

IN THE SUPREME COURT OF THE UNITED STATES

Chad Michael Vice,

Petitioner,

~vs~

IOWA, ET AL...,

Respondents.

PETITION FOR REHEARING

Comes now, the Undersigned, in propria persona, in Petition for Rehearing in accordance with U.S. Sup. Ct. Rule 44, and in support of states:

JURISDICTION

That the Supreme Court of the united States has “Supervisory Jurisdiction” conferred by the U.S. Const. Art., III, § 2.

That the U.S. Supreme Court has “Determination Jurisdiction” under the general Federal question jurisdiction conferred by 28 U.S.C. § 2106.

That the U.S. Supreme Court has “Supervisory Jurisdiction” for “Extraordinary Writ” pursuant to U.S. Sup. Ct. Rule 20, under the general Federal question jurisdiction conferred by 28 U.S.C. § 1651 (a.).

That the U.S. Supreme Court has “State Court Jurisdiction” under the general Federal question jurisdiction conferred by 28 U.S.C. § 1257.

QUESTIONS PRESENTED

That the question presented are one and the same in regards to U.S. Sup. Ct. No.'s 21-8155, 22-5674, and 22A268; as, herein & whereby:

...two or more judgments are sought to be reviewed on a Writ of Certiorari to the same Court and involve identical or closely related questions, a single petition for a Writ of Certiorari covering all the judgments suffices...U.S. Sup. Ct. Rule 12 (4).

PARTIES

That the parties remain virtually the same and the State of Iowa should be enjoined in all the aforementioned by motion.

That the petitioner is Chad Michael Vice, an incarcerated individual under restraint and supervision of the Iowa Dep't of Corr.'s; residing at: Iowa State Penitentiary; P.O. Box 316; Fort Madison, Iowa 52627.

That the respondents are the State of IOWA, its subdivisions, municipalities, employees and Agents; of whom, are clothed in the authority under the color of State-law.

PETITION FOR REHEARING

That a Petition for Rehearing is requested; in that, U.S. Sup. Ct. No.'s 21-8155, 22-5674, and 22A268 are eligible to be considered for consolidation in the form a singular Writ of Certiorari; as hereto:

That the State claims; of which, correlates with U.S. Sup. Ct. claims, as supplemental aspects, are being heard separately in Iowa State Sup. Ct. Proceedings. They are as follows:

- U.S. Sup. Ct. No. 21-8155.
 - Iowa Sup. Ct. No. 22-0938.
 - Iowa Sup. Ct. No. 22-0939.
- U.S. Sup. Ct. No. 22-5674.
 - Iowa Sup. Ct. No. 22-1438.

That the intervening matters of exceptional circumstances presented by these cases are coupled with the fact Counsel abandoned the Undersigned in apropos to these proceedings, and his misleading comments led to multiple and convoluted filings thereunder; by which, supports supplemental filings herein, in order, to consolidate correlating State & Fed. Filings...U.S. Sup. Ct. Rule 15 (8); of & by which, supports his Petition to Take Leave and file Supplemental Briefs [t]hereunder.

That exceptional circumstances exists in concerns to equitable tolling. Fogle ~vs~ Pierson, 435 F.3d at 1258-59 Walker ~vs~ Jastremski, 430 F.3d 560, 564 (2d. Cir. 2005), wherein & by Counselman Curtis Dial was retained in December of 2019 for the civil suites and subject-matter herein. He never made the promised appearances, and as well made misleading comments, as hereto:

In September of 2021, the Undersigned spoke with Curtis Dial about the time-limits of the aforementioned claims. He agreed the Undersigned should ask for an extension of time in regards to State & Fed. Claims and since Curtis Dial was working on an upcoming criminal trial of the Undersigned's, it was mutually agreed upon that the Undersigned should seek an extension of time pro-se.

This extension of time was denied. The Undersigned then spoke with Curtis Dial again, and it was agreed that the Undersigned should file complaints pro-se while Curtis Dial worked on the Undersigned's upcoming criminal trial, so as to make the dead-lines, and Curtis Dial would then make an appearance shortly after. Holland ~vs~ Florida, 560 U.S. 631, 651-52, 130 S. Ct. 2549, 2563-64, 177 L.Ed. 2d. 130 (2010). Curtis Dial never made the promised appearance and did not respond to any of the Undersigned's correspondence and/or calls etc...after the Undersigned filed said complaints, thus leaving the Undersigned trying to litigate these very complex legal issues with his pro-se limitations and indigency.

This parol-agreement for representation is evidenced by recorded phone-calls; of which, the Undersigned is unable to access without the power of subpoena. This agreement is further evidenced by Iowa Lee County Attorney Ross Braden, of whom

is on record, in a hearing for Motion to Dispense with Counsel, under Iowa 8th Dist. N. Lee Cnty. No. FECR008667; stating, Curtis Dial is representing the Undersigned on his civil suites.

Curtis Dial has never made the promised appearances [t]herein.

Wherefore, the Undersigned, requests of this Court to grant his Petition for Rehearing and appoint Counsel; as hereto and/or in lieu:

That these proceedings be estopped, stayed and/or equitable tolling be applied in and extension of time, for an appropriate period of time; so as, to allow the Undersigned ample opportunity to either find replacement Counsel, or give him an allotted amount of time to litigate these convoluted and complex legal issues with his pro-se status and limitations in filing Supplemental Briefs in and for consolidation in and for an Extraordinary Writ(s) of Certiorari.

CONCLUSION

For the foregoing reasons Petition for Rehearing should be granted.

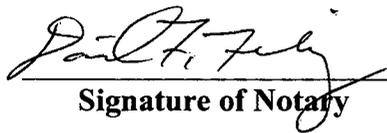
"I, the Undersigned, declare under the penalty of perjury by the laws of the State of Iowa and pursuant to 28 U.S.C. § 1746, that the contents herein are true & correct to the best of my information, knowledge and belief, and that the foregoing instruments were prepared by my hand and witnessed, sealed and deposited in the U.S. Mail for service upon all parties NA on this 5th day of December 2022.

Respectfully Submitted,



Chad Michael Vice #1065118
Iowa State Penitentiary
P.O. Box 316
Fort Madison, Iowa 52627

State of Iowa County of Lee



Signature of Notary

12-5-2022
Date

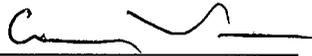
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Seal

CERTIFICATE

That this Petition for Rehearing is presented in good faith, and is certified by my signature hereunder, and is evidenced by exceptional circumstances, by which are outside the control of this petitioner, of which are grounds for equitable tolling, wherein counsel Curtis Dial left said petitioner at the 11th hr. & 59th min. with multiple and convoluted filings thereunder; by which, supports amendments, and supplemental filings herein, in order, to consolidate correlating State & Federal filings U.S. Sup. Ct. Rule 15 (8); of & by which, supports his petition for rehearing.

Respectfully Submitted,



Chad Michael Vice #1065118
Iowa State Penitentiary
P.O. Box 316
Fort Madison, Iowa 52627