

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Micheline Baptiste,

Petitioner,

v.

Shrusan Gray,

Respondent.

On Petition for Writ of Certiorari
To the Supreme Court of Florida

PETITION FOR WRIT OF CERTIORARI



MICHELINE BAPTISTE

2151 NE 168TH STREET,

APT#4

NORTH MIAMI BEACH,

FL, 33162

TELEPHONE:

(786)237-4533

QUESTION PRESENTED

1. Whether Florida Supreme Court holds authority to dismiss petition by Petitioner, the unrepresented party, to review orders of the Seventeenth Judicial Circuit and impede sought relief for bodily injuries, moreover block Petitioner's Constitutional rights to petition the government for redress of grievances and the following rights respectively:
 - a. Fla. Const. art. I § 2
 - b. Fla. Const. art. I § 5
 - c. Fla. Const. art. I § 9
 - d. Fla. Const. art. I § 21
 - e. Fla. Const. art. I § 22
 - f. Fla. Const. art. V § (3)(b)(7)
 - g. U.S. Const. Amend. XIV

OPINION/ORDER/DISPOSITION BELOW

Petitioner respectfully prays that a writ of certiorari issue to review the determinations below:

1. The February 15, 2018 determination of the Supreme Court of Florida, whose decision is herein sought to be reviewed, is unpublished. It had no jurisdiction. Baptiste v. Gray, No. SC17-2162 is reformatted in Appendix A to the Petition, App. A page 1.

JURISDICTION

2. The Supreme Court of Florida decided my case on February 15, 2018.
3. No motion for rehearing was entertained by the Court.
4. The jurisdiction of the Court is invoked under U.S. Const. Art. III, § 2; -or- 28 U.S.C. § 1257 (a) -or- 28 U.S.C. § 2106.
5. 28 U.S.C. § 2403 (a) or (b) may apply.
6. Notification required by Rule 29.4(b) or (c) has been made.

PROVISIONS INVOLVED

UNITED STATES CODE, FEDERAL STATUTES:

28 U.S.C. § 1257 (2016).
28 U.S.C. § 1654 (2016).
28 U.S.C. § 2106 (2016).

RULES AND REGULATIONS:

Supreme Court of the United States

Sup. Ct. R. 12
Sup. Ct. R. 13

Supreme Court of Florida

Sup. Ct. of Fla. Manual of Internal Operating P., § I
(D) 1.

Sup. Ct. of Fla. Manual of Internal Operating P., § I
(D) 2.

CONSTITUTION OF THE UNITED STATES:

U.S. Const. Art. III, § 2
U.S. Const. Art. V.
U.S. Const. amend. I.
U.S. Const. amend. X.
U.S. Const. amend. XIV

CONSTITUTION OF THE STATE OF FLORIDA:

Fla. Const. Art. I § 2
Fla. Const. Art. I § 5,
Fla. Const. Art. I § 9
Fla. Const. Art. I § 21
Fla. Const. art. I § 22
Fla. Const. Art. V § 3 (b) 7,

STATEMENT OF THE FACTS

On or about March 28 2014, I Micheline Baptiste, the unrepresented party, filed a fifth amended complaint at the Circuit court for the Seventeenth Judicial Circuit, Broward County, Florida for damages to sue Respondent Shrusan

Gray for the following claims: breach of contract, trespass for battery and fraudulent misrepresentation (App.D.pg.14). However, my complaint, dismissed for failure to comply with the pre-suit notice requirement and failure to state a claim (App.B.pg.3). Final judgment recorded and entered on or about October 30 2014 (App.B.pg.3). Thereafter on or about January 4 2016, I brought second action for declaratory judgment and damages to sue Respondent Gray for deprivation of my civil rights (App.D.pg.14). However, my complaint, the Petitioner, dismissed, and final judgment recorded and entered on February 24 2017 (App.B.pg.4-7). Then on or about December 8 2017 my petition for all writs, filed and recorded at the Supreme Court of Florida (App.D.pg.21). However, on or about February 15 2018, my petition, dismissed for a lack of jurisdiction (App.A.pg.1).

**PROHIBITION TO PETITION THE GOVERNMENT
FOR REDRESS OF GRIEVANCES**

The Evidence

PETITION FOR ALL WRITS

On or about December 8 2017, my petition for all writs, filed and recorded at the Supreme Court of Florida (App.D.pg.21). However, on or about February 15 2018, my petition for all writs, dismissed (App.A.pg.1).

The Decision Below

DISPOSITION

The disposition or determination, in reference to my petition for all writs, for which this review is based, was reviewed by the Florida Supreme Court Justices and the decision of the court, rendered on or about Feb 15, 2018. The determination contained information and statements, like "the petition to invoke all writs jurisdiction is dismissed for lack of jurisdiction because the petitioner has failed to cite an independent basis that would allow the Court to exercise its all writs authority and no such basis is apparent on the face of the petition" (App.A.pg.1). See *Williams v. State*, 913 So.2d 541, 543-44 (Fla.

2005); *St. Paul Title Ins. Corp. v. Davis*, 392 So.2d 1304, 1305 (Fla. 1980). My reasoning here based on the U.S. Const. Amend. I; U.S. Const. Amend. X; U.S. Const. Amend. XIV; and 28 U.S.C. § 1654 (App.C.pg.8-10).

As seen from the, U.S. Const. Amend. I Congress shall make no law prohibiting the right of the people to petition the Government for a redress of grievances and as seen from 28 U.S.C § 1654 in all courts of the United States the parties may plead and conduct their own cases personally. Moreover, since I the unrepresented party, filed a petition and paid the filing fee in full, I believe I have the right to petition: request review from the Florida Supreme Court to review orders from the Seventeenth Judicial Circuit, to seek money for bodily injuries caused to me without any law, order or determination prohibiting that right.

However, Florida Supreme court dismissed my petition and blocked my right to seek redress of grievances also opportunity to be heard. Furthermore, the Constitution never stated, the Courts holds authority to prohibit and block the people from petitioning the Courts.

FEDERAL CASES INVOLVED

This Supreme Court has upheld when jurisdiction of the court has been determined and jurisdiction not subject to further review, the State Supreme court judgment is a final judgment subject to be reviewed by the United States Supreme Court. *Local No. 438 v. Curry*, 371 U.S. 542 (1963).; 9 L. Ed. 2d 514, 516 (1963). & *International Longshoremen's Association, AFL-CIO v. Davis*, 476 U.S. 380 (1986).; 90 L.Ed. 2d 389, 398-400 (1986). In *Local No. 438 v. Curry*, the court stated ... "We granted certiorari to consider the jurisdiction of the ... court to authorize the entry ...under 28 U.S.C § 1257..."

REASONS FOR GRANTING THE PETITION

1. Rights should not be denied.

The amendments created by congress, were enacted to protect the rights of the citizens of the United States to prevent prohibition of those rights like the right to petition the government for redress of grievances. U.S. Const. Art. V. and *Hague v. Committee for Industrial Organization*, 307 U.S. 496, 513 (1939). & *McDonald v. City of Chicago*, 561 U.S. 742 (2010). As the "Constitution being the supreme law of the land", the first amendment of the U.S. Constitution should not be blocked by a mere failure to cite an independent basis that would allow the Court to exercise its all writs authority. *Nash v. Florida Industrial Commission et al.*, 389 U.S. 235 (1967).; 19 L. Ed. 2d 438, 441 (1967). The Judges in this court are Supreme Court justices, in the highest court of the state of Florida, and a mere failure to cite an independent basis defeated the Constitutional law that states, Congress shall make no law prohibiting the right of the people to petition the government for a redress of grievances, moreover, to petition the court to seek money for bodily injuries. However, this review will block prohibition to petition the court.

2. Certiorari should be granted to enforce rights claimed under the constitution and statutes.

The Florida Supreme Court applied the rule declared in *Williams v. State*, 913 So.2d 541, 543-44 (Fla. 2005); and in *St. Paul Title Ins. Corp v. Davis*, 392 So. 2d 1304, 1305 (Fla. 1980). Moreover, the court entered determination for dismissal due to lack of jurisdiction for failure to cite an independent basis that would allow the court to exercise authority. Furthermore, when the court dismissed my petition, the court blocked my right to petition the court to seek money for bodily injuries cause to me. I do not think when the Constitution of the United States mentioned Congress shall make no law prohibiting the right of the people to petition the Government for a redress of grievances, that statement excluded the Supreme Court of Florida. I believe this constitutional law applies to the Supreme Court of Florida as well. Moreover, this review will make clear the basis that would allow the Court to exercise its all writ authority and enforce that rule.

3. Justice.

The decision from the Supreme Court of Florida has a statewide impact on Floridians, especially on unrepresented parties and former patients, like me. In Florida, there is a medical malpractice statutory scheme that is established and carried out to screen out frivolous lawsuits and defenses. However, this statutory scheme must be interpreted liberally so as not to restrict Floridians constitutional 'guaranteed' access to the courts; *Kukral v. Mekras*, 679 So.2d 278, 284 (Fla. 1996). & *Walker v. Virginia Insurance Reciprocal*, 842 So.2d 804, 810 (Fla. 2003). Moreover, I'm a born citizen of the United States. Shrusan Gray is the Defendant and Respondent. I seek money for bodily injuries she caused to me. Moreover, it's right, the law, justice! Furthermore, this review will render that, justice!

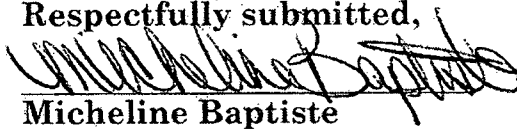
CONCLUSION

I respectfully request that a writ of certiorari should be granted. Moreover, any other relief the court considers right and appropriate.

Dated:

3/11/2018

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Micheline Baptiste", written over a horizontal line.

Micheline Baptiste