

UNITED STATES SUPREME COURT

SAMUEL LEE SMITH, JR.  
Petitioner,

Case Number:

v.

J. GONZALEZ,  
Respondent,

\_\_\_\_\_ /

**APPENDIX TO PETITION FOR WRIT OF CERTIORARI**  
**From Florida District Court of Appeal, Third District**  
**Case Number: 3D2024-0126**

SAMUEL LEE SMITH, JR.  
Petitioner Pro se  
16614 SW 99 Court  
Miami, Florida 33157  
Telephone Number 305-975-1964  
Email [gymsam7@gmail.com](mailto:gymsam7@gmail.com)

# Third District Court of Appeal

State of Florida

Opinion filed October 30, 2024.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D24-0126  
Lower Tribunal No. 24-519

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**Samuel Lee Smith, Jr.,**  
Appellant,

vs.

**Officer J. Gonzalez,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Alicia Garcia Priovolos and Yara Lorenzo Klukas, Judges.

Samuel Lee Smith, Jr., in proper person.

No Appearance, for appellee.

Before FERNANDEZ, BOKOR and GOODEN, JJ.

PER CURIAM.

Affirmed. See Pickett v. Copeland, 236 So. 3d 1142, 1146 (Fla. 1st DCA 2018) (explaining petitioner must demonstrate that the course of inappropriate conduct alleged as stalking, of which he complains, serves no legitimate purpose).

**IN THE SUPREME COURT OF FLORIDA**

SAMUEL LEE SMITH, JR.

Appellant,

Officer J Gonzalez,

Appellee,

**NOTICE OF APPEAL**

Notice is hereby given that the given that the appellant listed below hereby appeal(s) the below noted case to the Supreme Court of Florida. Third District Court Appeal No: 3D24-0126

Trial Court Case No: 24-519

Date of final order being appealed: October 30, 2024

Appellant filing Appeal: SAMUEL LEE SMITH, JR.

Respectfully submitted,

/s/ Samuel L. Smith  
SAMUEL LEE SMITH, JR.  
Appellant Pro se  
16614 SW 99 Court  
Miami, Florida 33157  
Email:Gymsam7@gmail.com

# **Third District Court of Appeal**

**State of Florida**

Opinion filed October 30, 2024.  
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**Samuel Lee Smith, Jr.,**  
Appellant,

vs.

**Officer J. Gonzalez,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Alicia Garcia Priovolos and Yara Lorenzo Klukas, Judges.

Samuel Lee Smith, Jr., in proper person.

No Appearance, for appellee.

Before FERNANDEZ, BOKOR and GOODEN, JJ.

PER CURIAM.

Affirmed. See Pickett v. Copeland, 236 So. 3d 1142, 1146 (Fla. 1st DCA 2018) (explaining petitioner must demonstrate that the course of inappropriate conduct alleged as stalking, of which he complains, serves no legitimate purpose).

# M A N D A T E

from

## DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA THIRD DISTRICT

This cause having been brought to the Court by appeal, and after due consideration the Court having issued its Opinion,

YOU ARE HEREBY COMMANDED that such further proceedings be had in said cause as may be in accordance with the opinion of this Court, and with the rules of procedure and laws of the State of Florida.

WITNESS the Honorable Thomas Logue, Chief Judge of the District Court of Appeal of the State of Florida, Third District, and seal of the said Court at Miami, Florida on this day.

**DATE:** November 19, 2024  
**CASE NO.:** 3D2024-0126  
**COUNTY OF ORIGIN:** Miami-Dade County  
**T.C. CASE NO.:** 24-519  
**STYLE:** Samuel Lee Smith, Jr.,

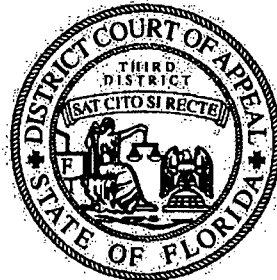
Appellant(s),

v.

Officer J. Gonzalez,

Appellee(s).

3D2024-0126 November 19, 2024  
Mercedes M. Prieto, Clerk  
District Court of Appeal  
Third District



**ORIGINAL TO:** Miami-Dade County Clerk

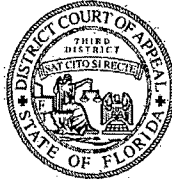
CC: No appearance  
Miami-Dade Clerk  
Officer J. Gonzalez

Samuel Lee Smith, Jr.

LA



THOMAS LOGUE  
CHIEF JUDGE  
KEVIN EMAS  
IVAN. F. FERNANDEZ  
EDWIN A. SCALES, III  
NORMA S. LINDSEY  
BRONWYN C. MILLER  
MONICA GORDO  
FLEUR J. LOBREE  
ALEXANDER S. BOKOR  
KANSAS R. GOODEN  
JUDGES



DISTRICT COURT OF APPEAL  
THIRD DISTRICT  
2001 S.W.117 AVENUE  
MIAMI, FLORIDA 33175-1716

TELEPHONE: (305) 229-3200

MERCEDES M. PRIETO  
CLERK

VERONICA ANTONOFF  
MARSHAL

MELISSA GULLA  
CHIEF DEPUTY CLERK

MARIA E. MIHAIC  
CHIEF DEPUTY MARSHAL

November 26, 2024

**Case Name:** Samuel Lee Smith, Jr. v. Officer J. Gonzalez  
**Case No:** 3D2024-0126  
**Trial Court No.:** 24-519  
**Trial Court Judge:**

Dear Mr. Tomasino:

I hereby certify the attached Notice to Invoke Discretionary Jurisdiction/Notice of Appeal to the Supreme Court of Florida pursuant to Rule 9.120, Florida Rules of Appellate Procedure. Attached also is this Court's opinion or decision relevant to this case.

If there are any questions regarding this matter, please do not hesitate to contact this Office.  
Sincerely,

Mercy Prieto  
Clerk of the Court

By: /s/ Barbara Rolle  
Deputy Clerk

# Supreme Court of Florida

THURSDAY, DECEMBER 26, 2024

Samuel Lee Smith, Jr.,  
Petitioner(s)

v.

Officer J. Gonzalez,  
Respondent(s)

**SC2024-1706**

Lower Tribunal No(s).:

3D2024-0126;

132024DR000519A00104

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In reviewing our records, we note that your case is subject to dismissal for failure to comply with this Court's direction. See Fla. R. App. P. 9.410.

We have not received the jurisdictional brief with appendix in accordance with Florida Rule of Appellate Procedure 9.120(d). Failure to file the above referenced documents with this Court within 15 days from the date of this order could result in the imposition of sanctions, including dismissal of the petition.

A True Copy

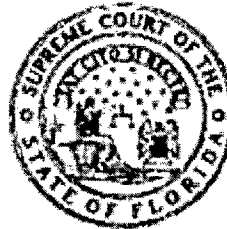
Test:

SC2024-1706 12/26/2024

John A. Tomasino

Clerk, Supreme Court

SC2024-1706 12/26/2024



DL

Served:

J. GONZALEZ

SAMUEL LEE SMITH, JR.

**Additional material  
from this filing is  
available in the  
Clerk's Office.**