

PROVIDED TO
SANTA ROSA C.I. ON

FEB 24 2025
FOR MAILING BY
PA

24-6977
No. _____

RECEIVED
FEB 24 2025
OFFICE OF THE CLERK
SUPREME COURT, U.S.

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)

RECEIVED
MAR - 4 2025
OFFICE OF THE CLERK
SUPREME COURT, U.S.

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 L H, ATTORNEY GENERAL
I DCA - Clerk
LEON - Clerk

Hon. STEPHEN SEBASTIAN EVERETT
BENJAMIN HOFFMAN
RODERICK OWENS

RELATED CASES

WHEELER v STATE, 296 So.2d 895 (Fla 2020)
WELLS v STATE, 132 So.2d 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 Hyster Co. 515 So.2d 1279 (Fla. 1987)
DODI Publg Co. v Editorial Am. S.A., 385 So.2d 1369 (Fla. 1980)
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 (10CA 2024)	— 9
Spera 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
Baker 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 th 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.

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 13, 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 (10CA 2024) 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 - *Spear 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 petitioner [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 don't in the petitioner's 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 closed 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 v. McDaniel 529 U.S. 473, 478 (2000) ^{11th Cir} And Eagle v. Linahan 279 F.3d 926, 935 (11th 2001) Assuming the Ruling were on the Merit. The Petitioner's Claim was adequately presented to the State Courts.