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IN THE

SUPREME COURT OF THE UNITED STATES

WALTER LEE WRIGHT - PETITIONER

vs.

LAURA A. MARTIN, et al. - RESPONDENTS

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS FOR
THE ELEVENTH CIRCUIT

PETITION FOR WRIT OF CERTIORARI

Walter L. Wright
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Century, Fl. 32535

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OFFICE OF THE CLERK
SUPREME COURT, U.S.

QUESTION PRESENTED

IS THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT INTENTIONALLY MAKING UNLAWFUL DECISIONS, TO COVER UP THE CORRUPTION OF GOVERNMENT OFFICIALS, SUCH AS: THE DEPARTMENT OF CORRECTIONS, STATE CIRCUIT COURTS, STATE DISTRICT COURTS OF APPEAL; AND FEDERAL DISTRICT COURTS OF FLORIDA?

LIST OF PARTIES

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. Adams, J. - Assist. Sec. of D.O.C.
2. Bondi, Pamela - Attn. Gen.
3. Collins - Lieutenant
4. Crew, Michael - Secretary of D.O.C.
5. Davis, S - Assist. Warden
6. Douglas, D. - Health Service Dir.
7. Edmond - Sergeant
8. Grayes, Marcus - Assist. Attn. Gen.
9. Harvey, E. - Assist. Sec. of D.O.C.
10. Hodges, William - U.S. Senior District Judge
11. Jones, Gary - U.S. Magistrate Judge
12. Martin, Laure - Officer
13. McDonald - Colonel

14. McNamara, C. - Attorney
15. Mitchell - Sergeant
16. Page, Randall - former Assist. Attn. Gen.
17. Paul, Maurice - District Judge
18. Reed, C. - Classification Supervisor
19. Rowell - Captain.
20. Stone, E. - Assist. Sec. of D.O.C.
21. Valentine - Nurse
22. Watson, D. - Warden
23. Wheeler, Jon - Clerk of Court
24. Wolf, R. - Health Service Asst. Dir.
25. Wright, Walter - Plaintiff/Appellant

TABLE OF CONTENTS

OPINIONS BELOW	1
JURISDICTION	2
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	3
STATEMENT OF THE CASE	4
REASONS FOR GRANTING THE WRIT	6
CONCLUSION	8

INDEX TO APPENDICES

APPENDIX A. Circuit Judges: William Pryor, Jordan and Julie Carnes of the 11th cir, Denied Petitioner's Motion for Leave to Proceed on Appeal, Dismissed Appeal and Denied Petitioner's Motion to Clarify.

APPENDIX B. Petitioner's Motion for Extension of time, (Pursuant to F.R.C.P. 6(b)(1)(A)) in the Northern District and the Court's order Granting Extension.

APPENDIX C. Petitioner's Motion for Extension (Pursuant to F.R.C.P. 6(b)(1)(B)), in the Northern District, in order adopting Magistrate Judge R+R, denying Petitioner's Extension, Granting Defendant's Motion for Summary Judgment and directing the clerk to close file and the Judgment granting Defendant's Motion for Summary Judgment.

Appendix D. Petitioner's Notice of Appeal, leave to proceed In Forma pauperis in the Northern District and the Court's Order denying IFP.

Appendix E. Magistrate Judge Report and Recommendation.

Appendix F. Petitioner's Motion for Reconsideration to the 11th Cir. and Order denying Motion.

Appendix G. Petitioner's Motion to Proceed on Appeal IFP in the Court of Appeals.

Appendix H. Petitioner's "Motion of Inquiry" in the 11th Cir.

Appendix I. Letter from the 11th Cir. Clerk.

TABLE OF AUTHORITIES CITED

CASE

PAGE NUMBER

Mathews v. Eldridge, 424 U.S. 319, 47 L.Ed. 2d 18
96 S.Ct. 883 (1976)

29. 6

STATUTES AND RULES

FRAP Rule 12

4

FRAP Rule 24

5, 6

FRAP Rule 31

5, 6

OTHER

14th Amendment

6

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 A to the petition and is

☐ is unpublished.

The opinion of the United States District court appears at Appendix C to the petition and is

☒ reported at Wright v. Martin, 2017 U.S. Dist. Lexis 57654 (N.D. Fla. Feb. 13, 2017); Wright v. Martin, 2017 U.S. Dist. Lexis 57666 (N.D. Fla. April 13, 2017)

JURISDICTION

☐ For cases from federal courts:

The date on which the United States Court of Appeals decided my case was December 15, 2017

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: March 13, 2018, and a copy of the order denying rehearing appears at Appendix F

The jurisdiction of this Court is invoked under 28 U.S.C. sec. 1254(1).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Amendment 14th, section 1 of the United States Constitution.
see Page 6

STATEMENT OF THE CASE

In this instant case, On April 28, 2017, Appellant filed a timely Notice of Appeal and a Motion of Leave to Proceed In forma Pauperis; (Pursuant to FRAP Rule 24 (c) (1) under case No: 1:15-cv-181-WTH-GES, in the United States District Court Northern District of Florida Gainesville Division. See Ex B of Appx G Without addressing subsection (c) of the Motion of Leave to Proceed In forma Pauperis; On May 4, 2017, the District Judge Denied Appellant's Motion, claiming: "so the court considers whether this appeal is taken in good faith. This court determines that it is not,..."; without stating a written reason as required. see Ex A of Appx G

Therefore, on May 31, 2017, Appellant filed a "Motion to Proceed on Appeal In forma Pauperis In the Court of Appeals"; (Pursuant to FRAP Rule 24 (a) (5)) under Appeal # 17-12014-A in the United State Court of Appeals for the Eleventh Circuit, see Appx G challenging the district courts failure to certify in writing it's reason, along with a Memorandum of Law of other issues that was not addressed. On June 29, 2017, Appellant filed a "Motion to Clarify", under Appeal No. 17-12014-A, in the Court of Appeals for the 11th circuit, seeking a better understanding concerning the filing fee, within that Motion as Appellant's Relief sought Appellant state: "Allow Appellant the proper proceedings in this Appeal match." see Attachment of Appx H

After not hearing from the 11th circuit, on August 23, 2017, Appellant filed a "Motion of Inquiry." see Appx H.

On August 29, 2017, the 11th Cir. Clerk issued a letter stating: "your motion for leave to proceed and your motion for clarification are both pending. A copy of entered order will be sent to all parties of this case when the motions are ruled on." see Appx I On December 19, 2017,

the 11th circuit issued a Order of Dismissal. see Appx A
Upon the court taking such action without first invoking
Rule 12 (c) of the Appellate Procedure, Appellant was
deprived of any opportunity to be heard before Made
it's decision. see FRAP. Rule 31 (c)(1)

However, on January 4, 2018, Appellant filed a "Motion
for Reconsideration", under Appeal # 17-12014-A, in
the 11th cir. and on March 13, 2018, the 11th cir. issued
an order denying Appellant's "Motion for leave to proceed;
Motion to clarify and Motion for reconsideration". see Appx F

REASONS FOR GRANTING THE WRIT

Section 1 of the 14th Amendment of the United States Constitution affords, "all persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

In this instant case, the 11th Cir. has deprived Appellant the liberty of being heard, throughout the course of District Court Docket No: 1:15-cv-189-WTH-GRS coming before it's court. Whereas, "the fundamental requirement of due process is the opportunity to be heard "at a meaningful time and in a meaningful manner". See Mathews v. Eldridge, 424 U.S. 319, 47 L.Ed.2d 18, 96 S.Ct. 893 (1974).

Upon Appellant taking action that cause Appeal Number: 17-12014-A in the 11th Cir., such action by Appellant invoked F.R.A.P. Rule 12 (c), which states: "upon receiving the record, partial record, or district clerk's certificate as provided in Rule 11, the Circuit Clerk must file it and immediately notify all parties of the filing date." Appellant was not notified of the filing date, ~~which~~ which would have invoked Appellants opportunity to be heard according to the afforded Rule of F.R.A.P. 31 (a) (1), which states: "Time to serve and file a Brief; The appellant must serve and file a Brief within 40 days after the record is filed." And due to Appellant not being properly afforded an opportunity to be heard in the course of Appeal Number: 17-12014-A, Appellant was deprived of demonstrating his case throughout the course of District Court Docket No: 1:15-cv-189-WTH-GRS coming before the 11th Cir.

Not only is Appellant being deprived of proper due process, Appellant is being deprived of the afforded equal protection right, when the 11th choose not to address Appellants issue's that's ~~supported~~ supported by the facts of the case and decision of case laws and has so far departed from the accepted and usual course of judicial proceedings, as to call for an exercise of this Courts supervisory power.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Walter ~~W~~

Date: June 11, 2018