

## 1. Procedural History

B. Date of Judgment (conviction/sentence): March 6 1992

C. Date of Sentence: April 2 1992

D. Sentence Imposed: Life on Each Count As a Violent

Habitual Felony offender pursuant to recent case law

E. Identify all crimes of which you were convicted and sentenced in this case (all counts): Count (2) (Armed Burglary) Count (2 + 3) (Armed Robbery) Count (4 + 5) (Armed Kidnapping)

F. What was your plea? (Check one)

Guilty  Not Guilty  Nolo contendere

If you entered a guilty plea to one count or charge and a not guilty plea to another count or charge, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

G. If you pleaded not guilty, what kind of trial did you have? (Check one)

Jury  Judge only (Bench Trial) Fake Railroad Trial

H. Did you testify at a pretrial hearing, trial, or post-trial hearing? Yes

(If you did not appeal, skip to Question K.)

J. If you did appeal, answer the following: Court Appointed Counsel Did Appeal /

1. Name of Court: 4TH DISTRICT COURT OF APPEAL

2. Date Filed: 11/12/92

3. Case Number (if known): 92-1123

4. Date of Result: 1993 May-12<sup>TH</sup>

5. Citation to Case (if known): 618 So.2d 246 Scott v. STATE

6. Result: AFF.

7. Grounds Raised on Appeal: (1) Court Identification of Appellant Should Have been suppressed.)

(2) Court ERRED in Ruling Admissible Uncharged, IRRELEVANT Collateral Crime Evidence

WHICH'S only purpose would be To Prove Bad CHARACTER, under THE Guise  
of Williams Rule Evidence. Gun, Glasses, Rubber Gloves (7) Police officers Testimony From Person No CASE  
89-11250

8. Did you file a petition for rehearing?  YES  NO

If yes, state the result: Denied

Date of Result: Denied

9. Did you seek review in the Florida Supreme Court?  YES  NO

This is Florida No PCA is Reviewed

If yes, state the result:

10. Did you file a petition for certiorari in the U. S. Supreme Court?

YES  NO

If yes, state the result: \_\_\_\_\_

\_\_\_\_\_  
Date of Result: \_\_\_\_\_

Citation to Case (if known): \_\_\_\_\_

K. Other than the direct appeals listed above, have you filed any other petitions, applications, or motions challenging judgment of conviction in any state court?  YES  NO

(If your answer is NO, skip to Question P.)

L. If your answer to Question K is YES, answer the following:

1. Name of Court: Broward County Courthouse, STATE of Florida

2. Identify what you filed (for example, a Rule 3.850 motion, habeas petition, etc.): 3.850, with Exhibits

All Documents + Exhibits (TAKEN BY STATE Corrections officials) BY order of The "STATE".  
One hand cleans the other!"

3. Case Number (if known): 91-7575CF10 Date Filed: Open 1/1/1993

4. Grounds Raised: over  
(26) Grounds Supported By Exhibits

5. Was an evidentiary hearing held on your petition or motion?

YES  NO

6. Result: Denied on Oct 2013 18 years AND 5 writes of mandamus LATER Date of Result: Oct 2013

M. If you filed a second petition, application, or motion, answer the following:

I couldn't find it took 18 years on the first one

(If you did not file additional petitions, applications, or motions, skip to

Question O.)

1. Name of Court: \_\_\_\_\_

2. Identify what you filed (for example, a Rule 3.850 motion, habeas petition,

etc.): CANT Remember AT THIS TIME. Because They Stole All my Boxes of Legal work

3. Case Number (if known): 91-7545 Date Filed: \_\_\_\_\_

4. Grounds Raised: I wrote the Attorney General's office in 2002 AND in 2003 THEY TRANSFERRED MY CASE TO TAMPA FLORIDA THEN IN 2005 THE TAMPA OFFICE RAIDED THE BROWARD COUNTY OFFICE IN BROWARD, AND ARRESTED 100 COPS FOR FALSIFYING CASES AND THROWING UNSOLVED CASES ON PEOPLE AND TELLING THEM TO LIE, JUST LIKE THEY DID ME. I WROTE THEM AGAIN AND AGAIN AND THE CORRECTIONS OFFICERS CAME IN AND LOCKED ME UP AND COMPICATED ALL MY CORRESPONDENCE/LETTERS & DOCUMENTS. I WROTE WASHINGTON AGAIN AND AGAIN AND RECEIVED NO MORE RESPONSES, I KNOW FOR A FACT THE STATE FLAGGED MY CASE AND STARTED INTERCEPTING MY LEGAL MAIL. I WAS TOLD BY SEVERAL LAW LIBRARIANS MY CASE IS FLAGGED, BUT NO ONE TRIES TO HELP ME, AT ALL.

5. Was an evidentiary hearing held on your petition or motion?

N. If you filed a third petition, application, or motion, answer the following:

(If you did not file additional petitions, applications, or motions, skip to Question O.)

1. Name of Court: Broward County Courthouse

2. Identify what you filed (for example, a Rule 3.850 motion, habeas petition,

etc.): CANT remember All paper work Stolen

I Raised The Fact in 2005 when Congress Passed A Bill For People with Life Sentences  
TO GET DNA Testing of Physical Evidence introduced AT TRIAL.

3. Case Number (if known): 91-7541SCF10A Date Filed: July or August

4. Grounds Raised: I wanted DNA testing of the Two Pair of Earrings I introduced  
into my Trial By THE STATE AND Testimony of the fake victim I want her DNA  
Tested to prove THAT she Never wore, or owned THE Two pair of Earrings  
Ever in her life. IT was clearly Falsified Evidence THAT was given  
to them from my X-wife "I Divorced" Because She Cheated on Me! She  
Gave the Cops (FDOA) Pair of Earrings she knows for a fact they weren't Stolen  
AND she did it to get them to leave her alone! I can't blame her for it, BUT  
the Jewelry was NOT Stolen AT ALL. THE STATE Told the ladies to lie and say it  
was hers in my trial, because they needed fake Evidence, and Testimony

5. Was an evidentiary hearing held on your petition or motion?

YES  NO

6. Result: Denied. I never heard anything back because my FIRST 3.850  
was still pending. I told them this is a separate claim under New Congressional  
Law

Date of Result: NONE

(If you filed more than three petitions, applications, or motions, attach

O. Did you appeal to the highest state court having jurisdiction over the action

taken on your petition, application, or motion?

1. First Petition:  YES  NO

2. Second Petition:  YES  NO

3. Third Petition:  YES  NO

a. If you did *not* appeal the result, explain briefly why you did not:

NOT Allowed To Appeal (PCA) — Period

This is Florida

b. If you did file an appeal, what was the result: Denied, Barred

c. Date of the opinion/mandate (*include case citation, if known*): \_\_\_\_\_

P. Have you previously filed a § 2254 petition or other pleading regarding the

validity of your state conviction or sentence in any federal court?

YES  NO

Result: Just Denied By Federal Judge  
After Magistrate Judge Gives His Answer To  
Him

Appeal?  YES  NO Result: Denied Appealability

## II. GROUNDS RAISED IN CURRENT § 2254 PETITION

**ATTENTION: *To proceed in federal court, you must ordinarily first exhaust all available state court remedies on each ground raised in this petition. Also, if you do not set forth all grounds in this petition, you may be barred from presenting additional grounds at a later date.***

For this petition, state ***all*** grounds on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. You must provide a summary of ***specific facts*** in support of each ground raised. Do not argue or cite case law. A supporting memorandum of law, not exceeding 10 pages, may be attached to this petition presenting legal argument, but all supporting facts must be set forth in this petition. (Attach additional pages as

A. Ground One: I was Denied my Alibi Witnesses Testimony AT TRIAL

A Federal Prosecutor AND (15) or more FBI and DEA Agents  
I was denied THE RIGHT TO A FAIR TRIAL GUARANTEED BY 5<sup>TH</sup> Amendment of United States Constitution and Due process of LAW BY THE SUPPORTING FACTS (brief statement without citing cases or law):

I was AT (Father Nature Nursery) on JAN 30<sup>TH</sup>, 1984 - Feb 1 1989, I got permission through Robert Anthony Glenn (the owner). He got permission from His Federal Prosecutor for me Leek Scott to run his business with 25-Guatemalan workers, while he was seeing his ATTORNEYS AND Going To Federal Court in Broward County, Federal Courthouse. For Drug Trafficing, RICO, AND Sentencing proceedings. He got Busted in 1988, He got permission from his Federal Prosecutor on Jan 28-29 1989. I was called AND Told To Be There By The Courthouse I had to give my Passport - Drivers license AND CAPTAINS license. I was there multiple days always in the company of the FBI, + DEA. They Even Called In AND Reported I was there, MULTIPLE TIMES. I know where I was AT after I was beaten to death on June 5 1991.

2. Did you raise this claim in state court by direct appeal?

YES  NO

If you did not raise this claim, explain why: Public Defender Did Appeal / (I wrote her)  
and told her to contact my Alibi witnesses. NO answer!  
The officers came and took all my legal correspondence I had  
with her at Henry Correctional Institution.

3. Did you raise this claim in a Rule 3.850 motion or otherwise?

YES  NO

If yes, explain how it was raised (type of petition): 3.850

c. Date of Decision: Denied on 2013

d. Result: Denied

4. Did you receive a hearing on your motion or petition?

YES  NO

5. Did you appeal from the denial of your motion or petition?

YES  NO

6. Was Ground One raised in your appeal?

YES  NO

a. If not raised in your appeal, why not? \_\_\_\_\_

b. Identify the name and location of the court where appeal was filed:

11TH CIRCUIT COURT OF APPEAL

4TH DISTRICT COURT OF APPEAL

c. Case # (if known): Don't Know

d. Date of Decision: Denied (no review granted)

e. Result: Denied

One: \_\_\_\_\_

### B. Ground Two: The Evidence Introduced AT TRIAL is Fraud

IT'S NOT WILLIAMS RULE Evidence. THE VIOLENCE VIOLATED MY CONSTITUTIONAL RIGHT TO A FAIR TRIAL GUARANTEED BY THE 5TH AMENDMENT TO THE U.S. CONSTITUTION AND THE 14TH AMENDMENT DUE PROCESS OF LAW BY ALLOWING FALSIFIED EVIDENCE IN MY TRIAL

#### 1. Supporting Facts (brief statement without citing cases or law):

They Used Evidence From CASE # 89-11250 WHICH OCCURRED MAY 8, SUBSEQUENT TO CASE # 91-7545 WHICH OCCURRED PRIOR IN JAN 30 1989. TWO SEPERATE CITIES + TWO SEPERATE NON IDENTICAL CRIMES ON INCIDENTS WITH THE CRIME THEY RAIRROD ME ON OCCURRED PRIOR TO THE EVIDENCE EVER EXISTING - 89-11250 WAS NOT A BURGLARY CASE THEY LIED TO ME AND FORCED ME TO COP OUT ON. I DIDN'T STEAL ANYTHING. THEY STOLE ALL MY STUFF WHILE I WAS IN JAIL AND PRISON. WHEN I GOT OUT I FOUND OUT AND SO DID MY FAMILY. THE SHERIFF THREATENED MY MOTHER + FATHER AND MADE THEM GO BACK TO CAROLINA. AT THE SAME TIME THEY FAISCALLY ARRESTED ME AND CHARGED ME IN CASE 91-7545 THEN THEY BEAT ME TO DEATH ON JUNE 5 1991. IN SEPT + OCTOBER THEY TOLD THE (LIEING) FAKE VICTIMS TO LIE ON ME AND SAY I ROBBED THEM.

2. Did you raise this claim in state court by direct appeal?  
They Falsified AND Back Dated ALL THE DOCUMENTS THEY HAVE, AFTER MY BEATING TO DEATH AND COMA INDUCED TRAMA ON JUNE 5 1991. I WAS SUPPOSE TO BE RELEASED ON JUNE 5 1991 BECAUSE THEY REACHED MY 45 DAY OF ILLEGAL DETENTION. A POLICE OFFICER CALLED CRIMESTOPPERS AND HAD ME ARRESTED. IT'S ALL ON VIDEO CAMERA AT THE MAIN BROWARD COUNTY JAIL. I ARGUED AND CONFRONTED THE JUDGES ON VIDEO WHO ADMITTED THEY HAD NO PROBABLE CAUSE.

If you did not raise this claim, explain why: \_\_\_\_\_

3. Did you raise this claim in a Rule 3.850 motion or otherwise? Yes

a. Name and location of the court where the motion or petition was filed:

Southern District State of Florida

b. Case # (if known): \_\_\_\_\_

c. Date of Decision: 2015 Denied!

d. Result: Denied

4. Did you receive a hearing on your motion or petition?

YES  NO

5. Did you appeal from the denial of your motion or petition?

YES  NO

6. Was Ground Two raised in your appeal?

YES  NO

a. If not raised in your appeal, why not? Appealability Denied

b. Identify the name and location of the court where appeal was filed:

11TH Circuit Court of Appeal

7. Identify any other way in which you exhausted state remedies for Ground

Two: \_\_\_\_\_

C. Ground Three: I was illegally sentenced as a Habitual

Violent Felony offender. They refuse to correct <sup>"They violated my 5<sup>th</sup> and 14<sup>th</sup> Amendment Right Guaranteed By The United States Constitution."</sup>

1. Supporting facts (brief statement without citing cases or law): on April 2 1992

I was sentenced pursuant to recent Case Law on the Record  
IT WAS OBJECTED TO ON THE RECORD, ILLEGAL SENTENCING WAS NOT RAISED  
ON MY DIRECT APPEAL, CASE # 92-113. I FILED MULTIPLE MOTIONS FOR CORRECTION  
OF ILLEGAL SENTENCE. THEY REFUSE TO CORRECT MY ILLEGAL SENTENCE. THE  
STATE PURPOSELY MIS-APPLIES THE LAW, TO HAVE THE COURT DENY CORRECTING MY  
ILLEGAL SENTENCE. THEY REFUSE TO COMPLY WITH "LAW-IN-EFFECT" FOR PUNISHMENT  
THE BASIC FUNDAMENTAL PRINCIPLE OF CRIMINAL LAW IN FLORIDA AND THE UNITED STATES  
THEY PURPOSELY MIS-APPLY AND REFUSE TO DO THEIR JOB. THE SUPREME COURT OF FLORIDA COVERS  
UP, EVERYTHING AND REFUSES TO ORDER THEM TO COMPLY WITH THE LAW (COVER-UP)!

See: APPENDIX(S) A, B, C, D.

2. Did you raise this claim in state court by direct appeal?

YES  NO

If you did not raise this claim, explain why: \_\_\_\_\_

If yes, explain how it was raised (type of petition): Correction of sentence motions (multiple)

## waif of Prohibition, Habeas Corpus

a. Name and location of the court where the motion or petition was filed:

47th DCA, Supreme Court of Florida

b. Case # (if known): \_\_\_\_\_

c. Date of Decision: \_\_\_\_\_

4. Did you receive a hearing on your motion or petition?

YES  NO

5. Did you appeal from the denial of your motion or petition?

YES  NO

6. Was Ground Three raised in your appeal?

YES  NO

a. If not raised in your appeal, why not? \_\_\_\_\_

b. Identify the name and location of the court where appeal was filed: 4TH DCA 11TH circuit

d. Date of Decision: \_\_\_\_\_

e. Result: Denied, Denied Appealability

7. Identify any other way in which you exhausted state remedies for Ground

Three: I Filed Multiple motions in multiple courts, None of The Courts will Tell The Lower Court To comply with the law.

D. Ground Four: I Filed "LACHES" violation in violation of Due Process of my Constitutional Rights Guaranteed By The 14<sup>th</sup> Amendment US Constitution.

1. Supporting Facts (brief statement without citing cases or law): I Filed my 3,850

in Broward County in 1995. I Also Filed multiple Writs of Mandamus to The Appellate Court 4<sup>th</sup> District Court of Appeal. All They Did was issue A order To Respond, The State Responds, and Doesn't Answer my 3,850. Writ is most NO ACTION TAKEN, every single time. The System is FAKE and THEY WORK FOR THE STATE. THAT'S why IT TOOK 18 years to get A Bogus Answer. All my Exhibits Refuted Their Entire Response. IT WAS STILL Denied. AND THEN DOC CAME AND Took AND Purged All my boxes of Legal Work AT Walton GI. I Took me a year to get my Legal Work back over STUFF AT Mayo GI. (18) EIGHTEEN years For A Answer on A 3,850 pure (B.S.) AND VIOLATES EVERY Constitutional Right I Have, AND THE KNOW IT.

2. Did you raise this claim in state court by direct appeal?

YES  NO

3. Did you raise this claim in a Rule 3.850 motion or otherwise?

YES  NO

If yes, explain how it was raised (type of petition): 2254 in The  
Southern District Broward

a. Name and location of the court where the motion or petition was filed:

Southern District Broward

b. Case # (if known): 3 91-2545CPTO

c. Date of Decision: Denied Immediately After magistrate Bogas Reply

d. Result: Denied

4. Did you receive a hearing on your motion or petition?

YES  NO

5. Did you appeal from the denial of your motion or petition?

YES  NO

6. Was Ground Four raised in your appeal?

YES  NO

c. Case # (if known): 3

d. Date of Decision: Denied Appeal 10/05/17

e. Result: Denied my Right to Appeal

7. Identify any other way in which you exhausted state remedies for Ground

Four:

(Set forth additional grounds, if any, on separate sheets of paper.)  
I don't have any separate sheets of paper. ~~THE STATE HAD THE "DOC" EMPLOYEES LIKE OWNER HAD ME LOCKED UP. THEN THEY DECLARED YOU A PSYCH AND PUT YOU IN CSU THEN TCU~~  
~~AND THEY DO THE SAME THING OVER AND OVER AGAIN. I'LL TAKE ANY POLYGRAPH EXAM AND~~  
~~PROVE FACT IT'S ALL BS, AND THEY'RE GETTING A WAY WITH THIS BS.~~ ~~THE STATE CALLED THEM UP~~  
~~AND HAD THEM DO THIS TO ME, WHICH I FILED MY WRIT OF PROHIBITION TO THE FLORIDA SUPREME~~  
~~COURT ON 2/24/20. EVERY TIME, MY CORRECTION OF SENTENCE MOTION IS STILL PENDING WITH NO ANSWER~~  
~~GET THEM TO SEND YOU A COPY WITH EXHIBITS, AND ASK THEM TO RESPOND TO YOU. YOU WILL SEE,~~  
 YES  NO   
THEY HAVE BEEN BS'ING FOR 30 years.

If so, state the reason(s): \_\_\_\_\_

## F. Pending Proceedings

Do you have any petition or appeal currently pending (filed, but not yet decided) in *any* court (state or federal) for the judgment being challenged in this petition:

YES  NO

*My "Illegal Sentence"!*

Please explain: *I always file a 3.800 correction of Illegal Sentence*

*Motion To The Lower Court. They have one now filed 12/19/19. No response as of yet. They refuse to comply with the law. Tell them to send you a copy with all the exhibits. See Appendix(s) A, B, C, D*

Do you have any future sentence to serve (as in a consecutive sentence imposed) after you complete the sentence for the judgment challenged in this petition?

YES  NO

1. If so, identify the other sentence: \_\_\_\_\_

2. Name and location of the court that imposed that sentence: \_\_\_\_\_

3. Date Sentence was Imposed: \_\_\_\_\_

4. Case Number: \_\_\_\_\_

bar this petition: Do Not Bar my Petition!

### III. RELIEF SOUGHT IN CURRENT § 2254 PETITION

Petitioner requests the Court grant this § 2254 petition and provide the

following relief: I respectfully request Grand Jury  
Indictments And Criminal Prosecution of Every  
and All STATE Employees Involved, and All That  
were involved in This 30 years of Suffering  
I received After being Beaten To Death, and  
Robbed and Sexually Assaulted By The  
Rigged Court System and its Players.

or any other relief to which Petitioner is entitled. Emergency Release

Signature of Attorney (if any): X Lee R. Scott

on the 10<sup>th</sup> day of December, 2020.

Date: 10/12/20 Petitioner's Signature: Lee R. Scott

(If the person signing above is not the petitioner, state relationship to the petitioner and explain why the petitioner is not signing this petition below.)

Printed Name of Petitioner: Lee Robert Scott

Prisoner ID #: 187971

Correctional Institution: Apalachee Correctional Institution

Address: 35 EAST UNIT DRIVE, Snead, FL 32460

(You must timely notify the Clerk's Office if there is any change to your

mailing address.) I Filed for Certiorari in your Court in May 2020 Never Received A  
Response. That same month the SCOT sent me a Docket and I never sent them a  
NOTICE I WROTE YOU! →

Filed 2/24/20 CASE# SC20-295

(1) A 1-year period of limitation shall apply to an application for a writ of habeas corpus by a person in custody pursuant to the judgment of a State court. The limitation period shall run from the latest of:

331-20 writ of prohibition Another Bogus Answer Cover up!  
They refuse to make them comply with the LAW.

(A) the date on which the judgment became final by the ~~expiration~~ of direct  
review or the expiration of the time for seeking such review;

Florida  
Supreme Court  
Cover up!

NO. \_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

IN RE Lee Robert SCOTT - Petitioner

VS.

STATE OF FLORIDA - Respondents

APPENDICES

TO

WRIT OF HABEAS CORPUS §2254

IN THE CIRCUIT COURT OF THE  
SEVENTEENTH JUDICIAL CIRCUIT, IN  
AND FOR BROWARD COUNTY, FLORIDA

STATE OF FLORIDA

vs.

LEE ROBERT SCOTT,

Defendant.

Assault on Lee Scott  
Near Death Beating  
1/ June 5 1991

CASE NO. (91-11701 CF)

91-7545 CP

Judge Leroy H. Moe

Broward County Courthouse  
Fort Lauderdale, Florida  
April 2, 1992  
10:00 o'clock a.m.

The above-entitled cause came on for hearing before the Honorable LEROY H. MOE, Presiding Judge, at the Broward County Courthouse, 201 Southeast 6th Street, Fort Lauderdale, Florida, 33301, on the 2nd day of April, 1992, at 10:00 o'clock a.m.

COPY

**APPEARANCES:**

**MICHAEL J. SATZ, State Attorney**  
**By: JAMES TYLOCK, ESQ.,**  
**Assistant State Attorney,**  
**appearing on behalf of the State of Florida.**

**RICHARD L. ROSENBLAUM, ESQ.,**  
**SPECIAL PUBLIC DEFENDER**  
**appearing on behalf of the Defendant.**

1 (Whereupon the following proceedings were  
2 had.)

3 : MR. ROSENBAUM: Good morning, Your  
4 Honor, may it please the Court, Rick Rosenbaum  
5 on behalf of Lee Scott on page 14 and 15 of the  
6 Docket.

7 If I could go over the case, the  
8 battery on a law enforcement officer which is on  
9 Page 15, if I could, Judge, at this point, I  
10 would ask to delete the motion - the renewed  
11 motion for appointment of investigator, and I  
12 would like to withdraw on that case.

13 Judge, basically there has been a  
14 total breakdown between Mr. Scott and I, and I  
15 can't effectively assist him on this case.

16 THE COURT: Does the State have any  
17 position on that?

18 MR. TYLOCK: No, sir.

19 THE COURT: Motion granted.

20 MR. ROSENBAUM: With regard to the  
21 sentencing, you have just been handed a Notice  
22 of the State's intent to have Lee Scott declared  
23 as a habitual offender or a violent habitual  
24 offender.

25 Based on the seriousness of the

1 offense, I think at this point it would be most  
2 prudent for me to ask for a continuance of the  
3 sentencing so I have time to go over this with  
4 Mr. Scott; however, if he's not going to be  
5 receptive to talk to me, I'm as prepared today  
6 as I'm going to be.

9 MR. ROSENBAUM: None, Your Honor.

10 : THE COURT: Anything to offer by way  
11 : of mitigation or allocution?

12 MR. TYLOCK: Yes, sir.

20 Subsequent to this, he was arrested on  
21 another burglary, a life felony, some two months  
22 later in May which he was subsequently released  
23 and has been released thru sentencing in  
24 this case. His conviction in this case, you  
25 have the case I have given to the Court which

held for the proposition that this case is sufficient to charge the Defendant as a habitual offender even though it was subsequent to this crime because it was a routine sentencing and adjudication in this case.

6 I found this case yesterday, and I  
7 believe it's Second District.

8 MR. ROSENBAUM: Judge, briefly in  
9 response, Mr. Tylock did give me a copy of the  
10 case yesterday afternoon, and briefly, it's  
11 patently unfair under the habitualization  
12 statute to habitualize Lee Scott for conduct  
13 which occurred subsequent to the other things he  
14 was convicted of. This was the first of two  
15 criminal convictions. This was the first time  
16 sequentially of the two convictions, so he does  
17 time on the case that occurs a month after the  
18 [REDACTED] robbery, and it's unfair and it would  
19 violate 775.084 in the spirit and intent of the  
20 habitualization statute for conduct that  
21 occurred basically before the case he was  
22 sentenced on.

23 THE COURT: Who is eligible for a  
24 violent habitual offender in the book?

25 MR. TYLOCK: Life.

1 THE COURT: What does that mean in  
2 terms of years?

3 MR. TYLOCK: Life. It's supposed to  
4 be no parole.

5 THE COURT: Violent habitual?

10 THE COURT: All right. Lee Robert  
11 Scott --

12 MR. ROSENBAUM: Judge, excuse me,  
13 before you do pronounce sentencing, there is a  
14 motion for new trial pending, and I would stand  
15 on the motion and ask the Court to rule on that.

16 THE COURT: Any reply to the motion  
17 for new trial?

21 MR. ROSENBAUM: Judge, I didn't get a  
22 call from the appellate devision that Lee filed  
23 pro se a notice of appeal under the  
24 impression that I was required to prepare under  
25 9.140 the notice of appeal and statement of

6 THE COURT: The notice of appeal is in  
7 effect a nullity because there is no written  
8 order denying the motion for new trial; however,  
9 I'm sure that no one is going to deprive him of  
10 an appeal, and we can straighten out the  
11 logistics when we have to.

12 All right. There being no legal  
13 reason --

14 MR. ROSENBAUM: Are you ruling on my  
15 motion for new trial?

16 THE COURT: I'm sorry, the motion for  
17 new trial is denied. The court begrudgingly  
18 gives you this respect, Lee Robert Scott.  
19 Generally, there are good people that do a bad  
20 thing, some people that do a dumb thing, and  
21 generally they'll try to get on with their lives  
22 and make the best of the situation. Some are  
23 institutionalized, but it that you get a  
24 guy that is really a bad guy that I don't think  
25 could be rehabilitated. That's why I say I

1 begrudgingly give you some respect, you fall  
2 into that category. I don't think that it's  
3 possible to rehabilitate you. I think the  
4 safety of Broward County and other states is  
5 more important.

6 I find you qualified to be a violent  
7 habitual offender, pursuant to Florida Statutes  
8 and recent case law. It's the judgement of the  
9 law and the sentence of this Court on Counts 1,  
10 2, 3, 4 and 5, adjudicated guilty, declared to  
11 be and classified as a violent habitual offender  
12 and sentenced to life in prison all to run  
13 concurrent, credit time served.

14 I don't want him uncuffed. You'll  
15 have to print him as best you can. That's the  
16 deal.

17 MR. TYLOCK: May it please the Court,  
18 as part of the motion, there has been no  
19 evidence raised that he's received either a  
20 pardon or any sort of -- He has received no  
21 pardon as to his prior felony conviction  
22 burglary with a battery in 1989. I would ask  
23 the Court if the Court would like me to draw up  
24 a formal order in case --

25 THE COURT: You submit a proposed

1 order, and I'll adapt it or modify it so it is  
2 in effect my own order.

3 MR. TYLOCK: Yes, sir.

4 MR. ROSENBAUM: Judge, just for the  
5 record, at this point, I would be filing a  
6 notice of appeal which I understand I'll have to  
7 take back and walk downstairs, additionally, a  
8 designation to the Reporter, statement of  
9 judicial acts to be reviewed, a designation for  
10 the Public Defender in Palm Beach to handle this  
11 appeal as well as my motion to withdraw and be  
12 relieved of any responsibility with regard to  
13 this case.

18 MR. TYLOCK: It will run concurrent,  
19 Judge?

23 THE DEFENDANT: have anybody, no.

1 | volunteer?

2 THE DEFENDANT: Can I ask the Court to  
3 notarize something for me?

7 MR. TYLOCK: That's fine. That will  
8 give me a little time.

15 THE DEFENDANT: Mr. Black out of Palm  
16 Beach.

20 THE DEFENDANT: Am I allowed to say  
21 anything? I thought I was allowed to say  
22 something during my sentencing? Can I? Do I  
23 get to say what I have to it going to  
24 be a trial where I can't say anything?

25 THE COURT: Well, I don't want the

1 record to reflect under any circumstances  
2 anybody precluding you from saying anything that  
3 is not the truth, not the facts, and not the  
4 law; but, at any rate, if you want to say  
5 something, go ahead.

6 THE DEFENDANT: Well, I've just gone  
7 through a trial that is probably a disgrace to  
8 this criminal justice system. One can only  
9 wonder why a Judge like yourself can sit on the  
10 bench and allow the State to get away with what  
11 they got away with.

12 I'm asking you myself before you  
13 sentence me that you give me that right to speak  
14 before I get sentenced. I'm asking you now,  
15 give me the death sentence so that the record  
16 reflects this when I die that the State  
17 ramrodded evidence and I can show you right  
18 where the victim himself stated on a  
19 pre-sentence investigation that they wanted me  
20 to turn State's evidence because the guy who did  
21 this is hiding out. That tells you right there  
22 that I didn't do it, and they knew I didn't do  
23 the crime, and they ram-ro... whole  
24 fucking thing on me because I wouldn't tell them  
25 who did do it.

1                   Now, whether I'm done or not, that's  
2                   up to me to know, but I want you to know one  
3                   thing, I did not do this crime, and if you're  
4                   going to ramrod me, or anything like that, then  
5                   you might as well give me the death sentence.

6                   I beg you now, kill me, I want you to  
7                   kill me. That way I can expose the State and      ?  
8                   their ramrod tactics to the whole world and let  
9                   them know what happened.

10                  THE COURT: I don't discount your  
11                  feelings. I'm certainly not going to argue with  
12                  you, but if you want to die, you'll have to do  
13                  it yourself.

14                  THE DEFENDANT: Could you ask my  
15                  lawyer Mr. Rosenbaum to please give me back the  
16                  Federal class action that I gave him fifteen  
17                  months prior to type up and notarize for me?

18                  THE COURT: He's no longer your lawyer  
19                  now, but that's between you and him.

20                  (Where upon the hearing was  
21                  concluded.)

22  
23  
24  
25

1                   CERTIFICATE  
2

3                   I HEREBY CERTIFY that the foregoing is a  
4                   true and correct transcription of my stenographic  
5                   notes of proceedings had before LEROY H. MOE, Circuit  
6                   Court Judge, at the Broward County Courthouse, 201  
7                   Southeast 6th Street, Fort Lauderdale, Florida,  
8                   commencing on the 2nd day of April, 1992.

9                   IN WITNESS WHEREOF I have hereunto affixed my  
10                  hand this 2nd day of September, 1992, in the City of  
11                  Fort Lauderdale, County of Broward, State of Florida.

12                  -----  
13                  BONNIE TANNENBAUM  
14                  Deputy Official Court Reporter

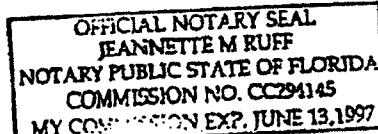
15                  *Beth E. Mallis*

16                  BETH E. MALLIS  
17                  Official Court Reporter

18                  STATE OF FLORIDA  
19                  COUNTY OF BROWARD

20                  The foregoing certificate was acknowledged  
21                  before me this 28th day of February, 1994, by Beth E.  
22                  Mallis, who is personally known to me.

23                  *Jeanette M. Ruff*  
24                  Jeanette Ruff  
25                  Notary Public - State of Florida  
                        My Commission Expires:



LEE R. SCOTT 187941  
(NAME) (D.C. #)  
HENDRY CORRECTIONAL INSTITUTION  
Rt. 2, BOX 13-A MAIL BOX # 604  
IMMOKALEE, FLORIDA 33934-9747

OFFICE OF THE CLERK OF THE  
17TH JUDICIAL CIRCUIT

JAN. 2, 1993  
(DATE)

RE: STATE OF FLORIDA VS. LEE R. SCOTT

CASE NO. 89-11250-CF10A

(NAME UNDER WHICH CONVICTED)

Dear Clerk:

I am in the process of preparing further litigation in the above entitled proceeding(s).

I am in need of copies of the following documents:

- JUDGMENT AND SENTENCE PAPERS
- SENTENCING GUIDELINES SCORESHEET
- SENTENCING DEPARTURE ORDER
- HABITUAL OFFENDER SENTENCING ORDER
- INFORMATION OR INDICTMENT
- OTHER: PLEA AGREEMENT AND ANY OTHER DOCUMENTS PERTINENT TO THIS CASE.

I am an incarcerated state prisoner and have no funds with which to pay for copies of the requested documents.

Thank you for your assistance in this matter.

Respectfully Requested,

Lee R. Scott  
(Signature)

89-11250-CF10  
A

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA

Amended Information  
Dennis J. Krieger

754

THE STATE OF FLORIDA

vs.  
LEE ROBERT SCOTT  
ANTONIO FRANCISCO

INFORMATION FOR

- I. ARMED BURGLARY without firearm  
II. GRAND THEFT  
III. RESIST OFFICER WITHOUT VIOLENCE  
(MISDEMEANOR)

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA:

MICHAEL J. SATZ, State Attorney of the Seventeenth Judicial Circuit of Florida, as Prosecuting Attorney for the State of Florida in the County of Broward, by and through his undersigned Assistant State Attorney, charges that

LEE ROBERT SCOTT and ANTONIO FRANCISCO

Gun Belonged To The  
Cops Who Shot The  
Owner Early This  
Earlier That Day Money  
AND DRUG Rip-off

Scott Had Keys To Boat  
Scott Had Keys To Condo  
Scott Had Possession  
of His Property  
This Property Belonged  
To Lee R. Scott  
SSN 861-41-6055) on All  
Items in open Court

(WATCH) was Taken  
By ANTONIO FRANCISCO  
(WHITE MALE)

SCOTT Told Him NOT  
TO TAKE ANYTHING  
THAT WASN'T HIS

on the 21st day of May, A.D. 1989, in the County and State aforesaid, did unlawfully, enter or remain in a structure or the curtilage thereof, to-wit: a dwelling, located at [REDACTED] property of [REDACTED] III, with intent to commit therein the offense of Theft, to-wit: the obtaining, using, or endeavoring to obtain or use the property of another, said property being of value, with the intent to permanently or temporarily and unlawfully deprive the owner or any other person of said property or the use and benefit thereof, and in the course thereof they were armed or armed themselves within such structure with explosives or a dangerous weapon, to-wit: handguns, contrary to F.S. 810.02(1) and F.S. 810.02(2),

COUNT II

AND MICHAEL J. SATZ, State Attorney of the Seventeenth Judicial Circuit of Florida, as Prosecuting Attorney for the State of Florida in the County of Broward, by and through his undersigned Assistant State Attorney, charges that LEE ROBERT SCOTT and ANTONIO FRANCISCO, on the 21st day of May, A.D. 1989, in the County and State aforesaid, did then and there unlawfully and knowingly obtain or endeavor to obtain the property of [REDACTED], III, to-wit: (fishing rods and reels, binoculars, and a (watch), of the value of three hundred dollars (\$300.00) or more, with the intent to permanently or temporarily deprive [REDACTED], III of a right to the property or a benefit thereof, or to appropriate the property to their own use or the use of any person not entitled thereto, contrary to F.S. 812.014(1)a., and (1)b., and F.S. 812.014(2)c.,

COUNT III

AND MICHAEL J. SATZ, State Attorney of the Seventeenth Judicial Circuit of Florida, as Prosecuting Attorney for the State of Florida in the County of Broward, by and through his undersigned Assistant State Attorney, charges that ANTONIO FRANCISCO, on the 21st day of May, A.D. 1989, in the County and State aforesaid, did unlawfully, knowingly and willfully obstruct or oppose Officer Lacy Crew, a duly qualified and legally authorized enforcement officer of the Pompano Beach Police Department in the lawful execution of a legal duty then being performed by the said officer, to-wit: the arrest and detention of the said Antonio Francisco, in that said Defendant did refuse to place his hands behind his back to be handcuffed without the said Defendant offering or doing violence to the person of the said officer, contrary to F.S. 843.02,

MH/fls/6/7/89

#C-51

ORIGINAL

COUNTY OF BROWARD  
STATE OF FLORIDA

Personally appeared before me Michael J. SATZ, State Attorney of said Circuit and Prosecuting Attorney for the State of Florida in the County of Broward, who being first duly sworn says that testimony has been received under oath from the material witness or witnesses and that the allegations as set forth in the foregoing Information are based upon facts that have been sworn to as true by the material witness or witnesses and which, if true would constitute the offense therein charged, and that he has instituted this prosecution in good faith.

By *Robert E. Lockwood*  
Assistant State Attorney, 17th Judicial Circuit of Florida

Sworn to and subscribed before me this 8 day of JUN 19 1989, A.D. 1989

ROBERT E. LOCKWOOD  
Clerk of the Circuit Court of the 17th Judicial  
Circuit in and for Broward County, Florida

By *Robert E. Lockwood*  
Deputy Clerk

JUN 19 1989  
BROWARD COUNTY, FLA. Circuit Court, by Atty  
To the within Information, Defendant pleaded

ROBERT E. LOCKWOOD  
Clerk of the Circuit Court of the 17th Judicial  
Circuit in and for Broward County, Florida

By *Robert E. Lockwood*  
Deputy Clerk

Case No. 89-11250CF109

IN THE  
**CIRCUIT COURT**  
Seventeenth Judicial Circuit of Florida  
In and for Broward County  
STATE OF FLORIDA

THE STATE OF FLORIDA  
vs.

Information for

Presented by State Attorney and Filed

*June 8th, 1989*

ROBERT E. LOCKWOOD  
Clerk of the Circuit Court  
MICHAEL J. SATZ  
State Attorney

1339 JUN -G 13 3:13  
BROWARD COUNTY, FLA.