

SUPREME COURT OF THE UNITED STATES

No. 25-6865

ROBERT ANDREW MULLINS,

Petitioner,

v.

UNITED STATES, et al.,

Respondents.

PETITION FOR REHEARING

(Pursuant to Rule 44.2)

Robert Andrew Mullins
Petitioner Pro Se
1073 Eastgate Drive
Provo, Utah 84606

Petitioner respectfully seeks rehearing on the ground that the Court may have **overlooked a material legal issue not fully presented prior to conference**, and may have acted **without the benefit of Petitioner's superseding supplemental brief**, which was mailed April 7, 2026 but not received before conference. Petitioner **Certifies this petition for rehearing is presented in good faith and not for delay**.

The superseding filing clarified a **distinct legal question** that was not previously presented in this posture. This petition therefore identifies **substantial grounds not previously presented within the meaning of Rule 44.2**.

This case does not present a conventional suppression claim. It presents a **question concerning the enforceability of a federal statutory command**.

Under **18 U.S.C. § 2515**, unlawfully intercepted communications “shall not be received in evidence in any trial, hearing, or other proceeding.” The statute is categorical.

The question presented is whether that command may be **effectively nullified where the government withholds the information necessary to identify the unlawful interception prior to a guilty plea**, thereby preventing the defendant from invoking the statute at all.

Petitioner does not seek retrospective suppression. He contends that he was **unable to invoke § 2515 in the first instance**, because the unlawful nature of the evidence was not disclosed prior to the plea. As clarified in the superseding supplemental brief, this case thus raises whether the government may avoid a federal statutory prohibition by withholding the facts necessary to trigger its application.

This Court has not squarely addressed that question. In **United States v. Ruiz**, the Court considered disclosure obligations concerning impeachment material, not whether nondisclosure may foreclose invocation of a **statutory exclusion rule governing the legality of the prosecution itself**.

If nondisclosure may operate in that manner, the statute's force depends on executive disclosure rather than legal command, raising concerns under the Supremacy Clause and this Court's precedents requiring courts to give effect to federal law.

Because the Court may have acted without the benefit of the superseding submission, and because that submission clarifies a distinct and unresolved question of federal law, rehearing is warranted.

Respectfully Submitted,
Signed: /s/ Robert Andrew Mullins
1073 Eastgate Drive
Provo, Utah 84606
Petitioner Pro Se

Dated: July 9, 2026

PROOF OF SERVICE

I, Robert Andrew Mullins, certify that on July 9, 2026 as required by Supreme Court Rule 29, I have Served the enclosed Petition for Rehearing on every party's counsel as listed below, and on every other person required to be served, by United States First Class mail to the following:

Solicitor General of the United States

Room 5616
Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Utah Attorney General

Utah Attorney General's Office
160 East 300 South, 6th Floor
Salt Lake City, Utah 84111

I declare under penalty of perjury the foregoing is true and correct.

Executed on this 9th day of July 2026

Signed: /s/ Robert Andrew Mullins

Service was made by:

- ☒ U.S. Mail
☒ First-Class Mail
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