

No. _____

ORIGINAL

24-7280

IN THE

SUPREME COURT OF THE UNITED STATES

FILED

FEB 03 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

TRISTAN MICHAEL HYDE — PETITIONER
(Your Name)

VS.

FLORIDA DEPARTMENT OF LEGAL AFFAIRS — 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

TRISTAN MICHAEL HYDE
(Your Name)

5755 E MILTON RD
(Address)

MILTON, FL 32583
(City, State, Zip Code)

256-438-7294
(Phone Number)

QUESTION(S) PRESENTED

1. DOES THE PETITIONER SATISFY THE JURISDICTIONAL REQUIREMENTS OF EITHER ART. V. SECTION 3 OF THE FLORIDA CONSTITUTION OR RULE 9.030 (a)(2).

FLA. R. APP. P. IN REGARDS TO THE PETITIONER'S JURISDICTIONAL BRIEF FILED IN HYDE V FLA DEPT. LEGAL AFFAIRS CASE NO. SC2024-1411, 2025 WL 18129 (FLA 2025)

2. DID THE FIRST DISTRICT COURT OF APPEALS, TRUHANASSEE, FLORIDA ERR IN DENYING THE PETITIONER APPELLATE COUNSEL FOLLOWING THE FIRST DCA BARRING THE PETITIONER FROM FUTURE FILINGS IN ITS AUGUST 29, 2024 ORDER TO PETITIONER IN VIOLATION OF FLORIDA CONSTITUTION ART. I

SEC 21 ACCESS TO COURTS AS THE PETITIONER WAS DETERMINED INDIGENT PURSUANT TO FLORIDA PRISONER INDIGENCY STATUTE (FSA 57.085, 82, 81) AND CANNOT AFFORD TO HIRE PRIVATE APPELLATE COUNSEL. THE PETITIONER WAS DENIED APPELLATE COUNSEL IN HYDE V STATE NO. 1D2024-1967 (FLA FIR. DCA 2024) AS A RESULT OF THE FIRST DCA ORDER

BARRING THE PETITIONER FROM FUTURE FILINGS IN HYDE V FLORIDA DEPARTMENT OF LEGAL AFFAIRS 390 So. 3d 1211 (FLA. FIR. DCA 2024)

LIST OF PARTIES

- ☒ 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 whose judgment is the subject of this petition is as follows:

RELATED CASES

- TRISTAN MICHAEL HYDE V FLORIDA DEPARTMENT OF LEGAL AFFAIRS NO. SC2024-1411, 2025 WL 18129. (FLA. 2025)
- TRISTAN MICHAEL HYDE V FLORIDA DEPARTMENT OF LEGAL AFFAIRS 390 So.3d 1211 (FLA. 1ST DCA 2024)
- TRISTAN MICHAEL HYDE V FLORIDA DEPARTMENT OF LEGAL AFFAIRS NO. 662024CA000094CAAXMX (FLA. 11TH CIR. CT. WILSON COUNTY, FLORIDA 2024)
- TRISTAN MICHAEL HYDE V. STATE OF FLORIDA NO. 1D2024-1967 (FLA. 1ST DCA 2024)

TABLE OF AUTHORITIES CITED

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4. HYDE V. FLORIDA DEPARTMENT OF LEGAL AFFAIRS NO. 5C2024-1411 (FLA 2025)	4, 5
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8. MITCHELL V. MOORE 786 SO. 2D 521 (FLA 2001)	4, 5
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THE PETITIONER CUSTODY WAS TRANSFERRED TO SANTA ROSA COUNTY JAIL, FLORIDA FROM WALTON COUNTY JAIL, FLA. ON JULY 25, 2024.

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102024-1967 (FIA PCA 2024) DENYING PETITIONER APPOINTMENT OF COUNSEL

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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 _____ to the petition and is

- ☐ reported at _____; 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 _____; 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 B to the petition and is

- ☒ reported at 2075 WL 18129 (WEST LAW); or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the FLAID
FIRST DCA, TALLAHASSEE, FLAIDA court
appears at Appendix A to the petition and is

- ☒ reported at 390 So. 3d 1211 (WEST LAW); 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 _____.

☐ 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: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ 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 JANUARY 2, 2025.
A copy of that decision appears at Appendix B.

☒ A timely petition for rehearing was thereafter denied on the following date: DENIED REHEARING, and a copy of the order denying rehearing appears at Appendix B.

☒ An extension of time to file the petition for a writ of certiorari was granted to and including 60 DAYS FOLLOWING (date) on MARCH 4, 2025 (date) in Application No. ____ A ____.

THE U.S. SUPREME COURT CLEARLY EXTENDED TIME TO FILE WRIT OF CERTIORARI.
The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

THE FLORIDA FIRST DCA BARRED THE PETITIONER FROM FUTURE FILINGS CITING HAMILTON V STATE, 945 SO. 2D 1121 (FLA 2006); JACKSON V FLA DEPT. OF CORRS., 790 SO. 2D 398 (FLA 2001) PROVIDING NO CITING OF LANGUAGE OF THE DECISIONS ENTERED IN EITHER CASE AS SHOWN IN APPENDIX "A"

THE FLORIDA SUPREME COURT AS SHOWN IN APPENDIX "B" ONLY STATES "NO MOTION FOR REHEARING WILL BE ENTERTAINED BY THE COURT. SEE FLA. R. APP. P. 9.330 (d)(2) AND FURTHER THE FLORIDA SUPREME COURT DENIES JURISDICTION UNDER ART V, SECTION 3(b), FLORIDA CONSTITUTION)

THE FLORIDA CONSTITUTION IS CLEAR AN INDIGENT PRISONER PURSUANT TO FLA. STAT. 57.085, 82.81 HAS A CLEAR RIGHT TO ACCESS COURTS PURSUANT TO FLA. CONST. ART 1 SEC 21, ACCESS TO COURTS EVEN IF A LOWER TRIBUNAL, DISTRICT COURT OF APPEAL, AND FLORIDA SUPREME COURT BARS THE PETITIONER FROM FUTURE FILINGS.

STATEMENT OF THE CASE

THE PETITIONER FILED NOTICE TO INVOKe THE JURISDICTION OF THE FLORIDA SUPREME COURT TO REVIEW AN AUGUST 29, 2027 ORDER BARRING THE PETITIONER FROM FUTURE FILINGS IN THE FLORIDA FIRST DISTRICT COURT OF APPEALS IN VIOLATION OF THE PETITIONER'S RIGHT TO ACCESS COURTS. (SEE: HYDE V FLORIDA DEPARTMENT OF LEGAL AFFAIRS 390 SO. 3D. 1211 (FLA. 1ST DCA 2027))

APPENDIX B REFLECTS THE JANUARY 2, 2025 FLORIDA SUPREME COURT ORDER DENYING JURISDICTION IN HYDE V FLA. DEPT. OF LEGAL AFFAIRS NO SC 2027-1411 (FLA. 2025) WITH SUPPLEMENTAL APPENDIX "C" & "D" FILED IN HYDE V FLA. DEPT OF LEGAL AFFAIRS NO SC 2027-1411 (FLA 2025) MATERIALLY REFLECTING THE FLORIDA FIRST DCA NOT PROVIDING TIMELY SERVICE OF MULTIPLE DCA COURT ORDERS REQUIRING PETITIONER TIMELY RESPONSE RESULTING IN THE FLA FIRST DCA ENTERING SANCTION BARRING THE PETITIONER FROM FUTURE FILINGS IN THE DCA IN VIOLATION OF THE PETITIONER'S RIGHT TO ACCESS COURTS (SEE: MITCHELL V MOORE 786 SO 2D 521 (FLA 2001)) "TO FIND A VIOLATION OF THE RIGHT UNDER THE STATE CONSTITUTION TO ACCESS THE COURTS, IT IS NOT NECESSARY FOR THE STATUTE TO PROVIDE A PROCEDURAL RULE WHICH IS ABSOLUTELY IMPOSSIBLE TO SURMOUNT, ONLY ONE WHICH IS SIGNIFICANTLY DIFFICULT WEST'S F.S.A. CONST. ART. 6 SEC 21")

REASONS FOR GRANTING THE PETITION

THE PETITIONER ARTICULATED THE BASIS FOR SEEKING REVIEW OF THE FIRST DCA AUGUST 29, 2024 ORDER FILED IN HYDE V FLA. DEPARTMENT OF LEGAL AFFAIRS 390 SO. 3D 1211 (FLA. FIR. DCA 2024) IN HIS BRIEFING FILED IN APPENDIX "B" HYDE V FLA. DEPT OF LEGAL AFFAIRS SC NO 2024-1411 (FLA 2025) SPECIFICALLY ALLEGING THE FIRST DCA VIOLATED THE PETITIONER'S RIGHT TO ACCESS COURT NOT PROVIDING SERVICE OF A JULY 25, 2025 SNOW CAUSE ORDER IN HYDE V. FLA. DEPARTMENT OF LEGAL AFFAIRS 390 SO. 3D. 1211 (FLA. FIR. DCA 2024) RESULTING IN THE FIRST DCA ENTERING SANCTION BARRING THE PETITIONER FROM FUTURE FILINGS AS THE PETITIONER HAD NO KNOWLEDGE OF THE JULY 25, 2024 SNOW CAUSE ORDER TO RESPOND TO DCA. (SEE: MITCHELL V MOORE 786 SO. 2D. 521 (FLA 2001)) RIGHT TO ACCESS COURTS IS SPECIFICALLY MENTIONED IN STATE CONSTITUTION AND THEREFORE, IT DESERVES MORE PROTECTION THAN THOSE RIGHTS FOUND ONLY BY IMPLICATION WEST'S F.S.A. CONST ART. 1 § 21).

THE PETITIONER WAS DENIED NOTICE AND HIS RIGHT TO BE HEARD BY THE FLORIDA DCA IN HYDE V FLA. DEPT OF LEGAL AFFAIRS 390 SO 3D. 1211 (FLA. FIR. DCA 2024) WITH THE DCA FAILING TO PROVIDE THE PETITIONER WITH THE JULY 25, 2024 SNOW CAUSE ORDER ENTERED IN HYDE V FLA DEPT OF LEGAL AFFAIRS 390 SO 3D 1211 (FLA. FIR. DCA 2024) AS REFLECTED IN SUPPLEMENTAL APPENDIX "A, B, C. & D" FILED IN APPENDIX B, HYDE V FLA DEPT. OF LEGAL AFFAIRS NO. SC 2024-1411 (FLA 2024). (SEE: WISCONSIN V CONSTANTINEAU 91 S. CT.

507 (1971) "WHERE PERSON'S GOOD NAME, REPUTATION, HONOR, OR INTEGRITY ARE AT STAKE BECAUSE OF WHAT GOVERNMENT IS DOING TO HIM NOTICE AND AN OPPORTUNITY TO BE HEARD ARE ESSENTIAL." (SEE IVEY V STATE NO. 1D2024-0783, 2025 WL 321634 (FLA. 1ST DCA 2025))

APPENDIX C REFLECTS EMAIL CORRESPONDENCE IN REGARDS TO HYDE V KEITH WISE NO. 2:24-CV-00136-RAN-CSC (N.D. ALA 2024), NOTICE OF FILING EXHIBITS CONVENTIONALLY (DOC 25). AS SHOWN IN APPENDIX C THE PETITIONER'S CUSTODY WAS TRANSFERRED FROM WALTON COUNTY JAIL, FLORIDA TO SANTA ROSA COUNTY JAIL, FLORIDA ON JULY 25, 2024 THE SAME DAY THE SHOW CAUSE ORDER WAS FILED IN HYDE V. FLA DEPARTMENT OF LEGAL AFFAIRS 390 SO. 3d. 1211 (FLA. 1ST DCA 2024). THE FIRST DCA IN "BAD FAITH" DENIED THE PETITIONER'S MOTION FOR REHEARING FILED IN HYDE V FLA DEPARTMENT OF LEGAL AFFAIRS 390 SO. 3d 1211 (FLA. 1ST DCA 2024) FOLLOWING APPENDIX A, ORDER BARRING PETITIONER FROM FUTURE FILING IN THE DCA DATED AUGUST 29, 2024. THE PETITIONER AT NO TIME RECEIVED THE JULY 25, 2024 SHOW CAUSE ORDER FILED IN HYDE V FLA DEPT OF LEGAL AFFAIRS 390 SO 3d 1211 (FLA 1ST DCA 2024). IT IS THE LEGAL MAIL POLICY OF THE WALTON COUNTY JAIL, FLORIDA TO FORWARD ANY PRISONER LEGAL MAIL TO THE NEXT FACILITY TAKING CUSTODY OF THE PRISONER FOLLOWING TRANSFER OF PRISONER / PRETRIAL DETAINEE. THE WALTON COUNTY JAIL, FLORIDA WAS NOT IN RECEIPT OF THE FIRST DCA JULY 25, 2025 SHOW CAUSE ORDER OR FAILED TO FORWARD THE SHOW CAUSE ORDER TO THE PETITIONER HELD IN CUSTODY AT THE SANTA ROSA COUNTY JAIL, FLORIDA.

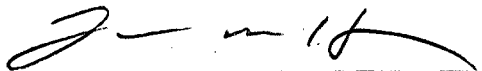
FURTHERMORE, THE PETITIONER WAS DENIED APPOINTMENT OF APPELLATE COUNSEL BY THE FIRST DCA IN HYDE V STATE NO 1D2024-1967 (FLA. FIL. DCA 2024) FOLLOWING THE FIRST DCA BARRING THE PETITIONER FROM FUTURE FILINGS. HYDE V STATE NO 1D2024-1967 (FLA. FIRST DCA) WAS AN ONGOING PROCEEDING PRIOR TO AUGUST 29, 2024 ORDER (APPENDIX A) BARRING PETITIONER FROM FUTURE FILINGS.

APPENDIX D REFLECTS A COMPLETE DENIAL BY THE FIRST DCA OF BOTH THE PETITIONERS RIGHT TO ACCESS COURTS AND DUE PROCESS RIGHTS IN HYDE V STATE NO. 1D2024-1967 (FLA. FIL. DCA 2024) AS A DIRECT RESULT OF THE AUGUST 29, 2024 ORDER IN HYDE V FLA. DEPT OF LEGAL AFFAIRS 390 SO 3d. 1211 (FLA. FIL. DCA 2024) BARRING THE PETITIONER FROM FUTURE FILINGS.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: APRIL 9, 2025

APRIL 9, 2025

TO: UNITED STATES SUPREME COURT CLERK
1 FIRST STREET, N.E.
WASHINGTON, D.C. 20543

FROM: TRISTAN MICHAEL HYDE #21014528
SANTA ROSA COUNTY JAIL
5755 E. MILTON RD.
MILTON, FL 32583

RE: PETITION FOR A WRIT OF CERTIORARI.

SIR OR MADAM,

PLEASE FILE THE INCLUDED PETITION FOR
WRIT OF CERTIORARI, MOTION FOR LEAVE TO PROCEED
IN FORMA PAUPERIS, AND PROOF OF SERVICE AND ASSIGN
NEW CASE NUMBER.

PLEASE SEND ME NOTICE REFLECTING THE
CASE NUMBER ASSIGNED TO PETITION.

Very Respectfully,

