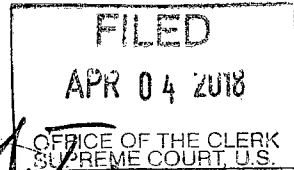


No. 18-7343 **ORIGINAL**
TO BE ASSIGNED

U.S. COURT OF APPEAL (11TH Cir.) Case No.: 2017-10040A
U.S. DISTRICT COURT (Southern District) Case No.: 16-Cv-24105
L.T. Case No.: 10-7915CA01
3RD DCA NO.: 3D16-0044



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IN THE

SUPREME COURT OF THE UNITED STATES

ALBERIC ISRAEL- PETITIONER
(Your Name)

vs.

CITY OF NORTH MIAMI POLICE CHIEF CLINT SHANNON
DET. JOE KISSEL, A.S.A. HELEN PAGE - RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEAL FOR THE ELEVENTH CIRCUIT
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

ALBERIC ISRAEL, DC#M58911
(Your Name)

DADE CORRECTIONAL INSTITUTION
1900 SW 377TH STREET
FLORIDA CITY, FL 33034
(Address)

QUESTION(S) PRESENTED

I. WHETHER Manifest Injustice has OCCURRED IN COURT'S MIS-CONSTRUING OF APPLICABLE STATUTE OF LIMITATIONS BAR ON TIME LIMITATIONS OF PREVIOUSLY FILED MOTIONS (DENIALS' WITHOUT PREJUDICE) CLAIMS DERIVING FROM a MARCH 3, 2006 "NORTH MIAMI" POLICE, "INCIDENT REPORT" INVOLVING HIS THEN "MINOR" CHILDREN (UNLAWFUL DETAINMENT)... DENIAL OF CONSTITUTIONAL RIGHTS THAT HAS RESULTED IN THE LOSS OF LIBERTY.

II. WHETHER a Manifest Injustice HAS OCCURRED IN RESPONDENT'S/ FAILURE TO "RETURN" PROPERTY"... THAT WAS COURT ORDERED TO RETURN TO PETITIONER ERRONEOUSLY APPLYING THE STATUTE OF LIMITATIONS (BAR) TO HIS CLAIMS. DENIAL OF A CONSTITUTIONAL RIGHT/S THAT HAS RESULTED IN THE LOSS OF PROPERTY.

LIST OF PARTIES

☒ All parties appear in the caption of the case on the cover page.

☐ All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

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TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

ESTELLE V. GAMBLE, 429 U.S. 97, S. CT. 285 (1976)	
HAINES V. KERNER, 404 U.S. 519, 520-21 (1972)	
DAVIS V. MONROE COUNTY Bd. OF EDUC., 120 F.3d 1390-3, (11TH CIR.)...	
BELL ATLANTIC CORP. V. TWOMBLY, 127 S. CT. 1955 (2007)	
LO CONTE V. DUGGER, 847 F. 2d 745, 750 (11TH CIR. 1988)	
CERT. DENIED, 488 U.S. 958, 109 S. CT. 397 (1988)	
NETTLES V. WAINWRIGHT, 677 F. 2d 404 (5TH CIR. 1982)	
NADIER V. PRESICKA, 314 F. 3d 528, 531 (11TH CIR. 2002)	
OWENS V. OKURE, 488 U.S. 235, 240-1, 109 S. CT. 573, 577 (1989)	
CHAPPELL, 340 F. 3d at 1283	
ROZAR V. MULLIS, 85 F. 3d 556, 561 (11TH CIR. 1996)	

STATUTES AND RULES

768.28(6)	
95.11(3)(b)	
SUPREME CT. RULES (27.2)	
SUPREME COURT RULE 3 (b)	
11TH CIRCUIT 41-4	

OTHER

CHAPTER 33, SECTION 33-210.102(8)(b)	
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IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☒ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished.

☒ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix C to the petition and is

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished.

The opinion of the ELEVENTH JUDICIAL CIRCUIT court appears at Appendix C to the petition and is

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished.

JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was OCTOBER 24, 2017.

☐ No petition for rehearing was timely filed in my case.

☒ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: FEBRUARY 15, 2018, and a copy of the order denying rehearing appears at Appendix A.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☒ For cases from **state courts**:

The date on which the highest state court decided my case was AUGUST 25, 2016. A copy of that decision appears at Appendix C.

☒ A timely petition for rehearing was thereafter denied on the following date: JUNE 6, 2016, and a copy of the order denying rehearing appears at Appendix C.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

U.S.C.A. CONSTITUTIONAL AMENDMENT 6TH, 8TH, 14TH

42 U.S.C. § 1983

28 U.S.C. § 1915(c)(2)(i) & 1915(A)(b)(1)

28 U.S.C. § 1254(1)

28 U.S.C. § 1257(a)

STATEMENT OF THE CASE

1. THIS TORT DERIVES FROM TWO(2) INCIDENTS...

ONE (1) OCCURRING ON MARCH 3RD, 2006 AND THE OTHER ON OCTOBER 4TH, 2006. THE INCIDENTS THOUGH EXTRINSICALLY DERIVING FROM THE PLAINTIFF'S ARREST DATE ON (NOVEMBER 16TH, 2005) THE ACTUAL ACCRUE DATES OF PLAINTIFF CLAIMS... BEGIN ON THESE TWO RESPECTIVE DATES (MARCH 3RD, 2006 & OCTOBER 4TH, 2006) SEE: ~~APPENDIX~~ "G".

2. PLAINTIFF FILED A PROPER "NOTICE OF INTENT" TO SUE... WHICH COURTS HAVE CONTINUED TO MISPLACE WITH INACCURATE ACCRUE DATE(S) AND CAUSING OF PETITION TO BE ERRONEOUSLY BARRED BY STATUTE OF LIMITATIONS.

3. PLAINTIFF HAS YET TO HAVE HIS CLAIM DETERMINED ON THE MERITS.

4. ERRONEOUSLY, NOT ACKNOWLEDGING ALL COURT PROCEEDINGS (DERIVES FROM ONE COURT CASE NUMBER, LOWER TRIAL CASE # F05035807. SEE: ~~APPENDIX~~ "I")

REASONS FOR GRANTING THE PETITION

TO PREVENT A MANIFEST INJUSTICE AND
AFFORD PLAINTIFF HIS DUE DATE IN COURT WITH
PROPER LITIGATION OF HIS CASE . . . WITH THE
EXTENDED COURTESY OF THE SIXTH AMENDMENT RIGHTS/
"EFFECTIVE ASSISTANCE OF COUNSEL CLAIMS". AND
ERRONEOUS BAR OF TIME LIMITATION, [STATUTE OF LIMITATION]
INCORRECT RECITALS) . . . EMPHASIS ADDED :

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

X

Date: DECEMBER 7TH 2018, ^{AT} JANUARY 2, 2019