

IN THE UNITED STATES SUPREME COURT

MICAH LAMB  
PETITIONER

VS.

FLORIDA DEPARTMENT OF CORRECTIONS  
SECRETARY, RICKY O. DIXON AND  
RESPONDENTS

CASE NUMBER: 22A448

PROVIDED FOR MAILING  
AT CALHOUN CI ON

MAY 24 2023

STAFF INITIALS

INMATE INITIALS

" MOTION TO DIRECT CLERK OF COURT LISA NESBITT TO  
FILE PETITIONER'S OUT-OF-TIME "WRIT OF CERTIORARI"  
PRISON STAMPED MAY 24TH, 2023 WITH ADEVOX; AND  
EQUITABLE TO LL THE TIME AND MAKE WRIT TIMELY  
FILED WHEN THE "TOTALITY - OF - CIRCUMSTANCES" FALL IN  
PETITIONER'S FAVOR OF EXCUSABLE - NEGLECT FOR NOT  
MAKING SUPREME COURT JUSTICE WARREN THOMAS  
MARAT 1ST DEQUINE, WHEN FLORIDA DEPARTMENT OF  
CORRECTIONS WARDEN LYKINS, AND RESPONDENTS  
INTENTIONALLY THRU BAD FAITH CIRCUMVENTED JUSTICE  
THOMAS COURT ORDER GRANTING PETITIONER EXTENSION OF  
TIME, WAS DEFEATED BY THEIR COLLUSION; CREATED A  
UNCONSTITUTIONAL ROADBLOCK FROM FEBRUARY 27TH, 2023  
TO MARAT 1ST, 2023 TO MAY 24TH, 2023 THAT DENIED  
PETITIONER ACCESS TO THE LAW LIBRARY AND TO THE COURT-  
HOUSE, IN A CALCULATED MANNER TO DENY PETITIONER  
THE ABILITY TO CONDUCT ADEQUATE LEGAL RESEARCH AND  
MAKE LEGAL COPIES, REQUIRES THIS COURT TO REINSTATE  
PETITIONER'S CASE BACK ON THE COURT DOCKET UNDER  
F.R.C.P. 60(b)(1,2,6), 15(c)(2), MADE THE INTEGRITY  
OF THE PROCEEDINGS BE DEFECTIVE UNFAIR, AND IS  
NOT THE APPEARANCE OF JUSTICE BEING DONE, OF THIS  
CORRUPTING EFFECT.

AND/OR

" TO CHIEF JUDGE JOHN ROBERTS  
NOTICE TO TAKE JUDICIAL NOTICE  
PURSUANT TO SCT. RULE 22, 30.3 AND 4.

MICAH LAMB J23663 B1, 17C  
CALHOUN CORRECTIONAL  
INSTITUTION  
19562  
INSTITUTIONAL DRIVE  
BLOUNTS TOWN, FLORIDA  
32424

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## "STATEMENT OF FACTS OF THE CASE"

SUPREME COURT JUSTICE CLARENCE THOMAS GRANTED PETITIONER A EXTENSION OF TIME UP AND UNTIL MARCH 1ST, 2023, BUT CALHOUN CORRECTIONAL INSTITUTION LAW LIBRARIAN MICHAEL SAEUL IS UP IN AGE AND HAS HAD BOTH OF HIS KNEES REPLACED, AND HAS A LOT OF FAMILY EMERGENCIES. WHEN THE LAW LIBRARY IS CLOSED THE MAJORITY OF TIME AND COURT DEADLINES IS NO PRIORITY TO CALHOUN CORRECTIONAL OFFICIALS. PETITIONER FILED A (2d) SECOND EXTENSION OF TIME WHICH JUSTICE THOMAS DENIED ON FEBRUARY 27TH, 2023.

RESPONDENTS AND PRISON OFFICIALS HAS COLLUDED AND EXECUTED A UNCONSTITUTIONAL ROADBLOCK TO DENY PETITIONER ACCESS TO THE LAW LIBRARY TO MAKE TIMELY PHOTOCOPIES, AND DENIAL OF ACCESS TO THE COURT TO STOP THE FILING OF THE ATTACHED "WRIT OF CERTIORARI AND APPENDIX", FORCED PETITIONER TO FILE A "INFORMAL GRIEVANCE" TO WARDEN LYKIN, FOR HELP ON GETTING PLACED BACK ON THE LAW LIBRARY COURT DEADLINE SEE PAGE 4 OF THIS MOTION, THAT DID NOT WORK, SEE GALLARDO V. DICAPRIO, 203 F.SUPP. 1160, 1166 (CAL. 2002) ("... BY INACTION AND COVER-UP, STATED CLAIM AGAINST THE WARDEN"), AND PETITIONER WAS NOT GIVEN A D.O.R. = DISCIPLINARY INFRACTION REPORT, FOR LYING TO STAFF ABOUT HAVING A MARCH 1ST, 2023 DEADLINE FROM THE UNITED STATES SUPREME COURT DEADLINE CAUSED PETITIONER TO FILE HIS "WRIT OF CERTIORARI", MARCH 13TH 2023 PRISON DATE STAMPED.

PRISON OFFICIALS UNCONSTITUTIONALLY HELD - OVER THE (15) FIFTEEN DAYS THE DATED FEBRUARY 27TH, 2023 "INFORMAL GRIEVANCE" THAT HAS A DENIAL RETURN DATE PRINTED ON IT STATING MARCH 2d, 2023, BUT WAS GIVEN TO PETITIONER BY MR. OFFICER LIPSTAD IN BL-DOEM, ON SURVEILLANCE CAMERAS MARCH 21ST, 2023, CAUSED PETITIONER NOT TO BE ABLE TO USE "THIS EXHIBIT EVIDENCE" DURING THE INITIAL FILING OF THE "WRIT OF CERTIORARI", HIGHLIGHTS THE ORIGIN OF "THE MANIFEST INJUSTICE".

PETITIONER IS "ACTUALLY INNOCENT" OF ALL CHARGES AND HAS BEEN FALSELY ARRESTED AND IMPRISONED AND UNLAWFULLY AND ILLEGALLY DETAINED FROM HIS FAMILY, WHICH PETITIONER'S "WRIT OF CERTIORARI" AND "NEWLY DISCOVERED EVIDENCE" APPENDIX 135A, TOTALLY REFUTES THE GOVERNMENT'S EVIDENCE, VOIDING THE PRESUMPTION OF GUILT, WHEN PETITIONER DID NOT SHOT THE AK-47 ASSAULT AND WAS NOT A PARTICIPANT UNDER ANY CIRCUMSTANCES WHEN ALLEGED CO-DEFENDANT AARON LAMB CONFESSED TO SHOOTING THE AK-47 ASSAULT RIFLE, AND THAT BETTY MCQUEENY WAS THE PERSON DRIVING THE CHEVY LUMINA AND WAS SHOOTING THE 9mm HANDGUN OUT THE PASSENGER DOOR, SEE MOFFET V. KOLB, 930 F.2d 1156 (FN2) (CA-11) ("COUNSEL FAILURE TO PRODUCE (2) TWO STATEMENTS SHOWING OTHER PERSON FIRED GUN WAS INEFFECTIVE"); SEE APPENDIX 135A, SEE COLEMAN V.

(FN1) ("EYEWITNESS MR. LEWIS E. WILLIAMS SEE APPENDIX 159A SEEN THE SUSPECT DRIVING THE CHEVY LUMINA LOOKING THRU BOTH CLEAR WINDSHIELDS THE DRIVER HAD HAIR BRAIDS PLATS; BETTY MCQUEENY RAVENS HAIR BRAIDS PLATS, SEE BETRAN V. COCKRELL, 294 F.3d 730 (5th, 2002) ("ATTORNEY FAILED TO USE EXCULPATORY EVIDENCE RELATED TO AN EYE WITNESS IDENTIFICATION").

HAROLY, 628 F.3d 314, 320 (7th Cir. 2010) ("CO-DEFENDANT ASSERTED THAT ANOTHER MAN WAS INVOLVED IN THE MURDER, AND THE MURDER WAS RELATED TO A BAD DRUG DEAL, EVIDENTIARY HEARING WAS WARRANTED PRESUMPTION OF CORRECTNESS UNREASONABLE § 2254 (e)(2)(B)"); IF THIS COURT ALLOWS PETITIONER TO FILE HIS "WRIT OF HABEAS CORPUS AND APPENDIX" BACK TO THIS COURT AND EQUITABLE. TOLL IT'S TIME TO MAKE IT TIMELY DUE TO RESPONDENT'S BAD-FACIT MISCONDUCT HEREIN CITED, WOULD CREATE THE APPEARANCE OF JUSTICE BEING DONE UNDER AND PURSUANT TO F.R.E.P. 60(b)(1, 2, 6), 15(c)(2) SET. RULE 22, 30.3 AND 4 WHEN CLERK OF COURT LISA WESTBET DATED MAY 2d, 2023 LEGAL CORRESPONDENCE TELLS PETITIONER TO FILE THIS LEGAL INSTRUMENT RECEIVED AT CALHOUN CORRECTIONAL LEGAL MAIL, MAY 9TH, 2023 SEE, NARA V. FRANK, 488 F.3d 187, 193-194 (3d Cir. 2007) CERT. DENIED 128 S.Ct. 1869 (2008) ("EXCUSABLE NEGLIGENCE, GRANTED").

COMES NOW THE PETITIONER MICHAEL LAMBS, PRO SE, HEREBY  
TIMELY FILES THIS MOTION PURSUANT TO A LEGAL CORRESPONDENCE  
PETITIONER RECEIVED AT CALHOUN CORRECTIONAL INSTITUTION LEGAL  
MAIL WINDOW MAY 9TH, 2023, A TUESDAY, OF DATED MAY 24,  
2023 OF CLERK OF COURTS LEGAL FILING IS INTENDED TO  
PURSUANT TO F.R.C.P. 60(b)(1,2,6), 15(c)(2), SET. RULES 22, 30.3  
AND 30.4 IS INVOKED UNDER THE "INTEREST OF JUSTICE" STANDARD,  
AND TO AVERT A "MANIFEST OF INJUSTICE" TO A CLEAR ERROR OF  
LAWS, SEE, AS FOLLOWS:

" MOTION TO DIRECT CLERK OF COURT LISA NEBBITT TO FILE  
PETITIONER'S OUT-OF-TIME "WRIT OF HABEAS CORPUS", PRISON STAMPED  
MAY 24TH, 2023 WITH APPENDIX, AND EQUITABLE, TOLL THE TIME  
AND MAKE WRIT TIMELY FILED, WHEN THE TOTALITY-OF-CIR-  
CUMSTANCES FALL IN PETITIONER'S FAVOR OF EXCUSABLE -  
NEGLECT FOR NOT MAKING SUPREME COURT JUSTICE CHARLES  
THOMAS MARCH 1ST DEADLINE, WHEN FLORIDA DEPARTMENT OF  
CORRECTIONS WARDEN LYKINS' AND RESPONDENTS' INTENTION-  
ALLY THRU BAD-FAITH CIRCUMVENTED JUSTICE THOMAS COURT  
ORDER GRANTING PETITIONER EXTENSION OF TIME, WAS DEFEATED  
BY THEIR COLLUSION, CREATED A UNCONSTITUTIONAL ROADBLOCK  
FROM FEBRUARY 27TH, 2023 TO MARCH 1ST, 2023, TO  
MAY 24TH, 2023 THAT DENIED PETITIONER ACCESS TO THE  
LAW LIBRARY AND TO THE COURTHOUSE IN A CALCULATED  
MANNER TO DENY PETITIONER THE ABILITY TO CONDUCT  
ADEQUATE LEGAL RESEARCH AND MAKE LEGAL COPIES,  
REQUIRES THIS COURT TO REINSTATE PETITIONER'S CASE  
BACK ON THE COURT DOCKET UNDER F.R.C.P. 60(b).  
(1,2,6), 15(c)(2) MAKE THE INTEGRITY OF THE PROCEEDINGS  
BE DEFECTIVE UNFAIR, AND IS NOT THE APPEARANCE OF  
JUSTICE BEING DONE, OF THIS CORRUPTING EFFECT.

AND/OR

" TO CHIEF JUDGE JOHN ROBERTS  
NOTICE TO TAKE JUDICIAL NOTICE  
PURSUANT TO SET. RULE 22, 30.3 AND 4.

(1). PETITIONER HAS BEEN PRESUMED BY RESPONDENTS' AND FLORIDA  
DEPARTMENT OF CORRECTIONS' WARDEN LYKINS' INACTION, COVER-UP,  
FAILURE TO INVESTIGATE, WHEN PETITIONER TIMELY FILED A  
REQUEST FORM ON SURVEILLANCE CAMERAS IN THE LAW  
LIBRARY, ON OR ABOUT FEBRUARY 12TH, 2023 WAS CAPTURED;  
THAT RECORDS EVERYBODY THAT ENTERS AND STAYS AS PETITIONER  
GAVE LAW CLERK RICHARD, SUPREME COURT JUSTICE CHARLES  
THOMAS MARCH 1ST, 2023 COURT DEADLINE TO BE REGISTERED  
FOR, AND AS A DEADLINE FOR ME TO BE PLACED ON CALL-OUTS TO  
THE LAW LIBRARY HAPPEVED FROM FEB. 12TH, 2023 AND STOPPED  
FOR UNKNOWN REASONS, FEBRUARY 25TH, 2023, PROMPTED PETI-  
TIONER TO FILE A "INFORMAL GRIEVANCE" TO WARDEN LYKINS, SEE,  
APPENDIX 11A, SEE GALLARDO V. O'CARLO 203 F.SUPP. 1160, 1166  
(CAL. 2002) "... BY INACTION AND COVER-UP, STATED CLAIM AGAINST  
WARDEN LYKINS IS A DENIAL OF ACCESS TO THE LAW LIBRARY AND A  
DENIAL OF ACCESS TO THE COURT, SEE MACDONALD V. HALL 610  
F.2d 16 (1st Cir. 1979), BROWDY V. MATHER, 335 F.SUPP. 2d 15 (D.C. Cir.

2005); BAY AREA FUND V. FERBAR CORP., 118 SOT. 542, N.  
[5] (1997) ("CAUSE OF ACTION ACCURED WHEN PLAINTIFF HAD A  
COMPLETE AND PRESENT CAUSE OF ACTION AND CAN FILE SUIT  
AND OBTAIN RELIEF, COURT REVERSED THE DENIAL"); HOOKS V.  
WAIN WRIGHT, 352 F. SUPP. 163 N. [1-10] (JACKSONVILLE, FLORIDA  
1972); JOHNSON V. WEL, 152 FED APPX. 403 (5th Cir. 2005); PETITIONER  
HAD A WELL-FOUNDED FEAR THAT RESPONDENTS' INEQUITABLE  
MISCONDUCT WAS INJURIOUS AND AFOOT, FILED THIS "INFORMAL  
GRIEVANCE #105-2302-0094 FILED TIMELY FEBRUARY 27TH  
2023 OF THE "CORRUPTING EFFECT" THAT WRONGLY AND ILLEGALLY  
INTERFERED WITH THIS COURT'S JURISDICTION ON PETITIONERS  
ATTACHED "WRIT OF HABEAS CORPUS PLUS EXHIBITS UNDER 28 U.S.C.  
§1254(1) WARRANTS THIS COURT IN EQUITABLE JUDGING THE  
TIME TO MAKE PETITIONERS "WRIT OF HABEAS CORPUS" AND AFFIDAVIT"  
BE TIMELY FILED, SEE, NARA V. FRANK, 488 F.3d 187, 193-194  
(3d Cir. 2007) CERT. DENIED 128 SOT. 1869 (2008) ("THE TEST FOR  
**EXCUSABLE NEGLIGENCE** IS EQUITABLE AND REQUIRED US TO WEIGH  
THE TOTALITY OF CIRCUMSTANCES, SEE, WELCH AND FORBES INC.  
V. CONSENT, 234 F.3d 166, 171 (3d Cir. 2000) ("CITING PIONEER  
V. BRUNSWICK, 113 SOT. 1489 (1993) SEE, AS FOLLOWS:

(FN2) (PETITIONER SOUNDED THE ALARM, ON FEBRUARY 27TH 2023  
TO ALERT THE PRISON WARDENS TO GET INVOLVED TIMELY, ALLOWED THRU  
THEIR NEGLIGENCE LAW LIBRARIAN MICHAEL SABEL CONSPIRACY-  
ERATORIAL COLLUSION, WITH RESPONDENTS' ILLEGAL MISCONDUCT  
TRAINED THIS COURT'S MARCH 30TH'S 2023 LEGAL ADJUDICATION  
PROCESS AS A JUDICIAL ERROR, WHEN RECORD EVIDENCE SHOWS  
RESPONDENTS' HAD ALSO, A (2d) CHANCE TO FIX THE PROBLEM,  
BECAUSE PER SE FLORIDA CHAPTER 33-103.006 FAC . . . . .  
CC; RETAINED BY OFFICIAL RESPONDING OR IF THE RESPONSE IS  
TO AN "INFORMAL GRIEVANCE" THEN TO BE PLACED IN INMATE  
FILE; MADE IT VERY BIZARRE AND INTERESTING WHEN RESPONDENTS  
CAN NOT ATTACH TO THEIR RESPONSE A D.R. DISCIPLINARY REPORT  
FROM DOC. OFFICIALS CHARGING PETITIONER WITH LYING TO STAFF  
OR MAKING MISSTATEMENTS OF PETITIONER NOT HAVING A MARCH 1ST,  
2023 UNITED STATES SUPREME COURT OF AMERICA DEADLINE,  
SEE, ANDERSON V. U.S., 948 F.2d 204 (11th Cir. 1991)).

## INMATE REQUEST

STATE OF FLORIDA  
DEPARTMENT OF CORRECTIONSMail Number: Library  
Team Number: \_\_\_\_\_  
Institution: \_\_\_\_\_

105-2302-0094

TO:  
(Check One)☒ Warden  
☒ Asst. Warden☐ Classification  
☐ Security☐ Medical  
☐ Mental Health☐ Dental  
☐ Other

Due: 3/7/23

|       |                                    |                            |                            |                                 |                        |
|-------|------------------------------------|----------------------------|----------------------------|---------------------------------|------------------------|
| FROM: | Inmate Name<br><u>MICHAEL LAMB</u> | DC Number<br><u>J23663</u> | Quarters<br><u>B2, 20C</u> | Job Assignment<br><u>PRISON</u> | Date<br><u>2/27/23</u> |
|-------|------------------------------------|----------------------------|----------------------------|---------------------------------|------------------------|

REQUEST INFORMAL GRIEVANCECheck here if this is an informal grievance ☒

I SHOWED LAW CLERK RICHARD, MY COURT - ORDERED  
DEADLINE FOR THE UNITED STATES SUPREME COURT -  
- UP - TO - MARCH 1ST, 2023, HE WAS PUTTING  
ME ON THE CALL OUT. BUT AROUND  
FEBRUARY 23-28, 2023 A THURSDAY HE TOOK ME OFF,  
THEREFORE THIS CONSTITUTES A DENIAL OF ACCESS TO  
THE COURTS. SEE, BROWN V. MATHER, 335 F. SUPP. 2d 145  
(9.C. CIR. 2005); MACDONALD V. HALL, 616 F.2d 16 (1ST CIR. 1979)  
FOR DAMAGES IN THE AMOUNT OF \$80,000,000.00.  
PRESERVE ALL SURVEILLANCE FOOTAGE IN THE LAW LIBRARY, ON ABOVE DAYS.

All requests will be handled in one of the following ways: 1) Written Information or 2) Personal Interview. All informal grievances will be responded to in writing.

Inmate (Signature): MICHAEL LAMBDC#: J23663

Received

FEB 28 2023

DO NOT WRITE BELOW THIS LINE

## RESPONSE

DATE RECEIVED:

Calhoun CI

THIS GRIEVANCE IS BEING RETURNED WITHOUT PROCESSING WHERE SUCH IS BEING  
USED TO SEEK INFORMATION OR ASSISTANCE. 33-103.014(1)(V), THE PROPER  
PROCEDURE TO REGISTER A DEADLINE IS TO PUT IN A REQUEST FOR  
SUCH AND THERE IS NO SUCH REQUEST ON FILE, THE LAST REQUEST FROM  
YOU WAS RECEIVED ON 1/21/23 AND SUCH DID NOT INDICATE A DEADLINE  
YOU WERE SCHEDULED ON 1/31/23, AND MADE LEGAL COPIES, SEE, ATTACHED,  
THE LAST DEADLINE ON FILE WAS ON 9/28/22 AND ENDED ON 10/6/22,  
SEE ATTACHED, AND SINCE THEN YOU HAVE BEEN ON THE LAW LIBRARY CALL OUT,  
SEE, ATTACHED, TO GIVE YOU ACCESS TO THE COURT, THUS SUCH IS RETURNED.

[The following pertains to informal grievances only:]

Based on the above information, your grievance is RETURNED. (Returned, Denied, or Approved). If your informal grievance is denied, you have the right to submit a formal grievance in accordance with Chapter 33-103.006, F.A.C.]Official (Print Name): M. SavellOfficial (Signature): M. SavellDate: 3-2-23

Original: Inmate (plus one copy)

CC: Retained by official responding or if the response is to an informal grievance then forward to be placed in inmate's file

This form is also used to file informal grievances in accordance with Rule 33-103.005, Florida Administrative Code.

Informal Grievances and Inmate Requests will be responded to within 15 days, following receipt by staff.

You may obtain further administrative review of your complaint by obtaining form DC1-303, Request for Administrative Remedy or Appeal, completing the form as required by Rule 33-103.006, F.A.C., attaching a copy of your informal grievance and response, and forwarding your complaint to the warden or assistant warden no later than 15 days after the grievance is responded to. If the 15th day falls on a weekend or holiday, the due date shall be the next regular work day.

DC6-236 (Effective 11/18)

Incorporated by Reference in Rule 33-103.005, F.A.C.

(2) THE "INFORMAL GRIEVANCE" WAS LATE GIVEN BACK TO PETITIONER, WHICH RESPONDENTS' DUE DATE AFTER THE (15) FIFTEEN DAYS' HAD EXPIRED, WAS DUE BACK TO PETITIONER ON FEBRUARY 13TH, 2023. MRS. OFFICER LITFORD, ON B-DORM SURVEILLANCE CAMERAS' PLACED EVIDENCE IN THE WINDOW ON OR ABOUT FEBRUARY 21ST, 2023, MAKES THE NEW FACTS BE UNAVAILABLE, UNTIL NOW.

THE RESPONDENTS' RESPONSE IS A GREAT AND CLASSIC EXAMPLE OF FRAUD - ON - THE - COURT, AND THAT'S WHY PETITIONER RELIES ON, B-DORM AND THE LAW - LIBRARY - SURVEILLANCE - CAMERAS' TO SHOW PETITIONER WAS IN THE LAW - LIBRARY, AND GAVE LAW - CLERK RICHARD JUSTICE THOMAS MARCH 1ST, 2023 DEADLINE, WILL REFUTE RESPONDENTS' ALLEGATIONS, AND SHOW PETITIONER WAS ON A LEGAL - DEADLINE, SEE, INGLE EX. REL. ESTATE V. VEDON, 439 F.3d 191, 196 (4th Cir. 2006); STEVERSON V. GLOBAL SANTA CORP. 508 F.3d 300, 305-306 (11th Cir. 2007) ("GRANTED F.R.C.P. 60(b) WHEN COURT DID NOT HOLD A HEARING TO RESOLVE THESE CONFLICTING STORIES"); HARRIS V. NELSON, 89 S.Ct. 1082 N.[2] (1969); U.S.V. BUTT, 731 F.2d 75, 77 (1st Cir. 1984) ("SWORN EX PARTE STATEMENTS BY GOVERNMENT DO NOT JUSTIFY SUMMARY DISMISSAL IN ABSENCE OF FULL RECORD OF PRIOR PROCEEDINGS"); TELEGIZ V. REASON, 689 F.3d 322, 326 (4th Cir. 2012) ("CITING WILLIAM V. TURIN, 87 F.3d 1204, 1211 (FNS) (11th Cir. 1997) ("DISTINGUISHING AN EVIDENTIARY HEARING TO PRESENT NEW EVIDENCE TO SUPPORT PRIMARY CLAIM"); I.E. PETITIONERS' WRIT OF CERTIORARI, FILED IN THIS COURT MARCH 30, 2023.

(3) JURISTS OF REASON COULD DEBATE AND SAY THAT RESPONDENTS' INEQUITABLE - MISCONDUCT WAS WRONG, AND DISPLAYS A DENIAL OF A COVER-UP, TO CIRCUMVENT JUSTICE THOMAS MARCH 1ST, 2023 COURT ORDER DEMANDING FOR PETITIONER TO FILE HIS "WRIT OF CERTIORARI AND APPENDIX, HAS CAUSED A "MANIFEST INJUSTICE" THAT HAS CAUSED PETITIONER TO BE EXCUSED FOR MISSING THE COURT'S MARCH 1ST, 2023 DEADLINE WAS NOT DONE ON PURPOSE, BUT WAS DONE THRU A FULLY - FLEDGE RETALIATORY - AMISS OF PERSECUTING PETITIONER FOR FILING A "MOTION FOR EXTENSION OF TIME" THAT WAS GRANTED BY JUSTICE THOMAS UP UNTIL MARCH 1ST, 2023, HAD OPENLY EXPOSED THAT THE (11TH) EIGHTH CIRCUIT COURT OF APPEALS, HAD SENT PETITIONER THE WRONG DENIAL COURT ORDER UNDER THE NAME OF: RICHARD HUNSTEIN V. PREFERRED CAUSATION, CASE NUMBER: 19-14434 IS ANOTHER ROAD - BLOCK USED BY RESPONDENTS TO DENY PETITIONER FIRST TO ACCESS TO THE COURTS, THAT WOULD JUSTIFY JURISTS OF THIS COURT TO GRANT THIS MOTION, THAT JURISTS WOULD FIND IT DEBATABLE WHETHER THIS PETITION STATED A VALID CLAIM OF THE DENIAL OF A CONSTITUTIONAL RIGHT, AND WHETHER THE RESPONDENTS AND FLORIDA DEPARTMENT OF CORRECTIONS PRISON OFFICIALS WAS CORRECT IN DENYING PETITIONER ACCESS TO THE PRISON LAW LIBRARY, ESPECIALLY WHEN PETITIONER SOUNDED THE ALARM TO WARDEN LYKENS, AND THEY TURNED THE BLIND-EYE AND ALLOWED PETITIONER TO BE INMATED BY THE UNITED STATES SUPREME COURT NOT ACCEPTING PETITIONERS' "WRIT OF CERTIORARI AND APPENDIX", RECEIVED, DATED

(FN3) "BEFORE YOU COME IN YOU MUST SIGN-IN UNDER YOUR NAME ON THE FIRST (1ST) CLIP-BOARD IS FOR THE LIBRARY TO WATCH MOVIES; THE (2d) SECOND CLIP-BOARD HAS MY NAME, AND DL = DEADLINE, WEREAS EACH PRISONER SIGN WOULD SHOW I SIGNED BACK-TO-BACK WITHIN (4) DAYS ON STARTING ON FEBRUARY 13, 2023 FOR JUSTICE THOMAS MARCH 1ST, 2023 DEADLINE"; LEWIS V. STATE, 142 So.3d 879 (FLA. 1ST DCA 2014); COLLINS V. HENDERSON, 26566, AT 4, (11th Cir. 2003).

MARCH 30TH, 2023 OF PETITIONER'S ACTUAL INNOCENCE CLAIMS THAT WOULD REQUIRE RETROACTIVE TO BE EXPOSED TO A UNLAWFUL SEARCH AND SEIZURE TORT BY OMITTING EXONERATING EXCULPATORY EVIDENCE SAYING BY ALLEGED CO-DEFENDANT AARON LAMB, SEE, APPENDIX 135A, 154 THAT AARON LAMB SHOT THE AR-47 ASSAULT RIFLE AND THAT BETTY MCOWFEY WAS THE DRIVER OF THE CHEVY LUMINA WHICH SHE ALWAYS WEARS HER HAIR IN HAIR-BRAIDS/RAT WHEN PETITIONER MICAH LAMB HAD NEVER IN HIS LIFETIME HAS NEVER HAD BRAIDS/PLAITS, IS "NEWLY DISCOVERED EVIDENCE" MAKES TRIAL COUNSEL DAVID MARKKA ESA. ALSO, **LIABLE AND INEFFECTIVE** BECAUSE HE **COLLUSIONED** WITH THE GOVERNMENT AND POLICE AND FAILED TO UTILIZE THIS EXONERATING EVIDENCE IN HIS FILED MOTION TO SUPPRESS!! **FIREARMS AND \$24,000.00**, SEE **MOFFETT V. KOLB**, 930 F.2d 1156 (12th Cir. 1994) ("COUNSEL FAILURE TO PRODUCE (2) TWO STATEMENTS SHOWING OTHER PERSON FIRED GUN WAS INEFFECTIVE"); **BELTRAN V. COCKRELL**, 294 F.3d 730 (5th Cir. 2002) ("ATTORNEY FAILED TO USE EXCULPATORY EVIDENCE RELATED TO AN EYEWITNESS IDENTIFICATION"); **COLEMAN V. HARVEY**, 628 F.3d 314, 320 (7th Cir. 2010) ("CO-DEFENDANT ASSERTED THAT ANOTHER MAN WAS INVOLVED IN THE MURDER, AND THE MURDER WAS RELATED TO A BAD DRUG DEAL, EVIDENTIARY HEARING WAS WARRANTED PRESUMPTION OF CORRECTNESS UNREASONABLE, § 2254(c)(2) (B)"); **ANDERSON V. U.S.**, 948 F.2d 704 (11th Cir. 1991); **KOSKELA V. U.S.**, 235 F.3d 1148 (8th Cir. 2001); AND WAS **OMITTED** OUT OF LEAD DETECTIVE RAYMOND P. CRENS (5589) SEARCH WARRANT AND AFFIDAVIT SEE, APPENDIX 32A-58A IS PART OF RESPONDENT'S REASONS OF COMMITTING THE DENIAL OF ACCESS TO THE COURT, AND LAW LIBRARY PHOTO-COPYING MACHINE; IS A UNREASONABLE APPLICATION OF FEDERAL LAWS AND A DENIAL OF PETITIONER'S PROTECTED RIGHTS OF THE 1ST, 2D, 4TH, 5TH, 6TH, 7TH, 8TH, AND 14TH AMENDMENTS OF THE UNITED STATES CONSTITUTION SEE, **U.S. V. SIMMONS**, 771 F. SUPP. 2d 908 (IL. 2011) ("OFFICER **OMITTED** MATERIAL INFORMATION, GOOD-FAITH EXCEPTION TO THE EXCLUSIONARY RULE DID NOT APPLY"); **U.S. V. LULL**, 824 F.3d 109, 117 (4th Cir. 2016); **U.S. V. MCNEAL**, 82 F. SUPP. 2d 945, 954 (7th Cir. 2000); **U.S. V. REILLY**, 76 F.3d 1271, 1280 (2d Cir. 1996) (SAME); **TELEGUZ V. PEARSON**, 689 F.3d 322, 331 (4th Cir. 2012) ("DISTRICT COURT **ERRONEOUSLY** APPLIED ITS **SETUP** ANALYSIS TO BOTH PROCEDURAL DEFAULTED CLAIM RATHER THAN THE **HISTORICALITY OF THE EVIDENCE**" CITING **COLEMAN V. HARVEY**, 628 F.3d 314, 320 (7th Cir. 2010); **U.S. V. GLOVER**, 755 F.3d 811, 814 (5th Cir. 2014) ("THE **OMISSION** FROM THE AFFIDAVIT DEPRIVED THE MAGISTRATE OF HIGHLY RELEVANT INFORMATION

(FN4) ("EYEWITNESS MR. LEWIS WILLIAMS GROUND #16 SEE, APPENDIX 121A, "EXCITED UTTERANCE" TIMELY FILED IN PETITIONER'S § 2254 IN (2009) SEE, F.R.E.P. 60(2,6), 15(c)(2) **BUCK V. DAVIS**, 137 S.Ct. 759 (2017); **ERICKSON V. PAROUS**, 127 S.Ct. 2197 (2007) ("LIBERALLY CONSTRUCTED AND SE PETITIONER").

THAT TENDS TO UNDERMINING (LEAD DETECTIVE R.P. OWENS) SEARCH WARRANT AFFIDAVIT SEE APPENDIX 42A-44A) DOES CREDIBILITY AND THIS THE PROBABLE DETERMINATION ... THAT PRIVILEGE DOES **NOT EXTEND TO (WHOLESALE OMISSION)** OF DAMAGING CREDIBILITY INFORMATION ... BECAUSE THE OFFICER'S AFFIDAVIT **OMITTED: (S) FIVE POLICE AUDIO TAPE CONFESSIONS OF AARON LAMB** SEE APPENDIX 135A ALL CREDIBILITY INFORMATION IN THIS CASE THE MAGISTRATE HAD NO MEANINGFUL OPPORTUNITY TO EXERCISE HIS OR HER DISCRETION TO DRAW FAVORABLE OR UNFAVORABLE INFERENCES SEE GATES, 462 U.S. AT 240, 10 819 CITING OWENS V. U.S., 387 F.3d 607, 610 (7 Cir. 2004) ("COUNSEL WAS INEFFECTIVE IN ARGUING WHAT SHOULD HAVE BEEN A SUCCESSFUL MOTION TO SUPPRESS" THE EVIDENCE FOUND IN PETITIONER'S HOME BECAUSE THE WARRANT WAS BASED ON A (BARE BONES AFFIDAVIT) THAT DID NOT ESTABLISH PROBABLE CAUSE, WE HELD THAT THE AFFIDAVIT WAS SO INADEQUATE THAT THE GOOD-FAITH EXCEPTION DID NOT APPLY AND GRANTED HABEAS CORPUS RELIEF UNDER 28 U.S.C.A. **\$2755 BASED ON INEFFECTIVE ASSISTANCE OF COUNSEL ON A FAILED MOTION**") CONTROLS AND PREDICATES PETITIONER'S POSITION THAT HE IS UNACTUALLY INNOCENT, JUSTIFIES JURISTS' SAYING THE ISSUES AND GROUNDS PRESENTED ARE NEW FACTS RIFE THAT ARE ADEQUATE TO DESERVE ENCOURAGEMENT TO PROCEED FURTHER IN LIGHT OF ALL THE EVIDENCE, IT IS MORE LIKELY THAN NOT THAT NO REASONABLE JURISTS OR JURISTS WOULD NOT HAVE CONVICTED PETITIONER BEYOND A REASONABLE DOUBT BUT ACQUITTED PETITIONER OF ALL CHARGES, AND GRANT THIS F.R.P. 60 (b)(1,2,6), 15 (c)(2) AND EQUITABLE TO ALL PETITIONERS TIME IN THE "INTEREST OF JUSTICE" BY ALLOWING PETITIONER THE ABILITY TO FILE AND ROCKET THE ATTACHED OUT-OF-TIME "WRIT OF HABEAS AND APPENDIX" IN THIS COURT WOULD AVERT THE APPARENT MANIFEST INJUSTICE AND CLEAR ERRORS OF LAW "SEE BROUDY V. MATHER, 335 F.SUPP.2d 1-5 (D.C. CIR. 2005)" ... A MOTION FOR RECONSIDERATION SHOULD BE GRANTED ONLY IF THE COURT FINDS THAT THERE IS AN INTERVENING CHANGE OF CONTROLLING LAW, THE AVAILABILITY OF NEW EVIDENCE, OR THE NEED TO CORRECT A CLEAR ERROR, OR PREVENT A "MANIFEST INJUSTICE" FIRESTONE V. FIRESTONE, 76 F.3d 1205, 1208 (D.C. CIR. 1996) IN OTHER WORDS, THE MOVING PARTY MUST SHOW NEW FACTS OR CLEAR ERRORS OF LAW WHICH COMPEL THE COURT TO CHANGE ITS PRIOR NATIONAL CIR. FOR MFG. SERVICES V. 000, 199 F.3d 507, 511 (D.C. CIR. 2000) ("GRANTED MOTION ON CLEAR ERRORS OF LAW"); PATTERSON V. CRABB, 914 F.2d 1179, 1180 (7 Cir. 1990) ("THE EXERCISE OF THE POWER IS UNPROBLEMATIC IN A CASE SUCH AS THIS WHERE THE APPELLANT THROUGH JUDICIAL ERROR NEVER OBTAINED A HEARING OF HIS APPEAL AND THE APPELLEE DOES NOT CONTEND THAT HE WILL BE HARMED BY THE REOPENING OF THE MATTER"); AMERICAN IRON AND STEEL INSTITUTE V. ENVIRONMENTAL PROTECTION

AGENCY, 560 F.2d 589, 593-595 (3d Cir. 1977) (same); MARSHALL V. JERROLD,  
 100 S.Ct. 1610 (1980) MAINTAINS THE INTEGRITY OF THE UNITED STATES  
 SUPREME COURT OF AMERICA PROCEEDINGS, BE THINLY SPUN, AND  
 DEFENSIVE, SEE HUNT V. U.S., 287 F.2d 828 (11th Cir. 2008).  
 ("GRANTED 60(b) REMEDY FOR DEFECTS IN HIS § 2255"); GRACIA  
V. PORTUONDO, 334 F.3d 446, 452-456 (2d Cir. 2004); FINCH  
V. MCKAY, 914 F.3d 292, 298 (4th Cir. 2019); BROWNING V. WAINWRIGHT,  
 785 F.2d 1457, 1466 (11th Cir. 1986); BUCK V. DAVIS, 137 S.Ct. 759 (2017);  
FINLEY V. JOHNSON, 243 F.3d 215, 220-222 (5th Cir. 2001); STAN V.  
OUTGER, 901 F.2d 893 (11th Cir. 1990) ("GRANTED IAC, DUE TO HIS  
 ILLEGAL COLLUSION"); BERGER V. U.S., 55 S.Ct. 629 (1935);  
WEST VIRGINIA OIL AND GAS CO. V. GEORGE E. BREECE LUMBER  
CO., 213 F.2d 702 (5th Cir. 1954) ("GRANTED 60(b) ON MISTAKE");  
U.S. V. WASHINGTON, LEIS 1481 AT 6, (18 Cir. 1999) ("GRANTED  
 60(b) ON EXCUSABLE NEGLIGENCE"); GARVEY V. VAUGHAN, 993 F.2d  
 776, 780 (11th Cir. 1993); VEG-MIL INC. V. U.S. DEPT. OF AGRICULTURE  
 832 F.2d 601, 609 (D.C. Cir. 1987); U.S. V. WARD, 696 F.2d 1315,  
 1318 (FN3) (11th Cir. 1983); MEGETT V. WAINWRIGHT, 642 F.2d  
 95, 97 (5th Cir. 1981); U.S. V. UMFRESS, 562 F.2d 359, 360 (5th Cir.  
 1977) (same); REQUEST JURISTS OF THIS COURT TO INVOKE THE  
 "INTEREST OF JUSTICE DOCTRINE" AND GRANT THIS MOTION, SEE,  
CHRISTIAN COIT V. OPERATING CORP., 108 S.Ct. 2166 (1998); CULEN V.  
U.S., 194 F.3d 401, 408 (2d Cir. 1997) ("REVERSED TO DISPLAY A  
 APPEARANCE OF JUSTICE"); BOYCE V. AUZAOUTH, 595 F.2d 948  
 (4th Cir. 1979) ("OVERCAME A CHARGE OF FRIVOLOUSNESS  
 TO NECESSITATE A RESPONSE FROM THE DOCTOR"); LAUREN V.  
PERINI, 424 F.2d 134, 142 (6th Cir. 1970) NO RECORDS, ARE FILES  
 CAN NOT REFUTE PETITIONERS TRUE ALLEGATIONS, THAT, BUT  
 FOR NOT FLORIDA DEPARTMENT OF CORRECTIONS' LAW  
 LIBRARIAN MICHAEL SAVELL AND WARDEN LYNN'S INACTIONS  
 OF PREVENTING PETITIONER FROM TIMELY FILING HIS "WRIT  
 OF CERTIORARI" ON MARCH 1ST 2023 BUT ON MARCH 17TH,  
 2023, ARE GUILTY OF MISCONDUCT, THAT "REQUIRES JURISTS"  
 UNDER F.R.C.P. 60(b)(6) TO GRANT THIS MOTION UNDER THE  
 "EXCUSABLE NEGLIGENCE DOCTRINE" SEE, DUPART V. U.S., 541 F.2d 1148  
 (6th Cir. 1973); CARTER V. WASHINGTON METRO AREA TRANSIT AUTH.,  
 503 F.3d 143, 145 (FN2) (D.C. Cir. 2007); PETITIONER ALSO REQUESTS  
 THAT THIS ENTIRE APPEAL PACKAGE BE DIRECTED TO CHIEF JUSTICE  
 ROBERTS, SEE, NARA V. FRANK, 488 F.3d 187, 193-194 (3d Cir. 2007)  
 CERT. DENIED 128 S.Ct. 1869 (2009) ("F.R.C.P. 60(b) GRANTED  
 UNDER EXCUSABLE NEGLIGENCE"); HILL V. FED. JUDICIAL CIR., 238 F.2d  
 622, 628 (D.C. Cir. 2007) ("CITING CASSELL V. MICHAUX, 240  
 F.2d 406, 407-408 (D.C. Cir. 1956), SEE, PETITIONER'S ATTACHED  
 "WRIT OF CERTIORARI AND APPENDIX", THAT THIS COURT SHOULD  
 FILE, DOCKET, AND HEAR THE "ACTUAL INNOCENT MERITS".

(4). PETITIONER ALSO REQUEST THAT CHIEF JUDGE JOHN ROBERTS, TO TAKE JUDICIAL NOTICE OF THIS INSTANT HEARING, SEE, KIRK V. DAVIS, 971 F.3d 939 (CA2) (9 CIR. 2019); CORTEZ V. SUN HOLDING, 949 F.2d 424 (2d CIR. 1991) CERT. ~~DEVIED~~ 112 SCT. 1561 (1992); IN RE BIG COASTAL CORP., 56 F.3d 1390 (11 CIR. 1995) ("STEFAN motion TO SUPPLEMENT THE RECORD, AND TAKE JUDICIAL NOTICE IS GRANTED"); PURSUANT TO SCT. RULE 22, 30.3 AND 30.4.

(5). PETITIONER, IS (RESENDING) RESPONDENTS' A, "AMENDED WRIT OF CERTIORARI AND APPENDIX" DUE TO THE APPARENT CHANGES, OCCURRING IN THIS PROCEEDING; DUE TO THE PARTIES' APPARENT CONFLICT - OF - INTERESTS, SEE, MARSHALL V. JERRICO, 100 SCT. 1610 (1980), TO PETITIONER.

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(FNS) ("ON ABC, WORLD-NEWS, AT 5:00 A.M., ON MAY 22d, 2023, THE "NAACP" ISSUED A "NATIONWIDE TRAVEL BAN," ON THE STATE OF FLORIDA, DUE TO THE CORRUPT PATTERNS AND PRACTICES OF GOVERNOR RON DESANTIS AND RESPONDENTS THAT CLEAR AND EVIDENT THRU PETITIONER'S "WRIT OF CERTIORARI AND APPENDIX" THAT IF YOU COME TO FLORIDA ON VACATION, YOU'LL LEAVE WITH ILLEGAL PROBATION OR A PRISON SENTENCE 10. 4).

## "CONCLUSION"

- (1). GRANT THIS INSTANT PETITION, UNDER THE "EXCUSABLE - NEGLECT DOCTRINE" WHEN RESPONDENTS' PREVENTED PETITIONER FROM TIMELY MAILING HIS "WRIT OF CERTIORARI AND ADDENDUM" TO THIS COURT, SEE, NARA V. FRANK, 488 F.3d 187, 193-194 (3d Cir. 2007) (CERT. DENIED 128 S.Ct. 1869 (2008)); BLACK V. DAVIS, 137 S.Ct. 759 (2017);
- (2). GRANT PETITIONER DISCOVERY OF ALL LAW-LIBRARY SURVEILLANCE • CAMERA FOOTAGE FROM FEBRUARY 13TH, 2023 TO 03 MARCH 17TH, 2023 IN PAPER-FORM, SEE, INGUS EX. REL. ESTATE V. YELTON, 439 F.3d 191, 196 (4 Cir. 2006); STEVERSON V. GLOBAL SANTA CORP., 508 F.3d 300, 305-306 (11 Cir. 2007);
- (3). GRANT, TO TAKE JUDICIAL NOTICE OF THESE PLEADINGS;
- (4). OR ANY OTHER RELIEF THE COURT DEEMS' JUST.

## "OATH"

UNDER THE PENALTIES OF PERJURY I DO SWEAR THAT THE FACTS AND CIRCUMSTANCES ARE TRUE AND CORRECT, EXECUTED ON MAY 23d, 2023, SEE, KAPU V. US, 467 F.3d 1063, 1068 (7 Cir. 2005).

*[Signature]*

## "CERTIFICATE OF SERVICE"

I HEREBY CERTIFY THAT THIS PLEADING, F.R.C.P. 60(b)(1)(2,6), 15(c)(2) HAS BEEN GIVEN TO FLORIDA DOE OFFICIALS TO BE U.S. MAILED TO: UNITED STATES SUPREME COURT OF AMERICA, CHIEF JUDGE JOHN ROBERTS, FIRST, 1ST, STREET, N.E., WASHINGTON, D.C. 20543; ATTORNEY GENERAL ASHLEY MOODY, THE CAPITAL, PL-01, TALLAHASSEE, FLORIDA 32399, FILED ON THIS DATE OF MAY 23d, 2023, SEE, RAY V. CLEMENTS, 700 F.3d 993, N.11 (7 Cir. 2012) ("MAILBOX - RULE"); WASHINGTON V. US, 243 F.3d 1299 (11 Cir. 2001) (SAME).

*[Signature]*

MICAH LAMB, J23663, B1, 17L  
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