

IN THE SUPREME COURT OF THE UNITED STATES

ATHANAELO LOUIS JR.
Petitioner

S.C. U.S. DC case No: 25-7091

vs.

Fed in GA case No: 24-12418-J

Fed in FL case No: 1:22-cv-23776-KM

STATE OF FLORIDA
Respondent

ON PETITION FOR WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS, FOR THE ELEVENTH CIRCUIT

PETITION FOR REHEARING OF THE ORDER DENYING
THE PETITION FOR WRIT OF CERTIORARI

Petitioner Athanael Louis JR. proceeding Pro-se Respectfully petitions this court For rehearing of this order dated May 26, 2026, denying the petition For writ of certiorari. This petition complies with supreme court rule 44.2.

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SUPREME COURT, U.S.

Is/ Athanael Louis JR.
ATHANAELO LOUIS JR.
DC # G60041
Holmes Correctional Institution

3142 Thomas Drive
Bonifay Florida, 32425

DATE: June 11, 2026

CERTIFICATE OF GOOD FAITH

I, Athanael Louis Jr. certify that this petition for rehearing is restricted to substantial ground not previously presented or intervening circumstances of substantial effect is presented in good faith and is not delay

REASONS FOR GRANTING REHEARING

This court should grant rehearing and the petition for writ of certiorari because the question presented involves a recurring and important issue of Federal law concerning the proper scope of the "Doctrine of chances" and its relationship to the prohibition on character/propensity evidence under Federal rule of evidence 404 [b]. Lower courts, including the eleventh circuit, continue to apply this doctrine in a manner that effectively eviscerates the core protections of rule 404 [b], creating confusion and constitutional violations in criminal trials nationwide

1. The petition presented substantial grounds not fully addressed in the denial the core question presented was:

Whether the doctrine of chances, which purports to differ from character evidence because it is based on the objective probability that similar incidents coincidentally repeat themselves, can logically support the inference that all of the incidents were a product of design.

This is not a routine state evidentiary matter. It is a fundamental issue of Federal evidentiary law that arises repeatedly in Federal habeas review of state convictions and in Federal prosecutions. The petition cited extensive scholarly authority (Melilli, Imwinkelried, Rothstein, Morris) demonstrating that the doctrine is being misapplied as a vehicle for prohibited character reasoning. This court's review is warranted to clarify the doctrine's narrow probabilistic limits and prevent its misuse to convict based on propensity.

2. The doctrine of chances as applied below collapses into impermissible character evidence.

As detailed in the original petition, the state's use of collateral crime evidence combined with the "doctrine of chances" allowed the jury to infer that because petitioner was allegedly involved in multiple similar incidents, all must have been intentional acts by him. This reasoning directly violates rule 404(b)(1)'s prohibition on using other acts to prove character and action in conformity therewith.

The doctrine, properly understood, only permits a limited inference regarding the improbability of coincidence for specific incidents. It does not logically support the broad inference that every incident was the product of design by the same person. As scholars have noted, extending the doctrine this far rests on an impermissible assumption about the defendant's character ("he did it before, so he must have done it again"). This creates an "evidentiary paradox" that lower courts have failed to resolve consistently.

3. The need for this court's guidance has only grown.

Since the filing of the original petition, the misapplication of this doctrine continues to produce unjust outcomes in criminal cases. The eleventh circuit's affirmance exemplifies a broader trend in which courts treat the doctrine as a near-blanket exception to rule 404(b), rather than a narrowly cabined tool of logical relevance. This court is the only body positioned to provide uniform national guidance on this important Federal question.

Rehearing is appropriate because the denial of certiorari leaves in place a flawed application of Federal evidentiary principles that undermines the fairness of criminal trials and the constitutional rights of the accused.

CONCLUSION AND PRAYER FOR RELIEF

For the foregoing reasons, petitioner respectfully requests that this court grant rehearing, grant the petition for writ of certiorari, vacate the judgment of the Eleventh circuit, and remand for further proceedings consistent with a proper understanding of the doctrine of chances and Federal Rule Evidence 404(b)

RESPECTFULLY SUBMITTED

15/ ~~AbouXimil~~ B.P

ATHANAELOUS JR

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