

Appendix A

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Third District Court of Appeal

State of Florida

Opinion filed June 22, 2022.
Not final until disposition of timely filed motion for rehearing.

No. 3D22-872
Lower Tribunal No. F12-30062

Thaddeus Chaylon Martin,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from
the Circuit Court for Miami-Dade County, Tanya Brinkley, Judge.

Thaddeus Chaylon Martin, in proper person.

Ashley Moody, Attorney General, for appellee.

Before LOGUE, HENDON and GORDO, JJ.

PER CURIAM.

Affirmed.

(Appendix A)

Appendix B

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

STATE OF FLORIDA,
Plaintiff,

vs.

Case No: F12-30062

Judge: BRINKLEY

THADDEUS MARTIN,
Defendant.

FILED

MAY - 4 2022

CLERK

ORDER DENYING DEFENDANT'S
MOTION TO CORRECT JUDGMENT AND SENTENCE

THIS CAUSE came before the Court on Defendant, THADDEUS MARTIN, ("Defendant"), Motion to Correct Judgment and Sentence ("Motion"), filed on February 7, 2022. The State of Florida ("State") served its Response and attachments, on April 1, 2022. This Court having reviewed the Motion, State's response, the Court files, and records in this case, and being otherwise fully advised in the premises therein, hereby denies the Defendant's Motion.

POST-CONVICTION PROCEDURAL HISTORY

Through counsel, the Defendant files this Motion to Correct Judgment and Sentence. On September 14, 2020, the Defendant's Motion was granted and he was awarded credit for county time served (698 days) and prior prison credit, by Judge Nushin Sayfie in an Order Clarifying and Correcting Defendant's Sentence (Exhibit 1). Defendant then filed countless prese

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Appendix B

motions seeking additional credit, all of which were denied. The Defendant then filed an appeal to the Florida Supreme Court, which was denied as consecutive in an Order from the Supreme Court (Exhibit 2). Due to successive motions, the Florida Supreme Court entered an order revoking the Defendant's pen unless he submitted future motions by a member of the Florida Bar in good standing in Supreme Court Order Revoking the Defendant's Pen (Exhibit 3). The same was also entered by Judge Nushin Sayfie in an Order Revoking Pen (Exhibit 4).

The Defendant then filed Habeas Corpus actions in both Leon and Bradford counties again claiming that credit for time served was improperly calculated, which were both denied (Exhibit 5 and Exhibit 6). The Bradford and Leon County Department of Corrections both responded (Exhibit 7 and Exhibit 8), and both entered orders finding that the Defendant's credit is calculated correctly (Exhibit 9 and Exhibit 10).

DEFENDANT'S CLAIMS

Defendant asserts that he is entitled to 902 days of credit for time served retroactive to May 26, 2016, despite Judge Sayfie's Order Clarifying and Correcting Defendant's Sentence awarding his 698 days of credit in Exhibit 1.

LEGAL ANALYSIS

Defendant's claims have been thoroughly evaluated and exhausted by the Florida Supreme Court, Bradford County, Bradford County Department of Corrections, Leon County, Leon County Department of Corrections, and Miami-Dade County. The result of Defendant's claims, which he again challenging and unsatisfied with is the entry of Judge Sayfie's Order on 9/14/20 (Exhibit 1) awarding the Defendant:

All prior county jail time (698 days) AND prior prison time served in the Department of Corrections.

Judge Sayfie's order properly addresses, calculates, and includes *all prior county jail time*. If Defendant is entitled to any "*prior prison time served in the Department of Corrections*", as set forth in Judge Sayfie's order, that time would be calculated and awarded by the Florida Department of Corrections, if it has not already been calculated and included in his prior award. Heather Wells of the Florida Department of Corrections ("DOC") was served a copy of Judge Sayfie's Order Clarifying and Correcting Defendant's Sentence when the order was issued and shall give full faith and credit to the same. Defendant is not entitled to any further prior county jail time, from Miami-Dade County, Bradford, or Leon County.

CONCLUSION

The Defendant is reminded that he has exhausted his remedies and several orders were previously entered addressing the same and are again addressed herein because this action was filed by a member of the Florida Bar. Despite that, it does not change the fact that this matter was already fully adjudicated and is deemed successive. The Defendant may confer with DOC to confirm they addressed Judge Sayfie's Order Clarifying and Correcting Defendant's Sentence dated 9/14/20 (Exhibit 1). This Court is not addressing or calculating any Department of Corrections time that is mentioned in Judge Sayfie's order as Department of Corrections is the custodian of their records, and it is already addressed in a prior order.

The Defendant is also reminded that Judge Nushin Sayfie in Exhibit 4 entered an Order from Revoking Defendant's Pen. Accordingly, Defendant is directed to NOT directly or indirectly send communications to the Court titled, "Letter to Judge" and addressed to this Honorable Court's chambers, in his effort to circumvent Judge Sayfie' s Order, as he did on April 12, 2022.

Any communications related to the above claims shall be filed by a member of the Florida Bar in good standing, as is Fred Moldovan, Counsel

for Defendant in this Motion.

THEREFORE, it is ORDERED AND ADJUDGED that the Defendant's Motion for Post-Conviction Relief is DENIED.

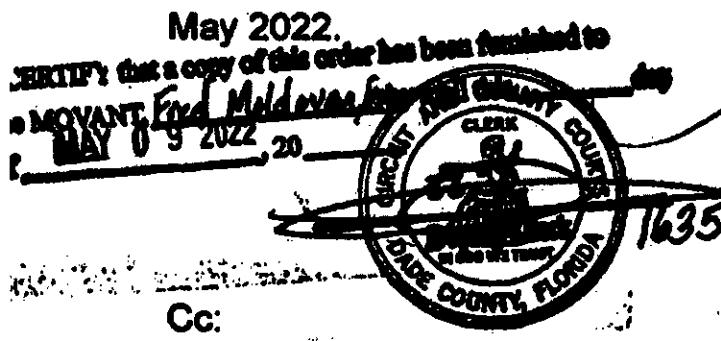
The Clerk of Court is directed to forward a copy of this order to **THADDEUS MARTIN, DC #M85852, Suwannee Correctional Institute, 5964 U.S. Highway 90, Live Oak, Florida 32060**. Defendant is hereby notified that he has the right to appeal this order to the Third District Court of Appeal within thirty (30) days of the signing and filing of this Order.

In the event the Defendant takes an appeal of this order, the Clerk of this Court is hereby ordered to transport, as part of this Order, to the appellate court the following documents with all their attachments:

1. Defendant's Motion;
2. State's Response;
3. Attachments; and
4. This Order.

DONE and ORDERED in Miami-Dade County, Florida this 4th day of

May 2022.



TANYA BRINKLEY
CIRCUIT COURT JUDGE

Khalil Madani, Assistant State Attorney

THADDEUS MARTIN, DC #M85852, Suwannee Correctional Institute, 5964

U.S. Highway 90, Live Oak, Florida 32060

Fred Moldovan, Esq., Counsel for the Defendant

9066 SW 73rd Court, Suite 1408, Miami, Florida 33156

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Appendix C and D

Supreme Court of Florida

MONDAY, SEPTEMBER 19, 2022

CASE NO.: SC22-1216

Lower Tribunal No(s).:

3D22-872; 132012CF0300620001XX

THADDEUS C. MARTIN

vs. STATE OF FLORIDA

Petitioner(s)

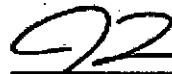
Respondent(s)

This case is hereby dismissed. This Court lacks jurisdiction to review an unelaborated decision from a district court of appeal that is issued without opinion or explanation or that merely cites to an authority that is not a case pending review in, or reversed or quashed by, this Court. See *Wheeler v. State*, 296 So. 3d 895 (Fla. 2020); *Wells v. State*, 132 So. 3d 1110 (Fla. 2014); *Jackson v. State*, 926 So. 2d 1262 (Fla. 2006); *Gandy v. State*, 846 So. 2d 1141 (Fla. 2003); *Stallworth v. Moore*, 827 So. 2d 974 (Fla. 2002); *Harrison v. Hyster Co.*, 515 So. 2d 1279 (Fla. 1987); *Dodi Publ'g Co. v. Editorial Am. S.A.*, 385 So. 2d 1369 (Fla. 1980); *Jenkins v. State*, 385 So. 2d 1356 (Fla. 1980).

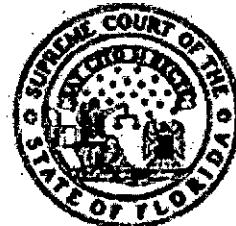
No motion for rehearing or reinstatement will be entertained by the Court.

A True Copy

Test:



John A. Tomasino
Clerk, Supreme Court



(Appendix C and D)

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