

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.

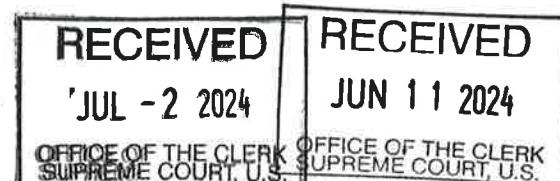
Petitioner will follow in the rehearing of no. 23-6692:

- 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 EXISTANCE OF OTHER POTENTIAL SOURCES OF THE SUBSTANCE AND THE VICTIM'S DEATH OR 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
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P.O. Box. 8000
Bradford, PA. 16701

1



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 develope 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 raise 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 lodge against. Furthermore these theory 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 follow in the pending Amendments that are to be in affect in on Nov. 1, 2024 that affects Part (D) enahncement Penalties for Drug Offenders) under 2D1.1 guidelines.

Which at this time this direction was under substantial grounds not previously presented. That should folllow 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".

CERTIFICAE 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,



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

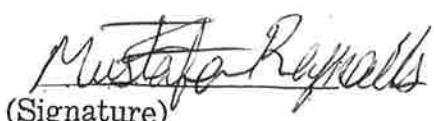
I, Mustafa Deville Reynolds, do swear or declare that on this date, June 5, 2024, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on 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


(Signature)