

TO: MR. SCOTT S. HARRIS, CLERK,

FROM: TERRY PERRY, PETITIONER,
GRACEVILLE CORRECTIONAL FACILITY
5168 EZELL ROAD
GRACEVILLE, FLORIDA 32440

REPLY TO MEMO FROM SCOTT S. HARRIS, CLERK, IN THE
CASE OF PERRY V. DIXON, SEC, FL DOC, et.al, FLSC, 23-876,
DATED MAY 9, 2024.

MR. HARRIS, CLERK,

I AM REQUESTING FOR YOU TO RECONSIDER YOUR PREVIOUS
OPINION AND DENIAL IN FILING MY WRIT OF CERTIORARI.
HAD MY WRIT BEEN ASSIGNED A CASE NUMBER FROM THE
BEGINNING, YOU WOULD HAVE CLEARLY SEEN THAT I HAD
MET THE FILING REQUIREMENTS UNDER AN
EXCEPTIONAL CIRCUMSTANCES THROUGH NO FAULT
OF PETITIONER. IN YOUR MEMO DATED MAY 9, 2024,
YOU HAVE SHOWN THAT MY PETITION WAS DUE ON OR
BEFORE OCTOBER 29, 2023. I HAD FILED A MOTION FOR
EXTENSION OF TIME ON OCTOBER 30, 2023 WITH A MEMO
FROM THIS CORRECTIONAL FACILITY SHOWING AN EXCEPTIONAL
CIRCUMSTANCE AS TO WHY I COULD NOT MEET THE FILING
DATE AS REQUIRED BY THE RULES OF COURT.

SEE ATTACHED MAY 9, 2024 MEMO FROM SCOTT HARRIS, CLERK.
SEE ATTACHED MEMO FROM CHERYL HICKS, LAW LIBRARY
SUPERVISOR, GRACEVILLE CORRECTIONAL FACILITY AND THE
OCTOBER 30, 2023 G.R.C.F. OUTGOING LEGAL/PRIVILEGED
MAIL LOG E DORM.

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RECEIVED

MAY 30 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

YOUR OFFICE REPLIED ON NOVEMBER 28, 2003, THAT IT
HAD RECEIVED MY REQUEST FOR AN EXTENSION ON
NOVEMBER 2, 2003, AND YOU RETURNED MY APPLICATION
FOR EXTENSION OF TIME AND EXPLAINED TO ME THAT I HAD
TO ATTACH A COPY OF THE LOWER COURT'S OPINION AND
ORDER DENYING A REHEARING. YOU ASSERTED THAT IT WAS
IMPOSSIBLE TO DETERMINE THE TIMELINESS OF MY
APPLICATION WITHOUT THE LOWER COURT'S OPINION.
SEE ATTACHED NOVEMBER 28, 2003 MEMO FROM SCOTT HARRIS,
CLERK.

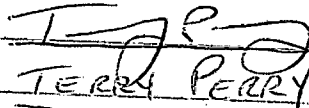
I FOLLOWED WITH ANOTHER REQUEST FOR AN EXTENSION
OF TIME DUE TO STAFF BEING (LAW LIBRARY) RELIEVED OF
DUTIES HERE AND THE PRISON HAVING TO CLOSE ITS LAW
LIBRARY FOR AN UNNUMBERED AMOUNT OF DAYS AND
SECURITY ISSUES, (LOCKDOWN) THAT AFFECTED MY ABILITY
TO PREPARE AND PRESENT MY WRIT TIMELY AND
EFFECTIVELY.

I REFILED MY WRIT OF CERTIORARI ON MARCH
31, 2004, YOUR OFFICE AGAIN RETURNED MY WRIT
DUE TO THE FACT THAT I HAD TO MAIL MY PETITION
IN TWO SEPARATE ENVELOPES TO YOUR OFFICE. YOU
RETURNED MY TWO ENVELOPES ASSERTING THAT MY
INFORMA PAPIERIS HAD TO BE FILED WITH MY WRIT
OF CERTIORARI. YOU FURTHER ASSERTED THAT I WAS TO
SUBMIT MY PETITION WITHIN THE 90 DAY TIME LIMIT
ALLOWED UNDER RULE 13 OF THE RULES OF COURT.
SEE ATTACHED MEMO FROM SCOTT HARRIS, CLERK,
DATED MARCH 21, 2004.

THE MEMO FROM MS. CHERYL HICKS, LAW LIBRARY SUPERVISOR, AT GRACEVILLE CORRECTIONAL FACILITY IN WHICH I AM CURRENTLY HOUSED HAD EXPLAINED THE SITUATION WHICH HINDERED MY TIMELY FILING REQUESTING AND EXTENSION OF TIME TO PREPARE AND PROPERLY PRESENT MY PETITION FOR WRIT OF CERTIORARI TO THIS COURT.

I HAVE USED DILIGENCE IN MY CASE AND REQUEST THAT YOU FILE MY PETITION FOR WRIT OF CERTIORARI IN MY CASE, AS THE MEMO FROM THIS FACILITY DATED OCTOBER 30, 2023 CLEARLY SHOWS AN EXCEPTIONAL CIRCUMSTANCES IN MEETING THE REQUIREMENTS TO FILE MY PETITION FOR WRIT OF CERTIORARI ONE (1) DAY PAST THE FILING DATE. MY PETITION FOR WRIT OF CERTIORARI IS ATTACHED TO THIS MEMO. THANK YOU.

RESPECTFULLY,


TERRY PERRY

DC# J35064

ATTACHED (2)

MEMO FOR INMATE TERRY PERRY, DC# J35062

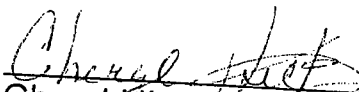
23 CH
January 18, 2024

TO WHOM IT MAY CONCERN,

My name is Cheryl Hicks, I am the Law library Supervisor at Graceville Correctional Facility, Graceville, Florida. Inmate Terry Perry, DC# J35062, requested this letter from me explaining the situation which hindered his timely filing of his "Motion for Extension of Time."

During the week of October 23rd to 27th the Law Library's copy Machine had ran out of toner which had been on order. This lack of toner caused Inmate Perry to hand write the additional required copies of his motion before he could place it in the prison mail system. He accomplished that task during the weekend of October 28th and 29th, he then mailed his motion on the next available day which was Monday, October 30, 2023.

Sincerely,



Cheryl Hicks, Law Library Supervisor
Graceville Correctional Facility
5168 Ezell Road
Graceville, Florida 32440-2402
(850) 263-5500 (Ext. 352)

G.R.C.F OUTGOING LEGAL/PRIVILEGE MAIL LOG E DORM

INMATE NAME	DC#	DATE REC'D	DATE OUTGOING	ADDRESSED TO	PASTAGE DUE	STAFF INITIAL
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
PERRY TERRY	J35064	10.30.2023	10.31.2023	SUPREME COURT OF US CLERK OF COURT 1 FIRST ST NE WASHINGTON, DC 20543-0001	1.35	BJ
PERRY TERRY	J35064	10.30.2023	10.31.2023	OFC OF THE ATTORNEY GENERAL PL-01 THE CAPITOL TALLAHASSEE, FL 32399	1.35	BJ

ATTACHED (3)