

No. 24-6927

IN THE
SUPREME COURT OF THE UNITED STATES

BRYANT COBB — PETITIONER

vs.

STATE OF OHIO — RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI TO
THE OHIO SUPREME COURT

PETITION FOR REHEARING

Bryant Cobb, #A800-112

501 Thompson Road

P.O. Box 8000

Conneaut, OH 44030

pro se Petitioner

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR REHEARING

Now comes Petitioner, Bryant Cobb, and hereby petitions this Court for rehearing, pursuant to Sup. Ct. R. 44, and shows that the decision announced at *Cobb v. Ohio*, 2025 U.S. LEXIS 1794 (2025).

Grounds for Rehearing

The Court should rehear its denial of Relator's Petition for Writ of Certiorari because it is still unsettled whether probationers and those merely accused of crime, for purposes of the Fourth Amendment of the U.S. Constitution (and tangentially, due to the circumstances of this case, implicate the Excessive Bail Clause of the Eighth Amendment of the U.S. Constitution), are on equal footing. First, this Court, of course, has an interest in the uniform application of federal law;¹ and, to be frank, the Ohio Supreme Court has not appropriately and uniformly applied federal, when it construed *State v. Benton* (1998), 82 Ohio St. 3d 316 (which relied upon *Carchedi v. Rhodes*, 560 F. Supp. 1010 [S.D. Ohio] and cited *Griffin v. Wisconsin*, 483 U.S. 868

¹ See *Mckesson Corp. v. Div. of Alcoholic Bevs. & Tobacco*, 496 U.S. 18, 29-30 (1990) (noting that the U.S. Supreme Court's appellate power over state courts ensures uniformity); *Ward v. Bd. of County. Comm'rs*, 253 U.S. 17, 23 (1920) (Court noting that 28 U.S.C. §1257 "designed to protect and maintain the supremacy of the Constitution and the laws made in pursuance thereof.").

[1987]) so as to suggest that the relinquishment of Fourth Amendment protections is a permissible pretrial bail condition.

Petitioner reminds the Court, to the extent that its denial of his Petition for Writ of Certiorari was predicated on a failure to bring the questions presented within such petition in the courts below, that, because the Excessive Bail question (explicated within his petition) and the Fourth Amendment questions (explicated within the record of the lower, state courts) are so closely interwoven as to be one and the same, such a failure is ignorable.²

Moreover, the denial of Petitioner's Petition for Writ of Certiorari assumes that this Court condones state executive officers' usurpation of a judicial officer's authority to fashion bail conditions particular to the accused and the circumstances of the case (contradicting the provisions of the Guarantee Clause of the U.S. Constitution, art. IV, §4); and that there need be no "[s]pecial needs, beyond the normal need for law enforcement" which would "make the warrant and probable cause requirement impracticable."³

Conclusion

² See *Sibbach v. Wilson & Co.*, 312 U.S. 1, 16 fn. 20 (1941); *Terminiello v. Chicago*, 337 U.S. 1, 5 (1949); *Carlson v. Green*, 446 U.S. 14, 17 fn. 2 (1980).

³ *Griffin* at 873.

For the reasons just stated, Petitioner urges that this Petition for Rehearing be granted, and that, on further consideration, the Petition for Certiorari be granted *or* the judgment of the lower court be reversed.

Dated: May 28th 2025

Respectfully submitted,

X *Bryant Cobb A800-112*

Bryant Cobb, # A800-112
Lake Erie Correctional Institution
P.O. Box 8000
Conneaut, OH 44030
pro se Petitioner

CERTIFICATE OF GOOD FAITH

I, Bryant Cobb, *pro se* Petitioner, declare (or certify, verify, or state), under penalty of perjury, that this Petition for Rehearing is presented in good faith and not for delay, that it is restricted to the grounds specified in Supreme Court Rule 44 of the Rules of this Court, and that the foregoing is true and correct. Executed on May 28th 2025.

X *Bryant Cobb A800-112*
Bryant Cobb, #A800-112
pro se Petitioner/ Declarant

No. 24-6927

IN THE
SUPREME COURT OF THE UNITED STATES

BRYANT COBB — PETITIONER

vs.

STATE OF OHIO — RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI TO
THE OHIO SUPREME COURT

DECLARATION UNDER PENALTY

Bryant Cobb #A800-112

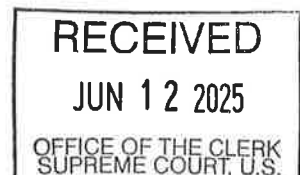
Lake Erie Correctional Institution

501 Thompson Road

P.O. Box 8000

Conneaut, OH 44030

pro se Petitioner



IN THE
SUPREME COURT OF THE UNITED STATES
DECLARATION UNDER PENALTY

Now comes Petitioner, Declarant here, Bryant Cobb, and declares (or certifies, verifies, or states) the following:

1. I am the *pro se* Petitioner in the above-captioned case.
2. On May 28th 2025, I deposited (by hand-delivery), for mailing, my Petition for Rehearing, Proof of Service, and this Declaration Under Penalty with unit staff of the housing unit in which I currently reside, as per the legal mail system.
3. Upon deposit, first-class postage was pre-paid by me.

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on May 28th 2025.

X Bryant Cobb A800-112

Bryant Cobb, # A800-112
Lake Erie Correctional Institution
P.O. Box 8000
Conneaut, OH 44030
pro se Petitioner/ Declarant

No. 24-6927

IN THE
SUPREME COURT OF THE UNITED STATES

BRYANT COBB — PETITIONER

vs.

STATE OF OHIO — RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI TO
THE OHIO SUPREME COURT

PROOF OF SERVICE

Bryant Cobb, #A800-112

Lake Erie Correctional Institution

501 Thompson Road

P.O. Box 8000

Conneaut, OH 44030

pro se Petitioner

IN THE
SUPREME COURT OF THE UNITED STATES
PROOF OF SERVICE

Petitioner, Bryant Cobb, declares, under penalty of perjury, that a true and accurate copy of Petition for Rehearing and of Declaration Under Penalty was served by regular U.S. mail on the following individual this 28th day of May 2025:

Richland County Prosecutor
38 S. Park Street #2
Mansfield, OH 44902

Dated: May 28, 2025

Respectfully submitted,

X *Bryant Cobb - A 800-112*

Bryant Cobb, #A800-112
Lake Erie Correctional Institution
P.O. Box 8000
Conneaut, OH 44030
pro se Petitioner