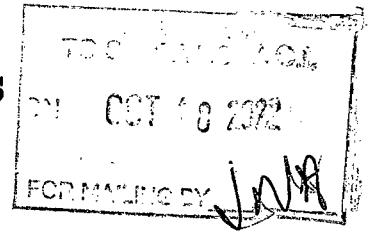


SUPREME COURT OF THE UNITED STATES



Case No.: 22-5152

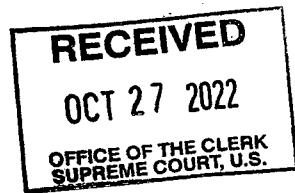
JERRY NEIL ALFRED,
Petitioner,

v.

RICKY DIXON
Respondent.

PETITION FOR RECONSIDERATION

Petitioner Jerry Neil Alfred, pro se, respectfully petitions the U.S. Supreme Court for reconsideration of its October 3, 2022 Order in the above case number. As basis, Petitioner humbly provides:



ARGUMENT

In rendering the October 3, 2022 Order in the present case, the U.S. Supreme Court either overlooked or misapprehended controlling points of law or fact.

Overlooked/Misapprehended Fact

The habeas corpus petition that is subject to the October 3, 2022 Order addresses a criminal matter.¹ See Exhibit 1 and Exhibit 2 (Verdict and Sentence in case no.: F98-35550, respectively). The U.S. Supreme Court clearly either overlooked or misapprehended this fact based on the fact that it has directed the clerk to reject “any further petitions in noncriminal matters from” Petitioner “unless the docketing fee...is paid and the petition is submitted in compliance with Rule 33.1.” Had the U.S. Supreme Court understood that Petitioner was challenging a criminal conviction that was obtained through prosecutorial fraud and resulted in the imposition of a NATURAL LIFE SENTENCE, it is highly unlikely that it would have nevertheless issued the October 3, 2022 Order at issue since the habeas corpus petition that was erroneously dismissed satisfies the sole exception to the direction provided to the clerk.

¹ Apparently, the U.S. Supreme Court misconstrued Petitioner’s habeas corpus petition to address a ‘civil’ matter based on his attaching a copy of a forensic report from Eclipse Forensics that referenced the civil case (Alfred v. Duncan, case no.: 19-024476 CA 32) that enabled him to gain access to the audio recording that was produced in connection with criminal case F98-35550 (State v. Alfred).

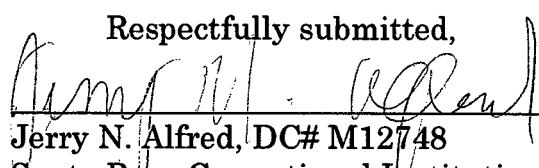
Overlooked/Misapprehended Law

Petitioner is a pro se litigant. As a pro se litigant, Petitioner is held to a lower standard than a lawyer. See *Haines v. Kerner*, 404 U.S. 519 (1972). Accordingly, in seeking relief via the “Great Writ” (i.e., writ of habeas corpus), the U.S. Supreme Court has repeatedly held that pro se petitioner’s petitions are not required to adhere to technical niceties as those filed by lawyers.

CONCLUSION

Based on the foregoing facts, argument and authorities, the U.S. Supreme Court should grant this PETITION FOR RECONSIDERATION.

Respectfully submitted,


Jerry N. Alfred, DC# M12748
Santa Rosa Correctional Institution-Annex
5850 E. Milton Road
Milton, Florida 32583

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was placed in the hands of prison officials on October 18, 2022 to forward to Attorney General’s Office: PL-01 The Capitol, Tallahassee, Florida 32399 via U.S. Postal Service.

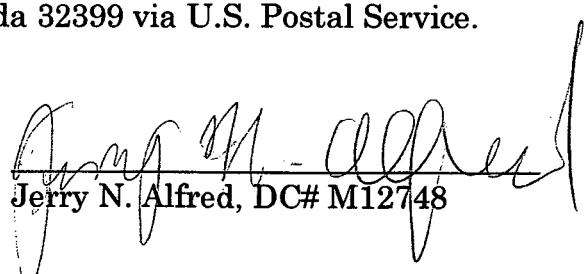

Jerry N. Alfred, DC# M12748

EXHIBIT 1

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

STATE OF FLORIDA,

CRIMINAL DIVISION

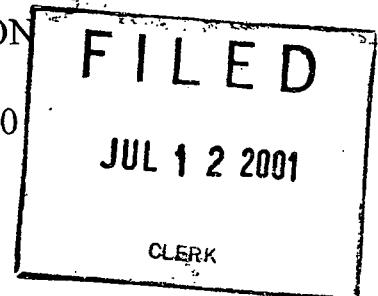
Plaintiff,

CASE NO. F98-35550

vs.

JERRY ALFRED,

Defendant.



We, the Jury, at Miami, Miami-Dade County, Florida, this 12 day of July, 2001
find the defendant, Jerry Alfred,

Guilty of Second Degree Murder as charged

with a firearm

without a firearm

Guilty of Manslaughter as a lesser included offense

with a firearm

without a firearm

Not Guilty.

SO SAY WE ALL,

Alma K. Morgan
FOREPERSON

EXHIBIT 2

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT
IN AND FOR DADE COUNTY, FLORIDA

CRIMINAL DIVISION

CASE NO.: F98-35550

JUDGE: DRESNICK

7 STATE OF FLORIDA,

8 Plaintiff,

9 vs.

10 JERRY NEIL ALFRED

11 Defendant.

12

13

14

Richard E. Gerstein
Justice Building
1351 N.W. 12th Avenue
Miami, Florida 33125

17

18

COURT PROCEEDINGS

19
20 The above entitled proceedings came on before the Honorable
21 Judge Ronald C. Dresnick, Circuit Judge, on October 12,
22 2001, Commencing at or about 11:00 a.m.

23

24

25

GOLDMAN, NACCARATO, PATTERSON, VELA & ASSOCIATES, INC.
OFFICE (305) 545-8434 FAX (305) 325-8991

1 your mother when she had the presence of mind to come
2 back into the courtroom after you punched your lawyer
3 in the face. She apologized for you. I really feel
4 for Ms. Alfred, because there is no question in my
5 mind she was trying to do a good job with a large
6 family. And you are no doubt a good woman. You sat
7 through this trial twice with your husband, and you
8 brought your children. You are clearly a good mother.

9 Unfortunately, I saw the hatred in his eyes when
10 you turned to him and said, I told you then you were
11 hanging with the wrong kids. You have a very smart
12 son just filled with hate over nothing.

13 Unfortunately, you feel that he is innocent -- at
14 least you are telling me you think he is innocent.
15 You think this is a set-up. I don't think he is
16 innocent. I am convinced he is guilty. I am
17 convinced he is a violent, vicious, brilliant, but
18 vicious person who deserves -- not you, you don't
19 deserve it, but he deserves it, and society deserves
20 it, for him to go away for the rest of his life.

21 I adjudicate you guilty. And I sentence you to
22 life in prison with a minimum mandatory of three years
23 in state prison.

24 THE CLERK: Are you going to impose a P.D. lien?

25 MR. EGLESTON: Would you appoint the Public

1 Defender's Office for --

2 THE COURT: I appoint the Public Defender's
3 Office for the purpose of appeal. They have 30 days
4 to appeal.

5 Do you have any idea what your fee is in this
6 case?

7 MR. EGLESTON: I don't know. I don't remember.

8 THE COURT: Do you think it is \$3,500.00?

9 MR. EGLESTON: The P.D. lien is \$3,500.00.

10 THE DEFENDANT: Hey, your Honor.

11 One last thing, your Honor. I want to declare
12 that I would like to make a request to the Circuit
13 Court for a trial transcript on the sentencing be sent
14 to me.

15 THE COURT: I am appointing the Public Defender's
16 Office to represent you and they will get the
17 transcript. So you talk to them.

18 THE DEFENDANT: All right. I appreciate it.

19 MR. EGLESTON: Thank you, Judge.

20 (Thereupon, the above-have proceedings were
21 concluded.)

22

23

24

25

1 **CERTIFICATE**
23 STATE OF FLORIDA)
4 COUNTY OF DADE)
56 I, STEPHANIE BUTLER-DENSON, COURT REPORTER AND NOTARY
7 PUBLIC, IN AND FOR THE STATE OF FLORIDA AT LARGE, DO HEREBY
8 CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT TRANSCRIPT
9 OF THE PROCEEDINGS HELD ON THE ABOVE-REFERENCED DATE.

10

11

12 DATED THIS 31 DAY OF DECEMBER, 2001.

13

14 STEPHANIE BUTLER-DENSON
15 COURT REPORTER AND NOTARY PUBLIC