

ALBER SAID
15565 GORRION COURT
MORENO VALLEY CA. 92551
(951)924-4792

original

SUPREME COURT OF THE
UNITED STATES

ALBER SAID)
PETITIONER) NO. 17-8204
1-Clerk's Office of Tax Court)
2-Assistant Deputy Counsel (Della) Petitioner's Petition For
Bauserman) the Rehearing
3- Record Department (Brandy)
Diablo)
RESPONDENTS)

CERTIFICATE OF THE GROUNDS ARE LIMITED

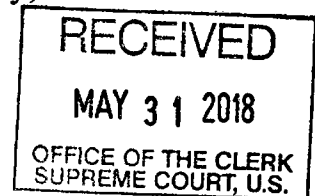
The petition for rehearing is presented in good faith. The Court's procedure is default for failure to comply with Rule 9 & Rule 29 of this Court. The petition contains substantial grounds not previously presented. The substantial issue is the Court's clerks intervened and change the petition's respondent from Tax Court's agents (three respondents) to IRS only as respondent. This intervening is effect on Court's order. The Court's order dated 04/23/2018 not related to this petition because this order in IRS fever and IRS not party of petition's respondents/and petition has nothing against IRS but this petition to enforce Tax Court's clerk to file my motion for inspect...and refereed it to the Chief Judge for respond. The Court should be re-procedure the petition for the clerk failed to comply with Rules 9 & 29 of this Court. The Court procedure is default because:

A- The clerk intervened and changed the respondents' names to IRS instead the real respondents (Tax Court's clerks). He placed the petition on the docket as filed on year 2017 although I filed it on 03/23/2018. The clerk should file all documents as the petitioner filed it without any intervening.

B- A separate notice of appearance shall be entered whenever an attorney is substituted as counsel of record in a particular case Rule 9. Respondents did not file any notice of appearance because I did not receipt any notice.

C- The clerk should not file any document without signature. In this case the clerk file IRS's waiver who is not respondent and without signature.

D- When an agency of the United States that is a party, the agency, or



employee shall be served in addition to the Solicitor General. In this case the clerk did not serve any of original agencies because he intervened and changed the respondents to IRS and served him instead to serve the original respondents see Rule 29.

E- As Rule 29, the clerk should reciting the facts and circumstances of service in compliant but in this petition he reciting false facts as: reciting false deferent respondent/filing false respondent's waiver.

F- The clerk returned back petitioner's replay (filed timely) unfilled for false respondent's waiver.

G- The clerk claimed that: the false respondent filed a waiver on 04/02/2018. He must waiting no less 14 days + 3 (for mail time) to petitioner's reply as his rights (is due 04/19/2018) but he did not because the Court issued the order on 04/23/2018! How the court reviews the petition in 4 days (included 2 days weekend). He did not give petitioner his opportunity to defense as his rights.

Foregoing reasons the Court should re-proceed the petition correctly for the clerk failed to comply with the Rules of this Court.

I. ARGUMENT

I receipt a letter with "notice is hereby given" from Scott S. Harris, Clerk and Michael Duggan, dated March 23, 2018 stated that "The petition...was filed on March 2, 2018 and placed on the docket March 23, 2018 as No. 17-8207" The clerk placed the petition as it filed on year 2017 but petitioner filed the petition on 03/02/2018. After I review this letter I discovered that the clerk altered respondents' names from Tax Court's agents to IRS see respondents' names on the petition/on prove of service/and see exhibit 1A. I noticed that the docket No. is 17-8204 although, the clerk docket the petition on March 23, 2018 (the docket should be 18-8204). I thing the clerk filed deferent petition to mislead the court and secure respondents' fraud. The clerk in his notice stated that "Beginning November 13, 2017, parties represented by counsel must submit a filing through the Supreme Court's electronic filing system." I am wondering from where the clerk got this date November 13, 2017. The Appeal court issued her order on January 24, 2018. How I can submit a filing through the Supreme Court's electronic filing system before the Appeals Court issued the order. Mr. Harris and Mr. Duggan changed the nature of the petition in IRS (fraud respondent) favor to mislead the court and allow her to dismiss the petition (the court deny the petition on 04/23/ 2018). The petition was to enforce the tax court to file

petitioner's motion for inspect...under Tax Court's Rule and the petition has nothing against IRS. This action under fraud category see U.S.C. title 18 section 1621 (1)(2) and section 1623 (a)(b)(c)(d)/ "Ex parte discussions" CA. Rules of professional conduct 5-300 and CA. Rules of Judicial ethics 3B(7). As court's Rule 29.4(a)(c) & 29.5. Duggan shall be served all documents on the attorney general of that State and shall be served on every respondent in addition. In our case Mr. Duggan did not served the real respondents as should be because he altered respondents to IRS and changed the nature of the petition. This action is lack of jurisdiction/lack of court's procedure. As court's Rule Mr. Duggan shall recite the facts to the Attorney General or the Solicitor; to every respondent in addition; and to the Court, but Mr. Duggan recite fraud document/ fraud information and he did not served real respondents. This action is lack of jurisdiction/and lack of Court's Rules.

On April 06, 2018 I receipt a letter dated April 02, 2018 with no name/no address/ no phone number/no signature (in the top of the letter). This letter said WAIVER and under Noel J. Francisco (solicitor general counsel of record) see exhibit 2A. I do not know who this person and why he served this letter to me because the petition has no IRS as respondent/ I have no petition against IRS, and I did not receipt any notice of appearance of counsel from real respondents or from IRS with his name or any name. Mr. Francisco stated in his waiver that "...to file a response to the petition in this case, unless requested to do so by the Court." I am asking Mr. Francisco which petition willing to response; and he reviews the real petition or his will response to the fraud petition. IRS's agent and respondents communicated with Mr. Harris and Mr. Duggan to change the nature of the petition/ to alter respondents' names to IRS/ and to change the date instead year 2018 to year 2017 to mislead the court and allow the court to deny the petition. This action is under fraud and under discrimination category see U.S.C. title 18 section 1621 (1)(2) and section 1623 (a)(b)(c)(d) and see "Ex parte discussions" CA. Rules of professional conduct 5-300 and CA. Rules of Judicial ethics 3B(7).

On 05/ 09/2018 me receipt a letter from Mr. Duggan stated "Respondent filed a waiver to respond...within their rights to respond...The above title petition was denied by this court on 04/23/2018... your papers are herewith returned." see exhibit 3A Respondents did not filed any waiver or any notice of appearance of counsel because IRS not respondent. This waiver is not from respondents whose show on the petition. Mr. Duggan gave respondents opportunity to respond as his rights and filed IRS's waiver (he is not

respondent and should not filed it because he is not respondent)/ and he forget petitioner's rights to reply and returned his reply who filed on the time unfilled.

The court's order dated 04/23/2018 is injustice/default but void because:

1- The court's clerk altered respondent's names from Tax Court's agents to IRS as respondent. The clerk should not do any change to the petition and he must docket it as petitioner files it without any alteration.

2- A brief in opposition is due on 04/ 23/2018. Petitioner did not receipt any reply or any notice of appearance of counsel. The Court's clerk placed on the docket as case No. 17-8204 after he altered respondent's names to IRS as respondent. He must file it as year 2018 not year 2017.

3- The clerk instead service every respondent as show in the petition in addition (Rule 29(4)), he served another party "IRS" not one of respondents.

4- Rule 9 (2)...An attorney representing a party shall enter a separate notice of appearance as counsel of record. I did not receipt any notice of appearance until now or any reply.

5- On April 06, 2018 I receipt a letter dated April 02, 2018 with no signature stated "waiver" and show IRS as respondent. These respond not from petition's respondents because IRS not respondent see the petition.

6- On 04/26/2018 I filed my reply "Notice of Non-Receipt of any Reply To petitioner's Petition..." because I did not receipt of any reply from respondents whose show in the petition.

7- On 04/27/2018 I receipt a letter from Scott Harris, after I served my reply as my constitution rights, stated that "The Court today entered the following order... the petition for a writ of certiorari is denied" see exhibit 4A. the clerk must wait at lease 14 days to submit all documents from a brief in opposition due date (on 04/ 23/2018) because petitioner has rights to file reply within 14 days plus about 3 days for mail's time that means the clerk should wait at leas 17 days (until 04/19/2018) before he submit the document to the Justices to review the petition and issue the order. On 04/23/2018 the court issued the order to deny the petition within 5 days only included two days week-end (the court takes only 3 days to review the petition). I do not know who issue the order the Justice or the clerk!

8- Mr. Duggan gave respondents opportunity to respond as his rights and filed IRS's waiver who is not respondent (should not filed it because this waiver not from respondents whose show in the petition)/ and he forget petitioner's rights to reply and returned his reply who filed timely.

II- CONCLUSION

For the reasons discussed above, the petitioner's rehearing should be granted and the Court should be dismiss Court's Procedure for lack of jurisdiction/ and for lack of Court's Rules. The Court should be dismissing the court's order dated 04/23/2018 for clerk failed to comply with Rules of this Court.

Dated: 05/25/2018

ALBER SAID

A handwritten signature in black ink, appearing to read "Alber Said", written in a cursive style.

**Additional material
from this filing is
available in the
Clerk's Office.**