

CASE NO. 21-8192

IN THE SUPREME COURT OF THE UNITED STATES OF AMERICA

RONNIE LEE THUMS #381472 pro se
Petitioner,

-vs-

LARRY FUCHS WARDEN, / WARDEN BUESGEN, WI D.O.J.
Respondent,

PETITION FOR REHEARING OF DENIAL OF THUMS' PETITION
FOR WRIT OF CERTIORARI FROM THE SEVENTH CIRCUIT CT.
APPEALS LAWLESS, WRONGFUL DENIALS, AFFIRMING FEDERAL
DISTRICT COURT'S DENIAL OF 28 USC §2254 PETITION FOR
FEDERAL HABEAS CORPUS / RELEASE FROM STATE CUSTODY
BASED ON CONVICTIONS GAINED ONLY THROUGH VIOLATIONS
AND NUMEROUS DENIALS OF GUARANTEED FEDERAL RIGHTS,
AND LAWLESS WRONGFUL STATE COURT DENIALS OF THUMS'
PLEADINGS ESTABLISHING HIS OWN ACTUAL INNOCENCE AND
STATE OF WISCONSIN'S WRONGFUL IMPROPER IMPOSITION OF
PROCEDURAL BARS BOTH NOT INDEPENDANT OF FEDERAL LAW,
AND THE INDIVIDUAL BAR'S INADEQUACEY

DRAFTED AND FILED PER INSTITUTION MAILBOX RULE

28 U.S.C. §1746 on NOVEMBER 23, 2022 BY:

RONNIE LEE THUMS #381472
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CC: U.S.S.CT.
FILE
RESPONDENT

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CASE NO. 21-8192

IN THE SUPREME COURT OF THE UNITED STATES OF AMERICA

RONNIE L. THUMS #381472 Pro se
Petitioner

-vs-

LARRY FUCHS, WARDEN, / WARDEN BUESGEN, WI A.G. JOSH KAUL
Respondent.

PETITION FOR REHEARING EN BANC PER RULE 44

PETITIONER RONNIE LEE THUMS PRO SE; pleads This Honorable Court to invoke it's own Original Jurisdiction and carefully consider Thums' pleadings and the record all the way back to the State Proceedings by the full Court under it's own rule 44 as an extraordinary writ whereby upon such a review; This Court will necessarily put a halt to the undermining of Democracy by what might be referred to as 'Covert Sedition,' for wrongful acts of lower court's where it is the Democracy itself authorizing This Court's Jurisdiction to so do; as well as administer Justice as Law Demands, in accord to The Constitution of The United States of America, and This Court upon such a review and answering of Thums' posed questions. This Court will then have finally afforded Thums his 'Basic Human Right's under The U.D.H.R.A. guaranteed.

I. REASONS WHY THIS COURT SHOULD GRANT THUMS REHEARING

¶1 The following are sets of facts, and or circumstances that will have both substantial effect, and controlling effect in This Court's ultimately reviewing perhaps the worst parody, or travesty of justice in the Court's history. Where as these set's of facts material to governing law or Stare Decis have now become ripe for justiciability in the interim or intermittantly to the June 21, 2022 Clerk's Filing of Thums' original Petition For Writ of Certiorari; these facts and questions of law therefore must qualify under rule 44 as: [intervening circumstances of a substantial or controlling effect].

¶2 Whereas This U.S. Supreme Court's 'Decisions,' or findings, are considered to be law, and This Supreme Court's recent October 3, 2022 denial (ex parte) of Thums' Petition For Writ of Certiorari, it must be self evident that; 1) either This Court has re-evaluated in silence, or rewritten it's own law of:

Ford v. Georgia, 111 S.Ct. 850 No. 87-6796 (1991);
"To determine whether a state procedural ground or bar is adequate, [We] assess the ground as it existed when it was applied by the State Court."

because; (a) Thums cited Ford v. Georgia supra in his albeit voluminous set of questions; that upon review it must be determined that were not repetitive; rather covering the wide expanse of wrongful erroneous unreasonable court denials and false findings of fact, and failing to apply or afford Thums proper review by

application of improper reviewing standards, and completely ignoring proper reviewing standards and all of the truth's Thums laid out before them in a show and tell, or tell and show format with hard evidence of memorialized Court Records, and State's own Discovery.

¶3 Cont... 1) (a) Within each of the many questions Thums posed to This Supreme Court; Thums asked material determinate questions as to various state imposed procedural bars. In fact each of the following questions posed therein were specific to those bars as follows: questions: 2, 3, 4^{b,c,d}, 6, 7, 9^{e-n}, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20b-o, r, s, 21, 22, 23, 24, 25, 26 a-f, 32, 33, 34, 35, 36, 40, 44, 45, 46, 47, 48, 49, 50a-g, 51, 52, 53, 54, 55, 57, 58, 59, 60, 61, 64, 65, 66, 67, 68, 69, 70, 71, 72, 74, 75, 76, 77, 78, and 79; The reason for so many questions was because of so many unreasoned denials to so many unreasoned procedural bars where as to each specific bar there are many separate but relevant and material questions that needed answering to fully fairly review as This Supreme Court promised in Ford v. Georgia supra; 100 Q's

¶4 Cont... from ¶2 above: 2) if This Court has not re-evaluated or re-written Ford v. Georgia supra; which is it's own long standing good law; then: This Court itself has failed to follow it's own good law and promise to review facts pertinent to it's own

governing law; and has thus also denied Thums his rightful 'Substantial as well as his Procedural Due Process Right's including First Amendment Free Speech and Access to the Court's by refusing to hear him; and in turn has or will have if yet denied; joined the lower court's in their obvious collusive denial or conspiracy to deny Thums his lawful rights and his civil liberties most of all his rightful freedom.'

¶15 Cont... from ¶12 above: By Thums posing the questions in a sense relating only to the promise in Ford v. Georgia supra, this Supreme Court's intermediate denial of Thums' pleadings must bring into justiciability, or [ripeness] an adjudication as to whether it has overlooked inadvertently or intentionally each and all of the facts substantiated with hard evidence were the Court to actually look, and, or consider any of the many questions Thums posed; whereby the evidence for affirmative answers in favor of Thums inherently provides The Court with those necessary facts of record, and otherwise explicitly directed the Court to such whithin Thums' Appendice's to original Petition; whereby until this Court denied Thums any review under Ford v. Georgia supra; this now ripe for adjudication issue was not a factor; but now controls, and must be decisively determined with an overt answer as to: [Did This Court Error in denying Thums a fair full review as Ford v. Georgia supra promised?] And, If so would an innocent man be harmed by continued

denials and wrongful imprisonment, and further; whether Thums has any right's or standing in The World Court for such denials of Civil and Human Right's? And perhaps most important of all; does This U.S. Supreme Court have a duty to intervene in such extraordinary circumstances, or such an extraordinary case where 'Fair Treatment,' and 'Due Process' has been denied at so many stages in so many ways including but not limited to the Court's declarations that; "Thums presented no new facts..." or "Thums has no evidence..." or "Thums failed to make a substantial showing of denial of any Constitutional Right when Thums enumerated for the 7th Cir. Ct. App. OneHundred SixtyFive trial attorney errors. (165)?

¶6 Another relevant ideation of relevant governing law has only yesterday came upon Thums; i.e.,

[Where in the first instance of Thums contesting his wrongful criminal convictions, pleading pro se in a 'Collateral Attack in a WI Statute 974.06 pleading; Thums presented literally hundreds of points of fact warranting relief but was denied as much as a hearing; where presiding Judge John J. Purlich of Jackson County WI declared that; "Thums plead, or brought no new facts..." among Purlich's other non-sensical denials of truth;] If Purlich's declaration had any basis in fact; or reason; the question begs then; "Why was it necessary

for Wisconsin Court of Appeals to employ: 'The Clearly Stronger Pleading Standard of Review;' and then deny Thums based upon it and an amalgamation of other baseless findings? Common reason would dictate that there could be no finding or denial based upon The 'Clearly Stronger Pleading Standard,' if Thums had not brought any new facts by which the Court's could, or would have to compare. It must be noted that this single declaration and denial is no less improper and corrupt and lawless than each and every other Thums presented in his Original Petition For Writ of Certiorary to This Court, and if This Court approaches any feelings of ire or angst; they should direct such to those lower court's responsible for the many violations of Thums' right's.

II. REASONS WHY THIS COURT SHOULD GRANT THUMS REHEARING

¶7 Because of the Intermediary to This Court's denial of Thums' filed Petition of June 21, 2022; and the fact that Thums timely notified 'Respondant's' of said filing and sent proper Official Waiver Form of Which Respondant's filed in July of 2022 affirmatively 'Waiving Any Response,' where the Respondant is duty bound to point out to This Court any improper recitations of either fact or law made by Petitioner; as Respondant made no issue as to any of the many many points of fact or law as mandated in Rule 15; the July Waiver must be considered by this Court an

an intervening, and intermediary circumstance as an [Admission] by 'Silence,' and a stipulation that in fact that Thums' pleadings were meritorious and very accurate in both fact and law, and therefore worthy to be presented to and 'Heard' by This U.S. Supreme Court; as such an admission / stipulation shout's at the Court; screams or must be considered as an admission of the truth's of Thums' pleadings.

III. REASONS WHY THIS COURT SHOULD GRANT THUMS REHEARING

¶8 If This Court has in fact denied Thums' Petition because of inclusion of what might be considered a 'Scandalous Matter,' This Court must reconsider such because although some of the questions and facts presented are indeed 'Scandalous,' or are irreverant to judicial institutions; they are indeed [R]elevant, and material to any and all reviewing Court's duty to administer justice as law demands; and the fact that This Court's own Rule 24 states that: @24-6.

6. A brief shall be concise, logically arranged with proper headings, and free of irrelevant, immaterial, or scandalous matter. The Court [may] disregard or strike a brief that does not comply with this paragraph.

As well plead; the ex parte judge jury communication in Thums' criminal trial is proven by the record; [Contrary to Fed. Dist. Judge William Conley's denials] and Trial Judge Thomas E. Lister's threat to harm Thums' properties is also well plead and documented as is Lister's fraudulent denial of ever ex

meeting with Thums' jury during their deliberations, accompanied by Lister's pretensive 'Fishing Expedition,' of May 30, 2014: these facts and issues are not only relevant to Thums' actual innocence, and Thums being afforded a fair hearing and due process, but [[Imperative]] to This Court's determination of the true facts findings necessary to answer the many questions Thums has placed before this Court, as well as the 'Administration of Justice,' where none has been had.

IV. REASONS WHY THIS COURT SHOULD GRANT THUMS REHEARING

¶19 Another intermediary or intermittant factor to filing of Thums' Petition on June 21, 2022 is the fact that Petitioner Thums did file a 'Suppmmental Pleading' with This Court with questions of National Concern as to The Constitutionality of WI 'Unilateral [C]ommon Law Conspiracy Interpretation of Statute,' affording a conviction where there is only a government agent and one alleged conspirator without any participatory link, or common goal, or meeting of minds. Thums believes this intermittant factor would be determinate to affording Thums relief; but believes that This Court was never afforded a reading of The Supplemental Pleading at least in part due to Thums' own clerical error of mis-numbering the pleading with incorrect case number; which Thums was unaware of until recent notification by Clerk that Thums' original Petition

for 'Rehearing' had been incorrectly enumerated; prompting Thums to Check his prior filing Supplemental Pleading; of which Thums had not received notice of receipt or filing from the Clerk of This Court of which Thums was curious as to why he had not received such notice of filing or receipt; so should this Court also find it intermittant or determinate it may consider the Supplemental Pleading as well in it's consideration of This Petition For Rehearing as well.

V. REASONS WHY THIS COURT SHOULD GRANT THUMS REHEARING

¶10 The most recent factor intermediately to Court's denial is: the fact that due to the benevelence of Thums' family member Thums has acquired his own recent edition of; 'Blacks Law Dictionary,' of which Thums vigorously and stubbornly studied front to back wherein Thums learned many new to him legal terms whereif Thums had known at time of creating his Petition For Writ of Certiorary; Thums would have included many in describing various facts and court actions; perhaps so that This Court might have better also grasped what Thums was pleading; rather than by just Thums' unlearned in law language usage including but not limited to: Ministerial Duty, Incriminating Admission, Bad Faith Denial, Lawless Court, Sedition, Critical Evidence, International Court of Justice, Uniform Declaration of Human Right's Act, False Hope, Chancery, Judicial Activism, Sham Proceedings, Comity, Chilling Effect, Seditious Conspiracy, & many more.

VI. CLOSING

Thums prays for at last to finally be afforded one full fair hearing in accord with Due Process and as law of Democracy demands; for up till now Thums has only received the antithesis of truth and fairness, by atrocious false findings of fact, and wrongful lawless denials based on unreasoned speculation, even denials absent jurisdiction based on illegitimate untimely unripe pleadings by Constitutionally Deficient Counsel, failing to present the most powerful clear plain and obvious issues of Defective Trial Counsel and Prosecutorial Misconduct etc... as plead pro se on first try; where reviewing court's based their denials upon the illegitimate invalid denial to the illegitimate pleading the court had no jurisdiction to hear in the first instance, but used it also to impose improper procedural bars; where by all court denials based upon such should be null and void, and at the very least Thums must be allowed to plead his cause de novo on a fresh appeal, because to date; Thums has been left without any avenue to adequately contest the wrongful criminal convictions. In only one instance has Thums failed to meet State procedural timelines; and that was on account of his opponent interfering with Thums' ability to do so as proved in Federal 2254 Habeas Petition contrary to Judge Conley, fraudulently falsely declaring Thums had no proof that

The Government interfered, when Thums presented official Government document by The Wisconsin D.O.C. clearly demonstrating a deprivation that was the one and only direct cause for Thums failing to meet time line and exhaust state remedies; such wrongful denials on top of wrongful convictions and wrongful imprisonment can only be described as atrocities that must shock This Court, and any reasonable jurist's conscience to the degree of having a chilling effect, and demand redress.

Petitioner Ronnie Lee Thums in good faith with reasonable expectations request's such redress, and hereby swears under penalty of perjury that all that I have plead in all instances is absolutely true and correct including the substantiating his own actual innocence under Federal law of: Murray v. Carrier, 106 S. Ct. 2639, Schlup v. Delo, 99 S.Ct. 2781, and Finley v. Johnson, 243 F3d 215 (5th Cir. 2001), and The Actual Innocence Doctrine; and whereupon and under The Supremacy Clause This Court must act.

It is absolutely incredulous and even horrendous the way the Court's have thus far clearly colluded in overtly inappropriately unlawfully flaunted their abuse of power even where in instances their quasi judicial power of discretion did not apply; requiring a full Senate Inquiry.

NOV. 22, 2022

Ronnie Lee Thums

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U.S.S.C.T. RULE 44 REHEARING CERTIFICATION

I RONNIE LEE THUMS Pro se am self representing as my own counsel in this matter, and I hereby do swear under penalty of perjury, and or dismissal of this Petition that; all that I have plead before this Most Honorable Supreme Court of The United States, herein, and prior to this pleading, all that I have referenced in prior court proceedings as Court Record and true fact, corroborated and substantiated by memorialized court record, establishing my own innocence, improper state imposed procedural bars, exceptions to those state imposed bars to federal review, that clearly establish that each and every denial to Thums' pleadings has been; unreasonable, wrongful, denial of justice by lawless court's; and even wrongful denials based upon various court's suppositious speculation instead of facts before them, abuse of office etc... in sacrificing their dispensation of true justice and affording Thums due relief; in what must appear to be collusive cover-up of lower court's criminal activity.

And, I Ronnie Lee Thums do further swear that all that I have plead from beginning was accurate and factually true, and that not one dot has been plead with any intent to delay; but rather in good faith Praying for an iota of justice.

SIGNED: 11/22/22

Ronnie Thums

Mail Certification

I Ronnie Lee Drum do swear under penalty of perjury that on this 22nd Day of November year 2022 place this Petition to U-S S Ct. in Institution Mail Box for 1st Class prepaid Mail ~~to attest~~ per USC § 1746 and that I have also sent Identical Copies to Respondent.

11-22-22

Ronnie Drum

Dear Clerks:

I humbly apologize for all of my previous errors.

Ron Drum

