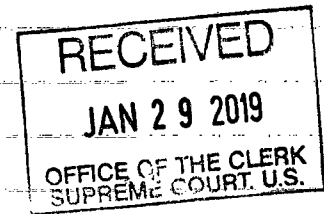


SUPREME COURT OF THE UNITED STATES

NO. 3018-1018

LT 3RD DCA

CARLOS, VILLAVICENCIO
"PETITIONER"



STATE OF FLORIDA
"RESPONDENT(S)"

PETITION FOR REHEARING

1) PETITIONER CARLOS, VILLAVICENCIO PURSUANT TO RULE 44.6 OF THE RULES OF THE SUPREME COURT PETITIONS THE COURT FOR REHEARING OF ITS ORDER DENYING A PETITION FOR A WRIT OF CERTIORARI BASED ON SUBSTANTIAL grounds NOT PREVIOUSLY PRESENTED.

1) THE REASONS FOR GRANTING THE PETITION'S CERTIORARI, IS TO PREVENT A CONTINUATION OF INJUSTICE, WHERE THE FACTS OF THE CASE LAW'S, RULES AND THE UNITED STATES CONSTITUTION HAVE BEEN UNDISPUTEDLY VIOLATED AS A MATTER OF LAW" by THE STATE OF FLORIDA.

2) THUS THE FACTS OF THIS CASE SHOW A CLEAR DENIAL, OF DUE PROCESS OF LAW, AND A FUNDAMENTAL ERROR by TRIAL COURT. JUSTICE MANDATES THAT THE PETITIONER BE FORTHWITH DISCHARGED WHERE THE TRIAL COURT JURISDICTION WAS DIVESTED AFTER THE SPEEDY TRIAL TIME HAD WELL EXPIRED STATE V WILLIAMS 791 SO 2d 1088 (Fla 2001)

STATEMENT OF CASE

3) THE PETITIONER FILED A WRIT OF CERTIORARI IN THIS COURT ON OCTOBER, 23, 2018.

4) ON NOVEMBER 8, 2018 THE WRIT WAS RETURNED TO THE PETITIONER AS THE PETITION FAILED TO COMPLY WITH THE CONTENT REQUIREMENTS OF RULE 14.1.(A) THE COURT ORDERED THAT THE PETITIONER CORRECT THE DEFICIENCIES AND RESUBMIT THE PETITION WITHIN 60 DAYS.

5) ON NOVEMBER 19 2018, ELEVEN DAYS LATER THIS COURT ENTERED AN ORDER DENYING THE WRIT.

6) THE PETITIONER ASSERTS THAT THIS COURT PRECIPITOUSLY, DENIED THE CLAIM WITHOUT AFFORDING THE PETITIONER THE OPPORTUNITY TO COMPLY WITH THE NOVEMBER, 8 2018 ORDER. THEREFORE, THE PETITIONER PRAYS THIS COURT TO REOPEN HIS CASE AND ALLOW HIM TO SUBMIT A PROPERLY FILED WRIT OF CERTIORARI.

7) THE GRANTING OF THIS MOTION WILL NOT PREJUDICE, THE RESPONDENT IN ANY WAY. BECAUSE THE SPEEDY TRIAL TIME IS TRIGGERED AT THE POINT OF ARREST, AS A MATTER OF LAW STATE MAY NOT REFILE CHARGE BASED ON THE SAME CONDUCT AFTER THE SPEEDY TRIAL TIME HAS EXPIRED. THEREBY DEVESTATING, THE TRIAL COURT OF JURISDICTIONS AND ENTITLING PETITIONER TO BE DISCHARGED.
STATE VS WILLIAMS 791 502d 1088

CERTIFICATION

PURSUANT TO RULE 44.6 OF THE RULES OF
THE SUPREME COURT PETITION CARLOS,
VILLAVICENCIO CERTIFIES THAT THIS PETITION
FOR A REHEARING IS PRESENTED IN GOOD
FAITH AND NOT FOR DELAY:

1-22-19

DATED

RESPECTFULLY SUBMITTED
/s/ CARLOS VILLAVICENCIO #A-401897
DC NO

CARLOS, VILLAVICENCIO
OKALOOSA CORRECTIONAL, INS-
TITUTION 3189 COLONEI
GREG MALLOY ROAD
CRESTVIEW, FLORIDA

32539

Provided to
Okaloosa Correctional Institution

on 1-22-19 PG- -

for mailing, by CV