

No. \_\_\_\_\_

IN THE

SUPREME COURT OF THE UNITED STATES

Donald Isaiah

(Your Name)

— PETITIONER

Julie Jones vs. See  
Dept Corrections

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO United States  
Supreme Court Washington D.C. 20543  
United States court of appeals 11th circuit Atlanta  
Georgia

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Donald Isaiah

(Your Name)

10650 S.W. 46th Street

(Address)

Jasper Florida 32052

(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

Will this Supreme Court overrule *State v Weeks*  
166 So 2d 892, 895 (Fla) 1964 Could be retroactive?  
Common Day, "Matter" needs purging Free from  
providence. A parallel years, Push the thought of  
mandate, its really a distinction to life. Primary  
charges first still in existence... needs freeing  
from also

## 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:

1. (FIA) Supreme Court <sup>1</sup> State v Weeks  
166 So 2d 892, 895 1964 Id At 897 in  
Question
2. 11th circuit court of appeals Atlanta  
Georgia Judgement on Primary
3. Northern District court, United States  
Pensacola Florida

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APPENDIX C 19th Judicial circuit Southern District of Florida case # 562009 CF 3036 B CM/ELF Files

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# TABLE OF AUTHORITIES CITED

## CASES

1. *State v Weeks* 166 SO 2d 892 895 (Fla) 1964 Ed at 897.
2. *Steed v Head* 219 F 3d 1298 1300 11th Cir 2000. The burden of establishing entitlement resting with petitioner
3. *Drew v Dept of Corrections* 297 F 3d 1278, 1286 11th Cir 2002 post conviction matter civil
4. *Miller v Elvcockrell* 537 U.S. 322 123 S Ct 1029 (2003) Standard for COA.
5. *Slack v McDaniel* 529 U.S. 473 484 2002, reasonable jurist would find the district court Assessment of Constitutional claim debateable or wrong
6. *Putnam v Head* 268 F 3d 4223, 1241 11th Circuit 2001 If State court Applied a rule that contradicts United States Supreme Court
7. *State ex rel Butterworth v Kenny* 714 SO 2d 404, 408 (Fla) 1998 meaningful Assess

## STATUTES AND RULES

## OTHER

# Table of Authorities

By the constitution petitioner of Florida  
Application in writ of Certiorari is in  
regards to A controlling CASE, CASE #  
166SD 2d 892, 895 (FIA) 1964 State v  
Weeks. Admittedly there are those  
who seem to Advocate A form of socia  
lization, With a socialist system In  
favor to one to show cause, Show  
cause "2015" District court Docket #  
2:15-cv-14266 RLR and to bring together  
the greatest masses good for the greatest  
number, A form of democracy. In 2016  
While everyone was being tested with  
Populace (gov, institutions, organizations  
private and per person with stress test.  
Then in 2017 And 2018 A different Extra  
Not Ordinary Avenue for his or her right  
to speak one's mind in a country founded  
on the very principles. Also in light of the  
legal profession that would provide govern  
ment supplied legal services from the  
to the tomb So when in Question its not  
What's in him in case petitioner's but  
operating in what manner with claims  
of issuance order. See case reference  
2:15-cv-14266 RLR District court Docket  
#, Also in appeal # 18-10159B from 11th  
Cir Its against rules to be put in retrospect  
ive, Not retroactive. Fortunately up to  
this point such a process of Judicial  
has not attracted general Judicial  
endorsement! Until mandated otherwise  
we have the Supreme court in (FIA)  
have no' intention of relegating

existing precedents to the limbo of a  
Jurisprudential graveyard. To at  
897. With conflict and distrust in case  
for a fundamental flaw in the system.  
Should be addressed in language and  
expressed in favor of this. Written in  
Bold to reopen case in 1 year's time  
frame. Petitioner addressed the 11th Cir  
that showing Extra not Ordinary not  
Ordinary circumstances. Steady Head  
219 F3d 1298 1300 11th Cir 2000 The  
Burden of establishing entitlement to  
this extra not Ordinary remedy rested  
with the Petitioner. In Petitioner case  
the burden of Extra not Ordinary remedy  
rested with petitioner never seeking anything  
extra, but just establishing Prof. Hurt  
is Drew v Dept of Corr 297 F.3d 1278  
1286 11th Cir 2002 As well as A postconviction  
matter is civil Petitioner against  
State of Florida # 3:18-cv-335 RV-CJK.  
Both had to demonstrate due in light

#1 That he has been pursuing his rights diligen  
tly #2 That some extra<sup>not</sup> Ordinary circum  
stance in Drew v Dept of Corr 297 F  
3d 1278 1286 11th Cir 2002 case but  
in Petitioner Extra Not Ordinary in case  
Now from the panel Petitioner was  
seeking A favorable order... Authorizing  
the District court to consider A  
second or successive petitioner for A  
 writ of Habeas corpus. Such  
Authorization may be granted only

NO merits just dismissed  
Turist found  
debatable  
at max stage  
see  
trial  
transcript  
submitted  
to 11th Cir  
never  
return

if (A)(B)(C)(D) are met in the 11th  
Cir. The 11th Cir Dismissed from  
lack of Jurisdiction issued mandate  
with the right to redress according  
to timing 11th Cir R 27.2 Issued  
Judgement on May 11th 2018 Now with  
Judgement in reiteration where  
Application relies on dates which  
to timing created by state action  
in violation of the Constitution. The  
dates on which the constitutional right  
was initially recognized by the Supreme  
Court And (due to petitioner's language  
and term, the dates on which the  
factual predicate of the claims present  
ed, where discovered through the exercise  
of due diligence. Prior Application raised  
claim wherein Issues on which C.O.A  
is sought point and fact. In the US  
Supreme Court decision in Miller v Ew  
cockrell 537 US 322 123 S Ct 1029  
(2003) the court clarified the standard  
standards for issuance of C.O.A But  
also in fact (given Slack) Id 123 S Ct  
At 1034 citing Slack v Mc Daniel 529  
U.S. 473 484 (2000) Where a district  
court has rejected the constitutional  
claim on merits the showing required  
to satisfy 2253 (C) is. Straight forward  
the petitioner must demonstrate that  
reasonable Jurist would find the  
the district courts Assessment of the  
constitutional claim debatable or  
wrong. Again show cause District

CASE #2:15cv4266 RLR. In total  
petitioner insufficient First 3850 initial  
motion that was dismissed due to  
extensive string of case law and un  
clear to the trial court lead to the  
District court for appeal and also  
due to fact that a post conviction  
motion is also a civil matter. petitioner  
clarified Isaac didn't indicate why  
application relied on Newly Discovered  
at the trial court, reasons as such On a  
lower level of proceeding see Evans v  
Chavis 546 US 189 197 (2006) In settled  
it was held that only a timely appeal tolls  
A.E.D.P.A.'s 1 year limitation period for the  
time between the lower courts adverse  
decision and the filing of a notice of  
appeal in the higher courts. Where law  
establishes what is required in post  
conviction relief proceedings whether  
capital or non capital is that the  
defendant have meaningful access to  
the judicial process State ex rel  
Butterworth v Kenny 714 So 2d 404  
408 (Fla 1998) In fact also where  
petitioner tried to show cause after  
a show cause was issued on a newly  
discovered claim, but due to the penal  
system petitioner was heard and time  
and again. In so much the district  
court not setting out the judgement  
in a separate document so Mr.  
Isaac had until Wed August 20th  
2017 to file a notice of appeal.

Mailing privilege see Exhibit, One  
worded went to the 11th Cir, which  
still in time here for years A. Ed. P. A's  
limitation. With Exhibit showing of  
information with doubt. So in favor of  
and rule in Part to the Supreme  
court decision in Miller E. V. Cockrell  
537 US 322/23 Set 1029 (2003) where  
Isaiah was legally insufficient for  
failing to be sufficient, clear and  
specific with fact at trial Judge  
causing Prejudice About Jurisdiction of  
reason. Id at 1039 Citing *Barefoot*  
*v Estelle* 463 US 880 (1983)  
Meaning Petitioner does not have to  
prove that district court was wrong  
because it was clear to see that  
the Petition was thought about otherwise  
from Show cause from District court  
Due to Slack and Jurisdiction the  
Petitioner prays that the Supreme court  
find the District court Assesment  
from there court of the Constitution  
claims wrong years later. In Definitively  
as the Florida Supreme court has  
expressed but under Petitioner  
language term. 1st sought remedies  
From Injunctions to do away with  
sentence, Emergency release 2nd  
Whatever the Court deems for a  
Jurisprudential graveyard without  
a mandate issuing order, Matter  
in dualist thinking matter regarded  
as opposite mind

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.  
*On Primary Charges but issue Writ relief Order for both matters primary and one in Question*  
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 11th circuit court of Appeals; 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 4th District court of Appeals; or,  
☒ has been designated for publication but is not yet reported; or,  
☐ is unpublished. Southern District of Florida  
CASE# 2:15-cv-14266 RLR

☐ 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 19th Judicial circuit CASE# 562009CF3036B; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished. CM/ELF Files

The opinion of the United States District court Northern District of Florida appears at Appendix D to the petition and is 3:18-cv-335-RVCJK court

☐ reported at Docket 12; or,  
☒ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

Appendix E  
1.  
*In showing Exhibits of Extra Not Ordinary CASE*

JURISDICTION

CASE # 18-10157-B

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was March 01, 2018

☐ 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: May 11th 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 March 1, 2017  
A copy of that decision appears at Appendix A.

☐ A timely petition for rehearing was thereafter denied on the following date: By Drawing of United States Appeal Court Judgment, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

☐ 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

Claim by the Constitution. Issues on Which C.O.A. Is  
Sought 11th circuit court of appeals. It Jurists of  
reason could Disagree with the District court  
resolution of petitioners constitution claim or  
Jurist could conclude the issues presented are  
Adequate to deserve Encouragement to proceed  
Further, During trial court stage Jury selection  
Several prospective Jurors voiced their concerns  
(R1: P144-55) Supreme Law in Question also under  
Article VI the United States with treaties  
explaining How prisoners should be treated not  
only on a domestic level but with other country's  
and agreeing to General principles so again will  
the Supreme Court overrule *Stare Weeks* 166 so  
2d 892, 895 (1964) Id at 897 A postconviction movant  
does not have the same panoply of constitutional  
rights? Which are afforded to a defendant in a  
criminal prosecution right. But there's a distinction  
Supreme law in Question. Holding that the petitioner  
right to show there's a fundamental Flaw in a soci-  
alist system can be protected (*Stare decisis*) but  
only to stand by that which is discovered from petition-  
ers. *Termis* knowledge. Defining the Significance in  
What Florida Supreme Court has expressed there  
exists a distinction between the organic entitle-  
ment to counsel in direct criminal prosecutions  
from the claimed right of assistance in collateral  
proceedings. *Stare Weeks* 166 so 2d 892, 895  
(FIA) 1964 Id at 897 Admittedly there are  
those who seem to advocate a form of socialization  
of the legal profession that would provide

government supplied legal services from the cradle to the  
Jail Fortunately up to this point such a process of Judicare  
has not attracted general Judicial endorsement. Until  
mandate otherwise we have no intention of relegating  
existing precedents to the limbo of a Jurisprudential  
graveyard. So what weight is due to stare decisis when  
evaluating the distinction between Entitlement to living  
A constitutional right. So pursuant to law and which  
He argues amongst the difference in Hopes that the court  
not only rule to the rule in which Its Governed but to  
Law and its term Violations of the United States  
Constitution, Black Letter Law and common Law. Open  
mind for the accumulated wisdom of Judges and courts  
respect for the Roman movement and Petitioners Dreams.  
Not a power struggle Jurisdiction to Jurisdiction but  
in regards to futile Respect to David Souter magistrate  
Susan in in the 90's method of reading. Now with Po-rum  
Matter distrust spirit uncommon needs purging Free  
From Charge prominence Wherefore Free from Socialist  
Thinking Supreme Law in Question Also under Article VI  
The United States with treaties explaining How prisoners  
Should be treated not only on a domestic level but  
with other Country's and Agreeing to General principles  
so again Will the Supreme Court overrule State  
V Weeks 166 So 2d 892, 895 (1964) Id at 897

STATEMENT OF THE CASE

No one's above the Law! But this is a legal case, When striking with indistinguishable facts... Wherefore with Federalism 11th circuit appeal court gives Jurisdiction with Putnam v Head 268 F. 3d 1223, 1241 11th circuit 2001 Also on a lower level with Facts its clearly seen Where the Judge issued a writ then now became inorganic. A faction working against my main body also causing faction conflict within a Organization, Respondant FIA Dept of Corrections therefore needs interventionism due to Good Cause. Pardon repeat to make America Great, Clarification or release from Further punishment of a crime

## REASONS FOR GRANTING THE PETITION

Reason Such as, When issuing verdict as well as  
Judgement it was on petitioners to assert violations.  
Again Such as Trust of reason and doubt at trial  
Stage and also appeal levels When Highest court  
applied (rule) of writ in District that contradicts  
the United States Supreme Court case law.  
Petitioner also applied law concerning postconviction  
Matters being civil as well in Whishes that one  
of two coup de graces be ruled on for relief liberty  
due to all Human Beings. Knowing what the Framers  
intended so with this, I only imagine now for it  
not to be inorganic this petition is not to have a  
passer struggle but with Humility that where the  
petitioner receives relief Although Contraversal  
there's still the right to liberty sought through due  
diligence. Primary there's the discovery of downward  
departure code of plea Now After the show cause and  
Traverse the question is not what's in him but opperating  
and issuing Judgement who? and what depriving matter  
is the distinction. When tryn to see, again sought  
remedies Immediate New trial For the circumstance  
by view. Termination of the case in light of terms  
what lies in the body (Faction) so in favor to the stream  
line. Petitioner will not mislead with this card but in  
hopes of the Justice League knowing that Petitioners  
is pro-se with this misfortune (injury) this doesn't  
continue to be a case of exploitation but direct view  
The Genius of the Constitution rest not in any static  
meaning it might have had in a world that is dead and  
gone but in Adaptability of its Great Principles to cope  
with current problems and current needs.

William Brennan

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Donald S. Isarah

Date: July 27th 2018