

No. 25-5266 REH²-G EN BANC

IN THE
SUPREME COURT OF THE UNITED STATES

In Re KIMBERLY LEE KESSLER — PETITIONER
(Your Name)

PLEASE BEFORE THE FULL COURT:

PLEASE BEFORE THE FULL COURT: ON PETITION FOR A WRIT OF HABEAS CORPUS REH²-G EN BANC
"TITLE 28, § 753(b)(3) TRANSCRIPT... RECORD SHALL BE DEEMED PRIMA FACIE..."
PRIMA FACIE. SUFFICIENT... UNLESS DISPROVED OR REBUTTED. I REBUT THEIR FABRICATED RECORDS, ETC. VIDEO RECORDS
"PLEASE COMPARE MY RECORDS IN APPENDICES, ESP. APPENDIX EXHIBITS TO WHAT THEY GIVE YOU."
I HAD KANGAROO TRIAL COURT: \$31.3 PER SE PREJUDICIAL ERROR: RULE 10 (a) ... SO FAR DEPARTED

REH²-G EN BANC
PETITION FOR WRIT OF HABEAS CORPUS

KIMBERLY LEE KESSLER - J81354
(Your Name)

LOWELL C. I. MAIN

11120 N. W. GAINESVILLE RD.
(Address)

OCALA, FL 34482
(City, State, Zip Code)

LOWELL CORRECTIONAL INSTITUTION MAIN
(Phone Number)

QUESTION(S) PRESENTED 1-11 (QUESTION 11 ON THE BACK)

QUESTION 1: KANGAROO COURT KEEPS ME OUT OF MY TRIAL AND IN BASEMENT OF COURTHOUSE FOR ENTIRE TRIAL. "KANGAROO COURT."

① CHARACTERIZED BY... IRREGULAR PROCEDURES... "BLACK'S LAW DICT. 9TH ED. (FROM GROUND 1 IN HABEAS CORPUS)

QUESTION 2: KANGAROO COURT WITH CONFLICT OF INTEREST COUNSEL INTENTIONALLY MISREPRESENT ME AS CRAZY TO HIDE THEIR

INNUNERABLE DUE PROCESS VIOLATIONS. (GROUND 2 (A) IN HABEAS CORPUS)

QUESTION 3: KANGAROO COURT KEPT JURY OUT OF TRIAL COURTROOM FOR ENTIRE TRIAL. JURY NEVER SAW OR HEARD ME

EVER. (FROM GROUND 3 & GROUND 7 (2) IN HABEAS CORPUS)

QUESTION 4: KANGAROO COURT PERMITS CONFLICT OF INTEREST COUNSEL TO FRAUDULENTLY FILE, WITHOUT MY KNOWLEDGE

OR CONSENT, DESTRUCTIVE MOTIONS. (GROUND 8 & GROUND 31 IN HABEAS CORPUS)

QUESTION 5: KANGAROO COURT WITH COUNSEL INSTRUCTS JURY: "COUNSEL'S NOT DEFENDING THE DEFENDANT." (FROM GROUND 10 (2) (B) IN HABEAS CORPUS)

QUESTION 6: KANGAROO COURT (COUNSEL, PROSECUTOR, JUDGE) 2ND FABRICATE WHAT STORY TO TELL JURY ABOUT THEIR PREDICT

ION OF MY ABSENCE FROM TRIAL - WITHOUT MY KNOWLEDGE OR CONSENT - BEFORE TRIAL EVER BEGAN. (FROM GROUND 10 (1)

& GROUND 4 (C) IN HABEAS CORPUS)

QUESTION 7: KANGAROO COURT CONSPIRES WITH PROSECUTOR TO HIDE MISCONDUCT IN 4, 5, 14 AMEND. VIOLATIONS AND

SWITCH COUNT NO. 5 (FAB'D DATES) WITH FABRICATED ADDED CHARGE: ① THEY CAN'T HAVE 1ST DEG. MURDER CHARGE ON ME FOR

A MISSING PERSON WHO AT TIME THEY ARRESTED ME FOR THIS CHARGE SHE'S MISSING 2-3 DAYS - NO D.N.A. NO BODY

& SHE'S STILL MISSING; ② THEIR WHOLE SHAM CASE AGAINST ME FALLS APART IF THEY KEEP TRUE COUNT CHARGE ORDER:

CNT 1: 1ST DEG. MURDER 2018-CF-815; CNT 2: GRAND THEFT AUTO 2018-CF-313; AFTER I SUBMIT POSTCONV. - THEY DID FRAUD

MOTION TO HIDE THIS. (FROM GROUND 32 (1) IN HABEAS CORPUS)

QUESTION 8: KANGAROO COURT GIVES "STIPULATION" TO JURY THAT THEY MUST ACCEPT ALL (FALSE) WITNESS & (FABRICATED)

EVIDENCE AS TRUE. (FROM GROUND 11 (B) IN HABEAS)

QUESTION 9: KANGAROO COURT'S JURY INSTRUCTIONS PERMITS ALL WITNESS TO BE FALSE & ALL EVIDENCE TO BE FABRICATED.

(FROM GROUND 12 IN HABEAS CORPUS)

QUESTION 10: KANGAROO COURT ALLOWS DECEITFUL COUNSEL TO CHANGE MY PLEA WITHOUT MY KNOWLEDGE OR CONSENT TO

NOLO CONTENDERE. (FROM GROUND 29 (B) IN HABEAS CORPUS)

QUESTION 11: PROVES MY INNOCENCE OF CHARGES: ENT 1: 1st DEGREE MURDER & ENT 2: GRAND THEFT: THERE ARE

NO ELEMENTS.

END QUESTIONS 1-11 FOR

REH-G EN BANC HABRIS CORPUS

PER RULE 14.1 (i)(vi) ANY MATERIAL... TO UNDERSTAND THE PETITION. (FOR ALL IN THIS PETITION.)

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:

↑ END THIS SECTION: "LIST OF PARTIES" ↑ END THIS SECTION ↑

KESSLER V. FLORIDA, USA11 No. 25-10811, Supreme Court of the U.S., WRIT OF CERT. 1ST SENT 4-7-2025 & RE-RE-SENT SEPT. 10, 2025. PENDING NOW: OR HOPING YOU RECEIVED IT! APPENDIX POST-HABEAS.

KESSLER V. FLORIDA, No. 25-5266, Supreme Court of the U.S.; HABEAS STATED AS DENIED IN 6TH CIR. 1ST CLERK LETTER; (REIT-C) EN BANC

KESSLER V. FLORIDA, No. 25-10811J, U.S. COURT OF APPEALS 11TH CIR. PER "RULE 10(a) DEPARTED" & "RULE 14.1 (i)(iv) IF IT'S DATE OF ENTRY IS DIFFERENT FROM THE DATE...". I. REBUT/DISPROVE THEIR FALSE/FRAUD 4-23-25 JUDGMENT ENTERED DATE: SEE P. 2-4 JURISDICTION 14.1(c) AND APPENDIX A.

RELATED CASES

KESSLER V. FLORIDA, No. 3:25-cv-00014-mmH-PDB, U.S. DISTRICT COURT MIDDLE DIST. FL. PER "RULE 10(a) SANCTIONED... DEPARTURE": HABEAS CORPUS DENIED IN WRONG DIV./JAX DIV. SEE APPENDIX B(4): OFFICIALS STOLE FED. DOCKET HISTORY AND ORDER 2-24-25 E-FILED 2-24-25" BY THE GRACE OF GOD I HAVE THEM SEE APPENDIX A-DOCKET HISTORY & APPENDIX D-ORDER 2-24-25.

KESSLER V. FLORIDA, No. 4:24-cv-531-MCR-HTC, U.S. DISTRICT COURT NORTHERN DIST. FL.: BOUNDARY LINES CHANGED SEE DEC. 31, 2022 LETTER APPENDIX C; HABEAS CORPUS TRANSFER TO MIDDLE DISTRICT AND WRONG (JAX) DIVISION APPENDIX B.

KESSLER V. FLORIDA, No. SC 2024-1743, FL SUPREME COURT, LETTER FROM CLERK APPENDIX E WITH "IRREGULAR PROCEDURES" HE DENIED BOTH "APPEAL POST" & "FL SUP. CT. DISCRET. REV. POST. 3.850(1)" ON DEC. 20, 2024. YOU'VE GOT TO SEE THIS: APPENDIX E

KESSLER V. FLORIDA, No. 5D 2024-3256, APPELLATE COURT OF FLORIDA 5TH DISTRICT. DENIED 12-7-2024 VIA "DEADLINE 10 DAY NOTICE" THAT I RECEIVED TOO LATE TO MEET. VIOLATION DUE PROCESS VIA LATE MAIL: APPENDIX F.

KESSLER V. FLORIDA, 1D22-0535, 2018-CF-BIS, 2018-CF-313, TRIAL COURT NASSAU COUNTY FLORIDA 4TH JUDICIAL CIRCUIT: POSTCONV. JUDGMENT ENTERED OCT. 5, 2024 IS TRUE DATE. KANGAROO COURT FABRICATED A FALSE DATE BUT I HAVE PROOF. SEE DOCKET-HISTORY (STATE) APPENDIX G. DOCKET HISTORY IS HOW I WAS NOTIFIED OF POSTCONVICTION DENIED 10-5-2024.

KESSLER V. FLORIDA, No. 5D23-69, DIRECT APPEAL FIFTH DISTRICT COURT APPEAL FLORIDA, JUDGMENT ENTERED OCT. 31, 2023. SEE ORDER IN APPENDIX H.

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RULE 14.1(i)(vi) ANY OTHER MATERIAL... TO UNDERSTAND THE PETITION. "RULE 10(a) DEPARTED" / KANGAROO TRIAL COURT / § 31.3 PER SE
PREJUDICIAL ERRORS THRU-OUT MY CASE - THEY FABRICATED RECORDS; I REBUT/DISPROVE THEM IN APPENDICES.

APPENDIX A: JURISDICTION 14.1(e) AND RULE 14.1(i)(iv) JUDGMENT... DATE... IS DIFFERENT FROM THE DATE... - THEIR DISMISSAL NOTICES (3) STATED DIFFERENTLY - FINDINGS OF FACT RULE 14.1(i)(i).

APPENDIX B: TITLE 28, § 1406(a) TRANSFER... CASE TO ANY DISTRICT OR DIVISION... THE RIGHT DIVISION, FERNANDINA DIVISION, WOULD HAVE BEEN APPRECIATED: VIOLATION 14TH AMEND. DUE PROCESS & EQUALITY.

APPENDIX C: ORDER 1-3-2025 HABEAS TRANSFERED - BOUNDARY LINES CHANGED: U.S. DISTRICT COURT NORTHERN DISTRICT FLORIDA (THE GOOD DISTRICT - LOST IN TRANSFER).

APPENDIX D: ORDER 2-24-25, E-FILED 2-24-25 FOCUS ON PGS. 4 & 3: RETALIATION & FALSE CLAIMS IN U.S. DISTRICT CT. MIDDLE DIST. FLORIDA (JAX DIV.) - WRONG DIVISION DENIED MY HABEAS.

APPENDIX E: FLORIDA SUPREME COURT: POSTCONVICTION 3.850 (L) DISCRETIONARY REVIEW: (YOU'VE GOT TO SEE THIS LETTER HE SENT - CLERK TOMASINO).

APPENDIX F: FLORIDA APPELLATE COURT 5TH DISTRICT: RE: esp. > 10 DAY DEADLINE APPEAL POSTCONVICTION.

APPENDIX G: FLORIDA TRIAL COURT: POSTCONVICTION 3.850;

APPENDIX H: FLORIDA APPELLATE: DIRECT APPEAL DENIED 10-31-23: COMPLETE DEPRIVATION OF COUNSEL.

APPENDIX MAIL SCHEMES: TITLE 18, § 1341(D) USE OF MAIL IN EXECUTION OF SCHEMES - KEPT ME FROM TIMELY ACCESS TO THE COURTS: VIOLATION 14TH AMEND. DUE PROCESS & EQUALITY.

APPENDIX POST → HABEAS: SHOWS ALL TIMELY & PROPERLY SENT POST → HABEAS.

APPENDIX EXHIBITS: PLEASE COMPARE MY RECORDS TO THEIRS: "RULE 10(a) DEPARTED/SANCTIONED A DEPARTURE" - THEY FABRICATED RECORDS - I HAVE PROOF.

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
• <u>STRICKLAND V. WASHINGTON</u> 406 U.S. 608 (1984).⁽¹⁾ COUNSEL'S PERFORMANCE IS DEFICIENT; & (2) THERE IS A REASONABLE PROBABILITY THAT BUT FOR THE ATTORNEY'S ERROR THE OUTCOME OF THE PROCEEDING WOULD HAVE BEEN DIFFERENT.	APPLIES TO <u>ALL</u> Q = G'S
• <u>"BRADY ERROR" BRADY V. MARYLAND</u> (1963) 373 U.S. 83 (1963). ... SUPPRESSED ... EVIDENCE ...	APPLIES TO <u>ALL</u> Q'S = G'S
• <u>SHAW V. FLORIDA</u>, OPINION JUDGE NORTHCUTT § 302 So. 3d 504³, SEPT. 11, 2020.	P. 9 → Q. 1; P. 9 → Q. 3; P. 11 → Q. 6;
• <u>SHEPPARD V. MAXWELL</u> (1966) (FROM FED. HABEAS CORPUS PRAC. & PROCEDURE: HABEAS C'S THAT WON.) MASSIVE, PRAVATIVE, AND PREJUDICIAL PRETRIAL PUBLICITY & CIRCUS-STYLE ATMOSPHERE AT TRIAL. <u>384 U.S. 333 (1966)</u>	APPLIES TO <u>ALL</u> Q'S = G'S
• <u>U.S. V. WILLIAMS</u> (2d Cir. 2004) 372 F. 3d 96, 103 (2d Cir. 2004). A PER SE CONFLICT OF INTEREST REQUIRES AUTOMATIC REVERSAL WITHOUT A SHOWING OF PREJUDICE.	APPLIES TO <u>ALL</u> Q'S = G'S
• <u>RAMSAMMY V. FL.</u> AUG. 11, 2010 DECIDED. 43 So. 3d 100; 2010 Fla. App. LEXIS 11750; 35 FLA. L. WEEKLY D 1825; No. 4008-2028; EVIDENCE INSUFFICIENT TO ESTABLISH THAT VICTIM'S SUDDEN DISAPPEARANCE & APPARENT DEATH WAS DUE TO SPECIFIC CRIMINAL AGENCY OF THE DEFENDANT. DEFENDANT'S DESCRIPTION OF GRABBING THE VICTIM BY THE NECK..., WHILE POTENTIALLY AN ADMISSION OF A CRIME LIKE DOMESTIC BATTERY, DID NOT EVINCE GUILT FOR 2ND DEGREE MURDER. CONVICTION REVERSED... FOR JUDGMENT OF ACQUITTAL.	APPLIES TO <u>ALL</u> Q'S = G'S
STATUTES AND RULES	
• <u>STANDARD 4.3 FAILURE TO AVOID CONFLICTS OF INTEREST.</u> A LAWYER WITHOUT INFORMED CONSENT OF CLIENT, KNOWING LAWYER'S INTERESTS ARE ADVERSE TO THE CLIENT'S WITH INTENT TO BENEFIT LAWYER OR ANOTHER REGARDLESS OF INJURY OR POTENTIAL INJURY TO THE CLIENT, AND CAUSES SERIOUS INJURY OR POTENTIALLY SERIOUS INJURY TO THE CLIENT.	APPLIES TO <u>ALL</u> Q'S = G'S
• <u>STANDARD 4.6 LACK OF CANDOR.</u> LAWYER ENGAGED IN FRAUD, DECEIT, MISREPRESENTATION DIRECTED TOWARD A CLIENT. LAWYER KNOWINGLY OR INTENTIONALLY DECEIVED CLIENT WITH INTENT TO BENEFIT LAWYER OR ANOTHER REGARDLESS OF INJURY OR POTENTIAL INJURY TO THE CLIENT.	APPLIES TO <u>ALL</u> Q'S = G'S
• <u>STANDARD 4.4 LACK OF DILIGENCE.</u> LAWYER KNOWINGLY FAILS TO PERFORM SERVICES FOR A CLIENT AND CAUSES SERIOUS OR POTENTIALLY SERIOUS INJURY TO A CLIENT; OR A LAWYER ENGAGES IN A PATTERN OF NEGLIGENCE WITH RESPECT TO CLIENT MATTERS AND CAUSES SERIOUS OR POTENTIALLY SERIOUS INJURY TO A CLIENT.	Q4 → P. 10
• <u>RULE 4-3.2</u> LAWYER SHALL MAKE REASONABLE EFFORTS TO EXPEDITE LITIGATION CONSISTENT WITH THE INTERESTS OF THE CLIENT.	Q4 P. 10
• <u>RULE 4-3.3 CANDOR TOWARD TRIBUNAL</u> LAWYER OFFERS EVIDENCE LAWYER KNOWS TO BE FALSE.	APPLIES TO <u>ALL</u> Q'S = G'S
OTHER	
• <u>KANGAROO COURT.</u> ⁽²⁾ CHARACTERIZED BY UNAUTHORIZED OR IRREGULAR PROCEDURES SO AS TO RENDER A FAIR PROCEEDING IMPOSSIBLE. ⁽³⁾ A SHAM LEGAL PROCEEDING. <u>BLACK'S LAW DICTIONARY 9TH EDITION</u>	APPLIES TO <u>ALL</u> Q'S = G'S
<u>RESULT.</u> TO OVERTHROW BY ARGUMENT, EVIDENCE, OR PROOF.	

RULE 14.1(i)(vi) ANY OTHER MATERIAL THE PETITIONER BELIEVES ESSENTIAL TO UNDERSTAND THE PETITION.
(FOR ALL IN THIS PETITION) (DUE TO § 31.3 PER SE PREJUDICIAL ERRORS / K-SHAM)
IN THE

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF HABEAS CORPUS

TITLE 28, § 753 (b) (3) TRANSCRIPT... RECORD... DEEMED PRIMA FACIE. PRIMA FACIE SUFFICIENT... UNLESS DISPROVED OR
REBUTTED. I REBUT AND DISPROVE THEIR FABRICATIONS. PLEASE, MY RECORDS TO THEIRS: COMPARE. ATTACH APPENDICES.
I HAVE PROOF; AND I REBUT.

Petitioner respectfully prays that a writ of habeas corpus issue.

RULE 14.1 (d)... THE OFFICIAL & UNOFFICIAL... OPINIONS... IN THE CASE... THE CASE BEING U.S. COURT OF APPEALS, UNDER THE
THE INFLUENCE OF KANGAROO TRIAL COURT, FAB'D MANY FALSE RECORDS, ESP. IN OPINIONS & JURISDICTION; BECAUSE,

RULE 10 (8) U.S. COURT OF APPEALS HAS ~~SO~~ FAR DEPARTED... OR SANCTIONED SUCH A DEPARTURE...
OPINIONS BELOW

☒ For cases from federal courts:

The ORDER opinion of the United States court of appeals appears at Appendix A to
the petition and is FALSE (ORDER DATED 4.23.25 IS FALSE): SEE P. 2-4 (NEXT PAGES) DISPROVES DATE.

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished: NOTHING SHOWED HERE; CLERK (LOWELL) SAID: NO WAY FOR US TO KNOW.

The opinion of the United States district court appears at Appendix D to
the petition and is FALSE & IS DISPROVED W/ RECORDS IN APPENDIX D.

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished: NOTHING SHOWED HERE: LOWELL CLERK SAID: NO WAY FOR US TO KNOW.

DIRECTLY RELATED

☐ For cases from state courts:

The opinion of the highest state court to review the merits appears at
Appendix E to the petition and is "LETTER FL SUP. CT. CLERK"

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished: NOTHING SHOWED HERE; AND I DON'T BELIEVE THEY WOULD PUBLISH THE
"LETTER" THEY SENT ME: THIS CLERK DENIED BOTH POSTCARD IN FL SUP. CT AND
IN FL APPELLATE COURT.

NOTICE
The opinion of the FLORIDA APPELLATE COURT 5TH DISTRICT court
appears at Appendix F to the petition and is

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished: NOTHING SHOWED HERE: THIS WAS A "10 DAY DEADLINE" WITH VIOLATION DUE
PROCESS/OBSTRUCTION OF PROCESS I RECEIVED LATE ON DAY 9 ON A FRIDAY
LATE AFTERNOON - AT THIS INSTITUTION NADA TO RESPOND IN TIME UNDER
THOSE CIRCUMSTANCES.
1. ↑

BUT THE FL SUP. CT. CLERK DENIED THIS APPEAL POSTCARD
ON 12.20.2024 VIA K-SHAM. (APPENDIX E)

JURISDICTION 14.1(e), "Rule 10(a) U.S. COURT OF APPEALS... DEPARTED",
AND "Rule 20.1 EXCEPTIONAL CIRCUMSTANCES"

Rule 14.1(e)(i) A CONCISE STATEMENT OF THE BASIS FOR JURISDICTION IN THIS COURT, SHOWING: THE DATE THE JUDGMENT OR ORDER SOUGHT TO BE REVIEWED WAS ENTERED; IF THE DATE OF ITS ENTRY IS DIFFERENT FROM THE DATE Rule 14.1(i)(v):

→ I REBUT/DISPROVE THEIR FRAUD/FALSE 4-23-25 DATE: "FINDINGS OF FACT Rule 14.1(i)(c)"; THEIR DISMISSAL NOTICES STATED DIFFERENTLY.

Rule 10(a) A U.S. CT. OF APPEALS... HAS SO FAR DEPARTED FROM THE ACCEPTED AND USUAL COURSE OF JUDICIAL PROCEEDINGS, OR SANCTIONED SUCH A DEPARTURE BY A LOWER COURT, AS TO CALL FOR AN EXERCISE OF THIS COURT'S SUPERVISORY POWER;

Rule 20.1 THAT EXCEPTIONAL CIRCUMSTANCES WARRANT THE EXERCISE OF THE COURT'S DISCRETIONARY POWERS.

APPENDIX A FOR ALL BELOW UNLESS STATED OTHERWISE

A) THE CLERK OF THE SUPREME COURT "AUG. 4, 2025 LETTER" REGARDING SUB-PARAGRAPHS 2 & 3 IN LETTER: "Rule 14.1(e), REVIEW OF... APRIL 23, 2025... JURISDICTION...". I HOPE ALL BELOW BRINGS CLARITY RE: JURISDICTION BROUGHT UP IN LETTER? (ALSO APPLIES TO JURISDICTION IN HABEAS) (AUG. 4, '25 LETTER IN APPENDIX: MAIL SCHEDULES)

B) U.S. CT. OF APPEALS 11th CIR. SAID IN THEIR 3-13-25 DATED DOCKET NOTICE THAT MY APPEAL HABEAS CORPUS SENT 3-17-25 (APP-ENDEX POST → HABEAS) WOULD BE DISMISSED WITHIN 14 DAYS OF THIS DATE OF THIS NOTICE... BE DISMISSED WITHOUT FURTHER NOTICE; I RECEIVED 3-13-25 NOTICE ON 3-24-25; SEE ENVELOPE DATESTAMP 3-24-25 RECEIVED;

1) ON SECOND PAGE OF 3-13-25 NOTICE SAID DISMISSAL WOULD HAPPEN IF I DID NOT:

2) REFILE ENTIRE DOCUMENT;

3) INCLUDE ANY REQUIRED (UNCONSTITUTIONAL) ITEMS IDENTIFIED ABOVE ALONG WITH THE REFILED DOCUMENT.

4) I DID NOT REFILE ANYTHING — ONLY SUBMIT 3-17-25 — THEIR 3-13-25 NOTICE DATE IS WRONG; SEE PARA. E. BELOW.

THEY ARE TALKING ABOUT MY ONLY SUBMITTED APPEAL TO THEM SENT 3-17-25 IN THEIR 3-13-25 NOTICE: HOW ELSE CAN THEY SAY "DOCKET" AND "REFILE" BUT THAT THEY PUT THE WRONG DATE;

5) THEREFORE, PER THEIR 3-13-25 NOTICE W/ 14 DAY DEADLINE MY APPEAL HABEAS CORPUS WAS DISMISSED ON 3-27-25; WHICH IS 3-13-25 DATE PLUS 14 DAY DEADLINE EQUALS 3-27-25 AND DATE JUDGMENT ENTERED SHOULD BE THE SAME 3-27-25 DATE; DISMISSED/DENIAL DATE = (EQUALS) JUDGMENT DATE/JURISDICTION DATE; THEY DID NOT ADHERE TO THEIR NOTICE, BUT I DID;

C) THEIR "4-1-25 DATED NOTICE - NO DEADLINES EXTENDED" SUPPORTS 3-27-25 APPEAL DISMISSED DATE; AND JUDGMENT DATE ENTERED SHOULD BE SAME AS DISMISSED DATE: 3-27-25; THEY DID NOT ADHERE TO THEIR NOTICE, BUT I DID;

D) IN "Rule 10(a) DEPARTED" FASHION, U.S. CT. OF APPEALS 11th CIR. SENT 4-2-25 DATED DISMISSAL NOTICE THAT SAYS CONTRADICTIONS AND CONFUSION IN THEIR "4-2-2025 NOTICE DISMISSAL" AND "4-7-25 DATED NOTICE NO DEADLINES EXTENDED";

1) APPEAL WILL BE DISMISSED WITHOUT FURTHER NOTICE UPON THE EXPIRATION OF 14 DAYS FROM THE DATE OF THIS NOTICE — BUT IT WAS ALREADY DISMISSED ON 3-27-25, AND WITH NO DEADLINES EXTENDED...!! THEY DID NOT ADHERE TO THEIR NOTICES;

2) THEY SAID TO FILE SUCH AND SUCH (UNCONSTITUTIONAL), AND

3.) I DID NOT FILE ANYTHING — BECAUSE MY APPEAL HABEAS CORPUS WAS ALREADY DISMISSED ON 3-27-25 (PER THEIR 3-13-25 NOTICE)

4.) SO NOW I HAVE ANOTHER DISMISSAL DATE 4-16-25; WHICH IS 4-2-25 NOTICE DATE PLUS 14 DAYS DEADLINE EQUALS 4-16-25:

MY APPEAL HABEAS CORPUS DISMISSED TWICE 3-27-25 & 4-16-25 (CRAZY)

5.) I TIMELY & PROPERLY SUBMITTED EXTRAORDINARY WRIT OF HABEAS CORPUS TO (YOU) SUPREME COURT OF THE UNITED STATES

ON 4-18-25 (APPENDIX POST → HABEAS). THEY DID NOT ADHERE TO THEIR OWN NOTICES; BUT I DID.

6.) THEIR NOTICES ADVISED 3-27-25 AND 4-16-25 AS APPEAL DISMISSAL DATES; THEREFORE 3-27-25 OR 4-16-25 IS RIGHTFULLY

THE JUDGMENT ENTERED DATE; JUDGMENT DATE EQUALS DISMISSAL DATE (SAME).

E.) TITLE 18, § 1341 (D) USE OF MAIL IN EXECUTION OF SCHEMES; RULE 10 (A) U.S. CT. OF APPEALS... HAS SO FAR DEPARTED —

PLEASE NOTE: THE 3-13-25 DATE ON THEIR NOTICE (DOCKET) IS WRONG — SERIOUSLY WRONG.

AND DOCKET / CASE NO.

1.) THEY ADDRESSED MY 3-17-25 APPEAL HABEAS CORPUS (APPENDIX POST-HABEAS) IN THEIR 3-13-25 DOCKET NOTICE;

2.) HOW CAN THEY ADDRESS MY APPEAL H.C. I SENT 3-17-25 IN THEIR 3-13-25 DATED NOTICE? (ASSIGN CASE NO. / DOCKET INFO)

(a) BECAUSE THEIR 3-13-25 DATE IS WRONG.

3.) HOW CAN THEY SAY IN THEIR 3-13-25 DATED NOTICE TO "REFILE" & INCLUDE (UNCONSTITUTIONAL) WITH THE REFILED DOCUMENT?

MY 3-17-25 APPEAL H.C. IS MY ONLY SUBMITTED APPEAL HABEAS CORPUS.

(a) BECAUSE THEIR 3-13-25 DATE IS WRONG.

4.) THAT'S WHY THEIR NOTICE WITH IT'S 3-13-25 FRAUD DATE WAS RECEIVED BY ME ON 3-24-25: SEE ENVELOPE WITH LAWELL C.I.

3-24-25 DATES AMP — RECEIVED ON 3-24-25.

(a) BECAUSE THEIR 3-13-25 DATE IS WRONG.

5.) THEY DID THIS RULE 10 (A) DEPARTED TO TRY TO TRAP ME UP.

(a) SEE THEIR METERED (EASY TO FAB) FRAUD POSTAGE DATE: TITLE 18, § 1341 (D) USE OF MAIL IN EXECUTION OF SCHEMES (FABRICATING FULLY JUST LIKE KANGAROO TRIAL COURT DID WITH FAB'D EVIDENCE.)

(b) U.S. COURT OF APPEALS 11TH CIR. DID RULE 10 (A)... SO FAR DEPARTED — CRIMINAL OFFENSE — & FOR MORE SEE APPENDIX MAIL SCHEMES.

F.) THEN, U.S. CT. OF A. 11TH CIR. ENTERS FALSE FRAUD 4-23-25 JUDGMENT DATE: VIOLATION OF MY 14TH AMEND. RIGHTS DUE PROCESS & EQUALITY:

THEIR STATED (PROMISED) DISMISSAL DATES 3-27-25 & 4-16-25 (PARA'S B, C, D ABOVE) AND THE ENTERED JUDGMENT DATE RIGHTFULLY

SHOULD BE THE SAME 3-27-25 OR 4-16-25 DATE. OTHER FALSE CLAIMS IN "ORDER 4-23-25 REBUT/DISPROVED BELOW:

1) "DOCKET HISTORY — FEDERAL" SHOWS I'M APPROVED "IFP" ON 1-23-25.

2) "IN FORMA PAUPERIS (IFP) MOTION 1-9-25" (APPENDIX C): THIS MOTION RECEIVED THE APPROVAL ON 1-23-25.

3) I REBUT/DISPROVE THEIR "C.I.P. DEMAND" — THEY VIOLATED MY DUE PROCESS WITH IT:

(a) C.I.P. DEMAND IS CONTRARY TO ESTABLISHED FED. LAW / FEDERAL HABEAS CORPUS PRACTICE & PROCEDURE LHM:

(b) NO WHERE DOES IT SAY A C.I.P. MUST GO WITH HABEAS CORPUS OR IT WON'T BE ACCEPTED; AND

(c) "C.I.P." DOES NOT APPLY TO ME — I'M NOT A CORPORATION.

4) MY "MOTION C.O.A. SHALL ISSUE: TITLE 28, § 2253, APPEAL (C)(2) SENT DATESTAMP 3-11-25":

(a) THEY VIOLATED MY DUE PROCESS WHEN THEY MOOTED MY "MOTION C.O.A. SENT 3.11.25" WITH THEIR UNCONSTITUTIONAL C.I.P.

DEMAND — C.I.P. DOES NOT APPLY TO ME.

(b) IN MY "MOTION C.O.A. SHALL ISSUE: TWE 28 § 2253, APPEAL (C)(2) DATESAMP 3.11.25", I PROVED I WAS DENIED A CONSTITUTIONAL RIGHT — MADE A SUBSTANTIAL SHOWING OF IT.

(c) THE GROUNDS IN "C.O.A. MOTION" MURBAR QUESTIONS IN MY WRIT OF CERT. & WERE PULLED FROM MY HABEAS CORPUS.

(d) THEY FALSELY USED UNCONSTITUTIONAL C.I.P. DEMAND TO MOOT MY "MOTION C.O.A. SHALL ISSUE".

(e) AND THEREBY DENIED MY CONSTITUTIONAL RIGHT TO APPEAL, AND 14TH AMEND. RIGHTS TO DUE PROCESS & EQUALITY.

G.) SUMMARY: ALL FALSE CLAIMS IN "ORDER 4.23.25" ARE SOLIDLY REBUTTED/DISPROVED ABOVE, ESP. PARAGRAPH F;

1.) "JURISDICTION RULE 14.1(e)" PROVED IN PARAGRAPHS B-F ABOVE;

2.) ALL THEIR SHAM FALSE CLAIMS & FABRICATED FALSE DATES: AND THEY DID IT ALL FOR KANGAROO TRIAL COURT. "RULE 10(a)..."
SANCTIONED SUCH A DEPARTURE BY A LOWER COURT... "RULE 20.1 THIS WARRANTS THE EXERCISE OF THE COURT'S DISCRETIONARY POWERS."

ADDED [REMOVED FOR BREVITY]

H.) U.S. CT. OF APPEALS 11TH CIR. 4-17-2025 DATED DISMISSAL NOTICE RECEIVED ON 4.23.25 (DATESAMPED) SEE ENVELOPE DATESAMP.

THIS IS THE 3RD DISMISSAL NOTICE THEY GAVE W/ A 14 DAY DEADLINE: 3 OF 3: NOTICE W/ 14 DAY DEADLINE THEY DID NOT FOLLOW:

1.) PARAGRAPH B ABOVE SHOWS THE FIRST, 1 OF 3: 3.13.25 DATED NOTICE — W/ IT'S 14 DAY DEADLINE = 3.27.25;

2.) PARAGRAPH D ABOVE SHOWS THE 2ND, 2 OF 3: 4.2.25 DATED DISMISSAL NOTICE — W/ IT'S 14 DAY DEADLINE = 4.16.25;

3.) PARAGRAPH H (HERE) SHOWS THE 3RD, 3 OF 3: 4.17.25 DATED DISMISSAL NOTICE — W/ IT'S 14 DAY DEADLINE = 5.1.25;

4.) THEIR 4.1.25 NOTICE(SAID) NO DEADLINES EXTENDED, AND NONE OF THE 3 14 DAY DEADLINES DID THEY FOLLOW:

(a) NOT 3.27.25, NOT 4.16.25, NOT 5.1.25 — INSTEAD THEY DISMISS IT ON 4.23.25! P!!

5.) I DID NOT REFILE OR SEND ANYTHING, SO TECHNICALLY, ACCORDING TO THE 3.13.25 NOTICE 2ND PAGE WHERE THEY SAID I

"MUST REFILE ENTIRE DOCUMENT" AND I DID NOT — WOULDN'T THAT VIOLATE 3.26.25 IS THE DISMISSAL DATE? —

BUT NOT TO THROW MORE QUESTIONS INTO THIS ALREADY CONFUSING "RULE 10(a) DEPARTED" ISSUE:

(b) AFTER THE FIRST TWO NOTICES WITH 14 DAY DEADLINES (& NO EXTENSIONS) OF 3.27.25 & 4.16.25 (DEADLINES), MY 4.18.25
SENT WRIT OF HABEAS CORPUS TO THE SUPREME COURT OF THE U.S. IS PROPERLY & TIMELY FILED.

"PER RULE 14.1(i)(vi): IMPORTANT: THEY FABRICATED RECORDS ESP. IN RE: JURISDICTION. I DISPROVE THEIR FALSE DATE ON "ORDER" WITH THEIR "NOTICES" SEE APPENDIX A.

JURISDICTION

"RULE 14.1(e)(i): A CONCISE STATEMENT OF THE BASIS FOR JURISDICTION IN THIS COURT, SHOWING: THE DATE THE ... ORDER SOUGHT TO BE REVIEWED WAS ENTERED;" I DISPROVE THEIR FALSE DATE SEE APPENDIX A & P. 2-4 OF THIS PETITION.

☒ For cases from federal courts:

The date on which the United States Court of Appeals decided my case was FRAUDULENT FALSE DATE 4-23-25: I REBUT/DISPROVE SEE P. 2-4 & APPENDIX A

☐ 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 _____.

NOT SURE
IF I UNDER-
STAND THIS
WELL

☒ An extension of time to file the petition for a writ of certiorari was granted to and including AUG. 4, '25 LETTER FOR NOPE (date) on _____ (date) in Application No. A. APPENDIX A WRIT OF CERT NO. USAP11 No. 25-10811
USA P11 No. 25-10811 POST -> HABEAS

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

DIRECTLY RELATED

☐ For cases from state courts: RULE 14.1(i)(vi): SHOWS KANGAROO TRIAL COURT INFLUENCE:

The date on which the highest state court decided my case was 12-20-2024.
A copy of that decision appears at Appendix E. FLORIDA SUPREME COURT.

☐ A timely petition for rehearing was thereafter denied 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. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

14TH AMENDMENT, PRIVILEGES & IMMUNITIES CLAUSE: ALL PERSONS BORN OR NATURALIZED IN THE UNITED STATES, AND SUBJECT TO THE JURISDICTION THEREOF, ARE CITIZENS OF THE UNITED STATES AND OF THE STATE WHEREIN THEY RESIDE. NO STATE SHALL MAKE OR ENFORCE ANY LAW WHICH SHALL ABRIDGE THE PRIVILEGES OR IMMUNITIES OF CITIZENS OF THE UNITED STATES; NOR SHALL ANY STATE DEPRIVE ANY PERSON OF LIFE, LIBERTY, OR PROPERTY WITHOUT DUE PROCESS OF LAW; NOR DENY TO ANY PERSON WITHIN ITS JURISDICTION THE EQUAL PROTECTION OF THE LAWS.

6TH AMENDMENT. IN ALL CRIMINAL PROSECUTIONS, THE ACCUSED SHALL ENJOY THE RIGHT TO A SPEEDY AND PUBLIC TRIAL, BY AN IMPARTIAL JURY OF THE STATE AND DISTRICT WHEREIN THE CRIME SHALL HAVE BEEN COMMITTED, WHICH DISTRICT SHALL HAVE BEEN PREVIOUSLY ASCERTAINED BY LAW, AND TO BE CONFRONTED WITH THE WITNESSES AGAINST HIM; TO HAVE COMPULSORY PROCESS FOR OBTAINING WITNESSES IN HIS FAVOR, AND TO HAVE ASSISTANCE OF COUNSEL FOR HIS DEFENSE.

5TH AMENDMENT. NO PERSON SHALL BE HELD TO ANSWER FOR A CAPITAL, OR OTHERWISE INFAMOUS CRIME, UNLESS ON A PRESENTMENT OR INDICTMENT OF A GRAND JURY, ...; NOR SHALL ANY PERSON BE SUBJECT FOR THE SAME OFFENSE 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; ...

4TH AMENDMENT. THE RIGHT OF THE PEOPLE TO BE SECURE IN THEIR PERSONS, HOUSES, PAPERS, AND EFFECTS, AGAINST UNREASONABLE SEARCHES AND SEIZURES, SHALL NOT BE VIOLATED, AND NO WARRANTS SHALL ISSUE, BUT UPON PROBABLE CAUSE, SUPPORTED BY OATH OR AFFIRMATION, AND PARTICULARLY DESCRIBING THE PLACE TO BE SEARCHED, AND THE PERSONS OR THINGS TO BE SEIZED.

1ST AMENDMENT. CONGRESS SHALL MAKE NO LAW... ABRIDGING THE FREEDOM OF SPEECH,... OR THE RIGHT OF THE PEOPLE TO PEACEABLY ASSEMBLE, AND TO PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCES.

8TH AMENDMENT. EXCESSIVE BAIL SHALL NOT BE REQUIRED, NOR EXCESSIVE FINES IMPOSED, NOR CRUEL AND UNUSUAL PUNISHMENT INFLICTED.

"TITLE 28 § 753(b)(3) THE TRANSCRIPT IN ANY CASE CERTIFIED BY THE REPORTER OR OTHER INDIVIDUAL DESIGNATED TO PRODUCE THE RECORD SHALL BE DEEMED 'PRIMA FACIE' A CORRECT STATEMENT OF THE TESTIMONY TAKEN AND PROCEEDINGS HAD."

PRIMA FACIE (18c). SUFFICIENT... UNLESS DISPROVED OR REBUTTED. (14c) AT FIRST SIGHT AT FIRST APPEARANCE BUT SUBJECT TO FURTHER EVIDENCE OR INFORMATION.

§ 31.3 PER SE PREJUDICIAL ERRORS. (FED. HAB. CORP. PRACT. & PROCEDURE). "AT THE OTHER END OF THE SPECTRUM OF CONSTITUTIONAL ERRORS LIE 'STRUCTURAL DEFECTS IN THE CONSTITUTION OF THE TRIAL MECHANISM WHICH DEFY HARMLESS ERROR STANDARDS.' THE EXISTENCE OF SUCH DEFECTS — DEPRIVATION OF RIGHT TO COUNSEL, FOR EXAMPLE — REQUIRES AUTOMATIC REVERSAL OF THE CONVICTION BECAUSE THEY INFECT THE ENTIRE TRIAL PROCESS."

"SOME CONSTITUTIONAL VIOLATIONS... BY THEIR VERY NATURE CAST SO MUCH DOUBT ON THE FAIRNESS OF THE TRIAL PROCESS THAT, AS A MATTER OF LAW, THEY CAN NEVER BE CONSIDERED HARMLESS."

"WE HAVE RECOGNIZED A LIMITED CLASS OF 'FUNDAMENTAL CONSTITUTIONAL ERRORS THAT DEFY ANALYSIS BY HARMLESS ERROR STANDARDS.' ... ERRORS OF THIS TYPE ARE SO INTRINSICALLY HARMFUL AS TO REQUIRE AUTOMATIC REVERSAL WITHOUT REGARD TO THEIR EFFECT ON THE OUTCOME."

"SOME CONSTITUTIONAL ERRORS REQUIRE REVERSAL WITHOUT REGARD TO THE EVIDENCE IN THE PARTICULAR CASE ... [BECAUSE THEY] RENDER A TRIAL FUNDAMENTALLY UNFAIR."

"THERE ARE SOME CONSTITUTIONAL RIGHTS SO BASIC TO A FAIR TRIAL THAT THEIR INFRACTION CAN NEVER BE TREATED AS HARMLESS ERROR."

(CONT'D) CONSTITUTIONAL & STATUTORY PROVISIONS INVOLVED

§ 31.4 STANDARDS, CRITERIA, & PROCEDURES FOR ASSESSING HARMLESSNESS (f.) THE EXERCISE OF JUDGMENT; DE NOVO REVIEW; HEARINGS. (FED. HAB. C. PRACT. & PROC.).

THE DUTY TO PURSUE OTHER FACT DEVELOPMENT PROCEDURES IN CONNECTION WITH HARMLESS ERROR ANALYSIS MAY ARISE IN SITUATIONS IN WHICH THE IMPACT OF AN ERROR ON THE PROCEEDINGS—SAY FOR EXAMPLE, EXCESSIVE LAW ENFORCEMENT PRESENCE IN THE COURTROOM, AND OUTSIDE INFLUENCES ON JURORS—MAY NOT BE FULLY REVEALED IN THE EXISTING RECORD.

28. U.S.C. § 1406 (a) ... OR IF IT BE IN THE INTEREST OF JUSTICE, TRANSFER SUCH CASE TO ANY DISTRICT OR DIVISION IN WHICH IT COULD HAVE BEEN BROUGHT.

TITLE 28 § 89. FLORIDA. FERNANDINA DIVISION IS IN NASSAU COUNTY—THE COUNTY WHERE MY TRIAL WAS HELD AND IS THE CORRECT DIVISION FOR MY CASE: NOT JACKSONVILLE DIVISION IN DUVAL COUNTY WHERE CORRUPT TRIAL COURT JUDGE JAMES DANIELS TRANSFERRED BACK TO AFTER HE SHAMMED MY TRIAL. HIS SPHERE OF INFLUENCE IS IN JAX DIV. / JACKSONVILLE, FL.

TITLE 28 § 23.4 (a)(ii)(T). ...REQUIRING EXHAUSTION WOULD CAUSE IRREPARABLE INJURY TO THE PETITIONER'S RIGHTS FOR SOME OTHER REASON, INCLUDING THAT UNDUE DELAY IN STATE COURTS RISKS MOOTING PETITIONER'S FEDERAL RIGHTS BEFORE HE REACHES FEDERAL COURTS.

TITLE 28 § 2253. APPEAL (a) ... THE FINAL ORDER SHALL BE SUBJECT TO REVIEW, ON APPEAL, BY THE COURT OF APPEALS FOR THE CIRCUIT IN WHICH THE PROCEEDING IS HELD.

TITLE 28 § 2253. APPEAL (c)(2). A CERTIFICATE OF APPEALABILITY MAY ISSUE UNDER PARAGRAPH (1) ONLY IF THE APPLICANT HAS MADE A SUBSTANTIAL SHOWING OF THE DENIAL OF A CONSTITUTIONAL RIGHT.

VOL. 2: CHAPTER 13; THE TRIAL. § 13.07. THE JURY VERDICT. 1. INTRODUCTION. FOR A VERDICT TO BECOME VALID, IT MUST BE ANNOUNCED IN THE COURTROOM IN THE PRESENCE OF THE DEFENDANT AND JURORS.
(THE VERDICT WAS NEVER VALID.)

PREAMBLE OF THE CONSTITUTION:

... TO ESTABLISH JUSTICE... PROMOTE THE GENERAL WELFARE, AND SECURE THE BLESSINGS OF LIBERTY TO OURSELVES AND OUR POSTERITY DO ORDAIN AND ESTABLISH THIS CONSTITUTION FOR THE UNITED STATES OF AMERICA.

PREAMBLE TO THE BILL OF RIGHTS:

... EXTENDING THE GROUND OF PUBLIC CONFIDENCE IN THE GOVERNMENT, WILL BEST ENSURE THE BENEFACTIVE ENDS OF ITS INSTITUTION.

STATEMENT OF THE CASE & RULE 20.4 (A) STATEMENT

A.) RULE 20.2 PETITIONER SHALL FOLLOW... FORM... RULE 14: RULE 14.1(C)(vi) ANY OTHER MATERIAL... TO UNDERSTAND THE PETITION;

1.) PLEASE USE RECORDS ATTACHED IN APPENDICES, AND COMPARE MY RECORDS TO WHAT THEY GIVE YOU;

2.) THIS IS IMPORTANT BECAUSE AT TRIAL I HAD KANGAROO COURT, WHICH AFFECTED ALL MY LOWER COURTS;

3.) I MUST AND DISPROVE THEIR FABRICATIONS RECORDS FALSE RECORDS/TRANSCRIPTS WITH: ^{ESP VIDEO RECORDS}

(a) TITLE 28 § 753 (b)(3) TRANSCRIPT... RECORD SHALL BE DEEMED PRIMA FACIE.

(b) PRIMA FACIE SUFFICIENT... UNLESS DISPROVED OR REBUTED: NEED TO OVERTHROW BY ARGUMENT, EVIDENCE, OR PROOF.

(c) AND I DO - I HAVE PROOF: E.G. GJ/GJ: JURY EVEN IN THEIR PHYSICAL ABSENCE FROM COURTROOM ARE STILL MY WITNESSES.

B.) RULE 20.4 (A) TO JUSTIFY THE GRANTING OF A WRIT OF HABEAS CORPUS, THE PETITIONER MUST SHOW THAT EXCEPTIONAL CIRCUMSTANCES WARRANT THE EXERCISE OF THE COURT'S DISCRETIONARY POWERS;

1.) STATEMENT OF THE CASE: U.S. COURT OF APPEALS 11TH CIR., UNDER PREJUDICIAL INFLUENCE OF KANGAROO TRIAL COURT WITH § 313

PER SE PREJUDICIAL ERROR DENIED MY APPEAL HABEAS CORPUS SENT 3.17.25 (APPENDIX POST-HABEAS) WITH FBI'D RECORDS AND

FALSE CLAIMS; I REBUT DISPROVE THEM ALL IN P. 2-4 IN THIS PETITION. MY CIRCUMSTANCES ARE EXCEPTIONAL AND WARRANT

THE EXERCISE OF THE COURT'S DISCRETIONARY POWERS RULE 20.1; I AM IN CUSTODY IN VIOLATION OF THE CONSTITUTION... OF THE UNITED

STATES 28 § 2241(c)(3): BECAUSE, RULE 10(a) A U.S. COURT OF APPEALS... HAS SO FAR DEPARTED FROM THE ACCEPTED AND USUAL

COURSE OF JUDICIAL PROCEEDINGS; OR SANCTIONED SUCH A DEPARTURE BY A LOWER COURT, AS TO CALL FOR AN EXERCISE OF THIS COURT'S

SUPERVISORY POWER;

C.) RULE 20.4 (A) THAT ADEQUATE RELIEF CAN NOT BE OBTAINED IN ANY OTHER FORM;

1.) I'M TRYING, SEE WRIT OF CERT SENT 9.10.25 IN (APPENDIX POST-HABEAS) & AUG. 4, '25 CLERK LETTER REGARDING IT IN (APPENDIX ^{MAIL} ~~1~~);

2.) BUT 11TH CIR. IN THEIR RULE 10(a) DEPARTED IS "KEEPING YOU FROM RECEIVING IT" IN THEIR 18 § 3141(b) MAIL SCHEDULES.

D.) RULE 20.4 (A) THAT ADEQUATE RELIEF CAN NOT BE OBTAINED... FROM ANY OTHER COURT;

1.) I'VE TRIED ALL THE LOWER COURTS - SHAM FROM THE TRIAL COURT INFECTED ALL MY LOWER COURTS (APPENDICES: ALL) ESP, (APPENDIX POST-HABEAS);

E.) RULE 20.4 (A) A STATEMENT OF THE REASONS FOR NOT MAKING APPLICATION TO THE DISTRICT COURT OF THE DISTRICT IN WHICH THE

APPLICANT IS HELD. I DID, PLEASE SEE (APPENDIX D) IT HOLDS THEIR SHAM 2.7.25 ORDER E-FILED 2.24.25; AND ALL IN IT IS DISPROVED WITH:

1.) MY IFP IS VALID: SEE FED. DOCKET HISTORY ENTRY DATE 1.23.25 (APPENDIX A (F) (3));

2.) I WAS DENIED A CONSTITUTIONAL RIGHT: SEE C.O.R. MOTION: 28 § 2253, APPEAL (C) (2) SENT 3.11.25 (APPENDIX A (F) (4));

3.) STATE REMEDIES ARE EXHAUSTED:

(a) AMEND. POSTCONVICTION 3.850 SENT 8.22.24: (APPENDIX POST-HABEAS);

(b) ORDER E-FILED 9.7.2024 SEE MIDDLE OF PAGE, THEY SAID THEY RECEIVED IT; (APPENDIX D);

(c) DOCKET HISTORY - STATE (2 PGS) ENTRY DATE 10.5.2024 SAYS POST DENIED 10.5.24; (APPENDIX D);

4.) I MUST SUBMIT HABEAS CORPUS WITHIN 1 YEAR: TITLE 28, § 23.4 (a) (ii) (1): AND I DID:

(a) "HABEAS CORPUS SENT 12.16.24" (APPENDIX POST-2 HAB) & "MEMORANDUM H.C. RECEIVED IN (APPENDIX C. (4)):

END SECTION "STATEMENT OF THE CASE"

REASONS FOR GRANTING THE PETITION: RULE 14.1 (b):

QUESTION 1: KANGAROO COURT KEPT ME OUT OF MY TRIAL AND IN BASEMENT OF COURTHOUSE FOR ENTIRE TRIAL.

1.) PROOF IS ON COVERSHEET "CORRECTED TRIAL TRANSCRIPTS" (APPENDIX EXHIBITS) SAYS IT RIGHT ON THE COVER

"CORRECTED", BUT WHAT IT REALLY MEANS IS "FABRICATED FALSE"; AND MORE PROOF,

2.) SEE INDEX ON THE BACK OF IT: EVERYTHING IS MARKED "AMENDED" AS THEY TRY TO HIDE ALL EVIDENCE OF THEIR

§ 31.3 PER SE PREJUDICIAL ERROR / KANGAROO COURT / VIOLATIONS OF MY DUE PROCESS & EQUALITY;

3.) ALL RECORDS ARE "PUBM FRAUD": TITLE 28, § 23.3 (b) (3); I BERT/DISPERSE ALL THEIR FAB'D FALSE RECORDS, ESP. VIDEO RECORDS, WITH:

4.) JURY AND I ABSENT FROM TRIAL COURT ROOM FOR ALL OF TRIAL: JURY EVEN IN THEIR PHYSICAL ABSENCE FROM THE COURTROOM

ARE MY WITNESSES: THEY NEVER LIVE IN PERSON HEARD/SAW ANY OF WHAT SHAMMED FALSE RECORDS SAY AGAINST ME: PROOF.

QUESTION 2: KANGAROO COURT & COUNCIL OF INTEREST COUNSEL INTENTIONALLY WITHOUT MY KNOWLEDGE OR CONSENT MISREPRESENT ME AS

CRAZY TO HIDE THEIR INNUMERABLE VIOLATIONS OF DUE PROCESS & EQUALITY.

1.) PROOF IS IN "P. 3 OF 10" (SPECIAL PG. NO. 3) (APPENDIX EXHIBITS) IN FOREGIVEN 2, SENTENCES 1, 2, 3, 4, 5, 6, I MAKE TRUE AND CONTRADICT

THEIR FABRICATIONS FALSE CLAIMS IN THEIR FAB'D RECORDS; E.G. SENTENCE 4: "THREE PSYCHIATRISTS HAVE SEEN HER AND NONE HAVE SEEN FIT TO PRESCRIBE ANY PSYCHOTROPIC MEDICATION."

2.) PROOF IS IN "P. 5 OF 10" (SPECIAL PG. NO. 5) (APPENDIX EXHIBITS) SECTION V: (TOP OF PAGE) IS TRUE: NO DIAGNOSIS EVER & NO MEDS EVER.

IT CONTRADICTS THEIR LIES AT THE BOTTOM OF PAGE; I'VE NEVER USED DRUGS OR ABUSED ALCOHOL - THEY HED.

3.) PROOF IS IN "P. 3 OF 10" (SPECIAL PG. NO. 3) (APPENDIX EXHIBITS) SECTION III: (TOP OF PAGE) IS TRUE: NO MEDS AT DEPARTURE; THIS IS

BECAUSE I HAD NO DIAGNOSIS EVER & NO MEDS PRESCRIBED EVER.

4.) THEY FABRICATE MY PRISON MENTAL HEALTH RECORDS TO THIS DAY WITH FALSE RECORDS; AND THEY DO IT ALL TO COVER FOR THEIR

MISAPPROPRIATION OF GOV FUNDS (\$) THEY COLLECTED IN FRAUD BY FALSELY CONVICTING ME OF CHARGES: TO SEE \$25,000 SEE

P. 22 LINES 1-3 OF SENTENCE HEARING (SPECIAL PG. NO. 5) (APPENDIX EXHIBITS).

QUESTION 3: KANGAROO COURT KEPT JURY OUT OF TRIAL COURTROOMS FOR ENTIRE TRIAL - JURY NEVER SAW HEARD ME EVER:

(FROM G.3.2 (1) (2) IN HABEAS); AND THE VERDICT IS NOT VALID; NEITHER JURY NOR WAS I PHYSICALLY PRESENT IN COURTROOM FOR ANNOUNCING.

1.) PROOF: SOURCE: VOL. 2: CHAPT. 13: THE TRIAL § 13.07. THE JURY VERDICT. (3) INTRO. FOR A VERDICT TO BECOME VALID, IT MUST BE

ANNOUNCED IN THE COURTROOM IN THE PRESENCE OF THE DEFENDANT AND JURORS. IT'S NOT VALID; WE WEREN'T THERE.

P. 1982 - 1984 (APPENDIX EXHIBITS) ESP. P. 1982 LINE 24 JURY PRESENT (NOT PHYSICALLY) VIA ZOOM ON COMPUTER: AFTER

I WAS REMOVED FROM THE COURTROOM - AGAINST MY WILL REMOVED FROM COURTROOM - THEY LIED ON ME: I NEVER REQUEST REMOVE)

P. 1983 L. 13-25 & P. 1984 L. 1-4 VERDICT ANNOUNCED IN COURTROOM WITHOUT PHYSICAL PRESENCE OF JURY & ME THERE AT SAME TIME / PLACE FOR THIS: VERDICT IS NOT VALID. (APPENDIX EXHIBITS) FOR ALL BELOW:

2.) JURY WAS CENSORED FROM EVER SEEING HEARING ME - EVER AT ALL: ANOTHER E.G.: THE FOLLOWING HAPPENED THRU-OUT TRIALS

P. 8 L. 13-14 COURT SAID BRING ME UP (FROM BASEMENT) - NO JURY PRESENT;

P. 10 L. 5 I AM PRESENT - NO JURY PRESENT;

P. 11 L. 2 I WAS REMOVED (AGAINST MY WILL) - NO JURY PRESENT;

P. 11 L. 11 JURY PRESENT VIA ZOOM (COMPUTER) - THEN JURY PRESENT, AFTER I WAS REMOVED;

ANOTHER E.G.: P. 990 L. 8; P. 991 L. 2; P. 995 L. 3: JURY NEVER SEES HEARS ME EVER;

ANOTHER E.G.: P. 1331 L. 13; P. 1332 L. 11-12; P. 1332 L. 15; P. 1334 L. 16: JURY NEVER SEES HEARS ME EVER;

3.) WHAT I CALL "JURY ZOOM-ROOMS": THESE ARE ROOMS THE JURY REMOTELY VIEWED MY CENSORED TRIAL FROM VIA "ZOOM APP" ON A COMPUTER: THE JURY WAS IN BASICALLY EVERY ROOM EXCEPT MY TRIAL COURTROOM: JURY ABSENT TRIAL COURTROOM ENTIRE TRIALS

P. 993 L. 16-25 JUDGE TOLD JURY THEY WOULD BE IN A MORE SPACIOUS (ZOOM) ROOM THAT DAY;

P. 1335 L. 1-13 JUDGE EXPLAINS TO JURY ALL THE DIFFERENT ROOMS THEY WILL REMOTELY VIEW (CENSORED) TRIAL FROM.

4.) PROOF IN TRANSCRIPTS (ABOVE): THEY HAD ME & JURY ABSENT FROM EACH OTHER & FROM TRIAL COURTROOM FOR ENTIRE TRIAL:

I HAD KANGAROO TRIAL COURT / PER SE PREJUDICIAL ERROR (8.31.3) / VIOLATION DUE PROCESS & EQUALITY.

QUESTION 4: KANGAROO COURT PERMITS CONFLICT OF INTEREST COUNSEL TO FRAUDULENTLY FILE, WITHOUT MY KNOWLEDGE OR CONSENT, DESTRUCTIVE MOTIONS: (FROM GA & G31 IN HABEAS); (APPENDIX EXHIBITS) FOR ALL BELOW:

1.) SUPPRESSED EVIDENCE: P. 2214-2215 #4-#5: BOYFRIEND JASON GEE COMMITS DOMESTIC VIOLENCE ON MRS. JOLEEN C. 2-3 DAYS BEFORE SHE DISAPPEARED; PROOF: (HE'S ALSO HER DRUG SUPPLIER AND SHE OWES HIM MONEY - HENCE DOMESTIC VIOLENCE)

P. 2218-2219: SUPPRESSED REPORT OF "DOMESTIC VIOLENCE ON 5.9.2018" ON MRS. J.C. BY HER BOYFRIEND JASON GEE DAYS BEFORE SHE DISAPPEARED; PROOF:

P. 2210 #2: ABOUT Y2 WAY DOWN SAYS: "A BURGLARY AND AN ALTERCATION (A 'VIOLENT STRUGGLE') AT CUMMINGS' RESIDENCE";

ALSO "BRADY ERROR" POLICE LIED SAID IT HAPPENED A LONG TIME BEFORE SHE DISAPPEARED: IT HAPPENED 5.9.2018 AND

SHE DISAPPEARED 5.12.18 - 5.13.18 (3-4 DAYS LATER) - 3 TO 4 DAYS IS NOT A LONG TIME: POLICE MISCONDUCT; PROOF;

P. 914 L. 2-9: PROSECUTOR (HIDES EVIDENCE) OBJECT TO INFO SAID ABOUT MRS. JOLEEN C.'S BOYFRIEND WAS SUSPECT IN HER DISAPPEARANCE; PROOF;

P. 1743 L. 16-18 & P. 1744 L. 1-3: MRS. JOLEEN CUMMINGS DRUGS (CRYSTAL MARCH) IN HER BAG - (HER BOYFRIEND IS DRUG DEALER CRYSTAL MARCH); PROOF: THEY SUPPRESSED INFO ABOUT: ① HER DRUG PROBLEM; ② HER DEAFER BOYFRIEND; ③ DOMESTIC VIOLENCE; ④ HER IN MIDDLE CUSTODY BATTLE; ⑤ HER IN MIDDLE OF DIVORCE;

2.) ONE OF THE LAST TIMES I SPOKE TO CONFLICT OF INTEREST COUNSEL SOPP IN 7/2018 I ASKED FOR VENUE CHANGE AND SHE LIED

TO ME AND SAID JUDGE SAID NO. THEN YEARS AFTER ALL COMMUNICATION CEASED BETWEEN US SHE FILES IT AFTER SHE

SELECTS JURY AND IT'S DENIED: 3 YRS & 4 MOS AFTER I REQUESTED IT: STANDARD 4.3 (NO) CONFLICT OF INTEREST COUNSEL.

SEE P. 980 L. 24 TO P. 981 L. 5 IN (APPENDIX EXHIBITS);

QUESTION 5: KANGAROO COURT WITH CONFLICT OF INTEREST COUNSEL INSTRUCTS JURY THAT COUNSEL IS NOT DEFENDING ME.

(FROM G.10 (2)(B) IN HABBAS); SEE P. 898 L. 21-25 TO P. 899 L. 1-12 (APPENDIX EXHIBITS); THEY INSTRUCT JURY (FALSELY):

THAT I WANT IT, THEN REQUIRES JURY TO AGREE IT'S OK (SCARES THEM INTO IT) ^{LOOK AT WHAT COUNSEL SAYS TO THE JURY:} ~~DO NOT ASK THEM TO AGREE~~

RIGHT OUT HIS MOUTH ^{THIS REQUESTING IT NOW} - COUNSEL SAYS THEY'RE DOING NOTHING - DOING A CROSSWORD PUZZLE (INSTEAD);

VIOLATION DUE PROCESS & EQUALITY 14TH AMEND.; COMPLETE DEPRIVATION OF COUNSEL; § 31.3 PER SE PREJUDICIAL ERROR.

QUESTION 6: KANGAROO COURT (COUNSEL, PROSECUTOR, JUDGE) TWICE GET TOGETHER TO FABRICATE WHAT "STORY" TO TELL JURY

ABOUT THEIR PREDICTION OF MY ABSENCE FROM TRIAL - WITHOUT MY KNOWLEDGE OR CONSENT - BEFORE TRIAL EVER BEGAN;

(FROM G.10 (1) & G.4 (C) HABBAS); NO ONE ASENTS THEMSELVES FROM THEIR OWN TRIAL, AND NEITHER DID I - THEY LIED ON ME:

THEY FOLLOWING DISPROVES THEIR FABRICATED FALSE VIDEO RECORDS ON ME: (APPENDIX EXHIBITS) ALL BELOW:

(A) P. 723 L. 1-4 THEY SCHEME "CHARITATIVE INSTRUCTION" TO TELL JURY ABOUT MY ABSENCE - ABSENCE THEY WANT, NOT WHAT I WANT;

P. 725 L. 24-25 MILLER DOES NOT WANT JURY TO SPECULATE - BECAUSE THEY ARE LYING & DON'T WANT JURY TO FLAG IT OUT;

P. 724 L. 1 TO P. 726 L. 25 THEY SAID, "WHAT SHOULD WE TELL JURY ABOUT HER ABSENCE?"; AND THEY FABRICATE: "JUST SAY SHE'S DISRUPTIVE!" AND "SAY SHE VOLUNTARILY ABSENTED HERSELF."

PROOF: THE JURY IS MY WITNESS, EVEN IN THEIR ABSENCE FROM ME AND FROM TRIAL COURTROOM: THEY NEVER HEARD/SAW

ME SAY DO ANY OF WHAT THEIR FABRICATED FALSE RECORDS ESP. VIDEO RECORDS SAY I SAID/DID - THEY (KANGAROO COURT)

LIED ON ME;

(B) P. 488 L. 22-25 (THEY ASK) "DO WE NEED JURY INSTRUCTION FOR DEFENDANT ASENT FROM TRIAL?"

P. 489 L. 1 TO P. 490 L. 6 THEY SCHEME IT UP, WITHOUT MY KNOWLEDGE OR CONSENT.

PROOF: THE JURY IS MY WITNESS; THEY NEVER HEARD ME SAY I WANTED TO BE ASENT FROM MY TRIAL, BECAUSE I NEVER

SAID ANY SUCH THING: KANGAROO COURT LIED ON ME. VIOLATION DUE PROCESS & EQUALITY.

QUESTION 7: KANGAROO COURT CONSPIRES WITH PROSECUTOR TO HIDE MISCONDUCT IN 1, 5, 14 AMENDMENT VIOLATIONS AND SWITCH

COUNT NOS. (FAB'D DATES) WITH FABRICATED ADDED CHARGE: ^① THEY CAN'T HAVE 1ST DEG. MURDER CHARGE ON ME FOR A "MISSING PERSON"

WHO AT THE TIME THEY ARRESTED ME FOR THIS CHARGE SHE'S MISSING 2-3 DAYS - NO D.N.A. NO BODY & SHE'S STILL MISSING; ^② WHOLE

SHAM CASE AGAINST ME FALLS APART IF THEY KEEP THIS TRUE CNT/CHG ORDER: CNT 1: 1ST DEG. MURDER 2018-CE-815; CNT 2: GRAND

TH. ALTA 2018-CE-373; AFTER I SUBMIT POSTGONY TRIAL CT DID FRAUD MOTION TO HIDE THIS TRUE CNT/CHG ORDER: (FROM G.32 (1) HAB)

1) SEE ^{KANGAROO TRIAL COURT} DOCKET HISTORY - STATE, ENTRY DATE 10-23-25 DID FRAUD MOTION TO HIDE MISCONDUCT IN SWITCHED COUNT/CHARGE ORDER WITHOUT MY KNOWLEDGE OR CONSENT; (APPENDIX G);

2) BELOW PROVES RIGHT COUNT/CHARGE ORDER & SHOWS IT 34 TIMES: PRINTED ON RECORDS DOCUMENTS, AND SOME ARE READ ALOUD

IN RIGHT ORDER BY JUDGE OR PROSECUTOR:

TRIAL TRANSCRIPTS: TOP RIGHT HAND CORNER OF PAGE: [WAS RIGHT COUNT/CHARGE ORDER:]

* COVERSHEET: "CORRECTED TRIAL TRANSCRIPTS";

* INDEX: "CORRECTED TRIAL TRANSCRIPTS" INDEX;

SPECIAL PAGE No.5 / DOCUMENTS WITH NO PAGE No.5:

- P. 1 of 10 "ORDER FINDING...";
- P. 1 of "SENTENCE HEARING";
- CERTIFICATE OF THE CLERK (NO PAGE No.5);

- COVERSHEET "INITIAL BRIEF OF APPELLANT" (NO PG No.5);
- P.2 of "INITIAL BRIEF OF APPELLANT";

TRIAL TRANSCRIPTS:

- P. 1; P. 982; P. 1324; P. 1844; ← (ALL IN TOP R.H. CORNER OF PAGE);

TRIAL T'S PAGES & LINE No.5:

- P. 21 L. 6-9; L. 13-15; P. 996 L. 7-8; P. 1894 L. 22-23; P. 1939 L. 3-4; P. 1962 L. 11-14; P. 1962 L. 15-16;
- P. 1941 L. 15-16 ← OUT OF JUDGE'S MOUTH: "COUNT 1: 1ST DEG. MURDER";

RECORD ON APPEAL: TOP RIGHT HAND CORNER OF PAGE:

- "RECORD ON APPEAL" COVERSHEET P. 1;
- "RECORD ON APPEAL" P. 2;
- P. 2034;
- P. 2558;
- P. 2563;
- P. 2564;
- P. 3556;
- P. 3674;

RECORD ON APPEAL: WITH HELPFUL INFO: @ P. 3573 (AS TO COUNT 1) MURDER 1ST DEG.; @ P. 3574 (SAYS) LIFE SENTENCE;

- P. 31: INDICTMENT COUNT 1 MURDER 1ST DEG.: 9/2018 DATE IS FALSE (TRUE DATE 5/2018);

- P. 36: INDICTMENT COUNT 1 MURDER 1ST DEG.: 9/2018 DATE IS FALSE (TRUE DATE 5/2018);

- P. 3445: COUNT 1 CULP NEGLIGENCE (AS FOR COUNT 1 1ST DEG. MURDER);

- P. 3446: COUNT 2 GRAND THEFT AUTO;

- P. 3467: HAS JUDGE'S HAND-WRITTEN SIGNATURE ON IT;

- P. 3469: JURY INSTRUCTIONS - STATEMENT OF CHARGES;

- P. 3472: MURDER 1ST DEG. - COUNT 1;

- P. 3499: VERDICT PAGE COUNT 1 1ST DEG. MURDER AND P. 3500 SIGNATURE OF JUROR FOR VERDICT;

3) SUMMARY: ALL THE ABOVE SOLIDLY SUPPORTS THE TRUE COUNT CHARGE ORDER: "CNT 1: 1ST DEG. MURDER 2018-OF-615";

"CNT 2: GRAND TH. AUTO 2018-OF-373"; AND REVEALS MISCONDUCT OF FALSE ARREST ON FALSE FAB'D CHARGES THAT

HAVE NO PROBABLE CAUSE & NO EVIDENCE TO BACK IT UP. CAN'T HAVE 1ST DEG. MURDER CHARGE ON ME FOR A MISSING

PERSON WHO AT THE TIME THEY ARRESTED ME FOR THIS SHE'S MISSING 2-3 DAYS - NO D.N.A. NO BODY AND SHE'S STILL

MISSING TO THIS DAY. THEIR WHOLE SHAM CASE AGAINST ME FALLS APART IF THE TRUE COUNT CHARGE ORDER IS

REVEALED - AND IT IS - Hallelujah.

BRADY ERROR; VIOLATION DUE PROCESS & EQUALITY.

QUESTION 8: KANGAROO COURT GIVES "STIPULATION" TO JURY THAT THEY MUST ACCEPT ALL WITNESSES (FALSE) AND ALL EVIDENCE (FABRICATED)

AS TRUE. (FROM GIL(B) HABEAS); THE FOLLOWING JURY INSTRUCTION VIOLATED MY DUE PROCESS & EQUALITY IN FORCING THE JURY TO AGREE TO THIS UNCONSTITUTIONAL STIPULATION: SEE P. 1029 L. 17-23 IN (APPENDIX EXHIBITS):

JUDGE TO JURY: ALL RIGHT LADIES & GENTLEMEN, I'M GOING TO READ YOU A STIPULATION BETWEEN THE DEFENSE AND THE STATE. A STIPULATION IS MERELY AN AGREEMENT AND YOU ARE TO ACCEPT WHAT THE PARTIES HAVE SAID AS BEING TRUE WITHOUT NEEDING ANY FURTHER PROOF.

SUMMARY: ABOVE SOLIDLY SHOWS THAT THE FALSE CHARGES, FABRICATED EVIDENCE, BIASD THREATENED HEARSAY FALSE WITNESSES ALL GO COMPLETELY UNCHALLENGED, AND WITH THE BIASED PUPPET JURY THAT'S CONTROLLED BY THIS STIPULATION, GOT ME FALSELY CONVICTED OF FALSE CHARGES. TRIAL UNFAIR; VIOLATION 14TH AMEND. DUE PROCESS & EQUALITY; § 31.3 PER SE PREJUDICIAL ERROR.

QUESTION 9: KANGAROO COURT'S JURY INSTRUCTIONS PERMIT ALL WITNESS TO BE FALSE & ALL EVIDENCE TO BE FABRICATED.
(FROM G.12 IN HAB); SEE P. 3419-3416: THE DRAFT; P. 3487-3488: WHAT JURY RECEIVED; P. 1955 L. 21 → 1956 L. 10 (APPENDIX EXHIBITS);
← JUDGE READS IT TO JURY

"WEIGHING THE EVIDENCE" IN WEST'S FLORIDA CRIMINAL LAWS & RULES 2018 GIVES BY LAW TEN. THE JUDGE ADMITTED FOUR OF
THE TEN SPECIFICALLY NRS: 6, 7, 9, AND 10; HE KEPT 1, 5, & 8 AND REMEMBERED THEM 1-6. THE FOLLOWING IS THE
FOUR HE ADMITTED:

- * HAS THE WITNESS BEEN OFFERED OR RECEIVED MONEY, PREFERRED TREATMENT, OR OTHER BENEFIT TO GET WITNESS TO TESTIFY?
- * HAD ANY PRESSURE OR THREAT BEEN USED AGAINST THE WITNESS THAT AFFECTED THE TRUTH OF THE WITNESS TESTIMONY?
- * HAS THE WITNESS BEEN CONVICTED OF A FELONY OR MISDEMEANOR INVOLVING DISHONESTY OR FALSE TESTIMONY?
- * DOES THE WITNESS HAVE A GENERAL REPUTATION FOR DISHONESTY OR TRUTHFULNESS?

SUMMARY: THE ABOVE FOUR THAT THE JUDGE INTENTIONALLY OMITTED FROM JURY INSTRUCTIONS PERMITS THEM TO HAVE ALL
WITNESS BE FALSE & ALL EVIDENCE FABRICATED; AND IT WAS A VIOLATION OF THE PROCESS & EQUALITY "BROAD ERROR".

I HAD FALSE WITNESSES BROUGHT AGAINST ME & FALSE EVIDENCE AND I WAS FALSELY CONVICTED ON FALSE CHARGES.

QUESTION 10: KANGAROO COURT ALLOWS DECEITFUL COUNSEL TO CHANGE MY PLEA WITHOUT MY KNOWLEDGE OR CONSENT
TO NOLO CONTENDERE (FROM G.29(B) IN HAB); (APPENDIX EXHIBITS) FOR ALL BELOW:

"P. 20 RECORD ON APPEAL: CASE ABSTRACT FILING: SEE:

"7.1.2019 NOTICE OF CONFIDENTIAL INFORMATION WITHIN COURT FILING" AND IS GUILT FOR FRAUD FILING;

"7.2.2019 DEFENDANT ENTERED A PLEA OF NO PLEA ENTERED FOR CNT: 1" AND IS A LIE - I DID NOT;

AND THEY DID IT TWO MORE TIMES; AND ALL WAS DONE WITHOUT MY KNOWLEDGE OR CONSENT SEE:

"P. 27 RECORD ON APPEAL: CASE ABSTRACT FILING: SEE:

"11.5.2021 DEFENDANT ENTERED A PLEA OF FOR CNT: 1"

"11.5.2021 TRIAL TYPE OF ENTERED FOR CNT: 1"; AND SEE:

"P. 29 RECORD ON APPEAL: CASE ABSTRACT FILING: SEE:

"1.27.2022 DEFENDANT ENTERED A PLEA OF NO PLEA ENTERED FOR CNT: 1 ← THIS WAS A MONTH AFTER TRIAL
WAS OVER - NO ONE CHANGES THEIR PLEA AFTER THE TRIAL IS OVER; THIS WAS DAY OF SENTENCING.

"P. 30 RECORD ON APPEAL: CASE ABSTRACT FILING: SHOWS TRUTH THAT TRIAL WAS DEC 2021; AND SHOWS THEIR FRAUD

"P. 5 RECORD ON APPEAL: 55. NOTICE OF CONFIDENTIAL WITHIN COURT FILING: 7.1.2019; P. 2029-2033; AND SEE:

P. 2029-2033 ARE ALL BLANKED OUT WITH "CONFIDENTIAL"; ON 7.1.2019 THEY DID FRAUD ON ME & THRU-OUT CASE;

"P. 15 RECORD ON APPEAL: 346. PRESENTENCE INVESTIGATION 1.27.2022 3535-3555; THIS WAS ON DAY OF SENTENCING;

P. 3535-3555 ARE ALL BLANKED OUT WITH "CONFIDENTIAL"; I HAVE ASKED FOR INFO ON BLANKED-OUT PAGES AND NO
ONE WILL GIVE IT TO ME: NOT CLERK, NOT APPELLATE COUNSEL (I DON'T TALK TO TRIAL COUNSEL), NO ONE.

"P. 29 RECORD ON APPEAL: CASE ABSTRACT FILING: THE 10TH ENTRY FOR "1.27.2022" SAYS: "LIFE IN STATE PRISON FACILITY - DOC - CNT: 1"
AND FURTHER PROVES CNT 1 IS 1ST DEG. MURDER - CAN'T HAVE LIFE SENTENCE ON GRAND THEFT AUTO CHG. SO CNT 1 IS 1ST DEG
MURDER, AND SEE ABOVE ON P. 29 THEY HAVE IT AS NOLO CONTENDERE PLEA (THEY FALSIFIED MY PLEA); BUT THE POINT IS

YOU CAN'T HAVE A TRIAL WITH A NO LO. CONTENDERE PLEA.

AND THERE IS NO TRACE OF SENTENCING, NOTHING MENTIONED AT ALL FOR CNT 2 OR GRAND TH. AUTO. IN RECORD ON APPEAL:
CASE ABSTRACT FILING INDEXES."

SHAM CHARGES, SHAM COUNT NO. 5, SHAM TRIAL, SHAM EVERYTHING! AND PLEASE KNOW MY PLEA ALWAYS "NOT GUILTY".

[AND MORE PROOF:]

QUESTION 11: PROVES MY INNOCENCE OF CHARGES: CNT 1: 1ST DEG. MURDER & CNT 2: GRAND TH. AUTO. THERE ARE
NO ELEMENTS: CONFLICT OF INTEREST COUNSEL WITH KANGAROO COURT LET MY 14TH AMEND RIGHTS DUE PROCESS & EQUALITY
BE VIOLATED.

1) NO ELEMENTS FOR CNT 1: 1ST DEG. MURDER:

(a) NO MOTIVE: I HAD NO PROBLEMS WITH MRS. JOLEEN CUMMINGS;

(b) NO EYEWITNESS: AND ALL THEIR HEARSAY WITNESS ARE FALSE: PROVED IN QUESTION 9 & QUESTION 8;

(c) THERE IS NO BODY: SHE IS STILL MISSING AND IT'S SPECULATED AS "APPARENT DECEASE";

(d) THERE IS NO LAB REPORTS & NO D.N.A.: THEY ONLY GAVE "LIP SERVICE" AND SAID FALSELY SAID THEY HAVE THIS

EVIDENCE WHEN THEY DO NOT: SEE FOR YOURSELF IN RECORD: P. 1-16 RECORD ON APPEAL AND

P. 17-30 CASE ABSTRACT FILING INDEX: THERE IS NOTHING, NO DA, ZILCH. IN QUESTION 9 & QUESTION 8

THEY GAVE JURY INSTRUCTIONS THAT JURY MUST BELIEVE ALL THEIR TOLD AS BEING TRUE, AND ~~THE~~ THE

OTHER INSTRUCTION (Q. 9) PERMIT ALL TO BE FALSE/FABRICATED. I AM INNOCENT OF THIS FALSE CHARGE.

2) NO ELEMENTS FOR CNT 2: GRAND THEFT AUTO: ALL ELEMENTS MUST BE PRESENT TO CONVICT ON THIS CHARGE AND
THEY ARE NOT; THE JUDGE GAVE INSTRUCTIONS THAT PERMIT THAT ELEMENTS ARE OPTIONAL (NOT REQUIRED).
[BY ADDING THE WORD "OR"]

(a) SEE P. 3496 IT SHOWS THE UNFINISHED JURY INSTRUCTION WITH NOTES ON IT FROM THE JUDGE ON THE
UNLAWFUL CHANGE HE WOULD MAKE: (NOTE THE RIGHT COUNT 2. (COUNT II) AT THE TOP OF PAGE);

b) SEE P. 3482 THIS IS THE FABRICATED FALSE FINISHED INSTRUCTION WITH THE UNLAWFUL CHANGES MADE
BY ADDING THE WORD "OR" HE MADE ELEMENTS "OPTIONAL" AND NOT REQUIRED, AND

THIS VIOLATED MY DUE PROCESS & EQUALITY; AND I WAS FALSELY CONVICTED OF THIS FALSE CHARGE.

[END: QUESTIONS 1-11 FOR REV'G IN BANC FOR WRIT OF HABEAS CORPUS]

CONCLUSION

REH'D-G EN BANC

The petition for a writ of habeas corpus should be granted.

Respectfully submitted,

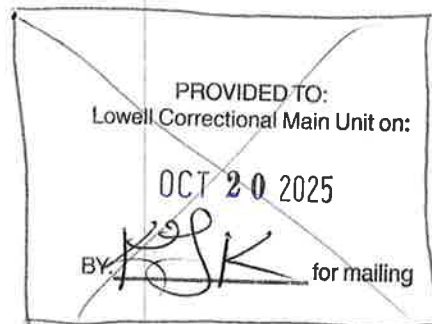

KIMBERLY LEE KESSLER - JB1354

Date: 11-10-25

PROVIDED TO:
Lowell Correctional Main Unit on:

NOV 10 2025

BY: KSK for mailing



APPENDIX A: JURISDICTION 14.1(a); AND THE SHOWING OF 11TH CIR'S RULE 10(a) SO FAR DEPARTED:

(OUTLINE FOR DOCUMENTS BELOW MIRRORS OUTLINE FOR THESE DOCUMENTS ON P. 2-4 OF PETITION)

(B) "3.13.2025 DATED DOCKET & 14 DAY NOTICE" U.S. CT. OF APPEALS 11TH CIR.; AND "ENVELOPE DATESTAMP RECEIVED 3.24.25": (3 PAGES);

(C) "4.1.2025 NOTICE NO DEADLINES EXTENDED"; AND "4.8.25 DATESTAMP RECEIVED ON ENVELOPE": (2 PAGES);

(D) "4.2.25 DISMISSAL 14 DAY NOTICE"; AND "ENVELOPE DATESTAMP RECEIVED 4.10.2025": (3 PAGES);

AND

(1) "4.7.2025 NOTICE NO DEADLINES EXTENDED" (1 PAGE);

(E) (REFERENCE FOR (B) ABOVE 4) (3.13.25 NOTICE);

(F) "ORDER 4.23.25" AND "ENVELOPE DATE-STAMP RECEIVED 5.8.25" (15 DAYS LATER); (4 PAGES);

(1) "DOCKET HISTORY - FEDERAL" (2 PAGES) - SHOWS "IFP" APPROVED ON 1.23.2025;

(4) "C.O.A. SHALL ISSUE: TITLE 28 § 2253, APPEAL (a)(2) SENT 3.11.25"; AND "EXHIBITS COVER SHEET": (2 PGS);

UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

For rules and forms visit
www.ca11.uscourts.gov

March 13, 2025

Kimberly Lee Kessler
Lowell CI - Inmate Legal Mail
11120 NW GAINESVILLE RD
OCALA, FL 34482-1479

I RECEIVED THIS
3-24-25
SEE ATTACH ENVELOPE

Appeal Number: 25-10811-J
Case Style: Kimberly Kessler v. State of Florida
District Court Docket No: 3:25-cv-00014-MMH-PDB

HABEAS CORPUS and SECTION 2255 DOCKETING NOTICE

The above-referenced case has been docketed in this Court. All documents filed in this appeal must include the Case Style and Appeal Number shown above.

Appellant Requirements

Unless the following requirements have already been satisfied, **within 14 days of the date of this notice the appellant MUST:**

1. Pay to the **District Court** the Filing Fee **OR** File a Motion to Proceed In Forma Pauperis (IFP) in the district court. See FRAP 3(e), FRAP 24.

If the filing fee is not paid and a motion to proceed IFP has not been filed in the district court within 14 days of the date of this notice, this appeal will be dismissed without further notice pursuant to 11th Cir. R. 42-1(b).

If the district court has denied the appellant IFP status on appeal, the appellant has 30 days from the date of the district court's order to file an IFP motion in this Court. See FRAP 24(a)(5).

2. File in the **District Court** a Transcript Order Form or a certificate stating no transcripts will be ordered. See FRAP 10(b) & the accompanying 11th Cir. R. IOP.
3. File a Certificate of Interested Persons and Corporate Disclosure Statement (CIP). See 11th Cir. R. 26.1-1(a)(1).

I'm IFP
U.S. DISTRICT
JUDGE FALSELY
DENY IFP IN
RETALIATION
SEE "DOCKET
HISTORY" (GOLDEN)
APPENDIX B

CONTRARY TO ESTABLISHED FEDERAL
H.C. P & P LAW: VIOLATION DUE PROCESS

For all other deficiencies, to have your document considered, you **must refile the entire document** after all the deficiencies identified above have been corrected and you **must include** any required items identified above **along with** the refiled document. No action will be taken if you only provide the missing items without refiling your entire document.

Please note that any filing submitted out of time must be accompanied by an appropriate motion, *i.e.*, a motion to file out of time, a motion to reinstate if the case has been dismissed, and/or a motion to recall the mandate if the mandate has issued.

Clerk's Office Phone Numbers

General Information:	404-335-6100	Attorney Admissions:	404-335-6122
Case Administration:	404-335-6135	Capital Cases:	404-335-6200
CM/ECF Help Desk:	404-335-6125	Cases Set for Oral Argument:	404-335-6141

Notice No Action Taken

UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

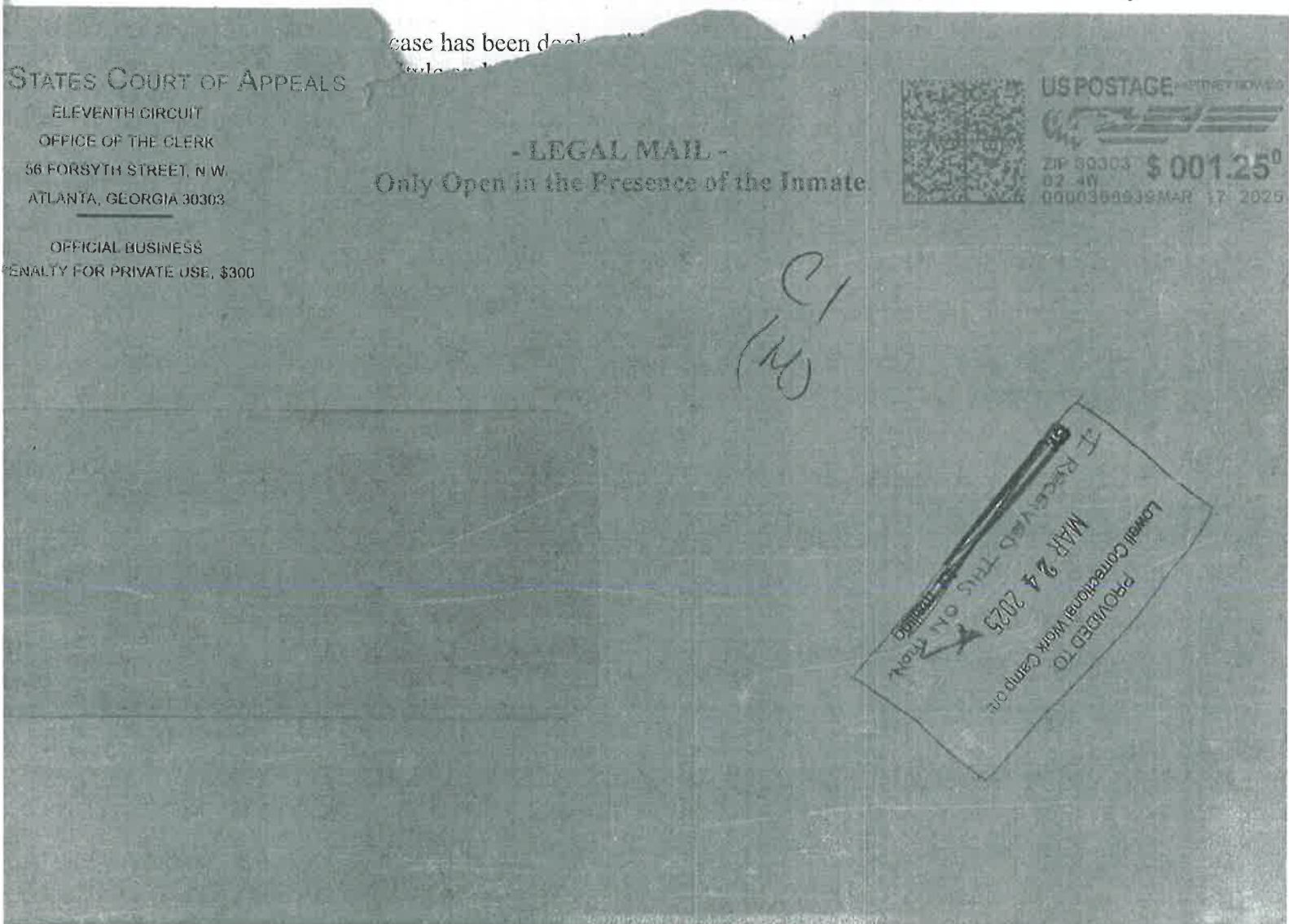
For rules and forms visit
www.ca11.uscourts.gov

March 13, 2025

Kimberly Lee Kessler
Lowell CI - Inmate Legal Mail
11120 NW GAINESVILLE RD
OCALA, FL 34482-1479

Appeal Number: 25-10811-J
Case Style: Kimberly Kessler v. State of Florida
District Court Docket No: 3:25-cv-00014-MMH-PDB

HABEAS CORPUS and SECTION 2255 DOCKETING NOTICE



UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

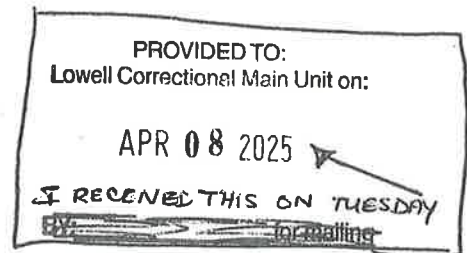
David J. Smith
Clerk of Court

For rules and forms visit
www.ca11.uscourts.gov

April 01, 2025

Kimberly Lee Kessler
Lowell CI - Inmate Legal Mail
11120 NW GAINESVILLE RD
OCALA, FL 34482-1479

Appeal Number: 25-10811-J
Case Style: Kimberly Kessler v. State of Florida
District Court Docket No: 3:25-cv-00014-MMH-PDB



NO ACTION / DEFICIENCY NOTICE

Notice that no action will be taken on Motion [10434222-2] Acknowledge IFP valid has been & is operating/ being used filed by Appellant Kimberly Lee Kessler Party Kimberly Lee Kessler. Reason(s) no action being taken on filing(s): The filing is deficient for failure to comply with this Court's rules on Certificates of Interested Persons and Corporate Disclosure Statements. See 11th Cir. R. 26.1-1..

THEY DID NOT ADHERE TO THIS ↓ IF THEY DID AS THEY SHOULD HAVE: 3/27/25 IS DISMISSAL DATE.
No deadlines will be extended as a result of your deficient filing.

FALSE CLAIM:
MY FILING NOT DEFICIENT.

Certificate of Interested Persons and Corporate Disclosure Statement ("CIP")

You failed to comply with the CIP rules by:

- not including a CIP in your filing. See 11th Cir. R. 26.1-1(a)(1).

← CONTRARY TO ESTABLISHED FED. HABEAS C. PRACT. & PROCED. LAW AND ALSO DOES NOT APPLY AS I AM NOT A CORPORATION.

ACTION REQUIRED

For motions for reconsideration or petitions for rehearing that are not permitted, no action is required or permitted. Your filing will not be considered.

For mistaken filings, to have your document considered, you must file the document in the correct court.

U.S. STATES COURT OF APPEALS
ELEVENTH CIRCUIT
OFFICE OF THE CLERK
56 FORSYTH STREET, N.W.
ATLANTA, GEORGIA 30303
OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

FILED

LEGAL MAIL -
in the Presence of the Inmate

PROVIDED TO:
Lowell Correctional Main Unit on:

APR 08 2025

I RECEIVED THIS ON TUESDAY

THEIR DATE

WITHIN THIS ENVELOPE IS
VARIOUS DATED MAIL FROM
MAR. 28, 2025 TO 4-1-25
5 DAYS WORTH OF MAIL
SAT UNMAILED / UNSENT UNTIL
THEY FINALLY ACTUALLY DEPOSITED
IT IN THE TRAIL TO BE SENT,
WHENEVER THAT WAS.

ZIP 00303 \$002.31⁰
02 4W
0000358079 APR 02 2025

UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

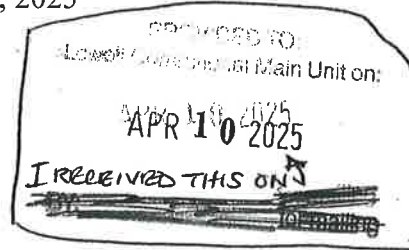
ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

For rules and forms visit
www.ca11.uscourts.gov

April 02, 2025

Kimberly Lee Kessler
Lowell CI - Inmate Legal Mail
11120 NW GAINESVILLE RD
OCALA, FL 34482-1479



Appeal Number: 25-10811-J
Case Style: Kimberly Kessler v. State of Florida
District Court Docket No: 3:25-cv-00014-MMH-PDB

DISMISSAL NOTICE

DENIED (AGAIN)
APRIL 16, 2025

Pursuant to 11th Cir. R. 42-1(b), **this appeal will be dismissed without further notice upon the expiration of 14 days from the date of this notice** unless:

The appellant files in the **District Court** a completed Transcript Order Form OR a certificate stating no transcript will be ordered. See FRAP 10(b)(1) & the accompanying 11th Cir. IOP.

Note to Counsel: 11th Cir. R. 42-1(b) provides that "If an appellant is represented by appointed counsel, the clerk may refer the matter to the court for possible disciplinary action against counsel in lieu of dismissal." Eleventh Circuit IOP 1 to FRAP 26 provides that "Failure to timely file required documents . . . may result in possible disciplinary action against counsel as described in Addendum Eight."

Clerk's Office Phone Numbers

General Information: 404-335-6100
Case Administration: 404-335-6135
CM/ECF Help Desk: 404-335-6125

Attorney Admissions: 404-335-6122
Capital Cases: 404-335-6200
Cases Set for Oral Argument: 404-335-6141

Enclosure(s)

DIS-1 Deficiency

For all other deficiencies, to have your document considered, you **must refile the entire document** after all the deficiencies identified above have been corrected and you **must include** any required items identified above **along with** the refiled document. No action will be taken if you only provide the missing items without refiling your entire document.

Please note that any filing submitted out of time must be accompanied by an appropriate motion, *i.e.*, a motion to file out of time, a motion to reinstate if the case has been dismissed, and/or a motion to recall the mandate if the mandate has issued.

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Case Administration:	404-335-6135	Capital Cases:	404-335-6200
CM/ECF Help Desk:	404-335-6125	Cases Set for Oral Argument:	404-335-6141

Notice No Action Taken

UNITED STATES COURT OF APPEALS

ELEVENTH CIRCUIT

OFFICE OF THE CLERK

56 FORSYTH STREET, N.W.

ATLANTA, GEORGIA 30303

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE, \$300

ATLANTA, GA. PDCC

APR 2025 PM 1

- LEGAL MAIL -

Only Open in the Presence of the Inmate



US POSTAGE



ZIP 30303 \$ 000.97⁰

02 4W 0000368939 APR 04 2025

C1124M
M/M

PROVIDED TO:
Lowell Correctional Main Unit on:

APR 10 2025

I RECEIVED THIS ONE

34482-1455555



**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

For rules and forms visit
www.ca11.uscourts.gov

April 07, 2025 (RCV F 4-11-25)

Kimberly Lee Kessler
Lowell CI - Inmate Legal Mail
11120 NW GAINESVILLE RD
OCALA, FL 34482-1479

Appeal Number: 25-10811-J
Case Style: Kimberly Kessler v. State of Florida
District Court Docket No: 3:25-cv-00014-MMH-PDB

NO ACTION / DEFICIENCY NOTICE

Notice that no action will be taken on Motion that Court send all notice, etc. to me in fair timely manner [10437794-2] filed by Appellant Kimberly Lee Kessler.

Reason(s) no action being taken on filing(s): The filing is deficient for failure to comply with this Court's rules on Certificates of Interested Persons and Corporate Disclosure Statements. See 11th Cir. R. 26.1-1..

No deadlines will be extended as a result of your deficient filing.

Certificate of Interested Persons and Corporate Disclosure Statement ("CIP")

You failed to comply with the CIP rules by:

- not including a CIP in your filing. See 11th Cir. R. 26.1-1(a)(1).

ACTION REQUIRED

For motions for reconsideration or petitions for rehearing that are not permitted, no action is required or permitted. Your filing will not be considered.

For mistaken filings, to have your document considered, **you must file the document in the correct court.**

UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

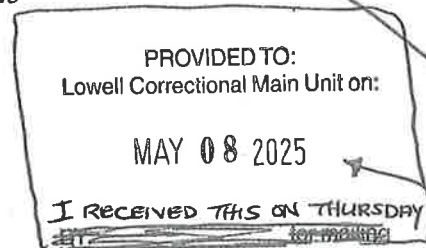
David J. Smith
Clerk of Court

For rules and forms visit
www.ca11.uscourts.gov

April 23, 2025

Clerk - Middle District of Florida
U.S. District Court
300 N HOGAN ST
JACKSONVILLE, FL 32202

Appeal Number: 25-10811-J
Case Style: Kimberly Kessler v. State of Florida
District Court Docket No: 3:25-cv-00014-MMH-PDB



The enclosed copy of the Clerk's Order of Dismissal for failure to prosecute in the above referenced appeal is issued as the mandate of this court. See 11th Cir. R. 41-4.

Any pending motions are now rendered moot in light of the attached order.

Clerk's Office Phone Numbers

General Information: 404-335-6100
Case Administration: 404-335-6135
CM/ECF Help Desk: 404-335-6125

Attorney Admissions: 404-335-6122
Capital Cases: 404-335-6200
Cases Set for Oral Argument: 404-335-6141

ALL THEIR FALSE
CLAIMS REBUT/DISPROVED
IN "MOTION REBUT"
DATE STAMP 5-14-25
ATTACH TO THIS

Enclosure(s)

APPEAL DENIED 3-26-25 NOT AS THIS FALSELY SAYS
SEE ATTACHMENT "NOTICE" NO DEADLINES EXTENDED
DATED 4-1-25 (I RECEIVED 4-8-25)
APPENDIX A

DIS-2 Letter and Entry of Dismissal

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 25-10811-J

KIMBERLY LEE KESSLER,

Petitioner - Appellant,

versus

STATE OF FLORIDA,

Respondent - Appellee.

Appeal from the United States District Court
for the Middle District of Florida

ORDER: Pursuant to the 11th Cir. R. 42-1(b), this appeal is DISMISSED for want of prosecution because the appellant Kimberly Lee Kessler failed to comply with the rules on Certificates of Interested Persons and Corporate Disclosure Statements and file a Transcript Order Form within the time fixed by the rules.

Effective April 23, 2025.

VIOLATION ESTABLISHED FEDERAL
HABEAS CORPUS PRACT. & PROCED.
LAW - NO WHERE DOES IT SAY A
CIP MUST GO WITH HABEAS CORPUS.

DAVID J. SMITH
Clerk of Court of the United States Court
of Appeals for the Eleventh Circuit

FOR THE COURT - BY DIRECTION

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MAY 8, 2025 THURS
SEE ATTACH ENVELOPE

I'm IFP: SEE "DOCKET HISTORY"
APPENDIX B AND
U.S. DIST. COURT
JUDGE'S "ORDER" P.4
DATE 2-24-25: IN IT
SHE DENY IFP FOR
APPEAL RETALIATION
TO RUIN APPEAL.

APPENDIX B

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

For rules and forms visit
www.ca11.uscourts.gov

April 23, 2025

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Kimberly Lee Kessler
Lowell CI - Inmate Legal Mail
11120 NW GAINESVILLE RD
OCALA, FL 34482-1479

Appeal Number: 25-10811-J
Case Style: Kimberly Kessler v. State of Florida
District Court Docket No: 3:25-cv-00014-MMH-PDB

MOTION MOOT: Motion for certificate of appealability construed from the notice of appeal is MOOT [10435616-2] due to clerk's order filed 04/23/2025. Motion filed by Appellant Kimberly Lee Kessler.

Clerk's Office Phone Numbers

General Information:	404-335-6100	Attorney Admissions:	404-335-6122
Case Administration:	404-335-6135	Capital Cases:	404-335-6200
CM/ECF Help Desk:	404-335-6125	Cases Set for Oral Argument:	404-335-6141

MOT-11 Motion or Document Returned

UNITED STATES COURT OF APPEALS

ELEVENTH CIRCUIT

OFFICE OF THE CLERK

56 FORTSYTH STREET, N.W.

ATLANTA, GEORGIA 30303

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CLOSED,HABEAS,CLERK_3

U.S. District Court
Northern District of Florida (Tallahassee)
CIVIL DOCKET FOR CASE #: 4:24-cv-00531-MCR-HTC
Internal Use Only

KESSLER v. STATE OF FLORIDA
Assigned to: JUDGE M CASEY RODGERS
Referred to: MAGISTRATE JUDGE HOPE T CANNON
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 12/30/2024
Date Terminated: 01/03/2025
Jury Demand: None
Nature of Suit: 530 Habeas Corpus (General)
Jurisdiction: Federal Question

Petitioner**KIMBERLY LEE KESSLER**

represented by **KIMBERLY LEE KESSLER**
J81354
LOWER MAIN CI
11120 NW GAINESVILLE ROAD
OCALA, FL 34482
PRO SE

V.

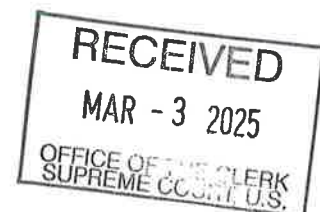
Respondent**STATE OF FLORIDA**

Date Filed	#	Docket Text
12/30/2024	<u>1</u>	PETITION for Writ of Habeas Corpus, filed by KIMBERLY LEE KESSLER. (Attachments: # <u>1</u> Exhibit) (No service copy/no IFP Motion/fee not paid). (mb) (Entered: 12/31/2024)
12/31/2024	<u>2</u>	Notice to Pro Se Litigant, KIMBERLY LEE KESSLER. (mb) (Entered: 12/31/2024)
12/31/2024		ACTION REQUIRED BY MAGISTRATE JUDGE: Chambers of MAGISTRATE JUDGE HOPE T CANNON notified that action is needed Re: <u>1</u> Petition for Writ of Habeas Corpus. (No service copy/no IFP Motion/fee not paid). (mb) (Entered: 12/31/2024)
01/03/2025	<u>3</u>	ORDER. The clerk shall transfer this case to the U.S. District Court for the Middle District of Florida and shall close the file in the Northern District. Signed by MAGISTRATE JUDGE HOPE T CANNON on 1/3/2025. (mb) (Entered: 01/03/2025)
01/03/2025	4	Interdistrict Transfer electronically to the MIDDLE DISTRICT OF FLORIDA JACKSONVILLE DIVISION located at BRYAN SIMPSON US COURTHOUSE, 300 NORTH HOGAN STREET, JACKSONVILLE, FL 32202. (mb) (Entered: 01/03/2025)
01/06/2025	<u>5</u>	ACKNOWLEDGMENT re 4 Case Transferred Out to Another District. Case transferred from Florida Northern has been opened in Middle District of Florida as case 3:25-cv-00014, filed 01/03/2025. (mb) (Entered: 01/06/2025)

NOTE: CASE WAS PUT
IN WRONG (JAX-DIV.)
DIVISION.

THE CORRECT DIVISION FOR MY CASE
IS "FERNANDINA DIVISION".
SEE TITLE 28, CHAPTER 5, § 89, FLORIDA

I BROUGHT THIS TO U.S. COURT OF APPEALS 11TH CIR. ATTENTION
IN A MOTION DATE STAMPED 3-11-2025.
(THEY DID NOT REPLY)



IFP APPROVED →			Number: 3:25-cv-14-MMH-PDB. (MDC) (Entered: 01/06/2025)
	01/23/2025	<u>6</u>	MOTION to Proceed In Forma Pauperis by Kimberly Lee Kessler. (Attachments: # <u>1</u> Attachment, # <u>2</u> Mailing Envelope, # <u>3</u> Mailing Envelope (Received from the Northern District))(JDR) Motions referred to Magistrate Judge Patricia D. Barksdale. (Entered: 01/27/2025)
	01/27/2025	<u>7</u>	NOTICE of inquiry titled Motion Requesting Status Update by Kimberly Lee Kessler. Clerk responded with courtesy copy of docket sheet. (Attachments: # <u>1</u> Mailing Envelope)(JDR) (Entered: 01/28/2025)
	02/14/2025	<u>8</u>	MOTION for Miscellaneous Relief, specifically Requesting Status Update by Kimberly Lee Kessler. (JOS) Motions referred to Magistrate Judge Patricia D. Barksdale. (Entered: 02/14/2025)
	02/24/2025	<u>9</u>	ORDER dismissing the case without prejudice; directions to the Clerk. Signed by Judge Marcia Morales Howard on 2/24/2025. (SM) (Entered: 02/24/2025)
	02/25/2025	<u>10</u>	JUDGMENT is entered dismissing this case without prejudice (Signed by Deputy Clerk) (ARL) (Entered: 02/25/2025)
	02/25/2025	11	NOTICE of Local Rule 1.11(e), which provides that, unless an order states another time, a seal under Rule 1.11 expires ninety days after a case is closed and all appeals are exhausted. To prevent the content of a sealed item from appearing on the docket after the seal expires, a party or interested non-party must move for relief before the seal expires. (Signed by Deputy Clerk). (ARL) (Entered: 02/25/2025)
	03/12/2025	<u>12</u>	NOTICE OF APPEAL as to <u>10</u> Judgment, <u>9</u> Order by Kimberly Lee Kessler. Filing fee not paid. (Attachments: # <u>1</u> Mailing Envelope, # <u>2</u> USCA Letter)(ELA) (Entered: 03/13/2025)

ELBERT P. TUTTLE
U.S. COURT OF APPEALS BLDG.
56 FORSYTH STREET NW
ATLANTA, GA 30303

KIMBERLY LEE KESSLER,

PETITIONER

V.

CASE NO. 5: NORTHERN DISTRICT FL 4:24-CV-000531-MCR-HTC

STATE OF FLORIDA,

MIDDLE DISTRICT FL (JAX DIV.) 3:25-CV-00014-MMM-PDB

RESPONDENT

MOTION CERTIFICATE OF APPEALABILITY SHALL ISSUE: TITLE 28, § 2253 APPEAL (c)(2)

TITLE 28, § 2253 APPEAL (c)(2): A C.O.A. MAY ISSUE UNDER PARAGRAPH (1) ONLY IF THE APPLICANT HAS MADE A SUBSTANTIAL SHOWING OF THE DENIAL OF A CONSTITUTIONAL RIGHT. § 2253 (a). THE FINAL ORDER IS SUBJECT TO REVIEW ON APPEAL BY THE COURT OF APPEALS.

GROUND 1: (PULLED FROM HABEAS CORPUS GROUNDS & EXHIBITS - SUPPORTS DENIED CONSTITUTIONAL RIGHT) (ATTACHED)

GROUND 1: COURT KEEPS ME OUT OF MY TRIAL AND IN BASEMENT OF COURTHOUSE FOR ENTIRE TRIAL. VIOLATION DUE PROCESS. AMEND: 1ST FREE SPEECH; 14TH EQUAL PROTECTION; 5TH VIOLATION DUE PROCESS; 6TH DEPRIVATION OF COUNSEL; 6TH RIGHT TO TRIAL. (ATTACH GROUND 1) 9TH CRUEL & UN...

GROUND 2 (A): COURT W/ CONFLICT OF INTEREST COUNSEL INTENTIONALLY MISREPRESENT ME AS CRAZY TO HIDE THEIR INNUMERABLE DUE PROCESS VIOLATIONS. AMEND. VIOLATED: 5TH VIOLATION DUE PROCESS; 6TH DEPRIVATION OF COUNSEL - CONFLICT OF INTEREST; 14TH NO EQUAL PROTECTION. (ATTACH GROUND 2 (A))

GROUND 3 & GROUND 7 (2): COURT KEPT JURY OUT OF TRIAL COURTROOM - JURY NEVER SAW/HEARD ME EVER. (ATTACH GROUNDS) AMEND. VIOLATED: 1ST FREE SPEECH TO JURY; 5TH VIOLATION DUE PROCESS; 6TH DENIED TRIAL BEFORE IMPARTIAL JURY; 14TH NO EQUAL PROTECTION.

GROUND 8: CONFLICT OF INTEREST COUNSEL KEPT ME FROM VENUE IN TALLAHASSEE, FL FAIR TRIAL. (ATTACH GROUND 8) AMEND. VIOLATED: 6TH RIGHT TO TRIAL BEFORE IMPARTIAL JURY; 14TH NO EQUAL PROTECTION - AS OTHERS HAVE HAD VENUE CHANGE; 5TH VIOLATION DUE PROCESS.

GROUND 10 (2) (B): COUNSEL INSTRUCTS JURY COUNSEL'S NOT DEFENDING THE DEFENDANT. (ATTACH GROUND 10 (2) (B)) AMEND. VIOLATED: 6TH DEPRIVED OF COUNSEL; 6TH INSTRUCTION BIASED JURY AGAINST ME; 14TH NO EQUAL PROTECTION; 1ST FREE SPEECH TO DEFEND MYSELF; 5TH VIOLATION DUE PROCESS.

GROUND 10 (1) & GROUND 4 (C): COUNSEL, PROSECUTOR, & JUDGE 2^{CE} CONSPIRE & FABRICATE WHAT TO TELL JURY ABOUT THEIR PREDICTION OF MY ABSENCE FROM TRIAL - WITHOUT MY KNOWLEDGE OR CONSENT - BEFORE TRIAL EVER BEGAN. AMEND. VIOLATED: 1ST FREE SPEECH TO TELL JURY THE TRIAL; 5TH VIOLATION DUE PROCESS; 6TH THEIR WES TO JURY BIASED THE JURY AGAINST ME; 6TH RIGHT TO TRIAL; 14TH EQUAL PROT. (ATTACH GROUNDS)

GROUND 32 (1): COURT, COUNSEL, & PROSECUTOR CONSPIRE TO HIDE MISCONDUCT IN 4TH, 5TH, 6TH, 14TH AMEND. VIOLATIONS AND SWITCH COUNT NO. 5 (FAB'D DATES) WITH FAB'D ADDED CHARGE: CAN'T HAVE 1ST DEG. MURDER CHARGE ON ME FOR MISSING PERSON WHO AT TIME OF MY ARREST FOR THIS CHG SHE MISSING 2-3 DAYS - NO D.N.A. NO BODY & SHE'S STILL MISSING. WHOLE SHAM CASE AGAINST ME FALLS APART IF THEY KEEP TRUE COUNT/CHG ORDER: CNT 1: 1ST DEG. MURD. 2018-CP-815 AND CNT 2: GR. TH. AUTO 2018-CP-373. (AFTER I SUBMIT POSTCONVICTION THEY DID FRAUD MOTION TO HIDE THIS.)

(ATTACHED GROUND 32 (1)) AMEND. VIOLATED: 1ST, 4TH, 5TH, 6TH, 14TH, ESP. 14TH NO EQUAL PROTECTION; 6TH RIGHT TO KNOW CHGS AGAINST ME.

GROUND 29 (B): DECEITFUL CONFLICT OF INTEREST COUNSEL CHANGE MY PLEA WITHOUT MY KNOWLEDGE OR CONSENT TO NOW CONTENDERS. AMEND. VIOLATED:

1ST I HAD NO VOICE/SAY IN THIS; 6TH CONFLICT OF INTEREST COUNSEL - HAD NO DEFENSE; 14TH EQUAL PROT.; 5TH VIOLATION DUE PROCESS; 4TH FALSELY ARRESTED ON FAB'D CHG - POISONOUS FABRICATED FRUIT FROM POISONOUS TREE; 6TH RIGHT TO KNOW CHARGES AGAINST ME, AND TO KEEP NOT GUILTY PLEA.

GROUND 11 (B): COURT GIVES STIPULATION TO JURY THAT MUST ACCEPT ALL (FALSE) WITNESS & (FABRICATED) EVIDENCE AS TRUE. AMEND. VIOLATED:

6TH DEPRIVED OF IMPARTIAL JURY; 6TH HAD CONFLICT OF INTEREST COUNSEL; 4TH POISONOUS FRUIT FROM POISONOUS TREE; 5TH VIOLATION DUE

ELBERT P. TUTTLE
U.S. COURT OF APPEALS BLDG.
510 FORSYTH STREET N.W.
ATLANTA, GA 30303

KIMBERLY LEE KESSLER,

PETITIONER

v.

CASE NO. 5: NORTHERN DIST. FL U.S. DIST. CT. 4:24-CV-00531-MCR-HTC

STATE OF FLORIDA,

MIDDLE DIST. FL (JAX DIVISION) 3:25-CV-00014-MMH-PDB

RESPONDENT

"EXHIBITS FOR MOTION C.O.R. ..."
"INDEX"

"SPECIAL PAGES; PAGE NO.'S; NO PAGE NO.'S:"

- (FRONT AND BACK) CORRECTED TRIAL TRANSCRIPT COVERSHEET (FRONT) - INDEX TRIAL TRANSCRIPT (BACK) (HAS RIGHT CNT/CHG ORDER)
- F.S.H. SECTION V P. 5 OF 7: (SHOWS THE TRUTH) NO DIAGNOSIS EVER & NO MEDS PRESCRIBED EVER
- F.S.H. SECTION III P. 3 OF 7: (SHOWS THE TRUTH) NO MEDS AT DEPARTURE (BECAUSE NO MEDS PRESCRIBED EVER)
- P. 3 OF 10 3RD PARAGRAPH (MARKED); SENTENCES: 1, 2, 4, 5, 6, 7 ARE TRUE - STATES NO MEDS PRESCRIBED AT F.S.H. EVER
- INITIAL BRIEF OF APPELLANT (COVERSHEET) TOP R.H. CORNER HAS RIGHT CNT/CHG ORDER CNT 1: 1ST DEG. MURD. B15 & CNT 2: GR. TH. AUTO 313
- CERT. OF CLERK OF COURT TOP R.H. CORNER HAS RIGHT CHARGE/COUNT ORDER CNT 1: 1ST DEG. MURDER B15 & CNT 2: GR. TH. AUTO 313
- SENTENCE HEARING P. 1 TOP R.H. CORNER HAS RIGHT CHARGE/COUNT ORDER CNT 1: 1ST DEG. MURD. B15 & CNT 2: GR. TH. AUTO 313
- ORDER FINDING DEF. ... P. 1 OF 10 TOP B.H. CORNER IS RIGHT CNT 1: 1ST DEG. MURDER B15 & CNT 2: GR. TH. AUTO 313

TRIAL TRANSCRIPTS:

- 1; 8; 10-11
- 21;
- 488-490
- 723-728
- 898-899
- 980-981; 982
- 990-991; 995-996; 993
- 1029; 1324
- 1331-1332; 1334-1335
- 1844; 1897
- 1939; 1941 → (P. 1941 L. 15-16 FROM JUDGE'S MOUTH CNT 1: 1ST DEG. M.)
- 1955-1956
- 1962; 1982-1984

RECORD ON APPEAL - APPEAL INDEX:

- 1-2 COVERSHEET & INDEX
- 6; 15; 20; 29 INDEX
- 31; 36
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- 2439-2448 2558
- 3415-3416; 3443-3446
- 3467; 3469; 3472
- 3487-3488
- 3499-3500
- 3535-3556
- 3573-3574
- 3674

KIMBERLY LEE KESSLER - JA 1354

1120 N.W. GAINESVILLE RD.

OCALA, FL 34482

(LOWER MAIN C. I.)

**Additional material
from this filing is
available in the
Clerk's Office.**