

SUPREME COURT OF FLORIDA

**CHADRICK PRAY,
Petitioner,**

V.

**BROWARD COUNTY CLERK,
OF CIRCUIT COURT,
Respondent.**

Case No: T.B.A.

L.T. Case No: 04-2016-CA-0062

#00-3032CF10A

**LEGAL MAIL
PROVIDED TO
FLORIDA STATE PRISON
DATE 4-21-16 FOR MAILING.
INMATES INITIALS CP**

FILED
JOHN A. TOMASINO
APR 27 2016
CLERK, SUPREME COURT
BY

PETITION FOR WRIT OF MANDAMUS

Pursuant to Rule 9.100, Petitioner, Respectfully Petitions this Court for a Writ of Mandamus compelling the Broward County Clerk of Circuit Court to forthwith transmit Petition for Writ of Habeas Corpus to the Administrative Judge of the Appellate Division under Rule 9.100(f)(3) of the Florida Rules of Appellate Procedure.

I. Basis For Invoking Jurisdiction

This Court has jurisdiction to issue a Petition for Writ of Writ of Mandamus under Article V. Section 3 (b) (8) of the Florida Constitution and Rule 9.030 (b) (3) of the Florida Rules of Appellate Procedure. The Supreme Court has discretionary jurisdiction to issue writs of mandamus to state officers and state agencies. See: Gwong v. Singeltary, 683 So.2d 109 (Fla. 1996).

II. STATEMENT OF THE FACTS

The Petitioner, is incarcerated in the Florida Department of Corrections on detention orders entered by the Seventeenth Judicial Circuit in ans for Broward County, Florida. (App. A). On February 3, 2016, in case number # 04-2016-CA-0062, filed a Petition for Writ of Habeas Corpus, in the Eighth Judicial Circuit of Bradford County, the county of which he is incarcerated. (App. A, p. I). The Petition demonstrated that he is entitled to immediate release because his detention orders are void and entered without jurisdiction by Broward County in case number # 00-3032CF10A. (App. A, pp. 1-28).

On February 24, 2016, the Eighth Judicial Circuit of Bradford County, entered an order transferring the Petition for Writ of Habeas Corpus to the Circuit Court of the Seventeenth Judicial Circuit in ans for Broward County, Florida. (App. B).

On March 23, 2016, the Clerk of the Court for the Seventeenth Judicial Circuit of Broward County, Florida, defaulted the proceeding by virtue of returning the Petition for Writ of Habeas Corpus and the entire content of the file to the Petitioner on the basis that he was subsequently barred from further pro se filings on July 22, 2014, which has no bearings on the duties of the Clerk in that proceeding. (App. C). This Petition Follows:

III. THE NATURE OF THE RELIEF SOUGHT

The nature of the relief sought by this Petition is a Writ of Mandamus compelling the Respondent as the Clerk of the Circuit Court to forthwith transmit the Petition for

Writ of Habeas to the Administrative Judge of the Appellate Division, or other Appellate Judges, or Judges as prescribed by Administrative order, for a determination as to whether an order to show cause should be issued.

IV. ARGUMENT

The Supreme Court has discretionary jurisdiction to issue writs of mandamus to state officers and state agencies. See: Gwong v. Singletary, 683 So.2d 109 (Fla. 1996). A petition for Writ of Mandamus must allege a violation of a clear right and the breach of an indisputable legal duty. See: Pleus v. Crist, 14 So.3d 941 (Fla. 2009). The official duty in question must be ministerial and not discretionary. See: Pace v. Singletary, 633 So.2d 516 (Fla. St DCA 1994). A “Duty or act is defined as ministerial when there is no room for the exercise of discretion, and the performance being required is directed by law.” See: Town of Manalapan v. Rechler, 674 So.2d 789 (Fla. 4th DCA 1996), citing Solomon v. Sanitarians Registration Bd., 155 So.2d 353 (Fla. 1963).

Section 9.100(f)(1) of the Florida Rules of Appellate Procedure, Provides: That “the following additional requirements apply to those proceedings that invoke the jurisdiction of the circuit court described in Rules 9.030(c)(2) and (c)(3) to the extent that the Petition involves review of Judicial or Quasi-Judicial Action.” Here, the Petition for Writ of Habeas Corpus was transferred to the Seventeenth Judicial Circuit of Broward County, Florida, on a demonstration that Petitioner is entitled to immediate release because the detention orders was entered without jurisdiction by the court, which

meets the applicability of subsection (f).

Thus, the duty of the Circuit Court Clerk was ministerial pursuant to statute, because “when a Petition prescribed by this subdivision is filed, the Circuit Court Clerk shall forthwith transmit the Petition to the administrative Judge of the Appellate Division, or other Appellate Judge or Judges as prescribed by administrative order, for a determination as to whether an order to show cause should be issued.” Section 9.100(f)(3), Fla. Stat. Furthermore, subsection 9.100(f)(4), states that “the Clerk of the Circuit Court shall not enter a default in a proceeding where a petition has been filed pursuant to this subdivision. Id. Here, the Clerk of the Circuit Court entered default in the form of returning the Petition for Writ of Habeas Corpus to Petitioner and not transmitting it forthwith the appropriate Judge for consideration.

Because the Clerk of the Circuit Court incorrectly exercised discretion over the matter that should have be treated as a ministerial function, this court should issue a Writ of Mandamus to correct this error. The Clerk of the Circuit Court should be directed to forthwith transmit the Petition (Habeas Corpus) to the appropriate Judges as prescribed by administrative order.

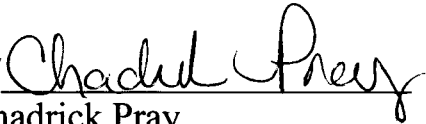
Respectfully Submitted,

/s/ Chadrick Pray

Chadrick Pray
Florida State Prison
7819 NW 228th Street
Raiford, FL 32026-2600

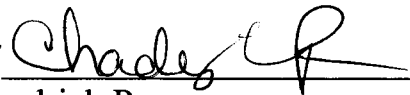
CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that I have placed this Petition in the hands of Florida State Prison, mail room staff, for mailing to: Howard C. Forman, Clerk of the Court, 201 S.E. 6th Street, Fort Lauderdale, Florida, 33301; and the Office of the State Attorney, 201 S.E. 6th Street, Fort Lauderdale, Florida, 33301 on this 21 day of April, 2016.

/s/ 
Chadrick Pray
Florida State Prison
7819 NW 228th Street
Raiford, FL 32026-2600

CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY, that this petition complies with the font requirements of Rule 9.100 (1) of the Florida Rules of Appellant Procedure.

/s/ 
Chadrick Pray
Florida State Prison
7819 NW 228th Street
Raiford, FL 32026-2600

IN THE Circuit Court of the Eighth Judicial Circuit
IN AND FOR BRADFORD COUNTY, FLORIDA

CHADRECK PRAY,
Petitioner,

v.
Julie L. Jones, Secretary,
Florida Department of
Corrections, etc.,
Respondent.

04-2016-CA-0062
Case No: T.B.A.

LEGAL MAIL
PROVIDED TO
FLORIDA STATE PRISON
DATE 1-27-16 FOR MAILING.
INMATES INITIALS ✓

PETITION FOR writ of Habeas Corpus

Comes Now, Petitioner, Pro Se, Pursuant to Rule
1.630 of the Florida Rules of Civil Procedure, and
Petitions the Court to issue a writ of Habeas Corpus
directed to Respondent and states the following
in support thereof:

FILED
OFFICE OF THE CLERK
BRADFORD COUNTY
FLORIDA
2016 FEB 27 12

I. Basis for invoking Jurisdiction

This Court has Jurisdiction to issue a writ of
Habeas Corpus under Article 5, Section 5(b) of the
Florida Constitution, and Rule 9.030(c)(3) of the
Florida Rules of Appellate Procedure. See: Sneed
v. Mayo, 66 So.2d 865 (Fla. 1953) and Allison v.
Baker, 152 Fla. 274, 11 So.2d 573 (1943). Habeas Corpus
is the proper remedy to determine the validity of
a restraint under which a person is held.

II. STATEMENT OF THE FACTS

ON OCTOBER 26, 2000, THE PETITIONER WAS
TRANSFERRED TO THE CUSTODY OF THE RESPONDENT
AND IS NOW CONFINED AT FLORIDA STATE PRISON

APP. X

SERVING TWO LIFE IMPRISONMENT TERMS IMPOSED BY THE SEVENTEENTH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA, IN CASE NUMBER # 00-3032CF10A. (APPENDIX A). THE PETITIONER CONTENDS THAT HE IS BEING ILLEGALLY DETAINED IN THE EIGHTH JUDICIAL CIRCUIT IN LIEU OF A DETENTION ORDER THAT IS VOID ON THE BASIS OF A CHARGING INSTRUMENT THAT FAILS TO CHARGE THE OFFENSE OF ATTEMPTED FELONY MURDER IN COUNT ONE, BY VIRTUE OF USING ELEMENTS ESSENTIAL TO THE UNDERLYING ROBBERY OFFENSE, WHICH IS PROHIBITED BY LAW. (APPENDIX B). ADDITIONALLY, PETITIONER IS SUBJECTED BY A VOID SENTENCING ORDER IN COUNT TWO, ON THE BASIS OF A SENTENCE THAT EXCEEDS TEN, AND IS VOID AS TO EXCESS, AND THE TEN YEAR PORTION OF THE AUTHORIZED SENTENCE HAS NOW BEEN SERVED. (APPENDIX C). ACCORDINGLY, THE PETITIONER IS NOW DETAINED UNLAWFULLY AND A MANIFEST INJUSTICE WILL OCCUR IF IT IS NOT REMEDIED.

III. NATURE OF THE RELIEF SOUGHT

THE NATURE OF THE RELIEF SOUGHT BY THIS PETITION IS A WRIT OF HABEAS CORPUS COMMANDING THE RESPONDENT TO RELEASE THE PETITIONER FROM HER CUSTODY.

IV. ARGUMENT

WHILE PETITIONER WAS CONVICTED AND SENTENCED IN BROWARD COUNTY, A COUNTY NOT WITHIN THE TERRITORIAL JURISDICTION OF THIS COURT, THIS COURT NEVERTHELESS HAS JURISDICTION TO REVIEW THE

SENTENCING ORDER BECAUSE THE PETITIONER IS CURRENTLY ASSIGNED TO FLORIDA STATE PRISON, WHICH IS WITHIN THE TERRITORIAL JURISDICTION OF THIS COURT. SEE: ALANUA REG' L JUVENILE DET. CTR. V. T.O., 684 So.2d 814, 816 (FLA. 1996). IN THIS CASE, "THE SCOPE OF REVIEWING COURT'S INQUIRY IS LIMITED TO WHETHER THE ORDER WAS ENTERED WITHOUT JURISDICTION BY THE COURT OR WHETHER THE ORDER IS VOID OR ILLEGAL" Id., SEE ALSO: MURRAY V. REGIER, 872 So.2d 217, 221 (FLA. 2002) AND PRESTLY V. TADLOCK, 968 So.2d 1057, 1058 (FLA. 2d DCA 2007). THE CRUX OF THE INQUIRY IS WHETHER THE ORDER IS VOID OR PATENTLY ILLEGALLY, AND "[T]HE REVIEWING COURT MAY NOT DISCHARGE THE DETAINEE IF THE DETENTION ORDER IS MERELY DEFECTIVE, IRREGULAR, OR INSUFFICIENT IN FORM OR SUBSTANCE." Id., 684 So.2d AT 816. AS A PRACTICAL MATTER, "IF THE CHALLENGED DETENTION ORDER [IS] DETERMINED TO BE IN VIOLATION OF THE PETITIONER'S CONSTITUTIONAL GUARANTEE OF DUE PROCESS, THEN THE ORDER WOULD CLEARLY BE 'ILLEGAL' AND NOT MERELY DEFECTIVE, IRREGULAR, OR INSUFFICIENT IN FORM OR SUBSTANCE." MURRAY, 872 So.2d AT 222.

HERE, THE RECORD REVEALS THAT THE DETENTION ORDER UNDER WHICH PETITIONER IS BEING HELD IS VOID AND ILLEGAL IN CONJUNCTION OF TWO ERRORS COMMITTED IN BOTH COUNTS. FIRST, THE DETENTION ORDER ENTERED FOR THE ATTEMPTED FELONY MURDER OFFENSE IS WITHOUT JURISDICTION AND IN VIOLATION OF PETITIONER'S CONSTITUTIONAL GUARANTEE OF DUE PROCESS ON THE BASIS THAT THE CHARGING INSTRUMENT FAILS TO CHARGE THE CRIME OF ATTEMPTED FELONY MURDER PURSUANT TO SECTION 782.051(1), FLORIDA STATUTES. SECTION 782.051(1) PROVIDES "THAT ANY PERSON WHO PERPETRATES OR ATTEMPTS TO PERPETRATE

ANY FELONY ENUMERATED IN 782.04(3) AND WHO AID, OR ABETS ANY INTENTIONAL ACT THAT IS NOT AN ESSENTIAL ELEMENT OF THE FELONY AND THAT COULD, BUT DOES NOT, CAUSE THE DEATH OF ANOTHER COMMITS A FELONY OF THE FIRST DEGREE, PUNISHABLE BY IMPRISONMENT FOR A TERM OF YEARS NOT EXCEEDING LIFE, OR AS PROVIDED IN §. 775.082, §. 775.083, OR §. 775.084, WHICH IS AN OFFENSE RANKED IN LEVEL 9 OF THE CRIMINAL PUNISHMENT CODE. VICTIM INJURY POINTS SHALL BE SCORED UNDER THIS SUBSECTION." THE CHARGING INSTRUMENT CHARGED AN OFFENSE OF VIOLATING SECTION (1) BY ALLEGING THAT:

" [PETITIONER] ON THE 15TH DAY OF OCTOBER, A.D. 1999, IN THE COUNTY AND STATE AFORESAID, DID UNLAWFULLY PERPETRATE OR ATTEMPTED TO PERPETRATE A FELONY ENUMERATED IN F.S. 782.04 (3), TO-WIT: ROBBERY, MORE PARTICULARLY DEFINED AS THE TAKING OF MONEY OR OTHER PROPERTY FROM THE PERSON OR CUSTODY OF ANOTHER, WITH INTENT TO EITHER PERMANENTLY OR TEMPORARILY DEPRIVE THE PERSON OR OWNER OF THE MONEY OR OTHER PROPERTY, WHEN IN THE COURSE OF THE TAKING THERE IS THE USE OF FORCE, VIOLENCE, ASSAULT, OR PUTTING IN FEAR AND IN FURTHERANCE OF SAID PERPETRATION OR SAID ATTEMPT, DID COMMIT, AID, OR ABET AN INTENTIONAL ACT THAT IS NOT AN ESSENTIAL ELEMENT OF SAID ENUMERATED FELONY, TO-WIT: SHOOTING AND WOUNDING WILL TISDALE AND SAID ACT COULD HAVE BUT DID NOT CAUSE THE DEATH OF ANOTHER HUMAN BEING, TO-WIT: WILL TISDALE, CONTRARY TO F.S. 782.051 (1)." (APPENDIX B).

PURSUANT TO THE LANGUAGE OF SECTION 782.051 (1), IN ORDER TO BE CHARGED WITH ATTEMPTED FELONY MURDER, PETITIONER MUST HAVE COMMITTED OR ATTEMPTED TO

COMMIT AN UNDERLYING ENUMERATED FELONY AND MUST HAVE AIDED OR ABETTED IN THE COMMISSION OF AN INTENTIONAL ACT WHICH COULD HAVE RESULTED IN THE VICTIM'S DEATH, BUT WHICH ACT IS NOT AN ESSENTIAL ELEMENT OF THE UNDERLYING OFFENSE. THE DEADLY ACT CANNOT BE AN ESSENTIAL ELEMENT OF THE UNDERLYING FELONY.

HERE, THE CHARGING INSTRUMENT DOES ALLEGE FACTS RELATING TO ALL OF THE ELEMENTS EXPRESSLY REQUIRED BY SECTION 782.05(1), HOWEVER, IT DOES NOT ALLEGE ALL THE ELEMENTS ESSENTIAL TO CONSTITUTE THE CRIME OF ATTEMPTED FELONY MURDER. THE "USE OF FORCE" (THE SHOOTING OF THE VICTIM) WAS ITSELF AN ESSENTIAL ELEMENT OF THE UNDERLYING ROBBERY AND THE USAGE TO FORM THE BASIS OF THE ATTEMPTED FELONY MURDER CHARGE WAS "PROHIBIT" BY SECTION 782.05(1). SEE ALSO: SECTION 812.13(1), FLORIDA STATUTES ("ROBBERY MEANS: THE TAKING OF MONEY OR OTHER PROPERTY WHICH MAY BE SUBJECT OF LARCENY FROM THE PERSON OR CUSTODY OF ANOTHER, WITH INTENT TO EITHER PERMANENTLY OR TEMPORARILY DEPRIVE THE PERSON OR THE OWNER OF THE MONEY OR OTHER PROPERTY, WHEN IN THE COURSE OF THE TAKING THERE IS THE USE OF FORCE, VIOLENCE, ASSAULT, OR PUTTING IN FEAR").

FURTHERMORE, SECTION 812.13(3), FLORIDA STATUTES, STATES:

"(b) AN ACT SHALL BE DEEMED 'IN THE COURSE OF THE TAKING' IF IT OCCURS EITHER PRIOR TO, CONTEMPORANEOUS WITH, OR SUBSEQUENT TO THE TAKING OF THE PROPERTY AND IF IT AND THE ACT OF TAKING CONSTITUTE A CONTINUOUS

SERIES OF ACTS OR EVENTS."

THE "ESSENTIAL ELEMENT" MEANS AN ULTIMATE FACT ESSENTIAL TO THE ALLEGATION OF A CRIMINAL OFFENSE AND WHERE THE USAGE OF THE FORCE (THE SHOOTING OF THE VICTIM) WAS AN ESSENTIAL ELEMENT OF THE UNDERLYING ROBBERY OFFENSE' IT WAS PROHIBITED BY SECTION 7B.05(1) AND THE CHARGING DOCUMENT FAILS TO ALLEGE (OR ESTABLISH) AN INDEPENDENT ACT THAT [WAS] NOT AN ESSENTIAL ELEMENT OF THE UNDERLYING OFFENSE, IT FAILS TO CHARGE A CRIMINAL OFFENSE OF ATTEMPTED FELONY MURDER, WHICH IS A DENIAL OF DUE PROCESS OF LAW. SEE: Thorhill v. Alabama, 310 U.S. 88, 60 S.Ct. 736, 84 L.Ed. 1093 (1940) AND De Jonge v. Oregon, 299 U.S. 353, 57 S.Ct. 255, L.Ed. 278 (1937). THE CHARGING INSTRUMENT COMPLETELY FAILS TO CHARGE A CRIME, A CONVICTION THEREON VIOLATES DUE PROCESS. WHERE A INFORMATION WHOLLY OMTS TO ALLEGE AN ESSENTIAL ELEMENT OF AN OFFENSE, IT FAILS TO CHARGE A CRIME UNDER THE LAW OF THE STATE. SEE: State v. Gray, 435 So.2d 816 (Fla. 1983), ACCORD, CATANESZ V. STATE, 251 So.2d 572 (Fla. 4TH DCA 1971) ("WHERE THE INFORMATION WHOLLY FAILS TO CHARGE A CRIME, IT IS VOID AND MUST BE SET ASIDE").

WHEN CHARGE PREPARED ATTACHES NO CRIMINALITY, PARTY IMPRISONED THEREUNDER IS ENTITLED TO DISCHARGE. SEE: EX PARTE GARVEY, 84 FLA. 583, 94 So. 381 (1922).

SECOND, THE SENTENCING ORDER FOR THE ATTEMPTED ROBBERY WITH A FIREARM OFFENSE IS WITH-

SECTION 812.13 (1), FLA. STAT.

OUT JURISDICTION ON THE BASIS THAT IT IS VOID AS TO EXCESS, BECAUSE IT EXCEEDS TEN YEARS TEN COUNT TWO.

HERE, THE TRIAL COURT HAD NO JURISDICTION TO IMPOSE A LIFE SENTENCE UNDER SECTION 775.087 (2) (A)(3) OF THE FLORIDA STATUTES. THE RECORD REVEALS THAT PETITIONER WAS CHARGED BY INFORMATION THAT ALLEGED THAT IN THE COURSE OF COMMITTING AN ATTEMPTED ROBBERY OFFENSE, "CARRIED A FIREARM" (APPENDIX B). THE 10-20-LIFE STATUTE PROVIDES FOR A MAXIMUM MANDATORY SENTENCE OF TEN YEARS FOR A POSSESSION OF A FIREARM DURING THE COMMISSION OF AN ATTEMPTED ROBBERY¹ AND A MAXIMUM MANDATORY SENTENCE OF TWENTY YEARS FOR THE DISCHARGING OF A FIREARM DURING THE COMMISSION OF AN ATTEMPTED ROBBERY² AND A MAXIMUM MANDATORY OF NOT LESS THAN 20 YEARS AND NOT MORE THAN LIFE IMPRISONMENT FOR DISCHARGE OF A FIREARM CAUSING DEATH OR GREAT BODILY HARM DURING THE COMMISSION OF AN ATTEMPTED ROBBERY³. HOWEVER, BEFORE A TRIAL COURT MAY IMPOSE THE MINIMUM MANDATORY SENTENCE, THE JURY MUST MAKE A SPECIFIC FINDING OF THE FACT THAT DICTATES THE MINIMUM MANDATORY SENTENCE, I.E., "POSSESSION, OR DISCHARGE OF THE FIREARM, OR DISCHARGE CAUSING DEATH OR GREAT BODILY HARM. SEE: TUCKER V. STATE, 726 SO.2D 768 (FLA. 1999).

THE VERDICT FORM SUBMITTED TO PETITIONER'S JURY PROVIDED THREE (3) OPTIONS:

- ¹ SECTION 775.087 (2) (A) (1), FLA. STAT.
- ² SECTION 775.087 (2) (A) (2), FLA. STAT.
- ³ SECTION 775.087 (2) (A) (3), FLA. STAT.

A. THE DEFENDANT IS GUILTY OF ATTEMPTED ROBBERY WITH A FIREARM, AS CHARGED IN INFORMATION.

B. THE DEFENDANT IS GUILTY OF PETIT THEFT, A LESSER INCLUDED OFFENSE.

C. THE DEFENDANT IS NOT GUILTY.

THE JURY CHOSE OPTION "A" AND CONVICTED PETITIONER OF ATTEMPTED ROBBERY WITH A FIREARM AS CHARGED IN INFORMATION. (APPENDIX D). THIS DICTATED A TEN YEAR MINIMUM MANDATORY SENTENCE UNDER SECTION 775.087 (2)(A)(I).

THE LIFE SENTENCE IS IN EXCESS OF THE JURY DICTATION, INASMUCH, AS THE PETITIONER HAS ALREADY SERVED MORE THAN TEN YEARS OF THE PRISON SENTENCE WHICH WAS IMPOSED, IT WOULD BE AN IDLE CEREMONY AND SERVE NO USEFUL PURPOSE TO TRANSFER THE ISSUE TO THE JUDICIAL CIRCUIT OF THE SEVENTEENTH JUDICIAL IN AND FOR BROWARD COUNTY FOR IMPOSITION OF A NEW SENTENCE. THE SENTENCING COURT HAD THE JURISDICTION TO IMPOSE A PRISON SENTENCE OF TEN YEARS, BUT THE PORTION OF THE SENTENCE BEYOND TEN YEARS IS EXCESSIVE, ILLEGAL, AND VOID. IN THIS CIRCUMSTANCE, PETITIONER IS NOW ILLEGALLY DETAINED AND IS NOW ENTITLED TO AN ORDER DISCHARGING HIM FROM FURTHER CUSTODY. SEE DEVOS V. TUCKER, 152 SO. 624 (FLA. 1934) ("WHERE A JAIL SENTENCE EXCEEDING SIX MONTHS WAS VOID AS TO EXCESS, PRISONER, AFTER SERVING SIX MONTHS, WAS ENTITLED TO DISCHARGE IN HABEAS CORPUS PROCEEDING").

1st Charles Pray
CHARLES PRAY, PRO SE.
FLORIDA STATE PRISON
7819 N.W. 220th STREET
PUNTA RICA, FL. 32026

CERTIFICATE OF OATH

I HEREBY CERTIFY THAT I HAVE READ THE FACTS STATED IN THE PETITION AND ALL THE FACTS STATED ARE TRUE AND CORRECTED UNDER THE PENALTIES OF PERJURY. SECTION 57.525, FLA. STAT.

EXECUTED: 1-27-16

1st Chadrick Pray

CHADRICK PRAY, PRO SE.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT THIS PETITION WAS PLACED IN THE HANDS OF FLORIDA STATE PRISON - MAILROOM STAFF, FOR MAILING TO, ATTORNEY GENERAL'S OFFICE, PI-01, THE CAPITOL, TALLAHASSEE, FLA. 32389; AND GENERAL COUNSEL'S OFFICE, 501 SOUTH COLUMBIA STREET, TALLAHASSEE, FL 32389, ON THIS 27 DAY OF JANUARY 2016.

1st Chadrick Pray

CHADRICK PRAY
FLORIDA STATE PRISON
7819 N.W. 220TH STR.
RAIFORD, FL. 32020

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

CHADRICK PRAY,
PETITIONER,

V.
Julie L. Jones, Secretary,
Florida Department of
Corrections, etc.,

CASE NO: T.B.A.

Respondent.

APPENDIX IN SUPPORT OF THE
Petition for writ of Habeas Corpus

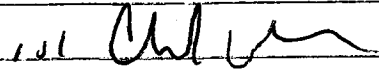
- 1.) APPENDIX-A, Corrections Network, pp. 1-2
- 2.) APPENDIX-B, CHARGING INFORMATION, pp. 3-4
- 3.) APPENDIX-C, SENTENCING HEARING, pp. 5-14
- 4.) APPENDIX-D, VERDICT FORMS, pp. 15-16

1st Chadr R

CHADRICK PRAY, PRO SE.
FLORIDA STATE PRISON
7819 N.W. 220th ST.
BROWARD, FL. 32026

CERTIFICATE OF SERVICE

I hereby certify that I have placed a copy of this Appendix in the hands of Florida State Prison, mailroom staff, for mailing to: Attorney General's office, PL-01, The Capitol, Tallahassee, FL, and Office of the General Counsel, 521 South Walker Str., Tallahassee, FL, on this 22 day of January 2016.



Chadwick Pray
Florida State Prison
7819 N.W. 220th St.
Raiford, FL 32020

Corrections Offender Network

Inmate Population Information Detail

(This information was current as of 5/17/2015)



DC Number: 777541
 Name: PRAY, CHADRICK V
 Race: BLACK
 Sex: MALE
 Hair Color: BLACK
 Eye Color: BLACK
 Height: 5'05"
 Weight: 141 lbs.
 Birth Date: [REDACTED]
 Initial Receipt Date: 10/26/2000
 Current Facility: FLORIDA STATE PRISON
 Current Custody: CLOSE
 Current Release Date: SENTENCED TO LIFE



Send money to this inmate.

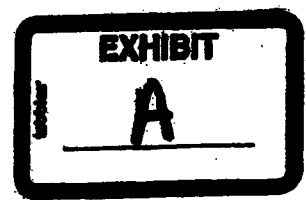
Aliases:	
GRIMM	CHADRICK LOUISDOR
CHADRICK PRAY	CHADRICK V PRAY
CHADRICK VASHON PRAY	STACY SMITH

Scars, Marks, and Tattoos:		
Type	Location	Description
TATTOO	LEFT ARM	KK BACK TO BACK
TATTOO	LEFT ARM	UPSIDE DOWN 5 PT CROWN
TATTOO	RIGHT ARM	CLOWN

Current Prison Sentence History:					
Offense Date	Offense	Sentence Date	County	Case No.	Prison Sentence Length
10/15/1999	1ST DG MUR/PREMED. OR ATT.(ATTEMPTED)	10/02/2000	BROWARD	0003032	SENTENCED TO LIFE
10/15/1999	ROBB. GUN/DEADLY WPN(ATTEMPTED)	10/02/2000	BROWARD	0003032	SENTENCED TO LIFE

Note: The offense descriptions are truncated and do not necessarily reflect the crime of conviction. Please refer to the court documents or the Florida Statutes for further information or definition.

Incarceration History:	
Date In-Custody	Date Out-of-Custody
12/13/1994	04/02/1999
10/26/2000	Currently Incarcerated



Inmate Population Information Detail

Offense Date	Offense	Sentence Date	County	Case #	Prison Sentence Length
11/10/1993	CARRYING CONCEALED FIREARM	12/08/1994	BROWARD	9315	3Y 6M 0D
03/21/1994	ROBB. NO GUN/DDLY.WPN	12/08/1994	BROWARD	9404915	6Y 0M 0D

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Record: 1 of 1

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The Florida Department of Corrections updates this information regularly, to ensure that it is complete and accurate, however this information can change quickly. Therefore, the information on this site may not reflect the true current location, status, release date, or other information regarding an inmate.

This database contains public record information on felony offenders sentenced to the Department of Corrections. This information only includes offenders sentenced to state prison or state supervision. Information contained herein includes current and prior offenses. Offense types include related crimes such as attempts, conspiracies and solicitations to commit crimes. Information on offenders sentenced to county jail, county probation, or any other form of supervision is not contained. The information is derived from court records provided to the Department of Corrections and is made available as a public service to interested citizens. The Department of Corrections makes no guarantee as to the accuracy or completeness of the information contained herein. Any person who believes information provided is not accurate may contact the Department of Corrections.

For questions and comments, you may contact the Department of Corrections, Bureau of Classification and Central Records, at (850) 488-9859 or go to [Frequently Asked Questions About Inmates for more information](#). This information is made available to the public and law enforcement in the interest of public safety.

Search Criteria: Search Aliases: off Sex: ALL Race: ALL DC#: 777541 Offense Category: ALL Classification Status: ALL Current Custody: ALL Identifier Type: ALL County of Commitment: ALL Current Location: ALL Eye Color: ALL Hair Color: ALL

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- Organization
- Organization Charts
- Statewide Facility Directory
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- History of Corrections

How Do I...

- Pay Court Ordered Payments
- Call an Inmate
- File a Complaint
- Send an Inmate Money
- Write to an Inmate
- Visit an Inmate
- Register for Victim Notification

Resources

- Contact Us
- Media Releases
- Open Government Information

Special Programs

- Reentry Programs
- Second Chance Farm - Horse Programs
- Inmate Dog Adoption Programs
- Corrections Foundation



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#2

COUNTY OF BROWARD
STATE OF FLORIDA

Personally appeared before me _____, duly appointed as an Assistant State Attorney of the 17th Judicial Circuit of Florida by MICHAEL J. SATZ, State Attorney of said Circuit and Prosecuting Attorney for the State of Florida in the County of Broward, who being first duly sworn, certifies and says that testimony has been received under oath from the material witness or witnesses for the offense(s), and the allegations as set forth in the foregoing information would constitute the offense(s) charged, and that this prosecution is instituted in good faith.

Assistant State Attorney, 17th Judicial Circuit of Florida

SWORN TO AND SUBSCRIBED before me this _____ day of _____, A.D. 19____.
CAROL LEE ORTMAN

Clerk Ad Interim of the Circuit Court, 17th Judicial Circuit,
Broward County, Florida

By _____
Deputy Clerk

To the within information, Defendant pleaded _____.

CAROL LEE ORTMAN

Clerk Ad Interim of the Circuit Court, 17th Judicial Circuit,
Broward County, Florida

By _____
Deputy Clerk

LAST PAGE OF ORIGINAL INFORMATION IS MISSING. #4.

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IN THE CIRCUIT COURT OF
THE 17TH JUDICIAL CIRCUIT,
IN AND FOR BROWARD COUNTY,
FLORIDA

CASE NO. 00-3032CF

CHADRICK V. PRAY,
Plaintiff,
vs.
STATE OF FLORIDA,
Defendant,

COPY

Broward County Courthouse
201 S.E. 6th Street,
Courtroom 460
Fort Lauderdale, Florida
October 2, 2000
8:30 o'clock A.M.

VOLUME IV

APPEARANCES:

Assistant State Attorney,
Appearing on behalf of the State.

MICHAEL ALAN GOTTLIEB, ESQUIRE,
Appearing on behalf of the Defendant.

The above-entitled cause came on for Hearing
before the HON. JOEL LAZARUS, as Judge of the Circuit
Court, in and for Broward County, Florida, on the
2nd day of October, 2000, commencing at 8:30 o'clock
A.M.

OFFICIAL REPORTING SERVICES, INC. (954) 467-8204

#5

1 THEREUPON, the following proceedings were had:

2 THE COURT: Chadrick Pray is present.

3 Has both sides had an opportunity to
4 review the PSI?

5 MR. GOTTLIEB: Did we go over the
6 pre-sentence investigation, Judge?

7 THE COURT: State, did you look at
8 that?

9 THE STATE: Yes, sir.

10 THE COURT: We are here on the matter
11 of Chadrick Pray.

12 The first thing is the motion for new
13 trial, which I have reviewed.

14 MR. GOTTLIEB: At the time I filed the
15 motion I was unaware of Baber v. State. I
16 don't have a proper cite. 2000 West Law
17 (phonetic) 1227764, which indicates that
18 hospital records may be admitted in criminal
19 cases pursuant to a business record
20 exception. In this case, as you recall, I
21 had the records custodian present with the
22 toxicology report. And the report was for
23 purposes of impeaching the witness. As to
24 his testimony and capacities and his
25 truthfulness and veracity, and that was not

1 allowed in based on that.

2 I would renew my motion for a new
3 trial.

4 ~~THE COURT: State want to be heard?~~

5 THE STATE: Judge, I would ask the
6 Court to rely on its previous ruling.

7 THE COURT: I'm going to be consistent
8 with the previous ruling, right or wrong.
9 I'll at least be consistent on it.

10 If the Fourth District says that I was
11 consistently wrong for some reason, they'll
12 tell me.

13 Motion for new trial is denied.

14 We now have the sentencing.

15 The defendant was found guilty of
16 attempted felony murder and attempted armed
17 robbery.

18 Both counts dealing with a firearm.
19 State has filed previously habitualization;
20 is that correct?

21 THE STATE: Yes, sir.

22 He also qualifies as a prisoner
23 releasee re-offender.

24 THE COURT: Are we ready to proceed?

25 MR. GOTTLIEB: Yes, your Honor.

1 THE COURT: Go ahead.

2 THE STATE: Your Honor, this was a
3 continuation. Mr. Frankel was here in court
4 last time on my behalf.

5 My understanding was, at that time
6 the defendant's classification as a habitual
7 offender, and a prison releasee offender,
8 was stipulated to and I will go on his
9 record.

10 He was convicted December 8th of 1994.
11 He plead guilty to a robbery charge. That
12 was in December of '94. He was released
13 from prison on that charge. He was
14 convicted of two counts; robbery--he got six
15 years for the robbery. The Case No. is
16 94-4915. He was released April 2nd of '99,
17 which is six months prior to the date of the
18 offense of the case for which is now before
19 the Court for sentencing.

20 Prior to that he had been convicted of
21 a carrying a concealed firearm. The Case
22 No. on that was 9319613. He was on
23 probation at that case, when he committed
24 the robbery. He violated his probation and
25 went to prison on that.

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Those are the two prior convictions that was established within six months of the crime.

I know that the law is that the Fourth District Court of Appeals held that you cannot habitualize and declare a person a prison releasee re-offender because that violates double jeopardy principles. Although, the other circuits, at least three of them, have disagreed with the Fourth District and that is now--

THE COURT: I--

THE STATE: I just wanted to note my objection.

I understand the Court can't do it, I would just like to preserve our record for the future.

The State would be asking the Court to sentence the defendant to life in prison as a habitual offender.

Obviously, at this stage, we can't ask for prison releasee re-offender because of the double jeopardy rulings from the Fourth District Court of Appeals.

And life on both counts. Even though

#9

1 Count 1 is a first degree punishable by
2 life, and Count 2 is a 2nd degree felony.
3 The 10/20/life statute calls for alleged
4 sentence on both counts.

5 That's what we would be asking from the
6 Court. And we would ask that they run
7 concurrent.

8 THE COURT: Do you have any
9 disagreement where the proffer by the State
10 is declaring Mr. Pray a habitual offender.
11 I believe we had a stipulation last time.

12 MR. GOTTLIEB: Judge, we agree
13 with--well, first of all, we did stipulate
14 and we agree with the two priors that the
15 state mentioned.

16 THE COURT: Also, in the alternative,
17 that was to be stricken as far as the legal
18 insufficiency that the defendant does
19 qualify as a prisoner releasee re-offender.

20 MR. GOTTLIEB: We agree with that as
21 well.

22 I do have an objection. I don't know
23 if the Court is going to sentence Mr. Pray
24 to life on Count 2; however, I do have an
25 objection even though it would qualify under

1 10/20/life. There was no specific finding
2 by the jury that he discharged the firearm.
3 And in cases in which I've tried recently,
4 ~~in which a firearm was either carried,~~

5 discharged or somebody was hit, there had to
6 be a specific jury finding to be elevated in
7 order for 10/20/life to occur. In this
8 case, we did not.

9 THE COURT: I would like to see if your
10 argument would hold up in the Fourth
11 District. We have an individual shot twice
12 by bullets fired from, what the jury says,
13 from the gun being held by the defendant.
14 So I'm not sure there has to be a specific
15 box checked where you find him guilty of
16 attempted armed robbery with a firearm,
17 where the defendant discharged or didn't
18 discharge. The testimony was crystal clear
19 as to the defendant having shot the victim
20 twice.

21 So your argument is noted, but I'm not
22 going to agree with it.

23 The defendant having been convicted of
24 the attempted murder in the 1st degree with
25 a firearm, and attempted robbery with a

1 firearm, and having previously ruled that
2 the defendant previously qualifies as a
3 habitual offender, I sentence you to life in
4 Florida State Prison. Count 1 and 2 to life
5 in prison to run concurrent.

6 Furthermore, restitution will be made
7 as is required.

8 Mr. Pray, you have thirty days in which
9 to appeal. If you can't afford an attorney
10 one will be appointed for you.

11 MR. GOTTLIEB: Judge, there was one
12 thing that Mr. Pray asked me. Will the
13 Court recommend or even order that he not be
14 subject to a haircut? I told him that you
15 don't have authority to--

16 THE COURT: That's out of my
17 jurisdiction.

18 THE STATE: Judge, defendant is
19 sentenced under habitual offender and under
20 10/20/life?

21 THE COURT: Right.

22 THE STATE: I think I have to do this.
23 I would object. Just to preserve our
24 position that he can also be a prison
25 releasee re-offender.

1 THE COURT: I understand you disagree
2 with it. The Fourth District says there is
3 a conflict. It will eventually be resolved
4 with the Supreme Court. But right now your
5 objection is noted.

6 I don't believe I can sentence anybody
7 as a prison releasee re-offender as well as
8 a habitual. At this time, no. If the law
9 changes in the future then fine.

10 THE STATE: I just wanted it stated for
11 the record.

12 MR. GOTTLIEB: Judge, for religious
13 purposes you wouldn't consider putting down
14 the order of--

15 THE COURT: It's not up to the judge.
16 It's up to the Department of Corrections. I
17 don't have grounds to do so.

18 THE STATE: With regards to
19 restitution, can you just reserve ruling on
20 that?

21 THE COURT: Absolutely.

22 THE STATE: Thank you, your Honor.

23 (Thereupon, the Hearing was concluded.)
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REPORTER'S COURT CERTIFICATE

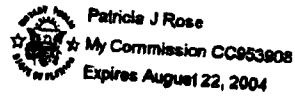
STATE OF FLORIDA
COUNTY OF BROWARD

I, PATRICIA ROSE, a Shorthand Reporter and Notary Public in and for the State of Florida at Large, certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true record.

Dated this 14th day of November, 2000.

Patricia Rose

Patricia Rose
Shorthand Reporter
Notary Public



14

CASE NO: 00-3032CF10A
JUDGE: JOEL LAZARUS

STATE OF FLORIDA,

Plaintiff,

vs.

VERDICT

CHADRICK V. PRAY,

Defendant.

//

COUNT I

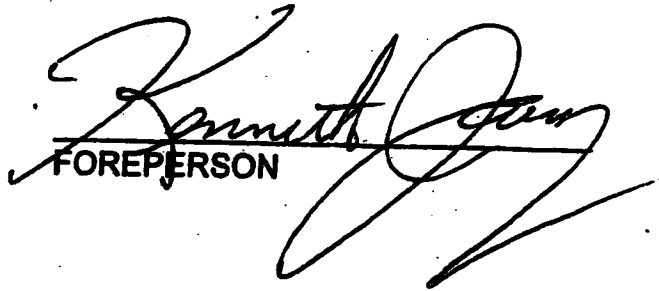
WE, the Jury find as follows as to the defendant in this case: (check only one)

a. The Defendant is guilty of Attempted Felony Murder with a Firearm, as charged in the Information.

b. The Defendant is guilty of Aggravated Battery with a Firearm, a lesser included offense.

c. The Defendant is not guilty.

So Say We All this 20 day of June, A.D. 2000, at Fort Lauderdale, Broward County, Florida.


FOREPERSON

Filed in Open Court
ROBERT E. LAZARUS, JUDGE

on 6-20-00

BY Auna Gonzalez

#15

CASE NO: 00-3032CF10A
JUDGE: JOEL LAZARUS

STATE OF FLORIDA,

Plaintiff,

vs.

VERDICT

CHADRICK V. PRAY,

Defendant.

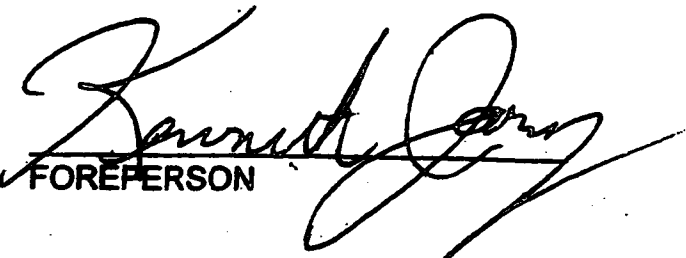
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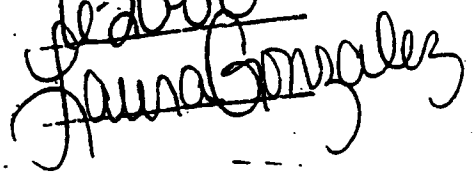
COUNT II

WE, the Jury find as follows as to the defendant in this case: (check only one)

- a. The Defendant is guilty of Attempted Robbery with a Firearm, as charged in the Information.
- b. The Defendant is guilty of Petit Theft, a lesser included offense.
- c. The Defendant is not guilty.

So Say We All this 20 day of June, A.D. 2000, at Fort Lauderdale, Broward County, Florida.


FOREPERSON

12-20-00


16

Ray Norman, Bradford County Clerk of Court
PO Drawer B
Starke, FL 32091

FILED AND RECORDED
OFFICE OF THE CLERK
BRADFORD COUNTY, FL
2016 FEB 3 PM 12 31

Date: February 3, 2016

To: CHADRICK PRAY # 777541
FLORIDA STATE PRISON
7819 N.W. 228 STREET
RAIFORD, FL 32026

This correspondence is in regards to your case # 04-2016-CA-62
CHADRICK PRAY -V- JULIE L. JONES, SECRETARY, ET AL

X Our office received your petition. It has been given the case number listed, above.
Please refer to this case number when inquiring about your case on all pleadings and
correspondence.

Our office received your inquiry of the above styled case. The status of the case
is:

Other:

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT OF FLORIDA
IN AND FOR BRADFORD COUNTY

CHADRICK PRAY,
Petitioner,

vs.

Case No.: 04-2016-CA-0062

JULIE JONES, SECRETARY, FLORIDA
DEPARTMENT OF CORRECTIONS, ETC.,
Respondent.

99-18716CF10A

2016 FEB 29 11 15 AM

**ORDER TRANSFERRING PETITION FOR WRIT OF HABEAS CORPUS WITH
DIRECTIONS TO THE CLERK**

Before the court is a Petition for Writ of Habeas Corpus, filed February 1, 2016. Petitioner alleges he is entitled to immediate release from incarceration in the Florida Department of Corrections because of errors arising out of his felony adjudication and sentencing in Broward County Circuit Court. Although the circuit court in the county in which a petitioner is incarcerated generally has jurisdiction to consider a petition for writ of habeas corpus, an exception lies when a petitioner challenges the legality of his underlying conviction. *See generally Calloway v. State*, 699 So. 2d 849 (Fla. 3d DCA 1997). Thus, this court does not have jurisdiction to consider the Petition.

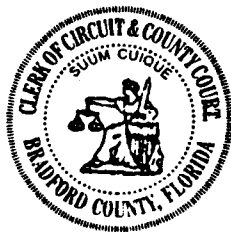
It is therefore **ORDERED**:

1. The Petition for Writ of Habeas Corpus is transferred to the Circuit Court of the Seventeenth Judicial Circuit of Florida, in and for Broward County.

RAY NORMAN, CLERK CIRCUIT COURT, EIGHTH
JUDICIAL CIRCUIT OF FLORIDA, in and for Bradford
County, the same being a Court of record do hereby
certify that the above and foregoing is a true
and correct copy of what it purports to be from
the face of the original as presented to me.

This March 4 A.D. 20 16
RAY NORMAN, Clerk Circuit Court

By [Signature] D.C.

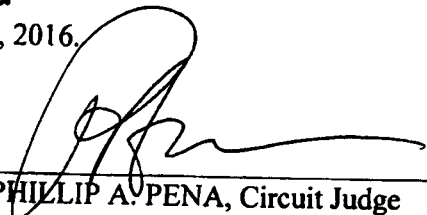


04-2016-CA-0062
*Order Transferring Petition for Writ of Habeas Corpus
With Directions to the Clerk*

APP. B

2. The Clerk is directed to please transfer immediately the petition and the entire contents of this file to the Circuit Court of the Seventeenth Judicial Circuit of Florida, in and for Broward County.

DONE and ORDERED on February 24th, 2016.

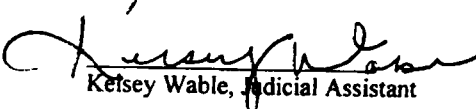


PHILLIP A. PENA, Circuit Judge

Certificate of Service

A copy of the foregoing order was served on February 24th, 2016, to the following:

Chadrick Pray, DC 777541
Florida State Prison
7819 NW 228th St.
Raiford, FL 32020



Kelsey Wable, Judicial Assistant

Clerk of the Circuit Court, Ray Norman

BRADFORD County

Case Abstract Filing

User Authorized AP,CA,CC,CF,CJ,CO,C
UCN Types: P,CT,DP,DR,GA,IN,MH,
MM,MO,SC,TR,XX

Case Type:
Selected Case Style: All
Selected Case Number:
Selected UTC Number:
Location: All
Case File Begin Date: 12/30/1899
Case File End Date: 12/30/1899

Case Data:

UCN: 042016CA000062CAAXMX Case Status: CLOSED
Clerk Case Number: 16000062CAAXMX Clerk File Date: 02/01/2016
Judge: PHILLIP A PENA Location: MX

Primary Parties:

Party Type:	Name:	Attorney Type:	Attorney:
Plaintiff	PRAY, CHADRICK		
Respondent	JONES, JULIE		

Filing Information:

File Date: 02/01/2016 Filing Type: OTHER Disposition Date: 02/24/2016 SRS Disposition: Disposed by Judge

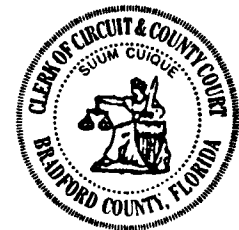
Progress Docket

Docket Date:	Docket Description
2/1/2016	Judge: PENA , PHILLIP A assigned
2/1/2016	Agency Case Number: DOC
2/1/2016	Case 042016CA000062CAAXMX Filed with Clerk on 2/1/2016
2/1/2016	Assessment 1 assessed at sum \$400.00
2/1/2016	PETITION FOR HABEAS CORPUS
2/3/2016	INMATE NEW CASE LETTER
2/24/2016	ORDER TRANSFERRING PETITION FOR WRIT OF HABEAS CORPUS WITH DIRECTIONS TO THE CLERK
2/24/2016	Case Status set to CLOSED

RAY NORMAN, CLERK CIRCUIT COURT, EIGHTH
JUDICIAL CIRCUIT OF FLORIDA, in and for Bradford
County, the same being a Court of record do hereby
certify that the above and foregoing is a true
and correct copy of what it purports to be from
the face of the original as presented to me.

This March 4 A.D. 20 16
RAY NORMAN, Clerk Circuit Court

By [Signature] D.C.



RECEIPT

TRANSFER FROM: RAY NORMAN CLERK OF THE COURT
BRADFORD COUNTY
P.O. DRAWER B
STARKE, FLORIDA 32091

TO: BROWARD COUNTY CLERK OF CIRCUIT COURT
ATTN: CIRCUIT CIVIL
201 SE 6th St. Room 136
Ft. Lauderdale, FL 33301

RE: CHADRICK PRAY

VS

JULIE JONES, SECRETARY ETC.

CASE # 04-2016-CA-0062

CONSISTING OF: ORIGINAL COURT FILE AND CERTIFIED COPY OF ORDER
TRANSFERRING ACTION

DATE RECEIVED: _____

NEW CASE NUMBER: _____

CLERK OF COURT

BY: _____
DEPUTY CLERK

RECEIPT

TRANSFER FROM: RAY NORMAN CLERK OF THE COURT
BRADFORD COUNTY
P.O. DRAWER B
STARKE, FLORIDA 32091

TO: BROWARD COUNTY CLERK OF CIRCUIT COURT
ATTN: CIRCUIT CIVIL
201 SE 6th St. Room 136
Ft. Lauderdale, FL 33301

RE: CHADRICK PRAY

VS

JULIE JONES, SECRETARY ETC.

CASE # 04-2016-CA-0062

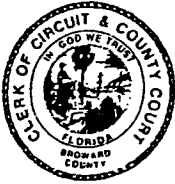
CONSISTING OF: ORIGINAL COURT FILE AND CERTIFIED COPY OF ORDER
TRANSFERRING ACTION

DATE RECEIVED: _____

NEW CASE NUMBER: _____

CLERK OF COURT

BY: _____
DEPUTY CLERK



HOWARD C. FORMAN
CLERK OF CIRCUIT AND COUNTY COURT
17TH JUDICIAL CIRCUIT

201 SOUTHEAST 6TH STREET
BROWARD COUNTY COURTHOUSE
FORT LAUDERDALE, FL 33301

To: CHADRICK PRAY # 77541 DATE MAR 23 2016

RE: STATE OF FLORIDA vs. CHADRICK PRAY DEFENDANT

Case 99-18716CF10A

THE FELONY DIVISION IS IN RECEIPT OF YOUR NOTICE OF INQUIRY REGARDING YOUR MOTION AS NOTED BELOW:

MOTION TO CORRECT SENTENCE

MOTION TO MITIGAT

OTHER WRIT OF HABEAS CORPUS

YOUR MOTION WAS HANDLED AS FOLLOWS :

IT HAS BEEN SENT TO THE JUDGE FOR CONSIDERATION.

IT WAS FORWARDED TO THE JUDGE AND HE/SHE HAS DIRECTED THE STATE ATTORNEY'S OFFICE TO FILE A RESPONSE WITHIN DAYS. A COPY OF THEIR RESPONSE WILL BE FORWARDED TO YOU AS SOON AS IT IS ISSUED.

UPON RECEIPT OF THE STATE ATTORNEY'S OFFICE RESPONSE, THE CASE WILL BE RETURNED TO THE JUDGE FOR A RULING. A COPY OF HIS/HER RULING WILL BE FORWARDED TO YOU AS SOON AS IT IS ISSUED.


















OTHER YOUR PETITION FOR WRIT HABEAS CORPUS, IS BEING RETURNED TO YOU.
YOU WERE BARRED FROM FUTHER PRO-SE FILINGS ON 7-22-13

DEPUTY CLERK

"THE RACE FOR QUALITY HAS NO FINISH LINE"

APP. C

FELONY
CASE SUMMARY
CASE NO. 00-003032-CF10A

- 12/28/2015  File Supreme Court Of Florida Order
SC15-2132 -- Because the Court has determined that relief is not authorized, this case is hereby dismissed...
- 12/01/2015  File Supreme Court Acknowledgment
SC15-2132 -- Petition for Writ of Habeas Corpus
- 10/26/2015  File Supreme Court Of Florida Order
SC15-1382 -- Pursuant to this Court's order dated October 5, 2015, the Motion for Rehearing is hereby stricken as unauthorized
- 10/20/2015  File Defense Notice Of Inquiry
- 10/12/2015  File Supreme Court Of Florida Order
Because the Court has determined that relief is not authorized, this case is hereby dismissed. See Baker v. State, 878 So. 2d 1236 (Fla. 2004). Any motions or other requests for relief are also denied. No motion for rehearing or reinstatement will be entertained by this Court
- 09/22/2015  Post Office Returned Mail
- 09/02/2015  Correspondence Answered
to: Pray, Chadrick V/letter dispo pc info sentence & judgment(naa)
- 09/02/2015  File Document
acknowledgment of new case
- 08/11/2015  File Letter
correspondence-inmate
- 07/15/2015  File Order Denying Def Motion
Signed 071515; Converting Fines to Civil Lien
- 06/22/2015  File Defense Motion
Convert fines to jail time
- 03/04/2015 Sent To Law Firm For Collections
Penn Credit
- 03/04/2015 CTS_Current Due
*Count(s):<|002|>
Charges: 2
Amount: 74.25*
- 03/04/2015 CTS_Current Due
*Count(s):<|001|>
Charges: 1
Amount: 344.25*
- 12/05/2014  File Letter
Correspondence - inmate
- 10/23/2014  File Supreme Court Of Florida Order
SC14-1450
- 10/21/2014  File Supreme Court Of Florida Order
4D14-549 SC14-904
- 10/01/2014  File Supreme Court Acknowledgment
SC14-1450
- 07/29/2014  File Supreme Court Of Florida Order
SC14-1450
- 06/25/2014  File Supreme Court Of Florida Order
4D13-3367 -- PETITIONER HAS FILED A WRIT OF PROHIBITION WITH THE COURT. THE PETITION IF DENIED...

FELONY
CASE SUMMARY
CASE NO. 00-003032-CF10A

05/02/2014 File Mandate - Affirmed
4D13-3367

04/10/2014 File Fourth District Court Of Appeals Order
4D13-3367---MOTION FOR REHEARING IS DENIED -- APPELLANT IS BANNED FROM FURTHER PRO SE FILINGS.

11/21/2013 File Supreme Court Of Florida Order
PETITION TO INVOKE ALL WRITS JURISDICTION IS DISMISSED FOR LAKE OF JURISDICTION-4D12-2665

09/13/2013 Appeal Completed
AND MAILED TO 4TH DCA AND ATTORNEY GENERAL

08/26/2013 Clerk Assigned To Appeal
BCT

08/20/2013 File Pro-Se 3.850 Notice Of Appeal
NO HEARING - BCT- 4D13-3367

07/22/2013 File Order Denying Def Motion For Rehearing
signed 072213 fx dv & def prohib.futher pro se motions

07/17/2013 File Defense Motion For Rehearing
& response to order to show cause

06/25/2013 Created -Volume
vol 6

06/24/2013 File Order Denying Def Motion For Post Conv Relief
signed 062413 fx dv also order to show cause

06/21/2013 File States Motion
for injunction (to bar def. from filing further pleadings)

06/21/2013 File States Response

06/18/2013 File Order Requesting State To Respond
signed 061713 fx dv (90) days

06/10/2013 File Defense Motion
memorandum in supp. of d/m post conv, relief

06/10/2013 File Defense Motion For Post Convict Relief/3.850

05/07/2013 File Order Denying Motion For Re-Hrg Re: Mandate
4D12-2665

05/07/2013 File Mandate - Affirmed
4D12-2665

12/10/2012 File Fourth District Court Of Appeals Order
APPLNT'S M/TO SUPPLEMENT THE RECORD WITH M/CORRECT SENTENCE IS MOOT....

08/28/2012 File Order Denying Petit For Writ Of Habeas Corpus
sign 082812 fx dv

08/22/2012 File Letter Consolid Civil Writ Hab Corp W/Felony
trans civil case #12-21305-(25) to felony 00-3032cf10a

07/19/2012 File Petition For Writ Of Habeas Corpus

07/19/2012 File Defendant's
APPENDIX TO PETITION

07/16/2012 Appeal Completed
AND MAILED TO 4TH DCA AND ATTORNEY GENERAL

07/11/2012 Clerk Assigned To Appeal
BCT

07/10/2012 File Pro-Se 3.800 Notice Of Appeal
NO HEARING -- BCT--4D12-2665

06/21/2012 File Order Denying Def Motion For Rehearing
Signed 062112

06/15/2012 File Defense Motion For Rehearing

FELONY
CASE SUMMARY
CASE NO. 00-003032-CF10A

05/24/2012 File Order Denying Def Motion To Correct Sentence
Signed 052312 Illegal sentence

05/21/2012 File Defense Motion For Recusal/Disqualify Judge
Pro se

05/17/2012 File States Response

05/10/2012 File Order Requesting State To Respond
sign 051012 fx dv (30) days

05/09/2012 File Defense Motion To Correct Sentence
.....*Add Reason Charge Reopened*
Sentence Component on Disposition tab

05/05/2012 Sent To Law Firm For Collections

04/24/2012 File Order Denying Def Motion To Correct Sentence
.sign 042412 fx dv (denying w/out
prejudice).....Add Reason
Charge to Close the Reopened Sentence Component on Disposition tab using the Reason
CLOS

04/20/2012 Returned Collection Mail

04/20/2012 Created -Volume
vol 4

04/17/2012 File Defense Motion To Correct Sentence

04/02/2012 Felony Letter - 30 Days Past Due
\$310.00
Amount: 0.00

03/15/2012 File Supreme Court Of Florida Order
Pet for Mandamus dismissed as moot

02/21/2012 File Mandate - Affirmed
4D11 - 437 // Mot / Rehearing denied

02/21/2012 File Mandate - Affirmed
4D10 - 4022 // Mot/ Rehearing denied

02/09/2012 Correspondence Answered
To C Pray/letter:the requested document, transfer of custoday form of the prosecuting officer,
is not in the file case summary report

01/10/2012 File Supreme Court Of Florida Order
4d11-437 / Pet for Mandamus dismissed - lack of jurisdiction

01/10/2012 File Supreme Court Of Florida Order
ACKNOW SC11-437 on Pet/Mandamus

12/16/2011 File Fourth District Court Of Appeals Order
Any more frivolous filings will result in sanctions

12/12/2011 File Order Dismissing Appeal
4D10 - 4022 case repetitive & untimely

03/11/2011 File Fourth District Court Of Appeals Order
granting appellee motion to set briefing schedule

03/08/2011 Appeal Complete Date
HABEAS CORPUS // 4D11-437 / JGL

01/28/2011 File Pro-Se Notice Of Appeal
Habeas Corpus Denial

01/28/2011 Appeal Record Note Field From Docketrac
HABEAS CORPUS

01/28/2011 File Defendants Notice Of Appeal
4D11 - 437

01/28/2011 Clerk Assigned To Appeal
JGL

01/06/2011 File Order Denying Def Motion For Rehearing
Sign 010511 Fx Dv

CASE SUMMARY

CASE NO. 00-003032-CF10A

12/22/2010	File Defense Motion For Rehearing <i>Or Classification Of Decision</i>
12/02/2010	File Order Denying Petit For Writ Of Habeas Corpus <i>Signed 120210</i>
11/22/2010	File Memorandum Of Law <i>In Support Of Application For Writof Hab Corp</i>
11/05/2010	File Notice <i>Of Voluntary Dismissal</i>
10/29/2010	Appeal Completed <i>Indexed Record To All Parties</i>
10/29/2010	Appeal Forward Date
10/25/2010	File Fourth District Court Of Appeals Order <i>Case Is Hereby Reinstated</i>
09/16/2010	Appeal Record Note Field From Docketrac <i>HABEAS CORPUS/DENIAL</i>
09/16/2010	File Defendants Notice Of Appeal
09/16/2010	Clerk Assigned To Appeal <i>ERJ</i>
09/16/2010	File Pro-Se Notice Of Appeal <i>Order Denying Pet/writ/habeas Corpus Rehear.</i>
09/08/2010	File Order Denying Def Motion For Rehearing <i>Sign 090810 Fxx Dv</i>
08/30/2010	File Defense Motion For Rehearing
08/16/2010	File Order Denying Petit For Writ Of Habeas Corpus <i>Signed 081610</i>
07/27/2010	File Letter Consolid Civil Writ Hab Corp W/Felony <i>Civil Case # 10-28218-08</i>
07/23/2010	File Answer To Defendant's Notice Of Inquiry
07/02/2010	File Petition For Writ Of Habeas Corpus
06/29/2010	File Defense Notice Of Inquiry
05/12/2010	File Defense Motion For Statement Of Particulars
05/07/2010	File Supreme Court Of Florida Order <i>Pet.For Writ Of Mandamus Is Dismissed As Moot</i>
03/18/2010	File Mandate - Affirmed <i>BCT</i>
03/18/2010	File Mandate - Affirmed
07/15/2009	Order <i>Signed 071509; Staying M/post Conv. Relief</i>
07/13/2009	File States Response <i>S/m For Stay Of Proceedings</i>
07/06/2009	File Order Requesting State To Respond <i>Signed 070609 30 Days Re; D/m Corr Sent</i>
06/29/2009	File Defense Motion For Post Convict Relief/3.850 <i>Or Alternative Pet For Writ Hab Corpus</i>
06/09/2009	Appeal Forward Date
06/09/2009	Appeal Completed <i>And Mailed To 4th Dca And Attorney General</i>
06/04/2009	Appeal Record Note Field From Docketrac <i>3.800 NO HEARING (SC #10-187)</i>
06/04/2009	File Defendants Notice Of Appeal
06/04/2009	Clerk Assigned To Appeal <i>BCT</i>
06/04/2009	File Pro-Se 3.800 Notice Of Appeal

FELONY
CASE SUMMARY
CASE NO. 00-003032-CF10A

No Hearing (x2)

05/13/2009 File Order Denying Def Motion To Correct Sentence
Signed 051309 Fx Div

05/12/2009 File States Response
To D/m Corr Sent Fx Div

05/06/2009 File Order Requesting State To Respond
30 Days Signed 050609 Fx Div Re; D/m Corr Sen

05/04/2009 File Defense Motion To Correct Sentence

03/13/2008 Appeal Vols. Returned From District Court
2000 1 Vol Box# 87

02/04/2008 File Mandate - Affirmed

02/04/2008 File Mandate - Affirmed
JGL

04/03/2007 Appeal Forward Date

04/03/2007 Appeal Completed

02/09/2007 Appeal Record Note Field From Docketrac
HABEAS CORPUS APPEAL

02/09/2007 File Defendants Notice Of Appeal

02/09/2007 Clerk Assigned To Appeal
JGL

02/09/2007 File Motion For Indigency For Appeal
Copy Sent To Collections

02/09/2007 File Pro-Se Notice Of Appeal

01/22/2007 File Order Denying Petit For Writ Of Habeas Corpus
Signed 1/22/07

11/30/2006 File Letter Consolid Civil Writ Hab Corp W/Felony
Civil Case #06-18453-08

11/16/2006 File Petition For Writ Of Habeas Corpus

10/30/2006 File Order Denying Appellant's Motion
For Rehearing Filed 8/28/06

10/30/2006 File Mandate - Affirmed

10/30/2006 File Mandate - Affirmed
SRW

06/29/2006 Appeal Forward Date

06/29/2006 Appeal Completed
& Mailed To Ag & 4dca

06/12/2006 Appeal Record Note Field From Docketrac
3.850 NO HEARING

06/12/2006 File Defendants Notice Of Appeal

06/12/2006 Clerk Assigned To Appeal
SRW

06/12/2006 File Pro-Se 3.850 Notice Of Appeal
No Hearing

05/04/2006 File Order Denying Def Motion For Post Conv Relief
Signed 5/4/06

05/01/2006 File States Response
To Deft M/post Conviction Relief

04/19/2006 File Order Requesting State To Respond
90 Days; Signed 4/18/06

04/17/2006 Created -Volume
Volume 3

04/06/2006 File Memorandum Of Law
In Support Of Post Convict. Motion

FELONY
CASE SUMMARY
CASE NO. 00-003032-CF10A

04/06/2006	File Defense Motion For Post Convict Relief/3.850
12/06/2005	File Mandate - Affirmed
12/06/2005	File Mandate - Affirmed <i>SRW</i>
11/12/2004	File Order Granting Appellee's Motion <i>Further Ordered That Aplnt May Reply In 10day</i>
04/30/2004	Appeal Forward Date
04/30/2004	Appeal Completed <i>& Mailed To Ag & 4dca</i>
03/08/2004	Appeal Record Note Field From Docketrac <i>3.850 NO HEARING</i>
03/08/2004	File Defendants Notice Of Appeal
03/08/2004	Clerk Assigned To Appeal <i>SRW</i>
03/08/2004	File Affidavit Of Insolvency (Appeal)
03/08/2004	File Motion For Indigency For Appeal
03/08/2004	File Pro-Se 3.850 Notice Of Appeal <i>No Hearing</i>
02/04/2004	File Order Denying Def Motion For Rehearing
01/26/2004	File Defense Motion <i>For Rehearing</i>
01/06/2004	File Order Denying Def Motion For Post Conv Relief
12/31/2003	File States Response <i>To Deft M/post Conviction Relief</i>
11/25/2003	File Order Requesting State To Respond <i>W/in 90days Re:m/post-Conviction</i>
11/10/2003	File Defense Motion For Post Convict Relief/3.850
01/13/2003	Appeal Vols. Returned From District Court <i>2000 5 Vols Box 21</i>
12/09/2002	File Mandate - Affirmed
12/09/2002	File Mandate - Affirmed <i>ERJ</i>
08/27/2001	Supplemental Record On Appeal Completed <i>Transcript/p.S.I. Unavailable/affidavit</i>
08/21/2001	File Order Granting Motion For Suppl Record On Appeal <i>Transcript And P.S.I.</i>
07/24/2001	File Order Granting Def Motion For Spec Pub Def Fees <i>\$1600</i>
07/24/2001	File Defense Motion For Special Public Defender Fees
05/14/2001	Supplemental Record On Appeal Completed <i>3.800 (b) Record To All Parties</i>
04/17/2001	File Order Granting Motion For Suppl Record On Appeal <i>W/3.800 Transcript And Pleadings</i>
04/03/2001	File Designation To Court Reporter <i>3.800 W/hearing</i>
04/03/2001	File Statement Of Judicial Acts To Be Reviewed <i>3.800</i>
03/23/2001	File Order Appointing Seventeenth Public Defender
03/23/2001	File Order Of Insolvency
03/06/2001	Hearing Defense Motion (11:00 AM) (Judicial Officer: Lazarus, Joel T) <i>To Correct Sentence Per Hrg Sheet 2/28/01</i>
03/06/2001	Hrg Held On Defense Motion To Correct Sentence

CASE SUMMARY

CASE NO. 00-003032-CF10A

Ct Rept-Glover

03/06/2001 File Order Denying Def Motion To Correct Sentence

02/21/2001 File Order Returning Defendant To Court

02/16/2001 File Defense Notice Of Hearing
030601

02/14/2001 File Defense Motion To Correct Sentence

01/31/2001 Appeal Forward Date

01/31/2001 Appeal Completed

11/17/2000 File Order Granting Ext Of Time To Prepare Transcript
Till 1-13-01

11/10/2000 File Motion For Ext Of Time To Prepare Transcript
Till 2-25-01

10/27/2000 File Designation To Court Reporter
Amended..

10/12/2000 File Order Appointing Seventeenth Public Defender

10/12/2000 File Order Of Insolvency

10/06/2000 File Defendants Notice Of Appeal

10/06/2000 Clerk Assigned To Appeal
ERJ

10/06/2000 File Designation To Court Reporter

10/06/2000 File Statement Of Judicial Acts To Be Reviewed

10/06/2000 File Defendants Notice Of Appeal

10/04/2000 File And Record Judgment
Or 30941 Pg 1926 Pg 1927

10/02/2000 **Sentence** (Judicial Officer: Lazarus, Joel T)
2. Attempted Robbery Deadly Weapo (Attempted)
Sentence
Comment (Total Amount Imposed \$55.00)
Comment (Docketrac Sentence Record Note: Civil Rest Lien Imposed \$250,000)
Confinement (Effective 10/02/2000 at 12:00 AM, Min. , Max. 0 Yr 0 Mo 351 Days Life,
Florida State Prison)
Credit for Time Served: 0 Yr 0 Mo 351 Days
Provisions (Special Provisions Defendant Sentenced Under Sentencing Guidelines)

10/02/2000 **Sentence** (Judicial Officer: Lazarus, Joel T)
1. Attempted Murder 1st Degree (Attempted)
Sentence
Comment (Docketrac Sentence Record Note: Civil Rest Lien Imposed \$250,000)
Comment (Total Amount Imposed \$255.00)
Charge Reopen Status (05/24/2012, Closed, 1)
Confinement (Effective 10/02/2000 at 12:00 AM, Min. , Max. 0 Yr 0 Mo 351 Days ,
Florida State Prison)
Credit for Time Served: 0 Yr 0 Mo 351 Days
Provisions (Special Provisions Defendant Sentenced Under Sentencing Guidelines)
Charge Reopen Status (04/24/2012, Closed, 1)
Charge Reopen Status (05/24/2012, Closed, 1)
Charge Reopen Status (08/28/2012, Closed, 1)
Charge Reopen Status (06/24/2013, Closed, 1)
Charge Reopen Status (06/22/2015, Motion to Modify Sentence, 1)

10/02/2000 **Amended Disposition**
2. Attempted Robbery Deadly Weapo (Attempted)
Convicted by Jury - Adjudicated
OBTS: Sequence: 2

10/02/2000 **Amended Disposition**
1. Attempted Murder 1st Degree (Attempted)
Convicted by Jury - Adjudicated
OBTS: 8888888888 Sequence: 1

FELONY
CASE SUMMARY
CASE NO. 00-003032-CF10A

10/02/2000 File Sentencing Guidelines
10/02/2000 Sentence Held / File Sentence
Ct Rept-A Nehme
10/02/2000 File Order Of Sentence
10/02/2000 File Commitment
09/26/2000 Reset Sentencing
Cr A Nehme
09/22/2000 Reset Sentencing
9/26/00 / Cr A Nehme
09/01/2000 Reset Sentencing
9/22/00 / Cr A Nehmell
08/11/2000 **Sentencing/Deferred PSI Ordered (10:30 AM)** (Judicial Officer: Lazarus, Joel T)
08/11/2000 Hearing Reset
Sentencing / Cr A Nehmell
06/27/2000 File Defense Motion For New Trial
06/20/2000 **Disposition**
2. Attempted Robbery Deadly Weapo (Attempted)
Convicted by Jury - Adjudicated
OBTS: Sequence: 2
06/20/2000 **Disposition**
1. Attempted Murder 1st Degree (Attempted)
Convicted by Jury - Adjudicated
OBTS: 8888888888 Sequence: 1
06/20/2000 File Verdict
06/20/2000 Jury Trial Held
3rd Day //ct Rept-Nehme
06/20/2000 Reset Sentencing
8-11-00 @10:30/rpt-Nehme
06/20/2000 Order
Deft To Shave & Be Dressed For Trial
06/20/2000 File Record Of Trial Proceedings
File Exhibit Worksheet
06/20/2000 File Pre-Sentence Investigation Order
06/20/2000 File Jury's:
Panel Info List
06/19/2000 Jury Trial Held
2nd Day //ct Rept-Nehme
06/19/2000 File States Exhibit
1,2,3,4,5,6,7,8
06/19/2000 File Order Denying Directed Verdict Of Acquittal
06/19/2000 File Defense Exhibit
1 & 2
06/15/2000 Jury Trial Held
1st Day //ct Rept-Nehme
06/15/2000 Jury Sworn
06/15/2000 File Order Denying Def Motion To Strike
Panel
06/15/2000 File Order Denying Def Motion For Mistrial
06/14/2000 **Jury Trial (1:30 PM)** (Judicial Officer: Lazarus, Joel T)
06/12/2000 **Jury Trial (9:00 AM)** (Judicial Officer: Lazarus, Joel T)

FELONY
CASE SUMMARY
CASE NO. 00-003032-CF10A

05/22/2000 **Hearing/Set New Dates (8:30 AM)** (Judicial Officer: Lazarus, Joel T)
Per Ja

05/22/2000 **Reset Jury Trial**
To 6-12-00 @9//ct Rept-Nehme

05/16/2000 **Reset Jury Trial**
To 5-30-00 @9//ct Rept-A Nehme

05/15/2000 **Reset Jury Trial**
To 5-16-00 @9//ct Rept-A Nehme

05/09/2000 **File States Supplemental Discovery**

05/09/2000 **Reset Jury Trial**
To 5-15-00 @9//ct Rept-A Nehme

05/08/2000 **Jury Trial (9:00 AM)** (Judicial Officer: Lazarus, Joel T)
Per Molly

05/08/2000 **File Copy Administ Order Assigning Temporary Duty**
Judge Lazarus

05/05/2000 **Calendar Call (9:00 AM)** (Judicial Officer: Backman - FX, Paul L)

05/05/2000 **Reset Jury Trial**
To 5-8-00 @9//rpt-Laubach

04/17/2000 **Jury Trial (9:00 AM)** (Judicial Officer: Backman - FX, Paul L)

04/17/2000 **Reset Calendar Call**
5-5-00 @9//ct Rept-Laubach

04/17/2000 **File Order Granting Joint Continuance**
Verbal Order

04/07/2000 **File Deposition**
Willie Baker

03/27/2000 **Reset Jury Trial**
To 4-17-00 @9//ct Rept-Guadagno

03/27/2000 **File Order Granting State Motion For Continuance**
Verbal Order

02/25/2000 **File Defense Written Plea Of Not Guilty**

02/25/2000 **File Defense Demand For Discovery**

02/24/2000 **Order**
Hire Forensic Firearm Expert-Granted

02/22/2000 **Plea**
2. Attempted Robbery Deadly Weapo (Attempted)
Arraignment Not Guilty-Jury
OBTS: Sequence: 2

02/22/2000 **Plea**
1. Attempted Murder 1st Degree (Attempted)
Arraignment Not Guilty-Jury
OBTS: 8888888888 Sequence: 1

02/22/2000 **Reset Jury Trial**
To 3-27-00 @9//ct Rept-Laubach

02/22/2000 **Defendant Allowed 15 Days to File Motions**

02/22/2000 **Arraignment Held**
Ct Rept-Laubach

02/20/2000 **Hrg Held / Magistrate Findings/Order - Probable Cause Found**

02/19/2000 **Capias Served**
Count(s):<|002|>
Charges: 2

02/19/2000 **Capias Served**
Count(s):<|001|>