

NO. 16-11790

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IN THE  
SUPREME COURT OF THE UNITED STATES

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DONALD JONES  
Petitioner

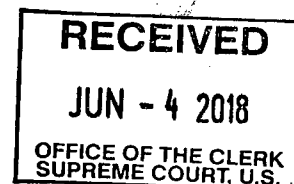
v.

BANK OF AMERICA %  
STATE OF FLORIDA  
Respondent

ON PETITION FOR A WRIT OF CERTIORARI TO  
IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

PETITION FOR WRIT OF CERTIORARI

Donald Jones  
P.O. Box 51584  
Fort Myers Florida 33994  
(678) 360- 1505



### THE QUESTION PRESENTED FOR REVIEW

Did the petitioner receive the same equality decision from Florida state law 702.1 as he would had from a jury trial under the 1<sup>st</sup> amendment of the constitutional.

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### **Jurisdiction**

The United State Court of Appeal for the Eleventh Circuit entered judgment dismissing the case denied the right of having settlement January 15, 2018. The jurisdiction for the petitioner is in this court.

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

### **AMENDMENT V11**

**IN suits at common law, where the value in controversy shall exceed twenty dollars The right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of The Court of the United States, than according to the rules of the common law.**

**Statutory actions which create a right to recover damages. FDIC v NEW London Enterprise, Lid., 619F.2d 10099 (5 th Cir).**

### **FLORIDA STATE LAW 702.1**

**(A) Equity: Justice according to natural law or right; specify: freedom from bias or favoritism.**

### **STATEMENT OF THE CASE**

The appeals court state that the petitioner had failed to state a claim and cited to no violation of law denied a settlement under Florida State Law 702.1. The court stated petitioner attached various state court filing for a state judge to disqualify himself and the judge did, if the petitioner was wrong the judge would not had done so. Without a settlement the respondent can file another frivolous lawsuit for they still have a mortgage on his property. The petitioner live off SSA he had to finance the lawsuit out of his mouthy benefits knowing if he loses he would lose his home. The respondent sold my mortgage to champion mortgage they had strict rules and it was a violation against the contract that the petitioner sigh with the respondent there sent it back to the respondent. Then he begin to receive statements from reverse mortgage solution I as then for proof that there had my mortgage they lied and say that there was agents for the respondent. As of this day march 27, 2018 the respondent file another frivolous foreclose lawsuit case no: 18-CA-1148 for the same reason that the petitioner did not live in his home. Again I ask reverse mortgage solution for clarification about my mortgage there admitted that the respondent sold then the mortgage on October 09, 2013. This is more evidence that the foreclose lawsuit is frivolous. The petitioner just receive this new evidence however the petitioner cannot afford to pay filing fee as the appeal court as.

## **REASON FOR GRANTING THE PETITION**

Trial court erred in deny the petition a settiement.

### **TITLE VI. TRIALS**

#### **RULE 38, RIGHT TO A JURY TRIAL; DEMAND**

- (a) Right Preserved, The right of trial by jury as declared by the Seventh Amendment to the Constitution-or as provided by a federal statute-is preserved to the parties inviolate.
- (b) Demand. On any issue friable of right by a jury, a party may demand a jury trail.

#### **Florida State Law 702.01**

- (a) Equity: Justice according to natural law or right; specify: freedom from bias or favoritism.
- (b) Something that is equitable.

Foley v. Well Fargo Bank, N.A, No. 13-2527 Decided: July 28, 2014

## CONCLUSION

The State Court FLA. STAT. 702.01 guaranteed "equitable" trial with no jury therefore there came waive your right to a jury trial. The respondent file a wrongful foreclosure law suits and the petitioner was denied settlement.

Respectfully submitted,

Donald J. Jones

Date April 8, 2018