

DOCKET NO. _____

SUPREME COURT OF THE UNITED STATES

HUGH KUNSELMAN V. FLORIDA

On Petition for a writ of Certiorari
to the FIFTH DISTRICT COURT OF APPEAL
OF THE STATE OF FLORIDA IN 5D22-0415

RENEWED APPLICATION OF GRANTED EXTENSION
SEEKING THIRTY MORE DAYS

CLERKS ORIGINAL

Respectfully Submitted,

HK *

Hugh O. Kunselman, JR. (Pro se)

Prisoner # V20043

HUGH KUNSELMAN

Madison Correctional Institution

382 Southwest MCI Way

Madison, Florida 32340

Provided to Madison C.I. on

10/7/22 for mailing by HKW
Date Initials

* Blue is Post Photocopy Addenda
Executed October 6, 2022

[# 283 - 97, 75, 64 1/8]

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RECEIVED
OCT 21 2022
OFFICE OF THE CLERK
SUPREME COURT, U.S.

THE HONORABLE JUSTICE THOMAS

Has granted Application # 22A210~~1~~, for extension of the time to file a petition for writ of Certiorari until October 12, 2022. A further extension of 30 days is sought for the following reason(s): Attached RA#1 Copy of Questions presented for Review Rule 14.1, (a).

My work job has been changed, thus my routine needs adjusting. I was told by another inmate that they said I'm going to be transferred. If transferred in the next week, it would be impossible to be timely.

I have attached a copy of the extension order, (# 22A210) RA#2,

I have also attached a recent order in ^(# 280-~~21~~, ~~14~~ 112-212) 1D20-1003 First RA#3 District Court of Appeals, of which my 67 County Criminal remedy litigation believed to be not "directly related" to my Criminal Case. However, subsequent to the Court's grant of extension of time, this order makes me believe that despite divergence, ^{I believe I} I must now disclose my procedural history in a different way. I have alleged missing mail and my records are not in a state of easy disclosure. I am already struggling to complete this, and need more time.

Wherefore an extension of thirty more days is sought.

~~cc~~ Respectfully Submitted
ML

~~CATH AND CERTIFICATE~~

CATH AND CERTIFICATE OF SERVICE

I affirm per Florida Statute § 92.525(2) that the facts stated are true and correct or the best of my knowledge and belief, under penalty

[# 283-71, 75, 164 2/8] page two of eight

US Sup Ct Renewed App of Granted extension

of perjury; and certify that I have provided this "Renewed Application of Granted Extension Seeking 30 more days," to () or (Madison Correctional Institution), for the provision of postage and mailing to: (1) Supreme Court of the United States Office of the Clerk, Washington, DC 20543-0001; (2) Clerk District Court of Appeal of Florida, Fifth District 300 S. Beach Street, Daytona Beach, Florida 32114; (3) office of Governor, ~~the capital~~ Hon. RON DESANTIS, ATTN: Mr. Ryan Newman, General Counsel, The Capitol PL-05, Tallahassee Florida 32399; (4) OFFICE OF ATTORNEY General, Hon. Ashley Moody, The Capitol, PL-01, Tallahassee Florida 32399, on this 7th day of October 2022.

Affiant Hugh Kunselman
Hugh Kunselman

US Sup Ct Renewed App of Granted extension

QUESTIONS PRESENTED FOR REVIEW - Rule 14.1 (C)

WHEN FLORIDA STATUTES, PROCEDURAL, CRIMINAL AND/OR CIVIL PROCEDURE FAILS TO ALLOW COURTS TO APPLY UNAMBIGUOUS LAW TO RECORD FACTS AMOUNTING TO MISTAKE WHETHER BEING ERROR IN ACTION JUDGEMENT OR PERCEPTIONS VERSUS BEING OVERLOOKED IS A DENIAL OF DUE PROCESS OR ABRIDGEMENT OF PRIVILEGES OR IMMUNITIES OF CITIZENS OF THE UNITED STATES BEING A THING - (INTERSTICE) TO THE CONTRARY NOTWITHSTANDING THE SUPREMACY CLAUSE - CONSTITUTION TEXT, KEMP V. UNITED STATES — U.S. —, 142 S. CT. 1856 (2022)?

AND

WHETHER A JUDICIAL DECISION RENDERED ERRONEOUS BY SUBSEQUENT LEGAL OR FACTUAL CHANGES ALSO QUALIFIES AS MISTAKE OR OTHERWISE ABRIDGES PRIVILEGES OR IMMUNITIES OF CITIZENS OF THE UNITED STATES?

AND

WHETHER A STAY OF RIGHT TO CERTIORARI REVIEW OF THE JUDGEMENT IS WARRANTED CONTINGENT ON THE PETITIONER SEEKING TO FULLY PRESENT TO STATE COURT THE DISJUNCTIVE REMEDY QUESTION HALF WAY THERE?

Hugh Husehorn

R.A.# 2

US Sup Ct Renewed App of Granted extension

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D20-1003

HUGH KUNSELMAN,

Appellant,

v.

OFFICES OF GOVERNOR, and
STATE OF FLORIDA, et al.,

Appellees.

R.A.# 3
Page one

On appeal from the Circuit Court for Bradford County.
David P. Kreider, Judge.

September 28, 2022

LONG, J.

Appellant, a prisoner, argues the trial court erred in interpreting his pleading as a postconviction motion and transferring it to the court with jurisdiction over Appellant's criminal case. Appellant further argues his pleading was not a collateral criminal proceeding but was instead an attempt at a civil action to represent other prisoners. We have jurisdiction to hear this appeal because a nonfinal order transferring a postconviction motion to the proper jurisdiction "concern[s] venue." Fla. R. App. P. 9.130(a)(3)(A); *Myrick v. Inch*, 303 So. 3d 269 (Fla. 2d DCA 2020).

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[#283 - [70], [75], [69] 7/8]

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US Sup ct renewed app of granted extension

vs sup ct renewed app of granted extension

“In appellate proceedings the decision of a trial court has the presumption of correctness and the burden is on the appellant to demonstrate error.” *Applegate v. Barnett Bank of Tallahassee*, 377 So. 2d 1150, 1152 (Fla. 1979). Appellant’s filing below was confusing and did not state any proper cause of action—criminal or civil. It was a compilation of various statements without any substance. We cannot say the trial court reversibly erred in its construction of the pleading, and so Appellant has not carried his burden on appeal.

AFFIRMED.

RAY and NORDBY, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.

Hugh Kunselman, pro se, Appellant.

Ashley Moody, Attorney General, and Kristen J. Lonergan, Assistant Attorney General, Tallahassee, for Appellees.

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[#283 - [91], [25], [64] 8/8]

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Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001

Scott S. Harris
Clerk of the Court
(202) 479-3011

September 9, 2022

Mr. Hugh Kunselman
Prisoner ID V20043
Madison Correctional Institution
382 S.W. MCI Way
Madison, FL 32340

Re: Hugh Kunselman
v. Florida
Application No. 22A210

Dear Mr. Kunselman:

The application for an extension of time within which to file a petition for a writ of certiorari in the above-entitled case has been presented to Justice Thomas, who on September 9, 2022, extended the time to and including October 12, 2022.

This letter has been sent to those designated on the attached notification list.

Sincerely,

Scott S. Harris, Clerk

by

Lisa Nesbitt
Case Analyst

R.A. # ~~2~~ ² ~~one~~ ^{one}

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Recd Sept 14, 2022

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Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001

Scott S. Harris
Clerk of the Court
(202) 479-3011

NOTIFICATION LIST

Mr. Hugh Kunselman
Prisoner ID V20043
Madison Correctional Institution
382 S.W. MCI Way
Madison, FL 32340

Clerk
District Court of Appeal of Florida, Fifth District
300 S. Beach Street
Daytona Beach, FL 32014

US suspect renewed app of granted extension

~~RA # 2~~
RA # ~~2~~
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#283 - [91], [75], [64] 5/8

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