

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

18-9492

**IN THE SUPREME COURT OF THE UNITED STATES**

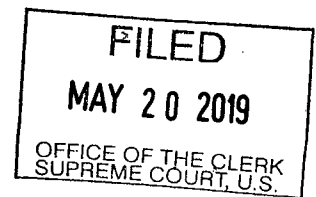
05/20/19

ORIGINAL

VALENTIN SPATARU, Petitioner,

vs.

RICK RAMSAY, Etc., Respondent.



On Petition For Writ Of Certiorari to the  
Supreme Court of the State of Florida

**PETITION FOR WRIT OF CERTIORARI**

by Valentin Spataru, pro se

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## **QUESTIONS PRESENTED**

1. Whether ~30' transportation to jail in a law-enforcement hyperthermic, "cooking" car is cruel and unusual punishment which the U.S. Const. Amend. VIII prohibits. Similarly, whether the other torturous abuses caused by RR are cruel and unusual punishment: RR's Deputy Kern (DK) did not allow me to pay the fine immediately for me to be not arrested; DK did not let me take my credit card to pay the bail to be released; DK did not let me take my phone to have my friends' numbers to call; RR tortured me during detention in jail too, see par. 4 in the facts below for details. If you do not order RAMSAY (RR) to compensate me for the injuries his employees caused me by the ~30' transportation to jail in a hyperthermic, "cooking" car, and the other acts, then he and his employees will continue to torture others too, even though it is battery, intentional infliction of emotional distress, and against U.S. Const. Amend. VIII; thus, they will cause more disabilities, poverty and other social problems; therefore, you will condemn me and others to deadly poverty and disabilities. In conclusion, may local, state or federal law enforcement employees (LEEs) detain and transport accused persons (APs) in an injuriously hot, suffocating vehicle which has no air conditioning and has all windows all the way up; arrest and detain APs without allowing them to take a credit card and the phone numbers of friends and acquaintances; detain APs in jail without proper nutrition, proper warm clothing, medication, proper mattress, pillow, access to law library, legal counsel. These questions are of great national importance too due to the high number of APs in the USA.

2. Whether dismissal of my case is against the U.S. Const. Amend. V which guarantees the right to due process. Whether the accused person's plea of no contest which regarded swimming lawfully near his boat -while a local rule allows most swimmers, among which I was, in the public water and forbids, quite arbitrarily, only some swimming-, accompanied -or not- by a withhold of adjudication of guilt, nevertheless did not establish probable cause for his arrest and detention for trespassing of private

property while swimming in the public water and did not preclude a challenge of the legality of the arrest and detention by way of a civil suit for false arrest and detention in state or federal courts. Truly, the coastal water is very important to our lives, thus the laws related to it must be obeyed, including their exceptions which unreasonable, biased, prejudiced, discriminating, and abusive Sheriff's Deputies and Judges in Monroe County, FL, USA, did not know or applied. Indeed, USA has 95,439 miles (FL has 8,436 miles) of coastal water, near which more than 130 million people live – <https://oceanservice.noaa.gov/facts/population.html>-, more than 260 million people live within 62 miles of the coast – <https://scienceblogs.com/gregladen/2011/10/18/how-many-people-live-near-the->, “[the coastal area] provides recreation, relaxation, and a chance to renew the spirit. A third of all Americans [more than 110 million people,] visit coastal areas each year” - <http://www.waterencyclopedia.com/St-Ts/Tourism.html#ixzz5hhM3EQAB> -, “approximately 50 per cent of all international tourists travel to coastal areas.” <https://www.un.org/sustainabledevelopment/wp-content/uploads/2017/05/Ocean-fact-sheet-package.pdf>. Indeed, no one wants to be arrested and detained for lawful swimming, therefore, my question is of great national importance too.

2.b. Whether a Court may dismiss a complaint without due process, for failure to appeal a judgment on time, even though a conspiracy group has affected the plaintiff mentally through hyperthermia and other excessive stresses, which impaired the plaintiff's reasoning and understanding of the legal process; by the dismissal, the Court will affirm the prior and encourage future cruel and undue punishment. The dismissal of the case was in conflict with the decisions of this Court in *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U. S. 238, 248, which stated that courts must exercise their equity powers in order to “relieve hardships ... aris[ing] from a hard and fast adherence” to more absolute legal rules. “Mere neglect or inadvertence in complying [...] is rarely enough to justify dismissal.” *Commonwealth Fed. Sav. and Loan Ass'n v. Tubero*, 569 So. 2d 1271, 1273 (Fla. 1990). In addition, “the court's discretion can be properly exercised only after the court has made an adequate

inquiry into all of the surrounding circumstances.” *Richardson v. State*, 246 So.2d at 775 (Fla.1971), and “the interests of justice would be better served by addressing the merits”. *Overton v. Jones*, 155 F. Supp. 3D 1253; “petitioner has demonstrated a departure from the essential requirements of law resulting in a miscarriage of justice in this case.” *United Auto. v. Cty. Line Chiro*, 8 So. 3d 1258 (Fla. Dist. Ct. App. 2009).

3. Whether the U.S. Const. applies to the State of Florida. U.S. Const. Amend. XIV, sec. 1 stipulates that “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.” U.S. Const. Amend. VI states that “In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury [...] to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.” But I was detained for at least 6 nights before the trial, Judge Ptomey did not allow a jury, and no Counsel defended me, which were against the U.S. Constitution. May a Florida County Court allow -without jury deliberation and without professional, independent defender- the arrest and detention for an alleged misdemeanor of an accused person who is respectful, willing to pay the maximum fine immediately, is not violent and not a threat to others at all, then convict, again without jury deliberation and without professional, independent defender. This question is of great national importance too.

3.b. Whether local, state or federal law enforcement employees (LEEs) may -without jury deliberation and without professional, independent defender- arrest and detain accused persons who are respectful, willing to pay the maximum fine immediately, not violent, and not a threat to others at all, and who did not cause any damages or injuries, and who did not really break or intend to break any laws, rules or local ordinances, and who do not intend to leave the area. Please investigate whether they are part of a “vigilante” group, such as the Sarasota Vigilance Committee, founded as a “political” club, actually an

organization for harassment and even assassination for profit - <https://listverse.com/2016/08/28/10-deadliest-assassin-organizations-in-history>.

## TABLE OF CONTENTS

QUESTIONS PRESENTED .....	i
TABLE OF AUTHORITIES .....	v
PETITION FOR A WRIT OF CERTIORARI.....	1
OPINIONS BELOW.....	1
JURISDICTION.....	1
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED .....	2
INTRODUCTION.....	6
STATEMENT OF THE CASE.....	8
REASONS FOR ALLOWANCE OF THE WRIT.....	23
CONCLUSION.....	30
APPENDICES.....	31
Appendix A - Florida Supreme Court issued its one-page order denying review.....	31
Appendix B - The 3rd District Court of Appeal of Florida (3DCA) filed its opinion on March 7, 2018.....	33
Appendix C - CC dismissed my claim.....	34
Appendix D - SCC's Judge Ptomey dismissed my first claim due to lack of "Notice Of Intent To Sue Under Florida 768.28".....	36
Appendix E - "Judgement" by Judge Ptomey in the Criminal Court that I trespassed even though I swam lawfully.....	37
Appendix F: The GMAT report shows how bad I did for the last section, integrated reasoning, in 2015, two months after the wrong arrest.....	38

## **TABLE OF AUTHORITIES**

### **CASES**

Albright v. Oliver, 510 U.S. 266, 271 (1994).....	25
Brown v. City of Huntsville, Ala., 608 F.3d 724, 734 n.15 (11th Cir. 2010).....	25
Commonwealth Fed. Sav. and Loan Ass'n v. Tubero, 569 So. 2d 1271, 1273 (Fla. 1990).....	23
Estate of McCall v. U.S., 134 So. 3d 894, 909 (Fla. 2014).....	27
Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U. S. 238, 248.....	23
Madiwale v. Savaiko, 117 F.3d 1321, 1324 (11th Cir. 1997).....	25
N. Broward Hosp. Dist. v. Kalitan, 219 So. 3d 49, 57 (Fla. 2017).....	27
Orlikow v. U.S., 682 F.Supp. 77 (D.D.C. 1988).....	10
Overton v. Jones, 155 F. Supp. 3D 1253.....	23
Richardson v. State, 246 So.2d at 775 (Fla.1971).....	23
United Auto. v. Cty. Line Chiro, 8 So. 3d 1258 (Fla. Dist. Ct. App. 2009).....	23
United States v. Stanley, 483 U.S. 669 (1987).....	10

### **CONSTITUTION**

U.S. Const. Amend. I.....	3, 24
U.S. Const. Amend. IV.....	2,17,25,28
U.S. Const. Amend. V.....	2
U.S. Const. Amend. VI.....	2, 24, 26
U.S. Const. Amend. VIII.....	2
U.S. Const. Amend. IX.....	3
U.S. Const. Amend. XIV, sec. 1.....	2, 24, 27

State of Florida's Constitution, Article X, Section 11.....	4,26
---	------

## **STATUTES**

18 U.S.C. §§ 241, 242.....	3,25
29 U.S.C. § 794.....	4
34 C.F.R. Part 104.4.....	4,25
34 U.S.C. § 10228.....	3
34 U.S.C. § 12601.....	3,25
42 U.S.C. § 12131, et seq. ....	3
42 U.S.C. § 1983.....	3,25
42 U.S.C. § 2000d, et seq. ....	3,25
Fla. Stat. § 327.74.....	5, 25
Fla. Stat. § 810.08.2b (2015).....	27
Monroe County, FL, (Mo. Co.) Code of Ordinances (CO), Ch. 26, Art. IV.....	4,25,27,28
Mo. Co. CO 26-96.....	5,27
Mo. Co. CO 26-98.....	4,25,27
Mo. Co. CO 26-98 (a).....	4,25,28
Mo. Co. CO 26-98 (b).....	5,25
Mo. Co. CO 26-99.....	5,25

## **OTHER AUTHORITIES**

The United Nations' Universal Declaration of Human Rights.....	6
Congress. Committee Report 103-97, 103d Congress, 2d Session, S. Prt. 103-97 (Dec. 8, 1994).10	

## **PETITION FOR WRIT OF CERTIORARI**

Petitioner respectfully petitions this Court for a writ of certiorari to review the judgment below.

### **OPINIONS BELOW**

The Florida Supreme Court (FSC) issued its one-page order denying review on December 19, 2018. A copy is attached at appendix A.

The 3rd District Court of Appeal of Florida (3DCA) filed its opinion on March 7, 2018. A copy is attached at appendix B. The court's opinion is published at 239 So.3d 763 (2018). It is also at [https://scholar.google.com/scholar\\_case?case=17713157831957633416&q=spataru&hl=en&as\\_sdt=40006](https://scholar.google.com/scholar_case?case=17713157831957633416&q=spataru&hl=en&as_sdt=40006).

The Circuit Court of Monroe County (CC)'s Judge Garcia filed the dismissal of my claim on March 6, 2017, which I appealed to 3DCA. A copy of the dismissal is attached at appendix C. I believe that the CC's dismissal opinion is unpublished. It is also at <https://www.monroe-clerk.com/>.

The Small Claims Court of Monroe County (SCC)'s Judge Ptomey dismissed my first claim due to lack of "Notice Of Intent To Sue Under Florida 768.28". Appendix D.

The "judgement" by Judge Ptomey in the Criminal Court that I trespassed even though I swam lawfully is at Appendix E.

### **JURISDICTION**

This petition is timely filed. The Supreme Court extended the time to file it until today.

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

My questions and case are of national importance too.

### **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

U.S. Const. Amend. VI: In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.

U.S. Const. Amend. XIV, sec. 1: All 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.

U.S. Const. Amend. IV: It guarantees "The right of the people to be secure in their persons", prohibits unreasonable seizures.

U.S. Const. Amend. V: It guarantees the right to due process, prohibits self-incrimination.

U.S. Const. Amend. VIII: Prohibits cruel and unusual punishment.

U.S. Const. Amend. IX: Protects rights not enumerated in the Constitution.

U.S. Const. Amend. I: It guarantees the freedom of speech, the right to petition the government.

§ 1983 of 42 U.S.C., Reconstruction Civil Rights Act: “Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.”

34 U.S.C. § 12601 - Misconduct of law enforcement (CIVIL ENFORCEMENT)

18 U.S.C. §§ 241, 242 - Misconduct of law enforcement (CRIMINAL ENFORCEMENT) - It is a crime for one or more persons acting under color of law willfully to deprive or conspire to deprive another person of any right protected by the Constitution or laws of the United States.

42 U.S.C. § 2000d, et seq. - Prohibition Against Discrimination - on ground of race, color, or national origin - Title VI of the Civil Rights Act of 1964

34 U.S.C. § 10228 - Prohibition Against Discrimination - on ground of race, color, sex, or national origin - The Office of Justice (OJP) Program Statute

42 U.S.C. § 12131, et seq. - Prohibition Against Discrimination, Title II of the Americans with Disabilities Act, The Public Health and Welfare Title

29 U.S.C. § 794 - Nondiscrimination under Federal grants and programs

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34 C.F.R. Part 104.4 - Section 504 of the Rehabilitation Act of 1973: It prohibits discrimination against people with disabilities in programs that receive federal financial assistance (“no qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives Federal financial assistance”).

State of Florida's Constitution, Article X, Section 11 states “The title to lands under navigable waters, within the boundaries of the state, which have not been alienated, including beaches below mean high water lines [MHWL], is held by the state, by virtue of its sovereignty, in trust for all the people. Sale of such lands may be authorized by law, but only when in the public interest. Private use of portions of such lands may be authorized by law, but only when not contrary to the public interest.” Art. X, § 11, Fla. Const..

Monroe County (Mo. Co.), FL, Code of Ordinances (CO); Ch. 26, Art. IV.- DIVING AND SNORKELING PROHIBITED DURING LOBSTER MINI-SEASON, Sec. 26-98 - Diving and snorkeling prohibited (Sec. 26-98) states

“(a) It is a public nuisance and is unlawful for any person to dive or snorkel in any manmade water body or marina, or within 300 feet of an improved residential or commercial shoreline beginning three days prior to the opening of and during the entirety of the lobster mini-season and for the first five days of commercial lobster season<sup>1</sup>.

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1. **Commercial lobster season** means the period of time designated for harvesting of lobster, currently from **August 6 through March 31** of the following year, authorized by the Marine Fisheries Department of the Florida Fish and Wildlife Conservation Commission pursuant to Section 68B-24.005, Florida Administrative Code, as amended from time

(b) Nothing in this article shall prohibit diving incidental to vessel or dock maintenance, provided the diver performing the maintenance lawfully displays a diver down flag and otherwise complies with the requirements of F.S. ch. 327, or diving and snorkeling in front of his or her property to the center line of the canal or 100 feet of open water.”

[https://library.municode.com/fl/monroe\\_county/codes/code\\_of\\_ordinances?](https://library.municode.com/fl/monroe_county/codes/code_of_ordinances?nodeId=CH26WA_ARTIVDISNPRDULOMIAS_S26-98DISNPR)

[nodeId=CH26WA\\_ARTIVDISNPRDULOMIAS\\_S26-98DISNPR](#).

Sec. 26-96. - Intent and purpose: “The intent and purpose of this article is to protect and promote public health, safety and welfare and abate the destruction of property, deleterious environmental effects, and criminal trespass that results from the close proximity of divers to public and private property, as well as from the interactions and explorations by divers of docks, piers, and bulkheads in search of spiny lobster during the lobster mini-season and commercial lobster season. Such activities constitute a public nuisance. This article shall be effective in both incorporated and unincorporated Monroe County to the extent that no conflict exist with a municipal ordinance as provided in Art. VIII § 1(f) of the Florida Constitution.” *ibid*.

Mo. Co. CO, Ch. 26, Art. IV., Sec. 26-99 - “Penalties” states “Any person cited for a violation of this article shall be deemed charged with a noncriminal infraction, shall be cited for such an infraction, and shall be cited to appear before the county court. Citations shall be issued pursuant to F.S. § 327.74, (uniform boating citations [However, my boat had been anchored lawfully in TB since 2013 and RR's employee should have known me and my lawful situation.]) by any law enforcement agency authorized to issue such citations. The civil penalty for any such infraction is \$50.00 [...] not to exceed \$500.00 [...] The county court, after a hearing [but not arrest -please see below why the arrest was not necessary] shall make a determination as to whether an infraction has been committed. [...] infraction

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to time. <http://myfwc.com/fishing/saltwater/commercial/spiny-lobster/>

must be proven beyond a reasonable doubt.”.

The United Nations' Universal Declaration of Human Rights forms part of customary international law, thus applies in my case, as I am citizen of Romania, UE, too, beside the USA - and includes:

Article 1. [...] act towards one another in a spirit of brotherhood.

Article 3. Everyone has the right to life, liberty and security of person.

Article 5. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 8. [...] the right to an effective remedy by the competent national tribunals

Article 10. [...] independent and impartial tribunal

Article 17. (2) No one shall be arbitrarily deprived of his property [RR did not allow to have my phone to write my friends' phone numbers and my credit card to pay the bail bond].”

## **INTRODUCTION**

<https://www.supremecourt.gov/filingandrules/electronicfiling.aspx> writes “Filings from pro se parties are submitted only on paper, but will be scanned and made available electronically on the Court’s docket”, thus I submit only one copy of my petition; please let me know if you need more paper copies. Petitioner will be referred to as “Petitioner”, or “I” as I, the Petitioner myself, will have written this. Respondent Rick Ramsay, in his Official Capacity as Sheriff of Monroe County, Appellee or Defendant below, and its lawyers or attorneys will be referred to as “RR” or “Respondent”. Other terms will be defined as they appear. I use bold letters to ease the reading.

SCC's Judge Ptomey dismissed my first claim due to lack of “Notice Of Intent To Sue Under Florida

768.28". Appendix D. I sent the "Notice Of Intent To Sue", then, after no answer, I brought this action for damages and relief in the CC alleging that RR was negligent or careless or malicious or abusive or corrupt. CC granted RR's motion to dismiss, which I appealed to 3DCA. 3DCA dismissed my appeal, which I appealed to FSC. FSC denied review.

Respectfully, I ask the Court to accept my motions, forms, pleadings, and other communications as they are or assist me in correcting them. Indeed, due to the mental injuries that in part, at least 10%, the Respondent caused or aggravated, such as depression, anxiety, headaches, memory problems, lack of brain energy, concentration and attention, and other undiscovered yet issues, I am not able anymore to read and memorize all the rules of procedures promptly and completely. Furthermore, I have no money to hire lawyers for my case because my injuries stop me from keeping a job that would provide income for me to pay the lawyers' fees. In addition, I can not find an attorney to help me with this case on a contingency basis due to the many work-hours needed compared to the low income potential for an attorney. Consequently, **for proper justice and civilization and for the progress of our states and country, and even other countries, urgently, please create a new Public Office with a name such as "Public Civil Attorney Assistance for Mentally Injured Persons", that must offer - free or for credit or loan given from the public budget - professional, independent legal help in civil cases to victims like me and others who became brain-impaired and do not have anymore the necessary mental capacities promptly and completely to study, understand and memorize the Laws and Courts' Procedures to represent themselves to prove their complaints.**

Please allow me to file all my future documents by using the Court's electronic system to save valuable resources by not printing and mailing.

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**STATEMENT OF THE CASE**

1. The Monroe County Sheriff's Deputies considered my swimming which was therapeutic, as illegal lobstering and committed wrong and injuring arrest and detention starting on 8/11/15, for at least 6 days in Key Largo, FL, USA. The A/C in the overheated car of Deputy Kern (DK) did not function in the back but I was detained anyway there for the ~ 30' transportation to jail; moreover, DK did not even open the windows in the back which was separated from the front by a thick divider, thus I overheated which injured me. Truly, the air gets very hot and humid in August in Florida, and even hotter in a car; it is illegal in Florida to leave children, pets, and other living creatures in a car, as a child dies in less than 10' from hypertermia. He should have used another car with an air-conditioner that worked. In addition, DK did not let me take my credit card to pay the bail to be released; and DK did not let me take my phone to have my friends' numbers to call. All the wrong acts, conditions and omissions were abuses and caused me new injuries and aggravated old injuries. My relevant records below are at <https://1drv.ms/f/s!AoQWyvOOcbRYgawF5kxtqJD3UDUCw>. My medical records are at <https://1drv.ms/f/s!AoQWyvOOcbRYgoNYBPHE9OgQk12vhA> and <https://1drv.ms/f/s!AoQWyvOOcbRYkHLMH8OIZSAIfXzo>.

2. At all times material, RR had a duty to design reasonably safe hiring procedures, to hire, train, test, supervise and otherwise control the deputies who arrested me wrongly and deceitfully; to design reasonably safe transportation and detaining procedures and conditions, and to maintain and keep them in a reasonably safe condition; to design and conduct reasonably checks of employees and conditions; and to warn of perils.

3. On 08/11/2015, at around 4:30 PM, Petitioner was a public invitee of the State of Florida to swim even with or without a snorkel in the Tarpon Basin (TB) which is public water in Key Largo (KL), adjacent to the Government Center, 102050 Overseas Highway, Key Largo, Florida, and Hampton Inn (HI), 102400 Overseas Highway, Key Largo, Florida, and he was lawfully at the subject location, swimming lawfully with a snorkel in front of his property, an anchored sailboat, to 100 feet of open

water.

4. RR breached its duty of care on 08/11/2015, at around 7 PM, when his deputies arrested the Petitioner wrongly and deceitfully from his boat without a warrant; then transported him harmfully ~30 minutes; then detained him in the Plantation Key jail over night without medication, without a proper mattress for his back pain and without a proper pillow for his neck pain; then transported him harmfully ~120 minutes at ~2 AM; and then detained him in the Key West jail's "hospital" for at least 5 more nights without medication, without a proper mattress for his back pain, without a proper pillow for his neck pain and without a proper warm sweater for the cold inside temperature. My requests for them were not answered, therefore, my body, including my mind, was permanently affected. Please order the medical requests system to be overhauled, redesigned because the current system does not work, impairs people and even kills. Please order that the back of the police cars provide proper air conditioning and RR's deputies handcuff the detainees loose enough and with the arms in the front not the back of their bodies during transportation to avoid body injuries.

5. Truly, the air in the back of the Police car was too hot, but DK detained me in the "cooking" "cell" for the ~ 30' transportation to jail anyway. My body, including my brain, overheated and I felt almost suffocated. The hyperthermia caused me new and worsened old brain and mental injuries which manifest as recurring headaches and other mental problems such as insomnia, nausea, focus issues, memory weakness, attention deficit, PTSD, anxiety, depression, and other medical/physical/psychological conditions. They impair drastically and permanently my intellectual activities. Truly, hyperthermia damages the body permanently ("At these high temperatures, body proteins and the membranes around the cells in the body, especially in the brain, begin to be destroyed or malfunction. The extreme heat can affect internal organs, causing breakdown of the heart muscle cells and blood vessels, damage to internal organs, and death." Heat Stroke (Hyperthermia) - Harvard

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Health, Jan 4, 2013, <https://www.health.harvard.edu/diseases-and-conditions/heat-stroke->



hyperthermia). In addition, I was not properly hydrated, which worsened the effects of hyperthermia; please order the respondent to ensure that an accused person is not dehydrated during detention ("risk of hyperthermia include: Being dehydrated." Jun 27, 2012, Hyperthermia: too hot for your health | National Institutes of Health (NIH, <https://www.nih.gov/news-events/news-releases/hyperthermia-too-hot-your-health-1>). Indeed, the Respondent knew or should have known about hyperthermia and dehydration as a professional. The lack of proper air conditioning in a heated car is very bad torture and illegal, against the U.S. Const. Amend. VIII which prohibits cruel and unusual punishment. It is undeniable that government agencies lead by rogue, pathocratic people have tortured citizens; for example, the CIA's human "experimentation" discussed in *Orlikow v. U.S.*, 682 F.Supp. 77 (D.D.C. 1988), secretly administered lysergic acid diethylamide discussed in *United States v. Stanley*, 483 U.S. 669 (1987), and military chemical "experimentation" as discussed in Congressional Committee Report 103-97, 103d Congress, 2d Session, S. Prt. 103-97 (Dec. 8, 1994). {In addition, I quote from <http://www.pathocracy.net>, "Psychopaths [and sociopaths] differ from normal people in that they lack the ability to relate emotionally to others. As a consequence, they have a terrifying ability to treat others not as human beings but as things to be exploited, tortured or killed, as they see fit.", and indeed, RR and his conspirators tortured me. "Predators use charm, manipulation, intimidation, and violence to control others and to satisfy their own selfish needs. Lacking in conscience and in feelings for others, they cold-bloodedly take what they want and do as they please, violating social norms and expectations without the slightest sense of guilt or regret.", and indeed, all offenders are very charming and cold-blooded. More quotes: "Psychopaths are not technically insane. They don't have a psychosis, like schizophrenia. They are experts in appearing normal.", "the question is how to stop the powerful from doing as much damage as they can to us.", "While you try to 'understand' [and help] the psychopath, they are secretly calculating how best to cause you the most suffering.", "The prevalence of sociopathy in the United States seems to be increasing. The 1991 Epidemiologic Catchment Area study, sponsored

by the National Institute of Mental Health, reported that in the fifteen years preceding the study, the prevalence of antisocial personality disorder had nearly doubled among the young in America.", "Countries ruled by psychopaths become corrupt and brutish police states constantly at war with created and imaginary enemies. The population becomes paranoid, neurotic, and ultimately secondary psychopaths. In a psychopathic culture, everyone must adopt a ruthless attitude as a survival strategy.", "The psychopath enjoys making others suffer. Just as normal humans enjoy seeing other people happy, or doing things that make other people smile, the psychopath enjoys the exact opposite.", "Real power is unelected. Politicians change, but the power structure does not. The Network [...] operates behind the scenes, for its own benefit, without ever consulting those who are affected by its decisions. The Network is composed of individuals who prefer anonymity. They are "satisfied to possess the reality rather than the appearance of power." This approach of secretly exercising power is common throughout history because it protects the conspirators from the consequences of their actions. [...] A primary tactic for directing public opinion and "government" policy is to place willing servants in leadership positions of trusted institutions (media, universities, government [,including law enforcement], foundations, etc.). If there is ever a major backlash against a given policy, the servant can be replaced.", "Historically, those who establish sophisticated systems of domination are not only highly intelligent; they are supremely deceptive and ruthless. They completely ignore the ethical barriers that govern a normal human being's behavior. They do not believe that the moral and legislative laws, which others are expected to abide by, apply to them." Please find the others in the conspiracy "network", including the masterminds, and order them to compensate me and stop the abuses. "The truth is the only thing worth working towards.", "True conscience raises us above the example of [sick-]animal behaviour set by the pathocrats." } "The sheer numbers of people complaining of being targeted, including people with post-graduate degrees and a lifetime of achievements, and the similarities in symptoms [-psychological symptoms resulting from intentional

harassment-], tend to outweigh a dismissive response based on charges of anecdotal evidence or group paranoia.” <http://www.rob-files.com/Jon%20Wilson%20Attorney%20letter.pdf>, viewed on May 5<sup>th</sup>, 2019.

6. I believe that the heads of the organized crime (OrC) clans ordered my elimination, at least mental, due to my comments, even though constructive, regarding 1. permissive USA financial laws passed by the Congress upon the “advice” of “lobbyists” (more than \$28 billion has been spent on lobbying in the United States in 2017 - [https://en.wikipedia.org/wiki/Lobbying\\_in\\_the\\_United\\_States](https://en.wikipedia.org/wiki/Lobbying_in_the_United_States)), even though the financial crimes of the years 2001-2003 and prior years should have stopped the lobbyists. We need proactive laws to prevent frauds and recover the stolen assets.

7. And due to my comments regarding 2. the failed USA's 'war on drugs.' Truly, the 'war on drugs' actually became a war of those who control or manipulate the Law-Enforcement Chiefs, such as those in S. FL, to eliminate the drug traffickers who are not in their 'importing'/trafficking network (which is so effective that one can buy from the 'accepted distributors' an illegal drug like THC, cocaine, crack, heroin or flakka in 15-45' as simply as one can buy a Domino's pizza -<https://www.google.com/search->, and which is hugely profitable as the general criminalization raised the price of, for example, cocaine at least 75 times from ~\$2 per gram – the highest price in Colombia- to \$150 in the United States –).

8. Indeed, due to my comments, even though constructive, regarding the organized crime, I have become OrC's target, and they use all possible methods to annihilate their targets, including me.

9. RR and his employees knew, or in the exercise of reasonable care should have known, that the Petitioner was not trespassing and should not have been arrested, detained, transported and convicted. Judge Ptomey said “unofficially” that he did not know that I was swimming for therapy, not to catch lobsters; however, he should have inquired why I was swimming, as it was part of his duties. The deputies who arrested me abusively and injured me knew or should have known too. I told Deputy

Cody Kern after he handcuffed me that he was making a mistake, but Deputy Madnick (DM), his chief, asked him to arrest me anyway. I thought that all deputies knew that I was swimming for therapy, because I told a deputy before about my therapy, and I was living 200 yards from the local office of the deputies. The offenders beside Sheriff Rick Ramsay in his official capacities, include offenders Deputy Cody Kern, Deputy Madnick, Judge Ptomey, Judge Garcia, and the legislators who voted state laws which were against the U.S. Constitution. Please add all as respondents in their official capacities and in their private capacities. Please add Sheriff Rick Ramsay in his private capacity. Beyond a reasonable doubt, they were already part of or instruments of a conspiracy group that wanted to benefit from the corruption of the public services and works, such as the the construction of the bike route in Key Largo without the proper traffic signs, which caused an accident that injured me badly. Indeed, all offenders are of at least some ancient Macedonian-Bedouin-Hebrew-Judaeen-Turkish-Khazar (Khazar) origin and their common recognizable DNA united them to act in their selfish, abusive interest. (I am not dead yet, most probably because I am actually a law-abiding and respectful person, and I have recognizable DNA in common with them and their instruments, as all human beings descend from only one woman, Mitochondrial Eve; however, I was educated to be against any abuses of rights, and I am not afraid to sue the offenders for their abuses of my rights, even though they hired harassment "specialists" to silence me.). They do not care about ethics and religious teachings such as "Do unto others as you would have them do unto you"; even if they are masochistic thus want me to cause them hyperthermia as they caused me, I will not cause them hyperthermia or other injuries, as I am not sadomasochistic. Please investigate whether they are part of a "vigilante" group, such as the Sarasota Vigilance Committee, founded as a "political" club, actually an organization for harassment and even assassination for profit - [https://listverse.com/2016/08/28/10-deadliest-assassin-organizations-in-](https://listverse.com/2016/08/28/10-deadliest-assassin-organizations-in-history)  
[history](https://listverse.com/2016/08/28/10-deadliest-assassin-organizations-in-history). The names of my offenders prove a common background too, of northern Euro-Asian origin.

Madnick means metal worker in Russian, <https://www.ancestry.com>. Kern means corn, small, skinny in

German; they were small farmers or merchants. Ptomey comes from Ptolemy, meaning "aggressive, warlike", <https://www.behindthename.com> -of the abusive category {When Ptolemy I Soter made himself king of Egypt, he created a new god, Serapis, which was a combination of two Egyptian gods: Apis and Osiris, plus the main Greek gods: Zeus, Hades, Asklepios, Dionysus, and Helios.

[https://en.m.wikipedia.org/wiki/Ptolemaic\\_Kingdom](https://en.m.wikipedia.org/wiki/Ptolemaic_Kingdom). The abusive category includes Pilate, Herod and Caiaphas, the head of the Persian-Pharisee "clergy". Pilate followed the "advice" of Herod and Caiaphas, and executed Jesus, a militant for democracy and human rights, including taxation with representation. Jesus was explaining to people the abuses and lies of the Pharisee "clergy" who were spending the people's donations for clergy's luxurious lifestyle instead of public services such as victims' funds, hospitals and housing for the injured; and was preaching against abusive taxation, and against corruption of the public services and works. The rulers did not want to lose their abusive revenues, and conspired to kill him. However, not long time after the execution, all involved in his killing lost all or almost all. Caiaphas, the High Priest of the Temple and the de-facto ruler of the worldwide Jewish community at that time, was removed from office and a luxurious life and lived quietly on his small property near Galilee --

[https://www.bbc.co.uk/religion/religions/christianity/history/whokilledjesus\\_1.shtml](https://www.bbc.co.uk/religion/religions/christianity/history/whokilledjesus_1.shtml); Herod and Pilate were removed too and exiled. The Imperial Roman Julio-Claudian dynasty ended by suicide after the citizens revolted and started threatening the Praetorian Guard of the clan's palace to prove the citizens' suffering and determination. Indeed, since ancient times, most probably, due to overpopulation which caused migrations, many people from Middle East areas moved North too to colder areas such as Russia, and later West to Germany, and worked as metalworkers, farmers, merchants; most probably, some Khazar clergy moved with them too, and maintained their control or manipulation. Starting in 1917, after they received fire weapons from the new socialist government to protect it -but not to kill its opponents-, many Russian Khazars have been mortal for tens of millions of people upon the orders of

the communist leaders (95% were of at least some Khazar origin,

<https://www.britannica.com/biographies/history/communism>, <https://www.google.com/search>

communist leaders ethnic origin; they were financed mainly by Khazar interests,

<https://www.quora.com/Who-financed-the-Russian-revolution-of-1917-and-why>; many were trained in

New York or Switzerland, a tax heaven, *ibid.*, <https://www.google.com/search>; “money is the best

explanation for why Lenin’s minority of Bolsheviks was able to terrorize and eliminate the majority of

Mensheviks in the Communist party itself. The Bolsheviks were famous for their ruthless murder of

opponents. This suggests more than politics - it suggests hired hit men and lots of GOLD.

[https://www.quora.com/Who-financed-the-Russian-Revolution-How-was-the-transfer-of-money-done-](https://www.quora.com/Who-financed-the-Russian-Revolution-How-was-the-transfer-of-money-done-Did-Germany-really-provide-Lenin-with-tons-of-gold-in-a-sealed-train-from-Zurich-back-to-Russia.)

[Did-Germany-really-provide-Lenin-with-tons-of-gold-in-a-sealed-train-from-Zurich-back-to-Russia.](https://www.quora.com/Who-financed-the-Russian-Revolution-How-was-the-transfer-of-money-done-Did-Germany-really-provide-Lenin-with-tons-of-gold-in-a-sealed-train-from-Zurich-back-to-Russia.)).

Many German Khazars were recruited by the Nazi party and army, and some became powerful officers

too - [https://www.wikiwand.com/en/List\\_of\\_Nazis\\_of\\_non-Germanic\\_descent](https://www.wikiwand.com/en/List_of_Nazis_of_non-Germanic_descent); the Nazis killed tens of

millions of people too. In 1939, Hitler and Stalin (Djugashvili, Gruzin; the ancient city of Khazar was

located near Gruzia which is between today's Turkey, Iran, and Russia) made a secret agreement to

attack other countries for their resources, and unfortunately, Khazars and their instruments had

infiltrated already Romania, a top worldwide producer of oil and gasoline then, and caused corruption

of the public contracts and politics, which made it impossible for the Romanian army to protect -due to

bad supplies, including weapons- the NE Moldova from Soviet (Khazar) Union, and NW

Ardeal/Transylvania region from (Khazar-Keiser) Germany when they attacked in 1940. My

grandparents were from NE Moldova, owned a farm of almost 200 acres there, but they had to abandon

it and take refuge to Bucharest in 1940, as the treacherous Romanian government of that time asked the

properties owners to leave the area without fighting; thus, more than 1,000,000 people left and became

refugees. Khazars infiltrated Britain, France and other countries too, thus they could not help Romania

as they promised; some of them were even occupied partially or completely too. Khazars infiltrated the

USA too, caused corruption and abuses, and even created 9/11 (Khazars infiltrated Arab countries too), which “helped” them collect “recovery” payments from their insurance contracts for the “destroyed” buildings, and made their businesses, including weapons, scanning equipment, oil businesses, to make huge profits upon the suffering of every American and loss of millions of lives in the USA and abroad. Most probably, they used Arab people with mental disabilities, whom Khazars or Khazars' instruments turned into sociopathic suicide fighters. Most probably, many Arabs were mentally disabled by the human rights abuses or “accidents” caused by the instruments of religious, military, or political dictators under the Khazar influence. In the XIII century, Marco Polo wrote about a Khazar “method” which created assassins and suicide-fighters, and in the XX century, Kirghiz writer Chingiz Aitmatov described a “procedure” to create “mankurts”, which included hyperthermia.}. My case proves that one of their torture methods in the USA is detention in overheated cars, which they used with me, but I will never be a sociopath, as I am 100% against violence as a solution to violence. I promote the civilized legal solutions to abuses, and the ethical education of abusers, that they and their families will lose soon their abusively obtained gains, will have to pay additional penalties, and even go to prison for a long time. Truly, today, more than \$30 trillion in cash, real estate titles, shares and bonds from all countries are registered in tax havens – such as the City of London- mostly by the Khazars and their instruments, which gives them almost unlimited money to conspire and commit more crimes. Let's counteract and stop the organized crime by putting safety and care for every person first in our communities. Our communities must ensure that all companies, organizations, government departments, products and services are and will be safe for all. The above proves that the American Khazars and their instruments had conspired to disable me mentally too to use me too or to eliminate me. Indeed, it is diabolical for a group to affect one mentally with hyperthermia and other excessive stresses then to accuse one of not having acted properly on time to appeal the confusing order of Judge Ptomey! Please stop them and order them to compensate me and the other victims; please request all

public and private law enforcement departments (including DHS, CIA, NSA, FBI, ICE/Border Patrol, private security companies, vigilante organizations such as Neighborhood Watch) to take me off of their enemies lists they have, and order them to protect me from any harm; please demand the criminal prosecution, arrest, detainment, and permanent sterilization, under battery, cruelty, terrorism and other laws of all involved in my false arrest and imprisonment, torture, in the conspiracy to deprive me of constitutional rights, in the causation of my injuries, and in other crimes not yet identified; please order them to compensate me. I offer to volunteer to monitor legally and ethically such offenders and new refugees or immigrants suspect of future abuses. In case you are not convinced about their malevolent and corrupt intent, I have included the accusations of negligent and careless acts. Please ensure that we will have safe communities with no abuses and "accidents" in the future.

10. RR, by and through the acts and omissions of its employees, agents, contractors and/or servants, breached its duty of care to Petitioner and was negligent and careless or malevolent or corrupt.

11. DK came to my anchored boat with a FWC boat and arrested me wrongly and abusively for trespassing, without real cause and without a warrant as U.S. Constitution Amend. IV -Search and Seizure- requires, and deceived me to enter the FWC's boat from my live-aboard sailboat anchored in Tarpon Basin; threateningly, he shouted to me to leave Monroe County ASAP in order to avoid further "inconveniences" but I was not able to move due in part to the health issues RR worsened or caused -please advise me where to go to be safe.

12. I was forced to ride 30 minutes with very tight handcuffs and my arms behind my back, which caused me more injuries and pain in my back, shoulders and arms.

13. Unfortunately, the Officers who arrested me did not allow me to take my phone and credit card to pay the bond, and I had not memorized any phone numbers of friends to call from jail for assistance.

The bail bond agents could not help me to pay. The jail did not allow me to access Internet Banking to



pay the bond. The attorney firms I found in Yellow Pages did not accept collect calls from me.

Therefore, I had to wait six days in jail until a friend found out and paid the bond. Please order RR to provide at least two ways for inmates to access their credit cards (through phone or internet), so they can pay the bond. In addition, please order RR to make sure during the arrest that the accused ones know friends' phone numbers and take a credit card with them so they can pay the bond or call friends to pay. Furthermore, please allow both the Police Officers and the Public Defenders to access Internet Banking on behalf of the inmates to help them pay the bond or email inmates' friends.

14. Moreover, the Officer who checked me in the jail convinced me not to ask for a public defender, which was against my interest. Please order RR to give each detainee a written advice for the assistance of a public defender that explains the complexity of the legal system.

15. Moreover, I was kept in jail and its hospital without medical treatment and therapy; I was not given my prescribed drugs, which caused me more anxiety and depression. That was more very bad torture! Please order RR to provide the prescribed medicine and health care to inmates because their absence makes people sicker and even kills. The jail should screen all's health and offer health care to those who need and want. The purpose of detention is healing not causing health issues by torture.

16. In addition, the food does not provide enough nutrients, and I had no money to purchase food from the expensive store of the jail. My health was affected permanently because I could not consume enough vitamins, minerals, proteins, and other nutrients. Please order RR to provide nutritional supplements to all inmates because without them people will get weaker and sicker and even die. Nutritional supplements cost only \$0.1 per day per person.

17. Moreover, I had no proper sunlight in the jail and jail hospital, which caused me more anxiety and depression. Please order the jail hospital to install big windows or a system of mirrors so that inmates get proper sunlight, essential for their recovery and well-being. Otherwise, they will be released with

expensive, incurable, and even unmanageable mental and non-mental health problems that will cost all of us much more tax money and trouble.

18. Furthermore, due to the detention, I could not go to take the Graduate Management Admission Test (GMAT) as planned, for which I had studied 6 months, 12-15 hours a day, almost every day; moreover, I could not go to take care of my anchored boat which needed checks and pumping of the bilge water; all caused me more anxiety and depression. My performance at the GMAT decreased from top 47% in 2014 (which I attained even though, abusively, I was not allowed to wear a hat to protect my head from the blowing cold air from the A/C above) to bottom 12% (even though I was allowed to wear a hat) in the integrated reasoning section when I took it after the wrong arrest, due 90% to the brain health issues that RR worsened or caused; thus, the graduate schools did not accept me in their PhD programs.

19. Indeed, RR worsened my

20. -right elbow and right shoulder issues and upper and lower back issues when a deputy handcuffed my hands too tight behind my back for ~30 minutes, which worsened my cartilage, ligaments and tendons injuries, which manifest as scary pain inside the elbow joint during effort, for example, after carrying a regular laptop backpack by hand for 1', during even only one pull-up or during 5 minutes of medium rowing effort; which manifest as scary pain in my right shoulder area during even only one push of a 6x2x4 wood bar.

21. -upper and lower back and neck issues when a deputy transported me 100 mile from Tavernier to Key West in a bus without the proper shock absorbing system, which worsened my permanent damages of the cartilages, ligaments and tendons, which manifest as alarming pain inside an upper vertebral joint after carrying a regular laptop backpack for only 20' and as painful stopping of my breathing after around two hours of activity that requires bending of my back every 5 minutes to lift objects under 20 pounds.

22. -upper and lower back and neck issues when a deputy did not provide proper mattress and pillow in the jail.

23. -mental and emotional injuries when I could not pay the bail bond because the Police Officers who arrested me did not allow me to take my phone and credit card to pay the bond, even though I had not memorized any phone numbers of friends to call from jail for assistance; when I could not go to take the Graduate Management Admission Test as planned; when RR caused me over-heating or over-cooling; when I could not take care of my anchored boat; and when I suffered loss of my reputation due to the wrong arrest.

24. Skin pores with visible blood were my and other person' symptoms of extreme stress, most probably caused by haematoxydrosis; the sweat glands all over our body are supplied by small blood vessels. Under extreme stress these vessels can break and blood can leak. A famous example of a person who sweated blood is Jesus. St. Luke, a doctor, records that near Jerusalem, in Gethsemane (Geths/Geta/Got people originated from the ancient Danube valley area where the oldest gold jewelry was discovered- <https://www.smithsonianmag.com/smart-news/oldest-gold-object-uneearthed-bulgaria-180960093/>, and where I was born), Jesus sweated drops of blood onto the path before him when he decided, in spite of the immediate risk, to continue preaching there instead of going away.

Unfortunately, the Geths could not save him from torture then death but most probably financed and helped the spread of the teaching of the rights, which Jesus started. Please ensure that these rights are taught to and understood by the law enforcement employees (LEEs).

25. The injuries that RR caused me have impaired permanently and drastically my intellectual and physical activities. Indeed, unfortunately, I have not been able to maneuver and control a sailboat anymore, which should have been my main business at the time of the incidents; I have not been able to keep other physically demanding jobs; I have not been able to get an office or other job due to my

mental issues which include headaches, depression, anxiety, anger, distrust; thus I have had no proper income for a normal, decently comfortable life. In addition, the quality of my life has diminished abruptly and diabolically severely because I have not been able anymore without pain to row even only my small 8.5' tender boat against a current caused by even only 15 mph wind to reach my live-aboard sailboat where I should get every night in order to sleep, sailboat which is anchored in the small, 1 mile wide, Tarpon Basin in Key Largo, FL; I have not been able anymore without pain to climb even only 4' to get on my sailboat from my tender boat, and properly swim, ride a bicycle, do aerobic or weight lifting exercise, dance or backpack. I had to stop operating and living in a boat. I cannot fulfill any longer my plan to sail to Hawaii, Tahiti, Seychelles, Madagascar and around the coasts of all the continents.

26. I had to sleep in improper shelters, as no recovery home was available.

27. Moreover, the brain injuries that RR caused me or aggravated have impaired my mind; unfortunately, my recurring headaches and other mental problems such as nausea, focus issues, memory weakness and depression stop me from rigorous intellectual activities. The Master's Degrees which I have received in the years 1997 and 2000 prove that I had had the mental abilities to do any intellectual activities including getting a Law Degree or running an accounting business, which I cannot do anymore.

28. I spoke with and wrote to many attorneys but I have no money to pay retainers to hire a lawyer because my past injuries stop me from keeping or getting a job that provides income. In addition, I can not find an attorney to help me with this case on a contingency basis because of the large number of work-hours needed compared to the low income potential for an attorney. Furthermore, many attorneys, or even all attorneys, are selfish and greedy, thus, they either do not care or, worse, they want accidents to continue happening so that they make more easy money from the settlements with the insurance

companies; therefore, they do not want proper training and behavior of Police employees, and, consequently, they do not accept such cases. Thus, for proper justice and civilization and for the progress of our state and country, please create a new Public Office with a name such as “Public Civil Attorney Assistance for Mentally Unfit Persons”, that must offer -free or for credit or loan given from the public budget- professional, independent legal help in civil cases to persons who do not have anymore the necessary mental capacities promptly and completely to study, understand and memorize the Laws and Courts' Procedures to prove their complaints on time.

29. As a result of my injuries, I endured and will endure having periodic treatments, experienced pain and suffering therefrom; suffered physical handicap, disability, mental anguish, loss of time, loss of past earnings, loss of current earnings and earning capacity in the future, aggravation of preexisting injuries and conditions, inconvenience, loss of capacity for the enjoyment of life; and other unknown yet damages that the law would allow. All of these injuries are permanent and continuing in nature.

30. As a further direct and proximate result of the injuries sustained due to the aforementioned negligence or carelessness or malevolence or corruption of RR, Petitioner suffered severe new mental and non-mental body injuries and worsening of old health issues. As a result of the injuries, Petitioner endured having treatments for his injuries for which he continues to suffer, has incurred medical expenses in the past and will continue to incur such expenses in the future.

31. In September 2017, Hurricane Irma, the biggest ever recorded in FL, as big as the top five prior hurricanes combined -thus, it was not “natural” but “created”- caused extensive destruction in Florida (\$50 billion - <https://www.thebalance.com/hurricane-irma-facts-timeline-damage-costs-4150395> ); consequently, to avoid future punishing catastrophes, please, prove to God and his, her or its angry angels that you can manage its Earth properly.

## REASONS FOR ALLOWANCE OF THE WRIT

1. U.S. Const. Amend. VIII prohibits cruel and unusual punishment. If RR does not compensate me for the injuries his employee, DK, caused me by the ~30' transportation to jail in his hyperthermic, "cooking" car, then he and his employees will continue to torture others too, even though it is battery, intentional infliction of emotional distress, and against U.S. Const. Amend. VIII, which prohibits cruel and unusual punishment. Thus, they will cause more poverty and other social problems. Similarly, RR must compensate for the other torturous abuses: DK did not let me take my credit card to pay the bail to be released; DK did not let me take my phone to have my friends' numbers to call; RR tortured me during detention in jail too, see par. 4 above for details.

2. U.S. Const. Amend. V guarantees the right to due process. If the Court dismisses my complaint without due process, for failure to appeal a judgment on time, even though a conspiracy group has affected me mentally with hyperthermia and other excessive stresses, which impaired my reasoning and understanding of the legal process, the Court will affirm the prior and encourage future cruel and undue punishment. The dismissal of my case was in conflict with the decisions of this Court in *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U. S. 238, 248, which stated that courts must exercise their equity powers in order to "relieve hardships ... aris[ing] from a hard and fast adherence" to more absolute legal rules. "Mere neglect or inadvertence in complying [...] is rarely enough to justify dismissal." *Commonwealth Fed. Sav. and Loan Ass'n v. Tubero*, 569 So. 2d 1271, 1273 (Fla. 1990). In addition, "the court's discretion can be properly exercised only after the court has made an adequate inquiry into all of the surrounding circumstances." *Richardson v. State*, 246 So.2d at 775 (Fla.1971), and "the interests of justice would be better served by addressing the merits". *Overton v. Jones*, 155 F. Supp. 3D 1253; "petitioner has demonstrated a departure from the essential requirements of law resulting in a miscarriage of justice in this case." *United Auto. v. Cty. Line Chiro*, 8 So. 3d 1258 (Fla.

Dist. Ct. App. 2009).

3. U.S. Const. Amend. XIV, sec. 1 stipulates that “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.” U.S. Const. Amend. VI states that “In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury [...] to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.” But I was detained for at least 6 nights before the trial, Judge Ptomey did not allow a jury, and no Counsel defended me, which were against the U.S. Constitution. If the Legal System does not offer guidance or professional, independent legal help, free or for credit or loan given from the public budget, in cases, including civil ones, to victims who cannot prove their complaints themselves promptly because they lack the necessary mental skills after an injury, and when private attorneys will not take their cases due to lack of available time or conflicts of interests, then the victims will not be able to prove their claims, thus will not be compensated, and the perpetrators will not be punished, thus will be encouraged to cause suffering to more persons, thus to vitiate and impair our communities and even kill. We need to stop, punish and try to heal all offenders ASAP to prevent any future harm to anyone else.

4. U.S. Const. Amend. I guarantees the freedom of speech, including my right to comment about and ask others to help me sue Mo. Co. and FL DOT for lack of proper bike route signs, even if it antagonized the decision-makers of Mo. Co.. We need to be free to comment and talk in public about probable local corruption due to which many streets did not have a proper bike route sign and there were no proper community services such as victims funds, free or on credit recovery hospital/nursing home/hotel, health and legal care for injured persons. We need to be free to comment about potential criminals who infiltrated our country's public or private organizations and governments.

5. 42 U.S.C. § 2000d, et seq. prohibits against discrimination on ground of race, color, or national origin. I was born outside the USA (I became a citizen of the USA by naturalization in 2002) thus I was viewed as a helpless “alien”. Indeed, the offenders discriminated against me based on my national origin, and broke the law. Moreover, the United Nations' Universal Declaration of Human Rights Article 1. requests all to “act towards one another in a spirit of brotherhood.”

6. 34 C.F.R. Part 104.4 prohibits discrimination against people with disabilities, and I was partially disabled by past “accidents” at the time the abusers started my torture. Therefore, the offenders discriminated against a person with disabilities, and broke the law.

7. I was snorkeling in front of my property to 100 feet of open water, which was allowed by the CO Ch. 26, Art. IV. Sec. 26-98 (b); my property was my lawfully anchored live-aboard boat. Therefore, the CO allowed me to snorkel, Sec. 26-98(a) did not apply, and RR arrested me without probable cause, which violates the Fourth Amendment of the U.S. Const., 42 U.S.C. § 1983, and *Madiwale v. Savaiko*, 117 F.3d 1321, 1324 (11th Cir. 1997); a cause of action for damages may be asserted under § 1983, *Brown v. City of Huntsville, Ala.*, 608 F.3d 724, 734 n.15 (11th Cir. 2010). A voluntary surrender to the authorities still constitutes a seizure under the Fourth Amendment. *Albright v. Oliver*, 510 U.S. 266, 271 (1994). Please punish all offenders under 34 U.S.C. § 12601 and 18 U.S.C. §§ 241, 242, too

8. I was accused of “trespassing by snorkeling” on 08/11/2015, which was the sixth day after the start of the commercial lobster season on August 6<sup>th</sup>, 2015, and not during the first five days of commercial lobster season as CO Ch. 26, Art. IV. Sec. 26-98(a) required for the infraction to exist.

9. According to CO Ch. 26, Art. IV. Sec. 26-98 and 99, the citation should have been issued pursuant to F.S. § 327.74, (uniform boating citations), but not for trespassing; furthermore, the penalty for snorkeling [for lobstering] would have been \$50, not to exceed \$500.00, but not arrest, hyper- or hypo-termic detention and ~\$600.

10. I did not and could not destroy any property by swimming lawfully with or without a snorkel in



public water; I did not, had no and have no intention to affect the environment or trespass. Indeed, I have never hunted for or caught any kind of lobster, including spiny lobster, and have not even been able to due to my injuries caused by a van that hit me in June 2013 in Key Largo while I had been lawfully riding my bicycle on the bike route that lacked proper bike route signs. Indeed, I had used a snorkel -when I took one- during my swimming to be able to detect ASAP any dangerous sea wildlife and rocks to avoid injuries; and to swim without affecting anything underwater. Indeed, when I had swum alone in isolated areas in the past, wild creatures had bitten or stung me many times and a threatening large fish with killingly long and sharp teeth had come to me once but I had seen it early with my goggles and had been ready to confront it with a protective spear and protect myself, which made it go away; in addition, a neighbor boater, Gregory Jennings, had said he had seen a crocodile in the area in the spring of 2015 and the local newspaper had printed articles about big crocodiles and snakes in the region; indeed, the Record on Appeal, pages 34-37, from CC to 3DCA show descriptions and graphic pictures of other persons' encounters, many even deadly, with wild sea creatures; therefore, asking people to swim away from other swimmers and without goggles and snorkel is a crime which should be punished. Indeed, I had no equipment to catch lobsters or to cause destruction of property or deleterious environmental effects. I was not using a snorkel to search for or catch lobsters or cause destruction, but to protect myself and the environment.

11. U.S. Const. Amend. VI requests that “the accused shall enjoy the right [...] to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor“ but I was not allowed to confront in Court any person who had accused me of causing any destruction, making them uncomfortable or being combative.

12. Florida Constitution, Article X, Section 11 allows a person to swim and use beaches below the mean high water lines with or without a snorkel; in addition, “Florida courts have recognized [...] bathing as protected public interest” -Florida Bar Journal, Sovereignty Lands in Florida: It’s All About

Navigability (Part I), January, 2002, Volume LXXVI, No. 1, <https://www.floridabar.org/news/tfb-journal/?durl=%2Fdivcom%2Fjn%2Fjnjournal01.nsf%2FAuthor%2F8435886355600CBB85256B280076F439>.

13. Even though I did not touch any HI's property because I swam below the MHWL, and HI does not own any water below the MHWL, I was arrested, detained and convicted under Fla. Stat. 810.08.2b (2015) for trespassing on HI's property, which was wrong. Indeed, RR did not have reasonable cause to arrest and detain me; and Judge Ptomey did not have reasonable cause to convict me.

14. Other people had been and were snorkeling in the area near Hampton Inn but DK did not even warn them, which was an implicit invitation for me to join the other snorkelers. DK arrested only me, which was an abuse against U.S. Const. Amend. XIV, sec. 1, "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."

15. There had been no sign on the beach of HI or buoy on the adjacent water to warn swimmers of Mo. Co. CO, Ch. 26, Art. IV., Sec. 26-96 to 99.

16. There are no lobsters in Tarpon Basin due to the lack of rocky bottom for them to hide, and FSC ruled that a law cannot be upheld where there is zero evidence that it actually does what it was purportedly intended to do. *N. Broward Hosp. Dist. v. Kalitan*, 219 So. 3d 49, 57 (Fla. 2017) (holding law unconstitutional because "there [wa]s no evidence [...] justifying [it]"); *Estate of McCall v. U.S.*, 134 So. 3d 894, 909 (Fla. 2014) (plurality) (finding law unconstitutional because "the available evidence fail[ed] to establish a rational relationship" between the law and its purported purpose); *id.* at 921 (Pariente, J., concurring) (finding same law unconstitutional because there was "no evidence . . . that would justify" it). Indeed, the purpose of the Mo.Co. CO, Ch. 26, Art. IV Sec. 26-98 (a) is to harass and stop illegally and abusively the snorkelers who do not pay for a room at HI or other hotels or vacation houses, from using the safe public water near the shore, even if they enter the water from

lawfully anchored boats or from public, government owned areas, which is criminal conspiracy and racketeering.

17. The arrest was without reasonable cause and a warrant, which was an abuse against the US Const. Amend. IV -Search and Seizure- that guarantees "The right of the people to be secure in their persons."

18. Even though the title of ARTICLE IV is "DIVING AND SNORKELING PROHIBITED DURING LOBSTER MINI-SEASON" ARTICLE IV Sec. 26-98 (a) prohibits snorkeling during the first five days of commercial lobster season too, thus, the ordinance was not and is not lawful due to its limiting title.

19. Please help me to recover and continue my good anti-corruption work for your benefit too, to help USA to avoid the collapse of civilization; if you are not convinced that you are in danger too, please read again Ethics courses or books. A book, "Socialism, Fascism, and the Tyranny of Big Government" by Michael Dahlen shows how tyrants enslave entire nations and destroy them and finally themselves; "In popular political discourse, fascism and socialism are portrayed as polar opposites. The former is pegged on the far Right, the latter on the far Left. But this categorization is flat-out wrong. Despite their superficial differences, fascism and socialism—along with Nazism and theocracy—are fundamentally the same. They are all examples of statism and totalitarianism. These systems oppose freedom, liberty, and individual rights. They impose one-party rule, control or abolish private property, and censor or oppress racial, religious, political, and ideological enemies. They also seek to export their particular brand of tyranny throughout the world. Whether the goal of a tyrant is achieving utopia, enforcing God's will, or establishing a master [...] race, the results are always the same: purges and show trials, man-made famines and concentration camps, war and mass murder." [https://www.amazon.com/dp/B01MT65D8W/ref=sspa\\_dk\\_detail\\_1?psc=1](https://www.amazon.com/dp/B01MT65D8W/ref=sspa_dk_detail_1?psc=1), accessed in April 2019. Please do not allow any group to create a tyranny and abuse people. Please do not condemn me to the deadly poverty and disability that the organized crime caused me by injuring me, especially my brain. Please help me continue to expose the new lies, deceptions, and abuses of the organized crime; "Mr. Buttigieg said that when capitalism becomes unrestrained by democratic checks and impulses, that's no longer the kind of capitalism that once produced broad prosperity in this country. "If you want to see what happens when you have capitalism without democracy, you can see it very clearly in Russia," he said. "It turns into crony capitalism, and that turns into oligarchy." ... But somehow, as the definition of

democracy has been handed down to us over the years, the word has come to mean the existence and exercise of a few basic rights and principles. The people — the “demos” — are imbued with no particular economic characteristic. This is wrong. Our definition of democracy needs to change. Democracy can’t flourish in a context of grotesque concentration of wealth [by injuring abuses too]. This idea is neither new nor radical nor alien. It is old, mainstream and as American as Thomas Jefferson.

[...] So, yes, democracy and the kind of economic inequality we’ve seen in this country in recent decades don’t mix. Some will rejoin that many nations even more unequal than ours are still democracies — South Africa, Brazil, India. But are those the models to which the United States of America should aspire? ”-<https://www.nytimes.com/2019/04/14/opinion/america-economic-inequality.html>.

20. Please stop the giga-criminal giga-'organization' (GCO) that has targeted me too and hired perpetrators to manipulate and make or corrupt individuals to cause abuses and injure me. Indeed, I have been the target of a giga-criminal giga 'organization' due to my scholarly financial education (I have the Master Degree in Accountancy from University of Georgia, USA, since the year 2000 and the Master Degree in Financial Management from The Academy for Economic Studies, Romania, since 1997) which convinced the accounting mega-company Deloitte to hire me in 2002 for the Atlanta international taxation department, helped me to obtain the Certified Public Accountant (CPA) license in 2003 and gave me the knowledge to understand and comment against the permissive financial laws that cannot prevent fraudulent financial management and recover the stolen money. Unfortunately, perpetrators use “actors”, Computer/Voice-to-Brain/Skull/Proximity and other evil “SF” devices and techniques. Truly, I have experienced myself:

1. hacking of my PC and cloud accounts and unwanted changes to my files and folders, which I have noticed since 2005;
2. mind and brain attacks with air-borne sound or electromagnetic waves to tire me, ask me to shut up about an issue or abandon a lawsuit;
3. 'acting' 'people' who hurry me while another 'actor' 'reminds' and induces me with a hypnotic voice from my back or side to do or not do something (for example, 'do not read that, you waste your time', which was bad advice intended to harm).

Indeed, our communities must ensure that all the services and development, public and private, are and will be lawful, safe, sufficient and good for all, otherwise we must correct them or stop the unsafe

services and development.

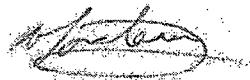
21. According to the Supreme Court decision, *Marbury vs. Madison*, 1803, which has never been challenged much less overturned, any law that is passed in the United States, or any of its territories, which is contrary to the Constitution is void. This would apply to rules, regulations, ordinances and directives too.

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

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## **APPENDICES**

Appendix A - Florida Supreme Court issued its one-page order denying review

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