

No. 24-5733

In The
Supreme Court of the United States

Brent Evan Webster
Petitioner,

v.
United States Bankruptcy Court
for the District of Oregon
Respondent,

On Petition for Writ of Certiorari
To the United States Court of Appeals
For the Ninth Circuit

PETITIONER'S PETITION FOR REHEARING

Petitioner
Brent Webster
8707 SE 347th Ave.
Boring, Oregon 97009
Self-Represented

Respondent
United States BK Court
for the District of Oregon
1050 SW 6th Ave #700
Portland, Oregon 97204

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Fraud Enforcement and Recovery Act of 2009

PUBLIC LAW 111-21—MAY 20, 2009 123 STAT. 1617

111th Congress an Act: To improve enforcement of mortgage fraud, securities and commodities fraud, financial institution fraud, and other frauds related to Federal assistance and relief programs for the recovery of funds lost to these frauds and for other purposes

THE 2007-2008 FINANCIAL CRISIS INQUIRY REPORT

THE FINANCIAL CRISIS INQUIRY REPORT FINAL REPORT OF THE NATIONAL COMMISSION ON THE CAUSES OF THE FINANCIAL AND ECONOMIC CRISIS IN THE UNITED STATES SUBMITTED BY THE FINANCIAL CRISIS INQUIRY COMMISSION Pursuant to Public Law 111-21 Report January 2011

<https://www.govinfo.gov/content/pkg/GPO-FCIC/pdf/GPO-FCIC.pdf>

Official Government Evidence of Fraud 663 pages

Title 18 U.S. Code Section 1512(c)(1) & (2), states “(c) Whoever corruptly (1) alters, destroys, mutilates, or conceals a record, document or other object, or attempts to do so, with the intent to impair the object’s integrity or availability for the use in an official proceeding; or (2) otherwise obstructs, influences or impedes any official proceedings or attempts to do so, shall be fined under this title or imprisoned not more than 20 years, or both.”

Title 18 U.S. Code Section 1621, Perjury Defined

Perjury can be summarized as any untrue testimony, declaration, deposition or certification that is made under oath, whoever...

(1) having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true; or

(2) in any declaration, certificate, verification, or statement under penalty of perjury as permitted under section 1746 of title 28, United States Code, willfully subscribes as true any material matter which he does not believe to be true; is guilty of perjury and shall, except as otherwise expressly provided by law, be fined under this title or imprisoned not more than five years, or both. This section is applicable whether the statement or subscription is made within or without the United States.

Title 42 U.S. Code Section 1986, Knowledge of Wrongful Act & Power to Prevent states that A Person with knowledge that a wrongful act is about to be committed and having the power to prevent the commission of such wrong neglects or refuses so to do, is liable to the party injured for all damages caused by the wrongful act. Person need not have participated in the conspiracy or the commission of the act, just having knowledge of it implies guilt. Any number of persons guilty of wrongful neglect or refusal may be joined as defendants in a § 1986 action.

POINTS, AUTHORITIES AND ARGUMENTS

Supportive Rule for Rehearing

Rehearing after the denial for writ of certiorari is appropriate in situations with a substantial or controlling effects or other substantial grounds not previously presented which are important to the public as a whole.

Because this is such a case, Petitioner moves this Honorable Court to grant his petition for rehearing.



ARGUMENT

Why should this Honorable Court Grant Rehearing?

On December 16th 2024 this Court issued an order concerning this case which states “Petition DENIED”.

Here, substantial grounds not previously presented warrants rehearing upon discovery that on May 20, 2009 Public Law 111-21 was enacted by the 111th Congress to improve the enforcement of mortgage fraud, securities and commodities fraud, and relief programs fraud for the recovery of funds lost and for other useful purposes.

Public Law 111-21, also known as the Fraud Enforcement and Recovery Act (FERA) of 2009 has not been replaced or repealed, so the FERA is still in effect and used to recover funds lost after the 2008 collapse.

The Financial Crisis Inquiry Commission was created to “examine the causes of the 2007-2008 financial and economic crisis in the United States.”

In this report, the Commission presents to the President, the Congress, and the American people the results of its examination and its conclusions as to the causes of the crisis and how economic chaos has come to be.

Now more than 18 years after the worst financial crisis our economy as well as our communities and families across the country are continuing to experience the aftershocks and the unaffordability in the cost of living.

Millions of Americans lost their jobs and homes and millions more are currently losing their jobs and their homes still waiting for the economy to rebound after the 2008 financial collapse without any relief in sight.

This report was intended to provide a historical accounting of what brought our financial system and economy to a precipice of disaster and to help policy makers and the public better understand how this calamity happened and what can be done to prevent it from happening again.

The Commission was established as part of the Fraud Enforcement and Recovery Act (Public Law 111-21) passed by Congress and signed by President Obama on May 20th 2009. This independent 10-member panel was composed of private citizens with experience in areas such as housing, economics, finance, market regulation, banking, and consumer protection.

The Commission's statutory instructions set out 22 specific topics for inquiry and called for the examination of the collapse of major financial institutions that failed or would have failed if not for exceptional assistance from the government and propping up the fraud with TARP funds.

This report fulfills these mandates in addition, the Commission was instructed to refer to the attorney general of the United States and any appropriate state attorney general any person that the Commission found may have violated the laws of the United States in relation to the crisis. Where the Commission found such potential violations, it referred those matters to the appropriate authorities. The Commission used the authority it was given to issue subpoenas to compel testimony and the production of documents, but in the vast majority of instances, companies and individuals voluntarily cooperated with this inquiry.

They have tried to explain in clear, understandable terms how our complex financial system works and how the pieces fit together and how the crisis occurred in 2008.

This report required research into broad and sometimes arcane subjects, such as mortgage lending and securitization, derivatives, corporate governance, and risk management. To bring these subjects out of the realm of the abstract, they conducted case study investigations of specific financial firms—and in many cases specific facets of these institutions—that played pivotal roles.

Those institutions included American International Group (AIG), Bear Stearns, Citigroup, Countrywide Financial, Fannie Mae, Goldman Sachs, Lehman Brothers, Merrill Lynch, Moody's, and Wachovia.

Importantly they examined the roles of policy makers and regulators, including at the Federal Deposit Insurance Corporation, the Federal Reserve Board, the Federal Reserve Bank of New York, the Department of Housing and Urban Development, the Office of the Comptroller of the Currency, the Office of Federal Housing Enterprise Oversight (and its successor, the Federal Housing Finance Agency), the Office of Thrift Supervision, the Securities and Exchange Commission, and the Treasury Department.

There is still much work the Commission did not undertake. Congress did not ask the Commission to offer policy recommendations, but required it to delve into what caused the crisis. The Commission functions like the National Transportation Safety Board, which investigates

aviation and transportation accidents so that knowledge of the probable causes can help avoid future accidents.

They were not tasked with evaluating the federal law (the Troubled Asset Relief Program, known as TARP) that provided financial assistance to major financial institutions.

That duty is assigned to the Congressional Oversight Panel and Special Inspector General for TARP.

CONCLUSIONS OF THE FINANCIAL CRISIS INQUIRY COMMISSION

The Financial Crisis Inquiry Commission was called upon to examine the financial and economic crisis that has gripped our country and explain its causes to the American people. They were keenly aware of the significance of their charge, given the economic damage that America has suffered in the wake of the greatest financial crisis since the Great Depression.

If we do not learn from history, we are unlikely to fully recover from it. Some on Wall Street and in Washington with a stake in the status quo may be tempted to wipe from memory the events of this crisis, or to suggest that no one could have foreseen or prevented them.

This report endeavors to expose the facts, identify responsibility, unravel myths, and help us understand how

the crisis could have been avoided. It is an attempt to record history, not to rewrite it, nor allow it to be rewritten.

It was to help our fellow citizens better understand this crisis and its causes, and present specific conclusions at the end of chapters in Parts III, IV, and V of this report.

The subject of this report is of no small consequence to this nation the profound events of 2007 and 2008 were neither bumps in the road nor an accentuated dip in the financial and business cycles we have come to expect in a free market economic system.

This was a fundamental disruption—a financial upheaval, if you will—that wreaked havoc in communities and neighborhoods across this country.

When this report went into print, there were more than 26 million Americans who are out of work, cannot find full-time work, or have given up looking for work.

About four million families had lost their homes to foreclosure and another four and a half million slipped into the foreclosure process or were seriously behind on their mortgage payments shortly after the collapse of 2008.

Nearly \$11 trillion in household wealth vanished, with retirement accounts and life savings swept away.

Businesses, large and small felt the sting of a deep recession and there is much anger about what transpired, and justifiably so.

Many people who abided by all the rules then found themselves and now again find themselves out of work and uncertain about their future prospects and home to live in.

The collateral damage of this crisis has been real people and real communities the impacts of these crisis's are likely to be felt for generations, the nation still faces no easy path to renew economic strength and home ownership as it appears all equity has been stripped through fraud.

All of us have been deeply affected by what we have learned and experienced in the course of the last 18 years.

Much attention has been focused on the decisions by the federal government to provide massive financial assistance to stabilize the financial system and rescue large financial institutions that were deemed too systemically important to fail.

Those decisions—and the deep emotions surrounding them—will be debated long into the future.

The mission was to ask and answer this central question: how did it come to pass that in 2008 our nation was forced to choose between two stark and painful alternatives—either risk the total collapse of our financial system and economy or inject trillions of taxpayer dollars into the financial system and an array of companies, as millions of Americans still lost their jobs, their savings, and their homes?

While the vulnerabilities that created the potential for crisis were years in the making, it was the collapse of the housing bubble—fueled by low interest rates, easy and available credit, scant regulation, and toxic mortgages—that was the spark that ignited a string of events, which led to a full-blown crisis in the fall of 2008.

Trillions of dollars in risky mortgages had become embedded throughout the financial system, as mortgage-related securities were packaged, repackaged, and sold to investors around the world.

When the bubble burst hundreds of billions of dollars in losses in mortgages and mortgage-related securities shook markets as well as financial institutions that had significant exposures to those mortgages and had borrowed heavily against them.

This happened not just in the United States but around the world. The losses were magnified by derivatives such as synthetic securities. The crisis reached seismic proportions in September 2008 with the failure of Lehman Brothers and the impending collapse of the insurance giant American International Group (AIG).

Panic fanned by a lack of transparency of the balance sheets of major financial institutions, coupled with a tangle of interconnections among institutions perceived to be “too big to fail,” caused the credit markets to seize up. Trading ground to a halt. The stock market plummeted. The economy plunged into a deep recession.

The financial system they examined bears little resemblance to that of our parents' generation. The changes in the past three decades alone have been remarkable. The financial markets have become increasingly globalized. Technology has transformed the efficiency, speed, and complexity of financial instruments and transactions. There is broader access to and lower costs of financing than ever before and the financial sector itself has become a much more dominant force in our economy.

From 1978 to 2007, the amount of debt held by the financial sector soared from \$3 trillion to \$36 trillion, more than doubling as a share of gross domestic product.

The very nature of many Wall Street firms changed—from relatively staid private partnerships to publicly traded corporations taking greater and more diverse kinds of risks.

By 2005, the 10 largest U.S. commercial banks held 55% of the industry's assets, more than double the level held in 1990. On the eve of the crisis in 2006, financial sector profits constituted 27% of all corporate profits in the United States, up from 15% in 1980.

Understanding this transformation was critical to the Commission's analysis. Now to the major findings and conclusions, which were based on the facts contained in this report: they are offered with the hope that lessons may be learned to help avoid future catastrophe.

BRIEF FINANCIAL CRISIS FINDINGS

1. They concluded the financial crisis was avoidable.
2. They concluded widespread failures in financial regulation and supervision proved devastating to the stability of the nation's financial markets actively pushed by the powerful financial industry who stripped away key safeguards which could have helped avoid catastrophe.
3. They concluded dramatic failures in corporate governance, and risk management at important financial institutions were the key causes of this crisis.
4. They concluded that a combination of excessive borrowing, risky investments, and lack of transparency put the financial system on a collision course with crisis.
5. They concluded the government was ill prepared for the crisis, and its inconsistent response added to the uncertainty and panic in the financial markets.
6. They concluded there was a systemic breakdown in accountability and ethics. The integrity of our financial markets and the public's trust in these markets are essential to the economic well-being of our nation.
7. They concluded collapsing mortgage-lending standards and the mortgage securitization pipeline lit and spread the flame of contagion and crisis. When housing prices fell and mortgage borrowers defaulted, the lights began to dim on Wall Street.

8. They concluded over-the-counter derivatives contributed significantly to this crisis. The enactment of legislation in 2000 to ban the regulation by both the federal and state governments of over-the-counter (OTC) derivatives was a key turning point in the march toward financial crisis.

9. They concluded the failures of credit rating agencies were essential cogs in the wheel of financial destruction. The three credit rating agencies were key enablers of the financial meltdown. The mortgage-related securities at the heart of the crisis could not have been marketed and sold without their seal of approval.

10. They found dramatic breakdowns of corporate governance profound lapses in regulatory oversight, and near fatal flaws in our financial system.

Conclusions

The commission found that a series of choices and actions led us toward a catastrophe for which we were ill prepared. These are serious matters that must be addressed and resolved to restore faith in our financial markets, to avoid the next crisis, and to rebuild a system of capital that provides the foundation for a new era of broadly shared prosperity.

The greatest tragedy would be to accept the refrain that no one could have seen this coming and thus nothing could have been done.

If we accept this notion, it will happen again. This report should not be viewed as the end of the nation's examination of this crisis.

There is still much to learn, much to investigate, and much to fix. This is our collective responsibility it falls on us to make different choices if we want different results.

This petition for rehearing is based on the merits of the circumstances and the facts as described and exposed with this case, and is also how Select Portfolio Servicing the foreclosure arm of Credit Suisse who was responsible for triggering the financial collapse of 2008 by inflating the prices of the asset-backed bonds which comprised the subprime residential mortgage backed securities and commercial mortgage backed securities in Credit Suisse's trading book in late 2007 and early 2008.

As victims of the real estate foreclosure industry, THE FINANCIAL CRISIS INQUIRY REPORT is the smoking gun evidence first published February 25, 2011.

All of the fraudulent willful negligence has yet to be corrected in our situation as well as in the mortgage industry as a whole, which caused the theft and destruction of our farm, along with millions of struggling home owners who were also equity stripped of any future gains in values.

It is the duty and obligation of this court, as the court of last resort for the people of the United States to finally resolve and correct this existential threat to our lives before the complete destruction of our modern society.

It is the giant corporate interest who were protected by the United States Bankruptcy Court for the District of Oregon as fully demonstrated in this specific case along with the report submitted as conclusive evidence of all our claims.

It is gross-negligence by United States Bankruptcy Court for the District of Oregon and clearly was knowingly responsible for the demise of our family's farm.

By not investigating the false claims submitted into my bankruptcy case by Select Portfolio Servicing and demonstrated their intent on stealing all our wealth, including the wealth of our world-citizens by causing the people to become houseless after the manipulations by the companies empowered to protect the people's interest.

The jobs that used to afford the family home has become totally unrealistic and a travesty for modern society, therefore this second request on petition for writ of certiorari as first approved by Justice Kagan May 14, 2024 should continue the course of due process law.

Dated January 10, 2025

Respectfully Submitted,

brent evan webster dba BRENT EVAN WEBSTER

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CERTIFICATE OF GOOD FAITH
PETITIONER'S PETITION FOR REHEARING
RULE 44.2

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Pursuant to Supreme Court Rule 44.2 this petitioner delivered documents to US Post Office and Certified Mailed within the allowed 25 days for reconsideration based on the merits and to the best of my abilities. I certify that my petition for rehearing complies with the restrictions of the rules and is presented in good faith and not for delay.

Dated January 10, 2025

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**CERTIFICATE OF WORD COUNT IN
PETITIONER'S PETITION FOR REHEARING
RULE 33**

— ◇ —

As required in Supreme Court Rule 33, I declare and certify that this petition for rehearing contains the number of words as follows excluding the parties, table of contents, table of authorities, and list of counsel, but includes the certificate of good faith, after all the subtractions there are 2811 words less than the 3000 prescribed by Rule 33.

Dated January 10, 2025

Respectfully Submitted,

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