

No:25-432

In The

UNITED STATES SUPREME COURT

CARL PUCKETT Jr.,et., al.
Carl Puckett "Pro-Se" and Marcella Puckett
"Pro-Se"

PETITIONERS,

V.

JABBAR ET., AL..

RESPONDENTS

On Petition For Writ Of Certiorari
To The United States Court of Appeals
for the Sixth Circuit (24-5282, 24-5537)

PETITION FOR REHEARING

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PETITION FOR REHEARING ON PETITION FOR WRIT OF CERTIORARI

Supreme Court Rule 44 allows for the rehearing of any judgment or decision of the Court on the merits. Petitions for rehearing must be filed within 25 days after entry of the judgment or decision, unless the Court or a Justice shortens or extends the time. Pursuant to Rule 44.1, petitioners respectfully petition this Court for rehearing of this case. Rule 44.2 specifically permits rehearing of the denial of a petition for writ of certiorari based on “intervening circumstances of a substantial effect or to other substantial grounds not previously presented”

I. GROUNDS FOR GRANTING THIS PETITION

(1) Petitioners had filed (2) Motions for recusal at the time of filing their original Petition for Writ of Certiorari. The U.S. Supreme Court erroneously denied the Petitioner for Writ of Certiorari without first addressing the recusal motions before it. The U.S. Supreme Court erroneously denied Appellant’s Petition for Certiorari on 12/15/2025 without justified opinion/specific reason for the denial. The Court did not address or decide the questions presented in the Petition for Certiorari and did not reveal what metrics or standard of review the Court of Appeals should have employed or what standards this Court itself used.

(2) The rehearing should be granted due to intervening circumstances of the U.S. Senate oversight committee report findings of autopen use as to President Biden’s signature on executive orders,

pardons and presidential documents as void (Appendix Vol. 1), The committee's findings that support the petitioner's contentions was unavailable and released after the initial filing of the original petition and has a controlling and substantial effect on the issues previously presented in the original petition.

The Rehearing and grant of Appellant's Certiorari requests is mandated because resolution of these unaddressed issues has important, outcome determinative implications for the issues presented in this petition and for future cases in which similar constitutional and judicial ethics questions will arise. Therefore, as per Rule 44.2, Petitioner invokes the grounds for granting this Petition, as presented in subsequent Sections, which include overlooked meritorious points and extraordinary intervening circumstances of a substantial or controlling effect, that were not previously presented.

The "proper role of the judiciary" is "to apply, not amend, the work of the People's representatives." *Henson v. Santander Consumer USA Inc.*, 137 S. Ct. 1718, 1726 (2017). This court has routinely ruled that every word within a statute is there for a purpose and should be given it's due diligence "*where congress includes particular language in a section of the statute it is generally presumed Congress acts intentionally and purposely in it's inclusion*" *Russello V. United States*, 464 US 16, 23, 78 L. Ed. 2d 17, 104 S. Ct 296 (1983).

BACKGROUND AND INTERVENING

**CIRCUMSTANCES OF A SUBSTANTIAL
EFFECT AND OTHER SUBSTANTIAL
GROUNDS NOT PREVIOUSLY PRESENTED**

The appellate court's adherence to the district court's flawed logic, particularly their shared refusal to acknowledge the meticulously documented exhibits that were required to be considered as a part of the complaint under FRCP 10(c) and the deliberate disregard for the mandate to take judicial notice under Federal Rules of Evidence 201, constitutes a grave disservice to the principles of due process, and violates the petitioners constitutional due process rights.. This pattern of deliberate obfuscation and the wholesale adoption of the defendants misrepresentations, as laid bare in the appendices that were statutorily required to be noticed, reveals a systematic effort to circumvent established legal procedure and silence legitimate claims. The Sixth circuit's swift issuance of a mandate, in clear violation of it's own FRAP 40(d)(1), further exemplifies this pattern of suppression, aiming to prevent any meaningful review and effectively sweeping the petitioner's well-supported allegations of fraud upon the court under the rug.

The Fifth and Fourteenth Amendments guarantee a party's right to be heard and to due process. When documented irrefutable facts are suppressed, and misrepresentations are adopted as fact. This fundamental right is not merely infringed, it is obliterated. This court's supervisory role is precisely to ensure that such egregious departures from established legal principles of law and constitutional

guarantees do not go unchecked, thereby preserving public confidence in the fairness and impartiality of our courts.

The Sixth Circuit's denial of the petition for rehearing issued on July 5, 2025 represented a continued abdication of its duty to uphold constitutional principles. That denial even after the mandate was recalled by the very same panel that rendered the flawed decision, underscores the entrenched nature of this judicial stone walling. The subsequent, and frankly audacious, edit of the docket to suggest the petition for rehearing sought to be heard before by the original three judge panel, the petitioner's were claiming constituted an improper quorum rather than an en banc review as was clearly delineated with their petition, further illustrates the lengths to which the sixth circuit improper quorum panel would go to conceal its misdeeds and maintain the improper quorum. This deliberate manipulation of the record, coupled with its refusal to rule on the petitioner's request for a stay to seek certiorari, demonstrates a systematic disregard for due process and a clear intent to obstruct lawful review.

The implications of the Sixth Circuit's actions extend far beyond the immediate plight of the petitioners. They signal a dangerous precedent where lower courts can flagrantly defy Supreme Court rulings, manipulate procedural rules, and shield themselves from accountability through claims of immunity. The very integrity of the federal judiciary and by extension the public's faith in the rule of law is at stake. If such blatant disregard for constitutional

mandates and procedural fairness is permitted to stand, the judiciary risks becoming a toll of political influence rather than an independent arbiter of justice, a scenario reminiscent of the very historical abuses the constitution was designed to prevent.

The meticulous adherence to statutory requirements, particularly the clear and unambiguous mandate of 3 U.S.C. 301 is not a mere bureaucratic formality. It is a constitutional safeguard, a critical link in the chain of legitimacy that binds the executive to the judicial branch. The Senate oversight committees report delineating widespread and undocumented use of an autopen for presidential signatures (App I) in this case addressing the judicial nominations and commissions, especially in the absence of clear, informed consent and proper recordation as required by the statute raises profound questions about whether these appointments were ever lawfully constituted. If indeed these nominations and commissions are void (as was the committee's findings as to executive orders and pardons App. I), then any panel of judges appointed through such a flawed process, including the one that heard the petitioner's case, can only be considered an improper quorum. This, in turn, renders any decision rendered by such a panel null and void, creating a judicial cascade of invalidity. The integrity of the judiciary, the public's faith and trust in its impartiality, hangs precariously in the balance.

Judge Bloomkatz was part of the improper quorum tainted by the foundational infirmities of the nomination and commission subject to the the use of

the auto pen for the president's signature rendering these documents null and void due to the statutory requirements of recordation under 3 U.S.C. 301 in addition to the subsequent findings of the Congressional oversight committee "Barring evidence of executive actions taken during the Biden presidency showing that President Biden indeed took a particular executive action, the Committee deems those actions taken through use of the autopen as void." (App. I)

This would also apply to Judge Ritz who also continued to represent the defendants after his nomination and commission issued without proper recordation under 3 U.S.C. 301. The memorandum referenced and attached to the original petition, penned by Scalia and Rehnquist, underscores the necessity for explicit and clear documentation in accordance with 3 U.S.C. 301 when such significant duties by the president are delegated. The absence of stringent adherence to the statute, as argued, transforms an intended exercise of authority into a voidable act, or worse a void one. The lack of proper documentation, statutory authorized persons to whom the act can be delegated and proper recordation in the federal register as mandated by 3 U.S.C. 301 creates a gaping hole in the legitimacy of over 200 judicial appointments including judge Ritz and Judge Bloomkatz.

Moreover the presence of a judge on a panel whose own commission may be subject to such fundamental questions of validity, is presented as a direct violation of the constitutional framework, thereby constituted an improper quorum.

Furthermore the very notion of “senior judges” while seemingly a pragmatic solution to judicial workload, is being used as a tool for political weaponization and has eroded the constitutional requirements for an independent judiciary. The statutory framework, originally designed for the efficient administration of justice, appears to be, being exploited for political gain, allowing for the prenomination of successors before an actual vacancy exists. The argument then pivots to the very concept and definition of the word “Vacancy” within the judicial system. This practice, as argued directly contravenes the Appointments clause of the constitution, thereby undermining the separation of powers and potentially influencing the composition of the judiciary for partisan advantage corrupting the founding fathers safeguards clearly set forth to maintain its independence. The integrity of our courts and indeed the constitution itself, demands a rigorous examination of these practices and a clear delineation of lawful authority, lest the very foundations of our republic could be permanently and adversely compromised.

The petitioner’s assertion that the president’s executive branch statutory authority to nominate a successor to a retiring judge under 28 U.S.C. 371 is unconstitutional if exercised prior to an actual vacancy strikes at the heart of procedural regularity. If such a nomination is deemed null and void from its inception due to this premature action without statutory authority, then any judicial panel that includes a judge appointed under such questionable circumstances is,

by definition, an improper quorum.

Petitioners vehemently challenge the constitutionality of senior judges, particularly citing the case of Judge Gibbons. Her participation on the panel, was an egregious conflict of interests given her former law clerk's representation of the opposing party during and after her insistence of his appointment to her seat in order to follow through with vacating the seat. These premature and directly unconstitutionally influenced premature nominations to fill vacancies, paint a clear picture of a judiciary manipulated for political gain, mirroring historical instances like the Judiciary Act of 1801.

CONCLUSION

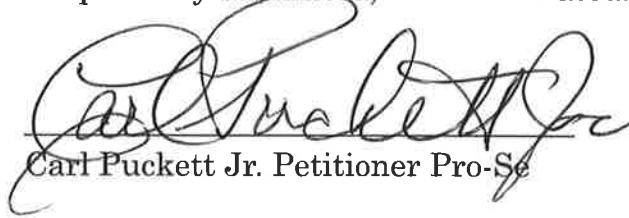
Due to the intervening findings of the Congressional Oversight Committee the report of which is attached hereto in its entirety as Appendix I, and its unavailability to support the issues within the petition at the time of its filing, this court's granting of the Petition for Rehearing is warranted. The Petition for rehearing presents an opportunity for the Supreme Court to reaffirm its statutory and constitutional role as the ultimate guardian of the constitution and to restore confidence in the judicial branch by ensuring that all of its members are lawfully appointed and operate within the constitutional bounds they took an oath of office to uphold and the principle of good behavior enshrined within the constitution.

The Petition for rehearing presents the intervening findings of congress and is an urgent matter of public interest concerning the people's confidence and trust of

the judiciary and its ability to remain independent and not politically and corruptly influenced. Therefore, this honorable court's intervention is not merely requested , but profoundly necessary. The constitutional principles of due process, the sanctity of judicial precedent, and the fundamental integrity of the American justice system are all at stake. Without the Supreme Court's exercise of its supervisory powers, the current trajectory suggests a judiciary increasingly detached from its constitutional moorings, vulnerable to political manipulation, and ultimately a disservice to the very people and the constitution it is sworn to protect.

Respectfully submitted,

Dated: 01/02/2026



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