

No. 19-7717

IN THE SUPREME COURT OF THE UNITED STATES

TARVIS WILSON,
PETITIONER,

VS.

MARK S. INCH, et al.,
RESPONDENT(S).

CASE NO. 19-7717
1st T^{erm} NO. SC19-1753

Supreme Court, U.S.
FILED

FEB 09 2020

OFFICE OF THE CLERK

PETITION FOR A WRIT OF CERTIORARI TO
THE UNITED STATES SUPREME COURT OF APPEALS FOR THE SUPREME
COURT OF FLORIDA

PETITION FOR WRIT OF CERTIORARI

PROVIDED TO
SANTA ROSA C.I. ON

FEB 09 2020

FOR MAILING BY

TW

TARVIS WILSON
B01216, DORM-B
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5850 EAST MILTON ROAD
MILTON, FLORIDA 32583-7914

QUESTION(S) PRESENTED

THIS WRIT OF CERTIORARI IS BEING FILED BASED ON A VIOLATION OF MY 14TH AMENDMENT DUE PROCESS RIGHT TO THE USC, AND CONFLICT BETWEEN DECISIONS OF DCA'S AND FLORIDA SUPREME COURT ALSO RULING IN THIS UNITED STATES SUPREME COURT, WHEREIN, THE FLORIDA SUPREME COURT DENIED WRIT OF HABEAS CORPUS, AS PROCEDURALLY BARRED, INTERIMALLY THAT THEY LACKED SUBJECT MATTER JURISDICTION TO RULE ON THE WRIT.

1. IS IT CONSTITUTIONAL ERROR FOR THE FLORIDA SUPREME COURT TO MAKE A ORDER ON WRIT OF HABEAS CORPUS SETTING FORTH A MANIFEST INJUSTICE, AS PROCEDURALLY BARRED WITHOUT ADDRESSING THE ENTIRETY OF THE WRIT POINT BY POINT?
2. AS A GENERAL ASPECT PURSUANT TO TRAVO PRACTICES UPON THE COURT, DOES IMPROPER WORDING AND MISAPPLIED CASE CITES MAKE A ORDER, JUDGMENT AND OR DECREE VOID, ONCE PROPERLY CHALLENGED VIA MOTION FOR RELIEF FROM JUDGMENT PURSUANT TO FED. R. 60(b)?
3. DOES IMPROPER WORDING IN THE ACT OF MISREPRESENTING THE FACTS AND MISAPPLIED CASE CITES IN A ORDER DENYING A WRIT OF HABEAS CORPUS AS PROCEDURALLY BARRED, THAT STATE IN THE ORDER "NO MOTION FOR REHEARING OR REINSTATEMENT WILL BE ENTERTAINED BY THIS COURT" DOES THAT PROPERLY AND CONSTITUTIONALLY BAR THE FILING OF A MOTION FOR RELIEF FROM JUDGMENT PURSUANT TO FED. R. 60(b)?
4. IS IT MANDATORY FOR A STATE SUPREME COURT TO ADHERE TO "SHALL" LAW?

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

[✓] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

JUDGE CANADY, CJ, FLA SUP CT
JUDGE POLSTON, FLA SUP CT
JUDGE LABARGA, FLA SUP CT
JUDGE LAGOA, FLA SUP CT
JUDGE MUNIZ, JJ, FLA SUP CT

CLERK JOHN A. TOMASINO, FLA SUP CT
CLERK SHARON R. BOCK, 15TH JUDICIAL CIRCUIT
CLERK CELIA TERENZIO
KENNETH SCOTT STEELY

RELATED CASES

WILSON v. STATE, 114 SO.3d 290 (FLA. 4TH DCA 2013)
WILSON v. STATE, 183 SO.3d 366 (FLA. 4TH DCA 2015)
WILSON v. STATE, 210 SO.3d 67 (FLA. 4TH DCA 2016)

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PRAYER

PETITIONER TARNIS WILSON PRO SE RESPECTFULLY REQUEST THAT THIS COURT ISSUE A WRIT OF CERTIORARI TO REVIEW THE SUPREME COURT OF FLORIDA OPINION AND JUDGMENT IN AND FOR THE STATE OF FLORIDA IN THIS CASE.

OPINIONS BELOW

THE OPINION AND JUDGMENT OF THE SUPREME COURT OF FLORIDA IS ATTACHED AS EXHIBIT (A) DENYING PETITIONER WRIT OF HABEAS CORPUS, WHICH IS CONFLICTING WITH THIS COURT'S OPINION UNITED STATES SUPREME COURT "AVAILABILITY OF HABEAS CORPUS RELIEF SHOULD DEPEND PRIMARILY ON THE CHARACTER OF THE ALLEGED CONSTITUTIONAL VIOLATION AND NOT ON THE PROCEDURAL HISTORY UNDERLYING THE CLAIM" (SEE) ROSE V. LUNDY, 455 U.S. 509, 71 L. Ed. 2d 379, 102 S.Ct. 1198 (1982) ALSO SEE UNITED STATES V. ADDONIZIO, 442 U.S. 178, 185, 60 L. Ed. 2d 805, 99 S.Ct. 2235 (1979).

JURISDICTION

THE JUDGMENT OF THE SUPREME COURT OF FLORIDA WAS ENTERED ON NOVEMBER 21, 2019, MOTION FOR RELIEF FROM JUDGMENT WAS FILED DECEMBER 12, 2019, WHICH WAS STRICKEN AS UNAUTHORIZED. DECEMBER 30, 2019, THIS PETITION FOR CERTIORARI IS FILED WITHIN 90 DAYS OF THE LAST DATE. THE JURISDICTION OF THIS COURT IS INVOKED UNDER 28 USC § 1257(a) (ALSO SEE) ART. V, § 3 (6) (9) OF FLORIDA CONSTITUTION.

CONSTITUTIONAL PROVISIONS INVOLVED

U.S. CONST. 14TH AMENDMENT, WHICH STATES
NOR SHALL ANY STATE DEPRIVE ANY PERSON OF LIFE, LIBERTY
OR PROPERTY WITHOUT DUE PROCESS OF LAW.

X

STATEMENT OF THE CASE AND FACTS

ON AUGUST 25, 2008 THE STATE FILED A (10) TEN COUNT FELONY INFORMATION UNDER CASE NO. 2008CT012010AMBXXX.

ON SEPTEMBER 12, 2008 FIRST APPEARANCE WAS HELD (26) TWENTY-SIX DAYS AFTER PETITIONER WAS ARRESTED AUGUST 17, 2008.

ON MARCH 31, 2009 PETITIONER FILED MOTION TO WITHDRAW, AND APPOINT OTHER COUNSEL FOR CAUSE DURING AN ATTORNEY VISIT COURT APPOINTED COUNSEL TOLD THE PETITIONER HE WAS GUILTY OF ALL CHARGES.

ON MARCH 10, 2011 HEARING EVENT SCHEDULED, 5-13-11, 9:15 MH-MOTION HEARING, NELSON HEARING PRO-SE MOTION TO DISMISS COUNSEL, WAS FILED CAUSE COUNSEL SAID HE WAS GOING TO ADMIT PETITIONERS GUILT TO THE JURY AT JURY TRIAL AND PETITIONER DISAGREED.

ON OCTOBER 21, 2011 PETITIONER OBJECTED TO COUNSEL AGREEING TO STATES MOTION IN LIEU OF NOT PRESENT ANY EXCULPATORY EVIDENCE AT PETITIONERS UP AND COMING JURY TRIAL.

ON OCTOBER 25, 2011 PETITIONER WAS FORCED TO GO TO JURY TRIAL WITH AN INEFFECTIVE COUNSEL WITH A IRREPARABLE CONFLICT WHOM FORCED PETITIONER TO JURY TRIAL WITH A INSANITY DEFENSE ON PETITIONER AND DURING TRIAL ADMITTED PETITIONER'S GUILT TO THE JURY AGAINST THE PETITIONERS WILL AND TWO OBJECTIONS VIA MOTIONS TO DISCHARGE COUNSEL, WHICH THE PETITIONER DECLARED HIS INNOCENCE ALL THE WAY THROUGH THE COURT PROCEEDINGS THAT PETITIONER WAS NOT GUILTY.

ON NOVEMBER 1, 2011 PETITIONER WAS MALICIOUSLY

PROSECUTED AND CONVICTED OF (1) SEVEN CHARGES DUE TO A LIST OF CONSTITUTIONAL VIOLATIONS TO THE U.S.C. MAINLY INEFFECTIVE ASSISTANCE OF COUNSEL.

ON NOVEMBER 4, 2011 PETITIONER WAS SENTENCED TO LIFE PLUS 87 YEARS ON UNCONSTITUTIONAL CONVICTIONS. COUNSEL FILED DIRECT APPEAL.

ON OCTOBER 18, 2013 THE PETITIONER FILED A RULE 3.850 MOTION FOR POST CONVICTION RELIEF, ~~PERIOD~~

ON FEBRUARY 4, 2014 THE TRIAL COURT GAVE AN ORDER, DIRECTING STATE TO RESPOND TO PETITIONER'S MOTION FOR POST CONVICTION RELIEF DEEMING ALL GROUNDS WERE LEGALLY SUFFICIENT.

ON MARCH 24, 2015 THE STATE FILED A FRAUDULENT RESPONSE TO THE PETITIONER'S RULE 3.850 MOTION FOR POST CONVICTION RELIEF.

ON APRIL 10, 2015 THE TRIAL COURT ADOPTED THE STATES FRAUDULENT RESPONSE TO PETITIONER'S RULE 3.850 MOTION FOR POST CONVICTION RELIEF.

ON APRIL 17, 2015 THE PETITIONER FILED A MOTION FOR REHEARING, FOR HIS RULE 3.850 MOTION FOR POST CONVICTION RELIEF.

ON APRIL 21, 2015 THE TRIAL COURT DENIED PETITIONER'S MOTION FOR REHEARING.

PETITIONER APPEALED, WHICH THE FOURTH DCA PER CURIAM

AFFIRMED WITHOUT WRITTEN OPINION IN WILSON V STATE, 210 SO.3d 67 (FLA. 4TH DCA 2016). MANDATE ISSUED APRIL 29, 2016.

ON FEBRUARY 6, 2017 MOTION TO NOTIFY THE COURT OF MISCONDUCT BY LEIGH LASSITER MILLER VIA MALICIOUSLY MISREPRESENTING THE FACTS IN PETITIONERS AMENDED POST CONVICTION RELIEF CROUND 2A FOR HER RESPONSE IN THE ABOVE STYLED CASE NUMBER. EXHIBIT "C".

ON MAY 31, 2017 AFFIDAVIT OF TRUTH IN SUPPORT MOTION TO NOTIFY THE COURT OF MISCONDUCT BY LEIGH LASSITER MILLER VIA MALICIOUSLY MISREPRESENTING THE FACTS PETITIONERS AMENDED POST CONVICTION RELIEF CROUND 2A FOR HER RESPONSE IN THE ABOVE STYLED CASE NUMBER TO ATTAIN RELIEF AS COMPLETE REVERSAL. EXHIBIT "D".

ON DECEMBER 17, 2017 REQUEST FOR INTERNAL REVIEW OF EMPLOYEE MISCONDUCT. EXHIBIT "E".

ON DECEMBER 25, 2017 AFFIDAVIT OF TRUTH IN SUPPORT OF REQUEST FOR INTERNAL REVIEW OF EMPLOYEE MISCONDUCT TO GET A ORDER FOR COMPLETE REVERSAL AND REMAND FOR A NEW TRIAL. EXHIBIT "F".

ON JANUARY 8, 2019 THE FLORIDA BAR INQUIRY / COMPLAINT FORM W/ AFFIDAVIT. EXHIBIT "G".

ON JANUARY 23, 2019 THE FLORIDA BAR RESPONSE # 19-9134 TO EXHIBIT "G". EXHIBIT "H".

ON FEBRUARY 4, 2019 JUDICIAL QUALIFICATIONS COMMISSION INQUIRY / COMPLAINT FORM W/ AFFIDAVIT. EXHIBIT "I".

ON FEBRUARY 8, 2019 JUDICIAL QUALIFICATIONS
COMMISSION RESPONSE # 19-063 x EXHIBIT "J"

ON MARCH 12, 2019 JUDICIAL QUALIFICATIONS
COMMISSION SECOND RESPONSE # 19-063 x EXHIBIT "K"

ON OCTOBER 6, 2019 PETITION FOR WRIT OF HABEAS
CORPUS / IN THE ALTERNATIVE MOTION FOR THE FLORIDA SUPREME COURT TO
RENDER PROPER JUDGMENT FOR THE LOWER COURTS - MANIFEST
INJUSTICE x EXHIBIT "L"

ON NOVEMBER 21, 2019 ORDER DENYING "WRIT"
EXHIBIT "L" AS PROCEOURALLY BARRED x EXHIBIT "A"

ON ~~DECEMBER~~ 12, 2019 MOTION FOR RELIEF FROM
JUDGMENT IN ORDER OF NOVEMBER 21, 2019 IN CASE # SC19-1753.
EXHIBIT "M"

ON DECEMBER 30, 2019 ORDER BY CLERK STRIC-
KEN "MOTION FOR RELIEF" EXHIBIT "M" AS UNAUTHORIZED.
EXHIBIT "B"

ON FEBRUARY 9, 2020 PETITION FOR WRIT OF
CERTIORARI.

REASON FOR GRANTING THE PETITION

PETITIONER DECLARES THAT FLORIDA SUPREME COURT ORDER IS IN DIRECT CONFLICT WITH THIS COURT'S PRIOR RULINGS IN ROSE V LUNDY AND UNITED STATES V. ADDONIZIO.

THE ORDER IN QUESTION IS EXHIBIT "A" WRIT OF HABEAS CORPUS. WHEREIN, PETITIONER SETS FORTH A MANIFEST INJUSTICE.

THE ORDER EXHIBIT "A" IS IN DIRECT CONFLICT WITH JASON A. QUARLES, APPELLANT, V. STATE OF FLORIDA, APPELLEE. COURT OF APPEAL OF FLORIDA, FIRST DISTRICT 56 SO.3D 857; 2011 FLA. APP. LEXIS 2677; 36 FLA. L. WEEKLY D469 CASE NO. 1D10-1277. FOR FACT, THE PETITIONERS WRIT OF HABEAS CORPUS WAS FACIALLY SUFFICIENT TO STATE A PRIMA FACIE CASE FOR RELIEF. IN QUARLES V. STATE, THE FIRST DISTRICT COURT REVERSED AND REMANDED THE TRIAL COURT DISMISSAL OF WRIT OF HABEAS CORPUS DECLARING PERTINENT PARTS "IF THE COMPLAINT STATES PRIMA FACIE GROUNDS FOR RELIEF, THE TRIAL COURT MUST ISSUE THE WRIT, REQUIRING A RESPONSE FROM THE DETAINING AUTHORITY. 79.01, FLA. STAT.; FLA. R. CIV. P. 1.630 (d)(5). THEREIN, IN PETITIONERS PRESENT CASE THE FLORIDA SUPREME COURT NEVER ADDRESSED AND ASSESS POINT BY POINT PETITIONERS FACIALLY SUFFICIENT WRIT THAT STATED A PRIMA FACIE CASE FOR RELIEF. AS WAS DONE IN BREELOVE. WHICH CONFLICTS WITH THE PETITIONERS CASE FOR FACT, THE DENIAL IN EXHIBIT "A" IS A CLEAR VIOLATION OF PETITIONERS 14TH AMENDMENT SECTION 1 TO THE USC (PROCEDURAL DUE PROCESS) FOR NOT ASSESSING AND ADDRESSING

IN ROSE V LUNOY THIS COURT HELD "AVAILABILITY OF HABEAS CORPUS RELIEF SHOULD DEPEND PRIMARILY ON THE CHARACTER OF THE ALLEGED CONSTITUTIONAL VIOLATION AND NOT ON THE PROCEDURAL HISTORY UNDERLYING THE CLAIM." * THEREIN, ROSE V LUNOY IS IN DIRECT CONFLICT TO THE ORDER IN QUESTION EXHIBIT "A" WHEREIN, THE ORDER EXHIBIT "A" PETITIONERS WRIT WAS DENIED AS PROCEOURALLY BARRD, * YET, IT WAS HELD IN THIS COURT THAT HABEAS CORPUS SHOULD NOT BE DENIED ON THE PROCEDURAL HISTORY UNDERLYING THE CLAIM * WHICH ENTITLES PETITIONER TO RELIEF PURSUANT TO SUPREME COURT RULE 10(C) *.

IN UNITED STATES V ADDONIZIO THIS COURT HELD "HABEAS CORPUS HAS LONG BEEN AVAILABLE TO ATTACK CONVICTIONS AND SENTENCES ENTERED BY A COURT WITHOUT JURISDICTION" * IN OTHER WORDS, THE DOCTRINE OF PROCEDURAL DEFAULT PURSUANT TO WRIT OF HABEAS CORPUS DOES NOT APPLY * THEREIN, UNITED STATES V ADDONIZIO IS IN DIRECT CONFLICT TO THE ORDER IN QUESTION EXHIBIT "A" * WHEREIN, THE ORDER EXHIBIT "A" PETITIONERS WRIT WAS DENIED AS PROCEOURALLY BARRD * WHEN IN FACT SEE EXHIBIT "C" MOTION TO NOTIFY WHERE THE MANIFEST INJUSTICE BECAME FROM THE MARCH 24, 2015 RESPONSE BY THE STATE ADOPTED APRIL 10, 2015 BY THE LOWER COURT THE FRAUDULENT CLEARLY RESPONSE BY THE STATE SEE EXHIBIT "C" ATTACHED EXHIBIT(S) A & B PETITIONERS GROUND 24 PERTINENT PART SPECIFICALLY, AT TRIAL DEFENSE COUNSEL ADMITTED PETITIONERS GUILT OVER PETITIONERS OBJECTION * THE STATE'S FRAUDULENT RESPONSE TO GROUND 24 PERTINENT PART " APPEARS TO ALLEGE THAT COUNSEL ADMITTED HIS GUILT AT TWO PRETRIAL HEARINGS, BUT FAILS TO ALLEGE HOW DISCUSSIONS DURING PRETRIAL HEARINGS AFFECTED HIS JURY TRIAL * THE STATE CLEARLY MIS REPRESENTED THE FACTS THAT WAS ADOPTED BY THE COURT WHICH WAS FRAUD PRACTICED UPON THE COURT, * FOR FACT, THE CONSTITUTIONAL VIOLATION IS DEFENSE COUNSEL ADMITTING PETITIONERS

• GUILTY AGAINST HIS WILL AND OBJECTIONS PERTAINING TO TWO MOTIONS
• TO DISCHARGE COUNSEL TO NOT ADMIT PETITIONERS GUILTY * WHICH DEFENSE COUNSEL
• DID IN FACT ADMIT PETITIONERS GUILTY TO THE JURY AT HIS JURY TRIAL * THEREIN,
• BY THE STATE ALLEGING IT APPEARS COUNSEL ADMITTED HIS GUILTY AT TWO
• PRETRIAL HEARINGS * ~~WHICH~~ PETITIONER NEVER DECLARED. PETITIONER
• DECLARED THE ADMITTAL CONDUCTING HAPPEN AT TRIAL * THEREFORE, THE
• STATE CONTINUED RESPONSE BUT FAILS TO ALLEGE HOW DISCUSSIONS DURING PRETRIAL
• HEARINGS AFFECTED HIS JURY TRIAL * WHICH WAS ALLEGED TO ATTEMPT TO DENY
• THE ACTUAL CONSTITUTIONAL VIOLATION THAT TOOK PLACE AT TRIAL, FOR FACT, IT
• WOULDN'T BE CONSTITUTIONAL ERROR FOR COUNSEL TO ADMIT GUILTY AT A PRETRIAL
• HEARING, SO THE STATE INTENTIONALLY MISREPRESENTED THOSE FACTS TO GET
• THE COURT TO NOT LOOK INTO THE ACTUAL FACTS OF COUNSEL ADMISSION OF
• PETITIONERS GUILTY AT TRIAL * ADMISSION OF GUILTY AT TRIAL AGAINST
• A PETITIONERS WILL OR CONSENT IS A CONSTITUTIONAL ERROR ENTITLING
• REVERSE AND REMAND FOR A NEW TRIAL SEE WILEY V. SOWERS,
• 647 F.2d 642, 1981 U.S. App. LEXIS 13929 NO. 80-3445 (1981),
• FRANCIS V. SPRAGGINS, 720 F.2d 1190, 1983 U.S. App. LEXIS 15343
• NO. 83-8338 (1983) & U.S. V. SWANSON, 943 F.2d 1070, 1991
• U.S. App. LEXIS 19734, 91 Cal. Daily Op. Service 6907, 91
• DAILY JOURNAL DAB 10493 NO. 90-10085 (1991), * THEREIN,
• THE CONTINUED DENIAL OF THE APPEALS TO THE ADOPTION OF THE STATES BRAND-
• VULNT MARCH 24, 2015 RESPONSE IS A CLEAR SHOWING OF A MANIFEST
• INJUSTICE * THEREFORE, THE WRIT OF HABEAS CORPUS EXHIBIT "A"
• TO THE FLORIDA SUPREME COURT SHOULD HAVE BEEN GRANTED AS IT
• WAS FACIALLY SUFFICIENT TO STATE A PRIMA FACIE CASE FOR RELIEF *
• AS BEEN SET FORTH CLEARLY.

• IN STEPHENS V. STATE, 974 So.2d 455, 2008 Fla. App. LEXIS 503, 33
• Fla. L. WEEKLY D251 CASE NO. 2006-4025 (2008) WHICH IS

A SECOND DISTRICT COURT OF APPEAL FOR FLORIDA THAT DECLARES
"TO PREVENT A MANIFEST INJUSTICE AND A DENIAL OF DUE PROCESS,
RELIEF MAY BE AFFORDED EVEN TO A LITIGANT RAISING A SUCCESSIVE
CLAIM" * THEREIN, THE QUESTION IS "IS IT CONSTITUTIONAL
ERROR FOR THE FLORIDA SUPREME COURT TO MAKE A ORDER ON WRIT
OF HABEAS CORPUS SETTING FORTH A MANIFEST INJUSTICE, * AS
PROCEDURALLY BARRED WITHOUT ADDRESSING THE ENTIRETY OF THE
WRIT POINT BY POINT?" YES, IT IS FOR FACT, THE PETITIONER
CLEARLY HAS SHOWN A MANIFEST INJUSTICE, THEREIN, THE SECOND
DISTRICT COURT OF APPEAL FOR FLORIDA DECISION(S) IN STEPHENS,
LAWTON V STATE, 731 SO.2D 60, 61 (FLA. 2D DCA 1999), ~~THE~~
~~THE SECOND DISTRICT COURT OF APPEAL FOR FLORIDA DECISION(S) IN~~ & ZENO V. STATE,
910 SO.2D 394, 396 (FLA. 2D DCA 2005) IS IN DIRECT CONFLICT
WITH THE FLORIDA SUPREME COURT CASES IN EXHIBIT "A" TO DENY
PETITIONERS MANIFEST INJUSTICE WRIT, WHEREIN, THEY WERE
USED CONSOLIDATED, * FOR FACT, NEITHER ONE DENSON NOR BREEDLOVE
APPLY SINCE RANDOMLY TO A MANIFEST INJUSTICE PERIOD * SEE EXHIBIT
"M" MOTION FOR RELIEF FROM JUDGMENT WERE THE COMPLETE
BREAKDOWN OF DENSON AND BREEDLOVE IS BROKE DOWN.

THEREFORE, THE ABOVE QUESTION IS A QUESTION OF IMPORTANCE
FOR REASON AND FACT, IT WILL PREVENT FUTURE WRIT OF CERTI-
ORARI'S BEING FILED TO THE US SUPREME COURT FOR A MANIFEST
INJUSTICE THAT SHALL AND WILL BE GRANTED FOR SUPREME
COURT REVIEW.

IN STATE V GLOVER, 569 SO.2D 191 (FLA. 5TH DCA 1990)
WHICH IS A FIFTH DISTRICT COURT OF APPEAL FOR FLORIDA THAT
DECLARES "A FINAL ORDER PROCURED BY FRAUDULENT TESTIMONY
AGAINST A DEFENDANT IN A CRIMINAL CASE IS DESERVING OF NO PROTECTION
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AND DUE PROCESS REQUIRES THAT HE BE GIVEN EVERY OPPORTUNITY TO
EXPOSE THE "FRAUD" AND OBTAIN RELIEF FROM IT." * BOOKER V STATE,
503 SO.2D 888 (FLA. 1987) "THE COURTS INHERENT POWER TO CORRECT
CRIMINAL JUDGMENT BASED UPON FRAUD, DECEIT, OR MISTAKE APPLIES TO ALL
ORDERS / JUDGMENTS OF THE COURTS, INCLUDING JUDGMENTS RENDERED
IN POST CONVICTION PROCEEDINGS." * RAMAGLI REALTY CO. V
CRANER, 121 SO.2D 648, 654 (FLA. 1960) "A VOID JUDGMENT
VIA FRAUD IS A NULLITY, A "BRUTUM FULMEN" AND SUBJECT TO COLLATERAL
ATTACK AT ANY TIME. * A VOID JUDGMENT IS DEFINED AS "ONE WHICH HAS
NO LEGAL FORCE OR EFFECT, INVALIDITY OF WHICH MAY BE ASSERTED BY
ANY PERSON WHOSE RIGHTS ARE AFFECTED AT ANY TIME AND AT ANY PLACE
DIRECTLY OR COLLATERALLY." * REYNOLDS V VOLUNTEER STATE LIFE
INS. CO., 805 N.W. 2D 1087, 1092 "A VOID JUDGMENT"
"ONE WHICH FROM ITS INCEPTION IS AND FOREVER CONTINUES TO BE
ABSOLUTELY NULL, WITHOUT LEGAL EFFICACY, INEFFECTUAL TO BIND
PARTIES OR SUPPORT A RIGHT, OR NO LEGAL FORCE AND EFFECT WHATEVER,
AND INCAPABLE OF CONFIRMATION, RATIFICATION, OR ENFORCEMENT
IN ANY MANNER OR TO ANY DEGREE." * STATE V BURTON, 314 SO.2D
136 (FLA. 1975) "ANY ORDER OBTAINED BY FRAUDULENT REPRESENTATION
TO A COURT MAY BE RECALLED AND SET ASIDE, WHETHER ENTERED IN A CIVIL
OR CRIMINAL CASE." * "ORDERS, JUDGMENTS, OR DECREES WHICH ARE THE
PRODUCT OF FRAUD, COLLUSION, MISTAKE, ETC. MAY BE VACATED, MODIFIED,
OPEN OR OTHERWISE ACTED UPON AT ANY TIME." * WHICH COINCIDES WITH
28 USC § 2106 "RELIEF FROM A VOID JUDGMENT MAY BE GRANTED AT
ANY TIME" * VIETS V AMERICAN RECRUITERS ENTERPRISES, INC., APP. 401ST.
922 SO.2D 1090 (2006) FRAUD VITIATES ALL ORDERS,
JUDGMENTS, AND OR DECREES. THEREIN, THE QUESTION IS
"AS A GENERAL ASPECT PURSUANT TO FRAUD PRACTICED UPON THE COURT,
DOES IMPROPER WORDING AND MISAPPLIED CASE CITES MAKE A ORDER,
JUDGMENT AND OR DECREE VOID? ONCE PROPERLY CHALLENGED VIA
MOTION FOR RELIEF FROM JUDGMENT PURSUANT TO Fed. R. 60(b)?"

YES, IT IS FOR FACT, IMPROPER WORDING MEANS FALSE FACTS
PRODUCE AND DECLARED IN A ORDER, JUDGMENT AND OR DECREE TO BE
TRUE, YET, REALLY ARE FALSE, THEREIN, THE ADOPTION OF FALSE FACTS
IN A ORDER, JUDGMENT AND OR DECREE IS THE ADOPTION OF
FRAUD PRACTICED UPON THE COURT, THEREIN, THE STATE'S RESPONSE
OF MARCH 24, 2015 EXHIBIT "C" ATTACHED "A" IS FRAUD PRACTICED
UPON THE COURT AND THE CONTINUED ADOPTION BY THE APPELLATE COURTS IS
A CLEAR MANIFEST INJUSTICE CLOVER, BOOKER, KAMAGLI,
REYNOLDS, BURTON & VIETS, WHICH TO RULE IN THE SAME
MANNER IN THIS CASE WILL BE A STARE DECISIS DECISION
WHICH WOULD BE PROPER AND JUST.

THEREFORE, THE ABOVE QUESTION IS A QUESTION OF IMPORTANCE
FOR REASON AND FACT, IT WILL HAVE THE LOWER COURTS (FEDERAL)
AND SUPREME COURTS OF THE STATES TAKE IN WHOLE ALL THE FACTS W/O
JUST CONSIDERING RULES AND RESPONSES MADE BY THE LOWER COURT AND
STATE ATTORNEYS AND ATTORNEY GENERALS, WHICH WILL PROVIDE NEW
PRECEDENT IN ASSESSING AND ADDRESSING LEGAL VEHICLES FILED TIMELY
AND SUFFICIENT * THAT WILL PROMPTLY STOP ISSUES ON WRIT OF
CERTIORARI THAT CAN PROPERLY BE ADDRESSED IN LOWER COURTS.

FEDERAL RULES OF CIVIL PROCEDURE 60(b) GROUNDS
FOR RELIEF FROM A FINAL JUDGMENT, ORDER, OR
PROCEEDING. (1) MISTAKE, INADVERTENCE, SURPRISE, OR
EXCUSABLE NEGLECT; (3) FRAUD (WHETHER PREVIOUSLY CAUSED
INTRINSIC OR EXTRINSIC), MISREPRESENTATION, OR MISCONDUCT
BY AN OPPOSING PARTY; (4) THE JUDGMENT IS VOID, AND
(6) ANY OTHER REASON THAT JUSTIFIES RELIEF. THEREIN, THE
QUESTION IS "DOES IMPROPER WORDING IN THE ACT OF MISREPRESENTING
THE FACTS AND MISAPPLIED CASE CITES IN A ORDER DENYING A WRIT OF HABEAS

"CORPUS AS PROCEOURALLY BARRED" * THAT STATE IN THE ORDER
"NO MOTION FOR REHEARING OR REINSTATEMENT WILL BE ENTERTAINED BY
THIS COURT" * DOES THAT PROPERLY AND CONSTITUTIONALLY BAR THE FILING
OF A MOTION FOR RELIEF FROM JUDGMENT PURSUANT TO FED. R.
60(b) ? **NO**, FOR FACT, A MOTION FOR RELIEF FROM
JUDGMENT PURSUANT TO FED. R. 60(b) ISNT A "REHEARING OR REINSTATE-
MENT" * THEREFORE, A JUDGE SHOULD HAVE ADDRESSED THE MATTER
AND NOT THE CLERK OF COURT.

THEREFORE, THE ABOVE QUESTION IS A QUESTION OF IMPORTANCE FOR
REASON AND FACT, IT WILL ADDRESS PROCEDURE ERROR IN
CONGRAL * AND THEN MAKE THE JUDGE(S) ORDER TO THE CLERK(S)
OF THE LOWER COURTS TO ONLY ENTER JUDGMENTS, ORDERS AND DECREES
THAT THE JUDGE(S) HAVE RULED UPON.

SHALL * MEANS IN THE LAW THAT THE JUDGE HAS NO DISCRETION BUT TO
ACT UPON THE LAW AS IS. * THEREIN, THE QUESTION IS "IS IT
MANDATORY FOR A STATE SUPREME COURT TO ADHERE TO "SHALL" LAW ?
YES, FOR FACT, THE STATE SUPREME COURTS ARE REPRESENTED BY
THE JUDGE(S) EMPLOYED BY THEM * THEREIN, THE JUDGE(S) IN THEIR
OFFICIAL CAPACITIES ARE COMPELLED AND BOUND BY SHALL LAW UNDER
STARE DECISIS TO RULE IN THE SAME LIGHT.

THEREFORE, THE ABOVE QUESTION IS A QUESTION OF IMPORTANCE FOR
REASON AND FACT, THAT IT WILL GIVE LOWER COURT JUDGE(S) THE
INCENTIVE TO ADDRESS SHALL AND MUST ACCORDING TO LAW
AS MANDATORY WITH NO DISCRETION TO DISSENT TO PREVENT
EXTEND APPEALS AND THE CREATION OF UNJUST AND UNNEEDED
MANIFEST INJUSTICE THAT WILL BE EVENTUALLY LITIGATED IN
A WRIT OF CERTIORARI TO THE US SUPREME COURT.

CONCLUSION

WHEREFORE, BASED ON THIS COURT OPINION IN ROSE
V LUNDY, 71 L ED 2D 379, 455 US 509, 102 S CT 1198 (1982) ALSO
UNITED STATES V ADDONIZIO, 442 U.S. 178, 185, 60 L ED 2D 805,
99 S. CT. 2235 (1979) AND THE FACTS AND AUTHORITIES CITED
IN THIS WRIT OF CERTIORARI THATS CONTROLLING PETITIONER REQUEST-
ING THAT THIS COURT VACATE THE FLORIDA SUPREME COURT IMPROPER
DECISIONS CITED IN DENYING WRIT OF HABEAS CORPUS & MOTION FOR
RELIEF AND REVERSE THIS CASE WITH INSTRUCTIONS FOR IMMEDIATE
RELEASE AND VACATING ALL PETITIONERS CONVICTIONS.

THAT THE PETITIONERS WRIT OF CERTIORARI SHOULD BE GRANTED.

ANY OTHER RELIEF THIS COURT FINDING SUITABLE.

RESPECTFULLY SUBMITTED,

DATE ^x FEBRUARY 9, 2020

THE NAMES AND ADDRESSES OF THOSE SERVED ARE AS FOLLOWS

SUPREME COURT OF THE UNITED STATES, WASHINGTON, DC 20543

ATTORNEY GENERAL OFFICE IN AND FOR PALM BEACH, FLORIDA 33461

PURSUANT TO 28 USC § 1746, I DECLARE UNDER A PENALTY
OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED ON FEBRUARY 9, 2020.

Jamie Wilson
(SIGNATURE)

CERTIFICATE OF SERVICE

I CERTIFY THAT A TRUE AND CORRECT COPY OF THE FOREGOING
WRIT OF HABEAS CORPUS OF PETITIONER HAS BEEN PLACED INTO THE
HANDS OF PRISON OFFICIALS AT SANTA ROSA CORRECTIONAL INSTITUTION
FOR MAILING TO THE PARTIES LISTED BELOW VIA FIRST CLASS U.S.
MAIL ON THIS 9 DAY OF FEBRUARY, 2020.

OFFICE OF THE CLERK	ATTORNEY GENERAL
SUPREME COURT OF THE UNITED STATES	1515 NORTH FLAGLER DRIVE, 900
US SUPREME COURT BUILDING	WEST PALM BEACH, FLORIDA 33401
ONE FIRST STREET, NE	
WASHINGTON, DC 20543	

/s/ Jamie Wilson
JAMIE WILSON
B01216, DORM B
SANTA ROSA CORRECTIONAL INSTITUTION
5850 EAST MILTON ROAD
MILTON, FLORIDA 32583-7114

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

TARVIS WILSON — PETITIONER
(Your Name)

VS.

MARK S. INCH, et al., — RESPONDENT(S)

PROOF OF SERVICE

I, TARVIS WILSON, do swear or declare that on this date, FEBRUARY 9, 2020, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows: FOR RESPONDENTS TO

ATTORNEY GENERAL
1515 NORTH FLAMING DRIVE, SUITE 900
WEST PALM BEACH, FLORIDA 33401

I declare under penalty of perjury that the foregoing is true and correct.

Executed on FEBRUARY 9, 2020

Tarvis Wilson
(Signature)