

SUPREME COURT OF FLORIDA

LEGAL MAIL PROVIDED TO FLORIDA STATE PRISON DATE 7/14/16 FOR MAILING. INMATES INITIALS ed

CHADRICK PRAY,  
PETITIONER,

v.

CASE NO: SC16-713

Howard FORMAN,  
Respondent.

PETITIONER'S RESPONSE TO COURT'S  
ORDER TO SHOW CAUSE

CLERK, SUPREME COURT  
BY

FILED  
JOHN A. TOMASINO  
JUL 18 2016

Comes now, Petitioner, Pro se, in the above styled cause, and shows why he should not be barred from Pro se filings, and states the following:

1. THE COURT ON JUNE 24, 2016, ENTERED AN ORDER DISMISSING PETITIONER'S PETITION SEEKING A WRIT OF MANDAMUS OF A MINISTERIAL DUTY OWED BY RESPONDENT.

2. THE COURT DID NOT ADDRESS THE MERITS OF THE PETITION BEFORE DETERMINATION THAT THE MERITS WERE FRIVOLOUS BEFORE DEPRIVING PETITIONER THE RIGHT OF FUTURE FILINGS.

3. THE COURT BASED ITS RATIONALE ON THE FACT THAT PETITIONER WAS AND IS BARRED FROM FUTURE PRO SE FILINGS BELOW.

4. HOWEVER, THE ADMINISTRATIVE ORDER BELOW CANNOT EXTINGUISH THE DUTY OF THE RESPONDENT UNDER 9.100 (F) OF THE FLORIDA RULES OF APPELLATE PROCEDURE, THAT CONFERS A RIGHT ON THE PETITIONER.

5. THIS COURT'S DECISION TO NOT HEAR THE MERITS OF THE MANDAMUS, DEPRIVES PETITIONER OF A RIGHT CONFERRED BY COMMON LAW.

6. THE ROLE OF THE MANDAMUS IS TO ENFORCE A MINISTERIAL DUTY AND SECURE A RIGHT.

7. HOWEVER, THE COURT HAS USED IT TO DISREGARD A MINISTERIAL DUTY AND TO EXTINGUISH A RIGHT PROFFERED BY RULE 9.100(F).

7. PETITIONER REQUESTS THAT BEFORE THE COMMENCE DOWN THE ROAD TO BAR FUTURE FILINGS, THAT THE COURT BE MINDFUL OF CERTAIN PROCEDURAL DUE PROCESS REQUIREMENTS.

8. FURTHERMORE, BEFORE RESTRICTING MY RIGHTS TO PROCEED SUBSEQUENTLY IN COURT, THE COURT MUST ADDRESS THE MERITS OF THE CLAIM ADVANCED BY THE PETITIONER AND DETERMINE THAT THEY ARE FRIVOLOUS. SEE: STATE V. SPENCER, 751 S.O.2D 47 (FLA. 1999).

#### Certificate of Service

I HEREBY CERTIFY THAT I HAVE PLACED IN THE HANDS OF FLORIDA STATE PRISON, MAILROOM STAFF, FOR MAILING TO: CLERK OF COURT, HOWARD C. FORMAN, 201 S.E. 6th St., Ft. Lauderdale, FL. 33301, ON THIS  
— DAY OF JULY 2016.

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Charoick Pray  
Florida State Prison  
P.O. Box 800  
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