

NO: 20-11181-D

**IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

**ROGERIO CHAVES SCOTTON,
(A203085029)
Petitioner,**

V.

**WILLIAM P. BARR,
United States Attorney General,
Respondent.**

**PETITIONER'S MOTION TO LEAVE TO AMEND HIS OBJECTION MOTION TO
THE RESPONDENT'S OPPOSITION RESPONSE AND TO SEEK AN ORDER FOR
TEMPORARY OR PRELIMINARY INJUNCTION**

**ROGERIO CHAVES SCOTTON, PRO SE
A#: 203085029
7797 GOLF CIRCLE DRIVE APT#204
MARGATE, FL 33063**

**ROGERIO CHAVES SCOTTON,
(A203085029)
Petitioner,**

V.

**WILLIAM P. BARR,
United States Attorney General,
Respondent.**

On April 24, 2020, the Petitioner Rogerio Chaves Scotton ("SCOTTON"), was handcuffed and shackled by the U.S. Marshals and subsequently placed inside a bus to begin his removal from the United States which was done unlawfully, based on wrongfully allegations that he was an aggravated felon.

Scotton contends that during his removal from the United States he was subjected to a **cruel and unusual punishment** in violation of his eight amended.

The Petitioner contends that he was transported by airplane from Atlanta to Louisiana. On Louisiana, he was *taken from the plane and placed outside on rain*. This **while hand cuffed and shackled.**

Two hours later, the Petitioner was placed back inside another airplane wet. This second airplane arrived in El Paso, Texas. The Petitioner then was placed inside a Bus with 17 other detainees, while continue handcuffed and shackled. No social distance.

After almost four hours under such inhuman condition inside this Bus, Scotton and all other detainees from his bus and the other from another two buses was placed inside the Airplane that took him to Brazil.

The Petitioner contends that he was subjected to an ***eleven hours flight while handcuffed and shackled***. The U.S. Marshal only removed the handcuffed and shackles ***45 minutes*** before land in Brazil to avoid the Brazilian government flagrant of such outrageous behavior. All together the Petitioner was subjected to a **continue three days handcuffed and shackles** in such inhumane conditions. Only bread with ham was offered inside the plane.

There was not social distance practiced nor, have the agent used mask all time.

The Petitioner is now in Brazil with the only clothing on his back. No valid ID, no phone and no money. This while two of his judicial review petitions are pending, his § 2255 is pending, his § 2241 is pending and his adjustment of status application.

Furthermore, the Petitioner asserts that he is not an aggravated felon as was suggested by the Homeland Security Department.

The Petitioner deportation issue has been secured through numerous acts of misconduct and wrongfully assumption that he is an aggravated felon under 1101(a)(43)(M)(i) and this. And further was conduct under an inhumane form.

In this case, the respondent has avoided to address the claims made by the Petitioner under his two judicial review motions, engage in an unconscionable plan to violate the law and pervert the course of justice.

The Petitioner asserts that he is not an aggravated felon as wrongfully suggested by the respondent.

Respectfully Submitted,

**ROGERIO CHAVES SCOTTON, PRO SE
A#: 203085029
7797 GOLF CIRCLE DRIVE APT#204
MARGATE, FL 33063**

PROOF OF SERVICE

I Rogerio Chaves Scotton, do certify that on this May 19, 2020, I have served the attached motion to reply to the respondent opposition response (which is under the Petitioner's constitutional rights) on the Eleventh Circuit in the above proceeding. I have served this motion via, United States Postal Service (USPS) priority mail through, my Mother Marina Colon at Margate, FL

**ROGERIO CHAVES SCOTTON
ICDC#70926
IRWIN COUNTY DETENTION CENTER
132 COTTON DRIVE
OCILLA, GA 31774**