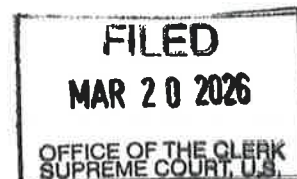


No. 25-803



IN THE  
SUPREME COURT OF THE UNITED STATES

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**PETITION FOR REHEARING**

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In re: ANDY DESTY,  
*Petitioner-Appellant.*

**ON PETITION FOR A WRIT OF MANDAMUS  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT- APPEAL No. 25-11538-D**

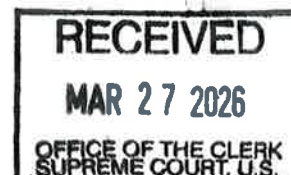
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ANDY DESTY  
*Sui Juris of Record*  
227 Spring Creek Way,  
Douglasville, GA 30134  
(404) 957-2969  
[godkeyboard@gmail.com](mailto:godkeyboard@gmail.com)

*Representing Self as Petitioner in propria persona and not for Delay*

March 18, 2026

24027609-1: is Petitioner's Document Number  
Under the Seal of the United States of America,  
Department of State, Office of Authentications.



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**QUESTIONS FOR REHEARING**

Pursuant to 28 U.S.C. § 1291, does the Court of Appeals for the Eleventh Circuit have jurisdiction of appeals from all final decisions of the district courts of the United States?

Have the decisions or primary holdings in *Goldberg v. Kelly*, 397 U.S. 254 (1970); and *Mathews v. Eldridge*, 424 U.S. 319 (1976) been repealed?

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## LAWFUL AUTHORITIES WITH DEFINITIONS INVOLVED

### CASE LAW DECISIONS QUOTE:

*Goldberg v. Kelly*, 397 U.S. 254 (1970)

*“Procedural due process requires a full hearing before welfare benefits are terminated, since the individual interest in these benefits greatly outweighs the interest of the government in summary adjudication.”*

*And that:*

*“A pre-termination evidentiary hearing is necessary to provide the welfare recipient with procedural due process. Pp. 397 U. S. 264, 397 U. S. 266-271.”*

*Mathews v. Eldridge*, 424 U.S. 319 (1976)

*“Procedural due process must be evaluated by using a balancing test that accounts for the interests of the affected individual, the interest of the government in limiting procedural burdens, and the risk of erroneously curtailing individual interests under the existing procedures, as well as how much additional procedures would help reduce the risk of error.”*

## CONSTITUTIONAL CLAUSES WITH DEFINITIONS INVOLVED

*The Due Process Clause*, U.S. Constitution Amends V, XIV.

In this matter:

*“No individual or person shall be **deprived** of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.”*

***The Equal Protection Clause***, U.S. Constitution Amend. XIV.

In this matter:

*“No state shall deny to any person or any one within its jurisdiction the equal protection of the laws.”*

***The Privileges and Immunities Clause***, Article IV § 2 Cl.1 of the U.S. Constitution.

In this matter:

*“The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.”*

***The Full Faith and Credit Clause***, U.S. Const. Article IV § 1.

In this matter:

*“Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.”*

**STATUTORY PROVISIONS IN QUESTION**

28 U.S.C. § 1291, 42 U.S.C. § 1983, 12 U.S.C. § 84 (a)(1)



**PETITION FOR REHEARING  
ON PETITION FOR AN EXTRAORDINARY WRIT**

This matter was appealed to the Court in good faith for several constitutional issues raised in this matter and the violation of due process of law. And, Petitioner-Appellant, Andy Desty, *in propria persona*, respectfully submits his petition for rehearing of an order denying his petition for an extraordinary writ (his Writ of Mandamus) under this Court's Rule 44.2 in good faith and not for delay.

The grounds of this petition for rehearing are limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented in the writ docketed No. 25-803.

The Court erroneously denied the Petitioner's writ of mandamus on March 9, 2026, without detailing or articulating any specific reasons, opinions, or investigation for the denial.

An answer and consideration by a Justice or an assistant Justice of the Court for this rehearing is therefore necessary to secure and maintain uniformity of the Court's decision in this matter.

The Court must exercise its jurisdiction established under Article III of the Constitution of the United States to review decisions in this matter taken by the lower courts without due process of law, which cannot conflict with similar decisions of the Court in *Goldberg v. Kelly*, 397 U.S. 254 (1970) and in *Mathews v. Eldridge*, 424 U.S. 319 (1976).

The Court did not indicate or remand to the lower court any Procedural Due Process or **any** additional proceedings for them to conduct or apply to resolve the issue that was brought before them before reaching out to a final decision, especially when they concluded their decision without giving an opportunity to all parties to present evidence and to be heard in person, which violates procedural due process.

An answer and granting of this petition for rehearing are mandated as resolution of the unaddressed constitutional issues have important, outcome determinative implications for the serious issues presented in this petition.

Therefore, Petitioner invokes the grounds for granting this Petition **pursuant to** Rule 44.2, as presented in subsequent Sections, which include overlooked meritorious points and extraordinary intervening circumstances of a substantial or controlling effect or to other substantial grounds that were not previously presented.

### **GROUND FOR GRANTING PETITION**

1. This petition is limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented in the outcome of this writ.
2. The Court of Appeals for the Eleventh Circuit has jurisdiction of appeals from all final decisions of the district courts of the United States pursuant to 28 U.S.C. § 1291.
3. The Petitioner-Appellant, Andy Desty, claimed his property and interests have been taken without just compensation in violation of the Due Process Clause.

4. The opposing party in this case, Exeter Finance, LLC, claimed that, as a private national bank, its credit was given to the Petitioner-Appellant, Andy Desty, in a consumer credit transaction that took place in a dealership in Marietta, Georgia, United States on January 2, 2024. And for this reason, Petitioner-Appellant, Andy Desty, demanded the opposing party, Exeter Finance, LLC to present evidence with both parties' signatures to the lower courts showing that the opposing party actually has this standing in the lower courts, and that 12 U.S.C. § 84 is not violated. And this too shall remain inviolate.
5. As a result of the ground stated above, nothing from the opposing party, Exeter Finance, LLC has been presented in the lower courts showing its signature and the signature of the Petitioner-Appellant to prove jurisdiction in this matter.
6. The opposing party in this case, Exeter Finance, LLC has repossessed a property with the Petitioner-Appellant's name on marked as the owner of the property. And property is still under the possession of the opposing party without the owner's consent and without due process of law.
7. Petitioner-Appellant, Andy Desty, invokes all the grounds for granting this Petition under this Court's Rule 44 as the petition complies with all the instructions indicated in the Court's Rule.
8. The opposing party in this matter, Exeter Finance LLC, was not supposed to take possession of a private property without authorization from Congress or the Constitution of the United States. (See *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579 (1952) for evidence)
9. The Due Process Clause of the Fifth and Fourteenth Amendments of the Constitution of the United States

made it clear that “**No individual or person shall be *deprived* of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.**”

10. The opposing party, Exeter Finance LLC, does NOT have any contract with the Petitioner-appellant, Andy Desty.

11. Compensation is due under the Due Process Clause.

12. This Court condemns violations of the Due Process Clause.

13. The lower court’s decision of violating due process of law for the purpose of depriving Petitioner-Appellant, Andy Desty, of life and property and boosting the economic development of the opposing party in this case, satisfied the Petitioner to use the requirement of the Fifth Amendment of the Constitution of the United States.

**STATEMENT OF THE ISSUES ASSERTED**  
**TO MERIT REHEARING**

**On January 2, 2024**, A consumer transaction took place that involved the Petitioner-Appellant, Andy Desty, and the dealership named AutoNation Nissan Marietta, located at 925 Cobb Parkway SE, Marietta, Georgia 30060 Tel: 770-422-4546. The transaction contained signatures involved the Petitioner-Appellant, Andy Desty, and CFS Director of the AutoNation Nissan Marietta, Holly Handelman. There was no contract between Petitioner-Appellant, Andy Desty, and Exeter Finance LLC. *See* 48 C.F.R. § 4.102(c)

The opposing party in this matter, Exeter Finance LLC, does not have any right under the law to repossess a property that

has the Petitioner-Appellant's name on it marked as the owner without due process of law. There was no authorization from Congress given to the opposing party to cause such action, nor any authorization from any lawful decisions taken by any court of the United States allowing this Takings.

For the reason set forth, this petition for rehearing must be granted to remand to the lower court for further proceedings as the lower court must identify the significant legal mistakes or procedural error in its decision.

It is therefore reasserted that an extraordinary remedy or compensation for the past flagrant errors, and damages brought in this matter due to the opposing party, Exeter Finance LLC's erroneous acts, with all the suffering and pain endured by the Petitioner-Appellant, Andy Desty, the Court must respectfully and immediately grant this petition for rehearing without having Petitioner to wait to initiate a separate lawsuit on Exeter Finance, LLC.

**STATEMENT OF ANY FACTS NECESSARY TO  
ARGUMENT OF THE ISSUES FOR REHEARING**

**Fact 1-** The Court of Appeals for the Eleventh Circuit shall have jurisdiction of appeals from all final decisions of the district courts of the United States pursuant to 28 U.S.C. § 1291.

**Fact 2-** The opposing party in this matter, Exeter Finance LLC, never presented to the lower courts its standing to prove jurisdiction in this matter. And the fact that the lower court knows what is happening by refusing to provide a fair hearing for both parties to present evidence in that court is wrong. And that is why this petition for rehearing must be

granted to remand to the lower court to take action based on instructions for procedural due process.

**Fact 3-** Petitioner-Appellant, Andy Desty, cannot be deprived of life, liberty or property without due process of law, nor shall his private property be taken for private public or economic use without just compensation. (**The** Fifth Amendment of the Constitution of the United States)

**Fact 4.** The opposing party, Exeter Finance LLC, made it clear in writing that it gave its credit to the Petitioner-Appellant, Andy Desty, therefore, Exeter Finance LLC must provide evidence to the courts with its signature where and how it ended up loaning its credit to Petitioner-Appellant, Andy Desty, and not its money proving the limit of 15 per centum of the unimpaired capital and unimpaired surplus of the Exeter Finance LLC in relation to the total value of the property purchased by the Petitioner-Appellant, Andy Desty, according to 12 U.S. Code § 84 (a)(1).

### CONCLUSION

Petition for rehearing must be granted.

Respectfully submitted and signed on March 18, 2026.



By: \_\_\_\_\_

Andy Desty  
227 Spring Creek Way  
Douglasville, Georgia 30134  
[godkeyboard@gmail.com](mailto:godkeyboard@gmail.com)

**CERTIFICATE OF GOOD FAITH  
OF PARTY UNREPRESENTED BY COUNSEL**

**Pursuant to** the Supreme Court of the United States Rule 44, I, Andy Desty, hereby submit this petition for rehearing in good faith and not for delay of an order denying a petition for an extraordinary writ.

I further certify on this 18<sup>th</sup> day of March 2026, under penalty of perjury that this petition for rehearing is true and correct and is based on the grounds that are limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented.

Respectfully submitted and signed on March 18, 2026.



By:

---

Andy Desty  
227 Spring Creek Way  
Douglasville, Georgia 30134  
[godkeyboard@gmail.com](mailto:godkeyboard@gmail.com)



No. 25-803 .

IN THE  
SUPREME COURT OF THE UNITED STATES

**PETITION FOR REHEARING**

In re: ANDY DESTY,

*Petitioner-Appellant,*

**ON PETITION FOR A WRIT OF MANDAMUS  
TO THE UNITED STATES COURT OF APPEALS - ELEVENTH CIRCUIT  
FROM U.S.C.A. APPEAL No. 25-11538-D**

**CERTIFICATE OF COMPLIANCE**

UNDER PENALTY OF PERJURY, I, Andy Desty, Petitioner-Appellant herein, swear and affirm on this 18<sup>th</sup> day of March 2026 that this Petition for Rehearing on Petition for Writ of Mandamus is true and correct and therefore contains 2,213 words and complies with the word limitation established by Rule 33.1(g)(1) of the Rules of this Court. The Petition is further submitted under the Rules of this Court in good faith and not for delay, Rule 44. due to my ability and evidence of the facts presented to this Court with the applicable laws stated thereof.

*Representing Self as Petitioner in Good Faith and not for Delay*



Andy Desty, *in propria persona*, Petitioner-Appellant.



**No. 25-803**  
IN THE  
**SUPREME COURT OF THE UNITED STATES**

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In re: ANDY DESTY,  
*Petitioner-Appellant.*

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**PETITION FOR REHEARING**

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**On Petition for a Writ of Mandamus to the United States Court of Appeals,  
Appeals No. 25-11538-D**

**CERTIFICATE OF SERVICE**

UNDER PENALTY OF PERJURY, I, Andy Desty, Petitioner-Appellant, hereby swear and certify on this 18<sup>th</sup> day of March 2026 that all parties required to be served have been served with copies of the Petition for Rehearing of an order denying a Petition for an Extraordinary Writ, the Petitioner's Writ of Mandamus.

Further, I certify that copies were signed by me and mailed to all parties required to be served via First Class Mail under the Rules of this Court, Rule 29.3 to the referenced contact below:

**SUPREME COURT OF THE UNITED STATES**

Office of the Clerk  
1 First Street, NE  
Washington, DC 20543-0001

**EXETER FINANCE, LLC.**

c/o Alan D. Leeth, Georgia Bar No. 472031.  
BURR & FORMAN LLP / [aleeth@burr.com](mailto:aleeth@burr.com)  
1075 Peachtree Street NE, Suite 3000  
Atlanta, GA 30309  
Tel: 404-815-3000

**U.S. COURT OF APPEALS 11<sup>TH</sup> CIR.**

c/o Office of the Clerk  
56 Forsyth Street, NW  
Atlanta, Georgia 30303  
Tel: 404-335-6100



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Andy Desty, *in propria persona*, Petitioner-Appellant.

