

SUPREME COURT OF THE UNITED STATES

OFFICE OF THE CLERK

WASHINGTON, D.C. 20543-0001

DECEMBER 29, 2023

IN RE: GRZESLO V. FISHER ON PETITION FOR WRIT
OF CERTIORARI; No. 22-7088.

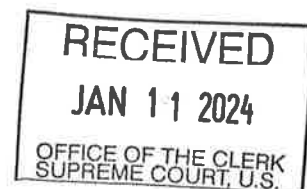
PETITION FOR REHEARING; COMPLIANCE, RULES 44 & 44.6.

JAMES D. GRZESLO; #BB 2085

STATE AT CORCORAN STATE PRISON

P.O. BOX 7100

CORCORAN, CALIFORNIA 93212-7100



JAMES D. GRZESLO; #BB 2085; F-1-11-4L

SATF - CORCORAN STATE PRISON

P.O. BOX 7100 (CONFIDENTIAL LEGAL MAIL)

CORCORAN, CALIFORNIA 93212-7100

PRO SE LITIGANT IN FORMA PAUPERIS

SUPREME COURT OF THE UNITED STATES

RE: GRZESLO V. FISHER

No. 22-7088

JAMES D. GRZESLO,
PETITIONER,

v.

RAYTHEL FISHER,
RESPONDENT.

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No. 22-7088

PETITION FOR REHEARING

1. WRONGFUL CONVICTION;

2. REQUEST REHEARING ON PETITION
FOR WRIT OF CERTIORARI;

3. COMPLIANCE TO RULES 44 AND 44.6;

4. FIFTH REQUEST FOR SCOTUS APPOINT-
MENT OF DEFENSE COUNSEL.

INTRODUCTION

THAT, PETITIONER JAMES D. GRZESLO PROCEEDING AS PRO SE LITIGANT IN FORMA PAUPERIS, IS TIMELY FILING HIS FEDERAL PETITION FOR REHEARING OF HIS PETITION FOR WRIT OF CERTIORARI BASED ON WRONGFUL CONVICTION AND ERRS TO NUMEROUSLY, WILLFULLY VIOLATE HIS RIGHTS BY CONSTITUTIONAL MAGNITUDE.

FOR GOOD CAUSE, AND NOT ATTEMPTING TO DELAY THIS CONSTITUTIONALLY ACTIONABLE PETITION FOR WRIT OF CERTIORARI, MR. GRZESLO PRAYEFULLY REQUESTS THIS COURT TO HEAR HIS CASE; FIND MERIT; AND TO GRANT RELIEF AS REQUIRED BY LAW.

CAUSE FOR GRANTING RELIEF OF PETITION FOR WRIT OF CERTIORARI

1. A FULL REQUEST AND INVESTIGATION OF CORCORAN STATE PRISON'S MAIL ROOM AND ASSISTANCE BY THE POSTMASTER GENERAL'S OFFICE TO DETERMINE WHY LEGAL MAIL FROM THE COURTS ARE DELAYED TO RECIPIENTS IN PRISON AS MUCH AS SEVEN (7) WEEKS.

2. THE RECENT LETTER FROM THE UNITED STATES SUPREME COURTS' CLERK WAS EXECUTED ON DECEMBER 14, 2023 — NOT RECEIVED BY PETITIONER UNTIL DECEMBER 28 AT FIVE O'CLOCK P.M. — REQUIRED RESPONSE OF THE COURT TO MR. GRZESLO WAS DECEMBER 29, 2023 (15 DAYS). THEREBY, ANY RESPONSE PROMULGATED BY ORDER IS NOW UNTIMELY.

CAUSE... (CONT.)

2. RULES 44 AND 44.6 WERE EACH APPROPRIATELY FILED IN A TIME SPECIFIC MANNER WHICH INCLUDES "MATERIAL CONTAINED IN OFFICIAL FILE MAY BE AUTHENTICATED AS PART OF THAT FILE SIMPLY BY OFFICER HAVING LEGAL CUSTODY OF RECORD OR HIS DEPUTY ATTESTING TO THE FACT IT CAME FROM THAT SOURCE." (VISIONS V. HOLLAND, 150 F. SUPP. 678, 1957 U.S. DIST. LEWIS 3768 (D.PA. 3d CIR. 1957)).

a. PETITIONER WAS NOT AWARE THIS COURT WAS EITHER NOT RECEIVING OR ACCEPTING LOWER COURT AUTHENTICATED RECORDS, LEGAL DOCUMENTS, ET SEQ. NOR WAS OFFICIALLY AUTHENTICATED FORENSIC ANALYSIS AND RESULTS WITH REQUIRED EXPERTS OF WORLD RENOWN, FOUND OUT NOW TO BE UNACCEPTABLE UNDER RULES 44 AND 44.6.

b. ACTUALLY, CENTRAL DISTRICT COURT OF LOS ANGELES COUNTY CALIFORNIA, WHICH LEADS TO EXONERATION BASED UPON EXPERT WITNESS SWORN COURT TRIAL TESTIMONY AND WRITTEN RECORDS, IS NOW UNACCEPTABLE TO RULES 44 AND 44.6. WHY?

c. SINCE DNA IS THE MOST PREVALENT EVIDENCE TO EXONERATE, I OFFER TO COPIES IN PETITIONER'S CERTIORARI THAT TWO FORENSIC LABS (FOR DEFENSE AND PROSECUTION) CONCUR THE PETITIONER'S DNA IS ONLY FOUND ON HIS TOOTHBRUSH IN HIS AND HIS FIANCEE'S RESIDENCE IN BEVERLY HILLS, CALIFORNIA. HOWEVER, THESE SAME FORENSIC DNA LABS ALSO CONCUR

CAUSE ... (CONT.)

THE ABUNDANCE OF CRIME SCENE BLOOD SPATTERS FOUND. RESULTS OF ANALYSIS BY THE U.S. GOVERNMENT'S FORENSIC LAB [CONTRASTING WITH THE CIA, FBI, ATF, AND ANALYSIS OF 9/11 DNA IDENTIFICATION CLOSURE] PROVE DNA OF ONLY ONE, RIGHT-HANDED MALE HISPANIC IDENTIFIED AS JESUS MONTES — 4.7 000,000,000,000,000,000 (QUINTILLION) ! I AM THE ONLY MURDERER OF MY FIANCEE. AGAIN, MY DNA APPEARS ONLY ON MY TOOTHBRUSH IN THE COUPLE'S BEVERLY HILLS' RESIDENCE BUILT IN 1929.

3. SINCE DNA IS THE MOST RELEVANT PIECE OF EVIDENCE FOUND (REF EVID 401), WE DO REFER TO HOUSE V. BELL, 332 F.3d 997, 2003, FED APP. OPIN, 2003 WL APP. LEXIS 11789 (6TH CIR. 2003). MR. GARZESO REMAINS, DETERMINING EXONERATION.

4. BEING THE FIFTH TIMELY WRITTEN REQUEST TO THIS COURT FOR APPOINTMENT OF CREDIBLE, COMPETENT AND EXPERIENCED LITIGATOR WITHIN THIS COURT, I AM FILING AND REQUESTING MY ACTIONABLE AND MERITORIOUS CASE BE ASSISTED / TAKEN OVER BY THE SOLICITOR GENERAL'S DEPARTMENT. THE PETITIONER IS NOT AN ATTORNEY AND IS NOT COMPETENT OF THE LAWS UTILIZED BY SCOTUS. REQUEST THE COURT'S VALUED ASSISTANCE.

DECLARATION

I, JAMES D. GARZESO, THE PETITIONER FOR WRIT OF HABEAS CORPUS AM OVER 18 YEARS OF AGE AND A U.S. CITIZEN. PURSUANT TO THE PENALTIES FOR PERJURY, I SWEAR THE AFORESAID IS TRUE AND CORRECT. JL 29-2003

CONCLUSION

FOR GOOD CAUSE AND IN CONSTITUTIONAL DIMENSION, THE
PETITIONER - JAMES D. GRZESLO, PRAYERFULLY REQUESTS
THE UNITED STATE SUPREME COURT GRANTS GRZESLO'S PETITION
FOR WRIT OF HABEAS CORPUS; CREDIBLE LEGAL COUNSEL; AND
RELIEF IN THE WRONGFUL CONFINEMENT AND IMPRISONMENT.

RESPECTFULLY SUBMITTED,

JAMES D. GRZESLO, PETITIONER & PRO SE LITIGANT

EXECUTED, DECEMBER 29, 2023

FILED

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UNITED STATES SUPREME COURT
WASHINGTON, D.C. 20543-0001

CERTIFICATE OF SERVICE

No- 22-7088 ; GRZESLO V. FISHER

ON 29 DECEMBER 2023, THE PETITIONER JAMES D. GRZESLO,
DID FILE A "PETITION FOR REHEARING" VIA LEGAL
MAIL - CONFIDENTIAL - FROM STATE-CSP MAIL BOX AT CSP
STATE PRISON. PURSUANT TO ALL LAWS AGAINST PERJURY,
I SWORE THE AFORESAID IS TRUE AND CORRECT.

12/29/2023
EXECUTED / FILED

JAMES D. GRZESLO, PETITIONER

1. CLERK OF COURT, SUPREME COURT OF THE UNITED STATES;
WASHINGTON, D.C. 20543-0001;
2. OFFICE OF DEPT OF JUSTICE; OFF. OF ATTY GEN - ALEX JULIE
HARRIS; 300 S. SPRING ST, STE 1700; LOS ANGELES, CA 90013
3. JAMES D. GRZESLO, #BB 2005, F-1/11/46; STATE-CSP;
P.O. BOX 7100; CORCORAN, CA 93212-7100