

ORIGINAL

No. 24-7372

IN THE SUPREME COURT OF THE UNITED STATES

FILED  
OCT 31 2025

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SUPREME COURT, U.S.

**GUY CUOMO**  
Petitioner

v.

**UNITED STATES OF AMERICA**  
Respondent

**MOTION FOR REHEARING**

Submitted by:  
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Dated: November 22, 2025

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## **TABLE OF CONTENTS**

Motion for Rehearing .....	1
Certificate of Service .....	3
Certificate of Good Faith .....	4

## **MOTION FOR REHEARING OF ORDER DENYING PETITION FOR WRIT OF CERTIORARI**

(Supreme Court Rule 44.2)

### **TABLE OF AUTHORITIES**

#### Cases

Van Buren v. United States, 593 U.S. 374 (2021) ..... *passim*  
United States v. Valle, 807 F.3d 508 (2d Cir. 2015) ..... *passim*

#### Other Authorities

City & State NY (Apr. 20, 2020) ..... *passim*

Petitioner Guy Cuomo respectfully moves for rehearing of this Court's order entered on October 6, 2025, denying the petition for a writ of certiorari pursuant to Supreme Court Rule 44.2.

**Petitioner was previously represented before this Court by counsel appointed by the United States Court of Appeals for the Second Circuit, and now proceeds *pro se*.**

A New York State official—quoted in the *City & State New York* article—confirmed that the entire New York State unemployment system operates on a centralized state mainframe computer, not merely isolated components. This contradicts the United States' assertion that only "parts of the system were on the 'mainframe.'"

The article documenting this confirmation is available at:

<https://www.cityandstateny.com/policy/2020/04/ny-knew-its-ancient-unemployment-system-needed-upgrades-years-ago/176067/>

This false characterization formed a material factual premise used to support criminal liability under the Computer Fraud and Abuse Act, 18 U.S.C. § 1030, in direct conflict

with the Supreme Court's ruling in *Van Buren* and the Second Circuit's holding in *Valle*.

Rehearing is required to prevent manifest injustice and ensure that a federal conviction does not rest on a materially false factual premise significant to the federal question presented.

Dated: November 22, 2025

Respectfully submitted,



/s/ Guy Cuomo

Guy Cuomo, Pro Se

430 Blossom Ln

Frederick, MD 21701-1267

## **CERTIFICATE OF GOOD FAITH**

I hereby certify that the grounds for rehearing are limited to intervening circumstances of substantial or controlling effect, or to other substantial grounds not previously presented, and that the petition for rehearing is presented in good faith and not for purposes of delay.

Dated: November 22, 2025

  
/s/ Guy Cuomo

Guy Cuomo, Pro Se

## **CERTIFICATE OF SERVICE**

I certify that on November 22, 2025, a copy of this Motion for Rehearing was deposited in the U.S. Mail, first-class postage prepaid, addressed to the Solicitor General of the United States, U.S. Department of Justice, 950 Pennsylvania Avenue N.W., Washington, DC 20530-0001, and to counsel of record for Respondent in the court below, if any.



/s/ Guy Cuomo