

IN THE SUPREME COURT OF THE UNITED STATES,
WASHINGTON, D.C.

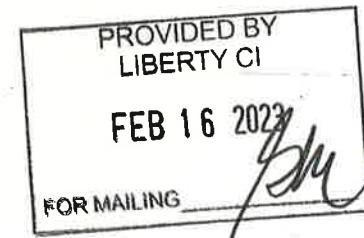
ORIGINAL

Case No.: 22-5896

douglas marshall jackson,
Petitioner,

v.

MARK S. INCH,
et al,
Respondents,



FILED
JAN 23 2023

OFFICE OF THE CLERK
SUPREME COURT, U.S.

RULE 44 PETITION FOR REHEARING

RE: < JANUARY 6, 2023 ORDER TO DENY TITLE 42 U.S.C. § 2000cc RLUIPA
RELIGIOUS LIBERTIES AND EXERCISE AND PRACTICE OF RELIGION!!! >

COMES NOW, The Petitioner, douglas marshall jackson, *pro se*, and, hereby moves the Court for "REHEARING" pursuant to Rule 44, Supreme Court Rules, on grounds that the Court have ERRED in facts or laws by "DENYING" (January 6, 2023) the filed Petition For Writ of Certiorari to exercise and practice:

- (a) Religious Liberties!
- (b) Freedoms of Religion! And,
- (c) Free Exercise of Religion!

guaranteed and protected by TITLE 42 U.S.C. § 2000cc Religious Land Use And Institutionalized Persons Act of 2000 ("RLUIPA"), and, in support do state as follows:

[1] THAT, this is a "FREEDOM OF RELIGION", "RELIGIOUS LIBERTY" and "FREE EXERCISE OF RELIGION" cause of action brought by a Prisoner, FLORIDA DEPARTMENT OF CORRECTIONS (FDC):

“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** (Appendix “I”), holding in part that:

“No government shall impose a **Substantial Burden** on the Religious exercise of a person residing in or confined to an institution.” (End Quote).

[2] THAT, the crux of this Cause Of Action is that the **STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS (FDOC)**, have demanded a “**COURT ORDER**” to exercise and practice religion! See, **STATE'S DEMAND FOR A COURT ORDER** (Appendix “II”):

“No ‘**COURT ORDER**’ has been received regarding these (70-count **SUBSTANTIAL BURDEN** and **DENIED** exercise and practice of Religion) issues which requires action on Our (The State) part” (End Quote).

[3] THAT, in light of the fact and truth the Respondents, **STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS (FDOC)**, have previously demanded a “**COURT ORDER**” (Appendix “II”), supra., to exercise and practice “**RELIGION**” that the Respondents have filed absolutely **NO**:

“Brief in opposition by Wednesday, November 23, 2022”
as Ordered and Directed by the United States Supreme Court. See, **U.S. SUPREME COURT ORDER** (Appendix “III”), that by **RULE OF LAW** this **Petition for Rehearing** should be **GRANTED** as prayed.

[4] THAT, the Petitioner, **douglas marshall jackson, pro se**, and, hundreds and thousands of other prisoners are being hourly, daily, weekly and monthly severely and overwhelmingly **“IRREPARABLE INJURED”** by the STATE imposed and implemented “SUBSTANTIAL BURDEN” and “DENIED” exercise and practice of the ABYYAH Religion. See **ABYYAH Religion Articles of Incorporation** (Appendix “IV”) and “**CERTIFICATION**” (Appendix“V”).

[5] THAT, the Petitioner, **douglas marshall jackson, pro se**, and, hundreds and thousands of Prisoners are suffering

“IRREPARABLE INJURIES”

by having their free exercise of religion First Amendment Rights “DENIED” by the Respondents as held by this United States Supreme Court in **ELROD v. BURNS**, 427 U.S. 347 @ 373 (1976), holding that:

“There is **IRREPARABLE HARM**, even for short periods of time, when Constitutional Rights are deprived” (End Quote).

This Court has **MORAL AND LEGAL JUDICIAL DUTY** to forthwith eliminate the current **“IRREPARABLE INJURIES”** imposed and implemented against Florida Prisoners by THE STATE OF FLORIDA!

[6] THAT, January 6, 2022, this U.S. Supreme Court did **ERROR** and did **ABUSED THE COURT'S DISCRETION** when the Court “DENIED” the exercise and practice of Religion filed **Petition for Writ of Certiorari**. See **ORDER** (Appendix “VI”).

[7] THAT, finally, this U.S. Supreme Court have refused and failed to enforce the mandate, spirit and requirements of **TITLE 42 U.S.C. § 2000cc Religious Land Use And Institutionalized**

Persons Act Of 2000 “RLUIPA” (Appendix “I”), holding in part that:

“No government shall impose a **SUBSTANTIAL BURDEN** on the religious exercise of a person residing in or confined to an institution” (End Quote).

CONCLUSION

WHEREFORE, the foregoing duly considered and supported by documentary evidence, may this **RULE 44 REHEARING** be “**GRANTED**” as prayed.

SPECIFICALLY, may the U.S. Supreme Court please immediately enter an “**ORDER**” and “**DIRECT**” the following:

- (a) The Respondents shall 100% allow the Petitioner and hundreds and thousands of other Florida Prisoners to exercise and practice the “**ABYYAH Religion**” in compliance with **ABYYAH's Articles of Incorporation** (Appendix “IV”) and **Department of State Certification** (Appendix “V”) and pursuant to **TITLE 42 U.S.C. § 2000cc Religious Land Use and Institutionalized Persons Act of 2000 (“RLUIPA”)** (Appendix “I”);
- (b) The Respondents shall 100% obey and comply with all terms of **Federal Law TITLE 42 U.S.C. § 2000cc Religious Land Use And Institutionalized Persons Act of 2000 (“RLUIPA”)** (Appendix “I”);
- (c) The Respondents shall specifically obey and comply with **Federal Law TITLE 2000cc – 3 (c) Rules of Construction, Religious Land Use And Institutionalized Persons Act of 2000 (“RLUIPA”)**, holding in part that:

"This ACT (RLUIPA) may require a government to incur expenses in its own operations to avoid imposing a **SUBSTANTIAL BURDEN** on Religious exercise" (End Quote) (Appendix "I")

DATED this 16th day of February 2023 A.Y.

by: douglas marshall jackson
douglas marshall jackson,
by Special Appearance,
Sui Juris,
Petitioner/The Claimant At Law,
Pro se

RULE 44 REHEARING CERTIFICATION

I HEREBY CERTIFY that this Rule 44 Petition for Rehearing, Supreme Court Rules, is presented in good faith and not for purpose of delay.

I HEREBY FURTHER CERTIFY that the Rehearing Grounds raised are limited to intervening circumstances of substantial or controlling effect or to other substantial grounds not previously presented.

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

EXECUTED on this 16th day of FEBRUARY 2023 A.Y.

by: douglas marshall jackson
douglas marshall jackson,
The Claimant at Law, Title 42 USC 2000~~cc~~ - 5(1) RLUIPA,
by Special Appearance,
Sui Juris,
Pro se

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing **RULE 44 PETITION FOR REHEARING**, with **APPENDIX EVIDENCE**, have been furnished by First Class U.S. Mail to:

(a) **ASHLEY MOODY**, Attorney General for State of Florida Office Of the Attorney General, The Capitol, Suite Pl-01, Tallahassee, Florida 323-1050, and;

(b) **GENERAL COUNSEL**, Office of General Counsel Florida Department of Corrections (FDC), 501 South Calhoun Street, Tallahassee, Florida 32399-2500,

on this day 16th day of Feb 2023 A.Y.

by: douglas marshall jackson
douglas marshall jackson,
DC# 823916
LIBERTY CORRECTIONAL INSTITUTION (LCI)
11064 N.W. Dempsey Barron Road
Bristol, Florida 32321

**Additional material
from this filing is
available in the
Clerk's Office.**