No. _____

IN THE SUPREME COURT OF THE UNITED STATES

In re WILLIAM HENRY HAMMAN

ON PETITION FOR A WRIT OF HABEAS CORPUS

PETITION FOR A WRIT OF HABEAS CORPUS

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Questions Presented

1) Florida's public colleges and universities each require a high school GPA in order to participate in the Dual Enrollment program. But law states that

> "A high school grade point average may not be required for home education students" Florida Statute 1007.271(13)(b)(2)

The question is: Does the 14th amendment's guarantee of equal protection extend to Florida's children here, or may the executive willfully break the black letter of law and defraud a substantial class of children.

2) Florida Statute clearly specifies the initial eligibility requirements for the Dual Enrollment program which grant a student legal eligibility to participate in the program per FS 1007.271. The executive requires materially greater initial eligibility requirements than law allows before they will provide the program to people, people who've already been granted rights under FS 1007.271. One example is cited in Pet. App. a1, FLSC 19-386 Mandamus 3-8-19 pp. 12,13

The question is: At what point does the 14th amendment's guarantee of substantive due process rights to participate in the state's education system per law kick in and have effect; is it at the point of attainment of the criteria specified in Florida Statute 1007.271, or does the 14th amendment's substantive due process guarantee only have effect at the point Florida's executive decides it shall?

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3) Florida Statute 1007.271(13)(b) clearly states that

> "Each public postsecondary institution eligible to participate in the dual enrollment program pursuant to s. 1011.62(1)(i) **must** enter into a home education articulation agreement with **each** home education student seeking enrollment in a dual enrollment course"

But the executive claims that "Satisfying minimum requirements does not guarantee admission to UCF" on UCF's Dual Enrollment web page located at https://www.ucf.edu/admissions/undergraduate/dual-enrollment-early-admission/ (to Dual Enrollment link)

The question is: Is this a breach of the 14th amendment's guarantee of procedural due process, or does the university offer the due process guaranteed under *Carey v. Piphus*, 435 U.S. 247 (1978) of which I am not aware?

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Petition for Writ Of Habeas Corpus

I am held in illegal restraint of my liberty. Therefore, I humbly petition this court for a writ of habeas corpus

Jurisdiction

This court enjoys jurisdiction for the common law writ of habeas corpus, the one which the framers referred to in the Suspension Clause; as well as jurisdiction for the codified writ under 28 U.S. Code §2241

Constitutional Provisions Involved

United States Constitution Article One, Section Nine clause 2

> "The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it."

United States Constitution, Amendment XIV

> "No State shall ... 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."

Statement of the Case

Illegal Acts & Methods of Restraint

I'm a 12th grade Home Education student, legally eligible to participate in the Dual Enrollment program per Florida Statute 1007.271(13) but am denied that explicit statutory right by the executive

Florida Statute 1007.271(13) clearly defines exactly which home education students are legally eligible and must be allowed to participate in the program, exactly who must provide the program, and exactly what the program must consist of; using the rare term of imperative mandate "must" three times, once for each.

Equal protection under the law and substantive due process of the state's education system are guaranteed through the 14th amendment of the United States Constitution

Equal protection and substantive due process is willfully denied by the executive branch of Florida, as UCF intentionally breaks the black letter of law in denying my right to participate in the state's education system in compliance with F.S. 1007.271(13) in several objective ways.

The first and most explicit is the Home Education GPA requirement, as follows:

SINGLE POINT OF FACT:

UCF requires a 3.8 GPA from home education students to participate in the program. https://www.ucf.edu/admissions/undergraduate/dual-enrollment-early-admission/

SINGLE POINT OF LAW:

> "A high school grade point average may not be required for home education students" Florida Statute 1007.271(13)(b)(2)

This is just one of the policies through which I've been illegally denied school for more than three full years during which I had planned to finish my 4 years of college. I have been illegally denied the full and complete effect of seven years of education.

UCF also denies my right to procedural due process guaranteed under the 14th. I am still in denial of any opportunity to appeal this on the substance as is guaranteed through *Carey v. Piphus* 435 US 247 (1978). In *Piphus*, the bar was set at 20 days worth of education denied without the procedural due process of an appeal on the substance. I've been arbitrarily denied around 14,000% more education than *Piphus* with no appeal and no end in sight

Tyranny is fundamentally defined as the exercise of arbitrary discretion over duties which are mandated by Constitution or law. Therefore, Florida's Executive is clearly guilty of tyranny based on their own words.

Beyond this, as shown below, all three branches of Florida's government have arbitrarily abused my constitutional and statutory rights. Therefore this is the same tyranny which the founders faced, and precisely what the word "tyranny" means in common language dating back to the Magna Carta

ARBITRARY ABUSE BY THE EXECUTIVE BRANCH of my Constitutional Substantive Due Process Right under the 14th amendment to the education system of the state of Florida. Explicit, indisputable proof of this by the Executive branch is in the Board of Governors' own words as hosted on the UCF website as pleaded above. This is clearly the arbitrary abuse of my rights as well as the rights of a class consisting of 1.5 million Florida minors in grades 6-12, because each public college and university in Florida has a similar raft of policies which arbitrarily abuse our

substantive due process rights. Willful abuse of my rights to procedural due process is replete in the record and is explicitly shown under *Piphus* above

The executive has also criminally conspired with BakerHostetler to commit fraud in the furtherance of Florida's Dual Enrollment Fraud upon me in particular through Board of Governors member institution University of Central Florida and through the Board of Education's member institution Valencia College. This blithe fraud in the furtherance was not only perpetrated upon us, but also upon the court in each of the three levels of court in Florida

A) Cook confrontation - beginning of the fraud in the furtherance. Pet. App. a2, FLSC 19-386 Mandamus 3-18-19 pp. 18-22

B) Trial court - Several abuses of the RRTFB including UCF illegally changing policy mid-trial. Pet. App. a6, FLSC 19-386 Mandamus 3-18-19 pp. 22-24

C) Appeals court - smuggled lies in through response to injunction about fundamental nature of fact in the dispute and misrepresented the state of law to the degree prohibited by the RRTFB. Claimed that disputed courses were bachelors level classes and lied about the state of law claiming that bachelors courses are in fact prohibited by law, both are lies evident in record (5DCA-1797 passim, emanating from Temp Inj. Response dated Sept 10)

D) Supreme Court - Obstructed justice by fraudulently using their police force to defraud my dad of his constitutionally-guaranteed right to be at the Board meeting per Florida's Sunshine laws. Pet. App. a8, FLSC 19-386 Reply to Response 3-22-19 pp. 7-10

ARBITRARY ABUSE BY THE JUDICIAL BRANCH of my Constitutional Right to Procedural Due Process Under the 14th amendment. Procedural due process, including extraordinary process, was abused in UCF & Valencia College cases in trial court, abuses which cascaded through Florida's District Court of Appeals and Supreme Court.

Even though the above allegations were all procedurally agreed to in pleadings, the state of Florida has ruled against correcting more than a dozen obvious substantive due process violations and us.

Seven times. We're somehow 0-7 after properly pleading the points of fact in "Questions Presented".

Hamman v Valencia College suffered historic abuse of extraordinary procedure including an order with four different prejudicial statements in trial court after I presented a facially sufficient petition for mandamus. I argued over the microphone that his Honor did in fact have to communicate with us ex parte and that it was contrary to law to serve defendants per Fla.R.Civ.P. 1.630 until after determination of prima facie case for relief; with controlling precedent in hand and proper law already stated and cited where the service notice would have been. The above not well taken by the bench, Judge Weiss issued the following:

> "A hearing on Defendant's Pending Motion to Dismiss Plaintiffs Complaint for Declaratory Judgment is already scheduled for May 23, 2018. The sufficiency of the pleadings will be determined thereafter. Furthermore, "[m]andamus is not a favored remedy when controverted issues of fact must be resolved. The Plaintiff is reminded to serve documents and./or pleadings on opposing counsel and provide a certificate of service." (Cites omitted)

(Fl Ninth Circuit 482018CA000093A001OX, Order dated May 4, 2018)

After a meritorious motion for reconsideration containing all relevant case law and yet another meritorious petition for mandamus were denied, we were then forced to attend and survive the hearing on the sufficiency of a complaint which was no longer the controlling document in the case on May 23, 2018. Since the one correct remedy for testing or coercing a public right was relief in mandamus, that was the only defense we were able to ethically and effectively mount in response to Valencia's assertions that the case should be dismissed in the hearing on May 23. We clearly argued for our case in mandamus and the Judge just as clearly treated our presentation as a presentation of our case for relief in mandamus as our only means of defense. Judge Weiss himself asked probing questions about the case for mandamus, questions which could not whatsoever be considered to be questions testing the sufficiency of the Complaints in question for the noticed subject of the hearing. He literally asked us if we didn't think that the goal of our efforts here to achieve relief in mandamus was an issue better left to legislature. We answered that legislature had done their job, it was now up to the judicial branch to do theirs. Ultimately we were forced to make our entire argument and give up our two best responses to any possible answer upon the Alternative Writ / Order to Show Cause. 5DCA-1797, Cert. Pet. June 19

In appeals court I showed a prima facie case for relief in certiorari for several enumerated claims of departures from essential requirements of law and for one mandamus claim from the first Question Presented which was ministerial under *Comcoa, Inc. v. Coe*, 587 So.2d 474 (1991). The words of the

preceding paragraph are essentially a quotation of the cert petition filed June 19, 2018 in 5DCA-1797 which won an alternative writ / order to show cause eight days later. (5DCA-1797 Order Granting dated June 27, 2018) Valencia's response to the order to show cause failed to address any point of the petition which was granted. After we pointed out in reply that they had failed to properly respond to the petition, defendants then lied about the underlying issue in the case to gaslight us to the court by lying about the fundamental nature of a temporary injunction.

This had the effect of smuggling prejudicial lies into consideration in circumvention of the extraordinary process of law. They lied to the Judge in pleadings that the two courses sought were upper level courses and therefore illegal when they were in fact associates level and I in fact even had all of their prerequisites met for the DIG2248, the hotly contested class. They also lied about the state of law that upper level courses werent legally available. "Hamman requests an injunction directing Valencia to allow him to participate in DIG 2248 (an upper level course not available to dual-enrollment students)" Respondents Response dated 9-10 in 5DCA-1797 p. 6; & "dual-enrollment students are not eligible to participate in upper division courses" Respondents Response dated 9-10 in 5DCA-1797 p. 11. This is contradicted by the first line of Florida Statute 1007.271

> "The dual enrollment program is the enrollment of an eligible secondary student or home education student in a postsecondary course creditable toward high school completion and a career certificate or an associate **or baccalaureate degree**" FS 1007.271(1)

Which is an egregious act of fraud in and of itself under the Rules Regulating The Florida Bar. The

cabal so doing effectively gas-lit us to the court after which the petitions that had already been granted, including the count of mandamus which must be ministerially granted under *Comcoa*, were inexplicably denied in an unelaborated order by the Fifth District Court of Appeals 5DCA-1797 Order dated Feb 24

Hamman v. UCF has a more egregious set of facts with the additional unprecedented feature that the case in trial court remains open and unresolved to this day after the case has gone through appeals and Supreme Court. UCF also obstructed justice by changing university policy in ways prohibited by the Rules Regulating The Florida Bar during the case in order to gaslight us to the trial court, Pet. App. a6, FLSC 19-386 Mandamus 3-18-19 pp. 22-24; and then again by fraudulently using the police force they are entrusted with to defraud my dad of his liberty of free movement to be in a UCF Board Meeting which is ministerially open under the Florida Sunshine Laws. Pet. App. a8, FLSC 19-386 Reply to Response 8-22-19 pp. 7-10

ARBITRARY ABUSE BY THE LEGISLATIVE BRANCH of Taxation Without Representation. We have indisputably begged an inquiry and provided the indisputable evidence of UCF's illegal denials of ministerial duties and provided court-authenticated and procedurally agreed upon proof of criminal conspiracy to several representatives; our local representative Anna Eskamani, Valencia & UCF's representative Carlos Smith, and Speaker Jose Oliva (who is also the Head of the House Ethics Panel.) We also provided indisputable proof that this is the predicate fraud to the Colbourne Hall E&G Fraud. They were stealing from me and defrauding the state's 1.5 million 6-12 graders and fraudulently filling the E&G bucket with stolen funds which UCF claimed to

Florida's House Integrity & Ethics Panel were simply leftover funds, a claim contemporaneous with FLSC 19-386 & FLSC 19-522. In FLSC 19-386 I proved that some of those funds had been stolen from Dual Enrollment students. The letter I sent to each of the above is in the Pet. App. a11.

America held a revolution over this particular issue a couple hundred years ago to the exact same cry of "Tyranny" giving rise to the tea and blood soaked birth of this great nation

Habeas Corpus, which is rooted in the Magna Carta and forms the foundation of our legal system, is the only available remedy for these kinds of tyrannical acts.

Without this extraordinary relief, there is no meaningful chance for adjudication on an appeal on the substance through the courts before I will have aged out of my last chance to register for the program this November. I should not have to wait until after my education rights have expired for adjudication in this or any court. I do not believe Jarius Piphus or anyone else has had to do such things to get their hearing on the substance of a 20-day suspension of rightful education. Jarius Piphus did not have to pray for a *Piphus* hearing through 40 oddly sized saddle stitched booklets on special paper. Twice.

Jarius Piphus' offense was smoking marijuana on campus during school in front of Principal Carey which he personally witnessed. My offense was asking a judge if these policies were illegal after begging each level of administration for an appeal on the substance (with law in hand at each turn,) up to the presidents of both UCF and Valencia. This is indisputably reflected throughout the record.

Furthermore, Florida is funded by state sales tax, not income tax.

My rights as a taxpayer are being abused. I am being forced to pay for a system which denies me the protection of law. We are funding the executive branch's education system to which I have indisputable fourteenth amendment substantive due process rights but am illegally, perniciously and persistently defrauded of through denial of the 14th amendment's guarantee of equal protection

As pleaded, this case claims due process violations of Florida's judiciary, as well as taxation without effective representation by the legislature. But we are still forced to pay for each of these branches of government as well as a taxpayer, funding institutions which illegally deny my fundamental liberties guaranteed under the 14th

That is both the textbook and common language definition of slavery in addition to tyranny

Your Honor, I don't know how to transition here, but this is Wills Dad speaking to you now. My little family is learning as we go along and I am morally grateful for your indulgence of our inelegance as pleaders

One of the things we are learning to deal with in real time is the fact that "medicine" has just tapped out and that "medicine" just said that there is no known hope for curing or even treating a devastating medical condition which Will has developed.

And that any hope for Will's life lay with "science" and our ability to find an academic researcher who is looking into the specific area of Will's challenge, which is apparently a needle in the stack of needles of the 99 percent of stuff coded by the human genome between

the genes which "science" itself is struggling to figure out. It is the next great frontier of scientific understanding, "proteomics", and the human proteome is more than 100 times more complex than the 1% of the human genome called the "whole exome" that we can understand which first cost 2.7 billion dollars to read

This doctor visit was weeks ago and we are processing that amongst a staggering array of standard-issue human tragedy.

That it is now up to "science"

And this is where my lack of skill in pleading will become apparent. Because my then-13 year old son presented as legally eligible to the Dual Enrollment program in 2016 to UCF in order to use his unique research skills to research EXACTLY the tiny piece of that 99% which translate and execute the 1% and turns his DNA into flesh and bone which also happens to be the next step in the state of science, and it literally includes a quantum leap in the state of human understanding.

The report from GeneDx, the class-leading clinical genetic sequencing company, states "It is possible that this [patient] has a pathogenic variant outside the coding regions analyzed, or in a regulatory or deep intronic region not detected by exome sequencing"

Here is the actual & date-stamped video that Will presented to UCF and Valencia three and a half years ago to take a D.I.S. class which Valencia's Dean Gessner subsequently approved and UCF's molecular biology department would have overseen per Florida Statute 1007.271. https://youtu.be/3Ji2ZhNBUrc

It is indisputable that the course of education which Will sought as his proper legal right, and was academically granted by Valencia's Dean of Science

but was illegally denied by administration, is also exactly the place where three & a half years later science says needs to be investigated for his life and the state of science

He properly presented to participate in a Directed Independent Study course per FS 1007.271 in which he would run the experiments he had devised as his proper course of study. And the course and level of education as active researcher on the bleeding edge of science is proper, as the video clearly shows him actively synthesizing new science from primary peer-reviewed scientific journal articles being published contemporaneously with the video's production. One of the papers had only been published a single day before his filming of that video, he actually jokes about it while he's pondering the words to use to synthesize the science he just read within the previous 24 hours.

Which is literally the underlying reason why this entire suit even exists your Honor. That is the specific education which he was unconstitutionally denied years before he got the damn disease.

All we seek here is exactly what Will was first unconstitutionally denied then - participation in the Dual Enrollment program per Florida Statute 1007.271 in a single one-hour Directed Independent Study course which flows from the video he presented.

You will see through record that the stupidest of these policies prevented that from occurring - an arbitrary policy denying participation in one or two hour classes. The policy easily fails the additional initial eligibility clause of FS 1007.271(3) and therefore may not legally exist. You will see that this point has been pled extensively throughout.

You will see through the record that Will properly presented as legally eligible per Florida Statute

1007.271(13) and as such was legally eligible for whichever course is appropriate for his education as determined by the chair of each department. It is also the exact process which Valencia College followed once in the exact same circumstance in the Digital Media Technology department as is shown in the procedural history.

Release him from the unconstitutional denial of his right to life, liberty and the pursuit of property through the denial of his protections guaranteed under the 14th to due process and equal protection under the law. Please coerce Governor DeSantis to immediately follow the plain language of Florida Statute 1007.271 and enroll Will in the course of study he rightfully sought and was academically granted years ago. The Governor is using our taxes to employ the state's best molecular biologists & proteomicists and fund experiments with exactly the gizmos he needed and was illegally defrauded the right to access through participating in a legal course in the program.

That is the closest that any human can do to correcting the most tragic part of that particular abuse of my son. I pray you do it quickly, because each day is a living hell of pain which you cannot perceive nor thankfully even imagine

You have seen Will in his own voice when he was firing on all 8 cylinders at 13 years old before he got debilitatingly sick, somehow seeking explicitly to attack nothing less than the central dogma of biology through simple experiments based on our unique genetics and associated proteomics which he hypothesized offer a rosetta stone for the final scientific frontier. One of the five molecules he had specifically targeted to investigate first is actually identified by name in the video - it's called "Twinkle". It's at 6:48 in the bottom left illustration as he talks

about how the mitochondria becomes supercharged by working hand in hand with the nuclear DNA to use helicases coded by nuclear DNA, not mitochondrial DNA; and he then ties that directly with curing human disease through understanding the genetic "switches" of MicroRNA and the other stuff between the genes. He just didn't say that the disease he wanted to cure was his Dad's

He then wrote these lawsuits which have now uncovered billions of dollars of fraud upon millions of naive minors simply as a means to get in the door to the labs which the Governor controls through UCF.

Then he was himself tragically felled by illness, arguably at the hand of the executive

And now, because no other person is fighting to vindicate the obvious and naive abuse of the rights of so many of his fellow kids, moral responsibility of correcting the active and ongoing injury of the rights of those 1.5 million other kids are upon his rapidly wasting shoulders. Habeas corpus is truly the only remedy which could relieve my son of the primary moral responsibility which the Fifth DCA & Florida's Supreme Court stuck him with of vindicating the rights of so many innocent naive victims.

For uniquely extraordinary reasons, please take up a plenary de novo review of all illegalities leading to the restraint of our fundamental liberties; including a simple assertion of the 14th amendments guarantees and resulting executive responsibilities of the state under Florida Statute 1007.271 enumerated in the Questions Presented herein.

So that he may focus the little bit of him that hasn't yet wasted away on what he was illegally denied in the first place (which just happens to be in the "vanguard of scientific discovery" department.) A one-hour course

I am his home school teacher in all of this. Four years ago in eighth grade when I gave him the comically absurd junior high biology assignment of unraveling the 1.5 billion year old mystery of how the mitochondria came to invade and then become supercharged by the eukaryotic cell, I didn't see this coming. He is objectively smarter than I am & his vantage point is from atop my shoulders. I may be his teacher but I cannot solve this puzzle without him and the x-factor that his mind represents in the context of the academic environment and courses he has absolute substantive due process rights to participate in

His unique perspective as a jailhouse lawyer is self evident from this lawsuit and all that it represents. Of the millions of kids and parents defrauded, how many were lawyers, how many were judges?

He is easily and objectively more unique as a theoretical scientist studying the human proteome as respondent's best molecular biologists will so testify.

My sons life and the state of science itself have been defrauded by four years by the Florida Dual Enrollment Tyranny

Even if my prose was more artful, how could you possibly fix that your Honor? No human could. You can only immediately release him from this unprecedented denial of fundamental liberty

WHEREFORE, upon the common law writ of habeas corpus we pray a habeas court be convened to end the abuse and coerce the executive of Florida to enroll Will (and by extension myself as his disability facilitator) in that which he was originally denied - a single one-hour Directed Independent Study course for the remaining few months of his high school eligibility. Please further direct that we be given immediate access to the

molecular biology and any other appropriate labs containing a gizmo we want to use with personal discretion to run experiments with gizmo operation assistance so that we can charge with all due vigor upon testing the specific theories which Will was illegally defrauded of lifetimes ago.

We further pray that the common law habeas court convened sweep away any remaining procedural hurdles greater than a *Piphus* hearing. Beyond this we seek a common law habeas court to determine the underlying legality of the denial of liberty for the remainder of the 1.5 million children abused.

To be clear, record will substantiate that not only is Will held in denial of substantive due process rights to the states education system, but that the method of denial was so overtly abusive and of such malice as to shock the most jaded of judicial sensibilities. If ten percent of these allegations about how a criminal cabal of government actors wantonly defrauded my sons civil rights were true, this case would demand extraordinary justice to quell willful tyranny.

To be equally clear, each of these allegations have been procedurally agreed to in state proceedings. In a Florida state case which is decided on the pleadings, any well pled fact not disputed is taken admitted as true which we cite in FLSC 19-386 Mandamus Petition 3-8-19. This means that UCF has already admitted as true the allegations regarding the Cook confrontation in Spring 2016, which include the now proven points of fact that she did misrepresent the state of law, did agree to the fact that she nearly gouged my sons eyes out in our first meeting with her, and did in fact admit to UCF's motive in the underlying fraud. The fact that UCF attempted a quashal (in the form of a mis-captioned "Motion to Strike" in 5DCA-2806 on 10-15-18) makes the admission of these points of (now

proven) fact overt and assertive, as it is well settled law that a quashal attempt in a Florida extraordinary case admits all points of fact as true.

This also means that they have agreed to the claim that they knew what they were doing was illegal but that we were simply too weak to make them not.

In 5DCA-2806 the cabal procedurally admitted that they defrauded the court when they changed UCF policy in the middle of the trial court case in ways which were themselves fraudulent.

Nor did they argue the point of fact in SC19-386 that they fraudulently called their police department on me and did defraud me of my explicit right under Florida Sunshine laws to be in the board meeting doing what I had a right to do.

THEREFORE, we pray the relief sought of Will being immediately enrolled in a single one hour Directed Independent Study course in molecular biology focused on Will's research.

We pray this relief on the ancient writ, the one which Thomas Jefferson would have thought of.

Jefferson stated that the common law which we inherited was "the state of the English law at the date of our emigration, [and] constituted the system adopted here," (Thomas Jefferson to John Tyler, 17 June 1812,) and he would have held highest regard for a foe's words on this subject. While he publicly derided Judge Blackstone for the effect of his writing upon the legal profession, he did admit to his elegance in prose. And where Jefferson accepted common law he would have accepted the reality of Blackstone's description of it.

> "Of great importance to the public is the preservation of this personal liberty; for if once it were left in the power of any the highest magistrate to imprison arbitrarily whomever he or his officers thought proper, (as in France it is daily practised by the crown,) there would soon be an end of all other rights and immunities. Some have thought that unjust attacks, even upon life or property, at the arbitrary will of the magistrate, are less dangerous to the commonwealth than such as are made upon the personal liberty of the subject. To bereave a man of life, or by violence to confiscate his estate, without accusation or trial, would be so gross and notorious an act of despotism, as must at once convey the alarm of tyranny throughout the whole kingdom; but confinement of the person, by secretly hurrying him to jail, where his sufferings are unknown or forgotten, is a less public, a less striking, and therefore a more dangerous engine of arbitrary government." Blackstone's Commentaries, 1753

It would seem that for right or wrong these attacks upon Will thus far in these pleadings, while "so gross and notorious an act of despotism as must raise the alarm of tyranny throughout the whole kingdom" do *not* fit within Blackstone's conception of habeas in 1753, a mere 23 years before ascension.

But it is well settled that the writ is not static and adapts to fit the needs of the relief where such relief lie. Even the codified and procedurally available writ under 2241 now refer to the remedy being "as law and justice requires". And with the benefit of perilous experience 22 years after ascension, Jefferson had evolved from accepting Blackstone's conception of habeas to the more liberal

> "The Habeas Corpus secures every man here, alien or citizen, against everything which is not law, whatever shape it may assume." –Thomas Jefferson to A. H. Rowan, 1798

It would appear that with the benefit of hindsight Jefferson has realized that Blackstone predicted that "gross despotic tyranny" would be (and was) automatically corrected through the remedy of tea & blood, and that the peaceful revolution of political evolution would be preferable.

Therefore, another question presented (for holding) here is, is the common law writ of habeas corpus now available to remedy what Blackstone referred to as gross despotic tyranny? Had Jefferson intended Blackstone's 1753 meaning, he would have so cited.

Every man.

Everything.

Whatever Shape.

The question is: do these words, written while Jefferson was vice president, have legal meaning; or are they conjecture of a man who no longer had discretion to shape the Constitution or law once his work as a framer was done and he was acting as the executive?

Nature of the Restraint on Personal Liberty

The reason we only pray holding thereof is that this court has jurisdiction to act under 28 U.S.C. 2241 as we do also clearly fit within the pleading requirements of the codified writ specified therein. He is clearly in restraint of his liberty in ways not shared by the general public. Furthermore, those restraints have

been directly due to the executive asserting jurisdiction over Will in ways which are clearly unconstitutional. Even the most restrictive standard "held in detention in an institution", fully applies. Each of the preceding jurisdictional elements are substantiated below.

ARBITRARY RESTRAINT OF PERSONAL LIBERTY NOT SHARED BY THE GENERAL PUBLIC

It is in early pleadings that Will literally tried to just go to class to start in and explain / fix the paperwork later but was denied by the range of institutional mechanisms and in-house security and police forces that exist for such reason at both UCF & Valencia. It is early in pleadings the analysis of the quantity and quality of work that Will produced just outside the classroom looking in the windows; "for any course which I have demanded as an eligible student, been denied, and metaphorically sat outside the classroom and done more and harder work than anyone inside; I am due relief of such credit award based simply on the work done." 5DCA-1797 Extraordinary Petition dated 8-22-18, p. 17

He had a constitutional right to be there as these constitutional guarantees in relation to exactly these facts have already been sussed out & absolutely guaranteed under Piphus. He was denied that absolute constitutional right by being denied the personal liberty of crossing the threshold into classrooms he had an indisputable right to be in as extensively pled in state proceedings. He literally tried to bull his way into the actual classroom with the same vigor he's done everything in this case. The only reason we're here is because he was then unable to overcome this restraint of his physical liberty to walk into class.

DIRECT JURISDICTION ARBITRARILY ASSERTED UPON BOTH OF OUR PERSONS

Mere days before Will stepped to the mic in packed short matter / ex parte session, he was still 15. At all times before that he had been subject to the illegal underage escort policy. This policy required anyone under 16 years of age to be personally escorted at all times while participating in the program as a condition for eligibility. This policy is in direct contradiction with the additional initial eligibility requirements clause of FS 1007.271(3),

> "Additional requirements included in the agreement may not arbitrarily prohibit students who have demonstrated the ability to master advanced courses from participating in dual enrollment courses" Florida Statute 1007.271(3)

as it does arbitrarily prohibit any student who cannot, for whatever reason, have a parent or guardian who are able to attend school with their child. There are too many scenarios which would render this untenable so as not to elucidate.

Furthermore, this would seem to broach uncharted constitutional territory in the deprivation of personal liberty of the parent as well, all without notice or due process. These matters of secondary due process are not cited for technical reasons, they are the substance of this case. Not anywhere prior to the signing of the Articulation Agreement was it made clear that a parent would have to walk their student to class and back in order for him to participate per the rights granted through statue. Substantive due process was abused through the abuse of procedural due process. Notice was never given until the coerced signing of the Articulation Agreement which one must sign in order for their student to participate.

It did impact us personally in material ways. I am physically disabled from this condition in ways which precluded my being able to escort him most times. One of the times I did I was aggressively confronted by a security guard who had 6 inches and 50 pounds on me and asserted that size for doing exactly what their policy required. The security guard was clear that he had no idea what I was talking about because he said I should have a sticker or something if I was allowed to be there. I pointed out that I felt I had a right to be there in any case, it was an unsecured space in a government building which is freely available without restraint in any case. This just made him madder to the point that he crammed the two of us into a single doorframe, chest to chest, and there had to be 650 pounds between us. I'm an old man with grey hair who at the time could barely walk and had to use the restroom. The confrontation was unbelievable to the point that the ladies into whose office the security guard had physically sequestered me laughed with me after he left once they vouched that I could be there with them. He was very clear that the College's policy was to not allow anyone to be anywhere alone without a sticker or something and there were no stickers available. I told him specifically that I was required to be on campus escorting Will and that I am also unable legally to join him inside class for all good reasons.

Then, after a few months we got in overt trouble for not following the escort policy to perfection. The security guard who chastised me for not escorting Will was explicit in stating that if he was caught without escort that it could result in his losing eligibility for the program at the security department's discretion. The condition I have precluded me from doing so, so

we were outlaws trying to dodge security guards throwing serious side-eye every time they saw us.

We are not claiming that Will is abused of this policy currently, we claim here that Will was injured as a result of it and that it would have been due for relief in habeas at the time but given the judicial realities we were correct not to point out that we disagreed with the policy which vindictive security guards would use to disqualify Will. We do bring this claim upon the knowable and significant classification of people who are home education students in the state of Florida in grades 6-12, as there are no limits on who may participate in which eligible program therefore each Home Education student is eligible to apply for Valencia's program. We further hope the jurisdiction of this claim would allow for the underlying claims herein. But that is in no way a necessary jurisdictional element, as the following is clearly and explicitly the case

DETAINED IN AN INSTITUTION

Detained in an institution does not specify nor differentiate what kind of institution. The term "institution" also seems to have already been expanded to include health care institutions in the case of mental health commitment, and that institution is fundamentally defined as any facility which provides housing, food, and other services to four or more people, qualities UCF and Valencia share.

Furthermore UCF has proven their willingness to arbitrarily use their police force of people with guns and badges to nefarious end. I am apparently subject to the arbitrary restraint of my personal liberty more than the general public.

THE SALIENT ARGUMENT IN REGARDS ARBITRARY RESTRAINT OF PHYSICAL LIBERTY

Habeas corpus is commonly considered to be constrained to illegal confinement or detention of one's body through executive jurisdiction; we respectfully point out that the size, scope, or additional liberties of a jail are irrelevant. A gilded jail is still a jail, as is a jail which is very, very large. Any extra-judicial jurisdiction by the government devoid of due process which restricts liberty must be considered to reach the bar for relief. Especially when these executive agents wield their own security and police forces and exert jurisdiction over citizens through them. Any material restraint upon one's liberty not shared by the public at large without the benefit of due process is clearly within the scope of relief of modern day habeas corpus.

My son is illegally restrained in his physical liberty by the aforementioned in-house police and security to approximately 99.999999% of the state. Florida Statute 1007.271(13) is clear that he has a right to participate and be in that remaining 0.000001% which is guaranteed by the 14th amendment of the constitution. The constitution does not guarantee a right to education per se, but where an education system has been established in a state no person may be denied participation in that system per state law. The 14th amendment clearly demands equal protection under the law for each person. Will has a right to participate in the courses sought per Florida Statute 1007.271(13), courses which would necessitate his physically being present in a secured environment which they deny him access to. He has been denied the right to be in the places where he is indisputably at liberty to be and doing that which he has statutory right which defendants have a ministerial duty to perform. He has resultantly done more work of a

higher caliber than most of the courses he sought, just not inside a classroom; because Governor DeSantis and Governor Scott before him have exerted jurisdiction and criminally confined Will to the remaining 99.999999% of the state. But a large jail is still a jail and any restraint on liberty not shared by the public at large without the benefit of due process is precisely what the modern day remedy of habeas corpus is focused upon

THEREFORE, upon further consideration, it seems that this *is* exactly the abuse which Blackstone spoke of which is "a more dangerous engine of arbitrary government" than the tyranny which underpins it in this case. Will is secretly hurried off and restrained from the places he is legally entitled to be doing the things he has a sacred right and responsibility to do, and they fraudulently and vexatiously use the legal system itself to ensure that "his sufferings are unknown or forgotten". The abused, currently 1.5 million of them, have no idea their rights are being abused. And the government presents Will's situation as such a minor and trivial intrusion so as not to raise the spectre of tyranny, even when shown to judges in the state.

A mad king's officers lie to the magistrate and claim it proper that Will be secretly hurried off in the dark thusly, which as a result has truly brought about "an end of all other rights and immunities", including Will's right to life and property. Blackstone was right, but only to a degree. The real danger 200 years later is that tyranny, properly pled and proven, elicited only a shoulder shrug & a "meh"; a much more perilous illness for democracy to suffer. Judges in the highest court in one of these United States willfully failing to correct tyranny. I must admit to being

quite confused, lost in the dust of these chase of these trials.

The reason we make application in the United States Supreme Court is due to the extraordinary and unique circumstances of the case. This court should be the body entrusted with these fundamental issues of equity and justice which will affect the nation and touch the entire world. Furthermore, this is an ideal vehicle for adjudication of specific issues and holdings which mirror events in DC with an unconventional President pushing similar issues of power, discretion, oversight and accountability. As an American I would appreciate the issues which will be applied to this president having been adjudicated in such a pure legal equation as this. We pose these questions to this court directly because "law and justice demand" it.

This is also clearly within the core of modern day habeas corpus. The question is of the constitutionality of the indisputable restraint of my son Will to be everywhere in the state except where explicit statutory rights grant him the right to be. Due to the extraordinary circumstances in this case, there are no points of fact in dispute, as all have been procedurally agreed upon in state proceedings.

There is no dispute between the parties that Will is restrained of his liberty to be in classes which we believe he has a constitutional right to physically be in, the only dispute is that the executive inexplicably asserts the right to deny my son's liberties and petitions the court for caselaw supporting an "absolute right' to arbitrarily rule as they see fit. And the question of whether or not the restraint is constitutional and had relied on due process and would be immediately remedied by a release from such restraint if found to be unconstitutional is precisely

the circumstances under which the present day writ is granted

Reason for Exigence

The most salient of the many reasons for exigence in this case is that fact that Will is only eligible for such relief for a finite number of days, a number which is a small fraction of his overall eligibility and is rapidly dwindling. Each day beyond the 20 days guaranteed in *Piphus* is literally one less day that he can gain relief to. This is true for each of the 1.5 million minors currently being defrauded of their substantive due process rights.

Reasons for Granting the Writ

a) The writ should be granted as a matter of fundamental legal significance.

1) This case is the result of procedural due process abuse by the judicial branch as a result of fraud upon the court in the furtherance of fraud upon millions of naive minors which willfully and wantonly denied the substantive right to education. The plenary review of the legality of the denial of constitutional and personal liberty is required to dispose of the matter as law and justice require, and habeas is the remedy offering such relief.

2) That review should include a consideration of whether UCF and Valencia's boards, replete with government paid lawyers, were as responsible as a high school principal for ensuring a fair hearing on the substance as was decided in *Piphus*.

3) The case has left meaningful appeal impossible, as nothing on the substance was ever

adjudicated. A plenary de novo review will make proper appeals and original jurisdiction possible, including by persons affected who were not party to and naive of these proceedings. The habeas review is unique in it's reach to "look through" the case to find precedents which the court must have relied on in order for such appellate functions to be meaningful

b) The writ should grant because state court was clearly wrong in their application of law.

c) The writ should grant because my son has a constitutional right to participate per law and was denied specifically and only what we pray here. The single one-hour D.I.S. course which he was originally denied

d) The writ should grant if the Constitution is still a thing. The state of Florida does not believe it is and should be coerced to follow it

Conclusion

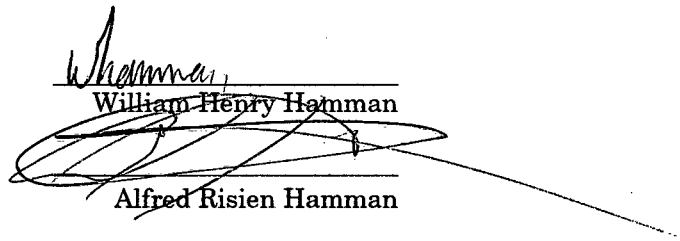
The petition for a writ of habeas corpus should be granted to determine the legality of Will's restraint and henceforth coerce Florida's executive to enroll Will in the single one-hour course which he was unconstitutionally denied so long ago.

Respectfully submitted,

William Henry Hamman

Alfred Risien Hamman

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 25, 2019



William Henry Hamman

Alfred Risien Hamman