

CASE NO. 23-5804
IN The
United States Supreme Court

Joseph Alexander Clarke
- Plaintiff - pro-se

V.

Kimberly Esmond Adams, et. al.

Chris Carr

Cathelene "TINA" Robinson

Fanni T. Willis

- defendants -

ON Petition For REHEARING.

Joseph Alexander Clarke

1002736404

Dooly State Prison E1

P.O. Box 750

Wadilla, Georgia (31091)

RECEIVED

FEB 22 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Claims Presented

1) LAWs OF AN AFFIDAVIT; MALFEASANCE,

Plaintiff, Joseph Alexander Clarke's claims are based in LAW AND FACT, AND CONTAINED A SHORT AND PLAIN STATEMENT OF CLAIMS SHOWING THAT HE THE PLADEFER IS ENTITLED TO RELIEF, UNDER 38 USC 3002 SECTION 15(4)(C) AND IN ACCORDANCE TO 27 CFR 72.11, STATES "ALL CRIME IS COMMERCIAL", GIVING THE PLAINTIFF A CONSTITUTIONAL RIGHT TO ACCEPT HIS COMMERCIAL CHARGE.

HOWEVER IT IS PLAINTIFF'S POSITION THAT ACCORDINGLY TO "GIDEON V. WAINWRIGHT, 372 U.S. 335", HE HAS BEEN CONTINUOUSLY DEPRIVED HIS CONSTITUTIONAL RIGHTS OF DUE-PROCESS, TO ACCEPT FOR VALUE AND RETURN FOR VALUE, THE CHARGES CONTAINED IN THE CHARGING INSTRUMENT, FOR ALL CRIMINAL OFFENSES UNDER 27 CFR 72.11, "ALL CRIMES ARE COMMERCIAL".

2) UNCONTESTED/UNREBUTTED AFFIDAVITS, AND LAWs THERE TO;

Plaintiff is ADDRESSING THE "UNCONTESTED AFFIDAVIT" THAT WAS NEVER REBUTTED BY THE GEORGIA STATES ATTORNEY AND IS

Prima facie evidence, United States - VS - Kit 658 F.2d.
526, 536-537 (7th Cir. 1981) Cert. denied 50 U.S. Law 2167
S.Ct. March 22, 82, And Seitzer V. Seitzer 80 Cal. Rptr. 688,
And Melorich Builders V. The Superior Courts Of San Bernardino
County (Serba) (207 Cal. Rptr. 47 (Cal. App. District 4 (1984)).

"An unrebated Affidavit stands as truth" [1st Peter 1:25]
And truth is expressed in the form of an Affidavit,
[Levi 5:4-5] [Lev. 6:3-5] [Lev. 19:11-13] And
[Heb 6:16-17]".

"Uncontested Affidavit" United States V. Lopez NO.
67-03159 (10th Cir. 03-04-2008) "STANDS AS TRUTH".

Plaintiff now respectfully states, both claims 1 and 2 are
distinctly stated grounds of constitutional proportions, showing
denial of Plaintiff's Substantial Rights, 5th and 14th U.S.
Amendments.

Plaintiff also respectfully certifies that the petition for
Rehearing is presented in good faith and not for delay.

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Jurisdiction Statement

The Judgment of the Court of Appeals for the Eleventh Circuit was entered ON 8-21-23° Appears At 22-14330

The Judgment of the U.S. Supreme Court was entered ON JAN. 5 2024°

This Petition was timely for rehearing, with an Extension of 15 days due to Petitioner's incompleteness.

Jurisdiction

The Jurisdiction of This Court is invoked under, 28 USC 1254(1) and rule 44 of The Supreme Court of the United States, and 28 USC 2254. And USC 1291-1292°.

Constitutional Provisions Involved

U.S. Constitution Amendment V, provides in pertinent part as follows;

"Nor be deprived of Life, Liberty or property without due-process of LAW."

U.S. Constitution Amendment XIV, provides in pertinent part as follows;

"Nor shall state deprive Any person of Life, Liberty or property without due process of Law."

STATEMENT OF CASE

Plaintiff Amended the record on April 18, 2022 by way of filing his "COMMERCIAL AFFIDAVIT OF TRUTH" therein Feltan Court State of Georgia, Claiming under 28 USC Section 156(b)(c) states that the ~~United States~~ is a ~~Federal~~ Corporation and not a government, including the judicial procedural section, and further that under CFR 27, 72.11, "All Crimes Are Commercial"

Plaintiff further asserts that to his own knowledge and beliefs and according to his U.S. Constitutional Rights and provisions and the MAXIMS OF LAW, his "COMMERCIAL AFFIDAVIT OF TRUTH" became law after 30 days unrebutted by the Georgia authorities

"AN UNREBUTTED OR UNCONTESTED AFFIDAVIT STANDS AS TRUTH AND LAW UNDER THE MAXIMS OF LAW" AND U.S. CONSTITUTION,"

U.S. V. LOPEZ 10th. Cir. 2008

Plaintiff would further respectfully show that his due-process rights purportedly affords him substantive procedural right to accept his charges for value in accordance to LAW, Gideon V. Wainwright 372 U.S. 335 and see,

DAVIDSON V. NEW ORLEANS 96 U.S. 97, 25 Feb. 616

" A LAYMAN CANNOT be expected to know how to protect these rights, and OR ACCEPT his COMMERCIAL charge when dealing with practical and carefully trained ADVERSARIES."

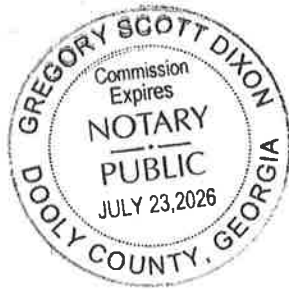
PLAINTIFF further respectfully shows That Honorable U.S. Supreme Court, Any judgment entered in violation of due-process is void; Worldwide Volkswagen V. Woodson, 444 U.S. 286-291 also see, NATIONAL BANK V. WATKINS 195 U.S. 257, And see, Pennoyer V. Neff 95 U.S. 714 ;

PLAINTIFF now respectfully shows that the State Courts of Georgia as well as The Federal District Court And The Eleventh Cir. Court of Appeals including The U.S. Supreme Court, were All entitled to accept as true the unrebutted facts Alledged in PLAINTIFF'S CLAIMS; IRUSLOW V. WOODHOFF 258 Cal. App. (1967) And is not doing so continues to violate PLAINTIFFS due-process rights.

CONCLUSION

Based on LAW AND FACT PLAINTIFFS CLAIMS HAVE MERIT
AND PLAUSIBILITY, NOT TO BE ARBITRARILY DISMISSED OR DENIED
AND SEeks rehearing for the enforcement of Already established
LAWs of his un rebutted Affidavit in Their Honorable Supreme
Court OF The U.S. on, Rehearing.

NOTARY Public,



Mh 2-12-24

Respectfully Submitted;
^{Attest: [Signature]}
By Joseph Alexander Clarke, Beneficiary
Joseph Alexander Clarke
- PLAINTIFF - Prose

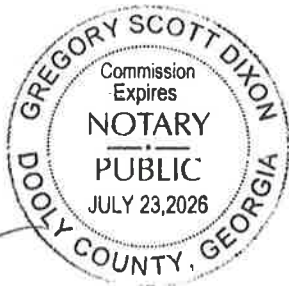
Feb, 12th 2024

Certificate OF Service

I Joseph Alexander Clarke, the Plaintiff Named herein this
"Re hearing Request" do hereby Certify that I placed A true And
Hopefully Corrected Petition For Rehearing In the U.S. MAIL
box with Adequate postage prepaid And properly addressed to;

The Honorable Clerk, Scott Harris
U.S. Supreme Court
1 First St. N.E.
Washington, D.C. (20543)

Notary Public,



JS 2.12.24

Respectfully ReSubmitted;
^{All Rights Reserved}
~~By Joseph Alexander Clarke, Secretary~~
Joseph Alexander Clarke pross
- PLAINTIFF -

#1002736404#

Dooly State Prison E1
P.O. Box 750
Unadilla, Georgia
Feb, 12th 2024