as an "attorney for the government" was the US Attorney for PR, Guillermo Gil Bonar.

1- An **Indictment** is valid whose "*True Bill*" only contains the signature of the US District Attorney?

The "True Bill" of the Indictment 01-690 (JAG) OF 10-24-01

13 Indictment U.S. v. Juan Manuel Cruzado Laureano a/k/a Manny	
acts of extortion by defendant Juan Manuel Cruzado Laureano a/k/a Manny.	
All in violation of Title 18 United States Code Section 1512(b)(1)(2).	
TRUE BILL,  Olga Rivera FOREPERSON Dated: 10/24/01	
<p> GUILLERMO GIL United States Attorney Dated: 10/24/01</p>	
<p>Certified to be a true and exact copy of the original. FRANCES RIOS DE MORAN, CLERK U.S. District Court for the District of Puerto Rico By:  Deputy Clerk Date: 10-24-01</p>	

1- An **Indictment** is valid whose “***True Bill***” only contains the signature of the US District Attorney?

The only person who has answered this question is Judge John Woodcock of the Court of the First Instance. The Appellee waived to answer it both at the level of the First Circuit of Appeals and in the Supreme Court, since in both places he waived to present a brief of opposition. The First Circuit of Appeals Panel voided answering it by not entering into the discussion of Rules #6 and #7 and adopted Judge Woodcock’s novel interpretation. The answer to this question from Judge Woodcock is based on a misguided and meaningless interpretation of the Fed. R. Crim. P. 6 and 7(c) (1). The Honorable Judge Woodcock in its argument to defend the legality of Indictment 01-690(JAG) and therefore decree that the “**Mandamus Petition**” is frivolous, reads as follows (Judgment, *page 9 first paragraph of DISCUSSION*):

“Mr. Cruzado-Laureano’s mandamus petition is frivolous. First, the law does not invalidate an indictment because it was signed by the USA, not by an AUSA. Federal Rule of Criminal Procedure requires only that an indictment be signed “*by an attorney for the government*.” Fed. R. Crim. P. 7(c) (1).

Rule 7 does not require that an indictment be signed by an assistant united states attorney and specifically does not require that the indictment be signed by all the government attorneys who participated in the indicted case before the grand jury. Rule 7 does not say that all government attorneys who appeared before a grand jury must sign the resulting indictment, only that “*an attorney for the government*” must sign....”

In the first paragraph of the aforementioned of the argument put forward by the Court in defense of the illegal Indictment 01-690(JAG), the concept of “*an attorney for the government*” before the institution of the Grand Jury is addressed. This figured of the “*an attorney for the goverment*” is mentioned in Rule 6 as one of the persons who is

authorized to be present at the grand jury sessions but who must not disclose a matter occurring before grand jury. In *Rule 1. Scope: Definitions* it says like this:

- (1) ***“Attorney for the government”*** means:
 - (A) The Attorney General or an authorized assistant ;
 - (B) A United States Attorney or an authorized assistant.

The Department of Justice in its manual for handling of the Grand Jury by its prosecutors says the following in its Section 9-11-241 paragraph two:

“The authority for a United States Attorney to conduct grand jury proceedings is set forth in the statute establishing United States Attorney duties , 28 U.S.C. Sec. 547. United States Attorneys are directed in that statute to *“prosecute for all offenses against the United States”*. Assistant United States Attorney similarly derive their authority to conduct grand jury proceedings in the district of their appointment from their appointment statute, 28 U. S. C. Sec. 542.”

With a simple reading of the previous Department of Justice directive it is very easy to establish that the ***“assistant united states attorney”*** (AUSA) in all the districts will be the one with the authorization to conduct the procedures of a grand jury and sign as ***“attorney for the government”*** to validate the true bill of the indictment that is produced.

The US District Attorneys within their day-to-day statutory and regulatory functions, do not have, among them, the supervision of the institution of the Grand Jury in their determination of probable cause against a defendant. The signature of the USA Gil Bonar in the **“True Bill”** of **Indictment 01-690(JAG) of 10-24-01** cannot be considered as the signature that would correspond to the ***“attorney for government”*** of Rule 7 (c)(1), to classify **Indictment 01- 690(JAG)** as valid and in compliance with the provisions in said Rule 7 (c) (1) . There is no precedent in the 94 judicial districts, including PR, of an **Indictment such as 01-690 (JAG) of 10-24-01** where a person has been criminally charged, arrested and prosecuted with an ***“indictment”*** whose ***“True Bill”*** is only signed by the US District Attorney.

2- Does Rule #7 (c) (1) of Federal Criminal Procedure require that every "attorney for the government" that participates before a Grand Jury be a signatory to the True Bill of the indictment produced, for it to be valid?

**GUILLERMO GIL BONAR and LYNN DOBLE SALICRUP: ATTORNEYS FOR THE
GOVERNMENT BEFORE THE GRAND JURY AGAINST JUAN M. CRUZADO—LAUREANO**

IN THE UNITED STATES DISTRICT COURT *p. 252*
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff,

Vs.

JUAN M. CRUZADO LAUREANO,

Defendants.

Hato Rey, Puerto Rico
October 2, 2001

TESTIMONY OF: **BRENDA DÍAZ**

GRAND JURY INVESTIGATION
BEFORE THE GRAND JURY
FEDERAL BUILDING, HATO REY

APPEARANCES

FOR THE PLAINTIFF: Guillermo Gil Bonar, Esq.
Lynn Doble Salicrup, Esq.

COURT INTERPRETER:

2- Does Rule #7 (c) (1) of Federal Criminal Procedure require that every “*attorney for the government*” that participates before a Grand Jury be a signatory to the True Bill of the indictment produced, for it to be valid?

The US Attorney of PR Guillermo Gil Bonar appeared on October 24, 2001 in the afternoon before Federal Magistrate Jesús T. Castellano to validated the Indictment 01-690 with 11 Counts against the Petitioner. Gil Bonar with his the only signature on the “*True Bill*” of Indictment 01-690, assured the Court that he was the only “*attorney for the government*” who had assisted the Grand Jury in its determination of probable cause against the Petitioner. But was US Attorney Gil Bonar really alone attending the Grand Jury that issued Indictment 01-690 of 10-24-2001?

US Attorney Gil Bonar lied to Magistrate Jesús Castellano by certifying that he was the only “*attorney for the government*” before the Grand Jury that issued Indictment 01-690. The Petitioner to demonstrate that the USA Gil Bonar was not alone in the sessions of the Grand Jury, included in the Mandamus a copy of the cover of the transcript of October 2, 2001 by FBI Agent Díaz, where it is reflected that there were “**two attorneys for the government**” before the Grand Jury in the sessions after the initial: USA Guillermo Gil Bonar and AUSA Lynn Doble Salicrup. In the Mandamus the Petitioner postulates that since the AUSA Lynn Doble Salicrup was together with the USA Gil Bonar *as attorneys for the government* in the sessions of the Grand Jury, the True Bill of the Indictment 01-690 (JAG) of 10-24-01 had that contain the signatures of both for this to be legally valid, as provided in Rule 7(c)(1).

Absence of AUSA signature Lynn Doble Salicrup on the "True Bill" invalidated Indictment 01-690(JAG) of 10-24-01. Responding to the Petitioner's position on the requirement for the signatures of both attorneys for the government in the "True Bill" of Indictment 01-690(JAG) of 10-24-01 the Honorable Court outlines the legal theory in its page 9 of the Judgment, paragraph 2, DISCUSSION (V.) where expands its novel interpretation of Rule 7 (c) (1)- Fed. R. Crim. P. and says:

"Rule 7 does not require that an indictment be signed by an assistant united states attorney and specifically does not require that an indictment be signed by all the government attorneys who participated in the indicted case before the grand jury. Rule 7 does not say that all government attorneys who appeared before a grand jury must sign the resulting indictment, only that "an attorney for the government" must sign". (Judgment Case 3:19-cv-02142-JAW, page 9, V. DISCUSSION, paragraph 2)

The novel and meaningless interpretation that Judge Woodcock made in his Judgment on the text of Rule 7, where the issue of the signature or signatures required of **attorneys for government** is mentioned in the True Bill of indictment that is issued, rest on erroneous literal interpretation of the text of **Rule 7(c) (1)**. Said text orders the signature of the **attorney or attorneys for the government** before a grand jury in all indictments issued by it. The final part of the first sentence of Rule 7 (c)(1) says: **"and must be signed by an attorney for the government"**.

As the signature of **attorney for the government (AUSA)** was absent from the True Bill of Indictment 01-690(JAG) of 10-24-01, **it had no accusatory value**. In no other Judicial District of the USA has the **US Attorney** acted as **attorney for the government** before the Grand Jury, summoned it and personally question the witnesses cited and sign the True Bill of the resulting indictment as the sole **attorney for the government**. The version of Rule 7 of the District Court, designed to validate the illegal Indictment 01-690(JAG)of 10-24-2001, it does not correspond to Law.

3- Can a federal judge or magistrate authorize an amendment and substitution of an *Indictment*, when it is requested by an AUSA that did not participate in the supervision of the Grand Jury as “*attorney for the government*” in its determination of probable cause?

Ninety days later, on January 25, 2002, after Indictment 01-690 of 10-24-01 was filed by US Attorney Guillermo Gil Bonar, whose “True Bill” only contained his signature as “*attorney for the government*” before the Grand Jury, a superseding indictment was filed to replace the Indictment 01-690. On January 30, 2002, AUSA Kellogg De Jesús before Federal Magistrate Gustavo A. Gelpí requested that 3 new Counts be added to Indictment 01-690 of 10-24-01 and that it be replaced by Superseding Indictment 01-690 of 01-25-2002. Magistrate Judge Gustavo A. Gelpí authorized the illegal amendment to illegal Indictment 01-690 (JAG) of 10-24-01, to make it the Superseding Indictment 01-690(JAG) of 01-25-02, with AUSA Rebecca Kellogg De Jesús as the new “*government attorney*” in the accusations against the Appellant. From the inception of Superseding 01-690, Rebecca Kellogg De Jesús became the prosecutor for Criminal Trial 01-690 against the Petitioner.

The face-to-face participation of US Attorney Gil Bonar in the incidents of the hearing prior to criminal trial 01-690, were none. From the first “*status conference*” held before Judge García-Gregory, to those held by Judge José A. Fusté prior to start of the trial in May 2002, US Attorney Gil-Bonar was always absent. Gil Bonar was represented at this first “*status conference*” by “Attorney” Rebecca Kellogg De Jesús, who was his personal assistant. Establishing a precedent in federal judicial history, US Attorney Guillermo Gil Bonar returns to the scene of the *Criminal Trial 01-690(JAF)*, once it begins in the first days of May 2002, as the leading prosecutor in charge of presenting the accusations before the Jury.

Docket Record of the illegal integration of the AUSA Rebecca Kellogg De Jesús as Prosecutor of Case 01-690(JAG)

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		Juan Manuel Cruzado-Laureano (1) [25-1] opposition response Noted. as to Juan Manuel Cruzado-Laureano (1) (Signed by Magistrate Judge Justo Arenas) (ft) Modified on 01/28/2002 (Entered: 01/23/2002)
01/24/2002	31	MOTION by Juan Manuel Cruzado-Laureano for Reconsideration of [29-1] mag's order denying mot for bill of particulars (ft) (Entered: 01/28/2002)
01/25/2002	32	SUPERSEDING INDICTMENT as to Juan Manuel Cruzado-Laureano (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s, 9s, 10s, 11s, 12s, 13s, 14s (ft) (Entered: 01/28/2002)
01/25/2002	33	Minute entry as to Juan Manuel Cruzado-Laureano : Return of Superseding Indictment by the GJ. Dft is on bond. set Arraignment for 10:00 1/30/02 for Juan Manuel Cruzado-Laureano before Magistrate Judge Gustavo A. (GAG) (Magistrate Judge Jesus A. Castellanos) (ft) (Entered: 01/28/2002)
01/28/2002	34	ORDER as to Juan Manuel Cruzado-Laureano granting [28-1] motion to Amend [5-1] order of pretrial rls of cond related to home of record for Juan Manuel Cruzado-Laureano (Signed by Magistrate Judge Jesus A. Castellanos) (ft) (Entered: 01/28/2002)
01/28/2002		**See Magistrate Judge (GAG) flag (calendar). (ft) (Entered: 01/28/2002)
01/28/2002		SUMMONS(ES) issued for Juan Manuel Cruzado-Laureano (ft) (Entered: 01/28/2002)
01/30/2002		Arraignment on Superseding Indictment as to Juan Manuel Cruzado-Laureano held before Magistrate Judge (Gustavo A. (GAG)) (ft) Modified on 01/31/2002 (Entered: 01/31/2002)
01/30/2002	35	Minute entry as to Juan Manuel Cruzado-Laureano : Dft arraigned. PONG entered as to cnts 1-14. Dft remains on bond. Magistrate Judge (Gustavo A. (GAG)) (ft) (Entered: 01/31/2002)

On March 1, 2002, Judge Jay A. García-Gregory assigned to Criminal Case 01-690 of 10-24-01 handed over the case to Judge José A. Fusté, at the request of the latter. Judge Fusté begins the Criminal Trial 01-690 in the first days of May 2002, with the US Attorney of PR Guillermo Gil Bonar and the AUSA Rebecca Kellogg De Jesús as the prosecutors in the case. US Attorney Gil Bonar established a judicial precedent by participating as a prosecutor in Criminal Case 01-690 in his presentation of the charges before the Jury, which found the Petitioner guilty on June 7, 2002 on 12 of the 14 Counts charged. The same day of his conviction, the Petitioner was imprisoned, where he remained from June 7, 2002 until 12-30-2006, serving the 63-month sentence imposed by Judge José A. Fusté. Even though the First Circuit twice ordered a remand in the Judgment (March 2005 and April 2006), the Petitioner had to serve the 63 months in prison imposed.

CONCLUSION

UNITED STATES v. JUAN MANUEL CRUZADO-LAUREANO 01-690(JAF)

Lawfare case that occurred in the United States Federal Judicial District for PR in 2001-2002, whose facts were admitted and recognized by the Federal Department of Justice when they waived to contest Certiorari # 21-6910.

Both in Appeal #20-1590 before the First Circuit and in Certiorari #21-6910 before this Honorable Court, the Petitioner elaborated with extensive evidence and detail, the illegal accusation, prosecution and imprisonment to which he was subjected, on allegations of public corruption that never occurred. In both forums, the Petitioner claimed that the false accusations for which he suffered 63 months in prison, respond to partisan motivations of the annexationist group affiliated with the New Progressive Party (PNP) that dominated and dominates the federal judicial apparatus of PR.

The use of the federal judiciary in PR to unlawfully advance the political interests of the New Progressive Party (PNP) in the 2004 General Elections, had the collaboration and planning of the then US Attorney of PR Guillermo Gil Bonar and Federal District Judge José A. Fusté. At the state level it had the collaboration and complicity of the Comptroller of PR at the time, Manuel Díaz Saldaña. Comptroller Díaz Saldaña, in open complicity with US Attorney Gil Bonar, never made public the *Audit Report* of the 10 months that the Petitioner was Mayor of Vega Alta where it is established that in the Municipality of VA no Theft occurred in 2001.

US Attorney Gil Bonar personally attending the Grand Jury that convened and violating Rules #6 and #7, managed to obtain the illegal Indictment 01-690(JAG) of 10-24-01 where the Petitioner, was charged with Theft of municipal funds. US Attorney Gil Bonar's plan was that for the 2004 General Elections there would be an elected official from the Popular Democratic Party (PPD), imprisoned or convicted of corruption. As a

first step to ensure that the charges against the Petitioner, a budding PPD leader, result in a conviction Gil Bonar recruited as judge of the Criminal Case 01-690 his great friend and co-religionist of the annexationist PNP party: Judge José A. Fusté. The second step taken by Gil Bonar to ensure the Petitioner's conviction in the orchestrated fabrication to politically benefit the PNP, was to be in charge of presenting the accusations before the Jury as one of the prosecutors in the Criminal Case 01-690(JAF). The US Attorney Gil Bonar, by being in charge of presenting the accusations before a Jury, established an illegal precedent in the 94 judicial districts of the USA.

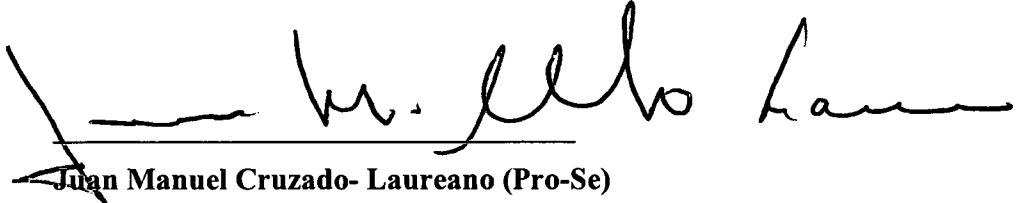
The Department of Justice, both in the First Circuit and before this Honorable Court, has refused to respond with a written opposition to what was stated about the illegal fabrication and imprisonment suffered by the Petitioner. This Court in its Rule 15 has established what it means for a party not to file a writ of opposition to a Certiorari, in terms of the facts occurred and the legal approaches outlined in said appeal:

“In addition to presenting other arguments for denying the petition, the brief in opposition should address any perceived misstatement of fact or law in the petition that bears on what issues properly would be before the Court if certiorari were granted. Counsel are admonished that they have the obligation to the Court to point out in the brief in opposition, and no later, any perceived misstatement made in the petition”. *Rule 15, subsection 2, line 3*

The Department of Justice has been clear and courageous in acknowledging that everything stated by the Petitioner in his appeal briefs about his indictment, prosecution and imprisonment as a result of the illegal Indictment 01-690(JAG) of 10-24-2001, is correct and that they are not willing to defend the illegal act of “*Lawfare*” committed against the Petitioner, which occurred in the Judicial District of PR in the years 2001-2002. This Court has before it a “*Lawfare*” case that occurred in a judicial district of the US that has been recognized by the Department of Justice. This request for Rehearing must be addressed before the admission and resignation of the Department of Justice. This Honorable Supreme Court, by attending to it, will be sending the correct message to the People of PR, establishing that the Rule of Law established by the Federal Constitution of 1787 must prevail in the Federal Court of the Commonwealth of PR.

FOR ALL OF THE ABOVE, this Honorable Supreme Court must consider favorably this **PETITION FOR REHEARING** of the Writ of *Certiorari* # 21-6910.

Respectfully submitted,



A handwritten signature in black ink, appearing to read "Juan Manuel Cruzado-Laureano". The signature is fluid and cursive, with "Juan" on the left, "Manuel" in the middle, and "Cruzado-Laureano" on the right. Below the signature is a horizontal line.

Date: March 16, 2022