

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. NJ. Civ. No. 2:23-CV-14240 Order, 2-08-2021	e.g Pg 2
II. Manning V. St. Paul, U.S.D. NJ. Civ. No. 2:23-CV-14240 Opinion and Order, 6-29-2021	e.g Pg 1
III. Manning V. St. Paul, U.S.D. NJ. Civ. No. 2:23-CV-14240 Memorandum order, 11-17-2022	e.g Pg 4
IV. Manning V. St. Paul, U.S.D. NJ. Civ. No. 2:23-CV-14240 Complaint, 3-25-2021	e.g Pg 5
V. Manning V. St. Paul, U.S.D. NJ. Civ. No. 2:23-CV-14240 Civil Case reopened, 11-17-2022	e.g Pg 4
VI. Manning V. St. Paul, U.S.D. NJ. Civ. No. 2:23-CV-14240 Set Deadlines, 12-13-2022	e.g Pg 3
VII. Manning V. St. Paul, U.S.D. NJ. 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. NJ. Civ. No. 2:23-CV-14240 notice of Motion, 12-16-2022	e.g Pg 4
IX. Manning V. St. Paul, U.S.D. NJ. Civ. No. 2:23-CV-14240 Certification, 12-20-2022	e.g Pg 2
X. Manning V. St. Paul, U.S.D. NJ. Civ. No. 2:23-CV-14240 Notice of Appeal, 01-09-2023	e.g Pg 5
XI. Manning V. St. Paul, U.S.D. NJ. Civ. No. 2:23-CV-14240 exhibit, 01-10-2023	e.g Pg 4
XII. Manning V. St. Paul, U.S.D. NJ. 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

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

- I. State of NJ V. Douglas Manning, NO. A-000906-22-T-02, Notice of Appeal (5)
December 21, 2022
- II. State of NJ V. Douglas Manning, NO. A-000906-22-T-2, Notice of Appeal (5)
November 30, 2022
- III. State of NJ V. Douglas Manning, NO. A-000906-22-T-2, order Dismissing Appeal (5)
February 15, 2023

STATUTES AND RULES

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

(5)
(5)

OTHER

- VI. State of NJ V. Douglas Manning, NO. 088197, (PC), (NPC) Fee Waiver Granted
31st day of July 2023 Honorable Stuart Rabner, (5)
- VII. State of NJ V. Douglas Manning, NO. 088197, (PC) Judgement denied
19th day of September, 2023 Honorable Stuart Rabner (5)
- VIII. State of NJ V. Douglas Manning, NO. 088197-A-00906-22T2 Superior Court
of New Jersey. Writ of Mandamus, July 10, 2023 (5)

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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 pauperis 3-27-2023	e.g Pg 4
VI. Manning V. NoGan, D.N.J. Civ. No. 2:23-CV-00279 set/reset Deadlines 3-27-2023	e.g Pg 3
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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

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

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

Address to
Justices

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

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:

[STAMP dcecfStamp_ID=1046708974 [Date=8/11/2023] [FileNumber=17408593-0] [01d2c20931ee3321ec8121e2f27107467cfb3a74cf968d1f52dddd6f12a562e01f3c0f93c316560c266fcbc5b03295cd4b501d5c5345c55ceae66d766200fa90]]

Document description:Civil Cover Sheet

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1046708974 [Date=8/11/2023] [FileNumber=17408593-1] [760f1d15e557275a9b73ee8ec262c81546dd8ecd0d40115da6a8e0bfd8eafe43a57b6f80f0cfaa21395410651125865b3ce1f456a016447cfabe8d9e9e4c6b0e]]

Document description: Cover Letter

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1046708974 [Date=8/11/2023] [FileNumber=17408593-2] [91a7ee91581e5c7991fa3e7451567898cbde72d45700c8bf0b64cdd1842c04ddb2

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:

DOUGLAS MANNING
451366-465528C
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Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1046708974 [Date=8/17/2021] [FileNumber=15313417-0] [9f14465c4b52c16b3e715ea0d0f9a30550f98dff182f20c7b24c7fef09d424ad619c519ee00731e5fc3417c631486e3310e8b9f5c8859d2979260c79e3fddf0a]]



e.g Appendice

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
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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

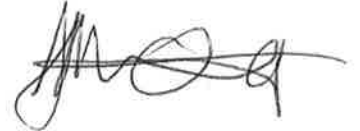
WARNING: CASE CLOSED on 11/17/2022

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

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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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#451366-465528C
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Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1046708974 [Date=8/10/2023] [FileNumber=17404421-0] [6acaf486b54c9469edf4949e747cee4a0c47c2c812fd43a5a75cdda5c2ab6cce42048066dd1bb9a36dc8bf60cc2c16214134ef7cd4ed025e44ffcc82c2d75860]]

Document description: Envelope

Original filename:n/a

Electronic document Stamp:

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State of New Jersey
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

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

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



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

e.g. Appendix B Reason For Granting the Writ Page 55