

24-7094

ORIGINAL

No. _____

Supreme Court, U.S.
FILED

MAR 26 2025

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

SHONTERIA STORY — PETITIONER
(Your Name)

vs.

STATE OF FLORIDA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Sixth District Court of Appeal
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Shonteria Story
(Your Name)
Florida State Hospital
Unit 23 Dorm G
P.O. Box 1000
(Address)

Chattahoochee, FL 32324
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

- When I won my appeal with the 2nd District Court of Appeal why wasn't I released from Florida State Hospital on May 13, 2022?
- If I answered the competency questions the same way each time, what was so different about the last time that made me competent?
- Why wasn't I booked back in on June 14, 2022 when I was brought back to the Polk County Jail?
- Better yet, why was I booked out on January 31, 2022 when I was sent to Florida State Hospital, but not booked out on February 06, 2025 when I was sent back here now?
- Why was I forced to sign a Plea Deal on July 01, 2022 when I won my appeal in my petition for Writ of Habeas Corpus?
- Why did I spend 5 months at Florida State Hospital when I was never diagnosed with a mental disorder the whole time I was there?
- Why when I googled my name one website stated I was released on May 13, 2022?
- What happened to the Office of Special Counsel's involvement with my case when I reappealed with the 6th District Court of Appeal?

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:

RELATED CASES

- Story v. State, No. SC25-143, Supreme Court of Florida. Judgment entered Feb. 3, 2025.
- Story v. State, No. 6D23-3597, Sixth District Court of Appeal. Judgment entered Dec. 20, 2024.
- State v. Story, No. 21-CF-2555, Tenth Judicial Circuit Court in and for Polk County, Florida. Judgment entered July 1, 2022 and September 19, 2023.
- Story v. State, No. 20-269, Second District Court of Appeal. Judgment entered May 13, 2022.
- Story v. Grady, No. 21-CA-3258, Tenth Judicial Circuit Court in and for Polk County, Florida. Judgment entered Nov. 23, 2021.
- State v. Story, No. 21-CF-4415, Tenth Judicial Circuit Court in and for Polk County, Florida. Judgment entered July 1, 2022.
- State v. Story, No. 19-MM-7006, Tenth Judicial Circuit Court in and for Polk County, Florida. Judgment entered Oct. 9, 2020 and May 26, 2021.
- State v. Story, No. 20-MM-4614, Tenth Judicial Circuit Court in and for Polk County, Florida. Judgment entered Oct. 9, 2020 and May 26, 2021.
- Story v. Grady, No. SC25-81, Supreme Court of Florida. Judgment entered Jan. 21, 2025.
- Story v. Grady, No. 6D24-1289, Sixth District Court of Appeal. Judgment entered Nov. 7, 2024.
- State v. Story, No. 23-CF-8248, Tenth Judicial Circuit Court in and for Polk County, Florida. No judgment entered yet.

RELATED CASES (cont.)

- State v. Story, No. 23-MM-8349, Tenth Judicial Circuit Court in and for Polk County, Florida. Judgment entered Jan. 8, 2024 but filed Feb. 7, 2024.
- State v. Story, No. 24-CT-1906, Tenth Judicial Circuit Court in and for Polk County, Florida. Judgment entered Mar. 28, 2024.
- Story v. Grady, No. 6D24-816, Sixth District Court of Appeal. Judgment entered May 21, 2024.

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TABLE OF AUTHORITIES CITED

CASES

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- State v. Story, No. 20-MM-4614, Tenth Judicial Circuit Court in and for Polk County, Florida 4
- State v. Story, No. 21-CF-2555, Tenth Judicial Circuit Court in and for Polk County, Florida 4
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STATUTES AND RULES

OTHER

~~22~~ 03/04/2025

- ~~United States Constitution Amendment V~~ 3
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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 _____; 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 _____; 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 _____; or,
☒ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the Florida Supreme court appears at Appendix D 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 _____.

☐ 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: _____, 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 December 20, 2024
A copy of that decision appears at Appendix DA February 03, 2025 04/16/2025
04/16/2025

☐ A timely petition for rehearing was thereafter denied on the following date: January 13, 2025, and a copy of the order denying rehearing appears at Appendix D.

☐ 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. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- United States Constitution Amendment V No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

STATEMENT OF THE CASE

On April 05, 2021, I was arrested and charged with Grand Theft (Motor Vehicle), Case # 21-CF-2555. On April, 06, 2021, a charge of Violation of Probation was added for a Criminal Mischief charge from 2020, case # 20-MM-4614, so that I could not bond out. On April 29, 2021 (I think) another charge of Violation of Probation was added for a Trespassing charge from 2019, case # 19-MM-7006. Even though, I was sentenced to probation for both cases on October 09, 2020. But both violation of probation charges were in violation of my 5th Amendment right because I had a lawyer, Justin Infurna, appeal my probation sentence.

On May 26, 2021, I had an Evidentiary Hearing for the Violation of Probation charges and Judge Barber sentenced me to 364 days.

On June 16, 2021, I was charged with Battery On A Law Enforcement Officer when a Detention Deputy decided to try to take her anger out on me, case # 21-CF-4415. I did not even touch her.

In September of 2021, I was deemed Incompetent To Proceed by Dr. Susan Lavalle and she recommended that I be sent to the mental hospital.

On November 23, 2021, Judge Ellen Masters struck my petition for Writ of Habeas Corpus Without Prejudice, stating I could appeal her decision. Because that was my 5th Writ Of Habeas Corpus I filed with the 10th Judicial Circuit Court in and for Polk County, Florida, case # 21-CA-3258, since May of 2021.

In December of 2021, I filed my appeal in case # 21-CA-3258 with the Polk County Courthouse.

On January 31, 2022, I was booked out of the Polk County Jail and transported to the Florida State Hospital in Chattahoochee, FL.

In February of 2022, I called 2nd District Court of Appeal to ask about my appeal and to get my case number. I was informed by the Clerk that a Letter of Acknowledgment and a Letter stating I need to file an Initial Brief within 20 days was mailed to the Polk County Jail. I informed her that I never received it and I was at Florida State Hospital now. I also asked her what I needed to do now. She informed me I could ask for an extension of time. I told her I would like the letter I wrote to the Polk County Courthouse to request an appeal to serve as my Initial Brief because I sent records with it. Case # 2022-69.

In March of 2022, I called the 2nd District Court of Appeal to ask if I could add my records from the Florida State Hospital (Recovery Plans and such) as part of my appeal. Because I was here without a diagnosis, was not on any medication and I answered the Competency questions pretty much the same way

STATEMENT OF CASE (cont.)

each evaluation. The Clerk informed me I could file a Motion To Supplement. She told me how to find the motion on the Court of Appeal's website and informed me I would have to send a copy to the Attorney General. I had my mother print out the motion and send it to me. And since I had to mail a copy to the Attorney General I called the Resident Advocacy here at the hospital and informed them of what I needed to do. They helped me by making copies for the Attorney General, myself, as well as my mother and mailed it all out to the respective people. Which was received by the Court of Appeal on April, 11, 2022.

On May 13, 2022, the Judges with the 2nd District Court of Appeal ruled on my case. At the time I wasn't sure whose favor the decision was in because all it said was "Per Curiam Affirmed."

So in May, I took another competency evaluation here at the hospital and was finally deemed competent.

On June 14, 2022, I was transferred back to the Polk County Jail, although, I was never booked back into their system.

On June 27, 2022, the Court of Appeal issued a Mandate.

On July 01, 2022, I was forced to sign a Plea Deal for 364 days (time served) to the Grand Theft (Motor Vehicle) and the Battery On A Law Enforcement Officer was dropped down to Resisting An Officer Without Violence. I was released from jail that night.

At some point in 2023 I googled my name "Shanteria Story" and noticed one of the websites' stated I was released on May 13, 2022. Which was the day the Judges ruled on my appeal. One day some time later I called the 2nd District Court of Appeal and asked what

STATEMENT OF CASE (cont.)

could I do because I won my appeal but was forced to sign a Plea Deal. The Clerk informed me that I would have to appeal it again. She told me I would have to write a letter to the lower tribunal court and when they deny it I would have to appeal the decision with the new 6th District Court of Appeal because the 6th District Court of Appeal has jurisdiction in Polk County now.

I wrote a letter to the Polk County courthouse on September 19, 2023. On September 19, 2023 Judge Susan Barber denied my motion. On September 26, 2023, I filed a Notice To Appeal with attachments. I called the 6th District Court of Appeal to inform them that I would like my notice to serve as my Initial Brief.

At some point in October of 2023 I looked at the online docket of the 6th District Court of Appeal in my new case, case # 6023-3597, and seen it stated "OSC to treat as summary." So I googled what it meant and the results was "Office of Special Counsel to treat as a Summary Appeal." I did some more searching and seen that a Summary Appeal stems from a Summary Conviction. And a Summary Conviction is a conviction without an indictment or a jury.

On October 18, 2023, I was arrested for Possession of A Firearm By A Convicted Felon, case # 23-CF-8248, along with Possession Of Marijuana and Possession of Paraphernalia, case # 23-MM-8349. I bonded out on January 25, 2024 on the Possession Of A Firearm charge because the other two charges were nolle prosequere.

On February 28, 2024, I was arrested again for Knowingly Driving While License Suspended/Revoked, case # 24-CF-1906. I bonded out on that charge on March 02, 2024, my bond for my

STATEMENT OF CASE (cont.)

Possession charge was not revoked. On the night of March 06, 2024, 4 Auburndale Police Officers came to my house and arrested me claiming I had a warrant because my bond was revoked in my Possession charge. I have been incarcerated every since.

On August 12, 2024, the 6th District Court of Appeal sent out a letter stating, "Upon further review my appeal will remain set up as a Plenary Appeal...." And I had 20 days to file an Initial Brief. In my head I was thinking, "What happened to the Office Of Special Counsel?" But I didn't question it.

I had my mother print out what I originally sent as my Initial Brief from the Polk Clerk of Court's website because she could not find the original where I saved it on my Microsoft One Drive. And had her mail it to the 6th District Court of Appeal and the Attorney General. I cannot remember if I had her bring a new Certificate Of Service to the jail for me to sign. The Court of Appeal received my Initial Brief on August 26, 2024. That day the court also sent out a letter stating my Initial Brief did not follow the rules of the court. I never received that letter.

On September 05, 2024, I called the Court of Appeal to check on my case and was informed of the letter about the Initial Brief not following the rules. I let the clerk know I never received that letter and she resent it.

A little while later I received the letter from the Court of Appeal. I used the jail's online Law Library to look up the rules. I wrote the rules down, a brief statement and had my mother come pick it up to type it up for me. She brought it up to the jail for me to review it and sign the Certificate

STATEMENT OF CASE (cont.)

Of Service, picked it back up and mailed it out to the respective places. The Court of Appeal received my Amended Initial Brief on ~~August~~ ^{03/10/2025} September 25, 2024.

On October 21, 2024, the Court of Appeal received a Motion To Dismiss my appeal. ~~At~~ ^{03/10/2025} A while later I received a letter from the Attorney General which was a copy of the Motion To Dismiss. I called the Court of Appeal to see what I needed to do and was told I could write a letter in response.

On December 20, 2024, the Court of Appeal "Per Curiam Affirmed," Judge Barber's order and denied the Attorney General's Motion To Dismiss.

On January 02, 2025, the Court received my Motion For Rehearing. On January 13, 2025, my Motion For Rehearing was denied. On January 17, 2025, I wrote a letter to appeal the decision and included a letter to the Office Of Special Counsel, dated January 18, 2025, which the 6th District Court of Appeal received on January 29, 2025. On February 03, 2025, the Supreme Court of Florida dismissed my appeal, case # SC25-143. The Supreme Court did not even take the time to review my case.

On February 06, 2025, I was brought back here to Florida State Hospital.

On February 14, 2025, I mailed out a Notice To Appeal to this court, and sent a certified copies to the Supreme Court of Florida and the Attorney General.

REASONS FOR GRANTING THE PETITION

- A reason why my petition should be granted is because my constitutional rights have been violated. The Office of Special Counsel was involved with my case but I'm not sure what happened there.
- I previously won an appeal in this matter. I was about to say that, "I don't know why it even had to go this far," but of course I do know why. I have been repeating myself since 2018.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

suts

Date: March 04, 2025