

No 23A512
24-5635

IN THE
SUPREME COURT OF THE UNITED STATES

Kim BOWERS

PETITIONER

v

PAYSON CITY

RESPONDANTS

PETITION FOR REHEARING

Kim BOWERS

493 S. 500E.

PAYSON, UT

84651

PHONE 385-224-0080

PETITIONER FORCED PRO SE

kim33377778@gmail.com

BRANDON DALLEY

439 WEST UTAH AVE

PAYSON, UTAH

84651

PHONE: 801-465-5227

ASSISTANT PAYSON ATTORNEY

brandond@payson.org

PETITION FOR REHEARING
IN ACCORDANCE WITH THIS COURT'S
RULE 44.2 PETITIONERS RESPECTFULLY
SEEKS REHEARING OF THE COURT'S ORDER
DENYING CERTIORARI IN ORDER TO
PREVENT MANIFEST INJUSTICE

IN UTAH, OUR UTAH ATTORNEY
GENERAL SEAN REYES CONTINUES
A LEGACY OF CORRUPTION. BOTH ATTORNEY
GENERAL SWALLOW AND HIS PREDECESSOR
ATTORNEY GENERAL MARK SHURTLEFF,
WERE ARRESSTED IN 2014 ON CHARGES
RELATING TO PUBLIC CORRUPTION.

IN 1998 DEFENDANT KIM BOWERS DID
SEND MARK SHURTLEFF A TAPE OF THE
THEN CITY ATTORNEY DAVID TUCKETT
THREATENING THE LIFE OF KIM BOWERS.

WHILE LISTENING TO THE TAPE, MARK
SHURTLEFF SEEMED RIGHTEOUSLY INDIGNANT
AND ASSURED KIM BOWERS THAT SOMETHING
WOULD BE DONE. AFTER SPEAKING WITH
PAYSON CITY ATTORNEY DAVID TUCKETT,
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SIMPLY MISUNDERSTOOD DAVID TUCKETT.
IN 2024 DAVID TUCKETT IS NOW PAYSON
CITY MANAGER, AND IN THE LAST 26 YEARS
HAS HELD MULTIPLE PAYSON CITY JOBS
ALL AT THE SAME TIME.

IT WAS DURING THIS REIGN OF CORRUPTION
THAT UTAH R. CRIM. P 17 WAS AMENDED
THROUGH MAY 23, 2023 AND NOW STATES

(2) DEFENDANTS PRESENCE: IN ALL CASES THE DEFENDANT SHALL HAVE THE RIGHT TO APPEAR AND DEFEND IN PERSON AND BY COUNSEL. THE DEFENDANT SHALL BE PERSONALLY PRESENT AT THE TRIAL. IN ALL CASES THE DEFENDANT SHALL BE PERSONALLY PRESENT. THE SIXTH AMENDMENT OF THE UNITED STATES CONSTITUTION PROTECTS THE RIGHTS OF THE ACCUSED IN CRIMINAL TRIALS BY GIVING THE ACCUSED THE RIGHT TO CONFRONT AND CROSS EXAMINE WITNESSES AGAINST THEM. HOW IS THIS DONE IF THE ACCUSED IS ABSENT? YET UTAH LAW HAS AMMENDED AND ADDED UTAH R CRIM P 17(2)(2) WHICH STATES IN PROSECUTIONS FOR OFFENSES NOT PUNISHIBLE BY DEATH (OVER 90%), THE DEFENDANTS VOLUNTARY ABSENCE FROM THE TRIAL AFTER NOTICE TO DEFENDANT OF THE TIME FOR TRIAL SHALL NOT PREVENT THE CASE FROM BEING TRIED AND A VERDICT OR JUDGEMENT ENTERED THEREIN SHALL HAVE THE SAME EFFECT AS IF DEFENDANT HAD BEEN PRESENT. DOES THIS FOLLOW THE SIXTH AMENDMENT? IS THIS LAW ARBITRARY, CAPRICIOUS AND UNCONSTITUTIONAL?

DEFENDANT KIM BOWERS WAS NOT VOLUNTARILY ABSENT BUT IS DISABLED WITH HEALTH PROBLEMS.

CONCLUSION

FOR THE FOREGOING REASONS, AND THOSE

STATED IN THE PETITION FOR A WRIT OF
CERTIORARI, THE COURT SHOULD GRANT
REHEARING, AND GRANT THE PETITION FOR
CERTIORARI.

CERTIFICATE OF COUNSEL
PURSUANT TO RULE 44.2 PETITIONER
KIM BOWERS DOES HEREBY CERTIFY
THAT THE PETITION FOR REHEARING IS
RESTRICTED TO THE GROUNDS SPECIFIED
IN RULE 44.2. I FURTHER CERTIFY
THAT THE PETITION FOR REHEARING
IS PRESENTED IN GOOD FAITH AND NOT
FOR DELAY.

DECEMBER 18, 2024

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**Additional material
from this filing is
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