

CASE NO. 19-5416

PROVIDED TO TOMOKA

CI ON 10-21-19

FOR MAILING BY CA

IN THE SUPREME COURT OF THE UNITED STATES
WASHINGTON, DC 20543-0001

JOHN J. WILSON, JR.,

Appellant,

v.

USCA No. 18-12875-'A'

L.T. No. 1:16-CV-23511-MGC

APEX REPORTING GROUP, INC., ET AL

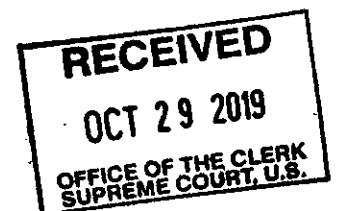
Respondent.

PETITION FOR REHEARING EN BANC

I.

PROCEDURAL HISTORY AND STATEMENT OF FACTS

1. This case involves multiple violations under the 1st, 6th, and 8th Amendments cruel and unusual punishment clause by the Eleventh Judicial Circuit of Miami-Dade County, Florida, for Plaintiff/Appellant's efforts to expose a foreign intelligence interest operating on U.S. soil as a criminal organization comprising elements of 'T,' responsible for acts of terrorism against U.S. citizens as defined under provisions of N.A.T.O. treaties.



2. Appellant had been bonded out of the county of Miami-Dade Jail in State of Florida Criminal Case No. F15-1083, stemming from a false arrest, by members of this organization under false pretenses and fake identities on 3/26/2015, while Plaintiff was under belief he was imbued with federal “qualified immunity” protections from illegal State prosecution for his covert participation in a federally sanctioned “Black” special access intelligence program to uncover this group’s activities and affiliations, codenamed: “DUKE MAGOG,” run through the Central Intelligence Agency (Dukemagog@gmail.com), with D.O.D. support.

3. Appellant and Plaintiff had been clandestinely recruited into this program as a result of his activities in Buenos Aires, Argentina, from 2004 through 2012; and after, on U.S. soil, within the jurisdiction of Miami-Dade County, Florida, after his return from residing abroad with Federal Dep’t of State Assistance in 2012, for his work in cooperation with U.S. Intelligence, exposing this covert group’s activities, both on U.S. territory and abroad. See interlocutory petition and evidence, filed with the Hon. E. Barret Prettyman, F.I.S.A. Court.

4. Appellant’s cooperation and participation in this program resulted in numerous tangible events, such as the abdication of Juan Carlos de Borbòn of Spain on 06/02/2014, and the Papal address to Congress by Pontiff Franciso of the Holy See on Yom Kippur of 2015, following the Sandy Hook Massacre on 12/14/2012, symbolically named by former Rey Juan Carlos de Borbòn through the date of his

veiled abdication, correlated to the proposition of the establishment of a “sister” Vatican City-State within the territories currently deemed as Bilbao, Spain. See also formerly filed corroborating evidence filed under 42 U.S.C. § 1983 complaint no. 1:15-cv-22098-mgc; Supreme Court of the United States Petition No. 16-6372.

5. After being bonded out of the Miami-Dade County Jail by the U.S. operatives in question, Plaintiff and Appellant was subsequently “set up” in an intelligence sting at T.D. bank in North Miami on 04/01/2015, resulting in State of Florida Criminal Case No. F15-6748. The subject “sting” in question was carried out by the criminal members of the ‘Euro 5’ at the direction of the embassy of Spain, Washington, in collusion with the North Miami Police Dep’t, by and through principal on-site coordinator, one Officer Hurtado, failed to be deposed for the criminal case. See interlocutory evidence of obstruction filed under collateral civil rights complain no. 1:16-cv-20651-kmw, involving actual “torture” to induce “plea(s)” to prevent all evidence of this case reaching the record, or a courtroom of competent jurisdiction.

6. The Florida Dep’t of Law Enforcement, by-and-through its Office of Executive Investigations, and its director, Mr. Scott McInerney, named as principal defendant in the instant complaint, was recruited by U.S. operatives of ‘T’ to carry out the “cover up” and obfuscation of all evidence, facts, and witnesses of criminal conspiracy related to these acts, constituting crimes pursuant to 18 U.S.C. §

1512(a)(2). See corresponding 'writ of mandamus' filed under Supreme Court of Florida Case No. SC18-1870, transferred to the civil division of Miami-Dade County, yet docketed in the criminal division, and assigned the same trial judge, Cristina Maria Miranda, subject of disqualification action for cause under collateral claim no. F19-652 (see record for appeal no. 3D19-0783 in the District Court of Appeal of the Third District of Florida, Miami-Dade County).

To wit:

(a) Appellant and Plaintiff was systematically deprived of all conflict-free criminal counsel from the Office of the Miami-Dade County Public Defender, Carlos J. Martinez, and Offices of Regional Counsel in direct retaliation for filing a law suit (1:15-cv-22098-mgc), documenting multiple 6th Amendment claims in which Plaintiff was forced to represent himself, then denied "access to the courts" of Florida, all exculpatory evidence, discovery, and prevented from listing material witnesses, resulting in same Plaintiff/Appellant's abject false imprisonment. See list of all cases documented in original filing of the instant complaint in this case.

(b) Mr. Jeremy Triana, Appellant and Plaintiff's conflict-free Public Defender, was in possession of all exculpatory e-mails corroborating such evidence leading up to this latest intelligence sting, resulting in State of Florida Criminal Case No. F15-6748, in which Appellant was "tortured" as defined under provisions of C.A.T. (Convention Against Torture) into "plea(s)" to prevent such evidence

from reaching the records of a court of competent jurisdiction. See interlocutory evidence under 1:16-cv-20651-kmw.

(c) Mr. Triana was directed to fabricate a “conflict of interest” by his then supervisor, Mr. Steven Lance Kramer in Case F15-1083, which DIDN'T EXIST, for the deliberate purpose of obfuscating such exculpatory evidence, and stranding criminal defendant without counsel.

(d) Appellant was then orchestrated an attorney from a distant county circumventing “the wheel/” that could never be contacted and who seldom came to court. Later, after being assigned same case for direct appeal, this same attorney omitted all legal filings from the official record, and colluded with Apex Reporting Group, Inc., the court reporting firm, responsible for the falsification of actual transcripts, and/or the omission of material proceedings. The January 20th, 2015 proceedings were “copy/and pasted” to the May 20th, 2015 proceedings to make it appear Plaintiff and Appellant was still being represented by the Miami-Dade County Public Defender after he had been abandoned by conflict-free legal counsel, and forced to represent himself before the courts of Miami-Dade County. See petition for certiorari in the United States Supreme Court under Case No. 19-5416. Attorney Charles White failed to file a motion to correct the record of L.T. State Case No. F15-1083 pursuant to Rule 9.200(f)(1), after admitting the records had been omitted and/or falsified.

(e) Plaintiff and Petitioner was then denied all “access to the courts,” deprived of all legal mail, or the ability to reach same attorney, for over two years in case F15-6748, without being taken to court.

(f) Plaintiff and Appellant was denied all discovery, exculpatory evidence, and ability to call or list witnesses in case no. F15-1083, after being forced to represent himself in a mock trial, where he was not allowed to be present during key parts of the trial. “Stand by” counsel was promised, then taken away at the last moment, as a final act of coercion, in L.T. Case No. F15-1083.

7. As a direct result of the actions of the State actors named in the instant complaint, Plaintiff was then systematically tortured into “plea(s)” on 06/09/2017 to prevent these L.T. State Criminal Cases or the crimes committed to intentionally deprive Plaintiff of his civil rights as guaranteed under the United States Constitution as outlined herein from being exposed on the official record of a state or federal courtroom of competent jurisdiction, or alternatively, a trial scenario.

To wit:

(g) Unlawfully appointed private court appointed counsel from Palm Beach County hired a private psychologist to fabricate a mental competency evaluation Plaintiff had never met with him for, to deliberately commit Plaintiff to a mental health facility, and forcibly prescribed heavy, unsuitable, psychotropic medication, after two years of languishing in county jail, without access to a lawyer, or able to

“access the court” for Nelson hearing, and systematically “tortured” as defined under provisions of C.A.T. (Convention Against Torture), into “pleas” to prevent a trial scenario.

8. All material transcripts, and/or records of this proceeding occurring on 01/12/2017 in Courtroom 6-1 of Miami-Dade County, Florida, documenting these facts and evidence, supporting these sworn statements, are, and continue to be, unattainable by Plaintiff in subsequent State of Florida Criminal Case No. F15-6748.

9. Plaintiff and Appellant suffers a permanent medical injury, i.e. condition, as a direct result of the wrongful, negligent, intentional, and forcible ingestion of these unsuitable medications, based on a fabricated mental competency evaluation, used exclusively to discredit Plaintiff’s record testimony and allegations, and exclude all connected evidence incriminating named defendants of the instant complaint. See D.E. # 93 in collateral civil action no 1:16-cv-20651-kmw: Summary Judgment.

10. Appellant and Plaintiff filed Temporary Injunction pursuant to Rule 65 of the Fed. R. Civ. P. against Miami-Dade County in light of these facts and evidence of obstruction to “access of the courts” for all following applications of postconviction relief from his present false imprisonment, subject of petition for rehearing en banc, and is essentially based on “imminent-threat-to-life-or-person”

if remanded back to the custody of Miami-Dade County, Florida, for any postconviction relief sought.

II.
INTERVENING CIRCUMSTANCES OF A SUBSTANTIAL OR
CONTROLLING EFFECT WARRANTING GRANTING OF PETITION FOR
REHEARING EN BANC

11. Back channel intelligence assets identified as the Defendants named in the instant complaint as elements of “T” were utilized as conduits through Mr. Brennan, former Director of the Central Intelligence Agency, at the time of the incidents described in the instant and amended complaints occurred.

12. More recently, since the complaint was filed and amended, naming Mr. Brennan, and Mr. McCabe, former Deputy Director of the F.B.I., dismissed as a result of his complicity in the events described, the overall complaint was ordered to be denied by the Southern District in lieu of the validity of the constitutional claims stated, in violations of The Logan Act.

To wit:

13. Improper influence was clandestinely wielded at the behest of Mr. Brennan upon notice of Mr. Brennan’s current employer of the instant complaint, and Mr. Brennan’s implication in violations of the 8th Amendment’s cruel and unusual punishment clause involving incidents of “torture” utilized to obstruct or obfuscate evidence of sexual assault perpetrated upon Plaintiff by former Rey Juan Carlos de

Borbon of Spain, by and through the 'Euro 5' Intelligence group, in collusion with U.S. members of 'T' comprising elements of federal, State of Florida (F.D.L.E.), and local law enforcement actors of Miami-Dade County, Florida. These suspect incidents described in the instant and amended complaints perpetrated to obfuscate evidence of sexual assault as the root causes of Plaintiff's false arrests, were intelligence operations in violations of the Logan Act, constituting multiple 4th Amendment claims. See 18 U.S.C. § 1512(a)(3); see also interlocutory evidence filed under collateral civil action no. 16-6372 in the United States Supreme Court (1:15-cv-22098-mgc).

14. Mr. Brennan's current employer is Mr. Jeff Zucker, CEO of CNN World Headquarters, located at 10 Columbus Circle, New York, New York.

15. These intelligence sources are tasked to systematically obstruct Plaintiff's "access to the courts" of the United States through the material altering, falsification, and/or omission of official state and federal court records, including but not limited to state court trial transcripts where Plaintiff was forced to represent himself through abject denial of conflict free criminal counsel, and obstruction of legal mail, exculpatory evidence, discovery, or the ability to list or depose material witnesses in the subject cases in question. See collateral civil action with all interlocutory evidence filed under case no 1:16-cv-23511-MGC.

16. These same sources utilized as operatives responsible as members of 'T' directed by "Operative 9" of the Defense Intelligence Agency, located at Bolling Bldg. 6000, Anacostia, Maryland, colluded through cooperation by providing operational support on U.S. soil to falsely imprison Plaintiff, and deny any and all means of procuring shelter, gaining civilian employment, or generating taxable income. All evidence of this serial deprivation as documented by false arrests and collateral incidents involving "torture" as defined under provisions of C.A.T. is attempted to be obfuscated from the record(s).

17. The 'Euro 5' operating as members through 'T' is the same state sponsored group directly responsible for recruiting and providing logistical support for the 9/11 attacks in New York City in 2001. Plaintiff is being retaliated against and systematically victimized from exposing this fact.

18. Appellant through filing of appeal and this petition for rehearing seeks federal "whistle blower" protections, and recognition of "qualified immunity" status, through his covert cooperation and participation in federally sanctioned U.S. "special access" intelligence program codenamed: "DUKE MAGOG" (Dukemagog@gmail.com), and prospective relief by this Court from retaliation of incidents involving "torture" within the state facilities of Florida, and within the jurisdictions of Miami-Dade County.

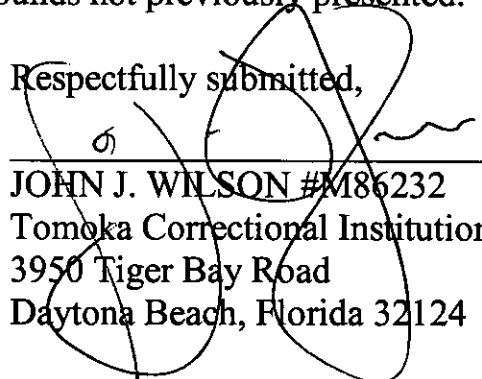
19. See direct conflicts with rulings in this case in *Pembaur v. Cincinnati*, 475 U.S. 469 (1986); *ex parte Hull*, 321 U.S. 546 (1941); *Brady v. Maryland*, 83 S.Ct. 1193 (1963); *Giglio v. U.S.*, 92 S.Ct. 763 (1972), and *Procunier v. Martinez*, 416 U.S. 396 (1974). See also conflicts inherent with the 9th Circuit regarding Appellant's serial deprivation of conflict free counsel, forcing him to represent himself before the state courts of Florida, in stark violations of the 6th and 1st Amendments of the United States Constitution. *Gomez v. Vernon*, 225 F.3d 1118 (9th Cir. 2001); see also conflict with *Haines v. Kerner*, 404 U.S. 519 (1972), and conflict sua sponte in *Conley v. Gibson*, 255 U.S. 41 (1957).

III.
CERTIFICATION § 1746

20. Appellant hereby certifies that this petition for rehearing is presented in good faith, is truthful, and restricted to grounds of intervening circumstances having a substantial or controlling effect, or grounds not previously presented.

Date: 10/21/19

Respectfully submitted,



JOHN J. WILSON #M86232
Tomoka Correctional Institution
3950 Tiger Bay Road
Daytona Beach, Florida 32124

**Additional material
from this filing is
available in the
Clerk's Office.**