

NO. 18-8559

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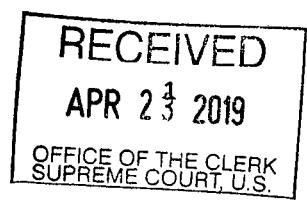
SUPREME COURT OF THE UNITED STATES

Betty Caitlin Nicole Smith-Petitioner

Vs.

Zachary Taylor Daniel-Respondent

REPLY TO OPPOSITION



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Response to Respondent's introduction.

The questions presented for review by this Honorable court are factual questions of this case and of great importance. The Respondent keeps saying the only fraud in the order are the dates, and over looks fraudulent information such has it states in 2013 there was no summons issued for the Domestic Violence Order, when the case record shows it was and one was issued. It states multiple times that Betty's mother was charged with 2nd degree murder, where the case record shows it was 2nd degree manslaughter It has multiple wrong dates. It makes a false statement that Zachary and Betty lived together away from Betty's parents. It makes the false statement that Betty is on disability, when she does not get any money for her disability. The order makes false slanderous statements about Betty and her family. Decker in his order makes the false statement that he is dissolved the 2015 Domestic Violence Order, which was never dissolved, which is proven by the certified domestic violence order, certified after the order from Decker was issued to show there were no changes made to the Domestic Violence order. It was also verified to not be dissolved by Madison County Dispatch badge #211 850-973-4151. In the order Decker states that there was aggressiveness, when at the end of the hearing he thanked for parties for how they acted. Judge Decker in his order states that he ruled on Zachary's motion for timesharing, when in fact he did not nor did he make an order on said motion. Decker states that Betty and Zachary were living together in 2011, when they did not live together until 2012. Decker states that Betty and her family incurred debts in Zachary's name, when even in Zachary's first petition to start the case, he states they have no shared debts and that all his debts are his own. Later Zachary added in debts to the case, and at the hearing admitted to lying to the court and on his court papers, which is in the transcript. Judge Decker also makes the false statement that a hearing was held over the burn to the minor child's eye, which is false. Decker also states that the incident when the child was a new born is the same as the time Zachary

burned the minor child's eye. The order also makes a statement that Zachary was not on Betty's parent's insurance, which is also proven false by the record. This is only a few of the false statements in Decker's order.

The Petitioner has already listed the laws violated in the case in her petition. And yes it was a post-trial ambush. Judge Decker stated in his order for the hearings, and at the hearing that it was over if the Respondent would be able to get any type of visitation with the minor child, and that the Petitioner had custody of the minor child. The Petitioner has already included about her mother's past charges. The charges against the Petitioner were untrue, and the State Attorney dropped them because the supposed victim did not want to press charges and because there was no evidence (Appendix A). These matters of fraud and the First District Court of Appeals refusal to uphold their own opinion are serious matters. The Petitioner questions how this is an ego boost.

#### **Response to Statement of the Case I**

The Respondent already knew of the Petitioner's mother's past charges well before then, and the Respondent's father and brother did before the Respondent started living with the petitioner. The Respondent at the start of the 2016 case said there was no debt, and then started claiming there was, and in different court papers the amount changes. The Respondent admitted in court in 2013 to domestic violence, trying to kill himself and the petitioner while driving, no lies were told on him, and he leaves out that there was a witness who did not live in the home who testified against him in 2013. The Respondent says the judge made the order in Kentucky, but it was the attorney's not the judge, which is reflected in the current case record. The 2015 hearing was canceled by the Judge which is reflected by the Kentucky case record filed in the Madison Florida case.

The Respondent disappeared multiple times, and had more than one stay at a mental hospital at that time. When the State Trooper took the Respondent to the mental hospital, the Respondent said he was seeing things, which is in the case record. Also as the case record will show, in the petition for the Domestic Violence Order in 2015, it mentions the Respondent said he was going to burn the home down with everyone in it. In the case record is where neighbors after the Respondent's family messaged them about the house burning down with no one in it. The Respondent hiring the private detective was a violation of the Federal Laws regarding Domestic Violence Orders, already brought up in the Petition to this Honorable Court. At certain times in court filings the Respondent has claimed it was two private detectives and if this Honorable court reads the case transcript from July 2<sup>nd</sup> 2018, the Respondent says it was his attorney, not his mother who hired the private detective. Also, the Petitioner would like to point out that it was the Respondent who disappeared, which can be found in Mandy Scott's testimony in the case transcript.

#### **Response to Statement of the Case II**

There were many hearings in January of 2017, which kept getting changed after everyone showed up. And in June there was a hearing set up, and ended up before Judge Browning. In the First District Court of Appeals opinion, they state that the respondent should not enjoy shared parental responsibility. The Respondent has nothing that proves the Petitioner is mentally unstable, nor that anything stated by the petitioner was a lie. No photos or documents have been doctored or altered by the Petitioner nor has the Petitioner ever filed such documents. The Petitioner has already cited where in the transcript the Respondent admitted to lying in the petition to this Honorable court, and is currently lying about altered photos and documents. Also

in the transcript, Judge Decker asks the Respondent if he has any evidence, and he states no, he does not. Judge Decker never saw any truth, has he put in an order filled with fraudulent information.

The Respondent then goes over issues already discussed, such as the dropped charges, and information about rehearing and such which is in the petition filed with this honorable court. The Petitioner would like to point out that she is not the one with a mental health history, but the Respondent does.

#### **Response to Reasons for Denying the Writ.**

This Honorable Court already has the Opinion from the First District Court of Appeals, and yes they went against it, and refused to uphold their own opinion. The Florida Supreme Court said they had no jurisdiction to review it, which this Honorable Court already has. The Respondent's third point is false and slanderous. The Petitioner is not mentally unstable and is not trying to get an ego boost from the court. The Respondent, has the case record will show has a history of being mentally unstable.

#### **Response to Conclusion**

The Writ should be granted. Because of the violations of the law, the conflict of the First District Court of Appeals, the fraudulent order, and all reasons stated in the petition. And, also because even more fraud is happening at the Madison Court still.

The Petitioner respectfully requests this Honorable Court Grant the Petition for Writ of Certiorari.

Respectfully submitted

Betty Smith

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