

FEDERAL DISTRICT COURT
United States Supreme Court
DISTRICT OF Washington D.C.
Case NO. #

DARIO MICHAEL RODRIGUEZ
petitioner,
19-10744-E
11th circuit appeals court
Case no. #

VS. LEAVE OF COURT, Permission to
File "out of Time FRAME" motion

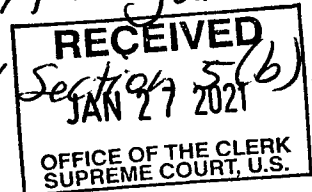
OFFICER Barrow's, OFFICER Swain
Respondents,

LEAVE OF COURT, PERMISSION TO FILE

1.) out of Time Frame motion, Directing the clerk to File
petition "out of Normal Time Frames" Emergency Court Docket
19-10744-E Date 'passed due': 9/09/2020.

Comes now, DARIO MICHAEL RODRIGUEZ in Pro-Se
and herein, above respectfully moves this Court for a mo-
Tion OF LEAVE OF COURT to file "out of Time FRAMES"
NORMAL Time FRAMES motion, attached hereto.

This Court has inherent jurisdiction to all writs issues,
necessary to complete Exercise of it's jurisdiction
under Florida Constitution Law Article V Section 5(b): Fla.
App.P. 9.030(c)(3).



2.) pursuant to F.A.C. 65(b)(1)(A), F.A.C. (emphasis added) specific facts in an affidavit or a verified Complaint clearly show that immediate & irreparable injury, loss, or damage will result to the movant before the adverse party can be or will be heard in opposition. [.] plaintiff move's this Honary Court for issuance of a Emergency Court LEAVE, Permission to File "out of Time Frame",

thereby Compelling Respondent(s) to reach a more definite decision or reasonable Resolution on the prison's behalf. AND the petitioner would aver the following testimony in support thereof:

2.) This motion is made and to instruct the Court clerk to file "out of normal time frames." And to present evidence to the Supreme Court in connection with on-going litigation and evidence against the Nevada Department of Corrections and Florida Department of Corrections. In grievances presented to the Courts attached # 231-2011-0068 & 231-2012-0058, Appovize submitted and testimony attached.

3.) my Access to Courts is being blocked by the Florida Department of Corrections, including wardens of the Facility Warden Lane & Guen Brock. at Suwannee Annex, Warden Godwin & Heming at Columbia Annex, then the ^{Directors} ~~Directors~~ office

grievance Coordinators in all the prisons, I'm being Transferred too. These wardens along with helpers, multiple officers & Regional Director's A. John's, S. McIlkenn & Emrich Rummell are stealing grievances & Fighting with inmates. To prevent and delay my Court process. They have been stealing grievances like the one's attached. Ever since this case was First submitted 7-24-2020, and due to go back to Court 9-24-20. Also blocking access, Law Library, Law clerk's at my Cell doors. Then keeping me behind closed doors, in Segregation units, illegally. To much to contain in 1 Report. but pending in circuit brief's now # 20-10181-HH in Georgia & San Francisco's 9th circuit Court of Appeals. Case no. # 20-17045. Which they also blocked access to my due process rights for there own and policy intentions or Law's of D.O.C.

4.) They prevented and did just like this case from 6-01-20 to 10-05-20 blocked access to my 9th circuit Appeal, pending right now about Nevada. In multiple unfounded or denied grievances & stole my legal box on 6-30-20, pending in the IG's office, see. outloff vs. u.s. 335 F.3d 652, 656 (7th circuit 2003.) Affirming dismissal of claims that prison officials destroyed material's relating to pending law suits &

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See. Ali vs. District of Columbia, 278 F.3d 1, 8 (D.C. Circuit 2003.) Applying Actual injury rules to claims that plaintiff had to send legal documents, did not meet the legal actual injury clause.

5.) Also this issue is still pending in grievance for blocking Access to Court's grievance # 231-2006-0239, 231-2008-0021, 231-2007-0122, 231-2008-0069, 231-2006-0286, 231-2008-0089, 2008-231-006, 231-2008-0089, 231-2011-0035, 231-2011-0102, 231-2011-0068 proper motion, citings, Exhibits properly, provide Specific citations number, 10/20/20 sign mr. portch. Supervisor Law Library. # 231-2011-0088 not clearly understood, not legible, we do not supply "How to books" you have to ~~specific~~ Specifically cite rule, Statute, & Case etc., # 231-2011-0067, 231-2012-0038, 231-2011-0013 Denied Copy Service. blocked Access to Emergency Court proceedings, # 231-2011-0036, 2011-231-044 LTA, & Exhibits not Copied for A.G.'s Office

Legal Conclusion

Based upon the facts and law presented herein, plaintiff's sworn testimony, Affidavit of Law, petitioner would respectfully request the Court to weight the facts and circumstances involved, and take into Account all the evidence provided & both other pending Appeals. I believe I'm Entitled to Relief, And understand that A False Statement or Answer, to Any Questions may Subject me to penalty of perjury. I Declare under penalty of perjury that the foregoing is true & correct. #C11455
Dated this 26th day of Decem- Daniel Michael Rodriguez
ber, 2020. pg.4 (signature)

AFFIRMATION PURSUANT TO NRS. 239B.030, F.A.C.
9.030(c)(3).

I, DARIO MICHAEL RODRIGUEZ [#] DOC. C11435,
Certify that I am the undersigned Individual and that
the attached document Entitled: LEAVE OF COURT,
Permission to File "out of Time Frame"
Does't Contain the Social Security Number of any per-
son, person's. under the Pains & penalties of perjury.

Dated this 26th day of December, 2020.

/s/ Dario Michael Rodriguez
Charlotte C.I. DC # C11435
Address: 33123 oil well rd.
punta gorda, FL 33955-0036

CERTIFICATE OF SERVICE

I Hereby Certify that a TRUE & Correct Copy of the
Foregoing has been furnished to:

ATTORNEY GENERAL'S OFFICE: Southern District
13rd Avenue S.E. S.W. 900 Miami, FL 33131-0132
& A.B.'S Governor's OFFICE: Ronald Reagan's 501 South
Calhoun St. N.W. Tallahassee, FL 32399-2500

Dated: 12/28/20 /s/ Dario Michael Rodriguez
Charlotte C.I. DC # C11435

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 19-10744-E

DARIO M. RODRIGUEZ,

Plaintiff-Appellant,

versus

BARROWS,
Martion C.I. Correctional Officer,
CAPTAIN EDWARDS,
Captain at Martion C.I.,
SERGEANT FERNANDEZ,
Sergeant at Martion C.I.,
GARBALDO,
Correctional Officer at Martion C.I.,
U.S. HOUSE OF REPRESENTATIVE JOHN DOE 1-2, et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Florida

Before: MARCUS, ROSENBAUM and GRANT, Circuit Judges.

BY THE COURT:

Appellant, in the district court, filed a motion to proceed on appeal *in forma pauperis*. The district court denied *in forma pauperis* status, certifying that the appeal was not taken in good faith. Appellant has consented to pay the \$505.00 filing fee, using the partial payment plan described under the Prison Litigation Reform Act of 1995, 28 U.S.C. § 1915(b). Thus, the only remaining

issue is whether the appeal is frivolous. *See* 28 U.S.C. § 1915(e)(2)(B)(i). This Court now finds that the appeal is frivolous, DENIES leave to proceed, and DISMISSES the appeal.

**Additional material
from this filing is
available in the
Clerk's Office.**