

No. 24-6369

PROVIDED BY
LIBERTY CI
DEC 19 2024
FOR MAILING

IN THE

SUPREME COURT OF THE UNITED STATES

FILED
DEC 19 2024
OFFICE OF THE CLERK
SUPREME COURT, U.S.

Curtis B. McPherson — PETITIONER
(Your Name)

vs.

Florida Dept. of Corrections, ET AL. — 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

Curtis B. McPherson, DC # H15953, pro-se
(Your Name)

Liberty Correctional Institution
11064 N.W. Dempsey Barron Road
(Address)

Bristol, Florida 32321-2622
(City, State, Zip Code)

"Not Applicable"
(Phone Number)

QUESTION(S) PRESENTED

Petitioner asserts that the Florida Supreme Court erred and dismissed the Petition for a writ of habeas Corpus, filed on July 22nd, 2024, Pgs. 1, thru-29, with exhibits documents attachments, in Case NO. SC 2024-1113. Whereby, the Court dismissed the Petition on October 22nd, 2024, for which the dismissed order is a departure from the essential requirements of law, pursuant to Rule 9.147(d)(2022), of the Florida Rules of Appellate Procedure, it creates a "Miscarriage of Justice" and deprived Petitioner of his rights guaranteed by due Process of the U.S. Const. 1st, 5th, and 14th Amendment.

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

[X] 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 whose judgment is the subject of this petition is as follows:

1. Hon. Ricky Dixon, Secretary, and General Counsel, Hon. Daniel A. Johnson for Florida Department of Corrections, at 501 South Calhoun Street, Tallahassee, Florida 32399-2500
2. Hon. Ashley Moody, Attorney General for State of Florida, at The Capital Place - 01, Tallahassee, Florida 32399.
3. Hon. John A. Tomasino, Clerk for the Supreme Court of Florida, at 500 South Duval Street, Tallahassee, Florida 32399.
4. Hon. Kristina Samuels, Clerk for the First District Court of Appeal, at 2000 Drayton Drive, Tallahassee, Florida 32399.
5. Hon. Daniel A. Stanley, Clerk for the Second Judicial Circuit, Liberty County, Florida at Highway 20 - P.O. Box 399 - Bristol, Florida 32321.

TABLE OF CONTENTS

OPINIONS BELOW	1
JURISDICTION.....	2
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	3
STATEMENT OF THE CASE	4-11
REASONS FOR GRANTING THE WRIT	11
CONCLUSION.....	11

INDEX TO APPENDICES

APPENDIX A

Florida Supreme Court denied Order on the Petition for a Writ of habeas Corpus in Case No.: SC2024-1113.

APPENDIX B

First District Court of Appeal Per Curiam dismissed order on the Petition for a Writ of habeas Corpus, in Case No.: 1D24-0017, February 16, 2024.

APPENDIX C

Petition for a Writ of habeas Corpus, filed on July 22, 2024, with Florida Supreme Court in Case No.: SC2024-1113; 1D24-0017, and L.t. Case No.: 2020-CA-45.

APPENDIX D

Petition for a Writ of habeas Corpus, filed on December 18th, 2023, with the First District Court of Appeal in Case No.: 1D24-0017; 1D23-0633, and L.t. Case No.: 2020-CA-45.

APPENDIX E

First District Court of Appeal: Acknowledgment of New Case, in Case No.: 1D24-0017 January 4th, 2024.

APPENDIX F

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
<u>Cochran vs. State of Kansas</u> , 316 U.S. 255-258, 86 L.Ed. 1453, 62 S.Ct. 1068	7-8
<u>Dowd v. United States</u> , 310 U.S. 206-210, 95 L.Ed. 215	5
<u>Harris v. Nelson</u> , 394 U.S. 286-288-289, 290-292, 89 S.Ct. 1082, 22 L.Ed. 281 (1969).	8-9
<u>Johnson v. Zerbst</u> , 304 U.S. 458, 82 L.Ed. 1461, 58 S.Ct. 1019	8
<u>Mahler v. EB4</u> , 264 U.S. 34, 46, 68 L.Ed 549, 557, 44 S.Ct. 283	5
<u>National Socialist Party of America v. Village of Skokie</u> , 432 U.S. 43, 97 S.Ct. 2205, 53 L.Ed 96 (1977).	10-11
<u>Smith v. O'Grady</u> , 312 U.S. 329, 85 L.Ed. 859, 61 S.Ct.	8

STATUTES AND RULES

<u>Florida Rules of Appellate Procedure</u> > 9.100(h).	4,6
<u>Florida Rules of Appellate Procedure</u> > 9.147(d)(2022).	5,6,7,8,9,10,11
<u>Florida Rules General Practice And Judicial Administration</u> > 2.205(a)(2)(B)(IV).	10

OTHER

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

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☐ For cases from federal courts:

The opinion of the United States court of appeals appears at Appendix N/A to the petition and is

☐ reported at "Not Applicable"; 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 N/A to the petition and is

☐ reported at "Not Applicable"; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☒ For cases from state courts:

The opinion of the highest state court to review the merits appears at Appendix A to the petition and is

☒ reported at SC 2024-1113; or,
☒ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the First District Court of Appeal court appears at Appendix B to the petition and is

☒ reported at 1D24-0017; 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 "Not Applicable".

☐ 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: "Not Applicable", 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 "Not Applicable" (date) on "Not Applicable" (date) in Application No. N/A A 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 Oct. 22nd, 2024.
A copy of that decision appears at Appendix A.

☐ A timely petition for rehearing was thereafter denied on the following date: "Not Applicable", 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 "Not Applicable" (date) on "Not Applicable" (date) in Application No. N/A A N/A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

PAGES

United States Constitution Amendment: 1st, 5th, and 14th Amendment.. II.4,6,9,10,11
28 U.S.C. 2243 9
U.S. Const., Art. 1, § 9, Cl 2 9

STATEMENT OF THE CASE

The Petitioner is the Petitioner in the Petition for a writ of habeas Corpus Proceeding pending in the Florida Supreme Court, in CASE NO.: SC2024-1113. The Respondents are the Custodian for Florida Department of Corrections, and the Attorney General for the State of Florida. See, APP. "C", the Petition in CASE NO.: SC2024-1113.

On October 22, 2024, Florida Supreme Court *Sua Sponte* and conduct a hearing on the Petition in CASE NO.: SC2024-1113, but did not required the Respondent for Florida Department of Corrections to show cause pursuant to Rule 9.100(h) of the Florida Rules of Appellate Procedure. At the close of the hearing the Court "dismissed" the Petition because this Court generally will not consider the repetitive petitions of persons who have abused the judicial processes of the lower courts such that they have been barred from filing certain actions there. See > Pettway v. State, 776 So. 2d 930, 931 (Fla. 2000). No motion for rehearing or reinstatement will be entertained by this Court." See, APP. "A", the dismissed Order in CASE NO.: SC2024-1113.

Hence, the Florida Supreme Court dismissed the Petition for a writ of habeas Corpus in CASE NO.: SC2024-1113, without issuing an order to the Respondent for Florida Department of Corrections to show cause. Nevertheless, the Court argument is that: "because this Court generally will not consider the repetitive petitions of persons who have abused the judicial process of the lower courts such that they have been barred from filing certain action there." See, APP. "A". However, the argument here is misplaced and does not exist by the lower courts, for which it violates Petitioner's rights against the U.S. Const., 1st, 5th, and 14th Amendment. Thus, Florida Supreme Court *Sua Sponte* and decide the issues of facts. Instead, focus on whether the law was correctly applied at the First District Court of Appeal level, in CASE NO.: 1D24-0017, on the prison official mail room staff at Liberty Correctional Institution Suppression on the Petition for a writ of habeas Corpus, filed on December 18th 2023. See, APP. "D". And

the Clerk of the Court untimely Process and Rendering on the Petition without Jurisdiction in CASE NO.: 1D24-0017. See, APP. "D", the Petition for a writ of habeas Corpus, And APP. "E", Acknowledgment of New Case (letter) in CASE NO.: 1D24-0017.

This Rule > 9.147(d)(2022), of the Florida Rules of Appellate Procedure Plainly Requires the Petitioner to show that there is a Preliminary hearing basis for Relief, on the Petition for a writ of habeas Corpus, in CASE NO. 1D24-0017. See, APP. "D", that have been "Suppressed" by the Prison official mail room staff at Liberty Correctional Institution, Process and Rendered by the Clerk of the Court for the First District Court of Appeal, in Case NO. 1D24-0017, was "untimely filed in the Court" and "rendered without Jurisdiction", Pursuant to Rule > 9.147(d)(2022), of the Florida Rules of Appellate Procedure. Whereby, the Florida Supreme Court should have Issue A Writ or An Order to Show Cause to the Respondent for Florida Department of Corrections on the Petition in CASE NO.: SC2024-1113. APP. "C".

In the case at bar, > Dowd v. United States, 340 U.S. 206-210, 95 L. Ed. 215 ("The Fourteenth Amendment Precludes Indiana from keeping Respondent imprisoned if it persists in depriving him of the type of Appeal generally afforded those convicted of crime. On the other hand, Justice does not require Indiana to discharge Respondent if such an Appeal is granted and reveals a trial record free from errors. Now that this Court has determine the Federal Constitutional Question, Indiana MAY find it possible to provide the Appellate Review to which Respondent is entitled. The Judgment of the Court of Appeals and the District Court are vacated and case remanded. On remand, the District Court should enter such Orders as are appropriate to allow the State a reasonable time in which to afford Respondent the full Appellate Review he would have received but for the Suppression of his papers, failing which he shall be discharge." (Similarly) Quoting > Mahler v. Eby, 264 U.S. 32, 46, 68 L. Ed. 549, 557, 44 S. Ct. 283. (Similarly).

Pg. # 5 Thus, the Florida Supreme Court failed to comply with the Statutory Procedures in Rule > 9.147(d)(2022), of the Florida Rules of Appellate, Procedure when the Court "dismissed" the Petition on October 22nd, 2024 in CASE NO.: SC2024-1113, the dismissed Order was erroneous and

Contrary to the law; it expressly and directly conflicts with Rule > 9.147(d)(2022), of the Florida Rules of Appellate Procedure. As the procedure in Rule > 9.147(d)(2022), of the Florida Rules of Appellate Procedure is mandatory and a failure to follow that procedure is a "departure from the essential requirements of the law." Thus, Petitioner concluded that the Rule creates a substantive right to be free from a unsubstantiated claim on the clerk of the court lacking jurisdiction to disposition of Appeal and that a violation of the right cannot be fully protected on Appeal from the final judgment because there is no remedy by an Appeal. See, APP. "A", dismissed Order in Case NO.: SC2024-1113.

In Summary, the Petitioner contends that the Order "dismissed" in Case NO.: SC2024-1113, is a departure from the essential requirements of law and that the material injury cannot be corrected on Appeal from the final judgment because there's no remedy by an Appeal, and it causes irreparable harm against Petitioner for an Appeal. Whereby, Florida Supreme Court "dismissed" the Petition in Case NO.: SC2024-1113, on the basis that: "because this Court generally will not consider the repetitive petitions of persons who have abused the judicial processes of the lower courts such that they have been barred from filing certain actions there". See, > Petway v. State, 776 So. 2d 930, 931 (Fla. 2000). No motion for rehearing or reinstatement will be entertained by this Court. See, APP. "A" for which the court has failed to issue a writ or an order to show cause to the Custodian Respondent for Florida Department of Corrections to show cause pursuant to Rule > 9.100(h), of the Florida Rules of Appellate Procedure; the outcome has deprived Petitioner of a substantive right to a full and fair meaningful hearing guaranteed by Rule > 9.147(d)(2022), of the Florida Rules of Appellate Procedure in which the error prejudice and deprived Petitioner of his rights guaranteed by due process of the U.S. Const, 1st, 5th, and 14th Amendment. See, APP. "C".

The Nature of the relief sought by this Petition is a writ of Certiorari Quashing the Order "dismissed" on habeas Corpus in Case NO.: SC2024-1113, and Remand with an immediate release or discharge of the Petitioner from the custody of Florida Department of Corrections.

Hence, Petitioner contends that the Order allowing the Respondent for

Florida Department of Corrections to hold Petitioner illegally in Custody based on Florida Supreme Court's dismissed Order in Case NO: SC2024-1113, on the Petition for a writ of habeas Corpus. Whereas, the "Suppression" of Petitioner's Appeal beyond the time which Appeal could be had, for which the Petition in Case NO: 1D24-0017, Process and Rendered "untimely" and "without Jurisdiction", Pursuant to Rule > 9.147(d)(2022), of the Florida Rules of Appellate Procedure, for which is a "departure from the essential requirements of law". See, APP "D", the Petition for a writ of habeas Corpus, Pgs. 1, thru - 21, with exhibits documents attachments, filed on December 18th, 2023, by placing the Petition in the hands of the Prison officials mail room staff, at Liberty Correctional Institution for mailing with the First District Court of Appeal. Whereas, the Petition filed in the Court on January 3rd, 2024, "untimely" and "without Jurisdiction", and the Clerk of the Court Process and Rendered the Petition in Case NO: 1D24-0017, January 4th, 2024, "untimely" and "without Jurisdiction". See, APP "E", Acknowledgment of New case (letter) in Case NO: 1D24-0017, which is in violation of the Florida Rules of Appellate Procedure > 9.147(d)(2022), Provides that the Court must conduct a evidentiary to determine whether the Petition for a writ of habeas Corpus, Pgs. 1, thru - 29, with exhibits documents attachments filed on July 22nd, 2024, in Case NO: SC2024-1113. See, APP "C", Under the law of the case in Case NO: 1D24-0017, has been Supported by evidence of "Suppression" including a "untimely" Process and Rendering "without Jurisdiction" on the Petition by the Clerk of the Court for the First District Court of Appeal. This Rule > 9.147(d)(2022), of the Florida Rules of Appellate Procedure creates a Substantive Right to Avoid and unfounded Claim for Punitive damages. Because a Violation of the Right Cannot be Remedied on Appeal an Order that fails to follow the Statutory Procedure is Reviewable by Certiorari. See, APP "C" the Petition in Case NO: SC2024-1113.

In the case at bar, > Cochran vs. State of Kansas, 316 U.S. 255-258, 86 L. Ed. 1453, 62 S. Ct. 1068, The U.S. Supreme Court held: "on writ of certiorari to the Supreme Court of the State of Kansas to review a denial of a writ of habeas Corpus". However, inept Cochran's choice of words, he has set out Allegations Supported by Affidavits and No Where denied that Kansas Refused Privileges of Appeal

Which it Afforded to others. Since No determination of the Verity of these allegations APPEARS to have been made, the Cause Must be Remanded for further Proceedings. Reversed. Id at 316 U.S. 258. Likewise, Florida Supreme Court didnot issued A Writ or an Order to Show Cause to the Custodian Respondent for Florida Department of Corrections before it make its decision and dismissed the Petition in CASE NO.: SC 2024-1113. See, APP. "A", And APP. "C", the Petition SC 2024-1113.

Moreover, Florida legislature enacted Rule 9.147(d)(2022), of the Florida Rules of Appellate Procedure, Which Provides:

Disposition of Appeal. The Court shall Render its decision on Appeal AS expeditiously AS Possible and NO later than (7) Seven days from transmittal of the Record. If NO decision is Rendered within that time Period, the Order shall be deemed Reversed, the Petition shall be deemed GRANTED, and the Clerk shall Place A Certificate to that effect in the file and provided the Appellant, without charge with a Certified COPY of the Certificate.

Further more, Petitioner asserts "the denial of equal Protection through SUPPRESSION of Petitioner's Appeal beyond the time which Appeal could be had, Rendered the Commitment constitutionally void." See, > Smith v. O'Grady, 312 U.S. 329, 85 L. Ed. 859, 61 S. Ct. 572. Similarly, See, also > Johnson v. Zerbst, 304 U.S. 458, 82 L. Ed. 1461, 58 S. Ct. 1019. Similarly, Quoting > Cochran v. Kansas, 316 U.S. 255, SUPRA. Likewise, the Commitment Constitutionally is void in the Florida Department of Corrections. (Similarly).

Hence, the Florida Supreme Court erred by dismissed the Petition in CASE NO.: SC 2024-1113, on the basis of a technicality. An Assumed Pleading defect. that WAS NOT Raised by the Parties. It WAS NOT clear that the Florida Department of Corrections would have defended in that fashion. The Florida Supreme Court could NOT Sua Sponte and dismissed an Action based on Affirmative defenses NOT Raised by Proper Pleading, When A Petition for A Writ of Habeas Corpus Alleging that A Petitioner was entitled to An IMMEDIATELY release Set out Plausible Reasons And A Specific factual basis in detail, the Custodian Florida Department of Corrections WAS Required to Respond to the Petition. See, > Harris v. Nelson, 394 U.S. 286,

288-289, 290-291, 89 S. Ct. 1082, 22 L. Ed. 2d 281 (1969) "The writ of habeas Corpus is the fundamental Instrument for safe guarding individual freedom AGAINST ARBITRARY and lawless State Action. Its Pre-eminent Role is Recognized by the Admonition in the Constitution that: "The Privilege of the writ of habeas Corpus Shall Not be Suspended"... U.S. Const., Art. I, § 9, cl 2. The Scope and Flexibility of the writ - its capacity to reach all manner of illegal detention - its ability to cut through barriers of form and Procedural MAZES - have Always been emphasized and Jealously guarded by Courts and Lawmakers. The very Nature of the writ demands that it be Administered with the initiative and Flexibility essential to ensure that miscarriage of Justice within its reach are Surfaced and Corrected" (SIMILARLY).

In the instant case at bar, > Harris v. Nelson, SUPRA: "Petitioner in habeas Corpus Proceeding, as the Congress and this Court have emphasized; And as we have discussed, SUPRA. at 290-292, 22 L. Ed. 285, 286, 287, are entitled to Careful Consideration and Plenary Processing of their claims including full OPPORTUNITY for Presentation of the Relevant facts. Congress has Provided that once A Petition for a writ of habeas Corpus is filed, unless [394 U.S. 299] the Court is of the OPINION that the Petitioner is Not entitled to an Order to Show Cause, the writ must be AWARDED "forthwith", OR an Order to Show Cause must be issued. 28 U.S.C. § 2243. Similarly, Like wise, ... Florida Supreme Court did not indicate in its OPINION that the Petitioner is Not entitled to an Order to Show cause. However, the Court should have issue an Order to Show Cause to the Respondent for Florida Department of Corrections before MAKING its decision and dismissed the Petition in Case NO: SC2024-1113, October 22, 2024, for which it violates Petitioner's Rights GUARANTEED by due Process of the U.S. Const., 1st, 5th, and 14th Amendment. See, APP. "A", dismissed Order in Case NO: SC2024-1113.

However, all in all, Florida Supreme Court failed to comply with the letters of Rule 9.147 (d)(2022), of the Florida Rules of Appellate Procedure which is consider as a "departure from the essential requirements of law." Whereby, the evidence is Blatantly Showing on the faces of the Affidavits of evidence Presented by the Petitioner on the "Suppression" on Petitioner's Appeal with the First District Court of Appeal, in Case NO.: 1D24-0017, for

Which is "Null and Void" under the law of the case" in Case NO. SC2024-1113, on the Petition for a Writ of habeas Corpus. Thus, Petitioner filed the Petition for a Writ of habeas Corpus, Pgs 1, thru - 21, with exhibits documents attachments on December 18th, 2023, by Placing the Petition in the hands of the Prison officials Mail ROOM Staff, at Liberty Correctional Institution for mailing with the Court. See, APP. "D." Whereas, the Petition filed in the Court on January 3rd, 2024, "untimely" and "without Jurisdiction". Hence, the Clerk of the Court, Hon. Kristina Samuels Process and Rendered its decision on the Petition on January 4th, 2024, "untimely" and "without Jurisdiction", > Pursuant to Rule > 9.147(d)(2022), of the Florida Rules of Appellate Procedure for which the Clerk lacked Jurisdiction after December 26th, 2023, to Process and Rendered its decision on the Petition. See, > Fla. R. Gen. Prac. & Jud. Admin. > 2.205(a)(2)(B)(IV), for which the decision on January 4th, 2024, in Case NO.: 1D24-0017, was erroneous and Contrary to Law. See, APP. "E", Acknowledgment of New Case" (letter) in Case NO.: 1D24-0017, Which is "Null and void". Moreover, the First District Court of Appeal, "Per Curiam Dismissed" the Petition in Case NO.: 1D24-0017, on February 16th, 2024. See, APP. "B", Per Curiam Dismissed Order" in Case NO.: 1D24-0017. Nevertheless, Petitioner asserts that the Florida Supreme Court did have the "Jurisdiction to Reverse the Per curiam Dismissed Order" in Case NO.: 1D24-0017, Which is "Null and void" under the law of the case" (in) the Petition in Case NO.: SC2024-1113. See, APP. "A", dismissed Order on the Petition in Case NO.: SC2024-1113, but the Court failed to "Reverse the Per curiam Dismissed Order" under the law of the case" in Case NO.: 1D24-0017, and discharge the Petitioner from the Custody of Florida Department of Corrections, Pursuant to Rule > 9.147(d)(2022), of the Florida Rules of Appellate Procedure, Instead the ^{Court} dismissed the Petition in Case NO.: SC2024-1113, and creates a "Miscarriage of Justice" - "Wanting a Reversal" in which it violates Petitioner's rights against the U.S. Const., 1st, 5th, and 14th Amendment. Petitioner asserts the "dismissed Order" in Case NO.: SC2024-1113, Must be "Reversed" See, APP. "A".

This New Provision implements the "Strict Procedural Safeguards" requirement laid down by the United States Supreme Court in National Socialist Party of America v. Village of Skokie, 432 U.S. 43, 97 S. Ct. 2205, 53, L.ed. 96 (1977). In that case the Court held - that State Restraints imposed

on Activities Protected by the First Amendment must be either immediately review or subject to a staying pending view." (SIMILARLY).

Reason for granting the Petition

Wherefore, its in the interest of Justice based on the Protection handed down by the Citations Authorities of the U.S. Constitution and other facts of law. Thus, Petitioner asserts the importance in consideration for the Honorable Court Accepting this Case for review include the existence of a conflict between the decision of which review is sought and decisions of the Honorable Court on the same issue for which the Florida Supreme Court's decision dismissed the Petition for a writ of habeas corpus, in case NO.: SC2024-1113, "expressly and directly in conflict with the Authorities cited in this Petition", and another consideration is the importance to the Public of Interest of the issue "Not Misleading the Public" for which ... Florida Supreme Court "erred and dismissed the Petition in case NO.: SC2024-1113, in which demonstrate a "departure from the essential requirements of the law", in Rule 9.147(d)(2022), of the Florida Rules of Appellate Procedure, and the "departure cause material injury that cannot be corrected on appeal from the final judgment, for which there is no adequate remedy by appeal." Nevertheless, Petitioner affirmatively declared that Florida Supreme Court did "acted in excess of its jurisdiction" and "dismissed the Petition in case NO.: SC2024-1113," without issuing a writ to the Custodian Respondent for Florida Department of Corrections to show cause, for which it creates a "miscarriages of Justice" warranting a reversal, in which it violates Petitioner's rights for a full and fair meaningful hearing against the U.S. Const. 1st, 5th, and 14th Amendment. Therefore, the Petition for a writ of Certiorari should be granted. The dismissed order in case NO.: SC2024-1113, must be reversed.

Conclusion

The Petition for a writ of Certiorari should be granted.

Respectfully Submitted,

Date: December 19th, 2024

Curt B. McPherson