

# APPENDIX 9

NOTE: HOLLYFRONTIER CHEYENNE REF., LLC V. RENEWABLE FUELS ASSOCIATION, ET AL 594 U.S. —, 141 S.Ct. —, 210 L.Ed. 547, 2021 U.S. LEXIS 3399. 210 L.Ed. 2d 547, 45 — HOLLYFRONTIER CHEYENNE REF., LLC V. RENEWABLE FUELS ASS'N.

HELD: A SMALL REFINERY THAT PREVIOUSLY RECEIVED A HARDSHIP EXEMPTION MAY OBTAIN AN "EXTENSION" UNDER § 7545 (c)(9)(B)(i) EVEN IF IT SAW A LAPSE IN EXEMPTION COVERAGE IN A PREVIOUS YEAR PP. — —, 210 L. Ed. 2d at — —.

(1) THE PLAIN MEANING OF "EXTENSION", DOES NOT REQUIRE UNBROKEN CONTINUITY. DICTIONARY DEFINITIONS CONTEMPLATE THE POSSIBILITY OF RESUMPTION AFTER AN INTERRUPTION. FEDERAL RULES PERMIT LITIGANTS TO SEEK (AND COURTS TO GRANT) AN "EXTENSION" OF TIME EVEN AFTER A LAPSE. SEC. 28 U.S.C. § 2107(c); FED. RULE CIV. PROC. 6(b)(1). AND RECENT FEDERAL STATUTES PROVIDE AN "EXTENSION" OF BENEFITS THAT PREVIOUSLY EXPIRED MONTHS OR EVEN YEARS EARLIER. SEE PUB. L. 116-260, § 203, 134 STAT. 1182; PUB. L. 116-136, § 214, 134 STAT. 281. PP. — —, 210 L. Ed. 2d, at — —.

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA

THIRD DISTRICT

AUGUST 04, 2021

*for 8-10-21*

STEVE AUSTIN JR.,  
Appellant(s)/Petitioner(s),

CASE NO.: 3D21-0189

vs.

L.T. NO.: F14-22399,  
F14-22398

THE STATE OF FLORIDA,  
Appellee(s)/Respondent(s),

Petitioner, Steve Austin, Jr.'s (hereinafter "Austin") Response to the Court's Order to Show Cause, filed on July 30, 2021, is noted.

On June 10, 2021, this Court issued an Order denying Steve Austin's Petition for Writ of Habeas Corpus. The Order required Austin to show cause as to why he should not be prohibited from submitting any further pro se filings in this Court relating to circuit court case numbers F14-22398 and F14-22399.

We must balance Austin's pro se right of access to courts with this Court's need to devote its finite resources to legitimate appeals and petitions, recognizing the seriousness of the sanction when the litigant is a criminal defendant. See State v. Spencer, 751 So. 2d 47, 48 (Fla. 1999). After issuing an order to show cause and giving the defendant an

opportunity to respond, this Court may prevent further filings in the absence of a showing of good cause. Id. Upon consideration of Austin's response and this Court's independent review of the many pro se filings made by Austin arising out of circuit court case numbers F14-22398 and F14-22399, we conclude that good cause has not been shown.

Accordingly, Austin is now prohibited from filing any further pro se appeals, pleadings, motions, petitions, or other papers in this Court relating to circuit court case numbers F14-22398 and F14-22399. We direct the Clerk of the Third District Court of Appeal to refuse to accept, in this Court, any such papers relating to circuit court case numbers F14-22398 and F14-22399 unless they have been reviewed and filed by an attorney who is a duly licensed member of The Florida Bar in good standing. See Stallworth v. State, 291 So. 3d 972, 974 (Fla. 3d DCA 2019).

Any further and unauthorized pro se filings by Austin will subject him to sanctions, including the issuance of written findings forwarded to the Florida Department of Corrections for consideration by it for disciplinary action, pursuant to section 944.279(1) of the Florida Statutes.

FERNANDEZ, C.J., and SCALES and HENDON, JJ., concur.

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ATTEST  
*Mercedes M. Puito*  
CLERK  
DISTRICT COURT OF APPEAL  
THIRD DISTRICT

cc: Ivy R. Ginsberg

Office of Attorney General

Steve Austin, Jr.

la

# Supreme Court of Florida

FRIDAY, OCTOBER 22, 2021 *Dec 10274*

**CASE NO.: SC21-1272**

Lower Tribunal No(s):

3D21-189; 132014CF0223990001XX; 132014CF0223980001XX

STEVE AUSTIN JR.

vs. STATE OF FLORIDA

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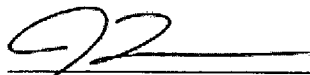
Petitioner(s)

Respondent(s)

The appendix to Petitioner's brief on jurisdiction, which was filed with this Court on October 19, 2021, does not comply with Florida Rule of Appellate Procedure 9.120(d). All documents contained in Petitioner's appendix, with the exclusion of the opinion or order of the district court of appeal to be reviewed, are hereby stricken.

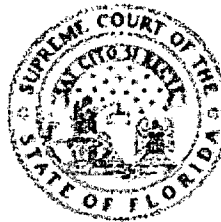
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Test:



John A. Tomasino

Clerk, Supreme Court



lc

Served:

IVY R. GINSBERG  
STEVE AUSTIN JR.

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# Supreme Court of Florida

WEDNESDAY, DECEMBER 1, 2021

Dec 12-1621

**CASE NO.: SC21-1272**

Lower Tribunal No(s):

3D21-189; 132014CF0223990001XX; 132014CF0223980001XX

STEVE AUSTIN JR.

vs. STATE OF FLORIDA

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Petitioner(s)

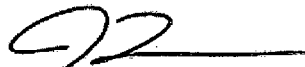
Respondent(s)

This cause having heretofore been submitted to the Court on jurisdictional briefs and portions of the record deemed necessary to reflect jurisdiction under Article V, Section 3(b), Florida Constitution, and the Court having determined that it should decline to accept jurisdiction, it is ordered that the petition for review is denied.

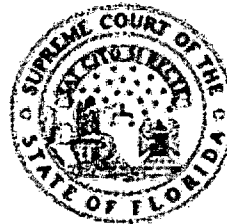
No motion for rehearing will be entertained by the Court. See Fla. R. App. P. 9.330(d)(2).

CANADY, C.J., and POLSTON, MUÑIZ, COURIEL, and GROSSHANS, JJ., concur.

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John A. Tomasino  
Clerk, Supreme Court



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**CASE NO.:** SC21-1272

Page Two

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IVY R. GINSBERG  
STEVE AUSTIN JR.  
HON. JOSE LUIS FERNANDEZ, JUDGE  
HON. HARVEY RUVIN, CLERK  
HON. MERCEDES M. PRIETO, CLERK