

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 01-15754-A

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
JAN 25 2002
THOMAS K. KAHN
CLERK

IN RE:

MARCELLUS M. MASON, JR.,

Petitioner.

On Petition for Writ of Mandamus to the United States
District Court for the Southern District of Florida

BEFORE: BLACK, BARKETT and MARCUS, Circuit Judges.

BY THE COURT:

Petitioner's "motion for reconsideration and clarification" of this Court's December 5, 2001, Order, is DENIED as Petitioner has offered no reason sufficient to warrant either reconsideration or clarification of this Court's Order.

ELEVENTH CIRCUIT CASE NO. 01-15754

THE NO REHEARING SLIGHT OF HAND

Federal Rules Appellate Procedure 40

(2) Contents. The petition must state with particularity each point of law or fact that the petitioner believes the court has overlooked or misapprehended and must argue in support of the petition. Oral argument is not permitted.

One of tricks the Eleventh Circuit uses is to deny a petition or appeal and offer no reason. For example in Case No. 15754, a mandamus petition, in denying the mandamus petition the court simply stated:

The "petition for writ of mandamus and petition for writ of prohibition" is DENIED."

Consequently, when you file your motion for rehearing the Eleventh Circuit can simply say:

"Petitioner has offered no reason sufficient to warrant either reconsideration or clarification of this Court's Order."

You can not "state with particularity each point of law or fact that the petitioner believes the court has overlooked or misapprehended", if the court never states its reason in the first place.

GREAT TRICK, ISN'T IT?

IN THE UNITED STATES COURT OF APPEALS

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IN RE:

MARCELLUS M. MASON, JR.,

FILED U. S. COURT OF APPEALS ELEVENTH CIRCUIT DEC 05 2001 THOMAS K. KAHN CLERK

Petitioner.

On Petition for Writ of Mandamus to the United States
District Court for the Southern District of Florida

BEFORE: BLACK, BARKETT and MARCUS, Circuit Judges.

BY THE COURT:

The "petition for writ of mandamus and petition for writ of prohibition" is DENIED.

Petitioner's "emergency motion for stay pending review" is DENIED AS MOOT.

Petitioner's motions to strike are DENIED.

Related Background Information:

This document is part of a series in which gross misconduct by Judge Donald L. Graham and Magistrate Frank Lynch Jr. is documented at <http://secretlaw.com>, <http://donaldlgraham.blogspot.com>, and <http://geocities.com/mcneilmason>. These websites allege and **document** gross misconduct which would otherwise be incredulous and beyond belief. These websites demonstrate that federal judges will lie to protect themselves and each other and conceal their misconduct through the use of unpublished decisions. Please refer members of the legal community to the websites <http://secretlaw.com>, <http://donaldlgraham.blogspot.com>, and <http://geocities.com/mcneilmason>.

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