

No.: 23-5559

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.  
FILED

JUL 31 2023

OFFICE OF THE CLERK

JARRISH OUTLAW-PETITIONER

Vs.

FLORIDA SUPREME COURT-RESPONDENT (S)

ON PETITION FOR A WRIT OF CERTIORARI TO

FLORIDA SUPREME COURT

(Name of Court That Last Ruled on Merits of Your Case)

PETITION FOR WRIT OF CERTIORARI

JARRISH OUTLAW

AVON PARK CORRECTIONAL INSTITUTION

8100 Highway 64 East

Avon Park, Florida 33825

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**QUESTION(S) PRESENTED**

**WHETHER OR NOT THE FLORIDA SUPREME COURT  
WAS IN ERROR TO DENY THE PETITIONER'S  
PETITION TO INVOKE ALL WRIT JURISDICTION ON A  
MANIFEST OF INJUSTICE FOR THE SECOND  
DISTRICT COURT OF APPEALS FAILING TO REVIEW  
THE MANIFEST OF INJUSTICE CLAIM:**

### **LIST OF PARTIES**

[ **x** ] 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 who judgment is the subject of this petition is as following:

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**ORAZIO v. DUGGER,**

**RE: WINSHIP,** 397 U.S. 358, 364, 90 S.Ct. 1073, 25 L. Ed 2d

**HOUSE V. BELL,** 547 U.S. 518, 536

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**Ross v. State,** 901 So. 2d 252:

**OUTLAW v. STATE,** 958 So. 2d 932 (Fla. DCA 2<sup>nd</sup> 2007)

## **STATUTES AND RULES**

**F.S.P. STATUTE, 775.084** – The out of State Convictions; there was no certification of the Petitioner's prior convictions nor was there any evidence presented to the appeals court as required.

## **OTHER**

**ARTICLE VI, CI 2** the Supremacy Clause; that States the laws of the United States shall be the supreme law of the land; The Fifth, Six, and Fourteenth Amendment of the United States Constitution

**IN THE  
SUPREME COURT OF THE UNITED STATES  
PETITION FOR WRIT OF CERTIORARI**

Jarrish Outlaw respectfully petitions the Court for a writ of *certiorari* 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 N/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**[ ]** is unpublished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 N/A; or

**[ ]** has been designated for publication but is not yet reported; or,

**[ ]** is unpublished

**[ ]** For cases from State Courts:

The opinion of the Highest States Court to review the merits appears  
at Appendix \_\_\_\_\_ to the petition and is

☐ reported at **SC 2023-084**; or

☐ has been designated for publication but is not yet reported; or,

☐ is unpublished

The opinion of the Florida Supreme Court to appears at Appendix \_\_\_\_\_ to the petition and is

☐ reported at **SC 2023-084**; 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 N/A.

☐ 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: **N/A**, and a copy of the order denying rehearing appears at Appendix **N/A**

☐ An extension of time to file the petition for a writ of certiorari was granted to and including **N/A** (date) on **N/A** (date) in Application No. \_\_\_\_\_ - **N/A**

The Jurisdiction of this Court is invoked under 28 U.S.C. § 1254 (1).



[ ] For cases from State Courts:

The date on which the Highest State Court decided my case was N/A. A copy of that decision appears at Appendix N/A.

[ ] A timely petition for rehearing was thereafter denied on the following date: N/A, and a copy of the order denying rehearing: N/A, appears at Appendix N/A

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including N/A (date) on N/A (date) in Application No. \_\_\_\_\_ - N/A.

The Jurisdiction of this Court is invoked under 28 U.S.C. § 12547(a).

#### **CONSTITUTIONAL AND STATUTORY PROVISION INVOLVED**

Article I Section 21 of the Florida Constitution that simply states, (that the courts should be open to every person for redress of any injury...) see Hepburn v. State, 934 So. 2d 515 (Fla. 3d DCA 2005); that all incarcerated persons must be provided with the full panoply of procedural vehicles to challenge the lawfulness of their incarcerations; see Spencer, 751 So. 2d at 49; Concepcion v. State, 944 So. 2d 1069, 1072 (Fla. 3d DCA 2006)

### **STATEMENT OF THE CASE**

Petitioner was charged with and convicted for vehicular homicide with leaving the scene of accident involving death; in violation of Fla. Statute 782.071 (1)(b); the Petitioner was sentenced as a Habitual Felony Offender to a term of 60 years; there was a direct appeal that was percuriam affirmed on may 25<sup>th</sup>, 2007 in **OUTLAW v. STATE**, 958 So. 2d 932 (Fla. DCA 2<sup>nd</sup> 2007)

### **REASONS FOR GRANTING THE PETITION**

The Honorable Supreme Court was in error not to hear the Petitioner's Motion To Invoke and all jurisdiction on a claim of a Manifest of Injustice; The Honorable Supreme Court overlooked that in reviewing the petitioner's Motion; The Honorable Court overlooked that the issues presented would require an evidentiary hearing therefore the petitioner's claims were not cognizable under 3.800 (a); but would be proper under 3.850; The Honorable Supreme Court failed to review the claim under the Manifest of Injustice exception of the two – years procedural bar that was articulated in **STATE v. MCBRIDE**, 848 So. 287, 291,292 (Fla. 2003); The Petitioner will demonstrate that the prejudice as required by the manifest of injustice doctrine to warrant relief under the

exception articulated in **STATE v. MCBRIDE**, 848 So. 287, 291,292(Fla. 2003) also see Ross v. State, 901 So. 2d 252:

**REASONS FOR GRANTING THE PETITION**

**CONCLUSION**

This Court should grant *certiorari* to review the judgment below.

Respectfully submitted,

Jarrish Outlaw #R34454  
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Petitioner *In Propria Persona*

Dated: July 16, 2023