

No. Not yet Issue

25-6818

RECEIVED  
EVERGLADES C.J.  
DEC 30 2025  
STAFF INITIALS

IN THE

SUPREME COURT OF THE UNITED STATES

FILED  
DEC 30 2025  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

*Amended  
Jan 29, 2026  
Return back to Court*

Vernon Carter — PETITIONER  
(Your Name)

Ricky D. Dixon vs.  
Secretary of the Florida — RESPONDENT(S)  
Department of Correction

ON PETITION FOR A WRIT OF CERTIORARI TO

The Supreme Court of Florida, Case No: SC-2025-1236  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Vernon Carter DC# 166988  
(Your Name)

Everglades Correctional Institution  
1599 S.W. 187th Ave  
(Address)

Miami FL 33194  
(City, State, Zip Code)

\_\_\_\_\_  
(Phone Number)

RECEIVED  
JAN 21 2026  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

QUESTION(S) PRESENTED

Did the Florida Supreme Court deny the petitioner a Due process Right when it did not Attach proper portion of the Records. To Refute the petitioner Claim of A Constitutional Violation on A Natural Life Sentence

## LIST OF PARTIES

- All parties appear in the caption of the case on the cover page.
- All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

## RELATED CASES

- Sawder v State 905 So. 2d 271
- Faison v State 426 So. 2d 963 (1983)
- Baptists, 828 F. 3d 1337 (11<sup>th</sup> Cir 2016)
- Bradford, 830 F. 3d 1273 (11<sup>th</sup> Cir 2016)
- BEARY v STATE, 668 So. 2d 967, 970. (Fla 1996)
- McKENZIE v STATE, 31 So. 3d 275
- State v. Montgomery, 39 So. 1d 252 (Fla 2000)
- Slack v McDaniel, 529 U.S. 473, 478 (2000)
- Topps v STATE, 865 So. 2d 1253 (2004)
- Moody v STATE, 842 So. 2d 754 (2003)
- Nix v William 104 S. Ct 2501 (3)

**TABLE OF CONTENTS**

OPINIONS BELOW..... 1  
JURISDICTION..... 7  
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED ..... 8  
STATEMENT OF THE CASE ..... 9  
REASONS FOR GRANTING THE WRIT ..... 10  
CONCLUSION..... 12

**INDEX TO APPENDICES**

APPENDIX A

Florida Supreme Court HABEAS Corpus

~~APPENDIX B~~

~~APPENDIX C~~

~~APPENDIX D~~

~~APPENDIX E~~

~~APPENDIX F~~

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

<u>Crutcher v State, 786 So.2d 1173 (Fla 2001)</u>	1
<u>McMillan v State, 832 So.2d 946 (5 DCA 2002)</u>	2-4
<u>Norvil v State, 191 So.3d 406 (Fla 2016)</u>	2
<u>Hargrett, 16 F.3d 642 (5<sup>th</sup> Cir 1994)</u>	2
<u>Eagla v Linahan, 279 F.3d 926, 933 (11<sup>th</sup> Cir 2001)</u>	3
<u>Thomas v State, 882 So.2d 1080 - Battle v State, 911 So.2d 85 (2005)</u>	3-4
<u>Wright v State, 911 So.2d 81 - Burney v State, 705 So.2d 90 (2000)</u>	5
<u>Baldwin v State, 857 So.2d 249 (2003) - Pea v State, 737 So.2d 1162</u>	6-11
<u>Keller v State, 849 So.2d 383 (2 DCA 2003) - Hopping v State, 708 So.2d 263, 265 - page 11</u>	
<u>Daniel v State, 933 So.2d 1240, 1241 - Wykl v State, 689 So.2d 1287</u>	11-17
<u>Baptist, 828 F.3d 1337 (11<sup>th</sup> Cir 2016) - Bond Road, 830 F.3d 1273 (11<sup>th</sup> Cir 2016)</u>	17
<u>Beary v State, 668 So.2d 967, 970 (1997) - Maddox, 760 So.2d 89, 96 (2000)</u>	8-9
<u>Denson v State, 773 So.2d 288 (2000) - McJENZIE, 31 So.3d 273</u>	9-12
<u>708 So.2d at 617 - 760 So.2d 96</u>	

STATUTES AND RULES

9.100 and 9.100 (w)(h) - Article V, § 4(b)(3)	1
3.490 - Art 1, Sec 21 Art 1, Sec 9 - Art 1, Sec 2	2
9.141 (b)(2)(d)	2-3-5-11-12-13
787.01 (1)(w)(2) and 812.133 (1)(2)(b)	3
921.001 (8)	4-13
773.021 (4)	11
924.051 (3)	10
MM5-082	12
3.830 - 3.600 - 3.992 - 3.704	13
42.525	15
9.045 (b) - 9.210 (v)(2)(B)	16

OTHER - CASES

Florida Supreme - <u>Mays v State 2023-1134</u>	13
United States Supreme Court, <u>144 S.Ct 1840 (2024)</u>	14
Appendix, <u>120 S.Ct 2348</u>	14
<u>Alleyne, 133 S.Ct 2151</u>	15
<u>State v Montgomery, 39 So 1d 252 (Fla 2000)</u>	
<u>Stack v McDaniel, 529 U.S. 473, 478 (Fla 2000)</u>	
<u>Shear, 628 So.2d 1102 (1994)</u>	

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 Appeal No: 25-10334-F; 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 0:08-CV-61354; 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: SC-2025-1236; 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.

1.

⑥

## JURISDICTION

For cases from **federal courts**:

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

No petition for rehearing was timely filed in my case.

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

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

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

For cases from **state courts**:

The date on which the highest state court decided my case was Dec 2, 2025.  
A copy of that decision appears at Appendix \_\_\_\_\_.

A timely petition for rehearing was thereafter denied on the following date: No Rehearing was Allow, 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).

(7)

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Article 1, Section 21 of the Florida Constitution states: The Court shall be open to every person for redress - I am being deny my Constitutional Right to Redress - of any injury and justice shall be administered without fear, Denial or delay. The defendant is entitled to equal protection before the law as guaranteed by the Florida - Article 1, Section 2. The defendant is entitled to due process of law as guaranteed by the Florida Constitution Article 1, Section 9

Constitutional Violation Miscarriage of Justice on the Merit, Under 9.141(1)(a)(2)(d) a proper portion of the Record is needed to prevail Constitutional Violation.

This 5<sup>th</sup> and 14<sup>th</sup> Amendment to the Constitution of the United States of American. HAVE BEEN VIOLATED ON THE FACE OF THE RECORDS.

Especially the 4<sup>th</sup> amendment to the Constitution of the - United States of American.

STATEMENT OF THE CASE

The Charging Conference Hearing Transcript

When a unauthorized amendment is made to an indictment or return

motion, the charging instrument is reduced to a nullity. This is what

happened to petitioners at the charging conference hearing at Broward

County. Judge Holmes said to Broward County State Attorney Mr. Bell

I got a problem with the petitioners' charges because charging is a com-

plete crime. There you go courts 1 and 2 are together. Under Broward

in State one Trans action unless confinement jury verdict is to be based on

evidence presented at trial and the legal instruction. When a party makes for a

special instruction if must show (1) special instruction suggested by jurors (2)

special instruction doesn't adequately cover the way of degree (3) special instru-

tion is correct statement of law. Here uses the constitutional violation took place

on due process: Or the kidnapping charging statute on the essential

element of kidnapping under Florida Supreme Court application of law using

the prison test if must be given when requested under kidnapping statute

78 M. 01 11 (12) (12) Only on all movement become a kidnapping this

was never done in the petition case which cause illegal detention on the

face of the record the violation cause a P.B.L. life sentence which the petitioners

has already served 3 years of a life sentence. This is charges of Justice.

There is only one arrest report and it says strong man robbery. See Florida

Rules of Court 3.490 it states: Determination of degree of offense. In the

indictment or information charges an offense divided into degrees. The jury may

find the defendant guilty of the offense charged on any lesser degree supported

by the evidence. The judge shall not instruct on any degree as to which

there is no evidence. There is absolutely no P.B.L. Evidence. Each

count of information stands on its own. Courts 1 and 2 are in heart

together. In not for constitutional violation the alleged violation would

not have happened and cause Natural life sentence on the P.B.L. Kidnapping

(Charging. 5<sup>th</sup> and 14<sup>th</sup> Due Process Violation. United States Constitution.

REASONS FOR GRANTING THE PETITION 1 of 2 pages

It's Against the United States Constitution to Punish a person for a crime that they did not commit. See *Slack v. McDaniel*, 529 U.S. 473 (2000). If not for a constitutional violation the alleged violation would not have happened and cause natural life sentence on the P.B.L. Kidnapping Case.

1) It was 4<sup>th</sup> Amendment Violation when Officer Bowen block the Vehicle in so it could not move with his police vehicle after the arriving 3 officers call the Dispatch and Reported that they had investigate the call-911-Call and no crime is present. Officer Bowen came after the dispatch call from the 3 arriving officers first on the scene. Florida Supreme case *Moody v State*, 842 So. 2d 754 (2003) was pending in front of their court. The petitioner's argument at the petitioner's Suppression Hearing Judge Holmes accepted *Moody v State* as pending in the Florida Supreme at that time and deny the petitioner's Suppression Hearing. 90 days later the Florida Supreme Overturn *Moody* case and release *Moody* from prison after 26 years of being lockup.

The Fourth District Court of Appeal Deny my Suppression Hearing using *Moody v State*, 842 So. 2d 754 (2003) Against the Florida Supreme Court own ruling in the petitioner's favor.

The Florida Supreme Court Refused address the petitioner's Opinion on their own case. Contrary to their Ruling, THE opinion using a Federal case *Nix v William* 104 S. Ct 2501, Fruit of the poisonous tree doctrine. *Nix* killed a baby. THE petitioner's case was just a tres pass charge Argue at trial. THE only arrest Report say Stung from Robbery of Car. CASE No: 4DCA-2004-4114 - Written Opinion

Footnote: THE Kidnapping: 787.01(1)(a)(2) is a *Faison v State*: 426 So. 2d 963 (1983) Test under Florida Supreme Court Application of Law. Only when Requested by Defendant.  
(10)

## Second Page: REASONS FOR GRANTING THE PETITION

A hearing is warranted on face of the Record. See *Haggett*, 16 F. 3d 842 (5<sup>th</sup> Cir 1994). Assuming the ruling was based on the merit. *Eagle v Linahan*, 279 F. 3d 926, 935, (11<sup>th</sup> Cir 2001) Constitutional Violation. THE ERROR REACHES DOWN INTO THE VALIDITY OF THE CASE ITSELF. THE SENTENCE IS ILLEGAL WHEN THE STATUTE IN FORCE DID NOT AUTHORIZE FOR SUCH PUNISHABLE BY LIFE ON KIDNAPPING (KIDNAPPING). SEE: *Mc Millan v State*, 832 So. 2d 946 (Fla 5<sup>th</sup> DCA 2002) Defective that it wholly fails to ALLEGE THE ESSENTIAL ELEMENTS OF THE OFFENSE.

Miscarriage of justice on the life sentence Essential Element. There is only one arrest report and it says strong ARM Robbery. A ERRONEOUS VERDICT FORM. SEE: Florida Rules of Court 3.490 it states: (THE JUDGE SHALL NOT INSTRUCT ON ANY DEGREE AS TO WHICH THERE IS NO EVIDENCE. (THERE IS ABSOLUTELY NO P.B.H. EVIDENCE.

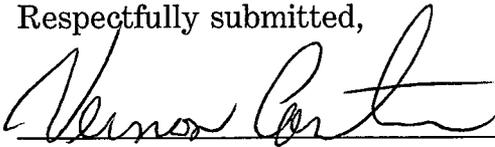
THE CHARGING CONFERENCE HEARING TRANSCRIPT: When a unauthorized amendment is made to an indictment or Information, the charging instrument is reduced to a nullity. This is what happened to Petitioner at the charging conference hearing at Broward County. Judge Holmes said to Broward County State Attorney Mr Bell: I got a problem with the petitioners charge because Kidnapping is a complete crime. There you go Courts 1 and 2 ARE TOGETHER.

Court Speaking: Judge Holmes talking to the court, what charge I can use from the information. State Attorney Mr Bell: Go's ahead and type it up with abundance of caution public defender, Scott Levine and Kansea said judge this is only a trespassing charge that the Only evidence in this case: See: *Baptist*, 828 F. 3d 1337 (11<sup>th</sup> Cir 2016) Habeas Corpus. See: *Bradford*, 830 F. 3d 1273 (11<sup>th</sup> Cir 2016) Constitutionally Based conviction Violating 4, 5, 14, U.S. Constitution.

**CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

  
\_\_\_\_\_

Date: December 30, 2025