

Petition for "rehearing  
Manning v. St. Paul  
Docket NO. 22-7477

As a Prisoner he retain all constitutional rights State and Federal not inconsistent with his status as a Prisoner, including the right to be free from cruel and unusual punishment and to due process of law.

### I. Ground Eighth Amendment

(a). Failure to Provide adequate Medical Care  
adequate treatment negligence

### II. Ground Fourteenth Amendment

(a). Discrimination in Public accommodation and Public Facilities.

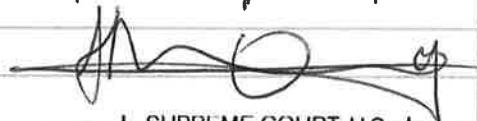
### III. Ground Fourteenth Amendment

(a). Condition of Confinement disproportionately torture and other cruel inhuman or degrading neglected Constitutional right to Prisoner

### IV. Ground Eighth Amendment and Fourteenth

(a). Constitutional and Statutory Provision involved United State Constitution, New Jersey Constitution, United State Code annotated, Federal Supplement United State Report

Your very truly



SUPREME COURT, U.S.

Petition for rehearing  
Manning v. St. Paul  
Docket No. 22-7477

#### IV. Ground Eighth Amendment and Fourteenth

(B). Court sentenced defendant in accordance with the Plea agreement defendant maintain his innocence claiming that Prosecution Pressured him into Pleading guilty

(C) Relief under federal civil rights acts, to state Prisoners Complaining of condition relating to Corporal Punishment Punitive Segregation, or other similar Physical disciplinary Measures

Petition for rehearing  
Manning v. St. Paul  
Docket No. 22-7477

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
I. Manning v. St. Paul, U.S.D.N.J.Civ.No.2:23-CV-14240 Order, 2-08-2021	e.g Pg 2
II. Manning v. St. Paul, U.S.D.N.J.Civ.No.2:23-CV-14240 Opinion and Order, 6-29-2021	e.g Pg 1
III. Manning v. St. Paul, U.S.D.N.J.Civ.No.2:23-CV-14240 Memorandum Order, 11-17-2022	e.g Pg 4
IV. Manning v. St. Paul, U.S.D.N.J.Civ.No.2:23-CV-14240 Complaint, 3-25-2021	e.g Pg 5
V. Manning v. St. Paul, U.S.D.N.J.Civ.No.2:23-CV-14240 Civil Case reopened, 11-17-2022	e.g Pg 4
VI. Manning v. St. Paul, U.S.D.N.J.Civ.No.2:23-CV-14240 Set Deadlines, 12-13-2022	e.g Pg 3
VII. Manning v. St. Paul, U.S.D.N.J.Civ.No.2:23-CV-14240 Motion to Appoint Pro Bono 12-15-2022	e.g Pg 2
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VIII. Manning v. St. Paul, U.S.D.N.J.Civ.No.2:23-CV-14240 Notice of Motion, 12-16-2022	e.g Pg 4
IX. Manning v. St. Paul, U.S.D.N.J.Civ.No.2:23-CV-14240 Certification, 12-20-2022	e.g Pg 2
X. Manning v. St. Paul, U.S.D.N.J.Civ.No.2:23-CV-14240 Notice of Appeal, 01-09-2023	e.g Pg 5
XI. Manning v. St. Paul, U.S.D.N.J.Civ.No.2:23-CV-14240 Exhibit, 01-10-2023	e.g Pg 4
XII. Manning v. St. Paul, U.S.D.N.J.Civ.No.2:23-CV-1420 U.S.C.A.3 Case number 23-1052, 01-19-2023	e.g Pg 5
XIII. Manning v. St. Paul, U.S.C.A.3, 23-1052 Legal Division Letter, 01-12-2023	e.g Pg 1
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XIV. Manning v. St. Paul, U.S.C.A.3, 23-1052 Brief in Support of Appeal, 01-30-2023	e.g Pg 3
XV. Manning v. St. Paul, U.S.C.A.3, 23-1052 Order, Clerk 02-07-2023	e.g Pg 3
XVI. Manning v. St. Paul, U.S.C.A.3, 23-1052 Circuit Judge Final Order 04-03-2023	e.g Pg 6

Petition for Rehearing  
State of N.J. v. Douglas Manning

TABLE OF AUTHORITIES CITED

CASES

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I. State of N.J. v. Douglas Manning, A.O.A-000906-22-T-02, Notice of Appeal (5)  
December 21, 2022

II. State of N.J. v. Douglas Manning, A.O.A-000906-22-T-2, Notice of Appeal (5)  
November 30, 2022

III. State of N.J. v. Douglas Manning, A.O.A-000906-22-T-2, Order Dismissing Appeal (5)  
February 15, 2023

STATUTES AND RULES

IV. R: 5-1, R: 2:5-1 (5)  
V. R: 1:4-1 (5)

XIV  
XV

OTHER

VI. State of N.J. v. Douglas Manning, A.O.088197, (PC), (NPC) Fee Waiver Granted  
31st day of July 2023 Honorable Stuart Rabner, (5)  
VII. State of N.J. v. Douglas Manning, A.O.088197, (PC) Judgement denied  
19th day of September, 2023 Honorable Stuart Rabner (5)  
VIII. State of N.J. v. Douglas Manning, A.O.088197-A-00906-22T2 Superior Court  
of New Jersey. Writ of Mandamus, July 10, 2023 (5)

Petition for rehearing  
 Manning v. Nogan  
 Docket No. 22-7789

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
I. Manning v. Nogan, D.N.J. Civ. No. 2:23-CV-00279 Petition for Writ of Habeas Corpus, 01-18-2023	e.g Pg 5
II. Manning v. Nogan, D.N.J. Civ. No. 2:23-CV-00279 Amended Petition for Writ of Habeas Corpus, 4-12-2023	e.g Pg 5
III. Manning v. Nogan, D.N.J. Civ. No. 2:23-CV-00279 Notice to Court of Appeal, 3-30-2023	e.g Pg 3
IV. Manning v. Nogan, D.N.J. Civ. No. 2:23-CV-00279 Order, Civil Case Reopen, 3-30-2023	e.g Pg 4
V. Manning v. Nogan, D.N.J. Civ. No. 2:23-CV-00279 Motion for leave to Appeal in forma Paupersis 3-27-2023	e.g Pg 4
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VII. Manning v. Nogan, D.N.J. Civ. No. 2:23-CV-00279 Order denying, 1-31-2023	e.g Pg 1
VIII. Manning v. Nogan, D.N.J. Civ. No. 2:23-CV-00279 Notice of Appeal, U.S.C.A. 3. No. 23-1491 3-16-2023	e.g Pg 5
IX. Manning v. Nogan, D.N.J. Civ. No. 2:23-CV-00279 U.S.C.A. 3. Case Number 23-1491 02-2-2023	e.g Pg 5
X. Manning v. Nogan, D.N.J. Civ. No. 2:23-CV-00279 Supplemental Record on Appeal 3-27-2023	e.g Pg 1
XI. Manning v. Nogan, D.N.J. Civ. No. 2:23-CV-00279 Letter Clerk, U.S.C.A. 3. No. 23-1491	e.g Pg 1
XII. Manning v. Nogan, U.S.C.A. 3. No. 23-1491 Circuit Judges, Final Order June 01, 2023	e.g Pg 6
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XIII. Manning v. Nogan, U.S.C.A. 3. No. 23-1491 Certificate of Appealability 1-31-2023	e.g Pg 5

Address to  
Majority Justices  
Elena Kagan

Douglas Manning  
#451366-465528c  
East Jersey State Prison  
Lock Bag R  
Rahway NJ 07065

Dear, Sir, Madam

The enclosed for filing His Amended  
Complaint Prayed for injunctive relief, declaratory  
relief, and damages for among other thing, a  
deprivation of procedural due Process by reason  
of transfers.

Find guilty when a charge of Misconduct is  
supported by substantial evidence. nondiscretion-  
ary. Entitled call witnesses Prisoner inmate  
Robert Cook, S.B.I-763510c

United State Supreme  
Court of the United State  
Washington, Dc. 20543

Address to  
Justices

## Complaints and Other Initiating Documents

2:20-cv-14240-MCA-MAH

MANNING v. ST. PAUL et al

PLO,PROSE-PR

### U.S. District Court

#### District of New Jersey [LIVE]

#### Notice of Electronic Filing

The following transaction was entered on 8/11/2023 at 4:18 PM EDT and filed on 8/8/2023

**Case Name:** MANNING v. ST. PAUL et al

**Case Number:** 2:20-cv-14240-MCA-MAH

**Filer:** DOUGLAS MANNING

**Document Number:** 40

#### Docket Text:

**THIRD AMENDED COMPLAINT** against **MR. RIVERA, MR. SANTIAGO, MR. TERRY, RICHARDSON, ST. PAUL**, filed by **DOUGLAS MANNING**. (Attachments: # (1) Civil Cover Sheet, # (2) Cover Letter, # (3) Application IFP, # (4) Envelope, # (5) Envelope)(mxw)

**2:20-cv-14240-MCA-MAH** Notice has been electronically mailed to:

**2:20-cv-14240-MCA-MAH** Notice has been sent by regular U.S. Mail:

DOUGLAS MANNING  
451366-465528C  
EAST JERSEY STATE PRISON  
LOCK BAG R  
RAHWAY, NJ 07065

The following document(s) are associated with this transaction:

**Document description:** Main Document

**Original filename:** n/a

**Electronic document Stamp:**

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**Document description:** Civil Cover Sheet

**Original filename:** n/a

**Electronic document Stamp:**

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**Document description:** Cover Letter

**Original filename:** n/a

**Electronic document Stamp:**

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## Other Orders/Judgments

2:20-cv-14240-MCA-MAH MANNING v. ST. PAUL et al **CASE CLOSED on 06/29/2021**

CLOSED,PLO,PROSE-PR

### U.S. District Court

### District of New Jersey [LIVE]

#### Notice of Electronic Filing

The following transaction was entered on 8/17/2021 at 12:23 PM EDT and filed on 8/17/2021

**Case Name:** MANNING v. ST. PAUL et al

**Case Number:** 2:20-cv-14240-MCA-MAH

**Filer:**

**WARNING: CASE CLOSED on 06/29/2021**

**Document Number:** 10

#### Docket Text:

**ORDER** granting Plaintiff's request to be allowed to file the Amended Complaint beyond the time limit set forth in the 6/29/2021 Order; and it is further ORDERED that the Amended Complaint shall be the operative pleading on behalf of Plaintiff in this matter. Signed by Magistrate Judge Michael A. Hammer on 8/17/2021. (bt, )

2:20-cv-14240-MCA-MAH Notice has been electronically mailed to:

2:20-cv-14240-MCA-MAH Notice has been sent by regular U.S. Mail:

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451366-465528C  
EAST JERSEY STATE PRISON  
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RAHWAY, NJ 07065

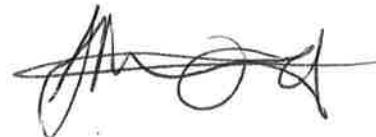
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**Document description:** Main Document

**Original filename:** n/a

**Electronic document Stamp:**

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e.g Appendix

Page as 1

## Orders on Motions

2:20-cv-14240-MCA-MAH

MANNING v. ST. PAUL et al

**CASE CLOSED on 11/17/2022**

IFP,PLO,PROSE-PR

**U.S. District Court**

**District of New Jersey [LIVE]**

### Notice of Electronic Filing

The following transaction was entered on 7/31/2023 at 10:08 AM EDT and filed on 7/31/2023

**Case Name:** MANNING v. ST. PAUL et al

**Case Number:** 2:20-cv-14240-MCA-MAH

**Filer:**

**Document Number:** 39

#### Docket Text:

**MEMORANDUM & ORDER** granting Plaintiff's [15] Motion to Reopen Case and allowing Plaintiff 30 days from receipt of this Order to submit a Third Amended Complaint; denying [16] Motion for Leave to Proceed in forma pauperis; denying [18] Motion for Equitable Relief; denying [19] Motion to Appoint Pro Bono. Signed by Judge Madeline Cox Arleo on 7/31/2023. (mxw) (N.M.)

**2:20-cv-14240-MCA-MAH** Notice has been electronically mailed to:

**2:20-cv-14240-MCA-MAH** Notice has been sent by regular U.S. Mail:

DOUGLAS MANNING

451366-465528C

EAST JERSEY STATE PRISON

LOCK BAG R

RAHWAY, NJ 07065

The following document(s) are associated with this transaction:

**Document description:** Main Document

**Original filename:** n/a

**Electronic document Stamp:**

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**Motions**

2:20-cv-14240-MCA-MAH

MANNING v. ST. PAUL et al

**CASE CLOSED on 11/17/2022**

CLOSED,PLO,PROSE-PR

Please remember to send in your courtesy copies to chambers marked *Courtesy Copy*. For further Judge Preference information [click here](#).

**U.S. District Court**

**District of New Jersey [LIVE]**

**Notice of Electronic Filing**

The following transaction was entered on 12/13/2022 at 3:59 PM EST and filed on 12/12/2022

Case Name: MANNING v. ST. PAUL et al

Case Number: 2:20-cv-14240-MCA-MAH

Filer: DOUGLAS MANNING

**WARNING: CASE CLOSED on 11/17/2022**

Document Number: 16

**Docket Text:**

MOTION for Leave to Proceed in forma pauperis by DOUGLAS MANNING. (Attachments: # (1) Affidavit, # (2) Complaint, # (3) Certificate of Service, # (4) Text of Proposed Order, # (5) Envelope) (mxw)

2:20-cv-14240-MCA-MAH Notice has been electronically mailed to:



2:20-cv-14240-MCA-MAH Notice has been sent by regular U.S. Mail:

**DOUGLAS MANNING**

**451366-465528C**

**EAST JERSEY STATE PRISON**

**LOCK BAG R**

**RAHWAY, NJ 07065**

**The following document(s) are associated with this transaction:**

**Document description:Main Document**

**Original filename:n/a**

**Electronic document Stamp:**

**[STAMP dcecfStamp\_ID=1046708974 [Date=12/13/2022] [FileNumber=16686209]**

**Other Documents**

2:23-cv-00279-BRM MANNING v.  
NOGAN et al CASE CLOSED on  
03/30/2023

HABEAS,PLO

**U.S. District Court  
District of New Jersey [LIVE]**

**Notice of Electronic Filing**

The following transaction was entered on 8/10/2023 at 4:41 PM EDT and filed on 8/10/2023

**Case Name:** MANNING v. NOGAN et al

**Case Number:** 2:23-cv-00279-BRM

**Filer:**

**WARNING: CASE CLOSED on 03/30/2023**

**Document Number:** 18

**Docket Text:**

**Movant's RESPONSE as to why his Motion should not be barred under Rule 9, from DOUGLAS MANNING. (Attachments: # (1) Envelope)(wh)**

**2:23-cv-00279-BRM Notice has been electronically mailed to:**

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DOUGLAS MANNING  
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**Document description:** Main Document

**Original filename:** n/a

**Electronic document Stamp:**

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**Document description:** Envelope

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**Electronic document Stamp:**

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*State of New Jersey*

PHILIP D. MURPHY  
*Governor*

SHEILA Y. OLIVER  
*Lt. Governor*

OFFICE OF THE ATTORNEY GENERAL  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CRIMINAL JUSTICE  
PO BOX 085  
TRENTON, NJ 08625-0085  
TELEPHONE: (609) 984-6500

MATTHEW J. PLATKIN  
*Attorney General*

DEREK NECECKAS  
*Acting Director*

August 4, 2023

Honorable Chief Justice and Associate Justices  
Supreme Court of New Jersey  
Richard J. Hughes Justice Complex  
Trenton, New Jersey 08625

Re: State v. Douglas Manning  
Docket No. 088197  
App. Div. Docket No. 000906-22

Your Honors:

This letter in lieu of brief is filed on behalf of the State in response to defendant's Petition for Certification in the above-captioned matter.

On November 30, 2022, defendant filed a Notice of Appeal to the Appellate Division claiming that he was serving an illegal sentence. There was no caption for the case in the NOA, and no judgment or order attached as being appealed. A deficiency notice was issued by the Appellate Division Clerk's Office and those deficiencies were cured.

On February 15, 2023, the Appellate Division, on its own motion, dismissed defendant's appeal for failure to prosecute. On April 25, 2023, defendant filed a notice of petition for certification and a petition for certification with the Supreme



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Court that were deficient. On July 10, 2023, defendant filed a Notice of Petition, Motion to file Notice of Petition as within time, Letter Petition for Certification, and Motion to proceed as an indigent. On July 31, 2023, the Court granted defendant's motion to file the petition for certification as within time.

The State was not involved in the proceedings in the Appellate Division and takes no position on the dismissal of his appeal by the Appellate Division. The State would simply note that defendant is not appealing from any order or judgment. It appears that there were no trial court proceedings from which to file an appeal and defendant is just complaining about his sentence.

Respectfully submitted,

MATTHEW J. PLATKIN  
ATTORNEY GENERAL OF NEW JERSEY  
ATTORNEY FOR PLAINTIFF-RESPONDENT

BY: /s/ Carol M. Henderson  
Carol M. Henderson  
Assistant Attorney General  
Attorney No. 019281978  
hendersonc@njdcj.org

c: Douglas A. Manning, pro se

SUPREME COURT OF NEW JERSEY  
M-1200/1201 September Term 2022  
088197

State of New Jersey,

Plaintiff,

v.

O R D E R

Douglas Manning,

Defendant-Movant.

It is ORDERED that the motion for leave to file a notice of petition for certification and a petition for certification as within time (M-1200) is granted; and it is further

ORDERED that the motion for leave to proceed as indigent (M-1201) is granted, limited to the filing fees in this matter only.

WITNESS, the Honorable Stuart Rabner, Chief Justice, at Trenton, this  
31st day of July, 2023.

  
CLERK OF THE SUPREME COURT

Exhibit B Reason for Granting the Writ Page 55