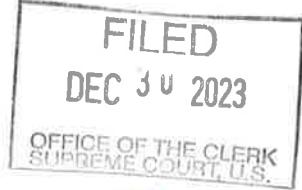


ORIGINAL

No. 23-316

In The
Supreme Court of the United States



CURTISS DAVIS, III,
Petitioner,

v.

Pedro Bonilla, et al,
Respondents,

On Petition for Writ of Certiorari To The United States
Court of Appeals for the Fourth Circuit

PETITION FOR REHEARING

Curtiss Davis, III, Pro Se,
6 Beavers Ct
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QUESTIONS PRESENTED

I. The US DISTRICT COURT inequitably apply US laws to deny a default summary judgment and punitive damages in regards to the Petitioner's civil action

II. The 4TH CIRCUIT COURT deviate from normal appellate practices denying the Petitioner's appeal as partisan support to "sanctuary policies" enforced by Fairfax County?

III. The Fairfax County government purposely violated Davis's Constitutional Rights to assist undocumented immigrants evade deportation and to later defraud US government programs

IV. The 4TH CIRCUIT err by denying appeals of Curtiss Davis, III ("Davis") that incorporate the jurisdiction issue to protect the state of Virginia and the Respondents from legal liability

V. The Fairfax County government purposely sought the assistance from Journalists to maliciously disseminate the protected identity of a US Agent ("Davis") to intentionally compromise covert roles and investigations in violation of the Intelligence Identities Protection Act of 1982 (50 USC 421-426)?

VI. Are there exceptional circumstances that require this Court to issue restitution to US citizens injured by policies enforced by so-called "sanctuary cities".

RESPONDENT PARTIES

Edwin C. Roessler Jr.,
Former Chief of Police, Fairfax County, VA
Clinton E. Beach, Detective, Fairfax County, VA
Jeremy Hoffman, Detective, Fairfax County, VA

Susan Perez
Ana Elizabeth Rivera-Cruz
Pedro Bonilla
El Carbonero, LLC

The Washington Post
WUSA-TV

RELATIVE CASES

Middleton Paper Co. v. Rock River Paper Co., 19 F. 252
(C.C. W.D. Wisconsin 1884)

Taylor v. U.S., 45 F. 531 (C.C. E.D. Tennessee 1891)

U.S. v. Murphy, 82 F. 893 (DCUS Delaware 1897)

Leas & McVitty v. Merriman, 132 F. 510 (C.C. W.D. Virginia 1904)

U.S. v. Sharrock, 276 F. 30 (DCUS Montana 1921)In re Simon, 297 F. 942, 34 ALR 1404 (2nd Cir. 1924)

Scanbe Mfg. Co. v. Tryon, 400 F.2d 598 (9th Cir. 1968)

Miles v. Gussin, 104 B.R. 553 (Bankruptcy D.C. 1989)

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MOTION FOR REHEARING

Petitioner Curtiss Davis, III ('Davis" or Petitioner'),
Pro Se, hereby files this Motion for Rehearing pursuant
to Supreme Court Rule 44.

DECISION BELOW

On December 11, 2023, this Court indicated that
the Petition was denied. [U.S. Supreme Court DOCKET
- Case No. 23-316].

JURISDICTION

On December 30, 2023, a timely petition for
rehearing was mailed and later returned by this court
on January 10, 2024, to be corrected within 15 days
extending the time in which to file this motion until
January 25, 2024. This Court's jurisdiction is invoked
under 28 U.S.C. § 1254.

FEDERAL RULE INVOLVED

28 U. S. C. § 1691

28 U.S.C. §1691 requires: “All writs and process issuing from a court of the United States shall be under the seal of the court and signed by the clerk thereof.”

Article III, Section 2, of the Constitution:

Article III, Section 2 of the Constitution provides: “The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority....”

BACKGROUND

1. From December 2015 to present, the local government of Fairfax County, VA, the media, and federal judges have acted in a corrupt manner, obstructed justice, and have committed a variety of felonies to damage Davis and the citizens of the United States.

2. On May 31, 2023, a Petition for Writ of Certiorari was filed with this court by Pro-Se Davis. [U.S. Supreme Court DOCKET - Case No. 23-316.] The Factual Background and arguments therein are referenced and incorporated herein.

3. The U.S. Supreme Court has not granted the Petition for any Pro-Se party since 1971, and Davis believes that his request deserves the attention, not just of this court, but of the United States.

4. This Court's Docket later showed the Petition was to be distributed for conference on November 14, 2023; however, due to the death of retired Supreme Court Justice, Honorable Sandra Day O'Connor, it was rescheduled for December 8, 2023.

5. On December 11, 2023, this Court's online Docket indicated that the Petition was denied. [U.S. Supreme Court DOCKET - Case No. 23-316].

6. On December 13, 2023, Davis received a letter from the Clerk's Office of the U.S. Supreme Court. The letter simply reflected the following order in the above-entitled case [Case No. 23-316]: The petition for a writ of certiorari is DENIED.

ARGUMENTS AND AUTHORITY

7. The Petitioner, Davis, seeks to have this Court rehear this Petition for substantial grounds not

previously presented.

**THE JUSTICES OF THE
UNITED STATES SUPREME COURT HAVE
VIOLATED THEIR OATHS OF OFFICE IN
DENYING THIS PETITION.**

8. The justices of The United States Supreme Court have violated their oaths of office in denying this Petition.

9. The Supreme Court website provides the oaths of office that are required:
[<https://www.supremecourt.gov/about/oath/oathsoffice.aspx>]

10. 5 U.S.C. § 3331 provides the oath that is now taken by all federal employees, including members of the Supreme Court:

11. As noted in Article VI, all federal officials must take an oath in support of the Constitution:

12. "...all executive and judicial Officers, both of

the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States."

13. The Constitution does not provide the wording for this oath, leaving that to the determination of Congress. From 1789 until 1861, this oath was, "I do solemnly swear (or affirm) that I will support the Constitution of the United States." During the 1860s, this oath was altered several times before Congress settled on the text used today, which is set out at 5 U. S.C. § 3331. This oath is now taken by all federal employees, other than the President:

"I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental

reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

14. The Judicial Oath, found at 28 U.S.C. § 453, is also taken by each justice of the Supreme Court.

15. The origin of the second oath is found in the Judiciary Act of 1789, which reads "the justices of the Supreme Court, and the district judges, before they proceed to execute the duties of their respective offices" to take a second oath or 5 affirmation. From 1789 to 1990, the original text used for this oath (1 Stat. 76 § 8) was: "I, _____, do solemnly swear or affirm that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as _____, according to the best of my abilities and understanding, agreeably

to the constitution and laws of the United States. So help me God."

16. In December 1990, the Judicial Improvements Act of 1990 replaced the phrase "according to the best of my abilities and understanding, agreeably to the Constitution" with "under the Constitution."

The revised Judicial Oath, found at 28 U. S. C. § 453, reads: "I, _____, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as _____ under the Constitution and laws of the United States. So help me God."

17. Upon occasion, appointees to the Supreme

Court have taken a combined version of the two oaths, which reads: "I, _____, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as _____ under the Constitution and laws of the United States; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

18. The questions presented to this Court in this Petition were:

I. Did the US DISTRICT COURT inequitably apply US laws to deny a default summary judgment and punitive damages in regards to the Petitioner's civil action?

II. Did the 4TH CIRCUIT COURT deviate from normal appellate practices denying the Petitioner's appeal as partisan support to "sanctuary policies" enforced by Fairfax County?

III. The Fairfax County government purposely violated Davis's Constitutional Rights to assist undocumented immigrants evade deportation and to later defraud US government programs?

IV. Did the 4TH CIRCUIT err by denying appeals of Curtiss Davis, III ("Davis") that incorporate the jurisdiction issue to protect the state of Virginia and the Respondents from legal liability?

V. The Fairfax County government purposely sought the assistance from Journalists to maliciously disseminate the protected identity of a US Agent ("Davis") to intentionally compromise covert roles and investigations in violation of the Intelligence Identities Protection Act of 1982 (50 USC 421-426)?

VI. Are there exceptional circumstances that require this Court to issue restitution to US citizens injured by policies enforced by so-called "sanctuary cities"?

19. Extensive information was presented to this Court.

20. Davis's Petition was unopposed, so Davis's claims were uncontroverted. But the justices of The Supreme Court ignored it.

21. The oaths of office taken require each justice to "defend the Constitution of the United States against all enemies, foreign and domestic" and "bear true faith and allegiance to the same...." The justices of The Supreme Court have failed to defend the Constitution against a domestic enemy – "Sanctuary Cities".

By refusing to address this Petition, the justices of The Supreme Court have allowed federal judges in Virginia to protect so-called "sanctuary jurisdictions" to operate corruptly and ignore US laws, rules, and facts.

The justices of the Supreme Court are allowing federal judges and sanctuary cities to treat the Constitution and

the Bill of Rights as if they are null and void. The justices of The Supreme Court have failed to defend the Constitution.

22. This error must be corrected by having this Court rehear the Petition. This Court has no choice but to defend the Constitution by granting the Petition.

**THE PURPORTED ORDER FILED & DENYING
THE PETITION VIOLATES 28 U.S.C. § 1691. IT
DOES NOT CONTAIN THE SEAL OF THE COURT
AND/OR THE SIGNATURE OF A CLERK WITH
THE NECESSARY CREDENTIALS.**

23. The so-called orders filed and denying this Petition are letters, not orders, and they do not bear the seal of the clerk.

24. 28 U.S.C. §1691 requires: "All writs and process issuing from a court of the United States shall be under

the seal of the court and signed by the clerk thereof."

The Orders are invalid, so the Petition must be reheard.

The word "process" at 28 U.S.C. 1691 means a court order. See Middleton Paper Co. v. Rock River Paper Co., 19 F. 252 (C.C. W.D. Wisconsin 1884); Taylor v. U.S., 45 F. 531 (C.C. E.D. Tennessee 1891); U.S. v. Murphy, 82 F. 893 (DCUS Delaware 1897); Leas & McVitty v. Merriman, 132 F. 510 (C.C. W.D. Virginia 1904); U.S. v. Sharrock, 276 F. 30 (DCUS Montana 1921); In re Simon, 297 F. 942, 34 ALR 1404 (2nd Cir. 1924); Scanbe Mfg. Co. v. Tryon, 400 F.2d 598 (9th Cir. 1968); and Miles v. Gussin, 104 B.R. 553 (Bankruptcy D.C. 1989).

**THIS COURT DID NOT HAVE A QUORUM TO
VOTE ON DAVIS'S PETITION AS THE
DOCUMENTATION REQUIRED TO BE
MAINTAINED BY THIS COURT IS INCOMPLETE.**

25. Upon information and belief, the documentation required for justices is not complete.

26. Upon information and belief, required credentials documentation is not filed as required for the justices.

27. 5 U.S.C. § 2906 reads as follows: The oath of

office taken by an individual under section 3331 of this title shall be delivered by him to, and preserved by, the House of Congress, agency, or court to which the office pertains.

28. If the Supreme Court does not have the necessary credentials on file, these justices do not have the right to rule on any matters. If there was not a quorum, the “order” denying the Petition is invalid. Davis demands to see the credentials that were on file.

29. Upon information and belief, the required credentials are missing for Scott S. Harris dba “Clerk of Court.”

30. If this is correct, any “orders” signed by Mr. Harris are invalid as he did not have the legal credentials filed that are required.

THIS COURT VIOLATED
ARTICLE III SECTION 2
OF THE CONSTITUTION OF THE UNITED
STATES.

31. Article III Section 2 of the Constitution provides: "The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority...."

32. This Court's judicial power is dependent upon the Constitution, yet this Court ignored the Constitution in denying Davis's Petition.

33. Davis submits that this Court has no authority or right to ignore claims of the violation of Constitutional rights that are presented to this Court. The Constitution makes it very clear that it and only it provides judicial power.

Therefore, any court that knowingly allows violations of the Constitution has no power and is functioning without jurisdiction.

34. This Court must grant the petition and declare that Davis's Constitutional rights have been violated. Failure to do so must be considered a violation of the Constitution by the justices of this Court.

**THIS COURT IGNORED
THE CONSTITUTIONAL CRISIS
THAT EXISTS IN THE UNITED STATES.**

35. Davis believes Federal magistrate judges, sanctuary jurisdictions, and the mainstream media have turned the United States into a police state in which they wield tyrannical power, intentionally violating the Constitution, laws, rules, oaths, and ethics.

36. We might as well be living in a Communist

country where we have been shocked to hear of the violation of the rights of the citizens. It has become just as bad in the United States when this is allowed to happen and no one will do anything about it.

37. The Supreme Court may be the only hope for anyone to do anything about this, and it is The Supreme Court's primary legal obligation to ensure that the Constitution is not being violated by our legal system at any level.

**THIS COURT VIOLATED ITS OWN LAW
BY FAILING TO PROVIDE AN EXPLANATION OF
ANY SORT
IN THE “ORDER” DENYING THE PETITION.**

38. In 2009, this Court issued an order requiring federal courts to issue 11 orders with an explanation. “...courts err in disposing of claims without explanation of any sort.” (Corcoran v. Levenhagen, 558 U.S. 1 (2009), (08-10495).)

39. This Court violated its own law by issuing a one-word decision.

40. This Court has an obligation to the citizens of the United States to protect them from constitutional injury.

**THE JUSTICES OF THIS COURT AND ALL
WHO READ THE PETITION HAVE A LEGAL
OBLIGATION
UNDER 18 U.S.C. § 4 TO REPORT FELONIES.**

41. 18 U.S.C. § 4 states that: "Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both."

42. Davis has provided violations of suspected felonies

committed by the Respondents to this court. Therefore, each of the justices of The Supreme Court has a legal obligation to report these crimes to law enforcement authorities. Each of the clerks and all who were supposed to read the Petition have the same legal obligation. This Court must refer this matter to a Grand Jury.

43. Davis asks the people receiving this Petition for Rehearing to report these crimes. If this is not done, Davis will submit a formal inquiry seeking Congressional assistance from the Speaker of the House regarding the violation of 18 U.S.C 4 by members of this court.

**THIS COURT HAS AN OBLIGATION
TO PROTECT AMERICA AND IT'S CITIZENS**

44. If this Court is not aware that so-called sanctuary jurisdictions are corrupt, shame on you. If this Court is

aware that sanctuary jurisdictions are corrupt and have done nothing about it, shame on you.

45. The Fairfax County government enforces sanctuary policies fueled with corruption. Davis presented the following arguments to this court:

46. The Fairfax County government misuses U.S. tax dollars to enforce sanctuary policies that provides support to the largest trafficking infiltration of unvetted, illegal foreign nationals, known to this Nation's history.

47. The federal funding provided to Fairfax County is supposed to be used to assisting the federal government to deter human trafficking, and protect the local communities, our military installations, and this country from organized crime, illegal guns, drugs, and potential terrorist activity.

48. Fairfax County, however, instead of deterring the illegal activity they use sanctuary policies to protect the unlawful activity, along with the traffickers, the smugglers, and the illicit businesses, like El Carbonero, LLC, to subject Northern Virginia to an increased level of crime.

49. The objective of a so-called sanctuary city is to funnel a mass quantity of undocumented immigrants into the United States, shield them from deportation, and then subject them to an environment of increased criminal activity. The goal is to turn illegal migrants into victims of crimes, or a witness to a crime, so they can report it to local law enforcement in exchange for (U) visas to put them on the path to U.S. citizenship, and then ultimately to the election polls.

50. From 2015 to 2020, these illegitimate (U) visa operations in Northern Virginia in conjunction with the

human trafficking activities were being protected by Ed Roessler, the Chief of Police of Fairfax County. Chief Roessler protected the activities by mitigating the interactions between undocumented immigrants and the federal government operating in his jurisdiction.

51. Chief Roessler mitigated federal interactions by training his police officers to limit cooperation to federal law enforcement by ignoring the warrants/detainers issued by the federal government. He also directed officers to avoid the perception of assisting federal agents in the apprehension of undocumented immigrants or face reprimand, suspension, and possible job termination.

52. The Fairfax County government appointed Chief Roessler to ensure that illegal immigrants can report crimes to local authorities without fear of being turned

over to the federal government due to their immigration status, even to the extreme, of providing false testimonies to local magistrate judges to obtain warrants to arrest federal agents. This gives local police justification to ignore directives from federal officers, and to undermine their authority to enforce U.S. laws pertaining to immigration.

53. The U.S. Constitution is devalued in so-called sanctuary jurisdictions. If you are a U.S. citizen and become a victim of a crime due to illegal immigration, or even attempt to mitigate a crime involving undocumented immigrants, you can be arrested and charged with allegations that specifically protect illegal migrants from being removed from the United States.

54. Local politicians who govern "so-called" sanctuary cities attempt to convince the public that its inhumane

to secure the border and that its racist to deport illegal immigrants, however, they cannot justify this when US citizens become victims of crimes due to illegal immigration. Therefore, US citizens are given arrest records to allow sanctuary cities to hide their negligence in "obstructing justice" ignoring the warrants/detainers to apprehend illegal migrants that would have prevented US citizens from becoming victims to begin with.

55. These sanctuary jurisdictions, Fairfax County, and their policies corrupt the U.S. justice system as they use local law enforcement as a protection detail to facilitate illegitimate (U) visa operations that purposely compromises public safety, national security, and the civil rights of U.S. citizens. The aggressive backlog of (U) visas being issued requires over site by this court and from the United States Congress. This over site

should also include local police chiefs, prosecutors, and judges appointed to sanctuary jurisdictions who purposely enforce politics, and not U.S. laws, in support to a "backdoor" amnesty program systematically designed to purposely induce high crime, victim hood, and 911 calls to turn illegal foreign nationals into voter ready U.S. citizens.

CONCLUSION

For all the reasons stated above, DAVIS respectfully requests that this Court grant CURTISS DAVIS, III MOTION FOR REHEARING and grant all other relief this Court finds important and as justice requires; and inform DAVIS of the vote of each Justice that purportedly DENIED his Petition for Writ of Certiorari. If the Petition is denied again Davis will ask for assistance from the House and Senate Judiciary Committees to investigate.

Respectfully submitted on December 30, 2023,

/s/ Curtiss Davis, III
CURTISS DAVIS , III
6 Beavers Ct
Stafford, VA 22556
(703) 201-0653
davisgroup3@gmail.com

PROOF OF SERVICE

I, Curtiss Davis, III, do swear that on this date,
December 30, 2023, I have served the enclosed MOTION
on the DEFENDANTS in the above proceeding or their
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:

Edwin C. Roessler Jr

Clinton E. Beach

Jeremy Hoffman

Represented By

Brent Jason Schultheis

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In accordance with 28 U.S.C. § 1746, I declare under
penalty of perjury that the foregoing is true and correct.

Executed on this 30th day of December, 2023,

/s/ Curtiss Davis, III
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davisgroup3@gmail.com

CERTIFICATE OF COMPLIANCE

No. 23-316

CURTISS DAVIS, III,

Petitioner

v.

PEDRO BONILLA

et al,

Respondent(s)

As required by Supreme Court Rule 33.1(h), I certify that the petition for rehearing is presented in good faith and not for delay, and contains 3,507 words, excluding the parts of the petition that are exempted by Supreme Court Rule 33.1(d).

I declare under penalty of perjury that the foregoing is true and correct in compliance with 28 USC 1746.

Executed on this 20th day of January, 2024



Curtiss Davis, III
(Petitioner)
Tel: 703-201-0653
davisgroup3@gmail.com

CERTIFICATE OF SERVICE

I certify that on 20 January, 2024, I caused to be served, via electronic mail, and by First Class U.S. Mail, postage prepaid, a copy of the foregoing on:

Edwin C. Roessler Jr.

Clinton E. Beach

Jeremy Hoffman

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Tel # (703) 201-0653

CERTIFICATE OF SERVICE

I certify that on 20th January, 2024, I caused to be served, via electronic mail, and by First Class U.S. Mail, postage prepaid, a copy of the foregoing on:

Pedro Bonilla
Susan Perez
Ana Elizabeth Rivera-Cruz
El Carbonero, LLC
Represented by
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