

DOCKET #

19-7122

IN THE SUPREME COURT OF THE

UNITED STATES

ORIGINAL

VINODH RAGHUBIR
PETITIONER / PLAINTIFF

- V. ① SECRETARY DEPARTMENT OF CORRECTIONS
② 1ST DISTRICT COURT OF APPEAL
③ 2ND JUDICIAL CIRCUIT
④ JUDGE JOHN W. COOPER 2nd CIRCUIT
⑤ JUDGE KAREN GIBBERS 2nd CIRCUIT
⑥ KRISTINA SAMUELS, CLERK 1ST DC
⑦ JUDGE RAY C. 1ST DC
⑧ JUDGE WOLF 1ST DC
⑨ JUDGE MAKAR, J.D. 1ST DC
⑩ JUDICIAL ASSISTANTS AS TO 2-9
⑪ FLORIDA SUPREME COURT

RESPONDENTS / DEFENDANTS

ON PETITION FOR WRIT OF HABEAS CORPUS
ARISING FROM

"PETITION(S) FOR WRIT OF HABEAS CORPUS"

PURSUANT TO 10(2) OF THE SUPREME COURT OF
THE UNITED STATES.

WITH DEMAND FOR JURY TRIAL + ADMISSIONS

VINODH RAGHUBIR, PRO SE
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TAYLOR CORRECTIONAL
8501 HAMPTON SPRINGS RD
PERRY, FLORIDA 32348

RECEIVED

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SUPREME COURT, U.S.

11.13.19

1 of 2430 <ADMISS 2014 DATES>

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QUESTION

Whether pursuant to Supreme Court Rule 10(c), did the 1st District Court of Appeal, decide an important federal question in a way that conflicts with relevant decisions of this court in

1. *Buck v. Davis*, by "inverting the statutory order of operations", improperly finding indigently pursuant to the incorrect statute (<57.085 as opposed to 57.081>), which requires payment of filing fee, where state law considers a "petition for writ of mandamus" (<as filed in this case>), as a "collateral criminal proceeding", when the petition seeks return of unlawfully lost gain time directly affecting the length of incarceration, and)

2. *Parrish v. Ford Motor Company*, by subsequently, utilizing the improper finding of indigency to deny review on appeal in the 1st DCA, when the filing fee cannot be paid, (<see Parrish holding "Parrish is correct that a dismissal without prejudice is tantamount to a dismissal with prejudice when the dismissal has the effect of precluding a party from refiling his claims..." "dismissal that imposes payment of costs as a precondition to refiling, (<as is the case here>), is tantamount to dismissal with prejudice if the plaintiff is financially unable to pay the costs & fees", and)

3. *Castro v. United States*, by subsequently recharacterizing "petition(s) for writ of mandamus" litigating the foregoing, filed in the 1st D.C.A.,

"MOTIONS FOR REHEARING", WITHOUT CONSIDERATION
OF THE U.S. SUPREME COURT FINDING IN CASTRO, HOLDING
"FEDERAL DISTRICT COURT INTENDING TO RECHARACTERIZE
PRO SE LITIGANT'S MOTION... HELD REQUIRED TO
1. TO NOTIFY LITIGANT OF INTENDED RECHARACTERIZATION
AND ITS CONSEQUENCES AND
2. TO PROVIDE OPPORTUNITY TO WITHDRAW OR AMEND
MOTION,"

THUS,
DENYING THE PROCESS OF LAW, AS THE "STATE
COURT OF LAST RESORT" IN THIS INSTANCE IS
THE 1ST D.C.A., AND CONSIDERING DISCRETIONARY
REVIEW IS BARRED BY THE FLORIDA SUPREME
COURT, PURSUANT TO "THE CONSPIRACY TO PREDETERMINE
THE OUTCOME OF JUDICIAL PROCEEDINGS" ASHELMAN
V. POPE, VIOLATING THE SEPARATION OF POWERS
DOCTRINE."

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TABLE OF AUTHORITIES

1. SEPARATION OF POWERS DOCTRINE
2. BUCK V. JAVIS
3. PARRISH V. FORD MOTOR COMPANY
4. CASTRO V. UNITED STATES 540 US 375, 383,
124 S. CT. 786 157 LEd 2d 778 2003
5. ASHTAMAN V. POPE

STATEMENT OF THE CASE, FACTS,
ARGUMENT, CONCLUSION.

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SUBSEQUENT TO CONVICTIONS PROCURED BY RAAB, DECIET, COUNSION, THE DEFENDANTS CAPTIONED ABOVE, AND OTHERS, PURSUANT TO THE CONSPIRACY TO PREDETERMINE THE OUTCOME OF JUDICIAL PROCEEDINGS, CONTINUE TO VIOLATE THE "SEPARATION OF POWERS DOCTRINE", COMMITTING CONTRACT FRAUD, BREACH AND FRAUDULENT USE OF THE PETITIONER'S PERSONAL IDENTITY VIA INSERTION INTO UNWANTED & UNINTENDED CONTRACT LITIGATION, "RECHARACTERIZING IMPERMISSABLE" EVERY Pleading, AS INITIO, TO ISSUANCE OF ARREST WARRANTS ABROGATING, ABRIDGING, ALTERING, AMENDING, ENLARGING, MODIFYING SUBSTANTIVE RIGHTS & RULES OF PROCEDURE, EXCEEDING ABUSE OF DISCRETION, OVERSIGHT, MISS-APPROPRIATION, USURPTION OF POWER, TO THE EXTENT OF ORGANIZED FRAUD AND RACKETEERING, WHERE THE CONDUCT PROCURED FRAUDULENT, ATTEMPTED & /OR ACTUAL INSOLVENCY, COLLUSION OF FEES, COSTS, FINES, CONFINEMENT AND ALLEGED RESTITUTION.

PURSUANT TO THE CONSPIRACY TO PREDETERMINE THE OUTCOME OF JUDICIAL PROCEEDINGS, ON 6.12.18 THE CLASSIFICATION SUPERVISOR AT CROSS CITY C.I. AUTHORED THE VERBAGE OF AN OFFICIAL COURT ORDER UPON ISSUANCE OF THE FRAUDULENT D.R., TO CONCEAL THIS CONDUCT, SEVERAL ADDITIONAL FRAUDULENT D.R.'s WERE ISSUED, RESULTING IN "LOSS OF GRATITUDE" IN CONJUNCTION OF THE STATES "FBI" PLOT TO ASSASSINATE THE PETITIONER, 3 TIMES AFTER THE FIRST FRAUDULENT D.R.

THE "PETITIONS) FOR WRIT OF Mandamus" IN THE INSTANT CASE WERE PROCURED TO LITIGATE

THE RETURN OF THE FRAUDULENTLY LOST "GAINTIME."

PURSUANT TO "THE CONSPIRACY TO DETERMINE THE OUTCOME OF JUDICIAL PROCEEDINGS", THE COURTS CONTINUE TO "SPONSOR WALL", THE PETITIONER AS FOLLOWS.

1. AS TO THE 1ST MANDAMUS PETITION THE 2ND CIRCUIT FRAUDULENTLY FOUND INDILEGALLY PURSUANT TO FLA. STAT. 57.085 RATHER THAN THE CORRECT STAT. 57.081, WHICH DICTATES THAT A "PETITION FOR WRIT OF MANDAMUS", SECURING RETURN OF GAINTIME IS CONSIDERED A "COURT CRIMINAL PROCEEDING" EXHA 48 SO 3D 714 FLA. PAROLE COMMISSION V. SPALANO OCT 14 10 SUPREME COURT OF FLORIDA HOLDING "THE TEST ADOPTED IN SCHMIDT FOR THE PURPOSES OF THE EXEMPTION FROM THE PRISONER INDILEGALLY LITIGATION PROVISION 57.085, IS WHETHER THE ACTION AFFECTS THE LENGTH OF TIME AN INMATE WILL ACTUALLY SERVE IN PRISON." THE 2ND CIRCUIT REQUESTED TO RETURN THE "STOLEN" FUNDS, TO THE PETITIONER'S ACCOUNT VIA SEVERAL "MOTIONS TO VACATE," & /OR "WAIVER OF FILING FEES."

2. APPEALS WERE FILED AS TO

- ①. THE ORDER FINDING INDILEGALLY INCORRECTLY <1019-0474> AND
- ②. THE ORDER DENYING THE MOTION TO VACATE, <1019-1117>, IN THE 1ST DECA. THE CLERK OF THE 1ST DECA, TO CONCEAL THE FRAUDULENT CONDUCT OF THE CONSPIRATORS, DISMISSED THE PETITION APPEARS PURSUANT TO AULE (K)

11 FAILURE OF THE PETITIONERS TO PROVIDE A CONFORMED ORDER DEMONSTRATING INDIGENCY APPROVED BY THE 2ND CIRCUIT PURSUANT TO 57.081 OR PAY THE FILING FEE FOR THE APPEALS.

THE 2ND CIRCUIT, REQUESTED TO CORRECT THE ERROR AND RETURN THE \$5000 FUNDS, THE APPEALS WERE DISMISSED, PURSUANT TO THE CONSPIRACY.

ADDRESS OF THE ORIGINALE FRANKS WERE SUBVERTED.

3. A "PETITION FOR WRIT OF HABEAS CORPUS" WAS FILED IN THE 1ST DCA, DEMONSTRATING THE RELEVANT CONDUCT, NOW INCLUSIVE OF THE 1ST DCA CIRCUIT AS RESIDENT, ALLEGING THIS AS THE CAUSE FOR THE LOST WASTED PURSUANT TO THE CONSPIRACY.

4. THE CIRCUIT OF THE 1ST DCA, "IMPERMISSIBLY RECHARACTERIZED" THE PETITION AS A "MOTION FOR REHEARING CONTRARY TO CASTRO V. U.S."

5. AS TO THE 3RD HABEAS CORPUS PETITION, ANOTHER "PETITION FOR WRIT OF HABEAS CORPUS" WAS FILED IN THE 1ST DCA, ALLEGING THE VIOLATIONS OF CASTRO, PARRISH, BUCK V. DAVIS, PURSUANT TO THE PRIOR CONDUCT DEMONSTRATING THE CAUSE FOR THE LOST WASTED, PURSUANT TO THE CONSPIRACY TO PREDETERMINE THE OUTCOME OF JUDICIAL PROCEEDINGS.

6. THE 1ST DCA, "IMPERMISSIBLY RECHARACTERIZED" THE PETITION AS A "MOTION FOR REHEARING CONTRARY TO CASTRO V. U.S."

7 The INSTANT "PETITION FOR WRIT OF HABEAS CORPUS" WAS FILED.

BECAUSE THE "PETITIONS" FOR WRIT OF HABEAS CORPUS ARE COLLATERAL CRIMINAL PROCEEDINGS, THE COURT SHOULD HAVE FOUND INDUCEMENT PAYMENT TO \$7.081 NOT \$7.085. THE "STOLEN FUNDS" MUST BE RETURNED. < SEE SPALANO V. STATE > HOLDING "WE DO AGREE HOWEVER THAT THE LOWER COURT DEPARTED FROM THE ESSENTIAL REQUIREMENTS OF LAW BY DENYING PETITIONER'S MOTION FOR RELIEF FROM THE ORDER IMPOSING A LIEN ON HIS PRISON TRUST ACCOUNT FOR THE PURPOSE OF COVERING HIS APPELLATE COSTS." "A GRANTING CHALLENGE IS ANALOGOUS TO A COLLATERAL CHALLENGE TO A SENTENCE IN A CRIMINAL PROCEEDING BECAUSE THE END RESULT IS THE SAME... THE INMATE'S TIME IN PRISON IS DIRECTLY AFFECTED..."

THE COURT CANNOT SUBVERT ADDRESS BY INVERTING THE STATUTORY ORDER OF OPERATIONS, < BULL V. DAVIS >, PREDISPOSING THE PETITION FOR REHEARING OR APPEAL BY REQUIRING PAYMENT OF COSTS, WHEN COSTS CANNOT BE PAID, < PARRISH V. FORD MOTOR COMPANY >, AND/OR "IMPERMISSIBLY RECHARACTERIZING" THE PETITIONER'S HABEAS CORPUS PETITIONS, < CASTRO V. UNITED STATES >, TO "MOTIONS FOR REHEARING" WITHOUT NOTICE, WARNING OF CONSEQUENCES, & OPPORTUNITY TO WITHDRAW OR AMEND.

1 Vinodit RACHBIR, SWEAR UNDER PENALTIES OF PERJURY,
THAT THE FOLLOING IS TRUE CORRECT AND NOT MEANT TO
MISLEAD. I ALSO CERTIFY THAT A TRUE, CORRECT COPY
HAS BEEN FORWARDED 11.18.19

11.18.19 ① SECRETARY SOC 444 SHARBURTH BLVD SW
ATTORNEY GENERAL DAYTONA BEACH FL 32118

- ② 1ST DEPT //
- ③ 2ND JUDICIAL CIRCUIT //
- ④ JUDGE JOHN C. COOPER //
- ⑤ JUDGE KAREN GIBBERS //
- ⑥ KRISTINA SAMUELS //
- ⑦ JUDGE RAY E. //
- ⑧ JUDGE WOLF //
- ⑨ JUDGE MAIKAR //
- ⑩ JUDICIAL ASSISTANTS //
- ⑪ FLORIDA SUPREME COURT //

ATTORNEY GENERAL ET AL, COUNCIL.

✓ Vinodit RACHBIR

TAYLOR CO
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