IN THE SUPREME COURT OF THE UNITED STATES

NO: 24-6496

IN RE MAESTRO MATHEW FAISON,
Respondent.
_____/

REHEARING

COMES NOW, MAESTRO M. FAISON petition the court [via] moves the court pursuant to rule 44(1) on the tactic that (Court Justice), has extend the time United States Supreme Court Rule 44. The reasons Petitioner states is warrant for another adjudication of the denial of the petition for extraordinary writ ruling on the 7th day of April, 2025; aver herewith.

A. ON THE SUBJECT THE FINDING THE ELEVENTH CIRCUIT OF APPEAL ERRONEOUSLY RENDITION OF THE 28 U.S.C. 2244

1) The 11th Cir. of Appeals, rested its decision on, reference the decision that this Honorable Supreme Court, did not say whether[1]

[1] UNITED STATES v. BOOKER, 543 U.S. 220 (2005)

Erlinger v. United States, 144 S.Ct. 1852-53 (2024)[2]. On whether the case is (retroactive). Although this Honorable Court did not say, the (APPRENDI) decision was retroactive, its manifest evidence that the decision is retroactive because the Erlinger courtroom came after Apprendi. [via]; TEAGUE v. LANE, 489 U.S. 288 (1988). Cf. DANFORTH v. MINNESOTA, 552 U.S. 264 (2008):

B. PREMISE

The Respondent Maestro M. Faison Saith this rehearing request is not in absence of extraordinary circumstances for results and rehearing complies to Supreme Court Rule 44. And this petition briefly and distinctly states in side, section [A]. The extraordinary circumstances, that no other court can give the relief Petitioner or respondent maestro M. Faison requesting and the preponderance of the episode of what the court decided in (2000); on[3] ("APPRENDI"). Cf. UNITED STATES v. BOOKER, 543 U.S. 220 (2005). Also, see, McCall v. UNITED STATES, 219 LED2D 1312, --U.S. (2024).

C. INTERVENING CIRCUMSTANCES

[2] When the part retroactive is mentioned inside the rehearing motion DANFORTH v. MINNESOTA, 552 U.S. 264 (2008)
[3] ERLINGER v. UNITED STATES, 144 S.Ct. 1852-53 (2024)

3) This petition may require, the State of Florida Attorney General; to conciliation the circumstances. To-wit any other grounds not previously presented

This Honorable Court Justice extended the time twice, on the 30th of May 2025, and July 8th, 2025 also August 12th, 2025; for purpose to file correct petition for rehearing.

D. RETROACTIVE DICTUMS BEFORE THE ANTITERRORISM AND EFFECTIVE DEATH PENALTY ACT OF 1996 WITHIN MEAN OF THE ERRONEOUSLY STATUTORY CRITERIA OF THE FLORIDA STATUTE SECTION 947.16(3)(4) (2013) THE DUE PROCESS TES[T] ON A CONSTITUTIONAL QUESTION [?] SAITH SECTION 947.16 WAS ERRONEOUSLY DECIDED

4) The first instance of this cause apparently when the lower superior state court of Florida appeal Court Third District Court of appeal held section 947.16 was unconstitutional, to retain jurisdiction for one-third of six consecutive 100 year sentences. The [SCF] Supreme Court of Florida held that is wasn't. See; ALVAREZ v. STATE, 358 So.2d 10 (Fla. 1978). As it relies on HARMON v. STATE, 416 So.2d 835 (Fla. First District of Appeal 1982). Stating it denies Petitioner's contention that the statute is unconstitutional vague and indefinite.

However this Honorable Supreme Court, ruled different two years later, in BIFULCO v. UNITED STATE, 447 U.S. 381, 100 S.Ct. 2247 (1980).

In GEORGE MOORE ICE CREAM COMPANY v. ROSE, 289 U.S. 373, 379 (1933). Is retroactive. This Honorable Supreme Court of the United States opposed the Florida Supreme Court findings, and said it's a violation, violates the due process and equal protection of law. Id. {116 S.Ct. 114,1124}; (1996) footnote nine.: Justice Jackson continute to say "[t]he bottom line is this" the people ratified the Fifth and Sixth Amendments, not any of our nor Judge Nesbitt, personal views.

This Honorable Court, at footnote, [4]SEMINOLE TRIDE OF Florida v. Florida, 116 S.Ct. 1114, 1124 (1996). "Final decision said it cannot press statutory construction 'to the point of disingenuous evasion' even to avoid a constitutional question." Therefore Florida decision maker cannot avoid the constitutional question[?].: [5] George More Ice Cream Co. v. Rose, 289 U.S. 373, 379 (1933).

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[4] Seminole Tride of Florida v. Florida, 116 S.Ct. 1114, 1124 (1996)
[5] George More Ice Cream Co. v. Rose, 289 U.S. 373, 379

Last but not less, the only thing respondent Maestro Faison will benefit if the court [GRANT], rehearing the reason[6] is the language in Justice Jackson's factfinding that, the only thing judges may not do consistent to-with (Apprendi)," decision, is increase a defendants exposure to punishment based on the judges own factfinding. Inside Mathew Leo Jackson "(Jury Trial)", although the presiding Judge Mrs. Lenore C. Nesbitt, now has been laid to rest. She used Florida Statute, section 947.16(3)(4) (1978), inside her on motion retaining jurisdiction. Visit the Dade County Court House 11th Jud. Cir. Case Number 79-13113 of the motion-retaining jurisdiction[7] dated November 16th, 1979; by visiting the computer app.

Wherefore, Petitioner believe he is entitled to redress.

Dated this 26TH day of August, 2025.

/S/ Maestro Mathew J Faison

Mathew J. Faison
FDOC #038634
Avon Park Corr. Inst.
8100 Highway 64 East
Avon Park, FL. 33825

[6] Erlinger v. United States, 144 S.Ct. 1852-53 (2024)
[7] Faison v. State, 426 So. 963 (Fla. February 10, 1983)

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CERTIFICATE OF COUNSEL [VIA] PROOF OF SERVICE

I, Maestro M. Faison, the counsel for this cause and in good faith saith this request for "REHEARING" is prayed for and for to remedy Rule 29(5), as required by the rule and the parties the State of Florida Attorney General and its Assistant General Counsels is being serviced with this document at 107 West Calhoun Street, Department of Legal Affairs, Suite PL-01 (1050), Tallahassee, FL 32399-1050 by depositing an envelope containing the above documents in United States Mail properly addresses to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

I declare, under penalty of perjury, the foregoing is true and correct. Executed on this the 26TH day of August, 2025.

/S/ M. M. Faison

Maestro M. Faison, Movant