

EXHIBIT

# Supreme Court of Florida

TUESDAY, JULY 3, 2018

CASE NO.: SC18-191

Lower Tribunal No(s).:

2D17-129;

521997CF008283XXXXNO

CARLTON E. GARY

vs. STATE OF FLORIDA

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Petitioner(s)

Respondent(s)

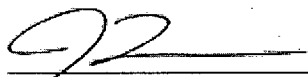
This cause having heretofore been submitted to the Court on jurisdictional briefs and portions of the record deemed necessary to reflect jurisdiction under Article V, Section 3(b), Florida Constitution, and the Court having determined that it should decline to accept jurisdiction, it is ordered that the petition for review is denied.

No motion for rehearing will be entertained by the Court. *See* Fla. R. App. P. 9.330(d)(2).

CANADY, C.J., and LEWIS, QUINCE, POLSTON, and LABARGA, JJ., concur.

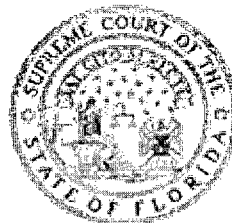
A True Copy

Test:



John A. Tomasino

Clerk, Supreme Court



db

Served:

DAWN A. TIFFIN

CARLTON E. GARY

HON. MARY BETH KUENZEL, CLERK

HON. KEN BURKE, CLERK

HON. PHILIP JAMES FEDERICO, JUDGE

# EXHIBIT

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING  
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
SECOND DISTRICT

CARLTON E. GARY, DOC #038343, )  
 )  
Appellant, )  
 )  
v. )  
 )  
STATE OF FLORIDA, )  
 )  
Appellee. )  
\_\_\_\_\_ )

Case No. 2D17-129

Opinion filed November 15, 2017.

Appeal pursuant to Fla. R. App. P.  
9.141(b)(2) from the Circuit Court for  
Pinellas County; Philip J. Federico,  
Judge.

Carlton E. Gary, pro se.

PER CURIAM.

Affirmed.

LaROSE, C.J., and SLEET and ROTHSTEIN-YOUAKIM, JJ., Concur.

—C: The lower tribunal did not whether the record to refutes the Appellant Claim on Dr. Sidney.

J. Merin. report on pg. 2 and 7 Exhibits. use a written letter by Ms. Riggins. and documents made by the victim to her evaluation of Mr. Gary. Appellant. This is a violation to the Constitutional Rights of due process of law. Section 90.403. This Trial Court on rules or record do not refutes Appellant Exhibit filed in this Appeal. Fla. R. App. P. 9.130(a)(5).

—D: This Court on case law state clear to go by face of the record. See Ashley v. 614 So.2d 486 (Fla. 1993); Marckman v. 34 FLWD 101 (Fla. 2d DCA 2009). And the record from the Trial Court did not send inly copy to the Appellant Claim for a Exhibit or the Clerk sent inly Exhibit copy. So Appellant Gary is request for a Appeal Records.

—E: This Court can see that the Exhibit filed in this Appeal. and rule made by this District Court of Appeals to the constitutionally rights and law of Florida, to due process. by Dr. Sidney J. Merin. a violation; Fla. R. App. P. 9.800.

**Additional material  
from this filing is  
available in the  
Clerk's Office.**