

No. 23 - 7840
IN THE
SUPREME COURT OF THE UNITED STATES

Douglas lemon

Petitioner,

-Vs-

People of State of Illinois

Respondent,

PETITION FOR REHEARING

TO THE SUPREME COURT OF THE UNITED STATES, I ASKED
TO CERTIFY THAT THE PETITION FOR REHEARING IS PRESENTED IN
GOOD FAITH AND NOT FOR DELAY.

May It Please The Court:

Come's now, Petitioner Douglas Lemon, pursuant to 28 U.S.C.
section 1257(3) respectfully prays that a ' Petition For Rehearing '
issue to review the denial decision.

Douglas Lemon, Pro'se

In care of;

Douglas Lemon, N-12405
Western Illinois Corr. Center
2500 Rt. 99 South
Mt. Sterling Illinois
62353

Ph. No. None

RECEIVED

MAR 04 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

ARGUMENT

I asked to address this Honorable Supreme Court at my very best to wholeheartedly trying cite such stiff and hard to understand rules 44, in Good Faith and not for delay. I thank you for allowing me to say that im not at all ~~augural-~~
~~field~~ certified attorney, to please have Latitude or and Len-
iency considering an Pro'Se Petitioner, to be held to less
strick standards than an license certified law attorney.
Im compelled to say its now been two decades being denied to
prove im being wronged while struggling to grasp the language
of the law with a below average education while prescribed on
psyche medication. I expect that I will be denied once again
but my daily prayers is to try as best i can.

Following a bench trial in 2010, petitioner was convicted of
five counts of aggravated criminal sexual assault and aggravated kidnapp-
ing in connection with an incident on November 14, into 15, 2005, peti-
tioner was sentenced to consecutive five terms of eight years in prison
for each count for a total of 40, years imprisonment. Rejecting petition-
er's contention that the evidence was insufficient for to prove his guilt
beyond a reasonable doubt, said where the complainant's testimony was con-
trary, inconsistant, and improbable ~~but~~ affirmed the conviction and sent-
ences. See; People V- Lemon, 2012 IL App (1st) 102932-U. On August 29th,
2013, petitioner filed an Pro'Se petition claiming, inter alia, that trial
counsel was ineffective for failing to call Decorian Jackson, Deloris John-
son, ~~Arzestery~~ Davis, Joseph Wilkins and the petitioner's brother Johnny E.
Lemon Jr. as defense witnesses. Petitioner asserted that these witnesses,
would attest that the allege victim Destiny Johnson (D.J.), was partying
with the petitioner Douglas Lemon (Vino), at her own will drinking alcohol
' Under No Duress ' on the night in question whom socialized with either
one at some point stating she was of grown age, to them. That two of these
witnesses, Joseph Wilkins and Johnny E.Lemon, both were exculpatory eye-
witnesses directly on the scene, whom would have impeached the complainant's
testimony that Douglas Lemon sexually assaulted her.

I care to state that all exhibits and all court documented transcripts page numbers being stated are listed in the clerk record filed within my already submitted Post-Conviction-Petition, that the supreme court clerk will request the clerk of the court having possession of the record to clarify and transmit it to the clerk of this Rehearing Petition for the Writ of Certiorari Petition.

Issue #1, and 1A, The Fitness Hearing Examination, (EEEL4-36), See exhibit #1, and Petitioner exhibit's #3, 5, and 6, would asked the court to review the Conflict of Interest between [Petitioner] and his original trial Judge Timothy J. Joyce, was involved in a Physical Altercation in court room 500, on 3-6-2009, during an Mental Illness Fitness Hearing for the defendant petitioner. U.S. Const; Amend; XIV; ILL. Const. (1970) Art. 1 § 2; Issue #1A, This Petitioner was on Psychotropic Meds during fitness hearing and trial. The defendant was unfit to stand trial and his rights to due process was violated under the 14th, amendment of the united states and the illinois constitution art. 1, § 2, People V- Missouri, 420 U.S. 162, 171-72 (1975).

Issue #2, The duty to defense is upon the prosecution to come forward with the information even though it has not been requested. The prosecution disclosure failure in violation of the defendants rights to due process under the 5th and 14th amendment of illinois and federal constitution and a violation of the discovery rules and the dictates of Brady V-Maryland, 373 U.S. 83, 835, CT. 1194, 10 Led.2d 21, S (1963) (AAAA114) See; Exhibit's #7, 8, and 9, of 9A.

Issue #3, 3A, and 3B, Ineffective Assistance Of Trial Court Attorney and the 6th, amendment right to the Effective Assistance of Counsel; which his defense counsel performance fell below an objective standard of reasonableness and that this substandard performance prejudiced the defendant by creating a reasonable probability that, but for counsels errors, the trial results would have been different. see U.S.C.A. Constitutional amendment 6th and Strickland V-Washington, 466, U.S. 668, 104 S.CT. 2052, 80 Led 2d 674 (1984). That defendants trial attorney Ms. Sophia Atcherson, had an serious Conflict Of Interest between them during Pre Trial Procedures what caused me the defendant to file numerous ARDC complaints against his trial attorney and at the time of the trial existed an irreconcilable conflict between the defendant and his attorney. In this case the defendant consistently reminded the court and the proper disciplinary authorities that he could not have had conflict free representation with his trial attorney and had her dismissed from his case on 2, occasions, but was reinstated over defendant objection, see Exhibit #20, sent to the trial court Judge, and also see Exhibit #10.

Issue #3A, The trial court Attorney Ineffective for failing to Impeach Destiny Johnson and Shirley Person. The defense attorney had subpoenaed Destiny Mom Delores Johnson to court to testify that Destiny calling her mom phone from the defendant Douglas Lemon phone the night of the allege incident of the fact that Destiny had lied to her mom, that she was with Shirley, ~~when in fact~~ Shirley was right there with Delores at that time, and numerous of other obvious lies Destiny told, but this attorney fail to secure Delores appearance for trial and never perfected the impeachment of Destiny with all her lies. By this attorney not impeaching Destiny, who was the states chief occurrence witness and without her credibility being impeached, this defendant had no chance of winning. This case was based on his credibility against Destiny and it was fatal to his defense not to complete the impeachment. That trial attorney ineffective, for not bringing to the trial court attention Destiny prior bad acts; evidence of an arrest may be used to show bias of motive Flaughner, 174 act 598, see; (AAA22-29-30-33), Exhibits #7, 8, 9, 10, 11, of 9A.

Issue #3B, Defense Attorney failure to Impeach Shirley Pearson, both with her Grand Jury testimony and trial testimony which she did. This defense attorney never perfected the impeachment of Shirley, with the Jencks material. This attorney allowed the state to violate the rules of Discovery and the rules of Jencks and rule supt. CT.R 412(a) (i) Jencks V-U.S., 353 U.S. 657, 77 S.Ct. 100, 74, 1 Led 2d 1103, 75 Ohio L.abs. 465 (1957). It is axomatic and Due Process requires that the state disclose all evidence that is relevant to an accused guilt or punishment, See; Brady V-Maryland, counsel can provide ineffective assistance for failure to produce exculpatory evidence, People V-Gibson, 244 Ill. App. 3d 700.

Issue #4, Claim of 'Actual Innocence;' based on an important goal of the criminal Justice Process is the protection of the innocent accused against an erroneous conviction. This hospital found that there was no evidence of the defendants DNA testing of identified on the Oral swab, which the defendant was in fact convicted and sentenced for, (R.BBBB61). This defendant is seeking DNA testing based on 725 ILCS 5/116-3 (West 1998), A defendant may make a motion before the trial court that entered his case for the performance of finger prints or and DNA testing of the evidence that was secured in his trial which resulted in his conviction. The Chicago police violated my Due Process right by not finfer printing the allege knife the defendant was accused of using which was declared to be false, and I request my trial attorney several times to have the knife finger printed for my trial defense but she fail to do so.

This defendant requested that the court grant him a Genelex DNA drug sensitivity testing that the potential to prove (1) Actual Innocence (2) that at the time of trial he was unfit to stand trial. The result of the testing has the scientific potential to produce new non-cumulative evidence materially relevant to the defendants actual innocence. The defendant asserts that because of the side effects from used Psychotropic Medication, he was mentally ill, and unfit to stand trial. That it was Destiny Johnson who drugged this defendant with a drug thought was suspected ecstasy who was not responsible for his actions at the time of the alleged case. That the following defense witness'es; Johnny Lemon, Joseph Wilkins, Decorion Jackson, Calvin Lemon, Marchella Winters, Arzestery Davis, Candy, Delores Johnson and the defendant Douglas-Lemon, all would diametrically paint a contradictory story of what happen on 11-14-2005, on into 11-15-2005, between the defendant and Destiny, and does support the defendants claim of actual innocence. That Destiny lied from start being a birthday celebration, her age, con up the alleged assault. Witness Johnny Lemon, states that the knife he witnessed Destiny used the night of 11-15-2005, was infact his Johnny Lemon Martial Arts souvenir, not at all sharp enough to cut butter replicate knife. That Johnny Lemon, Joseph Wilkins and Candy, all witnessed Destiny give the defendant Douglas a white powder drug substance put in his alcohol drink and witnessed Destiny voluntarily take off both her and the defendants clothes to initiate a series of sexual acts while the defendant was incoherently unconscious in and out of conscious would definitively contradict Destiny's in trial testimony and the state theory of the case. The defendant contends that it is a violation of due process under the 14th amendment of the united states and the 5th and 6th, amendment of the illinois constitution to convict a person who is actually innocent see; People V-Washington, 665 N.E. 2d 1330. Exhibits 6, 12, 13, 14, 15, 16, 17, and 18.

Issue #5A, Ineffective Assistance of Trial Counsel, for failure to call alibi witness'es to the alleged sexual assault; in this case, this Petitioner contends that his trial attorney was ineffective for failing to call Decorion Jackson (an occurrence witness), Johnny Lemon (an eye-witness), Calvin Lemon (an occurrence witness), Arzestery Davis (an occurrence-witness), Joseph Wilkins and Candy (are eye-witness'es) these affiants testimony could have established that it was Destiny Johnson and Shirley Pearson, who were the antagonists in this encounter who prompted the entire incident to drug sedate and sexually engaged in activity with the defendant Douglas that Destiny was the sexual predator, and who robbed the defendant, who called her accomplice boyfriend Willie Dennis, for advice when her Destiny clean get away exit was blocked by three eye-witness'es Johnny Lemon, Joseph Wilkins and Candy, why Willie Dennis told her to call CPD crying a damsel in distress. Ineffective for failure to call D.J's. mom Delores Johnson to testify that her daughter Destiny lied about the case,

Defense counsel failure to present any of these witness'es testimony was arguably unreasonable for the same reason that it was prejudicial because the alibi witness'es was exculpatory for not giving the affiant an opportunity to testify is not sound strategy and failure to present exculpatory evidence of which she is aware is ineffective assistance of counsel, under both the federal and illinois constitution. U.S. Const; Amend; 8, VI, XIV, ILL. Const, Art; 1 § 8; Strickland V-Washington, 466 U.S. 668, 104 S,CT. 2052, 80 Led 2d 679 (1989) see Exhibits # 12, 13, 14, 15, 16, 17, and 18, combine connection with; Issue #3, 3A, and 3B.

Issue #6A, Was This Defendant Insane At The Time Of The Accused Alleged Assault Or At His Fitness Hearing And During The Trial. It is proper to have a mental examination of an accused who who has put in the issue question of sanity: 725 ILCS 5 / 104-13; People V-Carpenter, 13 ILL. 2d 470, 150 N.E. 2d 100 (1958). The defendant in support of his mental health an ingestion of prescribed psychotropic medication and that the defendant has a long history of mental illness exacerbated by psychotropic medication. This defendant has a question of sanity a few times, at the time of the alleged accused assault incident when he may have been involuntarily intoxicated by Destiny Johnson, and on 3-6-2009, the defendant experienced being beat down and shackled by the court Judge Timothy J Joyce and cook county Sheriffs, during a mental illinois fitness hearing, and also unfit during trial. See; (EEEL, to 65), and Exhibits #1, 2, 3, 4, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19.

Issue #7, Whether the offense of Predatory Criminal Sexual Assault, is a valid offense and does this offense violate the Single Subject Rule, of the state constitution and the Due Process Clause, of the united states and illinois constitution. The defendant was convicted of predatory criminal sexual assault of a child in violation of 720 ILCS 5 / 12-14, 1 (a) (1) 2005. The offense of predatory criminal sexual assault was created by public Act 89-428, and became effective on 12-13-1995, and was held unconstitutional on 5-22-1997, in Johnson V-Edger, 680 N.E. 1372, because the P.A. 89-428, was passed in violation of the single subject rule, this public Act was held to be unconstitutional in its entirety. The defendant Douglas, also would assert to this court that it is a violation of the 5th, amendment of the illinois and united states constitution to be tried and convicted under an invalid indictment.

Issue #8, The States Attorney in the case at bar violated this defendant Douglas Lemon, right to Due Process under the united states and illinois constitution. It is fundamentally unfair to be charged, tried and convicted and imprisoned under a statute that never existed as a valid statute, and it is also a violation of an accused criminal defendant right to Due Process as enunciated by the 5th and 14th, amendment of the united states constitution.

Issue #9, There's substantial showing of prejudice due to trial counsel failure to call Johnny Leron and Joseph Wilkins, where the "Evidence At Trial Was Overwhelming", (St.Br.35), See; People V-Moore, 279 Ill. App. 2d 152, 160 (5th Dist. 1996) here it should conclude that Post-Conviction counsel provided unreasonable assistance where she failed to secure an up dated affidavit from Joseph Wilkins, stating that he was willing to testify at trial (OP. Br. 22-21). " It is evident that Post-Conviction Counsel was not the person who procured his affidavit. "(St. Br. 41, citing C.-148). This, of course, makes clear that since counsel had a duty to obtain a new affidavit attesting to Wilkins willingness to testify at trial. Here it should hold that Post-Conviction Counsel rendered unreasonable assistance by failing to seek an amendment to conclude this requisite statement in accordance with supreme court rule 651 (c), Ill. Sup. Ct. R. 651 (c); People V-Turner, 187 Ill. 2d 406, 410 (1999) (Post-Conviction Counsel Must Shape Petitioners Complaint Into " Appropriate Legal Form "). Furthermore, its an 'Extreme And Tragic' long delay error, overall to add here to Evans V-Willis, (2023) United States Court Of Appeals, Seven Circuit. James A. Evans, Petitioner -Appellant V-Willis Anthony, Respondent-Appelle No. 21-1704, decided April 27, 2023. A long delay is unjustifiable, see; Mucis V-Missouri State Dept. Of Corr., 543 F.2d 633, 636 (8th, Cir.-1987), 'Extreme And Tragic' 10 F 4th at 716, at an 'Eleven Year Wait' and counting, is to be allowed to proceed straight to federal court under § 2254. Id at 716, 723, for relief. Post-Conviction Counsel as well. The 6th, amendment of the Illinois constitution.

CPD, Robert Renter, testified that on November 15, 2005, that he came in contact with Destiny, at Ferdinand and Lawler corner, in possession of this knife which I was bogusly charged for! Its my argument that my due process rights was violated because CPD didn't fingerprint the knife, and that later I also asked my trial attorney to have the knife checked for fingerprints but my request fell on deaf ear's. For non performance of fingerprinting of the alleged weapon, as I repeatedly requested violates my due process right and I should not have not at all been charged for aggravation elements, of that knife which have not been proved I never even touched. Section 116-3 of the code pertained only to fingerprint and forensic DNA testing, see; People V-Pursley, 341, Ill. App. 3d 230, 237, 275, Ill. Dec. 174, 792 N.E. 2d 378 (2003) in 2007, the legislature amended section 116-3, of the code to include IBIS testing. (R. 920-21).

CPD, Detective Fanning noted that Destiny was intoxicated after D.J. had claimed she didn't drink much. (R. JJJJ49). D.J., credibility was further at issue where she testified that the gate outside Vino's cottage room house had barbed wire across on top of it but trial exhibit photographs of the gate did not show any barbed wire (R. AAAA35-36, ZZZ54, Supp. C. People's Exhibits 1-2, 20-25). D.J., also described to climb over the gate of barbed wire, but CPD noted that the gate was ajar as officer's walked right thru the exact same open gate minute's later. ((R. BBBB37). D.J., testified that Vino ripped her shirt and panties while aggressively removing them, but both was collected by police at the scene and neither was ripped. (C. 211; R. ZZZ30).

D.J.'s. credibility was further at issue where she called her mom Delores and it was established that D.J. lied to her mom several time's about being with Shirley, when she was with me Vino, and she lied saying we're driving up north to grandma house, when we was within the cottage room, D.J. lied about I Vino immediately just after 11: P.m. turning into a monster and holding her against her will, but two hours later after 1: A.m. telling her mom on the phone that she was okay with her friend Vino. Delores put Shirley on the phone to talk with Destiny, Why didn't Delores or Shirley, request Destiny to be dropped off to them, especially once D.J., mom caught her lying about her whereabouts. (R. JJJ42). D.J., also called her boyfriend Willie Dennis, at 5:44 A.m. for advice. If she was a damsel in distress, fearing for her life! you would'nt need advice to call 911. If you fear for your life ! you not gone take no chance of wasting your only possible call to someone who can only offer advice and on top of that D.J. told the 911 dispatcher that she didn't know where she was at, so why would D.j. call Willie if she cant tell him where she at ? D.J., also told the 911 dispatcher that she was in a basement and she cannot find the door within a 10, X 10, foot square room which was ground level. (R. AAAA63, Supp. C.Exhibits People's Exhibit 13) (R. ZZZ26-27, AAAA36-38). (R. 745).

It appear to be questionable whether was Shirley, Delores and Willie was accomplice's in on the plot to rob me. You cannot put nothing pass dysfunctional vagabond lying type folks. As D.J., testified that Vino threw a 1½, foot long knife past her which stuck in the wall, why she was asked during trial to point at the wall within an exhibit picture just where did the knife stick in the wall at, when she had pointed in the center of a completely clear to see the wall was smooth up and down completely all white wall in perfect condition of no hole's in the wall nowhere! (R. ZZZ41). D.J., would be gyrating with everybody drinking a lot of alcohol with her 21, 16f age girlfriend Shirley, while telling everybody she was grown. (R. 688-90, 1331) (R. 698-90, 1331-23). She told me Vino she was 19, of age. It came out to be that she was about a month away from turning 17., an automatically catch 22 trap! Because she look to be grown, she acting grown, she telling everybody she grown and she is with her grown girlfriend Shirley whom both is hanging around drinking alcohol and partying with all grown folks. Her mom had to know Shirley with two kids was grown who hangs with Destiny.

Doctor Steven Ross, of West Suburban Hospital gave Destiny Johnson, an full Physical examination, on November 15, 2005, after D.J., stated that Vino assaulted her, applied an oil substance all over her buttocks and spanked her buttocks with an open hand, and that Vino burnt her left leg with a cigarette. That Vino aggressively ripped off her shirt and panties. The Doctor testified, there was no DNA identified of oral swab after D.J., said it was. The Doctor testified, there was no cigarette burn on her leg, that it was no force entry and no signs of a struggle, that D.J. exam was 'Grossly Normal' no areas of bleeding, no lacerations, no bruising, no swelling behind D.J. claims (R. CCCC20).

Defense witness'es Johnny Lemon, Joseph Wilkins and Candy, all witnessed the events in question from behind a 5, X 5, square foot Plexiglas window what divided both ~~two~~ rooms at the center where the wall is located. Thee window(s) had dark see-through curtains drapped down that covered the window structure. They saw D.J., put a white powder substance in Vino's drink as to be incoherent or and unconscious as she had her way sexually with Vino, Douglas Lemon. (CT. 412-414-417-420). This certainly impeached D.J.'s., claim that Vino assaulted her and exculpate Douglas Lemon, and in this closely balanced case, where D.J.'s., credibilty was critical to the state's case. Counsel's failure to present Johnny and Joseph, was prejudicial, who if called to testify would have increased Vino's chances of acquittal, undermines the confidence in the verdict. See; People V-Turner, 187, III. 2d 406 (1999). III. Sup. Ct. Rule (c). Defense attorney, fail to call Johnny and also Joseph, whose testimony would have impeached the complaintant's testimony, see; Strickland V-Washington, 466 U.S. 668 (1984). whom both would have testified to being key eye-witness'es that Douglas Lemon, was innocent.

Trial counsel withdrew from the case due to conflict of interest whom was admonished later back on my case over my objection, during an open court mockery held Mental Illness fitness Hearing Violation Of Client and Psychiatrist Privilege to Privacy on 3-6-2009, where the Judge Timothy J. Joyce, he came off the court bench to physically attack me to hospitalize me, to now rely on the use of a walking device (Crutches) indefinitely! Also causing influential conflict within cook county criminal court Judge's, where the error result in a taint of the judicial process. People V-Herron, 215 III. 2d 167, 178-79 (2005). Here the Judge engaged in a fight with the defendant, resulted in a taint of the integrity and reputation of the judicial process. Lambert, 288 III. App. 3d at 463, therefore, thee court should review the issue's of harm done to defendant petitioner.

The Supreme Rule 651(c) require that the record in Post-Conviction proceedings demonstrate that appointed counsel, has made any amendments to the petitions filed Pro'Se that are necessary for an adequate presentation of petitioner's contentions. III. Sup. Ct.R. 651(c); People V-Turner, 187 III. 2d 406, 410 (1999) (Post-Conviction counsel must shape petitioner's complaints into "appropriate legal form"). Lemon's Post-Conviction counsel failed to obtain an amended affidavit from Joseph Wilkins, confirming that he would testify on Lemon behalf. Therefore, Post-Conviction proceedings was continued for many years since 8-29-2013, and on 9-2-2021, counsel filed a 651(c) certificate (R. 1448). Further stating "Ineffective to protect rights secured by united states constitution" is to be allowed to proceed straight to federal court under § 2254. Id at at 716. 723. an eleven year wait is 'Extreme And Tragic' 10 F 4th at 716, its the same conclusion for even much shorter delays, see; Lowe V-Duckworth, 663 F.2d 42. 43 (7th Cir. 1981). quoting; Dozie V-Cady, 430 F.2d 638 (7th Cir. 1970) (Per Curiam). The only question, now, is whether the delay I have experienced is meaningfully attributable to the state. It was-in both a narrow and broad sense.

I care to explain how the delay have already prejudiced this case; with a few of the witness'es supporting my claim of prosecutorial misconduct, one has had a mental breakdown whom been on psychotropic medication for years and two other's are missing in action for years and there whereabouts is unknown, during thee long pursuit for relief. A long delay is unjustifiable. See; Mucie V-Missouri State Dept. Of Corr., 543 F.2d 633, 636 (8th, Cir. 1976) (Finding ineffective process where "it appears the state has been unnecessarily dilatory"). The states "Seriously Deficient" management of my claims also rendered the Post-Conviction relief process ineffective story 26 F.3d at 406; also see; Carter, 10 F 4th at 723 (Finding ineffective process based on the "Systemic Deficiency" in the states management of the appeals process). Invoked 28. U.S.C. § 2254, and turned to federal court for relief, as you saw it, illinois Post-Conviction relief process had proven 'Ineffective' thereby allowd under the terms § 2254, (b) (1) to seek federal relief without waiting further for relief in illinois court. The many years delay and counting is byond the pale and indefensible. Therefore vacates the district court judgment and remand.

Douglas Lemon, made a substantial showing that Destiny Johnson, told dovious lies, one lie after another lie on up to the big LIE! Starting from the Birthday lie to lure me vino, into a web of lies of an assault charge, and at trial Lemon presented a theory of defense that D.J., was impeached repeatedly, and her time-line of events was questionable, why I took an bench trial relying on the law, but turn out that the Judge was bias.

The appellate court fail to take the allegations as true and with all of the allege victim D.J's., deceptive inconsistencies, contradictions, deceitful impeachable credibility, of many dovious lies and made premature credibility determinations, find that Lemon could not establish that trial counsel was ineffective, and also that Post-Conviction counsel was ineffective for failing to amend petitioner's petition for to perfect petitioner's petition. This was error, and as much, this Supreme Court should reverse the court dismissal of Douglas Lemon, writ Of Certiorari Petition pleadings.

WHEREFORE, I pray this Honorable Supreme Court Grant this Petition for Rehearing for relief.

Subscribed and sworn to before me

On 24 Day of Feb 2025

Meagan Marie Smith
Notary Public



/ s / Douglas Lemon

Mr. Douglas Lemon, N-12405
Western Illinois Corr. Center
2500 Rt. 99 South
Mount Sterling Illinois

62353

Application For Waiver Of Filing Fee For An Indigent Person

IN THE SUPREME COURT OF THE UNITED STATES

DOUGLAS LEMON

Petitioner

Vs.

No. 23 - 7840

District Of Columbia

Respondent(s)

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner respectfully asks the Court, for leave to proceed in forma pauperis, pursuant to the U.S. Supreme Court Rule 39, to file the attached Petition for Rehearing, for a Writ Of Certiorari. The procedures for indigent individuals / inmates, wishing to petition the court without payment of costs and fees.

I, DOUGLAS LEMON, # N-12405, currently incarcerated at; WESTERN IL, CORR. CENTER, on my own behalf. Call " Applicant " on oath states;

1. Applicant's occupation or means of support;

a, Applicant is employed as N/A, INMATE UNDER HANDICAP A.D.A. ACT, by N/A
Job Employer

b, If unemployed, provide unemployment documentation, insurance benefits.

2. Applicant's income for the preceding year; \$ I.D.O.C. STIPEND STATE PAY BE JUST OVER \$100 BUCKS.

3. Sources and amount of income expected by applicant hereafter; MONTHLY STIPEND VARIES UP TO OR JUST OVER TEN BUCKS PER INMATE STATE PAY, TO BE DEEM INDIGENT.

4. Persons dependent on applicant for support; N/A.

5. Applicant owns (a) no real estate except; (State, Address or location, nature of improvement and value)
N/A, (b) personal property, which in the aggregate dose not exceed \$ 0, in value and consist of;
N/A, including a N/A, Motor vehicle N/A, Valued at 0,
Make Year

6. Provide a statement and any government issued documentation of receiving assistance under one more of the following programs; SSI, AABD, TANF, SNAP: N/A,

7. No applications were filed by or on behalf of applicant for waiver of filing fee during the preceding year except, Yes,

8. Provide a statement as to why the applicant is unable to pay the cose of this case; INCARCERATED, HANDICAP ON CRUTCHES INDEFINITELY, UNDER THE A.D.A. ACT, AN INDIGENT INMATE.

9. Applicant has a meritorious Yes
Claim

Douglas Lemon
Defense

Subscribed and sworn to befor me

On this 24 Day of Feb 20 25

Meagan Marie Smith
Notary Public

/ s / Douglas Lemon
Mr. Douglas Lemon, N-12405
Western Illinois Corr. Center
2500 Rt. 99 South
Mount Sterling Illinois
62353



C E R T I F I C A T E

RULE 32(a)

I, Petitioner Douglas Lemon, Pro'Se, proceeding in forma pauperis under Rule 39, filed... under Rule 12.2. Petitioner states its grounds briefly and distinctly as required by Rule 29, which is presented in Good Faith And Not For Delay.

I, Petition under Rule 44, for a Rehearing of an order denying my petition for Writ Of Certiorari.

~~This~~ This Petition complies with the type-volume limitation of Federal Rule of Appellate Procedure 32(a) (7) (B) because:

this Petition contains 10, pages plus 1, page Forma Pauperis plus 1, page Proof / Affidavit Of Service and 1, page Certificate, equal 13, pages total. excluding parts of the ~~petition~~ exempted by S.ct. Rule 23(a) (7) (B) (iii);

This Petition complies with the ~~type-face requirement~~ of S.Ct. Rule 32(a) (5) and the type style requirements of S.Ct. Rule 23(a) (6) because:

this Petition has been prepared in a proportionally spaced type-face using a swintec typewriter in front 12 and courier 12 type style.

I, the Petitioner respectfully asked The District Of Columbia Honorable Supreme Court Of The United States / Clerk Scott S.Harris, to accept this corrected Petition For Rehearing, submitted in accordance with Rule 29.2 within 15, days of the clerks letter, dated: February 11, 2025, to be deemed timely.

Subscribed and sworn to before me

On this 24 Day of Feb 20 25

Meagan Marie Smith
Notary Public

/ s / Douglas Lemon

Mr. Douglas Lemon, N-12405
Western Illinois Corr. Center
2500 Rt. 99 South
Mount Sterling Illinois
62353

