

Copy

In The
Supreme Court of the United States
October : Term 2019
110.19-6184

Legal Mail
Received
DEC 19 2019
Dade Ct.

Chavalier Duwayne Johnson Sr.
Petitioner,

- against -

RECEIVED
JAN 29 2020
OFFICE OF THE CLERK
SUPREME COURT, U.S.

FNU SPERSON LARS, et al. Okeechobee Co.
Florida Department of Corrections et al. v.agg.
FNU Warden Snyder: A.W.P. Mr. Garnet: Paxton
Captain R. Coleman: Dr. Nichols: A.R.N.P.: William Bass
Nurse Carla Mosley: Sgt. K. KRODIN: Sgt. Davis: Wright S.
Knight's: Mitchell's: Grier's: McIntosh: Ophons:
PRAScott: Judy Kemp:
Respondents,

Petition for Rehearing of an Order Denying
a Petition for a Writ of Certiorari Filed
within 25 days after the date of the order
of denial paragraph 1 Supreme Court Rule 44.

Chavalier Duwayne Johnson Sr.
Dade Corrections Institution
19000 S.W. 377th Street
Florida City, Florida 33034-6709
Pro Se Litigant

RECEIVED
DEC 27 2019
OFFICE OF THE CLERK
SUPREME COURT, U.S.

U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

CERTIFICATE OF INTERESTED PERSONS
AND CORPORATE DISCLOSURE STATEMENT (CIP)

(Southern District of Florida, Inc. v. FBI, No. 99-10035-C) Appeal No. 99-10035-C
11th Cir. R. 26.1-1(a) (enclosed) requires the appellant or petitioner to file a Certificate of Interested Persons and Corporate Disclosure Statement (CIP) with this court within 14 days after the date the case or appeal is docketed in this court, and to include a CIP with every motion, petition, brief, answer, response, and reply filed. Also, all appellees, intervenors, respondents, and all other parties to the case or appeal must file a CIP within 28 days after the date the case or appeal is docketed in this court. You may use this form to fulfill these requirements. In alphabetical order, with one name per line, please list all trial judges, attorneys, persons, associations of persons, firms, partnerships, or corporations that have an interest in the outcome of this case or appeal, including subsidiaries, conglomerates, affiliates, parent corporations, any publicly held corporation that owns 10% or more of the party's stock, and other identifiable legal entities related to a party.

(please type or print legibly):

Enclosed Certificate of Interested Person

Judges: Northern, E. Jose United States District Court

Patrick R. White, Magistrate

Attorney: Johnson & Wayne Chariton 99-10035-C

Freedom 3:

Doan William, P.R.A.P. Fla. Dept. of Corr.

Brown, J. Fla. Dept. of Corr.

Glenn, Officer, Fla. Dept. of Corr.

Coleman, R. Captain, Fla. Dept. of Corr.

James, Sgt. Fla. Dept. of Corr.

Casert, Asst. Fla. Dept. of Corr.

Grant, Fla. Dept. of Corr.

Cashman, Fla. Dept. of Corr.

Certificate of Interested Persons and
Corporate Disclosure Statement (CIP)

Green Fla. Dept. of Corr.
Grice Fla. Dept. of Corr.
Harris L.T. Fla. Dept. of Corr.
Harris Sgt. Fla. Dept. of Corr.
Lugo General Lee 1-206-238-4997
Kemp Judy Classification officer Fla. Dept. of Corr.
Knight Fla. Dept. of Corr.
Lester Sgt. Fla. Dept. of Corr.
Lynn Fox Marino Capt. Fla. Dept. of Corr.
Marshall Tabatha Fla. Dept. of Corr.
McIntosh Fla. Dept. of Correctional.
McNeil Fla. Dept. of Corr.
Mitchell Fla. Dept. of Corr.
Morley Carla Nurse Fla. Dept. of Corr.
Nichols Doctor Fla. Dept. of Corr.
Ophants Fla. Dept. of Corr.
Paxton Fla. Dept. of Corr.
Prescott Fla. Dept. of Corr.
Reveron Warden FND Fla. Dept. of Corr.
Simon Fla. Dept. of Corr.
Sizemore Sgt. Fla. Dept. of Corr.
Snyder FND Warden Fla. Dept. of Corr.
Snyder Captain Fla. Dept. of Corr.
Telford Officer Fla. Dept. of Corr.
White Fla. Dept. of Corr.
Wright Fla. Dept. of Corr.

Associations of Persons: Other information: 1-257-336-1113 employee.

1-313-486-1533; 1-405-406-1537; Bureau 1169 for file; polygraph
8134; contract 8294357; Warden pen D-18; gear 2168 Ph. 1-012-359
...; contract 8334587; 1-306-453-1888; Case No. EF415376; Bureau 1908;
211-437-1256; Police, 212; 202; 200; 218; 216; 210;

Certificate of Interested Parties and Corporate Disclosure Statement (CIP)

Corporations: As with respect to private operations of state correctional facilities and 944.105 Bidders, any individual, partnership, corporation, or unincorporated association that submits a proposal with the department to construct, lease or operate a private correctional facility.

Subsidiaries:

Insurance liability 944.713 F.S. Violations of an innately civil rights by an insurance agency licensed in the state pursuant to 287 FS. Private vendors any individual, partnership, corporation, or unincorporated association bound by contract with the department to construct, lease or operate a private correctional facility. Vendors for the purchase and assumption of operations.

Conspicuous:

Commission; Correctional system all prisons and other; Lease-purchases agreement means installments sales contracts; Secretary means Secretary of Corrections Mark S. Luch; Money or other property received for personal use.

Affiliates:

Parent Corporation, including any publicly held corporation that owns 10% or more of the party stock and other legal or identifiable legal entities related to a party:

Fin. Dept. of Corp. Other information re.

Certificate of Interested Persons and Corporate
Disclosure Statement (CIP)

Search engine 9114328; 1.485-666-1527 or 1524; Social sec. 227-26-1533; 1.257-268-2553; member 1121587;

41206 Fla. Dept. of Corr. policy 215689; 1.808-439-4532;
655 N.W. 63rd Street Okaloosa Fla. search engine 9114328; 2181539;
staff: 26914278; 2274561;

1.407-418-4236; 407153...; search engine K8845239; RD54681;
member 11745368; form 11536 or form: 10642; Fla. Dept. of Corr.

H960: 41066; 41028; 40843; 209-257-2263; ROAR 1.485-667-1523;
social sec. 282-45-9238; or 4238; Jeeid 4121553; awarded 9031620
dirs 21589; folio 20215; 1.222-486-1537; Notice 51843;
H960: 40735; 41286; officer 1671533; member 98843276;

Initials D.A.F. guest Fla. Dept. of Corr. 21583; Garrett 4193360 Fla. Dept.
of Corr.; Martin County Fla. 1.485-436-4318; Craig or Maria Severin

1.413-513-1337; Rachel Garrett 1.472-466-4722; 1.905-468-4837;
member 103456...; Ylanda, Tonya 4753 N.W. 27th Ave. Mla. Fla.

9061533; 1.444-465-1527; Llanda or Margaret with, initials
R.V.P. 1.485-467-1533; dell computer 01645388; Author:

Browser 1471536; Warden 1.305-666-4537; Tobacco 419-468-1987
citation NO. 2001533; Gina King 005-68-8152...; Repr. 90045; 90217

91745; 91214; file 19843 or 19853; Fla. Dept. of Corrections.
301-666-4523 or 311-666-4523; statement 10186; Warden 257-438-1338;

Fla. Dept. of Corr. 411458 or 2; DNA 8138;

Mrs. Nicholas Hane 1.909-435-1358; d.26. 4-9-1972; 1.219-663-1537;

Fla. Dept. of Corr. 1.257-462-4537; 1.207-663-1538; 1.257-313-4238;
205666153; 1.404-413-4537 Rhonda; 1.222-433-4587; email C40256...

Partnership: 1.809-888-1534; FDX 209667;

Dexford Medical Group;

Centerion Medical Group;

Table of Contents

Page No.

Certificate of Interested Parties
Table of Cited Authorities

C1 of 5
1, 2, 3

Constitutional Provisions
Statutes, Treaties, and
Other materials with
references to the pages in
the documents where such
authorities are cited...

4, 5, 6

Appendix to documents
Preceded by a table of
content that provides
a description of each
document in the appendix

7

All references to a prov-
ision of Federal Statutory
law should ordinarily
be cited to the United
States Code, if the prov-
isions has been codified
therein. In the event the
provisions has been not
classified to the,

United States Code,
Citations should be to the
Statutes at Large...

8

Alternative citation
provided all relevant.

Particular reason why
those citations are necessary
to the argument and relev-
ant...

9, 10, 11, 12, 13.

14

Table of Cited Authorities Page No.

<i>Campbell v. Gikro</i> , 169 F.3d 1253, 1263 (11th Cir. 1999).	9, 17
<i>Charles Allen Wright et al. Federal Practice and Procedure</i> § 3068, 2 (3d. ed. 2014).	21
<i>City of Canton v. Harris</i> , 489 U.S. 378, 385, 109 S.Ct. 1197, 103 L.Ed.2d 412 (1989).	18
<i>Estelle v. Gamble</i> , 429 U.S. 97, 102-03 (1976).	17
<i>Estelle v. Gamble</i> , 429 U.S. 97, 106 (1979).	17
<i>Farmer v. Brennan</i> , 511 U.S. 825, 834 (1994).	19
<i>Fierman v. Diamond Nat'l Corp.</i> , 345 F.2d 269 (9th Cir. 1965).	17
<i>Gregg v. Georgia</i> , 428 U.S. 153, 173 (1976).	23
<i>Henley v. Johnson</i> , 865 F.2d 790, 794 (1989).	23
<i>Hill v. De Kalb Reg'l Youth Det. Ctr.</i> , 40 F.3d 1176, 1187 (11th Cir. 1994).	17
<i>Lo Conte v. Dugger</i> , 874 F.2d 745 11th Cir. (1986).	23
<i>Matters Grant Surv. Empowered</i> , Jan. 31, 1995, 541 F.2d 323 (3d. Cir. 1976).	19
<i>Moore and Rogers, Fed. Relief from Civil Judgment</i> , 1946, 55 Yale L.J. 623, 653 to 659; 3 <i>Moore's Fed. Proc.</i> 1938, 325; et. seqq.	19
<i>Pelmbaur v. Cincinatti</i> , 475 U.S. 479, 489, 106 S.Ct. 1292, 89 L.Ed.2d. 452 (1986).	18
<i>Pennhurst, supra; Ex Parte Young</i> , 209 U.S. 123, 28 S.Ct. 441, 52 L.Ed. 714 (1908).	18
<i>Purcell v. Toombs County</i> , 400 F.3d 1313, 1319-20 (11th Cir. 2005).	17
<i>Roberts v. United States District Court</i> , 339 U.S. 844, 70 S.Ct. 954, 94 Ed 1326 (1952).	19
<i>RTC v. Hallmark Builders, Inc.</i> 946 F.2d 1144, 1149 (11th Cir. 1993).	23
<i>Ruby v. Secretary of the Navy</i> , 385 F.2d 365 (9th Cir. 1966).	19
<i>Silbermann, Masters and Magistrate Part II</i> .	23
<i>Songbook (Sub Rosenberg)</i> , 437 F.2d 1098 (9th Cir. 1970).	19
<i>Smith v. Wade</i> , 461 U.S. 30, 56, 123 S.Ct. 1625, 75 2d Ed 2d 632 (1983).	18
<i>Thomas v. Arn</i> , 474 U.S. 140, 149 (1965).	23
<i>Trammel v. Reare</i> , 338 F.3d 155, 163 (2d Cir. 2003).	22
<i>United States v. Farley</i> , 238 F.2d 575 (2d Cir. 1957).	19
<i>United States v. Raddatz</i> , 417 L.4477 U.S. 687 1982).	23

Wright v. Sheppard, 919 F2d 665, 670 (11th Cir. 1992).

18

Other Authorities: Statutes: Amendments: Rules: Judgment

Constitutional Laws of the U.S.

42 USC § 1983

4, 18, 21

28 Title USC § 1306; 1292(c)(2) and 1295; 2106; 1451 (Writ);

4, 18

Eleventh Amendment (Sixth Amendment

Eighth Amendment; First Amendment; Fourteenth Amend.

4

Cabrillo County of Los Angeles, 864 F2d 1454, 1461 (9th Cir. 1989).

Mandel v. Doe, 868 F2d 783, 789-90 (11th Cir. 1989).

16

Miller, 384 F.3d at 1261.

18

Morgan v. Hard, 112 F3d 766, 769 (5th Cir. 1997).

19

Added: Johnson v. Hay, 931 F2d 456, 461 (8th Cir. 1991).

16

Due Process Clause of the Fourteenth Amendment to the United States Constitution; Art. III, U.S. Const., Sec. 1-2.

20, 21, 22

Amendment XIV Sec. 1-5; Art. IV, Sec. 3; USC § 1451. Writ.

4, 20, 24

Manifest Injustice

23

Title 2, Title 11 § 201(a)(2)(d) Nov. 26, 2002, 16 Stat. 2337 as amended Pub. L. 112-158; Title 17 § 502(c)(2) Aug. 10, 2012, 126 Stat. 1260 provided.

22

Statement of Notification rule 29.4(b)(2)(C)

30

Title 18 USC § 2246. Physical Injury or the Commission of Sexual Off.

Title 18 USC § 1111, 1112, 1113, 1114, 1119, 2383(a); 1495(a)(1)(2), 2142.

18, 20

Title 28 USC § 2101(c), 2106; 2101(c)

4

Title 28 USC § 1915(c)(2)(B)(i).

Title 28 USC § 1330; 1331; 1332; 1333; 1332, 1330(a)(2)(A)

18, 23

Title 28 USC § 1251. Chapt. 81, 83 Supreme Court Original Jurisdiction

18

Title 28 USC § 1253; 1254. (1)(2)

Title 28 USC § 636-65(b)(1) Federal/Circuit Judge Act, (A)

4, 20, 21, 22; 18, 20, 23

Title 28 USC § 2072(a)(6) 1292; 1295, 1291.

Title 28 USC § 1367. (a)(d) Supplemental Jurisdiction, 1391; 4, 22.

4

Title 28 USC § 2513; 2513(a); 1495. (a)(1)(2).

Title 28 USC § 2403 (b)(2)(C); § 451

USCA § 6701 Acts of Terrorism

48, 28

11th Cir. Rule App. F. 41-4 Mandate: Contents; Issuance; Effect

ive Date: Stay.

11th Cir. Rule App. F. 27-2; Rule 44. Rehearing

23, 25

D.C. Cir. Rule 27(c) [rule 27(c), U.S. Ct. of App. Dist. of Col. 1. *Passive*

Rules of evidence § 5-2: § 6-2 19, 21

Rule 72 (b) Fed. R. Civ. P. 23

Rule 23 (c)(1)(2)

Rule 29.4 (b) or (c) attestation required

Rule 14.1 (e)(iv)

Supreme Court Rule 13: Rule 13.3: Rule 59 20

Federal Rule App. P Rule 25(a)(5): Fed. R. Civ. P. rule 5.2: Fed. R. 15

San. P. 9037: Fed. R. Crim. P. 491: Supreme Court Rule 34.6... 15

F.S. § 770; § 768; § 768; § 768 14

Added: Cited Authorities: Reasons why the citations are relevant, 14

Benjamin v. Malabar, 584 F. Supp. 668, 672 (S.D.N.Y.) 1983 14

DeShaney v. Winnebago County (Dept of Social Services), 489 U.S. 189, 200, 109 S. Ct. 998 (1989). 14

Helling v. McKinney - U.S. - 113 S. Ct. 2475, 2482 (1993). 14

Hoptowitt v. Spellman, 753 F.2d 779, 784 (9th Cir. 1985) 14

LaReau v. Manson, 651 F.2d 96, 108 (2d Cir. 1981). 14

Added: Stated Grounds Briefly and Distinctly and Seemed as required by rule 29. 16

Citations: Procedures: Rules: Statutes

Blair v. Arnworth, 994, Fed 532 (8th Cir. 1993). 25

Fynn v. United States, 75 S. Ct. 285, 95 L. Ed. 1289 (1955). 25

Hurst v. Phelps, 573 Fed 940, 941-42 (5th Cir. 1978). 16

Covedeck v. Pan American World Airways, Inc., 382 U.S. 25, 86 S. Ct. 153, 15 L. Ed 2d 21 (1965)... 25

Kawinsky v. Rosenblau, 929 Fed. 922, 927 (2d Cir. 1991). 16

Per Rehnquist, J. as Circuit Justice. 25

Richard v. Grindus, 434 U.S. 1323, 98 S. Ct. 854 L. Ed. 34 (1977). 25

Supreme Court U.S. Part VIII. 16

Foussaint v. McCarthy, 801 Fed 9t 111-12. 16

U.S. v. State of Michigan, 680 F. Supp. 928, 1008 W.D. Mich. 1987). 16

Procedure: 108.012; 108.015; 302.050. rule 33-103, 019 reprinted 30

S. Ct. Rule 29.4 (b)(c); 28 U.S.C. § 2403. (b)(c); 28 U.S.C. § 451. 25

rule 14.1 (e)(iv)... 25

Rule 39. Form. P. 302.050. 33-103, 019 reprinted 31

Procedures: 108.012; 108.015 (sexual battery); 302.050. 33-103, 019 reprinted 31

Constitutional Provisions, Treaties, Statutes,
Ordinance and Other materials with references
to the Pages in the documents where such authori-
ties are cited.

Page 16

Constitutional Laws of the United States see. e.g. R.I. Gen. L.	
§ 9-5 3.5: Cal. civ. proc. code § 410.10	passim
Constitution of the United States: Amendment XIV section 1. - 5., Article III Section. 1. Section. 2 : Article IV Section. 1. Section. 4., Eighth Amendment	4
First Amendment	4
Sixth Amendment	4, 18
Eleventh Amendment	4, 18
Fourteenth Amendment	4
Civil Rights 42 USC § 1983.: 42 USC § 1997(c)(2).	4, 18, 24
Acts: Criminal Justice Act: Federal Magistrate Act: Decision Act: Acts of Terrorism certified: Under 1020) USC § 6701.: PRO Act 816	
28 USC § 1915 (g) Proceeding in forma pauperis	4, 8, 28, 21
28 USC § 1331. Federal questions	18, 23
28 USC § 1391. Pleadings	passim
28 USC § 1406 (a) Transferred	passim
28 USC § 1291. Final decisions of district courts	passim
28 USC § 1292. Interlocutory decisions	passim
28 USC § 636 Federal Magistrate Act (2001)	4, 20, 21, 23
28 USC § 2255. Federal Custody	passim
28 USC § 1291.	passim
28 USC § 1292.	passim
28 USC § 1293. Repealed	passim
28 USC § 1294. Circuits in which decisions reviewable	passim
28 USC § 1295. Jurisdiction of the U.S. Court of Appeals for Fed. Cir.	passim
28 USC § 1296. Review of Certain Agency Actions	passim
28 USC § 2072. Supreme Court	18, 20, 21
28 USC § 1652. Rules of Decisions Act	passim
28 USC § 2513. Unjust Conviction and Imprisonment	4
28 USC § 1445. (a) (1) (2) Damages for Unjust conviction and imprisonment	4

Fed. R. Civ. Pro. 5.2 Privacy and Security Rule 5.2 19, 21

Fed. R. Civ. Pro. Rule 11 Drawings, Pleading, Motions, Other Papers; pass

Fed. R. App. Pro. Rule 28(j) 28(j) Letter passin

Fed. R. App. Pro. Rule 4 Appeals as of Right passin

Fed. R. Civ. Pro. Rule 24 Interventions passin

FRAP Rule 10(b) Reporters, Transcripts passin

Fed. R. App. Pro. Rule 3 Appeal as of Right - How Taken; passin

Fed. R. App. Pro. Rule 24(c) Appealing from an interlocutory order

denying doc. (25) motion, doc. (31) motion timely filed 3-15-

2008 doc. text entered @ 18:30 EST.... passin

Fed. R. Civ. Pro. Rule 28 (d) Person before whom depositions may be taken

Fed. R. Civ. Pro. Rule 28 (c) Disqualification passin

Manifest Injustice: § 636 (b)(1) Fed. Magistrate Act. 23

Title 18 USC § 1111, Murder § 1112, 1119. 21, 22

Title 18 USC § section 18 (3) Crimes of Violence section 8401,

(17) of Title 5 and any special agents.... passin

Chapter 109-A § 2241. Sexual Abuse, by force or threat or

other means. § 2242, § 2244. Abusive Sexual Contact Title 18 USC 5

Chapter 133 - Review Misc. Provisions § 2107 (c)(2) Title 28 USC

180 days after entry due to reprimand Rule 33-103.017 F.A.C. 31

Chapter 63 Court of Appeals Title 28 USC Filing Dates est.

timeliness of prehearing appeals. passin

Chapter 155 - Injunctions Three Judge's Court section 2281, 2282

2284. passin

Chapter 5 of title 3 under section 454 of title 3 the appropriate

agency as determined under provisions 179 United States Court of

Appeals for the Federal Circuit passin

Florida Department of Corrections:

Procedure: 108.012 Death and Serious Life Threatening Injury Investi-

gation:

Procedure: 602.053 Sexual Battery; Sexual Misconduct; Sexual Abuse:

Procedure: 108.015 Sexual Acts;

Procedure: 302.050 Threats

Procedure:

Procedure: Threats: 302.D5D; 108.D12; 108.D15; 602.D53 1725;

Rule 33-103.D17 Reprisal 1725;

Rule 33-228.D22 Rules of Conduct 17

794.D11 F.S. 17

800.D4 F.S. 17

768.D28 F.S. 17

Pervasive Risk, supported jury findings of....

see, eg. *Cutter v. Dodd*, 279 F.2d at 625 (at least 100 sexual assaults in a.... eg. Charles Allen Wright, et al. Fed. Prac. and Pro. § 3268, 2 (3d ed 2014). 18

Firchau v. Diamond Nat'l Corp., 345 F.2d 269 (9th Cir. 1965). 19

Hodge v. Hodge, 507 F.2d 89 (3d Cir. 1976). 19

Holt v. Ford, 862 F.2d 880, 883 (11th Cir. 1989). 19

When deciding, to appoint counsel the court must consider the legal and factual complexity of the plaintiff's case. Id. Generally no right to counsel exist in § 1983 actions. 19

Appointment of counsel is a privilege justified only by exceptional circumstances. *Idell v. McIVER*, 793 F.2d 1169, 1174 (11th Cir. 1985). 20

Magistrate Judge Patrick A. White 321-2018 (e.m.d.)

N.Y.C.P. L.R. 302 (a),... 20

Uniform Interstate & Int'l Pro Act § 103,... 20

see, N.C. Gen. Stat. § 1-75: 64,... 20

see, eg. N.Y. Mc Minney's C.P.L.R. 6201,... 20

Supreme Court to ensure adequate notice and an opportunity to be heard.... 20

Long Arm Jurisdiction:

This general statutory standard allows the court to stretch their jurisdiction to its furthest possible limits. 20

Ruby v. Secretary of the Navy, 365 F.2d 385 (9th Cir. 1966). 19

Ruiz v. Estelle, 37 F.Supp. 2d 855, 928 (S.D. Tex. 1999) 19

noting the unreporting of sexual assaults because of... Rev'd on other grounds. remanded. 20

Effective and Applicability Provisions 1982 Acts and Pub. L. 97-164 effective Oct. 1, 1982, see sec. 402 of Pub. L. 97-164 set out as a note under sec. 171 of this title. 20

Appendix to documents
Preceded by a table of Content that
Provides a description of each document
in the appendix

Page

Table of cited authorities; Other authorities, Statutes, Amend-
ments; Rules; Judgments; Added Citations; Cited Authorities
with reasons why citations are relevant,

Added, stated grounds briefly and distinctly and
served as required by rule 29. F.DOC procedures,
rules, statutes....

1, 2, 3,

Constitutional Provisions, Treaties, Statutes, Ordin-
ance and Other materials with references to the
pages in the documents where such authorities are
cited....

4, 5, 6,

All references to a provision of federal statutory law
should ordinarily be cited to the United States Code,
if the provisions are or has been codified therein,
in the event the provisions has not been classified to
the United States Code citations should be to the stat-
utes at large. Additional or alternative citations,
provided, all relevant....

8, 9, 10, 11, 12, 13, 14,

Privacy Protection Fed. R. App. P. 25(c)(5)....

15

Stated Grounds Briefly and Distinctly and served as
required by rule 29. Ground One....

16, 17, 18, 19, 20,

Stated Grounds Briefly and Distinctly and served as
required by rule 29. Ground Two....

21, 22, 23, 24,

Stated Grounds Briefly and Distinctly and served as
required by rule 29. Ground Three....

25, 26,

Statement of Notification required by rule 29.4(b)(2)(c)....

27

Conclusions

28

Certificate of Service, Proof of Service, Affidavit... Oath....

29

All references to a provision of Federal Statutory law should ordinarily be cited to the United States Code, if the provision has been codified therein. In the event the provision has not been classified to the United States Code citations should be to the Statutes at Large. Additional or Alternative citation provided, all relevant.

Acts of Terrorist certified under 102(c) U.S.C.A. § 6701. Treatment of Terrorist assets, notwithstanding any other provision of law and except as provided in subsection (b)

L. of this note 1

Pub. L. 107-297 Title 11 § 201 (a) (b) (c) Nov. 28, 2002, 16 Stat. 2339, as amended.

Pub. L. 112-158 Title 1 § 502 (c) (a) Aug 10, 2012 126 Stat. 1260-provided.

Statement of Notification required by rule 29.4 (b) or (c) pursuant to 28 USC § 2403 (b) or (c).

Constitutionality of a Act of Congress drawn into question 28 USC § 2403 (a) Solicitor General of the United States, as defined by 28 USC § 451 the initial document also shall state whether that court, pursuant to 28 USC § 2403 (a) certified to the Attorney General the fact that the Constitutionality of an Act of Congress was drawn up in to question see. Rule 14.1 (c) (v).

Constitutional Laws of the United States see. R.L. Gen. L. § 9-5 3.5 Cal. civ. proc. code § 410.10

Title 18 USC § section 16 (3) Crimes of violence section 8401. (1) of Title 3 and any special agents.

Chapter 109-G § 2241. Sexual Abuse, by force or threat or other means § 2242. codification enacted by Pub. L. 99-654, § 2, Nov. 14, 1986 100 Stat. 3661; § 2241. Abusive sexual contact 18 Title U.S.C.

Chapter 5 of title 3 under section 434 of Title 3 the appropriate agency as determined under provisions 179 United States Court of Appeals for the Federal Circuit.

Section 1605 (a) (1); section 1606 of Title 28. I shall apply to any claim for which a foreign state is not immune under section 1605 (a) (1) of title 28, United States Code arising, before, on, or after the date of enactment of this Act i. Oct. 21, 1998 i.

Additional or Alternative Citations Provided
with particular reasons why citations are relevant.

J

Adams v. Paag, 61 F.3d 1537, 1543 (11th Cir. 1995).

Adams, 61 F.3d at 1543.

Arrington v. Cobb County, 139 F.3d 865, 872 (11th Cir. 1998).

Article III functions.

Ashecroft v. Gabel, 129 S.Ct. 1937 (2009).

Baily v. Board of County Commissioners of Cherokee County, Fl.
956 F.2d 1112, 1122 (11th Cir. 1992).

Baily, 956 F.2d at 1122.

Bd. of County Comm'rs v. Liron, 520 U.S. 399, 403, 117 S.Ct.
1382, 137 L.Ed.2d 626 (1997).

Burns v. Head Jailor of LaSalle County Jail, 576 F.Supp.
618, 620 (N.D. Ill., E.D. 1984).

Bell v. Atlantic Corp. v. Twombly, 129 S.Ct. 1955 (2007).

Campbell v. Sims, 159 F.3d 1353, 1363 (11th Cir. 1999).

Canton, 489 U.S. at 388, 109 S.Ct. 1197.

Carr v. City of Florence, 976 F.2d 1521, 1524 (11th Cir. 1990).

Carter v. Galloway, 352 F.3d 1349-1350 (11th Cir. 2003).

Carter, at 1350.

Chatham v. Adcock, 334 Fed App'x 281, 294 (11th Cir. 2009).

City of Canton v. Harris, 489 U.S. 378, 385, 109 S.Ct. 1197, 103 L.
Ed. 2d 412 (1989).

City of Oklahoma City v. Tuttle, 471 U.S. 808, 823-24 (1985).

Davis v. Howard County Bd. of Educ., 120 F.3d 1390, 1393 (11th
Cir. 1997).

Denton v. Hernandez, 504 U.S. 25, 31 (1992).

Depew v. City of St. Marys, 787 F.2d 1496 (11th Cir. 1986).

Edler v. Schwarz, 2010 WL 327941 at *5 (N.D. Fla.

May 13, 2010).

Ederman v. Jordan, 415 U.S. 651, 94 S.Ct. 1347 39 L.Ed.2d
662 (1974).

Estelle, 429 U.S. at 106.

Estelle, 429 U.S. at 107

Estelle v. Gamble, 429 U.S. 97, 106 (1977).

Estelle v. Gamble, 429 U.S. 97, 102-03 (1976).

Erickson v. Pardus, 127 S.Ct. 2197, 2200 (2007).

Farmer v. Brennan, 511 U.S. 825, 834 (1994).

Farmer, 511 U.S. at 835-36.

Farman v. Davis, 371 U.S. 178, 182, 83 S.Ct. 227, 230, 9 L.Ed. 2d 222 (1962).

Frailes v. Stearns, 886 F.Supp. 894, 899 C.D. Me. 1995).

Gamble v. Fla. Dep't of Health and Rehab Servs., 779 F.2d 1529, 1513-20 (11th Cir. 1986).

Gardner v. Riska, 444 F.App'x 353, 355 (11th Cir. 2012).

Grech v. Clayton County, 353 F.3d 1326, 1329 (11th Cir. 2003).

Gregg v. Georgia, 428 U.S. 153, 173 (1976).

Hadley v. Gutierrez, 526 F.3d 1324, 1332 (11th Cir. 2008).

Haley v. Mele, 502 U.S. 21, 25-29, 112 S.Ct. 358, 362, 116 L.Ed. 2d 301 (1991).

Hamm, 774 F.2d at 1575.

Harvey v. City of Stuart, 296 F.App'x 824, 826 (11th Cir. 2008).

Hawins v. Keever, 704 U.S. 519, 520-21 (1972)).

Henley v. Johnson, 885 F.2d 790, 794 (1989).

Hewitt v. Helms, 459 U.S. 460, 468, 103 S.Ct. 864, 870, 74 L.Ed. 2d 675 (1983).

Hill v. DeKalb Reg'l Youth Dev. Ctr., 40 F.3d 1176, 1182 (11th Cir. 1994).

Hubbard v. Haley, 262 F.3d 1194, 1198 (11th Cir. 2001). cert. den'd 534 U.S. 1136 (2002).

Hughes v. City of Chicago, No. 08-cv-627, 2011 WL 5395752 at *3 (N.D.Ill. Nov. 8, 2011).

Kunik v. Racine County, 946 F.2d 1574, 1580 (7th Cir. 1991).

Kentucky v. Graham, 423 U.S. 159, 167, 175 S.Ct. 3099,
3106 (1985).

Landry v. Monroe County, 116 F.3d 1419, 1425 (11th Cir.
1997).

Lavender v. Kearney, 206 F. ed App'x 860, 883 (11th
Cir. 2006).

Ledoux v. Davies, 961 F.2d 1536 (10th Cir. 1992).

Le Conte v. Dwyer, 874 F.2d 745 (11th Cir. 1988).

Mc Elligott v. Foley, 182 F.3d 1248, 1254 (11th Cir. 1999).

Mc Elligott, 182 F.3d at 1254.

Miller v. Bartow Cty., Fla., 489 F. App'x 549, 550
11th Cir. 2012).

Miller v. King, 84 F.3d 1248, 1261 (11th Cir. 2004).

Miller, 384 F.3d at 1261.

Mitchell v. Farcass, 112 F.3d 1483, 1490 (11th Cir. 1997).

Monell, 436 U.S. at 694, 98 S.Ct. 2018.

Monell v. Dep't of Soc. Servs., 436 U.S. 658, 692, 98
S.Ct. 2018, 58 L.Ed. 2d 611 (1978).

Moon v. Newcome, 863 F.2d 835, 837 (11th Cir. 1989).

Neitzke v. Williams, 490 U.S. 319, 325 (1989).

Pembaur v. Cincinnati, 475 U.S. 489, 479, 106 S.Ct.
1292, 89 L.Ed. 2d 452 (1982).

Pennhurst State School & Hospital v. Halderman, 465
U.S. 89, 100, 104 S.Ct. 900, 79 L.Ed. 2d 67 (1984).

Pennhurst, Supra; Ex Parte Young, 209 U.S. 123, 28 S.Ct.
441, 52 L.Ed. 714 (1908).

Pineda v. City of Houston, 291 F.3d 325, 329 (5th Cir. 2008).

Preiser v. Rodriguez, 411 U.S. 475, 499 n. 14, 93 S.Ct. 1827,
36 L.Ed. 2d 439 (1973).

Prieto v. Metro Dade Cnty., 718 F. Supp. 934, 938-39 (S.D.
Fla. 1989).

Pratt v. Rowland, 65 F.3d 802, 806 (9th Cir. 1995).

Procup v. Strickland, 792 F.2d 1069, 1073-74 (11th Cir. 1986).

Puerto Rico Aqueduct and Sewer Auth. v. Metcalf & Eddy Inc., 506 U.S. 139, 145-46, 113 S.Ct. 684, 121 L.Ed. 2d 625 (1993).

Purcell v. Toombs County, 400 F.3d 1313, 1319-20 (11th Cir. 2005).

Sandin v. Conner, 515 U.S. 472, 484, 115 S.Ct. 2293, 132 L.Ed. 2d 418 (1995).

Seminole Tribe of Fla. v. Fla., 517 U.S. 44, 58 (1995).

Seminole Tribe of Florida v. Florida, 517 U.S. 44, 116 S.Ct. 1114, 134 L.Ed. 2d 252 (1996).

Smart v. Villar, 547 F.2d 112, 114 (10th Cir. (1976).

Smith v. White, 461 U.S. 30, 56, 103 S.Ct. 1625, 75 L.Ed. 2d 632 (1983).

Spiegel v. City of Chicago, 920 F.Supp. 891, 899 (N.D. Ill. 1996).

Suwanit Medical Associates, PC v. Pryor, 180 F.3d 1326, 1336 (11th Cir. 1999), Cert. denied, 529 U.S. 1012, 120 S.Ct. 1287, 146 L.Ed. 2d 233 (2000).

Tarkowski v. Robert Bartlett Realty Co., 644 F.2d 1204, 1206-07 (7th Cir. 1980).

Taylor v. Adams, 221 F.3d 1254, 1257 (11th Cir. 2000).

Tomberlin v. Clark, 1 F.Supp. 3d 1213, 1230 (N.D. Ala. 2014).

Thomas v. Arn, 474 U.S. 140, 149 (1985).

Trujillo v. Williams, 465 F.3d 1210, 1225 (10th Cir. 2006).

Twombly, 127 S.Ct. at 1964-65.

Waldrop v. Evans, 891 F.2d 1030, 1033 (11th Cir. 1989).

Watts v. FIU, 495 F.3d 1289 (11th Cir. 2007).

Weaver v. Toombs, 756 F.Supp. 335, 337 W.D. Mich. 1989).

aff'd, 915 F.2d 1574 (6th Cir. 1990).

Wilkinson v. Dotson, 544 U.S. 74, 78, 125 S.Ct. 1248,
161 L.Ed.2d 253 (2005).

Wilson, 501 U.S. at 298.

Wright v. Sheppard, 919 F.2d 665, 670 (11th Cir. 1990).

Zatler, 802 F.2d 399, 400 (11th Cir. 1986).

Zatler v. Wainwright.

Corrections: Bilal v. Driver, 251 F.3d 1346, 1349 (11th Cir.), 534 U.S. 1044 (2001).

Forman v. Davis, 371 U.S. 178, 182 (1962).

Ramos v. Lamm, 639 F.2d 559, 575 (10th Cir. 1980).

RTC v. Hallmark Builders, Inc. 996 F.2d 1144, 1149 (11th
Cir. 1993).

United States Const. 14th Amend. XI.

Other Authorities; Statutes; Federal Rules; F.D.O.C. Rules;
Procedures; McKenzie, 765 F.Supp. at 1507,

28 U.S.C. § 636(b)(1).

28 U.S.C. § 1915(c)(2).

28 U.S.C. § 1915(c)(2)(B)(i).

28 U.S.C. § 1915(b).

Federal Rules Civ. Procedure 19 and 20, 12(b)(6).

11th Cir. R. 41-4. mandate June 6, 2019

11th Cir. R. 27-2. motion to reconsider June 6, 2019

42 USC § 1983.

F.D.O.C. rule: 33-103.017 F.A.C. Appraisal

F.D.O.C. rule: 33-208.002 F.A.C. Rules of Conduct

F.D.O.C. procedures: 108.012 Death and Serious Life Threatening
Injury Investigation 108.003 et seq.

F.D.O.C. procedure 108.015 Sexual Battery by Staff Warden
et seq.

F.D.O.C. procedure 602.053 Sexual Misconduct: 302.050 Threats et

Verbal Abuse Libel Slander	770 F.S.
Negligence	768 F.S.
Medical malpractice	766 F.S.
Negligent Security	768 F.S.

Eleventh Amendment
 Eighth Amendment
 Fourteenth Amendment

Reasons why the above citations are relevant

Particular reasons why the above citations are relevant or necessary to the argument.

The United States Constitution requires prisons and jails and officials to provide reasonable safety for prisoners.

They must protect Chadler & Duane Johnson (see Helling v. McKinney— 113 S.Ct. 2475, 2480 (1993), quoting DeShaney v. Winnebago County Dept. of Social Services, 489 U.S. 189, 200, 109 S.Ct. 998 (1989); Hoptowitz v. Spellman, 253 F.2d 779, 784 (9th Cir. 1985); La Roca v. Manson, 651 F.2d 86, 106 (2d Cir. 1981); Benjamin v. Malcolm, 564 F.Supp. 668, 672 (S.D.N.Y.) 1983.

From assault by other inmates and from unreasonable hazardous living and working conditions and must refrain from subjecting them to the unnecessary and excessive use of force.

Lopez v. Le Masters, 178 F.3d 756, 761 (10th Cir. 1999) (While the Oklahoma Department of Health jail standard do not establish constitutional parameters for the reasonable measures necessary to insure inmate safety, they do provide persuasive authority concerning what is the lack of prison policy addressing this particular problem is evidence of deliberate indifference.

Privacy Protection Fed. R. App. P.
2592(5) Fed. R. Civ. P. 5.2; Fed. R. Ban. P. 9037
Fed. R. Crim. P. 49.1 govern by the same rules.

A case in which privacy protection was governed by
Federal Rules of Appellate Procedure 2592(5),
Federal Rules of Bankruptcy Procedure 9037,
Federal Rules of Civil Procedure 5.2 or Federal Rules of
Criminal Procedure 49.1 is governed by the same rule in
this court.

In any other case, privacy protection is governed by
Federal Rule of Civil Procedure 5.2, except that Federal
rule of criminal procedure 49.1 governs when an extraord-
inary writ is sought in a criminal case.

If the court schedule briefing and oral argument in
a case that was governed by Federal rule of civil procedure
(5.2(c)) or Federal rule of Criminal Procedure 49.1(c) the parties
shall submit electronic versions of all prior and subsequent
filings with this court in the case, subject to the redaction
rules set forth above. Supreme Court Rules 34.6

This new provision is intended to protect the privacy and
security of electronically submitted and stored information.

The rule does not preclude the submission of a motion
to redact additional information, or to take other steps to
protect personal privacy in appropriate circumstances.

Privacy protection is sought if this court deems to assist

Stated Grounds Briefly and Distinctly and Served as Required by Rule 29

Ground One: Unconstitutional
Article III. United States Constitution
of the section 1. - 2.

The Judicial powers of the United States shall be vested in one...

Rule 44 Petition for Rehearing, review

Supreme Court, and in such inferior courts as the Congress from time to time ordain and establish.

Section. 2

The Judicial Powers shall be extended to all cases in Law and Equity arising under this Constitution the laws of the United States and Treaties made, or which shall be made, under their authority;

In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact with such exceptions and under such regulations as the Congress shall make.

The Congress shall have the power to dispose of and make all needful rules and regulations respecting the Territory or other property belonging to the United States.

Nothing in the Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

Article IV. sec. 3. United States Constitution; Amendment XIV 1-5. U.S.C. § 1451. writs

The Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law.

An alternative writ or rule nisi may be issued by a justice or judge of a court which has jurisdiction.

United States magistrate judges appeal and review U.S.C. § 636

Nothing on Getting Aside U.S.C. § 2106 Title 28. Supreme
Court rule 59. 28 U.S.C. § 2101(c) permits a writ of
Certiorari to be filed within 90 days after entry of
judgment seven of the eight circuits which add regulate
the matter of stays pending application for.

Stated Grounds Briefly and Distinctly and
Served as Required by Rule 29.

Ground Two: Due Process
Clause of the Fourteenth
Amendment to the United States
Constitution Facts relevant to
the issues submitted for review....
Constitutional Limits on NON....

Article III Judges see. Charles Allen Wright et al. Federal
Practice and Procedure §3068, 2 (3d. ed 2014),
Constitutional concerns explain the statutory distinction
in pretrial.

The Supreme Court shall have the power to prescribe general
rules of practice and procedure and rules of evidence
for cases in the United States District Court including
proceedings before a magistrate judge thereof and courts
of appeals.

Such rules shall not abridge, enlarge or modify any sub
stantive right.

All laws in conflict with such rules shall be of no
further force or effect after such rule have taken effect.

This case raises question of interpretation of the
Due Process Clause of the Fourteenth Amendment to
the United States Constitution.

The District Court had jurisdiction under the general
federal law question, jurisdiction conferred by 28 U.S.C. § 1331.

Abuse of Discretion contrary to laws standard of
review for Rehearing.

Manifest injustice grounds for review on rehearing,
exhaustive doctrine, finding that are not protected,
conferred by 28 U.S.C. § 636(b)(2).

Supreme Court, subject to requirements of predecision
to Rule 44, on rehearing.

The right to such consideration was not to be deemed
an empty formality.

Certificate of Service

In compliance with 28 U.S.C. § 1246 reciting the facts and circumstances of service, this certificate, stating that the grounds are limited to intervening circumstances of substantial or controlling effect or to other substantial ground not previously presented.

I, Chancellor Duwayne Johnson Sr. Certify that the petition for rehearing is presented in good faith and not for delay.

Certificate statement in writing of the persons mailed to

Supreme Court of the United States One First Street
N.E. Washington D.C. 20543 Certify all facts are true
On this day of Jan. 16, 2020

By Chancellor Duwayne Johnson Sr.
d.c. #00939

Statement that Notification
Required by Rule 29.4(b) or (c) has been made

Appellant, Cavalier Duwayne Johnson (See Statement of
Notification required by Rule 29.4(b) or (c).
Pursuant to 28 U.S.C. § 2403(b) and (c)

In any proceedings in this Court in which the Constitutional-
ity of a Act of Congress is drawn into question and
neither the United States nor any Federal department, office,
agency, officer or employee is a party, the initial document

Filed in this Court shall recite that 28 U.S.C.
§ 2403(a) may apply and shall be served on the Solicitor
General of the United States, Room 5614, Dept.
Department of Justice, 950 Pennsylvania Ave., N.W. Washington,
D.C. 20530-0001.

In such a proceeding from any court of the United States
as defined by 28 U.S.C. § 451, the initial document also
shall state whether that court, pursuant to 28 U.S.C. § 2403(a)
certified to the Attorney General the fact that the

Constitutionality of an Act of Congress was drawn
up in to question, see Rule 14.1(c)(iv).

In any proceedings in this Court in which the Constitu-
tionality of any statute of a State is drawn into question
and neither the State nor any agency, officer, or employee
thereof is a party, the initial document filed in this,

Court shall recite that 28 U.S.C. § 2403(b) may apply and shall
be served on the Attorney General of that State.

In such proceedings from any court of the United States
as defined by 28 U.S.C. § 451, the initial document also shall state
whether that court, pursuant to 28 U.S.C. § 2403(b), certified to
the State Attorney General the fact that the constitutionality of a
Statute of that State was drawn into question, see Rule 14.1(c)(iv).

Statement that Notification
Required by Rule 29.4(b)-(c) has been made

Appellant, Cavalier Duwayne Johnson (Re. Statement of
Notification required by rule 29.4(b) or (c).
Pursuant to 28 U.S.C. § 2403(b) and (c)

In any proceedings in this Court in which the Constitutional
ity of a Act of Congress is drawn into question, and
neither the United States nor any federal department, office
agency, officer or employee is a party, the initial document

Filed in this Court shall recite that 28 U.S.C.
§ 2403(a) may apply and shall be served on the Solicitor
General of the United States, Room 5814, Dept.
Department of Justice, 950 Pennsylvania Ave., N.W. Washington,
D.C. 20530-0001.

In such a proceeding from any court of the United States
as defined by 28 U.S.C. § 451, the initial document also
shall state whether that court, pursuant to 28 U.S.C. § 2403 (a)
certified to the Attorney General the fact that the
Constitutionality of an Act of Congress was drawn
up in to question, see. Rule 14.1(c)(v).

In any proceedings in this court in which the Constitu-
tionality of any statute of a state is drawn into question
and neither the State nor any agency, officer, or employee
thereof is a party, the initial document filed in this,
Court shall recite that 28 U.S.C. § 2403(b) may apply and shall
be served on the Attorney General of that State.

In such proceedings from any court of the United States
as defined by 28 U.S.C. § 451, the initial document also shall state
whether that court, pursuant to 28 U.S.C. § 2403 (b), certified to
the State Attorney General the fact that the constitutionality of a
Statute of that State was drawn into question, see. Rule 14.1(c)(v).

Conclusion

The trier of fact can conclude that the professionals knew of the need from evidence that it was obvious to a lay person might be obvious to a professional acting within his or her areas of expertise.

The defendants had actual knowledge of an objectively cruel condition in that claim of serious medical need and did not respond reasonably to the risk.

Excessive treatment decisions by Dr. Victor ARNP William L. L. Nurse Carla Maskey, Fla Dept. of Corrections et al. Berg, L. L. L. Severely with 3000

The Fund et al. Chief of Medical Operations Fla Dept. of Corr. Centerton Medical Group, Westford Medical Group the medical professionals, such a substantial departure from accepted professional judgment, practice or standards as to demonstrate that the person, responsible did not have the decision of such judgment of the episodic acts or omission governed by the Eighth Amendment deliberate indifference standards.

"Identifiable intended condition or practice," or else show that the acts or omission otherwise typical of or pervasive misconduct by the respondents, with other officials to prove an intended condition or practice to which a deliberate can be meaningfully applied, that's equivalent to medical malpractice or medical negligence.

Medical malpractice and negligence litigated in Federal Court.

Damages because of Death, injury or unnecessary 1999 arising out of medical or surgical diagnosis treatment or care provided or health care Procedure 108.012 c9 Death and Serious Life Threatening Injury 108.023 Sexual Battery by Staff procedure 108.015 387.080. Repealed Rule 33.103.017 F4C