

DOCKET NO. 17-9346

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SUPREME COURT, U.S.

THE SUPREME COURT OF THE UNITED STATES

David L. Woodward, Petitioner

vs.

State of Kansas, Respondent

On a Petition For Writ of Certiorari
to the Kansas Court of Appeals

Petition For Rehearing

David L. Woodward, pro se
141 West Elm, SCADF
Wichita, Ks 67203

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FORWARD

As petitioner previously stated in his "Motion To Apply Rule 39.3 To Petition" at the beginning of his Petition For Writ of Certiorari, that is to allow him exception to Rule 33.2. Again the Sedgwick County Adult Detention Center does not allow petitioner to fully comply with Rule 33.2. Paper permitted is as this present Petition For Rehearing is prepared on. No typewriters or word processors are available to jail inmates. Petitioner has no outside resources nor money to pay to have his documents prepared as Rule 33.2 states.

Wherefore, petitioner prays the Court accepts his Petition For Rehearing attempting to comply with the substance of all rules governing same.

Respectfully
David L. Woodward

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IN THE SUPREME COURT
OF THE UNITED STATES

David L. Woodward,	}	Case No. 17-9346
Petitioner		
v.	}	
State of Kansas,		
Respondent	)	

PETITION FOR REHEARING

Comes now petitioner David L. Woodward, pro se, and moves the Court to reconsider it's denial of petitioners Petition For A Writ of Certiorari on Oct. 1, 2018.

In petitioner's Motion In Limine For Summary Granting of Petition For Writ of Certiorari, as well as his Motion To Submit Exhibits and Additional Information, he further showed documented proof of a terrible injustice by both prosecutors and the court system of Kansas.

Petitioner is continuing to suffer this in his current Petition For DNA Testing based on Kansas Statute Annotated 21-2512.

Having refiled that petition on Sept. 22, 2014, through a mandate by the Kansas Court of Appeals. Petitioner is now suffering an inordinate delay of over 4 years and a 40th continuance, effective Oct. 11, 2018. (See Attachment B)

Petitioner documented his petition and Motions before this Court with copies of the actual concealed Reports in his criminal matter of 1991. These were discovered through 2014-2016. He has been wrongfully denied relief through the Kansas court system and also by the 10th Circuit Court of Appeals, when he applied to file a second 2254 habeas in federal court presenting these documents.

The 10th Circuit also stipulated petitioner could not appeal their ruling denying him any relief. What is wrong with the justice system of our nation when it refuses to recognize manifest injustices? Petitioner's last hope to be heard rested with this Court. Now even they deny him his 1st Amendment

rights and any hope at all to see justice done.

Intervening circumstances of a controlling effect is the substantial amendments to the United States Constitution. Namely the 1st, 5th, 6th, and 14th amendments. Will not this Court uphold these rights, deemed necessary by our government, to assure justice and fairness against wrongful acts by officials?

Petitioner has shown and proven his case on the merits of his allegations. Now being able to bring forth material evidence through official documents that were denied him until 2014 thru 2016.

How can this Court, of such high ethics, merely deny him his Constitutional rights? Isn't that what makes this country stand apart from other nations?

To be denied a fair trial by the hiding of material evidence, unfairly taken advantage of by prosecutors who had the evidence clearing him. Then going ahead and wrongfully prosecuting petitioner anyway, seeking guilty pleas.

Petitioner has appealed to this Court of last resort to both support and enforce this nation's Constitution and Bill of

Rights. He also asks why he cannot use this Court's past opinions, with this Court, to gain a measure of justice?

Petitioner pleads with this Court to re-examine his Petition and supporting Motions. As to how state prosecutors and court system committed horribly wrong actions just to win their case and keep it. They continue to do so. Will this great Court also condone these actions by denying petitioner's last chance at getting a fair and unbiased consideration? Even so little as ordering an evidentiary hearing would help.

Petitioner has presented a prima facia case of proving his innocence, in spite of wrong decisions he made based on fraudulent information in the beginning of his case, i.e. pleading guilty.

Would any member Justice of this Court have allowed, let alone not correcting, such blatant and illegal acts in their individual courts, if they were the judge hearing of this? If you would not have let such a thing go on, then at least grant an evidentiary hearing to

consider the newly found material. It was not the fault of this petitioner such a thing happened. Please consider the material found and whether, as a judge, you could just ignore it. Making you a partner in this injustice.

Is Kansas going to continue being allowed to insult this Court by invalidating decisions in Brady, Trombetta, Agurs, and Giles v. Maryland? Does the Bill of Rights of citizens mean nothing? Is our famous Constitution merely a piece of history, meaning less today? Of what use are this Court's opinions, if one can't apply them to their own cases? How can citizens of this nation have justice and fair play in courts of law, if our highest court will not enforce it's prior opinions? That is all I have asked of it.

Whereas, petitioner prays, begs, and pleads with the Justices of this Court to revisit his Petition and Motions. See what a terrible precedent it sets if it is not heard. A famous Justice of this Court once stated he would rather 10 guilty men go free than one innocent man go to prison. Petitioner is already there.

Wherefore, based on the documented material proving petitioners case beyond any reasonable doubt, he prays this Court will perform it's function to assure justice is done. At least by mandating the courts of Kansas to have an evidentiary hearing to consider the newly uncovered evidence. Then, arrive at a just and fair decision regarding it.

Most Respectfully

David L. Woodward

Certificate of Service

I, David L. Woodward, certifies I mailed a true and correct copy of his Petition For Rehearing with attachment to Toby Crouse, Kansas Attorney General's Office - Office of Solicitor General, 120 SW 10th St. 2nd Floor, Topeka, Ks. 66612 on this 8th day of October, 2018, by first class mail, postage prepaid

David L. Woodward

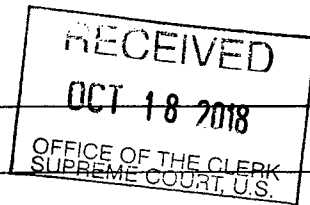
Petition For Rehearing
Certificate For Submitting

I, David L. Woodward, petitioner pro se,
do hereby certify that his Petition For
Rehearing of his Petition For A Writ of
Certiorari, denied on Oct. 1, 2018, does
substantially comply with Rule 44.

Rehearing. The Petition For Rehearing
is presented in good faith and not for
delay. This Certificate accompanies
the Petition For Rehearing.

Respectfully Submitted
David L. Woodward
141 West Elm-SCADF
Wichita, Ks 67203

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For the Clerk of the Supreme Court:

During my Petition For Writ of Certiorari, Docket 17-9346, I asked leave to file two additional motions. One was entitled "Motion To Submit Exhibits And Additional Information." The second was my "Motion In Limine For Summary Granting Of Petition For Writ Of Certiorari."

I was wondering if leave was granted to file these two Motions? I was never advised of this or not. Were they heard by the Court?

Also, the denial of the Court to grant my petition, did it have anything to do with Rule 14.4? I was never informed that the Petition or Motions did not conform to any of the Rules as listed in your 2017 booklet of the Court.

Anyway enclosed is my Petition For Rehearing.
Thank you.

Sincerely
David L. Woodward

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