

THE SUPREME COURT OF THE UNITED STATES OF
WASHINGTON D.C.

MIGUEL A. CISNEROS. PER SE.,
PETITIONER.

CASE NO: 22 - 7812.

DATE: NOVE. 26. 2023.

V.

TRENT ALLEN. WARDEN.
RESPONDANT

"PETITION FOR (PETITION FOR REHEARING.)"

ADDRESS INFORMATION OF PETITIONER.

PER SE PETITIONER.:

MIGUEL ANGEL CISNEROS. #ALT137.

SALINAS VALLEY STATE PRISON.

P.O. BOX. #1050.

SOLEDAD. CALIFORNIA. 93960.

PETITIONER IS PROCEEDING IN FORMA.

IN FORMA PAUPERIS.

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- 2 O. SULLIVAN. V. BOERCKLET. 526. U.S. 838. 844. - 45.
- 3 COLEMAN. 501. U.S. at. 750.
- 4 WEAVER. V. MASSACHUSETTS. 582. U.S. 286.
- 5 UNITED STATES. V. VANANAH. 523. F. 3d. 43.
- 6 GAINES. V. KELLY. 202. F. 3d. 593.
- 7 IN RE. J.P. 15. Cal. App. 5th. 789.
- 8 (CA16) PHILLIPS. Supra. 59. Cal. App. 4th 952.
- 9 SULLIVAN. V. LOUISIANA. 1993. 508. U.S. 275. 124. LEd. 2d. 182. 113.
- 10 CASE. V. LOUISIANA. 1990. 498. U.S. 39. 112. LEd. 2d. 339.
- 11 14. AMENDMENT. DUE PROCESS.
- 12 SULLIVAN. Supra. 508. U.S. at. pp. 281. 282.
- 13 HENDSPETH. V. PULLIDO. Supra. 555. U.S. at. p. 61.
- 14 NEDER. Supra. 527. U.S. at. p. 9.
- 15 IN RE WINSHIP. 1970. 397. U.S. 358. 364. 25. LEd. 2d. 368.
- 16 HENDERSON. V. CAMPBELL. 2007. U.S. DIST. LEXIS. 24293.
- 17 BROWN. V. ROBINSON. 2021. U.S. DIST. LEXIS. 116547.
- 18 LAMB. V. ADAMS. 2016. U.S. DIST. LEXIS. 139818.
- 19 ESTELLE. V. MCGUIRE. 502. U.S. 62. 68. 112. 8. ct.
- 20 JAMMAL. 926. F. 2d. at. 920.
- 21 ESTELLE. V. MCGUIRE. 502. U.S.
- 22 PHILLIPS. Supra. 75. Cal. App. 5th. at. pp. 674. - 675.
- 23 GENERALLY. Id. at. p. 675.
- 24 VORSE. V. SARASY. Cal. App. 1st DIST MAR. 26. 1997.
- 25 UNITED STATES. V. YOUNG. 470. U.S. 1. 19. - 20. 105. 8. ct. 10.
- 26 JOHNSON. V. UNITED STATES. Supra. 502. U.S. at. 469.
- 27 NEDER. V. UNITED STATES. Supra. 527. U.S. at. 8.
- 28 DAVIS. V. LARSON. 769. F. Ed. Appx. 233.
- UNITED STATES. V. KALLEN. - ZURY. 629. F. Ed. Appx. 891.

STATUTES AND RULES.

1 PETITION FOR REHEARING.

2 MISCARRIAGE OF JUSTICE.

3 JURY INSTRUCTION STRUCTURAL DEFECT

4 STRUCTURAL ERROR.

5 VIOLATION OF 14TH AMENDMENT. DUE PROCESS.

6 FIFTH AMENDMENT. VIOLATIONS

7 SIXTH AMENDMENT. VIOLATIONS.

8 UNFAIR TRIAL.

9 REVERSAL ERROR.

10 BEYOND A REASONABLE DOUBT STANDARD ERROR.

11 PROSECUTOR MISCONDUCT.

12 FALSE EVIDENCE.

13 EVIDENCE CODE § 1101. b.)... STANDARD

14 EVIDENCE CODE § 352.)... b.)... STANDARD.

15 CONSTITUTIONAL ERROR AND VIOLATION.

16 PREJUDICE EFFECT.

17 ABUSE OF DISCRETION.

18 REVERSAL ERROR.

19 PLAIN ERROR.

20 PROSECUTOR MISCONDUCT.

21 FALSE ADMISSIONS.

21 PROOF OF SERVICE.

22

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SUPREME COURT OF THE UNITED STATES OF
WASHINGTON D.C.

MIGUEL ANGEI CISNEROS.
PETITIONER - PER SE.. ✓
TRENT ALLEN. WARDEN.
RESPONDANT.

CASE NO: 22-7812.

DATE: NOVE. 26 2023

"PETITION FOR REHEARING"

PETITION FOR "PETITION FOR REHEARING"
REQUESTING TO THE COURT TO "GRANT"
"A REHEARING ON THE PETITION AND ITS"
"THE COURT'S DECISION, ON THE GROUND'S"

"I, PETITIONER. MIGUEL A. CISNEROS. PER SE.. WRITE AND SUBMITT THIS
REQUEST PETITION FOR REHEARING INTO THIS COURT THE SUPREME UNITED
STATES COURT AND ITS JUSTICE.. TO COME AND ASK - THAT IT SHOULD
COME TO RECONSIDER THE PETITION IN A REHEARING ON ITS
DECISION JUDGMENT IN WHICH IT JUST LIAD MADE ON OCT. 02.
2023. DENYING "DEMED PETITION. AND "SO IN WHEN PETITIONER
COMES IN PETITION REQUEST ASKING THAT IT GRANT A SUCH
RECONSIDERATION AND REHEARING ON IT AND ITS GROUND'S
ISSUES BECAUSE OF THE DEGREE OF FEDERAL CONSTITUTIONAL
STATUTE VIOLATION'S AND ERROR'S IN THE CASE SEE JONES. V. MAT
I. BANK V. YATES. 240. U.S. 541. 11. WERE IN A PLAINTIFF
APPLYS A REQUEST MOTION FOR THE GRANT AND GRANTING OF A
REVIEW FOR AND OF A REHEARING FOR THE REHEARING.. ALSO SEE:
"O. SULLIVAN. V. BOERCKLET. 526. U.S. 838. 844. - 45. 119. S.Ct.
1728. 144. L. Ed. 2d. 1. 1999. 11. IN WERE IT STATES THE
REQUIREMENT'S OF THE COURT ON ITS DECISION JUDGMENT'S
DECISIONING'S AND THE REQUIREMENT'S FOR THE COURT
GRANTING OF A REHEARING UNDER REQUIRMENTS OF
FEDERAL CONSTITUTIONAL STATUTES..

THE COURT NEED'S TO DO A CONDUCTING'S FOR REHEARING

PETITION FOR REHEARING.

AND REVIEW UNDER REASONS OF WHICH ARE IN THE INTEREST OF
AS TO THE JUSTICE WHICH NEEDS THIS COURT'S RESOLVING'S
AN CORRECTING'S AND BECAUSE IF IT DOES NOT AND FAILS
TO, THE FAILURE TO CONSIDER WOULD CONSTITUTE A MISCARRIAGE
OF JUSTICE SEE COLEMAN. 501. U.S. at. 750.

THE PETITION AND REQUEST FOR A GRANTING OF A REHEARING
ARE OF CONSTITUTIONAL DECREE THAT ARE ALREADY PRESENTED
IN THE PETITION IN WHICH THIS COURT HAS ALREADY MADE A
DECISION TO AN ON "DENIED THE PETITION", DENYING THE
PETITION THERE IS THREE GROUNDS ON THE PETITION OR FOUR,
BUT ONE OF THEM PETITIONER CISNEROS IS ARGUING THE
ERRONEOUS ADMITTED "JURY INSTRUCTION", IN WHICH THE
ERROR IS "STRUCTURAL AND AS FOR THE OTHER GROUND THAT
IS AS TO THE ERRONEOUS ADMITTED PRIOR UNCHARGED
ACT AND ITS EVIDENCE OF "ROBBERY" OF 2012, THIS IS TO
ALREADY ADMITTED INTO THE COURT IN PETITIONER'S
RAISED ENTERED PETITION "MAIN PETITION".

PETITIONER IS JUST RAISING THE ISSUES MORE CLEARER
BASICALLY SHINING MORE LIGHT ON THE ISSUE SO THE COURT
CAN SEE THE VIOLATION AND "MISCARRIAGE OF JUSTICE ERROR'S
AND SEE THAT IT DID MAKE OR MADE A "ERRONEOUS DECISION
ON THE PETITION AND ITS GROUNDS

ARGUMENT SUMMARY

THE PURPOSE OF THIS PETITION MOTION AND REQUEST IS SO THAT THE COURT HERE COMES TO UNDERSTAND THAT DENYING THE PETITION AN ISSUES GROUND'S WOULD NOT BENEFIT OR HELP THE INTEREST OF THE JUSTICE OR AND JUSTICE, BECAUSE ALTHOUGH IT DENIED THE PETITION IT HAD NOT RESOLVED ANY CONSTITUTIONAL VIOLATION OR ERROR OF RIGHT'S WHICH IS STILL KEY OF INTEREST. PETITIONER CONTINUES ON PONG ARGUING THESE ISSUES AND GROUND'S TO THE COURT AND COURT'S "HE ALSO IS ON GOING THROUGH THE PROCESS OF THE COURT'S AND PETITION'S "YET NO COURT HAS TOOKEN ANY INTEREST IN RESOLVING OR AT THAT CORRECTING ANY OF THE CONSTITUTIONAL RIGHT VIOLATIONS OR ERRONEOUS STATUTES. NO COURT TAKES THE PETITION TRULY SERIOUSLY, NEITHER IN THE CONDUCTING'S OF REVIEW OR ANY ANALYSING BECAUSE THERE IS CONSTITUTIONAL RIGHT ERRORS AND VIOLATIONS THAT THE COURT PASS UPON "TIME THROUGH TIME THE COURT DENY'S AS STATED, "STATED THAT NO SUCH CONSTITUTIONAL VIOLATION OR ERROR HAS OCCURED OR BEST SAID THAT PETITIONER HAS SHOWN "NONE AND THAT PETITIONER NEEDS TO SHOW SUCH CONSTITUTIONAL VIOLATIONS AND SUCH SHOWING'S PETITIONER ALWAYS ARGUES THAT HIS FUNDAMENTAL BASIC RIGHT'S AND RIGHT HELD BY THE 14TH AMENDMENT "DUE PROCESS AND "FUNDAMENTAL FAIR TRIAL PROTECTION OF ANY INDIVIDUAL AN ACCUSED PERSON IN A CONVICTION AND TRIAL SHOULD BE SUBSTANTIAL ENOUGH BUT IF NOT HOW ABOUT ANY ACCUSED "IN AT CONVICTION OF TRIAL CAN ONLY BE CONVICTED EXCEPT ONLY UPON ONLY BY BEYOND A REASONABLE DOUBT OF WHICH HE IS CHARGED TO, AS BY THE SIXTH AMENDMENT AND BY

1
2 FIFTH AMENDMENT TO, SUCH ERROR'S HAD GREAT BIG ENOUGH
3 CONTRIBUTION TO THE OUTCOME AND JURYS OBTAINED
4 DETERMANTION AND ANY SUCH EFFECT OR AFFECT OUTCOME
5 AND DETERMINATION OF REASONABLE DOUBT REQUIRES A
6 REVERSAL AND IS "STRUCTURAL DEFECT ALSO REQUIRES A
7 AUTOMATIC REVERSAL" YET... NO COURT TAKES SUCH
8 CONSTITUTIONAL VIOLATION OR ERROR SERIOUS AND SERIOUSLY
9 TO MAKE ENOUGH A REVIEW OR FOR ANALYSISING THE POINTS
10 IN WHICH PETITIONER ARGUE'S THE COURT JUST DENY'S
11 THE PETITION SOMETIMES WITHOUT ANY "SAY"... THIS IS
12 SOMETHING DIFFICULT SPECIALLY FOR PETITIONER WANTING
13 TO KNOW AND NEEDING TO KNOW TO CORRECT ANY OF THE
14 ERROR'S MAYBE OCCUREING OR MAYBE BEING MADE
15 BUT AS STATED BEFORE SUCH "STRUCTURAL DEFECT... MADE
16 BY THE JURY INSTRUCTION TO THE CONSTITUTIONAL RIGHT
17 VIOLATION OF ANY ACCUSED CAN ONLY BE CONVICTED
18 ONLY EXCEPT ONLY BY THE REASONABLE DOUBT OF THE
19 CHARGED COUNT ONE IS BEING CHARGE TO IS SUBSTANTIAL
20 ENOUGH FOR THE COURT TO GRANT AND REVIEW THE GROUND
21 AN CLAIM ISSUE HERE.
22 PETITIONER WOULD WANT TO ALSO TAKE JUST A MOMENT
23 FOR THE COURT TO BE AWEAR AND TAKE SOME MORE CARE
24 OF THIS CASE AND SO THE COURT CAN KNOW THAT PETITIONER
25 HAS SOME DIFFICULTY'S AND DISABILITY'S BUT ALSO HAS
26 NO PRACTICE IN AND OF LAW AND THIS MAKES IT MUCH
27 MORE DIFFICULT FOR BOTH PETITIONER AND THE COURT BUT
28 THIS IS WHY THE COURT SHOULD MAKE BETTER REVIEWS AND
TAKE MORE CARE OF THE CASE AND SITUATIONS HERE...

1 ARGUMENT A.)

2 GROUND ISSUE ONE IS IF THIS COURT COMES TO "DENY" ...
3 SUCH CONSTITUTIONAL VIOLATION AND "ERROR" THEN WHICH IT
4 FAILS TO RECONSIDER AND CONSIDER THE ISSUE OF THE
5 PETITION ... THEN IT WOULD GREATLY CONSTITUTE A
6 MISCARRIAGE OF JUSTICE BECAUSE THE ISSUE OF THE
7 ERRONEOUS JURY INSTRUCTION ITS DEGREE OF EFFECT
8 CONSTITUTES A MISCARRIAGE OF OUR CRIMINAL TRIAL PROCESS
9 THE COURT SHOULD REALLY RECONSIDER AND CONSIDER A
10 REHEARING OF THE PETITION AND "ACKNOWLEDGE THE SUCH
11 RECOGNIZING "STRUCTURAL DEFECT AND "REVERSABLE ERROR
12 THE STATE TRIAL COURT HAS FAILED TO ARTICULATE IN THE
13 GENERAL INSTRUCTION AND INSTRUCTIONS ON DETERMINATING
14 IN DETAILS ITS OBLIGATIONS THAT THE STATE NEEDS TO
15 PROVE EACH AND EVERY ELEMENT BEYOND A REASONABLE
16 DOUBT AND THAT JURORS ARE OBLIGATED "TO SATISFY ...
17 AND ESTABLISH EACH AND ALL ELEMENTS OF PROOF BEYOND
18 A REASONABLE DOUBT THAT HE'S GUILTY BY BEYOND A
19 REASONABLE DOUBT. THE TRIAL COURT'S AND COURT ALONG
20 WITH THE STATE FAILED TO DESCRIBE THE REASONABLE
21 DOUBT IN POSITIVE TERMS WHICH IT CREATED A REASONABLE
22 LIKEHOOD THAT THE STATE BURDEN OF PROOF "WAS AND "GOT
23 DIMINISHED. " THE STATE DID NOT PROVE THE THINGS IT
24 MUST OF HAVE, AND IT DID NOT PROVE ANY OF THE CHARGED
25 OFFENSE'S ELEMENTS "NOT" KIDNAPPING NOR CARJACKING
26 NEITHER "THE KIDNAPPING DURING A CARJACKING.
27 IT DID NOT DO IT BY BEYOND PROOF BEYOND A
28 REASONABLE DOUBT SEE WEAVER V. MASSACHUSETTS. 582. U.S.
286.)). ... ALSO SEE. UNITED STATES V. VAN ANH. 523. F. 3d.
43.)). ALONG WITH SEE. CHAINES. V. KELLY. 202. F. 3d. 593.

1 THE TRIAL COURT'S FAILURE TO DESCRIBE AND ARTICULATE IN THE
2 INSTRUCTION IN DETAILS AND ITS OBLIGATION THAT THE STATE
3 AND JUROR'S NEED TO SATISFY AND ESTABLISH ALL ELEMENTS
4 OF PROOF BEYOND A REASONABLE DOUBT AND ALL THING IT
5 MUST SERIOUSLY RESULTED IN A "MISCARRIAGE OF JUSTICE SEE.
6 IN RE J.P. 15. CAL. APP. 5TH. 789.

7 THE ERROR AND "VIOLATION WAS "CONSTITUTIONAL RIGHT VIOLATION'S",
8 BECAUSE ITS FAILURE TO DESCRIBE AND ARTICULATE IN THE
9 INSTRUCTION'S AND IN INSTRUCTION WAS "STRUCTURAL DEFECT
10 AND NEEDS AUTOMATIC REVERSAL OF CONVICTION. IT ALSO
11 IS NOT HARMLESS BEYOND A REASONABLE DOUBT SEE. CA.
12 16. PHILLIPS. SUPRE. 59. CAL. APP. 4TH 952.)). ALSO SEE.
13 SULLIVAN. V. LOUISIANA. 1993.) 508. U.S. 275. 124. L. ED.
14 2d. 182. 113. S. CT. 2078. THE CASE OF SULLIVANA GO'S MORE IN
15 DETAILS ABOUT/ABOUT MISLEADING OR FAILED
16 DESCRIBED INSTRUCTION'S.

18 HOPEFULLY THE COURT CAN ALSO RECOGNIZE SIMILAR
19 GIVING'S IN THE CASE'S OF "CAGE V. LOUISIANA. 1990.).
20 498. U.S. 39. 112. L. ED. 2d. 339. 111. S. CT. 328. WHICH IT
21 DEFINED'S THE REASONABLE DOUBT STANDARD BY
22 REFERRING TO GREAT GRAVE UNCERTAINTY AND SUBSTANTIAL
23 DOUBT TERMS THAT EFFECTIVELY AND IMPROPERLY
24 LOWERED THE PROSECUTOR'S BURDEN OF PROOF.

26 THIS ERROR AFFECTED AN EXTREMELY SERIOUS BASIC
27 CONSTITUTIONAL GUARANTEE AND "DUE PROCESS IN WHICH
28 CONCLUDED TO THE VIOLATION OF "DUE PROCESS AND FAIR
TRIAL... WITH IT CASSETT A WRONGFUL CONVICTION...
TO SOMEONE WHO IS AND MIGHT BE SERIOUSLY INNOCENT.

1 THE STATES COURT AND STATE INSTRUCTIONS TO JUROR'S THEN
2 SPECIFICALLY INSTRUCTED THAT IF YOU JUROR'S ARE NOT
3 SATISFIED BEYOND A REASONABLE DOUBT THAT DEFENDANT
4 IS GUILTY OF THE CRIME AS CHARGED IN THE COUNT
5 THEN YOU CAN UNANIMOUSLY SO FIND IT CAN CONVICT HIM OF
6 THAT OR IT., {JUST HIGHLIGHTING SPECIFIC INSTRUCTIONS}
7 THE INSTRUCTIONS WERE INADEQUATE INFORMING JUROR'S
8 THAT THEY NEED NOT TO FIND IT PROOF BEYOND A REASONABLE
9 DOUBT THAT DEFENDANT IS GUILTY OR TO FIND IT THAT
10 DEFENDANT COMMITTED ANY OF THE ALLEGED CHARGED
11 COUNT TO FIND HIM GUILTY... IN DETERMINING HIS GUILT
12 THE STATE AND TRIAL COURT MISLEADING DESCRIBED
13 INSTRUCTIONS TO JURY AND JUROR'S ALONG WITH PROSECUTOR'S
14 BURDEN OF PROOF AND FOLLOWING INCORRECT INFORMING'S
15 TO JUROR'S IT INVITIATING ALL OF THERE FINDING'S
16 INFECTED THE ENTIRE TRIAL SEE SULLIVAN. SUPRA. 508. U.S.
17 91. PP. 281. 282..).). ALSO SEE HEDSPETH. V. PULLIDO. SUPRA
18 555. U.S. 91. P. 61..).). ALSO SEEN IN THE CASE OF NEHER. SUPRA.
19 527. U.S. 91. P. 9..).). FOLLOWING SEEN IN, "IN RE WINSHIP. 1970.
20 397. U.S. 358. 364. 25. L Ed. 2d. 368.

21
22
23 THE COURT CAN ALSO COME TO GUIDE THE DETERMINATIONS OF
24 THE INTRODUCING'S OF THE {PROSECUTOR'S MISCONDUCT} WELL...
25 KNOWINGLY KNOWING OF THE "FALSE ADMITTED" EVIDENCE AND
26 TESTOMNY AND WITNESS AND THE STATES WITNESS
27 CREDITABILITY WAS IN SERIOUS QUESTION NOT ONLY BY
28 HE'S STATEMENTS BUT BY HE'S MANY DIFFERENT TESTOMNY'S
STORY'S OF THE INCIDENT. IT WAS A MISCONDUCT OF STATE
TO WELL KNOWINGLY KNOWING TO INTRODUCE FALSE EVIDENCE.

1 ARGUMENT B).

2 THIS ARGUMENT OF THE ADMITTED PRIOR UNCHARGED ACT AN
3 ITS EVIDENCE PURSUANT TO EVIDENCE CODE § 1101. b.)...
4 AND ITS ADMITTING'S UNDER EVIDENCE CODE § 352.)... IS
5 A GREAT CONCERN DO TO IT VIOLATIONING DEFENDANTS MR.
6 CISNEROS. CONSTITUTIONAL RIGHT OF DUE PROCESS AND FAIR
7 TRIAL THE CONCERN IS THAT ITS IMPOSING AFFECTED THE...
8 ENTIRE TRIAL UNFAIRLY.

9 THE CONSTITUTIONAL RIGHT VIOLATION AND ERROR CONSTITUTED
10 FUNDAMENTALLY TO A GREAT DEGREE DANGEROUSLY THE
11 DANGER FACTORS ARE OF MR. CISNEROS. DETERMINATION OF
12 OUTCOME IN WHICH JURORS WOULD TAKE THE EVIDENCE
13 ADMITTED BOTH BY THE STATE AND COURT OF TRIAL DID
14 NOT OUTWEIGH THE PREJUDICE EFFECT WHICH THE COURT'S
15 DECISION OF DISCRETION WAS A ABUSE TO THIS COURT OR
16 EITHER PRIOR COURT'S NOT HAVING TO SEE OR VIEW SUCH
17 ABUSE OF DISCRETION'S OR PREJUDICE AFFECTS WAS ERRONEOUS
18 THE PREJUDICE ADMISSION OF EVIDENCE DID NOT SATISFY
19 "NOT SATISFYING THE LAW OF EVIDENCE CODE § 1101. b.)...
20 SEE ESTELLE. V. MCGUIRE. 502. U.S. 11)...

21 THE ADMISSION OF EVIDENCE CODE § 1101. b.) NEEDS TO BE
22 UNDER THE PURSUANT'S EVIDENCE CODE § 352.)... AND AS TO
23 ITS REQUIREMENTS TO BOTH AND EVID CODE § 352.)) b.) IT
24 DID NOT MEET NOR DID IT SATISFY THE REQUIRED
25 "LAW OR" REQUIREMENT FOR IT TO BE ADMITTED THE
26 PROPENSITY TO PROVE A CRIMINAL CONDUCT ON A... OR OF
27 A SPECIFIC OCCASION... AS THE STATE ARGUED ITS
28 ADMISSION'S FOR THE EVIDENCE WHICH WAS TO PROVE THAT
DEFENDANT CISNEROS. HAS A TENDENCY TO WALK UP AND
APPROACH STRANGER'S IN CAR VEHICLES.

1
2 AND AS THE RECORD SHOWS AND THE STATEMENTS OF TESTIMONY
3 BY STATE WITNESS IT WAS NOT THAT DEFENDANT CISNEROS
4 HAD WALKED UP AND APPROACH THIS INDIVIDUAL STRANGER
5 IN THIS OCCASION INCIDENT IN A CAR VEHICLE OR EVEN
6 APPROACH THE STRANGER AT ALL WITH ANY INTENT IT
7 WAS THE STRANGER WHO CALLED OUT WITH INTENT TO
8 APPROACH SOMEONE WHEN IN SEEING INDIVIDUAL MR.
9 CISNEROS WALKING DOWN THE STREET. THE INCIDENTS
10 WITHOUT ANY DOUBT WERE NOT RELEVANT OR SIMILAR
11 AND FOR THE FACTS THE STATE ADMITTED SUCH
12 EVIDENCE WERE PREJUDICE AND DID NOT OUTWEIGHT
13 THAT AFFECT. SEE HENDERSON, V. CAMPBELL, 2007, U.S. DIST
14 LEXIS. 24293.

15 THE ADMITTED EVIDENCE UNDER EVID CODES 1101. b) DID
16 NOT GET SATISFIED AND EITHER ITS LAW UNDER
17 SUBDIVISION b). WHICH WAS UNDER A LIMITED PURPOSE
18 OF A JURY INSTRUCTION FOR THE PROPENSITY TO PROVE
19 CRIMINAL CONDUCT ON A SPECIFIC OCCASION SEE.

20 BROWN, V. ROBINSON, 2021, U.S. DIST. LEXIS. 116547.
21 ALSO SEEN IN THE CASE OF LAMB, V. ADAMS, 2010, U.S.
22 DIST. LEXIS. 139818.)). ALSO SEE ESTELLE, V. MCGUIRE,
23 502, U.S. 62, 68, 112, S. CT. 475, 116, L. ED. 2d. 385,
24 1991.)). SEE ALSO IN THE CASE OF JAMMAL, 926, F. 2d. at
25 920.

26 AS TO THE COURT'S ANALYSIS OF THE CONCERN OF
27 UNTRUE PREJUDICE WHICH EVIDENCE CODE § 352.)).
28 BRINGING WAS CAUSED THE PROCESS OF IT INTENDED IN
THE TRIAL AND JUROR'S/JUROR DRAWING FROM IT AND
AROUSING AND INFLAMING THEM AGAINST DEFENDANT.

1
2 THE UNLAWFUL PREJUDICE HAD THE TENDENCY TO AROUSE AND
3 INFLAME JURORS TO IN WHICH THEY DRAW FROM INTO THE
4 COURSE OF DETERMINING OF GUILT.
5 EVIDENCE CODE § 352.). HAD AND HAS THE TENDENCY TO
6 EVOKE JURORS AGAINST DEFENDANT ^{BIASLY} OR ^{BIAS} TO
7 MOTIVATE JURORS UNREASONABLY AND NOT USE OR
8 BE LOGICALLY TO EVALUATE INFORMATION PROPERLY AND
9 TENDS TO PUSH TO REWARD'S ONE SIDE THE SIDE OF
10 GUILT THE EVIDENCE WAS SUBSTANTIALLY MORE
11 PREJUDICE AND PREJUDICIAL THEN PROBATIVE IT POSED
12 HIGH RISKS TO THE FAIRNESS OF THE TRIAL AND THE
13 PROCEEDINGS THE RELIABILITY OF THE OUTCOME SEE.
14 PHILLIPS. SUPRA. 75. CAL. APP. 5TH AT. PP. 674. - 675.
15 ALSO SEE GENERALLY. ID. AT. P. 675. IN WERE THE
16 "DUE PROCESS FORBIDS SUCH OBTAIN VERDICTS... AND
17 EXCEEDS THE BOUND OF REASONS FOR REVERSAL. SEE
18 VORSE. V. SARASY. CAL. APP. 1ST DIST MAR 26. 1997.)
19 53. CAL. APP. 4TH 998. 62. CAL. RPT. 2d. 164. 1997.
20 CAL. APP. LEXIS. 228.

21 THERE IS NO DOUBT THE COURT ABUSED ITS DISCRETION
22 IN ADMITTING THE PRIOR UNCHARGED ACT'S EVIDENCE
23 IN WHICH IT CAUSED SUCH UNLAWFUL PREJUDICE VIOLATION
24 VIOLATING CISNEROS. DUE PROCESS 14TH AMENDMENT AND
25 FAIR TRIAL. AND BY DOING SO REVERSAL IS REQUIRED.
26 IT IS A PAIN ERROR SEE. UNITED STATES. V. YOUNG. 470.
27 U.S. 1. 19. - 20. 105. S. CT. 10. 38. 84. L. ED. 2d. 1. 1985.
28 IN WERE THE COURT RECOGNIZES AND "ACKNOWLEDGES
THE ERROR AND VIOLATION'S.

BRIEF SUMMARY ENDINGS.

PETITIONER CISNEROS. CONTINUES TO DO HIS BEST IN RESPECT TO THE COURT AND ITS DECISIONS. ALTHOUGH PETITIONER SHOWS AND STATES ADDRESSING THAT HE HAS MANY SERIOUS DIFFICULTY'S AND DISABILITY'S CONCERNING THE PROCESS AND LEGAL PRACTICE OF LAW AND ASK'S FOR THE COURT TO HAVE JUST ABIT MORE CARE IN DEALING WITH AND HANDLING IT... THE CASE WITH MUCH MORE CARE BECAUSE ITS NEEDED AND BECAUSE OF SO ISSUES PETITIONER HAS THE RIGHT TO ADVICE THE COURT SPECIALLY DURING ANY PROCESS OR PROCEDURE BUT YET THE COURT TAKES NO CONCERN IN THE CASE OR SERIOUS DIFFICULTY'S OR DISABILITY OF PETITIONER OR IN THE SERIOUS RAISED ISSUE GROUNDS WHICH ARE IN HAND TO HAND TO ONE ANOTHER CONCERNING AFFECTED WRONGFUL RULING OF DETERMINATION OUTCOME OF GUILT, BY THE ADMITTED PRIOR UNCHARGED ACT AND ITS EVIDENCE CUPOLED WITH ITS JURY INSTRUCTION TO A LIMITED INSTRUCTION WHICH ALSO THE MISLEADING AND MISDESCRIPTION IMPRORE INFORMING JUROR'S THAT THEY SHOULD AND COULD AND HAVE TO FIND DEFENDANT GUILTY WITHOUT THE NEED TO SATISFYING THE BEYOND A REASONABLE DOUBT STANDARD OR NEED TO, OF DEFENDANT BEING GUILTY THE MISLEADING AND MISDESCRIPTION AND "RELIEF OF THE PROSECUTOR'S BURDEN WAS" STRUCTURAL DEFECT. SEE JOHNSON. V. UNITED STATES. SUPRA. 502. U.S. AT. 469.)). ALSO. SEE. NEDER. V. UNITED STATES. SUPRA. 527. U.S. AT. 8.

ALL IN WHICH RENDERED THE ENTIRE TRIAL THE APPLICATION OF THE COURT AND STATES INSTRUCTION'S HAD SUBSTANTIAL TO DO WITH IT. CONCERNS THE COURT OF CONSTITUTIONAL RIGHT VIOLATIONS AND "STRUCTURAL ERROR.

1 IF THIS COURT COMES TO DENY SUCH MISARRIAGE. ALL OF THE
2 GROUND ISSUES HERE PRESENTED, ARE ALREADY PRESENTED
3 IN THE PETITION ALTHOUGH THAT MIGHT BE CASE PETITIONER
4 ARGUES EACH POINT MORE CREATLY, IN THE LIGHT SO THE COURT
5 CAN SEE ITS FAILURE'S AND TERMS OF OBLIGATIONS TO
6 REVIEW THE GROUNDS AND ERROR'S WHICH HAVE OCCURED
7 THE COURT CANNOT STATE THAT THE ISSUES AND GROUNDS
8 ARE NEW OR NOT PRESENTED PREVIOUSLY BECAUSE THEY
9 ARE AND WERE GROUND 1.) OF PETITION IS THE ERRONEOUS
10 ADMITTED PRIOR UNCHARGE ACT AND ITS EVIDENCE
11 UNDER THE PURSUANT'S EVID CODES (1101.6.)... AND EVID
12 CODES (352.)... IN WHICH PETITIONER ARGUES MORE IN
13 TO IT IN THIS PETITION OF PETITION FOR REHEARING AS ALSO
14 TO THE GROUND ISSUE OF THE ERRONEOUS JURY INSTRUCT
15 JURY INSTRUCTION IMPROPERLY INFORMING JUROR'S IN
16 THERE OBLIGATIONS AND REASONABLE DOUBT STANDARD
17 OF PROOF BEYOND A REASONABLE DOUBT. THAT PROTECT'S
18 ALL OR ANY INDIVIDUAL UNDER A PROCESS OF TRIAL AND
19 CONVICTION WHICH IS GROUND 2.) OF PETITION AND
20 LASTLY WE CAN REVIEW AFTER ALL THE ERROR'S AND
21 CONSTITUTIONAL RIGHT VIOLATIONS THE PROSECUTOR'S
22 MISCONDUCT OF KNOWINGLY KNOWING TO ADMIT SUCH
23 FALSE EVIDENCE AND TESTOMNY AN WITNESS, OF THE
24 WITNESS WHICH WAS IN SERIOUS QUESTION WHICH IS ONLY
25 BEING ARGUED JUST ABIT LIGHT HERE BUT THE ISSUES
26 ALREADY BEING ARGUED SHOULD HOPEFULLY PUSH THIS
27 COURT TO GRANT THE REHEARING OF THE PETITION AND
28 IT GROUND'S FOLLOWING ALSO THE DECISION IN WHICH IT
JUST HAD MADE BECAUSE THERE'S NO DOUBT MR CISNEROS
CONVICTION AND OBTAINED CONVICTION WAS A...

1 ERRONEOUS ONE AND BECAUSE OF SUCH "STRUCTURAL DEFECTS"
2 AND CONSTITUTIONAL RIGHT VIOLATIONS THIS COURT HAS TO "GRANT"
3 THIS PETITION OF "PETITION FOR REHEARING" AND "PETITION"
4 FOLLOWING ITS GROUNDS TO:

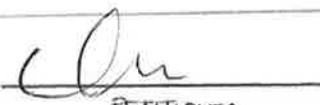
5 THE PETITION FOR REHEARING BRIEFLY AND DISTINCTLY STATES
6 ITS GROUNDS AND THAT THE GROUNDS ARE LIMITED TO
7 INTERVENING CIRCUMSTANCES OF SUBSTANTIAL OR
8 CONTROLLING EFFECT OR TO OTHER SUBSTANTIAL GROUNDS
9 NOT PREVIOUSLY PRESENTED.

11 THE PETITION FOR REHEARING IS PRESENTED IN GOOD
12 FAITH AND NOT FOR DELAY.

15 CONCLUSIONS

17 THE PETITION FOR A REHEARING SHOULD BE GRANTED
18 RESPECTFULLY SUBMITTED.

24 DATE: NOVE. 26. 2023.

26 
27 PETITIONER.
28 SIGNATURE.

ARGUMENT C.)

THIS GROUND ARGUMENT IS SIMPLY SIMPLE BECAUSE DUE TO THE CONSTITUTIONAL RIGHT VIOLATIONS AND "MISCARRIAGE OF THE ERRONEOUS ADMITTED JURY INSTRUCTION" "STRUCTURAL DEFECT AND REASONABLE DOUBT ERROR" NOT ONLY THAT OUTCOME AFFECTED ALL THE DETERMINATION BUT IT ALSO HAD A BIG AFFECT ON THE POINTS ALONG WITH OTHER'S BRIEFLY ARGUED WITH THE PROSECUTOR'S MISCONDUCT OF THE FALSE ADMITTED EVIDENCE AND TESTOMNY ALONG WITH STATES WITNESS, FOR PROSECUTOR WELL KNOWINGLY KNOWING IT WAS FALSE WAS A MISCONDUCT. SEE *Dickey v. Davis*. 237. F. Supp. 3d. 634. ALSO SEE "BURTON V. BURTON. 2020. BUT BESIDES THAT POINT, THERE'S THE POINT OF PETITIONER MR. CISNEROS. WHO HAS NEVER COMMITTED SUCH ACT OR ACT'S OF "KIDNAPPING," NOR CARJACKING NEITHER "KIDNAPPING DURING CARJACKING.., BESIDES NO ELEMENTS BEING EVER ESTABLISHED THERE'S THE JURY INSTRUCTION IN WHICH "REMOVED AND" RELIEFED THE STATE FROM ESTABLISHING AND MUST PROVING ALL THE ELEMENTS, THING'S IT MUST OF HAVE PROOFED BEYOND A REASONABLE BUT BECAUSE IT HAD NOT ESTABLISHED ANY OF THE ELEMENTS IN WHICH THE ACCUSED IS BEING CHARGED TO AND RELIEFED THE JURY FROM DOING SO ALONG WITH THE STATE IT "CAUSED AND" WHAT WOULD BE CONSIDER A WRONGFUL CONVICTION SEEN IN CASE AS SEE *TRAVIS V. LARSON*. 769. F.2d. Appx. 233. IF FALSE TESTIMONY COULD OF IN ANY, REASONABLE LIKELIHOOD HAVE AFFECTED THE JUDGMENT ALSO SEE. *UNITED STATES V. KALLAN-ZURY*. 629. F.2d. Appx. 894. EVEN IF IT THE FALSE ADMISSION GOES TO THE CREDITABILITY, OF ...

WITNESS BUT NEITHER THAT THERE WAS "NO QUESTION JURORS
DID NOT FIND OR FOUND THE WITNESS CREDITABLE.

NOT ONLY THAT BUT THE ADMITTED "FALSE EVIDENCE AND
TESTIMONY OF WITNESS WOULD AND CAN CONSTITUTE AS
PETITIONER'S MR CINEROS. CLAIM OF ACTUAL INNOCENCE. SEE
KHALIL V. MONTGOMERY. 2017. U.S. DIST. LEXIS. 179670. ALSO SEE
DIAZ V. BORDERS. 2021. U.S. DIST. LEXIS. 1016. IN WHERE IF CO'S
AND OF THE CREDITABILITY OF WITNESS. ALSO SEE. YOUNG. V.
GIPSON. 163. F. Supp. 3d. 647.

PETITIONER CLAIMS "HIS GROUND OF ACTUAL INNOCENCE SEE O'NEILL
V. DIRVA. DEPT OF CORR. 2011. U.S. DIST LEXIS. 88096. ALSO SEE.
OGLE. MOHAR. 2017. U.S. DIST LEXIS. 34726.

IN THE LIGHT OF ALL THE EVIDENCE NO JUROR COULD OF OR
WOULD OF FOUND DEFENDANT GUILTY AND IN THE REGARD'S
OF THE CONSTITUTIONAL DEFAULT SEE UNITED STATES V.
GARTH. 188. F. 3d. 99. . ALSO SEEN IN UNITED STATES V.
BEELE. 2001. U.S. DIST. LEXIS. 10592.

PETITIONER ALSO RAISES HIS GROUND CLAIM NOT ONLY ON THAT
DEFENDANT HAD NO COMMITTED SUCH ACT BUT ON THE
FALSE ADMISSION OF FALSE EVIDENCE BUT ALSO BY THE
STATES INCORRECTLY INSTRUCTIONS TO JURORS AND JURY
RELIEVING THEM OF THE COMMONWEALTH OF ITS BURDEN
ON OF THE STATE'S TO PROVE ALL ELEMENTS. SEE MITCHELL.
V. WALSH. 2016. U.S. DIST. LEXIS. 172086. ALSO SEE DEW. V.
KELLY. 2018. U.S. DIST. LEXIS. 225949. ADDING. SEE
UNITED STATES. V. REID. 2012. U.S. DIST. LEXIS. 54414.
THIS IS TO PETITIONER "WRONGFUL CONVICTION AND SENTENCE. GROUND.

THE SUPREME COURT OF UNITED STATES OF
WASHINGTON D.C.

MIGUEL A. CISNEROS.

PETITIONER

v.

CASE: 22-7812.

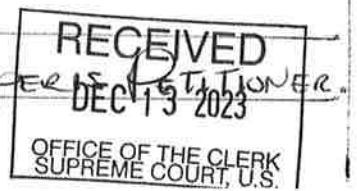
LENT ALLEN. WARDEN.

RESPONDANT.

DATE: NOV 26, 2023.

PETITION FOR REHEARING

I, PETITIONER CISNEROS, M. WRITE AND SUBMIT THIS PETITION FOR REHEARING INTO THIS COURT UNDER RULE 44. REHEARING. 1.) ANY PETITION FOR THE REHEARING OF ANY JUDGMENT OR DECISION OF THE COURT ON THE MERITS SHALL BE FILED WITHIN 25. DAYS AFTER ENTRY OF THE JUDGMENT OR DECISION, UNLESS THE COURT OR A JUSTICE SHORTENS OR EXTENDS THE TIME. THE PETITIONER SHALL FILE 40. COPIES OF THE REHEARING PETITION AND SHALL PAY THE FILING FEE PRESCRIBED BY RULE 38. b.) EXCEPT THAT A PETITIONER PROCEEDING "IN FORMA PAUPERIS" UNDER RULE 39. INCLUDING AN INMATE OF AN INSTITUTION SHALL FILE THE NUMBER OF COPIES REQUIRED FOR A PETITION BY SUCH PERSON UNDER RULE 12. 2. THE PETITION SHALL STATE ITS GROUNDS BRIEFLY AND DISTINCTLY AND SHALL BE SERVED AS REQUIRED BY RULE 29. THE PETITION SHALL BE PRESENTED TOGETHER WITH CERTIFICATION OF COUNSEL OR UNLESS A PARTY UNREPRESENTED BY COUNSEL THAT IT IS PRESENTED IN GOOD FAITH AND NOT FOR DELAY. ONE COPY OF THE CERTIFICATE SHALL BEAR THE SIGNATURE OF THE PARTY UNREPRESENTED BY COUNSEL. SEE PAGE 13 OF PETITION FOR REHEARING. RULE 12.2. AN INMATE CONFINED IN AN INSTITUTION IF PROCEEDING IN FORMA PAUPERIS AND NOT REPRESENTED BY COUNSEL NEED FILE ONLY AN ORIGINAL PETITION AND MOTION. INDIVIDUAL INMATE MR CISNEROS, M. IS IN FORMA PAUPERIS.



CASE NO: 22 - 7812.

IN THE
SUPREME COURT OF THE UNITED STATES.
OF WASHINGTON. D.C.

MIGUEL ANGEL CISNEROS.

PETITIONER.

VS.

TERNT ALLEN. WARDEN.
RESPONDENT'S.

PROOF OF SERVICE.

I, MIGUEL ANGEL CISNEROS. #ALT137. DO SWEAR OR DECLARE THAT ON
THIS DATE: NOVE. 2023. AS REQUIRED BY THE SUPREME COURT
RULE 29. I, HAVE SERVED THE ENCLOSED PETITION MOTION FOR LEAVE TO
PROCEED IN FORMA PAUPERIS AND PETITION FOR REHEARING UNDER
THE PETITION FOR A WRIT OF CERTIORARI. ON EACH PARTY TO THE
ABOVE PROCEEDING OR THAT PARTY'S COUNSEL AND ON EVERY
OTHER PERSON REQUIRED TO BE SERVED, BY DEPOSITING AN
ENVELOPE CONTAINING THE ABOVE DOCUMENTS IN THE UNITED
STATES MAIL PROPERLY ADDRESSED TO EACH OF THEM AND
WITH FIRST - CLASS POSTAGE PREPAID, OR BY DELIVERY TO A
THIRD - PARTY COMMERCIAL CARRIER FOR DELIVERY WITHIN 3.
CALENDAR DAYS

THE NAMES AND ADDRESSES OF THOSE SERVED ARE AS FOLLOWS:
THE SUPREME UNITED STATES COURT OF WASHINGTON D.C. 1ST STREET N.E.
WASHINGTON D.C. 20543.

I, DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS
TRUE AND CORRECT. EXECUTED ON. NOVE. 26. 2023

DATE: NOV 26 2023.

PETITIONER:

SIGNATURE

A handwritten signature in dark ink, consisting of a stylized 'C' followed by a series of loops and a final horizontal stroke.