

U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

CERTIFICATE OF SERVICE

(Use this form only if service is being made other than through the Court's electronic-filing system.)

USA vs. Bowen Appeal No. 25-12122

FRAP 25(b) through (d) require that at or before the time of filing a paper, a party must serve a copy on the other parties to the appeal or review. Unless the document is being served through the Court's electronic-filing system, the person making service must certify that the other parties have been served, indicating the date and manner of service, the names of the persons served, and their addresses. **You may use this form to fulfill this requirement.**

Please type or print legibly.

I hereby certify that on (date) 7/9/2025, a true and correct copy of the

foregoing (title of filing) Petition for Writ of Mandamus has been (check one):

- ☒ sent by mail, postage prepaid
- ☐ deposited in the prison's internal mailing system with first-class postage prepaid
- ☐ sent by electronic means with the consent of the person being served
- ☐ other (specify manner of service) _____

and properly addressed to the persons whose names and addresses are listed below:

US District Court Middle District of Florida,

Judge Nathan W. Hill

401 W. Central Blvd. Orlando FL 32801

Torvald & Bowen
Your Name (please print)

Torvald Bowen
Your Signature

‘UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

In re: EMMET BOWENS,)

Petitioner.)

Case No. 25-12122

PETITION FOR WRIT OF MANDAMUS

Petitioner Emmet Bowens, by next friend and wife Taquanda Bowens, respectfully petitions this Court under 28 U.S.C. § 1361 for a writ of mandamus compelling Respondent United States of America to perform its nondiscretionary duties: (a) to provide Petitioner with a valid revocation hearing under 18 U.S.C. § 3148, (b) to conduct a renewed competency evaluation under 18 U.S.C. §§ 4241, 4246, and (c) to release Petitioner from unlawful detention if no lawful basis for continued confinement exists.

I. PARTIES

1. Petitioner Emmet Bowens is detained at Federal Medical Center, Butner, North Carolina, under warrant issued March 21, 2023 (Case No. 6:21-cr-00141-RBD-NWH) and executed December 10, 2024.
2. Next friend, Taquanda Bowens is Petitioner's wife and authorized next friend under Fed. R. Civ. P. 17(c).

3. Respondent United States of America is sued through the U.S.

Attorney for this District.

II. JURISDICTION AND VENUE

4. Mandamus jurisdiction lies in this Court under 28 U.S.C. § 1361, which empowers district courts to compel an officer or employee of the United States to perform a duty owed. *Coleman-Bey v. United States*, 512 F. Supp. 2d 44, 49 (D.D.C. 2007).

5. Venue is proper in the Orlando Division, the originating forum for the underlying criminal proceedings. 18 U.S.C. § 3237(a).

III. LEGAL STANDARD

6. A writ of mandamus is an extraordinary remedy available only when: (1) the petitioner's right to relief is "clear and indisputable," (2) the respondent owes a "clear nondiscretionary duty," and (3) no adequate alternative remedy exists. *Cheney v. U.S. Dist. Ct.*, 542 U.S. 367, 380–81 (2004); *Little v. Holder*, F. Supp. 3d, 2012 WL 2890311, at 4 (D. Md. 2012).

7. The petitioner bears the burden to show entitlement to the writ. *Abboud v. Bureau of Prisons*, 2022 WL 3359455, at 2 (M.D. Fla. Aug. 18, 2022).

IV. STATEMENT OF FACTS

A. Indictment and Competency Proceedings

8. On October 13, 2021, Petitioner was indicted for wire fraud (Case No 6:21-cr-141-RBD-EJK).

9. On July 13, 2022, Magistrate Judge Kidd found Petitioner incompetent under 18 U.S.C. § 4241(d) and committed him to the Attorney General for restoration at FMC Butner for up to four months. (Exhibit 1).

10. Petitioner was ordered to surrender March 21, 2023, after restoration designation. (Ex. 1 at ¶4).

B. Violation Petition and Invalid Warrant

11. On March 21, 2023, Pretrial Services filed a violation petition under 18 U.S.C. § 3148 for tampering with GPS monitoring. (Exhibit 2).

12. Magistrate Judge Kidd issued a warrant absent a fresh probable-cause hearing or detailed petition supporting arrest. (Ex. 2).

13. Petitioner absconded, was declared fugitive, and a new docket (Case No. 6:21-cr-00141-RBD-UAM-1) was opened, duplicating jeopardy.

C. Arrest and Continued Detention

14. On December 10, 2024, Petitioner was arrested in Mississippi and remanded without a show-cause hearing, trial, or renewed competency evaluation. (Ex. 3).

15. Petitioner remains detained over 5 months beyond the original four-month restoration period under 18 U.S.C. § 4241(d), with no competency re-hearing.

16. Petitioner has never been convicted of the violation and no revocation hearing under § 3148 has occurred.

D. Medical Mistreatment

17. On December 13, 2024, while detained at Lafayette County Detention Center in Oxford, Mississippi, Petitioner was improperly given another inmate's prescription medication for gout and blood pressure, rather than his own, posing serious health risks and violating his Eighth Amendment right against cruel and unusual punishment and Fourteenth Amendment due process. See *Estelle v. Gamble*, 429 U.S. 97, 103–04 (1976); *United States v. Weston*, 55 F. Supp. 2d 23, 29–30 (D.D.C. 1999).

E. Denial of Access and Counsel

18. Family and successive counsel Andrew Searle and Charles Taylor, Jr. were rejected from filings. Petitioner has been denied counsel or self-representation as guaranteed by the Sixth Amendment and *Faretta v. California*, 422 U.S. 806 (1975).

19. A habeas corpus petition had been filed on Petitioner's behalf under 28 U.S.C. § 2241 challenging the lawfulness of his detention, but as of June 12,

2025, the outcome remains pending. Mandamus relief is still necessary because the habeas petition does not automatically compel the ministerial duties Respondent must perform, and Petitioner faces continued harm absent immediate judicial action.

V. ALLEGED VIOLATIONS AND LEGAL CLAIMS

A. Due Process (Fifth Amendment) and Section 4241(d) Procedure

20. Petitioner's indefinite detention without timely restoration or hearing violates due process and 18 U.S.C. §§ 4241(d) and 4246(b), which require a hearing to determine restoration prospects every four months. *Sell v. United States*, 539 U.S. 166, 181–82 (2003).

B. Speedy Trial (Sixth Amendment; 18 U.S.C. §3161)

21. Petitioner has been detained over eighteen months without trial or revocation hearing, violating the Speedy Trial Act, 18 U.S.C. § 3161(c)(1). See *Morris v. Gonzalez*, F. Supp. 3d, 2023 WL 2976230, at *4 (S.D. Tex. 2023).

C. Double Jeopardy (Fifth Amendment; Blockburger Test)

22. Charging Petitioner in two case numbers for the same conduct violates the Double Jeopardy Clause. *Blockburger v. United States*, 284 U.S. 299,

304 (1932); *Borchardt v. United States*, 469 U.S. 937, 948–49 (1984) (dissent).

D. Unlawful Arrest and Detention; Fourth Amendment

23. Arrest on an invalid warrant without probable cause violates the Fourth Amendment. *United States v. O'Donnell*, 209 F. Supp. 332, 335 (D. Me. 1962).

E. Denial of Counsel and Self-Representation

24. Denial of counsel or right to proceed pro se violates the Sixth Amendment. *Faretta*, 422 U.S. at 819; *Milton v. Morris*, 767 F.2d 1443, 1451 (9th Cir. 1985).

F. Deliberate Indifference to Medical Needs

25. Administering incorrect medical drugs constitutes deliberate indifference under the Due Process Clause. *Riggins v. Nevada*, 504 U.S. 127, 135 (1992); *United States v. Weston*, 55 F. Supp. 2d at 29.

VI. NO ADEQUATE ALTERNATIVE REMEDY

26. Petitioner cannot file habeas in this District due to out-of-district confinement and no counsel; direct appeal is unavailable absent conviction; mandamus is necessary to compel ministerial duties. *Cheney*, 542 U.S. at 380–82; *Abboud*, 2022 WL 3359455, at 3.

VII. PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

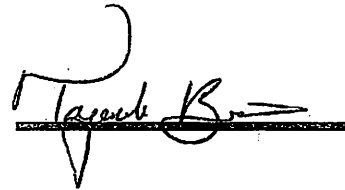
A. Issue a writ of mandamus directing Respondent to perform its nondiscretionary duties to:

1. Conduct immediately a revocation hearing under 18 U.S.C. § 3148;
2. Re-evaluate competence under 18 U.S.C. §§ 4241 & 4246 and, if incompetence persists, recommit or release Petitioner;
3. Review and vacate the invalid warrant and order immediate release;

B. Alternatively, issue an order to show cause why these duties should not be performed;

C. Grant any further relief deemed just and proper.

Respectfully submitted on June 11th, 2025.

A handwritten signature in black ink, appearing to read "Emmet Bowens", is written over a horizontal line.

For Emmet Bowens, Pro Se

[Address]

[Phone]

[Email]

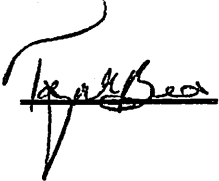
EXHIBITS

1. Order Finding Incompetency.
2. Petition and Warrant for Violation of Pretrial Release.
3. Arrest Warrant.
4. Standing Order on Due Process Protections Act.
5. Habeas Corpus Petition.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing motion
has been furnished to the by ☒ U.S. Mail ☐ email ☐ hand delivery ☐ e-filing
portal

DATED: June 11th 2025

BY: 

For Emmet Bowens, Pro Se

[Address]

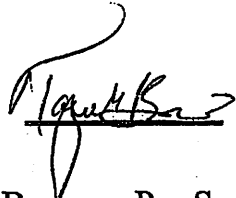
[Phone]

[Email]

CERTIFICATE OF COMPLIANCE

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

DATED: June 11th 2025

BY: 

For Emmet Bowens, Pro Se

[Address]

[Phone]

[Email]

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA**

IN RE: Due Process Protections Act

CASE NO. 3:20-mc-20-J-32

**STANDING ORDER REGARDING
DUE PROCESS PROTECTIONS ACT**

Pursuant to the Due Process Protections Act, the Court confirms the United States' obligation to produce all exculpatory evidence to the defendant pursuant to Brady v. Maryland, 373 U.S. 83 (1963), and its progeny and orders the United States to do so. Failing to do so in a timely manner may result in consequences, including exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, and sanctions.

The Clerk is directed to enter this order in all criminal cases pending on October 21, 2020, or filed thereafter.

DONE AND ORDERED in Jacksonville, Florida on December 1, 2020.



Timothy J. Corrigan

TIMOTHY J. CORRIGAN
Chief United States District Judge

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

UNITED STATES OF AMERICA

VS.

CASE NO: 6:21-cr-141-RBD-EJK

EMMET BOWENS

ORDER

On July 13, 2022, United States Magistrate Judge Embry J. Kidd entered an Order finding Defendant Emmet Bowens incompetent to proceed to trial, pursuant to 18 U.S.C. § 4241(a) and (d). Doc. No. 78. In that same Order, Magistrate Judge Kidd committed Bowens to the custody of the Attorney General for treatment in a suitable facility for a reasonable period of time, not to exceed four (4) months from the date Bowens arrives at the designated facility, to determine whether there was a substantial probability that in the foreseeable future Bowens would attain the capacity to permit the proceedings to go forward. *Id.* At the time of Magistrate Judge Kidd's Order, Bowens was out on conditions of pretrial release, and he was ordered to report to the designated facility upon notification by the Bureau of Prisons. *Id.* See also Doc. Nos. 7-2; 64. Bowens was thereafter directed to voluntarily surrender on March 21, 2023 to the Federal Medical Center in Butner, North Carolina ("FMC Butner). Doc. No. 84.

On March 21, 2023 the United States Pretrial Services Office filed a petition alleging that Bowens violated his conditions of pretrial release by removing his GPS monitor without permission and absconding. Doc. No. 100. Magistrate Judge Kidd issued a warrant for Bowens' arrest that same day. Doc. Nos. 101-102. Since that date, Bowens has remained a fugitive, with his whereabouts unknown. *See, e.g.*, Doc. Nos. 103-104, 107-108. In addition, on June 21, 2024 Magistrate Judge Kidd granted Attorney Andrew C. Searle's motion to withdraw as counsel. Doc. Nos. 109-110.

On December 10, 2024, Bowens was arrested in the Northern District of Mississippi, and after proceedings under Federal Rule of Criminal Procedure 5(c), Bowens was ordered remanded to the custody of the United States Marshals Service for transport to this Court. Doc. No. 112. The undersigned held a hearing today, at which the undersigned appointed Attorney Charles E. Taylor, Jr. to represent Bowens under the Criminal Justice Act. Doc. Nos. 113, 115. The undersigned also discussed with counsel the procedural posture of this case and what further proceedings should occur.

Based on that discussion, and in particular given the prior finding that Bowens is incompetent to proceed and the absence of any evidence suggesting that finding should be revisited at this time, and with counsel for all parties in

agreement, the undersigned made the following rulings which are memorialized herein:

1. Defendant Emmet Bowens is **DETAINED** pending further proceedings and **REMANDED** to the custody of the United States Marshal. Bowens' current incompetency precludes the undersigned from conducting a revocation of pretrial release hearing pursuant to 18 U.S.C. § 3148 at this time.

2. The finding of incompetency set forth in Magistrate Judge Kidd's July 13, 2022 Order (Doc. No. 78) remains in full force and effect, and it is again **ORDERED** that Defendant Emmet Bowens is committed to the custody of the Attorney General to be hospitalized for treatment in a suitable facility. The term of commitment is for such a reasonable period of time, not to exceed four months, as is necessary to determine whether there is a substantial probability that in the foreseeable future he will attain the capacity to permit the proceedings to go forward. 18 U.S.C. § 4241(d)(1).

3. It is further **ORDERED** that the Bureau of Prisons shall submit a report to the Court and counsel for the parties within ten (10) days after the term of commitment established herein expires addressing whether Bowens is then competent to proceed to trial or, if not, whether there is a substantial probability that in the foreseeable future Bowens will attain the capacity to permit the proceedings to go forward. As this time period is established by statute, the Court

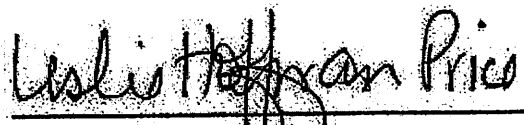
will not extend it. Thus, it is further **ORDERED** that the Bureau of Prisons shall promptly designate Bowens to a suitable facility and cause Bowens to be transported to that facility on an expedited basis.

4. It is further **ORDERED** that the United States Marshals Service shall **forthwith** provide a copy of this Order to the appropriate officials in the Bureau of Prisons.

5. The United States is **DIRECTED** to file a motion for the release of Bowens from the Attorney General's custody within **five (5) days** of receipt of a §4241(c) certificate.

6. The parties are **DIRECTED** on **January 31, 2025** and every **thirty (30) days** thereafter, to provide a joint status report to the Court regarding Bowen's competency. See Doc. Nos. 80, 105.

DONE and ORDERED in Orlando, Florida on December 26, 2024.



LESLIE HOFFMAN PRICE
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

United States Marshal
United States Attorney
Counsel for Defendant

UNITED STATES DISTRICT COURT
Middle District of Florida

WARRANT FOR ARREST

UNITED STATES OF AMERICA

VS.

CASE NO: 6:21-cr-141-RBD-EJK

EMMET BOWENS

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest Emmet Bowens

and bring him or her forthwith to the nearest magistrate judge to answer a Pretrial Release Violation Petition
charging him with:

See Petition.

J. Reyes

Name of Issuing Officer

Deputy Clerk

Title of Issuing Officer

Signature of Issuing Officer

March 21, 2023 Orlando, Florida

Date and Location

RETURN

This warrant was received and executed with the arrest of the above named individual at

Oxford, MS

DATE RECEIVED

03/21/2023

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE OF ARRESTING OFFICER

DATE OF ARREST

12/10/2024

Scott A. Dumas

Scott A. Dumas

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UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF FLORIDA
PRETRIAL SERVICES OFFICE

207 NW 2nd St
Ocala, Florida 34475

Phone: (352) 421-7477
Fax: (352) 644-2984

MEMORANDUM

TO: Honorable Embry J. Kidd
United States Magistrate Judge

FROM: Megan Martin
United States Pretrial Services Officer

RE: 6:21-CR-00141-RBD-EJK-001
Emmet Bowens



VIOLATION REPORT - WARRANT REQUESTED

DATE: March 21, 2023

RELEASE STATUS:

On December 2, 2021, the defendant appeared before Magistrate Judge Linda T. Walker for his Detention Hearing in the Northern District of Georgia. Judge Walker released the defendant on an unsecured bond in the amount of \$10,000 with Pretrial Services supervision and other conditions as set forth in the Order Setting Conditions of Release, including location monitoring.

On December 16, 2021, the defendant appeared before Your Honor for his In-District initial appearance and arraignment based on an Indictment, charging him with Wire Fraud and Illegal Monetary Transaction. On July 13, 2022, The Court found the defendant currently not competent to proceed to trial. On September 13, 2022, the United States Marshal Service informed the government that the defendant has been designated to receive his competency restoration treatment at the Federal Medical Center in Butner, North Carolina. Mr. Bowens was instructed to voluntary surrender on March 21, 2023, to at the Federal Medical Center in Butner, North Carolina.

APPARENT VIOLATIONS:

1. Defendant's location shall be electronically monitored by Pretrial Services, Pretrial Services shall use GPS location monitoring system to use to monitor Defendant. Defendant is placed on a curfew.

On March 21, 2023, at approximately 11:06 a.m., the defendant removed his Global Positioning Satellite (GPS) ankle monitor without permission of Pretrial Services.

OFFICER INTERVENTION

On March 17, 2023, the defendant contacted this officer via text message and requested modification to his curfew so he could travel to the Federal Medical Center in Butner, North Carolina. The defendant stated he would leave on Saturday and Sunday to travel. The defendant advised he had informed his attorney of his travel plans.

On March 18, 2023, this officer communicated with the defendant via text message regarding his travel request. The defendant advised this officer that he would leave on March 19, 2023, to travel to the Federal Medical Center in Butner, North Carolina. This officer confirmed with the defendant she had extended his curfew so he may travel to Butner, North Carolina.

On March 20, 2023, this officer noted that the defendant did not leave his residence until 3:46 a.m. on this date and traveled to Atlanta, Georgia.

On March 21, 2023, at approximately 11:07 a.m., this officer received alerts regarding the defendant's GPS monitor being tampered with. The alerts indicated the strap on the defendant's monitor had been tampered with, in addition to a proximity tamper alert indicating the defendant's monitor was no longer in proximity to his ankle. This officer submitted numerous messages to the defendant's monitor instructing the defendant to call Pretrial Services. Additionally, this officer attempted to contact the defendant via telephone and left voicemail for the defendant to return her calls immediately. The defendant failed to contact this officer or respond to any of the alerts sent to the defendant's GPS monitor. This officer also sent text messages to the defendant requesting he contact this officer immediately.

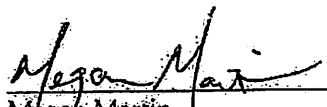
According to Behavioral Interventions TotalAccess alerts, events log and GPS mapping, the defendant's last known location was at 650 Phipps Blvd. NE, Atlanta, Georgia 30326, at approximately 11:06 a.m., on March 21, 2023.

DEFENDANT'S ADJUSTMENT TO SUPERVISION

The defendant was released under Pretrial Services supervision for a total of fifteen months prior to his absconding from supervision. At this time the defendant is considered to have absconded from supervision and his whereabouts are currently unknown.

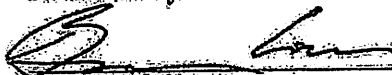
RECOMMENDATION

It is respectfully recommended that a warrant be issued for the defendant's arrest, charging violation of conditions of release pursuant to the provisions of Title 18, United States Code, Section 3148, and that his bond be revoked pending further proceedings.


Megan Martin
United States Pretrial Services Officer

3-21-2023
Date

Reviewed by:


Bryan Coomer, Supervisory
United States Pretrial Services Officer

3/21/2023
Date

PS 8
(8 88)

UNITED STATES DISTRICT COURT
For the
Middle District of Florida

U.S.A. vs. Emmet Bowens

Docket No. 6:21-CR-00141-RBD-EJK-001

Petition for Action on Conditions of Pretrial Release

COMES NOW Megan Martin, U.S. PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant Emmet Bowens, who was placed under pretrial release supervision by the Honorable Embry J. Kidd in the Court at Orlando, Florida, on December 16, 2021.

Respectfully presenting a petition for action of Court and for cause as follows:

- 1. Defendant's location shall be electronically monitored by Pretrial Services, Pretrial Services shall use GPS location monitoring system to use to monitor Defendant. Defendant is placed on a curfew.**

On March 21, 2023, at approximately 11:06 a.m., the defendant removed his Global Positioning Satellite (GPS) ankle monitor without permission of Pretrial Services.

PRAYING THAT THE COURT WILL ORDER A WARRANT BE ISSUED FOR THE DEFENDANT'S ARREST AND HER BOND BE REVOKED THROUGH THE PENDENCY OF HIS CASE.

ORDER OF COURT

Considered and ordered this _____ day
of _____, 2023 and ordered filed and
made a part of the records in the above case.

U.S. Magistrate Judge
Embry J. Kidd

I declare under penalty of perjury that the
foregoing is true and correct.

Executed on March 21, 2023



U.S. Pretrial Services Officer
Megan Martin

Reviewed and approved by:



Chauncey A. Bratt
Assistant United States Attorney

MAY 22 2025 PM 3:32
FILED - USDC - FLMD - ORL

UNITED STATES DISTRICT COURT

for the

Emmett Bowens
Petitioner

v.

Case No. 6:25-cv-904-COM-DEI
(Supplied by Clerk of Court)

The US Marshals, The Attorney General, FIM Botner
Respondent
(name of warden or authorized person having custody of petitioner)

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: Emmett Bowens
(b) Other names you have used: Emmet Bowens
2. Place of confinement:
(a) Name of institution: FIM Botner
(b) Address: Old North Carolina Highway 75
Butner, NC 27509
(c) Your identification number: 76675509
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain:
4. Are you currently:
☒ A pretrial detainee (waiting for trial on criminal charges)
☐ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
If you are currently serving a sentence, provide:
(a) Name and location of court that sentenced you: The Circuit Court of the
Middle District Florida Judicial Circuit For Orange County
(b) Docket number of criminal case: 6:21-cr-141-RBD-EJK / 6:21-cr-00141-RBD
UKM-1
(c) Date of sentencing: N/A
☐ Being held on an immigration charge N/A
☒ Other (explain): Court Order entered 3/9/2023

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Decision or Action You Are Challenging

5. What are you challenging in this petition:

☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

☒ Pretrial detention

☐ Immigration detention

☐ Detainer

☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)

☐ Disciplinary proceedings

☒ Other (explain): Acts of Unconstitutional laws imposed
while violating constitutional rights.

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: The Circuit Court of the Middle
district of Florida Judicial Circuit for Orange County

(b) Docket number, case number, or opinion number: 6:21-cr-141-RBD-ETR/6:21-cr-00141-RBD-
UAM

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

Pretrial detention while violating my rights of the
Constitutional laws.

(d) Date of the decision or action: 12/10/2024

Your Earlier Challenges of the Decision or Action

7. First appeal

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☒ Yes

☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: The Circuit Court of the Middle
district of Florida Judicial Circuit for Orange County

(2) Date of filing: April 21, 2025

(3) Docket number, case number, or opinion number: Ref: 6:21-cr-141-RBD-NAM

(4) Result: Documents returned as unfiled

(5) Date of result: April 21, 2025

(6) Issues raised: The validity of unlawfully being detained and
incarcerated improperly without a evidentiary conviction
of a crime after the Courts ruling of Incompetent.

(b) If you answered "No," explain why you did not appeal: N/A

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☒ Yes

☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: United States Court of Appeals
Eleventh Circuit

(2) Date of filing: April 28, 2025

(3) Docket number, case number, or opinion number: 11-25-90077

(4) Result: The Complaint is being processed

(5) Date of result: April 28, 2025

(6) Issues raised: Complaint for Judicial-Conduct

(b) If you answered "No," explain why you did not file a second appeal:

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes

☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a third appeal:

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes

☐ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes

☒ No

If "Yes," provide:

(1) Name of court:

(2) Case number:

(3) Date of filing:

(4) Result:

(5) Date of result:

(6) Issues raised:

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion or a Section 2254 to petition to challenge this conviction or sentence?*

☐ Yes

☒ No

If "Yes," provide:

(1) Name of court:

(2) Case number:

(3) Date of filing:

(4) Result:

(5) Date of result:

(6) Issues raised:

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: N/A

11. Appeals of immigration proceedings

Does this case concern immigration proceedings? N/A

☐ Yes ☒ No

If "Yes," provide:

- (a) Date you were taken into immigration custody: _____
(b) Date of the removal or reinstatement order: _____
(c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes ☒ No

If "Yes," provide:

- (1) Date of filing: _____
(2) Case number: _____
(3) Result: _____
(4) Date of result: _____
(5) Issues raised: _____

- (d) Did you appeal the decision to the United States Court of Appeals? N/A

☐ Yes ☒ No

If "Yes," provide:

- (1) Name of court: _____
(2) Date of filing: _____
(3) Case number: _____

(4) Result: 376

(5) Date of result:

(6) Issues raised:

12. Other appeals

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☒ Yes☐ No

If "Yes," provide:

(a) Kind of petition, motion, or application:

Petition for a Writ of Habeas Corpus

(b) Name of the authority, agency, or court:

The Circuit Court of the Middle

district Florida Judicial Circuit For Orange County

(c) Date of filing:

3/26/2025

(d) Docket number, case number, or opinion number:

6:25-cr-00529-JSS-DCT

(e) Result:

Document Stricken due to document being incomplete

(f) Date of result:

4/22/2025

(g) Issues raised:

The Unlawful detention of being incarcerated without a evidentiary conviction of a crime after being ruled incompetent by the court.

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

GROUND ONE: Unlawful detention

(a) Supporting facts (Be brief. Do not cite cases or law.):

Unlawful detention with no evidentiary conviction
of a crime committed.

(b) Did you present Ground One in all appeals that were available to you?

☒ Yes

☐ No

GROUND TWO: Violations of Constitutional Rights.

(a) Supporting facts (Be brief. Do not cite cases or law.):

Violations of constitutional rights of improper arrest to
produce a valid warrant obtaining a Judge signature
while performing illegal search and seizure during the
arrest. After being arrested, a new case number was created
and entered whereas the court appointed attorney
Charles Taylor declined to provide legal services for
representation deemed as ineffective counsel.

(b) Did you present Ground Two in all appeals that were available to you?

☒ Yes

☐ No

GROUND THREE: Incompetent to stand Trial

(a) Supporting facts (Be brief. Do not cite cases or law.):

After the court ruling of incompetent to stand trial, my first,
sixth, eighth and fourteenth Amendment constitutional
rights were violated on the basis of the right to
freedom of religion and speech to provide a speedy trial
to be informed as well as rights to counsel and due
process to be heard in a court of law.

(b) Did you present Ground Three in all appeals that were available to you?

☒ Yes

☐ No

GROUND FOUR:

Cruel and unsafe conditions of confinement

(a) Supporting facts (Be brief. Do not cite cases or law.):

While being incarcerated, the conditions of confinement have been cruel and unsafe to be incarcerated with convicted felons while being administered the wrong medications and almost losing my life.

(b) Did you present Ground Four in all appeals that were available to you?

☒ Yes☐ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not: N/A

Request for Relief

15. State exactly what you want the court to do: Petitioner respectfully requests that the Court orders immediate release of the petitioner and grants full dismissal of all charges.

Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

Petition mailed by spouse 5/19/2025

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date:

5/19/2025

Taguenda Bowers For Kimet Bowers
Signature of Petitioner

Taguenda Bowers
Signature of Attorney or other authorized person, if any

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TO:

US District Court Middle District of
Florida, Judge Nathan W. Hill
401 W. Central Blvd. Suite 1200
Orlando FL 32801
Clerks Office

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