

AMENDED

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No. _____

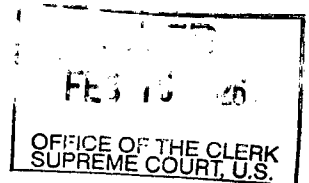
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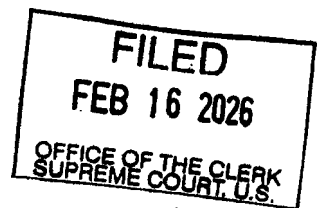
WASHINGTON D.C.

IN THE
SUPREME COURT OF THE UNITED STATES

WASHINGTON, D.C.



TRACY E. DORITY - Petitioner
(Your Name)



VS.

SEC., FLDOE - Respondent(s)

on

PETITION FOR A WRIT OF CERTIORARI

to

FLORIDA SUPREME COURT

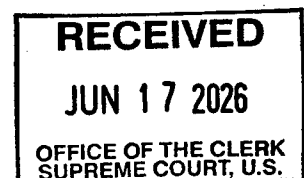
(Name of Court that last ruled on merits of your case)

PETITION FOR A WRIT OF CERTIORARI

TRACY E. DORITY
(Your Name)

F.D.O.C. # J31955

BLACKWATER RIVER CORRECTIONAL FACILITY
5914 JEFF ATES ROAD
MILTON, FLORIDA 32583



QUESTION(S) PRESENTED

1) WAS THE FLORIDA SUPREME COURT'S SUMMARY denial OF PETITIONER'S WRIT OF HABEAS CORPUS CONTRARY TO CLEARLY ESTABLISHED FEDERAL LAW DETERMINED BY THE U.S. SUPREME COURT IN Wilson v. Sellers?

2) DID THE TRIAL COURT HAVE SUBJECT-MATTER JURISDICTION TO TRY PETITIONER AFTER THE 120 DAYS SPEEDY TRIAL HAD EXPIRED PURSUANT TO THE INTERSTATE AGREEMENT DETAINERS ACT?

3) WAS PETITIONER denied HIS U.S. CONST. 6TH AMEND. RIGHT TO A SPEEDY TRIAL?

4) IS THE PETITIONER BEING UNLAWFUL DETAINED IN CUSTODY IN VIOLATION OF THE LAWS OR TREATIES OF THE UNITED STATES CONSTITUTION WITHOUT LEGAL REASON?

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:

DORITY v. SEC., FLDOE

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Statutes and Rules:

F.S. 787.01 (A) (2)
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 F.S. 812.133 (2) (b)
 F.S. 812.131 (2) (b)
 Fla. R. Crim. P. 3.191 (A)
 Article III (A) STAT. 941.45 (4) (c) (1987)

Other:

U.S. CONST. 5TH, 6TH AND 14TH Amend.
 Fla. CONST. 5TH, 6TH AND 14TH Amend.
 Article I Section 13 Fla. CONST.

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari 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 C 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 FLORIDA SUPREME Court appears at Appendix C to this 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 _____, 20__.

[] 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 12/12/25.
A copy of that decision appears at Appendix A.

[] A timely petition for rehearing was thereafter denied on the following date: _____, 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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

UNITED STATES CONSTITUTION 5TH, 6TH AND 14TH AMENDMENT

FLORIDA CONSTITUTION 5TH, 6TH AND 14TH AMENDMENT

F.S. 787.01 (A) (2)

F.S. 794.011 (5)

F.S. 812.123 (2) (b)

F.S. 812.131 (2) (b)

FLA. R. CRIM. P. 3.191 (A)

ARTICLE III (A) STAT. 941.45 (4) (C) (1987)

ARTICLE I, SECTION 13 FLORIDA CONSTITUTION

STATEMENT OF THE CASE

ON June 5, 2002, PETITIONER WAS CHARGED BY INFORMATION WITH THE FOLLOWING:

COUNT 1, KIDNAPPING 787.01(1)(A)(2) F.S., COUNT 2, SEXUAL BATTERY 794.011(5) F.S., COUNT 3, CARJACKING 812.133(2)(15) F.S. AND ROBBERY BY SUDDEN SNATCHING 812.131(2)(15) F.S.

THE ABOVE CITED OFFENSES WERE ALLEGED TO HAVE OCCURRED IN DUVAL COUNTY, FLORIDA ON MARCH 26, 2001. (APP'X (A)).

ON JULY 23, 2002, PETITIONER WAS ARRESTED AND WAS PREVIOUSLY IN THE CUSTODY OF COOK COUNTY JAIL IN CHICAGO, ILL. AND REFUSED TO WAIVE EXTRADITION TO BE BROUGHT BACK TO DUVAL COUNTY, FLORIDA ON SAID CHARGES. (APP'X (B)).

ON OR AROUND AUGUST 27, 2002, THE STATE OF FLORIDA FILED A NOTICE OF AN OFFICIAL REQUEST FOR GOVERNOR'S EXTRADITION WARRANT FOR THE PETITIONER WHO WAS BEING HELD IN CHICAGO, ILLINOIS COOK COUNTY JAIL ON OTHER CHARGES. (APP'X (B)). ONE WAS ISSUED ON OCTOBER 2, 2002, AND THE SECOND ONE WAS ISSUED ON AUGUST 20, 2004. PETITIONER WAS NOT TRANSPORTED TO DUVAL COUNTY FLORIDA UNTIL OCTOBER 27, 2005, THUS, VIOLATING THE INTERSTATE AGREEMENT DETAINER'S ACT OF 120 DAYS. (APP'X (B)).

ON FEBRUARY 21, 2006 THE STATE OF FLORIDA FILED AN AMENDED INFORMATION CHARGING PETITIONER WITH THE SAME FOUR COUNTS CHARGED IN THE PREVIOUS INFORMATION. (APP'X (B)). PETITIONER'S TRIAL WAS CONDUCTED ON SEPTEMBER 14, 2006.

ON THE PETITIONER, PETITIONED THE FLORIDA SUPREME COURT FOR A WRIT OF HABEAS CORPUS FOR IMMEDIATE RELEASE PURSUANT SECTION 5 OF ARTICLE V FIA. CONSTITUTION DUE TO HIM BEING UNLAWFUL DETAINED WITHOUT LEGAL REASONS. (APP'X (D)).

REASONS FOR GRANTING THE PETITION

THE Florida Supreme COURT'S decision is CONTRARY TO CLEARLY established Federal LAW in its SUMMARY denial of THE PETITIONER'S PETITION FOR WRIT OF HABEAS CORPUS FOR being UNLAWFUL detained WITHOUT LEGAL REASON in VIOLATION OF THE SPEEDY TRIAL UNDER THE INTERSTATE AGREEMENT DETAINERS ACT PURSUANT TO ARTICLE III (A) FLA. STAT. CH. 941.45 (4)(c) (1987), denying PETITIONER HIS SIXTH AMENDMENT RIGHT TO A SPEEDY TRIAL WHERE TRIAL FAILED TO COMMENCE WITHIN 120 DAYS UPON HIS ARRIVAL IN DUAL COUNTY, THE STATE OF Florida ALSO VIOLATED FLA. R. CRIM. P. 3.191 (A).

THE general Rule is ANY PERSON detained in CUSTODY WHETHER CHARGED WITH A CRIMINAL OFFENSE OR NOT MAY PROSECUTE A WRIT OF HABEAS CORPUS TO INQUIRE INTO THE CAUSE OF HIS OR IMPRISONMENT OR RESTRAINT. THE SCOPE AND FLEXIBILITY OF THE WRITS CAPACITY TO REACH ALL MANNER OF illegal detention, THAT IT BE ADMINISTERED WITH THE INITIATIVE ESSENTIAL TO INSURE THAT MISCARRIAGES OF JUSTICE WITHIN ITS REACH ARE SURFACED AND CORRECTED. HARRIS V. NELSON, 394 U.S. 286, 291, 89 S. CT. 1082, 22 L. ED. 2d 281 (1969). See ALSO WINGO V. WEDDING, 418 U.S. 461, 468, 94 S. CT. 2842, 41 L. ED. 2d 879 (1974).

THUS, PETITIONER is being Held in CUSTODY in VIOLATION OF THE LAWS AND TREATIES OF THE UNITED STATES CONSTITUTION WHERE HIS 6TH AMENDMENT RIGHT TO A SPEEDY TRIAL WAS VIOLATED RESULTING in A FUNDAMENTAL MISCARriage OF JUSTICE AND REQUIRES A Federal look THROUGH. THE Florida Supreme COURT'S SUMMARY decision is CONTRARY TO THE UNITED STATES Supreme COURT decision in WILSON V. SELLERS, 584 US, 138 S. CT. 200 L. ED. 2d 530, 2018 LEXIS 2496. See ALSO Boumediene V. BUSH, 533 U.S. 723, 765, 128 S. CT. 2229, 171 L. ED. 41 (2008); PORTER V. PORTER, 60 FLA. 404, 53 SO. 546, 547 (FLA. 1910).

CONCLUSION

This Petition for a Writ of Certiorari should be granted.

Respectfully submitted,

/s/ Dorothy Arany

Date: 5-12-26