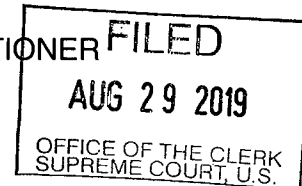


No. _____

19-6480

IN THE
SUPREME COURT OF THE UNITED STATES

Dario Michael Rodriguez PETITIONER
(Your Name)



vs.
Rick Scott "etal." — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Dario Micheal Rodriguez
(Your Name)

216 S.E. Correction's Way
(Address)

Lake city, Fl. 32025-2013
(City, State, Zip Code)

NA
(Phone Number)

NO.

IN the
Supreme Court of the United States

my client(s), Dario Michael Rodriguez
petitioner(s)

v.

my Opponent(s) Gov. Rick Scott "et al"
respondent(s)

ON petition For writ of certiorari
To the United States Court of Appeals for the
11th circuit.

petition For writ OF certiorari

Dario Michael Rodriguez
unrepresented party, pro-
se
216 S.E. Correction's Way
Lakeland, FL 33825-2013
no phone #

QUESTION(S) PRESENTED

Introductory statement:

1.) This Country was built on Free speech and Association. My Rights are protected under the United States Constitution 1st, 4th, 8th & 14th Amendment. The right to protection against cruel & unusual punishment should apply in my case? Etc Including to right to criticize Government Officials, State or Federal Officers and write grievances. Call home, family, friends and the right to associate with counsel. (question's).

2.) Under the PLRA 28 U.S.C. 1915A(c)(b) A complaint is Frivolous "where it lack's an arguable basis either in law or in fact. *Weitzke v. Williams* 490 U.S. 319, 325 (1989) why did Congress create this Law?

3.) Why is Congress only concerned with 28 U.S.C. 1915A(b)(1)? failure to state a claim upon which relief may be granted?

4.) The Supreme Court clarifies an inmate presenting a 1st Amendment claim. must show actual injury. why?

5.) Why did Congress in the 14th Amendment decide on limiting my Due process?

Question(s) Presented

- 6.) To state a claim let's say For relief in a retaliation transfer. Inmate's must allege 1.) his Speech was Constitutionally protected 2.) The inmate suffered Adverse action 3.) there is a casual connection between the retaliatory action & the protected Speech? why?
- 7.) IF the State or Federal Court's only need probable Cause. Including prosecutor's have been given Contemnent Authority. why did the District Court's dismiss my case?
- 8.) why Did Congress only Grant the Federal Court's or U.S. Court of Appeal's. Subject matter Jurisdiction?
- 9.) In Rule 8(a) claim's for relief (Frcp) why did Congress only allow & the Supreme Court's. A.) A short and plain statement of the ground's / claim. showing the pleader is entitled to relief?
- 10.) In (Frcp) 636 jurisdiction, power's and temporary assignment's. why is my judge Allowed to dismiss my case For failure to state a claim upon which relief can be granted? If in which the judgment hasn't been satisfied, ~~the~~ released, investigated or discharged from prison? Allowed to directly dismiss my case upon these ground's? In relief sought!
- 11.) In (Frcp) 60 Relief from a judgment or order. why is my judge allowed to dismiss my case under lack of prosecution if I possess lack of legal education or theory?

Question(s) presented

- 12.) IF in the same rule 60(FrCP) a judgment may be reversed or reversed to the same Courtroom. For Correction Based on clerical error, mistake, oversight or omission, whenever one is found in a judgment order or other part of the Record. why do's the rule seem to Apply only for the Court's in question?
- 13.) why is the Court's Allowed power of enforcement and support by several rule's and Statute's?
- 14.) why does the District Court's provide for modification of a judgment? when the District Court's seem to equivocally show the judgment have prospective application?
- 15.) In fact warrant law's, revision's on a decree?
- 16.) Basicly so that the Court's instrincite power's show's that the proposed modification's of a claim must be established to show significant change?
- 17.) OR the District Court's provide for modification of a claim and that the proposed modification's are suitable taylored to the changed circumstance's?
- 18.) Example; why if a party fail's to perform a specific task required by the PLRA or judgment. The court may order the act to be done at the disobedient party's expense. or dismissal to state a claim upon which relief can be granted?
- 19.) Incompetent is defined as a) lack of qualitie's as maturity, capacity, initiative, intelligence. necessary to effectively, independently, incapable of managing his affair's. because of
(iii)

Question(s) presented

deficiency or immaturity able to comprehend the Law. allotted to dismiss my case upon a "insufficient claim or shotgun plea"??

20.) IF I Cannot Find an Attorney who will represent me in Both case's? out of State Compact to as provided. why is the District Court allowed to dismiss my case? IF I showed in state evidence or Exhibit's I tried to get relief?

21.) IF I lack specific qualifications, knowledge to perform a legal function. like show for example the complaint or grievance's presented why is the Court allowed to dismiss my case?

22.) IF I am overly restricted and cannot exercise the right and duty. often used without implication's to perform a legal duty with respect's to distinguishess from incapability. example person without personal knowledge, ignorant, common, private peculiar or unschooled person? why is the District Court's allowed to close my case? even when I'm being hurt, threatened or beat up by staff twice my size. In higher position's of authority?

23.) why are the Federal Government allowed to Enforce Rule's like (Frcp) 7. In general a written notice or motion shall be served within 14 day's.

24.) why Does the Federal Government ask Rule 8 (Frcp) a pleading that states a claim for relief must contain: 3.) a demand for relief sought. which may include relief in the alternative or different type's?

Question(s) presented

- 25.) Civil immunity clause. Why does the 11th Amendment prohibit a Federal Court. From hearing a lawsuit by a private party or citizen of another state?
- 26.) Why are State's & Arms of the state allowed and where granted, possess immunity from lawsuit authorized by Federal law?
- 27.) Why are State's allowed Sovereign immunity, and an inmate who was denied his constitutional rights to equal protection of the law. have to obtain a civil injunction against the alleged wrongful conduct of the official in his individual capacity?
- 28.) Why does the Supreme Court's reason that a Government official. Acting unconstitutionally isn't acting as an agent of the government, but look's at it as against the defendant himself?
- 29.) IN Rule 26 of (FRCP) Duty to Disclose general provisions govern Discovery? 2.) Require disclosure & initial disclosure, in general Except as exempted by rule 26(2)(1)(b). Or as otherwise stipulated, ordered by the court's. A party must, without awaiting discovery request's provide the other party's (i) name's, address, telephone # of individuals likely to have discoverable information in a case etc.
- 30.) Why is the disclosing party allowed to use and support it's claim's or defense's?
- 31.) Why did the court not be allowed to proceed in my case
(iiii)

Question(s) presented

Where it's clear a violation is being committed by law enforcement and my life has already been threatened & endangered? not allowed to by Rule 35 (Frcp) physical & mental Examination. 2.) motion or notice 2.) may be made only on a showing of good cause and notice to all parties. A Examination of the person making the allegation's like mental capacity or Education level requirement's, legal experience etc. before court order a Court appointed Attorney?

32.) IF Correctional Officer's are Compounding crime's by Statute 199.290. or are in combination to resist process, criminal Contempt by the purporance of evidence presented. In both case's ^{att#} 3:16-CV-00143 mussels Federal Court also. Allow al to keep violating my right's and my case just keep being over looked & held uncontemporary? Fail to State a claim upon which relief can be granted?

33.) Why do I have to know all the rule's of Court's to have my case Transferred to miami or pier's county. So the justice can be notified? Instead I have to start from scratch to perform new task's, function's allotted and show an entirely new case? when both or all my case relate to the same event's?

34.) For Example Retaliation For OF my original charge's in CS# 98C151525X where the victim is my mother. & Federal Statute 28 U.S.C. 1391-1404, 1406? where the court's don't express any opinion about whether venue would be proper in the district of

Question(s) presented

Florida or, even if it were whether transfer might nevertheless be warranted?

35.) In other words the Federal District Court's are allowed to make a determination. That the plaintiff's complaint is rambling & disjointed, & incomprehensible?

36.) Then the Federal District Court base there Compliance on determination instead of my personal Safety. And states the court's cannot determine what event's contend's. From the basis of his claim's?

37.) Why is it not a Failure to Act upon the District Court's account. if I'm being violated by my 14th Amendment to do process of law and the defendant's are Blocking much needed Access to Court's intervention?

38.) Why is my judge Jose E Martinez allowed to designate my case # 2:18-cv-14005 to a magistrate judge?
Patrick A White.

39.) A judge may designate a Magistrate judge to serve as a Special Master. pursuant to the applicable provisions of this title (Frcp) 636 jurisdiction power's, Temp assignment?

40.) All power's and dutie's conferred or imposed upon the U.S. Commission's by law. or by rule's of criminal procedure for the U.S. District Court's

41.) Why was he allowed my pre-trial issue's if it mixed me up and made me feel like the court's weren't going to assist me or abandoned my claim's?

(vii)

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:

- 2.) Peter Krister Civil rights
division U.S. Dept of Justice
- 3.) Glenn Fine Inspector General of U.S.
- 4.) Alice Fisher Criminal Division
U. S. Dept of Justice
- 5.) Awo Warden of operations
Bryner
- 6.) Wan Kim Assistant Inspector General's
Office U.S.

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APPENDIX B	Decision of united States District Court.
APPENDIX C	Order on Remand of the united States Court of Appeals.
APPENDIX D	Order on Limited Remand of the united States District Court.
APPENDIX E	Order Denying re-hearing of the united States Court of Appeals. And Jurisdiction?
APPENDIX F	Document 38 paperless Order Denying Emergency motion united States District Court.
Appendix G	preliminary report of the united States District Court.
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APPENDIX K Court Document #7, #10, #12 of the United States District Court. U.S. District Doc #11, #7

APPENDIX L Court Document #71 notice of appeal (Filing Fee not paid) of the United States Court of Appeals.

APPENDIX M ORDER OF the United States District Court Document #47. Joint motion granted, Consolidation order & request for instruction? Time schedule order

APPENDIX N Chief Inspector General's Correspondence Document # 2017-10-04-0003 Office of the U.S. Governor Florida.

APPENDIX O Document #12 U.S. Dept of Justice, National Institute of Corrections, Washington D.C. 20534

APPENDIX P Document #12 Office of the Attorney General for the State of Nevada Carson City, NV. 89701-4717

APPENDIX Q Document OF the Office of the Attorney General Carson City, NV. 89701 Re: USDC 3:16-CV-00143 mmd-CBC & Office of AG Re: Rodriguez v Adam Eidel joint motion to stay proceedings?

APPENDIX R Florida Department of Corrections Complaints Rick Scott & Julie Jones Signed: 8-28-18 & 9-25-18

APPENDIX S U.S. Department of Justice U.S. Marshals Service, District of Nevada, Reno 89501-0502.

APPENDIX T U.S. District Court of Appeal's Filing Deficiency exhibit a & b # 18-13675-DD Rodriguez v Scott & collection of Document's not filed in a pending appeal.

APPENDIX U Office of the Attorney General Pam Bondi Complaint Filed 12-19-17 Rodriguez vs. June's.

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Appendix v Florida State Bar Inquiry / Complaint Form & Formal response 5-21-18 & 10-3-18 John F. Herkness, Jr.

Appendix w Florida State Bar Inquiry / Complaint Form & Formal response 1-13-19 & 2-7-19. Re- RFA NO. 19-9866 David R Sloan Counsel.

Attorney at Law Directory Martin Correctional Institution 2-1-18. 2pg's.

Appendix Y Legal Aid Center, Varn volunteer Attorney's, Lambda Legal Quality, Lewisburg Prison Project, ACLU 11-23-16 & ACLU Florida Legal mail 10-12-18 Kathy Serrano & support staff, PIRA Exhaustion requirement's & 3 strikes provision's. & Critical Resistance national office / Oakland, ca. 94612 & platform pro-Bono Legal Resource's.

Appendix Z Order Denying Appointment of Counsel / For the United States District Court's. Jose Martinez E. & Grievance's Hardship call home emergency 430-1710-0028 & 430-1710-0029.

Appendix aa Inclusion of Attorney on Innate's Telephone List Jamie Resoley 10-10-18. Bagley 8-17-18, D. Lipson 11-2-18, Awo bryner 9-11-18, Securus Christie 5-20-19, T. Tuttle 6-17-19, july update?

Appendix bb Nevada Dept of Correction's memorandum CCS II miller, & CCS II William Moore, Administration Segregation hearing 11-1-16 Travis Melissa, Administration notice Segregation Sandlaw 11-30-16 CCS II

Appendix CC Request Form's Innate Banking S. Card & S. card 8-6-19 & 8-9-19 #201-1808-0048 Team #2 & 7 request Form's Innate Law Library.

Appendix DD Florida Department of correction's Charging Disciplinary Report's # 430-17/689, 430-180176, 430-180236, 430-180812, 430-181003, 430-181002, 430-181566, 201-190994 (V)

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Appendix EE twenty-one informal Grievances - Top #
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0360, 430-1902-0361, 430-1806-0254, 201-1908-0095

Appendix FF twenty Five Formal Grievances Bureau of In-
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674, 19-6-19516 etc. Added # 201-1907-0035

Appendix GG six newly filed Grievance's #201-1907-0014,
19-6-27606, 1907-201-058, 19-6-28667, 19-6-28589,
19-6-19516 Added two more # 18-6-29365, 19-6-19516

Appendix HH Grievance Handwritten Log 8 pg's. Tomoka
C.F. & Emeraldale's, Martin's Correctional Center, C.F.R.C. Cen-
tral reception Center stolen grievance log copyie's.

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

- 1.) *Brand vs. Smith* 430 U.S. 817, 828 (1977). pg. 8, 9, 20, 21.
- 2.) *Estelle vs. Gamble* 429 U.S. 97, 106 (1977). pg.
- 3.) *Lewis vs. Casey* 518 U.S. 343, 353 116 pg. 8, 12, 21
S.Ct 2174 (1996).
- 4.) *Bell Atlantic Corp vs. Twombly* 550 U.S. 544, 555 (2007). pg. 6, 8
- 5.) *Ashcroft vs. Iqbal* 556 U.S. 662, 679 pg. 6, 8

STATUTES AND RULES

- 1.) Article III of the U.S. Constitution 28 U.S.C. 1251
rules apply only to action invoking Court's original jurisdiction.
- 2.) United States Constitution Amendment 11
- 3.) Extraordinary writ 28 U.S.C. 1651(a)
- 4.) Fed. R. App. P. 28 U.S.C. 2403 (a) Certified to the fact's
that Congress drawn in question the Constitutionality
of an act of Congress.

OTHER

Under the Criminal Justice Act of 1964 Fed. App. P.
18 U.S.C. 3006 A(d)(6).
Fed. R. App. P. 28 U.S.C. 1786.

Table of Authorities cited

(2009). cases

page number

- 6.) Neitzke vs. William's 490 U.S. 319, 327. pg. 20
28 (1989).
- 7.) McKeever vs. Block 932 F.2d 795, 798
(9th Cir. 1991).
- 8.) Wolff vs. Mc Donnell 418 U.S. 539, 556 (1974.)
prisoner's already being convicted the full panoply of rights
it's due a defendant in proceedings. pg. 8, 19.
- 9.) West vs. Atkin's 487 U.S. 42, 48 (1988). prisoner's
may claim the protection of due process clause.
- 10.) Saldin vs. Conner 515 U.S. 472 (1995) A court
must examine the substance of the alleged deprivation?
pg. 19
- 11.) Lujan vs. Scott 71 F.3d 192, 193 (5th Cir. 1997)
- 12.) Limmer-Bey vs. Brown 628 F.3d 789, 790-791
(6th Cir. 1995).
A prisoner cannot invoke the clause simply
by characterizing Segregation as disciplinary or punishment
or confinement.
- 13.) Hartsfield vs. Vida 199 F.3d 305, 1311 Ca. 6 (Mich.
1999). excessive force & violation of equal rights.
- 14.) Farmer vs. Brennan 511 U.S. 825 (1994). pg. 12
- 15.) Rhodes vs. Chapman 452 U.S. 337 (1981).

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- 16.) Darrell Siggler - EL VS. David Barlow 433 F. Supp
2d 811 (2006). U.S. District Lexington!
- 17.) Michael Patrick Gaudin VS. Terry Bransted U.S. 122
F.3d 1081 (1997).
- 18.) Edgar M Cross VS. Sanger & Power's 328 F. Supp
899 (1971).
- 19.) Gregory E. Scheur VS. Daniel Engel/Kee 993 F.
2d 921 (1991). U.S. Court of Appeals 8th Cir.
- 20.) Palomino VS. Stanton U.S. District Lewis 5656
1998 WL 196461 at #2 (ND Cal 4-21-98). pg. 12
- 21.) Schumacher VS. Dreckburn 750 F. Supp 2d
494 (8th Cir 1986). pg. 21
- 22.) Bell VS. Lockhart 795 F.2d 655 (8th Cir 1986).
pg. 21
- 23.) Dougan VS. Singletary 129 F.3d 1424 certio-
rari (denied) 118 S.Ct 2375, 524 U.S. 956, 141 L. ed. 2d
743

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 ^Ap. 3 to the petition and is 11th circuit judgment

☒ reported at by 28 U.S.C. 1915A(2); 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 ^DBp. 1 to the petition and is

☒ reported at ~~28~~ U.S.C. 1915(e)(2)(i) § 28; or, U.S.C. 1915A
☐ has been designated for publication but is not yet reported; or, (b)(1).
☐ is unpublished.

☐ For cases from **state courts**:

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

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

Opinions Below

☒ For cases from Federal Courts:

The opinion of the United States court of appeals appears at Appendix ^A pg. 4 to the petition and is

☒ reported at 28 U.S.C. 1915(e)(2)(B)(ii). ^{or,}

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

☐ is unpublished. ^{11th Circuit judgment} appears at Appendix pg. 5 to the petition and is

☒ reported at Bass v. Purnin, 170 F.3d 1312, 1320 (11th Cir. 99); or,

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

☐ is unpublished.

appears at Appendix ^A pg. 5 to the petition and is

^{11th Circuit judgment} reported at United States v. Nealy, 232 F.3d 825, 830 (11th Cir. 2000) also 11th Cir. R. 28.1.0 p. 5. ^{or,}

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

☐ is unpublished.

appears at Appendix ^A pg. 5 to the petition

☐ reported at 1915(e)(2)(B)(ii) as using same standard ^{rule} as dismissal 12(b)(6); or,

Opinion's Below

☒ For cases from Federal Courts;

The opinion of the United States Court of Appeals appears at Appendix A pg. 6 to the petition and is

☒ reported at Evans v. Ga. Reg'l Hosp., 850 F.3d 1248, 1253
11th Cir. 2017 also 28 USC F.1542 or, 1915(e)(2)(X)(ii).

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

☐ is unpublished.

Appears at Appendix A pg. 6 to the petition and is

☒ reported at Tannenbaum v. United States 178 F.3d 1262-63;
or, (per curiam)

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

☐ is unpublished.

Appears at Appendix A pg. 6 to the petition and is

☐ reported at Fed. R. Civ. P. 8(a)(2) also see moon v. Newbone,
863 F.2d 835, 837 (11th Cir. 1989).

Appears at Appendix ^A pg. 6 to the petition and is

☐ reported at Ashcroft v. Iqbal, 556 U.S. 662, 678 (2007)
quoting Bell Atl. Corp v. Twombly, 550 U.S. 544, 570 (2007).

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

☐ is unpublished

Opinions Below

☒ For cases from Federal Courts;

The opinion of the United States court of appeal's appears at Appendix ^A pg. 6 to the petition and is 11th circuit judgment

☒ reported at Oxford Asset Mgmt., Ltd v. Jaharis, 297 F.3d; or, 1182, 1188 (11th cir. 2002).

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

☐ is unpublished.

Appear's at Appendix ^A pg. 7 to the petition and is 11th circuit judgment

☒ reported at Wiland v. Palm Beach Cty. Sheriff's Office, 792 F.3d 1313, 1320 (11th cir 2015); or,

☐ is unpublished.

Appear's at

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

☐ is unpublished

Appear's at Appendix ^A pg. 8 to the petition and is 11th circuit judgment

☒ reported at Cambell v. Air Jamaica Ltd. 760 F.3d 1165; or, 1169 (11th cir. 2014).

☐ 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 5-31-2019.

☐ 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: 8-6-2019, and a copy of the order denying rehearing appears at Appendix E.

☐ 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).

5.) Fed. R. Civ. P. 28 U.S.C. 1391, 1404 & 1406 Statute for further jurisdiction, venue.

6.) Fed. R. Civ. P. 28 U.S.C. 1715(E)(b)(2) AS Amended of FRCP

☐ For cases from **state courts**:

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied on the following date: _____, 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

1.) U.S. District Court of appeal's; 28 U.S.C. 1292 Interlocutory decision's.

A.) Except as provided in section (c) & (d) of this subsection. The court of appeal's shall have jurisdiction of all Appeal's from;

1.) Interlocutory order's of the District Court's of the U.S. or of the judges thereof. Granting, continuing, modifying, refusing or dissolving injunction's, or refusing to dissolve or modify injunction's. Except where a direct review may be had in the Supreme Court.

2.) Definition - interlocutory pronounced or decided during the course of a legal action. And merely temporary or provisional in nature.

case law citation

1.) Bond v. Smith 430 U.S. 817, 828 (1977).

2.) Leis v. Casey 518 U.S. 343, 353 116 S.Ct 2174 (1996).

3.) Bell Atlantic Corp v. Twombly 550 U.S. 544, 555 (2007).

2.) United States District Court of appeal's; 28. U.S.C. 1406 Cure or waiver of defect's

2.) The district Court of a district in which is filed a case, laying venue in the wrong division or district.

Constitutional And Statutory Provisions Involved.

shall dismiss, or if it be in the interest of justice, transfer such case. To any district or division in which it could have been brought.

b.) Nothing in this chapter shall impair the jurisdiction of a district Court, or any matter. Involving a party who doesn't inter-pose timely. And sufficient objection to the venue.

1.) *Bound vs. Smith* 430 U.S. 817, 828 (1977)

2.) *Lewis vs. Casey* 518 U.S. 343, 353, 116 S.Ct. 2174 (1996)

3.) *Ashcroft vs. Iqbal* 556 U.S. 662, 679

4.) *Reitzke vs. Williams* 490 U.S. 319, 327-328 (1989).

5.) *Wolff vs. McDonald* 418 U.S. 539, 556 (1974).

prisoner's already convicted, full panoply of rights due a defendant in proceedings.

6.) *Sandin vs. Conner* 515 U.S. 472 (1995). A court must examine the substance of the alleged deprivation?

3. 1391. Venue generally

A.) Applicability of this Section - Except as otherwise provided by law.

1.) This Section shall govern the venue of all civil actions brought in district Court of the U.S.

2.) The proper venue for a civil action shall be determined without regard to whether the action is local or transitory in nature.

b.) venue in general - a civil action may be brought in;
2.) a judicial district in which a substantial part of the event's or omission's giving rise to the claim occurred, or a substantial part of the action is situated; or a judicial district in which any defendant resides. If all defendant's are residents of the state in which the district is located.

3.) if there is no district in which an action may otherwise be brought. As provided in this Section, any judicial district in which any defendant's are subject to the court's personal jurisdiction with respect to such action.

3.) 1404. Change of venue

2.) For the convenience of parties and witnesses in the interest of justice. A District Court may transfer any civil action to any other district or division in the Continental United States or its territory there- or where it might have been brought or to any district or division to which all parties have consented in writing!

b.) upon motion, Consent or stipulation of all party's any action suit or proceeding of a civil nature. OR any motion or hearing there-to. a District Court may

Constitutional And Statutory provision's Transferred

ON it's own motion or Request. Where the Court decides to may be transferred in the discretion of the court's. From the division in the same District. Transfer the proceeding's in rem brought by or on behalf of the United States. Venue may be transferred under this Section without the consent of the U.S. where all party's request transfer.

c.) A District Court may order any civil action to be tried at any place with-in the division in which it's pending.

provision's case law

Young vs. Nickles 413 F.3d 416-419 (4th cir 2005).
allegation of officer's illegal extradition were sufficient to justify 1983 civil right's claim.

Johnson vs. Bredem 280 F.3d 1308 ca. (11th cir 2002).
Excessive use of force 8th amendment violation

William vs. Benjamin 77 F.3d 1186, 1188 (8th circuit 2008).
Excessive use of illegal force by officer's.

Hope vs. Pulzer 536 U.S. 730-738 122 (S.Ct 2508 2002).
prolonged unnecessary pain & suffering, restricted movement, humiliation, high risk of physical injury.

Constitutional And Statutory provision's Involved.

Dougan vs. Singletary 129 F.3d 1424 certiorari denied 118 S.Ct 2375, 524 U.S. 956, 141 L.Ed. 2d 743

termination of existing litigation-decree right's to Access to court's denied, restricted. (Fla ca. 11 1997).

Levy's vs. Casey 518 U.S. 343-353 116 S.Ct 2174 (1996).

Failure to meet Legal Assistance requirement's.

Farmer vs. Brennan 511 U.S. 825 (1994).

Failure to protect, disregard and excessive use of force by officer's. Deliberate indifference.

Musoke vs. Willette 224 F.3d 95, 99, 106 (2nd Cir 2000).
exhaust requirement's of State remedies isn't required for excessive use of force claim.

Palomino vs. Stanton U.S. District Lexis 5656 1998 WL 196461 at # 2 (ND Cal 4-21-98). Failure to protect from attack and is required to meet exhaustion remedies for 1983 civil right's claim.

4.) Interlocutory decision's 1292.

1.) Interlocutory order's of the U.S. District Court's. OR of the judges thereof, granting, continuing, modifying, refusing or dissolving injunctive relief. or refusing to dissolve relief. Except where a direct review may be had in the United States Supreme Court's.

Defined - Interlocutory provision - Pronounced or decided during the course of a legal action. And merely temporary or

Constitutional And Statutory provisions involved
provisional in nature.

5.)

Article III U.S. Constitution 28 U.S.C. 1251 Jurisdiction
Supreme Court & U.S. Court's of Appeal's.

1291. Final decision's of A District Court - The Court of Appeal's (other than the U.S. Court of Appeal's for the Federal circuit) shall have contemporary jurisdiction of all Appeal's from all final decision's of the United States district Court's. Except where a Direct review may be had in the U.S. Supreme Court. The jurisdiction of the U.S. Court of Appeal's for the Federal circuit's shall be limited to the jurisdiction described in Sec 1292 (C) & (d) & title 1295 of this book.

6.) 2403. Intervention by U.S. or a State Constitutional
question allied's.

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d.) The Court's shall certify to an Act of Congress in public interest is drawn into question? The court's shall certify facts to the Attorney General. And shall permit the U.S. to intervene for presentation of evidence. If evidence is otherwise admissible in the case. And for Argument on the question of constitutionality. The United States shall subject to the applicable provision's of law. Have all the right's of a party as to Court cost's to the extent necessary for a pro-

Constitutional And Statutory Provisions Involved.

per presentation of the facts and law relating to the question of constitutionality.

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b.) In any action, suit or proceeding in a Courtroom of the United States. To which a State or agency, officer or employee thereof is not a party. Wherein the constitutionality of any statute of the State. Affecting public interest and is drawn in question. The Court's shall certify such fact to the Attorney General of the State. And shall permit the State to intervene for the presentation of evidence. If evidence is otherwise admissible in the case.

And for argument on the question of constitutionality. The State shall, subject to the applicable provision of law have all the rights of a party. And be subject to all liabilities of a party as to court costs. To the extent necessary for a proper presentation of the facts and law relating to the question of constitutionality of United States Constitution Amendment 11.

Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted. Against one of the U.S. or by citizen's of another State or by citizen's or subjects of any foreign State.

Constitutional And Statutory provisions Involved

2.) 18 § 3006 A(d)(6) Criminal Justice Act of 1964
Fed. R. Civ. P. Guide

Adequate representation of defendant's.

2.) choice of plan - each U.S. District Court with the approval of the judicial Council of that circuit - shall place in operation throughout their district. A plan for furnishing representation for any person financially unable to obtain adequate representation for themselves. In accordance with this Section, representation under each plan shall include counsel and investigative expert and other service's necessary for adequate representation.

1.) Representation shall be provided for any financially eligible person who -

a.) is charged with a class-A Felony or misdemeanor;

b.) is a juvenile alleged to have committed an act of juvenile delinquency as defined in subsection 5031 of this title;

c.) is charged with a violation of probation

d.) is under arrest when such representation is required by law.

e.) is charged with a violation of supervised release or faces modification, reduction, or enlargement of a

Constitutional And Statutory provisions involved:

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Condition, or extension or revocation of a term of supervised release.

F.) is a subject of a mental condition, hearing under ch. 313 of this title.

G.) is in custody as a material witness

H.) is entitled to appointment of ~~due counsel~~ counsel under the 6th Amendment to the Constitution;

I.) faces loss of liberty, constitutionality in a case, and Federal law requires appointment of counsel;
or

J.) is entitled to the appointment of counsel under Section 4109 of this title.

8.) Supreme Court rule' 17.1 - procedure in a nonoriginal Action, rule's apply only. To an action invoking Court's original jurisdiction. under Article III of the United States Constitution section 28 U.S.C. 1251 & United States Constitution Amendment 11.

a.) a petition for an extraordinary writ in aid of the Court's appellate jurisdiction. shall be filed as provided in Supreme Court Rule 20.

b.) Adjudication is the act or process of adjudicating a judiciary matter, decision or sentence. To settle judicially as to act as judge or decree. pg. 16

STATEMENT OF THE CASE

1.) ON 5-31-19 The Eleventh circuit Court of Appeals. Following a ruling and mandate on 7-1-19 before judge Tjo-Flat, Jordan & Grant in Georgia Court of Appeals. on limited Remand by the appeal's court 12-7-08 before the District Court Justice Jose E Martinez my case was dismissed under 28 u.s.c. 1915A(b)(1) & 1915(c)(2)(ii) without leave to Amend. For Failure to State a claim upon which relief can be granted. on 12-7-19 judge Jose E Martinez Denied reconsideration of the Court's order adopting Report & Recommendation and dismissed of plaintiff's pro-se amended complaint was Denied. under not meeting the standard of manifested error. See Z.K. Marine Inc V. M/V Archigeti, 808 F. Supp. 1561, 1563 (S.D. Fla 1992). case no. 18-14005 Docket #50 Located in Appendix D of Index to Appendix.

2.) under the united States Constitution of law the Federal Court's & Supreme Court of the Law of the land has jurisdiction over all matters. Drang Forth before

it's jurisdiction 28. u.s.c. 2241 & 2254. Section 2254 (d)(2) Authorizes Federal Court's to grant relief in civil rights claims (983) or Federal habeas corpus. Where the State Court decision or Federal court was contrary to and based on an unreasonable determination of facts in light of the evidence presented.

3.) A State Court proceeding or to put it conversally a Federal Court. may not second-guess a state court's fact finding process. unless after review of the state court's record. it determines the state court was not merely wrong but actually unreasonable in law or fact. Id. 366 F.3d at p. 999 N.L.

4.) jurisdiction of Federal Court's 11.2 (Frcp) civil & criminal Liability is limited to cases arising under the U.S. Constitution or laws. Thus before a Federal court can render a valid decision in a case before it's jurisdiction. The plain must show that he's being denied his rights secured to him by either the U.S. Constitution or a specific Federal Statute ABA or a Analysis for determining A prisoners liberty interest's afford under the due process clause entitles him to procedural protection. And has a right entitling him to a protected liberty interest. which requires a Examination of the text of prison Guidelines or policy regulation's. To determine

mine whether mandatory language that the State would produce a particular outcome. That limited official's discretion and created a enforceable expectation of prison general policy or guidelines. See Sandin v. Conner 515 U.S. 472 (1995). Or Wolff v. Mc. Donnell 418 U.S. 539 (1974). Hewitt v. Helms confirming that liberty interest's be of real substance limiting state created liberties & freedom of restraint's, which exceeded the sentence in an unexpected manner & give rise to protected by due process. O.F.'s force imposing atypical & significant hardship. Under Sandin this possibility was enough to prevent any deprivation of liberty if a prisoner was or was transferred into or out of segregation for any disciplinary infraction. See Wilkinson v. Austin - Confined Supermax 545 U.S. 209 (2005). Supra. Over 30 states operate Supermax facility's

5.) The Supreme Court's retains immunity under the 11th amendment to the United States Constitution and has procedural jurisdiction in official capacity. The Federal Government & Legislature, whether state, local or regional are immune for their legislative acts. But their administrative or managerial actions. They are often liable under civil rights claims 1983. under their own body's. Sovereign immunity isn't protected by the 11th amendment. Sovereign immunity bars any suit against the government or its agency

except when given consent by the government to be sued for variety of claims. In the Fed. r. App. P. but not for damages in constitutional violations. This must be brought against government officials in individual capacity. The immunity doesn't protect local government's themselves. which are liable under 1983 civil rights claims.

6.) This notion is supported by Lewis in Lewis vs. Casey. The role of court's is to provide relief to an individual claimant or class action lawsuit. To whom have suffered or will suffer immediate actual harm. In Dound's vs. Smith 430 U.S. 827, 97 S.Ct. 1491. 430 U.S. 817, 97 S.Ct. 1491, ~~52~~ 52 L. ed. 2d 72 (1977). reaffirming the long established principle that inmates have the fundamental constitutional right of meaningful access to court's. under the 1st Amendment

7.) The Supreme Court also has jurisdiction under 28 U.S.C. 1915(A), (b) of the (PLRA) Prison Litigation Reform act. A complaint is frivolous where it lacks an arguable basis either in law or facts. Withke vs. Williams, 490 U.S. 319, 325 (1989). Dismissal for failure to state a claim rely on factual allegations that are clearly baseless. Denton vs. Hernandez, 504 U.S. 25, 31 (1992). Dismissal is warranted for failure to state a claim and governed by the same standard's as (Frcp) 12(b)(6).

8.) The court also holds jurisdiction in this case under title 28 U.S.C. 1351, 1404, 1406 venue would be proper

and in the interest of justice and a district court may transfer any civil rights claim. To any other district or division where a claim might be brought. or to any other district or division to which all parties have consented. OR if it is in the interest of justice. Can transfer such case to any district or division in which it could have been brought. under applicable venue 28 U.S.C. 1406 The court express opinion's about if venue would be proper nevertheless be warranted. Thus the court's put parties on notice of the applicable venue provision's. since defendant's may not be residence of the state. see Miller vs King, 84 F.3d 1248, 1261 (11th cir. 2004). Bond v. Smith 430 U.S. 827, 97 S.Ct. 1491 (1977). & Lewis v. Casey 518 U.S. 343, 116 S.Ct. 2174, 135 L.ed. 2d 606 (1996).

9.) Schwander vs. Blackburn 750 F.Supp 2d 494 (5th cir 1985). & Bell vs. Lockett 795 F.2d 655 (8th cir 1986). prison Authority's bear the burden of proof of demonstrating the adequacy of their method's. and demonstrating, providing access, limitation's, claim's restriction's and emposition's. To prove reasonable Access to Law Library's. Conflict of Interest begin's when in effective counsel is tested. By a performance test, A prejudice test or a standard of ability test. Extrinsic assistance of ineffect

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and effectively adequately represent your case. Prison officials must affirmatively assist with legal preparation and filing of meaningful legal papers. Steps are taken to determine this process. The ABA code of ethics of Conduct does discuss this competency. Lawyer's or Attorney's and the necessity for competency to adequately represent your case. Defense Attorney's Competency rule 1.1. Should Engage in continued study and higher education to the general public. See Lingvist vs. Board of Corrections Idaho 776 F.2d 851, 855 (9th Cir 1985). Marrange vs. Fontenot 879 F.Supp 679 (E.D. Tex 1995). Extra restrictive Cond. time consuming, Segregation Access to Court's. Hernandez vs. Murn 439 F.3d 1145 pepper spray, physical harm may not be used to extract information from prisoners, Segregation.

10.) IN reliance of Rule 12.5 Review on Cautions no more than 30 days after the case is Docketed. If the respondent's file a cross-petition as required in Rule 29. And a copy of such notice is served as required by such rule on all parties by notifying the clerk with service on the other parties. A response in reliance with petitioner's time schedule for filing documents below. who supports granting the petition shall be filed within 30 days after the case is placed on the Court's Docket. Counsel for respondent's shall ensure that counsel of record's or unrepresented parties receive notice of it's intent to file a Court brief in support within 20 days after the

Court's docket sheet.

11.) Judgment was entered on this case 3-7-18 & 4-30-18 of the Court's order to Amend petition & pay Fees or File FFP & The magistrate judge Patrick A. White in Appendix H & G. of the Index. Also judgment on 5-21-18 of judge Jose Martinez in Appendix B. It was Remanded on 12-7-18 & 11-16-18 by the 11th circuit Court of Appeal's judge Tjo-Plot & Branch. For further proceedings & To justice Jose Martinez pending disposition. Final disposition 1-31-19 Appendix C & Court Decision 5-31-19 Appendix A. A petition For Rehearing was denied and is attached Appendix E & Order Denying Emergency Injunction motion's Affixed paperless Order Appendix F. Dated 8-6-19 Denied rehearing case closed no further relief available.

12.) On certiorari in the United States Supreme Court's at this time. I ask for reversal on grounds of ineffective assistance of counsel which is not provided blocking access to Court and Exploitation of inmate's rights. Under multiple violations of inmate's right to procedural protection under the 8th Amendment. My rights were violated several times and the 8th Amendment & 14th Amendment to the U.S. Constitution. State at no time shall an inmate be treated deliberate indifferent to the Law. and the 8th Amendment to the Constitution's guarantee's protection of your rights to be Free. From cruel & unusual punishment. deliberate indifference to safe and humane conditions in prison, over restrictive conditions, excessive use of

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Force, brutality, danger, Sanitation & Failure to respond, also Adequate medical Access.

13.) my Rights to the 1st Amendment & 14th Amendment were also violated by Federal Constitutional law. That protect's my rights to Freedom of Speech and Association, criticize Government official's & write guidance's. The right to Due process of law that guarantee's fundamental Access to Court's & prohibit's depriving any person or person's of life, liberty or property without due process. and guarantee's everyone equal protection of law. That mean's ~~you~~ you cannot treat any inmate differently. Than you treat other's without rim or reason. Freedom of discrimination, over Race, ethnic's, Sex, Segregation, Trans, Loss of Statutory good time.

13.) As Far back as I could remember Contain in a detailed Appendix J, K, L, M. All the way back as further evidence of misrepresentation of fact's and endless Avenue's of vacated reliance as appended. on 10-11-17 I was taken to Disciplinary Confinement by a Housing Sergeant Walker in grievance's Attached #17-6-47007, 1711-430-055, 1710-430-177, 17-6-42039, 17-6-41808. I was walking out the door to my housing unit at Orlando reception center F. Arm quad #4. And an Inmate Slammed the door to the wall when opening it. on our way to chow either Lunch or Dinner I don't remember. Immediately following Housing Sergeant Walker picked me out of

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Crowd contained in grievance & charging Disciplinary Report
is Log # 430-171689. Hearing attached the Disciplinary Report
of the sanction and confinement was lost in the shuffle.
On going violations of retaliatory Segregation are affixed
to the Appendix affixed as stated Appendix # bb, cc, dd,
EE, FF, GG.

4.) please see charging Disciplinary report's Affixed 1-31-18
Log # 430-180176, Log # 430-180236, & # Log 430-180812. These
Disciplinary report's made by hearing Officer's & defendant's
in my case whom are named as liable. have not Afforded
me a adequate and fair hearing and denied me Access to
law Library by locking me in Confinement unit where. It's
alleged that a prisoner has suffered excessive Admini-
strative Segregation as discipline without due process of
law. And where the Administrative or procedural, Disciplinary
Segregation was in Retaliation of civil Right's law-
suit's filed on behalf of plaintiff in other case's. In an
other state as Appendix Nevada Dept of Correction's, the
Hardship was Atypical and Significant in relation to ordinary
incident's of prison life and constitutionally a viola-
tion of my right's to due process my 14th Amendment.

5.) I was Retaliated against in on-going violation of the
law by named defendant's. In the complaint who allowed
multiple Officer's in a Red-Tag status, Color of law, or
watch List by Officer's. Further named in the Complaint
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as officer here-in on several occasions since my Thunders Date. Here into the Florida Department of Corrections. I have been singled out & discriminated against starting with officer Walker on these dates. But go clear back to other officer's involved Colmacy, Col Diaz, Col Martin, SGT. Fontana & officer Oscanon. Working Confinement unit in Orlando main unit reception Center Come dated 3-10-17. And am still being watch by officer's to whom I'm in constant fear of my life and don't know where or where the next time officer's may make up more false charges or place me into Administrative Confinement pending the outcome of my case or Court ruled intervention.

16.) These officer's including Supervisor's named here-in Warden Morgan, charging officer Security # nine C. Merrill, hearing team K. L. Rupp & Lt. C. F. Martin's, captain Scapetti, H hearing team S. Martin's & A. Schultheiss. Sergeant Frost & hearing team D. Vargas & A. Schultheiss again & charging AWP warden of program's John R. Holtz and hearing officer's team D. Vargas & D. Powell. as stated and attached to Appendix J, K, L, M, & furthermore see attached presented evidence for state's record.

17.) While exiting the Confinement unit that day. I was stopped by officer Merrill on 1-31-18 where I had reported officer Babcock & Valdez on unit camera Charlie Dorm Room # 105. SGT. Rodriguez moved me in the

live date For Certification 8-29-19 to the Supreme Court.

19.) over multiple emergency And on-going violations, stolen legal draft's At mention my production of Document's, my legal Access request Form's, Copyright, Grievance's and Court motion's, To much to Compile here in one Deposition and in which I'm stuck in a legal Battle and legal process fighting with staff here and the Regional Director's office to get into Court 2. Culpepper & A. Keaton, Jordan's Administrator's. who are stealing multiple grievance's and denying my claim's. And have been informed several time's of my situation and add to the problem or steal, throw away Appeal's or denie. Then and say they weren't turned in. In which I have a master log with dates and time's to his to present here.

20.) IF your honorable Court would move to Grant the reversible error or reconsideration of clerical error. A Inquist hearing to present evidence. This is on-going violations of Avenue's that have no end. They Stated my magazine subscription can't not contained here on Appendix # AA my Attorney's number to report the emergency is clearly run a foul. and is incorrect I was told in I request my number to my step-parent Fr. Francis was Added then Lied to after a 1 1/2 year wait to talk to my parent's. Turned around on the same records

Room with a known Gang member from Latin Kings. who
beat me up in front of the officers and they beat me
he I reported in grievance #176-42039, 1711-430-8558
1711-430-125. In which all the grievances were denied and
are in Appendix as evidence. Any way officer Merrill
wrote me a D.R. Disciplinary review for disobeying a
direct order and put me back in the Confinement unit,
where I received another unfair and prejudiced hearing
by retaliating staff. That's log #430-171689. Violations went
on, on that compound so many to name here-in. But I
have composed a Appendix with a collection of Di-
sciplinary infractions with multiple officer's & hearing
officer's arranged. who have either tried to hurt me
or place me in harm's way or jeopardy to be hurt by
other inmates.

8) please see for Court's Records there are multiple False
and misleading Disciplinary Sanctions. Contained
here presented for the record log #430-181005, #430-18-
1002, #430-181566 and a newly filed one upon entry to Colum-
bia at medical. Where she blocked access to Court's and
state. I was at Law Library trying to write Appeals for
my other cases in Nevada. presented here in Appendix
got into another argument and cocked me up for disobey-
ing a direct order. She was asked & she's if I could
write a Refusal and denied me due process. on 7-26-19
during which I was writing this Appeal. and had go-
then passed away until now 7 day's before my death.

and denied the situation and sent me back thru process like she wasn't liable or she didn't lie intentionally to make me believe. when I get out of Confinement I would be able to call home. Then changing the story altogether stating I need to submit a telephone Bill. with proof of residency or own ship before my Number would be ADDED. waiting 1 1/2 year a half. grievance's too submitted.

21.) By Rule of the APA 3 (PLRA) 1997(e), Rule 10.1 concerning governing Review on certiorari, Rule 36 of the Supreme Court Habeas proceedings. OR 28. U.S.C. 2241-2254 of the (FRCiup) governing procedural law I was hurt and multiple times as shown here on several Falsified Disciplinary Document's. OR Appenelope JBK evidence provided in my case in Nevada on 9-16-16 Court Docket # 11. I Filed for emergency Court assistance and motion to vacate Sentence, motion for appointment of Counsel, motion for preliminary injunctive relief. and statutory of limitation's to the U.S. Federal Court's enquires denied. which is going to Appeal now submitted in Appenelope #m Time Schedule order Appeal # 19-16 575 San Francisco, Court of Appeals for the 9th circuit dated 7-12-19

22.) The defendant's & U.S. Department of Justice Peter Feistler, Glenn Fine & Wan Kim are directly responsible for this mistake and have passed policy's & regulations

to extrajudicial for cases like mine to even see a
Courtroom. and should be held responsible in a Court
of law. At least for mistakes of lower leveled staff
members who fail to answer the call's for help
as provided in several unanswered undated griev-
ance and deliberate indifference, Blocking Access to
Court's by staff. Intentionally Sabotaging my legal
case by bombarding me with Stew's & Stew's of griev-
ance's and Dead end appeal's. multiple False charges
of Segregation and endless hours of Court paper
work?

-3.) As Appended in Appendix #K The defendant's are
liable under the United States Constitution for aban-
donment of claims made to a District Court and Federal
Court of Appeal's example Document #7 Filed 2-21-19
signed by judge Lisette M Reid denied preliminary in-
junction Filed, Document #10 Denied judge Patrick A
White denied Emergency Hearing 12-10-18 & Docu-
ment #12 signed Patrick A White Denied Trial preliminary
injunction, order to show cause 12-11-18. let the
Record show in Document #11, 1-5-17 & Filed Also A
Emergency Vacate of sentence in my case #3:16-cv-
00276 nmo-vpc. which is now in Appeal in San Fran-
cisco and is also consolidated as Court order shown
in Appendix m Court pg. 29 ordered Consolidate order.

hear it's shown A plaintiff must show only a causal connection of deliberate indifference. That official failed to act or took only ineffective action under certain circumstances. Indicating there response to the problem under the unjustifiable confinement or conflict of interest. Prison official's were let go and not held liable for excessive confinement or cruel & unusual punishment laws and official's were only put on notice of corrective error

24.) most court's hold one process of law is denied when a prisoner isn't released on time or is held unjustifiably resulting excessive confinement or over restrictive conditions in the eyes of the court or the Federal Constitution. The Defendant's in my case are responsible for Abandoning my claim and leaving ineffective assistance in the prison system to the extreme where no matter how many grievance or Complaint's are filed they don't respond appropriately. I have been sending Complaint's to the U.S. Dept of Justice about staff abuse & Death threats as far back as 9-22-17 to Steve Rosebaum Office. The Inspector general Lester Fernandez 9-22-17, 12-8-17, 12-21-17, Governor's Office Rick Scott 1-11-18, 4-17-18, 5-18-18, 7-2-18, 8-12-18, Florida State Bar Association as Appendix 4, V, W, X, Y. 7-2-18. Back to the Inspector general's Office 1-23-18, 8-27-18, 7-15-18. Back to Rick Scott 8-22-18

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9-13-18, Florida bar 10-29-18, Florida Justice Institute
10-22-18, Florida Legal Inst. Service Attorney's 10-28-18,
Florida bar again Complaint 1-28-19, ACLU Emergency Grievan-
ces & Complaint Appended X, Y. House of Representa-
tives Brian Sandoval, Rick Scott 10-28-18, House of Repre-
sentative Complaint Brian Sandoval Governor For State of
Nevada, Governor For Florida 12-5-18. Peter Kerster office
civil rights division 12-30-18, 4-11-18, Attorney's Director
NY 8-22-17, Law Office's of Alan Ellis 1-11-18, Regional
Director's Office Defendant's Z. Culpepper & S. M. Miller,
I. Adams, A. Johns, A. Cockran 11-29-17, 2-15-18, 8-5-18,
2-17-19 white house senate.

5.) Regional Director's Z. Culpepper & S. M. Miller, A. Johns
like the one's named in the Complaint AWO Morgan, AWO
brymer of Martin's Correctional Center. The Governor's Of-
fice Ronald Desantis, Rick Scott who's named in the Co-
plaint who ignore & deny Complaint's made by In-
mate as far back as 8-22-17 to present day. with on-
going violations and create and make the law's in pl-
ace. Have a legal responsibility to serve the public in
public interest and created democratic policy, Safety &
Security have a jurisdictional responsibility to pro-
tect the public and inmates in the prison system. Su-
pervisors of the Nevada Dept of corrections upon trans-
fer to Florida dept of corrections 3-7-17. Have an obliga-
tion to Transfer and protect inmates. From and on-going

retaliatory invasion of my privacy. Reported on many a-
ccount's in Court Documents filed in my other case's.
case no. 3:16-cv-00143 & 3:16-cv-00276 Filed 3-14-16 &
5-21-16. IN ACCORDANCE WITH Federal Jurisdiction
law's 28 U.S.C. 1391(e)(2)(ii)(A) & U.S.C. 28. 1391 venue
3) Applicability of Subsection, except as otherwise provided
by law. 1.) This Section shall govern the venue of all civil
action's brought in Action to the District Court's of the
U.S. 2.) The proper venue for a civil right's action shall be
determined without regard to whether the action is local
or transitory in nature.

6.) & 1404 change of venue 7.) For a convenience of parties
and witnesses in the interest of justice. A District Court
may Transfer any civil Action to any other district or
division. where it might be brought or to any district to
which all parties have consented. & 1406. Cure or waiver
of defect's 8.) A District Court of a district in which
it's filed a case laying venue as in my case's # 3:16-
cv-00143 & 3:16-cv-00276. If it's in the wrong division
or district. The District shall dismiss or if it is in the inter-
est of justice. Transfer such case or cases to any dist-
rict or division in which it could have been brought.
9.) nothing in this chapter shall impair the jurisdiction
of a District court of any matter. Involving a party who
does it interpose timely & sufficient objection to the
venue.

17.) I was held in Contempt for on-going violations of
my rights to the 8th Amendment Starting From a Invesa-
09.32

gation that took place at CFRC upon intake on 4-12-17 about an inmate who fell from the top of the staircase at CFRC, Orlando reception Center on that Saturday before the investigation into another matter already being executed by Staff to get the heat and was visited in Buvariance and stolen on 5-9-17 about Officer Olsenbrook at the property room gate! I was called to the property room under a suspicious area to pick-up legal mail by Sgt. Varga & Officer Olsenbrook who were awaiting me and challenged me as soon as they spotted me trying to retrieve my information from San Francisco 9th circuit Court of Appeal's About emergency post conviction relief and Staff threat's to Buvariance's stolen unattached #320-1705-0078 every time I reported it or tried to go to grievance the grievance were on unit camera. And I have personal log's but were never returned. many unbound or Redoubt's grievance both from the Regional directors A. Adams & S. Milliken please see Appendix for times dates and Officer's involved. I filed excessive paperwork, harassment 5-30-17, 6-5-17, 6-6-17, 5-30-17, 6-1-17 and stolen legal mail 5-30-17 copy's of my newly filed Federal remedie post conviction filed 5-15-17.

28.) 5-5-17 # 320-1705-0079, 320-1705-0088, Stolen
Officer Diaz 3-28-17 warden AWO Morgan 4-20-17
I Reported hitting the door by Staff abuse while trying
to trap me and hurt me during investigation. ASSault &
battery by Staff main unit Don E-42014. Colmyer's &
~~Colmyer's~~ Colmyer's, Col/Marguist, Col/Fontanez, Col/Rosa. I
was also being threatened during this investigation as
for the record there on-going violations by Col Lamb
at a Senior Female Officer from my unit. And Col/Ry-
an's, O'Scannon working night shift. I Filed Discrimina-
tion grievance in Direct Appeal to Tallahassee's Dir-
ector's Office & Culpeper never came back Stolen on
unit camera 4-25-17, 5-17-17, 5-30-17, 5-13-17, 6-22-
17, 5-19-17, 4-15-17, 6-22-17. please see grievance log's
as Exhibit & Stolen request log's as Exhibit For removal
of charges and Further Court jurisdiction. 6-5-17 &
6-30-17 on camera Tomoka reception Center upon
Transfer #320-1706-0026 & 320-1706-0029 6-1-18. I
stopped and asked to talk to Senior Supervisor's who could
only give me directions to file more grievance's cpt.
Smith & cpt. Casmit. who did nothing and walked away
about most of the situation. and only made up more situa-
tion's or Lye's threatened to pepper spray me or told
me to go lay down. or sit on my bunk 6-22-17, 6-28-17

unfamiliar legal matters, theories and questions. The case went to many Appeals and grievance filed by me on behalf to stand up for myself.

30.) my rights were violated several times even when on limited remand from the Georgia 11th circuit Court of appeals. Officers Frost, Gorman & Cpt. Edwards harrassed me in attempts to prevent me or stambell me while pursuing legal Avenue in a case against the state. For illegal transportation to an aggravated state in the state of Florida, Orlando C.F.R.C. on 2-8-18 and on 5-7-18 in Appendice C as bb, cc, dd # 430-180236 B430-180-812 Aug ASS, Stande Warden of program's caught me up in a heated conversation. believed to be entrapment by inmates & staff fighting with each other, about me and lawsuit's in Nevada. where I made passed illegal information. on my original charge's of killing my mom in case number # 98C151525X Las Vegas District Criminal Court judge Kathy Handcastle. 1.) on 2-8-19 Sgt. Frost illegally entrapped me in a lose, lose situation as Col Olsenbrook did the day on or before 4-17-17. To create multiple task's and circulatory event's. To proceed in the District Court to the point I could and should be able to defend myself in Court proceeding and. I was held in disciplinary confinement again and delay, stolen from and harrassed by law

09.36

Library Supervisor's Johnson & Mrs. Marshall & At
Tomoka John Doe unknown Supervisor and C.Fre.

32.) On these two particular staff involved incidence they by word of mouth passed information about me being a prison Informant a switch for staff. where I switched on the prison Gang AARON brother hood & Hael's Angel's biker club. who in attempt's there tryed to have me killed for the death of my mother. The situation followed me to Florida dept of corrections through cell phone conversations, Family members or staff, & staff pay off Confidential Informant's who tryed in a elaborate attempt to kill me or take my life. That's when Officer's and Awp warden Holt & Sgt. Frost started jumping the Gun and trying to trap me into situation's where I argued or raised my voice and they could cover up problem's and say I was threatening staff. or like Sergeant Walker blame me for someone else breaking the outer bearron window and putting me in Confinement for something I didn't do threaten staff and gile me or prejudice my disciplinary hearing. For Safety & Security reason's where the boy plunged to his death in a elaborate way to kill me or someone. Sticking up for me and telling other inmates to stay away from

pg. 37

me and officers are watching me and they knew I was
a out of State Compact switch. And Filed Seditious
tion charge's on officers there in case no. 3:16-cv-00
143 mnd-vpc. Officer Christopher Stagg, Matthew
Burkston, Joshua Bissell, Miguel Luna, caseworker
Steven and caseworker Mrs. Barnett, Mrs. Knight, Mrs. Ward
at Lovelock Correctional Center in and around Carson city
area Nevada. These two employees And Holt & Sergeant Frost
ended up putting me in to Disciplinary Confinement For Spoken
threats against the warden himself & officer working Con-
finement.

33.) Please see attached Appendix Log # Document #54 ORDER
Denying plaintiff motion's for Appointment of Counsel signed
Judge Jose Martinez 1-2-19. a claim has facial plausibility
when on face value. The plaintiff plea's or show's reversat-
ible error have factual content that allow the court's
to draw a reasonable inference that the defendant's are
liable for misconduct, neglect or harassment. So conclu-
sory allegation's or unwarranted deductions of fact's or legal
conclusion has quarading fact's and will not prevent dis-
missal see Oxford asset mgmt. L.E.d. VS. Jahari 529 F.
3d 1182, 1188 (11th cir. 2002). OR BOUND'S VS. Smith 430 U.S.
817, 828 (1977). Lewis VS. Casey 518 U.S. 343-353 116 S.Ct
2174 (1996). Dogan VS. Singleberry 129 F.3d 1424 Curtioran
ri (denied) 118 S.Ct 2375, 54 U.S. 956, 141 L.e.d. 2d 743.
Also see Scher VS. Engelke 943 F.2d 921-924 (8th cir-1991).

on the merit's.

26.) 18 B 3006 A (X6) Criminal Justice Act of 1964 Federal
Civ. P. Adequate representation of plaintiff's 2.) choice
of plan each U.S. District Court with approval of the
Judicial Council of the circuit. shall place in operation
throughout the district a feasible plan for furnishing
representation for any person financially unable to obtain
adequate representation. FN Accordance with this Section
representation. under each plan shall include Council &
investigative expert services. necessary for adequate re-
presentation of the law. see on grounds of manifested
error & failure to respond 28 U.S.C. 636(b)(1) Thomas vs. Arn
174 U.S. 140, 148, 153 (1985). RTC vs. Hallmark builder's inc
996 F.2d 1144, 1149 (11th Cir. 1993).

37.) However when a prisoner alleges he suffered excessive Ad-
ministrative Segregation, Confinement, as Disciplinary without
Due process of law he was entitled to. he must show his
Confinement constitutes atypical & significant Hardship. FN
~~retaliation~~ ^{relation} to ordinary incident's of prison life. A Federal
remedy exist's when the condition's of confinement violate the
8th Amendment. please see I filed for Appointment of counsel
several times and stayed all my Appeals. I didn't ask the
State to bring me to another State Florida. where a re-occ-
urrence would take place of the same kind of crime's that
I already filed charges on in Nevada.

REASONS FOR GRANTING THE PETITION

- 1.) The reason's I should be granted Certiorari is because these officer's need to be brought to justice and arrested on falsifying state evidence, And Controlling mitigating factor's of a state or federal Court. As if they really believe or had in compromise or plan to re-open or further my prison sentence or prison Arresting case.
- 2.) To prevent further response, Threat's or dealing's with staff in a to compassionate or Reliant situation on a Red Tagged, Color of law styled i OFFICE or OFFICE'S, Also warden's & Assistance, Supervisor's. Who question the decision's of the higher Court's. State prosecutor's or District Attorney's office to in accentce ineffectively Control factor's in the Government or prison system. Through the routine dealing's or prejudice Advance's of law enforcement. To dictate or Remediate none further Court proceeding's and Advance there Downfall's or correctively extunge their mistake's. Also because of multiple Death threat's on my life and my personal Safety, & welfare.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Amio R. Rodriguez

Date: 8-28-19