

IN THE SUPREME COURT OF THE UNITED STATES

NO. 17-6762

LUIS RANGEL FRIAS,

Appellant/Petitioner,

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SUPREME COURT, U.S.**

Vs.

USCA No.16-41015

USDC Criminal No.4:06-cr-315-011-RAS

UNITED STATES OF AMERICA,

Appellee/Respondent.

PETITION FOR REHEARING

Luis Rangel Frias, (hereinafter "Petitioner"), acting pro se, and do hereby respectfully request that this Court grant rehearing of its order dated on January 08, 2018, which denied certiorari, and that the Court now grant certiorari. In support thereof, Petitioner shows unto the Supreme Court as follows:

The petition is based on Rule 44.2:

The Petition for certiorari previously filed herein presented the question [Claims 1, 2, 3]. The petition for certiorari discussed the importance of the question presented in this case and its impact upon the Fourth Amendment Rights and the administration of Justice in the federal courts. At the same time, the petition for certiorari acknowledged that, there were several comparable cases awaiting a decision in this Court. Thus, the Supreme Court failed to review Frias' claims prior to ruling on the Supreme Court case, **Byrd v. U.S., No.16-1371, Sept. 28, 2017, 2017 WL 2119343.**

**INTERVENING CIRCUMSTANCES
OF A SUBSTANTIAL OR CONTROLLING EFFECT**

Byrd v. U.S., No.16-1371, Sept. 28, 2017, 2017 WL 2119343. 679, 146

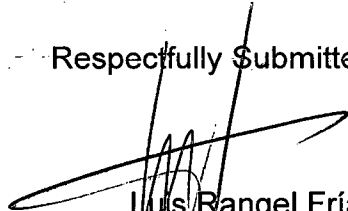
The Fourth Amendment permits a traffic stop based on reasonable suspicion that a traffic violation has occurred regardless of the officer's subjective motivations for making the stop. *Id.* at 397 ("[T]he ... reasonable suspicion standard applies to routine traffic stops."); **United States v. Mosley, 545 F.3d 249, 252 (3d Cir. 2006)** ("[T]he Supreme Court established a bright-line rule that any technical violation of a traffic code legitimizes a stop, even if the stop is merely pretext for an investigation of some other crime.").

This case is related to the instant matter in that it presents the question of the standard of care to be applied to the Fourth Amendment right, which bars unreasonable searches. Thus for this reason, therefore, the denial of certiorari should be reconsidered to the end that this case be heard and resolved simultaneously with the Byrd case.

CONCLUSION

For the reasons set forth in this petition for rehearing, as well as in the petition for certiorari previously filed, rehearing and certiorari should now be **GRANTED**

Respectfully Submitted



Luis Rangel Frías
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