
SUPREME COURT OF THE UNITED STATES

ALTY ADAMSON,
Petitioner,

-against-

THOMAS GRIFFIN, Superintendent of
Green Haven Correctional Facility,
Respondent,

PETITION FOR REHEARING
NO. 17-8017

Alty Adamson 11-A-5221
Pro Se
Green Haven Correctional Facility
594 Rte 216 / Box 4000
Stormville, New York 12582

SUPREME COURT OF THE UNITED STATES
_____X

Alty Adamson,

Petitioner,

-against-

PETITION FOR
REHEARING

No. 17-8017

Thomas Griffin, Superintendent of
Green Haven Correctional Facility,

Respondent,
_____X

PETITION FOR REHEARING

The Petitioner, ALTY ADAMSON, moves this Court to reconsider its decision of May 14, 2018, denying petitioner's petition for a writ of certiorari. Petitions for rehearing of denials of petitions for certiorari are permitted when limited to "other substantial grounds not previously presented." Rule 44.2, Rules of the Supreme Court.

The Fifth Amendment says: No person shall...be deprived of life, liberty, or property, without due process of law.

This case involves the already cited authorities in the petition for certiorari, and the additional question presented is:

DID THE DISTRICT COURT AND SECOND CIRCUIT COURT
OVERLOOK THE STATE APPELLATE COURT'S RULING TO
DEPRIVE PETITIONER THE RIGHT TO CONFRONT THE
UNCONSTITUTIONAL RULING MAKING THE APPELLATE
DECISION A TESTIMONIAL RULING UNDER THE SIXTH
AMENDMENT RIGHT TO CONFRONT WITNESSES.

STATEMENT OF CASE

The Appellate Division ruling in People v. Adamson, 127 A.D. 3d 566 (2015), stated for on the second degree assault, "viewed objectively, an injury caused in that manner "would normally be

expected to bring with it more than a little pain." citing People v. Chiddick, 8 N.Y.3d 415, 447 (2007).

Petitioner was sentenced to five years that he has served to the maximum expiration date, because the appellate court rejected his argument that the witness testified that he had no "pain or physical impairment" to uphold assault in the second degree under New York State Law.

The Southern District and Second Circuit Courts also rejected petitioner's argument that the appellate division ruling was erroneous under the New York State statute for assault in the second degree. Even though petitioner pointed out that the elements were not met by the witnesses own testimony. Wherein he stated under oath that he did not feel any pain before, during, or after the incident and he did not miss any days of work.

Under Crawford v. Washington, 541 U.S. 36, 59 (2004), the appellate court's ruling is hearsay that deprived petitioner of due process under the Fourteenth Amendment. Petitioner did not have the opportunity to confront the judges in the appellate division on how they reached their expert opinion.

The appellate division judges became sworn witnesses against petitioner, and thereby switching the burden of proof on petitioner to disprove their ruling; knowing that petitioner would not be able to do this.

In Crawford at *51, this Court Stated "Accordingly, we once again reject the view that the confrontation clause applies of its own force only to in-court testimony, and that its application to out-of-Court statements introduced at trial depends upon "the law of evidence for the time being. Leaving the regulation of out of Court statements to the law of evidence would render the Confrontation Clause powerless to prevent even the most flagrant inquisitorial practices."

The appellate division's ruling offered proof of the matter against the evidence that was presented and testified too.

Before Chiddick, became the go to law for second degree assault cases in New York State. The proof of assault in the second degree was governed under the outline of People v. Philip A.

This case is unique in form because all the lower court rulings have allowed Chiddick to aggravate a crime or make it greater than it was, when committed.

The decision of the appellate division invites judges, who sit in intermediary appellate courts to punish defendants who have done something offensive but not criminal enough to get heavy punishment, therefor twisting the law to punish according to that or those judge's beliefs. It encourages judges to be lawmakers when they do not have that power. This Court also sated in Weaver, 450 U.S. at 29n. 10 ("The ex post facto prohibition also upholds the separation of powers by confining the legislative to penal decisions with prospective effects and the judicial and executive to application of existing law.") The appellate decision perverts fundamental constitutional principles under the right to confront testimonial statements.

The boilerplate rulings by the Southern District Court and the Second Circuit Court of New York severely overlooked the implications and precedent that other intermediary appellate courts across the country may infer from this.

CONCLUSION

Petitioner is not a trained attorney who knows how to speak the law. As a lay person in the law, petitioner believes: "The Law is the 'secret language', the more fluently you speak it, the more easily humanity's social constructs bend to your will. From speeding tickets to national elections - if you speak the law, the world is what you want it to be, lawyers are magicians with their words of legal training." Lawyers become judges who speak the law.

The law is not absolute, and it is not applied equally, that idea is a necessary fiction. The variable in the uneven application

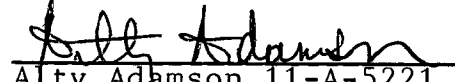
--the single factor that determines whether a guilty or innocent man goes free or spends his life in prison is the lawyer, who will eventually become a judge.

For the foregoing reasons, Petitioner respectfully requests this Court to reconsider its denial of the writ of certiorari to the Supreme Court of the United States, and reverse and remand for proceedings consistent with this Court's opinion vacating all lower Court rulings in the alternative for reconsideration.

Petitioner certifies, pursuant to Rule 44.2, Rules of the Supreme Court, that this petition for rehearing is limited to a substantial ground not previously raised, and is presented in good faith and not for delay.

Dated: June 4, 2018
Stormville, New York

Respectfully Submitted,



Alty Adamson 11-A-5221
Green Haven Correctional Facility
594 Rte 216 / Box 4000
Stormville, New York 12582