

No. 20-5471

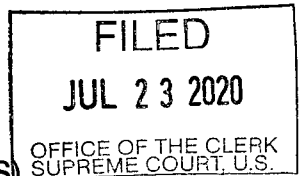
ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

DARRYL C. Daniels ^{H 17670} — PETITIONER
(Your Name)

vs.

STATE OF FLORIDA — RESPONDENT(S)



ON PETITION FOR A WRIT OF CERTIORARI TO

SUPREME COURT OF FLORIDA

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

PETITION FOR WRIT OF CERTIORARI

DARRYL C. DANIELS H 17670
(Your Name)

208 EAST CYPRESS STREET
(Address)

ARCADIA, FLORIDA 34266
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

Should such disfavored persons (i.e. involuntarily civilly imprisoned prisoners/victims currently unlawfully detained under The Involuntary Civil Commitment of Sexually Violent Predators Act pursuant to FLORIDA STATUTE 394.910) (i.e. also known as pleabargainers) be deprived of fair notice/warning and continually remain involuntarily civilly committed/imprisoned because of it?

Should currently extremely dangerous only to free people Sexually violent predators be unlawfully deprived of their unrestricted and personal societal liberty by continuing to involuntarily civilly committing/imprisoning them? (i.e. possibly for their lives remain der)

Does an Appellate Court have the Constitutional authority to summarily deny a prose litigant/defendant's prose Writ/Petition without being Constitutionally required to give a written explanation for doing so regarding certain case now?

Is it Constitutionally acceptable for any State Supreme Court to ignore United States Supreme Court precedent (i.e. no matter if it be controlling precedent or not) in favor of its own? When to United States Supreme Court precedent, ~~which is not precedent~~ raise a serious Constitutional question regarding the continuous unconstitutional treatment of similarly situated persons?

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:

The Florida Civil Commitment Center, c.e. herein after F.C.C. Prison, Department of children and Family Services, c.e. herein after D.C.F., Florida Department of Corrections, c.e. hereinafter F.D.O.C., Desoto County Jail, Certain said Desoto County Jail Officials, F.D.O.C. Officials/Inmates, c.e. some of whom are gang members, F.C.C. Prison Authorities, ~~CFNU~~ Corporal Mrs. Manuela Hiscock, CFNU, former Corporal Mrs. J. Polk, c.e. now retired, CFNU Officer Ms. Brandon, CFNU Officer Mr. Reichelt, ~~CFNU~~ medical personnel, Nurse Practitioner Ms. Kimberly, c.e. last name unknown, etc. Desoto County Jail inmates: Jeremie Platt Jr., Robert E. Primus Jr., Charles Johnson, Raphael Moreno, Darius Arnold, Mark c.e. or

RELATED CASES

2019 CA-009292 c.e. Petition for Writ of Mandamus in which I filed in The Tenth Judicial Circuit Court in Polk County/Barlow, Florida on October 19, 2019; of which was later transferred to The Twelfth Judicial Circuit Court of Desoto County/Arcadia, Florida on October 29th 2019)

2020-000155-0000-00 c.e. Motion/Order for Injunction and Temporary restraining Order; in which I filed To The Tenth Judicial Circuit Court of Polk County/Barlow, Florida on January 3, 2020; and was also later transferred to The Twelfth Judicial Circuit Court of Desoto County/Arcadia, Florida on the date of January 25, 2020)

CI also filed another Petition for Writ of Mandamus on the date of May 26, 2020 to the Tenth Judicial Circuit Court of Polk County/Barlow, Florida of which was also received at the time of 3:44 P.M. by said Trial Court mentioned herein paragraph. I did not receive any ~~paper~~ paper confirming ~~assigned~~ assigned case no. by said Trial Court regarding herein mentioned Mandamus Writ/Petition due to it being deliberately removed from my incoming legal mail by a certain said Desoto County Jail Official c.e. and herein mentioned Certiorari/Writ Petition regarding remaining persons supra)

(List of Parties Continued)
unfairly, Civilly imprisoned prisoners; Aaron Shaw, Lyle Howard, Kerry
Tolbert, Dale Rodriguez, Calvin Brown, ~~Robert~~

TABLE OF CONTENTS

OPINIONS BELOW	1
JURISDICTION.....	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	
STATEMENT OF THE CASE	
REASONS FOR GRANTING THE WRIT	
CONCLUSION.....	

INDEX TO APPENDICES

- APPENDIX A The Second District Court of Appeals c/o Polk County Lakeland, FL, denied my Prose said Writ/Petition without a written explanation regarding certain case no(s).
- APPENDIX B Due to extraordinary circumstances, I did not file said Prose Petition; for say Trial Court for unnecessary delay would occur.
- APPENDIX C Florida Supreme Court failed to consider my claims and facts within said Petition and denied discretionary review.
- APPENDIX D I was also informed by Florida Supreme Court that no motion for reinstatement would be entertained by them.
- APPENDIX E Was also informed by said court that no motion for rehearing would be entertained by them c/o pursuant to case no: SC20419.
- APPENDIX F Second District Court of Appeal case no(s): 2 D20-1790, 2020-CF-1150-1, 2020-CF-1230-1, 2020-CA-124, and 2004-CA-2980. And Florida Supreme Court case no: SC20-919.

TABLE OF AUTHORITIES CITED

CASES

PAGE/NUMBER

WEAVER v. GRAHAM, 450 U.S. 2428-29, 101 S.Ct. 960, 67 L.Ed. 17 (1981) H15
 LYNCE v. MATHIS, 519 U.S. 435, 441, 117 S.Ct. 891, 137 L.Ed. 63 (U.S. 1997) H6
 MILLER v. FLORIDA, 482 U.S. 423, 430, 101 S.Ct. 2446, 96 L.Ed. 2d 351 (1987) H6
 UNITED STATES v. BROWN, 381 U.S. 437, 456-462, 85 S.Ct. 1701, 1722, 14 L.Ed. 2d 489 (1965) H7
 BOUNDS v. SMITH, 430 U.S. 821, 97 S.Ct. 1491, 52 L.Ed. 2d (U.S. NC. 1977) H14
 HAINES v. KERNER, 404 U.S. 519, 520, 92 S.Ct. 594, 30 L.Ed. 652 (1971) H14
 BAGLEY v. BRIERTON, 362 So. 2d 1048 (Fla. 1st DCA 1978) H14
 SMITH v. MESSINGER, 293 F.3d 641, 653 (3rd Cir. 2000) H14
 OGDEN v. SAUNDERS, 213 WHEAT 213, 266, 6 L.Ed. 606 (1827) H6
 MARKS v. UNITED STATES, 430 U.S. 188, 191-192, 960 S. 1117 (1977) H6
 HEWITT v. HELMS, 459 U.S. at 488, 103 S.Ct. 864, 74 L.Ed. 2d 675 (U.S. 1983) (quoting WOLF v. McDONNELL, 418 U.S. at 558, 94 S.Ct. at 2975 (1974)) H7

STATUTES AND RULES

FLORIDA RULES OF CRIMINAL PROCEDURE RULE 3.172(c)(9) at 12:01 A.M. 1 OCTOBER 2005 H5
 ARTICLE I SECTION 9 CL. 3 and 10 CL. 1 ~~CL. 1~~ H3
 787.01 H3
 782.02 H3
 INTERNATIONAL LAW H3
 HUMAN RIGHTS H3
 FLORIDA CONSTITUTION'S ARTICLE I SECTION 9 H3
 FLORIDA CONSTITUTION'S ARTICLE I SECTION 10 H3
 U.S.C.A. CONST. AMEND. FIVE H3
 U.S.C.A. CONST. AMEND. EIGHT H3
 U.S.C.A. CONST. AMEND. FOURTEEN H3
 U.S.C.A. CONST. AMEND. FOUR H3

OTHER

FLORIDA STATUTE (394.910) H5
 FLORIDA STATUTE 760.22(7) H13
 FLORIDA STATUTE 749.3215(2) H14
 FLORIDA STATUTE 760.23 H14
 FARMER v. BRENNAN, 511 U.S. 825, 845, 114 S.Ct. 1970, 1993, 128 L.Ed. 2d 811 (1994) (quoting PENNSYLVANIA v. WEST VIRGINIA, 262 U.S. 553, 593, 43 S.Ct. 658, 663-664, 67 L.Ed. 1117 (1923)) (as quoted in LEWIS v. CASEY, 518 U.S. at 414, 116 S.Ct. 2174, 135 L.Ed. 2d 606 (U.S. ARIZ. 1996)) H10

TABLE OF AUTHORITIES (continued)

Other	PAGE NUMBER
LANDGRAF v. USI FILM PRODUCTS, 511 U.S. at 266, 114 S.Ct. 1983, 128 L.Ed. 2d 229 (1999)	HC
case no. 2004 CA 2980	HS
case no. 15J: 2019 CF-000323 AXIMA, 2019-CF-403, 2020-CF-01150-1, 2020-CF-01230-1, and 2020-CA-124	HS
case no. 15J: 2001-CF-003023-AOXX-XX and 2002-CF-00-4745-AOXX-XX	HS
case no. 15J: 2020-00216	HS
disciplinary report no. 15J: 2020-00216, and 2020-00230	HS

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 _____ 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 _____ 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 C 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 Second District Court of Appeals ^{ie Polk County/Lake} court ^{land, Fla)} appears at Appendix A to the petition and is

- ☐ reported at _____; 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 _____.

☐ 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: _____, 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. § 1254(1).

☐ For cases from **state courts**:

The date on which the highest state court decided my case was June 29, 2020.
A copy of that decision appears at Appendix C.

☒ A timely petition for rehearing was thereafter denied on the following date: June 29, 2020, and a copy of the order denying rehearing appears at Appendix D and 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. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED / me I heret

I, Committee/Petitioner Darryl C. Daniels, C.I.E. hereinafter I, my, me, myself, etc.) hereby factually asserts that I, after I, completed my prison sentence in The Florida Department of Corrections C.I.E. hereinafter F.D.O.C.) The U.S. Tribunals of Power, The United States' States Attorneys, Legislature C.I.E. Authorities), and The United States Attorneys had armed F.D.O.C. Officers kidnap me from The Central Florida Reception Center and transport me to and falsely imprison me in a prison titled The Florida Civil ~~Commitment~~ Commitment Center C.I.E. hereinafter F.C.C.C. prison) during July 1, 2004, and since then have had Department of Children and Families C.I.E. D.C.F.) falsely imprison me there, now pursuant to Florida's Involuntary Civil Commitment of Sexually Violent Predators Act C.I.E. hereinafter The Act) that violates United States Constitution and Constitution Article section 9 cl. 3, 10 cl. 1, Attainder Bill and Ex-Post Facto Laws Prohibition, and Amendment Four's persons' right to be free in their persons from unreasonable searches and seizures, Five's persons' right to be free from being twice put in jeopardy for the same offense, Eight's persons' right to be free from cruel and unusual punishment, Fourteenth's law due process/ fundamental fairness and equal protection/ treatment provisions, Florida Constitution and Constitution Article 1-section 9 persons' right to not be liberty deprived without Law due process/ fundamental ~~process~~ fairness / twice put in jeopardy for same offense/ protections against multiple punishments for the same offense, 10 Attainder Bill and Ex-Post Facto Laws Prohibition, 12 persons' right to be free in their persons from unreasonable searches and seizures, 17 persons' right to be free ~~from~~ from cruel and unusual punishment, and statutes 797.01 kidnapping, 797.02 false imprisonment, international law, and human rights, by having been ever since its enactment, C.I.E. and still now) Authorities' tyranny and totalitarianism product and subterfuge by which they knowingly, intentionally, arbitrarily, maliciously, egregiously, and conscience shockingly extend former F.D.O.C. prisoners' prison sentences for qualifying violent sex crimes commissions charges convictions/ qualifying sexually motivated crimes commissions charges convictions by currently maintaining they're currently extremely dangerous only to free people sexually violent predators, because currently they're suffering from a mental abnormality, and personality disorder that makes them likely, to commit predatory violent sex

(Constitutional and Statutory Provisions Continued)
crimes only while they're free C.i.e. hereinafter involuntarily civilly im-
prisoned prisoners/victims) and therefore involuntarily civilly imprisoning
them until they're no longer currently extremely dangerous only to free
people sexually violent predators, C.i.e. Constitutional amendments,
statutes, and provisions mentioned herein are also listed within
the Table of Authorities, Statement of Case, Reasons for Granting Cert.
or ari

STATEMENT OF THE CASE

What the highest state Supreme Court [Florida Supreme Court] failed to consider; regarding claims and facts in Petitioner/Appellant's [i.e. hereinafter, I, me, myself, my, etc.] Emergency Petition for Writ of Habeas Corpus)

1. ("all legislative Acts" must "give fair warning") (WEAVER v. GRAHAM, 450 U.S. 24, 28-29, 30, 101 S.Ct. 960, 67 L.Ed.2d (1981))

a. On March 2004, i.e. pursuant to case no. 2004CA29801 which I, Committee Petitioner/Appellant Darryl C. Daniels, i.e. hereinafter, I, me, my, myself, etc.) was not given fair notice/warning by The Tenth Judicial Circuit Court of Polk County/Bartow, Florida, that I would be subjected to The Involuntary Civil Commitment of Sexually Violent Predators Act i.e. pursuant to FLORIDA STATUTE 394.910) or that I would also be an involuntarily indefinitely civilly imprisoned prisoner/victim under The Involuntary Civil Commitment of Sexually Violent Predators Act (i.e. hereinafter The Act) possibly for the remainder of my life)

b. Trial Court/State i.e. mentioned in paragraph #1a, supra depriving me of fair notice/warning; i.e. in regards to information also mentioned in paragraph #1a, supra, was clearly The Trial Court/State's perpetrating of fraud upon Court; in addition to The Trial Court/State committing a due process violation, and an ex-post facto violation upon me, with the use of The Attainder Bill) (pursuant to case no. 2004CA29801)

c. Before the enactment of The Act, courts didn't warn and couldn't have ct them to being involuntarily civilly imprisoned as currently Sexually violent predators; possibly for their lives remainder; pursuant to future Act; and

d. after Act's enactment; before 12:01 A.M. 1 October 2005, when Florida Rules of Criminal Procedure Rule 3.172(cc)(9), became effective because Courts didn't warn such plea bargainers (supra) before they so pled, and had they been so warned before they so pled, they wouldn't have so pled and stood trial on and been acquitted of qualifying violent sex crimes commissions charges, qualifying sexually motivated crimes commissions charges which is tantamount to Authorities i.e. Legislature knowingly, and intentionally involuntarily civilly imprisoning people who they

C Statement of Case cont'd)

know ~~they~~ don't meet criteria, for such imprisonment/civil commitment as sexually violent predators. SEE OGDEN v. SAUNDERS, 12 WHEAT, 213, 266, 6 L. Ed. 606 (1827) ("The only answer to be given is that laws of this character are oppressive, unjust, and tyrannical...") central concept

e. What's more: The United States Supreme Court: c.i.e. hereinafter, This Court) has consistently stressed "lack of fair notice" as one of The EX-POST FACTO CLAUSE: c.i.e. for The EX-POST FACTO Clause is applicable to the fair notice/warning requirement! SEE LYNCE v. MATHIS, 519 U.S. 435, 441, 117 S.Ct. 891, 137 L. Ed. 2d 63 (U.S. 1997), cases quoted in WEAVER v. GRAHAM, 450 U.S. 24, 30, 101 S.Ct. 960, 67 L. Ed. 2d 17 (1981), SEE ALSO LANDGRAF v. USI FILM PRODUCTS, 511 U.S. 249, 266-267, 114 S.Ct. 1783, 128 L. Ed. 2d 229 (1994), MILLER v. FLORIDA, 482 U.S. 123, 430, 107 S.Ct. 2496, 96 L. Ed. 2d 351 (1987), WEAVER, 450 U.S. at 28, 29, 101 S.Ct. 960, MARKS v. UNITED STATES, 430 U.S. 188, 191-192, 960, 51 L. Ed. 2d 260 (1977), SEE ALSO ARTICLE I SECTION 9 CL. 3, and 10 CL. 1 ("ATTAINDER BILL AND EX-POST FACTO LAWS PROHIBITION")

f. In addition, This Court clearly held in LANDGRAF v. 511 U.S. at 266, c.i.e. mentioned in paragraph H (i.e. supra) that "THE DUE PROCESS CLAUSE PROTECTS THE INTEREST IN FAIR NOTICE"! SEE LANDGRAF v. USI FILM PRODUCTS, 511 U.S. at 266, 114 S.Ct. 1983, 128 L. Ed. 2d 229 (1994) SEE U.S. CONST. AMEND. 14, C "LAW DUE PROCESS/FUNDAMENTAL FAIRNESS AND EQUAL PROTECTION/TREATMENT PROVISIONS")

2. To fall within The ex-post facto clause prohibition "a law must be retrospective and "disadvantage" the offender "affected by it" (WEAVER v. GRAHAM, 450 U.S. 29, 29, 101 S.Ct. 960, 67 L. Ed. 2d 17 (1981))

a. Iowa's Act is applied prospectively only.

b. While Florida's Act c.i.e. pursuant to Florida Statute 394.910) is applied retrospectively and prospectively.

c. The Act is "a law that is retrospective" and "disadvantage" me for I continue to remain "affected by it" SEE LYNCE v. MATHIS, 519 U.S. 433, 117 S.Ct. 891, 137 L. Ed. 2d 63 (U.S. 1997) SEE ALSO ARTICLE I SECTION 9 CL. 3, 4 and 10 CL. 1 ("ATTAINDER BILL AND EX-POST FACTO LAWS PROHIBITION")

(Statement of case continued)

AND UNITED STATES v. BROWN, 381 U.S. 437, 456-462, 85 S. Ct. 1707, 1722, 14 L. Ed. 2d 489 (1965)

3. it "restricts governmental power by restraining arbitrary and vindictive legislation." C. WEAVER v. GRAHAM, 450 U.S. 24, 28, 101 S. Ct. 960, 67 L. Ed. 2d 17 (1981)

a. Since being kidnapped (787.01), falsely imprisoned (787.02), and unlawfully detained under The Act, i.e. since July 1, 2004, as I stated within reasons for granting certiorari I've also been unlawfully subjected to State obtained criminal sanctions, penalties, and punishments, being unlawfully held in execution under a criminal sentence, within The Florida Department of Corrections i.e. hereinafter F.D.O.C.) in addition to now currently being unlawfully held in execution under a criminal charge within This Desoto County Jail herein Desoto County / Arcadia, Florida since Friday June 14, 2019 to present i.e. pursuant to current case nos. 2019CF000323 AXMA and 2019CF403 as I still remain currently unlawfully detained under The Act / falsely imprisoned in the F.C.C. / prison) of which continues to result in my current and unlawful loss of free societal time and deprivation of the society. SEE HE WITT v. HELMS, ~~459 U.S. at 488~~ 459 U.S. at 488, 103 S. Ct. 864, 74 L. Ed. 2d 675 (U.S. 1983) (quoting WOLF v. McDONNELL, 418 U.S. at 558, 94 S. Ct. at 2975 (1974)). "The touchstone of due process as we pointed in WOLF v. McDONNELL, 418 U.S. at 558, 94 S. Ct. at 2975 (1974), is 'protection of the individual against arbitrary action of government.'" SEE ARTICLE I SECTION 9 CL 3 and 10 CL 1 "ATTAINDER BILL AND EX-POST FACTO LAWS PROHIBITION" ~~which is a fundamental right of every citizen~~

b. While being previously ~~being~~ held in execution under a criminal charge within This Desoto County Jail during the times of 2009, 2010, 2015, in addition to currently being held in execution under a criminal charge within This Desoto County Jail i.e. pursuant to pending case nos. 2019CF000323 AXMA and 2019CF403 herein Desoto County / Arcadia, Florida i.e. while still being currently unlawfully detained under The Act i.e. pursuant to FLORIDA STATUTE 394.910 I've been subjected to severe sexual and physical harm by Desoto County Jail inmates i.e. past and present; with the inclusion of debased sexual and homosexual and prejudice remarks since June 14, 2019 from Desoto County Jail inmates.

(Statement of Case cont'd)

Kerry Tolbert, Dale Rodriguez, Calvin Brown, Jeremie Platt Jr, Robert E. Primus Jr, [of which I factually asserted and claimed PREA reportage upon inmate Primus Jr back on December 2019] Charles Johnson, Raphael Moreno, Darius Arnold, and Mark [i.e. or Marvin] Dennis severe reprisal, prejudice, perjury, abusiveness, negligence, medical negligence, abusiveness, deprivation of proper, adequate, meaningful and effective access to the courts by certain said Desoto County Jail Officials Corporal Mrs. Manuela Hiscock, [CFNU] Corporal Mrs. I. Polk, [CFNU] Officer Ms. Brandon, and [CFNU] Officer Mr. Reichelt, etc.; in addition to certain said County Jail Medical Personnel, [LNU] Nurse Ms. Carolina, [LNU] Nurse Ms. Miranda, [LNU] Nurse Ms. Kris, [LNU] Nurse Ms. Jacqueline, etc. C.i.e. I also factually asserted/claimed PREA reportage upon Corporal Mrs. Manuela Hiscock on the days/dates of Wednesday January 1, 2020, and January 2, 2020 and on Tuesday April 28, 2020

me within The Florida Civil Commitment Center
c. During my current and continuous unlawful detention under The Act, I've been unlawfully in execution under criminal sentences within The Florida Department of Corrections (i.e. hereinafter F.D.O.C.) in where I was subjected to severe sexual and physical harm by F.D.O.C. inmates (i.e. some of whom are inmates that are gang members) in which I also factually asserted and claimed PREA on inmates within F.D.O.C. (i.e. one of them being Lyle Howard of who I factually asserted and claimed my PREA reportage upon inmate Howard back on October 2017/ November 2017 while at F.D.O.C.) with the inclusion of suffering and being subjected to much severe irreparable harm and injury from F.D.O.C. officials, (i.e. reprisal, abusiveness, negligence, deliberate indifference, medical negligence and false disciplinary reports) after serving unlawful prison sentences, (i.e. after being unlawfully in execution under criminal charges) within The Desoto County Jail back on 2009, 2010, and 2015 as The Department of Children and Family Services still kidnapped me through F.D.O.C. and involuntarily civilly imprisoned/ falsely imprisoned/ unlawfully detained under The Act) Of which I now currently remain unlawfully held in execution under a criminal charge within This Desoto County Jail (i.e. pursuant to case nos): 2019 CF 000323 AX MA, 2019 CF 403, 20-20-CF-0115-1, 2020-CF-01230-1, and 2020 CA-129 while still being unlawfully detained under The Act.) SEE 787 OLC "KIDNAPPING", 787.02C "FALSE IMPRISONMENT", INTERNATIONAL LAW, HUMAN RIGHTS,

(Statement of Case confid)

AND ARTICLE I SECTION 9 CL. 3 and 10 CL. 1 C "ATTAINDER BILL AND EX-POST FACTO LAWS PROHIBITION"

D. for I also have a severe seizure condition in which I daily take Dilantin seizure medication for; along with taking blood pressure, headache, digestive and allergy medication; in addition to taking Clindamycin antibiotic medication of which I take three times a day for seven to days at a dosage of 450 mg for an ongoing MRSA/Staph infection that will not go away. For I was prescribed said antibiotic medication by an AARP employee c.e. of who happens to be affiliated with this Desoto County Jail herein Arcadia Florida) by the first name of Shondra, of whom works alongside her AARP co-employee who also goes by the first name of ~~Teri~~ Teri, c.e. of whose last names are unknown to me at this time I've been placed on said antibiotic medication for the third time ~~due~~ by said AARP employee due to inconsistent practices of the medical department herein said County Jail. for said negligence is being spearheaded by a Nurse Practitioner of who goes by the first name of Kimberly c.e. last name unknown) who continues to lie to me, saying to me that I have a cyst and not MRSA at all. As I calmly make attempts to explain to her that I have MRSA; c.e. due to me having MRSA/Staph infection previously) said Nurse aggressively states/laments to me, "I'm not going to argue with you. I know what you have." While experiencing ongoing medical mistreatment from Nurse Practitioner Ms. Kimberly, On the morning of ~~July~~ c.e. or rather on the afternoon of Monday July 6, 2020, I was informed by Nurse Practitioner Ms. Kimberly that I somehow c.e. allegedly tested positive for Covid 19. I was earlier informed by ~~my~~ my family members that my father (Her. man Daniels) just currently passed away on the night of Thursday July 2, 2020 in Dighton, Alabama. To make matters even worse, I also found out from my family members that my cousin C.e. Tamika Daniels) has also tested positive for Covid 19 on the evening of Thursday July 9, 2020 in Dighton, Alabama. c.e. I'm being financially charged for my medication, booking fee, etc., of which said ~~Desoto~~ County Jail deducts out of my Commissary account leaving me with only \$20.00 to spend)

E. During my unlawful detainment under The Act; I've suffered

(Statement of Case continued)

and been subjected to severe irreparable harm and injury from certain Florida Civil Commitment Center c.i.e. hereinafter F.C.C.C. (prison) prison Authorities and F.C.C.C. ~~and~~ involuntarily civilly imprisoned prisoners. On the afternoon of Wednesday May 22, 2019 between the time of 2:30 P.M. to 3:15 P.M. c.i.e. while in the Behavior Management Unit Confinement area at The F.C.C.C. prison, then Captain/employee (FNU) Mr. Payne made this threatening and sexually grotesque remark at me, "I'm going to see to it that you go back to prison so that you can get fucked in the ass." In which I factually asserted and claimed PREA reportage on the PREA hotline answering machine by telephone since being within this Desoto County Jail within the month of early August 2019. On the morning of Thursday May 23, 2019 c.i.e. within the Behavior Management Unit/Confinement area within F.C.C.C. prison between the time of 11:00 A.M. to 12:00 P.M. F.C.C.C. prison Security Captain/Director Jon Paul Carner made this threatened injury remark towards me, "It's gonna be bad, real bad for you."

f. While currently and unlawfully under a criminal charge within this Desoto County Jail, c.i.e. and in the past I've always requested to be placed on protective custody, within a cell room by myself, around humane conditions. But said certain County Jail Officials would refuse to place me on such protection, claiming that they did not have enough space to place me on such protection, c.i.e. within this said County Jail and would only place me on such protection after suffering said severe injuries c.i.e. as mentioned herein Statement of Case) from Desoto County Jail inmates due to their prejudice c.i.e. with the inclusion of prejudice by certain said Desoto County Jail Officials) towards me based on me carrying the currently extremely dangerous only to free people sexually violent predator label. SEE FARMER v. BRENNAN, 511 U.S. 825, 845, 114 S.Ct. 1970, 1983, 128 L.Ed.2d 811 (1994), C" holding that a prisoner need not suffer physical injury before obtaining relief because "one does not have to await consummation of threatened injury to obtain preventative relief" (quoting PENNSYLVANIA v. WEST VIRGINIA, 262 U.S. 553, 593, 43 S.Ct. 658, 663-664, 67 L.Ed. 1117 (1923)) C as quoted in LEWIS v. CASEY, 518 U.S. 914, 116 S.Ct. 2174, 135 L.Ed.2d 606 (U.S. ARIZ. 1996)

(Statement of Case Continued)

G. The Act, facially and as-applied to me c.i.e. with the inclusion of other involuntarily indefinitely civilly imprisoned prisoners/victims of whom are also unlawfully detained under The Act is unconstitutional for it extends my original prison sentence and prolongs my stay at The F.C.C.C. prison, in addition to continuing to unlawfully deprive of my unrestricted and personal societal liberty. c.i.e. and other all favored persons of their said liberty mentioned herein paragraph me ←

H. for This Court should immediately release all involuntarily civilly imprisoned prisoners/victims from unlawful detention under The Act; and immediately dismiss, abolish, and eliminate this unlawful, manifestly unjust, tyrannical, arbitrary, vindictive, malicious, unconstitutional, egregious, and conscience shocking legislation, for reasons stated herein.

I.

All 50 United States" states don't have Act, and therefore, don't protect free people from people who they currently maintain are currently extremely dangerous only to free people sexually violent predators.

REASONS FOR GRANTING THE PETITION

For I know and ^{for} I fear that I will be subjected to and suffer even more sexual and physical harm (i.e. possibly even death - for I've also discovered that I tested positive Covid19 since being unlawfully detained within this Desoto County Jail by Desoto County Jail inmates, F.D.O.C. inmates (i.e. some of whom are gang members) F.C.C.C. involuntarily civilly imprisoned prisoners (i.e. of which should not cause This Court to rule against all other such disfavored persons/ involuntarily civilly imprisoned prisoners/ victims of whom are unlawfully detained under The Act; due to certain said disfavored persons mentioned herein Certiorari committing inappropriate acts upon me) in addition to suffering and being subjected to even more severe reprisal, perjury, prejudice, negligence, medical negligence, abusiveness, deprivation of proper, adequate, ~~and~~ meaningful, and effective access to the courts, by certain Desoto County Jail Officials, F.D.O.C. Officials, and F.C.C.C. Authorities if This Court were not to grant my Petition for Writ of Certiorari.

2. I request that This Court does ^{by certain said} not exercise any partial judgment of prejudice against me (for other involuntarily civilly imprisoned prisoners/ victims (i.e. of whom are all unlawfully detained under The Act) due to the sexual abuse and physical harm that I've suffered and been subjected to F.C.C.C. involuntarily civilly imprisoned prisoners/ ~~prisoners~~ Aaron Shaw and Lyle Howard (i.e. of which I factually asserted and claimed PREA reportage upon Lyle Howard while at F.D.O.C. back on ~~for~~ October 2017/ November 2017). In addition to the sexually/ homosexually debased/ grotesque remarks of which were constantly being said to me by current F.C.C.C. ~~prisoners~~ involuntarily civilly imprisoned prisoners of whom were at one time within This Desoto County Jail with me as former and possibly still current said County Jail inmates due to current pending criminal charges being placed upon them) Kerry Tolbert, Dale Rodriguez, and Calvin Brown, (i.e. while I'm on protective custody, within a cell room by myself, around humane conditions) for I also factually asserted and claimed PREA reportage said mentioned herein F.C.C.C. involuntarily civilly imprisoned prisoners/ ~~prisoners~~ within my Committee's Motion for a Protective Order pursuant to Case Nos. 2001CF-003023 AOXX-XX and 2002CF-004745-AOXX-XX of which was denied by

upon ^{for}

(Reasons for granting Certiorari continued)
The Tenth Judicial Circuit Court of Polk County/Bartow, Florida on February 18, 2020. I wish to still remain on protective custody, within a cell room by myself, around humane conditions, in addition to continuing to attend recreation by myself until I am released immediately back in society from this said County Jail. (with hopes of This Court dismissing my current pending criminal charges pursuant to case nos): 2019 CF 00032, 3AXMA, 2019 CF 403, 2020 CF 0151, 2020 CF 01230-13 and 2020 CA-1241, and to immediately release me from unlawful detention under The Act pursuant to case no. 2009 CA 29901

3. unlawfully depriving me and other disfavored persons (i.e. involuntarily, civilly imprisoned prisoners/victims) of their unrestricted and personal societal liberty by continuing to unlawfully detain/ falsely imprison such disfavored persons under The Act (i.e. pursuant to FLORIDA STATUTE 394.910) clearly runs afoul of all constitutional laws, principles, provisions, and statutes. For the standards guarding against arbitrariness should never fall short of what The United States Constitution requires. For such unlawful, arbitrary, vindictive, egregious, and conscience shocking legislation should be abolished, dismissed, and eliminated. SEE HEWITT v. HELMS, 459 U.S. at 488, 103 S.Ct. 864, 79 L.Ed. 2d 675 (U.S. P.A. 1983) Quoting WOLF v. McDONNELL, 418 U.S. at 558, 94 S.Ct. at 2975 (1979) C. The touchstone of due process, as we pointed out in WOLF v. McDONNELL 418 U.S. at 558, 94 S.Ct. at 2975 (1979) is "protection of the individual against arbitrary action of a government." SEE ALSO USCA CONST. AMEND. 14 C. "LAW DUE PROCESS/ FUNDAMENTAL FAIRNESS AND EQUAL PROTECTION/TREATMENT PROVISIONS"

4. Since my unlawful detainment under The Act:
a. I've been deprived of my right to earn a ²livelihood, and the pursuit of happiness. SEE FLORIDA STATUTE 760.23 C7)
b. Other devastating stigmas and strains placed upon me are not limited to C1). many reasonable opportunities and advantages in which I could have perused absent my unlawful detention have evaporated, C2). legal rights have been lost, C3). property rights have been lost, C4). financial gains and profits being lost, C5). the right to personally apply for government benefits (i.e. for I have a severe seizure condition in which I daily take Dilantin seizure medication for, in addition to being

(Reasons for granting Certiorari continued)
subjected to medical negligence by said certain County Jail medical personell, in addition to testing positive for Covid 19 and ongoing MRSA/Staph infection that said department continues to remain brazenly inconsistent with their medical treatment, resulting in my health also being in grave danger) (6). the right to travel, SEE FLORIDA STATUTE 744.3215 (2), and FLORIDA STATUTE 760.23,

5. I am still being deprived of proper, adequate, meaningful ^{and effective} access to the Courts. Said certain County Jail Officials refused to give a copy of my bank/account statement. ~~See~~ In addition to having issues with some of my incoming and outgoing legal mail (i.e. Corporal Mrs. Manuela Hiscock and possibly a few others herein said County Jail) SEE BOUNDS v. SMITH, 430 U.S. 821, 975 Ct. 1491, 52 L.Ed.2d 72 (U.N. 1977) C "It is now well-established beyond doubt that prisoners have a constitutional right of access to the courts." When filing my pro se legal documents, i.e. as a pro se litigant in various jurisdictions) said U.S. Tribunals of Power herein Florida, i.e. Polk County Florida, and Tallahassee, Florida) I have not received the proper relief in my favor at all. SEE HAINES v. KERNER, 404 U.S. 519, 520, 92 S.Ct. 594, 30 L.Ed. 652 C "Throughout we bear in mind" "however inartfully pleaded" the "allegations of a pro se litigant or 'complaint [are held] to less stringent standards than former pleadings ~~that are drafted by lawyers~~" An Appellate Court (i.e. Second District Court of Appeals of Polk County, Lakeland, Florida) had no grounds to ~~dismiss~~ summarize denied my Emergency Petition for Writ of Habeas Corpus without a written explanation, i.e. pursuant to case ncsj: 2020-CF-01150-1, 2020-CF-01230-1, 2020 CA-124, 2009 CA-2980, and 2020-1790) The Florida Supreme Court also failed to consider the serious unconstitutionallities, and illegallities regarding the unlawful said mentioned herein Legislation otherwise known as The Act pursuant to FLORIDA STATUTE 394.910, i.e. pursuant to case no. SC 20-919) SEE BAGLEY v. BRIERTON, 362 So.2d 1048 (Fla. 1st DCA 1978) C "This Court" [Fla. 1st DCA] "held that the summary dismissal for Writ of habeas Corpus would be reversed and the matter reformed." SEE U.S. CONST. AMEND. 14 C "LAW DOES PROTECT/ FUNDAMENTAL FAIRNESS AND EQUAL PROTECTION/ TREATMENT PROVISIONS"

6. For Corporal Mrs. Manuela Hiscock's filing of disciplinary reports

Reasons for Granting Certiorari Continued

J2020-00216 c.e. on Tuesday April 28, 2020, J2020-00230 c.e. Wednesday May 6, 2020) in addition to encouraging said disciplinary report hearing panel to placing findings of guilt upon me for the sole purpose to sway The Twelfth Judicial Circuit Court of ~~the~~ Desoto County / Arcadia, Florida to develop an even more partial attitude towards me by ~~pro~~ unlawfully, maliciously, and arbitrarily prosecuting me for current pending criminal case nos. J2020-CF-01150-1, and 2020-CF-01230-1, and any future criminal case nos., of which were filed by Corporal Mrs. Manuela Hiscock due to her being motivated by personal vindictiveness, reprisal, and prejudice towards me due to a previous false disciplinary report of which was authored upon me by Corporal Mrs. Manuela Hiscock on the date of September 26, 2019 of which would later be dismissed. My delivering of definitive and reportorial information regarding Corporal Mrs. Manuela Hiscock's inappropriate and sexual activity with said County Jail inmates. And due to me carrying the currently extremely dangerous only to free people sexually violent predator label, c.e. for Corporal Mrs. Manuela Hiscock had me placed within an isolation cell on the afternoon of Thursday May 7, 2020 just moments after calling me a "disgusting piece of shit" of which toilet stool did not flush manually within isolation cell, and while within said cell, I developed MRSA / Staph infection - which still remains ongoing of which I'm having to struggle to get said County Jail medical department to prescribe Clindamycin antibiotic medication for me to take, in addition to testing positive for Covid 19 a month after leaving isolation cell which also contained extreme, inhumane conditions. SEE SMITH v. MESSINGER, 293 F.3d 641, 653 (3rd Cir. 2002) ("the New Jersey appeals Court held that "falsifying misconduct reports" in retaliation" for even an "inmate's resort to legal process is a violation of The First Amendment's guarantee of free access to the courts"). SEE U.S.C.A. CONST. AMEND. 8 ("PERSONS RIGHT TO BE FREE FROM CRUEL AND UNSUAL PUNISHMENT")

7. The Act; facially and as-applied to me; c.e. disfavored persons/ involuntarily indefinitely civilly imprisoned prisoners/victims) is unconstitutional due to claims and facts, factually asserted / stated herein Petition for Writ of Certiorari.

I hereby state my reasons for This Court to grant Certiorari

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Danyle C. Daniels

Date: 5/12/20