ORIGINAL

No. 25-7033

IN THE

SUPREME COURT OF THE UNITED STATES

LOUISE ADKINS – PETITIONER

vs.

STATE OF FLORIDA – RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

THE FLORIDA SUPREME COURT

PETITION FOR WRIT OF CERTIORATI

Louise Adkins DC# S37259

Lowell C.I. Annex

11120 N.W. Gainesville Rd

Ocala, Florida 34482

QUESTION(S) PRESENTED

1. The Appellate disagrees with the DCA and a law they are citing. They stated in a letter; All state-level appeals and collateral attacks on any judgment must be completed within two years from the date of appeal. The lower court neglect and mishandled Appellate's case delaying the time of judgment from 2 years to 5-6 years during which time was a world wide covid pandemic.

2. How can defense attorney admittedly testify to having no communications with his client to discuss her case and still not be found ineffective, when the sixth Amendment imposes on counsel a duty to investigate, because reasonable effective assistance must be based on professional decisions and informed legal choices can only be made after investigation of options, there can be no strategic choice that renders such an investigation unnecessary?
3. How can the U.S. Constitution Sixth Amendment provide defendant's a right to obtain witnesses in his favor but defense refused to call any and the courts appeal process deny this right to have witnesses?
4. How can the perjury laws be overlooked for the state witnesses, and the state attorney knew of the lying but continue to use them as witnesses and the defense attorney is not found ineffective for failing to bring witness perjury to the jury's attention?
5. How can a recording of a recording done on a I-phone be admitted when the judge stated "for the record the indicator read all zeroes." Without time and date stamps the date of origin or time of day is unknown. In addition the video had no relevancy, the state had no idea what type of vehicle, what color it was or who was driving the vehicle and could not see the licence place.
6. Judge Pader overlooked laws, case law and statues. She was misleading,

Related Cases

Louise Adkins v. State of Florida
Case no. 2014-CF-3471 NC
Circuit Court of The Twelfth Judicial Circuit
Judgement entered April 9, 2020

Louise Adkins v State of Florida
case no. 2014-CF-3471 NC
Circuit Court of The Twelfth Judicial Circuit
Judgement entered March 1, 2024

Louise Adkins v State of Florida
Case no. 2D2024-0799
District Court of Appeal of the State of Florida Second District
Judgement entered April 2, 2025

Louise Adkins v State of Florida
Case no. 2D2024-0799
District Court of Appeal of the State of Florida Second District
Judgement entered May 23, 2025

Louise Adkins v. State of Florida
Case no. 2D2024-0799
Supreme Court Of Florida
Judgement entered July 01, 2025

misreading and/or misquoting statements from transcripts like she either wasn't paying attention, skimming the pages, or not taking very good notes when she denied the post conviction. How can there be any confidence in her judicial reasoning and accuracy when she mistaken details of issues in grounds, testimony and law. This denial should not be allowed to stand with mistakes made.

7. The appellate has a dispute over inmates not being entitled to counsel once you are in prison, as you are in the U.S. Constitution, Amendment 6 before prison.

LIST OF PARTIES

[X] 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 in the subject of this petition is a follows:

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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.

[X] 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

[ ] reported at _____; or,
[X] has been designated for publication but is not yet reported; or,
[ ] is unpublished.

The opinion of the Florida Supreme Court court appears at Appendix E to the petition and is

[ ] reported at _____; or,
[X] 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_____.

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

[X] For cases from **state courts**:

The date on which the highest state court decided my case was 6/23/2025. A copy of that decision appears at Appendix E.

[ ] A timely petition for rehearing was thereafter denied on the following date: 6/23/2025, and a copy of the order denying rehearing appears at Appendix E.

[ ] 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

U.S. Constitutional VI [1791]

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 informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

90.0901, Fla. Stat. (2021) Requirements of Authentication or Identification of evidence is required as a condition precedent to its admissibility. The requirements of this section are satisfied by evidence sufficient to support a finding that the matter in question is what its proponent claims. Evidence that is not authenticated should not be admitted into evidence.

90.401, Fla. Stat. [(2017)] While all admissible evidence must be relevant, not all relevant evidence is admissible.

90.402, Fla. Stat. [(2017)] Relevant evidence is defined as evidence tending to prove or disprove a material fact.

90.403 mandates that "[relevant evidence is inadmissible if it's probative value is substantially outweighed by the danger of unfair prejudice."

90.608 Who may impeach any party, including the party calling the witness may attack the credibility of a witness by 1. Introducing statements of the witness which are

inconsistent with the witness's present testimony. 2. Showing witness is biased. 3. Attacking the character of the witness in accordance with the provisions of 90.610. 4. Proff by other witnesses that material facts are not as testified to by the witness being impeached.

90.952 Fla. Stat. (2010) is predicate on the principle that if the original is available that evidence should be presented to ensure accurate transmittal of the critical facts continued within.

775.082-775.084 Perjury. Who ever makes a false statement, which he does not believe to be true, under oath in an official proceeding in regards to any material matter shall be guilty of a felony of the third degree, punishable as provided in 775.082, 775.084. "material matter" means any subject, regardless of its admissibility under rules of evidence, which could affect the course or outcome of the proceeding in a court of justice, commits perjury, shall if the perjury is committed on the trial of an indictment of capital crime be guilty of a felony of the first degree and if committed in another case, guilty of a felony of the second degree.

784.048 Stalking has been interpreted to mean repeated acts of following or harassment as defined in section 784.048 (2), Florida Statutes (2016), stalking occurs when a person "willfully, maliciously, and repeatedly follows, harasses or cyberstalks another person" "Harass" is defined in section 784.048 (1)(a) to mean "engag(ing) in a course of conduct directed at a specific person which causes substantial emotional distress to that person and serves no legitimate purpose". In its turn "course of conduct" is defined as "a pattern of conduct composed of a series of acts over a period of time, however short, which evidence a continuity of purpose."

Williams Rule – In this case it was to allow a prior incident not involving this case to be allowed during testimony.

Blacks Law Dictionary. 1. An adjudicator's failure to exercise sound, reasonable, and legal decision making. 2. An Appellate courts standard for reviewing a decision that is asserted to be grossly unsound, unreasonable, illegal, or unsupported by the evidence.

The Fundamental Fairness Requirement of The Due Process Clause as imposing on the police an undifferentiated an absolute duty to retain and to preserve all material that might be of conceivable evidentiary significance in a particular prosecution. The Due Process Clause requires a different result when we deal with the failure of the state to preserve evidentiary material of which no more can be said than I could have been subject to test, the result of which might have exonerated the defendant Law is if it is brought into evidence defense has a right to dispute it. (A picture is not sufficient without the physical evidence to be investigated and disputed.)

STATMENT OF CASE

The Appellant received a letter from the DCA signed 6-30-25 See Appendix F. There is a provision in that law that would allow the lower court to explain their untimely judgment, but they failed to explain.

The law is a manifest of injustice for defendants who file their appeals in a timely fashion. There was a worldwide Covid pandemic that brought the world to a standstill, including the judicial system while the Appelant's case was being decided.

The states received undue benefits while not taking their responsibilities seriously. Through neglect and mishandling of Appellants case, the courts overextended judgment from the allowed 2 years to 5-6 years. Now the Appellant has been unjustly punished, stripped of her due process rights and the appeal process. The Appellant should not be

held responsible for the judicial system's delays.

The Appellant's case had 3 different judges assigned. Thomas. Krug, JA Walker, Donna Pader. Appellant filed a pro se postconviction 5-18-18, which was held in abeyance 6-13-18. A superseding motion was filed 3-04-19. The court ordered the state to respond 4-9-20, they did 5-13-20. Appellant checked the status of her postconviction 1-18-21, 8-23-21 and 12-15-22. See Appendix G. Judge Pader made a partial denial 4-21-23, granting a limited evidentiary hearing 10 months later 2-26-24 and final denial 3-01-24. See Appendix C, D.

Under Strickland v. Washington 466 U.S. 680 the sixth amendment imposes on counsel a duty to investigate because reasonable effective assistance must be based on professional decisions and informed legal choices can be made only after investigation of options ... If there is only one plausible line of defense since there can be no strategic choice that renders such a investigation unnecessary. ID. At 1252, The same duty if counsel relies on one line of defense.

At the evidentiary hearing, "R"pgs 497, 498, 510, See Appendix H, it is clear that defendants trial counsel did not discuss her case with her to prepare her for trial. The only thing he discussed on a one time visit was a plea she was willing to except that never happen a few days before trial. These facts are facially evident. This fact alone makes every ground listed sufficient because without the substantial facts that could have been obtained from the defendant may not have been in the discovery, this prevented the attorney to raise properly, defenses at pretrial or trial. Counsel would have none of the knowledge needed to plan a defense, challenge alleged evidence and call witnesses.

The court choose to ignore that this is a circumstantial evidence case that conviction is based on speculation and a theory of guilt and not actual direct evidence. Case law, statues and constitutional rights were overlooked.

This whole case was one sided based on the word of Annette Knight a two time

felon on probation, a habitual liar, using drugs. The jury never heard the intended witnesses or defendant's version.

The state subpoenaed the defendant and asked her to testify against Ms Knight for her attack on Ms Adkins. During interview they heard the recording on Adkins phone of Knight threatening Ms Adkins. Knight said if Adkins didn't stop seeing Philip she would smash her teeth in, rip her throat out and kill her when she got off probation. Knight asked Adkins to drop the charges and not testify. When Adkins refused she was accused of this crime friday 2-21-14 before Monday's court 2-24-14.

Fla.R.App P.9.141 (b)(2)(D) in Crumite v. State 842 So.2d 271, 274 (Fla. 1st DCA 2003) Raises judge/courts responsibilities on conduct regarding evaluation of claims raised in 3.850 motions. Judge Pader hasn't meet them. Also Black law Dictionary 1. An adjudicator's failure to exercise sound, reasonable and legal decision making. 2. An Appellate Courts standard for reviewing a decision that is asserted to be grossly unsound, unreasonable, illegal, or unsupported by the evidence.

"R" pg 242 Judge Pader misquoted and misread/misunderstood, not using logical thinking when evaluating defendant's claims and assigning guilt over testimony she misunderstood. With CSI Wagner's testimony she assigned a connection between the defendant's bullets, residue and the crime. "R" pgs 114, 117 is what Wagner actually testified to, that he placed residue on the bullets. See Appendix I. There was additional evidence that did not make it to the jury due to trial attorney not knowing what was in discovery, defendant had to tell him at trial. Inside the baggie with the 3 left over bullets was a blue note, photo's show it existed "T" pg 252, 254. The note explained the who, how and why they came into defendants possession, trial counsel failed to show the jury the note.

Judge Pader used a partial sentence of Wagner's to link the gun case to the crime and defendant. "R" pg 118 Wagner's answer to question could a 9mm fit in it was Yes

"depending on the gun". There was no style of gun described only that it was black and to make comparison to whether or not it would fit was misleading. The fingerprint report for the gun case had eliminated "Louise Adkins" as recently using the gun for any means. This should have been inadmissible.

Judge Pader makes an untrue accusation against Adkins attributing another persons comment to defendant "R" pg 244 . The quote came from Philip Knight "R" pg 41 See Appendix J. Judge Pader uses this comment to say shes unpersuaded by defendants theory of misidentification.

On "R" pg 252 Judge Pader misinterpects trial judge's limine statement to say no mention of Ms Knight's bad character or pior bad acts were admissible. The correct version of the limine meeting is found on "R" pgs 387, 388. See Appendix K. The Appellant was allowed to approach the bad acts as long as they have relevance to the incidents, the jury isn't present and then the judge will decide.

On "R" pg 244 Judge Pader wasn't using sound reasonable thinking when using a postconviction comment not intended testimony but to reflect Knights sever depth of depravity. Attorney wrote if defendant wore a ski mask Knight would accuse her.

"R" pg 48 Again Judge Pader misundstood a recorded interview of Mr Whitman with detective Burns 2-24-14. She attributes it to be proposed testimony that would not be allowed, he wondered if Ms Knight shot herself. "R" pg 42 tells us his proposed testimony would be Knights jealousy. He would also be witness to her untruthfulness he signed affidavit for and rebuttal to Knights testimony. During Mr Whitmans interview he had told detective Burns Ms Knight was a liar and she would do anything to get rid of Ms Adkins. He also told Burns Ms Knight was known to himself and others as extremely jealous of any woman to whom Philip Knight showed affection and of the defendant in particular. Ms Knight told detective Burns in a recorded interview 2-22-14 that she sleep with Philip "frequently over the years, until he started sleeping with her [Louise Adkins]" none of this made it to the jury.

The jealously and hatred would have been relevant to the fact being proven Knight deliberately misidentified the defendant to remove her from the ex Mr Knights life and avoid going back to prison for 10 plus years. Brown v. State, 611 So.2d 540, Prior acts of aggressive conduct and accompanying threats are admissible as relevant to issue of intent." Jelousy of a witness testifying against another witness is evidence of motive to lie and is admissible. See Ramsammy v. State, 43 So.3d 100, Guzman v. State, 868 So.2d 498.

"R" pg 249-250 Judge Pader alledges that defendant was arrested using Mr Wolf's initial written statement, disagreeing with defendant's postconviction pointing out Wolf's evolving false testimony. Judge Pader claims to rely on Burns trial testimony to make this claim when the discovery should have been used for verification. Burns testimony "R" pg 354-355 said he arrested Ms Adkins based on Knight's word 2-21-14. "R" pg 358 Detective Burns contradicted this to include Mr. Wolf's description of suspect for arrest. He had not interviewed ~~Would~~ Wolf at the time of Ms Adkins arrest and would not until 2-25-14. Mr Wolf's written statement was limited to "I looked across the street and saw a female dressed in all black walking to the church parking lot." "That's all I know." On 2-25-14 recorded interview with Burns the hair color now changes. Mr Wolf stated that the color seems to be "Black" no comment regarding height or build. 6 months later 8-12-14 this changed to "White" hair "R" pg 126. At trial 02-2015 it changed to dirty blonde. Each of these hair colors can be distinguished from one another. The false testimonies influenced the jury's decision that there was a witness(s) who could in good faith describe and identify the suspect. Pearce v. State 880 So.2d 561, introduction of a prior statement that is inconsistent with a witness's present testimony is one of the main ways to attack the credibility of a witness. Trial counsel compounded his error by conceding in closing argument that Rodrigo Wolf saw a person with blonde hair. Ms Campayno was the only eyewitness who's statement never changed while the rest committed verifiable perjury. She described the suspect as tall, broad should, bobbed

styled haircut, she leaned toward male. The defendant was short, long blond hair and female. At trial Ms Campayno testified she did not see the suspect in court. When specifically pointed at by the state she said she had never seen the defendant before.

The Appellant met the prong's in filing a claim for failure to call a witness as her claim identified the witness that he/she would have been available to testify, what they would have testified to , and how it would have changed to outcome of trial. McCullough v. State 247 So.3d 6.

Judge Pader violated the appellants constitional rights to call witnesses and to confront witnesses under the sixth amendment. She stated more than once, witnesses were not needed, they would not support the defendants theory of misidentification, and doing so would have been redundant, not changing the trial outcome.

The defendant's witnesses would contradict Ms Knight, bringing her perjury to light with a different version of events. Trial Counsels failure to call any witness deprived the jury of evidence needed to evaluate Knights true motive and malicious intentions towards the defendant.

Trial Counsel failed to call the 12-28-13 deputies Cowell and Duesseau, their proposed testimony was located at "R" pg 44-45 along with the police report exibit G in the postconviction. Their testimony would include Ms Adkins physical injuries, how she was the victim and that Annette Knight attempted to engage her again in the deputies presents. The defendant was instructed to notify them if Ms Knight returned, not as judge Pader's opinion in denial "R" pg 245 that it was for sympathy. The defendant was reporting a crime of her attacker who's stalking §784.048 of Adkins had escalated to physical violence. This testimony would show jury Ms Knight was jealous to the point of dangerous and a vicious person who would deliberately misidentify the defendant. The state had impugned the defendants character painting her as the perptrator. The 12-28-13 event was not Fully conveyed to the jury lacking the defendants version, which the state cherry picked her interview to remove it before the jury heard it even through

Williams rule would have allowed it. Judge Pader was being presumtuous about what the jury would have gathered from the uncalled witness'es testimony and Knights many perjury statements. This was the jurys province to interpet, and would have changed the outcome.

Ms Knights step father, Rodney Whitman had approached the trial attorney asking to be a witness for the defendant. The state believed he would testify to Ms Knights crack and other drug use and prostitution, he would not. His proposed testimony was the over zealous hatred and jealousy of the defendant, not the general dislike the state painted it as, there was a difference. To say Knight was jealous was a gross understatement.

Mr Whitman had intimate knowledge of the relationships, being her stepfather, sharing the same friends and living in the same community, he also spoke to Knight daily. Ms Knight bragged about the stalking §784.048 Fla.Stat., the breaking into the defendants home stealing only Mr Knights belongings, making the prank 911 phone call to harass the defendant having her house surrounded, stealing her truck from Mr Whitmans property and receiving a ticket in it,

These events were not blanket allegations as the state alleged. Trial counsel could have obtained proff but he failed to interview his client or know his discovery. There was a 911 police report, there was an anonymous 911 call, 911 calls can be traced. Ms Knights ticket in the truck could be traced, two witnesses seen her driving the truck, it was in Philip Knight's deposition "R" pg 184, See Appendix L. Knight was believed to have a suspended license at that time. The truck was an important fact to show the jury because Ms Knight left her pill bottle in the truck and now the state and judge Pader said it connects Ms Adkins to the crime. Ms Knight abandond the pill bottle in the truck, witness testimony was important to refute Knights lie, that she was never in the truck. She claimed pill bottle was in the shed but her testimony was suspect stayed with her the whole time and she seen them leave area on foot heading North up Tuttle St.

Judge Pader neglects the perjurty law §775.082-.084 who ever makes a false statement ... in regards to any material matter shall be guilty of a felony ... and she ignored the defendants right to defend herself. See Mitchell v. State 862 So.2d 908, and Fla. Stat. §90.608 the defendant is afforded wide latitude to develop the motive behind a witnesses testimony ... where the credibility of the defendant and the allege victim, on one hand and the states chief witness, on the other are crucial to the case, any evidence tending to prove a motive to lie by the states witness is both relevant and admissible. Patently a defendant has a strong interest in discrediting a crucial state's witness by showing bias, an interest in the outcome or a possible ulterior motive for the witness's testimony. Also overlooked was prosecutors are precluded from presenting evidence they believe is false. See Gialiov. United States, 405 U.S. 150 92 S.Ct. 763,31L. Ed.2d 104 (1972, Johnson v. State; 44 So.3d 151 (Fla.2010)

The deliberate misidentification started at the interview with detective Burns. Detective Burns had the 911 caller, Ms Campayno's description of the suspect but refused to put out a BOLO "T" pg 507. He knew the description of the suspect didn't match the defendant, in fact it was the opposite. "R" pg 354-355 detective Burns was asked why he arrested Ms Adkins? He said the victim (Knight) identified her (not based on evidence). Clearly detective Burns could visually see the defendant was not the suspect, but he still arrested her and charged her with Murder of someone not deceased, violating her due process rights.

Those forms can be seen on pgs "T" 1, 4, 12, 18, 34, 61. The case history supplied by 12th Judicial Circuit Sarasota Clerk of The Court contained the charge Homicide Willful Kill-Murder Premeditated. See Appendix M. "R" pg 446 listed those charges and someone hand wrote attempted in 2-26-24. Approx. 5-14-14 judge Krug noticed Ms Knight was not deceased when she appeared on his stand. He stopped the proceedings asking the state who is this woman? The state replied that's our victim your honor. Judge Krug said, wait, you lead me to believe that Ms Adkins had been here all this time for

murder. The judge did not dismiss the case.

Judge Pader believed witnesses would make ~~not~~ not a difference. Trial attorney completely failed to present Knights perjury to the jury impeaching her. This was devastating to the defense. The jury needed to know about this when weighing Ms Knights testimony. Ms Knight was highly motivated to lie. Her step father Rodney Whitman signed an affidavit stating she was known for untruthfulness. The Ex-Mr Knight's deposition comments about her dishonesty, "R" pg 166 he was blunt, I can't believe a fucking word out of her mouth. When Annette talks its always a different story. "R" pg 183 he asked are you sure you didn't shoot your self, other family members felt the same.

With the original statement Ms Knight impeded the investigation (which was a crime it's self and not charged) by telling law enforcement she just showed up for work at the Community Center (she did not work there). The place was dark and locked up, no one was around, she was shot right away. The omission of many factors going on kept law enforement from investigating thoroughly for potential witnesses or suspects that may have hung out in the area. Ms Knight's deposition was different, when the Appellant requested a copy Sarasota Clerk of the court replied it doesn't exist letter dated 7-16-25 See Appendix N.

Ms Knight's trial testimony was much different. Knight claimed she had been there awhile, a party was going on at the Community Center. A, AA meeting was happening at the church, she was people watching. Ms Knight also adds she was hanging out with her then girlfriend Laura Bouchard "T" pg 471. They walked the grounds, fed the ducks on the pond, then hung out in the tool shed together. Ms Knight claims Ms Bouchard left to purchase them some beer. While shes gone Ms Knight claims to get shot at 10:00pm not 11:00pm. At no point does she say Ms Bouchard came back, stores were 30 sec to 2 mins away. Why didn't she came back? Is she who the witnesses seen argueeing with Knight? She fit the 3 witnesses description. Ms Knight

also set up a meeting at the Center that night, her cell phone contained proff, maybe there were others.

Laura Bouchard should have been called as a witness to contradict Ms Knight committing perjury to have Adkins arrested. If Bouchard said I was at the party with Knight then her original statement was a lie. If Bouchard claimed not to be at the party then trial testimony Knight gave was a lie either way she committed perjury. There was a 3rd story given in Rodrigo Wolfs deposition told to him by Laura Bouchard "R" pg 126 See Appendix O. It is very suspicious Laura Bouchard doesn't mention either of Knight's other two versions of 2-21-14 or being there herself. "T" pg 396 Mr Wolf testified Ms Knight was barefoot, which would explain how he knew she had dirt on her feet mentioned in deposition.

Ms Knight trial testimony and her statement to law enforcement on 12-28-13 did not match. In the 12-28-13 police report she claimed to never have hit Ms Adkins, lying to law enforement to avoid arrest. At trial Ms. Knight testified she repeatedly punched Adkins in the face. The state redacted Adkins version from interview it contained Knight hitting Adkins in the head with a glass beer bottle (a deadly weapon) with Devon Knight standing next to them. The jury was deprived of all this information as a rebuttal to Knights version and the states theory of who was the violent and jealous individual. Trial attorney should have impeached her so the jury heard about lying to avoid arrest.

The state argued that the items of evidence at issue were admissible and that trial attorney was not ineffective for failing to object to the introduction of evidence. The evidence was not relevant; it was unfair, circumstantial, showing propensity to infer guilt violating the evidence codes of Florida Statues. Counsel failed to object to the admission of unfairly prejudicial evidence lacking a sufficient nexus to the crime.

Ground 1 was introduction of inadmissible evidence. Overlooked law was The fundamental fairness requirement of the Due Process clause requires a different result when we deal with the failure of the state to preserve evidentiary material of which no

more can be said than it could have been subject to test, the results of which might have exonerated the defendant. See Youngblood 488 U.S. At 57-58. Although in Youngblood the evidence was destroyed, in the instant case the alleged evidence was never taken into custody prejudicing defendant as the evidence could have been subjected to test that may have exonerated her.

Law is if it is brought into evidence defense has a right to dispute it. A picture is not sufficient without the physical evidence to be investigated and disputed. Therefore counsel should have objected to the photos.

Also see, O'Connor v. State 835 So.2d 1226, "a photograph of a bullet proof vest found in defendants home was not admissible because there was no evidence that the suspect wore a vest at the time of the crime, and a photograph of a shot gun found at the Defendants home was also inadmissible given that the perpetrator was alleged to have used a hand gun and thus any marginal relevance in this type of testimony was substantially out weighted by the danger of unfair prejudice (citing F.S. § 90.403 and counsel's failure to object in advance or when the state sought to introduce these items resulted in significant prejudice to the Defendant.

A photo(s) of gloves found in the Defendants vehicle that she often wore for work were admitted into evidence. The perpetrator of this crime was never alleged to have worn gloves and Knight was never shown the gloves or photographs of the gloves. No one identified them as having been used during the crime. The gloves were not tested for forensic evidence or take into custody as evidence. Best evidence rule 90.952, Fla. Stat. (2020) is predicate on the principle that if the original is available that evidence should be present to ensure accurate transmittal of the facts continued within it.

Judge Pader picked and chose which description Ms Knight gave of her perpetrator to believe and ignored the others and that Knight was a liar. Judge Pader based her connection between one of those and the defendant with the crime when she states Knight ID defendants clothing. She failed to use reasonable deduction of evidence

to make connection.

Annette Knight gave various descriptions of her perpetrator. Knight said suspect wore a blue windbreaker in her interview with detective Burns on 2-21-14. Another time she said black or dark jacket. At trial she indicated it happen so quick she couldn't give a description. The state used a picture of a long leather coat in defendants laundry room as evidence, please see discovery photo. The state did not collect or do forensic testing on coat. A suspect wearing a long leather coat would be described as such as the differences would stand out from the average jacket and makes the photo inadmissible, as it was not related to this case. Witness Mr Wolf said subject was wearing a sweater when he testified and in his deposition. In reference to collecting the long leather coat detective Burns testified "T" 721, 722 we didn't have anything really specific mentioning that, so the decision is made in conjunction with my supervisor. We just didn't collect that. The photo of long leather coat was inadmissible, not relevant to the case, it was not collected or tested.

See Louider v. State 162 So.3d 305, "Determining that error was invited when defense stipulated to the admission of the evidence by failing to object: Linton v. Bradt 775 F.Supp. 2d. 574 "The erroneous admission of evidence must have been sufficiently material to provide the basis for the conviction or to remove a reasonable doubt that would have existed on the record without it.

The fact that CST testified that he did not do a thorough job that he made 3 attempts to search the same trashcan, "T" pg 554, 555 photos showing very little loose yard debris, and he left the scene after 2 failed searches which is a well known crime area, unsecured to the open public until the following day leaving opportunity for disturbance or tampering, any evidence found should have been objected to according to law and case law. The admission of the spent 9mm shell casing found in the trashcan would be of little importance if the state had not also been able to introduce the 9mm projectiles found in defendants premises.

These projectiles should not have been admitted as they were not linked to the crime. Even more so that the defendant no longer owned a 9 mm gun because it was stolen 3 years prior and confiscated by the sheriff's office. Detective Burns testified that the gun was never returned to the defendant. Which explains why the defendant had bullets for a 9 mm gun, without actually having a gun., bullets which did not match the brand of the shell casing found in the trashcan, therefore making them irrelevant to the states case. You can visually see the difference between the defendants few bullets and the states shell casing. The states shell casing was not a sufficient link to the crime and it was a misleading theory of guilt that should have been objected to.

The defendant relies on Jones v. State 32 So.3d 706 and Hunn v. State 511 So.2d 583, to support her argument that items seized should not have been admitted as the admission of the evidence could not be connected to any relevant fact.

The defendant was charged with a gun crime even though no gun was entered as evidene. Eyewitness's Ms Campayno and Mr Wolf testified they seen no gun.

The State was permitted to argue that the victim was shot with a 9mm handgun and that the defendant possessed such a hundgun to shoot the victim with, neither of which was supported by the evidence in the case. No gun was presented in this case and no expert testimony to say the wound on the head came from a 9mm gun. This mislead the jury to believe it was relevant to the crime, The witness Dr. Muarry was no expert he testified he had never treated or seen a gun shot wound before and Ms Knight had no gunpowder on her.

At one pointed the state told the jury the defendant took one of her bullets, loaded the gun and shot Ms Knight leading them to make several inferences to get to that conclusion with no evidence. You can visually see the difference in the physical condision between the defendants couple bullets and the states shell casing. The defendants were old, worn and corroded with a headstamp identifying as WCC 90. The States shell casing was lacking scratch marks and had clarity of metal. The head stamp

identified as FC 9mm. The states shell casing was not a sufficient link to the crime and it was a misleading theory of guilt that should have been objected to. Under Cooper v. State, 788 So.2d 542 (Fla. 3d DCA 2001) The simple possession of this type of ammunition was not a crime, wrong or bad act. The fact the defendant was in possession of this type of ammunition simply did not legitimately raise the inference that the defendant was the killer. Green v. State 27 So.3d 731 (Fla. 2d DCA 2010) "evidence that requires a series of inferences to be deemed relevant should be excluded."

It is clear that the State used a series of inferences of prejudicial circumstantial evidence to mislead the jury and because so the defendant was significantly prejudiced by the introduction of this evidence. Even more so to put an innocent person in prison as the jury would naturally assume things in evidence are relevant to the crime. They would assume that because Defendant possessed bullets (bullets that dont match the brand but match the type of gun the shell casing found a day later of an unsecured area in a trashcan in proximity to the alleged crime, bullets from a gun she no longer owned or possessed as it was in police custody) that the defendant owned the bullet in the trashcan and that she committed the crime. They would assume that because the defendant owned a long leather coat (that didn't match the description of a jacket/windbreaker) she was guilty. They would assume that because the defendant owned gloves (people naturally assume people who commit crimes wear gloves even though it was not part of the description) she was guilty. They would assume that because she owned and empty gun case (to a gun that's in police custody from a 3-year prior incident of theft against her) she is guilty. All the irrelevant evidence pasted together as a theory of guilt that caused the defendant to get a guilty verdict should have been objected to ~~form~~ from counsel and his failure in performance to do so prejudiced the defendant as she would have been found not guilty

A home surveillance video was submitted as evidence judge Pader stated in her denial of the post conviction it was unclear how trial counsel could have better and more

effectively challenged this evidence. He was not prepared and did no research. Trial Counsel should have had video suppressed it was inadmissible, based on habeas corpus violation by judge Krug overstepping the given laws on this type of evidence and it was not relevant.

There was testimony this surveillance equipment was defective as it was hit by lighting not being repaired by certified electronics repairman so it was not functioning properly.

This video had NO TIME and NO DATE stamps and was not the Original so there was no proof of when it originated. It also had no relevance to the defendant. There was testimony stating the State had NO idea what type vehicle this was, they did NOT even know the color of the vehicle, they also said they could NOT see the license plate or who was driving the vehicle. This vehicle had working headlights, the defendants vehicle headlights did not work as testified to by 2 state witnesses. Ms Knight and Mr Wolf testified the perpatrator left the area on foot headed North up Tuttle and they did not see the defendants vehicle. Trial Attorney also failed to investigate the places defendant drove to all day long and then that late evening in her vehicle. 90.0901. Fla. Stat. (2021) Requirement of Authentication or Identification of evidence is required as a condition precedent to its admissibility. The requirements of this section are satisfied by evidence sufficient to support a finding that the matter in question is what it's proponent claims." Evidence that is not authenticated should not be admitted into evidence. 90.402 Fla.Stat. [(2017)] Relevant evidence is defined as evidence "tending to prove or disprove aa material fact." 90.401, Fla. Stat. [(2017)] While all admissible evidence must be relevant, not all relevant evidence is admissible; section 90.403 mandates that "[relevant evidence is inadmissible if its probative value is substantially outweighed by danger of unfair prejudice." This video also did not meet the Best evidence rule 90.952, Fla.Stat (2020) predicate on the principle that if the original is available that evidence should be presented to ensure accurate transmittal of the critical facts continued within it.

The video in question was examined by the judge, State and defense after looking at the date/time stamp area all involved agreed to finding zeroes. "T" pg 631 judge Krug states "For the record the indicator read all zeroes" "T" pg 634 judge Krug comments "I looked at this video it has zeroes on it. I have no worldly idea how someone can look at this video and see something I don't." Judge Krug said the facts appear that the recording does NOT capture the time stamps. It merely captures the picture.

"T" pg 626 the State tells the judge by burning or copying the video to a disc it does not capture the date/time stamps on the picture on the camera. The argument does not justify the I-Phone video not capturing them. The I-Phone was a separate recording devise that had no connection to the DVR system or T.V. The I-Phone was aimed at the T.V. Screen to record what was being seen on the T.V. Any avg. person knows when you aim and record you get the same thing your looking at, it does not skip recording portions of the scene. It will not magically erase numbers and rewrite zeros.

The video was a recording of a recording done on detective Carlos Verdoni's I-Phone 4 days after the incident. The best evidence rule was not met to use a copy instead of original. The Sheriff dept. had several other options to retrieve this video including and expert in their employment. The State gave no legitimate reason for not returning they had ample time to do so but testified to sending no one else back. They did take other successful recordings from the surveillance equipment but did not try to retrieve this one. Those successful recordings also did not contain date/time stamps, "T" pg 629.

This video was not of the alleged crime area but from the neighbourhood of the defendant. "T" pg 673 Detective Verdoni testifies the defendants property nor the driveway was on the video. Prior to this "T" pg 358 the State lied to the judge telling him it showed vehicle leaving defendants driveway trying to get video admitted. The state also lied to judge on page "T" pg 632 saying while recording Verdoni counted time off the T.V. Screen, which record refutes. After jury sees and hears video state admitted Verdoni was looking at a monitor "T" pg 668. This makes it inadmissible State v.

Wiggin, 151 So.3d 457, 2014 rejected officers testimony as substantial evidence because the testimony was contrary to objective real-time evidence of events in question and Seymour v. State, 132 So.3d 300, 2014, the officers testimony constituted impermisson lay opinion under § 90.701 Fla.Stat. (2013) that invaded the province of the jury to interpret the video.

The recording affected the verdict negatively. With all the inaccuracy surrounding this recording and having no date or time stamp a reasonable person would not have taken the view adopted by the trial judge, it would not have been admitted. This video was prejudice, misleading the jury, and not relevant to the crime.

Judge Krug misinformed the defendant of her rights and what transpired during a meeting without her. At the start of the trial he said to the defendant we had a meeting without you, she would not be able to say anything that would place Ms Knight in a bad light to the jury. This would have been the defendant whole case. This was a violation of her rights, law, case laws such as Fla.Stat. §90.608 and not his full decision made at limine "R" pg 151. Even that partial gag order was violating her right to defend herself. Ms Adkins was falsely accused, Ms Knight was dangerously jealouse, stalking and harassing, threatening her with bodily harm an death. This behavior led to Ms Knight attacking the defendant involing law enforcement, that would send Knight back to prison 10 plus years.

At evidentiary hearing it was learned state attorney Legler was now a judge in that courthouse, he was colleagues with the presiding judge over evidentiary hearing, a change of venue would have been appropriate. Defendant's attorney Mr Whidden submitted emails between the old state attorney and trial attorney as evidence that the state made offer and Defendant accepted a 18 month offer. Mr Legler made offer "Go to your client offer her 2 years then go back and tell her you got it down to 18 months you will look like a Hero." See Appendix P.

Mr Reisinger reads his own reply on the stand saying client acccepted and hes

upset that Legler now claims not to have made a offer. Judge Pader made her opinion that her collegue Mr Legler's testimony's are more credible than the facts submitted in exhibits that are facially evident.

As a defendant your court case does not end when you receive your sentencce. You have a right to appeal when innocent or mistakes are made in trial. There is a imbalance of equality of justice between poor people and wealthy and the quality of the legal help they can obtain. The Constitution guarantees an individual the right to reasonable counsel if you can not afford one. Before conviction a judge discourages representing yourself and advises you to obtain legal counsel, but once your placed in prison there is no more concern for you.

The appeal to the DCA was a serious step in the legal process to under take when the defendant has no legal knowledge and many disabilities. The Appellant requested in a motion to be assigned counsel 5-6-24, she did not receive one.

The defendant did not have a complete copy of the Record on Appeal, reports, photographs,, witness statements, depositions, or other relevant materials to assist her in identifying or raising post conviction claims while preparing her motion. A redacted ROA was sent 5-2024.

Appellant suffers from cataracts and macular degenerative disease of the eyes along with mobility issues. During time as pro se the Appellant had shoulder surgery and lost use of right arm for 8 weeks and continues to have difficulties. The law library's law clerks were indifferent to her issues saying do the best you can, not offering assistance. In fact they are instructed not to assist inmates with their appeals at Lowell-Annex, those that do seem to be reassigned. Many law clerks lack knowledge and experience, access to the law library is very limited.

The inmate who's in prison is at a serious disadvantage. There isn't enough law clerks for the volume of requests, since they handle the grievance process too. They have a large turnover in law clerks this leaves them short handed or those with no

experience. When 2 were fired for misconduct inmates were restricted from using the computers for research for months. While pro se several times there was a printer paper shortage and another week the printer was broken.

Inmates receive legal mail 1 week after the court signs it causing you to lose days of a deadline. The use of the law library requires an official form that can take 2 weeks to receive a reply/ appointment, sometimes a 2nd one is needed because of misdirected mail. You get 1 hour of research and must hand write any information you find. Clerk appointments are 15 mins. They go to lunch 1 hour after AM work call appointments reach them. DOC security can't clear count often then pm work call will come about the time the library is closing.

Inmate bunk storage is limited, your legal papers are to be stored in property. You can only access them on this compound Friday AM work call with prior approval. Inmates have no place to sit and write motions the few places in day room are taken. During heat mitigation the lights are turned off all day and evening, you can't work in the dark.

If inmates were given a court appointed attorney the process would be less hectic and a better chance of writing a more effective argument. The attorney receives notifications of deadlines in a timely manner. They work from a office with many resources at fingertips, computers, books and paralegal assistance. They can store everything on a computer or disc. They can request extensions or file papers on internet getting done faster. They don't tell client I can't work your case this month, no computer access or can't file your motion no print paper and printers broken.

REASON FOR GRANTING THE PETITION

Our country was founded on the fundamental rights of its citizens to enjoy the pursuit of happiness and all men are created equal along with other important rights. The Constitutional beliefs Defendants believe in and depend on were given to us through the

sixth amendment. The sixth amendment guaranteed its citizens the right to a competant attorney to defend them if they were unable to afford one. They were assured the right to bring witnesses in their favor and a right to confront their accusers. As Americans we have the belief of a ~~fir~~ fair and just trial these Constitutional rights have been instilled into us at a early age. The appellate did not receive these due rights and that's the foundation of her reason to have this petition granted. The petition should be granted to right a miscarriage of justice, to uphold our Constitutional rights. Granting it would assure a fair and just trial and protection against ineffective counsel. It would protect defendants against the courts and the states abusing their authority by dragging out judgement. It is also needed to set a president for treatment of appeals during pandemics.

First let's address the appellant's right to the appeal process when the appellant files in good faith a timely appeal or motion only to be told her rights have been stripped from her through no fault of her own is unjust. The courts and the state mishandled and neglected her case and their responsibilities turning the 2 year limit to make judgement into 6 years, the state even had to be ordered to respond. If an appellant's response date is 30 days and they miss it the case is denied. The state dragged their feet over one year. In addition there was a World Wide Covid Pandemic that brought the world to a stand still. Any case awaiting a judgement in that time period should not be subject to the 2 year time limit barring the appellant from appealing. The appellant's case should be allowed to proceed. No appellant should be held liable for the fault of the state, the courts or a pandemic.

The appellant has no legal knowledge and many disabilities. Appellant requested in a motion to be assigned counsel 5-6-24, there was no reply. The appellant did not have complete Record on Appeal, reports, photo's, witness statements, depositions or other relevant materials to assist her in identifying or raising post-conviction claims while preparing her motion, she was even told Ms Knights depo. did not exist. She request a court appointed counsel due to her lack of knowledge and she suffers from

cataracts and macular degenerative disease and mobility issues. A court appointed attorney would have had a less hectic time and a better chance of writing a more effective argument. Bounds v. Smith 430 U.S. 817, 97 S. Ct. 1491 (1977) Lewis v Casey 518 U.S. S. Ct 2174 (1996)

There is an imbalance of equality of justice between poor people and wealthy and the quality of legal help they can obtain. The appellant was assigned trial counsel who wasn't proficient in his duties. Asking a few general questions isn't the same as asking the right questions that are pertinent to bring about the truth and submit correct facts to the jury creating reasonable doubt when making a life altering decision on the defendant. The defendant's trial counsel did not discuss her case with her to prepare her for trial. He had no knowledge of the substantial facts that may not have been in the discovery, this prevented the attorney to raise properly, defenses at pretrial or trial. Strickland v. Washington 466 U.S. 680 The sixth amendment imposes on counsel a duty to investigate, because reasonable effective assistance must be based on professional decisions and informed legal choices can be made only after investigation of options ... there can be no strategic choice that renders such a investigation unnecessary. ID, at 1252. The trial attorney admitted under oath to not communicating with the client. Counsel had none of the knowledge needed to plan a defense, challenge alleged evidence and call witnesses. He was under obligation to put genuine effort into proving his clients innocence. Their was no due diligence on his part. Trial counsel did not know what was in the discovery, he did not know the alleged evidence to fight it, it was inadmissible but he failed to do pretrial work to know laws, case laws, or statues that forbid the alleged evidence. He lacked knowledge of the circumstances surrounding Ms Knights desperate need to commit perjury to save herself from returning to prison, plus her depraved hatred and jealousy that escalated to dangerous behavior that's why she deliberately misidentified the defendant.

Trial attorney lacked the basic ability to call witnesses even when a worthy

witness came to him, Mr Whitman had outright stated I want to be a witness for the defense. Every attorney understands talk to your client, ask if there are any viable witnesses. He failed to even ask about her version of events and failed to investigate her driving her vehicle through out the day and night. He had the opportunity to present the jury with verifiable proof from discovery that Ms Knight committed several perjury's and impeded an investigation, which she should have been charged with a crime. Ms Knight had received special benefits from the state for testifying and was ultimately not held accountable for her attack on Ms Adkins, denying Ms Adkins' rights as a victim. Trial attorney had the means to investigate and bring forth to the jury legitimate proof to back up Ms Adkins allegations of Knights bad acts of stalking and harassment towards her, so they would not be blanket statements the States claimed and would meet the relevance and bias mentioned by judge in limine.

Trial attorney failed to impeach through discovery evidence, the evolving description by Mr Wolf of the suspect which was critical to prove misidentification to the jury. Ms Campayno testify it was not the defendant she saw that night. He also failed to call Ms Bouchard as a rebuttal to Ms Knights many stories since she was used in one of them by Ms Knight, her testimony would prove Ms Knight perjury.

Judge Pader violated the appellants right to defend herself and to call witnesses. The appellants witnesses would have brought Knights perjury and motives to light telling the correct version of events for 2-21-14 and 12-28-13 to create reasonable doubt. The two deputies would have been more creditable than the known liar that Ms Knight was. Ms Knight own step father's testimony would have given the jury a look at her real motives and intentions towards Ms Adkins and backed up Ms Adkins theory of deliberate misidentification.

Judge Pader overlooked laws, case laws and statues when denying the post-conviction. She is misleading, misreading and or miquoting statements from the transcripts like she either wasn't paying attention, skimming the pages or not taking very

good notes. Her denial statements led the appellant to believe she was not using sound judicial reasoning but was bias towards the appellant ignoring obvious errors, violations and evidence. Theres no confidence in her decision, it was not accurate, she mistakens details of issues in grounds, testimony and law, this denial should not be allowed to stand this petition should be granted because of her mistakes.

Judge Pader attributes CST Wagner as connecting defendant to the crime through residue on evidence which is refuted by record. CST Wagner testified he placed the residue on evidence his self while conducting fingerprinting. You can visually see the difference in the physical condition between the left over 3 bullets in a baggie and the states shell casing. The appellants were extremly old, worn and corroded with a headstamp WCC90. The States was new, lacking scratch marks and had clarity of metal its headstamp was FC 9mm. It's clear they were not from the same source, not a sufficient link to the crime it was a misleading theory of guilt that should have been inadmissible. By not knowing his discovery trial attorney failed to show the jury a piece of evidence, a blue note inside the bag. It contained the Who, How and Why the bullets came into the appellants possession. This would have caused reasonable doubt and shown they were not related.

Judge Pader states CST Wagner connected defendant to crime through a gun case that is not his testimony, he said a 9mm would fit "depending on the gun" and the fingerprint report had "eliminated Louise Adkins as a suspect". This gun case was not relevant and should have been inadmissible. It was not unusual to find a gun paraphernalia where a gun owner or previous owner lived. Her gun was stolden and recovered but still held a Sheriffs dept. not having been returned and never replaced. A 9mm is such a common gun and ammunition in our society, to say previous ownership connects you to a crime isn't a sufficient link. Under Cooper v. State, 778 So.2d 542 (Fla. 3d DCA 2001) The simple possession of this type of ammunition was not a crime, wrong or bad act. The fact the defendant was in possession of this type of ammunition

simply did not legitimately raise the inference that the defendant was the killer.

Judge Pader ignores perjury laws and that Ms Knight was a known liar who committed perjury giving several versions of events and descriptions. In one version Ms Knight told Dect. Burns suspect wore a blue windbreaker, to another person she said black jacket. Which version did the judge pick to believe, neither matched the article of clothing in the photo, when she claimed the photo contained clothing Ms Knight described. The photo contained a long leather coat which is distinguishable from a jacket or windbreaker making it irrelevant and inadmissible. The Sheriff's dept. didn't collect it stating it wasn't relevant. No witness identified the item in the photo. Here again Judge Pader ignores rules governing evidence and case laws that forbids the admission of photos as evidence and case laws that forbids the admission of photos as evidence over the original. The best evidence rule 90.952, Fla. Stat. (2010) is predicate on the priciple that if the original is availible that evidence should be presented to ensure accurate transmittal of the critical facts continued within it. Fla. Stat. 90.403 covers danger of unfair prejudice of inadmissible evidence. O'Conner v. State 835 So.2d 1226 covers photos as evidence. See Youngblood 488 U.S. At 57-58, due process clause imposes a absolute duty of police to retain/preserve evidence. These cases and statues would cover the photos of the coat and gloves. With the gloves, no witness ever stated subject wore gloves and never identified them, and neither coat or gloves were collected or tested.

In the U.S. Most Americans own a coat or jacket its to common of a item to say ownership connects a person to a crime based on a photo only. By law the defendant has a right to dispute alledge evidence and its impossible to conduct forensic testing on a photo. It is of the upmost importance to require the original be collected before claiming it as evidence.

CONCLUSION

Wherefore, the Defendant, Louise Adkins, for the foregoing grounds, individually and collectively, request this Honorable Court to enter an order vacating the judgment and sentence in this cause and for such other and further relief as this Court deems just and proper under the circumstances.

The petition for a writ of certiorari should be granted.

Respectfully Submitted,

Louise Adkins

Louise Adkins DC# S37259

Date: ~~September 15, 2025~~ ~~January 16, 2026~~ February 23, 2026

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on ~~September 15~~ ~~January 16, 2026~~ February 23, 2026, 2025

Louise Adkins
(Signature)

U.S. Supreme Court Clerk
1 First St. N.E.
Washington, D.C. 20543-0002

U.S. Attorney General
U.S. Dept Of Justice
950 Pennsylvania Ave. N.W.
Washington, D.C. 20530-0001

PROVIDED TO:
Lowell Correctional Annex
SEP 15 2025
BY: SA for mailing

State Attorney General OF Florida
The Capitol - PL-01
Tallahassee, FL 32399-1050

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