No. 17-5758

IN THE
SUPREME COURT OF THE UNITED STATES

Mervin Hinson-Bey - PETITIONER

VS.

Officer BJ TIPTON
CATHERINE EAGLES (U.S. District Court Judge)
Chief Judge GREGORY (U.S. Court of Appeals) et al. - Respondents

MOTION FOR REHEARING / REVIEW

The petitioner asks and insists upon a De Novo Review. Pursuant to Rule 44 Rehearing, petitioner shall file with the court, on the merits, within 25 days after entry of the judgement or decision.

The petition for a writ of certiorari in the above entitled action was filed on May 1, 2017 and placed on the docket August 30, 2017 as No. 17-5758.

The writ of certiorari was denied by review board erroneously on October 30, 2017.

Now Comes The Facts

1.) The Defendant(s)/Respondent(s) in this matter, have an obligatory and Fiduciary Duty/Responsibility to protect the "Rights", "Liberty," and "Property" of the People/citizens as evidenced by their

"Oaths" of office/service, for they hold a position of Public Trust.

(a.) Each justice or judge of the United States shall take the following oath or affirmation before performing the duties of his office: "I, _____ _____, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as _____ under the Constitution and laws of the United States. So help me God." 28 U.S. Code § 453 - Oaths of justices and judges.

(b.) An individual, except the President, elected or appointed to an office of honor or profit in the civil service or uniformed services, shall take the following oath: "I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foriegn and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God." 5 U.S. Code § 3331 - Oath of office.

2.) The Plaintiff/Claimant is Indigenous to the North American Continent and is a Member of the Family of Nations. As a part of the People, as in "We The People", whom ordained this government and established the Constitution; has the unalienable right to life, liberty, and the pursuit of happiness; Granted by GOD and protected by Constitutions, Treaties, and Human Rights Laws, and does not surrender or relinquish these rights under no circumstance.

3.) Among these rights, is the Plaintiff / Claimants' right to "Travel" during the course of his day-to-day life unhindered in his personal / private automobile, and to own property. He purchased said property as consomer goods (U.C.C. 9-109[1]), thereby making said property his "Private" property; is the sole owner, and equitable title holder.

4.) The Defendants / Respondents falsely accused plaintiff of committing a crime or Criminal offense, wrongfully imprisoned Plaintiff depriving him of his right to be free (liberty), stole his Personal / Private property, and plastered his face in the local newspaper as a common criminal. This constitutes Fraud, Perjury, Slander, Libel, and Defamation of Character.

5.) Defendants / Respondents have forgotten whom they serve and have abused their limited authority. The people are Supreme, not the State. Evidenced in Waring v. Mayor of Savannah, 60 Georgia, P 93

6.) Plaintiff / Claimant was accused of the Criminal act of failing to register / contract with a commercial agency known as the D.M.V., and not getting their permission to Travel upon "Public" property, which also belongs to the Plaintiff.

7.) Defendants stopped, detained, questioned, arrested, and held a bench trial with cause of injury to the Plaintiff without ever reading him his "Miranda Rights. Which is required by law to be read in any said "Criminal" offense. (There is both audio and visual recording of the cause of this matter presently before this Court.) In doing so, have violated the basic Human Rights to Life, Liberty, and Property of the Plaintiff / Claimant.

8.) The Defendants acted under color of law which constitutes

fraud and thereby are liable to the Plaintiff / Claimant. 42 U.S. Code § 1985, 18 U.S. Code 241 & 242. Self v. Rhay, 61 Wn (2d) 261.

9.) Without an injured party, (Corpus Delecti) there can be no crime.

10.) Respondents Catherine Eagles and Chief judge Gregory, had an Obligation to provide remedy and redress for the injustice against the Plaintiff / Claimant, committed by the Defendants. Evidenced by: Hoffsomer v. Hayes, 92 Okla 32, 227 F. 417; Boyd v. United States, 116 U.S. 616 at 635 [1885]; Downs v. Bidwell, 182 U.S. 244 [1901]. Instead have abandoned their oaths thereby committing the act of "Treason" against the U.S. and the People thereof. Marbury v. Madison 5 U.S. 137; Cooper v. Aaron, 358 U.S. 1, 78 S.Ct. 1401 [1958].

11.) The Defendants, posing as "Law Enforcement" officers; with Cause of injury; did willfully; by way of threat, intimidation, and coercion; enforce and apply his commercial business policy / statute, which in fact is "Not" the law, as evidenced in Self v. Rhay, 61 Wn (2d) 261, and Rodrigues v. Ray Donovan, upon the Plaintiff / Claimant as if he was no more than chattel stock for their bonded warehouses. Thereby subjecting the Plaintiff to inhumane treatment and violating the Plaintiff's substantive rights.

Note: (The following pages are copies of Appendices D - F of originally filed writ of certiorari, Containing / Citing State and U.S. Constitutional violations, Treaty violations, International Human Rights Law violations, U.C.C. Code + Statute violations U.S. Code violations and Executive Order Number: 13107, further highlighting the merits of this case.)