

No.

26-6555

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IN THE

SUPREME COURT OF THE UNITED STATES

TYRELL RAKEEM MOBLEY — PETITIONER  
(Your Name)

Supreme Court, U.S.  
FILED

APR 27 2023

SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS  
vs.  
FLORIDA ATTORNEY GENERAL, STATE OF FLORIDA  
FLORIDA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO U.S. COURT OF APPEALS, FOR THE ELEVENTH CIRCUIT  
UNITED STATES COURT OF APPEALS, FOR THE ELEVENTH CIRCUIT  
ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

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

PETITION FOR WRIT OF CERTIORARI

TYRELL RAKEEM MOBLEY CO 05586

Calhoun Correctional Institution  
19562 SE Institution Drive

(Address) Blountstown, Florida

32424.

(City, State, Zip Code)

850-237-3312, Classification Office

Daniel Stewart, Team #4, Legal Cll.

(Phone Number)

QUESTION(S) PRESENTED

I, Tyrell Rakeem Mobley, the petitioner is asking for a second chance to prove that I am innocent by me proving my innocence Justice will be served. ? Also I am asking that Honorable court take (their) <sup>this</sup> in reviewing I the petitioner's case, and see that the petitioner as a 16 year old juvenile of my alleged crime that my Constitutional/Civil Rights were violated due to manifest injustice. ?

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I am also asking that ~~the~~ Honorable court due everything in their power to see if there are any errors that will modify, Vacate, Reverse and Remand the petitioner's sentence. ?

## **LIST OF PARTIES**

All parties appear in the caption of the case on the cover page.

All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

## **RELATED CASES**

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JUVENILE / ACTUAL INNOCENCE CLAIM  
Substantial showing of denial of Mr. Mobley  
the petitioner's constitutional rights.

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APPENDIX A - with Exhibit A with Memorandum in  
law to support, with <sup>cont</sup> order and opinions.

APPENDIX B

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## TABLE OF AUTHORITIES CITED

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### STATUTES AND RULES

§ PASSIVE, What ever this Honorable court deems necessary!

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Appendix A with Memorandum in law to support.

### OTHER

§ PASSIVE, What ever this Honorable court deems necessary!

Appendix A with Memorandum in law to support.

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        to the petition and is  
 reported at USCA 11th Case No. 22-13096-A 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        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 JANUARY 4th, 2023.

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: 3-29-2023, and a copy of the order denying rehearing appears at Appendix A.

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**:

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

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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**

The claims that the petitioner is raising demonstrate a substantial showing of denial of his Constitutional and Civil Rights were violated.

The provisions involved is that the petitioner deserves a second chance to prove his innocence, due to the statutory manifest injustice against him.

**STATEMENT OF THE CASE**

"Actual Innocence claim"—Equitable Tolling of time, MR. Mobley should not have (even, <sup>been</sup>) charged with the charge of Burglary of an UNOCCUPIED Dwelling, 2nd degree felony on July 9th, 2009 when the petitioner MR. Mobley was only a Juvenile 16 years old at the time of the alleged crime. Due to manifest INJUSTICE, MR. Mobley was falsely charged with Burglary and MR. Mobley is ACTUALLY INNOCENT.

28 U.S.C. § 2253(c)(1), 28 U.S.C. § 2253(c)(2).— denial of Constitutional Rights which once again the petitioner MR. Mobley was 16 years old, a Juvenile at the time of the Alleged crime and did not violate the law. A JURY will not find MR. Mobley Guilty Beyond a reasonable doubt. MR. Mobley is not Guilty.

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**REASONS FOR GRANTING THE PETITION**

Based on the above and foregoing facts arguments and authorities, petitioner makes this Honorable Court of The United States Supreme Court to Grant the petitioner's petition for a Writ of Certiorari, due to the following: The petitioner MR. Mobley is actually innocent no Juror would of found MR. Mobley guilty beyond a reasonable doubt. The claims raised in petitioner's petition Writ of Certiorari demonstrate a substantial showing of denial of MR. Mobley the petitioner's constitutional rights. I have earned my G.E.D. through the Second Chance Pell grant for inmate prisoners that will help me get a job when I am released in 12-10-2025. I never killed any body and Florida D.O.C. has been treating me bad. Another reason to grant this petition is so I can get out early restore justice and build a future for me and family the ones who I got left.

**CONCLUSION**

CIVIL DUE TO I the petitioner, Tyrell Rakeem Mobley Constitutional  
Rights were violated as a 16 year old JUVENILE, Therefore,

The petition for a writ of certiorari should be granted.

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Respectfully submitted,

Tyrell Rakeem Mobley Dct#  
CO5586

Date: APRIL 27th, 2023.  
Thursday