

Case Number: \_\_\_\_\_

**In The  
Supreme Court of The United States of America**

Piero Bugoni  
Petitioner

v.

Taylor O'Brien et al.  
Respondents

On Petition For Writ of Certiorari to the Florida  
Fourth District Court Of Appeals.

**PETITION FOR WRIT OF CERTIORARI**

Piero Bugoni,  
160 W. Camino Real, #191  
Boca Raton Florida 33432

Petitioner, Pro – Se.

**Questions Presented:**

- 1) Did the Courts Below abuse their discretion in this matter by doing any of the following:
  - a) Failing to grant an initial Default Judgment;
  - b) Dismissing Claims on evidentiary grounds prior to affording Discovery;
  - c) Failing to set a hearing for Petitioner's Motion For Summary Judgment;
  - d) Failing to remand Claims not ripe for appeal;
  - e) Granting a Motion To Dismiss Claims that were never denied;
  - f) Striking Paragraph 146 from Petitioner's First Amended Complaint?
  
- 2) Did the Courts below commit Gross Error by finding complete lack of merit on ALL of Petitioners claims?

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**List Of Parties:**

Taylor O'Brien, Lindsay Turnbull, Sharon Bilu, John Megally, individually, as they acted in their Professional Capacity as agents of KForce Incorporated, a "Professional Staffing Agency".

Pamela Bondi, in her Official Capacity as Attorney General for The State of Florida.

**Table of Authorities Cited**

United States Constitution:

United States Constitution, Article III § 3,

United States Constitution, Article IV, Sections 1 and 2,

United States Constitution, Amendments I, IV, V, VI, VII, IX, and XIV.

Florida Constitution:

Florida Constitution Article I, Sections 2, 20, 23.

Cases:

U.S. Supreme Court:

Subject Matter Jurisdiction:

*Cohens v. Virginia*, 19 U.S. 264, (1821),

*Clafflin v. Houseman* 93 U.S. 130, (1876),

*Robb v. Connolly*, 111 U.S. 624, (1884),

*Tafflin v. Levitt*, 493 U.S. 455, (1990),

*Yellow Freight System Incorporated v.*

*Donnelly*, 494 U.S. 820, (1990).

Enforcing Constitutional Compliance:

*Ex Parte Young*, 209 U.S. 123, (1908).

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*Heck v. Humphrey*, 512 U.S. 477, (1994).

Unconstitutionality of State Statutes:

*Marbury v. Madison*, 1 Cranch 137, (1803),

*Norton v. Shelby County*, 118 U.S. 425, (1886).

Restraint of Trade:

*United States v. Singer Mfg. Co.*, 374 U.S. 174  
(1963).

Pro – Se Litigants “Less Stringent” Practice  
Standard:

*Boag v. MacDougall*, 454 U.S. 364, (1982).

*Conley v. Gibson*, 355 U.S. 41, (1957);

*Cruz v. Beto*, 405 U.S. 319, (1972);

*Estelle v. Gamble*, 429 U.S. 97, (1976);

*Haines v. Kerner*, 404 U.S. 519, (1972);

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*Bonner v. Circuit Court of St. Louis*, 526 F.2d  
1331 (8th Cir. 1975),

*Bramlet v. Wilson*, 495 F.2d 714 (8th Cir. 1974),

*S.E.C. v. Elliott*, 953 F.2d 1560 (11th Cir.  
1992),

*Then v. I.N.S.*, 58 F.Supp. 2d 422, (D.N.J. 1999),

*United States v. Day*, 969 F.2d 39, 42 (3rd Cir. 1992),

*United States v. Miller*, 197 F.3d 644, (3rd Cir. 1999),

*U.S. v. Sanchez*, 88 F.3d 1243 (D.C. Cir. 1996),

*Vega v. Johnson*, 149 F.3d 354 (5th Cir. 1998),

Florida Supreme Court:

*Chesebrough v. State*, (255 So. 2d 675).

Florida District Courts of Appeal:

*Behm v. Campbell*, (925 So. 2d. 1070).

Other Courts or Agencies:

*Bugoni v. C & M Towing*, 10th Dist. Franklin  
No. 12AP-62, 2012-Ohio-4508.

*Mitchel v. Reynolds*, 1 P Wms 181, 24 ER 347  
(QB 1711),



United States Statutes:

42 U.S.C. § 1988,

42 U.S.C. § 2000e-2.

Florida Statutes:

Florida Statutes §§ 2.01, and 775.01,

Florida Statutes § 448.045,

Florida Statutes § 817.29,

Florida Statutes §§ 893.02(3), 893.03(1), 893.13,

Florida Statutes Chapter 960,

Florida Statutes §§ 960.01 – 960.28,

Fl. Statutes § 960.291,

Fl. Statutes § 960.291(3).

Florida Court Rules:

Fl. Rules of Civil Procedure, Rules 1.120(b),

1.120(g),

Fl. Rules of Criminal Procedure, Rule 3.140(d).

English Common Law:

57 George III 1817 – 1 George IV 1820, Vol.  
XXXIII, (Continuation Vol. XII).

Secondary Sources:

AmJur 2d Liberty, Property, Privacy,  
Employment Relationship, Negligence, Fraud,  
Deceit.

### **Opinions Below**

There were no opinions issued in this matter. Only a dismissal from the Trial Court, and an affirmance Per-Curiam, from the Florida Appeals Court. Appellate Motions for Re-Hearing were denied.

### **Jurisdiction**

This Court has Jurisdiction per Article III of The United States Constitution.

### **Constitutional And Statutory Provisions Involved:**

#### **Liberty**

Petitioner Alleges that Florida Statutes §§ 893.02(3), 893.03(1), 893.13, Violate Individuals' Fundamental Right to Liberty by threatening them with incarceration for engaging in conduct that causes no harm whatsoever to others and that can be engaged in in complete privacy and anonymity.

#### **Privacy**

Petitioner Alleges that Florida Statutes §§ 893.02(3), 893.03(1), 893.13, Violate individuals' Fundamental Right to Privacy, by threatening them with incarceration for conduct that affects only their own body.

**Property**

Petitioner Alleges that Florida Statutes §§ 893.02(3), 893.03(1), 893.13, Violate Individuals' Fundamental Right to property by threatening them with incarceration for possession of a substance that has value to individuals, and that is not dangerous in se in any way, nor can be used in a manner that is dangerous to any person.

**Freedom of Thought**

Petitioner Alleges that Florida Statutes §§ 893.02(3), 893.03(1), 893.13, Violate individuals' Fundamental Right to Freedom Of Thought by threatening them for consuming a naturally occurring substance that stimulates the imagination, and that enhances or otherwise modifies a persons thinking in a way desired by the individuals consuming the substance, is consumed for the purpose of enhancing thought, and that causes no danger to any person.

**Freedom of Expression**

Petitioner Alleges that Florida Statutes §§ 893.02(3), 893.03(1), 893.13, Violate individuals' Right to free expression by threatening them with incarceration for using a substance that enhances, or facilitates free expression, or that otherwise affects a user's expression in ways that are desired by the user, is consumed for the purpose of enhancing expression, and that causes no danger to any person.

**Pursuit of Happiness.**

Petitioner Alleges that Florida Statutes §§ 893.02(3), 893.03(1), 893.13, Violate individuals' right to The Pursuit of Happiness, by threatening them with

incarceration for engaging in conduct that causes one to experience happiness, is engaged in for the purpose of experiencing happiness, and that causes no harm to others.

**Interstate Comity**

Petitioner alleges that statutory prohibition of Cannabis possession in Florida violates Article IV, Sections 1 and 2 of the United States Constitution, and likewise that respondents O'Brien, Bilu, Turnbull and Megally have a Common-Law obligation to apply Constitutionally Mandated Interstate Comity to whatever decisions they make in their business capacity that involve matters of law.

**Substantive Due Process**

Absent a Compelling Governmental Objective, or stating a factually false claim as to its Compelling Governmental Objective, a law becomes arbitrary and capricious and cannot meet any constitutional standard. Statutes that are vague beyond common understanding, or beyond judicial interpretation, fail in substance to give proper notice, and prohibit compliance, and as such are void in se. Petitioner Alleges that Florida Statutes §§ 893.02(3), 893.03(1), 893.13 do not meet their obligation to Substantive Due Process, for these reasons.

**Prohibition Of Cannabis Possession in Florida**

Fl. Stat. 893.13 threatens persons with criminal penalty and incarceration for possession of Cannabis for personal use. Petitioner Challenges the Constitutionality of this Statute on Fundamental

Rights and Substantive Due Process grounds.

Fl. Stat. §§ 893.02(3), 893.03(1), Schedules Genus Cannabis, TetraHydrocannabinol, its analogs and metabolites, and any extracts or products made from these as Schedule I Controlled Substances. Petitioner challenges these Florida Statutes on Substantive Due Process grounds.

**Prohibition of Employment Discrimination**

Petitioner alleged that US. Code Title VII, Section 2000e-2, (42 U.S.C. § 2000e-2), is unconstitutional as applied in The State of Florida by Respondent Bondi because it fails to guarantee equal protection against discrimination to those who have been convicted of crimes.

Petitioner Alleged that Respondents O'Brien, Bilu, Turnbull, and Megally violated 42 U.S.C. §§ 1981, 1982, 1988, 2000e, et seq., and Fl. Stat. 760.10, and Fl. Stat Chapter 448 by revoking offers of employment and business, based on results of a "Background Check" indicating that Petitioner had been convicted of possession of Cannabis, and by revoking offers of employment and business, because Petitioner had been convicted of possession of Cannabis.

**Gross Fraud, Cheating**

Petitioner alleges that Fl. Stat. § 817.29 statutorily protects a Common Law cause of action for Gross Fraud, or Cheating, and that it protects private Individuals' Right to pursue felony prosecution against perpetrators thereof.

### **Statement Of The Case**

The Originating Case in this matter was filed on 11 January 2016, as a single case in the Trial Court. (Florida 17th Circuit, Case Number CACE-2016-000420). A total of seven separate Opposing Parties were named. The Original Complaint was amended, and the matter proceeded therein on Petitioner's First Amended Complaint.

The first four parties, Taylor O'Brien, Sharon Bilu, Lindsay Turnbull, and John Megally, are common Defendants in that they all were acting in their professional capacity as employment agents, in the employ of an employment agency, namely KForce Incorporated. There were a total of 28 counts filed against these persons. Of those, 17 were voluntarily dismissed by Plaintiff, prior to appeal. The remaining Counts appealed against these individuals are the subject matter of this Petition, with regard to these Respondents.

Respondent Pamela Bondi was named in her Official Capacity as Florida Attorney General, as a Respondent to two Claims for Prospective Injunctive Relief.

The remaining Party named in the First Amended Complaint, DHI Group Incorporated, was named in its capacity as a corporation, and was ultimately voluntarily dismissed from this matter by Petitioner.

On 11 May 2016, upon motion by O'Brien, Bilu, Turnbull and Megally, the Trial Court Dismissed

Counts 6, 7, 8, 15, 17, 20, 21, 23, 25, 29 and 30, from Petitioner's First Amended Complaint, with Prejudice. Those counts were appealed. The remaining Counts against O'Brien, Bilu, Turnbull and Megally were dismissed by the Trial Court without prejudice, and with 20 days leave to amend. Petitioner elected to voluntarily dismiss those claims as they could not be corrected within 20 days, nor without Discovery. Petitioner further elected to voluntarily dismiss those claims pending appeal, as they ultimately depended on the outcome of the appealed Counts.

On 13 September 2016, upon Motion by Respondent Bondi, the Trial Court dismissed with prejudice, Counts 27 and 28, against Respondent Bondi. The merits of Petitioner's claims against Bondi are the subject matter of this Petition, with regard to Respondent Bondi, and the Constitutional and Statutory Provisions stated supra.

Upon final adjudication in the Trial Court, the Case proceeded on appeal, as two separate cases: 4D16-1788, and 4D16-4242, (Florida 4<sup>th</sup> District Court of Appeals).

In both Appeals Cases the Trial Court Judgment was affirmed, *Per Curiam*, without Opinion. Petitioner moved for Rehearing in both Appellate Cases, and both Motions were denied. Finally, Petitioner moved the Florida Appeals Court to consolidate the cases upon their termination therein, for the purposes of This Petition. That Motion was denied.



The originating case in this matter was a single one. The orders dismissing the matter from the Trial Court are from a single case. Affirmance of those orders was given by two separate appeals cases. Rehearing was denied in both Appeals cases. Because the originating matter was a single case, and because the Appeals cases are inextricably related, the Petition For Certiorari is filed herein as a single Case.

The Mandates from the Florida Appeals Court were issued on 16 February 2018, in Case 4D16-1788, and on 19 January 2018 in Case 4D16-4242, terminating those cases in the Florida Court of Appeals. This Petition is timely filed with respect to the dates of issuance of the Mandates. Because a Motion for Rehearing was denied by the Florida Appeals Court in both related cases, there is no further appeal in the State of Florida, and this matter is brought before this Court, as a matter of last resort.

In the matter originating this case, Petitioner claimed the following:

- 1) That Fl. Stat. §§ 893.02(3), 893.03(1), and 893.13 are facially unconstitutional, and unconstitutional as they are enforced by Respondent Bondi, in the State of Florida, for possession of Cannabis for Personal Use.
- 2) Because of this, Appellees O'Brien, Bilu, Turnbull and Megally had no cognizable basis to make any employment related decisions adverse to Petitioner, and that those that they

did make amounted to the tortious conduct alleged in all Claims against them.

Additionally, Petitioner's First Amended Complaint sought the following Prospective Injunctive Relief:

- 1) That Respondent Bondi may be enjoined from enforcing Fl. Stat. § 893.13 upon individuals for possession of Cannabis, to maintain Constitutional Compliance by public officers, when acting in their Official Capacity.
- 2) That Respondent Bondi may be enjoined for the purposes of compelling her to act in her Official Capacity to guarantee Equal Protection of 42 U.S.C. § 2000e-2 to all persons subject to the Laws of Florida.

**Specific Claims Against O'Brien, Bilu, Turnbull and Megally:**

**Employment Liability Claims:**

Counts 6, 7, 8, and 17, First Amended Complaint:  
Deprivation Of Prospective Employment And  
Business, Obstruction of Employment.

Petitioner alleged that by the nature of their business, i.e. brokering employment and business between other parties, Respondents O'Brien, Bilu, Turnbull and Megally have a duty not to restrict that business in any way, including not obstructing any future or collateral business that may occur between those parties. In all cases and at all times relevant to

this matter Petitioner would have performed competently and satisfactorily for the receiving parties, the employment and business brokered therefor by Respondents O'Brien, Bilu, Turnbull and Megally, but for the deliberate and willful acts of obstruction of these Respondents.

The Employment Liability Claims raised amount to property claims and contractual claims. That is, that something of value was cost to Petitioner by a contractual obligation for which he was not fairly compensated. The Courts Below erred in not applying established Common-Law property and contractual law principles to the facts presented.

**Invidious Discrimination in Matters of Employment:**

Count 15, First Amended Complaint:

Invidious Discrimination In Employment.

Petitioner alleged a Blanket Policy of Employment Discrimination by Respondents O'Brien, Bilu, Turnbull and Megally against persons who have been convicted of crimes, and that "Blanket Policy" constituted discrimination on basis of Race, Color, and National Origin.

Petitioner alleged that Respondents O'Brien, Bilu, Turnbull and Megally engaged in retaliatory employment discrimination by contacting their co-workers in other jurisdictions, including those with statutory prohibitions against such discrimination, namely The Municipal Corporation of San Francisco, and The State of Wisconsin, to inform them that Petitioner had been convicted of crimes, in order to

deny employment or contract business to Petitioner in those jurisdictions.

**Claims for negligence or malpractice.**

Count 20, First Amended Complaint:

Petitioner alleged that because all of the harms claimed could have been avoided by adhering to established standards of care, or existing law, that the failure refusal to do so on the part of Respondents creates liability.

**Violation of 15 U.S.C 1681 et seq. (FCRA).**

Count 21 First Amended Complaint.

Violation of the Fair Credit Reporting Act, (FCRA).

Petitioner alleged that respondents O'Brien, Bilu, Turnbull and Megally benefit individually from their own employment by the adverse use of FCRA related material.

Petitioner alleged that these Respondent get paid to use FCRA related material to deny others employment, and to interfere with others engaging in business. Each of these Respondents engages in contractual business with their employer, the nature of which includes prohibiting others from gaining employment or entering into business with a particular client of theirs. They obtain and use FCRA related material to those ends, and receive payment therefor.

Evidence of these Respondents' individual benefit is *prima-facie* to the extent that at no time do these

Respondents' refrain from using FCRA related material for their individual business purposes.

**Breach of Social Contract**

Count 23, First Amended Complaint.

Perhaps improperly named, Petitioner's claim for "Breach of Social Contract" was sufficiently plead as a Breach of the Ordinary Standard of Care that each person owes others while in existence among them. Petitioner alleged The lesson taken from the NSDAP occupation of German National Government applies. During that occupation, the people who murdered millions of people were their neighbors. But for individuals participating in such conduct, such events do not occur. The Courts below failed to recognize the obligations that Respondents O'Brien, Bilu, Turnbull and Megally have to not participate in business practices that impose tortious consequences into the lives and business of others, and to whatever extent that Respondents O'Brien, Bilu, Turnbull and Megally do engage in a profession of facilitating employment and business between others, tha they not create any kind of interference to employment and business between others, when doing so.

**Harassment:**

Count 25, First Amended Complaint.

Petitioner sufficiently plead Harassment because Respondents O'Brien, Bilu, Turnbull, and Megally continued to initiate unwanted contact with Petitioner, (mostly by an automated e-mail system), after they had clearly made a blanket decision to

discriminate against him. This contradictory solicitation was solely for the purposes of creating the false pretense that Petitioner had not been discriminated against, and was annoying, affrontive, insulting, and harassing, and was not for any legitimate reason.

**Treason**

Count 29, First Amended Complaint.

Petitioner alleged that deliberate large-scale subversion of a Nations economic interests rises to the level of an act against the security of a Nation as a whole. Such acts are always committed by individuals engaging in acts of subversion, whether alone or in conspiracy. Petitioner sufficiently plead that Treason can come in the form of economic subversion, and that the acts of Defendants O'Brien, Bilu, Turnbull, and Megally constituted such subversion.

**Gross Fraud, Cheating:**

Count 30 Gross Fraud, Cheating.

Petitioner alleges that Fl. Stat. § 817.29 statutorily protects a Common Law cause of action for Gross Fraud, or Cheating, and that it protects private Individuals' Right to pursue felony prosecution against perpetrators thereof.

Summarily Petitioner alleged that the ordinary business conduct of Respondents O'Brien, Bilu, Turnbull and Megally was deceitful, negligent, and

contrary to Common Law, and that Petitioner was injured in the loss of genuine opportunities that could have been otherwise obtained but for time spent pursuing false pretenses proffered by O'Brien, Bilu, Turnbull and Megally.

The Conduct of O'Brien, Bilu, Turnbull and Megally. was tortious because all harm alleged by Petitioner could have been prevented simply by proper disclosure *a priori*, of the disqualification criteria concomitant with their offers of employment or business, and because they refused to disclose such information upon request. Because those criteria are known in advance by Respondents, but deliberately withheld, for reasons that serve no legitimate purpose and only cause harm to others, the harms caused are solely the product of these individuals' intentional conduct.

The conduct of O'Brien, Bilu, Turnbull and Megally was tortious because upon learning that Petitioner had been convicted of violating Fl Stat. 893.13, they continued to initiate communication with Petitioner, and make the appearance of soliciting him for further business, with no genuine intent to fulfill any offer, but only for the purpose of creating the appearance that there was no Blanket-rejection policy in place.

**Specific Claims Against Respondent Florida Attorney General Pamela Bondi, In Her Official Capacity:**

In the First Amended Complaint, Petitioner Alleged a total of two Counts Against Bondi, as follows:

Count 27: Unconstitutionality of Florida Cannabis prohibition statutes, (Fl. Stat. §§ 893.02(3), 893.03(1), and 893.13), on their face, as violative of persons' Individual and Fundamental Rights, as stated by Petitioner among the Constitutional issues raised herein. Respondent Bondi failed to show any Compelling Objective for the statutes challenged, nor did Respondent Bondi show that the statutes challenged they were being enforced by the Least Restrictive Means.

Count 28: Unconstitutionality of Federal anti employment-discrimination statute (42 U.S.C. § 2000e-2), as it is enforced in Florida by Respondent Bondi, for her breach of duty in applying that statute to the ends of protecting all persons by it, from the conduct engaged in by Respondents O'Brien, Bilu, Turnbull and Megally, and others likewise.



### **Reasons For Granting the Petition:**

Petitioner hereby incorporates and restates all claims, facts, and pleadings made in the First Amended Complaint in this matter, and Petitioner's Appellate and Reply Briefs, as grounds for this Court to grant Certiorari.

Petitioner hereby gives this Court Judicial Notice of all Public Records, and points of law made in the First Amended Complaint, and Petitioner's Appellate and Reply Briefs, including National Labor Statistics from the Department of Labor, as grounds for this Court to grant Certiorari.

Petitioner additionally raises the following issues herein, as grounds for This Court to grant Certiorari:

#### **Abuse of Discretion:**

a) Failing to grant an initial Default Judgment;

Petitioner moved for Default Judgment in the Trial Court on 15 August 2016, on grounds that Respondent Bondi's Responsive Pleading to the First Amended Complaint, a Motion To Dismiss, did not in any way answer Count 27 therein, and that such failure to answer constituted a default on Respondent Bondi's part to file a timely Responsive Pleading. The Trial Court abused its discretion in allowing Bondi to proceed in the matter.

b) Dismissing Claims on evidentiary grounds prior to affording Discovery;

Defendants O'Brien, Bilu, Turnbull and Megally, argued lack of evidence in their Motion To Dismiss, but Discovery was never afforded by the Court. The Trial Court abused its discretion in not affording discovery prior to dismissing those claims.

c) Failing to set a hearing for Petitioner's Motion For Summary Judgment;

On 8 September 2016, same day as the hearing on Bondi's Motion To Dismiss, Petitioner filed a Motion For Summary Judgment. Per the Judge's instructions, a copy was left with his Judicial Assistant, with a request to set a Hearing for that Motion. No hearing was granted, for that Motion, and Respondent Bondi's Motion To Dismiss was subsequently granted on 13 September 2016. Because Bondi's motions was dispositive, and amounted to a Summary Judgment, the Trial Court erred in not granting a hearing on Petitioner's Motion For Summary Judgment.

d) Dismissing claims not ripe for appeal;

Petitioner voluntarily dismissed claims against Defendants O'Brien, Bilu, Turnbull, and Megally, with the belief that they could be re-filed via another complaint. On appeal it appeared that those claims need be settled in the originating matter. The appeals cases had been severed to accommodate just such an issue. All parties on appeal in case 4D16-4242, (Petitioner vs. O'Brien, Bilu, Turnbull, and Megally), ultimately stipulated that the matter was not ripe for appeal on the voluntarily dismissed

claims, and Petitioner moved therefor to remand those Counts to the Trial Court for final disposition. The Appellate Court abused its discretion by not then allowing the matter to be completed in the trial Court.

e) Granting a Motion To Dismiss Claims that were never denied;

At no time did Respondents O'Brien Turnbull, Bilu and Megally deny any of Petitioner's allegations. Their Responsive Pleading was a Motion To Dismiss. A Responsive Pleading that fails to deny effects an admission. Failure by Respondents O'Brien Turnbull, Bilu and Megally to deny matters in the Trial Court constitutes an admission thereto, on appeal. The Appellate Court abused its discretion by effectively dismissing *De Novo* claims that were admitted before it.

At no time did Respondent Bondi deny Petitioner's allegations. At no time did Respondent Bondi show either a legitimate Compelling Objective for the Florida Statutes challenged, nor did she at any time show that those statutes were enforced by the least restrictive means. Her failure to deny Petitioner's allegations constitute an admission thereto. The appeals Court abused its discretion by effectively dismissing *De Novo* claims that were admitted before it.

f) Striking Paragraph 146 from Petitioner's First Amended Complaint;

The Trial Court abused its discretion Striking Paragraph 146 from Petitioner's First Amended Complaint because a complaining party has a Right to request a given judgment against a party Defendant.

### **Merits of the Case**

The Dismissal of Petitioners Claims from the Trial Court, and the subsequent affirmance by the Florida Court of Appeals operates as an adjudication on the merits of Petitioner's claims. This Court should grant Certiorari because those Court's erred in recognizing the following merits to Petitioner's case:

#### **Individual Rights:**

Petitioner raised multiple Fundamental Rights claims not prior raised in challenge to statutory Cannabis Prohibition.

#### **Employment and Commerce:**

Employment and Commerce are necessities of life for each and every individual and any sovereign they may collectively form. Preventing Obstruction in the engagement thereof is a fundamental protection required in the National Interest.

#### **Equal Protection of Law:**

Class-Based constitutional protections are contrary to 14th Amendment guarantee of equal protection of law, unless those protections are applied to all classes equally.

**Advancement of The Disadvantaged:**

Abusive, and exploitive employment and business practices are only a slight modification to slavery practices. There is a Compelling National Interest in maintaining standards of business and employment that are substantially higher than mere thinly-veiled usurpations.

**Interstate Comity:**

Citizens in each state are entitled to the Rights Privileges and Immunities of the Several States. The Federal Union has a Compelling Interest in maintaining compliance by the states to Federal Constitutional principles.

**Conflict of Law:**

There exists at the current time a disuniformity of law between the Several States, and between the States and the Union with regard to Cannabis prohibition. As a matter of law at least, such a schism has rarely if ever existed in this Nation's history.

**Constitutional Infirmity of State and Federal Law:**

Constitutional Infirmity of Law creates a mandate *in se* for This Court to intervene. Unconstitutional laws are no laws at all, and criminal statutes of general application that are unconstitutional subject persons to false-imprisonment, a felony, and to malicious prosecution, a tortious consequence at minimum.

Constitutional Infirmity in the Florida Cannabis prohibition law, implies the same infirmity in Federal Cannabis prohibition law because the

language of the Florida Statutes mirrors almost verbatim that of the comparable Federal Legislation.

**Conclusion**

The Trial Court denied Petitioner Due Process and Equal Protection of Law by failing to grant a hearing for Petitioner's Motion for Summary Judgment.

The Trial Court committed Fundamental Error by failing to grant a default judgment in Petitioners favor.

The Courts below showed complete disregard for a multitude of Petitioner's Individual Rights, and for Common-Law, and Constitutional obligations on the part of opposing parties with regard to the merits of Petitioner's claims.

Only This Court can now correct those Fundamental Errors.

For all the foregoing reasons, Petitioner does petition, and This Court should issue a Writ of Certiorari, to the Florida Fourth District Court of Appeals, so that the matter raised in the Courts Below may be reviewed and remediated herein.

Submitted to The Court, this Friday, the 13<sup>th</sup> Day of April 2018, by Petitioner:



Mr. Piero Bugoni,  
Pro - Se.