

No. 21-7395

In the
Supreme Court of the United States

KONSTANTINOS ZOGRAFIDIS,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

On Petition for a Writ of Certiorari to the
United States Court of Appeals for the Second Circuit

PETITION FOR REHEARING

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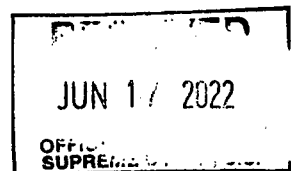


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PETITION FOR REHEARING

Dear Honorable Justices of the U.S. Supreme Court:

On November 19, 2021 a 3-Judge Panel (Pooler, Wesley, Bianco) of the Appeals court from the 2nd Circuit has Denied my Petition of 2255, and my Certificate of Appealability. On November 30, 2021 I, Konstantinos Zografidis filed a **“Motion for reconsideration, en banc”**. I’ve made it very clear on top of the first 3 lines of my ‘motion for reconsideration, en banc’ that I wanted all the Judges of the 2nd circuit to review and make a final determination based on the law and the discoveries that I’ve provided to them, and that’s because I totally disagreed with the 3-Judge Panels decision. As you are aware, on January 26, 2022 the same 3-Judge Panel ordered a MANDATE of DISMISSAL. I received that mandate letter in my mail a few days after it was ordered. In my mind, I perceived that mandate to be the final determination from, en banc. Based on that denial information I received, I started to write the Writ of Certiorari addressed to the U.S. Supreme court. Not long after, this Honorable court denied my Petition for Writ of Certiorari on May 23, 2022. As I was going through my files, I overlooked the January 26, 2022 MANDATE that was issued and I’ve noticed that it was the same 3-Judge Panel that ordered the mandate, using the same law they used in their November 19, 2021 DENIAL; **Miller-El v. Cockrell, 537 U.S. 322, 327 (2003)**. I started to question myself whether that mandate decision was made by the 3-Judge Panel, or by ALL the eligible Judges of the 2nd Circuit, en banc as I’ve requested on my November 30, 2012 ‘Motion

for Reconsideration, en banc”? Afterall, I never received anything in the mail with regards to the FULL court’s opinion, reason, challenging my evidence and credibility, also, as to why I was denied.

On May 31, 2022 @ 9:33 AM, I was on the phone for 9 minutes with the clerk’s office of the 2nd Circuit, and spoke with clerk, Kadishia (not sure if spelling is correct). I’ve asked her if the mandate on January 26, 2022 was derived by the FULL 2nd Circuit Judges? She said; YES! I then asked her as to why I was not informed and not received mail with transcripts of the en bancs’ decision and their given opinion, if any? She was surprised as I was. I told her that it wasn’t fair for me, or for the Supreme Court Justices to be deprived from the law, reasons and opinions, en banc provided to justify the district’s court’s denial of my Petition of 2255. Kadishia then told me that she will mail me the en banc documents.

My questions to the Supreme Court Justices are;
a): “Was your DENIAL decision based, due to the absent information of law and reason from the full court, en banc”? **b):** “Was your DENIAL based on the lack of merits, circuit case laws, and precedent U.S. Supreme court rulings I’ve provided to justify my claim(s)”? **c):** “If this Honorable court would have had the FULL court’s opinion, en banc, and NOT the 3-Judge Panels decision, as I see it, would this Honorable court have considered the review and to provide law, and a final resolution in this matter”?

The 2nd Circuit Appellate court, en banc, DID NOT give any law other than the confirmation of the 3-Judge Panel provided in their MANDATE. En banc, **ERRED** by not complying with the different circuit case laws, and by our precedent U.S. Supreme court

laws that I've provided in my Petition of 2255 and to the Second Circuit court of appeals, in order to justify my numerous legitimate and constitutional claims. En banc, by not responding to my "**new found**" evidence and discovery, shows a cover-up of the district courts multiple deliberate errors, and bias rulings, as I see it.

This Honorable court CANNOT deny the fact, once upon reading the contents of my Writ of Certiorari, that I've produced overwhelming evidence in my Petition of 2255, backed up with plentiful of U.S. Supreme court rulings that SHOULD have overturned my conviction and vacated my sentence, especially when my immigration status was threaten with deportation by our Law Enforcement, falsely addressed to me by my court appointed attorney Frank O'Reilly, misleading and inaccurate information provided to me during my coerced and unintellectual guilty plea by AUSA Vanessa Richards, and Judge Meyers. I've also produced astonishing and accurate discovery with attached Exhibit's, and precedent U.S. Supreme laws in order to clarify and to validate my claim of Ineffective Assistance of Counsel(s). And not to forget, that I've provided plentiful of evidence and discovery in my Petition of 2255 to show how our Law Enforcement were illegally eavesdropping into my cell phone (TT1) prior to the warrant issued, violating our **4th Amendment Rights**. How agents perjured themselves in their sworn affidavits, search warrants, and during cross-examination while in court. How the government (AUSA, Vanessa Richards & others) fabricated transcripts with false interpretations. How the government tampered with wire-tap conversations, manipulating the evidence

with an ill-intent to deceive our courts. How the government produced a discredited witness with the purpose to falsify information against me. And finally, how the district Judges made clear errors by denouncing my truthful discoveries and claims, by showing favoritism towards the government. There is much, much more to be learned upon reading my multiple motions.

There is another matter that might be of interest and concern of the U.S. Supreme court's decision making, that very likely shows BIAS in our lower courts. In my Petition of 2255, I've made myself very clear that I would be filing civil lawsuits against ALL the U.S. Attorney's, Law Enforcement & others who were involved in my criminal and civil cases, because they all were sponsoring corruption, and violating our civil freedoms and liberties. One of the U.S. Attorneys who was assisting the government with their corruptive and unconstitutional methods they used to indict me and finally convict me, was **AUSA William J. Nardini**. Mr. Nardini was appointed as an Appellate 2nd Circuit Judge by President Donald Trump in the year of 2019 while AUSA Nardini, at that time, was still assisting, aiding and abetting the corruption in our government, challenging my truthful claims and the constitutional violations I've endured by our Law Enforcement, and by the U.S. Attorney's offices of Bridgeport Connecticut (AUSA, Vanessa Richards & others). On April 25, 2022 I've filed a "Civil Rights Complain" against 42 defendants in the U.S. District court of Hartford CT, case# **3:22-cv-00631(AVC)**.

I, also truly believe the only reason Judge Meyers **DENIED** my Petition of 2255 and every motion I've filed, after sitting on my Petition of 2255 for almost 3 years, was because on June 29, 2021 I've filed a motion,

asking Judge Meyers to recuse himself from this case (Document #57). I also told him that I would ask the 2nd Circuit court of Appeals to consider impeachment proceedings against him, because I finally realized that he was always bias towards me from the very beginning, by showing support to the police/agents misconduct, and the government's constitutional violations. I know for a fact that statement I've made must have deranged Judge Meyers and alter his decision making. Then again, I had to speak my mind and freely express my feelings and frustration, as of how I was misrepresented by the district court judges all these years. Thank you.

Respectfully submitted,

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RULE 44 CERTIFICATE

I, KONSTANTINOS ZOGRAFIDIS, petitioner pro se, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury that the following is true and correct:

1. This petition for rehearing is presented in good faith and not for delay.

2. The grounds of this petition are limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented.

/s/ KONSTANTINOS ZOGRAFIDIS

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