

No. 20-7293

IN THE
SUPREME COURT OF THE UNITED STATES

WILLIE SAFFORD — PETITIONER
(Your Name)

vs.

FLORIDA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEAL FOR THE ELEVENTH CIRCUIT
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

WILLIE SAFFORD # 243373
(Your Name)

HAMILTON CT ANNEX 10650 SW
(Address)

46th ST. JASPER FLA, 32052
(City, State, Zip Code)

N/A
(Phone Number)

ORIGINAL

FILED
FEB 03 2021
OFFICE OF THE CLERK
SUPREME COURT, U.S.

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SUPREME COURT, U.S.

QUESTION(S) PRESENTED

1. Is it right for the (judge) not to give defendant an (jury instruction) to the jury, when asked for by (defense counsel) at the end of defendant's trial? (self-defense instruction) (a fist is not an deadly weapon instruction)
2. Is it right for (appellant counsel) not to knowingly present an (jury instruction) that wasn't given in the lower tribunal, that was a constitutional violation, but not raise the claims as constitutional violations in defendant's direct appeal brief. (self-defense instruction) (a fist is not an deadly weapon)
3. Is it right for the (attorney general) to do an reply brief, only presenting case law, but not to state that the (self-defense instruction) or (a fist is not an deadly weapon) wasn't presented as constitutional violations in the reply brief, from defendant's direct appeal brief.
4. Is it right for the (attorney general) to come back with an reply, during defendant's habeas corpus to state that the (self-defense instruction) wasn't exhausted and wasn't presented as a constitutional violation as was the fist is not an deadly weapon.

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:

- 1 JUDGE: CYNTHIA NEWTON
2. APPELLANT COUNSEL: JACK W. SHAW
3. ASSISTANT ATTORNEY GENERAL: JOSEPH H. LEE
4. ASSISTANT ATTORNEY GENERAL: SONYA ROEBUCK HORBELT

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IX 3 COPIES OF ALL POSTCONVICTION 3.850 MOTIONS TO LOWER TRIBUNAL

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

DEFENDANT DOSENT RESIDE ANY CASE CITE
FOR THIS MATTER

INFECTIVE ASSISTANCE OF APPELLANT COUNSEL

STATUTES AND RULES

STRAICKLAND, 466 U.S. 668

OTHER

THIS IS AN ISSUE OF PURE DENE NO THESE
ARE CLAIMS THAT WAST UNEXHAUSTED, PROCEDEXEDLY BARRED
BECAUSE THEY WERE NOT PRESENTED AS CONSTITUTIONAL VIOLATION

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 _____ to the petition and is

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

The opinion of the _____ court appears at Appendix _____ to the petition and is

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

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 _____.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

THIS MATTER IS WHERE APPELLANT COUNSEL FOR DEFENDANT DIDNT PRESENT AN SELF-DEFENSE INSTRUCTION AS AN CONSTITUTIONAL VIOLATION, BECAUSE THE INSTRUCTION WASNT CLAIMED AS AN CONSTITUTIONAL CLAIM, IT WAS PER CURIAM AFFIRMED IN THE 2ND D.C.A. DEFENDANT CONSTITUTIONAL RIGHT WAS OVERLOOKED. WHICH VIOLATED DEFENDANTS 5TH SIXTH AND FOURTEENTH AMENDMENT

STATEMENT OF THE CASE

THIS IS AN MATTER WHERE AS THIS COURT MAY SEE, DEFENDANT HAD TESTIFIED AS TO WHAT HAD HAPPENED AT THE SCENE OF THE CASE THAT WAS PLACED ON DEFENDANT, WITH DEFENDANTS TESTIMONY, AT THE END OF DEFENDANTS TRIAL, DEFENSE COUNSEL HAD PROCEEDED AND HAD ASKED JUDGE CYNTHIA NEWTON THE RESIDING JUDGE FOR AN (SELF-DEFENSE INSTRUCTION) WHICH JUDGE NEWTON HAD DENIED IN THE LOWER TRIBUNAL. THE SAME (SELF-DEFENSE INSTRUCTION) WAS PRESENTED BY APPELLANT COUNSEL JACK W. SHAW IN THE SECOND D.R.A IN THE APPELLANTS BRIEF. AS WAS (A FIST IS NOT A DEADLY WEAPON) IT SEEMS THAT MR. SHAW IN HIS ENDEAVOR IN PRESENTING THE GROUNDS THAT (THE LOWER TRIBUNAL ERRED IN REFUSING TO INSTRUCT THE JURY ON THE THEORY OF SELF-DEFENSE) AND (THE LOWER TRIBUNAL ABUSED IT DISCRETION IN REFUSING TO INSTRUCT THE JURY THAT A FIST WAS NOT A DEADLY WEAPON) WASN'T PRESENTED PROPERLY. AS ALL OF DEFENDANT REMEDIES HAS EXPIRED, DEFENDANT HAS FOUND OUT THAT MR. SHAW HADN'T PRESENTED THOSE CLAIMS AS CONSTITUTIONAL VIOLATIONS. WHICH IS MOST LIKLY WHY DEFENDANTS CASE WASN'T REVERSE AND REMANDED FOR AN NEW TRIAL AT THE DIRECT APPEAL STAGE. NOW AFTER ALL HAS BEEN SAID AND DONE IN THIS MATTER WITH THE MIDDLE DISTRICT AND THE ELEVENTH CIRCUIT OF APPEAL, DEFENDANT PUTS FORTH THIS CASE TO THE UNITED STATES SUPREME COURT WITH EXHIBIT A-J IN HOPE OF SOME RELIEF...

REASONS FOR GRANTING THE PETITION

THIS MATTER, IF WOULD'VE BEEN PRESENTED PROPERLY IN THE D.C.A.,
MOST LIKELY WOULD'VE BEEN GRANTED AND REVERSED FOR AN NEW TRIAL.
SO NOW WITH ALL MERCY, DEFENDANT REASON FOR GRANTING THE PETITION,
IS THAT THE EXHIBITS SHOW THAT BY MR. SHAW'S MISCONDUCT IT IS
WHY THERE WASN'T ANY RELIEF AT THE D.C.A. LEVEL. SO NOW I'M
ASKING THIS COURT, (THE UNITED STATES SUPREME COURT) TO REVEIN THIS
CASE, AND IF SO, TO PLEASE GRANT THIS PETITION. AS THIS COURT READ THE
EXHIBIT, A-J ESPECIALLY EXHIBIT (C) THAT EXHIBIT SHOWS THAT
JUDGE CYNTHIA NEWTON DID EVERYTHING IN HER POWER TO DENY THE
MOTION EXHIBIT (D) IT SHOWS THAT MR JACK SHAW WENT ALONG WITH
WHAT THE JUDGE CONSIDERED. WHICH IS WHY DEFENDANT HOPE FOR
THE GRANTING OF THE PETITION WRIT OF CERTIORARI

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Willie Safford

Date: _____