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APPENDIX

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**UNITED STATES DISTRICT COURT MIDDLE
DISTRICT OF FLORIDA ORLANDO DIVISION**

RAYON PAYNE,

Plaintiff,

V.

Case No.: 6:25-cv-00615

LISA T. MUNYON, ET AL

Defendants

**NOTICE OF ELEVENTH CIRCUIT TOLLING
ORDER AND REQUEST FOR PROMPT RULING
ON PENDING MOTION AT (DOC. 16)**

Plaintiff, Rayon Payne, respectfully notifies the Court of the May 20, 2025 order issued by the United States Court of Appeals for the Eleventh Circuit in related appellate Case No. 25-11315-HH, attached hereto as Exhibit A.

The Eleventh Circuit has confirmed that Docket Entry 16 in this case constitutes a timely tolling motion under Federal Rule of Appellate Procedure 4(a)(4)(A). Accordingly, the appellate proceedings are stayed until this Court enters a ruling on that motion. All Eleventh Circuit deadlines are suspended pending the Court's disposition of Dkt. 16.

Plaintiff respectfully requests that this Court issue a ruling on Docket 16—Plaintiff's Renewed Motion

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for Court-Ordered Disclosure by Bench and Parties Pursuant to Local Rule 3.01(a) and Constitutional Due Process. The renewed motion:

- Complies with Local Rule 3.01(a),
- Cures the deficiencies identified in the Court's April 17, 2025 denial order (Dkt.14), and
- Raises urgent constitutional claims grounded in 28 U.S.C. § 455, Federal Rule of Civil Procedure 7.1, and controlling U.S. Supreme Court precedent.

Plaintiff seeks a prompt disposition of the motion which is essential to preserve appellate jurisdiction and facilitate the integrity of proceedings at both the district and circuit levels.

CERTIFICATE OF SERVICE

I, Plaintiff hereby certify that at the time of filing the accompanying motion, no Defendant in this matter has been served with process or appeared in this action. Accordingly, service of the motion upon any party is not presently required. Plaintiff affirms that upon completion of formal service of process and as each Defendant is served.

Date: 5/20/2025 /s/ Rayon Payne

EXHIBIT A

UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT
ELBERT PARR TUTTLE COURT OF
APPEALS BUILDING
6 Forsyth Street, N.W. Atlanta, Georgia 30303

David J. Smith May 20, 2025 For rules and forms visit
Clerk of Court www.ca11.uscourts.gov

Rayon Payne
8815 CONROY WINTERBERG RD STE 208
ORLANDO, FL 32835

Appeal Number: 25-11315-HH
Case Style: Rayon Payne v. Lisa Munyon, et al
District Court Docket No: 6:25-cv-00615-WWB-LHP

Tolling Motion

After review of the district court docket entries, it appears that the notice of appeal was filed before the disposition of a filing that is properly construed as a timely tolling motion. See FRAP 4(a)(4)(A); *Finch v. City of Vernon*, 845 F.2d 256, 258 59 (11th Cir. 1988) (providing that any post judgment motion that is timely and "calls into question the correctness of [the] judgment" is deemed a tolling motion regardless of how it is formally styled). The notice of appeal becomes effective when the order disposing of the motion is entered, and the district court retains jurisdiction to rule on the timely tolling motion. See FRAP 4(a)(4). All appeal deadlines are suspended pending the district court's entry of an order disposing of the motion. Upon entry of the district court's order,

the time to take required action will begin to run anew without further notice.

The timely tolling motion is district court docket entry number: 16

Electronic Filing

All counsel must file documents electronically using the Electronic Case Files ("ECF") system, unless exempted for good cause. Although not required, non-incarcerated pro se parties are permitted to use the ECF system by registering for an account at www.pacer.gov. Information and training materials related to electronic filing are available on the Court's website.

<u>Clerk's Office Phone Numbers</u>	Attorney Admissions:
<u>General Information:</u>	404-335-6122
404-335-6100	Capital Cases:
Case Administration:	404-335-6200
404-335-6135	Cases Set for Oral
CM/ECF Help Desk:	Argument: 404-335-6141
404-335-6125	

MOT-2 Notice of Court Action

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
ORLANDO DIVISION

RAYON PAYNE,
Plaintiff,

V.

Case No. 6:25-cv-1552

WENDY WILLIAMS BERGER,
CARLOS E. MENDOZA,
MARCIA MORALES HOWARD,
DANIEL IRICK,
LESLIE HOFFMAN PRICE,
ELIZABETH M. WARREN,
MICHAEL J. MCCLEARY,
JULIE S. SNEED,
DOES #1-10

Defendants.

**FORMAL NOTICE THE COURT AND CLERK
OF COURT OF STRUCTURAL CONFLICT AND
CONSTITUTIONAL IMPAIRMENT;
PRESERVATION OF SUPERVISORY REVIEW
TO THE U.S. SUPREME COURT**

Plaintiff, RAYON PAYNE, respectfully files this Notice to inform the Court and the Clerk's Office of the following structural and constitutional impairments now governing the instant proceeding:

1. On the date of this filing, Plaintiff has submitted an Amended Complaint which names Hon. Julie Sneed, an Article III judge of this Court, as a defendant in her individual

capacity, for actions taken while presiding over this case with undisclosed conflicts.

2. The amended pleading also includes multiple sitting Article III judges, magistrate judges, the Clerk of Court, and a federal agency officer, all connected to this District. As a result, no judicial officer within the Middle District of Florida is ethically or legally positioned to preside over or manage this matter.
3. Pursuant to 28 U.S.C. § 455(a) and established canons of judicial conduct, any judge “shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.” That threshold has been reached and exceeded, given the personal involvement of the Court’s own officers as defendants.
4. Judge Sneed has already issued rulings in this matter without disclosing her conflict, including denying a motion for e-service and entering a standing order — all while a pending motion challenging venue and seeking judicial disclosure remained unaddressed. This conduct creates constitutional infirmity and further precludes her continued participation.
5. The United States Court of Appeals for the Eleventh Circuit currently possesses both a pending writ of mandamus and an interlocutory appeal arising from related misconduct in a structurally similar case (42

U.S.C. § 1983). However, the same District Court has already defied the Eleventh Circuit's tolling directive, rendering further appellate supervision ineffective.

6. Accordingly, Plaintiff intends within (7) days of this motion, will file a Petition for Supervisory Writ of Mandamus with the United States Supreme Court, pursuant to 28 U.S.C. § 1651(a), citing the Middle District's structural incapacity to proceed and the Eleventh Circuit's entanglement in the unresolved conflict below.

WHEREFORE, Plaintiff respectfully requests that this Notice be entered into the record as a formal advisory to all officers of the Court that no reassignment, administrative action, or judicial order may be constitutionally or ethically issued by this District until resolution is obtained through the supervisory process initiated before the United States Supreme Court.

Date: 8/ 18 /2025 Respectfully submitted,
/s/ Rayon Payne

RAYON PAYNE, PRO SE
8815 Conroy Windermere Rd
Ste. #208
Orlando Florida 32835
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Email: kekomardi@gmail.com

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CERTIFICATE OF SERVICE

I, Rayon Payne, hereby certify that as of the date of this filing, no parties named in this action have been formally served with the Complaint or any associated motions. Accordingly, service of this document is not warranted at this time. This filing is being submitted in anticipation of future proceedings and will be served upon the appropriate parties once service of process is effected in accordance with Federal Rule of Civil Procedure 4.

Date: 8/ 18 /2025 Respectfully submitted,
/s/ Rayon Payne

RAYON PAYNE, PRO SE