

No. _____

22-5589

IN THE
SUPREME COURT OF THE UNITED STATES

CARRIE FINE- PETITIONER

vs.

STATE OF FLORIDA-RESPONDENT
ON PETITION FOR CERTIORARI TO
SECOND DISTRICT COURT OF APPEAL OF FLORIDA

PETITION FOR WRIT OF CERTIORARI

CARRIE FINE DC# E80725
LOWELL CORRECTIONAL INSTITUTION
11120 NW GAINESVILLE ROAD
OCALA, FLORIDA 34482

PHONE NUMBER: _____

ORIGINAL

QUESTIONS PRESENTED

- I. Whether the affirmation of the Appellant Court (that it was proper for trial court to deny Fine's Motions for judgment of Acquittal) was correct.
- II. Whether the affirmation of the Appellant Court that it was proper for the trial court to deny Fine's motion to suppress in part and allow illegally obtained evidence to be used was correct.
- III. Whether the affirmation of the Appellant Court (that the trial Court didn't abuse its discretion in admitting hearsay documents) was correct.
- IV. Whether any or all of Florida State Statutes 893.135.C1, 893.1C1b, 893.135.1c1, 893.13.6a and 499.03.3 are constitutionally vague and therefore violate due process under the 14th Amendment.
- V. Whether any or all of the punishments for violating state law statutes 893.135.c1, 893.135.1c1b, 893.135.1c1, 893.13.6a and 499.03.3 violate Constitutional Amendments VIII and XIV.
- VI. Whether the State Minimum Mandatory laws violate Constitutional Amendments VIII and XIV.
- VII. Whether the totality of the State's failure to provide due process by allowing Constitutional violations and unlawful behavior by officials (concerning Ms. Fine's case), constitutes it being vacated completely and immediately.

LIST OF PARTIES

- [x] All parties appear in the caption of the case on the cover page.
- [] All parties do not appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition as follows:

RELATED CASES

State of Florida v. Fine, No 2018-CF-000051, 10th Judicial Circuit Court of Hardee County, FL.

Judgment entered February 28, 2020.

Fine v. State of Florida, No 2D20-0856, Second District Court of Appeals of Florida, Judgment entered October 27, 2021.

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**IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI**

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☐ For cases from Federal Courts: NA

The opinion of the United States Court of Appeals appears at Appendix__ to the petition is

☐ reported at _____; or

☐ has been designated for publication but is not yet reported; or,

☐ is unpublished.

The opinion of the United States District Court appears at Appendix ____ to the petition and is

☐ reported at _____; or

☐ has been designated for publication but is not yet reported; or,

☐ is unpublished.

☒ For cases from State Courts:

The opinion of the highest State court to review the merits appears at Appendix A to the Petition and is

☐ reported at _____; or

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished.

The opinion of the _____ Court appears at Appendix ____ to the Petition and is

☐ reported at _____; or

☐ has been designated for publication but is not yet reported; or,

☐ is unpublished.

JURISDICTION

☐ For cases from Federal Courts:

The date on which the United States Court of Appeals decided my case was_____.

☐ No petition for rehearing was denied by the United States Court of Appeals on the following date:_____, and a copy of the order denying rehearing appears at Appendix_____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including_____(date) on _____(date) in Application No. __A_____.

The jurisdiction of this court is invoked under 28 U.S.C. §1254(1).

☒ For cases from the State Courts:

The date on which the highest state court decided my case was October 27, 2021. A copy of that decision appears at Appendix A.

☒ a timely petition for rehearing was thereafter denied on the following date: December 30, 2021.

and a copy of the order denying rehearing appears at Appendix C.

☐ An extension of time to file the petition for writ of certiorari was granted to and including_____(date) on _____(date) in Application No. __A_____.

The Jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

FLORIDA STATUTES, title XLVII, Chapter 934, 934.03

"Interception and disclosure of wire. Oral or electronic communications prohibited."

Information may be provided by provider of wire, oral or electronic communication services to an officer that provides them with:

A. A court order directing such assistance signed by a judge or

B. A certification in writing that no warrant or court order is required by law.

Fines internet was illegally monitored by Hardee County Sheriffs. (R-53, R878)

Florida Statute 893.135.1c1 (please see page14-15,25,27 for statute)

Florida Statute 901.151(3) (please see page 22 for statute)

U.S. CONSTITUTION

Constitutional Amendment IV

The right of the people of the United States of America to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause.

Constitutional Amendment VIII

Excessive bail shall not be required (Fine's case \$2000 changed to \$80,000) nor excessive fines imposed (Fine's case over \$600,000 to an indigent), nor cruel and unusual punishments inflicted-(Fine's case, death in prison for a 11 day prescription and first time offender).

Constitutional Amendment XIV No State shall make or enforce any law which shall abridge the privilege or immunities of citizens of the United States nor shall any state deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

STATEMENT OF THE CASE

INTRODUCTION

This is a request for Certiorari relief concerning the outcome of the Circuit Court case of Florida v Fine. The Circuit Court denied Ms. Fine's motion to suppress evidence, several motions for acquittal and limine, determined a final judgment and Sentence of guilt and her Appeal was denied along with her motion for rehearing, in conflict with established Supreme Court Cases. Furthermore, the laws used

to convict Ms. Fine and consequences for them fail to uphold and directly conflict with Constitutional Amendments VIII and XIV of the Supreme law of the United States of America.

Having received no relief from injustice at both Circuit Court and Appellant levels, comes Defendant Fine under Rule 10 requesting certiorari relief.

Citations to the contents of the documents in record shall be cited as (R-), including the appropriate page number at the bottom of each page. The trial and hearing transcripts that are cited shall be indicated as (T-) including the appropriate page number at the bottom of each page.

Its requested that this court obtain Appeal record and trial and hearing transcripts, but it is imperative that the Audio CD be obtained and listened to.

This is important, in order for this Honorable Court to hear the things missed in written form, such as a speech that is labored, lethargic or too free, (that may indicate impairment) as well as the tone of the speakers and length of time between questions.

It is also crucial to hear the audio, to be able to fully understand the level of invasion, intimidation, coercion (threats, promises and repetitious requests), seizure and interrogation the Defendant and her family experienced (bearing in mind how impaired, legally uneducated and/or people who are new to USA may react under such circumstances).

The Defendant shall be referred to as Defendant, Carrie Fine, Ms. Fine or Defendant Fine. The opposing party as State of Florida, States Attorney or State.

HISTORY

Beginning in June 2016, there was a history of internet issues at the Fine/Naji residence. Multiple service call outs were made due to extremely poor internet speed and an inability to reach websites. In the first week of June 2016, Campensino non-profit agent (Chris) took inventory of all the windows and doors in the 4 bedroom single wide mobile located at 1011 Steve Roberts Special, Zolfo Springs (in Hardee County, Florida).

When Campensino agency left that day, so did the Fine family leave (for 2 hours). When the family returned, a neighbor told them Police had been in their home.

A black police glove was on the locked gate, the garbage bags were torn open, front door locks and jam were busted and the window in the computer bedroom was gone. Later on November 30, 2016, Detective Nicholson and Wright refer to this illegal search (R-53) on the audio.

Apparently, a small envelope with several alleged illegal pills had been intercepted on June 4, 2016. Also on audio (R-53), Detective Wright (referring to the internet issues), states "Remember that we know more than we're divulging to you okay? Very easy to monitor this from ones internet traffic." This admission clearly shows Constitutional violation and intrusion, as does the admission on record (R-878) that Sheriffs had the Fine home under surveillance.

Florida v Joelis Jardines, 2013, establishes that the government cannot gain evidence by intruding on Constitutionally protected areas.

Sheriffs did not have a warrant or permission to monitor the Fine home, internet or to illegally search the home after an illegal entry twice.

This violated Ms. Fine's 4th Amendment rights to be secure in her home. Allowing Ms. Fine's case to proceed, along with her being charged and convicted after this illegal investigation violated her 14th Amendment rights as well.

CASE FACTS

Early November 2016, Carrie Fine's 5 year old, medically fragile son (Taher N.) drowned to death (due to Mehdi Naji's neglect), at Westgate Spa Resort in Orlando, Florida (according to witness accounts on Police report). Taher was revived, but was incoherent, brain damaged and helicoptered to the hospital.

This was the 3rd time Taher almost died (due to his father's neglect) within the 13 months Naji had been in USA. Taher did not respond for hours and Ms. Fine incurred a \$50,000.00 helicopter bill.

The Fine family was gone for a week in Orlando to seek care for Taher, Ms. Fine planned to take Taher and leave Mehdi upon return.

The family returned on November 30, 2016 at 8:30 p.m. In audio Ms. Fine states, "I cant see anything" and "Its dark". It was totally dark in the yard as the porch light was broken.

In Kutzorik vs State, 2005, the officer came to Kutzorik's mobile home at 10 p.m. Kutzorik's case cited Miller v State, 1991, where the 5th District discerned 3 relevant circumstances to determine if consent is acquiesced or voluntary.

(1) Time and place of encounter (10pm at Kutzorik's home). (2) Number of officers present (3 in Kutzorik's home) (3) Officers' words and actions (suggested Kutzorik was engaged in illegal activities).

In Fine's case it was 8:30pm in her yard, 9pm in her home and her 5 year old was there. There were many more than 3 officers, who also suggested Fine was involved in illegal activities.

Naji pulled into the yard, jumped out and ran to get mail from the box. An unmarked van drove halfway in, blocking the gateway on the posted "no trespassing" property. No one could leave or enter. Officers even testified that they were posing illegally as Federal Postal employees.

The Zolfo Springs Post Office stops delivery at 2pm and closes at 4pm. Since they had the Fine's under surveillance- (R-878) they would have known their child Taher got his medical deliveries at this time (8:30pm). They were using a Ford Explorer (R-890), Like Fine's child's 3rd party HMO deliverers. It was unmarked. Judge Raiden affirmed this (R-875).

Officer Hart jumped out shouting he had a package. Mehdi Naji went to sign for it. In the suppression Naji testified, "I'm Iranian. Were Persian. I am the man of the house. You know? Can I help you?" (R-991)

Two people with "Helen Fine" in their names resided in the home. "Crystal Helen Fine", (whom trial Attorney Tucker would not allow to testify because she's transgendered) was not there (R-264).

Carrie Helen Fine was exiting their van. Ms. Fine was a chronic diabetic and had been having mini blackouts. She had a large diabetic ulcer on her stomach (R-223 and R-193) when the November 30th encounter occurred.

The HMO delivery had been told not to come so late. Fine asked officer Hart about the time. He manipulated her by using the Holidays as an excuse. He shined a light briefly and Ms. Fine signed a clipboard (USPS has an electronic signature pad).

An armed man vacated the Explorer and Police cars with flashing lights and sirens came. They blocked the Explorer and the road (Steve Roberts Special) behind it. A pile of police seized Fine on her private property. They were armed and surrounded Ms. Fine.

Officer Hart began recording Fine and her family, (on their private property), without her knowledge or permission. As with the internet surveillance, this violated Florida Statutes title XLVII, 934.03 and see Florida vs Joelis Jardines, 2013.

Officer Hart recorded on a non police issued watch. This is significant because official police recording devices are time stamped to prevent editing. Hart's watch recorded voice files that could be altered. Since there was also no video coverage it would be fairly easy to do. They also recorded a minor child without parental consent.

Ms. Fine was told she had signed for a large quantity of drugs as Sheriffs now tried to force Ms. Fine to let them enter her home.

She was seized on her private property, surrounded by Police, emergency lights and sirens had been used, the only exit from her property was blocked and she had been accused of accepting a package (unopened) allegedly full of drugs.

These events would cause any normal, reasonable person to be terrified and to believe they were under arrest.

Ms. Fine was physically impaired and disabled (R-186, R-187, and R-211). She was also a

chronic diabetic with a huge ulcer on her stomach she showed officers (R-193). Her child, her only son, had died and been revived a couple weeks prior. He was only 5 years old and had an allergy so severe (he could die in minutes from exposure to airborne particles of potatoes).

He had special medical transportation, couldn't go to school, have people in their home or go to people's homes (R-50, R-51). He was Autistic (R-184) and medically fragile with several conditions including VSD (hole in the heart wall) and had slept just 3 hours (R-220, R-221). Sheriffs refused to let Fine put her son to bed.

Also Autistic, Fine tried to tell Sheriffs that her memory retrieval and communication is impaired. (R-301).

According to Merriam-Webster's school dictionary, 2004, on page 64, "Autism is a disorder characterized especially by impaired ability to form normal relationships and communicate with others."

Prior to Sheriffs entering Ms. Fine's home, she states, "I'm not in any condition" (R-51).

According to Merriam-Websters school dictionary, 2004, on page 471, "I'm" is a contraction for "I am". On page 467 of the same dictionary "I" is said to refer to the speaker or writer using the pronoun. So, it is clear that Ms. Fine was talking about herself.

Since pronouns and contractions are learned in Elementary School, it is reasonable to believe the Sheriffs understood Fine was referring to herself. Yet they never questioned Fine's impairment or ability to consent to their entry into her home when she blatantly states "I'm not in any condition". (R-51). They ignore this.

They also ignore when she states "I take oxycodone 160mg a day" (R-142) and when she states she is going through physical withdrawal pain (R-219). It is reasonable to believe that seasoned narcotics officers would absolutely realize that someone taking large doses of pain medication would have impaired judgment, be extremely open to suggestion or coercion, talk slowly, talk openly and not be legally able to consent to anything.

Ms. Fine stated: "I am in no condition", yet these seasoned narcotics Officers did not question whether she was impaired but instead proceeded to push Ms. Fine in order to enter her home regardless of her statement. "You cannot justify consent by mere entry" (R-1034).

Reasonable people would question whether these officers had intended to do whatever was necessary to achieve their goals, even if it were outside of the law. The answer lies in Hart's deposition. When asked why an arrest was not made, Hart admitted to being worried about her physical and mental state (R-490).

Yet these officers still proceeded to violate and interrogate Ms. Fine, held her family and endangered a 5 year old for 6 hours or more.

Ms. Fine informed police that her son Taher could die from exposure to airborne potato proteins and no-one could just enter their home without great risk to his life. Taher's allergy was so severe, he attended a medical daycare and was not able to attend public or private school.

Polk County board of education provided a teacher at the medical daycare. The HMO provided a new vehicle that no one was allowed to eat in and was medically cleaned to transport Taher to his appointments, (R-50, R-51).

Ms Fine expressed her refusal of having anyone enter her home due to Taher's safety over and over, even while suffering impairment. She made clear the danger of allowing anyone in their home. Police laughed as if her son's condition was some joke and still insisted over and over on entering their home, with blatant disregard toward endangering a 5 years old child's life. The audio recorded it all.

Police then entered the Fine's home and searched all through it without a warrant. Fine's family was seized and held for 6 hours in their living room. Detective Mike Lake was posted outside with a drug sniffing dog, searching the property and acting as sentry to prevent anyone from entering or leaving. This was intrusive and illegal as well. See Florida vs. Joelis Jardines, 2013.

There were 2 halls, one on the right and one on the left of the living room, leading to bedrooms.

There were 2 bathrooms, one at each end of the home. (See Appendix F).

There is no doubt Sheriffs searched the Fine home illegally. Fine did not give consent to enter (she was not in a lucid state to do that). There was no warrant and Sheriffs secured the premises immediately for officer safety. Otherwise, the officers would have subjected themselves to great risk, as the halls and bedrooms could have harbored armed assailants.

So whether the officers entered behind Mehdi Naji (R-982, R-983, R-984) and searched illegally or behind the family (as Hart testified in the suppression), the home was searched illegally. Naji had no reason to lie since he was witness for the State. However, his testimony was disregarded for Harts. Hart's testimony conflicted with the "Best Evidence" (the audio recording). "Best Evidence" is the actual recording or document over testimony concerning it.

Hart testified at the suppression that it was light outside when he delivered the package. In the actual audio recording Hart states "And I shined a light on it like this." He then turned a flashlight on and off, to show he did this when Ms. Fine signed for the package (R-49). As well, mosquitoes (the reason Det. Nicholson kept giving to force Ms. Fine to let them enter to endanger her son) come out in the dark of night. Detective Hart lied.

It was very late and dark outside. Sheriffs tricked Ms. Fine into signing by posing as Taher's medical delivery not USPS. They had been watching Fine's home. They state this, "We know a lot more than we're divulging," (R-53).

This was yet another intrusion on Ms. Fine's privacy. See Florida vs Joelis Jardines, 2013. The Zolfo Springs Post Office had only 2 carriers (both females).

Since Sheriffs entered without consent and searched illegally (R-219, R-982, R-983, R-984), Nicholson attempted to cover the illegal search. He asked permission from Ms. Fine search her "medicine cabinet," (R-66, R-67), see also Appendice F. If officers hadn't already searched the home, Nicholson would not have realized there were 2 medicine cabinets, one at the far end of each of the two halls.

Had Ms. Fine consented to this, the Sheriffs illegal search (without consent or warrant) would have been covered. Mehdi Naji testified in the suppression hearing “police searched one end of the house to the other”, (R-982, R-983, R-984). Ms. Fine states early in the audio that Sheriffs were searching everywhere (R-61).

Covering their illegal search was the only logical explanation for such a request. A large scale drug operator would not have room or reason to store their drugs in a medicine cabinet with narrow shelving and limited space. Seasoned narcotics officers would know this.

Officer Nicholson was standing in the kitchen when he asked. Ms. Fine stated she kept her medicines on top of the fridge. She did not consent to him entering or searching the kitchen, but he searched the fridge and the kitchen.

Later on in the audio Agent Covert (Home Security) also tries to coerce consent to search, but Fine states Sheriffs already searched everywhere and insisted on documentation.

Sheriffs repeated request over and over (a form of coercive manipulation), threatened her child's life and her husband, while making false promises (another form of coercive manipulation). Not saying what they wanted would lead to threats while saying what they wanted led to promises.

Their threatening nature starts by surrounding Ms. Fine, insisting over and over to enter her home (disregarding her sons safety). They insist 2 times (R-50). Another 2 times (R-51). And another 2 times (R-52). Six times! How many times equates with coercing?

They say its not the first entry and they have been monitoring the internet (R-53, R-54). They tell Ms. Fine not to lie and to tell the truth that they want to hear over and over (R-54). They threatened her only son who recently died and was revived. (R-54).

Hart says, “Especially with this and then you have your son. Because these two generally don’t go together very well.” (R-54).

At this point Ms. Fine states “I think I need to talk to a lawyer” (R-56). The sheriffs have not

found any illegal evidence and keep questioning Ms. Fine. From this point, any evidence obtained is “fruit of the poisoned tree”. *Montejo vs. Louisiana* 556 US 778, 2009.

The Circuit court erred when Judge Raiden stated once Fine signed for the package there was probable cause for a warrant (R-1019). There was no probable cause for a warrant (R-1019). There was no probable cause unless Fine was allowed to open the package and react. Fine was not able to call the HMO to ask about the package, refuse the package or call the police. The police took the package back unopened.

The sheriffs ask Fine medical questions that violate HIPPA and ADA laws (R-55). They threaten Fine with Home Security, Federal prosecution (R-58), accuse her of illegal activity (R-59) and threaten her with 7 to 10 years in prison. They threaten Home Security because her husband is Iranian (R-61) and continue to tell her she is engaged in illegal activity (R-61).

They coerce by promising to handle the “illegal activity” just between Fine and the Sheriffs, (top of R-62) if she says what they want, or being Federally prosecuted and having her severely allergic and medically fragile son go to DCF.

Hart states “Because the first thing that DCF loves to do is they love to take kids from traffickers” (R-62). They go back to promising to clear everything up to coerce a search of one of the computers (R-71).

Threatening Ms. Fine's son to go with DCF was threatening to kill him. Taher had documented prescribed medical transportation and daycare because he was medically fragile and could die in minutes from airborne allergy exposure. His throat would swell and block his airway.

Ms. Fine had medical and mental impairments along with the trauma of her son recently dying and being revived. Sheriffs told Fine if they didn't hear what they wanted, DCF would take Taher. They already displayed blatant disregard for Taher's safety by laughing at his medical condition and forcing into her home.

Ms. Fine knew if DCF came they would come in a non-medically cleaned vehicle to transport Taher. If he survived that, he'd enter an office, facility or home where he'd face allergens and possible death. Any loving parent would do or say anything they could to protect their child.

Despite Ms. Fine's early attorney request, an illegal Miranda-less seizure, illegal recording, illegal search, and explicit coercion, the Circuit Court judge ruled to allow the physical evidence obtained from many poisoned trees.

The Sheriffs waited almost 2 years to charge Ms. Fine, violating her 8th Amendment right to due process. Much evidence and defense witnesses would have been unavailable at this time. The Circuit Court Judge partially denied Ms. Fine's Motion to Suppress on 1/11/2019. This decision disregarded the higher courts established case law (Wong Sun vs US, 1963).

A jury trial was conducted January 13-17, 2020 (R-583-590). Ms. Fine was found guilty due to the unsuppressed evidence causing prejudice on Count 1, trafficking in hydromorphone, Count 2, trafficking in oxycodone, Count 3, trafficking in Morphine, Count 4, possession of codeine, Count 5, possession of a prescription drug with intent to sell.

Ms. Fine was sentenced to Count 1, 25 years minimum mandatory, Count 2, 7 years minimum mandatory, Count 3, 3 years minimum mandatory, Count 4, 1 year and 1 day, Count 5, 3 years (R-812-823, R-1111). All sentences to run concurrently.

Ms. Fine was 52 years old and wheelchair bound. The Circuit Court acknowledged that Ms, Fine had no prior criminal record.

ISSUE 1

The Circuit Court Erred In Denying Ms. Fine's Several Motions For Acquittal. Ms. Fine motioned for judgment of Acquittal (R-307-330). The motion was denied. Ms. Fine renewed the motion post trial (R-746-755) which was denied.

The denial of Ms. Fine's Motions for Acquittal resulted in her conviction in violation of the Due

Process Clause of the US Constitution's Fourteenth Amendment. The Appeal Court did not reverse this error.

A Certiorari should be given and an acquittal should be granted as a remedy for this injustice.

ISSUE 2

The Circuit Court erred in Denying the Defendant's Motion to Suppress Evidence in Part and in Admitting the challenged evidence at trial. On November 7, 2018 Ms. Fine filed a motion to suppress the State's evidence that was illegally and unconstitutionally obtained by law enforcement officers. (R-36-96). The trial court entered a written order granting in part and denying in part the motion to suppress which took place in January 10-11, 2019.

The challenged evidence, not suppressed by the Circuit Court's order, was later used to obtain a search warrant and admitted at trial. The ruling and evidence admitted, prejudiced the Jury's verdict against Ms. Fine. This prejudice deprived her of her IV and XIV Amendment protection under the US Constitution and Article 1, section 9 and 12 of the Constitution of the State of Florida. The Appeal Court did not reverse this error.

In all justice and to remedy this due process violation, Certiorari should be granted and Acquittal given.

ISSUE 3

The Circuit Court erred in admitting computer evidence at trial. The Circuit Court erred in admitting computer documents of unknown origin under the adopted hearsay exception at trial. This error prejudiced Ms. Fine's Motion For Judgment of Acquittal and the Jury's verdict. The Appeal Court did not reverse this error.

ISSUE 4

Florida State law statutes 893.135.c1, 893.135.1c1b, 893.135.1c1, 893.136a and 499.03.3 are Constitutionally Vague and therefore violate due process under the XIV Amendment. The Circuit Court

and Appellate Court erred by misunderstanding Florida State law statutes aforementioned because they are Constitutionally vague.

ISSUE 5

The punishments for violating Florida State law Statutes 893.135.c1, 893.135.1c1b, 893.135.1c1, 893.136a and 499.03.3 violate Constitutional Amendments VIII and XIV. The Circuit Court erred by imposing these sentences in violation of the Supreme Law of the United States of America.

ISSUE 6

The Florida State minimum mandatory laws violate Constitutional Amendments VIII and XIV. The Circuit court erred by imposing these laws. The Appeal court erred by not reversing this error.

ISSUE 7

The Appellate Court erred by not giving Ms, Fine any relief, not granting an Acquittal, not giving any supporting opinion for denying Fine's valid appeal and by denying her Motion for rehearing.

ARGUMENT

ISSUE 1

The State failed to produce sufficient evidence for a rational jury to find Ms. Fine guilty. The State failed to negate Ms. Fine's reasonable hypothesis of innocence and prove Ms. Fine was guilty beyond a reasonable doubt.

“Where the only proof of guilt is circumstantial, no matter how strong the evidence may suggest guilt, a conviction cannot be sustained unless the evidence is inconsistent with any reasonable hypothesis of innocence.” See, *Hodgkin vs. State*, 175 So. 3d 741, 746 (Fla 2015) (quoting *Thorpe vs. State*, 777 So. 2d 385, 389 (Fla 2000)).

“Evidence which furnishes nothing more than a suspicion that the defendant committed the

crime is not sufficient to sustain a conviction. It is the actual exclusion of the hypothesis of innocence which clothes circumstantial evidence with the force to convict.” See, Dausch vs. State, 141 So. 3d 513, 518 (Fla. 2014) (quoting Ballard v State, 923 So. 2d 475, 482 (Fla. 2006)).

The State provided evidence of drug activity in the home shared by Defendant, Mr. Naji and Crystal Helen Fine, but the State failed to provide evidence against Defendant's reasonable hypothesis of innocence and failed to show that the drugs found in the home could have solely belonged to anyone in the household.

F.D.L.E. Only tested 2 out of 250 hydromorphone pills Ms. Fine was charged with. They only tested 6 out of the 56 oxycodone pills and one out of the 72 morphine pills. So, there is no proof that 369 of the aforementioned pills contained any illegal substance at all (T-269, T-299), (R-1090).

There were no fingerprints taken and the hearsay documents found on the computer were not dated, time stamped or having any known origin. Anyone having access to this computer, including but not limited to Crystal Helen Fine (whose email address and credit card information was contained in these documents (R-705, R-706, R-720, R-721 and R-723)), Mehdi Naji, (whose email addresses, passwords, federal loan pin number, face-book address and password, Farsi fonted sentences (R-704, R-722, and R-723) were in these documents), along with his green card and social security card scans saved on this computer and even law enforcement or an unknown person could have authored these documents.

As well, the computer itself was an older model, purchased 2nd hand (used) and was full of viruses. It was used to access free game and movie websites by Naji and Taher, that are known to include viruses or documents in downloads. The hodge-podge way many of these documents contain all kinds of jumbled information strongly suggests they were altered from their original content and form by a virus.

In order to prove trafficking or possession, the state must prove that the defendant had

knowledge of the substance and “intentionally” exercised control over it. “Knowledge and ability to control cannot be inferred by a defendant's mere proximity to the contraband if possession of the premises where the contraband is, is shared. Where premises are occupied jointly, knowledge and dominion and control must be established by independent proof.” Temple vs. State 150 So. 3d 1265, 1267 (Fla 1st DCA 2014).

In this case the State maintained the argument that Ms. Fine was running a large scale drug operation. This argument does not make logical sense considering the facts. There were 2 other adults sharing the household and 1, Crystal Helen Fine (R-705, R-706, R-720, R-721, R-723 and R-264) was never questioned. Mehdi Naji was Iranian. Men run the household in this culture (R-991). Mehdi Naji was born in Iran and immigrated from there to USA 10/21/2015 (R-61).

Carrie Fine was 450lbs, using a wheelchair and a cane (R-186, R-187, R-211). Her family lived in a “shanty” according to Judge Raiden, the Circuit Court Trial Judge (stated at Fine's sentencing), with broken furniture and survived off her disability check. She had an Ebay business at one point, that was neglected for months due to her mobility limits and declining health (R-186, R-187, R-193, R-211).

To ship drugs for a large scale drug operation would require mobility and daily driving. Ms. Fine had a large ulcer on her stomach and had not been able to drive for some time (R-193). The family van (1998 Ford Windstar) was in very poor condition. It could not be used daily.

The shipping boxes in the home were used 3' by 3' boxes from Taher's medical supplies (diapers, chucks, etc). The large amount of shipping envelopes in living room were left on the porch by mistake. The box was still full.

The scales entered as evidence were kitchen scales to measure Ms. Fine's Autistic son's formula for nutrition needs. They came with his medical supplies. There was a small scale used to weigh Ebay items (like handmade earrings Fine used to craft). A pair (Indian head dress earrings) was in the safe Sheriffs took.

The only thing Ms. Fine had sole access to was that safe. Only she had the combination. Everything in that very large safe was legal and belonged to Fine's child. It contained a small coin collection, \$400.00 of his money saved for his Holiday presents, pewter statues from his grandpa (who is deceased), and jewelry from his deceased grandma along with his G.I. Joe collector doll.

All the alleged illegal things found illegally in the home were concealed out of site. There is no proof of their origin or how long they'd been in the home.

The Fine family was in Orlando for a week prior to their return on 11/30/2016. The computer bedroom window taken in June 2016, documented as missing, was still gone due to Ms. Fine's poverty. Therefore, the home was not secure and anyone could have gained access at any time.

The prior home owners had been using Ms. Fine's mailbox (R-48, R-63, R-67), without consent. It was reported to the post office in Zolfo Springs, as their court documents for drug charges were being sent to Fine's address.

In Temple vs. State the court pointed out "Ms. Temple was not charged with living in a meth lab, although as the trial court noted, items used for meth were found in plain view in the kitchen and living room, there was no evidence the meth oil in the kitchen cabinet (possession of which was gravamen of counts 1 and 2) was in plain view or that the hallway, bathroom and 3rd bedroom where anhydrous ammonia tanks were found were "common" areas and that there was no evidence about when anything was placed when police found it"...id at 1269.

As well, in this case Ms., Fine was not charged with living in a residence used to traffic pills.

The State argued that the documents recovered proved Ms. Fine was responsible for items located in the home, (T-307-330). The name "Helen" (a very common name), by itself, with no last name is in 2 of the documents of unknown origin and the names "Crystal Helen Fine" and "Mehdi" are in many more than 2 of the documents. Constitutionally sufficient proof of Ms. Fine's guilt of the crimes charged was not admitted at trial. See in Re: Winship 397 US 358, 378-382, 905 Ct. 1068 251, Ed. 2D 368 (1970).

In *Dausch vs. State*, 141 So. 3d 513 (Fla. 2014), the Florida Supreme Court reversed a first-degree murder conviction based on insufficient evidence. The State must present evidence which disapproves the Defendant's reasonable hypothesis of innocence (R-149-296). Anyone wanting to avoid being linked to drug trafficking or having a personal motive could have used part of Ms. Fine's name.

It is also not reasonable for sheriffs to testify to Ms. Fine's "sophistication" and at the same time accuse her of sending something illegal to her own address. If Fine were a trafficker, it would be much more likely (especially with a foreign husband and knowledge of customs) that Fine would avoid shipping something illegal over a border twice. Being married to an Iranian immigrant placed Fine under scrutiny already due to the 911 tragedy.

The most logical explanation for someone sending self-addressed stamped return envelope containing something illegal to return back to the country it came from, would be to set someone up for trafficking. There is no other reason. If someone wanted to hide the origin address, they could easily loop it to people in the same country. Even that makes no sense when anonymity can be obtained just by omitting a return address.

Seasoned Narcotics officers should have considered suspect anyone with motive to set Ms. Fine up (instead of Ms. Fine). Since Taher drowned to death earlier in November by Mehdi Naji's neglect, Naji would have such a motive, as would anyone wanting to cover their own illegal activity. Even law enforcement or neighbors could have a motive, as the Fine household was not typical. Crystal Helen Fine's gender and Mehdi Naji's religion and ethnic origin were inconsistent with the culture in Hardee County.

On audio Sheriff's threatened to call home security over and over for the "Iranian element". They berated Naji about Taher's toy flag he left on the floor (R-124-131). They did this for at least half a hour and the officer even compared Naji letting Taher play with his "flag" to letting him play with a

“gun”. Circuit Court Judge Raiden brought up the “flag incident” on record in the suppression transcript.

Without sufficient evidence, anyone has the same chance of being the perpetrator of this crime as Ms. Fine. Therefore, this Honorable Court should in all justice, mercy and Fairness, grant this Certiorari and acquit Ms. Fine.

ISSUE 2

The motion to suppress evidence should have been granted for all the illegally obtained evidence including the coerced statements, all other statements, physical evidence and hearsay evidence, see Wong Sun, supra

It is evident that law enforcement had been involved in an intrusive violation of Ms. Fine's Constitutional rights even before, as well as on, November 30, 2016. Police had conducted a warrant-less break in and search when a smaller package was intercepted in June 2016. They had been monitoring the Fines enough to know what time they received their child's medical deliveries (R-53). Even on the night of the 2nd home invasion (11/30/2016), sheriffs had Detective Michael Lake scan the yard with a drug sniffing police dog. See Florida vs. Jardines, 569 US1, 133. S. Ct. 1409, 185 LED 2d 495, 2013 US Lexus 2013.

Naji testified to the sheriff's sweep search (R-982, R-983, R-984). In the case of United States vs. Kelly Donald Gould (2002), following Gould's arrest and evidence seizure, Gould filed to suppress evidence and statements. This was granted. The evidence and statements were the product of an illegal search and the defendant's consent to search was invalid because, it was not an independent act of free will.

The search was illegal because, as in Fine's case, it was not incident to a lawful arrest. As in Fine's case, there was no warrant. In Gould's case police had permission to enter. They did not have permission to search. The evidence (guns) were discovered during the sweep search (Fine maintains it

was not in plain site), negating an argument of inevitable discovery. The sweep could not provide probable cause to obtain a warrant. The motion to suppress was granted for both evidence and statements. According to Mehdi Naji's suppression testimony, neither Fine nor he consented to the sweep search. Sheriffs freely searched the home without consent.

Gould's case found “as an incident to arrest.. officers can, as a precautionary matter, without probable cause or reasonable suspicion, look in closets and other spaces immediately adjoining the place of arrest, from which an attack could be immediately launched.”

Though to Fine the totality of events on 11/30/2016 appeared as a Miranda-less arrest, Sheriffs insist she was “free to go” and “able to end the encounter.” Therefore, by their own testimony and the fact no arrest was made on 11/30/2016, along with no warrants issued, the Hardee County Sheriffs illegally searched the home. The Hydromorphone envelope was the product of an illegal search. All evidence and statements obtained after the Sheriffs initial entry and search are fruit of the poisoned tree.

Furthermore, Gould's case states “The U.S. Court of Appeals for the 5th Circuit holds that a protective sweep is a “quick” and “limited” search of a premises incident to arrest.”

The US. Court of Appeals for the 5th Circuit utilizes a two-pronged inquiry to determine whether a defendant has the requisite reasonable expectation of privacy to contest the validity of a search under Constitutional Amendment IV. (1) The defendant is able to establish an actual, subjective expectation of privacy with respect to the place searched or items seized. (2)(a) Whether defendant has a property or possessory interest in the place searched or thing seized (The Fine's owned the home), (2) (b) he has the right to exclude others from that place, (2)(c) he has exhibited a subjective expectation of privacy (it was 9pm in the Naji's privately owned home) that it would remain free from government intrusion (Fine's property was posted no trespassing), (2)(d) he took normal precautions to maintain privacy (posted signs) and (2)(e) he was legitimately there (ownership).

When officers entered the Fine home there were no grounds to obtain a warrant, otherwise anyone could send anyone an illegal item to cause them to be arrested before they knew what was in the package. They did not have a warrant for anyone's arrest.

As with Gould's case, where the master bedroom search was not incident to arrest, Sheriffs testified in Fine's case they only intended to question the defendants. They had no arrest warrant and did not arrest Fine or Naji, before or after the sweep search. Therefore the sweep search was illegal, searching to find the hydromorphone envelope was illegal and everything the sheriffs obtained (audio and evidence) was fruit of the poisoned tree.

Blocking the only exit from the yard, the street, along with restricting the family from moving out of the living room without escort, are all conclusive of seizure and Miranda-less arrest. Added to this were the flashing police car lights, sirens and the large amount of armed sheriffs surrounding Ms. Fine at all times.

According to *State v Coron* (1982), "an officer need not formally communicate his intent by announcing a subject is under arrest. A clear deprivation of liberty may be sufficient communication."

In the case of *Wright v State*, (1982), the officer threatens to call DCF just like in Fine's case. In distinguishing arrest from investigatory stop (stop and frisk) one must take into account:

1. The officers intent.
2. The impression conveyed to citizen as to whether they are in custody or briefly detained (Fine's driveway was blocked, large amount of officers and their insistence to enter her home).
3. The length of time to stop (over 6 hours).
4. Questions asked (Fine was threatened, accused and made promises).
5. The extent of search made (entire house).

Harper v State, 1988: *State v Lewis*, 1988. *Saturnino- Boudet vs. State*, 1996.

The "stop and frisk" law requires detention of citizen be "no longer than reasonably necessary" and provides that the "temporary detention shall not extend beyond the place where it was first effected." Fla Stat 901.151(3) "Removal of a citizen from the place where a stop occurred may result in

an arrest having been made.” Griggs v State, 2008.

Sheriffs stated Fine, was temporarily detained, though the detaining moved from entry gate across ½ acre into her home.

“An excessive show of force unnecessary to accomplish an investigatory stop converts the stop into an arrest.” State v Gonzales, 2004. The amount of officers in and out of Fine's home was unnecessary. One or two would be reasonable. Fine was for all purposes under arrest by show of force.

In the case of Florida v Royer, (1933) it was concluded that Royer was under arrest when officer conduct was more intrusive than necessary for an investigatory detention. The “controlled delivery” in Fine's case was set at a time of her son's medical delivery, outside of police procedure, completely intrusive and unnecessary. If officers really planned to conduct an investigatory stop, they would've knocked on Fine's door between the hours of business (9am-5pm) and asked about the package. Impersonating a federal employee to entrap Fine late at night was beyond intrusive.

In a normal police investigation, officers would work with the USPS and insert a tracker device in a package the actual mail carrier would deliver. Fine would be given opportunity to open and reject the package.

There was no reason for Sheriffs to behave this way. The Sheriff Dept. budget is 50 million dollars a year. They could buy proper video/audio equipment and tracker devices.

Fine maintains consent was not given to enter or search the home. Its not reasonable or logical that with so many precautions in place to keep Taher from another near death experience (medical transport, medical daycare, no public or private school), that Fine would suddenly throw caution to the wind and invite a hoard of McDonald's patrons to roam freely through her son's medical sanctuary (their home).

One officer testified Fine waived them in. They were in before Fine got there. However, how does a 450 lb mobility impaired woman, with one hand on a cane, going up a dew covered, iron mobile

home staircase and the other on the railing, waive without falling? Fine wasn't able to consent even if she said "please come in", which she didn't. (R-51, R-142, R-219).

Lastly, the coercion efforts of officers do not need to be delivered by angry tones or loud voices. "Clinton vs. State, 2001 noted that a seizure occurs when a person is actually physically subdued or submits to an officer's show of authority. A person is seized if a reasonable person would conclude he is not free to leave." Naji testified he sat down and officers never let him get up again. When the Fines were allowed to get up, they were escorted in their own home. A sentry was posted outside the front door. Officers surrounded them at all times. The exit gate was blocked. Would any reasonable person in this position feel free to leave?

The officers coercion are clear in their absolute persistence, language, veiled threats and false promises. Repeating requests over and over until you get your way is manipulative coercion. Officers use this tactic to get into the house and though Ms. Fine continues to show distress, they go in anyway. They do it to get Ms. Fine to follow their lead and make the statements they want... "you want to be truthful." They say this in various ways over and over, never really wanting Ms. Fine to be truthful, but to state the version of this "supposed" truth that they want to record.

When they cant force her to follow their lead, they start threatening Ms. Fine's son and husband along with making false promises of everything being cleared up as a reward.

The "exclusionary rule" prevents the State from taking advantage of evidence obtained by a constitutional violation by excluding the use of such evidence. Hilton vs State, 2007.

Suppression of evidence obtained in violation of the 4th Amendment is the judicial remedy to deter police misconduct and to maintain the integrity of the judicial system, Vorhees vs State, 1997, namely that the courts will not become accomplices in the willful disobedience of a Constitution they are sworn to uphold, in addition, it seeks the preservation of trust in government by assuring potential victims of unlawful government conduct that the government would not profit from the lawless behavior. Pinyan vs State, 1998.

Again, in all justice, mercy and fairness, Ms. Fine prays this Honorable Court will hold to the laws this country was built on and grant this Certiorari and acquit Ms. Fine.

ISSUE 3

The computer evidence is hearsay and should not have been allowed to be admitted. The documents are hodge-podged files of unknown origin. To allow these documents to be admitted is the same as allowing testimony by an anonymous witness. Without proof of their origin, time stamps or history, these documents are anonymous in nature and cannot be tied to anyone specifically.

They were also the product of an illegal search and seizure. Because their origin cannot be proven and they contain emails, passwords, and other information belonging to other people living in the home, they caused the Jury confusion and prejudiced this case. Their inclusion as evidence violated Ms. Fine's 14th Amendment right to due process. In *Gayle vs State*, (2017) evidence could be admitted under an admission exceptionary rule if, it could be proven documents were created or maintained by defendant.

The hearsay documents admitted in error in Fine's case are of unknown origin. Therefore, they do not fit the criteria in *Gayle vs State*.

In all justice, mercy and fairness, Ms. Fine prays this Honorable Court will grant this Certiorari and acquit her.

ISSUE 4

Florida State Statutes 893.135.c1, 893.135.1c1b, 893.135.1c1, 893.13.6a, and 499.03.3 are Constitutionally vague and therefore violate due process under the 14th Amendment.

For example 893.135(1)(c)1 reads: "a person who knowingly sells, purchases, manufactures, delivers, or brings into this state, or who is knowingly in actual or constructive possession of, 4 grams or more of any morphine, opium, hydromorphone, or any salt, derivative, isomer, or salt of an isomer thereof, including heroin, as described in s.893.03(1)(b),(2)(a),(3)(c)4, or 4 grams or more of any

mixture containing any such substance, but less than 30 kilograms of such substance or mixture, commits a felony of the first degree.”

In the case of Littler vs State, (2014), Littler filed for habeas relief concerning the weight of the hydrcodone and acetaminophen pills in his trafficking charge. It was found by the court that the weight is determined by adding the total weight of all substances.

In the Webster's New Dictionary (2013), a substance is defined as a matter of particular kind (chief part, essence). Fine believes the interpretation in Littler's case of the drug laws, as with her case, specifically pertaining to the weight by the Judicial system is both inaccurate and unconstitutional.

Inaccurate, because the law states that any mixture containing any such substance- refers directly to the drug in pure form. Isomer of the drug, according to Merriam-Webster's School Dictionary (2004), page 509, is one or two or more chemical compounds that have the same elements but are different in structural arrangement- so an isomer is a chemical state of the pure drug. A salt is a compound formed by replacement of part or all of the acid hydrogen of the pure drug or the pure drug's chemical state (salt of an isomer) and derivative of a drug is a chemical state derived from the pure drug.

There is no instruction given in these laws concerning isolated elements such as legal inactive ingredients that have no derivative nature or relation to these chemical states or pure drug other than for easier oral administration. Therefore these laws are Constitutionally vague. Laws are meant to enact justice and adhere to the Supreme laws of the land. They are meant to be fair and equal.

In Fine's case this Constitutional vagueness was used to turn one, 11 day prescription, containing 1.8 grams of alleged illegal drug (2 out of 250 pills tested) into 32 grams and 15 prescriptions. The amount of pills for 15 prescriptions would be 3889 pills, not 250. While a 25 year sentence may be fair and just for 15 prescriptions of hydromorphone, it is cruel and unusual punishment for just one.

For a law to be Constitutionally vague, a reasonable person of normal intelligence would not understand the meaning. To indicate clearly that the term “mixture” would include any inactive ingredients, the law has to state that clearly.

These laws in current form violate Constitutional Amendments VIII and XIV. They are misinterpreted to enact cruel and unusual punishment and to deny citizens equal protection of the law because to most people, the language of these laws requires an interpreter.

Ms. Fine humbly requests these laws be overturned and rewritten to adhere to Supreme laws of our great country, the United States of America. She prays that this honorable court will consider the words of Harvard graduate Judge Michael Raiden at Ms. Fine's sentencing. He stated FDLE's policy should be revisited (R-1090).

In Fine's case, the language of these laws determine a person like Ms. Fine, with no prior criminal record or arrests would die in prison for an 11 day prescription.

Ms. Fine prays that this Honorable Court will agree these laws are constitutionally vague and provide remedy and resentencing.

ISSUE 5

The punishments for violating Florida Statutes 893.135.c1, 893.135.1c1b, 893.135.1c1, 893.13.6a, and 499.03.3 violate Constitutional Amendments VIII and XIV.

It is cruel and unusual punishment to be sentenced to a 25 year minimum mandatory for 1.8 grams of hydromorphone (11 day prescription) as in Ms. Fine's case, the punishment doesn't fit the crime. All the punishments given for Fine's charges are excessive and do not provide equal protection under the law. The laws as they stand are not written clearly for everyone to understand.

It seems law makers were attempting to cover mixtures containing multiple illegal drugs, there derivatives and chemical states. Drugs like methamphetamine is formed by processing certain chemical compounds. So, if law enforcement found these substance (chief parts) to create meth, then lawmakers

would not want those chemical compounds of the pure drug to be discounted.

In Fine's case only 2 out of 250 alleged tiny hydromorphone pills were tested. So, 248 might not contain illegal drugs. This was consistent in testing the pills for Ms. Fine's other charges. FDLE tested a very small amount and relied solely on the rest of the pills looking similar. Counterfeit items are supposed to look like they aren't counterfeit. That's why they have to be tested. "FDLE Policy should be revisited." Raiden (2020, R-1090).

If someone wanted to buy 250 alleged gold necklaces, would they test only 2? The punishments for Fine's crimes are not equally imposed. A person found with 14 grams of pure heroin should not receive a lesser sentence than a person found with .5 grams of heroin mixed in a couple pans of brownies.

Ms. Fine prays you will remedy these Constitutional violations not just for her but for all citizens concerned.

ISSUE 6

The Florida State minimum mandatory laws violate Constitutional Amendments VIII and XIV. In US vs Winrow 1991, Winrow presented several arguments against minimum mandatory sentencing. Winrow was convicted of possessing 151.9 grams of almost pure cocaine. He had 3 priors and was given a minimum mandatory of life in prison without parole. Although the court did not favor Winrow, Ms. Fine poses this sentence is cruel and unusual punishment.

Humans make mistakes. A large percentage of citizens do not grow up in normal, healthy environments. Society fails to focus on "helping" these maladaptive citizens. Instead we impose punishments and lock them away. Most normal, healthy citizens have no idea about what prison is like. Negative reinforcement has been proven to be harmful and ineffective. That is why agencies who work with child services teach parents to avoid punishment. They show the value of reward systems.

Statistics show that over 80% of prisoners in Florida re-offend. The prison system contains staff

that often abuse prisoners and role model bad behavior. The rules and daily activities are erratic and inconsistent. Most government officials that back harsh punishment for crime, have never had a family member go to a State prison for committing a crime. The people who want to change the state system are those who have been exposed to it.

People can change. They can gain wisdom and be better. The state minimum mandatory sentences don't give them a chance. In Ms. Fine's case, if her sentence was upheld she would die in prison. She has a child and in the past helped many people to grow. She is educated and has been an asset in the community. She was originally offered a 7 year sentence and was punished for not being coerced to plead guilty, with an extra 18 years.

The circuit court erred by imposing the minimum mandatory in Fine's sentence. Judge Raiden even stated FDLE's policy should be revisited at Ms. Fine's sentencing (R-1090). The appeal court erred by not reversing these unfair sentences.

Ms. Fine begs this Honorable court to consider what it would be like if your son, daughter, or close family, (guilty or innocent), was charged and received a minimum mandatory. Please consider the unfairness and Unconstitutional elements of these laws and revisit them, providing any remedy.

ISSUE 7

The appellate court erred by not granting Ms. Fine relief, not showing valid reasoning for the appeal denial and denying her right to appeal the denial by a rehearing.

The totality of the Constitutional violations, unlawful behavior by law enforcement, failure to provide due process, the illegal search and seizure, coercion, intrusion, endangering a minor, violation of established case law and evidence manipulation (the latter recorded in the sentence hearing transcript) were all factors that the Appellate Court erred in upholding.

Ms. Fine respectfully requests that this Honorable Court grants her remedy and acquittal.

CONCLUSION

The outcome of the decisions made by this Honorable Court concerning this matter and these issues will be Earth shattering to the citizens of Florida and the United States, whether this Certiorari is granted or not. If its not granted, Ms. Fine's case will be used to allow one of our most precious elements of the law, the U.S. Constitution to be continually violated. Society will become policed, as our most treasured sanctuaries, our homes, will be made of straw instead of brick. Everything our forefathers fought for and died for...our freedom, will be placed at great risk.


It is Ms. Fine's devoted prayer to God and this Honorable Court, that this Certiorari would be granted, our Constitution upheld and strengthened and the boundaries that guard our Freedom and Liberty be redefined in favor of the protections the Supreme Laws of the land were meant to bestow.

When law enforcement becomes unlawful, it degrades the very morality officers are sworn to protect. No one is above the law, and so we must be fervently compelled to enact Justice and correct Injustice.

Therefore, this Petition For Writ of Certiorari should be granted.

Respectfully submitted,

Dated : August 15, 2022.


Carrie Fine DC# E80725