

JAN 01 2019

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No. 18-8334

IN THE
SUPREME COURT OF THE UNITED STATES

Ada A. Gonzalez

— PETITIONER

(Your Name)

vs.

Alfredo Ernesto Gonzalez

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Florida Fifth District Court of Appeals

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Ada A. Gonzalez

(Your Name)

PO BOX 11092

(Address)

Tallahassee, FL 32302

(City, State, Zip Code)

ORIGINAL

(917) 551-0272

(Phone Number)

QUESTIONS PRESENTED

1. Whether Petitioner's is entitled to a writ of mandamus directed to Hon. Judge Rudisill to be discharge in accordance with Administrative Order 15-57-S, from Petitioner's State of Florida for the Eighteenth Judicial Circuit Court Domestic Relations Case *Ada Luisa Albors Sanchez Gonzalez vs Alfredo Ernesto Gonzalez*, No.:2000-DR-1898-02, (Fla. 18th Jud. Cir. Ct. 2002).
2. Whether Florida Fifth District Court Decision of denial Dated Dec. 11, 2019 should be vacated by this honorable court supervisory powers, as the State of Florida court lacks appellate jurisdiction to grant any such writ.
3. Whether the Supreme Court of the United States shall grant Petitioner's petition for writ of certiorari and grant Petitioner relief from the State of Florida Courts abuse of power and afford Petitioner the equal protections of the laws.

LIST OF PARTIES

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

Hon. Judge Michael J. Rudisill

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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 is unpublished.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 is unpublished.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 _____ 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 Florida Fifth District Court of Appeals court 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.

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 Dec. 11, 2018. A copy of that decision appears at Appendix A.

A timely petition for rehearing was thereafter denied 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. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

28 U.S.C. § 1257 (2018):

(a) [f]inal judgments or decrees rendered by the highest court of a State in which a decision could be had, may be reviewed by the Supreme Court by writ of certiorari where the validity of a treaty or statute of the United States is drawn in question or where the validity of a statute of any State is drawn in question on the ground of its being repugnant to the Constitution, treaties, or laws of the United States, or where any title, right, privilege, or immunity is specially set up or claimed under the Constitution or the treaties or statutes of, any commission held or authority exercised under, the United States.

Article III, § 2, U.S. Const.

(a)“The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;-- to all Cases affecting Ambassadors, other public Ministers and Consuls;--to all Cases of admiralty and maritime Jurisdiction;--to Controversies to which the United States shall be a Party;--to Controversies between two or more States;-- between a State and Citizens of another State;-- between citizens of different States;--between Citizens of the same State claiming Lands under Grants of different States, and between s State, or the Citizens thereof, and foreign States, Citizens or Subjects.

(b)In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

(c)The Trial of all Crimes, except in Cases of Impeachment, shall be by jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.”

Art. XIV, § 1, U.S. Const.:

“[A]ll persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

Article VI, U.S. Const.

“...This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.”

28 U.S.C., § 1651. Writs

- (a) The Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdiction and agreeable to the usages and principles of law.
- (b) An alternative writ or rule nisi may be issued by a justice or judge of a court which has jurisdiction.

28 U.S.C. §2101: Supreme Court; time for appeal or certiorari; docketing; stay.

28 U.S.C. §2101(b):

“Any other direct appeal to the Supreme Court which is authorized by law, from a decision of a district court in any civil action, suit or proceeding, shall be taken within thirty days from judgment, order or decree, appealed from, if interlocutory, and within sixty days if final.

28 U.S.C. § 2101(c):

“Any other appeal or any writ of certiorari intended to bring any judgment or decree in a civil action, suit or proceeding before the Supreme Court for review shall be taken or applied for within ninety days after the entry of such judgment or decree. A justice of the Supreme Court, for good cause shown, may extend the time for applying for a writ of certiorari for a period not exceeding sixty days.”

28 U.S.C., § 1657, “Priority of Civil Actions.”

“(a) [N]otwithstanding any other provision of law, each court of the United States shall determine the order in which civil actions are heard and determined, except that the court shall expedite the consideration of any action brought under chapter 153 or section 1826 of this title, any action for temporary or preliminary injunctive relief, or any other action if good cause thereof is shown. For purposes of this subsection, “good cause” is shown if a right under the Constitution of the United States or a Federal Statute (including rights under section 552 of title 5) would be

maintained in a factual context that indicates that a request for expedite consideration has merit

(b) The Judicial Conference of the United States may modify the rules adopted by the courts to determine the order in which civil actions are heard and determined, in order to establish consistency among the judicial circuits.”

28 U.S.C., § 2106 “Determination:”

“The Supreme Court or any other court of appellate jurisdiction may affirm, modify, vacate, set aside or reverse any judgment, decree, or order of a court lawfully brought before it for review, and may remand the cause and direct the entry of such appropriate judgment, decree, or order, or require such further proceedings to be had as may be just under the circumstances.”

28 U.S.C. § 1654, “Appearance personally or by counsel”:

“[I]n all courts of the United States the parties may plead and conduct their own cases personally or by counsel as, by the rules of such courts, respectively, are permitted to manage and conduct causes therein.”

28 U.S.C. § 1253: “Direct appeals from decisions of three-judge courts.”

“Except as otherwise provided by law, any party appeal to the Supreme Court from an order granting or denying, after notice and hearing, an interlocutory or permanent injunction in any civil action, suit or proceeding required by any Act of Congress to be heard and determined by a district court of three judges.

42 U.S.C., § 1981, Equal rights under the law.

(a) Statement of Equal Rights

All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licences, and exactions of every kind, and to no other.

(b) “Make and Enforce Contracts” Defined

For purposes of this section, the term “make and enforce contracts” includes the making, performance, modification, and termination of contracts, and the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship.

(c) Protections against Impairment

The rights protected by this section are protected against impairment by nongovernmental discrimination and impairment under of State law.”

Art. I, § 21, Fla. Const.(2018): Access to courts.—The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay.

STATEMENT OF THE CASE

On or around Jan. 3, 2019, Petitioner mailed to the Supreme Court of the United States the initial copies of this case initial Petition for writ of certiorari or in the alternative writ of mandamus and or prohibition to the Florida Fifth District Court of Appeal order dated Dec. 11, 2018. Florida Fifth District Court of Appeal Dec. 11, 2018 order was issued under Petitioner's State of Florida petition for writ of mandamus filed on or around Nov. 13, 2018 which became case *Ada A. Gonzalez vs. Alfredo Ernesto Gonzalez*, (Fla. 5th DCA Dec. 11, 2018) filed pursuant Art. V, §4(b)(3), Fla. Const. (2018). The Supreme Court of the United States returned the copies of the petition with instruction as to file separate petitions. Petitioner is filing this petition for writ of certiorari to appeal and challenge the Florida Fifth District Court order dated Dec. 11, 2018, (App. A).

Early Nov. 2018, Petitioner discovered the State of Florida Administrative Order 15-57-S¹, (App. B). Immediately after such discovery, Petitioner files her petition for writ of mandamus at the Florida Fifth District Court of Appeal directed

¹ The State of Florida for the Eighteenth Judicial Circuit, Chief Judge, Administrative Order 15-57-S, dated December 1, 2015 says:

"The Court having determined that Judge Michael J. Rudisill should not hear cases in which any attorneys from the Law Firm of Norman D. Levin, Bar Number 213322 appears, it is ORDERED that all pending or newly filed cases in which any attorneys from the Law Firm of Norman D. Levin, Bar Number 213322 appears as attorney o record shall be reassigned to the next judge in rotation pursuant to pending o existing administrative orders. DONE and ORDERED this 1st day of December, 2015.

JOHN D. GALLUZZO
CHIEF JUDGE.

to Hon. Judge Michael J. Rudisill, (hereinafter “Hon. Judge”) to be coerce to obey the State of Florida Administrative Order 15-57-S. Petitioner, who is not an attorney, discovered that the petition’s caption included the Petitioner’s State of Florida for the Eighteenth Judicial Circuit Court in Seminole County, Sanford, Florida domestic relations case number 2000-DR-1898-02. Petitioner’s State of Florida for the Eighteenth Judicial Circuit Court in Seminole County, Sanford, Florida domestic relations case number 2000-DR-1898-02 lacks jurisdiction over the case since around April 10, 2002 as Petitioner’s attorney Levin failed to file on the record the State of Florida statutory jurisdictional requirement of law pursuant § 61.052, Fla. Stat. (2002) which it was met at the court proceedings from March 5, 2002. Petitioner was unaware that by including Petitioner’s domestic relations case number 2000-DR-1898-02 on the caption of Petitioner’s Florida Fifth District Court of Appeal petition for writ of mandamus filed on Nov. 13, 2018, the State of Florida has no appellate jurisdiction to issue a writ of mandamus, (App. C).

On or around Dec. 11, 2018, Petitioner filed a motion to correct caption and an amended motion to correct caption with the intent to correct the defect of jurisdiction pursuant 28 U.S.C. §1653, which it was denied. Florida Fifth District Court decision of denial on the merits by a three judge panel was issued on Dec. 11, 2018, (App. A).

Petitioner files this petition for writ of certiorari to the Supreme Court of the United States for the reversal of such order.

RESASONS FOR GRANTING THE PETITION

The State of Florida has denied Petitioner the equal rights under the Constitution of the Unites States, Article XIV, § 1, U. S. Const. and Federal Statute 42 U.S.C. § 1981(a), 42 U.S.C. § 1981(b), 42 U.S.C. § 1981(c), 42 U.S.C. § 1983, 42 U.S.C. 1985(3) and the State of Florida is liable to Petitioner. This petition is file under Art. III, § 2, U.S. Const. 28 U.S.C. § 1257(a), 28 U.S.C. § 2101(c), 28 U.S.C. § 2106, 28 U.S.C. § 2104 and or 28 U.S.C.A. § 1651(a) and Rule 13(1). As there is no State of Florida appellate jurisdiction, Petitioner has no other remedy at law at the Supreme Court of Florida.

Hon. Judge is a State of Florida public official acting as a judge at the Eighteenth Judicial Circuit Court, Domestic Division in Seminole County, Sanford, Florida. Hon. Judge is assigned to Petitioner's State of Florida domestic relations case *Ada Luisa Albors Sanchez Gonzalez vs Alfredo Ernesto Gonzalez*, No.:2000-DR-1898-02, (Fla. 18th Jud. Cir. Ct. 2002), since around 2010. Hon. Judge was supposed to recuse himself since 2011 as the Administrative Order 11-43-S was issued in 2011 which it was replace for Administrative Order 15-57-S. Administrative Order 11-43-S and Administrative Order 15-57-S both directed Hon. Judge to not to hear cases in which attorney Norman D. Levin appears. Attorney Norman D. Levin appears in Petitioner's State of Florida domestic relations case *Ada Luisa Albors Sanchez Gonzalez vs Alfredo Ernesto Gonzalez*, No.:2000-DR-1898-02, (Fla. 18th Jud. Cir. Ct. 2002) since July 25, 2001, (App. D) prior to the

Petitioner's final judgment of dissolution of marriage dated around April 3, 2002 and prior to the redaction of transcript of court proceedings filed on April 10, 2002.

Hon. Judge on or around July 11, 2013, under Petitioner's State of Florida for the Eighteenth Judicial Circuit Court, Domestic Relations case, *Ada Luisa Albors Sanchez Gonzalez vs Alfredo Ernesto Gonzalez*, No.:2000-DR-1898-02, (Fla. 18th Jud. Cir. Ct. 2002), rendered an order that allowed Petitioner's, Florida Bar Number 152455, attorney, Mr. Anthony J. Diaz, Esq. ("Diaz") from The Law Firm of Anthony J. Diaz, P.A., whose address is 201 East Pine Street, Suite 445, Orlando, Florida 32801, to be discharged as Petitioner's attorney, from Petitioner's Domestic Relations case No.: 2000-DR-1898-02 in disregards of Petitioner's Objections. Petitioner's Florida Bar Number 152455, attorney Diaz was fully paid in advance a retainer for the amount of ten thousand (\$10,000.00), U. S. dollars. Diaz did not return the ten thousand (\$10,000.00) U.S. dollars retainer to Petitioner. Diaz did not inform Petitioner that Petitioner's State of Florida Court lacks jurisdiction over Petitioner's domestic relations case *Ada Luisa Albors Sanchez Gonzalez vs Alfredo Ernesto Gonzalez*, No.:2000-DR-1898-02, (Fla. 18th Jud. Cir. Ct. 2002).

Petitioner has filed at the State of Florida for the Eighteenth Judicial Circuit Court in Seminole County Sanford, Florida domestic relations case *Ada Luisa Albors Sanchez Gonzalez vs Alfredo Ernesto Gonzalez*, No.:2000-DR-1898-02, (Fla. 18th Jud. Cir. Ct. 2002), multiple motions for relief that are no longer on court docket and motions for recusal. Hon. Judge has denied such motions while granting Petitioner's former husband under his attorneys multiple orders in complete

absence of jurisdiction causing inconceivable harm to Petitioner. No action from the Eighteenth Judicial Circuit Court in Seminole County, Sanford, Florida Chief Judges and the Supreme Court of Florida Chief Justices has taken place to coerce Hon. Judge to withdraw from Petitioner's State of Florida domestic relations case: *Ada Luisa Albors Sanchez Gonzalez vs Alfredo Ernesto Gonzalez*, No.:2000-DR-1898-02, (Fla. 18th Jud. Cir. Ct. 2002).

Petitioner has exhausted all the remedies at law at the State of Florida. Petitioner's State of Florida domestic relations case: *Ada Luisa Albors Sanchez Gonzalez vs Alfredo Ernesto Gonzalez*, No.:2000-DR-1898-02, (Fla. 18th Jud. Cir. Ct. 2002) lacks complete jurisdiction, therefore the Supreme Court of the United States is the only court that has the authority to reverse or vacate the Florida Fifth District Court of Appeal Dec. 11, 2018 order to force the recusal of Hon. Judge from Petitioner's domestic relations case. The Supreme Court of the United States should vacate, set aside or reverse, the Florida Fifth District Court of Appeal order of court lawfully brought before it for review and remand the cause and direct the entry of such appropriate decree or order and require such further proceedings to be had as may be just under the circumstances, see 28 U.S.C. § 2106. As a result, of the lack of appellate jurisdiction over Petitioner's State of Florida domestic relations case *Ada Luisa Albors Sanchez Gonzalez vs Alfredo Ernesto Gonzalez*, No.:2000-DR-1898-02, (Fla. 18th Jud. Cir. Ct. 2002), Petitioner's petition for relief as to direct Hon. Judge to be coerced to be discharged from Petitioner's State of Florida domestic relations case *Ada Luisa Albors Sanchez Gonzalez vs Alfredo Ernesto Gonzalez*,

No.:2000-DR-1898-02, (Fla. 18th Jud. Cir. Ct. 2002) to the Florida Fifth District Court of Appeal is not available in any other court by any other means.

The State of Florida, for the 18th Jud. Cir. Ct.'s then Chief Judge John D. Galluzzo, rendered the valid Administrative Order 15-57-S, that required Hon. Judge not to hear cases in which the attorneys from the Law Firm of Norman D. Levin, appears replacing the State of Florida Administrative Order 11-43-S. Petitioner's attorney was Norman D. Levin, Esq. and his appearance in Petitioner's case appeared on or around July 25, 2001, (App. D). In addition, attorney Norman D. Levin appears multiple times after Dec. 1, 2015 as Petitioner's State of Florida Domestic Relations case No.: 2000-DR-1898-02 court docket and State of Florida Domestic Relations case No.: 2000-DR-1898-02 "Final Judgment Divorce Decree" from around April 3, 2002, mentions attorney Norman D. Levin.

The State of Florida, the Chief Judges and Hon. Judge are in default of the enforcement of State of Florida, for the 18th Jud. Cir. Ct.'s Administrative Order 15-57-S, dated Dec. 1, 2015, in direct violation of the Fla. R. Jud. Admin. 2.215(h),

The State of Florida Administrative Order 15-57-S and the appearance of attorney Norman D. Levin on Petitioner's State of Florida domestic relations case 2000-DR-1898-02, creates Petitioner's clear legal right that Hon. Judge be discharge from Petitioner's State of Florida domestic relations case. It is Petitioner, Ada Luisa Albors Sanchez Gonzalez, clear legal right that the State of Florida enforces Administrative Order 15-57-S and that Hon. Judge be removed from the State of Florida Petitioner's State of Florida for the 18th Jud. Cir. Ct. Domestic Relations

case *Ada Luisa Albors Sanchez Gonzalez vs Alfredo Ernesto Gonzalez*, No.:2000-DR-1898-02, (Fla. 18th Jud. Cir. Ct. 2002). The Supreme Court of the United States should aid with the enforcement of the State of Florida's own court orders that have cause Petitioner's repeated irreparable harm. It is Petitioner, Ada Luisa Albors Sanchez Gonzalez, clear legal right to file her "Motion for Relief Under Fla. R. Fam. L. R. P. 12.540(b)(4)" as *pro se* litigant pursuant 28 U.S.C. § 1654 and § 454.18, Fla. Stat. (2018) on Petitioner's legal cases. It is Petitioner, Ada Luisa Albors Sanchez Gonzalez' clear legal right that State of Florida accepts and rule by the requirements of law on all Petitioner's motions, pleadings, and appeals as *pro se* litigant.

Hon. Judge' refusal to obey the State of Florida Administrative Order 15-57-S, Petitioner finds herself hostage of the continuing malicious prosecution by the State of Florida. The State of Florida long train of abuses and usurpations under the State of Florida Courts against Petitioner are lawfully presented to the Supreme Court of the United States. The State of Florida actions that have taken place in aid of barbaric abuse of power, with the intent to cause Petitioner's death, with malice for ulterior purpose, in disregards of the Petitioner's U.S. Constitutional rights, without probable cause and in excess of jurisdiction provided to the State of Florida by the U. S. Constitution and U. S. Congress, Petitioner's respectfully request this Supreme Court of the United States to issue the immediate applicable order.

The State of Florida, under the State of Florida for the 18th Jud. Cir. Ct.'s Chief Judge has the authority to issue and enforce administrative orders under the Art. V, section 1, Fla. Const., Art. V, section 2(c)², Fla. Const. and Fla. R. Jud. Admin. 2.215(b)(2). The Fla. R. Jud. Admin. 2.215(b)(2) grants the State of Florida Circuit Court Chief Judge with the authority to require that all judges of the court to comply with all court administrative orders. The State of Florida Fla. R. Jud. Admin. 2.215(h) says that the failure of any judge to comply with an order of the chief judge shall be considered neglect of duty. The State of Florida Circuit Court Chief Judge's Administrative Orders 15-57-S is a binding order, and Respondents are liable for the failure of the execution of such order under Fla. R. Jud. Admin. 2.215(h) independently from Petitioner's State of Florida Domestic Relations case *Ada Luisa Albors Sanchez Gonzalez vs Alfredo Ernesto Gonzalez*, No.:2000-DR-1898-02, (Fla. 18th Jud. Cir. Ct. 2002), lack of jurisdiction. The Petitioner's attorney Levin "Notice of Appearance" is also valid as Petitioner former husband waived his rights to void any orders under Petitioner's State of Florida domestic relations case *Ada Luisa Albors Sanchez Gonzalez vs Alfredo Ernesto Gonzalez*, No.:2000-DR-1898-02, (Fla. 18th Jud. Cir. Ct. 2002). Therefore, this court should treat this Petition as of original jurisdiction under Art. III, section 2, U. S. Const. if applicable.

² The Art. V, section 2(c), Fla. Const. says: "(c) A chief judge for each district court of appeal shall be chosen by a majority of the judges thereof or, if there is no majority, by the chief justice. The chief judge shall be responsible for the administrative supervision of the court."

In case: *Schlagenhaufer v. Holder*, 379 U.S. 104 (1964) held: “the writ of mandamus is appropriately issued when there is usurpation of judicial power or a clear abuse of discretion”. Petitioner asserts that the State of Florida ought to recognize that Administrative Order 15-57-S applies to Petitioner’s Domestic Relations case *Ada Luisa Albors Sanchez Gonzalez vs Alfredo Ernesto Gonzalez*, No.:2000-DR-1898-02, (Fla. 18th Jud. Cir. Ct. 2002), and Hon. Judge has to obey such order, so Petitioner would be granted relief of all void orders as a matter of law and to be allowed to be file as a *pro se* litigant pursuant 28 U.S.C. § 1654 and §454.18, Fla. Stat. (2018). It is not fair that Hon. Judge has enjoin Petitioner from filing as *pro se*, in all legal matters in complete absence of jurisdiction for the State of Florida’s benefit, as to circumvent Petitioner’s rights under Amend. I, U.S. Const., after the Chief Judge rendered the Administrative Order 15-57-S dated Dec. 1, 2015.

In case: *Bachellar v. Maryland*, 397 U.S. 564 (1970), it says: “When a claim of constitutionally protected right is involved, it remains the Supreme Court’s duty to make an independent examination of whole record”, Petitioner respectfully claims that in this case a constitutionally protected right is involved.

In the case at hand, Petitioner’s initial petition for writ of mandamus filed on Nov. 13, 2018, to Florida Fifth District Court of Appeal, which became case *Ada A. Gonzalez vs. Alfredo Ernesto Gonzalez*, 5D18-3542, was unopposed and relied on case law, Florida constitutional provisions and Florida Rules as follows:

“Mandamus elements (1) existence of clear legal right to compel performance of (2) indisputable duty”. Woodland v. Lindsey, 586 So. 2d 1255 (Fla. 4th DCA 1991). “For a writ of mandamus, a party must allege a violation of a clear right and breach of an indisputable legal duty.” Clay County Educ. Ass’n v. Clay County School Bd. 144 So.3d 708 (Fla. 1st DCA 2014). In case Rivera v. Moore, 825 So. 2d 505, (Fla. 1st DCA 2002) the court held: “Although a writ of mandamus cannot be used to compel a public agency to exercise its discretionary powers in a given manner, it may be used to compel the agency to follow its own rules.” In case Myers v. State, 81 Fla. 32 (1921) the Supreme Court of Florida held: “The writ of mandamus does not supersede legal remedies, but rather supplies the want of legal remedy, and it must appear that the law affords no other adequate or specific remedy to secure the performance of the duty which it is sought to coerce”. it also prayed, “Petitioner request that this petition would be treated as if the proper remedy had been sought, pursuant 59.45, Fla. Stat., and Fla. R. App. P. 9.040(c). that justice is better serve as treating this petition is as petition for certiorari, the Supreme Court of Florida case: Custer Medical Center v. United Auto. Ins. Co., 62 So.3d 1086 (Fla. 2010) it held: “A district court should exercise its discretion to grant certiorari review only when the lower tribunal has violated a clearly established principle of law resulting in a miscarriage of justice.” In the Petitioner’s Domestic Relations case 2000-DR-1898-02, Petitioner said that there was no jurisdiction, but the records of Petitioner motion for relief and answers to the writ of garnishments are no longer at the lower court’s docket. Petitioner has nothing to do with her Florida Bar attorney, Ms. Barbara Nolte, Esq. failure of her fiduciary duty of service of process over Respondent, Former Husband. Petitioner is not responsible for the subsequent attorneys who concealed the lack of jurisdiction over her Domestic Relations Case 2000-DR-1898-02.” In addition, Art. I, § 2, Fla. Const., Art. I, § 9, Fla. Const., Art. I, § 21, Fla. Const.”

Petitioner, as *pro se* litigant, filed to the Florida Fifth District Court of Appeal the correct case law and rules in support of the issuance of the writ of mandamus directed to Hon. Judge to obey the State of Florida Administrative Order 15-57-S, the only defect was as to the State’s lacks appellate jurisdiction for the issuance of such writ of mandamus by the Florida Fifth District Court of Appeal.

Hon. Judge continued an unlimited, unchecked abuse of power against Petitioner, and the State of Florida has issued the “Denial Order” dated Dec. 11, 2018 in for this Supreme Court to lawfully rescue Petitioner from such abuse of power.

The State of Florida is responsible for all void orders under the State of Florida for the 18th Jud. Cir. Ct. Domestic Relations Case *Ada Luisa Albors Sanchez Gonzalez vs Alfredo Ernesto Gonzalez*, No.:2000-DR-1898-02, (Fla. 18th Jud. Cir. Ct. 2002), resulted on civil theft of Petitioner’s and her daughter’s funds on their bank accounts, one order of which has continuing to deprived their constitutional access to her safe deposit boxes in the State of New York, which hold their U.S. Passports and private papers, in violation of Petitioner’s and her daughter’s constitutional rights under Amend. IV, U. S. Const. Amend. XIV, section 1, U.S. Const. The State of Florida has issued a void “Final Judgment Awarding Attorneys’ Fees and Costs Against Ada A. Gonzalez and Anthony J. Diaz, Esquire” for a total amount of eighty three thousand eight hundred ninety four U.S. dollars with forty cents, (\$ 83,894.40), then, attorneys Young and Dixon³, induced three Federal National Banks; J.P. Morgan Chase, Regions Bank and Well Fargo, N.A. to obey a fraudulent and void order and induced the Federal National Mortgage Association (Fannie

³ See the State of Florida case from the same 5DCA: *Olesen v. General Electric Capital Corporation, et al.*, 135 So. 3d 389 (Fla. 5th DCA 2014) holding: 1. “client’s contention that he never got his day in court in the underlying action because his interests were corruptly sold out to lender by attorneys who were ostensibly representing him was sufficient to state a claim against lender for extrinsic fraud, and allegations in client’s second amended complaint, along with the attached supportive documents, and with inferences drawn from them in favor of client, were sufficient to state a claim for civil conspiracy. Reversed and remanded” Same attorneys Young and Dixon

Mae) to attach a false lien to Petitioner's State of Florida, Seminole County Florida property in violation of Title VI, Chapter 55, Fla. Stat. (2016) and Title XL, Fla. Stat. (2016). Therefore, Petitioner begs the Supreme Court of the United States to issue the necessary orders to relief Petitioner of the State of Florida impairment "under the color of the law" and usurpation of power over Petitioner's rights and privileges under United States Constitution, Federal Statutes and to afford Petitioner the equal protection of the laws under 42 U.S.C. § 1981. Petitioner also relies on the opinion from the Supreme Court of the United States case *Reeside v. Walker*, 52 U.S. 272 (1850) held: "though mandamus may sometimes lie against a ministerial officer to do some ministerial officer to do some ministerial act connected with liabilities of government, it must be where the government itself is liable, and the officer himself has improperly refused to act, and even then it must be in a case clear, and not doubtful, right." Petitioner's appearance of her attorney Norman D. Levin on her State of Florida, Domestic Relations case *Ada Luisa Albors Sanchez Gonzalez vs Alfredo Ernesto Gonzalez*, No.:2000-DR-1898-02, (Fla. 18th Jud. Cir. Ct. 2002), (App. D) creates a clear right of Hon. Judge be discharge from such case as the Hon. Judge has no discretion on the ministerial act of obeying the State of Florida, Administrative Order 15-57-S. In case: *State v. Wright*, 107 Fla. 178 (1932) the Supreme Court of Florida held: "Mandamus lies to compel vacation of judgment or order which court was without jurisdiction to make; there being no adequate remedy by appeal, error, or otherwise."

The State of Florida for the 18th Jud. Cir. Ct.' Chief Judge and Hon. Judge's actions failure to uphold the Constitution of the United States and the failure to enforced Administrative Order 15-57-S has caused Petitioner's irreparable harm in direct violations of Article VI, U.S. Const., Amend. I, U.S. Const., Amend. IV, U.S. Const., Amend. V, U.S. Const., Amend. VI, U.S. Const., Amend. VIII, U.S. Const., Amend. IX, U.S. Const., Amend. XIV, U.S. Const.

The State of Florida interests and liabilities under § 768.28, Fla. Stat., (2018) has obstructed the regular administration of justice. Hence, Petitioner has the right for this matter to be heard under the authority of congress. Case *Marbury vs. Madison*, 5 U.S. 137 (1803) says: "Where there is a legal right, there is also a legal remedy by suit, or action at law, whenever that right is invaded.

CONCLUSION

The petition for writ of certiorari should be granted.

Respectfully submitted,



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