

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 21-11559-G

WILLIAM JAMES SISKOS,

Petitioner-Appellant,

versus

SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS,
ATTORNEY GENERAL, STATE OF FLORIDA,

Respondents-Appellees.

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

ORDER:

William Siskos moves for a certificate of appealability (“COA”) in order to appeal the district court’s denial of his *pro se* Fed. R. Civ. P. 60(b)(3) motion for reconsideration of the denial of his amended 28 U.S.C. § 2254 petition. To obtain a COA, Siskos must make “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). Because Siskos has failed to make the requisite showing, his motion for a COA is DENIED. Accordingly, his motion to proceed *in forma pauperis* on appeal is DENIED as moot.

/s/ Robert J. Luck
UNITED STATES CIRCUIT JUDGE

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

For rules and forms visit
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December 09, 2021

Clerk - Middle District of Florida
U.S. District Court
801 N FLORIDA AVE
TAMPA, FL 33602-3849

Appeal Number: 21-11559-G
Case Style: William Siskos v. Secretary, Florida Department, et al
District Court Docket No: 8:16-cv-03197-WFJ-CPT

The enclosed copy of this Court's order denying the application for a Certificate of Appealability is issued as the mandate of this court. See 11th Cir. R. 41-4. Counsel and pro se parties are advised that pursuant to 11th Cir. R. 27-2, "a motion to reconsider, vacate, or modify an order must be filed within 21 days of the entry of such order. No additional time shall be allowed for mailing."

Any pending motions are now rendered moot in light of the attached order.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: Lee Aaron, G
Phone #: 404-335-6172

Enclosure(s)

DIS-4 Multi-purpose dismissal letter

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APPEAL, CLOSED, HABEAS

**U.S. District Court
Middle District of Florida (Tampa)
CIVIL DOCKET FOR CASE #: 8:16-cv-03197-WFJ-CPT**

Siskos v. Secretary, Department of Corrections et al
Assigned to: Judge William F. Jung
Referred to: Magistrate Judge Christopher P. Tuite
Case in other court: 11th Circuit, 20-11559-D
11th Circuit, 21-11559-G
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 11/14/2016
Date Terminated: 03/24/2020
Jury Demand: None
Nature of Suit: 530 Habeas Corpus
(General)
Jurisdiction: Federal Question

Petitioner**William James Siskos**

represented by **William James Siskos**
806924
Wakulla Work Camp
110 Melaleuca Drive
Crawfordville, FL 32327-4963
PRO SE

V.

Respondent**Secretary, Florida Department of
Corrections**

represented by **Robin A. Compton**
Office of the Attorney General
Suite 500
444 Seabreeze Blvd
Daytona Beach, FL 32118
386/238-4990
Fax: 386/238-4997
Email: crimappdab@myfloridalegal.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Respondent**Attorney General, State of Florida**

represented by **Robin A. Compton**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/14/2016	<u>1</u>	PETITION for Writ of Habeas Corpus -State filed by William James Siskos. (Attachments: # <u>1</u> Mailing Envelope)(CTR) (Entered: 11/16/2016)

11/14/2016	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by William James Siskos. (CTR) Motions referred to Magistrate Judge Thomas B. McCoun III. (Entered: 11/16/2016)
11/17/2016	<u>3</u>	NOTICE of designation under Local Rule 3.05 - Track 1 (AO) (Entered: 11/17/2016)
11/28/2016	<u>4</u>	ORDER granting <u>2</u> Motion for Leave to Proceed in forma pauperis. Petitioner shall have 30 days to file an amended petition for writ of habeas corpus. The Clerk shall enclose two copies of the court-approved form used to initiate a §2254 case with Petitioner's copy of this Order.. Signed by Magistrate Judge Thomas B. McCoun III on 11/28/2016. (LYB) (Entered: 11/28/2016)
12/12/2016	<u>5</u>	MOTION for Extension of Time to File amended 2254 petition by William James Siskos. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Mailing Envelope)(AG) (Entered: 12/13/2016)
12/12/2016	<u>6</u>	MOTION for Leave to File Excess Pages by William James Siskos. (Attachments: # <u>1</u> Mailing Envelope)(AG) (Entered: 12/13/2016)
12/12/2016	<u>7</u>	MOTION to Appoint Counsel by William James Siskos. (Attachments: # <u>1</u> Appendix A-D, # <u>2</u> Mailing Envelope)(AG) Motions referred to Magistrate Judge Thomas B. McCoun III. (Entered: 12/13/2016)
12/30/2016	<u>8</u>	AMENDED PETITION by a prisoner for writ of habeas corpus filed by William James Siskos. (Attachments: # <u>1</u> Exhibits)(BES) (Entered: 12/30/2016)
12/30/2016	<u>9</u>	EMERGENCY MOTION from Denial of Meaning - Full Access to Courts by William James Siskos. (BES) (Entered: 12/30/2016)
12/30/2016	<u>10</u>	ORDER granting <u>5</u> Motion for Extension of Time to File, Petitioner shall file amended petition on or before January 30, 2017; granting <u>6</u> Motion for Leave to File Excess Pages; denying without prejudice <u>7</u> Motion to appoint counsel. Signed by Judge James D. Whittemore on 12/29/2016. (LD) (Entered: 12/30/2016)
01/03/2017	<u>11</u>	ORDER denying without prejudice <u>9</u> emergency motion. Signed by Judge James D. Whittemore on 1/3/2017. (SMA) (Entered: 01/03/2017)
01/13/2017	<u>12</u>	MOTION for clarification re <u>10</u> Order by William James Siskos. (BES) (Entered: 01/17/2017)
01/13/2017	<u>13</u>	MOTION to Appoint Counsel by William James Siskos. (BES) Motions referred to Magistrate Judge Thomas B. McCoun III. (Entered: 01/17/2017)
01/17/2017	<u>14</u>	ENDORSED ORDER denying <u>12</u> Motion for clarification. Signed by Judge James D. Whittemore on 1/17/2017. (Whittemore, James) (Entered: 01/17/2017)
01/18/2017	<u>15</u>	ORDER denying <u>13</u> Motion for Rehearing. Signed by Judge James D. Whittemore on 1/18/2017. (SMA) (Entered: 01/18/2017)
01/18/2017	<u>16</u>	ORDER denying <u>12</u> MOTION for clarification. Signed by Judge James D. Whittemore on 1/18/2017. (SMA) (Entered: 01/18/2017)
01/18/2017	<u>17</u>	ORDER to respond and show cause why the petition should not be granted. Petitioner has 30 days to reply to the petition response. Clerk is directed to serve the petition. Signed by Magistrate Judge Thomas B. McCoun III on 1/18/2017. (LYB) (Entered: 01/19/2017)
01/26/2017	<u>18</u>	MOTION to Consolidate Cases by William James Siskos. (BES) (Entered: 01/26/2017)

01/26/2017	<u>19</u>	MOTION to Amend <u>8</u> Amended petition for writ of habeas corpus by William James Siskos. (BES) (Entered: 01/26/2017)
01/26/2017	<u>20</u>	SECOND AMENDED PETITION by a prisoner for writ of habeas corpus filed by William James Siskos.(BES) (Entered: 01/26/2017)
01/30/2017	<u>21</u>	ORDER denying without prejudice <u>18</u> Motion to Consolidate Cases; granting <u>19</u> motion to amend/correct. Signed by Judge James D. Whittemore on 1/30/2017. (SMA) (Entered: 01/30/2017)
01/30/2017	<u>22</u>	CERTIFICATE of service re <u>20</u> Amended petition for writ of habeas corpus by William James Siskos. (BES) (Entered: 01/31/2017)
01/31/2017	<u>23</u>	NOTICE of Appearance by Robin A. Compton on behalf of Attorney General, State of Florida, Secretary, Department of Corrections (Compton, Robin) (Entered: 01/31/2017)
02/02/2017	<u>24</u>	MEMORANDUM in support re <u>20</u> Amended petition for writ of habeas corpus filed by William James Siskos. (BES) (Entered: 02/02/2017)
03/30/2017	<u>25</u>	RESPONSE to amended petition for writ of habeas corpus by Attorney General, State of Florida, Secretary, Department of Corrections.(Compton, Robin) (Entered: 03/30/2017)
04/07/2017	<u>26</u>	APPENDIX re <u>25</u> Response to amended habeas petition by Attorney General, State of Florida, Secretary, Department of Corrections. (Attachments: # <u>1</u> Appendix Bookmarked Exhibit 1, # <u>2</u> Appendix Exhibit 1 continued, # <u>3</u> Appendix Exhibit 1 continued, # <u>4</u> Appendix Exhibit 1 continued, # <u>5</u> Appendix Exhibit 1 continued, # <u>6</u> Appendix Exhibit 1 continued, # <u>7</u> Appendix Exhibit 1 continued, # <u>8</u> Appendix Exhibit 1 continued, # <u>9</u> Appendix Exhibit 1 continued, # <u>10</u> Appendix Exhibit 1 continued, # <u>11</u> Appendix Exhibit 1 continued to Exhibit 2, # <u>12</u> Appendix Exhibit 2 continued, # <u>13</u> Appendix Exhibit 2 continued, # <u>14</u> Appendix Exhibit 2 continued, # <u>15</u> Appendix Exhibit 2 continued, # <u>16</u> Appendix Exhibit 2 continued, # <u>17</u> Appendix Exhibit 2 continued to Exhibit 8, # <u>18</u> Appendix Bookmarked Exhibits 8 (continued) to 13, # <u>19</u> Appendix Bookmarked Exhibits 13(continued) to 15, # <u>20</u> Appendix Bookmarked Exhibits 15(continued) to 17, # <u>21</u> Appendix Bookmarked Exhibits 18 to 25, # <u>22</u> Appendix Bookmarked Exhibits 25(continued) to 33, # <u>23</u> Appendix Bookmarked Exhibit 34, # <u>24</u> Appendix Exhibit 34 continued, # <u>25</u> Appendix Exhibit 34 continued, # <u>26</u> Appendix Exhibit 34 continued, # <u>27</u> Appendix Exhibit 34 continued, # <u>28</u> Appendix Exhibit 34 continued, # <u>29</u> Appendix Exhibit 34 continued, # <u>30</u> Appendix Exhibit 34 continued)(Compton, Robin) (Entered: 04/07/2017)
04/07/2017	<u>27</u>	APPENDIX re <u>26</u> Appendix by Attorney General, State of Florida, Secretary, Department of Corrections. (Attachments: # <u>1</u> Appendix Bookmarked Exhibit 34 continued, # <u>2</u> Appendix Exhibit 34 continued, # <u>3</u> Appendix Exhibit 34 continued, # <u>4</u> Appendix Exhibit 34 continued, # <u>5</u> Appendix Exhibit 34 continued, # <u>6</u> Appendix Exhibit 34 continued, # <u>7</u> Appendix Exhibit 34 continued, # <u>8</u> Appendix Exhibit 34 continued, # <u>9</u> Appendix Exhibit 34 continued, # <u>10</u> Appendix Exhibit 34 continued, # <u>11</u> Appendix Exhibit 34 continued, # <u>12</u> Appendix Exhibit 34 continued, # <u>13</u> Appendix Exhibit 34 continued, # <u>14</u> Appendix Exhibit 34 continued, # <u>15</u> Appendix Exhibit 34 continued, # <u>16</u> Appendix Exhibit 34 continued, # <u>17</u> Appendix Exhibit 34 continued, # <u>18</u> Appendix Exhibit 34 continued, # <u>19</u> Appendix Exhibit 34 continued, # <u>20</u> Appendix Exhibit 34 continued, # <u>21</u> Appendix Exhibit 34 continued, # <u>22</u> Appendix Exhibit 34 continued, # <u>23</u> Appendix Exhibit 34 continued, # <u>24</u> Appendix Exhibit 34 continued, # <u>25</u> Appendix Exhibit 34 continued, # <u>26</u> Appendix Exhibit 34 continued, # <u>27</u> Appendix

		Exhibit 34 continued, # <u>28</u> Appendix Exhibit 34 continued, # <u>29</u> Appendix Exhibit 34 continued, # <u>30</u> Appendix Exhibit 34 continued, # <u>31</u> Appendix Exhibit 34 continued, # <u>32</u> Appendix Exhibit 34 continued, # <u>33</u> Appendix Exhibits 34(continued) to Exhibit 35, # <u>34</u> Appendix Bookmarked Exhibits 36 to 38, # <u>35</u> Appendix Bookmarked Exhibit 38(continued) to 41, # <u>36</u> Appendix Bookmarked Exhibits 42 to 45, # <u>37</u> Appendix Bookmarked Exhibit 46, # <u>38</u> Appendix Bookmarked Exhibit 46(continued) to Exhibit 47)(Compton, Robin) (Entered: 04/07/2017)
04/07/2017	<u>28</u>	APPENDIX re <u>27</u> Appendix by Attorney General, State of Florida, Secretary, Department of Corrections. (Attachments: # <u>1</u> Appendix Bookmarked Exhibits 48 to 50, # <u>2</u> Appendix Bookmarked Exhibits 51 to 52, # <u>3</u> Appendix Bookmarked Exhibits 53 tp 56, # <u>4</u> Appendix Bookmarked Exhibits 57 to 62, # <u>5</u> Appendix Bookmarked Exhibits 63 to 65, # <u>6</u> Appendix Bookmarked Exhibits 66 to 73, # <u>7</u> Appendix Bookmarked Exhibits 73(continued) to 78, # <u>8</u> Appendix Bookmarked Exhibits 79 to 82, # <u>9</u> Appendix Bookmarked Exhibits 83, # <u>10</u> Appendix Bookmarked Exhibits 83(continued) to 85, # <u>11</u> Appendix Bookmarked Exhibit 86 to 90, # <u>12</u> Appendix Bookmarked Exhibit 91, # <u>13</u> Appendix Bookmarked Exhibit 91 continued, # <u>14</u> Appendix Bookmarked Exhibit 91 continued, # <u>15</u> Appendix Bookmarked Exhibit 91 continued, # <u>16</u> Appendix Bookmarked Exhibit 91 continued, # <u>17</u> Appendix Bookmarked Exhibit 91 continued, # <u>18</u> Appendix Bookmarked Exhibits 92 to 95)(Compton, Robin) (Entered: 04/07/2017)
04/17/2017	<u>29</u>	MOTION for emergency relief requested, Petitioner in fear for his life and intimidated by William James Siskos. (BES) (Entered: 04/17/2017)
04/17/2017	<u>30</u>	REPLY re <u>25</u> Response to amended habeas petition by William James Siskos. (BES) (Entered: 04/17/2017)
04/18/2017	<u>31</u>	ORDER denying <u>29</u> Emergency Motion. Signed by Judge James D. Whittemore on 4/18/2017. (SMA) (Entered: 04/18/2017)
05/03/2017	<u>32</u>	MOTION for Reconsideration re <u>31</u> Order on <u>29</u> Motion for Miscellaneous Relief by William James Siskos. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Mailing Envelope)(AG) (Entered: 05/04/2017)
05/03/2017	<u>33</u>	MOTION for Evidentiary Hearing by William James Siskos. (Attachments: # <u>1</u> Affidavit William James Siskos, # <u>2</u> Attachments to Affidavit, # <u>3</u> Mailing Envelope)(AG) (Entered: 05/04/2017)
05/05/2017	<u>34</u>	MOTION for Reconsideration re <u>21</u> Order by William James Siskos. (BES) (Entered: 05/05/2017)
05/08/2017	<u>35</u>	ORDER denying <u>32</u> Motion for Reconsideration ; denying <u>33</u> Motion for Hearing. Signed by Judge James D. Whittemore on 5/8/2017. (SMA) (Entered: 05/08/2017)
05/16/2017	<u>36</u>	ORDER denying <u>34</u> Motion for Reconsideration. Signed by Judge James D. Whittemore on 5/16/2017. (SMA) (Entered: 05/16/2017)
07/07/2017	<u>37</u>	MOTION for clarification by William James Siskos. (BES) (Entered: 07/10/2017)
07/14/2017	<u>38</u>	NOTICE of Obstruction of Justice by William James Siskos (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D) (SRC) (Additional attachment(s) added on 7/17/2017: # <u>5</u> Mailing Envelope) (SRC). (Entered: 07/17/2017)
07/21/2017	<u>39</u>	STRICKEN per <u>40</u> Order - REPLY re <u>25</u> Response to amended habeas petition by William James Siskos. (BES) Modified on 8/31/2017 (BES). (Entered: 07/24/2017)

08/01/2017	<u>40</u>	ORDER granting in part and denying in part <u>37</u> Motion for clarification; striking <u>39</u> Petitioner's Amended Objection and Reply to Response. Signed by Judge James D. Whittemore on 7/31/2017. (SMA) (Entered: 08/01/2017)
08/31/2017	<u>41</u>	RESPONSE re <u>40</u> Order on motion for clarification filed by William James Siskos. (BES) (Entered: 08/31/2017)
12/22/2017	<u>42</u>	EMERGENCY MOTION to compel a ruling on Habeas Corpus by William James Siskos. (BES) (Entered: 12/26/2017)
12/28/2017	<u>43</u>	ORDER denying <u>42</u> emergency motion to rule on his habeas petition. Signed by Judge James D. Whittemore on 12/28/2017. (SMA) (Entered: 12/28/2017)
01/05/2018	<u>44</u>	NOTICE of change of address by William James Siskos (BES) (Entered: 01/08/2018)
01/05/2018	<u>45</u>	EMERGENCY MOTION to secure communications with Court by Petitioner in fear for his life still denied medical and mental services by William James Siskos. (BES) (Entered: 01/08/2018)
01/08/2018	<u>46</u>	ORDER granting in part and denying in part <u>45</u> "Emergency Change of Address and Motion to Secure Communications with Court by Petitioner in Fear for His Life Still Denied Medical and Mental Services". Signed by Judge James D. Whittemore on 1/8/2018. (SMA) (Entered: 01/08/2018)
02/06/2018	<u>47</u>	Case Reassigned to Magistrate Judge Christopher P. Tuite. New case number: 8:16-cv-3197-T-27CPT. Magistrate Judge Thomas B. McCoun III no longer assigned to the case. (KMM) (Entered: 02/06/2018)
04/23/2018	<u>48</u>	NOTICE of change of address by William James Siskos (BES) (Entered: 04/23/2018)
05/29/2018	<u>49</u>	MOTION to supplement newly discovered evidence exposing fraud, collusion, deceit or mistake and evidence that requires habeas corpus relief be granted by William James Siskos. (BES) Motions referred to Magistrate Judge Christopher P. Tuite. (Entered: 05/30/2018)
08/07/2018	<u>50</u>	ORDER denying without prejudice <u>49</u> Petitioner's "Newly Discovered Evidence Exposing Fraud, Collusion, Deceit or Mistake and Evidence that Requires Habeas Corpus Relief be Granted". Signed by Judge James D. Whittemore on 8/6/2018. (SMA) (Entered: 08/07/2018)
08/29/2018	<u>51</u>	NOTICE of misunderstanding or actual facts and laws overlooked that require Habeas Corpus relief by William James Siskos (BES) (Entered: 08/30/2018)
09/17/2018	<u>52</u>	Case Reassigned to Judge William F. Jung. New case number: 8:16-cv-3197-T-02CPT. Judge James D. Whittemore no longer assigned to the case. (JNB) (Entered: 09/17/2018)
04/03/2019	<u>53</u>	NOTICE of New Change in Procedure by William James Siskos (BES) (Entered: 04/09/2019)
03/24/2020	<u>54</u>	ORDER denying <u>20</u> Second Amended Petition for writ of habeas corpus filed by William James Siskos and directing the Clerk to enter judgment and close case in accord with the attached order. A certificate of appealability and in forma pauperis status are denied. Signed by Judge William F. Jung on 3/24/2020. (SNS) (Entered: 03/24/2020)

03/24/2020	<u>55</u>	JUDGMENT against William James Siskos (Signed by Deputy Clerk) (BES) (Entered: 03/24/2020)
04/22/2020	<u>56</u>	NOTICE OF APPEAL as to <u>54</u> Order, <u>55</u> Judgment by William James Siskos. Filing fee not paid. (BES) (Entered: 04/24/2020)
04/22/2020	<u>57</u>	MOTION to Appeal In Forma Pauperis by William James Siskos. (BES) (Entered: 04/24/2020)
04/24/2020	<u>58</u>	TRANSMITTAL of initial appeal package to USCA consisting of copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>56</u> Notice of Appeal. (BES) (Entered: 04/24/2020)
04/24/2020	<u>59</u>	ENDORSED ORDER denying <u>57</u> Motion for Leave to Appeal In Forma Pauperis. As noted in the order denying the petition, because an appeal would not be taken in good faith, see 28 U.S.C. § 1915(a)(3), the Petitioner's request to proceed in forma pauperis on appeal is denied. Signed by Judge William F. Jung on 4/24/2020. (CCB) (Entered: 04/24/2020)
08/03/2020	<u>60</u>	USCA ORDER denying second application for successive habeas petition. Signed by USCA Judge. Entered on docket 8/3/20. USCA number: 20-11559-D. (JNB) (Entered: 08/03/2020)
03/25/2021	<u>61</u>	MOTION for Miscellaneous Relief, specifically from Judgment by William James Siskos. (Attachments: # <u>1</u> Appendix A, # <u>2</u> Appendix B, # <u>3</u> Appendix C, # <u>4</u> Appendix D, # <u>5</u> Mailing Envelope)(CRH) Motions referred to Magistrate Judge Christopher P. Tuite. (Entered: 03/26/2021)
03/25/2021	<u>62</u>	MOTION to Proceed In Forma Pauperis / Affidavit of Indigency by William James Siskos. (Attachments: # <u>1</u> Mailing Envelope)(CRH) Motions referred to Magistrate Judge Christopher P. Tuite. (Entered: 03/26/2021)
03/29/2021	<u>63</u>	ENDORSED ORDER denying <u>61</u> Motion. Mr. Siskos asserts a Fed. R. Civ. 60(b)(3) motion seeking relief from judgment due to fraud upon adverse party. The Court has reviewed the motion and finds it without merit. The motion first asserts that Mr. Siskos' habeas corpus petition was insufficiently reviewed and not thoroughly adjudicated by the District Court. Mr. Siskos complains that the petition was not referred to a Magistrate Judge for a Report and Recommendation that he could have responded to. He argues that the matter was handled in a discriminatory fashion. The petition was reviewed substantively and on the merits by both the District Court and the Court of Appeals. The latter affirmed denial of relief. The Rule 60(b)(3) motion also recites various statements made, primarily by State agents about movant's mental state and competency, that were false. Those points were either made by Mr. Siskos earlier in the litigation, or could have been presented earlier in one of the prior post-collateral proceedings, including the instant, denied petition. The motion cites no proper grounds for relief under Fed. R. Civ. P. 60(b)(3) and is denied. The Court finds the Rule 60(b)(3) motion to be without merit, and therefore denies a certificate of appealability as reasonable jurists would not contend the motion presents a colorable grounds for relief. Signed by Judge William F. Jung on 3/29/2021. (Jung, William) (Entered: 03/29/2021)
03/29/2021	<u>64</u>	ENDORSED ORDER denying <u>62</u> Motion to Proceed In Forma Pauperis, in light of Doc. 63. Signed by Judge William F. Jung on 3/29/2021. (Jung, William)

		(Entered: 03/29/2021)
05/03/2021	<u>65</u>	NOTICE OF APPEAL as to 63 Order by William James Siskos. Filing fee not paid. (Attachments: # <u>1</u> Exhibits, # <u>2</u> Mailing Envelope)(BES) (Entered: 05/07/2021)
05/07/2021	<u>66</u>	TRANSMITTAL of initial appeal package to USCA consisting of copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>65</u> Notice of Appeal. (BES) (Entered: 05/07/2021)
05/26/2021	<u>67</u>	MOTION to Appeal In Forma Pauperis by William James Siskos. (BES) (Entered: 05/27/2021)
05/28/2021	<u>68</u>	ENDORSED ORDER denying <u>67</u> Motion for Leave to Appeal In Forma Pauperis. The grounds for this denial are stated here at Doc. 63. The appeal is not in good faith, and presents no fairly justiciable issues. The Motion to proceed In Forma Pauperis, presented to the undersigned District Judge, is denied. Signed by Judge William F. Jung on 5/28/2021. (Jung, William) (Entered: 05/28/2021)
12/09/2021	<u>69</u>	ORDER of USCA: Motion for certificate of appealability filed by Appellant William James Siskos is DENIED. Motion to proceed in forma pauperis filed by Appellant William James Siskos is DENIED as MOOT as to <u>65</u> Notice of Appeal filed by William James Siskos. EOD: 12/9/21; USCA number: 21-11559-G. (JNB) (Entered: 12/09/2021)

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U.S. District Court
Middle District of Florida

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Case Name: Siskos v. Secretary, Department of Corrections et al
Case Number: 8:16-cv-03197-WFJ-CPT
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Docket Text:

ENDORSED ORDER denying [61] Motion.
Mr. Siskos asserts a Fed. R. Civ. 60(b)(3) motion seeking relief from judgment due to fraud upon adverse party. The Court has reviewed the motion and finds it without merit. The motion first asserts that Mr. Siskos' habeas corpus petition was insufficiently reviewed and not thoroughly adjudicated by the District Court. Mr. Siskos complains that the petition was not referred to a Magistrate Judge for a Report and Recommendation that he could have responded to. He argues that the matter was handled in a discriminatory fashion. The petition was reviewed substantively and on the merits by both the District Court and the Court of Appeals. The latter affirmed denial of relief. The Rule 60(b)(3) motion also recites various statements made, primarily by State agents about movant's mental state and competency, that were false. Those points were either made by Mr. Siskos earlier in the litigation, or could have been presented earlier in one of the prior post-collateral proceedings, including the instant, denied petition. The motion cites no proper grounds for relief under Fed. R. Civ. P. 60(b)(3) and is denied. The Court finds the Rule 60(b)(3) motion to be without merit, and therefore denies a certificate of appealability as reasonable jurists

would not contend the motion presents a colorable grounds for relief.
Signed by Judge William F. Jung on 3/29/2021. (Jung, William)

8:16-cv-03197-WFJ-CPT Notice has been electronically mailed to:
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8:16-cv-03197-WFJ-CPT Notice has been delivered by other means to:
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WILLIAM J. SISKOS

WJSS

UNITED STATES DEPARTMENT OF CORRECTIONS
FLORIDA STATE PRISON

from the United States District Court
for the Middle District of Florida

Judge William F. Jung

OFFICE

William F. Jung, Judge, United States District Court for the Middle District of Florida

United States District Court for the Middle District of Florida

United States District Court for the Middle District of Florida

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