

Jonathan Mattox #160480
A.D.O.C. - Kingman-Cerbat Unit
P.O. Box - 3009
Kingman, AZ 86402

IN The Supreme Court Of The United States Of America

Jonathan Mattox

v.

State of Arizona

The Supreme Court of The United States Of America
No. 22-5762

Petition For Rehearing

I Jonathan Mattox hereby submit this Petition For Rehearing Pursuant to Rules of the Supreme Court of The United States Of America Rule 44. "Flynn v. United States, 75 S. Ct. 285, 99 L. Ed. 1298 (1955). Petition for rehearing of denial of petition for certiorari was part of appellate procedure authorized by Rules of Supreme Court, subject to requirements of predecessor to Rule 44 on rehearing; right to such consideration was not to be deemed an empty formality as though such petitions would as a matter of course be denied; denial of petition for certiorari should not be treated as definitive determination in Supreme Court, subject to all consequences of such an interpretation."

The issue of the law in question is very apparent, and it is unbelievable to me and anybody I am able to discuss this issue with, that this issue has gone on for so long, and the fact that the Superior Court of Maricopa County has been bullying this discrepancy at the peril of the public with such disregard for the respect of Law in itself, much less the integrity of the court, is seriously outrageous.

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(certification page "1 of 1" also attached)

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The fact that the Superior Court refused to see this as an issue during this case is evidence of both Prosecutorial Misconduct, as well as Judicial Misconduct. "Cardon v. Cotton Lane Holdings, 173 Ariz. 203, 841 P. 2d 198, 123 Ariz. Rep. 3, 1992 Ariz. LEXIS 7.4 (Ariz. 1992) The Court accepted special action jurisdiction where the issue was purely a question of law, there was no justification for the trial courts action, and the Courts decision terminated the deficiency judgement litigation, eliminating the necessity of any future appeals and sparing the parties and the judicial system unnecessary time and expense."

Had the Superior Court dealt with this issue appropriately (as a certified question of law) all of this could have been avoided. Unfortunately for us all, they chose to treat this case with the amount of respect they obviously have for the law, as it shows with their regard for this issue. The Public Defender in this case said that this would have been a "frivolous motion" had he filed for this issue to be looked at. Obviously it isn't that frivolous seeing that the Arizona Court Of Appeals "Granted Review" and ruled on the matter. As you can see from the "Writ Of Certiorari" that was filed with the Supreme Court of The United States Of America on September 8th, 2022 and placed on the docket October 4th, 2022 "No. 22-5762" the ruling by the Arizona Court Of Appeals that was included, shows every paragraph being flagged. Not very dependable if you ask me, or anybody else who has been charged with a class 4 felony aggravated D.U.I. after having their license suspended from minor traffic related issues. "General Oil Co. v. Crain, 209 U.S. 211, 28 S. Ct. 475, 52 L. Ed. 754, 1908 U.S. LEXIS 1728 (1908). In as much as it is right of party to be protected against law which violates

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constitutional right, whether by its terms or manner of its enforcement, decision which denies such protection gives effect to law and is reviewable by Federal Supreme Court."

"Chicago Life Ins. Co. v. Needles, 113 U.S. 574, 5 S. Ct. 681, 28 L. Ed. 1084, 1885 U.S. LEXIS 1709 (1885). Where state court did not, in terms, pass upon claim distinctly made there, that statutes of state under which proceedings were had were in derogation of rights and privileges secured to appellant by Constitution of United States, but final judgements of that court necessarily involved adjudication of that claim, Federal Supreme Court has jurisdiction to review case."

"Harding v. Illinois, 196 U.S. 78, 25 S. Ct. 176, 49 L. Ed. 394, 1904 U.S. LEXIS 684 (1904). Federal question exists only in those cases where-in decisions of questions involved was brought, in some proper manner to attention of court and decided, or it appears that judgement rendered could not have been given without deciding it."

"Warner v. New Orleans, 167 U.S. 467, 17 S. Ct. 892, 42 L. Ed. 239, 1897 U.S. LEXIS 2110 (1897). In order to guard against injurious results which might flow from having nine appellate courts, acting independantly of each other, power was given to Supreme Court to bring before it for decision by certiorari any case pending in either of those courts."

"Allah v. Superior Court, 871 F. 2d 887, 14 Fed. R. Serv. 3d
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(Callaghan) 222, 1989 U.S. App. LEXIS 4235 (9th Cir. 1989). District Courts do not have jurisdiction over direct challenges to final decisions of state courts, even if those challenges allege that state courts action was unconstitutional; proper court in which to obtain direct review of state court determination is Supreme Court."

"Missouri v. Jenkins, 495 U.S. 33, 46 n. 14 (1990). A petition for rehearing is designed to bring to the panels attention points of law or fact that it may have overlooked."

Therefore, for all of the reasons previously mentioned it is respectfully requested that The Supreme Court of The United States Of America grant this Petition For Rehearing and reconsider the decision to deny the Petition For Writ Of Certiorari regarding the issue of the interpretation of A.R.S. 28-1383(A)(1) that was placed on the docket October 4th, 2022.

Respectfully,
Jonathan Mattox - 11-29-2022

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Certification Of Petitioner

I Jonathan Mattox hereby certify under penalty of perjury that this Petition For Rehearing is "presented in good faith" and honesty and integrity, and most definitely not for "delay", and is also restricted to the grounds specified in the Rules of the Supreme Court of The United States Of America, Rule 44(1) and (2).

Respectfully,
Jonathan Mattox - 11-30-2022

State of Arizona 11/30/2022
Mohave County Carol Bahr

