

No. 24-6769

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IN THE  
**SUPREME COURT OF THE UNITED STATES**

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MAYLOIS BACOT

Petitioner,

v.

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR AMERIQUEST  
MORTGAGE SECURITIES, INC. ASSET BACKED PASS-THROUGH CERTIFICATES,  
SERIES 2005-R4, ET AL

Respondents

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**On Petition for A Writ of Certiorari to the United States Supreme Court of Appeals for the  
Supreme Court and Fourth Circuit Court of Appeals of Louisiana**

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**PETITION FOR REHEARING**

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Respectfully Submitted

By: Maylois Bacot

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## **PETITION FOR REHEARING**

Pursuant to Rule 44.2 of the United States Supreme Court, Petitioner respectfully petitions for rehearing of this Court's May 19, 2025, Order denying the petition for a writ of certiorari.

The petition for rehearing is being taken in good faith and to support the administration of justice. The original certiorari petition sought this Court to resolve issues under the constitution and if a cause of action was properly plead in her petition for damages rejected by the trial, appellate and supreme courts of Louisiana. Judicial officials take an oath to uphold the constitution and laws of the state of Louisiana. **La. Const. Art. IX § 30.** The U.S. Constitution 14<sup>th</sup> Amendment was enacted for the protection against judicial abuse of power.

The Fourteenth Amendment was enacted soon after the Civil War as a reaction to abuses by Southern officials. *Pierson v. Ray*, 386 U.S. 547, 559 (1967) (Douglass, J., dissenting) (1871 Act passed in response to Southern lawlessness). Supreme Court held that the amendment's due process clause obligated state courts to obey virtually every provision of the Bill of Rights. Under this evolving concept, due process embodied at least the specific liberties guaranteed by the Constitution. *Duncan v. Louisiana*, 391 U.S. 145 (1968), holding the Fourteenth Amendment "incorporates" specific provisions of the Bill of Rights.

Under the circumstances and factual contentions alleged in the reconventional demand filed by Maylois Bacot certainly maintains that she stated causes of action.

## **REASONS FOR GRANTING THE PETITION FOR REHEARING**

**Constitutional and Statutory Challenges as well as Conflict with circuit court uniformity to**

**Louisiana Supreme Court and Fourth Circuit Court of Appeal**

Rule 44.2 of the Rules of the Supreme Court of the United States allows petitioners to file petitions for rehearing of the denial of a petition for writ of certiorari and permits rehearing on the basis of "intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented."

The petitioner was incorrectly, unjustly deprived and denied the right to access the court to redress her grievances in violation of constitutional protected rights. Reconvention demand is warranted for prosecution but denied based on several improprieties in the proceedings.

Rehearing is warranted and requested to prevent irreparable harm.

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**LAW AND ARGUMENT**

**A. RELIEF SOUGHT**

Petitioner move this court to grant rehearing to determine whether the reconventional demand meets the elements to state a claim and issue an order granting certiorari.

**B. GROUNDS FOR THE REQUESTED RELIEF**

The opinions of the Louisiana Courts fail to comport with rules of law, and, therefore, herald constitutional and statutory lawlessness which sanctions deviation and deprivation of citizen rights. Every citizen is entitled to his day in court to present evidence in support of their claims. The United States Constitution 1<sup>st</sup> and 14<sup>th</sup> Amendment, and the Constitution of Louisiana of 1974, Article I §§ 2 and 22 prohibits the government from depriving and denying a person of liberty and property without due process of law.

The trial court refused to allow the petitioner access to court to present her evidence in support of the facts, granting peremptory exception of no cause of action, but permitted the defendants to implement foreclosure by executory process.

A fair trial in a fair tribunal is a basic requirement of due process. *In re Murchison*, 349 U.S. 133, 136 (1955).

### **C. PETITIONER HAS BEEN SUFFERED IRREPARABLE HARM**

Judicial review is warranted to comprehend the magnitude of adverse ruling against Maylois Bacot factual contentions in reconventional demand.

La. C.C.P. art. 1061. Actions plead in reconventional demand, compulsory:

- A. The defendant in the principal action may assert in a reconventional demand any causes of action which he may have against the plaintiff in the principal action, even if these two parties are domiciled in the same parish and regardless of connexity between the principal and reconventional demands.
- B. The defendant in the principal action...., shall assert in a reconventional demand all causes of action that he may have against the plaintiff that arise out of the transaction or occurrence that is the subject matter of the principal action.

None of the defendants filed an answer to the reconventional demand filed by plaintiff.

Subpoena of duces tecum requesting information admissible and relevant to the case was concealed or refused to be disclosed by defendants and sanctioned by the court. The movant showed irreparable harm of deprivation of constitutional rights, intentional fabrication of falsification of default mortgage payments, and injury to her reputation.

Despite of the fact that Plaintiff in reconventional demand paid all of the mortgage payments for over 15 years, she was subjected to perjury and subornation of perjury by adversary counsel. The trial court initially granted injunctive relief which was overturned by the Fourth Circuit Court of Appeals.

## CONCLUSION

For the reasons stated herein; in these legal proceedings the course of action by the judicial officials and attorneys failed to comport with the rules and principles that have been established in a system of jurisprudence for the enforcement and protection of private citizens according to the state of Louisiana. The Supreme Court of the United States should reconsider petitioner original writ of certiorari.

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