NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL

OF FLORIDA

SECOND DISTRICT

CHRISTOPHER J. RAHAIM,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

Case No. 2D19-3947

Opinion filed June 17, 2020.

Appeal pursuant to Fla. R. App. P. 9.141(b)(2) from the Circuit Court for Pinellas County, Nancy Moate Ley, Judge.

PER CURIAM.

Affirmed.

VILLANTI, SLEET, and SMITH, JJ., Concur.

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT OF THE STATE OF FLORIDA IN AND FOR PINELLAS COUNTY CRIMINAL DIVISION

STATE OF FLORIDA,

CASE NOS.: CRC06-23073CFANO
CRC06-26725CFANO

v.

UCNS: 522006CF023073XXXXNO
522006CF026725XXXXNO

DIVISION: A

CHRISTOPHER RAHAIM,
Person ID: 1160034, Defendant.
_____/

ORDER DENYING DEFENDANT'S MOTION TO UNSEAL AND OBTAIN ACCESS TO CONFIDENTIAL FILES

THIS MATTER is before the Court on Defendant's *pro se* Motion to Unseal and Obtain Access to Confidential Files filed July 1, 2019, pursuant to Florida Rule of Judicial Administration 2.420(j). Having considered the motion, record, and applicable law, the Court finds as follows:

PROCEDURAL HISTORY

In case CRC06-23073CFANO, a jury convicted Defendant of one count of sexual battery and the Court sentenced him to 15 years in prison. His judgment and sentence were affirmed on appeal and the mandate issued December 22, 2009. *See Rahaim v. State*, 21 So. 3d 922 (Fla. 2d DCA 2009). In case CRC06-26725CFANO, a jury convicted Defendant of one count of sexual battery and the Court sentenced him to 15 years in prison consecutive to the sentence in case CRC06-23073CFANO. This judgment and sentence were *per curiam* affirmed on appeal and the mandate issued October 5, 2010. *See Rahaim v. State*, 44 So. 3d 590 (Fla. 2d DCA 2010) (table).

Defendant did not file a timely motion for postconviction relief under Florida Rule of Criminal Procedure 3.850 and the Court notes that the time to do so expired long ago. *See* Fla. R. Crim. P. 3.850(b) (stating, in part, that no "motion shall be filed or considered [under] this rule if filed more than two years after the judgment and sentence become final"); *Beaty v. State*, 701 So. 2d 856, 857 (Fla. 1997) (noting that when a defendant files a direct appeal, the judgment and sentence become final, and the clock under rule 3.850(b) begins to run, upon issuance of the

appellate court's mandate). Despite the procedural posture of this case, Defendant continues to file motions seeking postconviction discovery and relief.

ANALYSIS

The Court has identified three primary claims/topics–which it labels as Claims 1 through 3 below–that Defendant appears to be raising in the present motion. The Court endeavors to address each of his allegations and arguments under what the Court deems to be the relevant and appropriate claim. The Court also notes that some of the allegations overlap and are considered under more than one claim number.

In Claim 1, Defendant relies on rule 2.420(j) and requests that the Court provide access to all confidential records and files sealed by the Court. The court files of both of the above-captioned cases reflect that the Court did not seal any records, files, or documents in either case. Further, Defendant's motion is insufficient to warrant relief under rule 2.420(j), which sets forth the procedure for obtaining access to confidential court records. Specifically, subdivision (j)(2) provides that "a court order allowing access to confidential *court* records may be obtained by filing a written motion which *must*:"

> (A) identify the particular court record(s) or a portion of the court record(s) to which the movant seeks to obtain access with as much specificity as possible without revealing the confidential information;
>
> (B) specify the bases for obtaining access to such court records;
>
> (C) set forth the specific legal authority for obtaining access to such court records; and
>
> (D) contain a certification that the motion is made in good faith and is supported by a sound factual and legal basis.

Fla. R. Jud. Admin. 2.420(j)(2) (emphasis added).

Defendant's motion does not contain the information required by rule 2.420(j)(2) and several of the items he identifies in the motion were not filed in the court files and are, thus, not court records. Specifically, the only records Defendant identifies in his motion are:

1) The order granting Defendant's motion to compel supplemental DNA paperwork in case CRC06-23073CFANO;
2) The refusal to prosecute document from the alleged victim in case CRC06-26725CFANO;
3) Any and all S.A.V.E. exam documents from both cases;

4) Any sworn statements from the would be material witnesses, both of the alleged victim-informants;

5) Any and all DNA paperwork in both cases;

6) Any and all documents relevant to the non-production of confidential informant and alleged victim at jury trial;

7) Any and all motions, hearing transcripts, and orders pertaining to the determination of confidentiality of records;

8) Any and all records regarding the firing of Assistant State Attorney Broderick L. Taylor, and Sergeant Cheryl Seamen and Sergeant Thomas Klein of the Pinellas County Sheriff's Office; and the disbarment of Judge Robert Timothy Peters;[1]

9) Defense counsel's objections omitted from the record.

Rule 2.420(b)(1)(A) defines "court records" as:

> *the contents of the court file*, including the progress docket and other similar records generated to document activity in a case, transcripts filed with the clerk, documentary exhibits in the custody of the clerk, and electronic records, videotapes, or stenographic tapes of depositions or other proceedings filed with the clerk, and electronic records, videotapes, or stenographic tapes of court proceedings.

Fla. R. Jud. Admin. 2.420(b)(1)(A) (emphasis added). With regard to items 1 and 2 above, the Clerk of the Circuit Court received a request for a copy of these documents and responded that it found no such documentation of a "waiver of prosecution" signed by the alleged victim in case CRC06-26725CFANO and that, although an "Order Granting Motion to Compel DNA Paperwork" is docketed on the case summary, no physical document was filed with the Clerk's office. (*See Composite Exhibit 1: Clerk's Feb. 18, 2019 Letter and corresponding request for copies*). Nor has the Court's review of the court files of the above-captioned cases revealed that either of the documents were filed therein. Thus, items 1 and 2 are not court records and, therefore, are not governed by rule 2.420(j).

As to items 3 through 8, the Court notes that Defendant's request for "any and all" documents pertaining to the particular subject is vague and overly broad, and prevents the Court from taking any meaningful action with respect thereto. It also places the onus on the Court to attempt to locate and determine the alleged confidential documents or information to which Defendant is referring. The Court will not endeavor to do so. Further, as to item 7, no motions or

[1] The Court notes initially that Judge Peters was not disbarred – he simply retired from the profession.

orders regarding determining the confidentiality of records were filed in the court files of these cases. Therefore, because Defendant's description of items 3 through 8 are vague, overly broad, and insufficient to warrant relief under rule 2.420(j), his request regarding them is denied.

Finally, in item 9, Defendant requests "defense counsel's objections omitted from the record." On its face, one would not expect to find this item in the court files as Defendant, himself, describes the objections as having been "omitted from the record." As such, the Court finds that item 9 does not constitute "court records" to which rule 2.420(j)(2) would apply. Accordingly, to the extent Defendant seeks an order pursuant to rule 2.420(j), the Court finds he has failed to establish entitlement to relief with respect to any of the above-listed items and Claim 1 is denied.

In Claim 2, Defendant contends that he is "actually innocent" and has been deprived discovery pursuant to Florida Rule of Civil Procedure 1.380. That rule sets forth the procedure for obtaining sanctions for the failure to make discovery in *civil* cases; however, Florida's rules of civil procedure apply to actions of a civil nature and certain special statutory proceedings. *See* Fla. R. Civ. P. 1.010. Rule 1.380 does not apply to Defendant's criminal cases, nor would it apply in the procedural posture of these criminal cases. As such, to the extent he seeks relief under rule 1.380, the request is denied.

In Claim 3, Defendant contends that there are disputed issues of material fact regarding the "willful disregard of court orders, discovery violations, fraud on the court, undue influence, connivance, all perpetrated by court officials and police, resulting in manifest injustice from fundamental errors." He also contends he has been falsely imprisoned[2] and is being deprived due process by the State's failure to disclose material favorable evidence. Defendant argues that "confidential files contain the strongest proof" of his innocence and without them he is being denied his right to appeal and argue the merits of his case. Further, he "must have access to confidential files" to identify issues and correct a manifest injustice. As such, he "prays for all records and the correction of Manifest Injustice."

The Court finds Claim 3 is a postconviction attempt to collaterally attack Defendant's convictions and sentences. Further, to the extent Defendant seeks to obtain "confidential files [with] the strongest proof" of his innocence, the Court finds this to be an attempt to embark on

[2] Defendant contends that he was "fraudulently" convicted and, as such, he is being "falsely" imprisoned for the charges in these cases.

an impermissible "fishing expedition" to discover support for his claim that several players—including the State Attorney's Office, trial judge, Clerk of the Circuit Court, Saint Petersburg Fire Department, Saint Petersburg Police Department, Florida Department of Law Enforcement, trial witnesses, and the victims—have conspired to falsely accuse, charge, prosecute, and imprison him in the above-captioned cases.

As noted above, Defendant's convictions and sentences became final on December 22, 2009, and October 5, 2010. Thus, collateral claims at this juncture are untimely under rule 3.850. Further, Defendant's conclusory claim of "manifest injustice" is not a valid exception to the two-year limitation for filing a motion for postconviction relief. *See McDonald v. State*, 133 So. 3d 530, 530 (Fla. 2d DCA 2013) ("caution[ing] McDonald and others that the holding in *Deras v. State*, 54 So. 3d 1023 (Fla. 3d DCA 2011), is limited to its facts and does not, in our view, create a manifest injustice exception to the rule 3.850 time bar"); *see also State v. Manning*, 121 So. 3d 1083, 1085 (Fla. 4th DCA 2013) (quoting *Hall v. State*, 94 So. 3d 655, 657 (Fla. 1st DCA 2012) (stating that "simply construing an alleged error as 'manifest injustice' does not relieve [an appellant] of the time bar contained in rule 3.850")). Accordingly, to the extent Defendant requests that the Court correct a manifest injustice in his cases, the request is denied. The Court notes additionally that Defendant was not denied his right to appeal because, as set forth above, he prosecuted direct appeals in both of the above-captioned cases.

Based on the above, it is hereby

ORDERED AND ADJUDGED that Defendant's Motion to Unseal and Obtain Access to Confidential Files is **DENIED**.

DONE AND ORDERED in Chambers at Clearwater, Pinellas County, Florida this _____ day of August, 2019. A true and correct copy of this order has been furnished to the parties listed below.

Original Signed
Nancy Moate Ley, Circuit Judge

AUG 2 1 2019

NANCY MOATE LEY
CIRCUIT JUDGE

cc:
Office of the State Attorney
Christopher Rahim, DC# R02347; Sumter C.I.; 9544 County Road 476B; Bushnell, FL 33513-0667

Appendix A

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT OF THE STATE OF FLORIDA IN AND FOR PINELLAS COUNTY CRIMINAL DIVISION

STATE OF FLORIDA,	**CASE NOS.:** **CRC06-23073CFANO** **CRC06-26725CFANO**
v.	**UCNS:** **522006CF023073XXXXNO** **522006CF026725XXXXNO**
CHRISTOPHER RAHAIM, Person ID: 1160034, Defendant.	**DIVISION:** **A**

_____/

ORDER DENYING DEFENDANT'S MOTION FOR REHEARING TO UNSEAL AND OBTAIN ACCESS TO CONFIDENTIAL FILES

THIS MATTER is before the Court on Defendant's *pro se* Motion for Rehearing to Unseal and Obtain Access to Confidential Files filed September 3, 2019, and "Amendment for Motion for Rehearing to Unseal and Obtain Access To Confidential Records" filed September 6, 2019, both of which are directed at this Court's August 23, 2019, Order Denying Defendant's Motion to Unseal and Obtain Access to Confidential Files. Having considered the motion, amendment, record, and applicable law, the Court finds that it did not overlook or misapprehend the facts or law as Defendant contends. Accordingly, it is hereby

ORDERED AND ADJUDGED that Defendant's Motion for Rehearing is **DENIED.**

DEFENDANT IS NOTIFIED that he has thirty days from the date of this order to appeal, should he choose to do so.

DONE AND ORDERED in Chambers at Clearwater, Pinellas County, Florida this ____ day of September, 2019. A true and correct copy of this order has been furnished to the parties listed below.

Original Signed

SEP 23 2019

Nancy Moate Ley, Circuit Judge

NANCY MOATE LEY
CIRCUIT JUDGE

cc:
Office of the State Attorney

Christopher Rahim, DC# R02347
Sumter Correctional Institution
9544 County Road 476B
Bushnell, FL 33513-0667

Appendix B

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT OF THE STATE OF FLORIDA IN AND FOR PINELLAS COUNTY CRIMINAL DIVISION

STATE OF FLORIDA,

v.

CASE NOS.: CRC06-23073CFANO
CRC06-26725CFANO
UCNS: 522006CF023073XXXXNO
522006CF026725XXXXNO
DIVISION: A

CHRISTOPHER RAHAIM,
Person ID: 1160034, Defendant.
_____/

ORDER DENYING DEFENDANT'S MOTION TO UNSEAL AND OBTAIN ACCESS TO CONFIDENTIAL FILES

THIS MATTER is before the Court on Defendant's *pro se* Motion to Unseal and Obtain Access to Confidential Files filed July 1, 2019, pursuant to Florida Rule of Judicial Administration 2.420(j). Having considered the motion, record, and applicable law, the Court finds as follows:

PROCEDURAL HISTORY

In case CRC06-23073CFANO, a jury convicted Defendant of one count of sexual battery and the Court sentenced him to 15 years in prison. His judgment and sentence were affirmed on appeal and the mandate issued December 22, 2009. *See Rahaim v. State*, 21 So. 3d 922 (Fla. 2d DCA 2009). In case CRC06-26725CFANO, a jury convicted Defendant of one count of sexual battery and the Court sentenced him to 15 years in prison consecutive to the sentence in case CRC06-23073CFANO. This judgment and sentence were *per curiam* affirmed on appeal and the mandate issued October 5, 2010. *See Rahaim v. State*, 44 So. 3d 590 (Fla. 2d DCA 2010) (table).

Defendant did not file a timely motion for postconviction relief under Florida Rule of Criminal Procedure 3.850 and the Court notes that the time to do so expired long ago. *See* Fla. R. Crim. P. 3.850(b) (stating, in part, that no "motion shall be filed or considered [under] this rule if filed more than two years after the judgment and sentence become final"); *Beaty v. State*, 701 So. 2d 856, 857 (Fla. 1997) (noting that when a defendant files a direct appeal, the judgment and sentence become final, and the clock under rule 3.850(b) begins to run, upon issuance of the

appellate court's mandate). Despite the procedural posture of this case, Defendant continues to file motions seeking postconviction discovery and relief.

ANALYSIS

The Court has identified three primary claims/topics–which it labels as Claims 1 through 3 below–that Defendant appears to be raising in the present motion. The Court endeavors to address each of his allegations and arguments under what the Court deems to be the relevant and appropriate claim. The Court also notes that some of the allegations overlap and are considered under more than one claim number.

In Claim 1, Defendant relies on rule 2.420(j) and requests that the Court provide access to all confidential records and files sealed by the Court. The court files of both of the above-captioned cases reflect that the Court did not seal any records, files, or documents in either case. Further, Defendant's motion is insufficient to warrant relief under rule 2.420(j), which sets forth the procedure for obtaining access to confidential court records. Specifically, subdivision (j)(2) provides that "a court order allowing access to confidential *court* records may be obtained by filing a written motion which *must*:"

> (A) identify the particular court record(s) or a portion of the court record(s) to which the movant seeks to obtain access with as much specificity as possible without revealing the confidential information;
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> (B) specify the bases for obtaining access to such court records;
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> (C) set forth the specific legal authority for obtaining access to such court records; and
>
> (D) contain a certification that the motion is made in good faith and is supported by a sound factual and legal basis.

Fla. R. Jud. Admin. 2.420(j)(2) (emphasis added).

Defendant's motion does not contain the information required by rule 2.420(j)(2) and several of the items he identifies in the motion were not filed in the court files and are, thus, not court records. Specifically, the only records Defendant identifies in his motion are:

1) The order granting Defendant's motion to compel supplemental DNA paperwork in case CRC06-23073CFANO;
2) The refusal to prosecute document from the alleged victim in case CRC06-26725CFANO;
3) Any and all S.A.V.E. exam documents from both cases;

4) Any sworn statements from the would be material witnesses, both of the alleged victim-informants;

5) Any and all DNA paperwork in both cases;

6) Any and all documents relevant to the non-production of confidential informant and alleged victim at jury trial;

7) Any and all motions, hearing transcripts, and orders pertaining to the determination of confidentiality of records;

8) Any and all records regarding the firing of Assistant State Attorney Broderick L. Taylor, and Sergeant Cheryl Seamen and Sergeant Thomas Klein of the Pinellas County Sheriff's Office; and the disbarment of Judge Robert Timothy Peters;[1]

9) Defense counsel's objections omitted from the record.

Rule 2.420(b)(1)(A) defines "court records" as:

> *the contents of the court file*, including the progress docket and other similar records generated to document activity in a case, transcripts filed with the clerk, documentary exhibits in the custody of the clerk, and electronic records, videotapes, or stenographic tapes of depositions or other proceedings filed with the clerk, and electronic records, videotapes, or stenographic tapes of court proceedings.

Fla. R. Jud. Admin. 2.420(b)(1)(A) (emphasis added). With regard to items 1 and 2 above, the Clerk of the Circuit Court received a request for a copy of these documents and responded that it found no such documentation of a "waiver of prosecution" signed by the alleged victim in case CRC06-26725CFANO and that, although an "Order Granting Motion to Compel DNA Paperwork" is docketed on the case summary, no physical document was filed with the Clerk's office. (*See Composite Exhibit 1: Clerk's Feb. 18, 2019 Letter and corresponding request for copies*). Nor has the Court's review of the court files of the above-captioned cases revealed that either of the documents were filed therein. Thus, items 1 and 2 are not court records and, therefore, are not governed by rule 2.420(j).

As to items 3 through 8, the Court notes that Defendant's request for "any and all" documents pertaining to the particular subject is vague and overly broad, and prevents the Court from taking any meaningful action with respect thereto. It also places the onus on the Court to attempt to locate and determine the alleged confidential documents or information to which Defendant is referring. The Court will not endeavor to do so. Further, as to item 7, no motions or

[1] The Court notes initially that Judge Peters was not disbarred – he simply retired from the profession.

orders regarding determining the confidentiality of records were filed in the court files of these cases. Therefore, because Defendant's description of items 3 through 8 are vague, overly broad, and insufficient to warrant relief under rule 2.420(j), his request regarding them is denied.

Finally, in item 9, Defendant requests "defense counsel's objections omitted from the record." On its face, one would not expect to find this item in the court files as Defendant, himself, describes the objections as having been "omitted from the record." As such, the Court finds that item 9 does not constitute "court records" to which rule 2.420(j)(2) would apply. Accordingly, to the extent Defendant seeks an order pursuant to rule 2.420(j), the Court finds he has failed to establish entitlement to relief with respect to any of the above-listed items and Claim 1 is denied.

In Claim 2, Defendant contends that he is "actually innocent" and has been deprived discovery pursuant to Florida Rule of Civil Procedure 1.380. That rule sets forth the procedure for obtaining sanctions for the failure to make discovery in *civil* cases; however, Florida's rules of civil procedure apply to actions of a civil nature and certain special statutory proceedings. *See* Fla. R. Civ. P. 1.010. Rule 1.380 does not apply to Defendant's criminal cases, nor would it apply in the procedural posture of these criminal cases. As such, to the extent he seeks relief under rule 1.380, the request is denied.

In Claim 3, Defendant contends that there are disputed issues of material fact regarding the "willful disregard of court orders, discovery violations, fraud on the court, undue influence, connivance, all perpetrated by court officials and police, resulting in manifest injustice from fundamental errors." He also contends he has been falsely imprisoned[2] and is being deprived due process by the State's failure to disclose material favorable evidence. Defendant argues that "confidential files contain the strongest proof" of his innocence and without them he is being denied his right to appeal and argue the merits of his case. Further, he "must have access to confidential files" to identify issues and correct a manifest injustice. As such, he "prays for all records and the correction of Manifest Injustice."

The Court finds Claim 3 is a postconviction attempt to collaterally attack Defendant's convictions and sentences. Further, to the extent Defendant seeks to obtain "confidential files [with] the strongest proof" of his innocence, the Court finds this to be an attempt to embark on

[2] Defendant contends that he was "fraudulently" convicted and, as such, he is being "falsely" imprisoned for the charges in these cases.

an impermissible "fishing expedition" to discover support for his claim that several players—including the State Attorney's Office, trial judge, Clerk of the Circuit Court, Saint Petersburg Fire Department, Saint Petersburg Police Department, Florida Department of Law Enforcement, trial witnesses, and the victims—have conspired to falsely accuse, charge, prosecute, and imprison him in the above-captioned cases.

As noted above, Defendant's convictions and sentences became final on December 22, 2009, and October 5, 2010. Thus, collateral claims at this juncture are untimely under rule 3.850. Further, Defendant's conclusory claim of "manifest injustice" is not a valid exception to the two-year limitation for filing a motion for postconviction relief. *See McDonald v. State*, 133 So. 3d 530, 530 (Fla. 2d DCA 2013) ("caution[ing] McDonald and others that the holding in *Deras v. State*, 54 So. 3d 1023 (Fla. 3d DCA 2011), is limited to its facts and does not, in our view, create a manifest injustice exception to the rule 3.850 time bar"); *see also State v. Manning*, 121 So. 3d 1083, 1085 (Fla. 4th DCA 2013) (quoting *Hall v. State*, 94 So. 3d 655, 657 (Fla. 1st DCA 2012) (stating that "simply construing an alleged error as 'manifest injustice' does not relieve [an appellant] of the time bar contained in rule 3.850")). Accordingly, to the extent Defendant requests that the Court correct a manifest injustice in his cases, the request is denied. The Court notes additionally that Defendant was not denied his right to appeal because, as set forth above, he prosecuted direct appeals in both of the above-captioned cases.

Based on the above, it is hereby

ORDERED AND ADJUDGED that Defendant's Motion to Unseal and Obtain Access to Confidential Files is **DENIED**.

DONE AND ORDERED in Chambers at Clearwater, Pinellas County, Florida this _____ day of August, 2019. A true and correct copy of this order has been furnished to the parties listed below.

Original Signed
Nancy Moate Ley, Circuit Judge

AUG 2 1 2019

NANCY MOATE LEY
CIRCUIT JUDGE

cc:
Office of the State Attorney
Christopher Rahim, DC# R02347; Sumter C.I.; 9544 County Road 476B; Bushnell, FL 33513-0667

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT OF THE STATE OF FLORIDA IN AND FOR PINELLAS COUNTY CRIMINAL DIVISION

STATE OF FLORIDA,

v.

CASE NOS.: CRC06-23073CFANO
CRC06-26725CFANO
UCNS: 522006CF023073XXXXNO
522006CF026725XXXXNO
DIVISION: A

CHRISTOPHER RAHIM,
Person ID: 1160034, Defendant.
_____/

ORDER DENYING DEFENDANT'S AMENDED MOTION FOR FARETTA HEARING

THIS MATTER is before the Court on Defendant's *pro se* "Amended Motion for *Faretta*[1] Hearing for the Right of Self-Representation to Respond and Address Fraudulent Practices and Claims of State" filed October 31, 2018. Having considered the motion, record, and applicable law, the Court finds as follows:

PROCEDURAL HISTORY

In case CRC06-23073CFANO, a jury convicted Defendant of one count of sexual battery on August 6, 2008, and the Court sentenced him to 15 years' imprisonment on September 8, 2008. (*See* Exhibit 1: Judgment and Sentence). His judgment and sentence were affirmed on appeal and the mandate issued December 22, 2009. *See Rahaim v. State*, 21 So. 3d 922 (Fla. 2d DCA 2009). In case CRC06-26725CFANO, on December 18, 2008, a jury convicted Defendant of one count of sexual battery and the Court sentenced him to 15 years' imprisonment consecutive to the sentence in case CRC06-23073CFANO. (*See* Exhibit 2: Judgment and Sentence). His judgment and sentence were *per curiam* affirmed on appeal and the mandate issued October 5, 2010. *See Rahaim v. State*, 44 So. 3d 590 (Fla. 2d DCA 2010) (table).

On July 13, 2018—several years after his judgments and sentences became final—Defendant filed a motion for *Faretta* hearing in each of the above-styled cases requesting that counsel be discharged and that Defendant be permitted to proceed *pro se*. The Court found that under Rule 3.111(e), counsel's representation ended upon the filing of the respective notices of appeal and dismissed both motions as moot. (*See* Composite Exhibit 3: Orders Dismissing Defendant's Motion to Dismiss Counsel (without exhibits)). Defendant filed an Amended Motion

[1] *Faretta v. California*, 422 U.S. 806 (1975).

for *Faretta* Hearing to Proceed *Pro Se* on September 14, 2018, again requesting that counsel be discharged and that he be permitted to proceed *pro se*. Citing to its prior orders, the Court again pointed out that Defendant was not represented by counsel and, therefore, that he was already proceeding *pro se*. As such, the Court denied Defendant's Amended Motion for *Faretta* Hearing. (*See* Exhibit 4: Order Denying Defendant's Motion to Clarify and Defendant's Amended Motion for *Faretta* Hearing (without exhibits)). Defendant now files, in effect, his second amended motion for *Faretta* hearing, which the Court denies for the following reasons.

ANALYSIS

Defendant makes several claims of trial court error including the use of inadmissible and fraudulent evidence, and insufficient evidence to support the verdict. He also claims that the Court's three previous orders are non-final because they fail to advise him of his right to appeal and, because the Court is entering non-final orders, it is refusing to relinquish jurisdiction to the appellate court. Defendant also complains of the Court's "ongoing misrepresentation" that he is not represented by counsel and is automatically proceeding *pro se*. He further contends that collectively these claims demonstrate that there is no final judgment or conviction and, as such, there has been no conclusion of the case that would discharge counsel by operation of law. In conclusion, Defendant again requests that his trial attorney be discharged and that he be permitted to proceed *pro se*.

The Court notes initially that Defendant's request is successive as it has previously been addressed and decided on the merits at least three times; however, the Court writes to address the additional–albeit conclusory–claims raised. As to his claims of trial court error and insufficiency of the evidence to support the verdict, such claims should have been raised in his direct appeals and are not cognizable in this postconviction posture. *See Bruno v. State*, 807 So. 2d 55, 63 (Fla. 2001) (noting that "the main question on direct appeal is whether the trial court erred"); *Sampson v. State*, 845 So. 2d 271, 272 (Fla. 2d DCA 2003) (finding that a "claim of trial court error ... should have been brought on direct appeal and is not cognizable in a postconviction motion"); *Williams v. State*, 642 So. 2d 67, 68 (Fla. 1st DCA 1994) (upholding postconviction court's denial of claims of insufficient evidence to support the conviction and knowing use of perjured testimony because these claims were matters for direct appeal); *c.f. Prince v. State*, 903 So. 2d 1068, 1069 (Fla. 2d DCA 2005) (finding that claim of insufficiency of the evidence is not cognizable in a rule 3.800(a) motion). Defendant's reliance on *Latin Exp. Serv., Inc. v. Dep't of Revenue*, 660 So. 2d

1059, 1060 (Fla. 1st DCA 1995), is misplaced because that case applies specifically to appellate review under the Administrative Procedure Act and has no bearing on his criminal case.

Likewise without merit is Defendant's claim that the Court's previous orders were not final, appealable orders because they failed to advise him of his right to appeal. The "test for determining the finality of an order is whether the order marks the end of judicial labor" as to the motion under review. *Smith v. State*, 902 So. 2d 179, 181 (Fla. 3d DCA 2005). Advising a defendant that he has thirty days to appeal does not have any effect on the finality of the order. *See Dougherty v. State*, 10 So. 3d 172, 173 (Fla. 5th DCA 2009) (concluding that circuit court's order was not a final appealable order even though it advised the defendant that he had thirty days to file an appeal); *Christner v. State*, 984 So. 2d 561, 562 (Fla. 2d DCA 2008) (same); *Cotterell v. State*, 890 So. 2d 315, 315–16 (Fla. 5th DCA 2004) (rejecting the defendant's argument that because the order denying him relief did not inform him that he had 30 days to file an appeal, his appeal–filed 5 days late–should not be dismissed as untimely). The three orders Defendant contends are not final marked the end of judicial labor with respect to the claims raised in the respective motions addressed. As such, contrary to Defendant's belief, the orders were final and appealable.

Further, the fact that the Court's previous orders do not notify him of his right to appeal does not establish that the Court was refusing to relinquish jurisdiction to the appellate court. Defendant could and should have invoked the jurisdiction of the appellate court by filing a notice of appeal within 30 days of rendition of each of the orders he wanted reviewed. *See* Fla. R. App. P. 9.110(b). That is, Defendant had 30 days from the time that each of the signed written orders were filed with the Clerk of the Circuit Court. *See* Fla. R. App. P. 9.020 (i) (stating that an "order is rendered when a signed, written order is filed with the clerk of the lower tribunal).

To support his complaint that the Court continues to "misrepresent" that he is not represented by counsel and is, thus, automatically proceeding *pro se*, Defendant contends that the amendment of Rule 3.111 in 2000 made the rule inapplicable to investigative proceedings—which he claims is what is pending, though he does not elaborate on what he is referring to. The Court notes that the Committee Notes to Rule 3.111 state, in pertinent part, "**2000 Amendment.** This rule applies only to judicial proceedings and is inapplicable to investigative proceedings and matters. *See* rule 3.010." Fla. R. Crim. P. 3.111. It appears that Defendant is basing his argument on this Committee Note; however, he does not explain why he thinks the criminal proceedings resulting in his convictions in the above-styled cases constitute investigative proceedings. He does suggest that he is "the victim of an undercover investigation" but, again, he does not elaborate or

explain the relevance of this "undercover investigation" to his criminal cases. Defendant's claim that Rule 3.111 is inapplicable and, therefore, that he is still represented by trial counsel is without merit and denied.

Moreover, the primary change made to Rule 3.111 in 2000 was the addition of a new subdivision—(e)(2). *See Amendments to the Fla. Rules of Crim. Procedure*, 794 So. 2d 457 (Fla. 2000). As the Florida Supreme Court explained, the new subdivision (e)(2) "conforms the criminal rules to Florida Rule of Appellate Procedure 9.140(b)(5)[2], which requires that defense counsel not be allowed to withdraw until substitute counsel has been obtained or appointed, or a statement has been filed with the appellate court that the appellant has exercised the right to self-representation." *Id.* at 457. The Supreme Court's opinion does not mention or state that its revision of Rule 3.111 has any relevance to investigative proceedings or that the revision makes the rule inapplicable to such proceedings. Defendant's conclusory argument to the contrary is without merit.

Another reason Defendant believes he is still represented by counsel is that his trial counsel never filed a motion to withdraw or served him with a copy of such motion as required by Rules 9.140 and 9.440(b). This claim is without merit and denied. First, Rule 9.440(b) does not apply to the circumstances here where Defendant's trial attorney remained on the case through the filing of the notice of appeal and to the transmittal of the record to the appellate court.

Second, Defendant has misinterpreted or misconstrued Rule 9.140(d)(1)(E) in asserting that counsel was required to file a motion to withdraw, with service on Defendant, before counsel could be withdrawn from the case. Subdivision (d)(1)(E) contains different requirements depending on different circumstances, one of which is when the appeal is not publically funded and applies to state and defense appeals. It is upon this scenario that Defendant relies in claiming that a motion to withdraw is required; however, he fails to recognize that in publicly funded appeals, the court appointed attorney remains as counsel of record *only* until the record is electronically transmitted to the appellate court. Fla. R. App. P. 9.140(d)(1)(E). There is no requirement that the court appointed attorney file a motion to withdraw before he will be permitted to withdraw as counsel of record. *See id.* In the above-captioned cases, Defendant's trial attorney was appointed by the Court and his appeals were publically funded. In case CRC06-23073CFANO, the record was electronically transmitted to the Second District on December 3, 2008, and Defendant's trial attorney was relieved of his professional duties at that time. (*See*

[2] Subdivision (b)(5) was renumbered as subdivision (d) in 2002. *See Amendments to Fla. Rules of App. Procedure*, 827 So. 2d 888, 903-04 (Fla. 2002).

Exhibit 5: case docket for 2D08-4872). In case CRC06-26725CFANO, the record was electronically transmitted to the Second District on March 2, 2009, and Defendant's trial attorney was relieved of his professional duties at that time. (*See* Exhibit 6: case docket for 2D09-298). Accordingly, Defendant's claim that he is still represented by counsel because his trial attorney failed to comply with Rules 9.140 and 9.440(b) is without merit and denied.

Finally, Defendant contends that all of the above arguments collectively demonstrate that there is no final judgment or conviction and, as such, there has been no conclusion of the case that would discharge counsel by operation of law. Again, Defendant is mistaken. "A judgment [of conviction] becomes final ... when the appellate process, once started, has been completed" and the mandate has issued. *McCuiston v. State*, 507 So. 2d 1185, 1186-87 (Fla. 2d DCA 1987). As noted above, Defendant appealed his judgments and sentences in each of the above-captioned cases, the appeals were completed, and the mandates issued. Therefore, contrary to Defendant's belief, there ***is*** a final judgment in each of his cases and his trial counsel ***was*** discharged when the appellate records were transmitted to the Second District. The Court reiterates that Defendant is no longer represented by trial counsel and is already proceeding *pro se* at this time.

WARNING

Defendant's claim that he is still represented by counsel and his request to proceed *pro se* is successive and has now been addressed and decided on the merits at least four times. This Court has an affirmative duty to ensure its finite resources are utilized in a way that both enhances judicial efficiency and promotes the interest of justice. *See Rivera v. State*, 728 So. 2d 1165, 1166 (Fla. 1998) (recognizing the Court's inherent power to bar abusive litigants from continually filing frivolous motions or petitions). Addressing successive claims hinders the Court's ability to address other defendants' meritorious claims in an efficient manner. **This Order serves to warn the Defendant that additional successive filings, as to either the particular claims addressed in this Order, or any other successive claim, may result in an order imposing sanctions that include barring the Defendant from future access to this Court.** *See id.*; *State v. Spencer*, 751 So. 2d 47, 48 (Fla. 1999); *Attwood v. Singletary*, 661 So. 2d 1216, 1217 (Fla. 1995). Additionally, section 944.279, Florida Statutes, sets forth disciplinary procedures applicable to prisoners who bring frivolous filings before the Court. The Court, on its own motion, may inquire whether a frivolous or malicious collateral criminal proceeding has been filed. § 944.279, Fla. Stat. (2016). Under section 944.28(2)(a), Florida Statutes, such a finding may result in forfeiture of all or part

of any accumulated gain time. *Tannehill v. State*, 843 So. 2d 355, 356 (Fla. 3d DCA 2003). It may also result in disciplinary proceedings under sections 944.279 and 944.09, Florida Statutes.

Accordingly, it is

ORDERED AND ADJUDGED that Defendant's second Amended Motion for *Faretta* Hearing is hereby **DENIED.**

DONE AND ORDERED in Chambers at Clearwater, Pinellas County, Florida this 26 day of November, 2018. A true and correct copy of the foregoing has been furnished to the parties listed below.

Nancy Moate Ley

Nancy Moate Ley, Circuit Judge

cc:
Office of the State Attorney

Christopher Rahim, DC# R02347
Sumter Correctional Institution
9544 County Road 476B
Bushnell, FL 33513-0667

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT OF THE STATE OF FLORIDA IN AND FOR PINELLAS COUNTY CRIMINAL DIVISION

STATE OF FLORIDA,	**CASE NOS.: CRC06-23073CFANO CRC06-26725CFANO**
v.	**UCNS: 522006CF023073XXXXNO 522006CF026725XXXXNO**
CHRISTOPHER RAHAIM, Person ID: 1160034, Defendant.	**DIVISION: A**

_____/

ORDER DENYING DEFENDANT'S MOTION FOR REHEARING TO UNSEAL AND OBTAIN ACCESS TO CONFIDENTIAL FILES

THIS MATTER is before the Court on Defendant's *pro se* Motion for Rehearing to Unseal and Obtain Access to Confidential Files filed September 3, 2019, and "Amendment for Motion for Rehearing to Unseal and Obtain Access To Confidential Records" filed September 6, 2019, both of which are directed at this Court's August 23, 2019, Order Denying Defendant's Motion to Unseal and Obtain Access to Confidential Files. Having considered the motion, amendment, record, and applicable law, the Court finds that it did not overlook or misapprehend the facts or law as Defendant contends. Accordingly, it is hereby

ORDERED AND ADJUDGED that Defendant's Motion for Rehearing is **DENIED.**

DEFENDANT IS NOTIFIED that he has thirty days from the date of this order to appeal, should he choose to do so.

DONE AND ORDERED in Chambers at Clearwater, Pinellas County, Florida this ____ day of September, 2019. A true and correct copy of this order has been furnished to the parties listed below.

Original Signed

SEP 23 2019

Nancy Moate Ley, Circuit Judge

NANCY MOATE LEY
CIRCUIT JUDGE

cc:
Office of the State Attorney

Christopher Rahim, DC# R02347
Sumter Correctional Institution
9544 County Road 476B
Bushnell, FL 33513-0667

Appendix E

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT OF THE STATE OF FLORIDA IN AND FOR PINELLAS COUNTY CRIMINAL DIVISION

STATE OF FLORIDA,

v.

CASE NO.: CRC06-23073CFANO
UCN: 522006CF023073XXXXNO
DIVISION: A

CHRISTOPHER RAHIM,
Person ID: 1160034, Defendant.
_____/

ORDER DENYING DEFENDANT'S MOTION FOR DISCHARGE

**** SECOND WARNING AGAINST FRIVOLOUS FILINGS****

THIS MATTER is before the Court on the Defendant's *pro se* Motion for Discharge filed August 29, 2019, pursuant to Florida Rule of Criminal Procedure 3.191. Having considered the motion, record, and applicable law, the Court finds as follows:

The Defendant asks the Court to discharge this case based on his claim that he was not brought to "speedy trial" even after he filed a demand under Rule 3.191. The motion contains a lengthy recitation of the Defendant's version of the facts, including his claims that police and prosecutors set him up and then covered-up the facts that would have exonerated him of the offense. He further alleges he is actually innocent and has been denied the right to a "true fair hearing or trial of the merits of the case." He also claims he has been "denied an acquittal."

The record reflects that the Defendant had a jury trial in this case. The jury convicted him of one count of sexual battery on August 6, 2008, and the Court sentenced him to 15 years in prison on September 8, 2008. His judgment and sentence were affirmed on appeal and the mandate issued December 22, 2009. *See Rahaim v. State*, 21 So. 3d 922 (Fla. 2d DCA 2009). Thereafter, on June 13, 2019, the Court dismissed Defendant's Demand for Speedy Trial as moot noting he already received the relief he was requesting because he was tried by a jury over 10 years ago. Then on August 12, 2019, the Court dismissed the Defendant's Notice of Expiration of Speedy Trial finding that because he already had his jury trial, the speedy trial rules are no longer relevant or applicable to his case. His conclusory allegation that he never received a "true fair hearing or trial of the merits of the case" is insufficient to somehow make his case revert to its pretrial posture and thereby potentially resurrect his right to a speedy trial. Considering the

procedural posture of this case and for the reasons stated above, the Court finds Defendant is not entitled to have his case discharged. Therefore, his request for discharge is denied.

Likewise, the Court finds meritless the Defendant's assertion that the State never brought him to trial because its "mock trial and evidence are inadmissible." This claim appears to be based on the same core allegations he has previously raised on numerous occasions. As the Court noted in its June 13, 2019 Order Denying Defendant's Motion to Compel Discovery and Unseal Files, the crux of his complaint is that he believes several players—including the State Attorney's Office, trial judge, Clerk of the Circuit Court, Saint Petersburg Fire Department, Saint Petersburg Police Department, Florida Department of Law Enforcement, trial witnesses, and the victims—have conspired to falsely accuse, charge, prosecute, and imprison him. However, the Defendant's claimed discovery violations, tampering with evidence, fraud on the court, and so forth have no relevance to the speedy trial rules. The Court finds that, regardless of what he names his motions, the Defendant's claims are woefully untimely attempts to collaterally attack his conviction and sentence. And yet, despite the procedural posture of his case, the Defendant continues to file motions raising these frivolous and successive claims.

****SECOND WARNING****

This Court has an affirmative duty to ensure its finite resources are utilized in a way that both enhances judicial efficiency and promotes the interest of justice. *See Rivera v. State*, 728 So. 2d 1165, 1166 (Fla. 1998) (recognizing the Court's inherent power to bar abusive litigants from continually filing frivolous motions or petitions). Addressing successive claims hinders the Court's ability to address other defendants' meritorious claims in an efficient manner. On November 26, 2018, this Court warned the Defendant against additional successive filings regarding his claim that he was still represented by counsel *or "any other successive claim"* raised thereafter. **This order serves to warn the Defendant a second time that additional successive filings, as to either the particular claims raised in the present motion, or any other successive claims, may result in an order imposing sanctions that include barring the Defendant from future access to this Court.** *See id.*; *State v. Spencer*, 751 So. 2d 47, 48 (Fla. 1999); *Attwood v. Singletary*, 661 So. 2d 1216, 1217 (Fla. 1995).

Additionally, section 944.279, Florida Statutes, sets forth disciplinary procedures applicable to prisoners who bring frivolous filings before the Court. The Court, on its own motion, may inquire whether a frivolous or malicious collateral criminal proceeding has been

filed. § 944.279, Fla. Stat. (2016). Under section 944.28(2)(a), Florida Statutes, such a finding may result in forfeiture of all or part of any accumulated gain time. *Tannehill v. State*, 843 So. 2d 355, 356 (Fla. 3d DCA 2003). It may also result in disciplinary proceedings under sections 944.279 and 944.09, Florida Statutes.

Accordingly, it is hereby

ORDERED AND ADJUDGED that the Defendant's Motion for Discharge is **DENIED.**

DONE AND ORDERED in Chambers at Clearwater, Pinellas County, Florida this _____ day of March 2020. A true and correct copy of this order has been furnished to the parties listed below.

Original Signed

Nancy Moate Ley, Circuit Judge

MAR 27 2020

NANCY MOATE LEY
CIRCUIT JUDGE

cc:
Office of the State Attorney

Christopher Rahim, DC# R02347
Taylor Correctional Institution
8501 Hampton Springs Rd.
Perry, FL 32348-8747

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT OF THE STATE OF FLORIDA IN AND FOR PINELLAS COUNTY CRIMINAL DIVISION

STATE OF FLORIDA,

v.

CASE NO.: CRC06-26725CFANO
UCN: 522006CF026725XXXXNO
DIVISION: A

CHRISTOPHER RAHIM,
Person ID: 1160034, Defendant.
_____/

ORDER DENYING DEFENDANT'S MOTION FOR DISCHARGE

**** SECOND WARNING AGAINST FRIVOLOUS FILINGS****

THIS MATTER is before the Court on the Defendant's *pro se* Motion for Discharge filed August 21, 2019, pursuant to Florida Rule of Criminal Procedure 3.191. Having considered the motion, record, and applicable law, the Court finds as follows:

The Defendant seeks to be forever discharged from the crime charged in this case and contends he is entitled to discharge on the following two bases. First, he alleges he was not brought to trial before expiration of speedy trial and, pursuant to Rule 3.191, he has previously filed a Demand for Speedy Trial and Notice of Expiration of Speedy Trial. Second, he alleges he was never actually brought to trial because his trial was actually a "mock trial" based on inadmissible hearsay testimony and evidence that was the product of "willful disregard of court orders, discovery violations, fraud on the court, undue influence, [and] connivance."

As to his first claim, the record reflects the Defendant was tried and found guilty by a jury of sexual battery. On December 18, 2008, the Court adjudicated him guilty and sentenced him to 15 years in prison.[1] The judgment and sentence were *per curiam* affirmed on appeal and the mandate issued October 5, 2010. *See Rahaim v. State*, 44 So. 3d 590 (Fla. 2d DCA 2010) (table). On June 13, 2019, this Court dismissed the Defendant's Demand for Speedy Trial as moot noting he already received the relief he was requesting because he was tried by a jury over 10 years ago. Thereafter, on August 12, 2019, the Court dismissed his Notice of Expiration of Speedy Trial finding that because he already had his jury trial, the speedy trial rules are no longer relevant or applicable to his case. For these same reasons and considering the procedural posture

[1] This sentence was ordered to run consecutively to his sentence in case number CRC06-23073CFANO.

of this case, the Court now finds the Defendant is not entitled to discharge based on the alleged speedy trial violation. As such, his first claim is without merit and denied.

The Defendant's second claim is likewise without merit. His claim here, that he received a "mock trial," is based on the same core allegations he has previously raised on numerous occasions. As the Court noted in its June 13, 2019 Order Denying Defendant's Motion to Compel Discovery and Unseal Files, the crux of his complaint is that he believes several players—including the State Attorney's Office, trial judge, Clerk of the Circuit Court, Saint Petersburg Fire Department, Saint Petersburg Police Department, Florida Department of Law Enforcement, trial witnesses, and the victims—have conspired to falsely accuse, charge, prosecute, and imprison him. However, the Defendant's claimed discovery violations, tampering with evidence, fraud on the court, and so forth have no relevance to the speedy trial rules. The Court finds that, regardless of what he names his motions, the Defendant's claims are woefully untimely attempts to collaterally attack his conviction and sentence. And yet, despite the procedural posture of his case, the Defendant continues to file motions raising these frivolous and successive claims.

****SECOND WARNING****

This Court has an affirmative duty to ensure its finite resources are utilized in a way that both enhances judicial efficiency and promotes the interest of justice. *See Rivera v. State*, 728 So. 2d 1165, 1166 (Fla. 1998) (recognizing the Court's inherent power to bar abusive litigants from continually filing frivolous motions or petitions). Addressing successive claims hinders the Court's ability to address other defendants' meritorious claims in an efficient manner. On November 26, 2018, this Court warned the Defendant against additional successive filings regarding his claim that he was still represented by counsel *or "any other successive claim"* raised thereafter. **This order serves to warn the Defendant a second time that additional successive filings, as to either the particular claims raised in the present motion, or any other successive claims, may result in an order imposing sanctions that include barring the Defendant from future access to this Court.** *See id.*; *State v. Spencer*, 751 So. 2d 47, 48 (Fla. 1999); *Attwood v. Singletary*, 661 So. 2d 1216, 1217 (Fla. 1995).

Additionally, section 944.279, Florida Statutes, sets forth disciplinary procedures applicable to prisoners who bring frivolous filings before the Court. The Court, on its own motion, may inquire whether a frivolous or malicious collateral criminal proceeding has been

Appendix C.

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
SECOND DISTRICT, POST OFFICE BOX 327, LAKELAND, FL 33802-0327

May 22, 2020

CASE NO.: 2D18-5096
L.T. No.: 06-23073-CFANO,
06-26725-CFANO

CHRISTOPHER J. RAHAIM v. STATE OF FLORIDA

Appellant / Petitioner(s), Appellee / Respondent(s).

BY ORDER OF THE COURT:

Appellant's motion for rehearing/clarification mailed from prison on May 11, 2020, is denied.

I HEREBY CERTIFY that the foregoing is a true copy of the original court order.

Served:

ATTORNEY GENERAL, TAMPA
KEN BURKE, CLERK

CHRISTOPHER J. RAHAIM

lb

Mary Elizabeth Kuenzel
Mary Elizabeth Kuenzel
Clerk

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
SECOND DISTRICT, POST OFFICE BOX 327, LAKELAND, FL 33802-0327

May 22, 2020

CASE NO.: 2D18-5096
L.T. No.: 06-23073-CFANO,
06-26725-CFANO

CHRISTOPHER J. RAHAIM v. STATE OF FLORIDA

Appellant / Petitioner(s), Appellee / Respondent(s).

BY ORDER OF THE COURT:

Appellant's motion for rehearing/clarification mailed from prison on May 11, 2020, is denied.

I HEREBY CERTIFY that the foregoing is a true copy of the original court order.

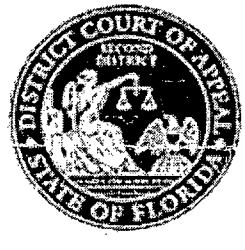
Served:

ATTORNEY GENERAL, TAMPA
KEN BURKE, CLERK

CHRISTOPHER J. RAHAIM

lb

Mary Elizabeth Kuenzel
Mary Elizabeth Kuenzel
Clerk



Appendix H

Supreme Court of Florida

WEDNESDAY, AUGUST 19, 2020

CASE NO.: SC20-1218
Lower Tribunal No(s).:
2D20-1986; 522006CF023073XXXXNO

CHRISTOPHER J. RAHIM vs. STATE OF FLORIDA

Petitioner(s) Respondent(s)

This case is hereby dismissed. This Court lacks jurisdiction to review an unelaborated decision from a district court of appeal that is issued without opinion or explanation or that merely cites to an authority that is not a case pending review in, or reversed or quashed by, this Court. *See Wheeler v. State*, No. SC19-1916 (Fla. June 11, 2020); *Wells v. State*, 132 So. 3d 1110 (Fla. 2014); *Jackson v. State*, 926 So. 2d 1262 (Fla. 2006); *Gandy v. State*, 846 So. 2d 1141 (Fla. 2003); *Stallworth v. Moore*, 827 So. 2d 974 (Fla. 2002); *Harrison v. Hyster Co.*, 515 So. 2d 1279 (Fla. 1987); *Dodi Publ'g Co. v. Editorial Am. S.A.*, 385 So. 2d 1369 (Fla. 1980); *Jenkins v. State*, 385 So. 2d 1356 (Fla. 1980).

No motion for rehearing or reinstatement will be entertained by the Court.

A True Copy
Test:

John A. Tomasino
Clerk, Supreme Court

td
Served:
C. SUZANNE BECHARD
CHRISTOPHER J. RAHIM
HON. NANCY MOATE LEY, JUDGE
HON. KEN BURKE, CLERK
HON. MARY BETH KUENZEL, CLERK

Appendix F

Supreme Court of Florida

FRIDAY, JUNE 26, 2020

CASE NO.: SC20-918
Lower Tribunal No(s).:
2D18-5096; 522006CF023073XXXXNO; 522006CF026725XXXXNO

CHRISTOPHER J. RAHIM vs. STATE OF FLORIDA

Petitioner(s) Respondent(s)

This case is hereby dismissed. This Court lacks jurisdiction to review an unelaborated decision from a district court of appeal that is issued without opinion or explanation or that merely cites to an authority that is not a case pending review in, or reversed or quashed by, this Court. *See Wheeler v. State*, No. SC19-1916 (Fla. June 11, 2020); *Wells v. State*, 132 So. 3d 1110 (Fla. 2014); *Jackson v. State*, 926 So. 2d 1262 (Fla. 2006); *Gandy v. State*, 846 So. 2d 1141 (Fla. 2003); *Stallworth v. Moore*, 827 So. 2d 974 (Fla. 2002); *Harrison v. Hyster Co.*, 515 So. 2d 1279 (Fla. 1987); *Dodi Publ'g Co. v. Editorial Am. S.A.*, 385 So. 2d 1369 (Fla. 1980); *Jenkins v. State*, 385 So. 2d 1356 (Fla. 1980).

No motion for rehearing or reinstatement will be entertained by the Court.

A True Copy
Test:

John A. Tomasino
Clerk, Supreme Court

td
Served:
C. SUZANNE BECHARD
CHRISTOPHER J. RAHIM
HON. MARY BETH KUENZEL, CLERK
HON. NANCY MOATE LEY, JUDGE
HON. KEN BURKE, CLERK

Supreme Court of Florida

FRIDAY, JULY 17, 2020

CASE NO.: SC20-918
Lower Tribunal No(s).:
2D18-5096;
522006CF023073XXXXNO;
522006CF026725XXXXNO

CHRISTOPHER J. RAHIM vs. STATE OF FLORIDA

Petitioner(s) Respondent(s)

Pursuant to this Court's order dated June 26, 2020, the Motion for Rehearing, treated as a Motion for Reinstatement is hereby stricken as unauthorized.

A True Copy
Test:

John A. Tomasino
Clerk, Supreme Court

ks
Served:

C. SUZANNE BECHARD
CHRISTOPHER J. RAHIM
HON. MARY BETH KUENZEL, CLERK
HON. NANCY MOATE LEY, JUDGE
HON. KEN BURKE, CLERK

APPENDIX 6

Supreme Court of Florida

TUESDAY, SEPTEMBER 29, 2020

CASE NO.: SC20-1409
Lower Tribunal No(s).:
2D19-3947; 522006CF023073XXXXNO; 522006CF026725XXXXNO

CHRISTOPHER J. RAHAIM vs. STATE OF FLORIDA

Petitioner(s) Respondent(s)

This case is hereby dismissed. This Court lacks jurisdiction to review an unelaborated decision from a district court of appeal that is issued without opinion or explanation or that merely cites to an authority that is not a case pending review in, or reversed or quashed by, this Court. *See Wheeler v. State*, No. SC19-1916 (Fla. June 11, 2020); *Wells v. State*, 132 So. 3d 1110 (Fla. 2014); *Jackson v. State*, 926 So. 2d 1262 (Fla. 2006); *Gandy v. State*, 846 So. 2d 1141 (Fla. 2003); *Stallworth v. Moore*, 827 So. 2d 974 (Fla. 2002); *Harrison v. Hyster Co.*, 515 So. 2d 1279 (Fla. 1987); *Dodi Publ'g Co. v. Editorial Am. S.A.*, 385 So. 2d 1369 (Fla. 1980); *Jenkins v. State*, 385 So. 2d 1356 (Fla. 1980).

No motion for rehearing or reinstatement will be entertained by the Court.

A True Copy
Test:

John A. Tomasino
Clerk, Supreme Court

td
Served:
C. SUZANNE BECHARD
CHRISTOPHER J. RAHAIM
HON. NANCY MOATE LEY, JUDGE
HON. KEN BURKE, CLERK
HON. MARY BETH KUENZEL, CLERK

Appendix A

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
SECOND DISTRICT, POST OFFICE BOX 327, LAKELAND, FL 33802-0327

July 15, 2020

CASE NO.: 2D19-3947
L.T. No.: CRC06-23073-CFANO,
CRC06-26725-CFANO

CHRISTOPHER J. RAHAIM	v.	STATE OF FLORIDA
Appellant / Petitioner(s),		Appellee / Respondent(s).

BY ORDER OF THE COURT:

The appellant's motion for rehearing is denied.

I HEREBY CERTIFY that the foregoing is a true copy of the original court order.

Served:

ATTORNEY GENERAL, TAMPA
CHRISTOPHER J. RAHAIM

PAMELA CORDOVA PAPASOV, A.A.G
KEN BURKE, CLERK

ag

Mary Elizabeth Kuenzel
Mary Elizabeth Kuenzel
Clerk