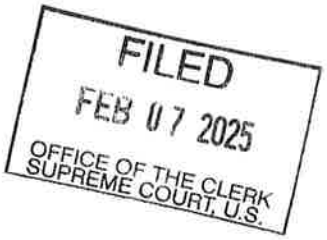
No. 24-614

In The Supreme Court of the United States



MICHAEL PRETE,
Petitioner,

v.

STATE OF RHODE ISLAND
Respondent.

On Petition For Writ Of Certiorari to the
Rhode Island Supreme Court

PETITION FOR REHEARING

Michael Prete
782 Boston Neck Road
Narragansett, RI 02882
February 7, 2025

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Petitioner petitions for rehearing (and/or issuing per curiam order summarily reversal) of this Court's ("SCOTUS") January 13, 2025 Order denying Petitioner's Writ of Certiorari Petition ("WC").

REASONS FOR REHEARING

In accordance with Sup. Ct. R. 44.2, in support of Petitioner's request for rehearing, below are some briefly discussed substantial grounds which, among other things, weren't available at time of Petition.

I. New Evidence Demonstrating Nationwide Effect of R.I. Supreme Court's Unconstitutional Order

Briefly reminding SCOTUS of the case subject, the R.I. Supreme Court's ("RISC") written order stated that despite RISC acknowledging every aspect of its decision was illegitimate, unconstitutional, etc. (e.g. acknowledging Petitioner did NOT commit any rule, ethics, etc. violation, RISC unconstitutionally bypassed Attorney Disciplinary rules, RISC didn't provide Petitioner with notice of accusations, opportunity to defend against the vague accusations, etc., RISC's actions deprived Petitioner's right to appellate recourse, etc.), because Petitioner (in compliance with his attorney oath) dared to expose (with evidence (and more evidence was actively being withheld from Petitioner by the R.I. Judiciary ("RIJ") (all documented))) RIJ corruption, Petitioner was

indefinitely suspended (itself a violation of Disciplinary rules (suspensions are limited to five years)). Stated differently, for exercising his First Amendment Right and complying with his attorney oath, RISC (a government entity) retaliated against Petitioner and, among other things, stripped Petitioner's property (among other things, violating Petitioner's First Amendment right).

On quick review, despite the multiple significant U.S. Constitutional violations, etc., the reader sees one individual being affected by one State Court system; what appears to be one of SCOTUS's least favored types of cases (SCOTUS seeks out high-profile, broad, etc. types of cases). However, not only is RISC's conduct capable of being broadened, replicated, etc. to others in R.I. and by other States' Courts but, upon closer inspection, this case has national ramifications (which are already coming to fruition), etc.

WC specifically pointed out that RISC's Order would, among other things, "...send chilling effects to others' Free Speech..." WC was docketed on December 4, 2024 and public online access to WC began December 5, 2024. As SCOTUS knows, many individuals, etc. routinely keep up-to-date on and review, analyze, etc. cases brought before SCOTUS.

On December 20, 2024 (just two weeks after public online access availability), as if having read WC, an attorney (who was a guest on a nationally

broadcasted news program), when asked by the program host, declined to provide his views on ALREADY proven corrupt actions by a LOCAL District Attorney in his State for, as he stated, fear of what his State Bar association might do to him (despite him having no involvement in, connection to, etc. the DA's case, etc., not being under any "gag" order, etc.). Out of respect for the attorney (brave enough to express his concerns), their name isn't provided herein; however, Petitioner can provide his name, the program segment, etc. later under confidentiality.

RISC's chilling effect was felt weeks BEFORE SCOTUS decided to NOT take Petitioner's case. Imagine the chilling effect now.

With the exception of things like "gag" orders, etc., rarely do individuals ever broadcast (let alone on national news) that they're self-censoring nor do they declare the reason for their self-censorship. For the attorney to declare they're self-censoring for fear of retaliation, imagine the countless others who are self-censoring in silence. Also, unlike the average person who may not be aware of the extent of their First Amendment rights, attorneys are aware (even if just cursory) of their First Amendment rights and how those rights can be defended. Yet the above attorney STILL didn't want to chance unconstitutional retaliation.

Not only are national implications of RISC's unconstitutional order ALREADY reverberating, the effects are worse than Petitioner anticipated. In Petitioner's situation, Petitioner was the one who exposed corruption and retaliation ensued against Petitioner. Though still outrageous, one would think RISC's unconstitutional order would've only sent the message that as long as one doesn't expose corruption, etc., they won't be targeted. Instead, RISC's unconstitutional order has instilled in individuals the fear of even merely expressing their views (their First Amendment Right) of ALREADY proven corrupt actions by court officers.

As SCOTUS knows, there are many news programs where the host is an attorney. Given the above referenced attorney's shocking admission of fear of retaliation for merely expressing their view of ALREADY proven corruption, it stands to reason that the chilling effects could easily affect (and may already be affecting) attorney news hosts' decisions about whether to even report on/break news about substantiated allegations of corruption of court officers, etc. for fear that exercising their First Amendment Free PRESS right (in addition to Free Speech) may result in losing their law license. The ramifications of such decisions domino (e.g. members of the public (who depend on the news to be informed voters, who have the ability to recall DAs, etc.) will be made ignorant of critical information, corrupt individuals will be allowed to continue to wreak-havoc, etc.).

Again, on its face, like many cases on appeal to SCOTUS, RISC's decision was directed to one individual (Petitioner). However, such was the situation in many of SCOTUS's landmark cases (e.g. *Brady v. Maryland*, 373 U.S. 83 (1963); *Miranda v. Arizona*, 384 U.S. 436 (1966); etc.; etc.; etc.). As demonstrated above, like *Brady*, *Miranda*, etc., etc., etc., among other things, this case has national ramifications (which are already causing damage).

Again, respectfully, SCOTUS must take this case to correct such conduct, etc. and send a clear message to RIJ and other courts, etc. that such arbitrary, capricious, abusive, unconstitutional, etc. actions, etc. won't be tolerated, etc.

II. RISC's Retaliation Against Petitioner's First Amendment Free Speech Continues

Just one week after this case was distributed for conference (but WEEKS before SCOTUS's decision), as if not fearing what SCOTUS would/could do, RISC's retaliation, etc. against Petitioner continued.

On December 23, 2024, Petitioner timely submitted his RISC "Rule 12A Prebriefing Statement (SU-2024-0235-CA)" (Dated December 23, 2024). Among other things, because Petitioner's filing contained legal arguments Christopher Bush (Prosecution) didn't anticipate (making it harder for Bush to try to corruptly shut down the appeal (see "Appendix H" to WC)), RISC's clerk's office ("RISCCO") improperly

rejected Petitioner's filing on knowingly false pretenses (as RISCCO later effectively admitted).

RISCCO's improper rejection was so obvious (and outrageous) that, to expose the blatant corruption, Petitioner's e-mail to RISCCO merely consisted of quoting the first few sentences of Petitioner's "rejected" filing which completely contradicted RISCCO false pretense.

Though RISCCO reluctantly ended up filing, why would RISCCO suddenly (within less than 90 minutes) completely change their position whether to file? Interestingly, before Petitioner's e-mail, Petitioner discussed in his home that he'd be addressing RISCCO's actions, etc. in a supplemental submission to SCOTUS.

In response to Petitioner's e-mail and because Petitioner dared to make RISC justices aware (by merely cc'ing the justices (who the clerk was ALSO cc'ing) on his e-mail to the clerk) of the clerk's fraud, RISCCO informed Petitioner that the clerk had effectively submitted a complaint against Petitioner to RIJ General Counsel's Office ("RIJGCO") whereupon, within just two and a half hours, RIJGCO e-mailed (on Friday afternoon) Petitioner declaring blatantly false (defamatory) information (especially since RIJGCO received (from her own client) a copy of the e-mail chain), claiming such things as Petitioner was acting improperly and/or

unethically, etc. and, effectively, Petitioner better not act improperly and/or unethically, etc. again or else.

See App.1-17 for more.

Sound familiar? Petitioner dared expose RIJ corruption, RIJ retaliated against Petitioner (resulting in this appeal).

This time, since Petitioner's already been illegally effectively disbarred, RIJ's trying to lay the foundation for things more sinister.

Regarding RISCCO's knowingly improper rejection (which would've ultimately led to dismissal of Petitioner's RISC case), Petitioner's Petition for Writ of Habeas Corpus (Dated December 20, 2024) ("HC") stated:

> "RIJ believed that without a decision from RISC (which wouldn't be issued if the appeal is dismissed []), Petitioner **has no way of reaching this Court** (therefore, they can continue to trap Petitioner in their corrupt, etc. system)." (No Emphasis Added).

Note, App.1-17 is Petitioner's planned Supplemental Brief for HC which Petitioner's unable to submit because, despite HC having been delivered to SCOTUS (and signed for) on December 23, 2024 at 9:51AM, to date HC hasn't been docketed (nor rejected) by Clerk's Office. See below for more. The

status of HC is unclear. E-mails to Clerk Scott Harris aren't responded to. Petitioner needs the HC case number to file his Supplemental Brief.

RISC's retaliation, etc. continued. On January 30, 2025, shortly after SCOTUS chose NOT to take Petitioner's WC (RISC's illegal effective disbarment of Petitioner), RISC, emboldened by SCOTUS's decision, issued Orders illegally dismissing BOTH of Petitioner's RISC pending appeals (one of which hadn't even technically begun (Petitioner had yet to file his Prebrief Statement (Statement of Issues Being Raised))). Further, RISC falsely used SCOTUS's precedent as authority to dismiss the appeal. According to RISC, *Abney v. United States*, 431 U.S. 651 (1977), stated that the ONLY thing "interlocutorily" appealable is a claim of double jeopardy. As SCOTUS knows, *Abney* (and its progeny) actually states ANYTHING IS "interlocutorily" APPEALABLE as long as it fits within SCOTUS's "...collateral-order exception..." Despite Appellant's appeals fitting perfectly within that exception, RISC summarily dismissed BOTH appeals. See App.18-40 for more.

III. Despite Petitioner's Efforts, Important Information Relevant to SCOTUS's Case Consideration Wasn't Forwarded to the Justices

On December 20, 2024, Petitioner submitted a "Supplemental Brief" (No. 24-614) (Dated December 20, 2024) ("SB") (App.41-55). On December 27, 2024,

Clerk Danny Bickell refused to enter SB into the record, rejected it (but no rejection notation, etc. entered into record (as if SB never existed)), and, days later, SB was returned with a rejection letter (App.56-57). Respectfully, Bickell incorrectly rejected SB based on what appears to be Bickell's incorrect interpretation, etc. of SB.

Again, as noted in HC, RISC, etc. are desperately creating ways to ensure they can continue to trap Petitioner in their corrupt, etc. system. Regardless of Bickell's belief in such things, SB attempted to bring to SCOTUS's attention the efforts to obstruct, interfere with, prevent, etc. SCOTUS from even being able to consider Petitioner's case.

To further demonstrate FedEx's efforts to corruptly act on behalf of others and obstruct court filings, see App.1-17 for an example. Also, had their planned non-delivery been successful, FedEx was going to NOT deliver WC AND STILL KEEP the $1,590.24 delivery fees Petitioner paid.

SB contained information directly relevant to SCOTUS's consideration of WC. Among other things, the information contained therein are demonstrative of RISC's, etc. guilt that RISC's actions, etc. were clear constitutional violations, etc., etc. In fact, also discussed in SB was opposing counsel's (Katherine Connolly Sadeck (Attorney for and employee of Respondent)) swift submission (within four business days of case docketing) of a Waiver to respond to WC.

Why? Because, like the actions to prevent SCOTUS's review, Sadeck's aware RISC's actions are indefensible.

The topics discussed in SB were no different than if Petitioner discussed new case developments regarding RISC's attempts to fraudulently moot the matter prior to SCOTUS's Judicial Review. As Rule 15.8 indicates, a supplemental brief "...call[s] attention to new cases, new legislation, **OR OTHER INTERVENING MATTER**..." (Emphasis Added). Efforts to obstruct, etc. Judicial Review are, quite literally, "...intervening matter..."

Also, in the rush of preparing (in addition to other court filings, etc.) two SCOTUS Petitions in less than 60 days (whereas most have up to 150 days for just one petition), word limitations, etc., SB didn't mention things like just two business days after online public access to Petitioner's WC was made available and one day before opposing counsel submitted a Waiver of response to WC, two men attempted to break into Petitioner's home. Surveillance shows tugging at Petitioner's door, taking pictures/videos of Petitioner's surveillance system, etc. ETC.

The incorrect rejection of SB deprived Petitioner of, among other things, the opportunity to provide new information to SCOTUS which further puts in perspective this case's importance.

On December 23, 2024, because of (again) Petitioner's efforts, FedEx delivered five boxes of documents to SCOTUS. Shipping labels specifically stated "1 of 5," etc. See e.g. App.58. The first four boxes contained Petitioner's HC (which SCOTUS was advised was forthcoming) and the fifth box contained Petitioner's SB. SCOTUS stamped SB:

> "**RECEIVED**
>
> DEC 26 2024" (No Emphasis Added) (See App.59)

SCOTUS's rejection letter of SB is dated December 27, 2024. App.56-57.

To date, HC remains in limbo. HC hasn't been docketed nor rejected. Not even the check (docket fee) has been cashed (as if four large boxes (weighing collectively approximately 162 pounds, containing 41 copies of a seven-volume, 637-page filing) has gone missing while in SCOTUS's possession). Note, SB was in a small box, weighed only five pounds, delivered at the same time as the other four LARGE boxes and yet, somehow, SB didn't go into limbo.

IV. Evidence Suggesting Justices Received Wrong Information, Summarizations, Etc. for Petitioner's Case

In addition to incorrect rejection of SB, other evidence suggests SCOTUS may not have received a correct picture of this case's nature.

Example, Bickell's above referenced rejection letter dated December 27, 2024 claims Petitioner's SB discussed:

> "...academic programs in which [Petitioner's] **CURRENTLY** enrolled." (Emphasis Added).

The last academic program Petitioner was enrolled in was over seven YEARS ago (as noted in SB which repeatedly stated "2017").

It's declared on uscourts.gov that many SCOTUS Justices routinely participate in the "cert pool" (an agreement/process whereby Justices divide incoming certiorari petitions among their law clerks who, in turn, write a brief memorandum about the case, "screen out" those cases the law clerks believe shouldn't be accepted, and decide what information Justices are given. Those memoranda/recommendations are then distributed to the other Justices at the Justices' Conference.). An investigation by USA Today reported that "the vast majority" of cases submitted to SCOTUS are turned down without ever being seen by a Justice. While conceptually the process likely was meant to assist Justices with case volumes, especially in the wake of the *Dobbs* decision leak (where SCOTUS's Marshal found outside involvement/breach unlikely but was

unable to specifically identify the leak's source "by a preponderance of the evidence"), such process can be abused to control, steer, threaten (which occurred because of the *Dobbs* leak), etc. what Justices do.

Petitioner has firsthand knowledge of cases being dismissed/closed based on "incorrect" summarizations (e.g. see RISC actions in this case (e.g. to corruptly close Petitioner's case, duty JUDGE's dismissal order lied about what Petitioner stated)).

Given such errors as above (e.g. Petitioner repeatedly stated "2017" whereas Bickell understood "current[]" (December 27, 2024)), that, on quick review, the reader could miss the national ramifications (which are already manifesting), etc. of this case by only seeing one individual being affected by one State Court system, etc., there are concerns that SCOTUS may have received wrong information, summarizations, etc. of Petitioner's case.

ETC.

CONCLUSION

Among other implications (including Due Process, etc.), this case has broad First Amendment implications which, if not immediately addressed and protected, will quickly result in the Constitution, the Bill of Rights, etc. becoming, as Justice Scalia once stated, mere "...parchment guarantee[s]."

Despite this case having national ramifications (which are already coming to fruition), etc., even if SCOTUS decided it didn't want the case to become a full-blown case involving briefs, oral arguments, etc., etc., etc. for what appears at first glance to be an isolated situation, as SCOTUS knows, SCOTUS has a number of powers at its disposal. Among those powers include SCOTUS's ability to issue summary reversals via per curiam orders. Such powers are reserved for situations such as, like Petitioner's case, Constitutional violations, etc. are obvious and/or easily correctible that it doesn't necessarily require the full-blown briefing, oral argument, etc. process. As Petitioner's WC demonstrates, RISC's Constitutional violations, etc. are so obvious (blatant Constitutional violations (e.g. retaliation, Equal Protection violation, no Due Process, etc.), etc. for what RISC effectively admitted Petitioner didn't violate ANY rule, etc.), indefensible (as exhibited by Sadeck's swift Waiver of responding to WC), and easily correctible (reinstate Petitioner's law license) that SCOTUS could simply issue summary reversal via a per curiam order.

As SCOTUS knows (and as RISC knew when they were formulating their actions), SCOTUS accepts only approximately 1% of the thousands of cases that are brought. Of that 1%, acceptance of State Court appeals are much rarer than acceptance of Federal Court appeals. Further, even if SCOTUS were to accept the case, RISC anticipated that, at the worst, all that would happen would be SCOTUS issuing a

strongly worded decision effectively stated: Don't Do That Again. And, even then, RISC would merely go back to the drawing board to find yet another way to end Petitioner (after all, others have demonstrated that even after SCOTUS issues a decision, those entities, etc. merely find ways to disregard SCOTUS's orders (not fearing consequences) and/or get around SCOTUS's orders). In other words, even though Petitioner advised RISC (before they issued their unconstitutional retaliatory order effectively disbarring Petitioner for Petitioner exposing corruption) that he would be appealing to SCOTUS, RISC thought to itself: What's There to Lose? Respectfully, SCOTUS's decision to not take the case (or even issue a per curiam order summarily reversing) furthers such unconstitutional, etc. conduct and allows lawlessness to continue to run rampant (as demonstrated by RISC's latest retaliations (conducted AFTER SCOTUS's decision NOT to take Petitioner's case) and RISC euphorically fraudulently invoking SCOTUS's authority to do so (it's like RISC saying SCOTUS's *Brady* decision declared Prosecutions CAN withhold exculpatory evidence (which RIJ Magistrate already claimed))) until it gets out-of-control, etc. SCOTUS is familiar with slippery slope. When rogue, unconstitutional, etc. conduct isn't stopped, etc., more of the same (or worse) conduct ensues. RIJ's out-of-control and, among other things, making a mockery of SCOTUS, the Judiciary, etc.

For reasons herein and in WC, SCOTUS should not only take this case (making it a landmark case (demonstrating to the nation that this level of corruption ends)) but sanction RISC for the numerous outrageous corrupt actions, etc.

Respectfully
Michael Prete
782 Boston Neck Road
Narragansett, RI 02882
February 7, 2025

RULE 44.2 CERTIFICATION

I hereby certify that this petition for rehearing is presented in good faith and not for delay and is restricted to the grounds specified in Rule 44.2.

Michael Prete
782 Boston Neck Road
Narragansett, RI 02882
February 7, 2025

Additional material from this filing is available in the Clerk's Office.