

PROVIDED TO  
SANTA ROSA C.I. ON

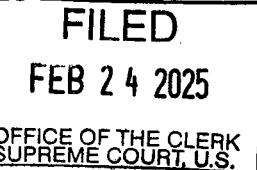
24 2025

FOR MAILING BY  
20

No. 24-6977

IN THE

SUPREME COURT OF THE UNITED STATES



Roderick Owens — PETITIONER  
(Your Name)

vs.

Sec: D.O.C. Dixon — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Florida Supreme Court - February 6, 2025  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Roderick Owens

(Your Name)

Santa Rosa Correctional Institutional Road ANNEX  
5850 East Milton Road

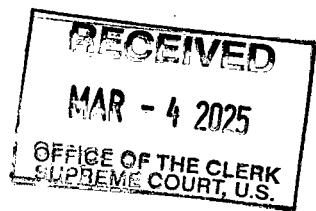
(Address)

Milton Florida 32583

(City, State, Zip Code)

N/A

(Phone Number)



①

QUESTION(S) PRESENTED

Was the petitioner Deny Access to the Court  
On First District Court of Appeal - Opinion.

And did the Florida Supreme Court  
Confirm a Denial of a AMERICAN CITIZEN  
Constitutional.

## 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:

Criminal Appeals T.H. Attorney General  
1 DCA-Cleak  
LEON-Cleak

Hon. Stephen Sebastian Everett  
Benjamin Hoffman  
Roderick Owens

## RELATED CASES

Wheeler v. State, 296 So.3d 895 (Fla. 2020)  
Wells v. State, 132 So.3d 1110 (Fla. 2014)  
Jackson v. State, 926 So.2d 1262 (Fla. 2006)  
Gandy v. State, 846 So.2d 1141 (Fla. 2003)  
Stallworth v. Moore, 827 So.2d 974 (Fla. 2002)  
Harrison v. Hystea Co. 515 So.2d 1279 (Fla. 1987)  
Dodi Publ'g Co. v. Editorial Am. S.A., 385 So.2d 1369 (Fla. 1980)  
T Jenkins v. State, 385 So.2d 1356 (Fla. 1980)

## TABLE OF CONTENTS

OPINIONS BELOW.....	1
JURISDICTION.....	7
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED .....	8
STATEMENT OF THE CASE .....	9
REASONS FOR GRANTING THE WRIT.....	10
CONCLUSION.....	11

## INDEX TO APPENDICES

APPENDIX A *Supreme Court of Florida*

APPENDIX B *First District Court of Appeal - State of Florida*

APPENDIX C

APPENDIX D

APPENDIX E

APPENDIX F

## TABLE OF AUTHORITIES CITED

### CASES

	PAGE NUMBER
DAISE v STATE, 379 So.2d 603 (10CA2024)	- 9
SPEERA v STATE, 971 So.2d 754 (Fla 2007)	- 9
Ivory v State, 159 So.3d 197 (Fla 4DCA 2015)	- 9
Gideon v Wainwright, 373 U.S. 335 (1963)	- 9
Bartea v State, 878 So.2d 1236, 1239 (Fla 2004)	
Slack vs McDaniel, 529 U.S. 473, 478 (2000)	- 10
Eagle v Linahan, 279 F.3d 926, 935 (11 <sup>th</sup> 2001)	- 10

### STATUTES AND RULES

- 3.850 (e)
- 3.850 (f) (2)
- 3.850 (h)
- 3.850 (b)

### OTHER

- Article I, Section 13 of the Florida Constitution
- Article I, § 21 of the Florida Constitution

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 None; 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 None; 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 A to the petition and is

reported at Florida Supreme Court; or,  
 has been designated for publication but is not yet reported; or,  
 is unpublished.

The opinion of the Florida Supreme Court court appears at Appendix A to the petition and is

reported at \_\_\_\_\_; or,  
 has been designated for publication but is not yet reported; or,  
 is unpublished.

1.

## JURISDICTION

[ ] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was None.

[ ] 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: None, 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 Feb 6, 2025. A copy of that decision appears at Appendix A.

[ ] A timely petition for rehearing was thereafter denied on the following date: None, 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 None (date) on                    (date) in Application No. A      .

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

5, 6, 14, Amendment of the United States Constitutional

Florida Constitution

Article I, Section 13 of the Florida Constitutional

Article I, § 21 of the Florida Constitutional

## STATEMENT OF THE CASE

On January 15, 2025 First District Court of Appeal- State of Florida issue a Nine page Opinion at the very begin-statement of the opinion it say Concurring:

I agree that we are constrained by *Daise v. State*, 379 So.3d 603 (10CA2024) to affirm the order on appeal. I write to explain my belief that the interpretation of Florida Rule of Criminal Procedure 3.850(e) and (f)(2) given in *Daise* does not accurately reflect the decision they purport to codify- *Spears v. State*, 971 So.2d 734 (Fla 2007).

Additionally, I write to express my concern that rules 3.850(e) and (f)(2), as interpreted in *Daise* may violate Article I, Section 13 of the Florida Constitution. SEE *Gideon vs Wainwright*, 373 U.S. 335 (1963)

Denying the petition  
Access to the Court

Footnote: On Thursday February 6, 2025 Supreme Court of Florida in their own opinion. That this Court lacks jurisdiction to review an unelaborated decision from a district Court of Appeal that is issued without opinion or explanation or that merely cites to an authority: SEE the attaches Appendix A

## REASONS FOR GRANTING THE PETITION

You either have access to the court or you do not in the petitioned case why is this even a question of law. His post conviction motion was not answered on the (merit of the claims) Why because the state Court close the door. On misinterpretation of their own (Procedures) Rules of Court. So in their opinion they Explain:

First:

To their own court the IDCA what they did (Wrong)

Second:

They Explain to the Trial Court (lower) Court what they did (Wrong)

Two wrongs do not give the petitioner Access to the (merit) of his claims for Relief. So the High Court in the State say they lack jurisdiction over a Procedure of Constitutional Law. American Citizen Constitutional Right is guaranteed by United States Constitution.

5, 6, 14, Amendment Violation on the State of Florida Court system. Under Slack vs McDaniel 529 U.S. 473. 478 (1993) And Eagle v Livahan 279 F.3d 926 935 (11th 2001) Assuming the Ruling were on the Merit. The Petitioned Claim was Adequately Presented to the State Courts.