

Prisoner Resources Issue

Typically the Florida Postconviction Journal provides articles and self-help legal advice relating to postconviction issues. But, since all of our readers are prisoners, for this issue we have compiled a list of resources for Florida inmates. Please feel free to contact the FPJ with any information about other

inmate resources not listed in this issue. We will provide any further resource information in future issues. Furthermore, the resource list will be provided on Rhotonpostconviction.com and will be updated as new resource information is obtained.

Prisoner Resources List

ACLU National Prison Project

915 15th Street, N.W., 7th Floor
Washington, DC 20005

Phone: (202) 393-4930; (202) 393-4931 fax

Website: www.aclu.org/prisons

Services: Class action suits involving prison conditions and related issues in state and federal institutions. Litigation is usually limited to cases involving major class actions challenging prison conditions or otherwise of national significance. Also provide advice and materials to individuals or organizations involved in prison issues. Do not handle cases on behalf of individual prisoners or post-conviction cases.

ACLU of Florida

4500 Biscayne Boulevard - #340
Miami, FL 33137-3227

Phone: (786) 363-2700; (786) 363-1107 fax

E-mail: aclufl@aclufl.org

Website: www.aclufl.org

Services: Litigation on constitutional issues.

ACLU Reproductive Freedom Project

125 Broad Street, 18th Floor
New York, NY 10004-2400
Phone: 212-549-2633

Website: www.aclu.org/reproductive-freedom

Services: Advocate for pregnant women while incarcerated to receive the reproductive health services that are needed. Write for a "Know Your Rights" fact sheet.

AN END TO SILENCE

The Project on Addressing Prison Rape
The Washington College of Law
4801 Massachusetts Ave NW
50th Street Bldg.

Washington, DC 20016

Phone: (202) 274-4385

Website: www.wcl.american.edu/endsilence

Services: National group working to end rape in prison. Also has legal resources for rape victims.

Campaign to End the Death Penalty

PO Box 25730

Chicago, IL 60625

Phone: 773-955-4841

Website: www.nodeathpenalty.org

Services: A national grassroots abolitionist organization that works with prisoners, family members and organizers. CEDP publishes a newsletter called "**The New Abolitionist**," which is provided free to prisoners.

Death Penalty Focus

5 Third Street, Suite 725
San Francisco, CA 94103
Phone: 415-243-0143

Website: www.deathpenalty.org

Services: Dedicated to abolishing capital punishment through grassroots organizing, media outreach, nationwide coalition building, and education of political and civic leaders and the public about the death penalty and its alternatives. Does not offer any legal services or become involved in individual legal cases.

The hiring of a lawyer is an important decision that should not be based solely on advertisements.
Before you decide, ask us to send you free written information about our qualifications.

About Loren Rhoton, P.A.

Loren Rhoton, P.A. is a law firm that focuses exclusively on postconviction actions and inmate issues. The mission of Loren Rhoton, P.A. is to ensure that justice is accomplished in each and every case the firm undertakes. The firm's area of practice ranges from direct criminal appeals and postconviction actions to assisting inmates in dealing with the Florida Department of Corrections. Loren Rhoton, P.A., is a small firm, consisting of Mr. Loren D. Rhoton and Mr. Ryan J. Sydejko. The firm strives to keep a small caseload in order to give each case the individual attention it deserves. We are not a volume business. We do not accept every case that is presented to the firm for representation. A thorough review of any potential case will be conducted before the firm undertakes full representation. If you wish to have your case reviewed for representation, please contact Loren Rhoton for more information. If inquiring about representation, please do not send any materials to the firm that you wish to have returned to you.

Loren D. Rhoton, Esq.

Loren D. Rhoton is an attorney in private practice with the law office of Loren Rhoton, P.A., in Tampa, Florida. Mr. Rhoton graduated from the University of Toledo College of Law and has been a member in good standing with The Florida Bar since his admission to practice in 1995. The exclusive focus of Mr. Rhoton's practice is dedicated to assisting Florida inmates with their criminal appeal/postconviction cases.

Mr. Rhoton is a member of The Florida Bar's Appellate Division. He is also a member of the U.S. District Court, in and for the Middle and Northern Districts of Florida. Mr. Rhoton is licensed to practice before the U.S. Court of Appeals for the 11th Circuit and is also certified to practice before the U.S. Supreme Court. Mr. Rhoton regularly practices before Federal District Courts and the U.S. Court of Appeals for the 11th Circuit.

Mr. Rhoton typically deals with clients who have lengthy prison sentences. Mr. Rhoton has investigated and pursued hundreds of postconviction cases. He has practiced in all phases of the Florida Judicial System, all the way from misdemeanor county courts up to the Florida Supreme Court. Additionally, Mr. Rhoton has been directly responsible for amendments to Florida Rule of Criminal Procedure 3.850 (the main vehicle for most postconviction actions). Mr. Rhoton was appointed by the Florida Supreme Court to the Florida Criminal Rules Steering Committee, Subcommittee on Postconviction Relief, which focused on rewriting Florida Rule of Criminal Procedure 3.850. Mr. Rhoton worked on said subcommittee with judges and other governmental officials in an effort to improve the administration and execution of postconviction proceedings. Mr. Rhoton's role on said committee was to advocate for changes that were beneficial to postconviction litigants.

For over a decade, Mr. Rhoton authored a bimonthly article, *Post Conviction Corner*, for Florida Prison Legal Perspectives. Selected articles from *Post Conviction Corner* have been compiled and printed in a legal self-help book, *Postconviction Relief for the Florida Prisoner*. Mr. Rhoton also served on the Board of Directors of the Florida Prisoners' Legal Aid Organization.

Ryan J. Sydejko, Esq.

Ryan J. Sydejko is an attorney with the law office of Loren Rhoton, P.A. His practice focuses primarily on postconviction matters for those incarcerated throughout the State of Florida. He has argued cases before many circuit courts and District Courts of Appeal and has several published opinions. Mr. Sydejko has also presented cases to the Supreme Court of Florida and the U.S. District Courts for the Middle and Northern Districts of Florida.

Mr. Sydejko graduated from the University of Minnesota with a degree in political science and attended the University of Tulsa College of Law. As a student, he authored a law review article entitled: "International Influence on Democracy: How Terrorism Exploited a Deteriorating Fourth Amendment." The article, exploring how domestic terrorist threats have reshaped everyday law enforcement procedures, was published in the Spring 2006 edition of the Wayne State University Law School Journal of Law in Society. Mr. Sydejko also wrote articles for the Florida Prison Legal Perspectives. Mr. Sydejko is a member in good standing with the Florida Bar and is qualified to practice in all Florida state courts, as well as the Federal District Courts for the Middle and Northern Districts of Florida.

Notable Firm Cases

Dames v. State, 773 So.2d 563 (Fla. 2d DCA 2000) – Improper summary denial of Rule 3.850 Motion reversed & remanded for evidentiary hearing.

Dames v. State, 807 So.2d 756 (Fla. 2d DCA 2002) – First Degree Murder conviction vacated & new trial granted due to ineffective counsel

Battle v. State, 710 So.2d 628 (Fla. 2d DCA 1998) – Improper Habitual Felony Offender Sentence on violation of probation reversed & remanded for resentencing

Mitchell v. State, 734 So.2d 1067 (Fla. 1st DCA 1999) - counsel can render ineffective assistance for failure to argue boarded-up structure is not a 'dwelling' under arson statute

Caban v. State, 9 So.3d 50 (Fla. 5th DCA 2009) – counsel can be ineffective for failing to object to improper impeachment of defense expert witnesses in Shaken Baby Syndrome case

Graff v. State, 846 So.2d 582 (Fla. 2d DCA 2003) – attorney's misadvice as to potential sentence can amount to ineffective assistance of counsel sufficient to justify withdrawal of plea.

Campbell v. State, 16 So.3d 316 (Fla. 2d DCA 2009) – Manifest Injustice – summary denial of Rule 3.800 motion to correct illegal sentence reversed & remanded on manifest injustice grounds.

Thompson v. State, 987 So.2d 727 (Fla. 4th DCA 2008) – Reversal of Life Sentences – entitled to *de novo* resentencing upon correction of improper consecutive life sentences for murder and burglary.

Williams v. State, 777 So.2d 947 (Fla. 2000) – Right to Belated Postconviction Motion – if post-conviction counsel fails to timely

Prisoner Resources (cont.)

DC Books to Prisons Project

P.O. Box 34190

Washington, DC 20043

E-mail: btopdc@gmail.com

Website: <http://dcbookstoprisoners.org>

Services: Provides books to incarcerated people nationally. Free of charge, but stamps and donations for postage encouraged. Request by prioritized subjects, please limit to one request every five months. Please list prison restrictions if known. Open to larger donation requests for prison libraries.

Families Against Mandatory Minimums (FAMM)

1100 H St. NW, Suite 1000

Washington, DC 20005

Phone: (202) 822-6700; (202) 822-6704 fax

E-mail: FAMM@FAMM.org

Website: www.FAMM.org

Services: Work to change mandatory sentencing laws. Provide information about the laws and how to change them. Offers a newsletter, FAMM-gram.

Florida Justice Institute, Inc.

4320 Bank of America Tower

100 S.E. Second Street

Miami, FL, 33131

Phone: (305) 358-2081

Contact: Randall C. Berg, Jr.

Email: rcberg@floridajusticeinstitute.org

Services: Handles civil rights cases regarding conditions in prisons and jails; advocates and lobbies on behalf of prisoners.

Florida Legal Services

2425 Torreya Drive

Tallahassee, FL 32303

Phone: (850) 385-7900 Fax: (850) 385-9998

Website: www.floridalegal.org

Services: Provides referrals in civil matters.

Human Rights Watch

Address: 350 5th Avenue, 34th Floor

New York, NY 10118-3299

Phone: (212) 290-4700; (212) 736-1300 fax

file Rule 3.850 Motion, defendant has right to file belated appeal.

Parker v. State, 977 So.2d 671 (Fla. 4th DCA 2008) – Sentence reversed & remanded for resentencing due to judicial vindictiveness.

Pacheco v. State, 114 So.3d 1107 (Fla. 2d DCA 2013) – Withdrawal of Plea – Post-trial motion to withdraw plea improperly summarily denied when facts cast doubt on movant's competency to enter plea

Easley v. State, 742 So.2d 463 (Fla. 2d DCA 1999) – counsel can render ineffective assistance for failure to investigate insanity defense.

Prisoner Resources (cont.)

Website: www.hrw.org

Services: Conduct fact-finding investigations into human-rights abuses in all regions of the world. Working with local partners, monitor conditions of detention around the world. Publish findings in books and reports.

Innocence Project of Florida.

1100 East Park Ave.
Tallahassee, FL, 32301
Phone: (850) 561-6767

Website: www.floridainnocence.org

Services: Assists inmates with postconviction DNA innocence cases and helps exonerees in obtaining compensation for wrongful convictions.

Innocence Project

40 Worth St., Suite 701
New York, NY 10013
Phone: (212)364-5340

www.innocenceproject.org

Services: The Innocence Project is a national litigation and public policy organization dedicated to exonerating wrongfully convicted individuals through DNA testing and reforming the criminal justice system to prevent future injustice.

Jailhouse Lawyer's Handbook

National Lawyers Guild
132 Nassau Street, RM 922
New York, NY 10038

Website: <http://jailouselaw.org>

Services: This Handbook is a resource for prisoners who wish to file a §1983 lawsuit in federal court

regarding poor conditions in prison and/or abuse by prison staff. The Handbook is available for free online at <http://jailouselaw.org>. If requesting a hardcopy of the Handbook, write to either the National Lawyers Guild (address listed above), or, The Center for Constitutional Rights, 666 Broadway, 7th Floor, New York, NY 10012. A two-dollar (\$2.00) donation to said organizations is suggested to help cover postage costs. Stamps are accepted.

Just Detention International

3325 Wilshire Blvd., Suite 340
Los Angeles, CA 90010

Phone: (213) 384-1400; (213) 384-1411 fax

E-mail: info@justdetention.org

Website: www.justdetention.org

Services: Just Detention International (JDI) is a non-profit health and human rights organization that seeks to end sexual abuse in all forms of detention. JDI's website provides information for survivors, a legal section with legislation and case law, appeals for action, a comprehensive bibliography, and links to articles, reports, and other resources.

OPEN BOOKS PRISON BOOKS PROJECT

1040 N. Guillemard St.
Pensacola FL 32501

Website: www.openbookspcola.org

Services: Sends free reading material to inmates in Florida.

Prisoner Visitation and Support (PVS)

1501 Cherry Street
Philadelphia, PA 19102

Phone: 215-241-7117 Fax: 215-241-7227

Website: www.prisonervisitation.org

Services: PVS is a nationwide visitation that has 300

NEW

Back Issues of The Florida Postconviction Journal Now Available in One Convenient Book!

Now available online at www.amazon.com and www.barnesandnoble.com, or by mail at Loren Rhoton, P.A., 412 East Madison Street, Suite 1111, Tampa, Florida 33602. If ordering via mail, please send a money order or cashier's check (no stamps, cash or personal checks) in the amount of \$25, made payable to Loren Rhoton, P.A.

Please allow up to three weeks for delivery.

Prisoner Resources (cont.)

volunteers across the U.S. who visit federal and military prisoners. Their goal is to visit any prisoner who wishes to receive a visit and they have access to all prisons and prisoners in the federal and military prison systems. Volunteers visit once a month. Limited services for Spanish-speaking prisoners.

Prison Library Project

915-C West Foothill Boulevard – PMB 128
Claremont, CA 91711

Services: Provide books and cassette tapes to individual prisoners, study groups, prison libraries and prison chaplains free of charge. Also publish Ways and Means: A Resource List for Inmates.

Prisontalk.com

Services: An Internet community/forum that provides general information and networking for families of inmates. Also, has Florida specific forum that addresses issues ranging from dealing with the D.O.C. to coping with incarceration.

Southern Center for Human Rights

Address: 83 Poplar St, NW
Atlanta, GA 30303, USA
Phone: (404)688-1202

Website: <https://www.schr.org>

Services: Representing prisoners in challenges to unconstitutional conditions and practices in prisons and jails. Challenging systemic failures in the legal representation of poor people in the criminal courts. Representing people facing the death penalty who otherwise would have no representation.

Special Litigation Section

US Department of Justice, Civil Rights Division

950 Pennsylvania Avenue NW
Washington, DC 20530

Website: www.usdoj.gov/crt/split

Services: The Special Litigation Section is one of several Sections in the Civil Rights Division. They work to protect civil rights in the following areas: (1) the rights of people in state or local institutions, including: jails, prisons, juvenile detention facilities, and health care facilities for persons with disabilities; (2) the rights of individuals with disabilities to receive services in their communities, rather than in institutions; (3) the rights of people who interact with state or local police or sheriffs' departments; (4) the rights of youth involved in the juvenile justice system; (5) the rights of people to have safe access to reproductive health care clinics; and, (6) the rights of people to practice their religion while confined to state and local institutions. They can also act on behalf of people at risk of harm in these areas.

*Second
Edition!*

NEW SECOND EDITION!

Postconviction Relief for the Florida Prisoner

A compilation of Selected Legal Self-Help Articles

An updated and revised collection of Loren Rhoton's articles are now available in one convenient book geared towards Florida inmates seeking justice in their cases. Insights based on professional experience, case citations, and references to the relevant rules of procedure are provided. This Second Edition is specifically directed toward those pursuing postconviction relief.

Now available online at www.amazon.com, www.rhotonpostconviction.com, www.barnesandnoble.com, or by mail at Loren Rhoton, P.A., 412 East Madison Street, Suite 1111, Tampa, Florida 33602. If ordering via mail, please send a money order or cashier's check (no stamps, cash or personal checks), in the amount of \$25, made payable to Loren Rhoton, P.A.

Please allow up to three weeks for delivery.

The Florida Postconviction Journal

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- Direct Appeals
- Belated Appeals
- Rule 3.850 Motions
- Illegal Sentence Corrections
- Rule 9.141 Petitions
- Federal Habeas Corpus Petitions

The Florida Postconviction Journal publishes up to four times per year. This Journal provides resources for information affecting prisoners, their families, friends, loved ones, and the general public of the State of Florida. Promoting skilled access to the court system for indigent prisoners is a primary goal of this publication. Due to the volume of mail that is received, not all correspondence can be returned. If you would like return of materials, please enclose a postage-paid and pre-addressed envelope. This publication is not meant to be a substitute for legal or other professional advice. The material addressed in the Journal should not be relied upon as authoritative and may not contain sufficient information to deal with specific legal issues.

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