

SUPREME COURT OF THE UNITED STATES

“NO.: 23-7262”

ERIC D. SWEET,
Petitioner,

V.
STATE OF FLORIDA,
Respondent |

PETITION FOR REHEARING

COMES NOW, The petitioner Eric D. Sweet, Petition the Court pursuant to Rule 44(c) Supreme Court Rule. the petitioner was given another Opportunity on the first day of August 2024, By Clerk of Court's on motion (MEMO); dated 8/1/24 of additional 15, days of said above letter motion, TO file to correct the defect of the rule. And reasons of Clerk Order is warrant further the movant aver, via assert foregoing.

A. THE GROUND FOR RELIEF

1). There dated recently held by this Honorable Court in Case NO.: 23-370 ERLINGER V. UNITED STATES, decided June 21, 2024, on the Title 28 U.S.C. 2254(A) That the Claim relies on -

(i) A New rule of Constitutional law, Made retroactive to cases on collateral review by the Supreme Court, that was previously unavailable:

The Additional Ground Addit to recent (Pet.) at 1, on the element this Honorable Court should give the respondents the opportunity to rebuttal,

2). The new Rule of Constitutional law, Made RETROACTIVE:

The NEW GROUND is in recent decision in Erlinger v. U.S., on the elements that the new constitutional rule apply not only to federal cases, but also to state cases several states have recidivism enhancements that require judges to find whether the defendant committed prior crimes on different occasions.

Then this Honorable Court held that those courts, too, will be surprised by today's new rule.

3). See, C. F. P. B. V. C. F. S. ASSN. OF AMERICA 601 U.S. 416, 446 (2024) (JACKSON, J., concurring).

The movant present the motion in the form of Certificate and state's that the grounds are limited to intervening circumstances of substantial or controlling effect or to other substantial grounds not previously presented.

I HEREBY Certify that this petition for rehearing is presented in good faith and not for delay.

WHEREFORE, Petitioner believe he is entitle to redress and prays this Honorable Court gives the relief petitioner seek in good faith implement incorporated by reference of Rule 44 (SCUS).

Dated This 9 day
of AUG 2024

Eric D Sweet
MOVANT

SUPREME COURT OF THE UNITED STATES

LEGAL
Provided to V-11111111
AUG 12 2024
for mailing

ERIC D. SWEET
Petitioner,

NO.: 23-7262

v.

PROOF OF SERVICE

STATE OF FLORIDA,
Respondent.

Required by Rule 29(5) S.C.R. This proof via
Application Petition for Rehearing is certified
that all grounds are limited to intervening
circumstances, and this proof of service is serve
on Fla. Attorney General, at Fla. Dept. of Legal
Affair PL-01 Suite 1050 FLORIDA CAPITOL Tallahassee
FL. 32399-1050

Dated this 9 day
of AUG. 2024

Eric D Sweet
Applicant- Signature

