RECEIVED
FEB 12 2018
OFFICE OF THE CLERK
SUPREME COURT, U.S.

NO. 17-6182

IN THE
SUPREME COURT OF THE UNITED STATES

IN RE GUY T. LEGRANDE

PETITIONER

V

DANIEL P. O'BRIEN

RESPONDENT

ON PETITION FOR WRIT OF HABEAS CORPUS
TO THE SUPERIOR COURT OF STANLY COUNTY
IN ALBEMARLE, NORTH CAROLINA 28001

PETITION FOR REHEARING

GUY T. LEGRANDE
PRO SE PETITIONER
CENTRAL PRISON 0238344
4285 MAIL SERVICE CENTER
RALEIGH, NORTH CAROLINA 27699-4285

37

No. 17-6182

IN THE

SUPREME COURT OF THE UNITED STATES

CERTIFICATE OF COUNSEL

IN RE GUY T. LEGRANDE

PETITIONER

V.

DANIEL P. O'BRIEN

RESPONDENT

(AS REQUIRED BY SUPREME COURT RULE 44.1), I CERTIFY THAT THE PETITION FOR REHEARING IS PRESENTED IN GOOD FAITH AND NOT FOR DELAY.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE

EXECUTED ON 30 JANUARY, 2018

Guy Tobias LeGrande

NO. 17-6182

IN THE

SUPREME COURT OF THE UNITED STATES

IN RE GUY T. LEGRANDE

PETITIONER

V.

DANIEL P. O'BRIEN

RESPONDENT

PETITION FOR REHEARING

NOW COMES THE PETITIONER, GUY T. LEGRANDE, WHO PRESENTS HIS BRIEF AND DISTINCT GROUNDS STATED (AS REQUIRED UNDER USSC RULE 44.1.) AND LIMITED TO INTERVENING CIRCUMSTANCES OF A SUBSTANTIAL OR CONTROLLING EFFECT OR TO OTHER SUBSTANTIAL GROUNDS NOT PREVIOUSLY PRESENTED (AS REQUIRED UNDER USSC RULE 44.2.) AS FOLLOWS:

- GROUNDS -

(1) PETITIONER'S HABEAS CORPUS PETITION WAS DOCKETED ON SEPTEMBER 29, 2017.

(2) ON OCTOBER 13, 2017 RESPONDENT DANIEL P. O'BRIEN FILED A WAIVER NOT TO RESPOND IN OPPOSITION (IN VIOLATION OF USSC RULE 15.1. AND USSC RULE 20.4.(b)) WHEREBY A RESPONSE IN A

CAPITAL CASE IS MANDATORY.

(3) ON OCTOBER 29, 2017 RESPONDENT'S 30 DAYS LIMITATION TO RESPOND IN OPPOSITION EXPIRED (UNDER USSC RULE 15.3. AND USSC RULE 20.3.(b)).

(4) ON NOVEMBER 29, 2017 THE RESPONDENT FILED A REQUEST FOR AN EXTENSION OF TIME TO RESPOND IN OPPOSITION 31 DAYS AFTER THE 30 DAYS LIMITATION EXPIRED ON OCTOBER 29, 2017 (IN VIOLATION OF USSC RULE 15.3. AND USSC RULE 20.3.(b)).

(5) RESPONDENT'S APPLICATION LETTER TO THE USSC CLERK'S OFFICE REQUESTING AN EXTENSION OF TIME TO RESPOND IN OPPOSITION WAS NOT SERVED ON THE PETITIONER (AS REQUIRED UNDER USSC RULE 29 IN CONJUNCTION WITH USSC RULE 30.4).

(6) AS THE AGGRIEVED PARTY PETITIONER FILED AN OBJECTION LETTER ON DECEMBER 7, 2017 WITH THE USSC CLERK'S OFFICE AGAINST DEPUTY CLERK DANNY BICKELL'S ACTION IN THE FIRST INSTANCE REQUESTING THAT THE APPLICATION BE SUBMITTED TO A JUSTICE OR TO THE COURT (AS INSTRUCTED UNDER USSC RULE 30.4).

(7) THE RESPONDENT'S DECEMBER 20, 2017 BRIEF IN OPPOSITION IS AN OUT OF TIME 2002 PERJURED-RECYCLED SUBMISSION ON CERTIORARI REVIEW. WHEN PETITIONER PRO SE WAS NEVER INFORMED SAID PETITION WAS DOCKETED NO. 02-7421 BY THE USSC CLERK'S OFFICE, NOR DID PETITIONER SERVE DOCKET NOTIFICATION ON THE RESPONDENT, NOR DID THE RESPONDENT SERVE A COPY OF SAID 2002 OPPOSITION BRIEF ON CERTIORARI REVIEW UPON THE PETITIONER. PETITIONER'S PRO SE HABEAS CORPUS PETITION NO. 12-6182

CANNOT BE CHALLENGED OR ARGUED WITHOUT THE RESPONDENT KNOWINGLY AND WILLINGLY COMMITTING PERJURY.

CONCLUSION

THE PETITION FOR REHEARING SHOULD BE GRANTED AS WELL AS PETITION FOR WRIT OF HABEAS CORPUS SHOULD BE GRANTED AFTER REVIEW BY THE FULL COURT.

RESPECTFULLY SUBMITTED

Guy Robins LeGrande

30 JANUARY 2018