

No. 21-5862

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STAFF INITIALS
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IN THE

SUPREME COURT OF THE UNITED STATES

IN RE MICAH LAMB - PETITIONER

VS.

RICKY D. DIXON FLORIDA DEPT.
OF CORRECTIONS AND RESPONDENTS - RESPONDENTS

PETITION TO RECALL MANDATE WITH LEAVE TO REFILE
TIMELY STAMPED MOTION FOR REHEARING AND OTHER
EXCLUDED LEGAL PLEADINGS THE CLERK DID NOT
RECEIVE, DUE TO RESPONDENTS DESTROYING THE PAPERS.

ELEVENTH (11TH) CIRCUIT COURT OF APPEALS, ATLANTA, GA.

PETITION TO RECALL MANDATE WITH LEAVE TO REFILE
TIMELY STAMPED MOTION FOR REHEARING AND OTHER
EXCLUDED LEGAL PLEADINGS THE CLERK DID NOT
RECEIVE, DUE TO RESPONDENTS DESTROYING THE PAPERS.

IN RE MICAH LAMB
CALHOUN CORRECTIONAL INSTITUTION
19562 INSTITUTIONAL DRIVE
BLOUNTSTOWN, FLORIDA
32424

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OFFICE OF THE CLERK
SUPREME COURT, U.S.

QUESTIONS PRESENTED

WHETHER RESPONDENT CLEAR INEQUITABLE MISCONDUCT OF DESTROYING PETITIONER'S TIMELY FILED/STAMPED "MOTION FOR REHEARING" ON DECEMBER 13TH, 2021, AND NUMEROUS OF OTHER LEGAL PLEADINGS, CLERK LISA NEUBIT, STATES SHE HAS NOT RECEIVED, RESULTS IN "MAIL FRAUD AND A "MIS CARRIAGE OF JUSTICE, A LIBERTY ISSUE.

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:

FLORIDA JUDICIAL CIRCUIT COURT (3d) SECOND CIRCUIT IN LEON COUNTY, STATE OF FLORIDA CASE NUMBER: 2019 CA-000736, AGAINST FLORIDA DEPARTMENT OF LAW ENFORCEMENT FOR ITS FAILURE TO TURN OVER ALL CORRUPT DETECTIVE SAMUEL P. KOVISTO (6396) PERSONNEL AND DISCRIMINARY RECORDS, WHEREAS RESPONDENTS' AGAIN SABOTAGED PETITIONERS' CIVIL APPEAL, AND SENT LEGAL PLEADINGS BACK TO THE COURT, TO MAKE APPELLATE PROCESS BE UNATTAINABLE;

(11TH) ELEVENTH CIRCUIT COURT OF APPEALS, COURTHOUSE:

JUDGE WILSON, JUDGE ROSENBAUM, JUDGE CHARLES K. WILSON, JUDGE KEVIN C. NEWSOME,

ATTORNEY GENERAL ASHLEY MOODY;

FLORIDA DEPARTMENT OF LAW ENFORCEMENT, CUSTODIANS OF RECORDS:

KATE HOLMES, JAMIE ROBINSON;

STATE TRIAL JUDGE LANCE DAY (ISSUED SEARCH WARRANT ON PETITIONERS' HOME);

U.S. INSPECTOR GENERAL MICHAEL BOGON;

U.S. CONGRESS AND SENATE, IN WASHINGTON, D.C.;

TRIAL COUNSEL DAVID MAROFFA ESQ. (COUNSEL FOR PETITIONERS' JURY TRIAL);

U.S. DISTRICT JUDGE TIMOTHY J. CORRIGAN; (OVER § 2254);

U.S. MAGISTRATE JUDGE PATRICK BARKSDALE; (OVER § 2254);

ASSISTANT ATTORNEY GENERAL CHARLES MCCOY; (OVER § 2254);

STATE TRIAL JUDGE PETER DEARING; (OVER PETITIONERS' JURY TRIAL);

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- APPENDIX "C" PETITIONER'S OBJECTION/RESPY MOTION PRISON DATE STAMPED OCTOBER 19TH, 2021; PETITIONER'S RESPY BRIEF TO RESPONDENTS' FAILURE TO FILE A BRIEF TO THIS COURT PRISON DATE STAMPED NOVEMBER 15TH, 2021;
- APPENDIX "D" (2d) SECOND JUDICIAL CIRCUIT COURT OF LEON COUNTY, TALLAHASSEE, FLORIDA ON : "FILE" FLORIDA DEPARTMENT OF LAW ENFORCEMENT, ON CORRUPT DETECTIVE SAMUEL D. KOVIOTO (6396) CIVIL SUIT FILING FEE \$1,400.00 FOR POLICE OFFICERS' PERSONNEL DISCIPLINARY RECORDS, WHICH RESPONDENTS SENT LEGAL MAIL BACK TO COURTHOUSE ON APRIL 9TH, 2021, WITHOUT PETITIONER KNOWING, WHICH (30) THIRTY DAY DEADLINE TO APPEAL WAS MISSED;
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IN THE
SUPREME COURT OF THE UNITED STATES

PETITION TO RECALL MANDATE WITH LEAVE
TO REFILE TIMELY STAMPED MOTION FOR
REHEARING AND OTHER EXCLUDED LEGAL
PLEADINGS. THE CLERK DID NOT RECEIVE.

PETITIONER RESPECTFULLY PRAYS THAT A PETITION TO RECALL MANDATE ISSUES 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 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

☐ FROM CASES FROM FEDERAL COURTS:

THE DATE ON WHICH THE UNITED STATES COURT OF APPEALS DENIED 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 APPEARED AT APPENDIX _____.

☐ AN EXTENSION OF TIME TO FILE THE PETITION FOR A WRIT OF HABEAS CORPUS WAS GRANTED TO AND INCLUDING _____ (DATE) ON _____ (DATE) IN APPLICATION NO. _____ AT _____.

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 DENIED MY CASE WAS _____.
A COPY OF THAT DECISION APPEARED AT APPENDIX _____.

☐ A TIMELY PETITION FOR REHEARING WAS THEREAFTER DENIED ON THE FOLLOWING DATE: _____, AND A COPY OF THE ORDER DENYING REHEARING APPEARED AT APPENDIX _____.

☐ AN EXTENSION OF TIME TO FILE THE PETITION FOR WRIT OF HABEAS CORPUS WAS GRANTED TO AND INCLUDING _____ (DATE) ON _____ (DATE) IN APPLICATION NO. _____ AT _____.

THE JURISDICTION OF THIS COURT IS INVOKED UNDER 28 U.S.C. § 1257 (a).

☒ FOR CASES FILED IN THE UNITED STATES SUPREME COURT:

A TIMELY STAMPED / FILED "MOTION FOR REHEARING" ON DECEMBER 13TH, 2021, AT APPENDIX "A" FOLLOWS UNDER "PRISON MAILBOX RULE" OF RAY V. CLEMENTS, 700 F.3d 993, N. [1] (7th Cir. 2012) "MAILBOX RULE" WHEN THIS COURT DENIED PETITIONER'S WRIT OF HABEAS CORPUS DECEMBER 6TH, 2021.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

RESPONDENTS' PATTERNS' AND PRACTICES OF INEQUITIES, AND GROSS MISCONDUCT OF DESTROYING PETITIONER'S "MOTION FOR RETRAIVING", DATED DECEMBER 13TH, 2021, APPENDIX "A" AND SUPPLEMENTAL AUTHORITIES TIMELY FILED ON JANUARY 3d, 2022; FEBRUARY 17TH, 2022 IS RESPONDENTS' ILLEGAL ACTS TO COVER-UP, CORRUPT DETECTIVE SAMUEL D. KOVITO (6396) MISCONDUCT, AND THE LIKE, SEE, APPENDIX 135A: JUDICIAL COURT OPINION FROM (4TH) FOURTH JUDICIAL CIRCUIT COURT FOR NASSAU, DUAL, AND CAYMAN COUNTIES' UNDER F.R.E.P. 608 (b) VERSUS STATE TRIAL JUDGE BILL PARSON IN (1996) STATED: "DETECTIVE SAMUEL D. KOVITO (6396) AND HEAD STATE ATTORNEY HARRY SHORTSTEIN MISCONDUCT WAS "OUTRAGEOUS AND UNLAWFUL", MOTION TO DISMISS GRANTED" IS EVIDENCE THAT SHOULD HAVE BEEN ADMITTED IN PETITIONER'S F.R.E.P. 60 (b) (6) AS "NEWLY DISCOVERED EVIDENCE", SEE, U.S. V. GARLAND, 991 F.2d 329, 332 (6 CIR. 1993) ("GRANTED, "NEWLY DISCOVERED EVIDENCE", OF COURT'S JUDICIAL OPINION", U.S. V. FOWLER, 465 F.2d 664, 668 (D.C. CIR. 1972) ("THE CASE IS ACCORDINGLY REMANDED TO THE DISTRICT COURT FOR A HEARING AT WHICH THE DEFENDANT (PETITIONER MICHAEL LAMB) MAY FULLY CROSS EXAMINE THE WITNESS AS TO HIS USE OF NARCOTICS AT OR ABOUT THE TIME IN QUESTION AND AS TO FULL REASONS FOR HIS DISMISSAL FROM THE POLICE FORCE. THE COURT MAY ALSO RECEIVE EVIDENCE FROM THE POLICE DEPARTMENT AS TO THE REASONS FOR DISMISSAL, IF THE COURT DETERMINED THAT ADDITIONAL EVIDENCE SO RECEIVED PRODUCED RELEVANT TESTIMONY WHICH IS MATERIAL TO THE CREDIBILITY OF THE WITNESS IT SHALL GRANT A NEW TRIAL", U.S. V. WHITMORE, 359 F.3d 609, 619-622 (D.C. CIR. 2004), U.S. V. DAWSON 434 F.3d 95p, 957-959 (7 CIR. 2006) ("DISTRICT COURT ERRED WHEN IT BARRED DEFENDANTS FROM USING (RULINGS ISSUED IN OTHER CASES) TO IMPEACH THREE (3) GOVERNMENT AGENTS WHO TESTIFIED AT THE (SUPPRESSION HEARING). IN THOSE RULINGS THE COURTS HAD FOUND

THE AGENTS NOT TO BE CREDIBLE, IT IS NOT BARRED BY RULE 609(b), WHICH TO REPEAT, IS A RULE ABOUT PRESENTING EXTRINSIC EVIDENCE, NOT ABOUT ASKING QUESTIONS"; U.S. V. WOODARD, 699 F.3d 1184 (10th Cir. 2012) ("PERMITTING INTRODUCTION OF CREDIBILITY FINDING UNDER RULE 609(b)"); HUNT V. U.S., 287 F.2d 828 (11th Cir. 2009) ("COURT GRANTED PRISONER'S F.R.C.P. 60(b) TO REMEDY DEFECTS IN HIS § 2255") WERE CITED IN "MOTION FOR SUPPLEMENTAL AUTHORITY" SEE, APPENDIX "A" "E" WOULD DEMONSTRATE THE MERIT IN PETITIONER'S TIMELY FILED DECEMBER 13TH, 2021 MOTION FOR REHEARING S.C.T. RULE 44 WAS TIMELY, REQUIRING THAT COURT TO JUSTIFY REVERSING PETITIONER'S F.R.C.P. 60(b) (b) HAD NOT RETROACTIVELY DESTROYED ALL PETITIONER'S LEGAL PLEADINGS, IS A DENIAL OF ACCESS TO THE COURTS, SEE JOHNSON V. GARRAGHY, 57 F. SUPP. 2d 321, 329 (VA. 1999) ("DISPUTE AS TO WHETHER PRISONER PLAINTIFF WAS PREVENTED FROM EXHAUSTIVE REMEDIES, REQUIRED EVIDENTIARY HEARING TO DETERMINE WHETHER REMEDIES WERE AVAILABLE"); SHAH V. QUINLIN, 901 F.2d 1241, 1244 (5th Cir. 1990); WASHINGTON V. JAMES, 782 F.2d 1134 (3d Cir. 1986) ("DENIED RIGHT TO RECEIVE AND SEND LEGAL MAIL, DENIAL OF ACCESS TO COURTS"); SMITH V. ROBBINS, 454 F.2d 696 (1st Cir. 1972); GRAMSONA V. JOHNSON, 846 F.2d 675 (11th Cir. 1989) ("DELAY OF ARRESTEE'S MAIL WAS NOT AN ISOLATED INCIDENT AND WAS A PATENT DEPRIVATION OF INMATE'S RIGHT TO ACCESS TO THE COURTS"); DAVIS V. GODRA, 320 F.3d 346, 352-354 (2d Cir. 2003) ("INTERFERENCE WITH THE INMATE'S LEGAL MAIL AND RETALIATION") SHOWS THE ABOVE ILLEGALITY IS NOT EQUAL OPPORTUNITIES GIVEN TO PETITIONER MIGHT LAMB, SEE, N.E. FIA. CHAPTER OF ASSOCIATED GEN. CONTRACTORS OF AM. V. CITY OF JACKSONVILLE, FLA., 113 S.Ct. 2297, N.[5] (1993) ("THE INJURY IN FACT IN AN EQUAL PROTECTION CASE OF THIS VARIETY IS THE DENIAL OF EQUAL TREATMENT RESULTING FROM THE IMPOSITION OF THE BARRIER, NOT THE ULTIMATE INABILITY TO OBTAIN THE BENEFIT"); BRAUNSTEIN V. ARIZONA DEPT OF TRANSP.

683 F.3d 1127, 1184 (9 Cir. 2012); HECKLER V. MATTHEWS, 104 S. Ct. 1387 (1984); moreover, is clarified by the "OMISSION" BY RESPONDENTS DESTROYING PETITIONER'S "OBJECTIONS", SEE APPENDIX "C"
SEE GALRIEL V. STATE, 254 So.3d 558, 563 (FLA. 4TH DCA 2018)
("TRIAL COURT ERRED IN OVERRULING DEFENDANT'S "OBJECTION" TO THE PROSECUTOR'S REFERENCES TO FACTS BEYOND THE EVIDENCE") WHEN PETITIONER ON DECEMBER 20TH, 2021 SEE APPENDIX "B" REQUEST CLERK OF COURT MISS USA NEUBIT FOR A FREE DOCKET REPORT OF ALL THE LEGAL PLEADINGS FILED IN THIS CASE; AND RECEIVED AT CAUTION CORRECTIONAL INSTITUTION AT LEGAL MAIL, THIS COURT'S DOCKET ON FEBRUARY 11TH, 2022, AND DISCOVERED ALL PETITIONER'S LEGAL PLEADINGS WERE DESTROYED BY RESPONDENTS, WHICH ALSO, IN THE (2d) SECOND JUDICIAL CIRCUIT COURT IN LEON COUNTY, TALLAHASSEE, FLORIDA, CASE NUMBER: 2019 CA-000736. RESPONDENTS SENT BACK 4/9/2021 TO THE COURT WITHOUT PETITIONER KNOWING, OF THE COURT'S DENIAL, WHICH CAUSED PETITIONER NOT TO APPEAL AND MISSED THE (30) THIRTY DAY DEADLINE ON "FILE" FOR DETECTIVE ROIVISTO (6326) DISCIPLINARY AND PERSONNEL RECORDS, SEE GRAMEGNA V. JOHNSON, SUPRA, SEE APPENDIX "D", "E" ARE PATTERNS AND PRACTICES OF RESPONDENTS' ILLEGALITY SEE ACTNA CAS AND SUR V. LEVY, LEXIS 11560, AT 8-12 (7 Cir. 1985) ("A PATTERN OF RACKETEERING ACTIVITY IS DEEMED TO EXIST IF AT LEAST TWO ACTS OF RACKETEERING TAKEN PLACE (10) TEN YEARS WITHIN EACH OTHER"); SAP AM. INC. V. INVEST PIC LLC, LEXIS 54219, AT 12 (5 Cir. 2021)
("...NEWLY DISCOVERED EVIDENCE SPECIFICALLY THE POST-JUDGMENT DISCOVERY OF INVEST PIC'S BANKING AND TRANSACTIONAL PATTERNS AND HISTORY") IS ALL GROUNDS FOR THIS COURT TO FIND THAT "MAIL FRAUD" HAS OCCURRED FOR THIS COURT'S INTERVENTION, GIVES THIS COURT ARTICLE III JURISDICTION TO GRANT PETITIONER'S BOTH PETITIONS I.E. F.R.C.P. 60 (b)(6); motion to RECALL

THE MANDATE, WITH LEAVE TO PETITIONER TO REFILE HIS
"REHEARING MOTION", AND OTHER OMITTED PAPERS, SEE,
APPENDIX "A", B, C, D, E WHICH IS FIT FOR JUDICIAL REVIEW, SEE,
BUCK V. DAVIS, 137 S. Ct. 759 (2017); HAZEL-ATLAS GUANO, 64
S. Ct. 997 (1944); HOWARD V. FLORIDA, 130 S. Ct. 2549 (2010)
CHAPMAN V. STEPHENS PROTEST EPISCOPAL CHURCH, 138 S. Ct. 630 (FIA.
1932) ("MOTION TO RECALL THE MANDATE WILL THEREFORE BE GRANTED,
AND THE CAUSE REINSTATED ON THE DOCKET FOR THE PURPOSES OF
GIVING FURTHER CONSIDERATION TO THE JUDGMENT RENDERED AT
THE PRESENT TERM IN ORDER THAT IT MAY DETERMINE WHETHER
OR NOT THERE IS ERROR IN SUCH JUDGMENT WHICH SHOULD BE
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BROWN V. DAUGHERT, LEXIS 751 (2021) ("RECALL AND STAY MANDATE");
WILSON EXPRESS COMPANY V. DEL MAYERS, 238 U.S. 647 (1915)
("MOTION TO RECALL MANDATE AND FOR LEAVE TO PRESENT A (2d)
SECOND PETITION FOR REHEARING"); IN RE MOORE, 124 S. Ct. 30
(2003) ("APPLICATION TO RECALL MANDATE AND TO STAY ENFORCEMENT");
WILSON RESEARCH CORP. V. PLOUTE PLASTIC CORP., 336 F.2d 303,
305 (1st Cir. 1964) ("GRANTED MOTION TO RECALL MANDATE");
AMERICAN IRON STEEL V. EPA, 560 F.2d 589 (3d Cir. 1977);
JERRY V. STATE, 174 So.2d 772 (FIA. 2d DCA 1965); GOLDEN VALLEY
MICROWAVE FOODS INC. V. WEAVER POPCORN, 837 F. Supp. 1474, 1472-
1478 (7 Cir. 1992) ("ALLEGING FRAUD AND/OR INEQUITABLE CONDUCT
ON THE PART OF PLAINTIFF, INCLUDING OMISSION OR KNOWING
MISREPRESENTATION OF INFORMATION WITH INTENT TO MISLEAD");
WHICH WILL AVERT A "MISCARRIAGE OF JUSTICE", SEE,
NASCO V. CALCASIEU TELEVISION AND RADIO, INC., 124 F.R.D. 120, 140,
141, N. [6] (LA. 1986) ("FRAUD ON THE COURT, ACTIVELY ENGAGED IN
SCHEME TO OBSTRUCT COURTS JURISDICTION TO DELAY AND
HARASS OPPONENT"); MARSHALL V. JERRICO, 100 S. Ct. 1610 (1980)

STATEMENT OF THE CASE

THE CLERK OF COURT MRS. LISA NEUBIT PURSUANT TO A DECEMBER 20TH, 2021 "REQUEST" THAT PETITIONER MADE ASKING FOR A DOCKET REPORT OF ALL THE LEGAL PLEADINGS FILED IN THIS CASE, WAS RECEIVED IN CAUTION CORRECTIONAL INSTITUTIONAL LEGAL MAIL ON FEBRUARY 11, 2022, SEE, APPENDIX "B" WHICH WAS DISCOVERED THAT RESPONDENTS HAD NOT U.S. MAILED PETITIONER'S TIMELY FILED DECEMBER 13TH, 2021 "MOTION FOR REHEARING WITH A MOTION FOR CERTIFICATION" "MOTION FOR SUPPLEMENTAL AUTHORITY PRISON DATE STAMPED JANUARY 3d, 2022;" "MOTION FOR SUPPLEMENTAL AUTHORITY PRISON DATE STAMPED FEBRUARY 17TH, 2022;" REPLY MOTION ON FAILURE OF RESPONDENTS TO BRIEF THE COURT, FILED THRU PRISON DATE STAMP, OCTOBER 19TH, 2021; PETITIONER'S TIMELY OBJECTION, FILE AND PRISON DATE STAMP FOR NOVEMBER 15TH, 2021, SEE, APPENDIX A, B, C, D, E.

RESPONDENTS' PATTERNS AND PRACTICES OF INQUITABLE MISCONDUCT STRECKED INTO A CIVIL CASE PETITIONER HAD ON CORRUPT DETECTIVE SAMUEL D. KOVISTO (6396) WHEN HE WAS IN THE NEWSPAPER FOR WANTING TO KILL BLACK U.S. PRESIDENT OBAMA HIS WIFE AND (2) TWO DAUGHTERS, "FOLE" INVOICE SAID \$53.05 FOR (74) PAGES OF HIS DISCIPLINARY AND PERSONNEL FILES, THEY ONLY SENT PETITIONER 65 SHEETS OF HIS RECORD. WHEN THE COURT MADE ITS FINAL ADJUDICATION DENIAL, ON APRIL 9TH, 2021 RESPONDENTS SENT THE MAIL BACK TO LEON COUNTY, (2d) SECOND JUDICIAL CIRCUIT COURT TO KEEP ME FROM FILING A "TIMELY NOTICE OF APPEAL" TO THE FIRST DISTRICT COURT

OF APPEALS IN TALLAHASSEE, FLORIDA. THEN RESPONDENTS MADE A RETRAIBUTORY TRANSFER OF PETITIONER TO "CAITOWN CORRECTIONAL INSTITUTION" TO PAPER-OVER THEIR ILLEGAL COVER-UP, OF DESTROYING PETITIONER'S CONFIDENTIAL LEGAL PAPERS AND PREVENTING PETITIONER FROM SENDING AND RECEIVING ALL ACTUAL AND FACTUAL INNOCENCE LEGAL PAPERS TO THIS COURTHOUSE IS MAIL FRAUD AND FRAUD ON THE COURT, CLEAR AND EVIDENT FROM THE ATTACHED RECORD, WHICH HAS CAUSED A LIBERTY ISSUE.

PETITIONER STATES FOR THE COURT, THAT DUE TO THE ABOVE TREATMENT EXECUTED AGAINST PETITIONER, PETITIONER HAS NOT WAIVED ANY DEFENSES.

REASONS FOR GRANTING THE PETITION

(1). RESPONDENTS' PATTERNS AND PRACTICES OF INEQUITABLE, GROSS MISCONDUCT, AND PERVASIVENESS OF DESTROYING ALL PETITIONERS' LEGAL PAPERS FILED TO THE UNITED STATES SUPREME COURT, TOO JUSTICE CLARENCE THOMAS IS A CLEAR AND EVIDENT PICTURE THAT "OBSTRUCTION OF JUSTICE" AND "FRAUD ON THE COURT" HAS OCCURRED BY READING PETITIONERS' LEGAL MAIL TO HAVE A ADVANTAGE OVER PETITIONER TO EXECUTE THEIR SCHEMES, HAS CAUSED FURTHER, A LIBERTY INTEREST, SEE, APPENDIX A, B, C, D, E, WHEN THE CLERK OF COURT MISS LISA NORBIT, HAD RECEIVED PETITIONERS' DECEMBER 20TH, 2021 REQUEST FOR A FREE DOCKET REPORT OF ALL LEGAL PLEADINGS FILED IN THIS COURT RECEIVED AT CALHOUN CORRECTIONAL INSTITUTION LEGAL MAIL ON FEBRUARY 11TH, 2022, AND DISCOVERED THAT RESPONDENTS' INTENTIONAL AND DELIBERATE MISCONDUCT OF DESTROYING PETITIONERS' TIMELY FILED MOTIONS:

"MOTION FOR RETHEARING" TIMELY FILED DECEMBER 13TH, 2021;
"MOTION FOR SUPPLEMENTAL AUTHORITY", FILED JANUARY 3d, 2022;
"MOTION FOR SUPPLEMENTAL AUTHORITY", FILED FEBRUARY 17TH, 2022;
"TIMELY OBJECTION", FILED NOVEMBER 15TH, 2021;
"TIMELY REPLY MOTION ON FAILURE OF RESPONDENTS' TO BRIEF", THE COURT, FILED OCTOBER 19TH, 2021;

WHICH HAVE BEEN PROPERLY TIME-STAMP BY CALHOUN PRISON OFFICIALS WHO CAN NOT DISPUTE THE CORRECTNESS REQUIRING THIS COURT TO RECONSIDER THE NET-COLLECTION OF ALL LEGAL READINGS IN THE "INTEREST OF JUSTICE" SEE, SHRADER V. COX TRANSPORT, 70 F.3d 255, 257 (2d cir. 1995); YOUSE V. GRIMES, 168 F.Supp.2d 1233, 1235 (10 cir. 2001); MARSHALL V. JERICHO, 100 S.Ct. 1510 (1980) THAT IS IN VIOLATION OF CLEARLY ESTABLISHED FEDERAL LAWS, SEE, COOY V. UGBER, 2056

F.3d 764 (8 cir. 2001) ("COURT FOUND ACTUAL TRYING BASED ON THE ADVANTAGE DEFENDANTS GAINED BY (READING) A PLAINTIFFS CONFIDENTIAL LEGAL MATERIAL"); DAVIS V. GORD, 320 F.3d 346, 352-354 (2d cir. 2003) ("INTERFERENCE WITH INMATES LEGAL MAIL AND RETALIATION"); WASHINGTON V. JAMES, 782 F.2d 1134 (3d cir. 1986) ("DENIED RIGHT TO RECEIVE AND SEND LEGAL MAIL DENIAL OF ACCESS TO COURTS"); SMITH V. ROBBINS, 454 F.2d 696 (1st cir. 1972); GRAMEGNA V. JOHNSON, 846 F.2d 675 (11 cir. 1986) ("RESPONDENTS IN RETALIATION HAD PRISONERS LEGAL PAPERS UNTIL AFTER EXPIRATION OF DEDUCTION, LAWSUIT GRANTED"); DAVIS V. SINGESTARY, 716 SO.2d 233 (FLA. 4TH DCA 1998) ("INMATE LAW CLERK THAT WAS ASSIGNED TO HANDLE HIS APPEAL 'LOST ALL' OF HIS LEGAL PAPERS AS A RESULT OF A PRISON TRANSFER WAS AN 'EXCEPTIONAL CIRCUMSTANCES' BEYOND PETITIONER'S CONTROL, WHICH RENDERED THE ORDINARY APPEALATE PRICES UNAVAILABLE, COURT GRANTED RELIEF"); OFFEN V. STATE, 662 SO.2d 742 (FLA. 4TH DCA 1995) (SAME) HAGG V. STATE, 591 SO.2d 614 (FLA. 1992) ("PETITION DEEMED FILED WHEN PETITIONER LOST CONTROL OVER DOCUMENT"); HELTON V. SINGESTARY, 85 F.SUPP.2d 1323 (S.D. FLA. 1999) REQUIRES EQUITABLE TOLING BE GRANTED TO PETITIONER.

(2). PETITIONER'S "NET COLLECTION" OF LEGAL DOCUMENTS, WARRANTS GRANTING THE MERITS OF PETITIONER'S F.R.C.P. 60 (b) (6) UNDER "NEWLY DISCOVERED EVIDENCE" OF COURT ORDERS FROM STATE TRIAL JUDGE BILL ARSON'S IN (1996) SEE, ARNOIX 135A OF THE COURT STATING: ("DETECTIVE SAMUEL D. KOVIOT'S (6396) MISCONDUCT WAS OUTRAGEOUS AND UNLAWFUL ALONG WITH HEAD STATE ATTORNEY HARRY SHORTSTEIN, MOTION TO DISMISS ALL CHARGES AGAINST VICTIM/DEFENDANT AULISON BRANDA V. STATE GRANTED"); U.S. V. GARLAND 991 F.2d 328, 332 (6 cir. 1993) ("GRANTED, AS NEWLY DISCOVERED EVIDENCE", OF COURT'S JUDICIAL OPINION"); U.S. V. FLOWER 465 F.2d 664, 668 (D.C. cir. 1972) ("THE CASE IS ACCORDINGLY REMANDED TO THE DISTRICT COURT FOR A HEARING AT WHICH THE DEFENDANT (PETITIONER MURRAY LAMB) MAY FULLY CROSS

EXAMINING THE WITNESS AS TO HIS USE OF NARCOTICS AT OR ABOUT THE TIME IN QUESTION AND AS TO FULL REASONS FOR HIS DISMISSAL FROM THE POLICE FORCE. THE COURT MAY ALSO RECEIVE EVIDENCE FROM THE POLICE DEPARTMENT AS TO THE REASONS FOR DISMISSAL, IF THE COURT DETERMINES THAT ADDITIONAL EVIDENCE SO RECEIVED PRODUCES RELEVANT TESTIMONY WHICH IS MATERIAL TO THE CREDIBILITY OF THE WITNESS IT SHALL GRANT A NEW TRIAL". U.S. V. WHITMORE, 359 F.3d 609, 619-622 (D.C. Cir. 2004). U.S. V. DAWSON, 434 F.3d 956, 957-959 (7th Cir. 2006) ("DISTRICT COURT ERRED WHEN IT BARRED DEFENDANTS FROM USING (RULINGS ISSUED IN OTHER CASES) TO IMPEACH THREE (3) GOVERNMENT AGENTS WHO TESTIFIED AT THE (SUPPRESSION HEARING). IN THOSE RULINGS THE COURTS HAD FOUND THE AGENTS NOT TO BE CREDIBLE. IT IS NOT BARRED BY RULE 608 (b), WHICH TO REPEAT, IS A RULE ABOUT PRESENTING EXTRINSIC EVIDENCE, NOT ABOUT ASKING QUESTIONS". U.S. V. WOODARD, 699 F.3d 1188 (10th Cir. 2012) ("PERMITTING INTRODUCTION OF CREDIBILITY FINDING UNDER RULE 608 (b)". AS APPLIED TO PAGES IN PETITIONER'S "WRIT OF HABEAS CORPUS", FLAGGED AT: PAGE 21, LINES 3-7; PETITIONER'S "MOTION FOR REHEARING", FLAGGED AT: PAGE 5, (FNI), LINES 22; WOULD ADD THE INFERENCES THAT SINCE DETECTIVE KOIVISTO (6396) WANTS TO KILL BLACK U.S. PRESIDENT OBAMA AND HIS ENTIRE FAMILY, IT'S PRACTICAL TO SAY HE DISLIKES THE BLACK RACE AND PETITIONER MICHAEL LAMB, AND IS SUSCEPTIBLE TO SAY DETECTIVE KOIVISTO (6396) FRAMED AND SETUP PETITIONER ON FALSE CHARGES, WARRANTS DISMISSAL OF ALL CHARGES AGAINST PETITIONER, OR WARRANTS THIS COURT GRANTING PETITIONER A FEDERAL EVIDENTIARY HEARING TO QUESTION THE JACKSONVILLE, FLORIDA POLICE DEPARTMENT OF WHY WAS DETECTIVE KOIVISTO (6396) WAS DISMISSED / RELIEVED OF DUTY; AND TO QUESTION DETECTIVE KOIVISTO AS TO

WHY HE DOESN'T LIKE THE BLACK RACE, AND WHY HE WANTS TO KILL OBAMA'S BLACK WIFE AND (2) BLACK DAUGHTERS' SEE, APPENDIX 176A, 177A, (FBI POLICE REPORT) DEMONSTRATES WHY RESPONDENTS EXECUTED A COVERT OPERATION / SCHEME TO COVER-UP, AND SABOTAGED THIS INSTANT APPEAL, JUSTIFIED THIS COURT IN GRANTING THIS PETITION TO: "RECALL THE MANDATE WITH LEAVE FOR PETITIONER TO HAVE HIS MOTION FOR REHEARING AND OTHER EXEMPTED LEGAL ARGUMENTS RECONSIDERED, WHEN DETECTIVE KOIVISTO (6396) ILLEGALLY SEIZED PETITIONER'S CHEVY LUMINA WITHOUT PROBABLE CAUSE, AND WITHOUT A SEARCH WARRANT OFF PETITIONER'S AUTO'S PROPERTY AT 120 CANADON ROAD, SEE, COLLINS V. VIRGINIA, 139 S.Ct. 1663 (2019) ("ILLEGALLY TRESPASSED ONTO CURTILAGE AND SEIZED MOTORCYCLE WITHOUT WARRANT COURT REVERSED CONVICTION"); U.S. V. MOLT, 589 F.2d 1247 (3d Cir. 1978) ("WITHOUT A SEARCH WARRANT ALL EVIDENCE STEMMING FROM THE TAINTED INSPECTION HAD TO BE SUPPRESSED"); CAUSED PETITIONER TRIAL COUNSEL DAVID MAROKFA TO BE INEFFECTIVE FOR HIS FAILURE IN NOT PRESENTING AVAILABLE EVIDENCE, I.E. COURT ORDER FROM STATE JUDGE BILL PARSON, SEE, APPENDIX 135A, SEE, U.S. V. GLOVER, 755 F.3d 811, 814 (7th Cir. 2014) ("IN THIS CASE THE OMISSIONS FROM THE AFFIDAVIT DEPRIVED THE MAGISTRATE HIGHLY RELEVANT INFORMATION THAT TENDS TO UNDERMINE DOB'S CREDIBILITY AND THUS THE PROBABLE CAUSE DETERMINATION THAT PRIVILEGE DOES NOT EXTEND TO WHOLESOME OMISSION OF DAMAGING CREDIBILITY INFORMATION.

• ID 819 citing OWENS V. U.S., 387 F.3d 607, 610 (7th Cir. 2004) ("COUNSEL WAS INEFFECTIVE IN ARGUING WHAT SHOULD HAVE BEEN A SUCCESSFUL MOTION TO SUPPRESS THE EVIDENCE FOUND IN PETITIONER'S HOME BECAUSE THE WARRANT WAS BASED ON A BAREBONES AFFIDAVIT THAT DID NOT ESTABLISH

PROBABLE CAUSE, WE HELD THAT THE AFFIDAVIT WAS SO INADEQUATE THAT THE GOOD FAITH EXCEPTION DID NOT APPLY AND GRANTED HABEAS CORPUS RELIEF¹¹) ARE THE SAME PARTIES, SAME COURT, SAME ISSUES! (STATE ATTORNEY HARRY SHORSTEIN CONSIDERING POLICE INVESTIGATIVE PROCEDURES, THRU DETECTING ROIVISTO, RATHER JUDICIAL ACTIVITIES¹¹) SEE, APPENDIX 135A, COMPARE ROIVISTO'S POLICE REPORT. HE CALLED HEAD STATE ATTORNEY HE DETERMINED IT WOULD BE JOO WOULD TO W PETITIONER'S CHEVY LUMINA, WITHOUT A SEARCH WARRANT¹¹ SEE, BIGGS V. GOODWIN, 569 F.2d 10 (O.Cir. 1976) CERT. DENIED 98 S. Ct. 3089 (1978) ("COVER-UP BY PROSECUTOR ACTING AT INVESTIGATIVE STAGE AS INVESTIGATIVE OFFICER, GUILTY OF MISCONDUCT¹¹"); RIDER V. MT. ST. MARY'S COLLEGE, 814 F.2d 986, 994 (4TH Cir. 1987) CERT. DENIED 108 S. Ct. 260 (1987) ("SAME PARTIES, SAME ISSUES, SAME FACTS, AND EVEN SAME COURT¹¹"); ST. LOUIS BAPTIST TEMPLE INC. V. FEDERAL DEPOSIT, 605 F.2d 1169, 1172-1173 (10TH Cir. 1979) ("COURT AFFIRMED GRANT OF PETITION WHICH INVOLVED THE SAME ISSUES AND SIMILARLY SITUATED PARTIES¹¹"); AND THE LIKE, BUCK V. DAVIS, 137 S. Ct. 759 (2017).

(3). THIS COURT HAS ARTICLE III JURISDICTION TO GRANT THIS INSTANT MOTION THAT IS RIFE FOR THE COURT'S CONSIDERATION TO WARRANT THE GRANTING OF PETITIONER'S "MOTION TO RECALL MANDATE" WITH LEAVE FOR THE COURT TO RECONSIDER PETITIONER'S TIMELY FILED MOTIONS¹¹ WOULD AVERT A "MANIFEST INJUSTICE" TO A "MISARRIAGE OF JUSTICE" TO PETITIONER WHO IS ACTUALLY INNOCENT OF ALL CHARGES¹¹ SEE, THOMPSON V. BELL, 373 F.3d 688, N. [5] (6 Cir. 2004) CERT. DENIED 125 S. Ct. 923 (2005) ("RECALL MANDATE¹¹"); CIR V. SUMNER, 68 S. Ct. 715 (1948); CHAPMAN V. STEPHENS PROTEST EPISCOPAL CHURCH, 138 S. Ct. 630 (FIA. 1932); BROWN V. DAVENPORT, LEXIS 751 (2021) ("RECALL AND STAY MANDATE¹¹"); WILSON CYRESS COMPANY V. DEL. MAYERS, 238 U.S. 647 (1915) ("MOTION TO RECALL MANDATE AND FOR LEAVE TO PRESENT A (2d) SECOND PETITION FOR REHEARING¹¹");

IN RE MOORE, 124 S.Ct. 30 (2003) ("APPLICATION TO RECALL
 MANDATE AND TO STAY ENFORCEMENT"); WILSON RESEARCH CORP.
V. PLOUTE PLASTIC CORP., 336 F.2d 303, 305 (1st Cir. 1964) ("GRANTED
 MOTION TO RECALL MANDATE"); AMERICAN IRON
STEEL V. EPA, 560 F.2d 589 (3d Cir. 1977); GOLDEN VALLEY
MICROWAVE FOODS INC V. WEAVER POPCORN, 937 F.2d 1444,
 1472-1478 (7th Cir. 1992) ("ALLEGING FRAUD AND/OR
 INEQUITABLE CONDUCT ON THE PART OF PLAINTIFF, INCLUDING
 OMISSION OR KNOWING MISREPRESENTATION OF INFORMATION
 WITH INTENT TO MISLEAD"); NASTO V. CALCASELLO
TELEVISION AND RADIO, INC., 124 F.R.D. 120, 140, 141, N. [6]
 (LA. 1986) ("FRAUD ON THE COURT, ACTIVELY ENGAGED IN
 SCHEME TO OBSTRUCT COURTS JURISDICTION TO DELAY AND
 HARASS OPPONENT"); HAZEL-ATLAS, 64 S.Ct. 997 (1944);
KLAPROTH V. U.S., 69 S.Ct. 384 (1949) ("CONCLUDING THAT
 RELIEF WAS JUSTIFIED UNDER RULE 60 (b) (6) WHERE THE
 PETITIONER WAS DEPRIVED OF ANY REASONABLE OPPORTUNITY
 TO DEFEND AGAINST THE CHARGES"); REMBRANDT VISION
TECH L.P. V. JOHNSON, 818 F.3d 1320, 1333 (Fed. 2016)
 ("CITING HAZEL-ATLAS"); WKAT INC. V. FCC, 296 F.2d
 375 (1st Cir. 1960) (D.C. Cir. 1960) CERT. DENIED 82 S.Ct. 63 (1961)
 ("APPLICANTS ENGAGED IN IMPROPER ACTIVITIES")

PETITIONER STATED FOR THE COURT THAT DUE
 TO RESPONDENTS' INEQUITABLE MISCONDUCT, PETITIONER
 HAS NOT WAIVED ANY OF HIS DEFENSES TO HAVE
 RESPONDENTS' FILE A BRIEF TO ALL FILED LEGAL
 PLEADINGS, IN THE "INTEREST OF JUSTICE", WHICH
 PETITIONER WOULD LIKELY SUCCEED ON APPEAL.