

NO. 23-6692

IN THE SUPREME COURT OF THE UNITED STATES

MUSTAFA DEVILLE REYNOLDS,

Petitioner,

VS.

UNITED STATES OF AMERICA,

Respondent.

PETITION FOR THE REHEARING UNDER RULE 44
To The United States Court For The Sixth Circuit

AND NOW, COMES Petitioner Mustafa Deville Reynolds Pro-se who
avers the following relief at this time.

Petitioner will follow in the rehearing of no. 23-6692:

- I. THE GOVERNMENT MUST PROVE AIDING AND ABETTING OR
PINKERTON COCONSPIRATOR LIABILITY BEFORE A REMOTE
SELLER IN A CHAIN OF DISTRIBUTION MAY BE SUBJECTED
TO AN ENHANCED PENALTY FOR DEATH OR SERIOUS BODILY
INJURY RESULTING FROM A THIRD PARTY'S SUBSEQUENT
DISTRIBUTION OF A CONTROLLED SUBSTANCE
- II. IN A PROSECUTION FOR ~~DISTRIBUTION OF A CONTROLLED~~
SUBSTANCE RESULTING IN DEATH OR SERIOUS BODILY
THE GOVERNMENT MUST NEGATE THE EXISTENCE OF
OTHER POTENTIAL SOURCES OF THE SUBSTANCE AND
THE VICTIM'S DEATH OF SERIOUS BODILY INJURY
- III. PETITIONER WILL APPLY THE NEW PENDING AMENDMENTS TO THE
SENTENCING GUIDELINES EFFECTIVE NOV. 1, 2024 TO BE HELD
IN ABEYANCE AND GVR THIS BACK TO SIXTH CIRCUIT.

This position in the Sentencing Commission is directed at Part D
(Enhanced Penalties for Drug Offenders) under 2D1.1. The Court should
grant GVR remand back to Sixth Circuit Court of Appeals at this time.

Mustafa Deville Reynolds PRO-SE
FCI McKean Medium
P.O. Box. 8000
Bradford, PA. 16701

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06/18/2024

Petitioner grounds are limited to intervening circumstance of substantial or controlling effect of law. See (Rosemond v. United States, 572 U.S. 65(2014) as the record is clear. The facts are developed under Burrage v. United States, 571 U.S. 204, 218-19(2013). In this reason the Supreme Court should apply this standard and GVR remand the grounds already raised in the previous Cert. back to Sixth Circuit Court of Appeals for further Briefing Schedule. As the facts Petitioner is actual innocent of these charges that are lodged against. Furthermore these theories do go to the heart of this Rehearing Rule 44 and should be addressed with great certainty.

Petitioner Petition For Rehearing is presented in good faith and not for delay. As his recent conclusion, that follows in the pending Amendments that are to be in effect on Nov. 1, 2024 that affects Part (D) enhancement Penalties for Drug Offenders) under 2D1.1 guidelines.

Which at this time this direction was under substantial grounds not previously presented. That should follow in reason for certificate on these grounds up above.

Wherefore Mr. Mustafa Deville Reynolds prays Honorable Supreme Court Judge's GRANTED "Petition For Rehearing Under Rule 44".

CERTIFICATE OF SERVICE

I hereby Certify:

Daniel T. McGraw AUSA
Post Office Box. 208
Grand Rapids Michigan 49501-0208

Date: June 20, 2024

Respectfully Submitted,

Mustafa Deville Reynolds
#22853-040
FCI Box. 8000
Bradford, PA. 16701

**Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001**

Scott S. Harris
Clerk of the Court
(202) 479-3011

May 13, 2024

Mr. Dennis C. Belli
536 S High St Fl 2
Columbus, OH 43215-5785

Re: Mustafa Deville Reynolds
v. United States
No. 23-6692

Dear Mr. Belli:

The Court today entered the following order in the above-entitled case:

The petition for a writ of certiorari is denied.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott S. Harris", written in a cursive style.

Scott S. Harris, Clerk

No. 23-6692

IN THE
SUPREME COURT OF THE UNITED STATES

Mustafa Deville Reynolds — PETITIONER
(Your Name)

VS.

United States of America. — RESPONDENT(S)

PROOF OF SERVICE

I, Mustafa Deville Reynolds, do swear or declare that on this date, June 5, 2024, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and 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:

Daniel T. McGraw

Assistant United States Attorney

Post Office Box. 208

Grand Rapids, Michigan 49501-0208

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 5, 2024

Mustafa Reynolds
(Signature)