

IN THE SUPREME COURT  
OF THE UNITED STATES

Case No. 22-6966

In re: ANTWOYN TERRELL SPENCER,

Petitioner

PETITION FOR REHEARING OF AN ORDER DENYING  
A PETITION FOR A WRIT OF MANDAMUS

COMES NOW, Petitioner Antwoyn Terrell Spencer proceeding pro se, and hereby respectfully submits this petition for rehearing on the following substantial grounds:

Petitioner's mandamus petition is grounded on Mr. Spencer's criminal case being void of grand jury proceedings, and that the fraudulent indictment filed by the United States should be dismissed for lack of jurisdiction.

To the extent this Court has ruled that this issue may not be raised, and that the issue is a civil matter. Jurisdiction may be raised at any time because it involves a court's power to hear a case. See *United States v. Gonzalez*, 311 F.3d 440, 441 (1st Cir. 2002). And, grand jury proceedings are deemed part of a criminal case. See *Counselman v. Hitchcock*, 142 U.S. 547, 562 (1891).

To the extent this Court has determined the issue presented is a habeas corpus matter (civil proceeding), petitioner has sought habeas corpus relief in multiple courts.

CONCLUSION

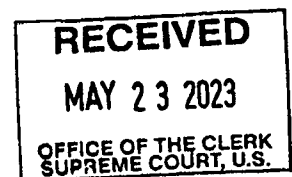
Wherefore, all of the above stated petitioner prays the instant petition for rehearing is granted and the writ of mandamus is issued. It must be noted that petitioner is a non-violent first-time offender that has been on remand for resentencing for nearly 2 years regarding a 18:1 crack law sentence. Petitioner is still serving a 100:1 sentence for crack cocaine.

CERTIFICATE OF COMPLIANCE

Pro se petitioner certifies this petition for rehearing complies with Rule 44 of the Rules of this Court. This petition is restricted to other substantial grounds not previously presented. It is presented in good faith and not for delay.

s/ ANTWOYN TERRELL SPENCER      Dated: 5/11/23

CERTIFICATION



I, Antwoyn Terrell Spencer, Pro se Petitioner, certify under penalty of perjury that this petition for rehearing is brought in good faith and is true and correct to the best of my understanding and belief. It is being sent in accordance with 28 U.S.C. 1746 as self-notarized from FPC Duluth, a federal prison camp in Duluth Minnesota.

s/ ANTWOYN TERRELL SPENCER

Dated: 5/11/23

#### CERTIFICATE OF SERVICE

I, Antwoyn Terrell Spencer, certify that I am sending the above petition for rehearing to the Clerk of the Supreme Court and the Solicitor General's Office at the addresses listed below. It is being sent via U.S. Mail with correct postage prepaid in accordance with *Houston v. Lack*, 487 U.S. 108 S. Ct. 2379 (1988) at 266.

s/ ANTWOYN TERRELL SPENCER

Dated: 5/11/23

#### Sent to:

Clerk of Court  
U.S. Supreme Court  
1 First Street NE  
Washington DC 20543

Solicitor General  
Department of Justice  
950 Pennsylvania Ave Rm 5614  
Washington DC 20530

#### Sent by:

Antwoyn Terrell Spencer # 14781-041  
FPC Duluth  
P.O. Box 1000  
Duluth MN 55814