

No. 24-5425

IN THE  
SUPREME COURT OF THE UNITED STATES

SHYNE V ANDERSON - PETITIONER

VS.

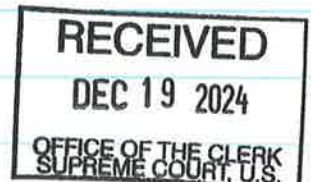
CYNTHIA DAVIS, WARDEN - RESPONDENT(S)

APPLICATION FOR REHEARING  
AND  
SUSPEND JUDGMENT

Mr. Shyne v Anderson 682513

OSP 878 Coitsville-Hubbard RD.

Youngstown, Ohio 44505-4635



## MEMORANDUM

Petitioners Brady, Bias, Insufficient Evidence and Ineffective Assistance of counsel for both trial and appellate counsel, has been presented in every lower court and satisfy the exhaustion standard.

However do to the lower court's unreasonable marshaling of claims in order to avoid the true nature of submission, misleading claims to avoid them, and or completely ignoring these exhausted constitutional based claims.

As a result there is no prior judgment from the lower courts on these grounds which strips this honorable court of jurisdiction to grant or deny certiorari on these claims that has not been first considered by the lower courts. These facts is supported by Petitioners certiorari petition with hopes this honorable court will enforce a proper ruling.

The record is clear all prior judgments that is attached to Petitioners certiorari petition lacks a ruling on these claims do to the improper techniques stated above. No other court can address this matter therefor leaving these exhausted claims unaddressed, from which Petitioner took the proper steps for relief and was denied a full and fair opportunity to do so.

According to rule 44 this honorable court is able to grant rehearing do to the lower courts ignoring these claims is a substantial circumstance that intervened a proper ruling had these claims been addressed in prior judgments this honorable court would have had jurisdiction to grant or deny certiorari on these claims.

lastly according to sup. ct. R. 16.3 this honorable court is able to suspend order denying certiorari simply because if the lower court had

taken action rather than ignoring claims there would be an adverse affect on review available in favor of Petitioner. Additionally the lower courts did not apply a rigorous analysis by refusing to address claims. Petitioner is asking this honorable court to evaluate the constitutionality of the governments determination, Petitioner is asking this honorable court to leberally contrue this application, and do to these facts there is a reasonable likelihood of the court reversing its previous position and granting certiorari. Petitioner ask that this honorable court or Justice Kavanaugh suspend and order denying certiorari pending disposition of this application for rehearing

## CONCLUSION

All of the facts supporting the lower courts avoiding of claims is supported by Petitioner's certiorari where all prior judgments can be reviewed also all of Petitioners claims that has been presented to every lower court can also be reviewed where Petitioner presented them to the lower courts in great detail.

Finally Petitioner certiorari is based on the prior courts denial to rule on claims from which they refused. It seem the lower courts to advantage of this honorable court strain/case load knowing very few Petitions is granted rather than address Petitioners claims. Petitioner is asking this honorable court to grant rehearing and remand claims for a judgment.

## CERTIFICATE OF SERVICE

A copy has been sent to Attorney General, section code 48300 30 E  
Broad street 23<sup>rd</sup> floor columbus OH 43215. This November 4<sup>th</sup> 2024

## CERTIFICATE

I, shyne v Anderson hereby certify that the foregoing Motion for rehearing and suspend judgment is presented in good faith and not for delay. Additionally certify the facts in the Memorandum are limited to intervening circumstances of substantial or controlling effect or to other substantial grounds not previously presented. A copy has been served by regular U.S. mail to The Supreme Court Of The United States, 1 first street NE Washington DC 20543. And to the Attorney General, section code 42300 30 E Broad Street 23<sup>rd</sup> floor on November 4<sup>th</sup> 2024

I declare under penalty of perjury that the foregoing is true and correct. Executed on November 4<sup>th</sup> 2024



Shyne v Anderson

# 682513

878 coitsville Hubbard-Road

Youngstown, OH 44504-4635



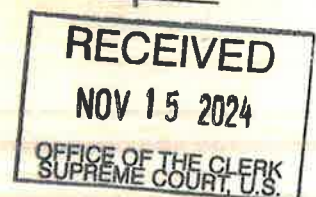


# AFFIDAVIT OR DECLARATION IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

I, Shyne V Anderson, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Self-employment	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Gifts	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Alimony	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Child Support	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Other (specify): <u>State Pay</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
<b>Total monthly income:</b>	\$ <u>16.00</u>	\$ <u>N/A</u>	\$ <u>16.00</u>	\$ <u>N/A</u>



2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
N/A	N/A	N/A	\$ N/A
N/A	N/A	N/A	\$ N/A
N/A	N/A	N/A	\$ N/A

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
N/A	N/A	N/A	\$ N/A
N/A	N/A	N/A	\$ N/A
N/A	N/A	N/A	\$ N/A

4. How much cash do you and your spouse have? \$ 19.86 \$  
Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
inmate account	\$ 19.86	\$ N/A
N/A	\$ N/A	\$ N/A
N/A	\$ N/A	\$ N/A

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

☐ Home

Value N/A

☐ Other real estate

Value N/A

☐ Motor Vehicle #1

Year, make & model N/A

Value N/A

☐ Motor Vehicle #2

Year, make & model N/A

Value N/A

☐ Other assets

Description N/A

Value N/A



6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money

Amount owed to you

Amount owed to your spouse

N/A

\$ N/A

\$ N/A

N/A

\$ N/A

\$ N/A

N/A

\$ N/A

\$ N/A

7. State the persons who rely on you or your spouse for support. For minor children, list initials instead of names (e.g. "J.S." instead of "John Smith").

Name

Relationship

Age

N/A

N/A

N/A

N/A

N/A

N/A

N/A

N/A

N/A

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

You

Your spouse

Rent or home-mortgage payment  
(include lot rented for mobile home)

\$ N/A

\$ N/A

Are real estate taxes included? ☐ Yes ☒ No

Is property insurance included? ☐ Yes ☒ No

Utilities (electricity, heating fuel,  
water, sewer, and telephone)

\$ N/A

\$ N/A

Home maintenance (repairs and upkeep)

\$ N/A

\$ N/A

Food

\$ N/A

\$ N/A

Clothing

\$ N/A

\$ N/A

Laundry and dry-cleaning

\$ N/A

\$ N/A

Medical and dental expenses

\$ N/A

\$ N/A

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>N/A</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>N/A</u>	\$ <u>N/A</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>N/A</u>	\$ <u>N/A</u>
Life	\$ <u>N/A</u>	\$ <u>N/A</u>
Health	\$ <u>N/A</u>	\$ <u>N/A</u>
Motor Vehicle	\$ <u>N/A</u>	\$ <u>N/A</u>
Other: <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Installment payments		
Motor Vehicle	\$ <u>N/A</u>	\$ <u>N/A</u>
Credit card(s)	\$ <u>N/A</u>	\$ <u>N/A</u>
Department store(s)	\$ <u>N/A</u>	\$ <u>N/A</u>
Other: <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Alimony, maintenance, and support paid to others	\$ <u>N/A</u>	\$ <u>N/A</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>N/A</u>	\$ <u>N/A</u>
Other (specify): <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Total monthly expenses:	\$ <u>N/A</u>	\$ <u>N/A</u>



9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

☐ Yes ☒ No If yes, describe on an attached sheet.

10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form? ☐ Yes ☒ No

If yes, how much? N/A

If yes, state the attorney's name, address, and telephone number:

11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

☐ Yes ☒ No

If yes, how much? N/A

If yes, state the person's name, address, and telephone number:

N/A

12. Provide any other information that will help explain why you cannot pay the costs of this case.

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

Executed on: November 4, 2024

Dyane V. Anderson  
(Signature)