

IN THE SUPREME COURT OF THE UNITED STATES

NEIL CUFF

Petitioner,

v.

FLORIDA A&M UNIVERSITY & BOARD OF TRUSTEES

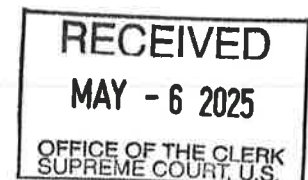
Respondent

*On Petition for Writ of Certiorari to the
United States Court of Appeals
for the Eleventh Circuit, Case: USA 11 23- 12474*

**MOTION TO DIRECT THE CLERK TO FILE PETITION FOR
WRIT OF CERTIORARI OUT OF TIME**

Petitioner, Neil Cuff, hereby respectfully submits this Motion to Direct the Clerk to File the Petition for Writ of Certiorari Out of Time. The purpose of this motion is to ask the Court to accept Mr. Cuff's Petition for Writ of Certiorari submitted to this court and served on Opposing Counsel on March 19th, 2025.

For over a year (July 2023- October 2024), my Appeal has been pending at the 11th Circuit Court of Appeals in Atlanta, GA. I called and wrote to the Court constantly (404-335-6135) and was always told that the case was in the pending stage. When I called on December 11th, 2024 @ 2:49 pm, I learned that the case was dismissed, but I was never notified by mail.



As a pro se petitioner, I decided to include pertinent documents to strengthen my Appeal before filing the Writ of Certiorari with the Supreme Court.

Important Documents That I Intend to File With The Writ of Certiorari

1. I filed a Federal Lawsuit against Florida A&M University in April 2022. And

immediately, thereafter, I noticed that the Opposing Attorney, Mr. Richard

Mitchell, did not follow **the Rules of Civil Procedure**. As Examples:

a. Attorney Mitchell never turned over a single Discovery

Document/Material since the Case commenced. Especially, a Resolution to a Grievance Complaint, which was filed at the time, 5 years earlier.

b. As a pro se Litigant in a very complex case, I tried to get legal representation. According to what I was told by an online Attorney, Ms.

Jennifer Ford, Mr. Mitchell attempted to interfere with her as she prepared my Motions and Amended Complaints, and to damage my case.

c. Ms. Ford also communicated that Attorney Mitchell was having meetings/discussions with the Ruling Judge, Hon. Dalton, ex-parte

d. Those ex-parte meetings could have explained why the Hon Judge Dalton twice denied my pleading for a pro bono Attorney to assist me with my very complex case (as my resources were limited).

e. It could also explain what really occurred in early June 2023. I decided to write a Motion seeking the Court to Compel all those long overdue

Discovery Materials. The Magistrate Judge, Hon. Robert Norway, approved that Motion, and as I was midway through completing that process, Hon. Judge Dalton just intervened and dismissed the case outright.

- f. When Attorney Mitchell submitted the Motion to dismiss my 2nd Amended Complaint, I was in the Hospital. He never reached out to me to confer about that dismissal. If I had done something similar, Judge Dalton would have sent me an Order regarding local rule **3.01(G)**. But nothing happened when it was done by Attorney Mitchell.
- g. After my Case was dismissed, I provided the 11th Circuit Appeals Court with all the above shortcomings of Attorney, Mr. Mitchell, and what the Federal court allowed to take place. I even went as far as to plead with the Appeals court to compel all those denied Discoveries from the lower court. Those were denied, and my Appeal was still dismissed

2. When I learned in December 2024 that my Appeals Case was dismissed, I decided to file a writ of Certiorari, but felt that Pertinent Supporting Documents would strengthen my Cause:

- a. So, on December 16th, 2024, I wrote to the Florida Bar Grievance Committee. Again, I requested all their findings from my previous Complaints, including the subpoenaed phone and email records about

communications that Attorney Ford referred to (Please see EXHIBIT A, attached).

- b. I got no response. So far, I have requested that information 2 more times.
- c. I waited, and waited, and called the Florida Bar a few times, and finally decided to submit my Writ of Certiorari. I did so in March 2025, and the Supreme Court Clerk told me that she replied immediately, but I still haven't received her response in the mail.

3. **An Appeal For A Review:** During my time at Florida A&M University (Crestview/Alabama campus), I, as an Immigrant Minority Citizen, was treated unfairly. Without any family support, I received no Federal student loans for the first 2 and a half years (even though I was qualified), I was approved for ADA Accommodations, but was denied, I was terminated from 6 Clinical rotations without a single reason, which delayed my graduation, etc. Because I had no legal representative to stand by my side...Opposing Counsel took advantage of me and legally abused me.
4. **I would also like to add the following:** I graduated 7 years ago as a Pharmacist from Florida A&M University. Since then, I have been having problems taking my Board Exams. I also found out that the Boards of Pharmacy had redacted records that the FAMU University passed to the Pharmacy Board as retaliation.

When I tried to subpoena those redacted records that are blocking me from taking my Board Exams, Attorney Mitchell blocked those as well.

5. I am pleading with the Supreme Court to request all the Complaint Records on Attorney Mitchell from the Florida Bar, review them, and then hopefully return my case to the 11th Circuit Court, Atlanta, GA.

CONCLUSION AND A PRAYER FOR RELIEF

Missing USPS Mails: There has been a problem with missing USPS Mails sent to my current Address. Even though I had been calling and writing to the Atlanta Appeals court, I never knew the case was dismissed months earlier, and I never received that letter. Recently, when I contacted the Supreme Court, Clerk's Office, she informed me that she sent me a letter on March 31st, 2025. I never received that Letter. So, last week I went to the Post Office in Leon County, Tallahassee, FL, and filed a complaint with Supervisor, Mr. Gruber. He promised to investigate the matter.

Finally, after that delay, I decided to try and get those Investigating Reports from the Florida Bar on the Activities/Conduct of Attorney Mitchell. As of today (04/22/2025), those Powerful Reports, which would strengthen my Case, haven't arrived. I am enclosing copies of other Complaints that I submitted to the Florida Bar on Attorney Mitchell over the years.

WHEREFORE, the petitioner, Neil Cuff, hereby respectfully requests that this Honorable Court direct the Clerk to accept and file the Writ of Certiorari out-of-time.

CERTIFICATE OF SERVICE

I HEREBY Certify that a true and correct copy of the foregoing Motion has been served on the Opposing Counsel (Mr. Jerry Lewis, 2800 S. Adams St, # 5693, Tallahassee, FL, 32314, Ms. Savannah, Clifton, and Mr. Jason Zimmerman, of Gray Robinson, 301 E Pine St, Suite 1400, Orlando, FL, 32801, by US Mail today, April 22, 2025.

Respectfully Submitted, today, April 22nd, 2025,

Neil Cuff

Enclosures : "A-I"

PH: 850-445-9836

