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R.R.

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

IN THE  
SUPREME COURT OF THE UNITED STATES

ROBERT ROWLES — PETITIONER  
VS.

SECRETARY, FLA. DEPT. OF CORRECTIONS— RESPONDENT

ELEVENTH CIRCUIT COURT OF APPEALS

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

PETITION FOR A WRIT OF CERTIORARI

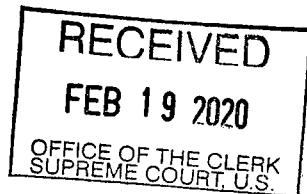
APPENDIX

**APPENDIX A...DECISION FROM 11<sup>TH</sup> CIRCUIT COURT OF APPEALS**

**APPENDIX B...UNITED STATES DISTRICT COURT**

**APPENDIX C...MOTION FOR RECONSIDERATION, 11<sup>TH</sup> CIRCUIT**

ROBERT ROWLES #721205  
SOUTH BAY CORR. FACILITY  
P.O. BOX 7171  
SOUTH BAY, FL. 33493



# APPENDIX - A

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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No. 19-10419-C

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ROBERT ROWLES,

Plaintiff-Appellant,

versus

GEO GROUP INC.,  
WARDEN,  
JULES HELLER,  
Chief Medical Health Officer at South Bay  
Correctional Rehabilitation Facility,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Florida

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Before: TJOFLAT, WILSON and JORDAN, Circuit Judges.

BY THE COURT:

Appellant, in the district court, filed a notice of appeal and a motion to proceed on appeal *in forma pauperis*. The district court denied *in forma pauperis* status, certifying that the appeal was frivolous and not taken in good faith. However, the district court did not assess the \$505.00 appellate filing fee, as is required under the Prison Litigation Reform Act of 1995, 28 U.S.C. § 1915.

Appellant has consented to pay the \$505.00 filing fee, using the partial payment plan described under § 1915(b). Thus, the only remaining issue is whether the appeal is frivolous. *See*

28 U.S.C. § 1915(e)(2)(B)(i). This Court now finds that the appeal is frivolous, DENIES leave to proceed, and DISMISSES the appeal.

## **APPENDIX “B”**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 9:18-cv-81158- ROSENBERG/WHITE

ROBERT ROWLES,

Plaintiff,

v.

GEO GROUP, INC., *et al.*,

Defendants.

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**ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION**

This matter is before the Court upon Plaintiff's *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983, DE 1, which was previously referred to the Honorable Patrick A. White for a Report and Recommendation, DE 2. On October 1, 2018, Judge White issued a Report and Recommendation recommending that (1) the complaint at DE 1 be dismissed for failure to state a claim for relief, and (2) Plaintiff be given an opportunity to file an amended complaint. DE 8. Plaintiff filed objections and sought leave to amend the complaint. DE 9, 10. The Court has conducted a *de novo* review of Magistrate Judge White's Report and Recommendation at DE 8, Plaintiff's objections at DE 9, Plaintiff's motion for leave to amend the complaint at DE 10, and is otherwise fully advised in the premises.

Upon review, the Court finds Judge White's recommendations to be well reasoned and correct. The Court agrees with the analysis in Judge White's Report and Recommendation and concludes that the complaint at DE 1 fails to state a claim for relief. The Court agrees that Plaintiff should be given an opportunity to file an amended complaint.

U.S. District Court - Southern District of Florida

Robert Rowles 721705  
South Bay Correctional Facility  
Inmate Mail/Parcels  
600 U S Highway 27 South  
South Bay, FL 33493-2233

Case: 9:18-cv-81158-RLR #11 4 pages Mon Oct 22 11:24:56 2018

IMPORTANT: REDACTION REQUIREMENTS AND PRIVACY POLICY

Note: This is NOT a request for information.

Do NOT include personal identifiers in documents filed with the Court, unless specifically permitted by the rules or Court Order. If you MUST include personal identifiers, ONLY include the limited information noted below:

- Social Security number: last four digits only
- Taxpayer ID number: last four digits only
- Financial Account Numbers: last four digits only
- Date of Birth: year only
- Minor's name: initials only
- Home Address: city and state only (for criminal cases only).

Attorneys and parties are responsible for redacting (removing) personal identifiers from filings. The Clerk's Office does not check filings for personal information. Any personal information included in filings will be accessible to the public over the internet via PACER.

For additional information, refer to Fed. R. Civ. P. 5.2 and Fed. R. Crim. P. 49.1. Also see the CM/ECF Administrative Procedures located on the Court's website [www.flasd.uscourts.gov](http://www.flasd.uscourts.gov).

IMPORTANT: REQUIREMENT TO MAINTAIN CURRENT MAILING ADDRESS AND CONTACT INFORMATION

Pursuant to Administrative Order 2005-38, parties appearing pro se and counsel appearing pro hac vice must file, in each pending case, a notice of change of mailing address or contact information whenever such a change occurs. If court notices sent via the U.S. mail are returned as undeliverable TWICE in a case, notices will no longer be sent to that party until a current mailing address is provided.

IMPORTANT: ADDITIONAL TIME TO RESPOND FOR NON-ELECTRONIC SERVICE

Additional days to respond may be available to parties serviced by non-electronic means. See Fed.R.Civ.P.6(d), Fed.R.Crim.P.45(c) and Local Rule 7.1(c)(1)(A). Parties are advised that the response deadlines automatically calculated in CMECF do NOT account for and may NOT be accurate when service is by mail. Parties may NOT rely on response times calculated in CMECF, which are only a general guide, and must calculate response deadlines themselves.

See reverse side

## **APPENDIX “C”**

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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No. 19-10419-C

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ROBERT ROWLES,

Plaintiff-Appellant,

versus

GEO GROUP INC.,  
WARDEN,  
JULES HELLER,  
Chief Medical Health Officer at South Bay  
Correctional Rehabilitation Facility,

Defendants-Appellees.

---

Appeal from the United States District Court  
for the Southern District of Florida

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Before: TJOFLAT, WILSON and GRANT, Circuit Judges.

BY THE COURT:

Robert Rowles has filed a motion for reconsideration, pursuant to 11th Cir. R. 27-2, of this Court's September 12, 2019, order denying his motion for leave to proceed in his appeal of the district court's dismissal of his *pro se* 42 U.S.C. § 1983 civil rights complaint. Upon review, Rowles's motion for reconsideration is DENIED because he has offered no new evidence or arguments of merit to warrant relief.