

IN THE

SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

MAR 08 2022

OFFICE OF THE CLERK

UNITED STATES SUPREME COURT CASE No.:

SUPREME COURT OF FLORIDA CASE No.: 8C21-1460

SECOND DISTRICT COURT OF APPEALS CASE No.: 2D21-1405

PROVIDED TO
SUMMIT CORRECTIONAL INSTITUTION
DATE 3/8/22
OFFICER INITIALS

IN RE JASON FEISTER

PETITIONER

v.

THE STATE OF FLORIDA

RESPONDENT

MOTION FOR STAY

PETITIONER JASON FEISTER MOVES THE COURT TO STAY THE CASE IN SECOND DISTRICT COURT OF APPEALS OF FLORIDA CASE No. 2D21-1405. AS SHOWN BELOW, THE STAY WILL NOT BE OF LONG DURATION, AS THE PETITION HAS ALREADY BEEN SUBMITTED.

BACKGROUND

ON BECOMING AWARE THE STATE HAD FAILED TO REFILE THE INFORMATION THE PETITIONER / APPELLANT RAISED THE ISSUE IN THE SECOND DISTRICT COURT OF APPEALS OF FLORIDA.

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DISCUSSION

THE PURPOSE OF A STAY IS TO PRESERVE THE RIGHTS OF LITIGANTS AND THE PROTECTION AFFORDED BY DUE PROCESS.

THE STATE WILL SUFFER NO PREJUDICE BY WAITING FOR THE COURT'S RULING AND THE PETITIONER IS CONCERNED THAT, BY THE TIME OF THE DECISION, THE LITIGATION COMPLICATIONS CAUSED BY AN INVOLUNTARY APPELLATE PROCEDURAL DEFAULT WILL HAVE ALREADY BEEN INCURRED.

THERE ARE NO TIME PRESSURES COMPELLING THE APPEAL TO COMMENCE IMMEDIATELY OR CONCERNS A STAY WILL RESULT IN UNDUE HARM, AND THE PETITIONER SHOULD HAVE THE OPPORTUNITY TO VINDICATE HIS RIGHT TO DUE PROCESS WITHOUT UNDULY TECHNICAL PROCEDURAL MAZES.

CONCLUSION

FOR THE FOREGOING REASONS, THE PETITIONER MOVES THIS COURT TO ENTER AN ORDER STAYING THE LITIGATION PENDING THE OUTCOME OF THIS PETITION.

RESPECTFULLY SUBMITTED

JF
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