

- 1). TO BE ASSIGNED
- 2). 11th CIR. COA # 19-12156 AND # 18-12452
- 3). U.S. DIST. COURT - PENSACOLA, FL. # 3:15-cv-452-mcr-cas
- 4). IN THE SUPREME COURT OF THE UNITED STATES
1ST STREET N.E. WASHINGTON, D.C. 20543-0000
- 5). # 218253 - DAVID RUSSELL POSEY (PETITIONER)
-vs-
SEC. DEPT OF CORRECTIONS FL. (AND) FL. ATT.
GENERAL (ASHLEY MOODY) (RESPONDENTS)
- 7). ON PETITION FOR A WRIT OF CERTIORARI TO:
- 8). 11th CIRCUIT COURT OF APPEALS - ATLANTA, GA.
- 9). PETITION FOR WRIT OF CERTIORARI

DATE: 11/27/19 x/s. David Russell Posey (F.N. #1)

10). # 218253 - DAVID RUSSELL POSEY
BED-C3-151
B.R.C.R.F.
5914 JEFF ATES RD
MILTON, FL. 32583

(F.N. #1) WITH ASSISTANCE FROM "NEXT OF FRIEND".

QUESTIONS PRESENTED

CASE #19-12156-B

Q(1). DOES "PUBLIC INTEREST" AND "JUSTICE SO REQUIRE" IMPANELING OF A "SPECIAL GRAND JURY", WHEN TRIAL PROSECUTORS COMMIT "MULTIFARIOUS FRAUD" ON THE JURORS, WHEN ALL REMIDIES HAVE BEEN EXHAUSTED, TO CORRECT THE "FRAUD", WITH NO RESOLUTION?

Q(2). DOES "PUBLIC INTEREST" AND "JUSTICE SO REQUIRE" NOTIFICATION BE SENT TO JURORS AS VICTIMS OF PROSECUTORS "MULTIFARIOUS FRAUD" AND "OBSTRUCTION OF JUSTICE"?

Q(3). DID THE U.S. DISTRICT COURT WITH THE U.S. DEPUTY CLERK, VIOLATE PETITIONERS DUE PROCESS RIGHTS AND ACCESS TO THE COURT, BY REFUSING TO FILE PETITIONERS... "WRIT TO IMPANEL A "SPECIAL GRAND JURY"?

Q(4). DID THE 11th CIR. COA CHIEF JUDGE VIOLATE PETITIONERS DUE PROCESS AND ACCESS TO THE COURT, BY TRANSFORMING PETITIONERS COMPLAINT, FOR HIM, TO IMPANEL A "SPECIAL GRAND JURY" HIMSELF? TO A FRIVIOLOUS MANDAMUS, WHEN HE HAD JURISDICTION AND AUTHORITY TO IMPANEL THE SPECIAL GRAND JURY HIMSELF?

QUESTIONS PRESENTED

CASE # 18-12452-B

(F.N. #1)

Q(1). IS THE KIDNAPPING STATUE (#787.01.1A. (3)) AS STATED IN PETITIONERS AMENDED 2254 DOCKET (#13, #33, #43 AND #34, UNCONSTITUTIONAL?

SEE: ISSUE #1

Q(2). DID THE U.S. DISTRICT COURT VIOLATE PETITIONERS CONSTITUTIONAL RIGHT TO DUE PROCESS, BY NOT PROCESSING OR ADDRESSING PETITIONERS CONSTITUTIONAL CHALLENGE TO KIDNAPPING STATUE 787.01.1A (3), WHEN ALL PARTIES WERE DULY

NOTIFIED, AND HAD OPPORTUNITY TO OBJECT TO THE CHALLENGE AND DIDNT?

SEE ISSUE #(1)

Q(3). WAS THERE INSUFFICIENT EVIDENCE TO PROVE KIDNAPPING IF THE (787.01.1A (3)) STATUE IS CONSTITUTIONAL IN PETITIONERS CASE? F.N. #2

SEE ISSUE #(2)

Q(4). DOES THIS COURT AGREE WITH THE REASONING AND LAW AND LOGIC IN THE CONNER -VS- STATE CASE #(19. SO. 3D. 1117). REGARDING THE FASON TYPE APPLICATION TO PETITIONERS CASE?

SEE ISSUE #(2)

Q(5) IS THE CONNER -VS- STATE CASE #(19. SO. 3D. 1117) IN DIRECT CONFLICT WITH PETITIONERS CASE AND IF SO, WILL THIS COURT RESOLVE THIS CONFLICT?

SEE ISSUE #(2)

F.N#1. SEE: DOCKETS (#13, 33, 43, 34) GROUND #1, 2254 PROCEEDINGS

F.N#2. SEE: JACKSON -VS- VIRGINIA 443 U.S. 307 (1979) AND FREEZE -V- SEC. D. CF, 2011 WL 31567145 (M.D. FLA. 7/26/11)

QUESTIONS PRESENTED

CASE #18-12452-B

Q(6). IF PETITIONER WAS ADJUDICATED INCOMPETANT IN DEC. 2006, CASE #2006-2901, AND NO WRITTEN ORDER TO ADJUDICATE HIM COMPETANT, IS PETITIONER CONSIDERED INCOMPETANT UNTIL A WRITTEN ORDER ISSUES? (SEE: ALL RECORDS NO WRITTEN ORDER EXSITS)

SEE: ISSUE # (3)

Q(7). WAS IT REVERSABLE ERROR, WHEN THE FEDERAL MAGISTRATE, MADE A FINDING IN (DOCKET #40) GROUND (#7)(PAGE 53 OF 91) THAT THE STATE INTRODUCED THE INJUNCTION (CASE #2006-DR-004182) THAT WAS SEVERED BY THE COURT, FOR PREJUDICE, AS IT WAS A FEATURE AT TRIAL, CHANGING THE OUTCOME?

SEE: ISSUE # (4)

Q(8). WAS PETITIONER PLACED IN "DOUBLE JEOPARDY" VIOLATING HIS 5TH AND 14TH AMENDMENTS OF THE U.S. CONST., AS EXPLAINED IN GROUND #15 IN 2254 PROCEEDINGS (SEE: DOCKETS # 13, 33, 43)

SEE: ISSUE # (5)

Q(9) WAS IT REVERSABLE ERROR, BY PETITIONER BEING CONVICTED OF "BURGLARY TO HIS OWN HOME," WHEN NO ADJUDICATION OF GUILT WAS HAD IN INJUNCTION (CASE #2006-DR-004182)

SEE: ISSUE # (6)

Q(10). WERE PETITIONERS PLEA(S) IN ARRAIGNMENT AND PRE-TRIAL, INVOLUNTARY AND/ OR MISADVICE? (SEE: GROUND #19 IN 2254 PROCEEDINGS, DOCKET(S) #13, 33, 43)

SEE: ISSUE # (7) HEREIN

Q(11). WAS TRIAL COUNCILS PERFORMANCE CONSTITUTIONALLY DEFICIENT, WHEN HE ABANDON PETITIONERS INSANITY DEFENSE, WHEN ADVISED NOT TO BY PETITIONER? (SEE: GROUND # 8 IN 2254 PROCEEDINGS, DOCKET(S) #13, 33, 43). SEE: ISSUE # (8)

Q(12). WAS TRIAL COUNCILS PERFORMANCE CONSTITUTIONALLY DEFICIENT, WHEN HE MISERABLY FAILED TO MOVE THE COURT, FOR "JURY VIEW" OF THE ALLEGED CRIME SCENE? (SEE: GROUND (#) IN 2254 PROCEEDINGS, DOCKET(S) # 13, 33, 43)

QUESTIONS PRESENTED
CASE# 18-12452-B

Q(13). WAS TRIAL COUNCELS PERFORMANCE CONSTITUTIONALLY DEFICIENT BY NOT INVESTIGATING RADIO TRANSMISSION REPORT # (OC 006 CAD 151835)? (SEE: GROUND #10 IN PETITIONERS 2254 PROCEEDINGS, DOCKET(S) #13, #33, #43) SEE: ISSUE #9

Q(14). WAS IT REVERSABLE ERROR FOR THE STATE TO WITHOLD EXONERATOR "BRADY" MATERIAL EVIDENCE? (SEE: GROUND #11, 2254 PROCEEDINGS DOCKET(S) #13, 33, 43). SEE ISSUE #10

Q(15). WAS IT REVERSABLE ERROR, FOR THE TRIAL COURT JUDGE, TO TWICE MAKE INADMISSIBLE COMMENTS RELATED TO THE MASK EXHIBIT? (SEE: GROUND #12 IN 2254 PROCEEDINGS, DOCKETS #13, 33, 43. SEE: ISSUE #11

Q(16). DID PROBATION AND PAROLE, (A AGENT FOR THE STATE) VIOLATE PETITIONERS CONSTITUTIONAL RIGHTS IDENTIFIED IN GROUND #13. (SEE: GROUND #13 IN 2254 PROCEEDINGS, DOCKETS #13, 33, 43. SEE# ISSUE #12

Q(17). WERE PETITIONERS CONSTITUTIONAL RIGHTS VIOLATED BY THE OKALOOSA, CO. SHERIFFS OFFICE, AFFECTING THE OUTCOME OF THE TRIAL, ACTING AS A AGENT FOR THE STATE? (SEE: AMENDED 2254, GROUND #14, DOCKET(S) #13, 33, 43 SEE: ISSUE #13 HEREIN

Q(18). DID THE STATE COMMIT A "BRADY -vs- MARYLAND 373.U.S. 83 (1963) VIOLATION, WHEN IT FAILED WILLFULLY AND INTENTIONALLY, TO PROVIDE DEFENSE COUNSEL, WITH A COPY AND AUDIO OF C.A.D. REPORT (# OC 006 CAD 151835), AFTER NUMEROUS REQUEST(S) BY TRIAL COUNSEL? (SEE: GROUND #17 IN 2254 PROCEEDINGS, DOCKET(S) #13, #33, #43. SEE: ISSUE #14

QUESTIONS PRESENTED
CASE # 18-12452-B

Q(19). DID THE STATE VIOLATE PETITIONERS CONSTITUTIONAL RIGHTS, BY PROCEEDING AGAINST HIM IN 3.850 PROCEEDINGS, WHEN THE COURT ORDERED PETITIONER TO BE EVALUATED FOR COMPETENCY? (SEE: GROUND (17-B) IN 2254 PROCEEDINGS, DOCKET(S) #13, #33, #43. SEE: ISSUE #15

Q(20). DID THE STATE VIOLATE PETITIONERS CONSTITUTIONAL RIGHTS, BY NOT APPOINTING HIM COUNSEL IN 3.850 PROCEEDINGS, WHEN HE WAS INCOMPETANT? (SEE: GROUND (17-B) IN 2254 PROCEEDINGS DOCKETS #13, #33, #43 SEE: ISSUE #15

Q(21). DID THE COURT COMMIT REVERSABLE ERROR, AND OR CONSTITUTIONAL ERROR, BY NOT AFFORDING PETITIONER DUE PROCESS OR EVIDENTIARY HEARINGS, ON CERTAIN POST CONVICTION CLAIMS, THAT WERE SUMMARILY DENIED? SEE: GROUND #18 IN 2254 PROCEEDINGS, DOCKETS #13, #33, #43

Q(22). DID SENIOR ASSISTANT ATTORNEY GENERAL CHARLES R. MCCOY, COMMIT "MULTIFARIOUS FRAUD" AND OBSTRUCTION OF JUSTICE, IN ORAL ARGUMENTS ON DIRECT APPEAL, CASE # 1-DO8-3116, IN THE FIRST DISTRICT COURT OF APPEALS? (SEE: GROUND #1) AND ALL ATTACHED EXHIBITS ET. AL) AND DOCKET(S) #13, #33, #43) AND IF SO WAS IT REVERSABLE ERROR?

SEE: ISSUE #17

Q(23). WAS TRIAL COUNSEL CONSTITUTIONALLY INNEFFECTIVE BY NOT ATTENDING AN ADVERSARIAL COMPETENCY EVALUATION, WHICH WAS A CRITICAL STAGE OF THE PROCEEDINGS? SEE: 2254 PROCEEDINGS GROUND #2. DOCKETS #13, #33, #43 AND ALL EXHIBITS SEE: ISSUE #18

Q(24). WAS IT REVERSABLE ERROR BY THE COURT NOT MOVING FOR A SUA-SPONTE COMPETENCY AND OR INSANITY EVALUATION, AFTER THE COURT EXPRESSED, GRAVE CONCERNS OF PETITIONER "POSSIBLY NOT BEING SANE AT TRIAL?" (SEE: GROUND #3, DOCKET(S) #13, #33, #43 IN 2254 PROCEEDINGS (6) SEE: ISSUE #19

QUESTIONS PRESENTED

CASE # 18-12452-B

Q(25). WAS IT REVERSABLE ERROR BY THE COURT, FOR PROCEEDING AGAINST PETITIONER, WHEN THEY HAD RELIABLE EVIDENCE, THAT HE HAD A SUBNORMAL I.Q.? SEE: GROUND #4 IN 2254 PROCEEDINGS, DOCKETS #13, #33, #43
SEE: ISSUE #20

LIST OF PARTIES AND ADDRESSES

- 1). STATE OF FL. ATTORNEY GENERAL - ASHLEY MOODY (P.L-01) THE CAPITOL 400 S. MONROE ST. TALLAHASSEE, FL. 32399-1050
- 2) U.S. DIST COURT JUDGE - CASEY RODGERS 100 NORTH PALAFOX ST. PENSACOLA, FL. 32502
- 3). U.S. CHIEF DEPUTY CLERK - (RICHARD MILDENBERGER) 111 N. ADAMS ST. TALLAHASSEE, FL. 32301-7717 PHONE # (850) 521-3581
- 4). U.S. C.O.A. 11th CIR. JUDGES - (T JOFLAT, BRANCH) AT 56 FORSYTH ST. NW. ATLANTA, GA. 30303
- 5). U.S. C.O.A. 11th CIR. JUDGES - (PRYOR AND NEWSOM) AT 56 FORSYTH ST. NW. ATLANTA, GA. 30303
- 6). VICTIMS (6) JURORS OKALOOSA COUNTY, FL. CASE # (2006 - 2901) COURT HOUSE ANNEX 1940 LEWIS TURNER BLVD. FORT WALTON BEACH, FL. 32547. * ADDRESSES UNKNOWN- COURT SERVICE REQUESTED
- 7). GOVERNOR / FLORIDA - RON DE-SANTIS PL-05 THE CAPITOL 400 S. MONROE ST. TALLAHASSEE, FL. 32399
- 8). U.S. SOLICITOR GENERAL OF THE U.S. ROOM 5614 DEPT. OF JUSTICE 950 PENNSYLVANIA AVE. N.W. WASHINGTON D.C. 20530-0001

INTERESTED PERSONS

- 1). ATTN. GEN. FL. - ASHLEY MOODY
- 2) U.S. DIST. JUDGE OF PENSACOLA, FL. - M. CASEY RODGERS
- 3). U.S. CHIEF CLERK - TALLAHASSEE, FL. - RICHARD MILDENBERGER
- 4). 11th C.O.A. JUDGES - T JOFLAT, BRANCH, PRYOR, NEWSOM
- 5). ASSISTANT A.G. - ANNE CONLEY
- 6). ASSISTANT A.G. - THOMAS H. DUFFY
- 7). STATE ATTORNEY - PENSACOLA, FL. WILLIAM "BILL" EDDINS

- 8). SEC. D.O.C. - JULIE JONES AND MARK INCH
- 9). ASSISTANT STATE ATT - (TRIAL) DONNA MARIE MAW AND AMANDA GORDON ASSISTANT
- 10). BRUCE MILLER - DEFENSE COUNSEL (TRIAL)
- 11). GEORGIANNA POWELL POSEY - ALLEGED VICTIM
- 12). JAMIE POWELL - ALLEGED VICTIM (DECEASED)
- 13). TRIAL JUDGE - THOMAS T. REMINGTON (OKALOOSA CO.) FL.
- 14). ASSISTANT A.G. - THOMAS HOWLAND DUFFY.
- 15). DAVID RUSSELL POSEY - PETITIONER
- 16). CHARLES A. STAMPELOS - U.S. DIST. MAGISTRATE PENSACOLA, FL.
- 17). ASSIST. A.G. - KATHRYN LANE
- 18). NANCY DANIELS - APPELLANT PUBLIC DEFENDER #
- 19). GAIL ANDERSON - APPELLANT PUBLIC DEFENDER BOTH FOR DIRECT APPEAL CASE# 1-DO8-3116
- 20). HON. JUDGE STONE - 3-850 PROCEEDINGS OKALOOSA CO., FL.
- 21). (6) JURORS - (VICTIMS) ADDRESSES UNKNOWN
- 22). OKALOOSA COUNTY SHERIFFS OFFICE (AGENT FOR STATE)
- 23). SHALIMAR PROBATION AND PAROLE, SHALIMAR, FL. (AGENTS FOR THE STATE)
- 24). GOVERNOR STATE OF FL. - RON DE-SANTIS
- 25). U.S. SOLICITOR GENERAL WASHINGTON D.C.
- 26). JUDGE BROWN ASSIGNED TO RELATED CASE 2006-DR-004182
OKALOOSA CO., FL. CRESTVIEW DIVISION

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MOTION TO
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• 5th AMENDMENT

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TO THE U.S. SUPREME COURT RULE 12.7

1). PURSUANT TO U.S. SUPREME COURT RULE (12.7) PETITIONER REQUEST THIS HONORABLE COURT OR CLERK TO MOVE OR MOTION THE 11th CIR. C.O.A., TO TRANSMIT ALL RECORDS REGARDING THIS CASE. SPECIFICALLY, BUT NOT LIMITED TO CASE # 19-12156-B AND # 18-12452-B, SO PETITIONER WILL BE AFFORDED, HIS CONSTITUTIONAL RIGHT TO DUE PROCESS, OF THIS EXTRAORDINARY WRIT, AND TO FULLY INFORM THIS COURT WITH "ALL" RECORDS MATERIAL AND RELEVANT TO THIS CASE, FOR ORIGINAL JURISDICTION AND APPELLANT REVIEW, AT THE MERCY OF THE GREAT U.S. SUPREME COURT. THE 11th CIR. C.O.A. ADDRESS IS, 56 FORSYTH STREET, N.W. ATLANTA, GA. 30303 PHONE # (404) 335-6135 - SEE APPENDIX (A) EXHIBIT (D)

OPINIONS
IN THE SUPREME COURT OF THE UNITED STATES

- 1). "NEXT OF FRIEND" PETITION FOR - WRIT OF CERTIORARI
- 2). PETITIONER RESPECTFULLY PRAYS THAT ALL WRITS (ORIGINAL JURISDICTION) AND CERTIORARI ISSUES TO REVIEW THE FINAL JUDGEMENTS BELOW
- A). THE OPINION OF THE 11th CIR. COURT OF APPEALS - ATLANTA, GA. CASE # 19-121-56-B DATE : 9/23/2019 APPENDIX A - EXHIBIT (B)
- B). THE OPINION OF THE 11th CIR. COURT OF APPEALS - ATLANTA, GA. CASE # 18-124-52-B DATE : 10/1/2019 APPENDIX A - EXHIBIT (B)
- 3). I HAVE NO KNOWLEDGE IF THEIR PUBLISHED.

JURISDICTION

(✓) FOR CASES FROM FEDERAL COURTS:

(13)

SEE: APPENDIX (A) - EXHIBIT - (B)

JURISDICTION
FOR CASES FROM FEDERAL COURTS

- 1). THE DATE ON WHICH THE UNITED STATES COURT OF APPEALS (11th CIR. ATLANTA, GA. DECIDED CASE # 19-121-56-B) WAS 9-23-2019, AND A TIMELY REHEARING WAS FILED.
- 2). THE DATE ON WHICH THE UNITED STATES COURT OF APPEALS (11th CIR. ATLANTA, GA. DECIDED CASE # 18-124-52-B) WAS 10-1-2019 AND A TIMELY REHEARING WAS FILED
- 3). THE JURISDICTION OF THIS COURT IS INVOKED UNDER (28 U. S.C. 1254 (1)). (HOTLN -vs- U.S. 524 U.S. 236, 247, 118 S. CT. 1969, 1975, 141 L. ED. 2D, 242, 256 (1998) ARGUED 3-3-1998 DECIDED 6-15-1990
- 4). ORIGINAL JURISDICTION IS BEING REQUESTED.

"RELATED CASES" AND ADDRESSES

- 1). TRIAL COURT CASE # 2006-2901 - OKALOOSA CO. ANNEX EXT. 140 1940 LEWIS TURNER BLVD. FORT WALTON BEACH, FL. 32547
- 2). INJUNCTION CASE - 2006-DR-004182 - OKALOOSA CO. ANNEX EXT 1940 LEWIS TURNER BLVD. FORT WALTON BEACH, FL. 32547
- 3). DIRECT APPEAL CASE # 1-D08-3116, OFFICE OF CLERK 1ST D.C.A. 2000 DRAYTON DR. TALLAHASSEE, FL. 32399, 950
- 4). POST CONVICTION 3850 CASE # 1-D14-1156 (1ST D.C.A.) 1ST D.C.A. 2000 DRAYTON DR. TALLAHASSEE, FL. 32399, 950
- 5). INNEFFECTIVE APPELLATE COUNSEL - # 1-D13-2949 2000 DRAYTON DR. TALLAHASSEE, FL. 32399, 950 (1ST D.C.A.)

"RELATED CASES" AND ADDRESSES

6). MANDAMUS OKALOOSA SHERIFFS DEPT. 2014-CA-003819
OKALOOSA COUNTY ANNEX 1940 LEWIS TURNER BLVD.
FORT WALTON BEACH, FL. 32547 (AND) 1ST D.C.A APPEAL
CASE # 1-D15-3343

7). PROBATION PAROLE HABEAS CORPUS, (DENIED ON MERITS)
CASE # 2012-CA-001823 AT OKALOOSA CO. ANNEX EXT.
1940 LEWIS TURNER BLVD. FORT WALTON BEACH, FL.
32547 (AND) 1ST D.C.A. APPEAL - # 1-D15-1149 2000 PRAYTON
DR. TALLAHASSEE, FL. 32399-950

8). DISBARRED ATTORNEY, BERNARD DALEY CASE # SC-15-330,
2015-00-495-2B-NDR 500 DUVAL ST. TALLAHASSEE, FL. 32399

9). ILLEGAL PHONE CALL CASE # 2013-CA-005345 OKALOOSA COUNTY
COURTHOUSE (AND) APPEAL TO THE 1ST D.C.A CASE # 1-D14-1383.

10). EVIDENCE ROOM CASE # 2013-CA-005346 (L.T) OKALOOSA CO.,
FL. (AND) 1ST D.C.A. APPEAL # 1-D14-1377.

11). READING LOGS CASE # 2013-CA-005347 (IN)(L.T) OKALOOSA
CO. (AND) 1ST D.C.A APPEAL # 1-D14-1379

12). 3.800 ILLEGAL SENTENCE CASE # (1-D14-1371) 1ST D.C.A.

13). COURT RESTRAINTS CASE # 2012-CA-5556, (L.T) OKALOOSA
COUNTY COURT HOUSE.

14). KIDNAPPING CASE # 2ND D.C.A # 2-D14-4555

15). MANDAMUS/COMPETENCY CASE # 1-D15-4967 (1ST D.C.A.)

16). U.S. DISTRICT COURT CASE # 3:15-CV-452-MCR-CAS #1 PALAFOX
ST. PENSACOLA, FL. 32502

(A) "NEXT OF FRIEND/PROBABLE CAUSE AFFIDAVIT/PETITION TO THE CHIEF JUDGE M. CASEY RODGERS, U.S. DEPUTY CHIEF CLERK RICHARD MILDEMBERGER, AND THE CHIEF U.S. DISTRICT JUDGE OF THE NORTHERN DISTRICT PENNSACOLA FLORIDA.

(B) THE PETITION WAS SPECIFICALLY ADDRESSED TO THE CHIEF JUDGE M. CASEY RODGERS, U.S. DEPUTY CHIEF CLERK RICHARD MILDEMBERGER, AND THE CHIEF U.S. DISTRICT JUDGE OF THE NORTHERN DISTRICT PENNSACOLA FLORIDA.

(C) COURT IS REFUSING TO ALLOW THE PETITION TO BE FILED THIS CONSTITUTIONAL RIGHTS TO DUE PROCESS AND ACCESS TO THE THIS MILDEMBERGER REFUSED PETITIONER OPPORTUNITY TO FILE HIS UNLAWFUL ACTIONS, AFTER PETITIONER REQUESTED ACCESS TO THE COURTS GRIVANCE PROCESS. SEE: 11th CIR. C.O.A IN ATLANTA, CASE# 19-12156 FOR ALL CERTIFIED RECORDS. THE PETITION TO "IMPEL THE SPECIAL GRAND JURY" WAS ADDRESSED TO THE CHIEF JUDGE, BECAUSE HE HAS AUTHORITY AND JURISDICTION TO SUMMON THE GRAND JURY, FOR "GOOD CAUSE", THAT WAS DESCRIBED IN THE PETITION.

(D) AFTER THE DENIAL OF THE PROCESS AND ACCESS TO THE COURT, PETITIONER FORWARDED THE ORIGINAL CERTIFIED PETITION TO THE CHIEF JUDGE OF THE 11th CIR. COA ATTACHED TO THE CHIEF JUDGE OF THE 11th CIR. COA.

PETITION

1). ON OR ABOUT 3/28/19 PETITIONER FILED A:

SEE: APPENDIX (A) EXH. (5)

STATEMENT OF CASE # 19-12156: RE
MPANELING A "SPECIAL GRAND JURY" FOR TRIAL PROSECUTORS
MULTIFACED FRAUD & OBSTRUCTION OF JUSTICE

STATEWIDE GRAND JURY;
TALLAHASSEE, FL 32399 (ACCEPTED) "ALL WRITS" TO "IMPEL
FLA SUPREME COURT CASE# SC-19-1223 500 DUAL ST

RELATED CASE AND ADDRESSES

CONT. STATEMENT OF CASE # 19-12156-B

ATLANTA, GA. AS HE HAS JURISDICTION AND AUTHORITY TO ORDER IMPANELMENT OF "SPECIAL GRAND JURY" AND HE HAS JURISDICTION. SEE LEGAL MAIL RECEIPT #103998807 TIME STAMPED 10:11:19, AT B.R.C.R.F.

D). THE COMPLAINT WAS TITLED:

D.1) RE: DENIAL OF DUE PROCESS AND ACCESS TO THE COURT OF PETITION, BY THE CHIEF JUDGE AND U.S. DEPUTY CLERK OF THE UNITED STATES, DISTRICT COURT N.D. PENSACOLA, FL.

D.2). THE RELIEF REQUESTED ON THE ABOVE 5/28/19 COMPLAINT FILED TO THE CHIEF JUDGE OF THE 11th C.O.A ATLANTA, GA. HAD SPECIFIC RELIEF. IT STATED IN RELIEF THE FOLLOWING.

RELIEF

D.3). "AFFIANT HUMBLY PRAYS THIS HON. CHIEF JUDGE OF THE 11th CIR. C.O.A, REVIEW AND GRANT SAID PETITION (FILED 3/28/19) A NOTIFY AFFIANT / PETITIONER IN WRITING OF THE ACTION TAKEN..."

E). CHIEF JUDGE, ALTERNATIVELY, "ALTERED" PETITIONERS WRIT TO IMPANEL A "SPECIAL GRAND JURY" WITH SPECIFIC RELIEF, IN TO A MANDAMUS, SCHUFFLING IT INTO DENIAL, WHEN THE CHIEF JUDGE HAD AUTHORITY & JURISDICTION AND "GOOD CAUSE" TO IMPANEL A "SPECIAL GRAND JURY" SUPPORTED BY A 3/28/19 NOTARIZED PETITION, VIOLATING PETITIONERS DUE PROCESS AND ACCESS TO THE COURTS, GUARANTEED BY THE U.S. CONSTITUTION AND THE FEDERAL RULES GOVERNING "SPECIAL GRAND JURYS" AND THEIR SUMMONING THE DENIAL OF THE "FRAUDULANT" MANDAMUS CASE # 19-12156-B IN THE (11th CIR. C.O.A ATLANTA, GA.), WAS (9/23/2019) AND A TIMELY RE-HEARING WAS FILED.

F). THE QUESTIONS REGARDING CASE# 19-12156-13 HEREIN ARE OF "GREAT PUBLIC IMPORTANCE" AS THEY INVOLVE THE "JURORS" SUMMONED FROM A CROSS SECTION OF THE PUBLIC, AND THE FACT THAT JURY DUTY IS;

1). "ONE OF THE HIGHEST DUTIES OF CITIZENSHIP"

AS STATED BY THE LATE JUDGE JAMES FOXMAN OF THE 7TH JUDICIAL CIRCUIT.

AND THE FACT BOTH THE U.S. DIST. CT. PENSACOLA AND THE 11TH CIR. C.O.A ATLANTA, BOTH VIOLATED PETITIONERS DUE PROCESS BY NOT IMPANEELING A "SPECIAL GRAND JURY" WHEN "GOOD CAUSE" WAS SHOWN.

STATEMENT OF CASE# 18-12452-13

PRE-ARREST HISTORY

PETITIONER WAS RELEASED FROM A MENTAL HEALTH HOSPITAL IN MAY OF 2005. HE WAS COMMITTED FOR COMPLICATIONS FROM HIS MENTAL HEALTH ILLNESSES, LISTED AS- AGORAPHOBIA, PHOTOPHOBIC, ORGANIC BRAIN SYNDROME, OLFACTORY HALLUCINATIONS, DEMENTIA, PANIC ATTACKS, SEVERE ANXIETY AND SEVERE CLINICAL MIGRAINES AND DEPRESSION (MAJOR). HE WAS TO REPORT TO PROBATION OFFICE IN SHALIMAR FLORIDA, IN RELATED CASE# 98-1094 OUT OF PANAMA CITY, FLORIDA. (SEE: CASE (5) RELATED (2012-CA-001823) AND APPEAL (#1-D13-4434) 1ST D.C.A) PETITIONER REGISTERED HIS POWERFULL PSYCHATROPIC MED'S. WITH PROBATION AUTHOURITIES AS ORDERED. PETITIONER WAS ON PROBATION. HOWEVER WAS NEVER PLACED ON "MENTAL HEALTH PROBATION" (FOR UNKNOWN REASONS) A CAREFUL READING OF RELATED CASE# (2012-CA-001823) IS NECESSARY. FOR ALL FACTS TO BE CONSIDERED. PETITIONER HAD SPECIAL CONDITIONS IN PROBATION CONDITION #14, ORDER FOR "MENTAL HEALTH EVALUATIONS." PROBATION AUTHOURITIES FAILED TO SUPERINTEND THAT COURT ORDER. EVENTUALLY PETITIONER COULD NOT TAKE CARE OF HIMSELF IN MANY ASPECTS,

HIS CARETAKER AND WIFE, AND CO-PAYEE FOR SOCIAL SECURITY DISABILITY HAD TO FILE FOR A INJUNCTION IN OKALOOSA CO. FL. CASE # 2006-DR-004182 THE INJUNCTION WAS ACCOMPIED BY A AFFIDAVIT THAT PETITIONER WAS NOT ACTING RIGHT, POSSIBLY HE WAS INCOMPETANT THE INJUNCTION WAS SERVED ON PETITIONER, A CAREFULL READING OF (CASE # 2006-DR-004182) MUST BE HAD, FOR ALL FACTS TO BE CONSIDERED. A PERMANENT INJUNCTION HEARING WAS HAD, HOWEVER PETITIONER WAS, INCOMPETANT AND INSANE AT THE OCT. 15, 2006 PERMANENT INJUNCTION ADVERSARIAL HEARING, AND THE INJUNCTION JUDGE PROCEEDED AGAINST PETITIONER IN THIS ADVERSARIAL SETTING WITHOUT APPOINTING COUNSEL TO PETITIONER OR HAVING HIM EVALUATED, VIOLATING PETITIONERS CONSTITUTIONAL RIGHT TO BE COMPETANT AT A ADVERSARIAL COURT PROCEEDING. THE INJUNCTION COURT WAS ARMED WITH ALL PETITIONERS HOSPITAL FILES AND PROBATION FILES AND CHOOSE TO PROCEEDED AGAINST A INCOMPETANT AND INSANE PETITIONER, AND SUBSEQUENTLY RELEASE PETITIONER POST HEARING, INTO THE PUBLIC IN THIS CONDITION FOR (REASONS UNKNOWN TO THIS DATE), AND STILL AT ISSUE IN THIS CASE. SEE: CASE # 2006-2901, INCOMPETANCY REPORT DATED 12/06 (TRIAL CASE). THE INJUNCTION COURT, CASE # 2006-DR-004182 ENTERED PETITIONER INTO A BINDING CIVIL CONTRACT WHILE INCOMPETANT AND INSANE, ON OCT. 15, 2006
(ARREST)

STATEMENT OF CASE # 18-12452-B

NOVEMBER 6, 2006

PETITIONER WAS ONLY AT LARGE IN THE PUBLIC FOR DAYS BEFORE HE WAS ARRESTED AND CHARGED BY AMENDED INFORMATION WITH BURGLARY OF A DWELLING WHILE ARMED WITH A DANGEROUS WEAPON COUNT (1), ARMED KIDNAPPING WITH A WEAPON (COUNT #2) AGGRAVATED ASSAULT BY THREAT (COUNT #3) AND VIOLATION OF A DOMESTIC VIOLATION INJUNCTION (COUNT #4) (R.2.219-18) ALL CHARGES WERE ON (1) INFORMATION. THE VIOLATION OF PROBATION (19)

CHARGE PROCEEDED, THE NEXT DAY ON 11/7/2006 IN RELATED CASE # 98-1094 PETITIONER WAS ESSENTIALLY ARRESTED FOR BURGLARY, KIDNAPPING, ASSAULT AND VIOLATION OF INJUNCTION ONE CASE # 2006-2901 (TRAIL CASE) AND SIMOTANEOUSLY ARRESTED FOR PROBATION VIOLATION ALL IN (2) DAYS 11/6/06 AND 11/7/06. THE INJUNCTION COURT SET THE STAGE AND CONDITIONS FOR PETITIONERS ARREST AND IS THE "PROXIMATE CAUSE" SEE: (CASE # 2012-CA-001823)

REASONS FOR GRANTING PETITION
AND ORIGINAL JURISDICTION CASE # 19-12156-B

1. THIS (CASE # 19-12156-B) IS OF GREAT PUBLIC IMPORTANCE AND NATIONAL IMPORTANCE BECAUSE THE JURORS PERFORM "ONE OF THE HIGHEST DUTIES OF CITIZENSHIP" AND THAT DUTY IS "REALLY OUR DEMOCRACY IN ACTION" THIS CASE IS A CASE WHERE THE PROSECUTORS COMMITTED MULTIFARIOUS FRAUD, AND OBSTRUCTION OF JUSTICE ON THE JURORS, THAT ARE NOW "UNINFORMED VICTIMS" OF THE PROSECUTORS CRIMES. PETITIONER EXHAUSTED EVERY POSSIBLE AVENUE TO "PETITION FOR REDRESS THIS TRAVESTY/GRIEVANCE WITH EITHER NO REPLY OR A NON-SENSICAL RESPONSE. ENTITIES NOTIFIED, STATEWIDE PROSECUTORS OFFICE, STATE ATTORNEY, FLORIDA DEPT. OF LAW ENFORCEMENT, FLORIDA BAR, FLORIDA GOVERNORS OFFICE, U.S. DISTRICT COURT CHIEF JUDGE AND U.S. COURT OF APPEALS CHIEF JUDGE ATLANTA, GA. AND THE U.S. ATTORNEY GENERAL. ET ALL. ETC.
- A). THE NATIONAL IMPORTANCE OF THIS MATTER WAS NEVER STATED BETTER THAN THE HON. JAMES FOXMAN, CIRCUIT JUDGE OF THE 7th CIR. STATED IN CASE # 91-1276 ON APRIL 11th, 1994 AT 10:30 AM.

QUOTE: HON. CIRCUIT COURT JUDGE JAMES FOXMAN OF THE 7th JUDICIAL CIR.

"SERVICE ON A JURY IS A CIVIC AND PATRIOTIC OBLIGATION WHICH ALL GOOD CITIZENS SHOULD PERFORM, AND OUR ENTIRE SYSTEM OF JUSTICE DEPENDS UPON PEOPLE LIKE YOU, NOW SERVICE ON A JURY AFFORDS YOU OPPORTUNITY TO BE PART OF THE JUDICIAL

CONT. REASONS FOR GRANTING PETITION AND
ORIGINAL JURISDICTION CASE# 19-12156-B

PROCESS BY WHICH THE LEGAL AFFAIRS AND LIBERTIES OF YOUR FELLOW MEN AND WOMAN ARE DETERMINED AND PROTECTED UNDER OUR FORM OF GOVERNMENT AND YOUR BEING ASKED TO PERFORM "ONE OF THE HIGHEST DUTIES OF CITIZENSHIP" AND THAT IS TO SIT IN JUDGEMENT OF FACTS WHICH WILL DETERMINE GUILT OR INNOCENCE OF PERSONS CHARGED "IT'S REALLY OUR DEMOCRACY IN ACTION. (#F.N 1)

VICTIMS / JURORS

b) IN ADVANCE, THE JURORS HAVE BEEN VICTIMIZED AND HAVE A RIGHT TO BE NOTIFIED BY THE JUDICIAL SYSTEM THAT PLACED THEM IN "ONE OF THE HIGHEST DUTIES OF CITIZENSHIP", ONLY TO BE VICTIMIZED.

c) DUE PROCESS

NOT PROCESSING PETITIONERS WRIT TO "IMPANEL A SPECIAL GRAND JURY" OR ALTERING OR MISCONSTRUING THE WRIT, WAS A VIOLATION OF PETITIONERS DUE PROCESS, ACCESS TO THE COURT, RIGHT TO PETITION FOR REDRESS GRIEVANCE, 5TH, 6TH, 14TH AND 1ST AMENDMENTS OF THE U.S. CONSTITUTION ALLOWING PETITIONER TO BE UNLAWFULL CONFINED. (FN#1)
SEE: QUESTIONS HEREIN (1,2,3,4) CASE # 19-12156-B. DUE PROCESS: SEE: (SUPREME COURT OF FLA. -VS- LEON WILLIAMS, 62 U.S. L.W, 2098, 18, FLA. L. WEEKLY, 537i, 18. FLA. L. WEEKLY 491, NO: 79507, JULY 1ST 1993, REHEARING 9/16/1993.

"DUE PROCESS OF LAW IS A SUMMARIZED CONSTITUTIONAL GUARANTEE OF RESPECT FOR PERSONAL RIGHTS.... SO ROOTED IN THE TRADITION AND CONSCIENCE OF OUR PEOPLE AS TO BE RANKED AS FUNDAMENTAL SEE > SYNDER -V- MASS., 291. U.S. 97, 105, 54 S, CT. 330, 78, LED. 674 (1934). DUE PROCESS OF THE LAW IMPOSES UPON A COURT THE RESPONSIBILITY TO CONDUCT AN EXERCISE OF JUDGEMENT THE WHOLE COURSE OF THE PROCEEDINGS IN ORDER

CONT. REASONS FOR GRANTING PETITION ≠ ORIGINAL
JURISDICTION CASE # 19-12156-13

DUE PROCESS

TO ASCERTAIN WHETHER THEY OFFERED THOSE "CANNONS OF DECENTY" AND "FAIRNESS" WHICH EXPRESS THE NOTIONS OF JUSTICE SEE: MALINSKI -v- NEW YORK, 324. U.S. 401, 416-17, 65, S. CT, 781, 788-89, L.ED 1029 (1945)... DUE PROCESS IS A GENERAL PRINCIPLE OF LAW THAT PROHIBITS THE GOVERNMENT FROM OBTAINING CONVICTIONS BROUGHT ABOUT BY METHODS THAT "OFFEND A SENSE OF JUSTICE" SEE: ROCHIN -v- CALIFORNIA, 342. U.S. 165, 173 72. S. CT 205, 210, 96. LED. 183 (1952)

IN THIS CASE PETITIONERS AND THE JURORS RESPECT FOR "PERSONAL RIGHTS" "CANNON(S) OF DECENTY" AND FAIRNESS WERE VIOLATED AND DID OFFEND A SENSE OF JUSTICE, AND JURISDICTION, REVIEW OF THIS COURT IS WARRANTED

ADDRESSING; ISSUE # (1)

1. CONSTITUTIONAL CHALLENGE TO KIDNAPPING
STATUE 787.01 (1A)(3) OF FLA.

A) SEE GROUND # (1) IN 2254 PROCEEDINGS, DOCKETS # 34, # 13, # 33, # 43 AND DOCKET # 54. PETITIONER FILED A CONSTITUTIONAL CHALLENGE UNDER 28. U.S.C 2403 (B) AND LOCAL RULES OF FEDERAL COURT FOR THE N.D OF FLA. (LOCAL RULE # 24) THE RESPONDENTS WERE DULY NOTIFIED BY STATUE AND REFUSED TO CONFORM TO THE DUE PROCESS OF PETITIONERS CHALLENGE. RESPONDENTS HAD OPPORTUNITY TO OBJECT TO THE CONSTITUTIONAL CHALLENGE AND DID NOT, VIOLATING RULES OF FEDERAL COURT AND PETITIONERS RIGHT TO DUE PROCESS, ACCESS TO THE COURTS. A NOTICE OF APPEAL WAS FILED SEE: DOCKET # 46 APPEAL CASE # 18-12452 WAS ASSIGNED BY THE 11th CIR. COA, ATLANTA. ON 10/1/2019 THE CARE WAS DENIED, WITH THE CONSTITUTIONAL CHALLENGE

REASONS FOR GRANTING PETITION AND ORIGINAL JURISDICTION (CASE # 18-12452-B)

ADDRESSING; ISSUE # (1)

CONSTITUTIONAL CHALLENGE TO KIDNAPPING STATUE 787.01. (IA) (3) OF FLA.

AND DID NOT, VIOLATING RULES OF FEDERAL COURT AND PETITIONERS RIGHT TO DUE PROCESS, ACCESS TO THE COURTS. A NOTICE OF APPEAL WAS FILED SEE: DOCKET # 46 APPEAL CASE # 18-12452 WAS ASSIGNED BY THE 11TH CIR. C.O.A, ATLANTA. ON 10/1/2019 THE CASE WAS DENIED, WITH CONSTITUTIONAL CHALLENGE WAS NEVER ADDRESSED OR AFFORDED DUE PROCESS. BASED ON THE FACTS AND LAW AND REASONING OF PETITIONERS ARGUMENT IN HIS 2254 PROCEEDINGS, THE KIDNAPPING STATUE 787.01. (A) (3) IS UNCONSTITUTIONAL, AND THIS COURTS JURISDICTION AND REVIEW IS NECESSARY FOR RESOLUTION OF THIS MATTER. SEE: QUESTIONS PRESENTED SQUARELY ADDRESSING THIS MATTER THAT NEED RESOLUTION QUESTIONS #1, #2. CASE# (18-12452-B) HEREIN

ADDRESSING; ISSUE # (2)

2) "INSUFFICIENT EVIDENCE OF KIDNAPPING F.S. 787.01 IA (3)

A. SEE: GROUND #1 OF PETITIONERS 2254 PROCEEDINGS, DOCKETS #13, #33, #43 AND CASE # 1-D08-3116 OF THE FIRST DISTRICT OF APPEALS ARGUMENT # (2) W PETITIONERS INITIAL BRIEF AND REPLY BRIEF. PETITIONERS KIDNAPPING CONVICTION IS IN DIRECT CONFLICT REGARDING INSUFFICIENT EVIDENCE WITH CASES # JACKSON -v- VIRGINIA, 443 U.S. 307 (1979) AND FREEZE -v- SEC. D.C.F. 2011-WL-31567145 (M.D. FLA. 1/26/11) AND A CASE SPECIFICALLY "FRAMED" BY THE 2ND. D.C.A. OF FLORIDA, SEE: (CONNER -vs- STATE 19-803D-1117) THIS COURTS APPELLANT JURISDICTION IS NEEDED TO RESOLVE THESE CONFLICT(S) OF LAW TO ALIGN "STARE DECISIS". SEE: "QUESTIONS PRESENTED" HEREIN, PRESENTED, SQUARELY ADDRESSING THIS ISSUE # (2) QUESTIONS # 3, 4, 5 IN CASE # 18-12452-B

REASONS FOR GRANTING PETITION AND ORIGINAL
JURISDICTION (CASE# 18-12452-B)
3). ADDRESSING ISSUE # (3)
COMPETENCY

SEE: GROUND(S) (17-B), #3, #4 IN 2254 PROCEEDINGS DOCKET(S)
#13, #33, #43. IN DECEMBER OF 2006 PETITIONER WAS A JUDICATED
INCOMPETANT IN TRIAL CASE #2006-2901 SEE: TRIAL DOCKET SHEET.

ADDRESSING ISSUE # (3)
COMPETENCY/ORDER

NOWHERE IN ANY RECORD, TRIAL COURT, APPELLANT COURT, 2254 COURT OR FEDERAL APPELLANT COURT, DOES A WRITTEN ORDER EXSITS A JUDICATING PETITIONER COMPETENT TO PROCEED RESTORING HIM TO COMPETENCY. TO THAT END, PETITIONER WAS PROCEEDED AGAINST WHILE INCOMPETENT FROM DEC. 2006, IN EVERY ADVESARIAL PROCEEDING, INCLUDING THE MAY 2008 TRIAL. THIS MAKES PETITIONERS CASE IN DIRECT CONFLICT WITH THE "STARE DECISIS" RE: PROCEEDING AGAINST INCOMPETANT DEFENDENTS. SEE: JAMES J. DAVIDSON -vs- HARRY SINGLETARY JR. SEC DEPT OF CORR. FLA. 957 F. 2D. 1562, (1992) U.S. APP. LEXIS 5603; 6. FLA. L. WKLY, FED C. 425. (NO. 87-3488 - MARCH 30, 1992 DECIDED AND) FALLADA -vs- DUGGER 819 F. 2D 1564, 1568, 11th CIR. 1987. (AND) DUSKY -vs- UNITED STATES 362 U.S. 402 (1960). THIS COURTS APPELLANT JURISDICTION IS NEEDED TO RESOLVE THE ABOVE CONFLICT OF LAW TO ALIGN "STARE" DECISIS, "QUESTION(S) PRESENTED", HEREIN REGARDING THIS MATTER IS; QUESTION # 6 CASE# 18-12452-B

ADDRESSING ISSUE # (4)
"REVERSABLE ERROR"

4). SEE: GROUND#7 IN 2254 PROCFEDINGS, DOCKET(S) #13, #33, #43 AND #40. TRIAL JUDGE GRANTED A MOTION FOR SEVERENCE OF THE VIOLATION OF INJUNCTION CASE# 2006-2901 PRE-TRIAL. UNFORTUNITLY, DURING

REASON FOR GRANTING PETITION AND ORIGINAL
JURISDICTION CASE # 18-12452-B
ADDRESSING ISSUE # (4)
"REVERSABLE ERROR"

TRIAL PROCEEDINGS THE TRIAL JUDGE RULED MY DEFENSE ATTORNEY "OPENED THE DOOR" VIOLATING HIS COURT ORDER, AND RULED AS SUCH ON THE RECORD. THE STATE MADE A FEATURE OF THE "VIOLATION OF INJUNCTION" CHANGING THE OUTCOME OF THE TRIAL. THIS GROUND / ISSUE WAS PLACED ON PETITIONERS 2254, GROUND #7. THE FEDERAL MAGISTRATE MADE A FINDING IN DOCKET #40, DATED 8/31/2017, GROUND #7, THAT THE STATE "OPENED THE DOOR" NOT DEFENSE COUNSEL. IT WAS AT THIS TIME THE STATE CONCEDED TO FUNDAMENTAL REVERSABLE ERROR. THIS IS A "MIS-CARRIAGE OF JUSTICE", WHICH JUSTIFIES REVERSING A JUDGEMENT SEE: 314. P. 2D. 973). PETITIONERS 5TH AND 14TH AMENDMENTS WERE VIOLATED BY THIS REVERSABLE ERROR THEY CONCEDED TO. #1) THE ERROR WAS PLAIN ON THE RECORD (#2) IT DID EFFECT PETITIONERS SUBSTANTIAL RIGHTS (#3) IT DID EFFECT THE FUNDAMENTAL FAIRNESS OF TRIAL PROCEEDINGS. THIS COURTS APPELLANT JURISDICTION IS WARRANTED FOR REVIEW AND RESOLUTION OF THIS ISSUE. QUESTION(S) PRESENTED RE: THIS ISSUE IS QUESTION #7,

ADDRESSING ISSUE # (5)
DOUBLE JEOPARDY
SEVERAL INSTANCES

3) SEE: GROUND #15 IN 2254 PROCEEDINGS, DOCKETS -13, 33, 43. PETITIONER WAS PLACED IN DOUBLE JEOPARDY SEVERAL DIFFERENT WAYS OUTLINED IN HIS 2254, GROUND #15, VIOLATING HIS CONSTITUTIONAL RIGHT(S) UNDER THE 5TH AMENDMENT OF THE U.S. CONSTITUTION. THE DECISION TO DENY THIS GROUND PLACED PETITIONER IN DIRECT CONFLICT WITH THE FOLLOWING CASES. (BLOCKBURGER -VS- US. 52 S. CT. 180) AND (WILLIAMS -VS- SINGLETARY 78. F. 3D 1510) AND HARRIS -VS- OKLAHOMA 97. S. CT. 180) AND U.S. -VS- DIXION, 113, S. CT 2849) (WEST -VS- STATE 21. SO. 3D -916) AND (TORNA -VS- STATE 43. SO. 3D. 876)

REASON FOR GRANTING PETITION AND ORIGINAL
JURISDICTION CASE# 18-12452-B
ADDRESSING ISSUE #(5)
DOUBLE JEOPARDY
SEVERAL INSTANCES

5). AND (STATE-VS- REARDON 763. SO. 3D.418) AND (BYRON, ORTIZ MEDINA (4-DO9-2084) 3 , FLA, LAW, WKLY (D2273) WHERE CONVICTIONS FOR BOTH ARMED KIDNAPPING AND AGGRAVATED ASSAULT VIOLATE DOUBLE JEOPARDY, ALSO SEE: FLA. LAW WKLY. (D1b 38 B) AND FLA STATUE - 775.021 (4)(B)(1). THIS COURTS APPELLANT JURISDICTION IS NEEDED FOR RESOLUTION OF THE CONFLICT(S) ABOVE. QUESTION(S) PRESENTED HEREIN RE: THIS ISSUE ARE QUESTION # QUESTION #8.

ADDRESSING ISSUE #(6)
BURGLARY TO YOUR OWN HOME?

(6).

SEE: GROUND #16 IN 2254 PROCEEDINGS, DOCKETS # 13, # 33, # 43, AND THE FACTS ARE RELATED TO CASE # HEREIN # 19-12156-B, THE PETITION TO IMPANEL A "SPECIAL GRAND JURY." THE PROSECUTORS COMMITTED "MULTIFARIOUS FRAUD" ON THE JURORS AND OBSTRUCTION OF JUSTICE IN TRIAL, BY TELLING THE JURORS PETITIONER WAS GUILTY OF VIOLATING AN INJUNCTION, CASE # 2006-2901 AND CASE # 2006-DR-004182. *(FN#1) THE VIOLATION OF INJUNCTION CASE WAS CONSOLIDATED ON THE FELONIE INFORMATION WITH BURGLARY, KIDNAPPING, AGGRAVATED ASSAULT. IT WAS SEVERED FOR PREJUDICE PRE-TRIAL. UNFORTUNITLY THE STATE INTRODUCED THE VIOLATION OF INJUNCTION AND MADE IT A FEATURE AT TRIAL, AND IT CHANGED THE OUTCOME, AND FUNDAMENTAL FAIRNESS OF TRIAL. PROSECUTORS COULD NOT HAVE GOT A CONVICTION OF PETITIONER, ON BURGLARY TO HIS OWN HOME, WITHOUT VIOLATING THE COURTS ORDER NOT TO MENTION THE INJUNCTION AND LYING TO THE JURY. ONE CANNOT BURGLARIZE THERE OWN HOME. THIS WAS A "MIS CARRIAGE OF JUSTICE", VIOLATING 5th AND 14th AMENDMENTS TO DUE PROCESS. THIS COURTS

REASON FOR GRANTING PETITION AND ORIGINAL

JURISDICTION

CASE #

18-12452-B

ADDRESSING ISSUE # (6)

BURGLARY TO YOUR OWN HOME?

6).

APPELLANT JURISDICTION IS WARRANTED FOR RESOLUTION OF THIS ISSUE #6. QUESTIONS PRESENTED HEREIN ARE QUESTION #9. F.N I- NO ADJUDICATION OF GUILT APPEARS ON DOCKET SHEET 2006-DR-004182.

ADDRESSING ISSUE # (7)

COUNCILS INEFFECTIVENESS ON PLEA(S)

7).

SEE: GROUND #19, IN 2254 PROCEEDINGS, DOCKET # 13, 33, 43. THE DENIAL OF THIS GROUND IS CONTRARY TO STRICKLAND -VS- WASHINGTON 466 U.S. 668 (1984) DEFICIENT PERFORMANCE, AND PREJUDICE, HAS BEEN ESTABLISHED IN GROUND #19. OTHER "STARE DECISIS" CASES IN CONFLICT WITH REGARDING MISADVISE OR INVOLUNTARY PLEAS SEE: U.S. -VS- LOUGHRY 908-F.2 D. 1014 AND GODINEZ -VS- MORAN, 509 U.S. 389, 391 113. S. CT 2680, 2682 (1993) AND BORIA -VS- KEANE 99 F.3D. 492 (1994) AND BOUCHILLON -VS- COLLINS - 907 F.2D 589, 592, (1990).

THE APPELLANT JURISDICTION IN THIS ISSUE IS NEEDED. GIVEN THE COMPETENCY ISSUES IN THIS CASE, AT ARRAIGNMENT, ON 11/7/2006, AT LEAST THIS PLEA WAS INVOLUNTARY AND MISADVICE, AS PETITIONER ARRIVED AT THE COUNTY JAIL INCOMPETANT AND DELIRIOUS SEE # COMPETENCY HEARING DECEMBER 2006, CASE # 2006-2901 TRIAL COURT, AND THE PRE-TRIAL PLEA IN MAY OF 2008, SEE: EXHIBIT # 129 IN 2254 PROCEEDINGS IS PROOF PETITIONER WAS INCOMPETANT IN TRIAL. SEE: QUESTION(S) HEREIN # 10

ADDRESSING ISSUE # (8)

"COUNSEL ABANDONING THE INSANITY DEFENSE"

8). SEE: GROUND #8 IN 2254 PROCEEDINGS, DOCKETS # 13, 33, 43. DENIAL OF THIS GROUND WAS CONTRARY TO AND IN CONFLICT WITH STRICKLAND -VS- WASHINGTON 466 U.S. 668 (1984) DEFICIENT PERFORMANCE AND PREJUDICE WERE

REASONS FOR GRANTING PETITION AND ORIGINAL

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ADDRESSING ISSUE #(8)

"COUNSEL ABANDONING THE INSANITY DEFENSE"

8). CONT.

ESTABLISHED, BY LAW AND FACTS, IN THIS GROUND. THIS GROUND CONTAINS NEWLY DISCOVERED EVIDENCE AND HAS BEEN EXTENSIVLEY DEVELOPED AND INVESTIGATED BY PETITIONER. IT WAS TRIAL COUNCELS ADVISE TO ABANDON THE INSANITY DEFENSE, HOWEVER PETITIONER DID NOT AGREE WITH THIS ADVICE, BUT COUNSEL REFUSED TO STOP THE ABANDONMENT PETITIONER WAS "FORCED" TO ACCEPT HIS ADVISE. TRIAL COUNCEL VIOLATED PETITIONERS 6th AMENDMENT RIGHT TO EFFECTIVE ASSISTANCE OF COUNCEL. THIS COURTS APPELLATE JURISDICTION IS WARRANTED, TO ALIGN THIS CONFLICT WITH "STARE DECISIS" SET IN STRICKLAND. SEE: QUESTION # 11 HEREIN.

ADDRESSING ISSUE #(9)

INNEFFECTIVE TRIAL COUNCEL FAILURE TO INVESTIGATE
RADIO/AUDIO TRANSMISSION (OC SOU6 CAD151835)

9). SEE: DOCKET # 13,33,43 IN 2254 PROCEEDINGS GROUND #10. DENIAL OF THIS GROUND WAS CONTRARY TO OR IN CONFLICT WITH THE FOLLOWING CASES - SEE: STRICKLAND -vs- WASHINGTON 466 U.S. 668, 687 (1984). AND FUTCH -vs- DUGGER 874, F2D, 483 (11th CIR. 1989) ALDRICH -vs- WAINWRIGHT, 777 F.2D, 630 (11th CIR. 1985) AND CODE -vs- MONTGOMERY, 799 F.2D, 1481 (11th CIR. 1986). PETITIONER HAS SET FORTH AND PROVEN DEFICIENT PERFORMANCE AND PREJUDICE FOR FAILURE TO INVESTIGATE THE RADIO/AUDIO. THIS COURTS APPELLATE JURISDICTION IS WARRANTED SO AS TO ALIGN "STARE DECISIS" SET BY THE ABOVE CASES. PETITIONERS 6th AMENDMENT RIGHT TO EFFECTIVE ASSISTANCE OF COUNCEL WAS VIOLATED. SEE QUESTION #13 HEREIN

ADDRESSING ISSUE #(10)

BRADY MATERIAL VIOLATION

10).

DENIAL OF GROUND #11 WAS CONTRARY TO OR IN CONFLICT WITH "STARE

REASONS FOR GRANTING PETITION AND ORIGINAL JURISDICTION CASE # 18-12452-B
ADDRESSING ISSUE # (10)
BRADY MATERIAL VIOLATION

10). CONT.

DECISIS SET IN BRADY-VS-MARYLAND, 373. US. 83 (1963) SEE: GROUND # (11) IN 2254 PROCEEDINGS DOCKETS #13, #33, #43 AND EXHIBIT #130 IN DOCKET #13 FOR SUPPORTING ARGUMENTS AND MATERIAL EVIDENCE. THIS COURTS APPELLANT JURISDICTION IS WARRANTED TO ALIGN "STARE DECISIS" WITH PETITIONERS ISSUE # 10. SEE QUESTION #14 HEREIN

ADDRESSING ISSUE # (11)
REVERSABLE ERROR BY TRIAL JUDGE
TWICE COMMENTING ON THE MASK

11).

THE DENIAL OF GROUND #12 IN 2254 PROCEEDINGS DOCKET(S) #13, #33, #43 WAS CONTRARY TO "STARE DECISIS" SET FOR REVERSABLE ERROR, EQUIVALENT TO "THROWING" A SKUNK IN THE JURY BOX. THE COURT CONCEDED THAT IT MADE PREJUDICIAL COMMENTS, AND GAVE A UNINFORMATIVE CURRATIVE INSTRUCTION TO THE JUROR. THE COMMENTS WERE A "MANIFEST INJUSTICE" ① IT CHANGED THE OUTCOME OF TRIAL ② IT WAS PLAIN ON THE RECORD ③ IT EFFECTED THE FUNDAMENTAL FAIRNESS OF TRIAL. SEE: "REVERSABLE ERROR" AND PREJUDICIAL ERROR 314. P. 2D 973, 976. THIS COURTS APPELLANT JURISDICTION IS WARRANTED TO ALIGN PETITIONERS CASE WITH STARE-DECISIS. SEE: QUESTION #15 HEREIN

ADDRESSING ISSUE # (12)
HABEAS DENIAL CASE #
#2012-CA-001823 AND APPEAL #1-DIC-4434

12).

SEE: GROUND #13 IN PETITIONERS 2254 PROCEEDING DOCKET(S) #13, #33, #43 AND ALL SUPPORTING ARGUMENTS AND (EXHIBITS, #131) AND CASE # 1-D12-5246. THE DENIAL OF THIS GROUND WAS ERRONEOUS AND A DEVIATION FROM THE ESSENTIAL REQUIREMENTS OF THE LAW SEE: (15. F2D. 285) AND 15. F. 2D. 285, 286, THE DENIAL WAS A VIOLATION OF PETITIONERS CONSTITUTIONAL RIGHTS TO DUE (29)

REASONS FOR GRANTING PETITION AND ORIGINAL JURISDICTION CASE # 18-12452-B

ADDRESSING ISSUE #(12)

HABEAS DENIAL CASE#

2012-CA-001823 AND APPEAL #1-D13-4434

12). CONT.

PROCESS UNDER THE 5th AND 14th AMENDMENT(S). PROBATION AND PAROLE WAS A AGENT FOR THE STATE, ACTING IN THE STATES BEHALF. THE STATE SHOULD HAVE ISSUED A HABEAS CORPUS AND DID NOT, AND PETITIONER IS UNLAWFULLY DETAINED AS A RESULT. THE 2254 COURT DENIED PETITIONER DUE PROCESS OF THE HABEAS CORPUS BY DENYING THIS GROUND AEDEPA DEFFERENCE SEE: 28. U.S.C. 2254 AND HARRINGTON -VS- RICHTER 562.U.S. 86, AT 98-100 (2011), - BY STATING PROBATION AND PAROLE COULD NOT ISSUE HABEAS, THE FEDERAL COURT CHANGED THE HABEAS, RULED ON THE MERITS TO A ISSUE FOR PROBATION, NOT UNLAWFULL CONFINEMENT THE WAY IT STARTED, AND SCHUFFLED IT INTO DENIAL, BY WAY OF REFUSING REVIEW. SEE: QUESTION #16 THIS COURT APPELLANT REVIEW IS WARRANTED.

ADDRESSING ISSUE #(13)

OKALOOSA SHERIFFS DEPT. ACTING AS A AGENT FOR THE STATE, VIOLATING PETITIONERS 4th, 5th, 6th AND 14th AMENDMENT(S) OF THE U.S. CONSTITUTION

13):

SEE: GROUND #14 IN PETITIONERS 2254 PROCEEDINGS, DOCKETS #13, #33, #43 AND ALL RELATED CASES AND ARGUMENTS AND EXHIBITS THEREIN. PETITIONERS 4th, 5th, 6th AND 14th AMENDMENTS WERE VIOLATED BY THE O.C.S.O. ACTING AS A AGENT FOR THE STATE. THEIR UNLAWFULL ACTIONS IN THE STATES BEHALF "DID INVOLVE THE VALIDITY OF PETITIONERS CONVICTION(S). A AGENT IS ONE WHO BY MUTUAL CONSENT ACTS FOR THE BENEFIT OF ANOTHER. THE 2254 COURT DENIED AEDEPA DEFFERENCE SEE: 28-U.S.C 2254 (D) AND HARRINGTON -VS- RICHTER 562.U.S. 86 AT 98-100. THE STATE AND O.C.S.O. CO-EXSITS WITH THE SAME OBJECTIVES, THEN IRONICALLY CLAIM INDEPENDENCE (30)

REASONS FOR GRANTING PETITION AND ORIGINAL JURISDICTION CASE # 18-12452-B
ADDRESSING ISSUE # (13)
OKALOOSA SHERIFFS DEPT. ACTING AS
A AGENT FOR THE STATE, VIOLATING
PETITIONERS 4th, 5th, 6th AND 14th
AMENDMENTS) OF THE U.S. CONSTITUTION

13). CONT.

WHEN THEIR CITED (AS HERE) FOR CONSTITUTIONAL VIOLATIONS THE O.C.S.O HAD A INTRICATE ROLE IN DISCOVERY, INCARCERATION, PHONE CALL RECORDINGS THAT WERE UTILIZED BY THE STATE UNLAWFULLY TO CONFISCATE PETITIONERS INSANITY DEFENSE, AND OTHER VIOLATIONS SUCH AS BRADY MATERIAL VIOLATIONS ETC. PETITIONERS CONVICTIONS COULD NOT HAVE BEEN HAD WITHOUT THE O.C.S.O ACTIONS AS THE STATES AGENT. THE APPELLANT JURISDICTION OF THIS COURT IS WARRANTED. SEE: QUESTION #17

ADDRESSING ISSUE # (14)

BRADY -VS- MARYLAND VIOLATION
373 U.S. 83 (1963) AND ALTERNATIVELY,
INNEFFECTIVE ASSISTANCE OF COUNSEL
"STRICKLAND -VS- WASHINGTON, 466 U.S. 668, 687 (1984)

14).

SEE: GROUND #17 IN PETITIONERS 2254 PROCEEDINGS DOCKETS #13,33, #43. DENIAL OF GROUND #17 WAS CONTRARY TO AND IN CONFLICT WITH BRADY AND STRICKLAND ABOVE. THE CONFLICT IS A COMPELLING REASON. THE CONFLICT IS A COMPELLING REASON FOR THIS ORIGINAL AND/OR APPELLATE JURISDICTION. THE LOWER TRIBUNALS DENIAL WAS ERRONEOUS AND AGAINST ALL THE RELEVANT FACTS AND MATERIAL EVIDENCE PRESENTED IN. SEE: QUESTION #18

ADDRESSING ISSUE # (15)

PROCEEDING AGAINST INCOMPETANT
PETITIONER AND NOT APPOINTING
HIM ATTORNEY IN 3.850 PROCEEDINGS

15).

PETITIONER CONSTITUTIONAL RIGHTS UNDER THE 5th AND 14th
(31)

REASONS FOR GRANTING PETITION AND ORIGINAL
JURISDICTION CASE # 18-12452-B

ADDRESSING ISSUE # (16)

REVERSABLE ERROR AND OR VIOLATION OF DUE PROCESS
FOR SUMARILY DENYING CERTAIN POST CONVICTION
(3.850) GROUNDS WITHOUT AN EVIDENTIARY
HEARING OR ATTACHING PORTIONS OF THE RECORD
TO REFUTE PETITIONER CLAIM

16). CONT.

MCLIN. ALSO SEE: ANDERSON -V- STATE 627. SO. 2D 1170 FLA (1993) SEE:
3.850 (E). THIS COURTS APPELLATE AND /OR ORIGINAL JURISDICTION
IS WARRANTED. SEE: QUESTION # 21

ADDRESSING ISSUE # (17)

"MULTIFARIOUS FRAUD" AND "OBSTRUCTION OF JUSTICE"
BY SENIOR ASSISTANT ATTORNEY GENERAL CHARLES
R. MCCOY, FLA. BAR # 333646 ON THE 1ST DISTRICT
COURT OF APPEALS FLORIDA

17).

SEE: GROUND #1, EXHIBIT #101 ET ALL OF PETITIONERS 2254
PROCEEDINGS AND DOCKET #9, #13, #33, #43 AND EXHIBIT #103, A
TRANSCRIPT OF ORAL ARGUMENTS IN THE 1ST D.C.A.
PETITIONERS CASE ON FRAUD IS SUPPORTED BY "STARE DECISIS" IN CASES:
STATE -VS- BURTON 314. SO. 2D. 136. (AND) BISHOP -VS- U.S. 774
F. 2D. 771 AND HAZEL-ATLAS GLASS CO -VS- HARTFORD EMPIRE CO.
64. S. CT 997, AND IVAN THE TERRIBLE; JOHN DEMJANJUK
10.F. 3D 338. MCCOYS "MULTIFARIOUS FRAUD" WAS COMMITTED IN
THE FORM OF "FRAUD ON THE COURT" OR "FRAUD" OR CONSTRUCTIVE
FRAUD OR EXTRINSIC FRAUD OR FRAUD IN FACT OR FRAUD IN
THE INDUCEMENT. MCCOYS "FRAUD" INDUCED A FRAUDULENT JUDGE-
MENT AND IT WAS REVIEWED BY THE 2254 COURT ASA CERTIFIED
ACCURATE TRUTHFULL RECORD WHEN ITS NOT. REVIEW OF THE
RECORD BY THE 2254 COURT AND THE 11TH CIR. COURT OF APPEALS,
DEFILLED THE 2254 REVIEW AND DEFILLED THE JUDGEMENT OF THE
1TH CIR. C.O.A. ATLANTA, G.A. THIS COURTS APPELLANT REVIEW

REASONS FOR GRANTING PETITION AND ORIGINAL JURISDICTION CASE # 18-12452-13
ADDRESSING ISSUE # (17)

"MULTIFARIOUS FRAUD" AND "OBSTRUCTION OF JUSTICE"
BY SENIOR ASSISTANT ATTORNEY GENERAL CHARLES
R. MCLOY, FLA. #333646 ON THE 1ST DISTRICT
COURT OF APPEALS FLORIDA.

17).

IS NECESSARY TO CORRECT THE FRAUDULANT JUDGEMENT(S)
SEE: QUESTION # 22

" ADDRESSING ISSUE # (18)

INNEFFECTIVE TRIAL COUNSEL, NOT ATTENDING
COMPENTENCY EVAL, OR VIDEOTAPED IT.

18).

SEE GROUND #2 IN 2254 PROCEEDINGS, DOCKET #13, #33, #43.
PETITIONER HAS ESTABLISHED THAT COUNSEL VIOLATED THE
STANDARD SET FORTH. IN STRICKLAND -VS- WASHINGTON 466 U.S.
668, 687 (1984) AND PETITIONER WAS ENTITLED TO HAVE THE
PSYC. EVAL. SEE: MARAMAN -VS- STATE, 980, SO 2D. 1086 (2008)
PETITIONERS CASE IS IN CONFLICT WITH STRICKLAND AND MARAMAN,
AND THIS COURTS APPELLANT JURISDICTION IS WARRANTED TO ALLEGED "STARE DECISIS" SEE: QUESTION # 23

ADDRESSING ISSUE # (19)

COMPETENCY ISSUE TRIAL
JUDGE(S) COMMENT

19).

SEE: GROUND #3 IN 2254 PROCEEDINGS DOCKETS #13, #33, #43. THE
TRIAL COURT JUDGE EXPRESSED HIS CONCERN(S) THAT PETITIONER
WAS "POSSIBLY NOT SANE", AND REQUESTED THAT PETITIONER BE
EVALUATED BY A PSYCHIATRIST OR PSYCHOLOGISTS. NEITHER
DEFENSE COUNSEL OR THE STATE PURSUED HIS CONCERN, AND
ULTIMIPLY NEITHER DID THE JUDGE. THIS "REVERSABLE ERROR"
CAUSED PETITIONER TO BE TRIED IN A ADVERSARIAL TRIAL, WHILE
PETITIONER WAS INCOMPETANT AND INSANE. THIS WAS A VIOLATION

REASONS FOR GRANTING PETITION AND ORIGINAL
JURISDICTION CASE # 18-12452-B

ADDRESSING ISSUE # (19)
COMPETENCY ISSUE TRIAL
JUDGES COMMENT

19).

OF PETITIONERS CONSTITUTIONAL RIGHT TO DUE PROCESS UNDER THE 5th AND 14th AMENDMENTS OF THE CONSTITUTION AND IN DIRECT CONFLICT OF THE "STARE DECISIS" ESTABLISHED IN CASES - DUSKY -VS- UNITED STATES 362-US 402 (1960) AND DROPE -VS- MISSOURI 420-US-162-171-172 (1975) AND PATE -VS- ROBINSON, 383 .U.S. 375, 378 (1966) SEE: ALSO EXHIBIT # 129 AND # 122 IN 2254 PROCEEDINGS, DOCKET #13, #33, #43 (GROUND #3) THIS COURTS APPELLANT JURISDICTION IS WARRANTED FOR THE ABOVE SAID CONFLICT(S) AND "REVERSABLE" ERRORS. SEE: QUESTION # 24 HEREIN.

REASONS FOR GRANTING PETITION AND ORIGINAL
JURISDICTION CASE # 18-12452-B

ADDRESSING ISSUE # 20
COMPETENCY, SUBNORMAL I.Q.

SEE: GROUND #4. IN 2254 PROCEEDINGS, DOCKETS #13, #33, #43, AND ALL EXHIBITS AND RELATED GROUNDS. ATTACHED TO THIS GROUND, IS MATERIAL RELEVANT FACTS AND EVIDENCE THAT PETITIONER HAS A SUB-NORMAL I.Q. AND UNABLE TO FULLY COMPREHEND THE PROCEEDINGS AGAINST HIM. THE DENIAL OF THIS GROUND IS IN DIRECT CONFLICT WITH "STARE DECISIS" SET. SEE: CASES - SMITH-VS-FRANCIS 106. S. CT 260) AND PENRY-VS-LYNAUGH -109. S. CT 2934) AND US-VS-DULTON -104 F. SUPP. 2D, 663) AND US-VS-HOSKIE -950 F 2D, 1388) AND WHITE -VS-ESTELLE -103. S. CT. 757) AND DUSKY -VS-UNITED STATES, 362. U.S. 402 (1960 AND DROPE -VS- MISSOURI, 420 .U.S. 162. 171 - 172 (1975). PROCEEDING AGAINST A INCOMPETANT/SUB. NORMAL I.Q. PETITIONER WAS A VIOLATION OF HIS 5TH AND 14TH AMENDMENTS TO DUE PROCESS OF THE LAW. THIS COURTS APPELLATE JURISDICTION IS NEEDED TO ALIGN THIS CASE WITH THE SET PRECEDENCE AND "STARE DECISIS" SEE: QUESTION # 25

CONCLUSION RELIEF

THIS "NEXT OF FRIEND PETITION" FOR WRIT — OF CERTIO RARI, SHOULD BE GRANTED AND ORIGINAL JURISDICTION OF THIS COURT BE ACCEPTED. PETITIONER HUMBLY PRAYS THIS HONORABLE COURT WILL ORDER COURT SERVICE, TO THE (6) JURORS AS THEIR ADDRESSES ARE CONFIDENTIAL. PETITIONER HUMBLY REQUEST IN ADDITION TO THIS WRIT BE GRANTED, THAT THIS HONORABLE COURT WILL ISSUE ALL WRITS AND ORDERS, TO "IMPANEL" A "SPECIAL GRAND JURY" AS OUTLINED IN PETITIONERS WRIT TO "IMPANEL" A "SPECIAL GRAND JURY" TO THE LOWER TRIBUNAL 2254 COURT AND FORWARDED TO THE 11TH CIR. C.O.A, WHERE DUE PROCESS WAS THWARTED. "IMPANELING" OF A "SPECIAL GRAND JURY" WOULD BE IN THE INTEREST OF JUSTICE, AND IN THE INTEREST OF THE PUBLIC, WHO ARE

CONCLUSION / RELIEF

CONT.

SEATED AS OUR CITIZENS IN JUROR POOLS "ONE OF THE HIGHEST DUTIES OF CITIZENSHIP." I BEG THIS COURT OF THE UNITED STATES OF AMERICA, TO REMEMBER THAT THESE JURORS WERE VICTIMIZED AND HAVE CONSTITUTIONAL RIGHTS THAT NEED TO BE AGGRESSIVLY PROTECTED BY OUR COURTS. PETITIONER EXHAUSTED ALL AVENUES TO HAVE THE PROSECUTORS INVESTIGATED AND ALL TURNED A "BLIND EYE" TO JUSTICE THAT MAKES OUR UNITED STATES SUCH A GREAT PLACE TO LIVE AS A ROLE LEADED, IN OUR ENTRE UNIVERSE - I SEEK APPELLATE JURISDICTION AS A FINAL "CHECK AND BALANCE" IN RECIEVING JUSTICE.

SEE: PROOF OF SERVICE

ATTACHED

DATE 11/27/19

r/s David Russell Posey
DAVID RUSSELL POSEY #d1853

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