

SUPREME COURT OF THE UNITED STATES
NO. 17-6328

Arthur BELL,
PETITIONER-APPELLANT
VS

COA NO. 14-1169

DIST. CT. NO. 06-CV-15086

BONITA HOFFNER, WARDEN, ETAL

RESPONDENT-APPELLEE / INDEX OF APPENDICES
IN SUPPORT

MOTION FOR REHEARING / OR
ALTERNATIVE, MOTION FOR REMAND

NOW COMES, PETITIONER ARTHUR BELL, IN PRO
PER, PURSUANT TO U.S. SUPREME COURT RULE 44.2,
AND REQUEST A REHEARING OF THIS COURT'S
DENIAL OF PETITION FOR WRIT OF CERTIORARI
DATED DECEMBER 4, 2017 ORDER, (SEE, APPENDIX-
A), OR IN THE ALTERNATIVE REQUESTS A
REMAND TO THE U.S. DISTRICT COURT FOR THE FOLLOW-
ING REASON:

- (1) IN BELL V HOWES, THE DISTRICT COURT - SENIOR
JUDGE ARTHUR J. TARNOW, STATED THE COURT
DON'T WANT TO GRANT MR. BELL HABEAS RELIEF
UNLESS THE COURT HAVE EVERYTHING IN FRONT
OF THE COURT BECAUSE IF THE COURT
GRANT RELIEF AND THE SIXTH CIRCUIT DIS-
AGREE WITH THERE BEING EITHER A BASIS
FOR WAIVING THE STATUTE OF LIMITATION

OR DISAGREES WITH THE COURT ON THE MERIT, MR. BELL DON'T GET ANOTHER CHANCE. SEE FRIDAY, OCTOBER 24, 2008 STATUS CONFERENCE TRANSCRIPT PG. 7 LINE 14-18, (SEE APPENDIX- B)

(2) MR. BELL FURTHER REQUESTED OF JUDGE TARNOW TO HAVE ASSISTANT ATTORNEY GENERAL, BRIAN O. NEILL TO CERTIFY THE NEWLY DISCOVERED THIRD PARTY CULPABILITY EVIDENCE TYING THE SELF-ADMITTED DRIVER DURONE JENKINS TO THE ALIAS "CHILL"/CHILLY WILL, AND "AUTO" TO THE KILLING OF THE VICTIM WILLIAM "HERK" THOMPSON. THE COURT JUDGE TARNOW, STATED THAT ATTORNEY GENERAL O. NEILL HAS TO SEE THIS INFORMATION AND THAT MR. O. NEILL COULD NOT TAKE A POSITION UNTIL HE HAS READ THE ENTIRE UNREDACTED DETROIT POLICE DEPARTMENT'S HOMICIDE FILE. SEE, BELL V HOWES, CASE NO. 06-CV-15086 DOCKET ENTRY # R. 89 FRIDAY, OCTOBER 24, 2008 STATUS CONFERENCE TRANSCRIPT PAGE 10 LINE 13 THROUGH 23. (SEE, APPENDIX- C)

(3) DUE IMPART BUT NOT LIMITED TO THE ATTORNEY FOR THE STATE, JOHN S. PALLAS COMING AND SUPPRESSING THE VERY EVIDENCE JUDGE TARNOW ORDERED TO BE CERTIFIED ALONG WITH THE OBVIOUS DECEPTION PLACED UPON THE FEDERAL DISTRICT COURT AND THE FEDERAL 6TH CIRCUIT.

(4) ON DECEMBER 28, 2010. THE COURT ORDERED RELIEF BASED ON NEWLY DISCOVERED EXCULPATORY EVIDENCE WHICH SHOWED THAT ANOTHER MAN, WILLIAM STUBBLEFIELD / WILLIE KING, WAS "CHILLY WILL", THE SHOOTER OF WILLIAM "HERK" THOMPSON. THE COURT FOUND THAT THIS NEW EVIDENCE ESTABLISHED THAT THE NEW CHILLY WILL EVIDENCE MADE IT MORE LIKELY THAN NOT THAT NO REASONABLE JUROR WOULD HAVE FOUND MR. BELL GUILTY BEYOND A REASONABLE DOUBT, AND THAT THE CASE PRESENTED A "COMPELLING CASE OF ACTUAL INNOCENCE. SEE BELL V HOWES, 757 F. Supp. 2d 720, 730-731 (E.D. Mich. 2010) SEE ALSO MOTION AND MEMORANDUM IN SUPPORT OF REQUEST FOR BOND PENDING APPEAL, APPENDIX - D (PARAGRAPHS 1 AND 2)

(5) MR. BELL FORMER HABEAS ATTORNEYS, JOAN E. MORGAN, JAMES R. GEROMETTA, BRADLEY HALL, AND THE ATTORNEYS FOR THE STATE, BRIAN O. NEILL AND JOHN DALLAS PUT THE COURT UNDER THE "FALSE IMPRESSION" THAT ANOTHER MAN, WILLIAM STUBBLEFIELD / WILLIE KING, WAS "CHILLY WILL", THE SHOOTER OF WILLIAM "HERK" THOMPSON. BELL V HOWES, 757 F. Supp. 2d 720, 730-731 (E.D. Mich. 2010)

(6) DESPITE THE DISTRICT COURT COURTS RULING THE FEDERAL 6TH CIRCUIT OVERTURNED STATING IN BELL I, THE "KING DOCUMENTS" WERE INSUFFICIENT TO ESTABLISH BELL'S ACTUAL

INNOCENCE. SEE BELL V HOWES, CASE NO. 14-1169 SIXTH CIRCUIT JUNE 29, 2017 ORDER AT PAGE 5, APPENDIX - E

(7) MR. BELL'S FORMER HABEAS ATTORNEYS, JOAN E. MORGAN, JAMES GEROMETTA, BRADLEY HALL, THE ATTORNEY FOR VANDERBILT LAW SCHOOL PROFESSOR, ALISTAIR E. NEWBERN, THE ATTORNEYS FOR THE U OF M LAW SCHOOL FEDERAL APPELLATE LITIGATION CLINIC PROFESSOR MELISSA SALINAS, PROFESSOR KEVIN M. CARLSON, THE ATTORNEYS FOR THE STATE, BRIAN O. NEILL AND JOHN S. PALLAS, ALL KNEW MR. BELL "ADAMANTLY OPPOSED" FROM THE OUTSET THE STRATEGY PUT FORTH BY FEDERAL DEFENDER, JAMES GEROMETTA CLAIMING WILLIAM STUBBLEFIELD/ WILLIE KING, WAS "CHILLY WILL." SEE BELL V HOWES, CASE NO. 06-CV-15086 DOCKET ENTRY# R.81, 09-04-2008 pg. 1 of 4 pg. ID 1588-91 REQUEST FOR STATUS CONFERENCE AT pg. 1 of 4 pg. ID 1588 AND 2 of 4 pg. ID 1589, APPENDIX - f

(8) MR. BELL'S FORMER HABEAS ATTORNEYS, JOAN E. MORGAN, JAMES GEROMETTA, BRADLEY HALL, AND THE ATTORNEYS FOR THE STATE, BRIAN O. NEILL AND JOHN PALLAS UNLAWFULLY WITHHELD EXCULPATORY EVIDENCE WITHIN THE UNREDACTED DETROIT POLICE FILE ESTABLISH THAT THE SELF-ADMITTED DRIVER DURONE JENKINS WAS TIED TO THE ALIASES

"Chill" / "chilly will"; AND "AUTO" TO THE ACTUAL KILLING OF VICTIM WILLIAM "HERK" THOMPSON. SEE, BELL V HOWES, CASE NO. 14-1169 SIXTH CIRCUIT JUNE 29, 2017 ORDER AT PAGES 5 AND 6 (SEE, APPENDIX - E)

- (9) IN BELL V HOWES, 703 F.3d 848, 856 (6th CIR. 2012) ON REMAND, THE DISTRICT COURT ORDERED THAT AN EVIDENTIARY HEARING WILL BE HELD ON INEFFECTIVE ASSISTANCE OF COUNSEL AND FOR THIRD PARTY CULPABILITY ON A DATE SET FOR MAY 17, 2013. SEE, BELL V HOWES, CASE NO. 06-CV-15086 (ORDER, R. 193 APRIL 12, 2013 PAGES 1 OF 3 PG. ID 3742-3744. (SEE, APPENDIX - G) HOWEVER, BEFORE THE HEARING TOOK PLACE UNDER HABEAS CORPUS RULES (6, 7, AND 8) MR. BELL'S FORMER ATTORNEY JOAN MORGAN AND THE ATTORNEY FOR THE STATE, JOHN PALLAS TOLD JUDGE TARNOW THERE WAS NO NEW EVIDENCE FROM THE TRIAL COURT TO SUPPORT MR. BELL CONSPIRACY CLAIM THIRD PARTY CULPABILITY WHICH LIE HAD A DEVASTATING EFFECT WHICH LEAD JUDGE TARNOW VACATING HIS PRIOR ORDER FOR AN EVIDENTIARY HEARING. SEE, BELL V HOWES, CASE NO. 06-CV-15086 DOCKET ENTRY # R. 201, MAY 17, 2013 STATUS CONFERENCE TRANSCRIPT PAGES 1 THROUGH 6. (SEE, APPENDIX - H) SEE ALSO, BELL V HOWES, CASE NO. 06-CV-15086 DOCKET ENTRY # R. 243 JANUARY 23RD, 2014 OPINION AND ORDER ON REMAND PAGE 4 OF 17 PG. ID 4332. (SEE, APPENDIX - I)

(10) BACK IN THE FEDERAL 6TH CIRCUIT. THE ATTORNEY FOR THE STATE, JOHN DALLAS PUT THE FEDERAL 6TH CIRCUIT UNDER THE "FALSE IMPRESSION" APPELLANT DIDN'T PRESENT THIS ARGUMENT CONCERNING MATTHEWS AND DICKENS STATEMENTS IN THE DISTRICT COURT. SEE BELL V HOWES, CASE NO. 14-1169 SIXTH CIRCUIT JUNE 29, 2017 ORDER AT PAGE 6, APPENDIX - E

(11) BELL V HOWES, CASE NO. 06-CV-15086 SEPTEMBER 26, 1988, DETROIT POLICE DEPARTMENT WITNESS STATEMENT OF MARVIN DICKENS R. 256 AT 10-11; PAGE ID 4455-56 (STATEMENT RELATING BOBBY MIMS TOLD MARVIN DICKENS THAT THERE WERE THREE PERPETRATORS, THE SAME THREE PERPS IDENTIFIED BY EYEWITNESS PRISCILLA MATTHEWS AS MIMS, AUTO/OTTO (DURONE JENKINS), AND "THE OTHER GUY" MARK SILVERTOOTH WHO CONFESSED TO BEING A PERP. MIMS TOLD MARVIN DICKENS THAT "AUTO/OTTO" AND "THE OTHER GUY" KILLED THE VICTIM WILLIAM "HERK" THOMPSON. MIMS DID NOT TIE PETITIONER ARTHUR BELL TO THE CRIME OR KILLING WHEN MIMS CONFESSED TO MARVIN DICKENS, APPENDIX - J

(12) BELL V HOWES, CASE NO. 06-CV-15086, SEPTEMBER 23rd, 1988, DETROIT POLICE DEPARTMENT 1ST WITNESS STATEMENT OF PRISCILLA MATTHEWS, AT R. 109-16 EXHIBIT # 15 TO R. 109 (MOTION TO REOPEN CASE) FEDERAL HABEAS CORPUS

PROCEEDINGS MS. MATTHEWS IDENTIFIED THE SAME THREE PERPETRATORS AS IDENTIFIED ON THE FACE OF APPENDIX - J ABOVE. MS. MATTHEWS IDENTIFIED THE SEATING ARRANGEMENT OF THE THREE PERPS AND THE SINGLE VICTIM IN THE KIDNAPPING / MURDER VEHICLE AND PLACED "CHILL" / "CHILLY WILL" IN THE DRIVER'S SEAT. APPENDIX - K, THIS COINCIDES WITH THE FACT THAT DURONE JENKINS A.K.A. "AUTO / OTTO" INCULPATED HIMSELF AS THE DRIVER OF THE KIDNAPPING / MURDER VEHICLE. BELL V HOWES, 703 F.3d 848, 851 (6TH CIR. 2012) EYEWITNESS MS. MATTHEWS IDENTIFIED THE FOUR PEOPLE IN THE CAR NONE OF WHICH WAS ARTHUR BELL AND PLEASE SEE PEOPLE V LAFIER, 734 F.3d 503, 507 (6TH CIR. 2013) COUNSEL INEFFECTIVE IN FAILING TO PRESENT CRITICAL SEATING POSITION IMPEACHMENT EVIDENCE.

- (13) SEE ALSO LETTER, JUNE 2, 2015 FROM MR. BELL'S FORMER ATTORNEYS, VANDERBILT LAW SCHOOL ASSISTANT CLINICAL PROFESSOR, ALISTAIR E. NEWBERN AND THIRD YEAR LAW SCHOOL STUDENT, CHRISTOPHER SUNDBY ATTEMPTING TO GATHER CASE FILES FROM MR. BELL'S FORMER HABEAS ATTORNEYS, JOAN E. MORGAN AND JAMES GEROMETTA, WHICH THEIR CASE FILES ESTABLISH THEY WERE IN POSSESSION OF THIRD PARTY CULPABILITY EVIDENCE TYING A REAL PERSON DURONE JENKINS TO THE ALIASES "CHILL" / "CHILLY WILL", AND "AUTO" TO THE ACTUAL KILLING OF THE

VICTIM WILLIAM "HERK" THOMPSON, THROUGH FACTS FOUND ON THE FACES OF DETROIT POLICE DEPARTMENT WITNESS STATEMENTS, WHICH FACTS WERE SUPPRESSED IN THE LOWER COURTS. LETTER, JUNE 2, 2015 FROM VANDERBILT LAW SCHOOL AT PAGES 1 AND 2, APPENDIX - L

- (14) SEE BELL V HOWES, CASE NO. 06-CV-15086 (ORDER, R. 260 APRIL 28, 2014 PG. 1 OF 4 PG. ID 4498-4501 PG. 2 OF 4 PG. ID 4499 AND 3 OF 4 PG. ID 4500 PETITIONER HAS FILED A MOTION FOR A TELECONFERENCE NECESSARY TO CLARIFY NEW RELIABLE EVIDENCE SHROUDED IN CONFUSING ALIAS THAT OBSCURES THE TRUTH REGARDING CHILLY WILL, PRISCILLA MATTHEWS CREDIBILITY, AND PRECLUDES PROOF OF FACTUAL INNOCENCE, ABSENT CLARIFICATION VIA TELECONFERENCE, APPENDIX - M, ~~SEE~~
- (15) IN ESSENCE THE FEDERAL 6TH CIRCUIT SAID BECAUSE THE EVIDENCE THAT BELL SUBMIT IN SUPPORT OF HIS ACTUAL INNOCENCE CLAIM - I.E., THE STATEMENTS OF MATTHEWS AND DICKENS IS ONLY MINIMALLY PERSUASIVE EVIDENCE OF HIS INNOCENCE. SEE BELL V HOWES, CASE NO. 14-1169 SIXTH CIRCUIT JUNE 29, 2017 ORDER AT PAGE 8, APPENDIX - E
- (16) IN FURTHERANCE THE FEDERAL 6TH CIRCUIT OPINION 12-19-2012, BELL V HOWES, 703 F.3D 848, 855 STATED THAT COUNSEL'S FAILURE

TO PRESENT THE TWO ALIBI WITNESSES AMOUNTS TO "LEGAL INSUFFICIENCY." THAT LEGAL INSUFFICIENT COUPLED WITH THE ABSENCE OF THE EVIDENCE PRESENTED HEREIN AMOUNTS TO DENIAL OF BELL'S RIGHT TO THE EFFECTIVE ASSISTANCE OF COUNSEL. STRICKLAND V WASHINGTON, 466 U.S. 668 (1984)

ALTERNATIVE REQUEST FOR REMAND:

- (17) TRIAL COUNSEL JAY NOLAN, TESTIFIED IN THE MAY 31ST, 1990 SIXTH HEARING THAT BELL "INFORMED HIM ONLY OF DEWAYLIA BOGAN AS A POTENTIAL ALIBI WITNESS AND HE FILED AN ALIBI NOTICE ACCORDINGLY." (BELL V HOWES, 757 F.SUPP.2D 720, 735-736 [E.D. MICH. 2010]) AT THE VERY LEAST COUNSEL'S FAILURE TO SERVE NOTICE OF HIS ALIBI DEFENSE AMOUNTS TO INEFFECTIVE ASSISTANCE OF COUNSEL, AND AT WORST PROVE THAT HE CONSPIRED WITH THE PROSECUTOR DANIEL LESS TO DEPRIVE BELL OF HIS ALIBI DEFENSE. SEE, BELL V HOWES, 757 F.SUPP.2D 720, 724 HABEAS CORPUS CLAIM I (E.D. MICH. 2010) THERE IS NO ENTRY FOR A "ALIBI NOTICE" IN THE DOCKET JOURNAL ENTRIES NOTICE SHOULD HAVE APPEARED IN THE DOCKET ENTRIES ON MAY 30, 1989 IN PEOPLE V ARTHUR BELL, CASE NO. 89-003844, APPENDIX - N

(18) MR. BELL WAS CONVICTED OF MURDER BASED ON THE TESTIMONY OF A COOPERATING STATE WITNESS, WHO HIMSELF ADMITTED HIS INVOLVEMENT IN THE DEATH AT ISSUE. HE TESTIFIED UNDER THE OFFER OF A REDUCED SENTENCE. MR. SILVERTOOTH TESTIFIED MR. BELL WAS THE SHOOTER OF THE VICTIM WILLIAM HERK THOMPSON ON THE BEHALF OF THE LEAD KIDNAPPER AND MASTERMIND BOBBY MIMS. SEE, BELL V HOWES, 757 f.supp.2d 720, 723 (E.D. Mich. 2010)

CONTRADICTING MR. SILVERTOOTH'S TESTIMONY WAS MS. PRISCILLA MATTHEWS. MS. MATTHEWS, THE PARAMOUR OF THE DECEASED, TESTIFIED THAT SHE KNEW THE MEN WHO KIDNAPED AND KILLED THE VICTIM. SHE TESTIFIED THAT MR. BELL WAS NOT AMONG THESE MEN. INSTEAD, SHE ACCUSED AN INDIVIDUAL KNOWN TO HER AS "CHILLY WILL." SEE, BELL V HOWES, 757 f.supp.2d 720, Id AT PGS 722, 723, AND 731 (E.D. Mich. 2010)

(19) IN THE JUNE 1989 BENCH TRIAL BEFORE JUDGE WENDY M. BAXTER SHE CREDITED MR. SILVERTOOTH'S TESTIMONY AND FOUND MR. BELL GUILTY. (I REFER TO TRIAL JUDGE WENDY BAXTER HEREIN AFTER, AS SHE) SHE WAS NOT PRESENTED WITH MR. BELL'S ALIBI WITNESSES, SEE BELL V HOWES, 757 f.supp.2d 720, 735-738 (E.D. Mich. 2010),

AND PRISCILLA MATTHEWS'S 1ST POLICE STATEMENT TAKEN ON SEPTEMBER 23RD, 1988, 12:55 AM, WHICH SHE IDENTIFIED THE SEATING POSITION OF THE THREE KIDNAPPERS AND THE ~~STG~~ SINGLE VICTIM IN THE CAR AND PLACED "CHILL" / "CHILLY WILL" IN THE DRIVER'S SEAT THE IDENTIFIED SHOOTER NONE OF WHICH WAS ARTHUR BELL. (SEE, APPENDIX - K) SHE WAS NOT PRESENTED WITH MARVIN DICKENS'S POLICE STATEMENT TAKEN ON SEPTEMBER 26, 1988, WHICH THE LEAD KIDNAPPER AND MASTERMIND BOBBY MIMS CONFESSED TO JAILHOUSE INFORMANT MARVIN DICKENS THAT HIS DRIVER DURONE JENKINS A.K.A. CHILL / CHILLY WILL; OTTO HILLIARD; OTTO/AUTO KILLED THE VICTIM WILLIAM "HERK" THOMPSON. (SEE, APPENDIX - J) SHE WAS NOT PRESENTED WITH PRISCILLA MATTHEWS'S 2ND POLICE STATEMENT TAKEN ON SEPTEMBER 23RD, 1988, 3:50 PM, WHICH PRISCILLA IDENTIFIED MARK SILVERTOOTH FROM A PHOTO LINE-UP AND IDENTIFIED SILVERTOOTH AND DURONE JENKINS (A.K.A. CHILLY WILL) DRAGGING VICTIM WILLIAM "HERK" THOMPSON OUT OF MOTEL ROOM TOGETHER. (SEE APPENDIX - O) WHICH CORROBORATES MATTHEWS TESTIMONY AND WITNESS STATEMENT IDENTIFYING CHILLY WILL AS THE KIDNAPPER WHICH FURTHER CORROBORATES ARTHUR BELL'S ALIBI DEFENSE. (SEE,

BELL v HOWES, 757 F.Supp. 2d 720, 735-738 (E.D. Mich. 2010) She WAS NOT PRESENTED WITH PRISCILLA MATTHEWS 3rd POLICE STATEMENT TAKEN ON SEPTEMBER 29, 1988, 5:00 PM, WHICH PRISCILLA IDENTIFIED SILVERTOOTH BREAKING INTO HER HOUSE AND ATTEMPTING TO MURDER HER FROM TESTIFYING AGAINST HIMSELF, THE LEAD KIDNAPPER AND MASTERMIND BOBBY MIMS A.K.A. ODDIE DOTTI, AND DURONE JENKINS A.K.A. CHILL / CHILLY WILL; OTTO HILLIAR; OTTO / AUTO FOR THE MURDER OF HER BOYFRIEND WILLIAM "HERK" THOMPSON. (SEE, APPENDIX - P) She WAS NOT PRESENTED WITH DURONE JENKINS POLICE STATEMENT TAKEN ON JANUARY 13th, 1989, STATEMENT TAKEN BY LEAD INVESTIGATOR HOMICIDE DETECTIVE MARVIN BUTLER WHO IDENTIFIED DURONE JENKINS ALIAS AUTO; OTTO HILLIARD TYING HIM TO THE LEAD KIDNAPPER AND MASTERMIND BOBBY MIMS, SEPTEMBER 26, 1988 CONFESSION TO MARVIN DICKENS THAT HIS DRIVER DURONE JENKINS A.K.A. CHILL / CHILLY WILL; OTTO HILLIARD; OTTO / AUTO KILLED THE ~~VICTIM~~ VICTIM WILLIAM "HERK" THOMPSON. (SEE, APPENDIX - P)

SHE WAS NOT PRESENTED WITH HOMICIDE DETECTIVE SGT. JAMES BIVENS INVESTIGATOR'S REPORT WRITTEN SEPTEMBER 30, 1988, WHICH IDENTIFY THERE WAS ONLY THREE

DEFENDANTS IN THE MURDER CASE AND THAT COOPERATING STATE WITNESS SILVERTOOTH BROKE INTO PRISCILLA MATTHEWS HOUSE AND ~~APP~~ ATTEMPTED TO MURDER HER FROM TESTIFYING AGAINST HIMSELF, BOBBY WIMS A.K.A. ODDIE DOTTI; AND DURONE JENKINS A.K.A. CHILL / CHILLY WILL; OTTO HILLIARD; OTTO / AUTO FOR THE MURDER OF HER BOYFRIEND WILLIAM "HERK" THOMPSON. (SEE, APPENDIX - R) MS. MATTHEWS TESTIMONY AND WITNESS STATEMENTS ESTABLISHING ARTHUR BELL FACTUAL INNOCENCE IS CORROBORATED BY THE PHYSICAL EXCULPATORY EVIDENCE WITHIN THE UNREDACTED DETROIT POLICE FILE. (SEE, APPENDIX - S) WHICH SENIOR JUDGE ARTHUR J. TARNOW UNITED STATES DISTRICT COURT JUDGE ORDERED THE DETROIT POLICE DEPARTMENT TO PRODUCE THE COMPLETE UNREDACTED DETROIT POLICE FILE.

(20) MR. BELL HAS PRESENTED THIS HONORABLE COURT WITH COMPELLING EVIDENCE THAT DETROIT POLICE DEPT. HOMICIDE DETECTIVES JAMES BIVENS AND MARVIN BUTIER, AND WAYNE COUNTY PROSECUTOR DANIEL LESS, AND THE ATTORNEYS FOR THE STATE, BRIAN O. NEILL AND JOHN DALLAS COVERTED UP EXCULPATORY EVIDENCE AND COMMITTED PERJURY IN ORDER TO INSURE MR. BELL'S CONVICTION AND DENIAL OF PETITION FOR

WRIT OF HABEAS CORPUS DESPITE THEIR KNOWLEDGE OF MR. BELL'S INNOCENCE. MR. BELL'S FORMER HABEAS ATTORNEY, JOAN MORGAN UNLAWFULLY WITHIN "MATERIAL FACTS" DEPRIVING MR. BELL OF HIS MAY 17, 2013 SCHEDULED EVIDENTIARY HEARING AND THE RIGHT TO PRESENT MR. BELL'S 23 WITNESSES. (SEE, MOTION FOR ORDER ALLOWING CIVIL RULE SUBPOENAS, APPENDIX-T) AND (SEE, ORDER GRANTING SUBPOENAS PURSUANT TO FED. R. CIV. P. RULE 45, APPENDIX-U)

Relief Sought

WHEREFORE, FOR ALL THE REASONS STATED ABOVE, PETITIONER-APPELLANT ARTHUR BELL PRAYS THAT THIS HONORABLE COURT WILL:

A) GRANT THIS RE-HEARING REQUEST, OVERTURN HIS CONVICTION, AND RELIEVE HIM OF THE UNCONSTITUTIONAL RESTRAINT ON HIS LIBERTY; OR IN THE ALTERNATIVE,

B) REMAND THIS CASE BACK TO THE U.S. DISTRICT COURT (HONORABLE ARTHUR J. TARNOW) TO DEVELOPE A RECORD ON THE DETROIT POLICE DEPARTMENT'S WITNESS STATEMENTS (NEWLY DISCOVERED EVIDENCE) THAT NEITHER THE LOWER COURTS, U.S. DISTRICT COURT OR THE FEDERAL 6TH CIRCUIT WERE PRIVY TO, AS MENTIONED IN PARAGRAPHS 1, 2, 3, 8, 9, 11, 12, 13, 14, 15, 16, 17 AND 19 ABOVE.

RESPECTFULLY SUBMITTED,
Arthur Bell

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DATED: DECEMBER 12, 2017