

IN THE
SUPREME COURT OF THE UNITED STATES

ARTHUR JOSEPH ROUSE,
Plaintiff,

v

STATE OF MICHIGAN, &
JOSEPH BARRETT, WARDEN
Respondants.

Case No. 17-6903

HON. ELENA KAGAN

MOTION FOR REHEARING AND
WRIT OF HABEAS CORPUS

Now comes Arthur J. Rouse, Petitioner, who states the following:

1. MANIFEST INJUSTICE: I'm being illegally held on a false charge made up by a Traverse City Judge in direct violation to the oath he took to the US Constitution (art VI, cl 2 & 3) and Richey v Mitchell, 395 F3d 660, 677 (6th Cir. 2005).

2. ACTUAL INNOCENCE: I swear under penalty of perjury that I have never ran a House of prostitution where customers resorted for the purpose of prostitution - in my entire life!

3. MADE UP CRIME: there is no such a crime of keeping a house of prostitution for yourself only - any where in the US or anywhere in the world that I can find. See Exhibit A (No Crime of HOP for Self Only), Exh. B & C (No Such a Crime).

4. UNLAWFUL AMENDMENT: after the arrest warrant and felony complaint was dismissed because it was unconstitutional, the court illegally amended it in direct violation of the US Constitution.

Hill, 308 Mich App 308, 315 (1973) quoting Aquiler, 378 US 108 112-13 (1964).

5. UNCONSTITUTIONAL LAWS: Michigan has many laws that are on their law books that are unconstitutional and they are enforcing them in direct violation to the US Constitution as applied by the US Supreme Court in Lawrence v Texas, 539 US 558 (2003). This violates the Supremacy Clause, Crosley, 530 US 363, 372 (2001).

6. CONDITIONAL PLEA: I entered a conditional plea to test the legality of this false charge. A person cannot plead to a crime they didn't commit under the knowing and willingness of the crime. See Waucaush, 380 F3d 251(6th Cir 1999) quoting: Boykin v Alabama, 395 US 238, 243 Nt. 5 (1969).

7. BLOCKED ACCESS: the Michigan appeals court and the MDOC blocked my Constitutional right to access the courts when they blocked my appeal of right and delayed my legal mail, blocked my legal books and blocked my law library. See Exhibits D (Blocked Access), Exh. E (Illegal State Actions) & Exh. F (Pro-se Access).

8. UNCONSTITUTIONAL FILING FEES: Michigan has filing fees for filing habeas corpus in the appeals court that blocks a person from appealing until they pay the fee in full. This blocked my appeal! Ohio had the same law which was ruled unconstitutional. Clifton, 775 F3d 760, 767 (6th Cir 2014), MCL 600.2963(8). Also see Exhibit D (Blocked Access) Exh. G (Prisons for Profit).

9. PRIVACY RIGHTS: the police had no right to the get involved in private adult consenting acts. See law reviews on privacy rights 2013 U Ill L Rev 625; 37 Rutgers L J 971, 997 (2006).

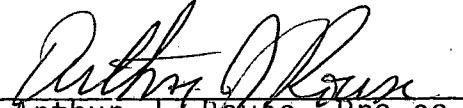
10. CONCLUSION: this is an illegal charge that was made up by a judge in direct violation to the US Constitution.

RELIEF REQUESTED

Wherefore, I am asking this Honorable Court order my release and reverse my conviction.

In the alternative, appoint counsel, order a policom hearing, set a PR Bond and any other relief deemed appropriate.

Respectfully submitted,


Arthur J. Rouse, Pro-se
Petitioner - Appellant

2-01-18

PS: Please be advised that I will keep fighting until I am released no matter how long it takes! I am sending numerous letters and articles to national and international media. I am sending documents to foreign embassies to expose the corruption going on in the US causing the mass incarceration crisis! You can see some of the items I have filed in my class action suit: rouse v Michigan, US ED MI case #2:17-cv-12276.

PPS: Thank you for your valuable time in this matter!

NO STATE IN THE US HAS A LAW OF MAINTAINING A
HOUSE OF PROSTITUTION FOR YOURSELF ONLY
(by AJ Rouse, 2-2-18)

I. MICHIGAN LAWS:

- more than habitual acts with one person, Gastro 75 Mich 127, 131;
- people must resort there for prostitution, Pinkerton 79 Mich 110 113, O'Brian 28 Mich 213, 229; Cox 107 Mich 435, 437, etc.

II. TEXAS LAW:

- living with a prostitute not a house of Prostitution ("HOP")
Remey 39 Tex Crim 200; quoting British case Callay 1 Bish 1082;

III. MISSOURI LAW:

- habitual acts by one person - not a HOP State 343 MO 797 and people must visit (resort) there;

IV. IOWA LAW:

- any number of acts with the proprietor alone would not make the house bawdy, Lee 80 Iowa 75, 83; also see Fuller 800 SE2d 241 (2017);
- Gardner 174 Iowa 748; Irwin 117 Iowa 469;

V. VIRGINIA LAW:

- every house where illicit sex is taking place is not necessarily a HOP, IT MUST BE A PUBLIC HOUSE WHERE PEOPLE RESORT, Trent 181 Va 338 (1943) quating Wilson 17 Ala App 307;

VI. OHIO LAW:

- under common law there must be more than on women and there must be an element of public danger, Bowman 6 Ohio Dec 209

VII. MUST CONSIDER ALL FACTS:

1. the reputation of the house;
2. the reputation of the defendant;
3. the reputation of the inmates (prostitutes);
4. the reputation of the frequenters (people - customers resorting);
5. a real prostitute has INDESCRIMINANT SEX (with anyone);
6. a real HOP has an element of danger to the community;
Crummitt 129 W Va 366, 370 (1943);

VIII. MANY OTHER STATES:

- Alabama, Wooster 55 Ala 217;
- Illinois: Belcastra, 364 Ill 144;
- Massachusetts: Lavons, 132 Mass 1 (1881);
- New York: People v ex rel New York v Macbeh, 100 Misc 2d 926 (1979);
- Alaska: Wilson v State, 17 Ala App 307;
- Georgia: Pirkle v State, 68 GA App 52;
- North Carolina: State v evens, 27 NC 603;

IX. PRIVACY RIGHTS:

- Prostitution & Privacy Rights: 2013 U Ill L Rev 625 (2013);
- Right to Privacy in Const. 37 Rutgors L J 971, at 997 (2006);

X. CONCLUSION:

- there is no such a crime of maintaining a house of prostitution for yourself only with no one resorting there (no customers);

The Traverse City Government are Corrupt Tyrants!

Exh. A

PRIVATE ACTS OF PROSTITUTION - NO COMMERCE

I. UNLAWFUL INTERCOURSE: Illicit sex, aka unlawful intercourse in the persons own house, for his own personal pleasure is immoral but lacks the criminal intent thereof to establish the essential elements for the crime of Maintaining a House of Prostitution. See opinion of our sister states; State v. Davitt, 140 Iowa 342, 344. This case is a well reasoned decision that cites and uses cases from half a dozen states across the country. Personal use only "cannot" meet the prerequisites of the crime. See state v. Ruhl, 8 Iowa 447.

II. NO COMMERCE; To Maintain a House of Prostitution or "Bowdy House" it requires three identifiable parties to convict. They can use circumstantial evidence without physical proof. They "must" prove; 1) Reputation of the inmates (prostitutes); 2) Reputation and commerce of lewd people who frequent the house; and 3) Evidence of the keeper who is maintaining the place for prostitution. See St. Louis v. Cook, 405 Se2d 545, 550. There was prostitution taking place but the elements of control were lacking - it was therefore reversed.

III. LUST OF OTHERS: Bowdy House or House of Prostitution gratifies the lusts of "others" - it is common law. The same is true of pandering. See People v. Smith, 246 Mich 393, 396 (1929). A procurer is panderer who gratifies the lusts of others. See People v. Cimer, 127 Cal App 9, 11 - 12 (1930). PLEASE NOTE; Michigan has very limited "reasoned caselaw" which explains the actual requirements of convicting a person of Maintaining a House of Prostitution and which permits ambiguity.

IV. PRIVATE ACTS; The private illicit sexual acts of one or more favored men does not make the house or place "Bawdy." See State v. Hesrelmyer, 343 MO 797, 806. The court goes on to explain that there must be a public oriented unlawful sexual commerce to be guilty. It explains the facts that need to be proven; 1) Lewd persons resort to the house; 2) the reputation of the house; 3) the reputation of the inmates (prostitutes). None of these facts were present in my case; 1) No one resorted to or frequented my place for the purposes of prostitution; 2) My shop did not have the reputation of being a Bawdy House or House of Prostitution; and 3) None were common prostitutes - before or after.

V. COMMON LAW: Under common law the place must possess an element of danger to the public. Hesrelmyer, supra at 805-806. It goes on to explain that the "morality side" is for "spiritual tribunals." The charge of Maintaining a House of Prostitution is a crime against the public - not private illicit sex acts. Hesrelmyer's well reasoned opinion is very persuasive and quotes the rulings of many other states on the issue, including, but not limited to Michigan and many other countries also, including Canada and England.

EXHIBIT B

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4
"No Such Crime of Maintaining House of Prostitution for Yourself"
(By A.J. Rouse 1-23-77)

- I. Overview: There is no standing case published or unpublished, in this country, over the last three centuries that sanctioned a conviction for maintaining a house of prostitution for "yourself only". Even our Michigan Supreme Court forbids a conviction if no one visits (resorts) there. See MCL 750.452, *People v Gastro*, 75 Mich 127, 131 (1889).
- II. Prosecutor Harassment: The real purpose of this charge and my conviction is that the local Traverse City Government want to make their own laws via "judicial construction" (judicial legislation) because they disagree with the US Supreme Court in *Lawrence v Texas*. They tried at least six different sets of charges to do so.
- III. Personal Prostitution - Not Public: There are no Michigan cases that cover personal verse public acts of prostitution. Every state, that I could find, has ruled that a person cannot be convicted putting a woman into a House of Prostitution if it was for their own "personal carnal enjoyment" and not others. *State v Ruhl*, 8 Iowa 447, 453 (1859); *State v Stogell*, (Maine) 54 Me 24, 26 (1866); *Carpenter v People*, (New York) 8 Barb 603, 612 (1850); *Commonwealth v Cook*, 12 Met. 99; etc.
- IV. Landlord Tenant Abatement: The New York Court of Appeals published a well reasoned opinion on this subject. The case cover the whole gambit of unlawful types of uses of a place of a residence. They distinguished the difference of personal use of a place verses the commercialize use. They gave examples of heinous crimes like rape or murder (personal illegal activity for self pleasure or purpose) in comparison to illegal business practice or enterprise. e.g. public body house, sales and/or distribution of narcotics, obscene materials, sale of counterfeit items, etc. They also demonstrated use of illegal drugs - even continual or habitual (*Gastro Supra*) verses public sales. See 1165 Broadway Corp. v Dayana of New York Sportwear, 633 NYS2d 724, 727 (1995).
- V. Model Penal Codes: The federal government established a "model penal code" for them and the states, to adopt into state laws-in part or in full. This is how so many state laws are uniform to each other. This is another good reason to look to sister states and their rulings. This is confirmed in part, when our high acknowledges that five states copied Michigan's statute (but the former may be more applicable. See *Calahan v Diversify*, 396 Mich 244 (1909)).
- VI. Michigan Abatement Laws: Our Michigan Abatement Laws (MCL 600.3801) may lend credence to the defining of our penal statute for maintaining a House of Prostitution (750.452). The crime of maintaining a House of Prostitution is "not intended as a means of regulating the morals of private individuals." *State ex rel. English v Fenning*, 97 Neb. 224, 228 (1914), quoting *Calahan supra*. Our High Court stated that there must be "more than sporadic acts occurrence therein. *State ex rel. Calahan v Diversified Theatrical Corp.* 396 Mich 244, 248-9 (1976). They cited other states which also said the abatement statute (aka Padlock law) is "not to regulate the morals of Private individuals" but to protect the community from Public Places kept for Lewd purposes. (emphases added). *Carroll v Galtier*, 43 W 153, 160 (1953) and *Calahan supra*.
- VII. Mandating Penal Conduct: Other Michigan cases have reversed prosecutor actions that tried to mandate moral conduct using penal codes (*Gastro Supra*) and abatement statutes such as with movie theaters (*Calahan supra*) and in book stores (prosecuting attorney v Alray Northwest Plaza, 146 Mich App 595 (1985)). The Delaware Court said: "The more public the content the more permissible the (state) control." *State v Hicks*, 360 A2d 150, 152 quoting *Paris Adult Theater*, 413 US 49, 67 (1973). "Sin as such, is not the concern of the state, but affects the relations between soul and God." *State v Davis*, 165 NE2d 304, 311 (1959).

"Legislators make laws not courts and prosecutors!"

FIX/ E-1

*** BLOCKED ACCESS AND UNCONSTITUTIONAL LAWS ***
(by AJ Rouse, 1-10-18)

JCS GRIEVANCES: many of the grievances never responded to

- denial of Legal Copies, (Oct. 2017) JCS 17-10-798-27B;
- Legal books rejected (march 2017) JCS 17-02-105-28E;
- 2nd Book rejections (may 2017) JCS 17-02-107-15A;
- Failed to contact Publisher (June 2017) JCS 17-03-167-28A;
- Banned from the Law Library (Nov. 2017) JCS 17-11-836-28A;
- 30 Day legal mail delay (April 2017) JCS 17-02-105-2E;
- Retaliation Transfer (Nov. 2017) JCS 17-11-892-28A

NOTE: I wrot 3 declaritory rulings to MDOC Director on issues.

EXHIBITS & WITNESSES:

- class action suit was filed with seven prisoners in Rouse et al v Michigan et al, US ED MI #2:17-cv-12276;
- two of the Plaintiffs were also retaliated on after we filed Plaintiff Goldman, #542675 & Merriman, #405022;
- many exhibits and documents available online for investigation.

UNCONSTITUTIONAL LAWS:

- Michigan has many unconstitutional laws on the books;
- Traverse City tried to enforce them in my case P. v Rouse Grd traverse Dist. Ct. #15-9947-FY, Cir. Ct. #15-12184-FY, COA #332033 & COA #333701;
- this includes Sodomy and gross indecency laws in violation of Lawrence v Texas, 539 US 558 (2003).

SUPREMACY LAWS:

- Michigan is refusing to follow US Sup Court law
- P v Bricker, 389 Mich 524 (1973) must follow US Sup. Cases;
- In re Hague, 412 Mich 532, 552 (1973) says the same thing;
- Yates, 808 F3d 281, 293 (6th Cir. 2015) says the same;
- Crosley, 530 US 363, 372 (2001) states must follow US Court.

COURT FILING FEES:

- Ohio had the same filing fee restriction for prisoners it was ruled unconstitutional, Clifton, 775 F3d 760, 767 (6th Cir. 2014) cited: Smith 365 US 708, 711 (1961);
- MCL 600.2963(8) cannot appeal until fee paid in full and cannot file any civil case (Hab Corpus too) until paid;
- this filing fee blocked my habeas corpus COA #339322.

LAW REVIEWS:

- Unjust Convictions in Mich: 22 JL & Politics 205 (2006);
- The Epidemic of Mass Incarceration: 111 Mich L Rev 1087 (2013);
- How Can We Sleep at Night: 47 Syracuse L REV159 (1996);

NO PRISON OVERSIGHT:

- Michigan Unsafe Prisons: 11 U Pa J Const L 1 (2008);
- Abuse in American Prisons: 22 JL & Politics 385 (2006);
- Prison Reform Needed & Oversight: 22 JL & Politics 205 (2006).

Exh. D

CONSTITUTIONAL VIOLATIONS & ILLEGAL STATE ACTIONS
(by AJ Rouse, 12-25-17)

1. ILLEGAL CHARGES: A Michigan Judge overrode a prosecutor who charged me with solicitation (93 day Misd.) and filed 3 sets of unconstitutional charges. There is no such a crime of 2 party pandering or keeping a house of prostitution for yourself only. He also issued same sex charges contrary to lawrence v Texas. He did all the arraignments, Pre-lims, charges, etc. the same Judge took on a civil suit my exattorney filed after I refused to pay him anymore money after he leaked client information to the judge and Prosecutor. I paid 6 attorneys in this case. I filed disqualification motions with affidavits. See hunt v Rouse, Grd. Traverse Dist. Court #15-2815-GC.
2. CORRUPTION: The same Judge secretly read the police reports in my case - ex parte and imposed an illegal bond condition of no internet (because he knew from the police reports that I did all my own legal work - to limit my access to the courts. I hired a forth attorney to file corruption charges on the Judge and prosecutor and within two weeks they revoked and forfeited my 10,000 cash bond without a hearing. They claimed I touched the buttocks of an alleged prostitute who claimed we had sex for years. Attorney Douglas Mullkoff filed an interlocutory appeal in the Court of Appeals ("COA") #330356, he included the prosecutors Reply Brief because it was so rediculis (he claimed that a prostitute was convicted for running a house of prostitution and she was one person and I was one person - the only customer).
3. DIRECT APPEAL: After they forced me to enter a conditional plea (to determine if a person could run a house of prostitution for themselves only with people who lived with him) the COA clerk changed my appeal by leave over my objections, I paid the filing fee and the Judge dismissed my appeal. I was forced to hire another attorney for \$10,000 and paid almost a \$1,000 in emergency appeal fees and they denied leave to appeal. It is hard to believe this is America! See P. v Rouse Pro-se case COA #332033 & 333701.
4. MICHIGAN SUPREME COURT: Attorney Kevin Laidler filed an appeal Interlocotory in the Mich. Sup. Court ("MSC") and within 2 months they denied it MSC #154291. He filed the same brief but it took them a year to deny the same brief - it's only a game to these people, they are playing with peoples lives money and power. See P. v Rouse MSC #154957.
5. DECLARITORY RULING: While this was pending, I filed a request for a Declaritory Ruling in the Mich. Court of Claims and the clerk refused to file it - she claimed she didn't know what it was. They blocked my access to the courts. I filed a writ of Superintending Control in the MSC and they did the same thing. It is unbelievable how they have all these unconstitutional laws on the books and they are inforsing them! I filed the same motion in this court (Rouse et al v Mich. et al).

6. HABEAS CORPUS: I filed a writ of Habeas Corpus in Jackson challenging my illegal detention. After waiting for months I filed a request for bond and the Judge denied it the same day. He used another inmate's Order (with their facts) and dismissed the case. I filed a rehearing and a disqualification because he never read my brief - it's all a game! All of it was denied, I don't believe they ever read it. See Rouse v Barrett, Jackson Circuit Court case #17-612-AH.

7. HABEAS APPEAL: I appealed that denial in the Mich. COA and the clerk refused to file it because I ran out of money. I filed a Motion of Prohibition because the filing fee in the Mich. Court is unconstitutional. If you cannot file the whole fee, they take a partial payment and you cannot appeal your case or file any new civil cases until paid in full. MCL 600.2963(8). The 6th Cir. & US Sup. Court already ruled it is unconstitutional - but Mich. won't follow their rulings because they are above the law. See Clifton v Carpenter, 775 F3d 760, 767 (6th Cir. 2014) & Smith v Bennett, 365 US 708, 711 (1961), COA #339322, no MSC number.

8. RELIEF FROM JUDGMENT: The Traverse City trial court has refused many of my requests because they are above the law. I paid for my court file and transcripts - they never sent them. they won't set up court hearings in the circuit court after I file motions for the. I filed a relief from Judgment and after I waited months I filed an Addendum - they refuse to respond to me. The prosecutor has never filed a reply to anything after my attorney made fun of him for his rediculis answer. These cases can be accessed online. P v Rouse, Dist. court 15-9927 (Misd.) & 15-9947-FY (Felony), and Cir. Court case #15-12184-FY.

9. media & PUBLIC OFFICIALS: I have contacted many public officials and media trying to get help freeing me from this illegal confinement - to no avail. It is unbelievable that this is going on in this country. This is corruption at its finest. I have sent many affidavits stating my innocence and the facts of the corruption in my case. I also filed a lawsuit on the officer who brought these illegal charges on me. Many exhibits, motions, transcripts are filed in that case - hundreds of pages. See Rouse v Mattuecci, US WD MI #4:16-cv-13378, US-COA #17-1154 & 17-1333.

10. mass incarceration: I also filed many articles in the above proposed class suit (Rouse v Mich.). Most people in the criminal justice system know about the corruption that is taking place. They and the media are being paid off by big business (those who are profiting from the prison build up. The lobbies are funding the polititions and they are doing advertising with the media. This is the same thing that happened with Vietnam. the love of money is the root of all evil - per the Bible in timothy!

11. THE MDOC BLOCKED ACCESS: the Mich. dept. of Corr. ("MDOC") and Jackson cooper Street ("JCS") have blocked my legal mail from my attorney (JCS 17-02-273-12A). They also blocked my legal books I ordered from them (JCS 17-02-105-28A & JCS 17-02-107-15A) and they blocked my legal copies (JCS 17-10-079-27B) and they blocked my access to the law library (JCS 17-11-814-14A) then they transfered me in retaliation for the grievance.

* PRO-SE PRISONERS HAVE NO REAL RIGHTS IN COURT *
(by AJ Rouse, 1-1-18)

I. BRIEF OVERVIEW: the US Supreme Court has proclaimed that prisoners have a Constitutional right to access the court about prison conditions and to challenge their detention via habeas corpus. At one time that was true. We now have a "Hands Off Policy" that prevents pro-se prisoners from accessing the court. If the clerk permits you to file your documents - the judge will throw it out. Unless you have the best judge and an extremely strong case - you're out of gas because of the corruption in the courts. I have experienced this first hand with my case, other prisoners cases and this is going on across the US per university law professors. FN #1.

II. HANDS OFF POLICY: because there is so much corruption going on today, along with the millions of prisoners, the courts and congress have made laws and rulings that stop the pro-se prisoners from filing in court to get relief! This is "Fact" not opinion. The courts have used trickery (deception & deceit). One of the arguments they use in prison condition cases (for their hands off policy) is to claim the prison officials are in a better position to make decisions about than the courts. This is simply "Smoke & Mirrors" to keep the prisons in darkness! This is how Attica took place where Americans were tortured and burned to death! The federal court uses a similar argument for denying state habeas corpuses. See Foot Note ("FN") #2 (Law Reviews);

III. LAW REVIEWS: university law professors and others write articles called law reviews. They spend hundreds of hours studying one issue or subject. They use other people for research and get documented facts. After reading them, some times hundreds of pages long, you become an expert on their topic. They study history and statistics on that subject.

IV. PLRA & AEDPA: there are two newer laws that have done damage to pro-se prisoners' access to the courts. Both of these acts were signed in 1996. They are both unconstitutional, but the courts are looking the other way because it makes their job much easier by dismissing all pro-se prisoner cases, it's a win-win for them! The chief judge of the US Supreme holds "Conformity Meetings" with all of the circuit court chief judges and district judges to make sure they are all "Conforming." See FN #3.

V. MEDIA BLACK OUTS: just as Iran and North Korea have news black outs - so do the prisons block out any news that is unfavorable to them under the guise of security - just like the communist countrys do. The prisons have blacked out all of the reports on the largest prison work stoppage in the US history. It had 24,000 prisoners, in 29 prisons and over 12 states! Nevertheless, the media won't cover the mass incarceration crisis documented by hundreds of law reviews. This is because big business who are profiting with the prison activity are paying the media with commercials. They also have lobbyists and they're contributing to the polititions campaigns to keep up the "Get tough on crime" farce. See FN # 4.

VI. ACCESS TO THE COURTS: prisoners have a constitutional right to have access to the courts, this was true at one time, but it is now only a theory - that is not true! We were the best democracy in the world - now we are the worst! We lock up more people than any of the communist countries. Our government is abusing the people. We were the land of the free - now we are the land of the detainee! Our true access to the courts is really "Lip Service." Michigan is one of the worst states in the union for justice. They are the most punitive (punishing) and they are the prison capital of the US! Per capita, Georgia may have just broke our record. One fifth of our state budject goes to the prisons. See FN #5.

VII. ORAL ARGUMENTS: pro-se prisoners are always denied oral arguments. They always have good reasons too. Not needed, don't have an attorney, judicial economy, etc. etc. The truth of the matter is we don't have true access to the courts like attorneys do. A case is won or lost on oral arguments! The courts know this, they are not stupid! It's all just a game. I know this because I'm innocent and have been fighting for years. There are no facts to support my conviction or charge! Top law professors across the US have documented these facts! This fact - not fiction. See FN #6.

VIII. CLERKS' DUTIES: the court clerks' duties are ministerial and not judicial. In other words, they have no descretion like judges do. They are supposed to file pleadings and not make decisions on whos papers they should file. However, this is not the case, they play games with pro-se prisoners and the judges let them. They wear out many prisoners trying to get justice. It is against the law (the Constitution - the highest law in the land). Nevertheless, they do it every day. They blocked my direct appeal and refused to file many cases - because pro-se prisoners don't have any real rights - like a communist country! You can see the corruption in two of my cases: P. v Rouse Court of Appeals case #332033 and Rouse v Mich. US ED MI #2:17-cv-12276, & FN #7.

IX. JUDGES: most people know that judges have a lot of knowledge. They believe the judge will do the right thing in their case. The truth is so far away from that belief. They have the clerks write the orders and opinions and tell them to deny any relief we may have comming. There are some good judges but they are few and far between. Like it or not, this is the truth! It's an uphill battle trying to get justices. I would not believe any of this if I haven't lived it and seen it happening in so many other peoples' cases. The judges have mastered the art of deception. So many of the judges' legal opinions are wrong. They misquote cases, used overruled cases, etc. See FN #8.

X. NO REAL OVERSIGHT: the courts have no real oversight. Neither does the US prosecutors or prisons - they do whatever they want! The system has been so corrupted that is is really hard to believe. The only way this can be fixed is if the people of America stand up with the prisoners and protest all these injustices! In here our hands are tied. Once you get in here - it's too late - no one will listen. See FN #9. We need to fight, fight fight!

XI. LESS STRINGENT STANDARD: the US Supreme Court has mandated that courts hold prisoners to a less stringent standard. The truth of the matter is we are held to a higher standard than most attorneys. Attorneys would have the judge disbarred if they tried to deny oral arguments or dismiss the civil case without going to a jury trial. If judges tried any of the games they play on pro-se cases - they would disqualify the judge and do an emergency appeal - all the way to the US Supreme Court!

XII. CONCLUSION & REFORM NEEDED: the criminal justice system is out of control and it needs fixed ASAP! Many people are in prison that are innocent - like myself. The prison is full of violence and gang activity. There is a lot of corruption in the prison and they are blocking prisoners right to access the court. they have blocked legal mail, legal books, access to the law library, access to legal copies because they can and have no real oversight! Reform is needed. Inmates are now cutting prisoners' throats, they are doing "Buck-Fifties" (cutting open prisoners' faces) and much, much more. Please review all of the foot notes to see this is truth and not simply my opinion!

Foot Note One:

- A Fairness in Pro-se cases: 30 Fordham URB LJ 305 (2002);
- B Prisoner Pro-se Cases: 19 BYU L 373 (2005);

Foot Note Two:

- A PLRA & AEDPA 70 Notre Dame L Rev 1079 (1995);
- B Jurisdiction Stripping: 29 Cardozo L Rev 291 (2001);

Foot Note Three:

- A Conformity Hearings with Chief Judge: 28 USC 372;
- B See foot notes one & two;

Foot Note Four:

- A Prisoners & the Press: 49 Cal W L Rev 195 (2013);
- B Media & Prisoners: 16 New J on Crim & Civ Confinement 271 (1990);

Foot Note Five:

- A Access to the Courts: 46 LJ Ann Rev Crim Process 1107 (2017);
- B George Town Law Review: 46 Geo LJ 1275 (1987);

Foot Note Six:

- A Improving Fairness in Pro-se 30 Fordham Urb LJ 305 (2002);
- B Prejudice to Pro-se: 76 Ohio St LJ Furthermore 103 (2015);

Foot Note Seven:

- A Sabber v Wayne Cty., 322 Mich 501, 503-4 (1948);
- B Unconst. Clerks Actions: 76 Minn L Rev 1393 (1982);

Foot Note Eight:

- A See Foot Notes One & Six;

Foot Notes Nine & Ten:

- A See Foot notes Two & Six;
- B Prison Reform Needed: 22 JL Politics 205 (2006).

*** PRISONS FOR PROFITS - WAR ON AMERICANS ***
(by AJ Rouse, 12-25-17)

I. OVERVIEW: at first this sounds crazy. Six months ago I would have laughed at this notion. Now, after studying law reviews from university law professors I understand it's the truth. The criminal justice system is broke and out of control. Businesses profiting from the prison build up are well organized. They are raping the tax-payers and prostituting the American prisoners for gain! Please review my articles on this subject in my class action lawsuit: *Rouse et al v Mich. et al*, US ED MI #2:17-cv-12276 (Mass Incarceration Crisis, War on Americans, etc. etc.

II. PRISONS FOR PROFIT: there are many similarities with the financial gain of Hitler's SS (secret society) in Nazi Germany. Many things that Hitler and the SS did was for power, control and money. The same thing is happening today (more secretly) as it says in the BIBLE (Eccl. Chapter 3) nothing new under the sun! Big Business (corporate America - that are profiting from prisons) are well organized. They are using their money and power to lobby congress (state and Fed.) to promulgate the war on crime, which is really war on Americans for profit. They are exploiting fear to line their pockets with money. The BIBLE said that the love of money is root of all evil (2 Tm. 6:10). This all fact - not fiction. See Foot Note ("FN") 1 (Law reviews from law professors).

III. PRISON CAPITAL OF THE WORLD: this corruption causing the Mass Incarceration Crisis has made the United States the prison capital of the world. Per capita and per amount of people in prison! The numbers are unbelievable but true. We only have 5% of the world's population, but 25% of the world's prison population! (FN #2). Communist China has 5 times more people than we do, but we still lock up more people than them or any country in the world! We arrest at least 10 million people a year. We lock up more children than any country in the world. We lock up more immigrants than any other country too (FN #3). We call this "Law and Order" but its the reverse - corruption and tyranny! It's an abomination to GOD!

IV. WAR ON AMERICANS: this started in three waves. First, with African-Americans after the 13th Amendment. This is well documented by law professor's books like Michelle Alexander's *The New Jim Crow* (New York Times best seller) (FN #4). The second wave started with President Nixon's law (1968) for safer streets - war on drugs which was really war on Americans (FN #5). Nixon convened over a 1,000 grand juries to go after anyone who opposed him. The Vietnam war was another money maker that raped Americans and killed its people! President Clinton signed two more laws which put the icing on the cake in the third wave that greatly restricted prisoners' rights to access the courts (FN #6). The US is out of control!

V. HISTORY OF PROSECUTORS' AUTHORITY: it is important to look deep into this problem to better understand how we got into this mess. We went from the best democracy in the world to the worst! Selective prosecution of the low income people is what is fueling the mass incarceration crisis. The framers of our Constitution never wanted government prosecutors for fear they would become tyrants.

Most of the history in this country, 450 years, is without government prosecutors. We only had them for a little over 100 years or so. This is fact - not fiction! The politicians have created "The perfect system to convict". This is how we have so many people in prison that are innocent and/or overcharged. If the public defenders fight too hard for their clients - they are shunned or not given anymore cases. See FN #7.

VI. NO OVERSIGHT: we have no real oversight in the prisons or in the prosecutions. The wardens and prosecutors become like God with no one over them for oversight - they do whatever they want! This is real and it's unconstitutional. After 33 prisoners were tortured and burned to death - the federal courts stepped in for about 10 years. Next, they adopted a "Hands Off Policy" which has taken this country back into the "dark Ages". See FN #8.

VII. CONCLUSION & REFORM: the prosecution system and prison systems need reformed. Many people are in prison who are innocent. The violence is out of control and the access to court is really non-functioning for pro-se prisoners! The media has been blinded by money offered for advertisements by big business. They are also controlling the politions and the Americans are paying the price!

Foot Note One:

1. Private Prisons the New market Place for Crime:
6 Wake Forest JL & Pol'y 407 (2016);
2. lobbyist Gave Birth to Private Prisons: 51 Wort Burg LJ 589 (2012);
3. Follow the Money: 34 Law & Soc Inquiry 439 (2009);
4. Working Reality of Inmates: 27 J Civ Rts & econ Rev 679;

Foot Note Two:

1. American prison History: 43 Val UL Rev 1425 (2009);
2. Keeping People in Poverty: 89 Temp L Rev 747 (2017);
3. Trump no Justice: 46 Geo LJ Nan rev Crime Process iii;

Foot Note Three:

1. More Children in prison: 10 Harv L & pol'y Rev 3 (2016);

Foot Note Four:

1. Mass Incarceration Consequences: 9 Ohio St J Crim 17 (2011);
2. Rights without Remedies: 30 Cardozo L Rev 645 (2008);

Foot Note Five:

1. Penal & Humanitarian disgrace: 9 Conn Pub Int'l J 17 (2009);
2. Injustices & Mass Incarceration: 30 Geo J Legal Ethics 301 (2017);

Foot Note Six:

1. Habeas Corpus taken from the People: 35 Quinnipiac L rev 1 (2016);
2. restricting Prisoners: 49 Buffalo L Rev 1099 (2001);
3. trafficking in Humans: 36 Denn J Int'l & pol'y ;

foot Note Seven:

1. American prosecutors - threat of Tyranny: 86 Iowa L rev 393(2007);
2. Selective Prosecution: 42 Am Jur J L 139;

Foot Note Eight:

1. Abuse in American prisons: 22 JL & Politics 385 (2006);
2. Police Reform & dismantlement: 126 Yale LJ 1419 (2017);

MICHIGAN DEPARTMENT OF CORRECTIONS
LEGAL PHOTOCOPY DISBURSEMENT AUTHORIZATION

CSJ-602
 REV. 1/08
 4835-3602

Please PRINT clearly. Illegible and/or incomplete forms will not be processed.

2-22-18 Filing Deadline Date 12-4-14 Lock SMT Facility
274237 Prisoner Number Rouse Prisoner Name (Print Clearly)

☐ New Case ☒ Case Number _____ ☐ Court _____ ☐ Legal Research

Item(s) to be Photocopied	No. Pages	No. of Copies to be Made	\$.10 per copy (2- sided copies will be \$0.20) Subtotal	Is the complaint or other document for which these copies are required attached? If yes, please identify. If no, cite court rule or attach explanation
1. <u>Court Exhibit</u>	<u>11</u>	<u>3</u>		☒ Yes ☐ No
2. _____				☐ Yes ☐ No
3. _____				☐ Yes ☐ No
4. _____				☐ Yes ☐ No
5. _____				☐ Yes ☐ No
6. _____				☐ Yes ☐ No
7. _____				☐ Yes ☐ No
8. _____				☐ Yes ☐ No

Prisoner Signature: [Signature]
 Received By (Print Name & Title): _____
 " Photocopies Authorized " Photocopies Denied

Date Submitted: 2-22-18
 Date Received: 1-11-18

Staff Signature: _____

Date Processed: 12-4-12

Authorization Denied Because:

☒ Inadequate funds, and does not qualify for a legal photocopy loan.

☒ The following additional information is needed to process this request:

1. I have \$5.00 in my account.

☐ Other: The Prison Refused to Copy
NO money in my account
12-4-18

Only Business Office Staff Are to Write in the Section Below

Obligation Amount	Actual Expense

The Prison Refused to Copy
NO money in my account
 Date Posted: [Signature]

Processed By (Print Name & Title): _____ Signature: _____

DISTRIBUTION: ☐ Prisoner Accounting ☐ Prisoner ☐ Copy Center ☐ Prisoner

Arthur J. Rouse, #274237
SMT Correctional Facility
1790 E. Parnall Road
Jackson, MI 49201-7139
www.jpay.com (email)

February 1, 2018

Court Clerk
US Supreme Court
Washington, DC

Re: Filing Rehearing in re Arthur Joseph Rouse, case #17-6903

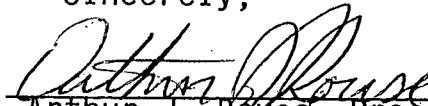
Dear Clerk,

Please find the following documents for filing with this Honorable Court:

1. Motion for Rehearing & Writ of Habeas Corpus;
2. Court Exhibits:
 - a) No Such Crime of HOP for Yourself Only;
 - b) No House of Prostitution;
 - c) Private Acts no Commerce;
 - d) War on Americans & Blocked Access;
 - e) Illegal State Actions;
 - f) No Pro-se Access to the Courts;
 - g) Prisons for Profit.
3. Proff of Service (this page).

Thank you for your valuable time in this matter!

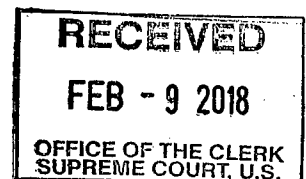
Sincerely,


Arthur J. Rouse, Pro-se
Petitioner - Appellant

xc: file

Proof of Service

I certify that this document was served on the MDOC Arus for sufficient postage, as needed to be sent by ID mail and first class mail to the state attorney general at his last know address on the above date - so help me God.



IN THE
SUPREME COURT OF THE UNITED STATES

ARTHUR JOSEPH ROUSE,

Petitioner,

Case No. 17-6903

Hon. ELBETH KAGAN

V
STATE OF MICHIGAN, &
JOSEPH BARRETT, Warden
Respondents

CERTIFICATION OF REHEARING
FOR WRIT OF HABEAS CORPUS

I certify under penalty of perjury that the below information is correct to the best of my knowledge, information and belief:

1. ON 2-21-18, I received the inclosed letter from the US Supreme Court Clerk of the deficiencies at 4:00PM.

2. ON 2-22-18, before 10:00AM, I will serve the MDOC Arus with the original Rehearing and Exhibits for sufficient postage to be sent to the Supreme Court's last known address and the Mich. Attorney General.

3. I certify that this rehearing is presented in good faith and not for delay - per US Sup. Court Rule 44.

4. I also certify that the grounds are limited to intervening circumstances of substantial or controlling effect or to other substantial grounds not previously presented to best of my understanding.

5. I have never ran a House of Prostitution for any customers according to Michigan Law MCL 750.452. I am completely innocent of this Judge-made Crime!

6. There is no state in the union or in any country that I have found (after search for 2 1/2 years day and night) that defines paying a consenting adult for sex in private as running a House of Prostitution!

7. The States actions violated my Due Process Right to privacy under Griswold, 381 US 479 (1965).

8. This crime, as applied to my facts, is void for vagueness because the prohibitions were not clearly defined. City of Mesquite, 465 US 283, 289-90 (1982).

9. Michigan charged me with many unconstitutional laws that are in direct conflict with the US ruling in Lawrence v Texas, 539 US 558 (2003) and they refuse to follow the US Supreme Court and the US Constitution! See Croslley, 530 US 363, 372 (2001).

10. Traverse City found a way to get around following the Lawrence ruling by making up a false charge, after they were forced to throw out all of the unconstitutional charges.

11. I entered a "Conditional Plea" to challenge if there is really such a crime of keeping a House of Prostitution for yourself only with adults who live there. A person cannot plead to a crime they didn't commit. See Waycauch, 380 F3d 257 (6th 1199) quoting Boykin v Alabama, 393 US 238, 243 n5 (1969).

12. My right to Access the Courts was blocked by the State Court because I could not pay for the filing fee. The Sixth Circuit ruled the same fee in Ohio was unconstitutional! Clifton, 775 F3d 760, 767 (6th Cir 2014) quoting US Supreme Court cases, 8 MCL 600.2963(8).

13. The Mich. Dept. of Correction also blocked my Access to the Courts by stopping my legal books and delaying my legal mail.

14. I was denied effective Counsel when my attorneys failed to raise these issues under the Strickland Standard, 466 US 668, 687 (1984).

15. The District Judge was not neutral when he filed many unconstitutional charges, overrode a co-equal Judge and communicated many times ex parte with the prosecutor/officer in violation of Williams, v Penn., 136 Sct 1899, 1909 (2016).

16 Incorporated by reference are the Exhibits and the Motion for Rehearing included herein. This is also selective prosecution for purpose of Mass Incarceration. 577 US 456, 458 (1996) and Law Review 39 column Human Rights 2 Rev 97 (2007). Please Release me!

Relief Requested:

I pray this Honorable Court will order my release. In the alternative, appoint counsel, set oral arguments and set an appeals bond. Thank you!

2-22-18

Arthur Joseph Rouse
Arthur Joseph Rouse

Prison Refused
to copy Exhibits
no money in my account
~~AD~~

New Exhibit List *

US Supreme Court

A. Law Review (Rebirth of Caste):

B. Call to End Mass Incarceration;

C. Amendments with Congressional Enforcement;

D. Constitutional Violations;

E. Corruption in the Government;

F. Letter to State Representative;

G. Pro-se - No Real Access to Courts;

H. Prisons for Profit;

I. Letter to Alice Spier

J. Blocked Access to the Courts

Duttha Rouse

2-22-18

Exh. K (Prison Librarian refusal form)