

APPENDIX

“A”

Supreme Court of Florida

MONDAY, JUNE 9, 2025

Leigh Valorie Ford,
Petitioner(s)

v.

State of Florida,
Respondent(s)

SC2025-0804

Lower Tribunal No(s).:
5D2025-0624;
052003CF032520BXXXXX

Petitioner's Notice to Invoke Discretionary Jurisdiction, seeking review of the order or opinion issued by the 5th District Court of Appeal on April 1, 2025, is hereby dismissed. This Court lacks jurisdiction to review an unelaborated decision from a district court of appeal that is issued without opinion or explanation or that merely cites to an authority that is not a case pending review in, or reversed or quashed by, this Court. *See Wheeler v. State*, 296 So. 3d 895 (Fla. 2020); *Wells v. State*, 132 So. 3d 1110 (Fla. 2014); *Jackson v. State*, 926 So. 2d 1262 (Fla. 2006); *Gandy v. State*, 846 So. 2d 1141 (Fla. 2003); *Stallworth v. Moore*, 827 So. 2d 974 (Fla. 2002); *Harrison v. Hyster Co.*, 515 So. 2d 1279 (Fla. 1987); *Dodi Publ'g Co. v. Editorial Am. S.A.*, 385 So. 2d 1369 (Fla. 1980); *Jenkins v. State*, 385 So. 2d 1356 (Fla. 1980).

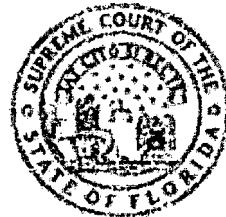
No motion for rehearing or reinstatement will be entertained by the Court.

A True Copy

Test:

SC2025-0804 6/9/2025

John A. Tomasino
Clerk, Supreme Court



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Served:

CRIMINAL APPEALS DAB ATTORNEY GENERAL
5DCA CLERK
BREVARD CLERK
LEIGH VALORIE FORD
WHITNEY HARTLESS
HON. MICHELLE LYNN NABERHAUS

APPENDIX

“B”

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

LEIGH VALORIE FORD,

Appellant,

v.

Case No. 5D2025-0624

STATE OF FLORIDA,

Appellee.

**RESPONSE TO APPELLANT'S BRIEF FILED ON APPEAL FROM
SUMMARY DENIAL OF COLLATERAL MOTION**

Appellee, the State of Florida, pursuant to Florida Rule of Appellate Procedure 9.141(b), files this response to Appellant's initial brief and states:

Appellant appeals from the summary denial of a Florida Rule of Criminal Procedure 3.800(a), 3.801 or 3.850 motion. The State declines to file an answer brief in this cause, unless this Court so requests. See Keton v. State, 548 So. 2d 778 (Fla. 1st DCA 1989); Toler v. State, 493 So. 2d 489 (Fla. 1st DCA 1986).

Respectfully submitted,

JAMES UTHMEIER
ATTORNEY GENERAL

/s/ Whitney Brown Hartless

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COUNSEL FOR APPELLEE

DESIGNATION OF E-MAIL ADDRESS

The State designates crimappdab@myfloridalegal.com as its primary email address and Whitney.Hartless@myfloridalegal.com as its secondary address.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing is being sent via U.S. mail to pro-se Appellant, Leigh Valorie Ford DC#E23576, Lowell Correctional Institution Annex , 11120 N.W. Gainesville Road Ocala, FL 34482 on this 1st day of April 2025.

/s/ Whitney Brown Hartless
WHITNEY BROWN HARTLESS
COUNSEL FOR APPELLEE

APPENDIX

“C”

FIFTH DISTRICT COURT OF APPEAL
STATE OF FLORIDA

Case No. 5D2025-0624
L.T. Case No. 2003-CF-032520-B

LEIGH VALORIE FORD,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

3.800 Appeal from the Circuit Court for Brevard County.
Michelle Lynn Naberhaus, Judge.

Leigh Valorie Ford, Ocala, pro se.

James Uthmeier, Attorney General, Tallahassee, and
Whitney Brown Hartless, Assistant Attorney General,
Daytona Beach, for Appellee.

April 1, 2025

PER CURIAM.

AFFIRMED. *See* Fla. R. App. P. 9.315(a).

WALLIS, HARRIS and KILBANE, JJ., concur.

*Not final until disposition of any timely and
authorized motion under Fla. R. App. P. 9.330 or
9.331.*

APPENDIX

“D”

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

Leigh Valorie Ford,

Appellant(s),
v.

Case No.: 5D2025-0624
L.T. No.: 2003-CF-032520-B

State of Florida,

Appellee(s).

Date: May 20, 2025

BY ORDER OF THE COURT:

ORDERED that Appellant's "Motion for Rehearing/Opinion," filed April 24, 2025 (mailbox date), is denied.

*I hereby certify that the foregoing is
(a true copy of) the original Court order.*

Sandra B. Williams
5D2025-0624 5/20/2025
SANDRA B. WILLIAMS, CLERK



Panel: Judges Wallis, Harris and Kilbane
CC:

Criminal Appeals DAB Attorney General
Leigh Valorie Ford
Whitney Hartless

APPENDIX

“E”

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY,
FLORIDA.

CASE NO. 05-2003-CF-32520-BXXX-XX

STATE OF FLORIDA,
Plaintiff,

v.

LEIGH VALORIE FORD,
Defendant.

**ORDER DENYING DEFENDANT'S
MOTION TO CORRECT ILLEGAL SENTENCE**

THIS CAUSE came before the Court upon the Defendant's Motion to Correct Illegal Sentence, filed on January 7, 2025. Based upon a review of the Defendant's Motion and the official Court file, and being otherwise fully advised in the premises, the Court makes the following findings of fact and conclusions of law:

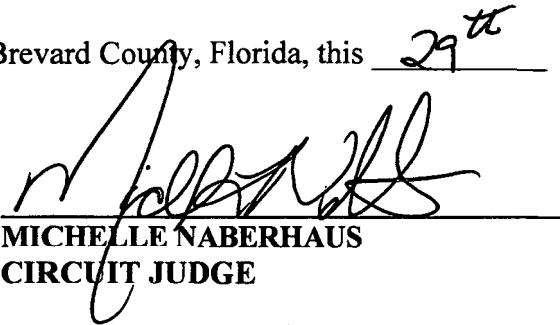
- a. On February 18, 2005, the Defendant was sentenced to a term of natural life in the custody of the Department of Corrections for Count 1, First Degree Premeditated Murder, and Count 2, Kidnapping; and 15 years in the custody of the Department of Corrections for Count 3, Aggravated Battery. (See Exhibit "A", Judgment).
- b. The Fifth District Court of Appeal affirmed the Defendant's judgment and sentence with a mandate issuing on February 10, 2006. (See Exhibit "B", Mandate).
- c. The Defendant claims that her life sentence is unconstitutional because it is an indefinite term of imprisonment which violates article 1, section 17 of the Florida Constitution. The Supreme Court of Florida rejected this claim in Ratliff v. State, 914 So. 2d 938 (Fla. 2005). Under section 782.04(1)(a)1., Florida Statutes, the offense of First Degree Premeditated Murder

is a capital felony. Under section 775.082(1)(a), Florida Statutes, a person convicted of a capital felony may be punished by death or by life imprisonment. The Defendant's sentence of life imprisonment for First Degree Premeditated Murder is a legal sentence and is constitutional.

Accordingly, it is **ORDERED AND ADJUDGED**:

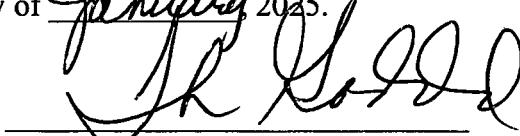
1. The Defendant's Motion to Correct Illegal Sentence is **DENIED**.
2. The Defendant has the right to appeal this order within 30 days of its rendition.

DONE AND ORDERED in Viera, Brevard County, Florida, this 29th
day of Jan., 2025.


MICHELLE NABERHAUS
CIRCUIT JUDGE

CERTIFICATE OF SERVICE

I do certify that copies hereof have been furnished to the Office of the State Attorney, 2725 Judge Fran Jamieson Way, Building D, Viera, Florida 32940 and Leigh Valorie Ford, DOC # E23576, Lowell Correctional Institution, Annex, 11120 NW Gainesville Rd, Ocala, Florida 34482-1479, by U.S. mail/e-filing, this 29th day of January, 2025.


Leah Sodd
Judicial Assistant
Eighteenth Judicial Circuit
The Moore Justice Center
2825 Judge Fran Jamieson Way
Viera, Florida 32940-8006

APPENDIX

“F”

HISTORY APPENDIX F

IDENTURED SESRVITUDE IN 1865 AND THE INCORPORTAION OF THE FLORIDA DEPARTMENT OF CORRECTIONS IN 1868:

After the abolishment of slavery in 1863, the old plantation owners or “masters” literally created a new subhuman race called the “inmate” in 1965 with the 13th Amendment's provision for indentured servitude. In 1868 Florida incorporated a new company known today as the Florida Department of Corrections. The new way of life began. A new slave market created, but rather than crop-holders, this new system would be about shareholders. Any judge who profits off of giving out unconstitutional life sentences is no better than the slave masters of old as it is a modern way to profit off human life. What better way to ensure one's profit margin and longevity, than to create a system that guarantees “Life” long profits and security.

HISTORICAL BACKDROP OF “INDEFINITE IMPRISONMENT” IS FORBIDDEN:

In 1865, due to the attempts to undermine the Will of the People in abolishing slavery. It was the “masters” way to re-establish slavery back into the social fabric of society through the penal system. They began to arrest and sentence the now ex-slaves to Life sentences, and then leasing them out to be worked not as “slaves” but as “criminals.” The phenomenal shift that the Willy Lynch letter “The Making of a Slave” so candidly pointed out that the slaves would make was, essentially, the tactic that the “masters” would use.

This phenomenal shift to it from being crop-holders to being about shareholders. Thus, in came indentured servitude in 1865 and the incorporation of a new company called the Florida Department of Corrections in 1868. It was only 2 years after slavery

was abolished. The masters began ensuring their way of life by leasing “Lifers” out under the manipulant law of the 13th Amendment and Indentured Servitude. Three years later they would implement another significant estate within their phenomenal shift by incorporating Florida Department of Corrections in 1868.

The historical backdrop is essential in understanding how the late 1800's, many judges (who were often ex-plantation owners ...) held financial interest in the criminal justice system, and the important question is whether that practice is still alive in today's criminal justice system. The motive on way today's judges ignore such clear Constitutional prohibition needs to be identified to ensure the very integrity of America's criminal justice system is not simply a hood that covers the true identity of these illegal Life Sentences that now affect people imprisoned from all walks of life today.

In 1866, while the rest of America was trying to modernize their world without the institution of slavery, Florida was passing harsh laws known as “Black Codes”, to covertly reinstate slavery back into society. In 1867, a series of Jim Crow Laws were enacted to bring slavery back under the guise of “Life imprisonment”. In 1869, the Freedman's Bureau referred 20 old and destitute Negros to the Governor's offices as laborers. They were then sent to Chattahoochee prison to serve the rest of their lives.

In 1885, Florida attempted to curtail this evil by amending Article I, Section 17 of the Florida Constitution under the forbearance of excessive punishment to include language such as “indefinite imprisonment” is to be forbidden.

This draconic practice will erode the foundation of any civilized society. The lack of forgiveness and mercy will ultimately weaken its generational and sociological development. When redemption is not offered, it will be the road less traveled, and a world without redemption is a world without change.

The Florida Parole system of 1983 fails today as 4,000 lifers who are still under the old system do not even qualify for an indeterminate sentence; have still not been paroled. Florida courts acknowledge that Florida's parole system does not offer any true, meaningful opportunity of release.

The fact today, no matter what “Lifer's” do for rehabilitative intentions to be established, their release date, under a life sentence will never move from its non-existing date of 99/98/9999. (Please note FDC change the release date on inmate's gaingtime sheet to now read “Not Applicable”.) Today Florida is the world's leader (per capita) in sentencing its citizens to die in prison under the sentence of Life Without Parole (LWOP) is something that should cause concern nationally. A national investigation should be demanded. How is it one state can lead the world in sentencing their citizens to die in prison. Florida, one state has more “lifer's” than over 30 states COMBINED to even come close to Florida's LWOP population, they still fall short by a thousand. This should cause concern of what our judicial system is doing and is it truly justified each time an unconstitutional sentence of life is handed out? Even Department of Corrections Florida Administrative code 33-608.402(1)(a) 5 states, “If serving a sentence with no definite term, that is a life sentence.”