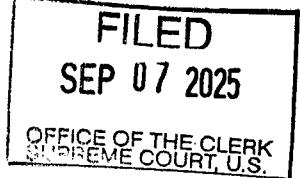


25-5887

No. 2D2023-2497

L.T. No: 10-CF-001733A

ORIGINAL



IN THE  
SUPREME COURT OF THE UNITED STATES

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DORICE MOORE – PETITIONER

vs.

STATE OF FLORIDA – RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO  
SUPREME COURT OF FLORIDA

PETITION FOR WRIT OF CERTIORARI

Moore, Dorice  
Lowell C.I. Annex  
11120 N.W. Gainesville Rd  
Ocala, FL 34482

## QUESTION(S) PRESENTED

1. Why was the DNA allowed to be down played by the state without defense providing proof of its importance at the crime scene?
2. If the state did not have Moore to use to spin the perfect story would they have tried to investigate how two unknown DNA's where found at the scene right next to victims DNA?
3. Was the Petitioners Constitutional Rights violated?
4. Was the Petitioner denied parts of her discovery that proved actual innocence?

## LIST OF PARTIES

[ ] All parties appear in the caption of the case on the cover page.

[x] 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 in the subject of this petition is as follows: *Thirteenth Judicial Circuit in Hillsborough County*

## TABLE OF AUTHORITIES CITED

### CASES

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<u>Davis v. Alaska</u>		2
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IN THE  
SUPREME COURT OF THE UNITED STATES  
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

**OPINIONS BELOW**

For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix \_\_\_\_\_ to the petition and is

- reported at \_\_\_\_\_; or,  
 has been designated for publication but is not yet reported; or,  
 is unpublished.

The opinion of the United States district court appears at Appendix \_\_\_\_\_ to the petition and is

- reported at \_\_\_\_\_; or,  
 has been designated for publication but is not yet reported; or,  
 is unpublished.

For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix A to the petition and is

- reported at Florida Supreme Court; or,  
 has been designated for publication but is not yet reported; or,  
 is unpublished.

The opinion of the \_\_\_\_\_ court appears at Appendix \_\_\_\_\_ to the petition and is

- reported at \_\_\_\_\_; or,  
 has been designated for publication but is not yet reported; or,  
 is unpublished.

## JURISDICTION

[ ] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was \_\_\_\_\_.

[ ] No petition for rehearing was timely filed in my case.

[ ] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_\_A\_\_\_\_\_.  
S

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

Appendix B Florida Constitution provides all state appeals be done within 5 years on capital cases. Petitioner's case has taken 15 years to work through the court system. Please consider this case, because of the amount of constitutional rights violated.

[✓] For cases from **state courts**: of constitutional rights violated.

The date on which the highest state court decided my case was Florida Supreme Court. A copy of that decision appears at Appendix A.

[ ] 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\_\_\_\_\_.  
S

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

**IN THE**  
**SUPREME COURT OF THE UNITED STATES**  
**PETITION FOR WRIT OF CERTIORARI**

Petitioner respectfully prays that a Writ of Certiorari issue to review judgment below.

The Florida Supreme Court dismissed cases stating they lack jurisdiction to review case without opinion June 10, 2025.

The district court of appeal on April 4, 2025 issued no opinion. On a case with clear violations of the law and the United State Constitution; proven by providing appeals court with proof the former attorney told untruths at petitioners evidentiary hearing.

**STATEMENT OF THE CASE**

The petitioner, Dorice Moore, was charged with First-Degree murder. She was granted an evidentiary hearing where the state agreed there are two unknown DNA's at the crime scene. Scientific developments in DNA techniques would establish the movant did not commit the crime. Mitochondrial DNA now can be replicated to create a larger sample to test through C.O.D.I.S.

The petitioner also was denied all her discovery. The video's that she was told they could not find; she proved at her evidentiary she finally got 9 years later. Her former attorney finally in court had to admit after being shown the evidence he did in fact have them at the time of her trial.

**REASON FOR GRANTING THE PETITION**

The supreme court held it had jurisdiction to hear an appeal denying motion for post conviction DNA testing under rule 3.853. Van Poyck v. State 908 So.2d 326 (Fl 2005) Although the petitioner's denial for DNA consideration are part of her 3.850 not

3.853; a new precedent can be set by the supreme court if they consider factoring in the amount of injustice combined with police corruption and not allowing someone wrongfully convicted to remain charged with a life sentence.

The states main response was that Moore showed Smith where the victim was buried. What the state leaves out is vital information proving how she found out. The state made it appear she had first hand knowledge. Counsel was ineffective for failing to present recorded conversation.

Discovery pg 2186 pg 49 of 69

Smith – Listen, I need you to bribe Ronald ... and when you offer him a house, you till him. “I don't want you to give me, give me some direction though the mother – fucker, when you think, I can go find him.”

Moore- I want the exact location

Smith – I want the exact location to go find this body ...

(Smith ask her to ask Ronald knowing he is a real person. He does not say the pretend Ronald. He was only pretending to be Ronald on cell phone to take the heat off the real one so he would not kill Moore's son. Moore even states on recording,” Real Ronald will kill my son”” when she does not know she's being recorded. (TT 2229 L8-144)

Davis v. Alaska 415 US 308, 320

Cherry v. State 572 So 2d 521

#### GROUND FIVE (e)

Evidentiary granted on the following:

(e) Antionette Andrws testimony would have established Moore's justifiable fear. The state tried to have recordings excluded. Petitioner's counsel argued recorded coverstation was made in a public park and not subject to exclusion under section 934.06, because there was no expectation of privacy (et pg 12 L 47, pg 13 L 48)

Defendant testified she specifically asked for this recording (et pg 21) she testified

the defense could not find the recording (et 25. She testified counsel sent a letter to the state asking about the recording, but the recording was never provided according to attorney for defense. Defendant finally received 97 CD's after waiting for parts of her discovery for over 9 years (et 30).

Ford v. State 825 So 2d 358 Counsel failed to call potential witness.

In Moore's case several factors beside counsel failing to call witness caused her harm including failing to find video's.

At hearing she finds out counsel had the particular video the entire time. She was handed a copy of her Amended Notice of Discovery that she never got and it list on line 37, Master File of Detective Wallace, recordings proving when the received it, September 30, 2010.

Defendant testified recording would have proven Andrew knew police officers were being paid off by drug dealers (ET pg 38). She asked her lawyers to investigate this. They had only gone and interviewed Andrews and after she lied to them they failed to interview Roger Kennedy, or confront her with lies, Kennedy was also at the meeting in the park recording.

There was a misunderstanding about what was said at this meeting. Moore corrected her attorney when she testified what the video contained.

(ET pg 52L 23-25, pg 53 L 1-6)

Counsel: Is Mr. Shakespeare fear of this entire operation, is that discussed in the recording?

Moore: Is Mr. Shakespeare fear?

Counsel: Does Andrew talk about what she knew about Shakespeare?

Moore: She discussed mainly, what (Zaid) Papi does, and that, mainly, about the drugs and, mainly, about Papi dealing with paying off police officers.

When counsel continues to question after she corrects her, what video contained, Moore at that point thought she was talking about her other video with Andrews as well.

Counsel: Did it discuss about the fact that Papi (Zaid) had threaten to do harm or kill you?

Moore: Yes she was worried about me being killed.

TT2233 L17-23

Conversation Moore is having with Smith about why she cant trust Detectives.

Moore: I didn't want to go straight to them (Detective) because what they did to me for everything else. They told a known drug dealer that I thought they would kill me and everything else. The told Papi (Zaid) when I gave up that tape to Tornell (Andrews) made, they told Papi that I said he would kill me, but he really did say that.

Smith: Yeah

Andrew had a recording of her and Papi talking about Moore, and how she did not need to be around her. That he would have Moore killed if she tells them what's on the video Shakespeare had recorded. Andrews' concern for Moore's safety gave her the recording for safekeeping and said she was going to meet with the investigators to have Zaid investigated for the drugs.

Greg Smith trying to prove to Moore why she needs his help gives her a tape that he recorded talking about Papi's threats to her. Smith helps confirm Papi is serious.

Listed as Greg's DAT recorder

Greg: You think Papi (Zaid) will get something done to her ass.

Nathaniel: If she try and fuck with him though.

Greg: You think so for real?

Greg: Papi deal with a lot of powerful motherfuckers.

Nathaniel: She knows Terri ... Papi little trouble shooter? You Know Terri?

Smith: I know Terri. Will he get something else done to her ass then?

Nathaniel: Damn right

Smith: Terri will do something to her ass. Now that you said that, I believe Papi will have something done to her.

Conversation continues ...

Nathaniel: I done heard he done took care of someone.

Smith: You know how the mother fucking Arabs is anyway. Those people cross waters.

Nathaniel: Something happen he say I'm out of her. I don't have to come back. Ill grab me a plane and haul ass.

Smith: you go stop their on their toes you'll disappear. They have no honor in death.

Death is in their life. If he goes talking like that he already got in his mind what he going to do they ain't joking.

The tape took Defendant 9 years to get. Counsel could have presented recordings to Andrews to prove she is lying and \$50,000 check from Moore to Zaid proving the loan. Letting her know they will protect her and guard her testimony at trial.

Detective Clark: action further complicate case- During evidentiary hearing state admits he reached out to Detective Wallace and Detective Thomas. Both acknowledge, no knowledge of this recording that was in discovery the entire time on Detective Wallace Master C.D.

[ET pg 5 L 9, T6 L3[]]

Prosecutor admitted the file had been destroyed. Prosecutor reaches out to the original police dept. to provide a copy of report. Detective Clark is the only detective from the homicide investigation listed on the report.

Exhibit B – In Answer Brief [ET pg 5 L 8-9]

In police report it acknowledge Andrew and Kennedy arranged the meeting. Moore accompanied them because they felt comfortable with her it says. It states Moore was discussing another criminal investigation (unrelated). She felt it was not being followed up on.

The investigation was not unrelated and was never investigated. The lawyer failed to investigate illegal acts by officers. Green v. State 475 So 2d 745 (Fla. 1<sup>st</sup> DCA 1985) The lawyer failed to investigate illegal acts by the police officers which violated the defendant's constitutional rights, Burttram v. State 780 So. 2D 224, 226 (Fla 2<sup>nd</sup> DCA

2001) Coolen v. State 696 So 2d 738 (Fla 1997) To prove premeditation by circumstantial evidence, must be inconsistent with every other resonable ... (proving importance of evidence.)

The court erred in finding Mr. Boldt's testimony credible do to his demeanor in court. Court ends with the statement, "Defendant expressly told her attorney about this recording as opposing to telling them in general about recordings as testified to by Mr. Boldt – the court finds defendant testimony not credible.

To prove Mr. Boldt's testimony was the one not credible please look at Mr. Hilemans's notes on May 22, 2012.

Exhibit E-1

It says there is an interview by PCSO of Andrews not in discovery. (Moore) recorded a conversation with Andrews. (Antionette) (Proving Moore requested that specific video.

Exhibit E-2

6/21/2012 Ms Moore told us that her Sony camera in HCSO custody in evidence is critical evidence for her. It has HD and SD video on it ... there are four interviews with Sentoria Butler for her book (Moore got only a copy of one)

Exhibit F

Chris Boldt makes a note in the system on 7-9-12. Moore was still not getting all her discovery and she wanted proof she was requesting it; so she had her civil attorney call on a three way recorded line from jail. (Boldt documents, "I told her ... that we do not have copies of everything in our possession."

Exhibit G

He calls Asa Pruner and spoke to him about obtaining all the data.

State v. Higgs, the court held that exculpatory evidence applies both to materials going to the heart of the defendant's guilt or innocence.

On August 7 the defendant writes a letter demanding proof they have asked for the

specific copies of electronics.

The judge denied claim saying Moore did not ask for specific video but you can see not only did she (but was denied other discovery documents as well)

Anderson v. U.S. 788 F.2d 517, 519 (8<sup>th</sup> Cir 1986) Definition of material applies to all cases of prosecutorial failure to disclose favorable evidence. Whether there was “no request” or “general request” or a specific request on the part of defense. (Defendant should be allowed all her discovery.)

Prosecutor failed to show favorable evidence proving Shakespeare went into bank with her. Video is on ARCHOS 404 player listed on inventory # 52024 item # 3. Picture of player (hidden button camera) IM6-0067. JPG proves the state in fact does have the video's not released to defense. The video's go against the state's theory that Moore convinces him to do all this and that is why Moore was never charged with theft of any kind on case. So not only did her former attorney deny her constitutional rights to all her discovery and video's but the prosecutor with held some as well.

The prosecutor knowing they existed was able to create a story he knew Moore could not prove without all her real evidence they kept. The state in closing arguments.

Exhibit H

The Prosecutor chose to threaten the Attorney if he went after an Arthur Hearing. The prosecution exhibited a type of agitation to the point Counsel had to calm him down. Counsel used the word “threaten” he does not say ask; objected, or explained why it would be a great burden on him. He said, he would oppose his continuance he just (graciously approved only moments before).

Counsel instead of fighting for Appellant's rights, told him I really need the continuance to properly prepare the case for trial and simply will not jeopardize that period. So I can back off an “Arthur Hearing”. This proves obeying the laws that govern our States, does not factor into the equation when you're behind closed doors.

Now the Court has been made aware of the issues they have a duty to evaluate his

actions to ensure manipulating tactics, coercions, or outright threats were not used anywhere else during Moore's trial to deprived defendant of a fair trial. Counsel simply caved and one could factor in that it's not the first time it's been done considering not one witness was called for her.

The other thing the court needs to consider is not one video that benefits the defendant is transcribed. The Prosecutors duty to disclose exculpatory evidence includes not only what is within it files, but also what is within the possession or control of the investigating agencies.

Why were DVD's that would never open, never fixed

**Exhibit ~~1~~ In Brief**

The Defendant out of 120 conversations got only 18. That's less than 1/3 of the conversations.

This prejudiced the defendant of a fair trial, with a reasonable probability that the results would be different. Video would prove Defendant did not swindle anything at all and was recording everything for her book. This misleading of the jury and unethical behavior should be investigated. Every Defendant has a right to their discovery. Not some parts of the discovery. You cannot simply consider it an over sight when their entire theory did not match the factual evidence they failed to release.

State clams Defendant cannot claim Prosecutorial misconduct in a Post Conviction. The court can set new precedents' when she did not get her videos until 2019 and her Appellant layer at Appeals did not claim half the things he could. It was a State Appointed Attorney that only went based on trial facts. She did not know her Counsel did not have the ACHOS videos until she reviewed the DVDs for herself in 2019. She thought Prosecutor had eventually handed over everything after trial and she had to fight her counsel for nine years to gain access to it.

## **Ground Seven**

### **PROSECUTORIAL MISCONDUCT FOR KNOWINGLY ALLOWING FALSE**

## TESTIMONY OF WITNESS AT TRIAL.

By contrast to an allegation of suppression of evidence under Brady, a Giglio claim is based on the prosecutor's knowingly presentation at trial of false testimony against the defendant.

(1) During closing arguments, Mr. Pruner presented a video misleading the jury to believe Moore made the video as an alibi.

(TT 3401-3402)

“He's got a remote control. Look at the security camera. Look at what he's wearing, maroon pants, white shirt”.

State doesn't point out to the jury he's not wearing a belt or a jacket. He also doesn't point out to them he's reviewing security camera footage and operating it all by himself after trying to make out like he's illiterate.

### Video

Moore – Well, how do you like – how do you like – are going to miss your home?

Shakespeare – Yeah, I'm going to miss it, but life goes on.

(TT 3402 l25, 3403 L1-2)

Prosecutor Pruner suggest to the jury she's making this video, because she knows he's knows he's going to be gone and she's making it to support and plant her alibi.

(2) The Prosecutor knew the video he presented as Moore's alibi was in fact not the only video she made. She had been recording, because it all was so unbelievable she wanted it documented for the book so noting is misquoted. After Prosecutor played the one tape it open the door for her Attorney to play all the other ones to prove the tape was not made for alibi.

DVD #40 VTS-02-1

Shakespeare talks about the money he buried and how he told (Sentoria) Torri about it

Marker 4:50

Moore: Are you sure this is what you want to do?

Shakespeare: This lady here she owes me uh she borrowed \$300. Her and her son out there.

Marker 10:13

Moore – Are you going to NY tomorrow?

Shakespeare – Not unless I pay full price

Marker 11:43

Shakespeare: She might set me up to get rob she may pull up on me (He is talking about Sentoria Butler)

Marker 13:28

Shakespeare: One thing Judy don't understand, I could kill just as well as he could kill. It could go either way. Whoever gets the ups on who first. Thing Torri (Sentoria Butler) don't understand if she would have let that guy ...

Prosecutor was allowed to play the one video as if it's Moore's alibi. Counsel is ineffective for not playing this video, because it allowed Prosecutor to produce a theory that did not match factual evidence directly from victim himself. It proves multiple things that were told to the jury was untrue.

Here are the facts on video from victim.

1. Shakespeare told Butler about money he buried.
2. Shakespeare could read (like Greg Massey had even said, that Moore could not trick Shakespeare)
3. Shakespeare was in fact not concerned with Moore at all but Butler and a man she was going out with. Butler might set him up to be robbed or pull up on me) she knew Moore had bought his property and he had the money for it).
4. Moore is NOT at all convincing him to leave. She asks, "Are you sure this is what you want to do?"
5. DVD# Moore with Shakespeare - "They ask me why would I want to buy your bad debts ..., because they threaten to kill you."

Although Counsel failed to play this video, the Prosecutor is still not allowed to mislead jury knowing there are other videos proving it's not for alibi which is a Giglio violation.

You can not say it did not hurt defense because one of her jurists made a public statement it did. ~~Exhibit R pg 281~~

A tape she had counted on to accredit her claim that Abraham had gone into hiding only convince the jurors that defendant had been thinking ahead. This proves there is a reasonable probability that jury would have ruled differently.

*United States V. Iverson*, 637 F. 2d799 (D.C.Cir. 1980) Conviction must be set aside if false testimony was not correct ...

(a) Butler – In the States possession is a video Discover DVD# 40 VTS-02-02. He told Butler, Shakespeare States, “I got a shit load of money buried ...”

Butler had testified she didn't know about buried money, but on tape Shakespeare states he told her. The state claims we attempted to impeach Butler, but the questions she lied about were not corrected at all.

Prosecutor allowed her to lie and say that she lied in the video which he knew was untrue. Prosecutor did not correct her lies but allowed her to covering them up.

(1) Prosecutor failed to correct testimony she did not break up with Shakespeare until he disappeared. Prosecutor was fully aware that Courtney Daniels was the one living with him at the time having; a sexual relationship with.

Moore had requested her counsel pull all the police reports because at marker 9:40 state he called the police on her 25 times/ Counsel fails to investigate it.

Prosecutor let the jury believe Moore asked her to do this video to post online to convince Shakespeare to come back. The problem is there is nothing in the video that could convince him to come back and (she had lied making it like he was completely illiterate) so how could he see it online? The place she said Moore would be posting it is not a web site to post videos. It's a place you can by a spot to upload your business website on. godaddy.com.

The biggest statement that actually proves 100% this is a lie and the Prosecutor did not want jury to hear Butler admitted to seeing Shakespeare after April 6<sup>th</sup> is where

Prosecutor makes sure they stop the tape at, when trying to impeach her.

TT 2796

Prosecutor: I amend to about 6:08, because he still plays Peeping Tom has nothing to do with assets.

Counsel: 6 to 6:08 you Honor

Court: Are you agreeing to that ?

Prosecutor: Yes, Sir

He still plays peeping Tom has nothing to do with him coming back. She was making the video for Moore's book so everything would be accurately quoted. He had stop by her home to tell her that test result of the Paternity test after May 20, 2009.

Counsel failed to play additional video to back up this video proving Defendant was taping it all for her book.

Video VTS \_\_\_\_\_ 02 \_\_\_\_\_ 0

Shows that Abraham and Sentoria did have violent fights. That Sentoria did damage his home and that Sentoria wanted more money. Quote from Sentoria, "He can have \$20.00 left to his name and I'm going to go after him for all \$20.00

VTS \_\_\_\_\_ 02 \_\_\_\_\_ 3:58 p.m.

Video

Sentoria: When I kick holes in the doors of that house, I was barefoot, then that dent in the kitchen wall, I hit it hard enough to dent that wall it get worse it gets really worse see how he sit in here and talk about his two broke fingers.

Moore: Yeah.

Sentoria: It gets worse. What Abraham should have learned if anything, "Hey when I get in trouble and they have a possibility of taking all my money at least I try to save some to my kid and hope they won't take that from my child."

Instead what does he say, "I'm going to try to move my money", so guess what, everyone wants me to help AB and Ab not even trying to help me.

Moore: Ab does need to help you,. I agree there.

Sentoria: It doesn't matter what you agree on or how you feel about the situation.

Moore: I told you, once he sees the baby's test, once he does that blood test he will know.

Sentoria: What the fuck he need a blood test for? He wasn't trying to get no blood test when ... Fuck a blood test. As soon as he say I was sleeping with 20 men in court. I going to have a lawsuit. He can have \$20.00 left to his name and I'm going to go after him for all \$20.00.

Counsels failure to play this video allowed the jury to believe that there were no violent fights between Sentoria and the victim. Counsels failure to play the video prejudiced the Defendant to a fair and impartial trial. It also did not allow the jury to see Sentorias full intention of getting Abrahams last dollar, what she denies she's after.

Attorney Hilman: Are you suggesting that he did not even push you, strike you, try to choke you or do any of those kinds of physical things to you?

Butler: We don't have any record of it.

Attorney: I didn't ask that ma'am. I asked you what happened.

Butler: No (TT 2771, L 4-10).

Sentoria Claims that he is still paying her bills. (TT 2775, L4-10)

Hileman: Did you ever tell anyone that you were going to go after all of the assets of – that Ms. Moore had purchased from Shakespeare after he disappeared, that you were going after all of her assets and claim them for your son?

Butler: No, because I never known her to purchase as asset. (TT 2776, L 12-18)

#37 Video of Sentoria saying Greg's blackmailing him. She's talking about drug dealer  
VTS        01        01.

Had counsel not failed to depose Daniels and call her as a witness Moore could have proven Butler was not his girlfriend at that time. There is now reasonable probability after seeing all the facts the jury's outcome would be different.

(b) Detective Wallace – Lied under oath.

Q: Did you have any alternative suspects?

Wallace: Only those provided by Moore ...

He also said, he investigated 50-60 people and let the jury to believe it all only pointed

to Moore.

1. On Detective Wallace master DVD he has the video marked BSI with Andrew and Kennedy
2. Exhibit \_\_\_\_ Richard Land talks about Rutland being in organized crime and drug dealing.
3. Thomas – conversation with Smith is how Papi is going to get away with killing Moore if he needs to. In those tapes they are not suggesting Moore did anything. What's interesting, is both major drug dealer has not recorded interview in her file.
4. VTS \_\_\_\_ 02 \_\_\_\_ 01 The most damaging tape they don't investigate at all or transcribe.

Moore: No I need to know so I can protect myself, because I need to back out of this. I'm not into it anyways. I don't have to worry about getting into trouble cause I haven't done anything, but for the purpose if he's involved if (he's involved in drugs).

Butler: If Ab don't give a fuck about my baby I don't give a fuck about Ab so what.

Moore: But if he

Butler: If he can't come around here. He can find away, for a bitch to get a car, but he can't help me put brakes on my truck or paint job or nothing.

Moore: was he

Butler: But to help another bitch get a car

Moore: Did he knowingly help those people knowing they're drug dealers honestly? He knew they were drug dealers honestly. He knew they were drug dealers and helped them.

Butler: Is it a big secret?

She goes on to state Greg is actually blackmailing Abraham and Moore says that's unfair.

Marker 3:58

Moore: That's not fair to play it against him.

State argues “mere inconsistencies” are not sufficient to support Giglio and Defendant cannot establish Giglio by merely showing the State put on a witness whose testimony conflicted with another person's version of events.

It is not merely any witness, but the victim himself. It's not one lie but the entire

testimony.

Wallace even drives all the way to Atlanta Georgia to interview Courtney Daniels. There is no recorded statement of that because, here again, it favors defense.

5. Discovery pg. 757

1-19-09

Detective Wallace and I interviewed Daniels, outside her residence in Decatur Georgia. During interview Daniels could not provide any information regarding financial transactions between Shakespeare and Moore, EXCEPT to say SHAKESPEARE told her that Moore did purchase all of his properties.

Counsel failed to question Wallace further so he was forced to admit not even one person he interviewed could show Shakespeare had any concern with what he was doing. That in fact he was doing this on purpose. By stating a untrue statement of that magnitude to a jury giving them the illusion that 50 to 60 people all led to Moore, deprived Moore of a fair trial. Had counsel made him quote 50 to 60 name it would have shown he was exaggerating the amount of people he even interviewed because what Moore got does not show 50 to 60 people he personally interviewed?

6. #73 Eddie Dixon shows Moore making this statement

Moore: I don't want to mess with them. It's not worth my life.

Marker 3:33

Moore: I don't want to be involved in that. I went in there just writing a book, wasn't expecting to get involved with all the other stuff. I have a son to worry about. I don't want people wanting to kill me out there, it's materialistic. Money is not worth all that, life is, and it's not worth dying for.

Eddie states Greg threatened to kill Abraham.

7. Now a real important one. Greg goes out to the crime itself.

Discovery pg 1815

Greg says, Moore could not trick Abraham. That he is no dummy. The detectives are the

ones heard trying to get him to say she dupes him on DVD #63.

Wallace testifies in court.

Q. Okay, was Massey at any point a suspect in the case?

Wallace: A suspect no. Mr. Massey was interviewed numerous times ... nothing proved false in his statements.

On the video he basically says he needs to interview him out the office. Rule him out ...

8. DVD #16 AKA Big Man – Shakespeare friend he gave 1 million dollars to claimed Greg didn't like him, because he was blocking from progress on getting more money out of Shakespeare.

Proves Wallace interviewed in one direction only and left out interviews that could have favored defense.

Another interview that did not lead to Moore is one with Richard Land.

9. TT 1222 L5-13

Counsel: Do you know if Ruthland was involved in any illegal business? ...

Prosecutor: Outside the scope of direct and it's irrelevant to the defense, it should be in the defense case.

In deposition Land talked about Ruthland into organized crime and more. Counsel never called him back.

10. Hummer video VTS 04 1

Shakespeare – I didn't know I was a month behind until two days ago, The lady D (Moore) went in her pocket, she ain't worry about her money ...

Greg Smith's book Exhibit E pg 102 Answer Brief

Not everyone in Polk County Sheriff's Office was on board with investigators theory ... Nor did they approve of Detective tactics ... Cynics abounded. (Here is the important part) the investigators endless round of interviews, search warrants, document dumps, and surveillance was a waste of time and resources; said the critics.

But Wallace testified all interviews led back to Moore. The other detectives were

not saying that Moore has a right to see their reports. She still does not have all her discovery so she can show like it says, document dumps, surveillance. Rounds of interviews did not lead to Moore or hold value. Counsel failed to present evidence of the factual statements.

#### Exhibit – In Answer Brief C

Wallace lies under oath as says: so there was never a meeting that Greg walking into that I didn't meet Greg before and tell Greg, here ...

Exhibit shows notes – Wallace is driving back from Atlanta Smith met Moore. He tried to tape that meeting himself in his own unsuccessfully. He later claimed Moore ask him to find someone ...

Clark lies on the stand saying it's recorded. Coming from a Detective those words hold weight.

There is a reasonable probability the jury would have arrived at a different outcome. Detective testimony tends to hold creditability and the videos with evidence prove they lied.

Making a jury believe Moore ask of a fall guy is not harmless error. Moore is being forced to go along, because when she tried to tell Detectives about drug dealers it put her family in danger.

#### Exhibit D in answer Brief

Greg - "Well, you need your own fall guy?"

Moore - "What do you mean?"

In a brainstorming session days before, Wallace and Clark had come up with the idea of offering a scapegoat to Dee Dee to see where she might go with it. ...

She was under duress and trying to find out what they had done. She did not know what to do when the people paid to serve and protect was getting her life threatened. You hear her when she does not know she's being recorded talking about them threatening her.

Where the only proof of guilt is circumstantial, no matter how strongly the evidence may suggest guilt a conviction cannot be sustained unless the evidence is inconsistent with any reasonable hypothesis of innocence, Darling v. State, 808 So 2d 187, 188 (Fla 1989) Circumstantial evidence must lead to a reasonable and moral certainty that accused and no one else committed the offense.

#### GROUND TWELVE

Counsel ineffective for failing to present a reasonable hypothesis of innocence to the jury. The State wants you to believe that the petitioner killed Shakespeare by only showing one video that shows Shakespeare talking about leaving, they bring up untruths Moore was forced to tell without ever listening to all the other video's they withheld that prove these men exist.

The state was allowed to make it look like she convinced Shakespeare to do this but the video's prove that it is not true. The state wants you to believe not one, not two, but three DNA's got on brown carpet inside one of her offices all in the exact same spot, in a home used as an office that is over 2,000 square feet with a kitchen, 2 bathrooms, 3 bedrooms, office, and garage. The state argued the other two DNA's could have been deposited over the nine month period. The carpet was dark brown and Moore did not even know blood was on it until after Ronald told her. She did not change out carpet because she knew it could prove who was actually there at the time.

At Moore's trial the state mentions the unknown DNA but dismisses as stated, "it could have been deposited at a different time." Mr. Boldt her defense attorney goes up there and all you hear is DNA numbers not put into layman's terms. Instead of proving the statistical probability is as kin to that of being struck by lightning in the exact same spot three times. While not impossible it is highly unlikely the DNA was left at three separate occasions over a period of nine months. (TT pg 285-2868)

To prove that is what the jury understood, please look at Matt Gutman's comments from ABC 2020, (as Gutman knew, investigators had never reported any evidence of my

sterious third parties, Drug Dealers, or other wise. Nor had they found any suspicious DNA at the crime scene. It's not a speculation without evidence when a national TV news journalist does not even comprehend there are two unknown DNA's at crime scene. It's not a speculation without evidence when a national TV news journalist does not even comprehend there are two unknown DNA's at crime scene.

Moore has over nine months to change carpet out if she knew at that time DNA was on it. In recordings you can hear smith tell her to ask Ronald, all Moore is requesting is a fiar trial with all her evidence and no one misleading them. If the prosecutor can play one clip making the jury believe she was laying grounds for her alibi, it opens the doorway for her to play all the videos she was denied access to at trial.

The defense counsel errors was ineffective by not presenting DNA evidence correctly or having second opinion on testing. Failing to show reasonable hypothesis of innocence to the jury. There is a reasonable probability that the jury would have render an acquittal for defendant.

Moore has proof the videos would have made a difference at trial. Moore has over 4.7 million downloads about her case on one minute remaining. One minute remaining is a podcast out of Australia where host Jack Laurence exposes the videos Moore was denied.

Sara M- "I can't believe the tapes never got heard, it really changes everything."

Missy R- "Wow those tapes are pretty damming – surely they must be heard in court." .

Joanne D- "Listening to the entire story, I had my mind made up until I heard the tapes and I was shocked. There seems to be something going on here that needs to be fully investigated."

There is a lot more but limited to only 40 pages so please look at all prior motions for more in depth evidence. Please consider she did not have all parts of her discovery, not one witness was called in her defense, not one expert witness was called on her

behalf.

There was insufficient evidence to support Moore's conviction for first degree murder. While Moore engaged in numerous interviews the petitioner never admitted to killing Shakespeare even when she did not know she was being recorded. Additionally, not one witness in discovery testified that she had intentions to kill him. The state was only allowed to give the illusion of premeditation by showing only one video excluding all the other ones she had recorded. Petitioner prays court grant relief.

In any other case where two DNA unknowns are at a crime scene right beside the victim's blood they would investigate it. I understand they want to conceal 5 Officers being paid off by drug dealers and don't want the negative publicity, but it can not be at the cost of someone that tried to tell the truth. I did not know the Detective was on their payroll. I put all threatening letters with an Attorney to hold on to, just in case you can get the United States Attorney General's office involved. This man is from Venezuela and in the recordings with Abraham Shakespeare (Ab took because they were blackmailing him) they are moving a lot of cocaine into the U.S. with the help of officers. Thank you for your time. They should not be allowed to cover it up.

## CONCLUSION

Appendix D shows they denied petitioner counsel to help her properly file motions to the Appeals Court. She had to learn the law herself to fight for her life. (My entire life has been taken away with a life sentence for a crime I did not commit.) There are TWO DNA unknown at the crime scene and I was denied all my videos that proved the men are real.

Please carefully over look this motion and grant me any relief you feel is fair.

I know my motion is not perfect, but I pray if there is something I need to redo please let me know. I understand you only look over 1% of the cases, but I have PROOF my rights were violated and this court is the only court that can correct it. Thank You for your time.

The petition for a writ of certiorari should be granted.

Respectfully Submitted,

Dorice Moore  
Dorice Moore DC# T30310  
Date: 9/7/25