

No. **22-5896**

ORIGINAL

FILED

SEP 15 2022

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

douglas marshall jackson,
a "Man" created in the image and likeness of Almighty Yahweh, The Creator,
GENESIS 1:26-27, THE BOOK OF YAHWEH, THE HOLY SCRIPTURES (BIBLE).

— PETITIONER

(Your Name)

MARK INCH,
d/b/a Secretary for
FLORIDA DEPARTMENT OF CORRECTIONS (FDC),
Et Al

vs.

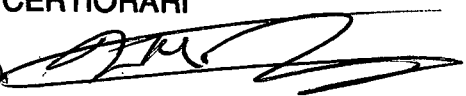
— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

ELEVENTH (11TH) CIRCUIT COURT OF APPEALS

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

douglas marshall jackson, (dc#823916) 
c/o FRANKLIN CORRECTIONAL INSTITUTION (FCI)

(Your Name)

1760 HIGHWAY 67 NORTH

(Address)

CARRABELLE, FLORIDA (32322)


(City, State, Zip Code)

(NO PHONE NUMBER)

(Phone Number)

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QUESTION(S) PRESENTED

WHETHER A GOVERNMENT IMPOSED AND IMPLEMENTED DEMAND FOR A "COURT ORDER" (APPENDIX "A") POLICY, PRACTICE AND PROCEDURE AGAINST douglas marshall jackson, The Claimant at Law, TO EXERCISE AND PRACTICE RELIGIOUS LIBERTIES, FREEDOMS OF RELIGION AND THE FREE EXERCISE OF RELIGION CONSTITUTE A PROHIBITED, UNLAWFUL AND UNCONSTITUTIONAL "SUBSTANTIAL BURDEN" IN VIOLATION OF FEDERAL LAW TITLE 42 U.S.C 2000cc-1(a) PROTECTION OF RELIGIOUS EXERCISE OF INSTITUTIONALIZED PERSONS, RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT OF 2000 ("RLUIPA"), HOLDING IN PART:

"NO GOVERNMENT SHALL IMPOSE A SUBSTANTIAL BURDEN ON THE RELIGIOUS EXERCISE OF A PERSON RESIDING IN OR CONFINED TO AN INSTITUTION, AS DEFINED IN SECTION 2 OF THE CIVIL RIGHTS OF INSTITUTIONALIZED ACT (42 U.S.C. 1997), EVEN IF THE BURDEN RESULTS FROM A RULE OF GENERAL APPLICABILITY..."

(END QUOTE). SEE, RLUIPA (APPENDIX "B").

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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**:

The opinion of the United States court of appeals appears at Appendix "D" 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 United States district court appears at Appendix "C" 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 _____ 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 MAY 23RD, 2022 _____.

☐ No petition for rehearing was timely filed in my case.

☒ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____ JUNE 28TH, 2022 _____, and a copy of the order denying rehearing appears at Appendix "E" _____.

☐ 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 **state courts**:

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

☐ A timely petition for rehearing was thereafter denied 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. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

FEDERAL LAW TITLE 42 U.S.C. SECTION 2000cc-1(a) PROTECTION OF RELIGIOUS EXERCISE OF INSTITUTIONALIZED PERSONS, HOLDING IN PART:

"NO GOVERNMENT SHALL IMPOSE A SUBSTANTIAL BURDEN ON THE RELIGIOUS EXERCISE OF A PERSON RESIDING IN OR CONFINED TO AN INSTITUTION, DEFINED IN SECTION 2 OF THE CIVIL RIGHTS OF INSTITUTIONALIZED PERSONS ACT (42 U.S.C. 1997), EVEN IF THE BURDEN RESULTS FROM A RULE OF GENERAL APPLICABILITY..."

STATEMENT OF THE CASE

(1) THAT, douglas marshall jackson, THE CLAIMANT AT LAW, IS A DIVINE, SACRED, HOLY (SET-APART) AND CREATED "Man" THAT ALMIGHTY YAHWEH, THE CREATOR, HAVE DIVINELY CREATED IN HIS IMAGE AND LIKENESS. SEE, GENESIS 1:26-27, THE BOOK OF YAHWEH, THE HOLY SCRIPTURES (BIBLE):

"THEN YAHWEH SAID; I WILL MAKE 'MAN' IN MY IMAGE, ACCORDING TO MY LIKENESS. SO YAHWEH CREATED 'MAN' IN HIS OWN IMAGE. IN THE IMAGE OF YAHWEH HE CREATED THE 'MAN'. THE HE CREATED THE WOMAN FROM THE 'MAN'".

(2) THAT, THE "Man" douglas marshall jackson, THE CLAIMANT AT LAW, IS "RESIDING IN OR, CONFINED TO AN INSTITUTION, AS DEFINED IN SECTION 2 OF THE CIVIL RIGHTS OF INSTITUTIONALIZED PERSONS ACT (42 U.S.C. 1997). SEE, TITLE 42 U.S.C. 2000cc-1(a) PROTECTION OF RELIGIOUS EXERCISE OF INSTITUTIONALIZED PERSONS, RLUIPA.

(3) THAT, THE TERM "CLAIMANT" MEANS A PERSON RAISING A CLAIM OR DEFENSE UNDER THIS ACT, TITLE 42 U.S.C. 2000cc- 5(i) DEFINITIONS, PROTECTION OF RELIGIOUS EXERCISE OF INSTITUTIONALIZED PERSONS (APPENDIX "B").

(4) THAT, douglas marshall jackson, THE CLAIMANT AT LAW, HAS A CREATED STATUTORY "RIGHT" TO "ASSERT A VIOLATION OF THIS ACT (42 U.S.C. 1997) AS A CLAIM OR DEFENSE IN A JUDICIAL PROCEEDING AND OBTAIN APPROPRIATE RELIEF AGAINST A GOVERNMENT". SEE, TITLE 42 U.S.C. 2000cc-2(a) CAUSE OF ACTION, JUDICIAL RELIEF (APPENDIX "B").

(5) THAT, douglas marshall jackson, THE CLAIMANT AT LAW, IS A ULTRA-ORTHODOX "TRIBAL" AFRICAN HEBREW (JEW) THAT HAVE BEEN DIVINELY CALLED, CHOSEN, AND ANOINTED BY ALMIGHTY YAHWEH, THE CREATOR, THE "MIGHTY FATHER OF THE HEBREWS", EXODUS 5:3, THE BOOK OF YAHWEH, THE HOLY SCRIPTURES (BIBLE), TO BE YAHWEH'S 'TRIBAL' AFRICAN HEBREW (JEWISH) KING, CHIEF, ELDER, PROPHET AND OVERSEER FOR/OF ALMIGHTY YAHWEH'S CREATED TITLE 42 U.S.C. 2000cc-(a)(1) RELIGIOUS ASSEMBLY (THE CHURCH), A NON-PROFIT ORGANIZATION, DIVINELY NAMED:

"AFROCENTRIC BATYITH YAHWEH YAHDAIM AFRICAN HEBREWS ('ABYYAH') CORPORATION".

SEE, ABYYAH'S "ARTICLES OF INCORPORATION" (APPENDIX "F"), AND ABYYAH'S "CERTIFICATION" BY THE FLORIDA DEPARTMENT OF STATE (APPENDIX "G").

(6) THAT, "ABYYAH'S RELIGION" IS douglas marshall jackson, THE CLAIMANT AT LAW, AND 100'S AND 1000'S OF OTHER TRIBAL AFRICAN HEBREWS (JEWISH) PRISONERS "RESIDING IN OR CONFINED TO AN INSTITUTION", TITLE 42 U.S.C. 2000cc-1(a) (APPENDIX "B"), INDIVIDUAL, SELECTED AND CHOSEN RELIGION-OF-CHOICE ESSENTIAL TENETS OF FAITH, BELIEFS, PRACTICES, PROCEDURES, RITUALS, CUSTOMS, MANNERS AND WAY-OF-LIFE.

(7) THAT, TO PRACTICE THE "RELIGIOUS EXERCISE" OF THE "ABYYAH RELIGION", THAT douglas marshall jackson, THE CLAIMANT AT LAW, DID WRITE A "REQUEST" (APPENDIX "A") TO THE GOVERNMENT RESPONDENTS SEEKING TO "EXERCISE" AND "PRACTICE" THE "70-COUNTS" OF THE "SUBSTANTIAL BURDEN" AND DENIED PRACTICE OR EXERCISE OF THE ABYYAH RELIGION (APPENDIX "A").

(8) THAT, THE GOVERNMENT'S "RESPONSE" TO THE ABOVE "REQUEST" TO EXERCISE AND PRACTICE THE ABYYAH RELIGION WAS AS FOLLOWS:

"NO 'COURT ORDER' HAS BEEN RECEIVED REGARDING THE (70-COUNT DENIED AND SUBSTANTIAL BURDEN PRACTICE OF RELIGION) ISSUES WHICH REQUIRE ACTION ON OUR (THE GOVERNMENT) PART" (END QUOTE).

SEE, GOVERNMENT'S RESPONSE (APPENDIX "A").

(9) THAT, THE RESPONDENT MARK INCH, d/b/a SECRETARY FOR THE FLORIDA DEPARTMENT OF CORRECTIONS (FDC), STATE OF FLORIDA, AND HIS SUBORDINATES AT EVERY INSTITUTION THROUGHOUT THE STATE HAVE 100% ENFORCED THE SECRETARY'S "COURT ORDER" (APPENDIX "A") POLICY, PRACTICE AND PROCEDURE AGAINST douglas marshall jackson, THE CLAIMANT AT LAW, AND, 100'S AND 1000'S OF OTHER ORIGINAL ANCIENT AFRICAN HEBREW (JEWISH) TRIBAL CITIZENS AND MEMBER PRISONERS "RESIDING IN OR CONFINED TO AN INSTITUTION" FLORIDA DEPARTMENT OF CORRECTIONS (FDC), STATE OF FLORIDA, TITLE 42 U.S.C. 2000cc-1(a) RLUIPA, TO SEVERELY AND OVERWHELMINGLY "SUBSTANTIAL BURDEN" THEIR ORIGINAL ANCIENT TRIBAL AFRICAN HEBREW (JEWISH) SACRED, HOLY (SET-APART), DIVINE AND CREATED "ABYYAH RELIGION" (APPENDIX "F").

(10) THAT, THE GOVERNMENT'S DEMAND FOR A "COURT ORDER" (APPENDIX "A") HAVE BECOME A UNTOLL AND SEVERE "SUBSTANTIAL BURDEN" AGAINST douglas marshall jackson, THE CLAIMANT AT LAW, AND 100'S AND 1000'S OF ORIGINAL ANCIENT HEBREW (JEWISH) PRISONERS "RESIDING IN OR CONFINED TO AN INSTITUTION" AND HAVE "DENIED" THE 70-COUNT (APPENDIX "A") LISTING OF ESSENTIAL TENETS OF FAITH, BELIEFS, PRACTICES, PROCEDURES, RITUALS, CUSTOMS, MANNERS AND WAY-OF-LIFE OF THE ABYYAH RELIGION (APPENDIX "F").

(11) THAT, NO OTHER "STATE-APPROVED" AND/OR "STATE-SPONSORED" --- WHITE-RELIGION --- WITHIN THE FLORIDA DEPARTMENT OF CORRECTIONS (FDC), STATE OF FLORIDA, HAVE BEEN "SUBSTANTIALLY BURDENED" WITH THE PROCESS OF HAVING TO FIRST GO INTO A COURT-OF-LAW AND OBTAIN A "COURT ORDER" (APPENDIX "A") JUST TO "EXERCISE" AND "PRACTICE" THEIR RESPECTIVE "RELIGION".

(12) THAT, THE GOVERNMENT'S IMPOSED AND IMPLEMETED "COURT ORDER" (APPENDIX "A") POLICY, PRACTICE AND PROCEDURE AGAINST douglas marshall jackson, THE CLAIMANT AT LAW, IS EXTREMELY BIAS, PREJUDICE, RACIST AND DISCRIMINATE, 14TH AMENDMENT, U.S. CONSTITUTION, AGAINST douglas marshall jackson AND "SUBSTANTIALLY BURDEN" AND "DENY" HIM AND 100's AND 1000's OF OTHER ORIGINAL INDIGENOUS TRIBAL AFRICAN HEBREW (JEWS) THE RIGHT TO EXERCISE AND PRACTICE THEIR SACRED, HOLY (SET-APART), DIVINE AND CREATED "ABYYAH RELIGION" THAT ORIGINATE DIRECTLY FROM "THE HOLY BIBLE"!!!!

UNDER OATH AND PENALTY OF PERJURY I DECLARE THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED ON THIS ____ DAY OF SEPTEMBER, 2022 A.Y.

by: _____
douglas marshall jackson,
The Claimant at Law,
Pro se.

REASONS FOR GRANTING THE PETITION

A. CONFLICT WITH DECISIONS OF OTHER COURTS

1. THE GOVERNMENT'S IMPOSED AND IMPLEMENTED "COURT ORDER" (APPENDIX "A") POLICY, PRACTICE AND PROCEDURE CONSTITUTE A "SUBSTANTIAL BURDEN"!!!

2. THE HOLDINGS OF THE THE COURTS BELOW THAT douglas marshall jackson, THE CLAIMANT AT LAW, RELIGIOUS LIBERTY, FREEDOMS OF RELIGION AND FREE EXERCISE OF RELIGION CALIMS BROUGHT UNDER TITLE 42 U.S.C. 2000cc--1(a) PROTECTION OF RELIGIOUS EXERCISE OF INSTITUTIONALIZED PERSONS ACT (APPENDIX "A") ARE "FRIVIOUS, MALICIOUS AND INSUFFICIENT TO STATE A CLAIM", SEE, DISTRICT COURTS' JUDGMENT (APPENDIX "C") AND CIRCUIT COURT'S JUDGMENT (APPENDIX "D") IS DIRECTLY CONTRARY TO NUMEROUS FEDERAL U.S. DISTRICT COURTS AND U.S CIRCUIT COURTS THROUGHOUT THE UNITED STATES OF AMERICA.

3. IN ADDITION, THE U.S. SUPREME COURT HAS HELD IN O'LONE V. ESTATE OF SHABAZZ, 482 U.S. 342 @ 348 (1987)(INTERNAL CITATIONS OMITTED), THAT:

"INMATES CLEARLY RETAIN PROTECTIONS AFFORDED BY THE FIRST AMENDMENT ... INCLUDING ITS DIRECTIVE THAT NO LAW SHALL PROHIBIT THE FREE EXERCISE OF RELIGION".

B. IMPORTANCE OF THE QUESTION PRESENTED

1. THIS CASE PRESENTS A FUNDAMENTAL QUESTION OF THE INTERPRESENTATION AND APPLICATION OF THE U.S. CONGRESS 2000 ADOPTED AND PASSED RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT OF 2000, TITLE 42 U.S.C. 2000cc RLUIPA THAT HAS BEEN INACTED BY THE U.S. CONGRESS.

2. THE FIRST AMENDMENT TO THE U.S. CONSTITUTION PROTECTS THE "FREE EXERCISE"OF RELIGION. U.S. CONSTITUTION, AMENDMENT ONE.

3. IN 2000, THE U.S. CONGRESS PASSED THE RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT, TITLE 42 U.S.C. 2000cc RLUIPA, ET SEQ.

4. THIS ACT OFFER INMATES ADDITIONAL PROTECTION OF THEIR RELIGIOUS RIGHTS BY MODIFYING THE PRIOR CASE LAW.

5. THE COURTS MUST NOW USE THE MORE RIGOROUS STANDARD (STRICT SCRUTINY) REQUIRED BY RLUIPA WHEN DEALING WITH CLAIMS OF GOVERNMENT INFRINGEMENT UPON THE RELIGIOUS EXERCISE OF INMATES.

6. RLUIPA GRANTS INMATES GREATER PROTECTION FROM GOVERNMENT IMPOSED "SUBSTANTIAL BURDENS" BY REQUIRING THAT GOVERNMENT "DEMONSTRATE THAT THE BURDEN BOTH SERVES A COMPELLING GOVERNMENT INTEREST AND IS THE LEAST RESTRICTIVE MEANS OF ADVANCING THAT INTEREST." MAYWEATHER V. NEWLAND, 314 F3D 1062 @ 1065 (9TH CIR. 2002), SEE ALSO, TITLE 42 U.S.C. 2000cc-1(a) RLUIPA.

7. UNDER RLUIPA, A "RELIGIOUS EXERCISE" IS "ANY EXERCISE OF RELIGION, WHEATHER OR NOT COMPELLED BY, OR CENTRAL TO A SYSTEM OF RELIGIOUS BELIEFS", SEE, TITLE 42 U.S.C. 2000cc5(7)(a) RLUIPA.

8. THIS DEFINATION OF RELIGIOUS EXERCISE IS BROADER THAN THE DEFINATION OF RELIGIOUS EXERCISE UNDER THE FIRST AMENDMENT, U.S. CONSTITUTION, AND, THUS, RLUIPA PROVIDES GREATER PROTECTION. SEE, TITLE 42 U.S.C 2000cc--3(g) BROAD CONSTRUCTION, RLUIPA:

"THIS ACT SHALL BE CONSTRUED IN FAVOR OF A BROAD PROTECTION OF RELIGIOUS EXERCISE TO THE MAXIMUM EXTENT PERMITTED BY THE TERMS OF THIS ACT AND THE CONSTITUTION".

9. THAT, IN CRUZ V. BETO, 405 U.S. 319 @ 322, N.2 (1972), THE U.S. SUPREME COURT HAVE HELD THAT:

"REASONABLE OPPORTUNITIES MUST BE AFFORDED TO ALL PRISONERS TO EXERCISE THE RELIGIOUS FREEDOMS GUARANTEED BY THE FIRST AND FOURTEENTH AMENDMENTS, U.S. CONSTITUTION, WITHOUT FEAR OF PENALTY".

10. THE QUESTION PRESENTED HERE IS OF GREAT PUBLIC IMPORTANCE BECAUSE IT AFFECTS THE OPERATIONS OF THE PRISON SYSTEM IN ALL FIFTY (50) STATES, THE DISTRICT OF COLUMBIA, AND HUNDREDS OF CITY AND COUNTY JAILS.

11. IN VIEW OF THE LARGE AMOUNT OF LITIGATION OVER:

(a) "RELIGIOUS EXERCISE" AND

(b) "THE PRACTICE OF RELIGION".

GUIDANCE ON THE QUESTION IS ALSO OF GREAT IMPORTANCE TO THE JUDICIARY.

12. IN ADDITION, THE QUESTION IS OF GREAT PUBLIC IMPORTANCE TO 100's AND 1000's OF ANCIENT AND BIBLICAL TRIBAL INDIGENOUS AFRICAN (AMERICAN) HEBREW AND JEWISH FLORIDA PRISONERS DESIRING TO SINCERELY AND FAITHFULLY RETURN-BACK TO THEIR ORIGINAL ANCIENT "TRIBAL" AND "AFRICAN":

(a) HERITAGE:

(b) ROOTS,

(c) CUSTOMS,

(d) PRACTICES,

(e) PROCEDURES,

(f) RITUALS,

(g) FAITH,

(h) BELIEFS,

(i) MANNERS, AND,

(j) WAY-OF-LIFE

THAT ARE DETAILED AND OUTLINED WITHIN ALMIGHTY YAHWEH'S THE BOOK OF YAHWEH, THE HOLY SCRIPTURES (BIBLE).

13. THE ISSUE'S IMPORTANCE FOR RELIGIOUS FREEDOMS, RELIGIOUS EXERCISE AND FREEDOM OF RELIGION IS ENHANCED BY THE FACT THE THE LOWER COURTS IN THIS CASE HAVE SERIOUSLY FAILED TO ENFORCE THE LAW OF THE U.S. CONGRESS, TITLE 42 U.S.C. 2000cc RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT OF 2000 ("RLUIPA") (APPENDIX "B").

14. THIS U.S. SUPREME COURT HAS HELD IN ELROD V. BURNS, 427 U.S. 347 @ 373 (1976), THAT:

THERE IS IRREPARABLE HARM, EVEN FOR SHORT PERIODS OF TIME, WHEN CONSTITUTIONAL RIGHTS ARE DEPRIVED,

AND, THE U.S. SUPREME COURT HAVE FURTHER HELD IN DESHANEY V. WINNEBAGO COUNTY DEPT. OF SOCIAL SERVICES, 489 U.S. 189 @ 199-200 (1989), THAT:

"WHEN THE STATE TAKES A PERSON INTO ITS CUSTODY AND HOLDS HIM AGAINST HIS WILL THE CONSTITUTION IMPOSES UPON IT (THE STATE) A CORRESPONDING DUTY TO ASSUME SOME RESPONSIBILITY FOR HIS SAFETY AND GENERAL WELL-BEING.

SEE ALSO, YOUNFBERG V. ROMEO, 457 U.S. 307 @ 317 (1982):

"WHEN A PERSON IS INSTSTUTIONALIZED AND WHOLLY DEPENDENT ON THE STATE A DUTY TO PROVIDE CERTAIN SERVICES AND CARE DOES EXIST".

15. THAT, HERE, THE STATE GOVERNMENT HAVE PROVIDED douglas marshall jackson, THE CLAIMANT AT LAW, WITH ABSOLUTELY NOTHING (ZERO). BUT, HAVE INSTEAD, TOLD douglas marshall jackson THAT HE MUST FIRST GO TO "THE COURT" AND GET A "COURT ORDER" (APPENDIX "A") TO BE CARED FOR AND TO BE PROVIDED RELIGIOUS ACCOMMODATIONS (READ APPENDIX "A" RESPONSE).

16. THAT, THE STATE'S AFFIRMATIVE DUTY TO PROTECT THE "RIGHTS" OF douglas marshall jackson:

(a) RELIGIOUS LIBERTIES AND

(b) RELIGIOUS RIGHTS

ARISES FROM THE LIMITATIONS WHICH THE STATE HAS IMPOSED ON douglas marshall jackson's FREEDOM TO ACT ON HIS OWN BEHALF!!! SEE, DESHANEY V. WINNEBAGO, 489 U.S. 189 @ 200 (1989), AMONG OTHERS.

17. THE LOWER COURT'S REASONING THAT douglas marshall jackson, THE CLAIMANT AT LAW, "ABYYAH'S RELIGION" ESSENTIAL:

(a) TENETS OF FAITH,

(b) BELIEFS,

(c) PRACTICES,

(d) PROCEDURES,

(e) RITUALS,

(f) CUSTOMS,

(g) MANNERS AND

(h) WAY-OF-LIFE

ARE ALL SOMEHOW "FRIVOLUS, MALICIOUS AND INSUFFICIENT TO STATE A CLAIM", SEE, DISTRICT COURT'S "JUDGMENT" (APPENDIX "C") AND CIRCUIT COURT OF APPEALS "JUDGMENT" (APPENDIX "D") ARE STRICTLY PROHIBITED BY THIS U.S. SUPREME COURT PRIOR RULING IN THOMAS V. REVIEW BOARD, 450 U.S. 07 @ 714 (1981), HOLDING THAT:

"COURTS MAY NOT PASS JUDGMENT ON THE TRUTH, FALSITY OR RATIONALITY OF BELIEFS IN DETERMINATING WHETHER THEY ARE RELIGIOUS".

SEE, ALSO, DETTMER V. LANDON, 799 F2D 929 @ 932 (4TH CIR 1986), AND, MALNAK V. YOGI, 592 F2D 197 @ 208 (3RD CIR 1979), AMONG OTHERS.

18. THEREFORE, THE LOWER COURT'S HAVE GROSSLY ERRED AND ABUSED THE COURT'S DISCRETION BY MAKING A JUDGMENT AND DETERMINATION THAT douglas marshall jackson's RELIGIOUS CLAIMS WERE "FRIVOLOUS, MALICIOUS AND INSUFFICIENT" TO DENY RELIGIOUS RELIEF THAT THE LOWER COURTS TOTALLY LACK ANY AND ALL AUTHORITY TO DO!!!

19. THE DISTRICT COURT AND CIRCUIT COURT OF APPEALS HAVE SERIOUSLY MISINTERPRETED AND MISAPPLIED RLUIPA (APPENDIX "B") AND HAVE FAILED TO DISTINGUISH AND RECOGNIZE THAT:

(a) COURTS MUST NOW USE THE MORE RIGOROUS STANDARD (STRICT SCRUTINY) REQUIRED BY RLUIPA WHEN DEALING WITH CLAIMS OF GOVERNMENT INFRINGEMENT UPON THE RELIGIOUS EXERCISE OF INMATES, AND;

(b) RLUIPA GRANTS INMATES GREATER PROTECTION FROM THE GOVERNMENT IMPOSED "SUBSTANTIAL BURDEN" DEMAND FOR A "COURT ORDER" (APPENDIX "A") REQUIREMENT TO EXERCISE RELIGIOUS LIBERTIES AND FREEDOMS OF RELIGION WITHIN THE FLORIDA DEPARTMENT OF CORRECTIONS (FDC), STATE OF FLORIDA,

BY REQUIRING THAT THE GOVERNMENT SHALL DEMONSTRATE THAT THE BURDEN TO OBTAIN THE "COURT ORDER" (APPENDIX "A") SERVICES A COMPELLING GOVERNMENT INTEREST AND IS THE LEAST RESTRICTIVE MEANS OF ADVANCING THAT INTEREST. MAYWEATHER V. NEWLAND, 314 F3D 1062 @ 1065 (9TH CIR 2002), SEE ALSO, TITLE 42 U.S.C 2000cc-1(a) RLUIPA:

"NO GOVERNMENT SHALL IMPOSE A SUBSTANTIAL BURDEN ON THE RELIGIOUS EXERCISE OF A PERSON RESIDING IN OR CONFINED TO AN INSTITUTION".

20. THAT, douglas marshall jackson, THE CLAIMANT AT LAW, HAVE OVERWHELMINGLY PROVEN BEYOND A REASONABLE DOUBT A PRIMA FACIE CASE OF RLUIPA "SUBSTANTIAL BURDEN" BEFORE THIS U.S. SUPREME COURT FOR THE "GRANT OF THIS WRIT OF CERTIORARA NOW BEFORE THE HIGH COURT!!!

21. THAT, THE ELEVENTH (11TH) CIRCUIT COURT OF APPEALS, ATLANTA, GEORGIA (THAT GOVERNS THE STATE OF FLORIDA FEDERAL COURTS), HAVE ALREADY DEFINED THE MEANING OF "SUBSTANTIAL BURDEN" IN MIDRASH SEPHARDA, INC., V. TOWN OF SURFSIDE, 366 F3D 1214 @ 1227 (11TH CIR. 2004, FLA.), AS FOLLOWS:

SUBSTANTIAL BURDEN IS "AKIN TO SIGNIFICANT PRESSURE WHICH DIRECTLY COERCES THE RELIGIOUS ADHERENT TO CONFORM HIS OR HER BEHAVIOR ACCORDINGLY",

SUMMARIZING THE U.S. SUPREME COURT HOLDINGS IN:

(1) LYNG V. N.W. INDIAN CEMETERY PROTECTION ASS'N,
485 U.S. 439 @ 450 (1988),

(2) HOBBIE V. UNEMPLOYMENT APPEALS COMM'N OF FLORIDA,
480 U.S. 136 @ 141 (1987),

(3) THOMAS V. REVIEW BOARD OF IND. EMP'T SER. DIV.,
450 U.S. 707 @ 714, 718 (1981),

(4) SHERBERT V. VERNER,
374 U.S. 398 @ 404 (1963), AND,

(5) BOWEN V. ROY,
476 U.S. 693 @ 707-08 (1986).

22. WHAT CAN BE MORE "COERCEING" THAN TO "DENY" douglas marshall jackson THE EXERCISE AND PRACTICE OF THE "ABYYAH RELIGION" (APPENDIX "F") THAN BY FORCING HIM TO PROCURE AND OBTAIN A "COURT ORDER" (APPENDIX "A") JUST TO PRACTICE HIS RELIGION???

23. THAT, THIS IS UNHEAR OF IN THE UNITED STATES OF AMERICA!!!

24. THAT, CLEARLY, THE GOVERNMENT'S IMPOSED AND IMPLENMENTED DEMAND FOR A "COURT ORDER" (APPENDIX "A") JUST TO:
EXERCISE AND PRACTICE RELIGIOUS LIBERTIES AGAINST douglas marshall jackson MEETS THE ELEVENTH (11TH) CIRCUIT COURT OF APPEALS MEANING AND DEFINATION FOR PROHIBITED, UNLAWFUL AND UNCONSTITUTIONAL "SUBSTANTIAL BURDEN", TITLE 42 U.S.C. 2000cc RLUIPA, I.E.;

(a) THE GOVERNMENT HAVE PUT "SIGNIFICANT PREASSURE" ON douglas marshall jackson, "WHICH DIRECTLY COERCES (HIM) TO CONFORM HIS BEHAVIOR ACCORDINGLY", MIDRASH SEPHARDI, INC, 366 F3D @ 1227 (11TH CIR 2004), FROM THE PRACTICE OF HIS ABYYAH RELIGION (APPENDIX "F"), and,

(b) THE GOVERNMENT HAVE PREVENTED douglas marshall jackson FROM ENGAGING IN THE EXERCISE AND PRACTICE OF THE ABYYAH RELIGION (APPENDIX "F") ESSENTIAL TENETS OF FAITH, BELIEFS, PRACTICES, PROCEDURES, RITUALS, CUSTOMS, MANNERS AND WAY-OF-LIFE

CONTRARY TO THE ELEVENTH (11TH) CIRCUIT COURT OF APPEALS RULING IN MIDRASH, 366 F3D @ 1227, SUPRA, AMONG OTHER.

25. FINALLY, THE U.S. SUPREME COURT SHOULD IMMEDIATELY (TODAY) CORRECT THE LOWER COURTS':

(a) FAILURE-TO-ENFORCE,

(b) FAILURE-TO APPLY, AND

(C) NON-ENFORCEMENT

OF TITLE 42 U.S.C 2000cc RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT OF 2000 ("RLUIPA") (APPENDIX "B") AND MAKE IT CLEAR THAT douglas marshall jackson, THE CLAIMANT AT LAW, AND 100's and 1000's OF "TRIBAL" AFRICAN AMERICAN HEBREWS (JEWS) "RESIDING IN AND CONFINED TO AN INSTITUTION" FLORIDA DEPARTMENT OF CORRECTIONS (FDC), STATE OF FLORIDA, TITLE 42 U.S.C. 2000cc-1(a) RLUIPA (APPENDIX "B"), SHALL BE IMMEDIATELY AND WITHOUT ANY AND ALL FURTHER DELAYS:

(1) SHALL BE AUTHORIZED TO "EXERCISE" THE ABYYAH RELIGION 100% ESSENTIAL TENETS OF RELIGIOUS FAITH, BELIEFS, PRACTICES, PROCEDURES, RITUALS, CUSTOMS, MANNERS, AND WAY-OF-LIFE OF ALMIGHTY YAHWEH'S "ABYYAH RELIGION" (APPENDIX "F") WITHOUT ANY FURTHER "SUBSTANTIAL BURDENS";

(2) DIRECT THAT THE FLORIDA DEPARTMENT OF CORRECTIONS (FDC), STATE OF FLORIDA, IN COMPLIANCE WITH TITLE 42 U.S.C. 2000cc-3(c) RULES OF CONSTRUCTION, RLUIPA, SHALL "BE REQUIRED TO INCUR EXPENSES IN ITS OWN OPERATIONS TO AVOID IMPOSING ANY SUBSTANTIAL BURDEN ON RELIGIOUS EXERCISE" AGAINST THE "ABYYAH RELIGION" (APPENDIX "F"), AND;

(3) GRANT ANY AND ALL OTHER RELIEF ENTITLED TO ALMIGHTY YAHWEH'S "ABYYAH RELIGION" (APPENDIX "F").

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,


douglas marshall jackson,

a "Man" created in the image and likeness of Almighty Yahweh, The Creator, GENESIS 1:26-27, THE BOOK OF YAHWEH, THE HOLY SCRIPTURES (BIBLE)

Date: 9/15/22