

NO. 22-5275

SUPREME COURT OF THE UNITED STATES

Russell M. Bales,

Petitioner

VS

Jeff Long and Phillip Weisem,

Respondents

REHEARING

ON PETITION FOR CERTIORARY TO
WRIT OF HABEAS CORPUS

MOTION FOR A REHEARING

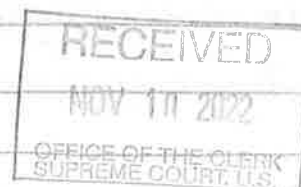
Pro-Se Petitioner

Russell M. Bales 90379

P.O. Box 6000

Sterling, CO 80751

Note: Petition was not selected for hearing, though
there are compelling reasons for so doing.



ISSUES OF CERTIORARY

1) Merits of claims were not considered in lower courts. Lower courts applied the wrong law. Claims were of a nature that should not have been subject to AEDPA or procedural defaults.

2) Constructive denial of counsel where petitioner was forced to make the Hobson's choice between going to trial with a clearly incompetent counsel or no counsel. The lower courts failed to even investigate or review the state court hearing petitioner pointed to as evidence.

3) Convoluted State Statutes led to inadequate jury instructions, denial of probative evidence, failure to disclose exculpatory, and malicious prosecution.

4) Judicial Interference amounting to directed verdict against petitioner.

Note: An inmate confined in an institution need only file an original with proof of service for all petitions and motions.

COMPELLING REASONS OF NATIONAL IMPORTANCE FOR COURT'S REVIEW

1) Questions of Federal law of imperative public importance that - have not been but - should be settled by this court. Depicted on next page.

2) Exceptional circumstances warrant exercise of this Court's discretionary powers, and no adequate relief can be obtained in any other form from any other court. Depiction on next page.

3) Holdings in lower courts on this case depart from accepted and usual course of judicial proceedings.

4) There were erroneous factual findings and a misapplication of properly stated law.

5) Holdings in the lower courts rulings on this case conflict with this Supreme Court, other Federal Appeals Courts, and even the 10th Circuit's own precedents.

3, 4, and 5 are illustrated in the Petition For Cert.

Note: U.S. District Court for Colorado has the full record. The Fed. Appeals court reviewed only Dist. Court findings.

IMPERATIVE PUBLIC INTEREST and EXCEPTIONAL CIRCUMSTANCES

Colorado government from the top down is very brazenly and unabashedly immoral. Morals are the foundation of all law. When a foundation of a structure is voided, the walls resting on it - with respect to ethics - crumble. That leaves the content of the structure - law and justice - exposed to the ravages of malicious misinterpretations, misapplications, lack of credence and probity, malice decorum, aberrant decisions, abrogated rights, scurrilous and insidious mendacities by the courts and prosecution. All of which is what happened in my criminal case; for personal and political ideas.

How is the United States Supreme Court going to handle this nation's decline of moral values and the corrosive effects on how this nation's laws are administered as to proceedings and due process differently in different parts of the country?

The accused crime is not nearly as bad as the judicial system in Jefferson County Colorado. How is that allowable? Even the local Federal courts appear to be in bed with perversions of law recently. When it is said, "anything goes," local courts employ that, literally - even professionally.

Look up in a dictionary words like "morals, ethics, law, and justice." You will find they are all intertwined and dependant on each other. So when one erodes, they all diminish in value and substance. There must now be a ruling on just how far this decline will be permitted by the Constitution of this country. A determination by this United States Supreme Court, and this Court alone.

The petition for certiorary and underlying habeas corpus can provide a utilitarian ground for such a ruling.

Let it so be moved
this day of 10-31-2022

Russell M. Boles
Russell M. Boles 90579
P.O. Box 6000
Sterling, CO 80751

CERTIFICATE OF MAILING

I certify that a true, correct, and complete copy of the request for rehearing ~~is~~ being placed in control of the SCF officers for deposit in the United States Mail with First Class postage attached to both the Court and opposing counsel under penalty of perjury this day of 10-31-2022

Russell M. Bales

Russell M. Bales 90379

P.O. Box 6000

Starling, CO 80751

TO:

United State Supreme Court

1 First Street, N.E.

Washington, DC 20543

Colorado's Attorney General

13 Broadway, 9th Floor

Denver, CO 80203

NO. 22-5275
SUPREME COURT OF THE UNITED STATES

Russell M. Boles, (pro-se)

Petitioner

VS

Jeff Long and Phillip Weiser,

Respondents.

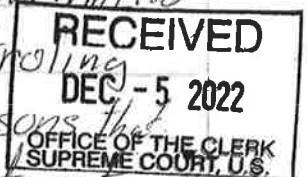
CERTIFICATIONS
FOR REHEARING ON
PETITION FOR CERTIORARY TO
WRIT OF HABEAS CORPUS

Under penalty of perjury,
I, Russell M. Boles, hereby certifies
as follows:

Having received a letter notifying me of a deficiency in compliance with Rule 44, dated November 16th, 2022. I received it on November 22nd, 2022. These certifications are intended to cure the deficiency.

The motion for rehearing is certified here as in good faith and not for delay.

The grounds for rehearing are here certified as limited to circumstances of a substantial and controlling effect [court at trial was composed of persons who were motivated by personal and/or political interests rather than guilt or innocence]. Though perhaps alluded to, the grounds were not specifically presented in any previous pleadings. So affirmed: Russell M. Boles 11-22-2022.



CERTIFICATE OF MAILING

I certify that, true, correct, and complete copies of the certifications are be placed in control of SER officers for deposit in the US mail with First Class postage attached to the court and opposing counsel under penalty of perjury, this day of 11-22-2022 by

Russell M. Boles

Russell M. Boles 90379

P.O. Box 6000

Sterling, CO 80751

TO

United States Supreme Court

1 First Street, N.E.

Washington, DC 20543

Brian M. Lanni #47486

Assistant Attorney General

1300 Broadway, 9th Floor

Denver, CO 80202

RECEIVED

DEC 2 2022