

No. 19-6273 ORIGINAL

FILED
OCT 03 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

October Term 2019

Henry Cyrus Lucas PETITIONER
(Your Name)

vs.

The State of Florida RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

District Court of Appeal of Fla. Third Dist.
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Henry Cyrus Lucas
(Your Name)

Dade Correctional Institution
(Address)

19000 SW 377th Street Florida City, Fla. 33034
(City, State, Zip Code)

N/A
(Phone Number)

RECEIVED

OCT 15 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

QUESTION(S) PRESENTED

1. Why was the Petitioner denied his Constitutional Rights of appellate review when this case involves Amendment XIV to the United States Constitution which provides section 1.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the States where they reside.

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States: nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws?

2. Whether the appellate court is responsive to motion for rehearing respectfully submitted explaining that the Petitioner is not entitled to a belated appeal and did not make an argument regarding the manslaughter instruction with claims that the record relates the claims and that the trial court read the faulty manslaughter by act instruction are a constitutional violation Article III section 1, section 2?

3. Whether the Due Process Clause of the Fourteenth Amendment to the United States Constitution, The Third District Court of Appeal State of Florida had jurisdiction under general federal question conferred by Chapter 81 Supreme Court sec. 1254. by the following Petition for writ of certiorari?

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APPENDIX A Opinions of the highest state court to review, written

APPENDIX B N/A

APPENDIX C Opinions of the United States District Court
Entertainment of appellant's motion for rehearing en banc.

APPENDIX D Opinions of the United States Court of Appeals
Repetitive, procedural history

APPENDIX E _____

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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 D 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 C 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 A to the petition and is

reported at 93 So. 3d 159; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the 4/1A court appears at Appendix B to the petition and is

reported at 101 So. 3d 559; 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 July 30, 2019.

[] 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: July 30, 2019, and a copy of the order denying rehearing appears at Appendix D.

[] An extension of time to file the petition for a writ of certiorari was granted to and including N/A (date) on N/A (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 N/A. A copy of that decision appears at Appendix .

[] A timely petition for rehearing was thereafter denied on the following date: N/A, 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 N/A (date) on N/A (date) in Application No. A.

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

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:

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
Haynes v. State, 43 So. 3d 157 (Fla. 3d DCA 2010). Appendix	
Mayo v. Cleveland Highlands Community Co., 309 U.S. 370 317, 60 S.Ct. 517, 84 L.Ed. 794 (1940).	9
Pace v. State, 826 So. 2d 996, 999 (Fla. 3d DCA 2001). C	
Marshall v. State, 240 So. 3d 111 (Fla. 3d DCA 2016). Appendix	
State v. Montgomery, 39 So. 3d 252 (Fla. 2010).	
Haygood v. State, 109 So. 3d. 735, 743 (Fla. 2013). Appendix	

STATUTES AND RULES

8. 782.23
8 90,202 (62,11a, Stat. 2019) Appendix D

OTHER

Article 111 sec. 1. sub. 2.	7
Supreme Court Rule 10	7
28 U.S.C. § 1251	7
Federal R. Civ. P. 52(a)	7
Federal R. Civ. P. 58.	7
Federal R. Civ. P. 81(a)(2)	7
28 U.S.C. § 2254(d)	7
Fla. Stat. § 782.03(1980)	7

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Constitutional Laws of the United States e.g. R.I. Gen. L
§ 9-5 3.5 Cal Civ Proc Code § 410.10

Constitution of the United States: Amendment XIV section 1. - 6.

Article III Section 1. Section 2 : Article IV Section 1.
Section 14.

Fourteenth Amendment

Criminal Justice Act:

Federal Magistrate Act

28 USC § 1733 Proceeding in forma pauperis

28 USC § 1331. Federal questions

28 USC § 1391. Pleadings

28 USC § 1291. Final Decisions of District Court

28 USC § 636 (b)(1) Federal Magistrate Act

28 USC § 1291. Final Decisions of District Court

28 USC § 2072. Supreme Court

28 USC § 1652. Rules of Practice Act

28 USC § 2513. (1) unjust Conviction and Injunction
Manifest Injustice § 636 (b)(1) Fed. Magistrate Act

28 USC § 1054 (1)

STATEMENT OF THE CASE

The general importance of fortification to secure the safety of

the case that his troops recaptured the town on the 21st.

On the 21st, his troops recaptured his fortifications.

Before he could get away, he started running off him, and

his sister, Mrs. Schubauer got away, started running off him,

the fortifications did not leave his hands on the 21st,

but the gun fired.

The fortifications did not leave him.

The gun (45) Schubauer left the fortifications.

On the 21st, Mrs. Schubauer and the fortifications

called his gun (45) Schubauer and the fortifications.

On the 21st, the fortifications (45) Schubauer and the fortifications

called his gun (45) Schubauer and the fortifications.

that the fortifications during the battle.

REASONS FOR GRANTING THE PETITION

REASONS FOR GRANTING THE PETITION

Why the petitioner was denied his constitutional rights of or for a meaningful appellate review when the state failed to articulate its findings of fact and conclusions of law supporting its decision to deny the defenses of constitutionality with constitutional violations of Amendment XIV which provides section 1-5.

As an initial matter, specifications by the trial court of its findings of fact and conclusion of law informing the losing litigant of the reasons for that court's ruling and of principal rulings and questions that cannot be addressed.

See, *Mayo v. Lakeland Highlands Community Co.*, 309 U.S. 310, 317, 60 U.S.C. 517, 84 L.Ed. 774 (1940).

"If the appellant concurred in the findings of the court upon which the conclusion of the court was based, then federal review courts decisions of the state courts, different standards of review are to be applied depending on whether the petitioner challenges primarily on issues of fact or issues of law. 9. 782.03
A district court's findings of fact are evaluated under the different "clearly erroneous" standards of review.

See Fed.R.Civ.P. 52(a); Fed.R.Civ.Prs. 81(a)(2);
Federal Magistrate Act 28 U.S.C. 636 C.W.C.N. - Criminal
Justice Act; Federal Questions 28 U.S.C. 1331; Final Pretrial
28 U.S.C. 1291.

Supreme Court 28 U.S.C. 2072. Rules of Decision Act
28 U.S.C. 1452. Manifest injustice 3636 (b)(1); 28 U.S.C. 81354
(1) Fourteenth Amendment; Article III Section 1-2.
128. Const.; Article IV Sec. 1-4.

Due Process Clause;
California Laws of the 1990s see, e.g. R.J. Grind. § 953.5
Cal. Code: Cal. Civ. Pro Code § 410.10; Const. DS Art. XIII Sec. 1-5.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Verdey C. Lucas

Date: Oct. 2019

Legal Mail
Received

OCT 03 2019

Dade C.J.

HAL