

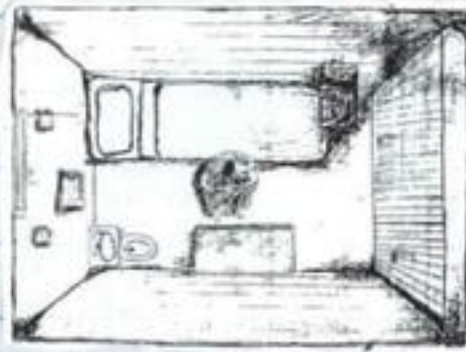
MEMORANDUM

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Case NO: SC07-2318

TO: FLORIDA SUPREME COURT, Federal District Court of Appeals, Eleventh Circuit Court of Appeals, FLORIDA Legislature, Attorney General Bill McCollum, Governor Charlie Crist, Roger Maas Commission on Capital Cases, FLORIDA BAR, AMERICAN BAR ASSOCIATION, Associated

FROM: Ronald Wayne Clark JR #812974
Union Correctional Institution
7819 N.W. 228th Street
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subject: Incompetent Death Row Attorneys.

The Supreme Court of Florida, has forced incompetent counsel upon me, tying my hands, gagging me, and leaving me helpless and defenseless, in a Capital appeal case, where I'm literally fighting for my life. I've spent almost 19 years in a 9x7... 63 square foot cage, tax dollars wasted on attorneys, as this case sat "dormant". Because Judge David C. Wiggins, sat on my 3,850 motion for post conviction relief, from Nov 1994 until Sept 2007. You need proof, go to the Duval County Courthouse, and view Case NO: 90-10067-CF. Judge Wiggins stalled this case to protect his colleagues, my trial attorney current Judge Henry E. Davis, and my trial prosecutor current Judge Lance M. Day. The records will show that Judge Wiggins allowed this delay until I lost my CCRC representation in July 2003, when the Governor shut down Capital collateral Regional Counsel, (CCRC), Northern Region (NR). In that nine year span 1994 to 2003, The attorney General's Office, "not one time" did they file a pleading to progress this case! My first ever pro se pleading was in 2003. Because I was sick of the delays!! "Because I am the one being denied due process!" "Because I am the one suffering in this 9x7 foot cage day after day, month after month, year after year for almost "two decades" now!" The attitude of the courts are, "you're still alive." No! No I'm not still alive!" I'm dying inside mentally from the torture of this cage!! And the mental stress of having a death sentence hanging over my head for almost "two decades!" I've been told you will get relief when you get to the Florida Supreme Court. So believing they would protect my Constitutional Rights, in May 2007 I filed a

motion to take judicial review of judicial abuse case NO: SC-77553 you can view the motion, Responses, Replies and Ruling, by contacting the state Archives 850-245-6600 and requesting the documents. The Court denied the motion without prejudice on February 28, 2008, stating Counsel could raise the issues on Appeal. Problem with this is, Counsel Harry P. Brody Fla Bar NO: 0977860 is one of the main obstacles of the judicial abuse, so the Fla. Supreme Court, Forces this incompetent drunk upon me. who want take an Appeal on the Claims of the delayed 3,850 which is a valid legal Claim, see Jones v. State, 740 So.2d 520 (Fla 1999) nor would my incompetent drunk Counsel raise the Disqualification Claim, which is a valid legal Claim, see Wickham v. State, 33 Fla. L Weekly 5711 October 3, 2008. Not only are my circumstances identical, they supercede those of Wickham. For Judge Wiggins appointed Judge Davis to represent me in February 1990. Judge Davis had never taken a Capital Murder Case to trial. He didn't investigate physical evidence of the Crime scene. or the evidence that the Jacksonville Sheriff's Office was in possession of. Nor did Judge Davis, as my trial attorney in 1990 hire an investigator. And Judge Lance M. Day as my trial prosecutor not only hid exculpatory evidence and used perjured testimony to get this conviction. He hid the most important evidence from the jury. The bloody clothing my co-defendant John David Hatch was wearing. so my circumstances supercede those of Wickham. And to confirm the drunk incompetent representation please view Downs v. McNeil, 21 Fla. L Weekly Fed C 499 at 500 March 24, 2008 where attorney Harry P. Brody is "drunk while visiting ERNEST Downs". FDOC records will also show that MR. Brody was turned away, "denied visitation with his clients", for showing up at the prison drunk, wearing an old T-shirt, and cut off shorts. All of this and so much more can be seen in my FLORIDA Complaint Case NO: 2010-00,113(2A) Clark v. Brody, MR. Brody looks to be drunk during his preparation of his response. The 25-page Bar Complaint, MR. Brody's response and my 17-page reply is on the Fla. Supreme Court docket sheet. so if you wish to view it... you can view it by getting a copy from the Fla. Supreme Court, or email Shirley at <the deathrow poet@yahoo.com> and request a copy. The Fla. Bar hasn't ruled on this complaint as of today. MR. Brody's former law partner Jeffrey M. Hazen Bar NO: 0153060 cut ties with MR. Brody in June 2009, taking a position with the Fla. Bar in their ethics and advertising Dept. I therefore am concerned about his influence. on September 25, 2009 the Florida Supreme Court denied my second motion to Dismiss Counsel. As well as my motion pleading a conspiracy. since May 2007 the Florida Supreme Court has been put on notice that my incompetent Counsel and I have a serious conflict. yet instead of protecting my constitutional rights and providing me with conflict free Counsel or allowing me to file my own PRO se initial brief. They have forced this incompetent drunk

upon me, tying my hands, gagging me leaving me absolutely helpless and defenseless! I've introduced my correspondence into the docket sheet, hoping that would make counsel follow cognizant law. Well it didn't! The only thing MR. Brody has been consistent in is "lying" and "intoxicated representation!" you can see in my letters where I'm asking him to take valid legal steps, or explain using case law or Fla. statutes why he's not going to take the steps. yet when counsel does respond it's a bunch of rambling mumbo jumbo non-sense! "Never addressing valid legal issues!" The Florida supreme court has set my ORAL ARGUMENTS FOR NOVEMBER, 2, 2009 at 9am proceeding, allowing this drunk incompetent man to procedurally bar valid legal issues. I encourage everyone to show up, and make MR. Brody account for his actions, that are in the bar complaint. The January 2008 motion to Dismiss counsel. And the September 2009 motion to Dismiss counsel. This worthless representation is a waste of Tax dollars, a violation of due process and a miscarriage of justice! "These Registry attorneys, Harry P. Brody, Peter Cannon, Dale G. Westling SR. ERIC Pinkard, Louis Casuso, Bay Harrison and Christopher Anderson are time barring and procedurally barring men. MR. Cannon alone has killed seven Death Row inmates time barring them from Federal review!" And no one is stepping up asking questions! "Everyone is turning a blind eye to what is GROSS INCOMPETENCE!!" Almost 50 men are sitting here on Florida's death row "TIME BARRED" because of incompetent representation! In the Downs case, MR. Brody's excuse for missing a filing deadline, and time barring Downs, is that he (MR. Brody) "anticipated" the Federal time started on such and such date. "Anticipated!" An attorney is not there to anticipate! He's there to be cognizant of the law! To know the law, to follow the law! "Not anticipate the law!" There's a problem, a problem that is being "ignored!" we need a Federal judge to step in and look at what these attorneys are doing. Ask these attorneys to explain their actions, of not being cognizant of the law. No one is holding these incompetent attorneys accountable! And this is what I want to accomplish with the October 12, 2009 Hunger strike. bringing attention to these incompetent no account attorneys, that are not only being provide to death row inmates, but being forced upon them! I'd rather the public look next to me, and see an empty seat than to see this facade of an attorney, that is doing far more damage than good. some one needs to step up and say enough is enough. please be that person.

Sincerely Ronald W. Clark Jr.