

No. \_\_\_\_\_

\_\_\_\_\_  
IN THE  
SUPREME COURT OF THE UNITED STATES  
\_\_\_\_\_

A.C. The Father — PETITIONER  
(Your Name)

Dept of Children vs.  
and Families, Fla. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

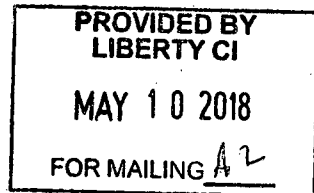
FOURTH DISTRICT COURT OF APPEAL, FLORIDA  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

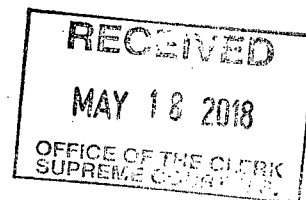
Arthur Leslie  
(Your Name)  
11064 N.W. DEMPSEY  
BARRON RD.  
(Address)

BRISTOL, Fla. 32321  
(City, State, Zip Code)

NONE incarcerated  
(Phone Number)



AL



### QUESTION(S) PRESENTED

1. Whether per curiam affirm decision without reaching merits of the case violated Due Process 5<sup>th</sup>, 14<sup>th</sup> U.S. CA?
2. Whether adjudicating the Father according to a statute he does not qualify for is violative of Due Process 5<sup>th</sup>, 14<sup>th</sup> U.S. C. A?
3. Is taking the Parental Rights of Arthur Leslie after the death of his 5 Month old baby Aiden Leslie (Quintin Patrick is suspected of the death Shaken Baby Syndrome) while Mr Leslie is incarcerated (he called 2 weeks prior to Dept of Children & Families begging for the welfare of his children lawful according to the Constitution 1<sup>st</sup>, 5<sup>th</sup>, 14<sup>th</sup> U.S. C. A?

## LIST OF PARTIES

- ☒ All parties appear in the caption of the case on the cover page.
- ☐ All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

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5<sup>th</sup> Amend. U.S.C.A. Due Process  
14<sup>th</sup> Amend. U.S.C.A. Due Process

OTHER

IN THE  
SUPREME COURT OF THE UNITED STATES  
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

**OPINIONS BELOW**

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix \_\_\_\_\_ to the petition and is

☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

The opinion of the United States district court appears at Appendix \_\_\_\_\_ to the petition and is

☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

☒ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix A to the petition and is

☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

The opinion of the \_\_\_\_\_ court appears at Appendix \_\_\_\_\_ to the petition and is

☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

## JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was \_\_\_\_\_.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_\_\_ A \_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☒ For cases from **state courts**:

The date on which the highest state court decided my case was Feb 20, 2018.  
A copy of that decision appears at Appendix \_\_\_\_\_.

☒ A timely petition for rehearing was thereafter denied on the following date: Feb 20 2018, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_\_\_ A \_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- ① 5<sup>th</sup> U.S. Constitutional Amended  
Due Process Clause
- ② 14<sup>th</sup> U.S. Constitutional Amended  
Due Process Clause



### STATEMENT OF THE CASE

ON March 14, 2017 pg. 11 8:22 am The Father Arthur Leslie called Dept of Children & Families concerning his children Neneah Leslie DOB 01/04/2014 and Aiden Leslie DOB 10/09/2016 Mr Leslie stated (pg 19 Record of Appeal) The mother is using drugs and using a flush kit to hide it. The mother is drinking and getting high. The mother smokes marijuana, pop's mollies and snorts coke ... There are concerns for the children's welfare and their current living conditions.

(pg 23 Record of Appeal) ON 3/26/17 at 9:30 pm Aiden (the 5 month old) came to the ER unresponsive, bluish around the lips, greyish in color, no pulse, not breathing, and had a nose bleed on arrival. Aiden had swelling in both eyes, bruising around the neck, left jaw, and ear's. Aiden had bug bites marks all over ... Aiden is on a breathing machine ... The paramour (who he was left in care of) keeps changing his story. He said he woke up looked at Aiden in the crib and left him in the crib. Then walked to the store and back. The uncle, Anthony was in the home but watching the dog's only.

pg 69 Record of Appeal Aiden was on the verge of death  
pg 70 Mr Patrick (Quintin) reported he lifted the child Aiden and shook him by the neck in an attempt to wake up the child.

pg 69 Dr Sykes further reported the child's injuries are consistent with Shaken Baby Syndrome.

Mr Leslie plead's with this Honorable Supreme Court for Due Process and True Justice in the death of his Baby. 4.

## REASONS FOR GRANTING THE PETITION

Certiorari.

Inadequacy of remedy by appeal writ of error  
The essential prerequisite to the granting of petition for certiorari is:

action by the lower court that constitutes a departure from the essential requirements of the law such as will cause material injury to the petitioner throughout the remainder of the proceedings below and for which a remedy by appeal would be inadequate.

U.S.C.A 14<sup>th</sup> Amend.

As a jurisdictional threshold, certiorari will respond only to material, irreparable harm continuing through the rest of the proceeding. U.S.C.A 14<sup>th</sup> Amend.

Certiorari review from an appellate decision of the circuit court is limited to instances where the circuit court did not afford procedural or departed from the essential requirements of law U.S.C.A 14<sup>th</sup> Amend

For purpose of certiorari review from an appellate decision of the circuit court a "departure from the essential requirements of law" is synonymous with failure to apply correct law

(Per Warner, J. with one judge specially concurring) Id.

Trial Court did not afford Petitioner with Due Process as stated by Dept of Children and Families in thier answer brief conceding Dept of Child & Family Fla. states

"Subsection (1) d 2 require's the father to have been convicted of certian specified offenses or to have a certian criminal designation. The Department did not present evidence that any of the specified offenses or designations existed"

This is violative of 5<sup>th</sup> & 14 U.S.C.A Due process.

A parent has a fundamental liberty interest in the care & companionship of his child, U.S.C.A 14<sup>th</sup>.

Petitioner does not fit the criteria for §39.806(1) b or §39.806 1 d 2 violating Due Process under 14<sup>th</sup> U.S.C.A and 5<sup>th</sup> U.S.C.A (A.C) The incarcerated parent is not.

- ① violative career criminal §775.084 or
- ② habitual violent felony offender or
- ③ sexual predator §775.21 or
- ④ First or second degree murder §782.04 or
- ⑤ Capital or life §794.011 or
- ⑥ convicted of simalar offense in another jurisdiction.

Further Due Process 5<sup>th</sup>, 14<sup>th</sup> U.S.C.A

The Father's incarceration "The period of time for which the parent (A.C) is expected to be incarcerated will (Not) constitute a significant portion of (Neweah) Minority A.C is to be released Jan or June 2019 Neweah will be 5 yr's old.

Arthur Leslie DC# D47859  
LIBERTY CORRECTIONAL INST.  
11064 N.W. DEMPSEY BARRON RD.  
Bristol, FL 32321

DEAR

MY NAMES Arthur Leslie. My son Aiden Leslie Born 10/9/2016 Died 3/27/2017 at 5 months 18 days. I cry out to the public of America for Justice. Please hear My cry. Enclosed is a packet explaining the terrible disaster that's invaded my life. Please investigate the packet and see my story's true. Help me get the word out to the Public.

In support states the following:

- ① Please see a picture of my beautiful baby boy on packet (exhibit) and his sister he adores.
- ② Please see page 12 I called Dept of Children and family's on 3/14/2017 pg 11 8:22 am Concerning Jessica Paradise (Aiden's Mother)  
"The mother is using drug's and using a flush kit to hide it. The mother is drinking and getting high. The mother smokes Marijuana, pop's Mollies and snorts coke. The mother has been using drug's for awhile. When under the influence The mother act's strange, her voice is FUNNY, loud and she is Moody... There are concerns for the children's welfare and their current living condition's

- ③ Please see pg. 13 and 14 3/27/2017 13 day's later My son's on the verge of death and pg 15

"ON 3/26/17 at 9:30 PM "Aiden came to the ER unresponsive bluish around the lip's, greyish in color, no pulse, not breathing and had a nose bleed on arrival. Aiden had swelling to both eye's, bruising around the neck, left jaw, and ear's

Aiden had bug bites all over completely... bug bites are from ticks at mother's house. Aiden is currently on breathing machine and currently in a Cat Scan. Aiden has puncture marks on right knee. The paramour story keep's changing. He said he woke up looked at Aiden in the crib and left him in the crib. Then walked to the store and back. The uncle Anthony was in the home but watching the dog's only... When the paramour got back he picked up Aiden. Aiden's head rolled back and gasping for breath.

\* There is at least one dog on the home and its a pit bull.

pg. 19. The child is on the verge of passing away.

pg. 22. The five mnth old is not expected to live.

Please see pg. 1. BY THE HONERABLE CIRCUIT COURT 19<sup>th</sup> Judicial ST LUCIE COUNTY FLA.

AFFIDAVIT AND PETITION FOR PLACEMENT IN EMERGENCY SHELTER.

Please see pg. 3 states,  
HONERABLE COURT FINDINGS:

(a) The mother and the paramour (Quintin Patrick) were unable to provide a explanation for the childs injuries

(b) Mr. Patrick reported he then lifted the child Aiden. and shook him by the neck in an attempt to wake up the child

(c) Dr Sykes further reported the childs injuries are consistant with Shaken Baby Syndrome.

(1) The children's prospective father, Arthur Leslie, is currently incarcerated and been in the Saint Lucie Jail since January 2016. (I'm not my son's killer Quintin Patrick is. My son died 3/27/2017)

Please read through the packet enclosed and come to the only logical conclusion Quintin Patrick killed my son Aiden Smith 18 day's old and Aiden's Mother Neglected my son please see probable cause pg. 2 Fla Stat §39.402(1)

sign Arthur Leslie

. Arthur Leslie D.C.# 047859  
LIBERTY CORRECTIONAL INST.  
11064 N.W. DEMPSEY BARRON RD.  
BRISTOL, FL, 32321

Please request to Review the Record in this Case

**CONCLUSION**

The Relief Petitioner seeks is reinstatement of his Parental Rights or New Parental Right Proceeding and those Prosecuted involved in his son's death.

The petition for a writ of certiorari should be granted.

ON this 10 day MAY year 2018

Respectfully submitted,

Arthur Leslie DC# 047859

Arthur Leslie

Date: MAY 10 2018