

No. 24-5257

in the

SUPREME COURT OF THE UNITED STATES

MIGUEL AGUILAR, JR - PETITIONER PRO SE

VS

THE STATE OF TEXAS - RESPONDENT

ON PETITION FOR REHEARING

PETITION FOR REHEARING

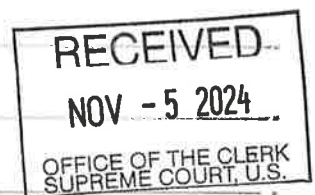
MIGUEL AGUILAR, JR - PETITIONER PRO SE

TDCL # 2066649

C/O THE JAMES V ALLRED UNIT & TDCL-CLD

2101 FM 369 NORTH

LOWA PARK, TEXAS 76367



Certificate of Counsel

For Petitioner:

Miguel Aguilar, Jr. - PRO SE

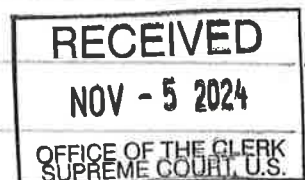
[NO LICENSED TO PRACTICE ATTY HAS BEEN CONSULTED NOR RETAINED OR HAS A PARALEGAL BEEN INVOLVED IN THE PREPARATION OR RESEARCH OF THIS CASE AT BAR]

PETITIONER CONTENDS THAT THIS REQUEST FOR REHEARING IS DONE IN THE STRICTEST OF GOOD FAITH AS HE BELIEVES HE IS ENTITLED TO EQUITABLE RELIEF UNDER EQUAL PROTECTION OF LAW AND DUE PROCESS OF LAW - NO DELAY OR BAD FAITH ARE TO BE INTENDED NOR INSINUATED BY THIS REQUEST OR ITS INTENDED PURPOSE.

Respectfully:

Miguel Aguilar, Jr.

PETITIONER - PRO SE



I, MIGUEL AGUILAR, JR. - PETITIONER PRO SE, HEREBY CERTIFY THAT THE GROUNDS
STATED HEREIN ARE LIMITED TO INTERVENING CIRCUMSTANCES OF SUBSTANTIAL OR CONTROLLING
EFFECT OR TO OTHER SUBSTANTIAL GROUNDS NOT PREVIOUSLY PRESENTED

Miguel Aguilar, Jr.

PETITIONER PRO SE

REASON(S) FOR GRANTING REHEARING

PETITIONER HAD SUBMITTED HIS ORIGINAL - ONE AND ONLY - ARTICLE 11.07 APPLICATION FOR POST-CONVICTION NON-COLONIAL FELONY HABEAS CORPUS RELIEF IN ACCORDANCE WITH THE LAWS, RULES, AND REGULATIONS OF THE STATE OF TEXAS - FULLY SUPPORTED BY FACT & RECORD

THE CONVICTING COURT FAILED IN ITS MINISTERIAL DUTY TO HEAR THE CONTROVERTED ISSUE(S) PRESENTED AS DICTATED IN ARTICLE 11.07, § 3(a), AND DID NOT AS SUCH HAVE ANY FINDINGS OF FACT OR CONCLUSIONS OF LAW TO FORWARD TO THE COURT OF CRIMINAL APPEALS WITH ANY TYPE OF RECOMMENDATION FOR THE COURT OF CRIMINAL APPEALS TO BASE ITS DECISION OF THE MERITS OF THE CASE ON.

THIS DENIED PROCEDURAL DUE PROCESS AND/OR DUE PROCESS OF LAW OF THE STATE CONSTITUTIONALLY PROTECTED RIGHT TO HABEAS CORPUS RELIEF

THE STATE OF TEXAS HAS EXPRESSED THROUGH ITS OPINION IN EX PARTE SMITH, 977 SW2D 610, 612 (TEXCRIMAPP 1998) "... YOU GET ONE BITE OF THE APPLE" (QUOTING EX PARTE TORRES, 943 SW2D 469, 473-474 (TEXCRIMAPP 1997)) OF WHICH WAS ACTUALLY A QUOTE THAT ORIGINATED FROM THE HOUSE FLOOR DURING A LEGISLATIVE SESSION REGARDING LIMITING APPLICATIONS ON HABEAS CORPUS IN TEXAS - [S.B. 440, MAY 18, 1995, TAPE 166, SIDE A]

IN THE DENIAL OF PETITIONER'S WRIT OF CERTIORARI THE COURT CONDONED THE STATE'S VIOLATION OF PETITIONER'S RIGHT TO DUE PROCESS AND HIS RIGHT - STATE PROTECTED RIGHT - TO HABEAS RELIEF, BUT, IF THIS COURT DENIES REHEARING IN A FULL AND FAIR MANNER THEN THIS COURT WILL BE VIOLATING ITS OATH TO UPHOLD THE CONSTITUTION AND LAWS OF THE UNITED STATES IN THAT IT WILL BE DENYING: EQUAL PROTECTION UNDER THE LAW; DUE PROCESS OF LAW; AND PETITIONER'S LIBERTY INTEREST

DEPRIVATION OF CIVIL RIGHTS UNDER COLOR OF LAW SHOULD NOT BE IN ANY WAY, SHAPE, OR FORM CONDONED, ENABLED, OR ENDORSED BY THIS COURT, THEREFORE REHEARING IN FULL IS NECESSITATED TO AVOID ANY ASSOCIATION OR CONSPIRACIOUS APPEARANCE(S) WITH THE STATE'S

Actions.

PETITIONER IS A CITIZEN OF THE UNITED STATES AND OF THE STATE OF TEXAS TO WHICH IS
SUPPOSED TO CONSTITUTIONALLY GUARANTEE HIM PROTECTIONS FROM SUCH IRRESPONSIBLE
ABUSE OF AUTHORITY AS HE HAS BEEN SUBJECT TO. HENCE THIS COURT HAVING THE
ULTIMATE SAY TO PROTECT ANY SUCH GUARANTEED RIGHTS ACCORDING TO ARTICLE III, § 2
OF THE UNITED STATES CONSTITUTION THAT SHOULD BE EXERCISED AS WOULD ESTABLISH PROPER
PUBLIC INTEREST AND STANDING

PETITIONER HUMBLY PRAYS THAT THIS HONORABLE COURT GRANT HEARING IN A FULL AND
FAIR MANNER AS JUSTICE WOULD DICTATE TO RESOLVE THE CONTROVERSED ISSUE(S) AT HAND

RESPECTFULLY SUBMITTED:

Miguel Aguilar Jr.

PETITIONER, PRO SE

CERTIFICATE OF SERVICE

I, MIGUEL AGUILAR, JR., PETITIONER-PRO SE, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE FOREGOING PETITION/MOTION FOR REHEARING IN SUPREME COURT CASE NO. 24-5257 HAS BEEN FORWARDED BY UNITED STATES POSTAL SERVICE, FIRST CLASS MAIL, POSTAGE PRE-PAID TO RESPONDENT AT:

OFFICE OF THE ATTY GENERAL OF TEXAS

ATTN: ELIZABETH GERTT

40 PO BOX 12548 - CAPITOL STATION

AUSTIN, TEXAS, 78711-2548

EXECUTED ON THIS THE 21ST DAY OF OCTOBER, 2024

Miguel Aguilar, Jr

A COPY OF ANY AND ALL CORRECTIONS TO PETITIONERS REQUEST FOR REHEARING WERE ALSO FORWARDED TO THE SAME CONTACT INFORMATION AS LISTED ABOVE BY THE SAME MEANS ON THE 18TH DAY OF NOVEMBER, 2024

Miguel Aguilar, Jr