

IN THE
SUPREME COURT OF THE UNITED STATES

NO. 20-6679

LARRY DORTLEY,
Petitioner,

v.

STATE OF FLORIDA,
Respondent.

PETITION FOR REHEARING

COMES NOW, pro se Petitioner, Larry Dortley, pursuant to Rule 44.1, Rules of the Supreme Court, and petitions this Honorable Court for a rehearing on the Order Denying Petition for Writ of Certiorari, rendered May 3, 2021, and submits this Honorable Court overlooked and/or misapprehended the following when denying relief:

1. Petitioner filed a petition for writ of certiorari, in the above-styled cause, on November 25, 2020, challenging his conviction and sentence while under order of incompetency, in violation of Drope v. Missouri, 420 U.S. 162 (1975).

2. This Honorable Court ordered Respondent to file a response to the petition for writ of certiorari on or before March 1, 2021 (Exhibit A).

3. Petitioner neither received a response to the petition, nor received an extension of time, from Respondent, and inquired of the Clerk of this Court if a

response had been filed (Exhibit B).

4. In the event Respondent failed to file a response to the petition, Respondent is in default and judgment should not have been entered against Petitioner. Wahl v. McIver, 773 F.2d 1169 (11th Cir. 1985). On the other hand, if Respondent did file a response and failed to serve it on Petitioner, it is an ex parte pleading and should not have been considered by this Court.

5. This Honorable Court's decision to refuse to enforce its opinion in Drope, Supra, will create a manifest injustice by allowing a criminal conviction of an incompetent person to stand. This is especially so where, due to his incompetence, he was deprived of a direct appeal and any type of postconviction relief. It is incredible that we can convict a person that has no inclination of the proceedings against him. What's more incredible, is that a judicial order of incompetence apparently has absolutely no meaning.

WHEREFORE, based on the foregoing Petitioner requests this Honorable Court to grant a rehearing, and grant any further equitable relief.

Respectfully submitted,



Larry Dortley, DC# 222093
Zephyrhills Correctional Institution
2739 Gall Blvd.
Zephyrhills, FL 33541-9701

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NO. 20-6679**

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Respondent.

_____ /

CERTIFICATE OF GOOD FAITH

I, Larry Dortley, pro se Petitioner, hereby certify that the enclosed Petition for Rehearing is presented in good faith and not for delay, and is based upon ex parte pleadings from opposing Counsel.



Larry Dortley # 222093

Zephyrhills Correctional Institution
2739 Gall Blvd.

Zephyrhills Fl, 33541-9701

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LARRY DORTLEY,

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V.

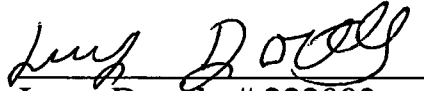
STATE OF FLORIDA,

Respondent.

_____ /

PROOF OF SERVICE

I, Larry Dortley, declare under the penalty of perjury, pursuant to 28 U.S.C. § 1746, that I am the Petitioner in the above styled cause, and that on this 4 day of June, 2021, I delivered the enclosed Petition for Rehearing and Certificate of Good Faith to prison officials for service on Carolyn M. Snurkowski, Office of the Attorney General, the Capitol, PL-01, Tallahassee, Fl 32399, via U.S. First Class Mail.



Larry Dortley # 222093
Zephyrhills Correctional Institution
2739 Gall Blvd.
Zephyrhills Fl, 33541-9701

PROVIDED TO
ZEPHYRHILLS C.I.
ON 6/4/21 CLD
FOR MAILING

**IN THE
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NO. 20-6679**

LARRY DORTLEY

Petitioner,

V.

STATE OF FLORIDA,

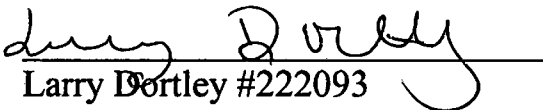
Respondent.

_____/

DECLARATION OF TIMELY FILING

I, Larry Dortley, declare under the penalty of perjury, pursuant to 28 U.S.C. §1746, that I am the Petitioner in the above styled cause, that on June 4, 2021 I delivered the enclosed: Petition for Rehearing; Certificate of Good Faith; and Proof of Service to prison officials for filing with the Clerk of Supreme Court of the United States, 1 First Street N.E., Washington, D.C. 20543 (as evidenced by the date stamp on the proof of service), in compliance with the deadline imposed by the May 26, 2021 letter from the Clerk (attached); and served on Carolyn M. Snurkowski:, Office of the Attorney General, the Capitol, PL-01, Tallahassee, FL 32399, via U.S. First Class Mail. I further Certify that this declaration and corrected petition for rehearing is being filed at the direction of the letter from the

Clerk of this Court, dated September 27, 2021 (attached), and being deliver to
LD 7
prison officials for filing and service via U.S. First Class Mail this ~~2~~ day of
October, 2021.


Larry Dortley #222093
Zephyrhills Correctional Institution
2739 Gall Blvd.
Zephyrhills Fl., 33541-9701

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

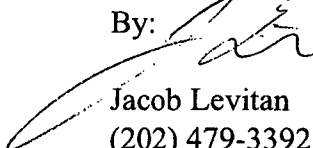
September 27, 2021

Larry Dortley
#222093
Zephyrhillis Corr. Inst.
2739 Gall Blvd
Zephyrillis, FL 33541

RE: Larry Dortley v. Florida
No: 20-6679

Dear Mr. Dortley:

In reply to your inquiry pertaining to the above-referenced petition for rehearing, please be advised that the Clerk has no record of receipt of the petition subsequent to it being returned for corrections on May 26, 2021. If a corrected petition for rehearing was submitted within 15 days of the May 26, 2021 letter from this office, please promptly resubmit the petition with a declaration of timely filing pursuant to Rule 29.2.

Sincerely,
Scott S. Harris, Clerk
By: 

Jacob Levitan
(202) 479-3392

Enclosures

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

May 26, 2021

A stamp consisting of a small square icon with the letter 'C' inside, followed by the word 'COPY' in a bold, sans-serif font.

0 Larry Dortley
#222093
Zephyrhillis Corr. Inst.
2739 Gall Blvd
Zephyrillis, FL 33541

RE: Larry Dortley v. Florida
No: 20-6679

Dear Mr. Dortley:

The petition for rehearing in the above-entitled case was postmarked May 17, 2021 and received May 25, 2021 and is herewith returned for failure to comply with Rule 44 of the Rules of this Court. The petition must briefly and distinctly state its grounds and must be accompanied by a certificate stating that the grounds are limited to intervening circumstances of substantial or controlling effect or to other substantial grounds not previously presented.

You must also certify that the petition for rehearing is presented in good faith and not for delay.

Please correct and resubmit as soon as possible. Unless the petition is submitted to this Office in corrected form within 15 days of the date of this letter, the petition will not be filed. Rule 44.6.

Sincerely,
Scott S. Harris, Clerk
By:

Jeffrey Atkins
(202) 479-3263

Enclosures

as to

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NO. 20-6679**

LARRY DORTLEY

Petitioner,

V.

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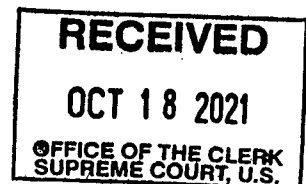
_____ /

PROOF OF SERVICE

I, Larry Dortley, declare under the penalty of perjury, pursuant to 28 U.S.C. §1746,
that I am the Petitioner in the above-styled cause, and that on this ^{LD 7} ~~14~~ day of
October, 2021, I delivered, the enclosed Declaration of timely filing, with
attachments, petition for rehearing (corrected), with attachments, and June 4, 2021
Proof of Service and Certificate of Good Faith, to prison officials for service on
Carolyn M. Snurkowski:, Office of the Attorney General, the Capital, PL-01,
Tallahassee, Fl. 32399-1050, via U.S. First Class Mail.

PROVIDED TO
ZEPHYRHILLS C.I.
ON 10/7/21 KK LLD
FOR MAILING

Larry Dortley
Larry Dortley #222093
Zephyrhills Correctional Institution
2739 Gall Blvd.
Zephyrhills Fl., 33541-9701



**Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001**

Scott S. Harris
Clerk of the Court
(202) 479-3011

January 29, 2021

Mrs. Trisha Meggs Pate
Office of the Attorney General
Criminal Appeals Division Tallahassee
PL-01 The Capitol
Tallahassee, FL 32399-1050

Re: Larry Dortley
v. Florida
No. 20-6679

Dear Mrs. Pate:

Although your office has waived the right to file a response to the petition for a writ of certiorari in the above case, the Court nevertheless has directed this office to request that a response be filed.

Your response, together with proofs of service and of compliance with relevant word or page limits, should be filed on or before March 1, 2021.

Pursuant to the Court's Order of April 15, 2020, only a single copy of these documents need be submitted in paper form. You may choose to format the document under the standards set forth in Rule 33.2 (in which case the page limits of Rule 33.2 apply), or under the standards set forth in Rule 33.1 but printed on 8½ x 11 inch paper (in which case the word limits of Rule 33.1 apply).

Sincerely,



Scott S. Harris
Clerk

cc: Larry Dortley

Exhibit A

**STATE OF FLORIDA
DEPARTMENT OF CORRECTIONS
INCOMING LEGAL AND/OR PRIVILEGED MAIL LOG**

Zephyrhills CI

March, 2021

Institution

Month/Year

DC Number	Inmate Name	Date Mail Received by Inst.	From (Full Address of Sender)	Inmate Housing	Inmate Job	Date Mail Received By Inmate	Inmate's Signature	Officer Initials
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
222093	DORTLEY, LARRY	10MAR21	DISTRICT COURT OF APPEAL 1 ST DISTRICT STATE OF FLORIDA TALLAHASSEE, FL 32399-0950	D11		3-11-21	<i>[Signature]</i>	<i>[Initials]</i>
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]

**STATE OF FLORIDA
DEPARTMENT OF CORRECTIONS
INCOMING LEGAL AND/OR PRIVILEGED MAIL LOG**

ZEPHYRHILLS CI

APRIL 2021

Institution

Month/Year

DC Number	Inmate Name	Date Mail Received by Inst.	From (Full Address of Sender)	Inmate Housing	Inmate Job	Date Mail Received By Inmate	Inmate's Signature	Officer Initials
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	A		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	A		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	A		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	A		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	A		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	A		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	C		[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
222093	DORTLEY, LARRY	05APR21	INTERNAL REVENUE SERVICE SUBMISSION PROCESSING CENTER AUSTIN, TX 73301	D11		X 4/6/21	X [Signature]	km
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]