

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

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Marc Perkel / Church of Reality,)	Motion for Reassignment
)	
Petitioner,)	Case Number: 08-74457
)	
vs.)	
)	
US Department of Justice)	
)	
Drug Enforcement Administration)	
)	
Respondent)	

MOTION FOR REASSIGNMENT OF REHEARING TO A NEW PANEL

Petitioner request the court assign a new three judge panel and prohibit the original panel from deciding his pending Petition for Rehearing / Rehearing en banc. In support of his motion the Petitioner states:

1. The original panel ignored the fact that this was a case that required strict scrutiny. Petitioner contends that a strict scrutiny case requires the decision be longer than 2 paragraphs. Petitioner further contends that a strict scrutiny case requires that the decision mention the strict scrutiny standard.
2. The panel ignored the fact that this was a case of first impression.
3. The panel ignored over 90% of the issues raised on appeal.
4. The Petitioner believes that the number of errors from this panel is so great that it raises the question as to if the panel actually read the case, or if the panel is prejudiced against pro

1 se litigants, or if there is a religious bias against the Church
2 of Reality.

3 5. The decision marginalizes, trivializes, and disrespects the
4 Petitioner, his religion, and his cause. The Petitioner requests
5 a panel that will take his cause seriously and invest the
6 attention and thoughtfulness it deserves.

7 6. The Petitioner reminds the Court that litigants have the same
8 right to be heard whether they are a famous attorney or a meager
9 individual representing himself.

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11 Wherefore, because the first decision was so grossly mishandled the
12 Petitioner requests reassignment and requests that because this is a case of
13 first impression and because this is a case of strict scrutiny that the Court
14 choose a panel that is best suited to handle a case of great importance.

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17 Dated this 16th day of February 2010

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Marc Perkel
7498 Chestnut St.
Gilroy CA. 95020
415-987-6272
marc@churchofreality.org

23 This document was served on all parties through the courts ECF system.