

IN THE FLORIDA DISTRICT COURT OF APPEAL  
SECOND DISTRICT  
LAKELAND, FLORIDA

DONALD EUGENE HALPIN,

Petitioner,

vs.

Case No. 94-00550

HARRY K. SINGLETARY, JR., et al.,

Respondent.

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RETURN TO ORDER TO SHOW CAUSE

COMES NOW the Respondent, by and through the undersigned Assistant Attorney General, who answers the Order to Show Cause rendered this past March 15, 1994, and shows unto this Honorable Court as follows:

I

Donald Eugene Halpin again reaches out for relief. At this point, your undersigned asks whether counsel for Mr. Halpin has filed a docketing statement? Your undersigned has not been furnished with one; but, because of Mr. Halpin's litigation history, a docketing statement would be most helpful to the benches and bar of the Florida courts and federal courts.

II

Mr. Halpin has sought federal habeas corpus relief in Halpin v. Wainwright, No. 84-918-Civ-T-15A, affirmed sub nom., Halpin v. Dugger, 885 F.2d 879 (11th Cir. 1989)(unpublished opinion). Also see, Halpin v. Wainwright, No. 84-918-Civ-T-

13(b)(M.D.Fla. application for 28 USC §2254); Halpin v. Short, 773 F.2d 1238 (11th Cir. 1985)(table); and, Halpin v. Frederiksen, 773 F.2d 1238 (11th Cir. 1985)(table). Presently, Mr. Halpin is litigating Halpin v. Singletary, No. 90-332-Civ-T-17C (application for 28 USC §2254 relief pending).<sup>1</sup> In state court, Mr. Halpin was initially known as Charles Engle. See, Engle v. State, 407 So.2d 641 (Fla. 2d DCA 1981). Then collateral attacks began. See, Halpin v. State, 418 So.2d 1289 (Fla. 2d DCA 1982)(Aff.); Halpin v. State, 418 So.2d 1289 (Fla. 2d DCA 1982)(Aff.); Halpin v. State, 424 So.2d 768 (Fla. 2d DCA 1982)(Aff.); Halpin v. State, 428 So.2d 703 (Fla. 2d DCA 1983)(written opinion remanding case to state trial court for further proceedings on Mr. Halpin's application for Fla.R.Crim.Pr. 3.850 relief); Halpin v. State, 437 So.2d 681 (Fla. 2d DCA 1983)(Order disp.); Halpin v. Wainwright, 438 So.2d 839 (Fla. 2d DCA 1983)(Prohibition disp'd.); Halpin v. State, 440 So.2d 360 (Fla. 2d DCA 1983)(Aff.); Halpin v. State, 443 So.2d 986 (Fla. 2d DCA 1983)(Aff.), cert. denied, Halpin v. Florida, 465 U.S. 1035, 104 S.Ct. 1307, 79 L.Ed.2d 906 (1984); Halpin v. State, 448 So.2d 1153 (Fla. 2d DCA 1984)(remanded to the state court for appointment of counsel to represent Mr. Halpin at a Fla.R.Crim.Pr. 3.850 evidentiary hearing); Halpin v. State, 459 So.2d 1040 (Fla. No. 66,131 1985)(Habeas Corpus denied); Halpin v. Jones, 462 So.2d 1112 (Fla. 2d DCA 1985)(Aff.); Halpin v.

<sup>1</sup> Attached hereto as Respondent's Exhibit 013 is a copy of a Motion for an Evidentiary Hearing and Motion for Sanctions Against Assistant Attorney General William I. Munsey, Jr. This pleading is filed in Mr. Halpin's active federal habeas corpus lawsuit.

Pruitt, 462 So.2d 1112 (Fla. 2d DCA 1985)(Aff.); Halpin v. State, 472 So.2d 1190 (Fla. 2d DCA 1985)(Habeas Corpus denied), pet. for review dism'd., Halpin v. State, 476 So.2d 673 (Fla. 1985); Halpin v. State, 472 So.2d 1190 (Fla. 2d DCA No. 85-622; 1985)(Habeas Corpus denied)[1st case]; Halpin v. State, 472 So.2d 1190 (Fla. 2d DCA 1985)(App. dism.)(2nd case); Halpin v. State, 472 So.2d 1190 (Fla. 2d DCA 1985)(Mand. dism.)(3rd case); Halpin v. Sixth Judicial Circuit Court in and for Pasco County, 476 So.2d 681 (Fla. 2d DCA 1985)(Mand. denied); Halpin v. State, 478 So.2d 58 (Fla. 2d DCA 1985)(Aff.); Halpin v. State, 480 So.2d 1303 (Fla. 2d DCA 1985)(Aff.)(1st case); Halpin v. State, 480 So.2d 1303 (Fla. 2d DCA 1985)(App. dism.)(2nd case); Halpin v. Short, 490 So.2d 1271 (Fla. 2d DCA 1986), rehearing denied July 14, 1986, (affirming state trial court dismissal of lawsuit against Sheriff and Pasco County Commission), review dism., Halpin v. Short, 494 So.2d 1150 (Fla. 1986); Halpin v. Sixth Judicial Circuit in and for Pasco County, 490 So.2d 56 (Fla. 2d DCA 1986)(Mand. denied); Halpin v. Florida Senate Judiciary Civil Committee, 491 So.2d 279 (Fla. 2d DCA 1986)(Mand. denied); Halpin v. Wainwright, 492 So.2d 1332(Fla. 1986)(Mand. denied); Halpin v. State, 505 So.2d 1088 (Fla. 2d DCA 1987)(Aff.); Halpin v. Governor Graham, 505 So.2d 1343 (Fla. 1st DCA 1987)(Aff.); Halpin v. Dugger, 511 So.2d 999 (Fla. 1987)(Writ of Error Coram Nobis); Halpin v. State, 519 So.2d 991 (Fla. 2d DCA 1988); Halpin v. Staggers, 535 So.2d 272 (Fla. 2d DCA 1988)(Aff.); Halpin v. State, 539 So.2d 477 (Fla. 2d DCA 1989)(Aff.); Halpin v. Dugger, 547 So.2d 640 (Fla. 2d DCA No. 89-01922; 1989)(Habeas Corpus

denied); Halpin v. Brown, 551 So.2d 468 (Fla. 2d DCA 1989)(Aff.); Halpin v. State, 565 So.2d 1356 (Fla. 2d DCA 1990); Halpin v. Keough, 572 So.2d 915 (Fla. 2d DCA 1990)(App. Dism.); Halpin v. State, 581 So.2d 1319 (Fla. 2d DCA 1991)(Aff.); Halpin v. Butterworth, 598 So.2d 76 (Fla. 1992)(Mand. Dism.); Halpin v. Dept. of Corrections, 599 So.2d 288 (Fla. 1st DCA)(Mr. Halpin, as an indigent, is entitled to a transcript of the reported administrative proceedings); Halpin v. Martinez, 601 So.2d 552 (Fla. 1990)(Habeas Corpus denied), pet. for cert. denied, Halpin v. Martinez, et al, 499 U.S. 938, 111 S.Ct. 1393, 113 L.Ed.2d 449 (1991); Halpin v. Martinez, 608 So.2d 25 (Fla. 1st DCA 1992)(Aff.); Halpin v. Dept. of Corrections, 617 So.2d 319 (Fla. 1st DCA 1992)(Rev. dism.); and, Halpin v. State, 630 So.2d 1109 (Fla. 2d DCA No. 93-03262)(Opinion filed 12/01/93). To date, these are the reported citations your Respondent has been able to locate; and, this is the authority under which your Respondent is restraining the freedom of Petitioner. At this point, Respondent now asserts a continuing denial of each and every allegation indicating and/or suggesting that he is restraining the freedom of Petitioner contrary to either the Florida or federal Constitutions; and, Respondent continues to demand strict proof that Mr. Halpin's continued confinement is in violation of either the Florida or federal constitution.

### III

Respondent has set forth the direct and collateral state and federal appellate litigation history of Mr. Halpin; however, Respondent does not know if Mr. Halpin has filed additional