

IN THE UNITED STATES SUPREME COURT

HALE R. HARRIS,

Petitioner,

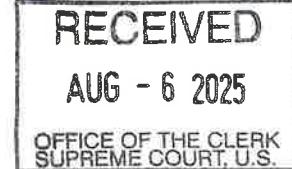
Vs.

RICKY D. DIXON, Secretary, Florida  
Department of Corrections,  
Respondents.

AMENDED PETITION FOR REHEARING

Petitioner, Hale R. Harris, pursuant to Rule 44 and all other applicable Rules of the United States Supreme Court and respectfully requests that this Court grant rehearing in the above styled cause and in support of this petition would state the following:

1. On April 10<sup>th</sup>, 2025 petitioner submitted with this Court a writ of certiorari which was placed on the docket on April 15, 2025.
2. On May 19, 2025, this Court entered its order denying the Petition for Writ of Certiorari which was received by petitioner through prison legal mail on May 27, 2025.
3. The Eleventh Circuit in its denial of the COA reasoned that "because the post-conviction court did not unreasonably apply clearly existing federal law, as determined by the Supreme Court of the United States it is entitled to deference, 28 U.S.C. §2254(d)(1)."



The fact that deference was an issue in the Eleventh Circuit and that it was based on the state postconviction courts determination that petitioner was not entitled to any form of relief from the constitutional violation raises the questions that were presented in petitioners certiorari, which were; 1) Does the finding that counsel was ineffective for failing to convey a plea allow the postconviction court to do nothing to correct or remedy the constitutional violation? 2) Does a finding of IAC require a remedy? And what is the remedy for such a finding? And lastly, Does the finding of IAC qualify as “Making As Substantial Showing of the denial of a Constitutional Right”?

These questions presented in petitioner’s certiorari were overlooked or misapprehended by this court when the certiorari petition was denied and should be revisited because the deference afforded by the Eleventh Circuit to the postconviction court was unreasonable and questionable because of the constitutional challenge to AEDPA’s deference.

4. In the Case of *Sanders v. Plappert*, case no: 16-6152, United States Court of Appeals for the Sixth Circuit, there is presently a challenge to the constitutionality of AEDPA and that AEDPA deference violates Article III and the Separation of Powers Doctrine in the same way *Chevron* deference did.

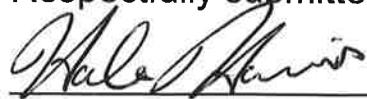
5. Petitioner asseverates that the issue of deference raised by *Sanders* will more likely than not end up in this Court for final resolution, thus, due to

the fact that petitioners Habeas Petition was denied with deference in mind, the petition for writ of certiorari should be reconsidered on the merits and that the questions presented should be answered, because without guidance from this court, the constitutional violation found in this case will go without remedy and will continue in all other like cases.

6. The grounds for rehearing are limited to the intervening circumstances of the case of *Sanders v. Plappert* which are substantial and could possibly have a controlling effect on petitioners' case and are grounds that have not been previously raised.

Wherefore, petitioner respectfully requests that this Court grant rehearing, address the constitutional questions presented and remand to the lower courts for further proceedings.

Respectfully submitted,



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Hale R. Harris, DC# 394715  
Union Correctional Institution  
P.O. Box 1000  
Raiford, Florida 32083

JUL 02 2025

BY:   
FOR MAILING

NO: 24-7003

**IN THE UNITED STATES SUPREME COURT**

HALE R. HARRIS,

Petitioner,

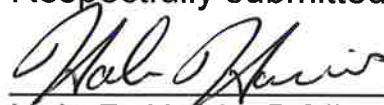
Vs.

RICKY D. DIXON, Secretary, Florida  
Department of Corrections,  
Respondents.

**CERTIFICATION OF COUNSEL**

Petitioner, Hale Harris, acting pro se, asserts that this Amended Petition for Rehearing is presented in good faith and not for delay. Petitioner also asserts that he has no way, due to his incarceration, of contacting opposing counsel as to any objections to this petitioner or to the pending Motion to Stay Proceedings.

Respectfully submitted,



Hale R. Harris, DC# 394715  
Union Correctional Institution  
P.O. Box 1000  
Raiford, Florida 32083

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BY [Signature]  
FOR MAILING

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Vs.

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Respondents.

**PROOF OF SERVICE**

I Hale R. Harris, do swear or declare that on this date, July 2, 2025, as required by Supreme Court Rule 29 and 28 U.S.C. §1746, that I have served the enclosed Amended Petition for Rehearing on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above document in the United States mail properly addressed 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.

The names and addresses of those served as follows:

Clerk of Court, United States Supreme Court, 1 First Street N.W.,  
Washington, D.C. 20543, Office of the Attorney General, The Capitol, PL-  
01, Tallahassee, FL 32399

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 30, 2025.

*July 2, 2025*

Respectfully submitted,

Hale R. Harris

Hale R. Harris, DC# 394715  
Union Correctional Institution  
P.O. Box 1000  
Raiford, Florida 32083