

No. 21-1424

**In the Supreme Court of the
United States**

Petitioner

Marjana Hoti (*pro se*)
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v.

Respondent.

City of Warren
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On Petition for Writ of Certiorari to the Michigan
Supreme Court

PETITION FOR REHEARING

October 22, 2022

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INTRODUCTION

This is Marjana Hoti.

Organized crime and conspiracy in the State of Michigan won with the decision of this court to deny our petition.

This court denied our petition on 10/3/2002.

We were shocked and in total disbelief by the decision to deny our petition because we had a very strong case.

The fact that this court decides a large number of cases, a very low percentage of cases granted, great discretion, and that we were not presented with an attorney is not the justification for this court to deny our petition. This court had more than enough reasons to grant our petition.

It would have been easier for us not to spend a lot of time, energy, and stress filing the petition but we did what was right for the people, truth and justice, and not what was easy for us.

We expect the same thing from this court with this petition.

Our case was distributed for the conference on 6/23/2022. The last conference of the last year's term was on 6/29/2022.

Our case was relisted for the following conference on 9/28/2022 which was the conference of the "long summer list" that includes about 10 times more cases than other conferences and not for the next

conference which should have been 6/29/2022 as the practice of this court with other cases suggest.

Our case was the first case to be relisted for the next term. Cases that are relisted for the next term are much more important for this court than cases relisted for the next conference because this court likes to go to the next term with fewer relist cases. Our case was relisted for the next term for one of 2 reasons.

1) Because this court thinks it was an important case or,

2) To obstruct this case and send this case to the "long summer list" conference of 9/28/2022. So it would be easier for the persons who obstructed the case not to present the case to the justices of the Supreme Court.

If it was the first reason this court should at the very minimum have requested the City of Warren a brief of the opposition as this court did in other relist cases but refused to do so in our case.

Our case was relisted for the next term and was denied without an answer from the other party which is unprecedented.

How is possible for this court to deny our relisted case for the next term without an answer from the other party when relisting a case, especially for the next term is much, much more difficult than requesting a brief of opposition?

Based on that the second reason which is the obstruction with the intention to prevent this case to be presented to the justices is the only reason why this case was distributed to the conference on 9/28/2022.

REASONS FOR GRANTING THIS PETITION FOR REHEARING.

FRCP rule 44 provides; “grounds shall be limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented.”

In our petition the grounds that we provided were

- 1). External influence of jury.
- 2). Unconstitutionality of the ordinance.
- 3). Insufficient evidence.

In this petition, we are going to focus on other substantial grounds not previously presented. And we are presenting 2 other grounds for granting this petition and new evidence not presented in our petition.

GROUND 1.

Corruption and conspiracy in the Michigan government and Michigan Courts that led to our illegal arrest, conviction, and denial of the appeal process.

To remain effective, the Supreme Court must continue to decide only those cases which present questions whose resolution will have immediate

importance far beyond the particular facts and parties involved; Board of Educ. v. McCluskey, 458 U.S. 966 (1982).

Granting this petition for rehearing is of national importance because the issue raised here is the biggest problem in America that nobody wants to talk about.

This is corruption in government and courts. Corruption in government is at the highest level. People's trust in government is lower than ever. Public institutions that are supposed to work for people are increasingly taking sides of government, big and powerful.

Michigan, according to the US department of justice is the most corrupt State in the union.

We are very concerned because the State of Michigan, as our case with the corruption of the jury and illegal arrest and punishment reveals, has created such a corrupt and illegal system in which they can commit any crime and have all the mechanisms including media and federal institutions in Michigan to cover up the crime without anyone knowing about that.

Corruption and conspiracy in government are much more dangerous than in the private sector and are a real threat to national security.

Of course, the waste majority of law enforcement, court employees, and government employees are decent people and not part of corruption and conspiracy but the people in power have created such a corrupt system.

The only complaint we have for them is that they are not doing enough to fight that illegal and corrupt system

Macomb County where the City of Warren is located in the most corrupt county in the USA and is fully integrated into the State's corrupt system.

In this case, we will prove with uncontested facts and overwhelming evidence that we were victims of the State's organized crime and conspiracy between the City of Warren and the courts against us.

We will prove that organized crime and conspiracy on all the grounds we provided in our petition. The City of Warren brought the police onto our property to retaliate against us because we complained about the corruption and conspiracy in the City of Warren and the courts.

The police gave us illegal orders to leave the property because of the stop-work order on 12/5/2016 because the people who sent them knew that the state courts will decide for the City no matter what. We refused to leave and we were arrested illegally.

It turns out that it was not a stop work order at all but even if it was the order would have been illegal as explained below.

The “totality of the circumstances” requires courts to consider “the whole picture.” Cortez, *supra*, at 417.

Our precedents recognize that the whole is often greater than the sum of its parts— especially when the parts are viewed in isolation. See *United States v. Arvizu*, 534 U. S. 266, 277–278 (2002),.

We believe that this court must focus on the bigger picture and that is the conspiracy and organized crime in Michigan Courts and the Michigan government that led to our illegal arrest and conviction

To better understand our illegal arrest and the extreme injustice and conspiracy in Michigan courts we faced and people face every day in Michigan courts, let's analyze the sentencing statements by the 37th district court chief judge John Chmura and the closing statements of the City of Warren attorney jeff Cabbot.

We don't know how justices and clerks of this court would have a good night sleep after reading those comments.

Judge Chmura's sentencing criminal comments below are very disturbing and reflect the state of

extreme injustice in Michigan, see pages 124,125,126 volume 3 (Exhibit 1).

“This case has nothing to do, as I said before with building code violations. This case has everything to do with showing respect to the police.” (page 124 volume 3).

“Now I understand that the stop work order may have been issued improperly, maybe it was issued properly, I don't know. It does not matter when police come on your property and say it's your home or in this case your property because you weren't living there and say you've got to go. You can't be there you go. And it does not matter if you agree or disagree.

When I was growing up and a police officer said anything to me, no question asked, I did. You did not. I know you did not because I saw the video. I watched it like I said. You argued with the police”. And that's what is disturbing is the fact that you wouldn't listen to the police, we can't have that. (page 125 volume 3).

I just think that the City of Warren needs to teach you both, teach both of you a lesson which is that you have to cooperate with police and I think 10 days in jail will do that. (page 127 volume 3).

Judge Chmura said, in this case, that police can even order anybody to leave the house for no reason and you cannot even complain about it.

He and appellate judges in lower are still in power thanks to the criminal system in Michigan.

Laws don't matter. Due process doesn't matter.

Respect for the police does. What he can say more?

Judge Chmura is not a random judge. He is the chief judge in the 37th District court which is Michigan's biggest and busiest district court. 37th District court proceeds about 70.000 cases a year.

Judge Chmura knew that he would get away with these statements (and he did) because he is a member of a conspiracy and he knows how conspiracy and organized crime work in Michigan courts and all higher courts in Michigan including the Michigan Supreme Court supported his statements.

Michigan Supreme court confirmed Judge Chmura twice as chief judge in the 37th District court after they were aware of these comments.

He was reelected unopposed for over 20 years and 97 % of the cases judges in Macomb county are reelected unopposed because attornies know that it's impossible to win against current judges because state and county corrupt machine support them.

Let's focus now on the arguments at closing statements from other city attorneys Jeff Cabbot (Exhibit 2.) page 60,61 vol 3. **"So the night the landing craft landed on the moon I was sitting on the hood of a friend of mine's 1955 Chevy wagon, drinking beer and looking up at a perfectly clear sky and a round white moon. And as we were listening to this being televised or telecast, I should say, I looked at my friend and I said, isn't it amazing I mean we're here laying on the front of your car drinking beer but yet there's somebody walking on the moon"** And statements continues.

These statements as silly and crazy as it sounds are the city's arguments to prove the charge beyond a reasonable doubt. (see page 61 vol 3 by the end of the page).

Mr. Cabbot instead of proving" beyond a reasonable doubt" the charge against us proved "beyond a reasonable doubt" that the jury was corrupted.

**CONSPIRACY AND ORGANIZED CRIME
BETWEEN THE CITY OF WARREN AND**

MICHIGAN COURTS REGARDING THE
UNCONSTITUTIONALITY OF THE CITY OF
WARREN ORDINANCES.

Both of the ordinances that we were charged with are clearly unconstitutional and violate our constitutional rights in the most brutal way possible. The City of Warren ordinance of disturbing the peace that Marjana was charged with states the following: "No person shall make, aid, give countenance to or assist in making any improper noise, disturbance, breach of the peace or diversion tending to a breach of the peace, in any place within the city."

The ordinance stated above makes any improper noise a crime regardless of the level of the noise and if there is no disturbing of peace at all.

It gives the city of Warren and the police unlimited power to charge anybody for whatever they interpret as "improper noise".

The City of Warren ordinance of disobeying lawful command that Anthony was charged with states the following:

"No person shall refuse to obey the lawful command of any police officer, member of the national guard of the state, or member of the armed forces of the United States of America. **No person shall fail to disperse when directed to do so by a police officer.**" The bolded part of the ordinance gives the police unlimited power to disperse anyone, anywhere, at any time, and without any reason. This

ordinance violates constitutional rights in the most brutal way possible. You would see ordinances of this nature only in Michigan and nowhere else, no matter how corrupt the State is. We raised the question of the unconstitutionality of the ordinances mentioned above in all Michigan courts and all lower courts in Michigan don't see any problem with the ordinances.

How is it possible that all the judges and Justices in Michigan have no problems with the above-stated ordinances?

This can't happen without an illegal and secret agreement between all the lower courts to decide for the city of Warren.

To begin with, the city of Warren would not have charged anybody with such clearly unconstitutional ordinances before a fair and impartial court, let alone get a conviction. But they know very well that the Michigan courts are fundamentally corrupt and in conspiracy with the government because they are part of that conspiracy.

That means that in Michigan whoever is part of the state conspiracy and the corrupt system can come up with any unconstitutional act undisturbed by the courts.

Let's focus on the legal analysis of the Michigan court of appeals regarding the unconstitutionality of the ordinance of disturbing the peace.

Intentional manipulations and misapplying of the case laws have no limits at all.

To defend the decision denying our claim for the unconstitutionality of the ordinance for disturbing the peace, the Michigan court of appeals referred to *Kovacs v Cooper*, 336 US 77, 78-79.

This case involves a city of Trenton, New Jersey ordinance prohibiting the use on public streets of sound amplifiers that emit "loud and raucous noises".

The city of Trenton ordinance has nothing in common with the City of Warren ordinance of disturbing the peace for 2 reasons.

1). The City of Trenton ordinance applies only in public places and the City of Warren applies anywhere in the City including private property.

2) The City of Trenton ordinance clearly states that it "prohibits the use on public streets of sound amplifiers that emit "loud and raucous noises.".

The City of Warren ordinance makes the "improper noise" a crime regardless if the noise is loud or raucous.

The entire legal argument of the Michigan court of appeals goes on to explain the meaning of the words "improper noise", but does not explain why making an improper noise is a crime, regardless of the volume and whether it disturbs the peace.

That is nonsense.

We don't think that the ordinance of disobeying lawful command needs any other comment other than what we provided in the petition because such an ordinance does not exist in the entire USA.

The presiding judge of the panel of the Michigan court of appeals was judge Jane Beckering, who was recently promoted to federal Judge in Grand Rapids; Michigan.

She lied under oath to the US senate judiciary committee last year when she said that she fights for constitutional rights.

Our case demonstrates quite the opposite.

We are concerned that conspiracy and organized crime in Michigan are taking over the federal institutions in Michigan and the case with Judge Beckering demonstrates that.

CONSPIRACY BETWEEN THE CITY OF WARREN AND MICHIGAN COURTS REGARDING CORRUPTION OF THE JURY

NEW EVIDENCE;

City of Warren attorney Ms. Murphy knew in the jury trial about the traffic ticket that juror Palombo received (see exhibit 3) (page 53 vol 1)

Detail from the jury trial that was taken from the court transcript.

Q: Ms. Murphy: What was it for?

A: Juror Palombo: Speeding, top sign.

Q: Ms. Murphy: Okay Was it on van dyke, it wasn't officer khan was it

A: Ms. Palombo: No, I don't know that name.

Ms. Murphy knew in detail where and who issued the ticket for juror Palombo.

That means she knew that Ms. Palombo would be a member of the jury.

Also as we explained in our petition Ms. Palombo was a former police officer.

The question we have is what interest the city of Warren had in choosing a former police officer in the jury trial in a case that involves police misconduct in the same City?

GROUND 2

MANIFEST OF INJUSTICE.

Warren police arrested us illegally because we refuse to obey the police order to leave the property because they said it was a stop-work order

This case is unprecedented in the entire USA that's why its hard to find precedents that apply in this case

Below is the testimony from arresting officer Harding.

See Transcript (Page 163 vol 1). Exhibit 4

Question from my attorney:

When someone receives a stop work order does that mean they have to immediately leave the premises?

Answer: It was – it was relayed to me by the building inspector.

And the statement continues.

This is alarming.

BUT WAIT: THERE WAS NOT EVEN A STOP WORK ORDER ON THE PROPERTY WHEN POLICE ARRESTED US.

See page 93 vol 2. Exhibit 5

Testimony from the chief building inspector Paul Lize

Question from my attorney:

If he(the building inspector) put a stop work that day would've logged it?

Answer: Yes, sir.

Question; Okey, Do you recall anything, again? I'm coming back to about December 5th, 2016. (THE DAY OF OUR ARREST)

Answer: Right.

Question; Do you remember anything in the computer about that?

Answer: No.

That's why the City of Warren and the 37 District court corrupted the jury because they knew this was not a case for court.

Michigan Court of appeals intentionally misstated the facts when they stated on their opinion. that it was a stop work order on the property at the moment of our arrest.

CONCLUSION.

We respectfully ask this court to grant this petition for rehearing for the reasons stated above with uncontested evidence.

Respectfully submitted,

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