

ORIGINAL

IN THE SUPREME COURT OF THE UNITED STATES

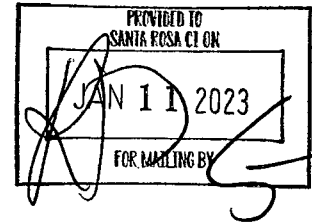
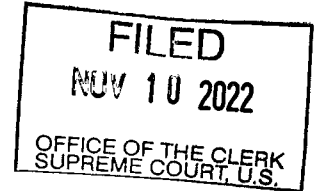
ROBERT L. DAVIS
Petitioner,

Case NO. 22-5443

V.

11th Cir. Ct. NO: 22-10487-E

ASHLEY MOODY, et. al.,
Respondents,



MOTION FOR REHEARING
WITH ADDED QUESTION # FOUR

Robert L. Davis
Robert L. Davis #652400
Santa Rosa Correction Institution
5850 E. Milton Road
Milton, FL 32583-7914

CITATIONS OF AUTHORITY

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<u>Bank Markazi V. Peterson, 135 S.Ct. 1310 (2016)</u>	11.
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<u>Vartelas V. Holder, 566 U.S. 257 (2012)</u>	7.
<u>Article I, Section 9(3) U.S. Const.</u>	6.
<u>Article III, Section 1, U.S. Const.</u>	1.
<u>Article I, Section 12, Fla. Const.</u>	3.8.
<u>Article 10, Section 9, Fla. Const.</u>	8.
<u>Fla. Senate Bill 838</u>	5
<u>Fla. Senate Bill 2276</u>	9.
<u>Chapter 943.325 Florida Statute</u>	5.
<u>28 U.S.C. § 1915 (g)</u>	11.12.

NOTATIONS

- 1.) APPx. will denote APPendix
- 2.) Exh. will denote the Exhibits in APPendix # 2.
- 3.) Doc. will denote the Docket Sheet Documents.
- 4.) Dist. will denote the District court.

RULE 44 REQUIRMENT

Petitioner, Robert L. Davis, is submitted timely, and in Good Faith, this Motion For Rehearing, and not to unnecessarily delay the case.

* For the Petitioner Presence a Question OF Great Public Importance, (New Question # 4). That threatens the 4th Amendmant vested rights of every United States Citizen who enters the State OF Florida as a convicted Felone. Pursuant, to ch. 943.325 (G) 2A.

The Petitioner also highlights the intertwining OF Florida's Constitution, Article I, section 12, with the 4th Amendment to the United States Constitution, and what the United States Supreme Court has already held to be a 4th Amendment violation.

* Petitioner, also Presence two (2) imminent danger Facts, Pursuant, to 28 U.S.C. § 1915 (g). Where the Petitioner's life is in danger only by Respondent's illegally incarcerating him. By violating:

1.) The exPost Factor law, 2.) conviction obtain by the sole evidence From Fruit OF a Posionus tree (DNA), and the 4th Amendment to the United States Constitution. Petitioner is here before this court because the 11th Circuit Court OF APPEALS erroneously denied Petitioner imminent danger backed by Supreme Court Precedent, of, Democratic Nat'l Comm. V. Wisc. St. Legislature, 208 LED 2D 247, at, 258.

* Florida has abridged three (3) Fundamental Magna Chartas. Florida has abridged three (3) Fundamental Magna Chartas. Florida has abridged three (3) Fundamental Magna Chartas.

JURISDICTION STATEMENT

The Eleventh Circuit Court of Appeals denied Petitioner to Appeal his case in Forman Parperis on June 3rd, 2022, (APPX. B-B1). By stating, "Davis is not currently under imminent danger . . . (APPX. B1)". The Petitioner filed a timely Motion for Reconsideration, and the court denied that Motion on July 11th, 2022, (APPX. A). By stating, "... Davis . . . has offered no new evidence . . . to Warrant relief (APPX. A)".

Where the Petitioner filed his Writ of Certiorari timely on August 12th, 2022, . * The Petitioner also filed a timely Motion for Extension of Time. And this court also entered an order for Petitioner to correct his Rehearing to a (15) Page limit, order entered on December 28th, 2022, . Where Petitioner comes timely (15) days later, with a corrected Motion for Rehearing, on this 11th day of January, 2023, . This court has Jurisdiction, Pursuant, to Article III, Sec. 1, of The U.S. Constitution.

OATH OF GOOD FAITH

The Petitioner files Motion for Rehearing in Good Faith, and not to unnecessarily delay the final resolution of the case.

Facts in support of Motion for Rehearing will herefore show;

- 1.) Substantial Material Circumstances Exist,
- 2.) A serious reduction of Correctional Staff at Petitioner's Prison location has prevented Petitioner from filing a timely Brief on the Merits,
- 3.) The 11th Circuit Court of Appeals order denying —

Petitioner Appeal In Forma Pauperis is contrary to the court's Precedent,

4.) There exist a conflict on when is imminent danger applicable between the 11th, 5th, 3rd, and 8th, From the 10th, 9th, 7th 6th, and 2nd Circuit Courts of Appeals, and

* 5.) The Petitioner two imminent dangers to serious Physical injury has elevated. As the imminent danger Petitioner Presented concerning gang threat and hit Placed against him has materialised. On December 23rd, 2022, the Petitioner was *stabbed Five (5) times by an inmate gang member. Where the Petitioner received approximately (36) staple close injuries. The staple were entered at Sacred Heart Hospital in Florida. But blood continued to drain From the stab wounds, Where the Petitioner almost died From bleedings. And was rushed to Baptist Hospital Emergency room on 12/24/22. The Petitioner will notify Santa Rosa Correction's medical department to release the Medical Records of the injuries to the court, and Respondents. The Petitioner has been begging Respondent For Protective custody For three months now. And Respondents refuse to allow me to go to the Protective custody review team (Exh.). And as a result. The Petitioner has not been able to be approved For Protective custody housing. But instead Placed in jeopardy to be stabbed by an inmate. * Where the Petitioner is Presently in imminent danger to be seriously Physically injured by another Prison inmate.

CONSTITUTIONAL JURISDICTION

PREMISE

This is a case where the United States 4th Amendment is intertwined with the Florida Constitution, and United States Supreme Court's Presidents.

Article I, Section 12, Florida Constitution

"The right of the People to be secured in their Persons, house, Paper and effects against unreasonable searches and Seizures, . . . This right shall be construed in conformity with the 4th Amendment to the U. S. Constitution, as interpreted by the United States Supreme Court. Articles or information obtained in violation of this right shall not be admissible in evidence if such articles or information would be inadmissible under decisions of the U. S. Supreme Court construing the 4th Amendment to the United States Constitution."

This intertwining clearly gives this court Jurisdiction to review Florida law, and court holdings concerning the U. S. 4th Amendment violations Presented in this Writ of Certiorari.

ISSUE I

THE CIRCUIT COURT ABUSED ITS AUTHORITY
BY ALTERING ITS IMMINENT DANGER PREMISE
AND ABRIDGING UNITED STATES SUPREME COURT
PRICIDENT

The Petitioner Presented a bonafied imminent danger do to —

being incarcerated during a ongoing Coronavirus epidemic at 62-years of age. This imminent danger was Presented with the civil complaint Filed in the District Court, (Doc.#1). And on Petitioner's Motion Objecting To Magistrate Judge Recommendation with Extension OF Time To Do So, And the Premise OF the appeal to the Eleventh Circuit, Is based on this imminent danger being dismissed by the Eleventh Circuit, in order to deny the Petitioner to Proceed In Forma PauPeris. The Eleventh Circuit abused its authority when dismissing this im-
-minent danger. For the Premise OF Petitioner's imminent danger is recognized imminent danges establised by SuPreme Court in,

Democratic Nat'l Comm. V. Wisc. State Legislature,

208 LED 2D 247

at 258-59, "The Covid Pandemic has been getting worse in Wisconsin . . . according to credible expert testimony, [it] creates a significant [health] risk especially For older and sicker citizens . . ."

When the Supreme Court has excepted Professional testimony on these Premises to be credible. No court in the United States territory can undo such Premises. For Federal Rules OF Evidence, rule 702, For-bids any Federal judge From entering a Scientific determination on the coronavirus, without such Scientific Professional certification. The Petitioner Presented these Facts to the Eleventh Circuit, In his Motion, "Appellant Shows Why He Should Be Allowed To Appeal In Forma PauPeris". But Judge Branch, dismissed the imminent dan-
-ger without Presenting Professional credibility to do so, (APPx. B1).

And three Judges denied Petitioner appeal reconsideration without coronavirus scientific credibility (APPx. A). Where Petitioner's corona-virus imminent danger cannot be denied by the Eleventh Circuit Court. Especially, Since Florida Department OF Corrections has —

terminated inmates from wearing face mask protection. While currently dealing with coronavirus dorm shutdowns in 35% of their Prisons.

The United States Supreme Court needs to review this case. Because the Eleventh Circuit altered its imminent danger analysis from at the time the complaint is filed. See Gaither V. Winchell, 2020 U.S. Dist. Lexis 52138 (11th Cir. 2020), To be currently under imminent danger. . . " (APPX. B1). But there is also a conflict between Circuit Courts. As the: 11th, 3rd, 5th, 8th, and 10th, usually held that imminent danger is applicable from the time the complaint is filed. And the 1st, 2nd, 4th, 6th, 7th, and 9th have mixed holdings on when imminent danger is applicable, but all their holdings are contrary to the: 11th, 3rd, 5th, 8th, and 10th circuits.

ISSUE II

RESPONDENTS BLATANTLY VIOLATED THE UNITED STATES CONSTITUTION TO INCARCERATE THE PETITIONER

The First Constitutional violation took place on June 7th, 2000, when Respondent allowed Florida Legislature to the offense of Burglary to Florida's DNA Database of ch. 943.325 F.S. When enacting Senat Bill 838. This allowed Respondent to use the Petitioner Completed Burglary conviction. And add the completed conviction to the DNA Databas of ch. 943.325 F.S. Because Florida Legislature made the law retroactive. This violated the Ex Post Factor law of the Florida Constitution, and The United States Constitution.

Article I, Sec. 9(3) U.S. Const.

3. "No Bill of Attainder or ex Post Factor law shall be Passed."

Fletcher V. Peck, 10 U.S. 87 (1810)

at. 135, [3] "The correctness of the Principle, So Far as respects general legislation, can never be controverted. But, if an act be done under a law, a succeeding legislature cannot undo it. The Past cannot be recalled by the most absolute Power."

"When, then, a law, is in its nature a contract, when absolute rights have vested under that contract, a repeal of the law cannot divest those rights."

The Ex Post Factor law is clear. Respondents cannot use a completed contract, (conviction) to abridge Petitioner's 4th Amendment Right against illegal search and seizure. To extract his blood DNA, and add it to its DNA Database.

Skinner V. Ry Labor Executives, 489 U.S. 602 (1989)

at. 616, [7] "We have recognized that a compelled intrusion into the body for blood to be analyzed . . . " must be deemed a Fourth Amendment search . . .

And under the United States Constitution the forced extraction of Petitioner's blood, is a Protected Bill of Pains.

United States V. Lovett, 328 U.S. 303 (1946)

at. 315, [2-3] "If the Punishment be less than death, the act is termed a bill of Pains . . ."

The retroactive Ex Post Factor violations are clear. See 2001 Florida House Bill 953, Paragraph (1)(a) "Any Person who is convicted or was Privously convicted, . . . For . . . 810.02, [Burglary] . . . 2 . . . shall be required to submit two specimens of blood to a Department of Law Enforcement".

To show that this Court continues to Prohibit states From abridging the Ex Post Factor law. We only have to look at, Vartelas V. Holder, 566 U.S. 257 (2012), and Stogner V. California, 539 U.S. 607 (2003). In 'Stogner' the State of California retroactively changed its criminal Prosecution statute. To give Prosecutors more time to officially charge defendants. The Supreme Court held that such a statute cannot retroactive apply to offences allegedly committed before the statute's enactment.

Stogner V. California, 539 U.S. 607 (2003)
at 611, [3] " . . . the clause Protects liberty by Preventing govern-
-ment From enacting with manifestly unjust and op-
-pressive retroactive effects. Judge, Leaned Hand,
later wrote that extending a limitation Period after
the State has assured a man that he has become
Safe From its Pursuit . . . seems to most of us un-
-Fair and dishonest. "

The Petitioner has a expectation to believe that his completed burglary conviction completed in 1999, was Free From being used to substantiate another charge. But Respondents took Petitioner's blood DNA by using a completed contract (burglary conviction).

And use that DNA, as the sole evidence to charge and convict Petitioner of another burglary. The blood DNA is therefore 'Fruit From a Poisonous tree'.

But what makes Respondents actions so blatant. Is the fact that Florida Possessed a strong Constitution. That should have discouraged Florida Legislatures From blatantly Violating the 4th Amendment Rights, and the Ex Post Factor law.

Article 10, Section 9, Fla. Constitution

" RePeal or amendment of Criminal Statute shall not affect Prosecution or Punishment For any Crime Previously committed "

Article I, Section 12, Fla. Constitution

" . . . The right shall be construed in conformity with the 4th Amendment to the United States Constitution, as interpreted by the United States Supreme Court. "

This gives the Supreme Court Special Jurisdiction to review State law, and action, because it is intertwined with the United States Constitution, and Supreme Court's Precedents. Article 10, Section 9, of the Florida Constitution was repealed during 2019. . But it was active law when Respondents violated it. By using a completed burglary conviction to add Petitioner's blood DNA to the DNA Database. And then charge Petitioner for another burglary of a structure.

The Petitioner ends this issue with Questions (3), and (2).

QUESTION # III

Can A State Retroactively Apply A Completed Burglary Conviction TO An Amended DNA Database Statute with -out Violating The Ex Post Factor Prohibition?

QUESTION # II

Can A Miscarriage OF Justice Case OF Illegal Incarceration Be Dismissed Under The Three Stricks Law OF 28 U.S.C. § 1915 (g) ?

ISSUE III

RESPONDENTS RECKLESSLY STEPT BEYOND ITS JURISDICTION WITHOUT DUE PROCESS WHEN ENACTING SENATE BILL 2276 (G) 2A OF CHAPTER 943.325 F.S.

During the year of 2009, Florida Legislature enacted Senate Bill 2276. This Bill made tourist and visitors to the State of Florida. To be subject to blood DNA extraction. IF they entered the state, and had a Felony conviction on record. The Bill States as Followes:

Fla. Senate Bill 2276 DNA DATABASE ACT, 2009

(G) "Qualifying Offender means any Person, . . .
2A Conviction OF Any Felony Offense or Attempted Felony Offense in this State or OF a Similar Offense in Another Jurisdiction . . . " [the Offender must submit two blood samples to the Florida Department OF Law Enforcement]"

The statute of ch. 943.325 explains in detail. How it directs law enforcement to ensure that such Felones DNA is added to the DNA Database. When and or if the Person within state territory. There is a lot of constitutional Problemes with this enactment:

1) The visitor, and or tourist has not been Put on Notice —

that if they enter the state and have a Felony conviction on record, they can have their blood DNA ForceFully added to Florida's DNA Database.

2.) Secondly, there is nothing in the statute to ensure the reliability of the data used that list the Person as a convicted Felone. And or. whether the data list an overturned conviction or not.

3.) Thirdly, The State of Florida has not Presented a justified 'Reasonableness' to Force out-of-Staters to Sub-mitt their blood DNA to Florida's DNA Database.

The United States Supreme Court has mandated that States Present 'Reasonableness' before abridging 4th Amendment Rights against searches without a warrant. Those exception cases deals with Company, and Government Reasonableness to have Student athletes blood tested. And companies Reasonableness to have worker's blood tested. Especially, those workers who action or condition Play a role in Public safety of others. The security issue at this Prison has Prevented Petitioner From Presenting those Supreme Court cases here.

U.S. V. McClures, 2017 U.S. Dist. Lexis 226675 (11th Cir. 2017)

Lexis [11] "It is well establish that warrantless searches and seizures are Pro Se unreasonable under the Fourth Amendment unless they Fall within one of several recongnized exceptions."

What reasonableness does Florida has For Forcing visitor, and tourist to submitt their blood DNA to its DNA Database? But if we look at the Intent of ch. 943.325 F.S. the unreasonableness.

is clear. Florida sees the statute as the best way to assist law enforcement in criminal investigation. But Florida seeks to do this without giving notice to the tourist or visitors.

Bank Markazi V. Peterson, 136 S. Ct. 1310 (2016)

at 1325, "Bill of Attainder in Art. I, §§ 9-10 Prohibit legislatures from Singling out disfavored persons and making out summary punishment for past conduct. The Due Process Clause also protects the interest in fair notice and repose that may be compromised by retroactive legislations."

The Due Process Clause of the 14th Amendment to the United States Constitution requires respondents to give notice to every state in the Union. That Florida intends to place the DNA of all tourist, and or visitors to the state, into the DNA Database. Before the state of Florida can legally force such felons to do so. * But Florida has not presented a state interest to have jurisdiction over out-of-state U.S. citizens.

Where this Honorable Court has a duty to U.S. citizens who have made a mistake in the past. From a reckless disregard of: Life, Liberty, and a 4th Amendment's vested rights.

CLOSING HIGHLIGHTS

New Added

QUESTION # 4 (IV)

Can Florida Forcefully Add A Tourist's DNA To Its DNA Database For Out-of-State Conviction Without Notifying The Tourist First Before Entering The State ?

This Petitioner is before the court because there exist a conflict with Circuit Courts. And that conflict has lead the Eleventh Circuit to alternate its holding concerning imminent danger, Pursuant, to 28 U.S.C. § 1915 (g). And alternate its —

holdings in a way its almost impossible For a Pro Se litigant to Prove imminent danger . Where this Petitioner was denied Due Process on appeal, and this court's Pro Se Liberly Construe Doctrine . As the 11th Circuit demands litigant to Prove a higher imminent danger standard showing than what Congress Pronounced in 28 U.S.C. § 1915 (g).

QUESTION # 1 (I)

Is Prove OF Imminent Danger At The Time Suit was Filed Relevant During Appellate Review of 28 U.S.C. § 1915 (g) ?

RELIEF SOUGHT

Because this Case Possess Questions and Issues of Great Public Importance, The Petitioner Prays For This Court to Hear and Answer the Questions Petitioner Presence .

Robert L. Davis
Respectfully Submitted
Robert L. Davis #652400

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Foregoing document has been Forwarded by PrePaid U.S. mail to ; Attorney General, Ashley Moody, at, PL-01 The Capitol, Tallahassee, FL 32399-1050, on this 11th day of January, 2023.

Robert L. Davis
Robert L. Davis #652400
Sant Rosa Correction Institution
5850 E. Milton Road
Milton, FL 32583-7914

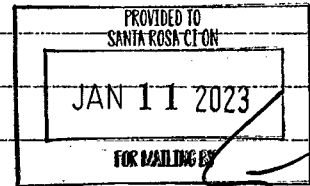
THE SUPREME COURT OF THE UNITED STATES

ROBERT L. DAVIS
Petitioner

V.

Case No. 22-5443

ASHELY MOODY, et. al.,
Respondents,



APPENDIX # TWO
FOR REHEARING MOTION

Exhibits

- 1) Exh. C.C. - The court's order deny Petitioner jurisdiction seven (7) days before deadline to file Brief on the Merits by ~~October 24th~~ October 24th, 2022.
- 2) Exh. D.D. - Third imminent danger notice filed in Santa Rosa Correctional Institution requesting protective custody.
- 3) Exh. E.E, E.L. - Emergency Grievance for protective custody due to Imminent Danger, with Response.

Robert L. Davis
Respectfully Submitted

Robert L. Davis # 652400

Santa Rosa Correction Inst.
5850 E. Milton Road
Milton, FL 32583-7914

FLORIDA DEPARTMENT OF CORRECTIONS
REQUEST FOR ADMINISTRATIVE REMEDY OR APPEAL

EXH. EE

OCT 21 2022

☐ Third Party Grievance Alleging Sexual Abuse

TO: ☐ Warden ☐ Assistant Warden ☒ Secretary, Florida Department of Corrections
From or IF Alleging Sexual Abuse, on the behalf of:

Davis, Robert L.
Last First Middle Initial

652400
DC Number

Santa Rosa C.I.
Institution

Part A - Inmate Grievance

22-6-31209

X This is an Emergency Formal Grievance.

The Emergency is do to Santa Rosa C.I. has decline to give my Protective custody request Due Process. This Due Process For Protective custody was denied twice by directing, and on allowing staff to not ask me if I want to go to the TCT review For Protective custody. After being assaulted by inmates twice. Psychologically abused, and threaten For sexual Favor. I also notified Santa Rosa C.I. staff twice in writing of informal grievance that there is a hit Placed on me by some Bloods, and Gripps For telling on a gang member. I apologized several times and offered to do work, but none of these positive offers were excepted by the members. And one of the informal grievances requesting Protective custody was mailed to Angela Gordon two-days ago with such explanation.

I have tried to get along with a cellmate three times now, and all of cellmates do the same things against me; threaten me, batter me, verbally harrass and abuse me, and ask For sexual Favor inwhich I'm sick of.

But OFFICERS continued to Prevent me from go to the TCT Protective custody review. And my Present celly inmate, Mills, has hit me in back of the head. Harrassed me. Prevent me From talking and ask For sex. Inmate, Mills, has serious mental Problems, is violent, and came From Jackson C.I.'S A.M.U. housing. I cannot adequately defend myself against young inmate at 62-Years old. Please allow me to get Protective custody.

10/17/22

DATE

Robert L. Davis #652400
SIGNATURE OF GRIEVANT AND D.C. #

OCT 28

Department of Corrections
Bureau of Inmate Grievance Appeals

PART B - RESPONSE

EXh. EE1

DAVIS, ROBERT

652400

22-6-31209

SANTA ROSA C.I.

B3102L

NAME

NUMBER

GRIEVANCE LOG
NUMBER

CURRENT INMATE LOCATION

HOUSING LOCATION

Note: This grievance is not accepted as a grievance of an emergency nature.

Your request for administrative remedy has been reviewed and evaluated. According to your automated file your request for protective management is currently under review at the institutional level. Upon notification of the State Classification Office's final decision, if your request for protective management is denied you will have the opportunity to appeal that decision directly to the Office of the Secretary within 15 days of the State Classification Office's decision.

Your request is being returned without action.

A. JOHNS

SIGNATURE AND TYPED OR PRINTED NAME OF
EMPLOYEE RESPONDING

A. Johns
SIGNATURE OF WARDEN, ASST.
WARDEN, OR SECRETARY'S
REPRESENTATIVE

10/26/22
DATE

**Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001**

Scott S. Harris
Clerk of the Court
(202) 479-3011

October 17, 2022

Mr. Robert L. Davis
Prisoner ID #652400
Santa Rosa Correctional Institution
15850 E. Milton Road
Milton, FL 32583-7914

Exh. C.C.

Re: Robert L. Davis
v. Ashley Moody, Attorney General of Florida, et al.
No. 22-5443

Dear Mr. Davis:

The Court today entered the following order in the above-entitled case:

The petition for a writ of certiorari is denied.

Sincerely,



Scott S. Harris, Clerk

INMATE REQUEST

STATE OF FLORIDA
DEPARTMENT OF CORRECTIONS

EX-H. D. D.

Mail Number: _____
Team Number: 2
Institution: Santa Rosa

119-2210-0270

TO:
(Check One)☐ Warden
☒ Asst. Warden☐ Classification
☐ Security☐ Medical
☐ Mental Health☐ Dental
☐ Other

FROM:	Inmate Name <u>Robert L. Davis</u>	DC Number <u>652400</u>	Quarters <u>B1-106-L</u>	Job Assignment —	Date <u>10/18/22</u>
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REQUEST

Check here if this is an informal grievance ☒

I have been trying to deal with having a cell mate while having a hit placed on me by bloods and cripps. Now cellmate inmate Mills, found out about gang hit and that I mite be going to CM III. Inmate Mills, has threaten me for two days straight and know hit me in back of the head. He tells me I cannot talk unless he says so. And makes up stuff to falsley accuse me of to assault me. I am bisexual and inmates have in formed him of such. My life and wellbeing is in danger, and I need protective custody Perminately For the third time. But our officers have never called me to go to the TCT Protective custody review, why. I am in fear of my life for the 3rd time. I am 62-years old and cannot defend self

All requests will be handled in one of the following ways: 1) Written Information or 2) Personal Interview. All informal grievances will be responded to in writing. adequately

Inmate (Signature): Robert L. DavisDC#: 652400LOE Fendleson

DO NOT WRITE BELOW THIS LINE

RECEIVED

RESPONSE

DATE RECEIVED:

OCT 19 2022

BY:

Your grievance has been received, reviewed and evaluated.

The issue of your complaint has been reported for appropriate action. Upon completion of necessary action, information will be provided to appropriate administrators for final determination and handling.

You may consider your grievance approved from that stand point only.

(The following pertains to informal grievances only:

Based on the above information, your grievance is Approved. (Returned, Denied, or Approved). If your informal grievance is denied, you have the right to submit a formal grievance in accordance with Chapter 33-103.006, F.A.C.]

Official (Print Name): Davis-CalkenOfficial (Signature): [Signature]Date: 11/1/22

Original: Inmate (plus one copy)

CC: Retained by official responding or if the response is to an informal grievance then forward to be placed in inmate's file
This form is also used to file informal grievances in accordance with Rule 33-103.005, Florida Administrative Code.

Informal Grievances and Inmate Requests will be responded to within 15 days, following receipt by staff.

You may obtain further administrative review of your complaint by obtaining form DC1-303, Request for Administrative Remedy or Appeal, completing the form as required by Rule 33-103.006, F.A.C., attaching a copy of your informal grievance and response, and forwarding your complaint to the warden or assistant warden no later than 15 days after the grievance is responded to. If the 15th day falls on a weekend or holiday, the due date shall be the next regular work day.

DC6-236 (Effective 11/18)

Incorporated by Reference in Rule 33-103.005, F.A.C.

ORG.

IN THE SUPREME COURT OF THE UNITED STATES

ROBERT L. DAVIS
Petitioner,

V.

Case NO. 22-5443

11th Cir. Ct. No. 22-10487-F

ASHLEY MOODY, et. al.,
Respondents.

MOTION REQUESTING APPOINTMENT OF COUNSEL IF
THE COURT DECIDES TO HEAR THIS PETITION

Petitioner, Pro Se, Robert L. Davis, having Filed Petition For Writ OF certiorari, and the court having denied initial review OF the Writ. And the Petitioner having Filed a timely Motion For Rehearing with an additional Question # Four to this Court. Here Files Motion Requesting APPOINTMENT OF Counsel, IF the Court Decides to Hear This Petition.

Robert L. Davis

Robert L. Davis # 652400

Santa Rosa Correction Institution

5850 E. Milton Road

Milton, FL 32583-7914

And as reasons in support of Motion For Appointment of Counsel will herefore show:

- 1.) The Petitioner is an incarcerated inmate who has no counsel to Represent him on this case, and is indigent,
- 2.) The Petitioner is not an attorney nor does he Possess an equal knowledge of law as a certified attorney,
- 3.) And if the court agrees to hear the writ, the court, or Respondent may want oral arguments,
- 4.) The issues before the court are complicated, and where a Constitutional Challenge to a Florida Statute is material.

Wherefore Petitioner ask this court to Appoint a Counsel to Represent the Petitioner, only when and after this court grants Petitioner's writ Jurisdiction, For the Petitioner mite be deid at the time the court hears this case, as Petitioner Faces two (2) Imminent dangers tied to incarceration. Where Petitioner moves For such counsel, Pursuant, to the 6th and 14th Amendment to the United States Constitution.

Robert L Davis
RespectFully Submitted
Robert L. Davis # 652400

IN THE SUPREME COURT OF THE UNITED STATES

ROBERT L. DAVIS

Petitioner,

Case NO. 22-5443

V.

11th Cir. Ct. NOS 22-10487-E

ASHLEY MOODY, et al.,

Respondent,

PROVIDED TO
SANTA ROSA CATION

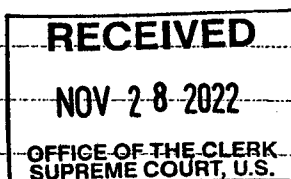
NOV 14 2022

FOR MAILING BY

MOTION TO HAVE MOTION FOR REHEARING EXCEPTED
AS TIMELY FILED

The Petitioner, Pro Se, Robert L. Davis, submitted Brief on the Merits to law library by Institutional mail to obtain copies on October 24th, 2022, and the law library claims they never received the documents. This clerk of Court denied me Due Process to timely comply to this court's rules. By denying Motion For extension of time to file Brief, by erroneously assuming I was filing a Supplement Brief. Then this clerk or court denied me jurisdiction (7) days before the October 24th, 2022, deadline to file Brief on the Merits. Where Petitioner moves timely on November 16th, 2022, with all handwritten copies of Motion For Rehearing * With Add Question # 4, which is of Great Public importance. Please allow me to have a Fair chance. I have no money or outside support. But I have the GODS with me. * I move in GOOD Faith. And certainly not to unnecessarily delay the Final resolution of this Particular case.

Robert L Davis
Respectfully Submitted
Robert L. Davis # 652400



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document has been furnished by Pre Paid U. S. mail to: Respondent, Ashley Wood, at, PL-01 The Capital, Tallahassee, FL 32399-1050, and Respondent, Karen E. Rushing, at, 2000 Main Street, Sarasota, FL 34237, on this 10th day of November, 2022.

Robert L. Davis

Robert L. Davis # 652400

Santa Rosa Correctional Institution

5850 E. Milton Road

Milton, FL 32583-7914

The United States Supreme Court

Robert L. Davis
Petitioner

V.

Case No. 22-5443

Ashley Hood et al.,
Respondents

Dear Clerk of Court,

I, have modified, and corrected Motion For Rehearing as ordered by the Clerk of Court, Pursuant, to Rule 44.6. The Motion For Rehearing does not exceed 15-Pages, as the court ordered in its December 28th, 2022, order. And copies have been Forwarded to Respondents, on this 11th, day of January, 2023,

Yours Truly,

Robert L. Davis
Respectfully Submitted
Robert L. Davis # 652400

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that a true and correct copy
OF the Foregoing document has been Furnished by Pre
- Paid U.S. Mail to: Respondent, Karen E. Rushing, at 2000
Main Street, Sarasota, FL 34237, and Respondent, Ashley
Moody, at, Ph-01 The Capitol, Tallahassee, FL 32399-1050,
on this 10th, day OF November, 2022, .

Robert L. Davis

Robert L. Davis # 652400

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