

IN THE
SUPREME COURT OF THE UNITED STATES

CASE NO.

LOWER CASE NO. 3D15-2653

JOHN WILSON,

Petitioner,

-vs-

STATE OF FLORIDA,

Respondent.

**APPENDIX
VOLUME I
PETITION FOR WRIT OF CERTIORARI**

FROM THE SUPREME COURT OF THE STATE OF FLORIDA

CHARLES G. WHITE, ESQ.
CHARLES G. WHITE, P.A.
Counsel for Petitioner
1031 Ives Dairy Road
Suite 228
Miami, FL 33179
Tel: (305) 914-0160
Fax: (305) 914-0166
Florida Bar No. 334170
Email: cgwhitelaw@aim.com

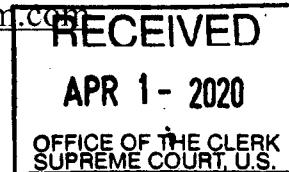


TABLE OF CONTENTS

	Page
<u>VOLUME I</u>	
<u>Wilson v. Florida</u> , 259 So.3d 811 (3rd DCA 2018)	1
<u>Wilson v. State</u> , Case No.: SC18-2119	5
<u>Pro Se Re: Prior Motion to Dismiss (Composite)</u>	7
<u>VOLUME II</u>	
<u>Pro Se Motion Re: Federal Lawsuit (Composite)</u>	62
<u>VOLUME III</u>	
<u>JOHN WILSON v. MIAMI-DADE COUNTY, JUAN CARLOS VIA MARIA CRISTINA BARRIOS ALMANZOR, CON. GRAL., THE CONSULATE OF SPAIN, FELIPE DeBOR'BON, VIA MARIA CRISTINA BARRIOS ALMANZOR, CON. GRAL., THE CONSULATE OF SPAIN, MIAMI BEACH POLICE DEPARTMENT, MICKEY STEINBERG, MIAMI BEACH CITY COMMISSIONERS, ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA, JUDGE WILLIAM THOMAS, JUDGE STACEY GLICK, JUDGE TERESA POOLER, JUDGE CRISTINA MIRANDA, STATE ATTORNEY FOR MIAMI-DADE COUNTY, KATHERINE FERNANDEZ RUNDLE, MIAMI-DADE COUNTY PUBLIC DEFENDER, CARLOS J. MARTINEZ, EXECUTIVE DIRECTOR OF THE FLORIDA BAR ASSOCIATION, JOHN F. HARKNESS, JR., SENATOR MARCO RUBIO, CHRISTOPHER G. LYONS, ESQ., PRINCE PHILIP, DUKE OF EDINBURGH, PRINCE CHARLES, PRINCE OF WALES, PRINCE ANDREW, DUKE OF YORK, ALEXIS KORYBUT, MIAMI-DADE COUNTY DEPARTMENT OF CORRECTIONS, PRESIDENT OF THE UNITED STATES OF AMERICA, BARACK H. OBAMA, THE CENTRAL INTELLIGENCE AGENCY U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA (MIAMI), CIVIL COMPLAINT PURSUANT TO 42 U.S.C., SECTION 1983, 15-22098-CV-COOKE</u>	119

VOLUME I

Wilson v. Florida,
259 So.3d 811 (3rd DCA 2018)

259 So.3d 941

District Court of Appeal of Florida, Third District.

John WILSON, Appellant,

v.

The STATE of Florida, Appellee.

No. 3D15-2653

Opinion filed November 21, 2018

Synopsis

Background: Defendant, in consolidated cases, was convicted in the Circuit Court, Miami-Dade County, Cristina Miranda, J., No. 15-1083, of burglary of an unoccupied dwelling, third degree grand theft, assault, trespass of an unoccupied conveyance, resisting an officer with violence, and criminal mischief. Defendant appealed.

[Holding:] The District Court of Appeal, Suarez, J., held that defendant knowingly and intelligently waived his right to counsel.

Affirmed.

West Headnotes (5)

[1] **Criminal Law** • Capacity and requisites in general

An accused has the right to represent him or herself so long as his or her waiver of the right to counsel is knowingly and intelligently made. U.S. Const. Amend. 6.; Fla. R. Crim. P. 3.111(d).

[2] **Criminal Law** • Mental competence in general

The competence that is required of a defendant seeking to waive his right to counsel is the competence to waive the right, not the competence to represent himself. U.S. Const. Amend. 6; Fla. R. Crim. P. 3.111(d).

[3] **Criminal Law** • Capacity and requisites in general

The likelihood that a defendant would incompetently represent himself is not a valid reason to deny his unequivocal request for self-representation. U.S. Const. Amend. 6; Fla. R. Crim. P. 3.111(d).

[4] **Criminal Law** • Waiver of right to counsel

Defendant knowingly and intelligently waived his right to counsel in prosecution for burglary, third degree grand theft, assault, trespass of an unoccupied conveyance, resisting an officer with violence, and criminal mischief; the trial court conducted multiple inquiries prior to and throughout trial that complied with *Faretta* and statute governing self-representation, on each occasion, court emphasized that a lawyer could be of assistance with discovery, direct-examination, cross-examination, raising objections, introducing evidence, and providing counsel during plea hearings and/or sentencing hearings, but defendant continued to affirmatively insist on representing himself. U.S. Const. Amend. 6; Fla. R. Crim. P. 3.111(d).

[5] **Criminal Law** • Waiver of right to counsel

Where a defendant has waived his right to counsel, "each subsequent stage" when the court is required to renew its offer of assistance of counsel is construed as each crucial stage that may affect the outcome of the proceedings. U.S. Const. Amend. 6; Fla. R. Crim. P. 3.111(d)(5).

An appeal from the Circuit Court for Miami-Dade County, Cristina Miranda, Judge. Lower Tribunal No. 15-1083

Attorneys and Law Firms

Charles G. White, P.A., and Charles G. White, Miami, for appellant.

Pamela Jo Bondi, Attorney General, and David Llanes, Assistant Attorney General, for appellee.

Before SUAREZ, LOGUE, and LINDSEY, JJ.

Opinion

SUAREZ, J.

***942** John Wilson appeals from a final judgment of conviction and sentence. On appeal, Wilson raises several issues.¹ We affirm all issues presented on appeal, and write solely to address the primary issue raised – whether Wilson knowingly and intelligently waived his 6th Amendment right to counsel.

Wilson was charged with burglary of an unoccupied dwelling, third degree grand theft, assault, trespass of an unoccupied conveyance (Case no. 15-1083), as well as additional charges arising out of the same incident of resisting an officer with violence and criminal mischief (Case no. 15-1084). Prior to trial, and while represented by the Public Defender, Wilson filed a demand for speedy trial and announced that he wished to proceed pro se in 15-1083, but not 15-1084.² The trial court held the first of several Farella³ hearings to determine whether Wilson was knowingly and intelligently waiving his right to court-appointed counsel. See Hardwick v. State, 521 So.2d 1071, 1074 (Fla. 1988). Despite the trial court's repeatedly cautioning Wilson about the consequences of both a demand for speedy trial and self-representation, Wilson articulately and unequivocally asserted his desire to represent himself. The trial court permitted Wilson to continue pro se.

At the hearing on consolidation, the trial court held another Farella hearing, at which the trial court once again warned Wilson that a trained attorney could assist him with discovery, the rules of evidence, and provide Wilson with legal advice throughout the trial. Wilson stated that he intended to continue to represent himself. At the conclusion of the hearing, the trial court again asked Wilson if he wished to represent himself and if he understood what he was entering into, and Wilson answered that he understood and wanted to continue pro se.

Prior to trial, Wilson asked for more time for discovery. The trial court denied the request, reminding Wilson that he had been extensively warned of the consequences of insisting on a speedy trial date, which indicated to the court that he was trial-ready. Subsequently, Wilson asserted he still lacked discovery and asked for standby counsel for that purpose, and

the trial court reiterated that Wilson did not have a right to standby counsel, that he could proceed pro se or elect to have representation. The trial court held another Farella hearing at which Wilson once again affirmatively stated he wished to proceed pro se.

Prior to jury selection, and at several critical times throughout the trial, the trial court asked Wilson if he wished to continue to represent himself, and Wilson consistently answered affirmatively. As the trial progressed, the trial court had to repeatedly admonish Wilson for introducing *943 irrelevant evidence or non-record evidence. Each time, Wilson said he understood and promised to discuss only the record facts, only to then repeatedly disregard the trial court's instructions. The trial court issued several curative instructions to the jury as a result. The jury found Wilson guilty as charged. Wilson was sentenced as a habitual felony offender to twenty years in prison followed by five years of probation.

[1] [2] An accused has the right to represent him or herself so long as his or her waiver of the right to counsel is knowingly and intelligently made. Farella, 422 U.S. 806, 95 S.Ct. 2525, 45 L.Ed.2d 562. In other words, the defendant must be aware of what he or she is doing, and his or her choice must be made with eyes open. Id. at 835, 95 S.Ct. 2525. This principle is codified in Florida Rule of Criminal Procedure 3.111(d), which provides,

(2) A defendant shall not be considered to have waived the assistance of counsel until the entire process of offering counsel has been completed and a thorough inquiry has been made into both the accused's comprehension of that offer and the accused's capacity to make a knowing and intelligent waiver. Before determining whether the waiver is knowing and intelligent, the court shall advise the defendant of the disadvantages and dangers of self-representation.

(3) Regardless of the defendant's legal skills or the complexity of the case, the court shall not deny a defendant's unequivocal request to represent himself or herself, if the court makes a determination of record that the defendant has made a knowing and intelligent waiver of the right to counsel, and does not suffer from severe mental illness to the point where the defendant is not competent to conduct trial proceedings by himself or herself.

The competence that is required of a defendant seeking to waive his right to counsel is the competence to waive the right, not the competence to represent himself. Godinez v. Moran,

509 U.S. 389, 399, 113 S.Ct. 2680, 125 L.Ed.2d 321 (1993). In other words, the defendant need not possess the technical legal knowledge of an attorney in order to be permitted to proceed pro se. Hill v. State, 688 So.2d 901, 905 (Fla. 1996); Kendle v. State, 255 So.3d 400, 2018 WL 3862817 (Fla. 3d DCA Aug. 15, 2018).

[3] [4] Our review of the proceedings in this case demonstrates that the trial court conducted multiple inquiries prior to and throughout trial that complied with both rule 3.111(d) and Faretta. On each occasion, the trial court emphasized that a lawyer could be of assistance with discovery, direct-examination, cross-examination, raising objections, introducing evidence, as well as providing counsel during plea hearings and/or sentencing hearings. Despite the trial court's numerous promptings, questioning, and warnings, Wilson continued to affirmatively insist on representing himself. The likelihood that a defendant would incompetently represent himself is not a valid reason to deny his unequivocal request for self-representation. See Tarver v. State, 145 So.3d 911, 912 (Fla. 2d DCA 2014); McKinney v. State, 850 So.2d 680, 681 (Fla. 4th DCA 2003) (quoting Faretta, 422 U.S. at 835, 95 S.Ct. 2525).

[5] Further, when a defendant waives his right to appointed counsel, rule 3.111(d)(5) requires a court to renew its offer

of assistance of counsel at each subsequent stage of the proceedings where the defendant appears without counsel. Specifically, rule 3.111(d)(5) provides, “[i]f a waiver is accepted at any stage of the proceedings, the offer of assistance of counsel shall be renewed by the court at each subsequent stage of the proceedings at which the defendant appears without counsel.” “Each subsequent stage” is construed *944 as each crucial stage that may affect the outcome of the proceedings. See Taylor v. State, 596 So.2d 957, 968 (Fla. 1992). In Wilson's case, the trial court went out of its way to make multiple inquiries into Wilson's decision to proceed pro se; each time the court offered him the assistance of counsel, and each time Wilson declined and affirmatively decided to proceed to represent himself. We find competent substantial evidence to support the trial court's determination that Wilson made a knowing and intelligent waiver of his 6th Amendment right to counsel, and no abuse of discretion in allowing Wilson to continue pro se.

Finding neither abuse of discretion nor reversible error in the trial court's rulings, we affirm defendant Wilson's convictions.

All Citations

259 So.3d 941, 43 Fla. L. Weekly D2571

Footnotes

- 1 These issues include whether the trial court should have appointed standby counsel, whether the trial court should have stricken Wilson's demand for speedy, whether Wilson knowingly waived his right to testify, and whether he should have had a pretrial competency hearing, among others.
- 2 The trial court denied Wilson's request to separately prosecute the two related cases, and they were eventually consolidated under case number 15-1083.
- 3 Faretta v. California, 422 U.S. 806, 95 S.Ct. 2525, 45 L.Ed.2d 562 (1975).

Wilson v. State,
Case No.: SC18-2119 5

Supreme Court of Florida

FRIDAY, DECEMBER 27, 2019

CASE NO.: SC18-2119
Lower Tribunal No(s).:
3D15-2653; 132015CF0010830001XX

JOHN J. WILSON

vs. STATE OF FLORIDA

Petitioner(s)

Respondent(s)

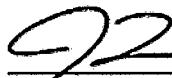
This cause having heretofore been submitted to the Court on jurisdictional briefs and portions of the record deemed necessary to reflect jurisdiction under Article V, Section 3(b), Florida Constitution, and the Court having determined that it should decline to accept jurisdiction, it is ordered that the petition for review is denied.

No motion for rehearing will be entertained by the Court. *See* Fla. R. App. P. 9.330(d)(2).

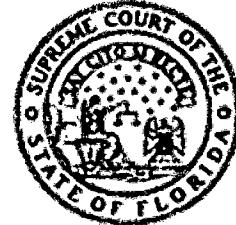
CANADY, C.J., and POLSTON, LABARGA, LAWSON, and MUÑIZ, JJ., concur.

A True Copy

Test:



John A. Tomasino
Clerk, Supreme Court



dl

Served:

CHARLES G. WHITE
MICHAEL W. MERVINE
HON. HARVEY RUVIN, CLERK
HON. CRISTINA MARIA MIRANDA, JUDGE
HON. MERCEDES M. PRIETO, CLERK

DAVID LLANES
JOHN J. WILSON JR.

Pro Se Re: Prior Motion to Dismiss (Composite)

① CC: BERTIL SOTO * FROM: PRO-SE DEFENDANT
CHIEF JUDGE JOHN J. WILSON ⑦
ELEVENTH CIRCUIT SEP 15 2015
MIAMI-DADE County 13850 N.W. 41ST STREET
METROWEST DETENTION CENTER
MIAMI, FL 33178

~~cc: BERTIL SOTO~~
~~CHIEF JUDGE~~
~~ELEVENTH CIRCUIT SEP 15 2015~~
~~MIAMI-DADE County 13850 N.W. 41ST STREET~~
~~METROWEST DETENTION CENTER~~
~~MIAMI, FL 33178~~

TO: HARVEY RUVIN, CLERK OF COURT
1351 N.W. 12TH STREET
MIAMI, FL 33125

August 27, 2015 *E. GUTIERREZ*

RE: PRIOR MOTION FOR MISTRIAL
in CASE # F151083 DATED
7/1/15 SENT VIA U.S. MAIL NOT
properly DOCKETED OR
ACKNOWLEDGED FOR APPEARANCE

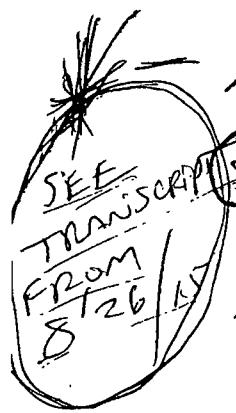
① PLEASE BE ADVISED THE ATTACHED MOTION FOR MISTRIAL FOR CAUSE WAS NOT DOCKETED BY THE CLERK OF COURT OF THE NOTICE ADDRESS LISTED ABOVE, BACK ON 7/1/15

② PLEASE MAKE THE NECESSARY CORRECTIVE ACTIONS PRIOR TO MY NEXT APPEARANCE BEFORE THE COURT.

③ PLEASE DULY NOTIFY THE OFFICE OF FELICIA CAULEY AT THE FLORIDA DEPARTMENT OF CORRECTIONS REGARDING THIS FILING ERROR. AT TEL. 305-693-2330
FAX. 305-693 2334
CAULEY.FELICIA.MAIL.DC.STATES

ATTENTION: LENKE OF COURT

②. FORWARD COPIES TO ADMIN.
JUDGE NUSITIN SAY FIE PER JUDGE
SOTO TO ENSURE I AM ASSIGNED A NEW
④. PLEASE ALSO DULY NOTIFY ^{JUDGE} RE:
THE ADMINISTRATIVE JUDGE ^{ATTACHED}
WHO MAY HAVE JURISDICTION ^{CAUSE}
OVER THESE MATTERS. THAT
I DO NOT WISH TO APPEAR
BEFORE TRIAL JUDGE CRISTINA
MINANDA AGAIN WITHOUT FIRST
BEING PROVIDED ACCESSIBLE -
AND QUALIFIED LEGAL COUNSEL.



④. PLEASE BE ADVISED THIS LAST
REQUEST IS BASED ON JUDGE
MINANDA'S BEHAVIOR AND
ASCETIC TONE IN HER COURT
ROOM ON 8/26/15 REGARDING
CASE # F15 6748.

~~Also attached~~ PLEASE FILE MY PREVIOUS
MOTION FOR CONFLICT "WRIT OF
PROHIBITION", WHICH WOULD PRECLUDE
ME FROM APPEARING BEFORE TRIAL
JUDGE CRISTINA MINANDA AGAIN,
AS THE MOTION WAS NOT ATTENDED
TO BY THE ADMINISTRATIVE COURT
~~NOT 30~~
~~DAY~~
~~LIMIT FOR MOTION~~
~~TO BE~~
WHO HAS JURISDICTION OVER THESE
MATTERS WITHIN THE 30 DAY TIME
FRAME FOR A RULING TO BE MADE,
AUTOMATICALLY CAUSING THE WRIT
EFFECTED OF PROHIBITION MOTION TO BE
AUTOMATICALLY GRANTED.

3.

Thank you in ADVANCE for
YOUR prompt AND judicious
ATTENTION in RECTIFYING
THESE OVERSIGHTS REGARDING
CASE #F151083.

Accordingly, I LOOK FORWARD
TO YOUR PROMPT NOTIFICATION
OF THESE FINDINGS AND
REQUEST FOR LEGAL COUNSEL
PRIOR TO MY NEXT SCHEDULED
APPEARANCE.

BEST REGARDS,

JOHN JOSEPH Wilson
METROWEST DETENTION CENTER
13850 N.W. 41st STREET
MIAMI, FL 33178

~~Call - Due -~~
~~150011065~~

My THE proper LEGAL AUTHORITIES
BE NOTIFIED THAT ON 8/26/15 JUDGE
CRISTINA MIRANDA REFUSED MY
MOTION TO FILE WITH THE COURT A
"WRIT OF HABEAS CORPUS" DATED 459/12/15.



STATE OF FLORIDA
ELEVENTH JUDICIAL CIRCUIT
LAWSON E. THOMAS COURTHOUSE CENTER
175 N.W. FIRST AVENUE, SUITE 3045
MIAMI, FLORIDA 33128
TELEPHONE (305) 349-5720

BERTILA SOTO
CHIEF JUDGE

MARITZA M. DE PAUL
JUDICIAL ASSISTANT

June 3, 2015

John J. Wilson, JL# 15-11065/3B2
Metro West Detention Center
13850 NW 41st Street
Miami, FL 33178

~~Re: Case No. F15-6748/1083, 84~~

Dear Mr. Wilson:

Please be advised that we are in receipt of your letter regarding the above mentioned cases. Chief Judge Soto has requested that I forward your letter to Judge Nushin Sayfie, the Administrative Judge for the Circuit Criminal Division, for her review. Judge Sayfie, in her capacity as Administrative Judge would be the appropriate party to address this matter.

Once again, all future comments and correspondence regarding this matter should be directed to Judge Sayfie, located at the Richard E. Gerstein Justice Building at 1351 N.W. 12th Street, Room 423, Miami, FL 33135.

ERROR

Sincerely,


* Maritza M. De Paul, Judicial Assistant to
Chief Judge Bertila Soto

cc: Judge Nushin Sayfie

Motion indeed FILED on 6/22/15. Wrongly Denied

Page 17

1
PLEASE
procure
MOTION FROM
6/23/15

4
EVIDENCE
"6.24.15"
5
THE DATE
6
WAS
8
ORCHESTRATED

1
THE DEFENDANT: I think we can do it before the
16th of June.

2
THE COURT: On a Saturday or Sunday. I can't.

3
I'm busy.

4
MS. CUETO: The 22nd of June is actually the 53rd
5
day from today. So, it is outside the window.

6
THE COURT: He needs to file the appropriate
7
paperwork. That's his issue. Motion indeed FILED on
8
6/22

9
THE DEFENDANT: Your honor is much more educated
10
on the law than I am. Filing a motion for speedy is
11
actually saying that I'm ready to go to trial within
12
five days; is that correct?

13
THE COURT: No. It means I cannot set your trial
14
any sooner.

15
MR. MCNEILL: Can I make a couple of
16
recommendations very quickly. There is talk about
17
consolidating this cases. If we can reset one week and
18
A.S.A. Cueto can do the review.

19
THE COURT: I realize we are not going to get to
20
that, because if he files a speedy demand --

21
MR. MCNEILL: That's what I'm going to say.

22
THE COURT: He is not getting that benefit. He is
23
foreclosing himself from a number of options.

24
MR. MCNEILL: That's what I was going to say.

25
THE COURT: He's looking at one thing and not

24A Fla. Jur 2d False Imprisonment § 29
Florida Jurisprudence, Second Edition

False Imprisonment and Malicious Prosecution
Sonja Larsen, J.D.

II. Malicious Prosecution
B. Elements of Cause of Action

Topic Summary Correlation Table References

§ 29. Malice

West's Key Number Digest

West's Key Number Digest, Malicious Prosecution ⇢ 27 to 33

Implicit in a cause of action for malicious prosecution is the requirement that the prior proceeding be instituted with malice.[FN1] Malice is not only an essential element; it is the gist of the cause of action.[FN2] "Malicious" means without reasonable cause and for a purpose other than that for which the criminal prosecution is provided and for spite, out of ill will, animosity and with a desire to do harm for harm's sake.[FN3] A wrongful act without reasonable excuse is malicious within the legal meaning of the term.[FN4] Mere negligence alone is insufficient.[FN5]

The requisite malice may be one of two kinds: (1) actual or subjective malice, sometimes called "malice in fact"; and (2) "legal malice," which may be inferred from circumstances, such as the want of probable cause, even though actual malice or corrupt design is not shown.[FN6] Legal malice sufficient to form the basis for a malicious prosecution action may be implied or inferred from an absence of probable cause,[FN7] gross negligence,[FN8] or great indifference to persons, property, or the rights of others.[FN9] However, malice is not legally synonymous with the absence of probable cause.[FN10] Furthermore, poor judgment in conducting a criminal investigation does not constitute legal malice.[FN11]

CUMULATIVE SUPPLEMENT

Cases:

In an action for malicious prosecution it is not necessary for a plaintiff to prove actual malice; legal malice is sufficient. *Olson v. Johnson*, 961 So. 2d 356 (Fla. Dist. Ct. App. 2d Dist. 2007).

For the purpose of a malicious prosecution claim, legal malice, which is also referred to as technical malice or malice in law, requires proof of an intentional act performed without justification or excuse. *Olson v. Johnson*, 961 So. 2d 356 (Fla. Dist. Ct. App. 2d Dist. 2007).

For the purpose of a malicious prosecution claim, legal malice may be inferred from one's acts, and, unlike actual malice, does not require proof of evil intent or motive. *Olson v. Johnson*, 961 So. 2d 356 (Fla. Dist. Ct. App. 2d Dist. 2007).

[END OF SUPPLEMENT]

[FN1] Durkin v. Davis, 814 So. 2d 1246 (Fla. Dist. Ct. App. 2d Dist. 2002); Hardick v. Homol, 795 So. 2d 1107 (Fla. Dist. Ct. App. 5th Dist. 2001); Beizer v. Judge, 743 So. 2d 134 (Fla. Dist. Ct. App. 4th Dist. 1999); McCraney v. Barberi, 677 So. 2d 355 (Fla. Dist. Ct. App. 1st Dist. 1996).

[FN2] Scozari v. Barone, 546 So. 2d 750 (Fla. Dist. Ct. App. 3d Dist. 1989).

[FN3] Erp v. Carroll, 438 So. 2d 31 (Fla. Dist. Ct. App. 5th Dist. 1983).

[FN4] K-Mart Corp. v. Sellars, 387 So. 2d 552 (Fla. Dist. Ct. App. 1st Dist. 1980).

[FN5] Pokorny v. First Federal Sav. & Loan Ass'n of Largo, 382 So. 2d 678 (Fla. 1980).

A.L.R. Library

Liability for negligently causing arrest or prosecution of another, 99 A.L.R. 3d 1113.

[FN6] Morgan Intern. Realty, Inc. v. Dade Underwriters Ins. Agency, Inc., 617 So. 2d 455 (Fla. Dist. Ct. App. 3d Dist. 1993).

For discussion of lack of probable cause as element, see § 26.

[FN7] Durkin v. Davis, 814 So. 2d 1246 (Fla. Dist. Ct. App. 2d Dist. 2002).

[FN8] Alamo Rent-A-Car, Inc. v. Mancusi, 632 So. 2d 1352 (Fla. 1994); Fleetwood Homes of Florida, Inc. v. Reeves, 833 So. 2d 857 (Fla. Dist. Ct. App. 2d Dist. 2002); Durkin v. Davis, 814 So. 2d 1246 (Fla. Dist. Ct. App. 2d Dist. 2002).

[FN9] Alamo Rent-A-Car, Inc. v. Mancusi, 632 So. 2d 1352 (Fla. 1994); Durkin v. Davis, 814 So. 2d 1246 (Fla. Dist. Ct. App. 2d Dist. 2002).

[FN10] Colonial Stores, Inc. v. Scarbrough, 355 So. 2d 1181 (Fla. 1977).

[FN11] Lee v. Geiger, 419 So. 2d 717 (Fla. Dist. Ct. App. 1st Dist. 1982).

ATTENTION: CLERK OF COURT

HARVEY RUVIN { This Motion WAS
NOT properly DOCKETED }

① CC: ANDREA GARCIA FROM: JOHN S. WILSON
ATTN. JUDGE
ELEVENTH CIRCUIT
MIAMI - DADE COUNTY
"6-4-15" (REF. TO "b6b")
TRAIL (REF. TO "b6b")
{ 15001106: < JAIL #
METROWEST TIME-OUT CENTER
13850 N.W. 41st STREET
MIAMI, FL 33178 }

July 1, 2015 MOTION NOT PROPERLY
FILED OR SCHEDULED.

TO: THE HONORABLE BENITO SANCHEZ, CHIEF JUDGE

The 11th Judicial Circuit of Miami-Dade
1351 N.W. 12th Street

Miami, FL 33125 { Motion Ignored
By Court }

RE: MOTION TO APPEAR IN-PERSONA BEFORE
THE CHIEF JUDGE OF THE ELEVENTH JUDICIAL
CIRCUIT IN MIAMI-DADE COUNTY FOR THE
DUAL PURPOSE OF FILING A MISPELLED
FOR CAUSE REGARDING (CASE # 15001083 :
B6b) AND PROSECUTOR WITNESS CONCERNING TRIAL
"RICO," EVIDENT IN THE INCONGRUENT AND MATERIALLY INCONSISTENT

TESTIMONIES OF PROSECUTION WITNESS
001) OFFICER JOHNNY FONSECA (ID 40818-2);
VICTOR MILLER DAVIS, 8045 LEGEND
Club Drive in Ft. Palm Beach; AND
INADMISSIBLE TESTIMONY WITH MALICIOUS
INTENT TO SLANDER FOR THE RECORD
PROFFERED BY CIVIL DEFENDANT MR.

ALIXIS KOFYKUT OF 3667 PARK LANE,
MIAMI, FL, NAMED INFLORAL CIVIL COMPANY

CASE # 1:15-CV-22048-MGC FILED

IN THE SOUTHERN DISTRICT OF FLORIDA, AND
WRONGFULLY NOT DISCLOSED TO THE COURT
AS A MATTER OF PUBLIC RECORD.

VICTOR
MILLER
ADMITTED
ON CROSS-
EXAMINATION
HE HAD BEEN
COACHED BY
STATE ATTORNEY

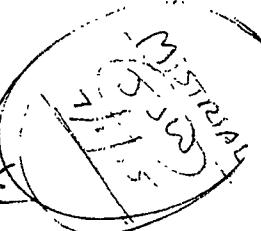
J. VICTORIA
MILLER

CLERK

BAR
98918

HENRY FONSECA
FILED ON
5/20/15

~~JUDGE
SAYERS~~ Judge Miranda 1+5 Summary
DENIED EVERY SINGLE
MOTION I HAVE ATTEMPTED
TO FILE. PLEASE SCHEDULE
ME BEFORE NEW JUDGE.



~~Judge Sayers~~ : CLERK OF COURT

STATE ATTORNEY
CUEVO, Victoria
BAR #98918

I AM AT THIS TIME REQUESTING
in accordance with my Motion to
APPEAR ATTACHED HEREWITH CRIMINAL
CHARGES BE FILED AGAINST AFOREMENTIONED
WITNESSES, OFFICER JOHNNY FONSECA,
AND STATE WITNESS, MR. VICTOR MILLER
DAVIS, WHO PURPOSFULLY LIED UNDER
OATH IN A FORMAL LEGAL PROCEEDING
WITH THE INTENT TO DECEIVE, AS
"Coax" - By STATE ATTORNEY Victoria
CUEVO TO JURY TRIAL IN
CASE # E15001083.

SEE ATTACHED TO you Dated May 21, 2015 which was
5/21/15 MEMORIALIZED in FEDERAL CIVIL COMPLAINT
CAUSE OF ACTION CASE # 1:15-CV-22098-MGC, my
DOCUMENT CONTENTION THAT THIS DECEIT AS/EVIDENCED
BY THE FABRICATED TESTIMONY WAS,
"IN FACT", PRE-MEDITATED, AND
PLANNED, BY THE STATE THROUGH
THE CONDUITS OF OFFICER FONSECA,
AND MR. MILLER DAVIS, BY WAY OF
"COAXING" SESSIONS CONDUCTED BY
STATE ATTORNEY Ms. Victoria CUEVO,
NAMED ALSO, IN A SIDE-COMPLAINT FOR
ALTERING EVIDENCE IN THIS CASE, WHICH IS
CURRENTLY UNDER INVESTIGATION BY
THE FLORIDA BAR SINCE THE ISSUE WAS

(3.)

PLEASE
PROVIDE
TRANSCRIPTS



FIRST RAISED IN OPEN COURT BEFORE JUDGE
MIRANDA ON 6/10/15.

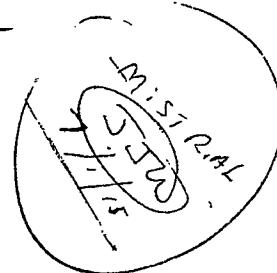
Accordingly, I AM REQUESTING
THE COURT TRANSCRIPTS BE PROVIDED
FOR THE DATES 2/6/15; 5/28/15; 6/10/15;
6/10/15; AND TRIAL DATES 6/22, 23, AND
24.

PLEASE ALSO BE ADVISED I WAS
DISALLOWED FROM INTRODUCING ANY OF THE
EXONERATORY EVIDENCE INTO THE TRIAL,
INCLUDING, BUT NOT LIMITED TO, EMAILS
COMPOSED AND SENT BY ALLEGED VICTIM
A. KORY BUT, CLEARLY STATING HIS INTENTIONS
PRIOR TO THE INCIDENT ON 4/15/15 TO
* CAUSE ME PHYSICAL HARM, "TAKE MURKIE
INTO OWN HANDS", AND TO HAVE ME
ARRESTED, "LOCKED AWAY FOR YOU". THESE
EMAILS WERE BARRED FROM TRIAL, ALTHOUGH THEY
WERE ALLUDED TO AND REFERENCED
NUMEROUS TIMES DURING WITNESS TESTIMONY,
AND INDEED WOULD HAVE HAD THE IMPACT
TO "CHANGE THE OUTCOME" (PLEASE REFERENT
ATTACHE, Sampling of emails composed,
written, and sent by ALLEGED VICTIM,
and other individuals REFERENCED
DURING WITNESS TESTIMONY).

Also BARRED FROM TRIAL WAS
TRANSCRIPT EVIDENCE FROM RECORDED IN!
CALLS ORIGINALLY SUBMITTED BY THE STATE, BUT
LATER DETERMINED BENEFICIAL TO THE DEFENSE,
A HIGHLY UNFAIR, UNLAWFUL, TACTIC

(4)

PLEASE HAVE NEW JUDGE
APPOINT LEGAL COUNSEL
APPROPRIATELY, PRIOR
TO MY APPEARANCE



USED BY THE STATE, AND ALLOWED BY
JUDGE MIRANDA (PLEASE SEE ATTACHED
IN THE CALL'S DEMONSTRATING THE LACK OF
INTENT TO DEMONSTRATE THE LEGAL
ELEMENTS OF WHAT WOULD CONSTITUTE A
BONA FIDE "BURGLARY.")

WHAT'S MORE WAS THE STATE'S
RELIANCE ON THE "WILLIAM'S RULE" MATERIAL
WHICH RIGHTLY SHOULD HAVE "OPENED"
THE DOOR TO OTHER INCIDENTS I
ATTEMPTED TO QUESTION WITNESS
KORY BUT ABOUT, BUT WHICH WERE
A GROSSLY OBJECTED TO, AND
ERRONEOUSLY SUSTAINED BY JUDGE
MIRANDA, LEAVING THE TRIED JURY
WITH ONLY "HALF THE STORY" FROM
THE VANTAGE POINT OF THE STATE.

Aside from CASE # F151083
ONLY COMBINED TO CASE # F151084 FOR
THE EXCLUSIVE BENEFIT OF INTRODUCING
FABRICATED TESTIMONY AT TRIAL VIA
OFFICER JOHNNY FONSECA, THE JURY
WAS UNDULY PREJUDICED BY FALSE,
INFLAMMATORY, HEARSAY STATEMENTS
BY OFFICER FONSECA, WHICH NEVER
SHOULD HAVE BEEN ALLOWED TO BE
ADMITTED AT TRIAL, SUCH AS: "FUCKING
CUBAN"; AND "I'LL KILL YOUR FAMILY!"
IN ADDITION TO THESE,
PREJUDICIAL, FALSE STATEMENTS ENTERING
THE TRIAL, MR. KORY BUT ALSO

5.

3/20/75
3/20/75
15

REFERENCE D PREVIOUSLY BEING "SENT
TO JAIL" DURING HIS DIA TRIAL OF
MALICIOUS TESTIMONY, CAUSE ALONE
FOR A MISTRIAL.

WHAT ALSO MAY BE DEDUCED
ON THE RECORD DURING TRIAL BY AND
THROUGH EXPERIENCE, WAS THE INSIDIOUS
ACTIONS BY CORRECTIONS, AT THE
BEHEST OF THE COURT, TO PHYSICALLY
MOVE ME DURING, BUT MY OPENING,
AND ATTEMPT AT, CLOSING STATEMENT.
Corrections were so bad as to
move me from the rear of the
EFFORT AT MOUNTING A SUBMISSION
CLOSING STATEMENT, prior to me
BEING KICKED FROM THE COURT
ROOM, CREATING AN INSURMOUNTABLE
PRESUMPTION FOR OUT IN THE
EYES OF THE JURY. THE JURY WAS
ADDITIONALLY DIRECTED TO VACATE THE
COURT ROOM BY JUDGE MIRANDA
DURING MY FLOOR TIME ON A
NUMBER OF OCCASIONS BEYOND REASON,
THEN SITTING IN A DIFFERENT SEATING
ORDER ROWS FURTHER BACK THAN
THIS STAGE FROM WHERE I WAS SPEAKING,
CREATING A DISLIBERATE IMPRESSION OF
DISTRUST IN THE MINDS OF THE
JURORS, AFTER RE-ENTERING THE
COURT ROOM, DIRECTED BY CORRECTIONS.

(6)

~~(F4)~~
PLEASE ASSIGN
COUNSEL TO
ADVISE ME going
FORWARD.

Finally, I was disallowed from
finishing my closing statement, leaving
the court's jury to ponder why I
was excluded from the proceedings.
When, instead, it was my turn to
speak.

IF THE CHARGE HAD BEEN ANY OTHER
IN THIS TRIAL, I WOULD HAVE BEEN FOUND
TO BE A BIAS IN THE PROSECUTOR
INJUST & ALLOWED TO OCCUR. IT
WAS UNNECESSARY TO DO THIS.
THE TRIAL WAS INDEED BEING DEFENDED
"RIGGED" FOR THE BENEFIT OF
MS. CUEILLE AND THE STATE.

I AM THUS REQUESTING A FULL
AND THOROUGH INVESTIGATION TO
THE COURT'S CONDUCT REGARDING THE FACTS
WHICH HAVE LED UP TO THIS PROCEEDING,
AS WELL AS CRIMINAL CHARGE BE FILED
AGAINST THE CERTAIN INDIVIDUALS HEREIN
NAMED FOR THEIR WANTON PARTICIPATION
IN A CRIMINAL CONSPIRACY AS EVIDENCED
DURING THE EVIDENCE AS A PRE-
MEDITATED ACT OF MALICE WITH
INTENT TO DO irreparable HARM.

Thank you for your judicious and
sensitive attention to these important
LEGAL matters. Accordingly,

7.0
MISERIALIZED
J.J.W.
7-1-77

I LOOK FORWARD TO BEING BEFORE
THE COURT AS SOON AS POSSIBLY
POSSIBLE TO ADDRESS THE MATTERS
IN-PERSONA.

Similarly, I AM AT THE
AUTOMOTIVE'S DISPOSAL CONCERNING
MY FULL AND UNIMPEACHED COOPERATION
REGARDING THE COURT JUDICIAL
INVESTIGATION AS A CORRELATION OF
CHARGE INVESTIGATION IN THIS CITY
HAS TRANSPIRED.

John J. Wilson
7-1-77

John J. Wilson
Miami-Dade Police Department
18830 N.W. 4th Street
(Miami), FL 33178

"26" is a code and has nothing to do
with this case; it proves a criminal/ceil-
ing index.

3015 - 0130

3 do + Park L

1315 26

" " Home

T. i. "Smoking Gun"

22

471

"26" is CERTIFIABLE PROOF
THIS CASE WAS MALICIOUSLY FIXED"

23

CITY OF MIAMI POLICE DEPARTMENT
Crime Scene Investigation Unit

Case # 150115 - 015171

Location: 3667 Park Lane

Date: 01/15/15 Signal#: 32

CSI Name and PIN: M. Williams 28529



"26" HAS NOTHING TO DO WITH THIS CASE

150115 - 015028

3667 Park Lane

115115

24

"smoking gun"

M. Williams 28527

Net area CG

CITY OF MIAMI
POLICE DEPARTMENT
CRIME SCENE INVESTIGATION REPORT

-44

SUPERVISOR REVIEW
NAME J. Williams IBM 25886
DATE 1-20-15

CR#150115-015028 (27)

150115-015420 (28)

150115-015428 (41)

INCIDENT # 150115-015171 (32A)

CRIME Assault on a PO

VICTIM Korybut Alexis
(LAST) (FIRST)

LOCATION 3667 Park Lane

C.S.I.: M. Williams IBM # 28527 DATE 01/08/2015 SECONDARY LOCATION

REQ. BY 7524 TIME DISP: 1815 ARRIVAL: 1931 IN SERVICE: 2110 TOTAL TIME: 2.0Hrs.

LEAD C.S.I.: _____

IBM # _____ OTHER C.S.I.: _____

PHOTOS (Y) X (N) _____

AERIALS (Y) (N) X _____

SKETCH (Y) (N) X _____

VIDEO (Y) (N) X _____

EVIDENCE COLLECTED (Y) (N) X _____

MPD PROPERTY RECEIPT(Y) (N) X _____

DNA (Y) (N) X _____

LATENTS(Y) (N) X #CARDS _____

EVALUATION _____ IBM _____

NARRATIVE: This writer responded to above location in reference to a larceny. Upon arrival this writer made contact with Officer Cruz IBM 27546 who advised that the subject John Joseph Wilson was let in to the residence by the gardener. According to the Officer the subject cooked eggs and bacon, drank three bottles of wine and slept in the guest bedroom. The victim's Louis Vuitton card holder and some of his clothing were inside of the subject's bag. The Officer also advised that the subject damaged a patrol vehicle while in custody and assaulted another officer, Officer Fonseca.

This writer photographed City of Miami Police vehicle number XB6130 and its damages to the rear driver window.

Photographs of Officer J. Fonseca IBM 40882 were taken. The Officer advised he did not sustain any visible injuries.

This writer photographed subject John Joseph Wilson and his bandaged up injuries to his both knees. This writer advised Officer Cruz that the subject was uncooperative and didn't want to take pictures.

Photographs of the interior of the residence were taken. The residence is a two floor residence that faces to the west on Park Lane. There is a metal fence around the residence that has a door code lock. The door opens inward. There is a concrete pathway that leads to the front glass and wood door that faces to the west and opens inward. Once thru the front door to the south there is an office. In the office floor there were two bags with miscellaneous items belonging to the victim and the subject. On top of the office desk there was an open wine bottle, the subject's cell phone and a

474

Miles

Begin forwarded message:

From: JJ W <usqe101@yahoo.ca>
Subject: 2ude: TADF Shareholder Fraud Investigation: A.Korybut/D.Sava/J.Miles
Date: August 30, 2013 at 12:05:06 AM MDT
To: Gregg Jaclin <G.Jaclin@anslowlaw.com>, Thomas Pierson <tfpierson@me.com>, Alexis Korybut <alexis@korybut.com>, Dennis Mancino <tjminvest@gmail.com>, Adi Elfenbein <adi.elfenbein@gmail.com>, "BuenosAires-ACS@state.gov" <BuenosAires-ACS@state.gov>, "rogerwhite2010@hotmail.com" <rogerwhite2010@hotmail.com>
Cc: David Zazoff <david@za-consulting.net>, Carlo Corzine <ccarlowc@aol.com>, ANDREW Garbarini <andigob@gmail.com>, Brian McGowan <bmc@nadt.us.com>, Brian Ardent-Advisors <brian@ardent-advisors.com>, car charging <info@carcharging.com>, Barry Honig <brhonig@aol.com>, John Stetson <stetson.john@gmail.com>; Gregory Seltzer <seltzerg@ballardspahr.com>, dknill Jones <dknilljones@blueyonder.co.uk>, "Roger Cook.tadf" <rogercook@btinternet.com>
Reply-To: JJ W <usqe101@yahoo.ca>

ILLUMINATI

RE: CASE # F151083

RE: "Note" LEFT ON
my CHAIR DURING
LUNCH RECESS on 6.24.13

From: Gregg Jaclin <G.Jaclin@anslowlaw.com>
To: JJ W <usqe101@yahoo.ca>; Thomas Pierson <tfpierson@me.com>; Alexis Korybut <alexis@korybut.com>; Dennis Mancino <tjminvest@gmail.com>; Adi Elfenbein <adi.elfenbein@gmail.com>
Sent: Monday, July 15, 2013 5:07:07 PM
Subject: RE: TADF Shareholder Fraud Investigation: A.Korybut/G.Fears/J.Goldstein

I do not understand your question.

Gregg E. Jaclin, Esq.
Anslow + Jaclin LLP
195 Route 9 South | Manalapan, NJ 07726
T 732 409 1212 x 202 | F 732 577 1188
gjaclin@anslowlaw.com | www.anslowlaw.com

BLACK

To ensure compliance with requirements imposed by the IRS, we inform you that unless specifically indicated otherwise, any tax advice contained in this communication (including any attachment to this communication other than an attachment which is a formal tax opinion) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code, or (ii) promoting, marketing or recommending to another party any tax-related matter addressed herein.

ATT: CLERK OF COURT, MOTION GRANTED
WITHIN 30 DAYS OF 7/18/15 PER RULES OF
1. CC: BERTILA SOTO FROM: JOHN J. WILSON WRIT
CHIEF JUDGE OF THE ELEVENTH JUDICIAL CIRCUIT
SEE PLEA, WRIT (opposite page) DATE 7/1/15
JAIL # 150011065 OF METROWEST DETENTION C.R.
13850 N.W. 41st STREET
MIAMI, FL 33178

July 18, 2015

TO: CHIEF ADMINISTRATIVE JUDGE
OF THE ELEVENTH JUDICIAL CIRCUIT
IN MIAMI-DADE COUNTY,

c/o HARVEY RUVIN, CLERK OF COURTS
1351 N.W. 12TH AVENUE
MIAMI, FL 33125

RE: MOTION FOR ISSUANCE OF WRIT OF
PROCESSION AGAINST TRIAL JUDGE
CRISTINA MIRANDA IN CASE # F15001083;
REQUEST TO APPEAR BEFORE THE
ADMINISTRATIVE COURT AS SOON AS
POSSIBLE FOR ORALS REGARDING THE
ELEVENTH JUDICIAL CIRCUIT'S FAILURE
TO ACKNOWLEDGE MY prior MOTIONS FOR
A MISTRIAL IN CASE # F15001083 IN
DOCUMENTS FILED WITH CHIEF JUDGE
OF THE ELEVENTH CIRCUIT, BERTILA SOTO,
DATED July 1, 2015 (PLEASE SEE DUL.
ATTACHED, FOR YOUR REVIEW.)

DEAR CHIEF ADMINISTRATIVE JUDGE OF
THE ELEVENTH JUDICIAL CIRCUIT, ANTHONY GARCIA:

PLEASE BE ADVISED ALL OF MY MOTIONS
AND/OR CORRESPONDENCE WITH THE COURTS

Mr.
PRESIDENT
~~ATTWELL~~

AT THIS STAGE IS EITHER BEING IGNORED,
AND/OR SUMMARILY DISMISSED WITHOUT ME
BEING PRESENT DURING THE TIMES THESE
PROCEDUREINGS ARE TAKING PLACE (PLEASE
NOTE DENIALS OF MOTIONS) IS WITHDRAW
PLEAS IN CASE # F14000192, AND
CASE # F1300829/ BY JUDGE STACY
GLICK ON PURELY ERICONEOUS GROUNDS).

~~THE PROCEDURE~~
~~VIACTION~~
~~311 RULES~~
~~FOR CRIM~~
~~PROCEDURE~~
I AM ALSO BEING CUT OUT FROM
ALL LEGAL ADVISE BY THE OFFICE OF
THE PUBLIC DEFENDER REGARDING THESE
CASES IT HAS REPRESENTED ME ON PRIOR
WHICH IS A VIOLATION OF MY DUE PROCESS
RIGHTS (BASIS) IN MY RIGHT TO REPRESENTATION
IN ANY PERTINENT PROCEESSING,
WHICH INCLUDES WITHDRAW OF PLAESS.

WHAT'S MORE, I HAVE NO ABILITY
TO CONTACT ATTORNEY CHARLES WHITE
WHO WAS ASSIGNED TO ME BY JUDGE
MIRANDA ON 5/28/15, A DAY I WAS
AGAIN NOT Brought TO COURT REGARDING
CASE # F15006748. THIS ATTORNEY HAS
NOT CONTACTED ME, AND DOES NOT HAVE
COLLECT SERVICE ON HIS TELEPHONE, NEITHER
HAS THE COUNSELOR BEEN ABLE TO REACH
HIM THROUGH HIS OFFICE TO RECORIS,
NOR HAS THE COURT RESPONDED TO MY
REPEATED REQUESTS TO SPEAK WITH
THIS ATTORNEY.

I AM MAKING CONSIDERED EFFORTS
TO HIRE COUNSEL PER A COURT ORDER 477

③

Writ or
Prohibition
Petition
1-1-2012

TO HAVE FUNDS RETURNED TO ME
IN THE AMOUNT OF \$9,730.00% THE
COUNTY OF MIAMI-DADE HAS BEEN
WRONGLY AND ILLEGALLY WITHHOLDING
FROM ME SINCE JANUARY OF 2012
REGARDING CASE # FO4 090753B
WHICH HAS/NOW BEEN ASSIGNED TO
JUDGE TINKLER-MENDEZ.

DOCUMENTS I HAVE FILED WITH
HER OFFICE WHICH I HAVE REQUESTED
COPIES OF BASED ON MY PRO-SE
LIMITATIONS I HAVE YET TO RECEIVE
REGARDING THESE INTERRELATIONAL MATTERS.

IN SUM, I AM BEING CUT
OFF FROM ALL COMMUNICATIONS WITH
THE COURTS AND ACCESS TO LEGAL
ADVISE. I AM REQUEST THE
COURTS, IN A DILIGENT AND RIGHFUL
INTERVENTION TO COMEDY AND RESOLVE
THESE IMPORTANT LEGAL ISSUES.

ACCORDINGLY, PLEASE SCHEDULE
MY IMMEDIATE APPEARANCE BEFORE THE
ADMINISTRATIVE COURT FOR THE
PURPOSES OF ORALS REGARDING MY REQUEST
FOR ISSUANCE OF WRIT OF PROHIBITION,
AND TO BE APPOINTED PROPER LEGAL
COUNSEL FOR ADVISE IN THESE MATTERS.

THANK YOU IN ADVANCE FOR YOUR
PROMPT AND JUDICIOUS ATTENTION.

Sincerely, *John X. Van*

ATTENTION: HARVEY RUVIN, Clerk Court
RE: GUTTERREZ
67

1) NOTICE OF FACTUAL ERROR

MOTION TO DISMISS

CASE # F15001083.

2) PLEASE DOCKET ACCORDINGLY

REQUEST TO BE ASSIGNED

NEW JUDGE IN CASE #

F1500183; FORWARD ALL

DOCUMENTATION TO ATTENTION

CLERK
CIRCUIT AND COUNTY COURTS
CRIMINAL DIVISION: SECTION
1351 NW 12TH STREET SUITE 9000
MIAMI FL 33125
GILDED 9/13 Printed using sustainable products

SEP 15 REC'D

ADM. N. JUDGE
NUSHTIN

SAYFIE
ROOM

423

RETURN SERVICE
REQUESTED

Presort
First Class Mail
ComBasPrice



U.S. POSTAGE PAYNE BOWES

ZIP 33172 \$ 000.47¹
02 1W
0001379293 AUG 20 2015

JOHN WILSON
#150120831
METROWEST DETENTION CENTER
13850 NW 41st STREET
MIAMI, FL 33178

2C4

2015
8/31-15

331783304 R076

30

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA.
 IN THE COUNTY COURT IN AND FOR MIAMI-DADE COUNTY, FLORIDA.

141

DIVISION
 CRIMINAL
 TRAFFIC
 OTHER

EXCERPT OF PROCEEDINGS OF

MARCH 5, 2015

CASE NUMBER
F15-1083

THE STATE OF FLORIDA

VS.

JOHN JOSEPH WILSON

CLOCK IN

PLAINTIFF

DEFENDANT

BEFORE THE HONORABLE CRISTINA MIRANDA COUNSEL FOR DEFENDANT J. TRIANA
ASSISTANT STATE ATTORNEY D. ELDEN OFFICIAL COURT REPORTER K. MANTRANA

ON MARCH 5, 2015, THE DEFENDANT'S PRO SE MOTION FOR DEMAND FOR SPEEDY TRIAL, FILED ON MARCH 4, 2015, HAS BEEN STRICKEN BY THE COURT.

FACTUALLY
INCORRECT
SEE foregoing
PETITION TO DISMISS WITH
CORRESPONDING
DATED 2/15/15 ATTACHED
showing 2/6/15
DATE SPEEDY
DEMAND MADE
granted.

I HEREBY CERTIFY that the foregoing is a true and correct excerpt of the Clerk's minutes of the proceedings in the above cause, as shown by files and records in my office.

WITNESS MY HAND AND THE SEAL OF THIS COURT in Miami-Dade County, Florida, this 19 day of AUGUST, 20 15.

STATE OF FLORIDA, COUNTY OF DADE

I HEREBY CERTIFY that the foregoing is a true and correct copy of the
original on file in the office of AUG 19 2015 AD 20

HARVEY RUVIN, Clerk of Circuit and County Courts

Deputy Clerk Theresa Cottingham

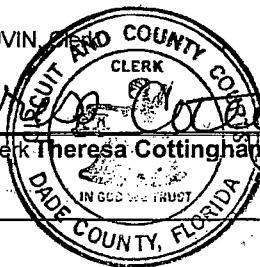
Clerk's web address: www.miami-dadeclerk.com



HARVEY RUVIN, CLERK

By

Deputy Clerk Theresa Cottingham



① ~~CC:~~ MARY CASY BANKS FROM: JOHN J. WILSON
3 District Court Appeal
2001 S.W. 117th AVENUE
MIAMI, FL 33175-1716
JAIL # 150011065
METROWEST DETENTION CENTER
13850 N.W. 4th STREET
MIAMI, FL 33178

August 28, 2015

TO: HARVEY RUVIN, CLERK OF COURT
CRIMINAL DIVISION: SECTION JC POST HEARING
1351 N.W. 12TH STREET (SUITE 9000)
MIAMI, FL 33125

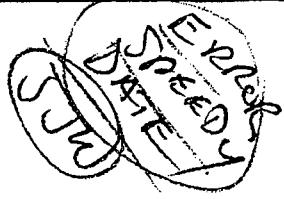
RE: FACTUAL ERROR PERTAINING TO ALLEGED
DATE OF MARCH 5, 2015 PRO-SE
MOTION FOR A "DEMURRER TO A SPEEDY
TRIAL" WAS FILED IN CASE #F151083
THAT WAS STRICKEN BY JUDGE
CHRISTINA MIRANDA ON AUGUST 19, 2015.

Dear Clerks of Court, and All
Whom it may concern:

① PLEASE BE ADVISED THE NOTICE I RECEIVED HEREBY ATTACHED FROM THE CLERK OF COURT IS FACTUALLY INACCURATE.

② Accordingly, please see attached evidence of this factual inaccuracy regarding a letter to the Court dated February 17, 2015, which clearly defines the actual date a motion was made, and granted, by Judge Cristina Mendoza in open

2.



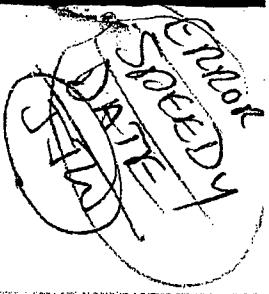
COURT, FOR A DEMAND TO A SPEEDY TRIAL, AS FEBRUARY 6, 2015.

- ③ THIS DATE OF 2/6/15 IS CONSISTENTLY REFERENCED THROUGHOUT NUMEROUS OTHER DOCUMENTS FILED WITH THE COURTS, SOME OF WHICH I HAVE TAKEN THE LIBERTY TO INCLUDE FOR YOUR CAREFUL AND JUDICIOUS REVIEW.
- ④ ACCORDINGLY, PLEASE CORRECT THIS FACTUAL ERROR BY AMENDING THE OFFICIAL RECORD IN CASE # F151083 REFLECTING THE GRANTING OF A SPEEDY TRIAL AS TRULY FEBRUARY 6, 2015.
- ⑤ PLEASE VERIFY THIS INDISTINCTABLE TRUTH BY REVIEWING THE COURT TRANSCRIPTS FROM 2/6/15. PLEASE BE ADVISED I DO NOT BELIEVE I WAS TAKEN TO APPEAR IN COURT THE DAY ALLEGED IN THE NOTICE OF MARCH 4, 2015.
- ⑥ AS I HAVE CONSISTENTLY PLEASED TO THE COURTS, I HAVE NOT BEEN PRESENT IN COURT THE DAY'S KEY PROCEDURAL DECISIONS WERE MADE RELATING TO CASE # F151083.

⑦ I HAVE FILED A MISTRIAL WITH THE CLERK OF COURT, HARVEY RUVIN, AND CHIEF JUDGE OF THE ELEVENTH CIRCUIT, BERTHA SOTO, ON THESE GROUNDS, DATED JULY 1, 2015, WHICH HAS YET TO BE FILED OR REFLECTED ON THE DOCKET, OR SCHEDULED FOR ORAL ARGUMENTS.

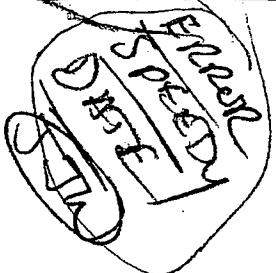
⑧ I HAVE FILED NUMEROUS CONFLICTS OF INTEREST WITH TRIAL JUDGE CHRISTINA MINSKDA, // AS WELL AS A "WIT OF PROHIBITION" WHICH ALSO HAS YET TO BE ACKNOWLEDGED OR ADDRESSED BY THE COURTS.

⑨ JUDGE MINSKDA REFUSED TO FILE, OR HEAR, MY "WIT OF HABEAS CORPUS" DURING MY LONG 1 1/2 HOUR APPEARANCE WITHOUT WITNESSES OR COUNSEL ON 8/26/15 ADDRESSING THESE NUMEROUS LEGAL INCONSISTENCIES WHICH RENDERS THE TRIAL IN CASE # F151083 EFFECTIVELY MOOT, AND LEGALLY INVALID, AS AN UNLAWFUL PROCEEDING.



4. (10) PLEASE BE ADVISED I REQUEST
TO CONSULT WITH APPOINTED
LEGAL COUNSEL PRIOR TO MY NEXT
SCHEDULED APPEARANCE IN COURT,
BASED ON THE ACCURATE DATE
AND INABILITY TO SPEAK OR ASSERT
MY RIGHTS ON 8/26/15.

(11) PLEASE BE DULY ADVISED JUDGE
CHRISTINA MIRANDA HAS DENIED
EVERY SINGLE MOTION I HAVE
MADE, IN CASE # F15/1083 --
EXCEPT -- THE MOTION FOR
A SPEEDY TRIAL ON 2/6/15,
AND THE MOTION SHE WRONGFULLY
GRANTED TO JEREMY TRIANA, ORIGINAL
ATTORNEY ASSIGNED FROM THE OFFICE
AND OF THE PUBLIC DEFENDER, TO CONFLICT OFF
THE CASE, THEN CONFLICT SHE GRANTED WITHOUT
CAUSE TO ATTORNEY STEVEN TAYLOR,
OF THE OFFICE OF REGIONAL COUNSEL,
THE DAY SHE SIMPLY TANDEMUS
AGREED TO MERGE CASE F15/1083
WITH F15/1084, A PROCEDURAL
DECISION WHICH HAD ALREADY BEEN
RULED ON PREVIOUSLY, AS EVIDENCED
ON THE 2ND PAGE OF THE
ATTACHED "CHARIFICATION" LETTER DATED
2/17/15.



11. PLEASE ENSURE THESE ISSUES
ARE ADDRESSED BY THE
PROPER LEGAL AUTHORITIES PRIOR
TO MY NEXT SCHEDULED PROCEEDING.

12. PLEASE ENSURE COUNSEL IS
APPOINTED, AND I AM ABLE
TO CONSULT A LAWYER PRIOR
TO ANY FURTHER PROCEEDINGS
TAKE PLACE, IN LIGHT OF
THE ISSUES OUTLINED IN MY
PREVIOUSLY FILED "WRIT OF HABEAS
CORPUS" DATED AUGUST 12, 2015.

THANK YOU IN ADVANCE FOR
YOUR PROMPT ATTENTION TO RECTIFY
THESE SERIOUS LEGAL
TRANSGRESSIONS AS SOON AS
FEASIBLY POSSIBLE.

REGARDS

John D. Wilson
METROWEST DETENTION CENTER
13850 N.W. 41st STREET
Miami, FL 33178

{150011065}

(1) LL MR. & LONY TRIANA
1320 NW. 14th STREET
MIAMI, FL 33125
RE: COURT CASE #
F15001083

FROM: JOHN J. WILSON
{Jail #150120831}
METROWEST DETENTION OR.
13850 N.W. 41st STREET
MIAMI, FL 33178

RE: CLARIFICATION FOR MOTION TO
Demand FOR A SPEEDY TRIAL
IN COURT CASE # F15001083
WITHIN 50 DAYS FROM
FEBRUARY 6, 2015, THE DAY
THE MOTION WAS MADE &
GRANTED IN COURT.

* NO ATTACHED
* DEFENDANT'S COUNSEL
* 16 OF FL
* RECORDED

To: THE HONORABLE JUDGE MIRANDA
C/O THE CLERK OF COURT
RICHARD E. GERSTEIN BUILDING
1351 N.W. 12th AVENUE
MIAMI, FL 33125

Dear Clerk of Court / Judge Miranda.

F151083 After reviewing discovery
with Mr. Triana today regarding
Case # F151083, please ensure the
motion granted on February 6, 2015
for a "Demand for a Speedy Trial"
is limited to a 50 day
allowance, without further
continuance beyond the
constitutionally mandated term of
50 days.

Please be advised the
motion made, and granted, on

(2.)

February 6, 2015 in Cases F1500108.
by the Honorable Judge Miranda
was a speedy demand for a
trial within 50 days, not
175 days, as would apply to
a "natural" speedy trial (with
the use of additional continuances).

F1500108

Please be advised the
official Court record will reflect
as such.

The purpose of this letter
for clarification and to
avoid any confusion at a later
date regarding the type of
speedy trial which indeed was
mailed, and granted, on 2/6/15
regarding Case # 15001083.

F15001084

Thank you for your prompt
and diligent attention to
this important procedural
matter in Case # 15001083.
Please open both cases together.
I look forward to seeing you
in Court.

Sincerely,
John S. Wilson (501204873)

2/17/15

MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT

Inmate Grievance

NW15-0608

Control Number:

Inmate Name: John S. Wilson

Jail Number: 150011065

Date Prepared: 6/8/15

Category: Civil Rights Violation

Staff Complaint

Housing Unit/Cell Number: 3B2

The inmate must complete and submit this form to a Correctional Counselor within 2 workdays of receipt. If an incident/situation affects more than one inmate, each inmate must personally submit a separate complaint/grievance. Also, if an inmate has more than one complaint/grievance, each complaint/grievance must be submitted on a separate Inmate Grievance form. You must state what or who is the subject of the grievance, related dates and places, and what affect the situation, problem, or person is causing. State the title of any policy or standard that may be the subject of your grievance, if applicable. Attach copies of all Inmate Action/Remedy Request forms (if applicable) used in an attempt to resolve your complaint.

PART I — Provide Specific Details of Your Grievance:

ON 5/28/15 I WAS NOT AGAIN TAKEN TO COURT TO APPEAR IN FRONT OF JUDGE MIRANDA WITH I RIGHTLY SHOULD HAVE BEEN, AND WITH KEY PROCEDURES/ DECISIONS WERE MADE WITHOUT MY BEING PRESENT. I ASKED COUNSELOR ALVAREZ FOR ASSISTANCE IN CONTACTING THE COURT, AND THE ATTORNEY I WAS ASSIGNED THAT DAY. HE SAID, "

PART II — What Steps Have You Taken to Solve the Grievance?

"I AM NOT YOUR LEGS/ SECRETARY."

I HAVE SPOKEN TO CAPTAIN RODRIGUEZ ABOUT THIS SERIOUS VIOLATION OF MY CIVIL RIGHT TO PRO-SE LEGAL SERVICES, TO NO AVAIL WHATSOEVER.

PART III — What Remedy/Action(s) Are You Requesting?

PLEASE AGAIN CONTACT CAPTAIN RODRIGUEZ, OR MARY DELI GUEVARA, DIRECTOR, ABOUT ASSIGNING ME A NEW, QUALIFIED, HELPFUL COUNSELOR TO PROVIDE PRO-SE SERVICES.

I Affirm that All Statements I Have Made are True and Correct

THANK YOU!

~~as per~~

6/8/15

Date

Grievance Received By:

Correctional Counselor Name (Print)

Correctional Counselor Signature

Date

Distribution: White Copy—RSB File Yellow Copy—Facility Supervisor/Bureau Commander/CHS Nurse or Designee Pink Copy—Inmate



Supreme Court of Florida

Office of the Clerk
500 South Duval Street
Tallahassee, Florida 32399-1927

JOHN A. TOMASINO
CLERK
MARK CLAYTON
CHIEF DEPUTY CLERK
KRISTINA SAMUELS
STAFF ATTORNEY

PHONE NUMBER: (850) 488-0125
www.floridasupremecourt.org

August 24, 2015

Mr. John J. Wilson
Metrowest Detention Center
13850 N.W. 41st Street
Miami, FL 33178

Re: Letter received August 20, 2015

Dear Mr. Wilson:

In response to your letter received on August 20, 2015, your letter and a copy of your federal habeas have been placed in our miscellaneous file and no further action will be taken by the Court. This letter is without prejudice to file a proper petition in this Court pursuant to the Florida Rules of Appellate Procedure. You may also want to refer to the Appellate Practice Section of The Florida Bar's Pro Se Handbook available online at http://www.flabarappellate.org/asp/pro_sehandbook.asp.

Sincerely,

John Tomasino

JAT/ab

CC: ANDREA GARCIA
ADMIN. JUDGE
ELEVENTH CIRCUIT
MIAMI - DADE County

"6.24.15"
TRIAL "FIXED"
(REF. TO "b6b")

FROM: JOHN J. WILSON

{ 150011065 } JAIL #
METROWEST DETENTION CENTER
13850 N.W. 41ST STREET
MIAMI, FL 33178

July 1, 2015

Motion * TO: THE HONORABLE BERTILA SORO, CHIEF JUDGE
THE 11th JUDICIAL CIRCUIT OF MIAMI - DADE
NOT DOCUMENTED 1351 N.W. 12TH STREET
PREVIOUSLY Miami, FL 33125 { * MOTION IGNORED }
ACKNOWLEDGED BY COURTS

RE: MOTION TO APPEAR IN PERSONA BEFORE
THE CHIEF JUDGE OF THE ELEVENTH JUDICIAL
CIRCUIT IN MIAMI - DADE COUNTY FOR THE
DUAL PURPOSE OF FILING A MISTRIAL
FOR CAUSE REGARDING (CASE # F15001083)
BASED ON PERJURY, WITNESS COACHING AND
TRIAL "RIGGING" EVIDENT IN THE
INCONGRUENT AND MATERIALLY INCONSISTENT
TESTIMONIES OF PROSECUTION WITNESSES
(001) OFFICER JOHNNY FONSECA (ID 40882);
VICTOR MILLER DAVIS, 8045 LEGEND
CLUB DRIVE, WEST PALM BEACH; AND
INADMISSIBLE TESTIMONY WITH MALICIOUS
INTENT TO SLANDER FOR THE RECORD
PROFFERED BY CIVIL DEFENDANT MR.
ALEXIS KORY BUT OF 3667 PARK LANE,
MIAMI, FL, NAMED IN FEDERAL CIVIL COMPLAINT
CASE # 1:15-cv-22098-MGC FILED
IN THE SOUTHERN DISTRICT OF FLORIDA, AND
WRONGFULLY NOT DISCLOSED TO THE JURY
AS A MATTER OF PUBLIC RECORD.

* VICTOR
MILLER
ADMITTED
ON CROSS -
EXAMINATION
HE HAD BEEN
COACHED BY
STATE ATTORNEY
VICTORIA

CUE TO
BAR
98018

* HET FONSECA
IED ON
START

"26" is an intelligence "code" for
Sandy Hook.

26 has nothing to do with this case. Evidence
of a malicious prosecution.

On Wed, Sep 4, 2013 at 11:50 AM, Adi Elfenbein <adi.elfenbein@gmail.com> wrote:
To whom it may concern,

You have all been copied on this email because you and many others have been the recipient of an endless barrage of nonsensical, threatening, and disturbing emails from John Joseph Wilson.

I will attempt to set the record straight in regard to Mr. Wilson, although I doubt whether I can properly do justice to the matter.

John Joseph Wilson aka John J. Wilson, JJW, John Jacobs, Martha Operea, William Bush III, Red Hawk Partners, etc, etc, etc...

~~None of THE EXCULPATORY E-MAIL EVIDENCE ALLOWED
INTO THE TRIAL AS EVIDENCE BY C. MIRANDA~~

- Mr. Wilson is a convicted criminal
- Mr. Wilson been arrested, indicted, and/or convicted no less than 10 times in the last year and a half, most recently this past week once again
- The charges against Mr. Wilson include, but are not limited to: cocaine trafficking, money laundering, defrauding investors, grand theft, petty theft, assault, battery, resisting arrest, and other charges
- Mr. Wilson is currently on parole and is awaiting sentencing on multiple charges
- Mr. Wilson has been diagnosed with Sociopathic Behavior. Please see the following link to educate yourself on the characteristics of the Sociopath: <http://www.mcafee.cc/Bin/sb.html>
- Mr. Wilson is currently jobless, homeless, living on the streets of Miami, and should be considered as, and treated as, a dangerous and severely disturbed individual, with whom contact or interaction of any kind should be vigorously avoided.
- As a consequence of Mr. Wilson's state of domestic affairs and his impaired pathological, emotional, and mental health, he has been engaged in a campaign of extortion, intimidation, slander, threats of, and in some cases actual, physical harm to various individuals included in this email, as well as to the families and children of said individuals, as well as racial, ethnic, and religious slurs against various individuals
- Mr. Wilson's believes that he is "exacting revenge" for perceived wrongs to him, including but not limited to: not giving him further employment opportunities, not paying for his repeated requests for bail moneys, not taking him into our homes to live with our families, etc...
- In addition, Mr. Wilson is trying to exact moneys through threats of extortion, which claims although false, groundless, and in many cases pure fabrication, are disturbing alone in simply the utterance of the words.

Fortunately, Mr. Wilson is his own worst enemy, and I must believe that all, if not the great majority, of individuals who have been the recipients of Mr. Wilson's disturbing emails, have quickly concluded much of what I have stated above without having to have been told.

As such, I urge you to treat Mr. Wilson with great caution because as many individuals herein copied can attest, any interaction whatsoever with Mr. Wilson can only lead to danger, trouble, and regret on your part for having done so. The individuals who have most tried to help Mr. Wilson over the years by repeatedly giving him employment, "lending" him money, giving him a place to live, and many other types of support, are those individuals who have been the greatest recipients of Mr. Wilson's wrath, violence, threats, and extortion attempts.

Please do not make the mistake of underestimating Mr. Wilson's sociopathy, false sense of entitlement, paranoia, delusional behavior, or his capacity and willingness to inflict serious physical, and other types of, harm upon any individual with whom he has interacted, or on their families. You do not want "their" to become "your"...

You cannot help Mr. Wilson, Mr. Wilson will not change, and Mr. Wilson will not stop until he has been incarcerated for good, or crosses the wrong individual who chooses to take matters into his/her own hands. Given the track-record of Mr. Wilson, I suspect that either of these 2 scenarios will take place in the near future. In the interim, it is in your best interest to completely ignore and to not respond or interact in any way whatsoever with Mr. Wilson.

I have attached below various mugshots of Mr. Wilson, as well as screen shots taken from the internet of some but not all of the charges/convictions against him. Unfortunately it is not a complete picture because many of the records cannot be accessed by an individual and/or have been removed after a period of 6 months pursuant to federal law, nevertheless, I think you get the picture.

Sincerely,

Alexis Korybut

~~PERJURED HIMSELF AT TRIAL~~



STATE OF FLORIDA
ELEVENTH JUDICIAL CIRCUIT
LAWSON E. THOMAS COURTHOUSE CENTER
175 N.W. FIRST AVENUE, SUITE 3045
MIAMI, FLORIDA 33128
TELEPHONE (305) 349-5720

BERTILA SOTO
CHIEF JUDGE

MARITZA M. DE PAUL
JUDICIAL ASSISTANT

June 3, 2015

John J. Wilson, JL# 15-11065/3B2
Metro West Detention Center
13850 NW 41st Street
Miami, FL 33178

FYI
Re: Case No. F15-6748/1083, 84

Dear Mr. Wilson:

CASES WRONGLY
MERGED TO
INCLUDE FABRICATED
TESTIMONY

Please be advised that we are in receipt of your letter regarding the above mentioned cases. Chief Judge Soto has requested that I forward your letter to Judge Nushin Sayfie, the Administrative Judge for the Circuit Criminal Division, for her review. Judge Sayfie, in her capacity as Administrative Judge would be the appropriate party to address this matter.

Once again, all future comments and correspondence regarding this matter should be directed to Judge Sayfie, located at the Richard E. Gerstein Justice Building at 1351 N.W. 12th Street, Room 423, Miami, FL 33135.

Sincerely,

* Maritza M. De Paul, Judicial Assistant to
Chief Judge Bertila Soto

cc: Judge Nushin Sayfie

BRADY MATERIAL + EMAILS
AS EXONERATORY EVIDENCE
EXCLUDED BY JUDGE MIRANDA

ERROR
pls. CONTACT PUBLIC DEFENDER
HEATHER SMITH RE: MY WITHDRAW
OF PLEA IN CASE # F13008291
F14000092

P.S. I CANNOT RETAIN ATTORNEY
CHARLES WHITE SINCE BEING ASSIGNED
THIS ATTORNEY BY JUDGE MIRANDA
I WAS NOT BROUGHT TO COURT
TEL. (305) 914-0160 ON 5/28/11

①
a/18
FROM: John J. Wilson
METROWEST DETENTION JR.
13850 N.W. 41st STREET
MIAMI, FL 33178

Spicker
SEP 18 2015

SEPTEMBER 3, 2015

⑦

* TO: Harvey Ruvin, Clerk of Court
Criminal Division, SECTION TC Post Hearing
1351 N.W. 12th STREET, SUITE 9000
MIAMI, FL 33125

* RE: Motion TO DISQUALIFY JUDGE
JUDGE CRISTINA MIRONOWSKI
AND ASSISTANT STATE ATTORNEY
VICTORIA CUETO IN CASE #'S
F15001083 AND F15006748
FOR CAUSE; Motion TO
DISQUALIFY ASSIGNED ADMINISTRATOR
JUDGE NASHIN SAYFIE FOR
NEGLIGENCE IN OVERSIGHTING
THESE JUDICIAL MATTERS.

→ DEAR CLERK OF COURTS AND
ALL WHO MAY HAVE JURISDICTION
OVER THESE LEGAL MATTERS.

① PLEASE DULY ASSIGN IN THESE A
NEW JUDGE AND PROSECUTOR
TO THE AFOREMENTIONED CASES
BASED ON THE PREJUDICIAL AND
BASED CONDUCT EVIDENT IN
THE ATTACHED 6/12/15 LETTER,
CITING NUMEROUS BRADY
VIOLATIONS; AS WELL AS THE
600
45

②

3-12-15
Dissenting
in Court
in
Chancery

Enclosed 5/21/15 LETTER DIRECTED
TO CHIEF JUDGE BERTIA SOTO
ENTITLED "MALICIOUS PROSECUTION
CAUSE OF ACTION" RE: CASE #
F1500/083.

② PLEASE ASSIGN ACCORDINGLY A
NEW ADMINISTRATIVE JUDGE
THAT MAY HAVE JURISDICTION OVER
THESE MATTERS PER THE ATTACHED
LETTER FROM CHIEF JUDGE
BERTIA SOTO, ASSIGNING
ADMIN. JUDGE NASHA SAYFIE
TO THE CASE. I HAVE NOT
RECEIVED ANY COMMUNICATION
FROM JUDGE SAYFIE DESPITE
MY INNUMERABLE ATTEMPTS
TO NOTIFY HER REGARDING
THE REPEATED AND MAJESTIC
VIOLATIONS OF MY RIGHTS
IN THESE CASES BEFORE
JUDGE CRISTINA MIRANDA,
CONSTITUTING A GROSS AND
UNCARING ACT OF NEGLIGENCE.

NOTHING I SAY OR DO IS BEING
LISTENED TO OR ACKNOWLEDGED
BY JUDGE MIRANDA AT THIS POINT,
CREATING A MALIGNANT ENVIRONMENT
IN THE COURT ROOM WITH RESPECT
TO RECEIVING A FAIR HEARING,

(3.)

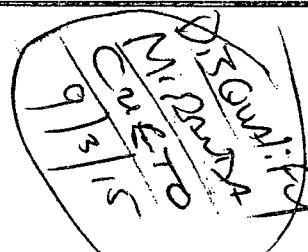
3. J. J. M. 9/1/15
Court of Appeals
Court of Appeals
Court of Appeals

ON BEING ABLE TO ASSERT MY
RIGHTS IN ANY WAY.

(4.) I HAD FILED A "WIT
OR PROHIBITION" DATED 7/18/15
WITH THE COURT, WHICH WAS
TO BE ANSWERED OR ACKNOWLEDGED
BY EITHER JUDGE MIRANDA OR
ADMN. JUDGE NASHIN SAYFIE.
PLEASE BE ADVISED 30 DAYS HAS
ELAPSED SINCE THE "WIT OR
PROHIBITION" WAS FILED WITH
THE COURT AUTOMATICALLY
GRANTING THIS MOTION BASED ON
THE 30 DAY ALLOWANCE FOR
THE "WIT" TO BE ANSWERED
BY THE COURT OR ATTENDED TO.

(5.) However, I HAVE STILL BEEN
SCHEDULED IN FRONT OF
JUDGE MIRANDA DESPITE THE
"WIT OR PROHIBITION" BEING
TECHNICALLY IN FORCE BASED
ON THE 30 DAY EXPIRATION,
AND THE FACT JUDGE MIRANDA
REFUSED TO REVERSE AND MY
INITIAL AND SUBSEQUENT MOTIONS
FOR RECESS, AND "CHANGE OF
VENUE" OUTLINED IN THE 5/2/15
MOTION FOR "CONFIRM FOR OUSE!"

4



6. Please find Hanesby ATTACHED
A LETTER TO THE FLORIDA BAR
OUTLINING THE REPORT
MISCONDUCT WHICH HAS TRANSPURRED
IN CASE # F15001083 ON
THE PART OF ASST. STATE
ATTORNEY MR. VICTORIA CUETO.
Accordingly, PLEASE NOTIFY
THE OFFICE OF ST. ATTORNEY
KATHERINE FERNANDEZ RODRIGUEZ AND
ASSIGN A NEW ST. ATTORNEY TO
THESE CASES.

PLEASE BE ADVISED THESE
ACTIONS ALSO CONSTITUTE A
CRIMINAL MATTER TO BE RESOLVED
BY THE APPROPRIATE LAW
ENFORCEMENT AUTHORITIES.

THANK YOU IN ADVANCE FOR
YOUR PROMPT ATTENTION TO
THESE TIMELY LEGAL MATTERS
RE: CASE # F15001083 AND
F15006748.

Look forward.

Regards,

48

497



STATE OF FLORIDA
ELEVENTH JUDICIAL CIRCUIT
LAWSON E. THOMAS COURTHOUSE CENTER
175 N.W. FIRST AVENUE, SUITE 3045
MIAMI, FLORIDA 33126
TELEPHONE (305) 349-5720

BERTILA SOTO
CHIEF JUDGE

MARITZA M. DE PAUL
JUDICIAL ASSISTANT

June 3, 2015

John J. Wilson, JL# 15-11065/3B2
Metro West Detention Center
13850 NW 41st Street
Miami, FL 33178

FYI
Re: Case No. F15-6748 (1083, 84)

Dear Mr. Wilson:

*10 - ACTION
NOTICE
PRIORITY
TO TRIAL
RE: OUTWAY
ISSUES*

Please be advised that we are in receipt of your letter regarding the above mentioned cases. Chief Judge Soto has requested that I forward your letter to Judge Nushin Sayfie, the Administrative Judge for the Circuit Criminal Division, for her review. Judge Sayfie, in her capacity as Administrative Judge would be the appropriate party to address this matter.

Once again, all future comments and correspondence regarding this matter should be directed to Judge Sayfie, located at the Richard E. Gerstein Justice Building at 1351 N.W. 12th Street, Room 423, Miami, FL 33135.

Sincerely,

M.M. De Paul

* Maritza M. De Paul, Judicial Assistant to
Chief Judge Bertila Soto

cc: Judge Nushin Sayfie

BRADY MATERIAL & EMAILS
AS EXONERATORY EVIDENCE

EXCLUDED BY JUDGE MIRSUADA

*Pls. CONTACT PUBLIC DEFENDER
HEATHER SMITH RE: MY WITHDRAW
OR PLEA IN CASE # F1300829/
F14000192*

*P.S. I CANNOT RETAIN ATTORNEY
CHARLES WHITE SINCE BEING ASSIGNED
THIS ATTORNEY BY JUDGE MIRSUADA
I WAS NOT BROUGHT TO COURT
TEL. (305) 914-0160 ON 5/28/11*

13 Fla. Jur 2d Courts and Judges § 321

Florida Jurisprudence, Second Edition

Courts and Judges
by Stephen Lease, J.D.

Part Two. Judges
VI. Disqualification or Recusal to Act in Particular Case
C. Procedure

Topic Summary Correlation Table References

~~REPLACES COMBINED INDEX OF JUDGES AND ATTORNEYS~~

~~WEST'S KEY NUMBER DIGEST~~

West's Key Number Digest, Judges c-51(3)

A motion to disqualify must show that the party fears that he or she will not receive a fair trial or hearing because:

- (1) of a specifically described prejudice or bias of the judge;[FN1]
- (2) the judge before whom the case is pending or some person related to the judge by consanguinity or affinity within the third degree is a party thereto or is interested in the result thereof;
- (3) the judge is related to an attorney or counselor of record in the cause by consanguinity or affinity within the third degree; or
- (4) the judge is a material witness for or against one of the parties to the cause.[FN2]
Generally, the critical determination in deciding the legal sufficiency of a motion to disqualify has been whether the facts alleged would prompt a reasonably prudent person to fear he or she would not receive a fair trial,[FN3] and a motion to disqualify a judge will be dismissed as legally insufficient if it fails to establish a well-grounded fear on the part of the movant that he or she will not receive a fair hearing.[FN4] A defendant's subjective fears are not reasonably sufficient to justify a well-founded fear of prejudice.[FN5] If a motion to recuse is technically sufficient and the facts alleged therein also would prompt a reasonably prudent person to fear that he or she could not get a fair and impartial trial from the judge, the motion is legally sufficient and should be granted.[FN6]

Adverse rulings by themselves, whether they are correct or incorrect, are not legally sufficient grounds upon which to base a motion to disqualify a judge for prejudice or bias.[FN7] A motion

to disqualify a judge is legally insufficient where it fails to specifically describe any prejudice or bias on the part of the trial court and, instead, merely cites to the fact that the trial court had denied a movant's motion for a summary judgment.[FN8]

The motion to disqualify a judge should contain facts germane to the judge's undue bias, prejudice, or sympathy.[FN9]

DISQUALIFICATION

Cases

Judge's heightened concern for safety in nonjury postconviction proceeding, as shown by seating capital defendant in a jury box rather than at counsel table and restraining him with shackles and chains, was not a legally sufficient basis for recusal. West's F.S.A. § 38.10; West's F.S.A. R.Jud.Admin.Rule 2.330. Parker v. State, 3 So. 3d 974 (Fla. 2009).

Whether a motion to disqualify judge is legally sufficient is a question of law. West's F.S.A. § 38.10; West's F.S.A. R.Jud.Admin.Rule 2.330. Parker v. State, 3 So. 3d 974 (Fla. 2009)

Fear of judicial bias, as necessary for legal sufficiency of a motion to disqualify, must be objectively reasonable; subjective fear of a party seeking the disqualification of a judge is not sufficient. West's F.S.A. § 38.10; West's F.S.A. R.Jud.Admin.Rule 2.330. Parker v. State, 3 So. 3d 974 (Fla. 2009).

The facts and reasons given for disqualification of a judge must tend to show the judge's undue bias, prejudice, or sympathy. West's F.S.A. § 38.10; West's F.S.A. R.Jud.Admin.Rule 2.330. Parker v. State, 3 So. 3d 974 (Fla. 2009).

Facts alleged in a motion to disqualify a judge must demonstrate that the party has a well-grounded fear that he will not receive a fair trial before the judge. West's F.S.A. § 38.10; West's F.S.A. R.Jud.Admin.Rule 2.160. Wickham v. State, 998 So. 2d 593 (Fla. 2008), as revised on denial of reh'g, (Dec. 23, 2008).

Defendant's motion to disqualify all Second Circuit judges from deciding his motion to vacate his conviction for first-degree murder and sentence of death demonstrated a well-founded fear of judicial bias and should have been granted; defendant raised numerous claims of ineffective assistance of trial counsel in his motion to vacate, trial counsel ran for a circuit court judgeship while defendant's case was still pending, became a judge on Second Circuit shortly after defendant's trial, served as circuit court judge for almost eight years, was chief judge of Second Circuit for approximately four years, and was currently an appellate judge who would hear appeals from Second Circuit, and trial counsel's wife joined Second Circuit as a judge after trial counsel was appointed to appellate bench. U.S.C.A. Const.Amend. 6; West's F.S.A. § 38.10; West's F.S.A. R.Jud.Admin.Rule 2.160. Wickham v. State, 998 So. 2d 593 (Fla. 2008), as revised on denial of reh'g, (Dec. 23, 2008).

In determining the legal sufficiency of a motion to disqualify, the court asks whether the facts alleged, which must be assumed to be true, would cause the movant to have a well-founded fear that he or she will not receive a fair trial at the hands of that judge. Stein v. State, 995 So. 2d 329 (Fla. 2008).

The legal sufficiency of a motion to disqualify a judge depends on whether the facts alleged would place a reasonably prudent person in fear of not receiving a fair and impartial trial. Thompson v. State, 990 So. 2d 482 (Fla. 2008).

A motion to disqualify a judge must be well-founded and contain facts germane to the judge's undue bias, prejudice, or sympathy. Williams v. State, 987 So. 2d 1 (Fla. 2008).

A motion to disqualify a judge is legally insufficient if it fails to establish a well-grounded fear on the part of the movant that he will not receive a fair hearing. Williams v. State, 987 So. 2d 1 (Fla. 2008).

Facts alleged in a motion to disqualify must demonstrate that the party has a well-grounded fear that he will not receive a fair trial before the judge. West's F.S.A. R.Jud.Admin.Rule 2.160 (2004). Doorbal v. State, 983 So. 2d 464 (Fla. 2008).

A mere subjective fear of bias on the part of a judge will not be legally sufficient to support disqualification; rather, the fear must be objectively reasonable. Barnhill v. State, 971 So. 2d 106 (Fla. 2007).

A motion to disqualify a judge will be dismissed as legally insufficient if it fails to establish a well-grounded fear on the part of the movant that he will not receive a fair hearing. Grim v. State, 971 So. 2d 85 (Fla. 2007).

In determining legal sufficiency of motion to disqualify judge, the question is whether the alleged facts would create in a reasonably prudent person a well-founded fear of not receiving a fair and impartial trial. West's F.S.A. R.Jud.Admin.Rule 2.330(f). Riechmann v. State, 966 So. 2d 298 (Fla. 2007), as revised on denial of reh'g, (Sept. 20, 2007).

A motion to disqualify a judge is legally insufficient if it fails to demonstrate an objectively reasonable, well-grounded fear of not receiving a fair and impartial trial. West's F.S.A. R.Jud.Admin.Rule 2.330. Rodgers v. State, 948 So. 2d 655 (Fla. 2006).

Whether a motion to disqualify a judge is legally sufficient requires a determination as to whether the alleged facts would create in a reasonably prudent person a well-founded fear of not receiving a fair and impartial trial. West's F.S.A. R.Jud.Admin.Rule 2.160(f). Rodriguez v. State, 919 So. 2d 1252 (Fla. 2005), as revised on denial of reh'g, (Jan. 19, 2006).

A motion to disqualify trial judge will be deemed legally insufficient if it fails to establish a well-grounded fear on the part of the defendant that he will not receive a fair hearing. Arbelaez v. State, 898 So. 2d 25 (Fla. 2005), reh'g denied, (Mar. 18, 2005).

The primary consideration in determining whether motion to disqualify trial judge should be granted is whether the facts alleged, if true, would place a reasonably prudent person in fear of not receiving a fair and impartial trial. Arbelaez v. State, 898 So. 2d 25 (Fla. 2005), reh'g denied, (Mar. 18, 2005).

The legal sufficiency of a motion to disqualify depends on whether the facts alleged would place a reasonably prudent person in fear of not receiving a fair and impartial trial. Clayton v. State, 12 So. 3d 1259 (Fla. Dist. Ct. App. 2d Dist. 2009).

A verified motion for judicial disqualification must contain an actual factual foundation for the alleged fear of prejudice. D.H. ex rel. J.R. v. Department of Children and Families, 12 So. 3d 266 (Fla. Dist. Ct. App. 1st Dist. 2009).

A subjective fear of bias is insufficient to justify granting the judicial disqualification motion; rather, the fear must be objective. D.H. ex rel. J.R. v. Department of Children and Families, 12 So. 3d 266 (Fla. Dist. Ct. App. 1st Dist. 2009).

A motion for disqualification is legally sufficient if it shows the party's well-grounded fear that the party will not receive a fair trial; it is not a question of what the judge feels, but the feeling in the mind of the party seeking to disqualify and the basis for that feeling. Aberdeen Property Owners Ass'n, Inc. v. Bristol Lakes Homeowners Ass'n, Inc., 8 So. 3d 469 (Fla. Dist. Ct. App. 4th Dist. 2009).

Defendant's subjective and unreasonable fear that trial judge in his first degree murder trial was involved in a conspiracy against him was legally insufficient to warrant disqualification of judge. West's F.S.A. R.Jud.Admin.Rule 2.330. Hedrick v. State, 6 So. 3d 688 (Fla. Dist. Ct. App. 4th Dist. 2009).

Trial court judge's attempts to reschedule pretrial discovery hearing without consulting defendant were intended to keep slow-moving litigation on track, and did not entitle defendant to disqualification of judge in personal injury lawsuit; defendant did not respond to faxed order on the new dates by identifying other available dates, file motion for continuance or request an immediate telephonic hearing to resolve the matter, and coaxing defendant to get a case to trial, much less a pretrial discovery issue to resolution, would not create a well grounded fear of an

unfair trial, and the only bias or prejudice was in favor of dispatch and against further delay. West's F.S.A. R.Jud.Admin.Rule 2.330(d)(1). Cooper Tire & Rubber Co. v. Rodriguez, 997 So. 2d 1124 (Fla. Dist. Ct. App. 3d Dist. 2008).

When a motion to disqualify a trial judge shows a well grounded fear that the movant will not receive a fair trial at the hands of the judge, it is legally sufficient and the trial court judge must grant the motion and proceed no further. West's F.S.A. R.Jud.Admin.Rule 2.330. Clarendon Nat. Ins. Co. v. Shogreen, 990 So. 2d 1231 (Fla. Dist. Ct. App. 3d Dist. 2008).

A party seeking to disqualify a trial judge need only show a well grounded fear that he will not receive a fair trial at the hands of the judge; it is not a question of how the judge feels, but of what feeling resides in the affiant's mind and the basis for such feeling. Clarendon Nat. Ins. Co. v. Shogreen, 990 So. 2d 1231 (Fla. Dist. Ct. App. 3d Dist. 2008).

County court judge who allegedly had commented in prior case on Indian tribe's right to enforce state laws on its property was subject to disqualification in prosecution by State for trespass at Indian casino; motion was legally sufficient in alleging judge had previously granted state's motion for disqualification on similar grounds, and identical circumstances had led other circuit courts to grant disqualification. State v. Cam Voong Leng, 987 So. 2d 236 (Fla. Dist. Ct. App. 4th Dist. 2008).

The facts and reasons given for disqualification of a trial court judge must be such that the actions of the trial court judge show personal bias or prejudice. Rolle ex rel. Dabrio v. Birken, 984 So. 2d 534 (Fla. Dist. Ct. App. 3d Dist. 2008).

Motion to disqualify trial judge was legally sufficient to require disqualification; trial judge's expression of displeasure with the case, his extemporaneous exchange with counsel, and his prognostication in open court that movant would lose its property and afford a profit to opposing party were sufficient to instill the fear that movant would not receive a fair and impartial trial. West's F.S.A. R.Jud.Admin.Rule 2.330. Miami Dade College v. Turnberry Investments Inc., 979 So. 2d 1211 (Fla. Dist. Ct. App. 3d Dist. 2008).

A motion to disqualify is legally sufficient if the facts would objectively cause a well-founded fear in the moving party that they would not receive a fair and impartial trial. West's F.S.A. R.Jud.Admin.Rule 2.330(e). Edwards v. State, 976 So. 2d 1177 (Fla. Dist. Ct. App. 4th Dist. 2008).

A motion seeking disqualification of a judge should be granted if those facts would prompt a reasonably prudent person to fear that he could not get a fair and impartial trial. Sleiman v. Sleiman, 975 So. 2d 533 (Fla. Dist. Ct. App. 1st Dist. 2008).

Condominium association alleged sufficient facts, in its motion for disqualification, to support its belief that the judge was prejudiced against the developer-controlled association, so as to require judge to grant the motion and order the case administratively transferred, where association alleged that it feared that judge's appointment of special master to oversee repairs, without proper notice or legal foundation, demonstrated prejudicial bias. Grandview Palace Condominium Ass'n, Inc. v. City of North Bay Village, 974 So. 2d 1170 (Fla. Dist. Ct. App. 3d Dist. 2008).

Disqualification of trial judge was warranted in extortion prosecution based on judge's treatment of alleged victim; speed with which trial court not only dismissed victim's arguments, but also attacked his character and that of his counsel, threatening them with imprisonment, would justifiably have placed reasonably prudent person in fear of not receiving fair and impartial trial, and if trial judge considered alleged victim to be game-player whose actions were absurd, then

State, by proceeding with its prosecution before judge, ran risk that trial court's rulings might have been influenced by those expressed impressions. State v. Alzate, 972 So. 2d 226 (Fla. Dist. Ct. App. 3d Dist. 2007).

The test for determining the legal sufficiency of a motion to disqualify a judge is whether the motion shows a well-grounded fear that the movant will not receive a fair trial at the hands of the judge; a determination must be made as to whether the facts alleged would place a reasonably

prudent person in fear of not receiving a fair and impartial trial. State v. Alzate, 972 So. 2d 226 (Fla. Dist. Ct. App. 3d Dist. 2007).

Facts alleged in motion to disqualify trial judge were sufficient to instill the fear that moving party would not receive a fair and impartial trial, and thus disqualification of judge was warranted; judge expressed displeasure with the case and a willingness to enter a final judgment against moving party at a very early stage of the proceedings, and judge prognosticated in open court that moving party would be faced with liability and large damages in the absence of any pleadings having been filed. West's F.S.A. R.Jud.Admin.Rule 2.330. NRD Investments, Inc. v. Velazquez, 965 So. 2d 304 (Fla. Dist. Ct. App. 3d Dist. 2007).

Test for determining the legal sufficiency of a motion for disqualification of a judge is whether the factual allegations would prompt a reasonably prudent person to fear that he could not get a fair and impartial trial. Baez v. Koelemij, 960 So. 2d 918 (Fla. Dist. Ct. App. 4th Dist. 2007).

Facts alleged in a motion to disqualify a judge need only show a movant's well-grounded fear that the movant will not receive a fair trial. Baez v. Koelemij, 960 So. 2d 918 (Fla. Dist. Ct. App. 4th Dist. 2007).

Employee's motion to disqualify county court judge who was presiding in her small claims case for unpaid wages was sworn as required by rules of judicial administration, where motion clearly contained a written declaration, in which employee stated, under penalties of perjury, that she "declare[d] that [she] read the foregoing document and that the facts stated in it [we]re true." West's F.S.A. § 92.525; West's F.S.A. R.Jud.Admin.Rule 2.160(c)(3)(2006). Jimenez v. Ratine, 954 So. 2d 706 (Fla. Dist. Ct. App. 2d Dist. 2007).

A motion to disqualify a judge must be granted provided only that the facts alleged would place a reasonably prudent person in fear of not receiving a fair and impartial trial. West's F.S.A. R.Jud.Admin.Rule 2.330(f). Jimenez v. Ratine, 954 So. 2d 706 (Fla. Dist. Ct. App. 2d Dist. 2007).

If the form of the motion to disqualify is sufficient, it does not matter whether the substance of the allegations are true and the judge is required to immediately grant a disqualification. West's F.S.A. R.Jud.Admin.Rule 2.330(f). Jimenez v. Ratine, 954 So. 2d 706 (Fla. Dist. Ct. App. 2d Dist. 2007).

Issue of whether a party has a well-grounded fear that it will not receive a fair trial, so as to support a motion to disqualify a judge, is not a question of what the judge feels, but the feeling in the mind of the party seeking to disqualify and the basis for that feeling. West's F.S.A. R.Jud.Admin.Rule 2.330(f). Corie v. City of Riviera Beach, 954 So. 2d 68 (Fla. Dist. Ct. App. 4th Dist. 2007).

A motion for disqualification of a judge is legally sufficient when the alleged facts would create in a reasonably prudent person a well-founded fear of not receiving a fair and impartial trial. Pasteur Medical Center, Inc. v. Wellcare of Florida, Inc., 943 So. 2d 144 (Fla. Dist. Ct. App. 3d Dist. 2006).

The standard for determining whether a motion to disqualify a trial judge is legally sufficient is whether the facts alleged would place a reasonably prudent person in fear of not receiving a fair and impartial trial. Fondura v. State, 940 So. 2d 489 (Fla. Dist. Ct. App. 3d Dist. 2006).

Disqualification of judge based on alleged delay in ruling in property purchasers' action to rescind contract was not warranted; disqualification could only be based upon a fear that a party would not receive a fair trial because of prejudice or bias of the judge or because the judge had an interest in the case. West's F.S.A. R.Jud.Admin.Rule 2.160(d). Rawson v. UMLIC VP, L.L.C., 933 So. 2d 1206 (Fla. Dist. Ct. App. 1st Dist. 2006).

A motion for disqualification must be granted if the alleged facts would cause a reasonably prudent person to have a well-founded fear that he/she would not receive a fair and impartial trial. Jarp v. Jarp, 919 So. 2d 614 (Fla. Dist. Ct. App. 3d Dist. 2006).

Motion to disqualify trial judge was legally sufficient, and thus judge was required to enter order granting disqualification; judge had granted motion to disqualify herself approximately ten days

earlier in another case, on basis of adversarial relationship between her and attorney for the defendant in that case, who also represented movant in case at issue, movant's original motion showed that, prior to assuming the bench, judge had been assistant statewide prosecutor, in which capacity she had initiated motion to have court hold movant's attorney in indirect criminal contempt and accused him of acting in an unethical manner in connection with representation of a witness subpoenaed in a case being prosecuted by the statewide prosecutor. Walls v. State, 910 So. 2d 432 (Fla. Dist. Ct. App. 4th Dist. 2005).

The test a trial court must use in determining whether a motion to disqualify a judge is legally sufficient is whether the facts alleged would place a reasonably prudent person in fear of not receiving a fair and impartial trial. Scott v. State, 909 So. 2d 364 (Fla. Dist. Ct. App. 5th Dist. 2005), reh'g denied, (Sept. 2, 2005).

The motion to disqualify a judge must be well-founded and contain facts germane to the judge's undue bias, prejudice, or sympathy. Scott v. State, 909 So. 2d 364 (Fla. Dist. Ct. App. 5th Dist. 2005), reh'g denied, (Sept. 2, 2005).

Defendant's motion to disqualify trial judge was legally insufficient to require judge's removal from case; motion was made orally, and defense counsel did not request continuance in order to file written motion. West's F.S.A. R.Jud.Admin.Rule 2.160(e). Forrest v. State, 904 So. 2d 629 (Fla. Dist. Ct. App. 4th Dist. 2005), reh'g denied, (July 13, 2005).

Allegations in a motion to recuse or disqualify a trial judge are reviewed under a de novo standard as to whether the motion is legally sufficient as a matter of law. West's F.S.A. § 38.10. Valdes-Fauli v. Valdes-Fauli, 903 So. 2d 214 (Fla. Dist. Ct. App. 3d Dist. 2005), reh'g denied, (Feb. 17, 2005).

Motion to recuse or disqualify a trial judge is legally sufficient when the alleged facts would create in a reasonably prudent person a well-founded fear of not receiving a fair and impartial trial. West's F.S.A. § 38.10. Valdes-Fauli v. Valdes-Fauli, 903 So. 2d 214 (Fla. Dist. Ct. App. 3d Dist. 2005), reh'g denied, (Feb. 17, 2005).

While appellate judges reviewing a transcript may understand that trial judges have a crowded docket and frequently make statements to encourage the parties to settle, it is not the appellate judges' perspective that controls whether disqualification of trial judge is warranted, but rather whether the facts alleged would place a reasonably prudent litigant in fear of not receiving a fair and impartial trial. West's F.S.A. § 38.10. Valdes-Fauli v. Valdes-Fauli, 903 So. 2d 214 (Fla. Dist. Ct. App. 3d Dist. 2005), reh'g denied, (Feb. 17, 2005).

Disqualification is required when litigants demonstrate reasonable, well-grounded fear that they will not receive fair and impartial trial, or that judge has pre-judged case. Williams v. Balch, 897 So. 2d 498 (Fla. Dist. Ct. App. 4th Dist. 2005).

Former wife demonstrated reasonable, well-grounded fear that she would not receive fair and impartial trial in child custody matter, and that trial judge had pre-judged case, and thus trial judge was required to grant motion to disqualify himself; during hearings on parties' motions, trial judge made comments signaling predisposition against former wife's position before considering her evidence, and trial judge actively participated in proceedings exceeding role of neutral arbiter seeking information. Williams v. Balch, 897 So. 2d 498 (Fla. Dist. Ct. App. 4th Dist. 2005).

[FN1] Fla. R. Jud. Admin. 2.160(d)(1).

[FN2] Fla. R. Jud. Admin. 2.160(d)(2).

Florida Jurisprudence, Second Edition

Courts and Judges
by Stephen Lease, J.D.

Part Two. Judges

VI. Disqualification or Recusal to Act in Particular Case
C. Procedure

Topic Summary Correlation Table References

§ 324. Successor judge

West's Key Number Digest

West's Key Number Digest, Judges c-51(1)

If a judge has been previously disqualified on motion for alleged prejudice or partiality under a specified subdivision of the Rules of Judicial Administration, a successor judge shall not be disqualified based on a successive motion by the same party unless the successor judge rules that he or she is in fact not fair or impartial in the case.[FN1] The successor judge may rule on the truth of the facts alleged in support of the motion.[FN2]

A trial judge who qualifies as a successor judge is allowed to address the merits of a motion for disqualification, whether a response has been filed or not.[FN3] However, where a trial judge is not a successor judge, he or she is forbidden to pass on the truthfulness of the facts alleged.[FN4]

Prior factual or legal rulings by a disqualified judge may be reconsidered and vacated or amended by a successor judge based on a motion for reconsideration, which must be filed within 20 days of the order of disqualification, unless good cause is shown for a delay in moving for reconsideration or other grounds for reconsideration exist.[FN5] A final judgment that is entered by a judge who is later disqualified is subject to being reconsidered by a successor judge, but a party may not have the judgment vacated as a matter of right; orders entered by a disqualified judge are voidable not void.[FN6]

CUMULATIVE SUPPLEMENT

Cases:

Successor judge was within her discretion and authority to reconsider dismissal of Department of Children and Family Services' petition to terminate mother's parental rights by prior judge who was subsequently disqualified. West's F.S.A. R.Jud.Admin.Rule 2.330(h). L.I. v. Department of Children and Family Services, 972 So. 2d 221 (Fla. Dist. Ct. App. 3d Dist. 2007).

The purpose of reconsideration by a successor judge of the original judge's orders after recusal is to remove the taint of prejudice where rulings might be perceived as so tainted; it should not be used merely to obtain a second bite at the apple with respect to prior judicial

rulings. West's F.S.A. R.Jud.Admin.Rule 2.330(h). Rath v. Network Marketing, L.C., 944 So. 2d 485 (Fla. Dist. Ct. App. 4th Dist. 2006).

Scientist and corporation, who sought reconsideration by successor judge of original judge's pleading and discovery rulings in action brought against them by health products company, were not entitled as matter of right to a hearing on the motion and, thus, were not entitled to writ of mandamus compelling successor judge to reconsider the rulings of the original judge; judicial administration rule governing original judge's recusal did not require reconsideration of such judge's rulings. West's F.S.A. R.Jud.Admin.Rule 2.330(h). Rath v. Network Marketing, L.C., 944 So. 2d 485 (Fla. Dist. Ct. App. 4th Dist. 2006).

Former trustee of testamentary trusts who was sued by successor trustee for an accounting and surcharge, and who filed successful motion for disqualification of the trial judge, was not entitled to have original trial judge's rulings reconsidered by successor trial judge, where motion for reconsideration was filed more than 20 days after order of disqualification. West's F.S.A. R.Jud.Admin.Rule 2.160(h). Weiss v. Berkett, 907 So. 2d 1181 (Fla. Dist. Ct. App. 3d Dist. 2005), reh'g and reh'g en banc denied, (Aug. 17, 2005).

[FN1] Fla. R. Jud. Admin. 2.160(g), referring to Fla. R. Jud. Admin. 2.160(d)(1), discussed in § 321.

[FN2] Fla. R. Jud. Admin. 2.160(g).

[FN3] Brake v. Swan, 767 So. 2d 500 (Fla. Dist. Ct. App. 3d Dist. 2000), order clarified, (July 19, 2000).

[FN4] J & J Industries, Inc. v. Carpet Showcase of Tampa Bay, Inc., 723 So. 2d 281 (Fla. Dist. Ct. App. 2d Dist. 1998).

- As to requirement that judge against whom initial motion to disqualify is directed shall not pass of truth of facts alleged, see § 323.

[FN5] Fla. R. Jud. Admin. 2.160(h).

[FN6] Schlesinger v. Chemical Bank, 707 So. 2d 868 (Fla. Dist. Ct. App. 4th Dist. 1998).

(1)

CC: Judge Justin Sayre
ADMINISTRATIVE JUDGE
1351 N.W. 12TH AVE., RM#423
MIAMI, FL 33125

FROM: JOHN J. Wilson
{JAIL # 150011065}

METROWEST DETENTION CENTER
13850 N.W. 41ST STREET
MIAMI, FL 33178

6.24.15
"Sury & Fixed"

* June 12, 2015

TO: LEAD COUNSEL, THE JUDICIAL QUALIFICATIONS COMM.
POST OFFICE BOX 14106
TALLAHASSEE, FL 32317

* RE: BRADY VIOLATIONS EVIDENT IN THE RULINGS
= BY THE HONORABLE CRISTINA MIRANDA OF
THE ELEVENTH JUDICIAL CIRCUIT IN
OPEN COURT ON 6/10/15 REGARDING CASE #
F15001083) BY KNOWINGLY EXCLUDING KEY
EXONERATORY EVIDENCE PERTAINING TO
E-MAILS WRITTEN AND SENT BY THE ALLEGED
VICTIM TO PROVE GROUNDS FOR A "MALICIOUS
PROSECUTION" AS UNDERSTOOD UNDER FLORIDA
LAW IN OLSON V. JOHNSON (NO. 2D05-3804) 2001
AND HER DENIAL TO ALLOW KEY WITNESSES TO
TESTIFY, OR TO ALLOW DEPOSITIONS TO BE
TAKEN OF THOSE LISTED MATERIAL WITNESSES,
WHICH IS AN ABSOLUTE RIGHT UNDER
FLORIDA LAW, AND A VIOLATION OF DUE PROCESS
CLAUSES UNDER THE 5TH AND 14TH AMENDMENTS.

* SEE
ATTACHED
LEGAL SUPP.
REGARDING
"MALICIOUS
PROSECUTION"

Dear Counsel:

Please see enclosed and attached
regarding the vast and flagrant
violations of my civil and due
process rights by the Court of
the Eleventh Judicial Circuit in

(2)

(SJA)
J.Q.C.
6/12/15

Miami-Dade County as exemplified by the wrongful, and seemingly *intentional, rulings by the Honorable Cristina Miranda in Case # F15001083 in Court room 6-10 on June 10, 2015.

(SEE TRANSCRIPT
FROM PROCEEDING
ON 6/10/15.
OR 6/10/15.
Miranda)

Please also be advised my request for a "CHANGE OF VENUE" was flatly denied without being allowed, or given, the legal opportunity to proffer to the Court the necessary witness affidavits testifying to the necessity of such a motion. This fact, in of itself (is) a clear violation of my due process of law under the 5th and 14th Amendment rights provided by the U.S. Constitution; and Article 10 of section 9 of the Florida Constitution.

I have also enclosed a "tear sheet" documenting the seemingly "Concerted" activities evident in the proceeding on 6/10/15 between Judge T. Miranda and the State, to willfully prevent me from applying my Constitutional rights to the case scheduled for SPEEDY TRIAL on 6/22/15, which indeed is already over the legally mandated 50 day limit.

Judge Miranda seemed both unmoved and unfazed by this material legal fact when it was brought to

(3.)

(JW)
J. Q. C.
6/12/15

the Court's attention during the proceeding on 6/10/15.

Judge Miranda is solely motivated to "buy time" for the benefit of the Prosecution to file innumerable motions so that Ms. Guto and the state may be afforded the ability to "build a case", where no case in fact, legally exists, and is exclusively based on a "malicious prosecution". During "all of this" time, I am being told by Judge Miranda I am permitted nothing, as I was the party who initiated the motion for a SPEEDY TRIAL on 5/1/15, which in fact was granted by Judge Miranda in Open Court way back on 2/6/15, as evidenced by the enclosed "Clarification FOR MOTION TO DEMAND FOR SPEEDY TRIAL" to the court dated 2/17/15. This fact is legal cause alone for this frivolous case, which has caused me to be falsely imprisoned since January 15, 2015 to be dismissed.

I have subsequently been directed by Chief Judge of the 11th Judicial Circuit to notify Administrative Judge Nushin to file off these inconsistencies per the attached letter from her office, which I have so done, in addition to filing

(H)

(JW)
JAC.
6/2/15

a formal complaint under the Civil Rights Act 42 U.S.C., section 1983 with the United States District Court of the Southern District of Florida, linking many of these cases which have occurred in Miami-Dade County since 2012.

Please see case # 1:15-cv-22098-MGC in connection with the attached, for your review.

Thank you for your undivided attention in helping to rectify these important legal matters currently before the Eleventh Judicial Circuit of Florida.

Accordingly, I look forward to your prompt contact,

Warm Regards,

~~John S. Dow~~ 1500 11065
METROWEST DETENTION CENTER
13850 N.W. 41st STREET
MIAMI, FL 33178

IN THE
SUPREME COURT OF THE UNITED STATES

CASE NO.

LOWER CASE NO. 3D15-2653

JOHN WILSON,

Petitioner,

-vs-

STATE OF FLORIDA,

Respondent.

**APPENDIX
VOLUME II
PETITION FOR WRIT OF CERTIORARI**

FROM THE SUPREME COURT OF THE STATE OF FLORIDA

CHARLES G. WHITE, ESQ.
CHARLES G. WHITE, P.A.
Counsel for Petitioner
1031 Ives Dairy Road
Suite 228
Miami, FL 33179
Tel: (305) 914-0160
Fax: (305) 914-0166
Florida Bar No. 334170
Email: cgwhitelaw@aim.com

RECEIVED

APR 1 - 2020

OFFICE OF THE CLERK
SUPREME COURT, U.S.

VOLUME II

Pro Se Motion Re: Federal Lawsuit (Composite)

~~COPY~~
Supreme Court of the United States

John Joseph Wilson
(Petitioner)

v.

No. 16-6372

Juan Carlos, et al.
(Respondent)

To Cristina María Mironoff Counsel for Respondent:

NOTICE IS HEREBY GIVEN pursuant to Rule 12.3 that a petition for a writ of certiorari in the above-entitled case was filed in the Supreme Court of the United States on June 23, 2016, and placed on the docket October 12, 2016. Pursuant to Rule 15.3, the due date for a brief in opposition is Monday, November 14, 2016. If the due date is a Saturday, Sunday, or federal legal holiday, the brief is due on the next day that is not a Saturday, Sunday or federal legal holiday.

Unless the Solicitor General of the United States represents the respondent, a waiver form is enclosed and should be sent to the Clerk only in the event you do not intend to file a response to the petition.

Only counsel of record will receive notification of the Court's action in this case. Counsel of record must be a member of the Bar of this Court.

Mr. John Joseph Wilson
Metrowest Detention Center
13850 NW 41st Street
Miami, FL 33178

*(Handwritten note: NOTICE OF CONFLICT
BENEFICIAL INTEREST
OF EVIDENCE
AS EVIDENCE
HELD IN)*

NOTE: This notice is for notification purposes only, and neither the original nor a copy should be filed in the Supreme Court.

WAIVER

Supreme Court of the United States

No. 16-6372

John Joseph Wilson
(Petitioner)

v.

Juan Carlos, et al.
(Respondent)

I DO NOT INTEND TO FILE A RESPONSE to the petition for a writ of certiorari unless one is requested by the Court.

Please check the appropriate boxes:

- Please enter my appearance as Counsel of Record for all respondents.
- There are multiple respondents, and I do not represent all respondents. Please enter my appearance as Counsel of Record for the following respondent(s):

- I am a member of the Bar of the Supreme Court of the United States.
- I am not presently a member of the Bar of this Court. Should a response be requested, the response will be filed by a Bar member.

Signature _____

Date: _____

(Type or print) Name _____
 Mr. Ms. Mrs. Miss

Firm _____

Address _____

City & State _____ Zip _____

Phone _____

SEND A COPY OF THIS FORM TO PETITIONER'S COUNSEL OR TO PETITIONER IF PRO SE. PLEASE INDICATE BELOW THE NAME(S) OF THE RECIPIENT(S) OF A COPY OF THIS FORM. NO ADDITIONAL CERTIFICATE OF SERVICE IS REQUIRED.

Cc:

Obtain status of case on the docket. By phone at 202-479-3034 or via the internet at <http://www.supremecourtus.gov>. Have the Supreme Court docket number available.

APPEAL,CLOSED

U.S. District Court
Southern District of Florida (Miami)
CIVIL DOCKET FOR CASE #: 1:15-cv-22098-MGC

Wilson v. Miami Dade County
Assigned to: Judge Marcia G. Cooke
Case in other court: 15-15560-E
Cause: 42:1983 State Prisoner Civil Rights

Date Filed: 06/02/2015
Date Terminated: 10/30/2015
Jury Demand: Plaintiff
Nature of Suit: 550.Prisoner: Civil
Rights
Jurisdiction: Federal Question

Plaintiff

John Joseph Wilson

represented by **John Joseph Wilson**
150011065
Pre-trial Detention Center
Inmate Mail/Parcels
1321 N.W 13th Street
Miami, FL 33125
PRO SE

V.

Defendant

Juan Carlos
*via Maria Cristina Barrios Almanzor,
Con. Gral., The Consulate of Spain*

Defendant

Felipe De Bor'bon
*via Maria Cristina Barrios Almanzor,
Con. Gral., The Consulate of Spain*

Defendant

Miami Beach Police Department

Defendant

Mickey Steinberg

Defendant

Miami Beach City Commissioners

Defendant

**Eleventh Judicial Circuit in and for
Miami Dade County, FL**

Defendant

Judge William Thomas

Defendant

Judge Stacy Glick

Defendant

Judge Teresa Pooler

Defendant

Judge Cristina Miranda

Defendant

State Attorney for Miami-Dade

County

Katherine Fernandez Rundle

Defendant

Miami Dade County Public Defender

Carlos J. Martinez

Defendant

Executive Director of the Florida Bar

Association

John F. Harkness, Jr.

Defendant

Senator Marco Rubio

Defendant

Christopher G. Lyons

Esquire

Defendant

Prince Philip

Duke of Edinburgh

Defendant

Prince Charles

Prince of Wales

Defendant

Prince Andrew

Duke of York

Defendant

~~Alexis Korybut~~

66

1280

Defendant

Miami Dade County Department of Corrections

Defendant

President of the United States of America
Barack H. Obama

Defendant

The Central Intelligence Agency

Date Filed	#	Docket Text
06/02/2015	<u>1</u>	Complaint pursuant to 42 USC 1983 against Miami Dade County. Filing fee \$ 350.00. IFP Filed, filed by John Joseph Wilson.(lrz) (Entered: 06/02/2015)
06/02/2015	<u>2</u>	Judge Assignment to Judge Marcia G. Cooke (lrz) (Entered: 06/02/2015)
06/02/2015	<u>3</u>	Clerks Notice of Magistrate Judge Assignment to Magistrate Judge Patrick A. White. Pursuant to Administrative Order 2003-19 for a ruling on all pre-trial, non-dispositive matters and for a Report and Recommendation on any dispositive matters. (lrz) (Entered: 06/02/2015)
06/02/2015	<u>4</u>	MOTION for Leave to Proceed in forma pauperis by John Joseph Wilson. (lrz) (Entered: 06/02/2015)
06/05/2015	<u>5</u>	ORDER OF INSTRUCTIONS TO PRO SE LITIGANT. Signed by Magistrate Judge Patrick A. White on 6/5/2015. (tw) (Entered: 06/05/2015)
06/05/2015	<u>6</u>	ORDER denying without prejudice <u>4</u> Motion for Leave to Proceed in forma pauperis and requiring more detailed financial information. Signed by Magistrate Judge Patrick A. White on 6/5/2015. (Attachments: # <u>1</u> Affidavit IFP) (tw) (Entered: 06/05/2015)
06/30/2015	<u>7</u>	MOTION for Leave to Proceed in forma pauperis by John Joseph Wilson. (yha) (Entered: 06/30/2015)
07/02/2015	<u>8</u>	PAPERLESS ORDER granting <u>7</u> Motion for Leave to Proceed in forma pauperis. Signed by Magistrate Judge Patrick A. White on 7/2/2015. (jbr) (Entered: 07/02/2015)
07/02/2015	<u>9</u>	ORDER Granting <u>7</u> MOTION for Leave to Proceed in forma pauperis filed by John Joseph Wilson. Signed by Magistrate Judge Patrick A. White on 7/2/2015. (tw) (Entered: 07/02/2015)
07/02/2015	<u>10</u>	ORDER requiring Amended Pleadings due by 7/24/2015. Signed by Magistrate Judge Patrick A. White on 7/2/2015. (Attachments: # <u>1</u> Affidavit 1983) (tw) (Entered: 07/02/2015)
07/07/2015	<u>11</u>	MOTION to add new Evidence to Discovery, MOTION for Hearing by John Joseph Wilson. (lrz) (Entered: 07/07/2015)

67

1281

10/31/2016

07/14/2015	<u>12</u>	MOTION to Appoint Counsel by John Joseph Wilson. Responses due by 7/31/2015 (lrz) (Entered: 07/15/2015)
07/15/2015	<u>13</u>	NOTICE for Pleading for Federal Relief as originally petitioned, by and through the Courts interventions in any and all State of Florida criminal proceeding on Constitutional ground. by John Joseph Wilson (lrz) (Entered: 07/15/2015)
07/23/2015	<u>14</u>	NOTICE of Compliance by John Joseph Wilson re <u>10</u> Order, Set/Reset Deadlines (lrz) (Entered: 07/23/2015)
08/10/2015	<u>15</u>	ORDER granting <u>11</u> Motion to File Evidence; denying <u>11</u> Motion for Hearing. The documents attached will be accepted as attachments to the complaint. The request for a hearing is premature, if a hearing becomes necessary one will be scheduled. Signed by Magistrate Judge Patrick A. White on 8/10/2015. (jbr) (Entered: 08/10/2015)
08/10/2015	<u>16</u>	ORDER denying <u>12</u> Motion to Appoint Counsel. Signed by Magistrate Judge Patrick A. White on 8/10/2015. (tw) (Entered: 08/10/2015)
08/12/2015	<u>17</u>	MOTION for Ruling by the Court on Dispositive Issues by John Joseph Wilson. (lrz) (Entered: 08/12/2015)
08/18/2015	<u>18</u>	PRELIMINARY REPORT AND RECOMMENDATIONS on 42 USC 1983 case re <u>1</u> Complaint 42 USC 1983 or Bivens filed by John Joseph Wilson. Recommending that all claims against all defendants be dismissed as frivolous. Objections to R&R due by 9/4/2015 Signed by Magistrate Judge Patrick A. White on 8/18/2015. (tw) (Entered: 08/18/2015)
08/21/2015	<u>19</u>	MOTION Request for Court order by Miami-Dade of Corrections to provide Pro-Se legal service by John Joseph Wilson. (lrz) (Entered: 08/21/2015)
08/24/2015	<u>20</u>	PAPERLESS ORDER denying as moot <u>17</u> Motion. The relief requested is moot in light the report recommending dismissal Signed by Magistrate Judge Patrick A. White on 8/24/2015. (jbr) (Entered: 08/24/2015)
08/25/2015	<u>21</u>	MOTION for Preliminary Injunction by John Joseph Wilson. (lrz) (Entered: 08/26/2015)
08/28/2015	<u>22</u>	MOTION to Appear for Orals and for Court Issue Dispositive Ruling on Subsequent Material Filing by John Joseph Wilson. (lrz) (Entered: 08/28/2015)
08/28/2015	<u>23</u>	MOTION for Issuance of Writ of Habeas Corpus by John Joseph Wilson. (lrz) (Entered: 08/28/2015)
09/01/2015	<u>24</u>	MOTION to Stay by John Joseph Wilson. Responses due by 9/18/2015 (lrz) (Entered: 09/01/2015)
09/01/2015	<u>25</u>	NOTICE Re: Petition for Writ of Habeas Corpus; Demand for Federal Relief by John Joseph Wilson (lrz) (Entered: 09/01/2015)
09/01/2015	<u>26</u>	NOTICE of Pleading for Diplomatic Status Designation as Political Prisoner by John Joseph Wilson (lrz) (Entered: 09/01/2015)
09/01/2015	<u>27</u>	NOTICE to Court of Errors by John Joseph Wilson re <u>18</u> REPORT AND RECOMMENDATIONS on 42 USC 1983 case re <u>1</u> Complaint 42 USC 1983 or

		Bivens filed by John Joseph Wilson Recommending that all claims against all defendants be dismissed as frivolous.. (lrz) (Entered: 09/01/2015)
09/03/2015	<u>28</u>	NOTICE of Filing by John Joseph Wilson re <u>1</u> Complaint 42 USC 1983 or Bivens (lrz) (Entered: 09/03/2015)
09/04/2015	<u>29</u>	NOTICE of Stay Federal Habeas Corpus Filed in U.S. Court of Appeals by John Joseph Wilson (lrz) (Entered: 09/04/2015)
09/08/2015	<u>30</u>	NOTICE of Filing Brief by John Joseph Wilson (lrz) (Entered: 09/08/2015)
09/08/2015	<u>31</u>	MOTION to Appoint Investigator by John Joseph Wilson. (lrz) (Entered: 09/08/2015)
09/18/2015	<u>32</u>	MOTION for Hearing by John Joseph Wilson. (lrz) (Entered: 09/18/2015)
09/18/2015	<u>33</u>	NOTICE previously filed Writ of Habeas Corpus not docketed or acknowledged by John Joseph Wilson (lrz) (Entered: 09/18/2015)
09/18/2015	<u>34</u>	NOTICE/26 as evidenced in the crime scene photos in case # F15001083 is intelligence code included as a veiled message. by John Joseph Wilson (lrz) (Entered: 09/18/2015)
09/18/2015	<u>35</u>	NOTICE to rely on violations of my 5th and 14th amendent by John Joseph Wilson (lrz) (Entered: 09/18/2015)
10/07/2015	<u>36</u>	NOTICE Of Filing Re: Speedy Trial by John Joseph Wilson (cqs) (Entered: 10/07/2015)
10/07/2015	<u>37</u>	NOTICE Of Filing RE: Violations of 6th Amendment Rights. by John Joseph Wilson (cqs) (Entered: 10/07/2015)
10/14/2015	<u>38</u>	NOTICE of Filing : Brief To Reply by John Joseph Wilson (cqs) (Entered: 10/14/2015)
10/19/2015	<u>39</u>	AMENDED COMPLAINT against All Defendants, filed by John Joseph Wilson.(cqs) (Entered: 10/19/2015)
10/19/2015	<u>40</u>	NOTICE Of New Case In Supreme Court of Florida by John Joseph Wilson (cqs) (Entered: 10/19/2015)
10/19/2015	<u>41</u>	NOTICE Of The State of Florida Judicial Qualifications by John Joseph Wilson (cqs) (Entered: 10/19/2015)
10/19/2015	<u>42</u>	NOTICE Of Pontiff Franciscos' Arrival by John Joseph Wilson (cqs) (Entered: 10/19/2015)
10/19/2015	<u>43</u>	NOTICE Of False Arrest in Jurisdiction of Miami-Dade County by John Joseph Wilson (cqs) (Entered: 10/19/2015)
10/19/2015	<u>44</u>	NOTICE Of Intent To List Material Witnesses for Civil Trial by John Joseph Wilson (cqs) (Entered: 10/19/2015)
10/21/2015	<u>45</u>	NOTICE Of Material Filings by John Joseph Wilson (cqs) (Entered: 10/21/2015)
10/21/2015	<u>46</u>	

		NOTICE/ Pleadings for court Rule on Affirmative by John Joseph Wilson (cqs) (Entered: 10/21/2015)
10/29/2015	<u>47</u>	NOTICE of Evidence by John Joseph Wilson (ots) (Entered: 10/29/2015)
10/30/2015	<u>48</u>	ORDER ADOPTING REPORT AND RECOMMENDATIONS dismissing <u>1</u> Complaint 42 USC 1983 or Bivens filed by John Joseph Wilson ; Adopting <u>18</u> Report and Recommendations. Certificate of Appealability: No Ruling Closing Case. Motions terminated: <u>23</u> MOTION for Issuance of Writ of Habeas Corpus filed by John Joseph Wilson, <u>32</u> MOTION for Hearing filed by John Joseph Wilson, <u>24</u> MOTION to Stay filed by John Joseph Wilson, <u>31</u> MOTION to Appoint Investigator filed by John Joseph Wilson, <u>18</u> REPORT AND RECOMMENDATIONS on 42 USC 1983 case re <u>1</u> Complaint 42 USC 1983 or Bivens filed by John Joseph Wilson Recommending that all claims against all defendants be dismissed as frivolous..., <u>19</u> MOTION Request for Court order by Miami-Dade of Corrections to provide Pro-Se legal service filed by John Joseph Wilson, <u>21</u> MOTION for Preliminary Injunction filed by John Joseph Wilson, <u>22</u> MOTION to appear for Orals and for Court Issue Dispositive Ruling on Subsequent Material Filing filed by John Joseph Wilson. Signed by Judge Marcia G. Cooke on 10/30/2015. (tm) NOTICE: If there are sealed documents in this case, they may be unsealed after 1 year or as directed by Court Order, unless they have been designated to be permanently sealed. See Local Rule 5.4 and Administrative Order 2014-69. (Entered: 10/30/2015)
11/04/2015	<u>49</u>	Case No Longer Referred to Magistrate Judge Patrick A. White/Case Closed by the District Judge. Signed by Magistrate Judge Patrick A. White on 11/4/2015. (br) (Entered: 11/04/2015)
12/15/2015	<u>50</u>	Notice of Appeal by John Joseph Wilson as to <u>48</u> Order Adopting Report and Recommendations. Filing fee \$ 505.00. Receipt#: FEE NOT PAID. Within fourteen days of the filing date of a Notice of Appeal, the appellant must complete the Eleventh Circuit Transcript Order Form regardless of whether transcripts are being ordered [Pursuant to FRAP 10(b)]. For information go to our FLSD website under Transcript Information. (hh) (Entered: 12/15/2015)
12/15/2015		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>50</u> Notice of Appeal, Notice has been electronically mailed. (hh) (Entered: 12/15/2015)
12/18/2015	<u>51</u>	Acknowledgment of Receipt of NOA from USCA re <u>50</u> Notice of Appeal, filed by John Joseph Wilson. Date received by USCA: 12/15/15. USCA Case Number: 15-15560-E. (hh) (Entered: 12/18/2015)
12/22/2015	<u>52</u>	NOTICE of Material inaccuracy of Facts by John Joseph Wilson re <u>48</u> Order Adopting Report and Recommendations, , , , , , (cqs) (Entered: 12/22/2015)
01/12/2016	<u>53</u>	NOTICE of Change of Address (System Updated) by John Joseph Wilson (ots) (Entered: 01/12/2016)
01/27/2016	<u>54</u>	ORDER of Dismissal of USCA, DISMISSED for want of prosecution because the Appellant John Joseph Wilson failed to pay the filing fees (or file a motion

		in the district court for relief from the obligation to pay in advance the full fee) to the district court within the time fixed by the rules as to <u>50</u> Notice of Appeal, filed by John Joseph Wilson, USCA # 15-15560-E (hh) (APPEAL REINSTATED BY USCA ON 4/13/16) Text Modified on 4/13/2016 (hh). (Entered: 01/28/2016)
02/02/2016	<u>55</u>	NOTICE TO The Court by John Joseph Wilson (srd) (Entered: 02/02/2016)
02/11/2016	<u>56</u>	MOTION for Leave to Appeal in forma pauperis by John Joseph Wilson. (hh) (Entered: 02/11/2016)
02/19/2016	<u>57</u>	ORDER denying <u>56</u> Motion for Leave to Appeal in forma pauperis. Signed by Judge Marcia G. Cooke on 2/19/2016. (tm) (Entered: 02/19/2016)
02/23/2016	<u>58</u>	NOTICE Of Filing Additional Evidence by John Joseph Wilson (srd) (Entered: 02/24/2016)
04/13/2016	<u>59</u>	Appeal Reinstated USCA Case Number:15-15560-E for <u>50</u> Notice of Appeal, filed by John Joseph Wilson. (hh) (Entered: 04/13/2016)
09/02/2016	<u>60</u>	NOTICE To The Court Re: LEGAL MAIL by John Joseph Wilson (cqs) (Entered: 09/02/2016)
10/28/2016	<u>61</u>	NOTICE Of Permanent Medical Injury by John Joseph Wilson (cqs) (Entered: 10/28/2016)

PACER Service Center			
Transaction Receipt			
10/31/2016 07:38:12			
PACER Login:	oc0191:2609452:0	Client Code:	
Description:	Docket Report	Search Criteria:	1:15-cv-22098-MGC
Billable Pages:	4	Cost:	0.40

FUENTECH INVESTIGATIONS, INC.
CARLOS FUENTES
President

The White Building, Suite 200
One NE 2nd Avenue
Miami, FL 33132
Office: (305) 539-9009
Fax: (305) 358-2503

Cra. 14 No. 75-25 Piso 7
Bogotá- Colombia
PBX: 623-4610
Fax: 623-4491
fuentespi@earthlink.net

September 29, 2016

John Wilson, Inmate
C/O Turner Guilford Knight Correctional Center
7000 N.W. 41st Street
Miami, FL 33166

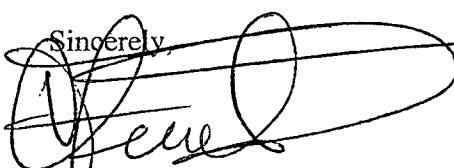
RE: STATE v. JOHN WILSON
CASE NO.: F-15-6748

Dear Mr. Wilson,

Pursuant to your request, the undersigned was to contact Attorney Christopher Lyons for information on the "Euro 5". On September 12, 2016. Mr. Lyons stated he recalls you commenting about the "Euro 5" and they or someone was out to get you. Mr. Lyons has no other information on the "Euro 5."

The undersigned also attempted to contact Lonny Fried via Mr. Lyons regarding the "Euro 5". To date, Mr. Fried has failed to contact the undersigned.

If you should have any questions, please do not hesitate to contact the undersigned.

Sincerely

Carlos Fuentes
CF/ep

Enclosures

cc: Charles White, Esq.

NOTICE OF COLLUSION
BETWEEN
EVIDENT & LYONS
DEVELOPMENT
COVER

9.

JW
5/23/14

Collusion EVIDENT BETWEEN:

10.) CHRISTOPHER G. LYONS, Esq.
 2601 BAYSHORE DRIVE
 LAW FIRM OF MASA LARA, P.A.
 MIAMI, FL 33133

LYONS / ELDON

- SO DID REPRESENT ME IN CASE #
 F13001567 INVOLVING THE FALSE ARREST AND
 FABRICATED CHARGE ON 1/22/13 AT *LA PIAZZA
 RESTAURANT WHICH INVOLVED AN OFFICER

HAAN USED AS A FOREIGN INTELLIGENCE ASSET. I
 RECEIVED NUMEROUS TEXT MESSAGES FROM MR.
 LYONS OVER THIS PERIOD SPECIFICALLY

INDICATING THE SUM OF THESE INCIDENTS WERE
 THE RESULT OF A "EURO T GREEN X"; i.e.
 SOPHISTICATED INTELLIGENCE PARLANCE

DONOTING HIS INTIMATE KNOWLEDGE OF THE
 EVIDENT CRIMINAL CONSPIRACY IN ACTION,
 ILLEGALLY TARGETING ME AS A VICTIM. HE

TD BANK INTRODUCED ME TO THE HAITIAN EDOUARD

CASE # BROTHERS IN AVENTURA WHO I LIVED WITH

DURING THE FALL OF 2012 WHO ESSENTIALLY

F156748 BECAME US INTELLIGENCE ASSETS. LYONS / LATER
 INTEL / USED KNOWLEDGE OF OUR ATTORNEY-CLIENT

STING RELATIONSHIP AGAINST ME AS AN 'AGENT'
 FOR THE STATE ATTORNEYS WITH THE

OFFICE OF KATHERINE FERNANDEZ RUNDLE,

CONTRIBUTING TO MY MALICIOUS PROSECUTION
 IN THE CRIMINAL ALLEGATIONS THROUGH MANY OF

THE FABRICATED CASES STATED HEREIN;

SPECIFICALLY WITH REGARD TO F14026905

WHERE I WAS GRANTED PRE-TRIAL SERVICES,
 AND WHERE THIS WAS ILLEGALLY REVERSED BY

ASST. STATE ATTORNEY DOMINIQUE ELDON

10.

TRANSCRIPT FROM PROCEEDINGS 5/23/13
SEPT. 30, WHERE LEGAL RECORD WAS FALSIFIED

DOMINIQUE ELDON

11+12+13.

WAY OF A STATE ATTORNEY NOT ASSIGNED
TO THE CASE DISSEMINATING FALSE
INFORMATION TO THE JUDGE AFTER I HAD
LEFT THE COURT ROOM, UNABLE TO DEFEND
MYSELF. STATE AT MCNEIL COMPLICIT.

C

PRINCE PHILIP; PRINCE CHARLES; PRINCE ANDREW
OF THE HOUSE OF WINDSOR AND THE ER: T: T
C/o MR. DAVID PROUDGER, CONSULAR GENERAL
— THE BRITISH CONSULATE
1001 BRICKELL BAY DRIVE
Miami, FL 33131
— MISTAKENLY—INITIALLY TARGETED VIA
THEIR CONDUIT OF 'T' OPERATING THROUGH
FORMER KING JUAN CARLOS OF SPAIN AS
A PERCEIVED THREAT OVER THE MALVINAS
ISLANDS DURING THE FALL OF 2011 IN
BUENOS AIRES, ARGENTINA, WHICH CAUSED
PRINCE WILLIAM TO BE STATIONED THERE OVER
THIS TIME PERIOD. THE REAL ISSUE OF PROTEST
WAS THE "Fixing" OF POLO MATCHES THROUGHOUT THE
WORLD, SPECIFICALLY THE ARGENTINE OPEN
OF POLO IN BUENOS AIRES, ARGENTINA,
THROUGH, AND VIA, THEIR INTELLIGENCE ASSET,
CALLED "GODFATHER OF POLO", GONZALO PIERES
AT THE PACKERS CLUB OR INTERNATIONA/
REPUTE, ELLERSTINA POLO CLUB. CHARLES
UNDER THE COVER OF 'T' HIRED THE
ARGENTINE POLICE MAFIA, "LOS QUATROS",
(THE 4'S) TO RAID MY HOME, DRUG,
AND BEAT ME WHILE HELPLESS IN

{ STATE
EMBASSY }

(A.) PLEASE ISSUE IMMEDIATE COURT ORDER FOR ANY AND ALL TRANSCRIPTS OF THESE PROCEEDINGS.

ADDENDUM : ANY AND ALL

STATE OF FLORIDA CRIMINAL CASES INCLUDED IN PETITION FOR RELIEF, AND WARRANTING INVESTIGATION VIA A NON-BIASED, APPOINTED INVESTIGATOR.

SSW
8/12/15

* F15/006748 : BOND POSTED BY ASSETS OF THE EURO 5 INTELLIGENCE GROUP AT THE BEHEST OF THE CENTRAL INTELLIGENCE AGENCY ON MARCH 26, 2015.

* F15001083 - wrongfully MERGED WITH CASE # F151084 BY / COLLUSIVE BETWEEN MIRANDA / CUETO AS EVIDENCED BY "Fucking Cuban" COMMENTS TO INCLUDE FABRICATED TESTIMONY BY OFFICER AGAINST CRIMINAL CHARGES HAVE BEEN FILED FOR PERJURY, "Johnny Fonseca".

* FO4/0007538 - ORIGINAL CASE IN WHICH THIS ENTIRE DEBACLE ORIGINATED BASED ON "ENTRAPMENT" BY "UNDERCOVER" OFFICER Roy Ruthven AKA "ROB HERNANDEZ" WHO I MET INNOCENTLY AT A Happy Hour AT THE GLOBE CAFE IN CORAL GABLES. 2003. FUNDS ORDERED TO BE RETURNED TO ME VIA COURT ORDER following ACQUITTALS ON ALL CHARGES HAS YET TO BE ENFORCED IN THIS CASE, PREVENTING ME FROM RETAINING PRIVATE COUNSEL.

(B.) * ADDENDUM CONTINUED

~~THE
HOB
CORPS
OF
TAXES~~

* F14026905: WITHDRAW OF PLEA, PETITION FOR POST-CONVICTION RELIEF, JUDGE POOLER; LEGAL COUNSEL DENIED IN THIS CASE; CIVIL COMPLAINT FILED AS RESULT AGAINST OFFICE OF PUBLIC DEFENDER, CARLOS S. MARTINEZ

* B13034894: BATTERY, FABRICATED CHARGE.

~~SW
8/12/15~~ * B13031908 → CUBAN TTM OPERATING IN JURISDICTION OF MIAMI-DADE COUNTY AS "SPECIAL SURVEILLANCE GROUPS"

* B13021593: SEE ABOVE; PREVENTED FROM ACCESS TO FOOD OR SHELTER AS A RESULT OF BEING TARGETED BY EURO 5 INTELLIGENCE GROUP AT BEHEST OF WHITE HOUSE OFFICIALS BECAUSE OF 2012 OPERATION DOCUMENTED AND EXPLAINED IN CIVIL RIGHTS COMPLAINT 1:15-CV-22098 MGC IN U.S. DISTRICT COURT.

* F13001567: INTELLIGENCE STRING AT LA PIAGGIA RESTAURANT IN S. POINT OF MIAMI BEACH INVOLVING MIAMI BEACH OFFICER HHRN NAMED IN FEDERAL CIVIL COMPLAINT, REPRESENTED BY PRIVATE ATTORNEY CHRISTOPHER LYON, ALSO NAMED AS A DEFENDANT IN CASE # 1:15-CV-22098 MGC.

(C)

ADENDUM CONTINUE

EX-12
HABEAS
CORPUS

SW
8/21/15

*F13008291: FABRICATED CHARGE CREATED BY HOTEL MANAGER CASEY ROGERS AT THE HOTEL FREEHAND HOSTEL ON MIAMI BEACH, WHERE I WAS STAYING AT THE TIME; A MEMBER OF THE EURO 5 TOLD THE FRONT DESK TO REFUSE ME ACCOMMODATIONS AT THE HOTEL; I WAS BEING SYSTEMATICALLY VICTIMIZED AT EACH OF THE HOTELS I CHECKED INTO, UNTIL I LITERALLY ENDED UP HOMELESS ON MIAMI BEACH, WITH NO MEANS TO GENERATE INCOME OR PROCURE SHELTER AS A DIRECT RESULT OF MY COVERT INVOLVEMENT IN A FEDERALLY SANCTIONED "SPECIAL ACCESS" INTELLIGENCE PROGRAM BEING DIRECTED THROUGH THE DIRECTORATE OF OPERATIONS OF THE CENTRAL INTELLIGENCE AGENCY IN MCLEAN, VIRGINIA, *STAN MARCELONA MALICIOUSLY CONSPIRED TO "FIX" THIS CASE BEING RE-ASSIGNED TO JUDGE STACY GLICK AFTER REQUESTING HIS LEGAL ADVISE, AND REQUESTED HIS ASSISTANCE FOR POST-CONVICTION RELIEF, WHICH HE ILLEGALLY DENIED, PUTTING HIMSELF IN VIOLATION OF RULE 3.111 OF THE FLORIDA RULES OF CRIMINAL PROCEDURE THE ELEVENTH JUDICIAL CIRCUIT OF MIAMI-DADE IGNORED THIS SUBSTANTIVE FACT AFTER BEING BROUGHT TO ITS

D

CONFIDENTIAL
CORPORATION

ATTENTION, CONSTITUTING AN ACT OF
NEGLIGENCE UNDER THESE SAME
RULES OF PROCEDURE.

SP
8/12/15

* B12056615 : THE FIRST CASE OF FALSE
ARREST IN AVENTURA, FL, MARKING THE
BEGINNING OF THIS COVERT INTELLIGENCE
WAR moving onto U.S. Soil, from
BUENOS AIRES, ARGENTINA, WHERE IT
ORIGINATED.

* B14000474. CASE OF BEING FOLLOWED AND
TARGETED BY THE CUBAN 'JT' WORKING
WITH THE MIAMI-BEACH POLICE DEPARTMENT
BY AND THROUGH U.S. INTELLIGENCE VIA
THEIR CONDUIT, THE "EURO 5"
INTELLIGENCE GROUP. PLEASE SPEAK WITH
MS. RACHEL GOOD OF THE OFFICE OF
THE PUBLIC DEFENDER WHO IT INDEED
IN POSSESSION OF DOCUMENTS TO
THIS EFFECT.

* F14000192 - BRADY VIOLATIONS AS
EXONERATORY MATERIAL ON FILE WITH
THE OFFICE OF INTERNAL AFFAIRS /
CHIEF DETECTIVE, SCOTT FLANAGAN,
MIRACULOUSLY SEEMS TO HAVE
DISAPPEARED WHEN IT WAS TIME TO
FIGHT THESE CHARGES IN A COURT OF
LAW. MS. RACHEL GOOD WAS WRONGLY
GRANTED A "CONFLICT OF INTEREST".

E PL. SE ISSUE URGENT
COURT ORDER FOR THE
ELEVENTH JUDICIAL CIRCUIT
PRODUCE TRANSCRIPTS TO ALL PROCEEDINGS
NOT
HABEAS
CORPUS

WITHOUT CAUSE BY THEN JUDGE on
THE CASE, STACY GLICK, ON THE
DAY WE WERE DUE FOR TRIAL,
causing AN EXTENTION OF my
FALSE IMPRISONMENT.

8/2/15
* B13028754 - ARRESTED FOR READING
THE NEW YORK TIMES ON LINCOLN
ROAD BY INTELLIGENCE ASSET,
OFFICER MCVEY, OF THE MIAMI
BEACH POLICE DEPARTMENT.

* B13029810 : SPECIAL Surveillance
groups operating FOR THE EURO 5.

* B13036773 - BEATEN in Hand -
CUFFS By WITNESSES IN CASE #
F14000192, OFFICERS DESCALZO
AND ANGULO, REPORTED TO
INTERNAL AFFAIRS MIAMI - BEACH.
Please SEE CORRESPONDING E-MAILS;
ALL PROPERTY ILLEGALLY REMOVED
FROM PROPERTY ROOM AT CORRECTIONAL
RELATED TO SIMILAR OCCURRENCE
IN CASE F151083 WHERE EVIDENCE
WAS ILLEGALLY REMOVED AND
TAMPERED WITH IN THE CASE
By STATE ATTORNEY, MS. VICTORIA
QUEIROZ, WITH KNOWNED JUDGE AND
CONSENT of TRIAL JUDGE
CRISTINA MIRANDA.



The Florida Bar

John F. Harkness, Jr.
Executive Director

651 EAST JEFFERSON STREET
TALLAHASSEE, FL 32399-2300

850/561-5600
www.FLORIDABAR.org

September 24, 2015

Mr. John J. Wilson
Metrowest Detention Center
13850 Northwest 41st Street
Miami, FL 33178

Re: Carlos Jesus Martinez; RFA No. 16-4468

Dear Mr. Wilson:

The Supreme Court of Florida has held that a person elected to a constitutionally created office who must be a lawyer to hold that office is not answerable to The Florida Bar while that person holds that office. Therefore, the Bar does not have jurisdiction over the elected State Attorney or elected Public Defender in any of our Judicial Circuits, nor do we have jurisdiction over the Attorney General of our state.

However, Section 7 of Article IV, of the Florida Constitution provides:

SECTION 7. Suspensions; filling office during suspensions. —

- a) By executive order stating the grounds and filed with the custodian of state records, the governor may suspend from office any state officer not subject to impeachment, any officer of the militia not in the active service of the United States, or any county officer, for malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform official duties, or commission of a felony, and may fill the office by appointment for the period of suspension. The suspended officer may at any time before removal be reinstated by the governor.
- b) The senate may, in proceedings prescribed by law, remove from office or reinstate the suspended official and for such purpose the senate may be convened in special session by its president or by a majority of its membership.

X VI AMEND
VIRGINIA

In light of the foregoing, this matter is closed and our computer record will be disposed of one year from the date of closure pursuant to the Bar's record retention policy.

Sincerely,



Theodore P. Littlewood Jr., Bar Counsel
Attorney Consumer Assistance Program
ACAP Hotline 866-352-0707

cc: Mr. Carlos Jesus Martinez

STEVEN KRAMER

Supervisor of

the Public Defender

JEREMY

TRACY

AS EVIDENCE

By THE ATTACHED
DEFENDER, Jeremy
Kramer, was offered
Exculpatory
Evidence from his
others from overwhelming
overwhelming evidence of a crime was
E-mails from as well as
the DNA, as well as
copied, work was
material evidence showing my on-going
conspiracy underlying charges. However, Kramer
falsified evidence. Kramer directed five
"conflict" cases to the public defender
without cause after
295
which counsel

* AMENDMENT VI PROCEDURES
VIOLATIONS OF DUE PROCESS



THE FLORIDA BAR

651 EAST JEFFERSON STREET
TALLAHASSEE, FLORIDA 32399-2300

(850) 561-5600
www.FLABAR.ORG

JOHN F. HARKNESS, JR.
EXECUTIVE DIRECTOR

September 24, 2015

Mr. John J. Wilson#150011065
Metrowest Detention Center
13850 Northwest 41st Street
Miami, FL 33178

Re: Mr. Stephen Lance Kramer; RFA No.: 16-4467

Dear Mr. Wilson:

Your inquiry concerning the above-referenced attorney has been referred to me for my review.

The Florida Bar does not have the authority to appoint or remove your attorney. Any such request must be addressed to the judge assigned to your case. Furthermore, The Florida Bar is not permitted to intervene in proceedings in criminal court and may never be used as a substitute for an appeal. Because the matter involves such issues, resolution must be left to the criminal court system.

After careful consideration, I conclude that the matters referenced in your inquiry do not constitute violations of the Rules of Professional Conduct, and accordingly, your inquiry does not fall within the purview of the grievance system framework. Consequently, I have closed our record in this matter. Please be advised that my action does not preclude you from consulting with private counsel, nor does it preclude you from exercising any legal remedy which may be available to you. 42 U.S.C. 1983

Pursuant to the Bar's records retention schedule, the computer record and file will be disposed of one year from the date of closing. *sf OED THE*

Sincerely,

Theodore P. Littlewood Jr., Bar Counsel
Attorney Consumer Assistance Program
ACAP Hotline 866-352-0707

cc: Mr. Stephen Lance Kramer

FILE FOR CASE #FF1500108, was NEVER
EVEN TURNED OVER FOR CASE #FF1500108 AFTER
THEY WERE MERGED IN THE DAY STEVEN TAYLOR (1991)
FILED A CONFLICT
W/OUT CAUSE.

John F. Harkness, Jr.
Executive Director



The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

850-561-5600

www.FLORIDABAR.org

~~ABANDONED BY A/ LEGAL COUNSEL~~

September 24, 2015

Mr. John J. Wilson
Metrowest Detention Center
13850 Northwest 41st Street
Miami, FL 33178

~~REGISTRATION NO. 64577~~

Dear Mr. Wilson:

We are unable to identify the ~~Stephen Taylor~~ you are referring to in your September 2, 2015 correspondence. Nonetheless, The Florida Bar does not have the authority to appoint or remove your attorney. Any such request must be addressed to the judge assigned to your case. Furthermore, The Florida Bar is not permitted to intervene in proceedings in criminal court and may never be used as a substitute for an appeal. Because the matter involves such issues, resolution must be left to the criminal court system.

Sincerely,

Theodore P. Littlewood Jr., Bar Counsel
Attorney Consumer Assistance Program
ACAP Hotline 866-352-0707

* Formal REQUEST TO OPEN INVESTIGATION
INTO WHO HAS BEEN WITHHOLDING THE PRODUCTION
OF TRANSCRIPTS IN CASE #FL5001083 SINCE
THEY WERE FIRST REQUESTED in TIMELY FILING MOTION
FOR MISTRIAL ON 7/1/15 THEN SUPPOSEDLY ORDERED



LAW OFFICES OF THE
Criminal Conflict and Civil Regional Counsel
THIRD REGION OF FLORIDA
Serving Miami-Dade and Monroe Counties
401 N.W. 2nd Ave, Suite S-326,
Third Floor, Rohde Building
Miami, Florida 33128

Again by OFFICE OF
STEVEN WEINBAUM ESQ
EUGENE F. ZENOBI
REGIONAL COUNSEL

NOV. 2015
TEF
305-545-1960

TEL: (305) 679-6550
FAX: (305) 679-6560

March 23, 2016

John Wilson, #150011065
Turner Guilford Knight Correction Ctr.
7000 NW 41 Street
Miami, Fl. 33166

* Layla Hicks
WITNESS

Dear Mr. Wilson:

RE: Transcripts → APPEAL / DEFENDANT
BECAUSE LACK OF
TRANSCRIPTS (FL5001083)
FOR 10 MONTHS

I have enclosed two transcripts that I retrieved from the Public Defender's Office. As I get transcripts in I will forward copies to you.

Your case has been assigned to Attorney Roberta Mandel, Assistant Regional Counsel. Ms. Mandel will review the court's docket and determine what else needs to be ordered.

Please feel free to contact me should you have any question

Sincerely,

* Layla Hicks

Administrative Legal Assistant

* WITNESS THE TRANSCRIPTS
IN CASE #FL5001083 WERE NEVER
"CANCELED", DISCONTINUED, OR OBSTRUCTED
"DEFENDED" CONSTITUTIONS AND RIGHTS
"JUSTICE" IN CIVIL / CRIMINAL
MATTERS AND AN EXTENT
MY CAUSE IMPROBABLE
1298 W
various

* STEVE KRAMER OF OFFICE OF P.D. ORCHESTRATED
APPOINTMENT OF ATT. CHARLES WHITE w/
COOPERATION OF TRAIL JUDGE CRISTINA MIRANDA



LAW OFFICES OF THE

Criminal Conflict and Civil Regional Counsel

THIRD REGION OF FLORIDA

Serving Miami-Dade and Monroe Counties

401 NW 2nd Avenue, Suite S-326
Miami, Florida 33128

EUGENE F. ZENOBI
REGIONAL COUNSEL

TEL: (305) 679-6550
FAX: (305) 679-6560

April 20, 2016

John Wilson, #150011065
Turner Guilford Knight Correctional Facility
7000 NW 41 Street
Miami, Florida 33166

Mr. Wilson:

Please see enclosed transcript our office received today. There are plenty to follow. I'll keep you posted.

- Transcript dated: January 20, 2015
- Transcript dated: February 6, 2015
- Transcript dated: March 5, 2015
- Transcript dated: May 12, 2015
- Transcript dated: May 20, 2015

Sincerely,

Layla Hicks
Administrative Legal Assistant

P.S.

THE ATTORNEY OF ATTORNEY CHARLES
WHITE WAS ORCHESTRATED, SO I WOULD
NOT BE ABLE TO RESET HIM FOR LEGAL
CONSULTATION. IT
85. NOT "ASSIGNED" FROM
WHITE L.

EDITED TESTIMONY RE: FORMER ASST. STATE PROSEC. VICTORIA CUETO
CONTAINED IN JUNE 10 TRANSCRIPT, ENCLOSED HEREOF WITH:
UNITED STATES DISTRICT COURT
SOUTHERN District of Florida
Case Number: 18-6-CV-23511-MGC

John J. Wilson, Jr.

Plaintiff(s)

v.
Apex Reporting Group, Inc.
ET AL.

Defendant(s)

SUPPLEMENTAL COMPLAINT FILED UNDER FED. CIV. R. P. RUH
(TITLE OF DOCUMENT)
15(d): VIOLATION OF MY FUNDAMENTAL RIGHTS TO ACCESS THE COURTS, PURSUANT TO
EX PARTE HULL, 312 U.S. 546 (1941); MOTION FOR PROSPECTIVE RELIEF, PUNITIVE DAMAGE
I, John J. Wilson, Jr., plaintiff or defendant, in the above styled cause,

① MOTION FOR PROSPECTIVE RELIEF BASED ON THE
DELIBERATE AND PROTRACTED DEPRIVATION OF MY
FUNDAMENTAL RIGHTS TO ACCESS THE COURTS OF
THE ELEVENTH JUDICIAL CIRCUIT OF MIAMI-DADE COUNTY,
AS EVIDENCED IN THE ATTACHED TRANSCRIPTS FROM
JUNE 10 PROCEEDINGS BEFORE CIRCUIT JUDGE CRISTINA
MIRANDA IN CASE #F15001083. SEE BOUNDS V. SMITH,
430 U.S. 817 (1977).

*② PLAINTIFF'S CLAIMS FOR INJUNCTIVE RELIEF ARE
AUTHORIZED BY 28 U.S.C. SECTION 2283 & 2284 AND
* RULE 65 OF FED. R. CIV. P.

*③ THE COURT HAS SUPPLEMENTAL JURISDICTION
OVER PLAINTIFF'S STATE LAW CLAIMS UNDER 28 U.S.C.
SECTION 1337.

FYI

PLEASE ALSO NOTE JUNE 10 TRANSCRIPTS ENCLOSED HERETO WITH
I HAVE ALSO BEEN MATERIALLY ALTERED, OMITTING KEY TESTIMONY (RE: VICTOR
CUETO
②) ON 8/23/16 I was AGAIN PROHIBITED FROM
ATTENDING COURT IN CASE #5:006748; NEITHER DO
I HAVE THE ABILITY TO CONTACT ASSIGNED PCAC
ATTORNEY, CHARLES G. WHITE, NAMED AS DEFENDANT
IN ORIGINIAL OPERATIVE COMPLAINT FOR ON-GOING VIOLATIONS. PLEASE SEE ATTACHED MAY 10 MOTION
TO HARVEY RUVIN (NEVER FILED) AND PATENTLY IGNORED.
* SEE DOCTRINE OF DELIBERATE INDIFFERENCE. SEE
* Wilson v. Seiter, 501 U.S. 294 (1991).

(3) PLEASE SEE ATTACHED ORDER FROM 3DCA MANDATING
THE COURT TO ALLOW ME TO PURSUE THE UPHOLDING OF prior
CIRCUIT ORDER FOR MY RIGHTEFUL RETURN OF FUNDS I WOULD
USE TO HIRE LEGAL COUNSEL, YET I AM BEING OBSTRUCTED FROM
ATTENDING COURT IN FLAGRANT VIOLATION OF ORDER 3D16-0906.
I THUS HEREBY ASK THE COURT TO IMPOSE PUNITIVE DAMAGES
ON THE COURT AND/or CORRECTIONS OFFICIALS RESPONSIBLE BASED ON EVIL INTEND.
SEE SIGNERS-EL V. BARLOW, 433 F. SUPP. 2d, 811 (E.D. MICH. 2006).
John S. Wilson, Jr. Certificate of Service certify that on this date 8/23/16 a true copy
of the foregoing document was mailed to: CLERK OF COURT
name(s) and address(es)

U.S. DISTRICT COURT, 400 N. MIAMI AVE (8N09)
MIAMI, FL 33128-7716

By: John S. Wilson, Jr.
Printed or typed name of Filer

PRO-SE
Florida Bar Number

N/A
Phone Number

METROWEST DETENTION CENTER, 13850 N.W. 41ST ST
MIAMI, FL 33178
Street Address
City, State, Zip Code

John S. Wilson
Signature of Filer

N/A
E-mail address

N/A
Facsimile Number

U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

CERTIFICATE OF INTERESTED PERSONS
AND CORPORATE DISCLOSURE STATEMENT (CIP)

T. W. J. Wilson vs. City of Miami, et al. Appeal No. 16-16093-B

11th Cir. R. 26.1-1(a) (enclosed) requires the appellant or petitioner to file a Certificate of Interested Persons and Corporate Disclosure Statement (CIP) with this court within 14 days after the date the case or appeal is docketed in this court, and to include a CIP within every motion, petition, brief, answer, response, and reply filed. **You may use this form to fulfill this requirement.** In alphabetical order, with one name per line, please list all trial judges, attorneys, persons, associations of persons, firms, partnerships, or corporations that have an interest in the outcome of this case or appeal, including subsidiaries, conglomerates, affiliates, parent corporations, any publicly held corporation that owns 10% or more of the party's stock, and other identifiable legal entities related to a party.

(please type or print legibly):

Alfonso, Daniel J., City Manager
Blanes, Rodolfo, City of Miami Police Chief
Sánchez, Major David, Internal Affairs
Ruvin, Harvey, Clerk of Court
Trawick, Judge Daryl

Appeal #16-16093-B*

1. ~~¶~~ Notice to the Panel
of Appeal Plaintiff has
been Deliberately Hindered
and Impeded in His pro-
Se Efforts to litigate
this case, or Retain
Legal Counsel, as evidenced
by the attached.

2. ~~¶~~ Plaintiff hereby moves the
Court to grant him the right to
make legal, pro-se, telephone
calls, for the purposes of retain-
ing legal consultation and advise

Customer, Test J. Wilson, Jr. 4303
89

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HARVEY RUVIN
CLERK of the COURTS
MIAMI-DADE COUNTY, FLORIDA



Civil Court Online System - Docket Information

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* Click on BOOK/PAGE of a particular docket to see the image if it is available *

Case Number (LOCAL): 2004-3992-CA-01 Dockets Retrieved: 14 Filing Date: 02/19/2004
 Case Number (STATE): 13-2004-CA-003992-0000-01 Judicial Section: 23

Date	Book/Page	Docket Entry	Comments
08/03/2009		CASE ELIGIBLE FOR DESTRUCTION :	CASE ELIGIBLE FOR DESTRUCTION : 08/03/2009
05/27/2004	22402 / 1947 Pages: 1	AMENDED FINAL JUDGMENT	\$ 0.00 BK:22402 PG:1947
05/18/2004	22360 / 1330 Pages: 2	FINAL JUDGMENT	J \$ 0.00 BK:22360 PG:1330 DN01
05/18/2004		TEXT	AFFIDAVIT RETURN OF SERVICE SERVED 04/05/04
05/18/2004		NON-MILITARY AFFIDAVIT	
05/10/2004		ORDER OF DEFAULT	DK02
05/10/2004		MOTION FOR DEFAULT	
03/19/2004		AFFIDAVIT OF:	OF R DOBSON
03/19/2004		ORDER:	FINDING PROBABLE CAUSE ETC.
02/24/2004		AFFIDAVIT OF:	ROY RUTLAND
02/19/2004		DEMAND FOR JURY TRIAL	
02/19/2004		SUMMONS ISSUED	DN01
02/19/2004		COMPLAINT	
02/19/2004		CIVIL COVER	

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S0142977

12/10 08

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA
CRIMINAL DIVISION

STATE OF FLORIDA,
Plaintiff,

v.

JOHN J. WILSON, JR.,
Defendant,

Case No: F04-000753B

Judge: WILLIAM THOMAS

**MIAMI-DADE COUNTY'S MOTION TO SET ASIDE ORDER FOR
RETURN OF PROPERTY, ENTERED ON JULY 5, 2012 AND MOTION TO DENY
DEFENDANT JOHN J. WILSON, JR.'S MOTION FOR RETURN OF PROPERTY**

COMES NOW, MIAMI-DADE COUNTY, by and through the Miami-Dade Police Department, and moves this Honorable Court, pursuant to Florida Rule of Civil Procedure 1.540, to set aside the Order to Return of Property entered on July 5, 2012, in Case No. F04-000753B. The MDPD further requests that the underlying Motion for Return of Property be denied as a matter of law. The MDPD submits the following in support:

BACKGROUND

1. Criminal prosecution against Defendant JOHN J. WILSON, JR. stemmed from a Miami-Dade Police Department investigation under Case No. 190002B.

2. On January 13, 2004, the Defendant was charged with Trafficking Cocaine and Conspiracy to Traffic Cocaine, in violation of Florida Statutes §893.135 (2014) and Money Laundering in violation of Florida Statutes §896.101 (2014). The criminal court proceeding against Defendant Wilson was closed on June 8, 2012.

3. The following items were lawfully impounded on January 8, 2004 under Miami-Dade Police Case #190002B as belonging to a co-defendant, John D'Ambro, as documented on

the property receipts; eight thousand, five hundred twenty dollars (\$8,520) and seven hundred fifty dollars (\$750). See Exhibit A.

4. Forfeiture proceedings were initiated against the eight thousand, five hundred twenty dollars (\$8,520) in the Circuit Court of the Eleventh Judicial Circuit of Florida, in and for Miami-Dade County, General Jurisdiction Division on February 9, 2004 (Case no. 04-03992 CA 23). See Exhibit B.

5. On May 18, 2004, the Honorable Judge Leon M. Firtel entered final judgment awarding the seized eight thousand, five hundred twenty dollars (\$8,520) to the Miami-Dade Police Department Law Enforcement Trust Fund. See Exhibit C.¹

6. Defendant Wilson filed a Motion for Return of Property on or about June 19, 2012 seeking the return of eight thousand, five hundred twenty dollars (\$8,520).

7. On July 5, 2012, the Defendant's motion was heard and granted by this Honorable Court.

8. The Miami-Dade Police Department did not receive notice of hearing for the Defendant's motion of return of property nor did they have an opportunity to be heard on the motion.

9. Because the final judgment of forfeiture was entered on May 18, 2004, Defendant JOHN J. WILSON, JR.'s only recourse was to seek relief from the final judgment of forfeiture in the civil court.

10. Further, since the criminal court proceeding against Defendant JOHN J. WILSON, JR. was closed on July 8, 2012, Defendant Wilson has failed to bring a Motion for Return of

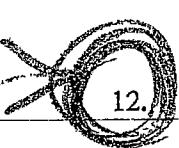
¹ Although we have a copy of the Final Judgment, all other records, both of the Clerk of Court and Miami-Dade Police Department, have since been destroyed as they were eligible for destruction on August 3, 2009.

Property as to the seven hundred fifty dollars (\$750) before this Court (which was impounded under the co-defendant's name). Pursuant to Florida Statues §705.105 (2014), the title of this property has vested in the Miami-Dade Police Department.

11. Therefore, it is requested that this Honorable Court set aside the Order entered on July 5, 2012, as well as deny Defendant Wilson's Motion for Return of Property, as a matter of law.

ARGUMENT

Florida Rule of Civil Procedure 1.540 Permits Relief to the Miami-Dade Police Department

12.   The Order for Return of Property is Void
Florida Rule of Civil Procedure (FRCP) 1.540 permits relief from a court order, on six (6) specified grounds: 1) clerical mistake; 2) mistake, inadvertence, surprise or excusable neglect; 3) newly discovered evidence; 4) fraud or misrepresentation; 5) the order is void; or 6) the judgment or decree has been satisfied.

13. According to *Metropolitan Dade Cty v. Curry*, the trial court must grant the county relief from the Order for Return of Property because the county did not receive notice of the hearing or an opportunity to be heard on said motion. *Metropolitan Dade Cty v. Curry*, 632 So. 2d 677 (Fla. 3d DCA 1994). "An order entered without notice or opportunity to be heard is a void order." *Id.* The Miami-Dade Police Department did not receive a notice of hearing for the Defendant's motion nor did they have an opportunity to be heard on the motion.

14. Pursuant to FRCP 1.540 (b), the court has the authority to vacate a final order or judgment on the motion of a party on a showing that the order is void.

The Property was lawfully forfeited to the Miami-Dade Police Department

14. Additionally, MDPD is unable to comply with the Court's order dated July 5, 2012, because the monies seized were awarded to MDPD as the result of a final judgment in a civil forfeiture action, Case no. 04-03992 CA 23, on May 18, 2004.

15. Further, had the Miami-Dade Police Department (MDPD) been notified of the Defendant's motion for return of property, it would have objected on the following grounds: (1) MDPD already had a valid final judgment awarded on the currency; (2) the Defendant's motion for return of property was facially insufficient because the Defendant in his motion did not assert that the property was exclusively his own and that it was not the fruit of illegal activity as required by law; and (3) all of the currency was in the possession of the co-defendant, John D'Ambro at the time that it was seized and did not belong to the defendant.

Defendant's Motion was Faciallly Insufficient

17. Furthermore, the initial Motion for Return of Property was insufficient on its face and subject to denial, as a matter of law. A motion for return of property must contain and affirmatively assert three (3) elements: a) the property is exclusively his own; b) it was not the fruit of illegal activity; and c) it is not being held for evidentiary purposes. *See Bailey v. State*, 93 So. 3d 518, 519, citing, *Sanchez v. State*, 88 So.3d 389, 391 (Fla. 4th DCA 2012). The Defendant's motion for return of property in this case simply states the grounds as: "acquitted by jury 6/8/12, the return of \$8,520 USD." See Exhibit D. He did not affirmatively assert that the property is exclusively his own nor that it was not the fruit of illegal activity. *Id.*

Title to the Seven Hundred Fifty Dollars has vested in the Miami-Dade Police Department

18. Florida Statutes §705.105, plainly and unequivocally sets forth the rule and time requirement, by which title to personal property seized pursuant to a lawful investigation, vests in the law enforcement agency and is not subject to return. Section 705.105(1) simply provides, title to unclaimed evidence lawfully seized by and in the custody of law enforcement, "*shall vest permanently in the law enforcement agency 60 days after the conclusion of the proceeding.*" Florida Statutes §705.105 (2014)(emphasis added).

19. Timeliness under §705.105 mandates that a "motion for return of property be filed within 60 days of the 'conclusion of the proceeding.'" As documented by the Court docket, a Motion for Return of Property regarding the seven hundred fifty dollars (\$750) has not been filed in this case. The listed owner's criminal proceeding, co-defendant John D'Ambro, was closed on July 10, 2006. Sixty (60) calendar days from that date would have mandated filing of the Motion for Return of Property on or before September 8, 2006. Defendant D'Ambro has not filed a Motion of Return of Property within the 60 days after the conclusion of his criminal proceeding.

20. In accordance with §705.105, title of the property at issue vested in MDPD as a result of Defendant D'Ambro's failure to file a timely motion for return of property

21. Therefore, and in accordance with FRCP 1.540 (b) we pray that this Court's Order granting Defendant Wilson's Motion for Return of Property, entered on July 5, 2012, be set aside by the Court and denied as a matter of law.

WHEREFORE, Miami-Dade County, by and through the Miami-Dade Police Department, respectfully requests this Honorable Court to set aside the Order for Return of Property entered on July 5, 2012, as the Order is void, the eight thousand, five hundred twenty had been awarded to MDPD in a forfeiture action in 2004, the monies did not belong to Mr. Wilson, and title to the seven hundred fifty-dollars has vested in the Miami-Dade Police Department. The underlying Motion should also be denied as a matter of law.

Respectfully submitted,

/s/ Ivonne Duran

Ivonne Duran, Esq.
Florida Bar No. 103063
Attorney for the Miami-Dade Police Department
9105 NW 25th Street, Suite 3069
Miami, FL 33172
Telephone: 305-471-2550
Facsimile: 305-471-3113
ivduran@mdpd.com

CERTIFICATE OF SERVICE

I CERTIFY, that a true and correct copy of the foregoing MIAMI-DADE COUNTY'S MOTION TO SET ASIDE ORDER FOR RETURN OF PROPERTY, ENTERED ON JULY 5, 2012 AND MOTION TO DENY DEFENDANT JOHN J. WILSON, JR.'S MOTION FOR RETURN OF PROPERTY, was furnished to Mayowa F. Odusanya, Esq., via email at mayowa@ololegal.com, on this 8th day of December, 2014.

By: /s/ Ivonne Duran
Ivonne Duran, Esq.
Florida Bar No. 103063

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 16-20244-Civ-MORENO
MAGISTRATE JUDGE P.A. WHITE

JOHN J. WILSON, JR.,

Plaintiff,

v.

REPORT OF
MAGISTRATE JUDGE

CITY OF MIAMI POLICE CHIEF,
et al.,

Defendants.

I. Introduction and Background

John J. Wilson Jr. filed a pro se civil rights complaint, pursuant to 42 U.S.C. §1983. (DE#1). Plaintiff is currently confined at the Miami-Dade County Pre-Trial Detention Center. Plaintiff claims that, in January of 2004, he was falsely arrested after he was entrapped by Defendants. In June of 2012, he was acquitted of the charges.

The case has been referred to the undersigned for the issuance of all preliminary orders and any recommendations to the district court regarding dispositive motions. See 28 U.S.C. §636(b)(1)(B), (C); Fed.R.Civ.P. 72(b), S.D.Fla. Local Rule 1(f) governing Magistrate Judges, and S.D. Fla. Admin. Order 2003-19.

He has filed a motion to proceed *in forma pauperis* which has been granted and a debt established by separate order. (DE#4). Because plaintiff is a prisoner seeking redress against governmental entities, employees, or officers, his complaint is subject to screening under 28 U.S.C. §1915A, which does not distinguish between IFP plaintiffs and non-IFP plaintiffs. See 28

U.S.C. §1915A; Thompson v. Hicks, 213 Fed.Appx. 939, 942 (11th Cir. 2007) (*per curiam*).

It is noted that pleadings drafted by *pro se* litigants must be liberally construed, Haines v. Kerner, 404 U.S. 519, 520-21, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972) (*per curiam*), but the Court may review plaintiff's complaint and dismiss the complaint, or any part thereof, if it is frivolous, malicious, or fails to state a claim upon which relief can be granted. See 28 U.S.C. §1915A.

This Cause is presently before the Court for screening of the plaintiff's **Complaint (DE#1)**, pursuant to 28 U.S.C. §1915(e) and 28 U.S.C. §1915A.

II. Standard of Review

Because the Plaintiff is a prisoner proceeding *in forma pauperis* and seeks redress from a government entity, this case is subject to the judicial screening provisions of United States Code Title 28, Sections 1915 and 1915A. Section 1915(e) (2) instructs that:

Notwithstanding any filing fee, or any portion thereof, that may have been paid, **the court shall dismiss the case at any time** if the court determines that -

* * *

(B) the action or appeal --

- (i) is frivolous or malicious;
- (ii) fails to state a claim on which relief may be granted; or
- (iii) seeks monetary relief against a

defendant who is immune from such relief.

Id. (emphasis added).

Section 1983 civil rights actions require the deprivation of a federally protected right by a person acting under color of state law. 42 U.S.C. §1983; Polk County v. Dodson, 454 U.S. 312 (1981); Griffin v. City of Opa-Locka, 261 F.3d 1295, 1303 (11th Cir. 2001); Whitehorn v. Harrelson, 758 F. 2d 1416, 1419 (11th Cir. 1985). In order to state a claim, a plaintiff must establish (1) he was deprived of a right secured by the Constitution or laws of the United States, and (2) the alleged deprivation was committed under color of state law. 42 U.S.C. 1983; Dodson, 454 U.S. at 312; see Almand v. DeKalb County, Ga., 103 F.3d 1510, 1513 (11th Cir. 1997).

The standard for determining whether a complaint states a claim upon which relief may be granted is the same under Section 1915(e)(2)(B), or Federal Rules of Civil Procedure 12(b)(6) and 12(c). See Mitchell v. Farcass, 112 F.3d 1483, 1490 (11th Cir. 1997) ("The language of section 1915(e)(2)(B)(ii) tracks the language of Federal Rule of Civil Procedure 12(b)(6)"). A complaint need not contain detailed factual allegations. See Fed. R. Civ. P. 8(a)(2) (pleading must contain a "short and plain statement of the claim showing that the pleader is entitled to relief....").

Pro se complaints are held to "less stringent standards than formal pleadings drafted by lawyers and can only be dismissed for failure to state a claim if it appears 'beyond doubt that the plaintiff can prove no set of facts in support of his claim which would entitle him to relief.'" Estelle v. Gamble, 429 U.S. 97, 106 (1979) (quoting Haines v. Kerner, 404 U.S. 519, 520-21 (1972)). The allegations of the complaint are taken as true and are construed in

the light most favorable to Plaintiff. Davis v. Monroe County Bd. of Educ., 120 F.3d 1390, 1393 (11 Cir. 1997).

However, a plaintiff's obligation to provide the grounds for his entitlement to relief requires more than labels and conclusions; a "formulaic recitation of the elements of a cause of action will not do...." Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007). The allegations must rise above the speculative level and "state a claim to relief that is plausible on its face." Twombly, 550 U.S. at 570. A complaint is "frivolous under section 1915(e) "where it lacks an arguable basis either in law or in fact." Neitzke v. Williams, 490 U.S. 319, 325 (1989); see Bilal v. Driver, 251 F.3d 1346, 1349 (11th Cir. 2001). Dismissals on this ground should only be ordered when the legal theories are "indisputably meritless," or when the claims rely on factual allegations that are "clearly baseless." Neitzke, 490 U.S. at 327.

To determine whether a complaint fails to state a claim upon which relief can be granted, the Court must engage in a two-step inquiry. See Twombly, 550 U.S. at 555; Ashcroft v. Iqbal, 556 U.S. 662 (2009). First, the court must identify the complaint's factual allegations, which are entitled to an assumption of truth, and identify and reject the legal conclusions to which no assumption of truth applies. Iqbal, 556 U.S. at 678. Second, the court must determine whether these factual allegations, taken as true, plausibly suggest an entitlement to relief. Id. This is "a context-specific task that requires the reviewing court to draw on its judicial experience and common sense." Iqbal, 556 U.S. at 679. If the well-pleaded facts do not permit the court to infer more than the "mere possibility of misconduct," the complaint is insufficient. Id. When faced with alternative explanations for the alleged misconduct, the Court may exercise its judgment in

determining whether plaintiff's proffered conclusion is the most plausible or whether it is more likely that no misconduct occurred.¹

III. Facts Set Forth in the Complaint (DE#1)

Construing Plaintiff's complaint most liberally under Haines v. Kerner, 404 U.S. 519 (1972), the plaintiff sues the City of Miami Manager, Daniel J. Alfonso; the Chief of Police, Rodolfo Llanes; and, Detective Roy Rutland.

Plaintiff alleges that he was falsely arrested in January of 2004, after Detective Rutland entrapped him. He states that for months prior to his arrest Detective Rutland, posing as an investor named Rob Hernandez, repeatedly contacted plaintiff, who was employed as a financial advisor, "soliciting" him to invest four million dollars into a "new account." Following plaintiff's dealings with Detective Rutland, known to plaintiff as "big time" investor Rob Hernandez, he was arrested and charged in 2004 for money laundering, trafficking cocaine and conspiracy to traffic cocaine. In 2012, he was acquitted of all charges following a jury trial. Thereafter, the trial court granted his motion for return of property. Despite the court's order, plaintiff states he has been unable to retrieve his property. He seeks an order from this court enforcing his rightful return of property and compensatory damages for his false arrest premised on Detective Rutland's allegedly unlawful entrapment.

IV. Discussion

¹The application of the Twombly standard was clarified in Ashcroft v. Iqbal, 556 U.S. 662, 129 S.Ct. 1937, 173 L.Ed.2d 868 (2009).

A. Statute of Limitations

This action is subject to dismissal based on expiration of the statute of limitations. Review of the state criminal trial court docket in Miami-Dade County Circuit Court, Case No F04-753B, which can be found on-line at <https://www2.miami-dadeclerk.com/cjis/>, reveals that the Plaintiff was arrested on or about January 9, 2004. The plaintiff filed this action on January 20, 2016.² The claims against the Defendants accrued at the time of Plaintiff's arrest, on or about January 9, 2004, or at the latest, at the time he received amended discovery in April of 2004.

Statute of limitations exist "to prevent the litigation of stale claims--claims as to which defense may be hampered because of passage of time, lost evidence, faded memories, or disappearing witnesses...." Justice v. United States, 6 F.3d 1474, 1482 (11th Cir. 1993). Where the "allegations [of the Complaint], on their face, show that an affirmative defense bars recovery on the claim, "dismissal is appropriate under Rule 12(b) (6). Cotton v. Jenne, 326 F.3d 1352, 1357 (11th Cir. 2003); AVCO Corp. v. Precision Air Parts, Inc., 676 F.2d 494, 495 (11th Cir. 1982) ("a statute of limitations defense may be raised on a motion to dismiss for failure to state a claim for which relief can be granted under 12(b) (6) when the complaint shows on its face that the limitations period has run.").

²"Under the prison mailbox rule, a *pro se* prisoner's court filing is deemed filed on the date it is delivered to prison authorities for mailing." Williams v. McNeil, 557 F.3d 1287, 1290 n.2 (11th Cir. 2009); see Fed.R.App. 4(c)(1) ("If an inmate confined in an institution files a notice of appeal in either a civil or a criminal case, the notice is timely if it is deposited in the institution's internal mail system on or before the last day for filing"). Unless there is evidence to the contrary, like prison logs or other records, a prisoner's motion is deemed delivered to prison authorities on the day he signed it. See Washington v. United States, 243 F.3d 1299, 1301 (11th Cir. 2001); Adams v. United States, 173 F.3d 1339 (11th Cir. 1999) (prisoner's pleading is deemed filed when executed and delivered to prison authorities for mailing).

Plaintiff brings this suit pursuant to 42 U.S.C. §1983. The law is clear that there is no specific statute of limitations period for actions brought under §1983. Owens v. Okure, 488 U.S. 235, 239, 109 S.Ct. 573, 576, 102 L.Ed.2d 594 (1989). Instead, the statute of limitations period for §1983 claims is determined by the state's statute of limitations for personal injury claims. Id. at 240-41, 109 S.Ct. 573. In that regard, the Eleventh Circuit Court of Appeals has held that the four-year statute of limitations under Fla.Stat. §95.11(3) applies to §1983 claims arising in Florida. Ellison v. Lester, 275 Fed. Appx. 900, 901-902 (11th Cir. 2008) (unpublished opinion) (citing Chappell v. Rich, 340 F.3d 1279, 1283 (11th Cir. 2003) (per curiam)).

When applying the four-year statute of limitations, the events against the defendant(s) occurred in 2004. Consequently, this action is time-barred since the claim accrued 12 years prior to institution of the instant lawsuit. To dismiss a prisoner's complaint as time-barred prior to service, it must appear beyond a doubt from the complaint itself that the prisoner can prove no set of facts which would avoid a statute of limitations bar. Hughes v. Lott, 350 F.3d 1157, 1163 (11th Cir. 2003) (quotation omitted). Further, dismissal of a timely filed complaint does not allow a later complaint to be filed outside the limitations period. Fed.R.Civ.P. 15(c); Bost v. Fed'l Express Corp., 372 F.3d 1233, 1242 (11th Cir. 2004).

Although state law determines the limitation, federal law determines when the limitations begins. Wallace v. Kato, 549 U.S. 384, 388, 127 S.Ct. 1091, 166 L.Ed.2d 973 (2007) ("[T]he accrual date of a §1983 cause of action is a question of federal law that is not resolved by reference to state law."). If the limitations begins with the initial arrest, then this action is not timely. As

explained in Sneed v. Pan Am Hosp., 370 Fed.Appx. 47, 49 (11th Cir. 2010), cert. den'd, ___ U.S. ___, 131 U.S. 1482 (2011), the limitation begins when a person should know that they have an injury. For a §1983 action, the statute begins to run from the date "the facts which would support a cause of action are apparent or should be apparent to a person with a reasonably prudent regard for his rights." Brown v. Georgia Bd. of Pardons and Paroles, 335 F.3d 1259, 1261 (11th Cir. 2003) (internal quotation marks omitted); see also Wallace v. Kato, 549 U.S. at 388 (holding that the statute of limitations upon a §1983 claim seeking damages for a false arrest in violation of the Fourth Amendment, where the arrest is followed by criminal proceedings, begins to run at the time the claimant becomes detained pursuant to legal process). By Plaintiff's own allegations, he was aware of the alleged unlawfulness of the Defendants conduct as early on as the time of his arrest in January 2004, and then upon the charges being filed soon thereafter. See Jones v. Union City, 450 Fed.Appx. 807, 809 (11th Cir. 2011) (unpublished) (§1983 claims of false arrest, illegal search, and excessive force are time-barred because the facts supporting the claims arose and were known by plaintiff at the time of his arrest but he filed his claims more than two years later and plaintiff did not plead the essential elements of a malicious prosecution claim because he did not claim he was injured by the prosecution or that the action lacked probable cause).

Nevertheless, under federal law, circumstances may equitably toll a limitations period. See Bost, 372 F.3d at 1242. The fact that petitioner's trial did not conclude until 2012, when the Plaintiff was acquitted does not authorize equitable tolling of the limitations period. "Equitable tolling is appropriate when a [plaintiff] untimely files because of extraordinary circumstances that are both beyond his control and unavoidable even with

diligence." Arce v. Garcia, 434 F.3d 1252, 1261 (11th Cir. 2006) (quotation omitted).

Similarly, Florida law allows for equitable tolling of a statute of limitations when the plaintiff has been misled or lulled into inaction, has in some extraordinary way been prevented from asserting his rights, or has timely asserted his rights mistakenly in the wrong forum. Williams v. Albertson's, Inc., 879 So.2d 657, 659 (Fla. 2004). Due diligence, though necessary, is not sufficient to prevail on the issue of equitable tolling. Justice v. United States, 6 F.3d at 1479. The plaintiff, however, bears the burden of showing that equitable tolling is warranted. Bost, 372 F.3d at 1242.

It bears mentioning, however, equitable tolling is unavailable outside of the administrative context. HCA Health Serv's of Fla., Inc. v. Hillman, 906 So.2d 1094, 1096 (Fla. 2nd DCA 2005). In fact, Fla.Stat. §95.051(1) (a)-(h) sets forth an exclusive list of eight conditions that can toll the running of the statute of limitations. Further, Fla.Stat. §95.051(2) provides an express statement that no other condition can toll the statute. See also Major League Baseball v. Morgani, 790 So.2d 1071, 1075 (Fla. 2001) (stating that §95.051 "delineates an exclusive list of conditions that can 'toll' the running of the statute of limitations."); Socas v. Northwestern Mutual Life Ins. Co., 829 F.Supp.2d 1262 (S.D. Fla. 2011); Lopez v. Geico Casualty Co., 968 F.Supp.2d 1202 (S.D. Fla. 2013) (citing Watson v. Paul Revere Life Insurance Co., 2011 WL 5025120 at *4 (S.D. Fla. 2011)). None of the conditions listed in §95.051(1) (a)-(h) exists in this case.³

³Fla. Stat. §95.051. When limitations tolled:

(1) The running of the time under any statute of limitations except ss. 95.281, 95.35, and 95.36 is

Moreover, as will be recalled, the plaintiff's claims accrued in 2004 and therefore he had until 2008 to file suit. Since the suit was not filed until January 2016, it is not timely. Plaintiff has not demonstrated that he is entitled to equitable tolling. To the contrary, nothing prevented plaintiff from filing suit on a timely basis.

Indeed, plaintiff must show extraordinary circumstances that

tolled by:

- (a) Absence from the state of the person to be sued.
- (b) Use by the person to be sued of a false name that is unknown to the person entitled to sue so that process cannot be served on the person to be sued.
- (c) Concealment in the state of the person to be sued so that process cannot be served on him or her.
- (d) The adjudicated incapacity, before the cause of action accrued, of the person entitled to sue. In any event, the action must be begun within 7 years after the act, event, or occurrence giving rise to the cause of action.
- (e) Voluntary payments by the alleged father of the child in paternity actions during the time of the payments.
- (f) The payment of any part of the principal or interest of any obligation or liability founded on a written instrument.
- (g) The pendency of any arbitral proceeding pertaining to a dispute that is the subject of the action.
- (h) The period of an intervening bankruptcy tolls the expiration period of a tax certificate under s.197.482 and any proceeding or process under chapter 197.
- (i) The minority or previously adjudicated incapacity of the person entitled to sue during any period of time in which a parent, guardian, or guardian ad litem does not exist, has an interest adverse to the minor or incapacitated person, or is adjudicated to be incapacitated to sue; except with respect to the statute of limitations for a claim for medical malpractice as provided in s.95.11. In any event, the action must be begun within 7 years after the act, event, or occurrence giving rise to the cause of action.

were beyond his control. Moore v. Chamberlain, 559 Fed.Appx. 969 (11th Cir. 2014) (unpublished) (internal quotation marks and citations omitted). No such showing has been demonstrated here. The allegations here, even construed most favorably to the plaintiff, do not warrant equitable tolling. Accordingly, the undersigned finds that the complaint must be dismissed, and permitting plaintiff an opportunity to amend would be futile.

B. Claim For Return of Property

Plaintiff also argues that after he was acquitted in 2012, he filed a motion for return of property, which was granted by the trial court. Nevertheless, he states that his property has not yet been returned. He seeks intervention from this court in the state court proceedings to have the trial court's order enforced.

The Eleventh Circuit has explained that an officer's or state's seizure and retention of an individual's property does not give rise to liability under §1983 "if a meaningful post-deprivation remedy for the loss is available." Lindsey v. Storey, 936 F.2d 554, 561 (11th Cir. 1991) (quoting Hudson v. Palmer, 468 U.S. 517, 533, 104 S.Ct. 3194, 82 L.Ed.2d 393 (1984)). For example, where state law provides an adequate post-deprivation remedy for the loss of property, a §1983 due process claim will not lie. Id. (holding that existence of Georgia state law claim for conversion of property precluded §1983 due process claim against state officers for unlawfully seizing and retaining plaintiff's property); see also Morefield v. Smith, 404 Fed.Appx. 443, 445 (11th Cir. 2010) (*per curiam*) (rejecting §1983 due process claim against prison officials for seizure of plaintiff's property where plaintiff "had an adequate post-deprivation remedy under state law because he could pursue a tort action for conversion of his

personal property").

Further, to the extent Plaintiff alleges that Defendants negligently, intentionally, or recklessly deprived him of his property, "an unauthorized intentional deprivation of property by a state employee does not constitute a violation of the procedural requirements of the Due Process Clause of the Fourteenth Amendment if a meaningful post-deprivation remedy for the loss is available." Hudson v. Palmer, 468 U.S. 517, 533, 104 S.Ct. 3194, 82 L.Ed.2d 393 (1984); Taylor v. McSwain, 335 Fed. Appx. 32, 34 (11th Cir. 2009) (unpublished opinion) ("[A] state employee's unauthorized intentional deprivation of an inmate's property does not violate due process under the Fourteenth Amendment if a meaningful post-deprivation remedy for the loss is available.") (citing Hudson, 468 U.S. at 533).

Therefore, "a prisoner's cause of action based on unauthorized deprivation of property by a state actor is not actionable under section 1983 unless there is no adequate post-deprivation remedy available." Laufgas v. Speziale, 263 Fed.Appx. 192, 198 (3d Cir. 2008). Here, Plaintiff does not allege that the remedies under Florida law are inadequate. To the contrary, "[u]nder the law of Florida, 'law enforcement officers may be liable for conversion' for the seizure or retention of personal property." Case v. Eslinger, 555 F.3d 1317, 1331 (11th Cir. 2009) (quoting E.J. Strickland Constr., Inc. v. Dep't of Agric. & Consumer Serv's of Fla., 515 So.2d 1331, 1335 (Fla. 5th DCA 1987)). Accordingly, Plaintiff's loss of property claim fails to state a claim upon which relief can be granted.

In addition, review of the criminal docket indicates that plaintiff's *pro se* motion for return of property is currently being

litigated in state court. Courts do not generally interfere with ongoing state courts proceedings. Principles of equity, comity and federalism in certain circumstances counsel abstention in deference to ongoing state proceedings. See Younger v. Harris, 401 U.S. 37 (1971). "Younger abstention is required when (1) the proceedings constitute an ongoing state judicial proceeding, (2) the proceedings implicate important state interests, and (3) there is an adequate opportunity in the state proceedings to raise constitutional challenges." Christman v. Crist, 315 Fed. Appx. 231, 232 (11 Cir. 2009) (citing 31 Foster Children v. Bush, 329 F.3d 1255, 1274 (11 Cir. 2003)). The plaintiff has provided no sufficient reason for this Court to overlook the principles of abstention.

V. Conclusion

Based on the foregoing, it is recommended that this case be dismissed pursuant to §1915A and §1915(e) because it is barred by the statute of limitations; and, alternatively because it fails to state a claim upon which relief can be granted pursuant to 28 U.S.C. §1915(e) (2) (B) (ii). It is further recommended that judgment be entered and this case be closed.

Dismissal with leave to amend would not be appropriate here because an amendment would be futile in that any amended complaint on the basis of the allegations now presented and attempted claims would still be properly dismissed. See Judd v. Sec'y of Fla., 2011 WL 2784422, *2 (M.D.Fla. June 3, 2011) (recommending that Plaintiff not be permitted to file an amended complaint in light of the Eleventh Circuit's decision in Johnson in that any amended complaint would be frivolous). See generally Spaulding v. Poitier, 548 Fed.Appx. 587, 594 (11th Cir. 2013) (holding that magistrate

judge did not abuse his discretion in denying Plaintiff leave to amend his complaint because such an amendment would have been futile) (*citing, Cockrell v. Sparks*, 510 F.3d 1307, 1310 (11th Cir. 2007)).

Objections to this report may be filed with the District Judge within fourteen days of receipt of a copy of the report. Failure to file timely objections shall bar plaintiff from a *de novo* determination by the district judge of an issue covered in this report and shall bar the parties from attacking on appeal factual findings accepted or adopted by the district judge except upon grounds of plain error or manifest injustice. *See* 28 U.S.C. §636(b)(1); *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *Henley v. Johnson*, 885 F.2d 790, 794 (1989); *LoConte v. Dugger*, 847 F.2d 745 (11th Cir. 1988); *RTC v. Hallmark Builders, Inc.*, 996 F.2d 1144, 1149 (11th Cir. 1993).

Signed this 12th day of February, 2016.


UNITED STATES MAGISTRATE JUDGE

cc: John J. Wilson, Jr.
150011065
Miami-Dade County-PDC
Pretrial Detention Center
Inmate Mail/Parcels
1321 NW 13th Street
Miami, FL 33125

IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

CRIMINAL DIVISION

CASE NO. F15-8083

*ERROR
-1083

THE STATE OF FLORIDA,

Plaintiff,

vs.

JOHN WILSON,

Defendant.

TRANSCRIPT OF PROCEEDINGS

BEFORE

THE HONORABLE CRISTINA MIRANDA

RICHARD GERSTEIN BUILDING

1351 N.W. 12th Avenue

Miami, Florida

May 12, 2015

Not present in Court
Denied All Access
TO DISCOVERY.

APEX REPORTING GROUP

1 APPEARANCES:

2 For the Plaintiffs:

3 KATHERINE FERNANDEZ RUNDLE, STATE ATTORNEY
4 MR. FRANK PRIETO, ASSISTANT STATE ATTORNEY
5 Graham Building
1350 S.W. 12th Avenue
Miami, Florida

For the Defendant:

Also Present:

* involuntarily
EXHIBIT INDEX

16 WITHHELD By CORRECTION
17 FROM ATTENDING
18 COURT. DENIED DISCOVERY
19
20
21
22
23
24
25 MIRANDA ORCHESTRATING
TRIAL FOR BENEFIT OF STATE.

3 THE COURT: John Wilson, motion to compel.

4 MS. CUETO: I have not seen the motion.

5 MS. PETRONELLI: I believe this --

6 I know that Mr. Taylor was here earlier.

7 MS. CUETO: This is the case that he represents
8 himself.

9 MS. PETRONELLI: I do know that Mr. Taylor is
10 coming back.

11 THE COURT: I don't have it attached to this. I
12 have -- I remember reading it.

13 MS. CUETO: For which he demanded a speedy trial.

14 THE COURT: I happen to have an extra copy that I
15 had not taken back to my office.

18 | THE COURT: Okay.

19 We'll pass it.

20 Those are two separate motions. They are very
21 interesting to read.

22 MS. CUETO: I was going to take advantage given
23 that it was on to amend with some photos.

24 THE COURT: We'll wait for him to come back.

25 | Okay.

* Not present during Court

Page 4

1 MS. CUETO: Taylor, you mean?
2 THE COURT: Do you have, Mr. Wilson.
3 CORRECTIONS: No, card only.
4 MS. PETRONELLI: He never refuses to come.
5 MS. CUETO: But on the case that he represents
6 himself, when I want to amend I have to calendar it and
7 have him here, right?
8 MS. ELDEN: There is a demand for speedy trial, no
9 more discovery. ~~ORIGINATED FOR 26902~~
10 THE COURT: You can amend discovery. ~~RAI/RSA~~
11 MS. CUETO: We can wait for Taylor, but can we
12 reset for tomorrow for him to be present.
13 THE COURT: He filed a speedy demand.
14 MS. CUETO: I don't want to be in violation of any
15 rules. MIRANDA Complain't
16 THE COURT: No. If you amend it, it gets to him.
17 If it gets to him in time and we have a long
18 discussion, what that means, it puts him in a difficult
19 situation. ORCHESTRATED BY MIRANDA.
20 MS. CUETO: The problem is how do I amend with the
21 attachments?
22 THE COURT: The clerk and then you send it to him,
23 just like you would a defense attorney. It may or may
24 not make it in time, but he said that it was okay. ^{???} ~~SPD THE~~
(Thereupon, other matters were had, after which
25 NEVER RECEIVED IT UNT / AFTER TRIAL !

APEX REPORTING GROUP

~~NOT PRESENT During Court~~

Page 5

1 the following proceedings continued as follows:)

2 THE COURT: On Mr. Wilson's case. He filed a
3 motion to compel and he filed a speedy demand so his
4 motion to compel is denied.

5 I would just like him to know that. So let's try
6 reset him for tomorrow.

7 MS. CUETO: He'll be brought then?

8 THE COURT: We're resetting for tomorrow.

9 I need to tell him that the motion to compel is
10 denied. Tell him that the motion is denied.

11 Let's change Mr. Wilson so that shadow counsel
12 could be here. He'll be happy to hear that and we'll
13 make it for June 8th. NEVER ASSIGNED SHADOW

14 MS. CUETO: The only thing is --

15 THE COURT: And we'll set it for status before.

16 MS. CUETO: Okay.

17 I had literally emailed the victim letting him
18 know 6/22.

19 THE COURT: Let's set it for 6/8 and we'll set
20 it -- we'll give you the 21st of May. That's next
21 Thursday.

22 SETTING CLERK: 6/8 for trial.

23 MS. CUETO: If Wilson is going to get specially
24 set on 6/8 that is all three cases or the one with the
25 speedy demand?

NOT PRESENT in Court
NO ATTORNEY

1 THE COURT: Just the one with speedies.

2 They are all going to print that day?

3 MS. CUETO: I know that one that is brand new, I
4 don't think that it will be close to ready.

5 THE COURT: 6/8. John Wilson pro se.

6 MS. CUETO: Judge, this may all change because he
7 is on saying that he needs discovery. Mio had me talk
8 to him because he's pro se, it is not ex parte and tell
9 him on the 1083 case the motion is denied because he
10 has a pending speedy demand and he says that he is
11 demanding seeing your honor he has no discovery in the
12 file.

13 THE COURT: Sorry. ~~THE COURT: Sorry?~~

14 MS. CUETO: I'm sorry. I don't know if he wants
15 to strike the speedy demand.

16 THE COURT: And I said I can't. This is the
17 second one that he's filed and I told him no. I told
18 him that I was not going to strike it again and I
19 explained to him that he was not going to get
20 discovery. ~~COMPLETELY PREPOSTEROUS~~

21 Therefore, we'll set it for May 21 for sounding.
22 If, in fact, I have Xavier Spires trial certain and
23 then we'll send you to back up and it should go.

24 Let's set Xavier Spires for sounding 5/21.

25 SETTING CLERK: Xavier Spires is set for 5/22.

1 THE COURT: Set them both for 5/22.

2 SETTING CLERK: 5/22.

3 MS. CUETO: Thank you, judge.

4 THE COURT: Okay.

5 5/22.

6 (Thereupon, the following proceedings were
7 concluded.)

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1 MANY OF THESE TRANSCRIPTS

2 HAVE BEEN MADE OR ALTERED

Page 8

3 CERTIFICATE

4 T.E. JMW SC

5 STATE OF FLORIDA

6 COUNTY OF DADE

7 NOT CERTIFIED

8 I, KATTIA MANTRANA, the undersigned authority, hereby certify

9 that the foregoing transcript, pages one through are true and
10 correct transcript of said proceedings taken before me at the
11 time and place stated in the caption thereof.

12 I further certify that I am not of counsel to either of
13 the parties to said cause or otherwise interested in the event
14 thereof.

15 IN WITNESS WHEREOF I hereunto set and affix my official
16 seal of office this day of , 2016.

17

18

19

20

21

22

23

24

25

KATTIA MANTRANA, COURT REPORTER

NO

Kattia Mantrana

DATE

IN THE
SUPREME COURT OF THE UNITED STATES

CASE NO.

LOWER CASE NO. 3D15-2653

JOHN WILSON,

Petitioner,

-vs-

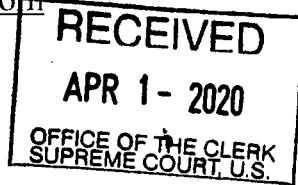
STATE OF FLORIDA,

Respondent.

**APPENDIX
VOLUME III
PETITION FOR WRIT OF CERTIORARI**

FROM THE SUPREME COURT OF THE STATE OF FLORIDA

CHARLES G. WHITE, ESQ.
CHARLES G. WHITE, P.A.
Counsel for Petitioner
1031 Ives Dairy Road
Suite 228
Miami, FL 33179
Tel: (305) 914-0160
Fax: (305) 914-0166
Florida Bar No. 334170
Email: cgwhitelaw@aim.com



VOLUME III

JOHN WILSON v. MIAMI-DADE COUNTY, JUAN CARLOS VIA MARIA CRISTINA BARRIOS ALMANZOR, CON. GRAL., THE CONSULATE OF SPAIN, FELIPE DeBOR'BON, VIA MARIA CRISTINA BARRIOS ALMANZOR, CON. GRAL., THE CONSULATE OF SPAIN, MIAMI BEACH POLICE DEPARTMENT, MICKEY STEINBERG, MIAMI BEACH CITY COMMISSIONERS, ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA, JUDGE WILLIAM THOMAS, JUDGE STACEY GLICK, JUDGE TERESA POOLER, JUDGE CRISTINA MIRANDA, STATE ATTORNEY FOR MIAMI-DADE COUNTY, KATHERINE FERNANDEZ RUNDLE, MIAMI-DADE COUNTY PUBLIC DEFENDER, CARLOS J. MARTINEZ, EXECUTIVE DIRECTOR OF THE FLORIDA BAR ASSOCIATION, JOHN F. HARKNESS, JR., SENATOR MARCO RUBIO, CHRISTOPHER G. LYONS, ESQ., PRINCE PHILIP, DUKE OF EDINBURGH, PRINCE CHARLES, PRINCE OF WALES, PRINCE ANDREW, DUKE OF YORK, ALEXIS KORYBUT, MIAMI-DADE COUNTY DEPARTMENT OF CORRECTIONS, PRESIDENT OF THE UNITED STATES OF AMERICA, BARACK H. OBAMA, THE CENTRAL INTELLIGENCE AGENCY U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA (MIAMI) CIVIL COMPLAINT PURSUANT TO 42 U.S.C., SECTION 1983 15-22098-CV-COOKE

1.

OF 15.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Civil Case Number: _____

JOHN Joseph Wilson, JR.
(Write the full name of the plaintiff)

FILED by PG D.C.

JUN 02 2015

STEVEN M. LARIMORE
CLERK U. S. DIST. CT.
S. D. of FLA. - MIAMI

vs.

PLEASE SEE CORRESPONDING
PAGES LISTING ALL DEFENDANTS ATTACHED
HEREIN NAMED,

(Write the full name of the defendant/s in this case)

cat/div 550/1983/MIA
Case # _____
Judge _____ Mag WHITE
Motn Ifp yes Fee pd \$ 0
Receipt # _____

COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

I. Party Information

A. Plaintiff: JOHN J. Wilson, JR.

Address: METROWEST DETENTION CENTER 13850 NW 41-52

Inmate/Prison No: 150011065 MIAMI, FL 33178

Year of Birth: 1970 (Do not include day or month, pursuant to Fed. R. Civ. P 5.2)

(Write your name, address and prison/inmate number, if applicable)

vs.

B. Defendant: SEE NEXT Defendant: SEE NEXT

Official Position: PAGES. Official Position: PAGES.

Place of Employment: _____ Place of Employment: COMPLETE L-5

(Write the full name of each defendant, official position and place of employment. Attach a separate page if you need additional space for additional defendants.)

II. Statement of Claim

Briefly describe the facts of your case. Describe how each defendant is involved, names of other persons involved, and dates and places. Each claim should be stated in a separately numbered paragraph. Please use short and plain statements, with separately numbered paragraphs indicating why the relief requested should be granted. Do not include legal arguments or cite cases or statutes. Attach additional pages, if necessary

(PLEASE SEE ATTACHED DOCUMENTS)

SINCE RETURNING TO US SOIL FROM BUENOS AIRES ARGENTINA IN JANUARY OF 2012, I HAVE BEEN SYSTEMATICALLY VICTIMIZED AS A RESULT OF MY COVERT INVOLVEMENT IN A FEDERALLY SANCTIONED SPECIAL ACCESS INTELLIGENCE PROGRAM WHICH HAS LEAD TO MY FALSE ARRESTS, AND WRONGFUL PERSECUTION WITHIN THE JURISDICTIONS OF MIAMI-DADE COUNTY, LEAVING ME DESTITUTE, AND WITHOUT MEANS TO PRODUCE SHELTER, OR THE ABILITY TO GENERATE INCOME OR GAIN III. Relief Requested Employment.

Briefly state what you are requesting from the Court (what do you want the Court to do). Do not include legal arguments or cite cases or statutes. Attach additional pages, if necessary.

PER YOUR CAREFUL AND JUDICIOUS REVIEW OF THE ATTACHED DOCUMENTS OUTLINING MY DETAILED REQUESTS, PLEASE SCHEDULE MY IMMEDIATE APPEARANCE BEFORE A FEDERAL JUDGE WITHIN UNITED STATES DISTRICT COURT TO HEAR A PLAN FOR RELIEF AS SOON AS POSSIBLE. I AM ALSO REQUESTING FEDERAL IMMUNITY IN ALL STATE OF FLORIDA CRIMINAL PROCEEDINGS, PAST AND PRESENT, SINCE 2012 BASED ON THE PROOF CONTAINED IN THE ATTACHED DOCUMENTATION OF MY RIGHTFUL IMMUNITY STATUS (ADDITIONAL DOCUMENTS AVAILABLE UPON REQUEST.)

* SEE ATTACHED.

IV. Jury Demand

Are you demanding a jury trial? Yes No

Signed this 29 day of May, 2015

Jah S. Wilson
Signature of Plaintiff

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

Executed on: 5/29/15

Jah S. Wilson
Signature of Plaintiff

1.

* FROM: JOHN J. WILSON
JAIL # 150011065
METROWEST DETENTION CTR.
13850 N.W. 41st STREET
MIAMI, FL 33178

May 23, 2015

* TO: THE CLERK OF COURT
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
400 NORTH MIAMI AVENUE, 8NO9
MIAMI, FL 33128-7716

RE: DEFENDANT LIST FILED FOR Complaint
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C.
1983, PER THE ATTACHED.

1. + 2.) * Juan Carlos, and Felipe de Borbón
- VIA MARIA CRISTINA BARRIOS ALMANZOR, Con. GRAL.
* THE Consulate of Spain
2655 LE JEUNE Road, Suite 203
Coral Gables, FL 33134

- FORMER 'King' Juan Carlos of
Spain During THE FALL of 2011 was THE FIRST TO
DRAW "FIRST BLOOD" SO TO SPEAK, IN THIS
COVERT INTELLIGENCE CONFLICT, SPANNING
Multiple CONTINENTS, HEREIN DESCRIBED. By
AND THROUGH HIS AGENTS OPERATING UNDER
THE COVER OF THE 'EURO 5' INTELLIGENCE
SERVICE AT 1195 CALLE PUSADAS IX
RECOLETA, ARGENTINA, WHERE I WAS
RESIDING AT THE TIME, JUAN CARLOS
SO DID AUTHORIZE HIS AGENT(S)

John Wilson 1983 CIVIL RIGHTS COMPLAINT

2.

JKW

5/23/15

TO ILLEGALLY INVADE MY HOME UNDER THE COVER OF DARKNESS, AND ASSAULT ME AND MOLEST ME IN MY SLEEP. I STILL SUFFER FROM A MEDICAL CONDITION TO THIS DAY AS A RESULT OF THIS INTELLIGENCE OPERATION.

*26th my
BIRTHDAY
2014 & JUNE
2013*

FELIPE, BOTH BEFORE, AND AFTER WRONGFULLY ASSUMING THE THRONE OF Spain in JUNE OF 2014, HAS BEEN OPERATING UNDER THE COVER OF 'T' GREEN TO CONDUCT SIMILAR OPERATIONS ON US SOIL SINCE DECEMBER OF 2012 WHEN I WAS RESIDING AT 19672 "THE PROMENADE" IN AVENTURA, UTILIZING US LAW ENFORCEMENT ASSETS WITHIN THE JURISDICTIONS OF MIAMI-DADE COUNTY. (PLEASE SEE ATTACHED FLOW-CHART SUPPLEMENT AND DIAGRAM, WITH CORRESPONDING EMAIL EVIDENCE ENCLOSED HEREWITH, DOCUMENTING SPECIFIC INCIDENTS, CASE NUMBERS, AND ARRESTS.)

3.) MIAMI BEACH POLICE DEPARTMENT, SO THROUGH ITS AUTHORIZED AGENTS HEREIN NAMED,
1100 WASHINGTON AVENUE
MIAMI BEACH, FL 33139

—OFFICER HAAN IN CASE #F13001567 DID FALSELY ARREST ME AS AN ASSET UTILIZED IN AN INTELLIGENCE STING AT LA PIAGGIA RESTAURANT IN SOUTH POINT OF MIAMI BEACH ON OR ABOUT THE 22ND OF JANUARY IN 2013. HAAN WAS ALSO RESPONSIBLE FOR REMOVING PROPERTY ILLEGALLY FROM THE DADE-COUNTY JAIL, HARRASSMENT, THREATS, AND OTHER FORMS OF COVERT SUBTERFUGE.

JOHN WILSON 1983 CIVIL RIGHTS COMPLAINT

(3.)

(JW)
5/23/15

- OFFICER McVEY IN CASE # B13028754 DID WRONGLY AND FALSELY ARREST ME AT STARBUCKS ON LINCOLN ROAD AS I WAS DOING NOTHING MORE THAN READING A NEWSPAPER. HE THEN FABRICATED EVIDENCE IN JOINT COOPERATION WITH A DUTCH SUBJECT WHO I SPECIFICALLY REMEMBER AT THE SCENE FROM ARGENTINA, AND AS AN OPERATING MEMBER OF THE EURO 5 INTELLIGENCE GROUP, i.e. FIELD OFFICER / FIELD AGENT.

- IN B13036773 I WAS SEVERELY BEATEN WHILE IN HANDCUFFS ON OR ABOUT THE 26TH OF AUGUST IN 2013 IN FRONT OF WHOLE FOODS SUPERMARKET DURING A FALSE ARREST ON A FABRICATED CHARGE. THERE WAS NO VICTIM FOR THE ALLEGED BATTERY. THE INCIDENT INVOLVED OFFICERS FERREYRE, ANGULO, AND DESCALZO, THE SAME LAST 2 LISTED OFFICERS TO BEAR FALSE WITNESS IN CASE # F14000192. I WAS FALSELY IMPRISONED FOR OVER 10 MONTHS IN 2014 AS A RESULT OF THAT CASE, ALSO BASED ON A FALSE ARREST, INVOLVING ROOKIE OFFICER RONALD SANCHEZ, WHO ALSO FABRICATED EVIDENCE IN THE CASE.

ALL OF THESE SUSPECT INCIDENTS WERE REPORTED TO CHIEF INTERNAL AFFAIRS DETECTIVE SCOTT FLANAGAN, SOME OF WHICH WERE MEMORIALIZED VIA AUDIO-TAPED INTERVIEWS. HOWEVER, WHEN IT CAME

JOHN WILSON 1983 CIVIL RIGHTS COMPLAINT

(JW)
5/23/15

TIME TO FIGHT MANY OF THESE FABRICATED CHARGES IN A COURT OF LAW, THE TAPES NAMING THESE OFFICERS, DOCUMENTING THE INCIDENTS INVOLVED, EITHER WERE LOST, DISAPPEARED, OR WERE UNAVAILABLE FOR DISCOVERY. THESE INCIDENTS WERE LATER COVERED-UP BY DETECTIVE Flanagan, WHO BY THIS TIME HAD BECOME A US INTELLIGENCE ASSET, CONTACTED THROUGH SOURCES OF THE FBI FIELD OFFICE, NORTH MIAMI BEACH. (SEE * 9/11/14 EXECUTIVE SUMMARY TO MARCO RUBIO, ON FILE WITH "MERCEDES", ORLANDO OFFICE TEL. 407-254-2573 REFERENCING BOTH DETECTIVE Flanagan, AND FORMER MIAMI BEACH POLICE CHIEF, MR. RAY MARTINEZ, NOW EMPLOYED BY ULTRA MUSIC FESTIVAL, WHOM I ALSO MET WITH PERSONALLY REGARDING THESE CONNECTED INCIDENTS.)

4.) MICKEY STEINBERG AND MIAMI BEACH COMMISSIONERS, AND SO THROUGH THEIR VESTED POWERS OF OVERSIGHT IN THESE MATTERS OCCURRING WITHIN THE JURISDICTION OF MIAMI BEACH, OF MIAMI-DADE COUNTY, CITY OF MIAMI BEACH
1700 CONVENTION CONVENTION CENTER DRIVE MIAMI BEACH, FL 33139
- OF BEING DULY NOTIFIED OF THESE INCIDENTS CONSTITUTING CRIMINAL CONSPIRACY.

John Wilson 1983 CIVIL RIGHTS COMPLAINT

5.

JJW

5/23/15

5.) ELEVENTH JUDICIAL CIRCUIT OF FLORIDA,
AND SO THROUGH ITS ELECTED JUDGES NAMED
HEREIN, FOR BEING AWARE OF THE CRIMINAL
CONSPIRACY AT WORK IN THE FLORIDA CASES
CITED, AND FOR THEIR WILLFUL PARTICIPATION,
OR WANTON NEGLIGENCE FOR FAILING TO
ACT, REMEDY, OR REDRESS EVIDENT
INJUSTICES IN THESE CASES DESCRIBED.

ATT: HARVEY RUVIN, CLERK OF COURTS
1351 N.W. 12TH AVENUE
MIAMI, FL 33125

- JUDGE WILLIAM THOMAS, F1300829/
FOR PURPOSEFULLY BEING ASSIGNED THE
CASE FOR MALEVOLENT REASONS AFTER BEING THE
JUDGE IN F0400753B. THE ALLEGED VICTIM
CASEY ROGERS FABRICATED A STORY TO
THE POLICE AT THE FREEHAND HOSTEL, WHERE
I WAS STAYING, UP UNTIL THE INCIDENT
IN QUESTION. I WAS BEING DELIBERATELY
AND SYSTEMATICALLY EVICTED FROM EACH
HOTEL I WAS CHECKED INTO. CASEY ROGERS,
WAS A MANAGER OF THIS HOTEL. (SEE ALSO
RELATED THEFT OF ALL PROPERTY, CLOTHING, AND
LUGGAGE, JESPER SOERENSEN, HOTEL
SHORE CLUB, MIAMI BEACH; THE RESULT OF
ANOTHER INTELLIGENCE OPERATION.)

TEL:
305
695
3284

- JUDGE STACY GLICK, F140003192
NUMEROUS BRADY VIOLATIONS WERE ALLOWED
TO OCCUR IN THIS CASE WHICH KEPT
ME FALSELY IMPRISONED FOR 10 MONTHS

⑥

JOHN WILSON 1983 CIVIL RIGHTS COMPLAINT

JW

8/23/15

During THE CALENDAR YEAR OF 2014. PLEASE SEE RELATED EMAILS ON FILE WITH OFFICE OF PUBLIC DEFENDER, CARLOS J. MARTINEZ, AS WELL AS May 3, 2014 LETTER TO THE COURT ON FILE WITH PUBLIC DEFENDER Ms. RACHEL GOOD. A COMPLAINT WAS SIMILARLY FILED AGAINST JUDGE GLICK IN THIS CASE REGARDING BRADY VIOLATIONS, AND MALICIOUS PROSECUTION WITH THE JUDICIAL QUALIFICATIONS COMMISSION IN TALLAHASSEE IN MARCH OF 2015. SEE RELATED CORRESPONDENCE.

— JUDGE TERESA POOLER, F14026905
SEE ATTACHED APPEAL TO THE 3RD DISTRICT COURT OF APPEALS INVOLVING FLAGRANT VIOLATIONS OF MY DUE PROCESS RIGHTS IN THIS CASE.

— JUDGE CRISTINA MIRANDA,
F15001083; F15001084; F15006748,
PLEASE REFER TO ATTACHED CAUSE OF ACTION TO CHIEF JUSTICE OF THE 11TH CIRCUIT,
THE HONORABLE BERTILA SOTO OUTLINING THE INJUSTICES THAT HAVE TRANSPiRED.

Ms.
Victoria
CUETO
#879818

- 7.) KATHERINE FERNANDEZ RENDLE, STATE ATTORNEY
1350 N.W. 12TH STREET
MIAMI, FL 33125, MALICIOUS PROSECUTIONS.
- 8.) CARLOS J. MARTINEZ, PUBLIC DEFENDER,
SO THROUGH ITS AUTHORIZED PERSONNEL AND
LEGAL REPRESENTATIVES Ms. RACHEL GOOD

John Wilson Civil Rights Complaint 1983

JW
5/23/15

in case F14000192; MR. Guy Robinson
in case # F14000192; Ms. Gale Lewis in
case F14000192; AND MR. STEVEN KRAMER
in case #'s F15001083, F15001084,
F15006748 FOR ALLEGING CONFLICTS TO
THE COURT WHERE NONE INDEED EXISTED,
CREATING A VIOLATION OF MY DUE
PROCESS RIGHTS. MR. GARY YOUNG IN
CASE # F14026905 FOR VIOLATION OF RULE
3.111 OF THE RULES OF FLORIDA CRIMINAL
PROCEDURE. I AM BEING DENIED MY RIGHT
TO LEGAL COUNSEL AND ADVISE PER THE
ATTACHED IN ALL OF THESE CASES IN WHICH
I AM ATTEMPTING TO WITHDRAW PLEAS,
BASED ON THIS NEW EVIDENCE.

8.) JOHN HARKNESS, EXECUTIVE DIRECTOR
THE FLORIDA BAR
651 E. JEFFERSON STREET
TALLAHASSEE, FL 32399

— By AND THROUGH ITS AUTHORIZED
AGENTS AS AN INVESTIGATIVE ARM OF
THE SUPREME COURT OF FLORIDA, FOR
FAILING TO INVESTIGATE, IN ANY MEANINGFUL
WAY, THE GROSS CIVIL RIGHTS VIOLATIONS
TO WHICH IT WAS SO NOTIFIED VIA
— Ms. ANNE MARIE MARTINEZ, ESQ. IN
WRITTEN DOCUMENTATION DURING 2014.

JOHN WILSON 1983 CIV.L RIGHTS COMPLAINT

⑧.

JSW
6/23/15

* 9.) ULTIMATELY A US INTEL ASSET } AGENT OF OP. 1
SENIOR MARCO RUBIO - H.W. + GW BUSH }
284 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, D.C. 20510

- A PARTY TO THE CUBAN 'T'

(SSG,) OPERATING AS Special Surveillance
Groups ON MIAMI BEACH AND VICINITIES
WITHIN MIAMI - DADE COUNTY WHICH
WERE RESPONSIBLE FOR REPORTING TO
U.S. INTELLIGENCE. THESE GROUPS WERE
RESPONSIBLE FOR NUMEROUS OPERATIONS
ON MIAMI - BEACH DURING 2013 WHICH
RESULTED IN MY BEING EVICTED INTO THE
STREET, THEFT OF MY PROPERTY AND
IDENTIFICATION, AND MY NUMEROUS FALSE
ARRESTS, THROUGH WORKING WITH OTHER
INTELLIGENCE AGENCIES AND MEMBERS
OF THE MIAMI - BEACH POLICE DEPARTMENT.

MARCO RUBIO AND HIS OFFICE
WERE "ACTIVELY" NEGLECTFUL IN ENSURING
I WOULD NOT RECEIVE HELP AFTER HIS
OFFICES WERE CONTACTED ON NUMEROUS
OCCASIONS, BOTH VIA TELEPHONE AND
IN WRITING. (PLEASE SEE EXECUTIVE SUMMARY
DATED 9/11/14 ON FILE WITH CASE
WORKER, MERCEDES: CASE_WORK@RUBIO.

SENATE.GOV, TEL. 407-254-2573.
Rubio was ultimately using this COVERT GROUP
TO TARGET ME AT THE BEHEST OF "THE"
BUSH Family BASED IN TEXAS AS PAY-BACK
FOR SANDY HOOK ON 12.14.12.

John Wilson 1983 CIVIL RIGHTS COMPLAINT

9.

JW

6/23/15

10.) CHRISTOPHER G. LYONS, Esq.

2601 BAYSHORE DRIVE

- LAW FIRM OF MASA LARA, P.A.
MIAMI, FL 33133

- SO DID REPRESENT ME IN CASE #
F13001567 INVOLVING THE FALSE ARREST AND
FABRICATED CHARGE ON 1/22/13 AT *LA PLAGEA
RESTAURANT WHICH INVOLVED AN OFFICER

HAAN USED AS A FOREIGN INTELLIGENCE ASSET. I
RECEIVED NUMEROUS TEXT MESSAGES FROM MR.
LYONS OVER THIS PERIOD SPECIFICALLY
INDICATING THE SUM OF THESE INCIDENTS WERE
THE RESULT OF A "EURO T' GREEN X", i.e.
SOPHISTICATED INTELLIGENCE PARLANCE
DONOTING HIS INTIMATE KNOWLEDGE OF THE
EVIDENT CRIMINAL CONSPIRACY IN ACTION,
ILLEGALLY TARGETING ME AS A VICTIM. HE
INTRODUCED ME TO THE HAITIAN EDOUARD
BROTHERS IN AVENTURA WHO I LIVED WITH
DURING THE FALL OF 2012 WHO ESSENTIALLY
BECAME US INTELLIGENCE ASSETS. LYONS LATER
USED KNOWLEDGE OF OUR ATTORNEY-CLIENT
RELATIONSHIP AGAINST ME AS AN "AGENT"
FOR THE STATE ATTORNEYS WITH THE
OFFICE OF KATHERINE FERNANDEZ RUNDLE,
CONTRIBUTING TO MY MALICIOUS PROSECUTION
IN THE CRIMINAL ALLEGATIONS THROUGH MANY OF
THE FABRICATED CASES STATED HEREIN;
SPECIFICALLY WITH REGARD TO F14026905
WHERE I WAS GRANTED PRE-TRIAL SERVICES,
AND WHERE THIS WAS ILLEGALLY REVERSED BY

JOHN WILSON 1983 CIVIL RIGHTS COMPLAINT

JKW
5/23/05

10.

WAY OF A STATE ATTORNEY NOT ASSIGNED
TO THE CASE DISSEMINATING FALSE
INFORMATION TO THE JUDGE AFTER I HAD
LEFT THE COURT ROOM, UNABLE TO DEFEND
MYSELF.

11+12+13.) PRINCE PHILIP; PRINCE CHARLES; PRINCE ANDREW
OF THE HOUSE OF WINDSOR AND THE ER:TiT
C/O MR. DAVID PRODGER, CONSULAR GENERAL
— THE BRITISH CONSULATE
1001 BRICKELL BAY DRIVE
Miami, FL 33131
— MISTAKENLY-INITIALLY TARGETED VIA
THEIR CONDUIT OF 'T' OPERATING THROUGH
FORMER KING JUAN CARLOS OF SPAIN AS
A PERCEIVED THREAT OVER THE MALVINAS
ISLANDS DURING THE FALL OF 2011 IN
BUENOS AIRES, ARGENTINA, WHICH CAUSED
PRINCE WILLIAM TO BE STATIONED THERE OVER
THIS TIME PERIOD. THE REAL ISSUE OF PROTEST
WAS THE "Fixing" OF POLO MATCHES THROUHOUT THE
WORLD, SPECIFICALLY THE ARGENTINE OPEN
OF POLO IN BUENOS AIRES, ARGENTINA,
THROUGH, AND VIA, THEIR INTELLIGENCE ASSET,
THE SO-CALLED "GODFATHER OF POLO", GONZALO PIERES
AT THE PACKERS CLUB OF INTERNACIONAL
REPUTE, ELLERSTINA POLO CLUB. CHARLES
UNDER THE COVER OF 'T' HIRED THE
ARGENTINE POLICE MAFIA, "LOS QUATROS",
(THE 4'S) TO RAID MY HOME, DRUG,
AND BEAT ME WHILE HELPLESS IN

SEE
ENCL

John J. Wilson 1983 Civil Rights complaint

11.

JSU
5/25/15

HANDCUFFS (*SEE PASSPORT PHOTO OF
MY FACE TAKEN BY THE US EMBASSY
IN BUENOS AIRES IN DECEMBER OF
2011, BEFORE I WAS FLOWN OUT OF
ARGENTINA BY THE US STATE DEPARTMENT
WITH MEDICAL ASSISTANCE). PHILIP
WAS LATER BEHIND MANY OF THE ARRESTS
THAT OCCURRED IN MIAMI-DADE
COUNTY, HIDING BEHIND THE COVER OF
T AND THE IT AS THE 'EURO 5' THEIR
CONDUIT, WITH THE COOPERATION OF
US INTELLIGENCE ON MIAMI-BEACH AND
AVVENTURA. I BELIEVE LOCAL LAW ENFORCEMENT
TO BE UNWITTING PARTICIPANTS OF WHO
WAS ULTIMATELY PULLING THE STRINGS AT
THE HIGHEST LEVELS OF POSITION AND
AUTHORITY. CASE # F15006748 WAS
AN OPERATION INSTIGATED BY PHILIP THROUGH
US INTELLIGENCE (CIA) AS A PAY-BACK
FOR THE FEBRUARY 12 LETTER TO THE
BRITISH FOREIGN OFFICE, EXPOSING HIS
RELATIONSHIPS TO JUAN CARLOS, AND
AS A VINDICTIVE ACT IN DEFENSE
OF HIS PRE-AGREED UPON "LION"
SUCCESSOR TO THE THRONE OF SPAIN,
FELIPE, AFTER JUAN CARLOS HAD LOST
THE THRONE AS A RESULT OF HIS BUNGLED
OPERATION IN MY APARTMENT IN RECOLETA,
ARGENTINA, IN 2011.

THESE EVENTS, AND WHO INDEED
WERE PERPETRATING THEM, WERE →

SEE 2/12/15
LETTER ON
FILE
SERIAL
TRINIDAD
305-545-1600

RECOLETA
#1195
JUAN CARLOS

John Wilson 1983 CIVIL RIGHTS COMPLAINT

(12.)

JW

5/23/15

CONFUSING AT THE TIME AS A RESULT OF BEING SIMULTANEOUSLY TARGETED BY THE WHITE HOUSE AT THE TIME AS A RESULT OF THE "HEAT" THEY WERE TAKING FROM ~~THE DOD~~ (DEPARTMENT OF DEFENSE) OVER EXPOSING THE CODE NAME: "TIM OSMAN," WHICH ULTIMATELY LED TO THE BOSTON BOMBING ON "PATRIOT DAY" IN THE SPRING OF 2013, WHICH WAS, IN FACT, ORCHESTRATED TO DEFEND THE HONOR OF THE NAVY SEALS.

19672
E. Country
JLS Drive
Aventura

ALL OF THESE ISSUES CAME TO A HEAD IN A GLARING BURST OF LIGHT IN DECEMBER OF 2012 AS I CONDUCTED AN OPERATION TO "Fix" THE 119th PALERMO OPEN OF POLO IN BUENOS AIRES, UTILIZING MY CONTACTS IN ARGENTINA, WHICH CRESCEDDED ON 12/12/2012 (12/12/12).

FYI: POPE FRANCISCO, ELECTED TO ROME, FROM ARGENTINA, ON (13/13/13) WAS A DIRECT 'BY-PRODUCT' OF THIS EVENT.

14.) ALEXIS KORY BUT
3667 PARK LANE
MIAMI, FL 33131

- PART AND PARCEL FALSE WITNESS IN WRONGFUL CRIMINAL ACTION LEVIED BY THE STATE OF FLORIDA IN CASE # F15001083 AND # F15001084 WHICH, BASED ON THE EVIDENCE, OR, LACK THEREOF, MAY SO BE

(13.)

JOHN WILSON 1983 CIVIL RIGHTS COMPLAINT

JW

5/23/15

LEGALLY DEEMED A MALICIOUS PROSECUTION
BASED / PURELY ON VINDICTIVE, ULTERIOR,
AND BALEFUL MOTIVES, WHICH HAVE RESULTED
in my FALSE IMPRISONMENT AND MISTREATMENT
OVER THESE MANY MONTHS INCARCERATED
Again in MIAMI-DADE COUNTY. CHARGES LACK
PROBABLE CAUSE BASED on WITNESS STATEMENTS.

FYI: * I WAS COMMUNICATING WITH U.S. INTELLIGENCE
AT THE TIME I WAS ARRESTED, REGARDING
THE PARIS ATTACKS, AND CIA SHOULD
HAVE RIGHTLY INTERVENED ON my BEHALF
BASED ON WHAT THEY KNEW, AND VOUCHED
FOR ME. PRIOR TO my WRONGFUL ARREST,
AND ERRONEOUS CHARGES BEING FILED.

15.) Miami-DADE DEPT. OF CORRECTIONS

C/o: MARYDELL GUEVARA, DIRECTOR
2525 NW 62nd STREET, SUITE 2000
MIAMI, FL 33147

- AND SO THROUGH IT'S AUTHORIZED
AGENT(S) NAMED IN NUMEROUS GRIEVANCES /
FILED WITH THE JAIL AND THE COURTS OF
THE ELEVENTH JUDICIAL CIRCUIT, FOR
THE HINDERENCES AND IMPEDIMENTS
ILLEGALLY IMPOSED ON ME TO OBTAIN
MY CIVIL RIGHT TO PRO-SE SERVICES, TO
ADDRESS THE COURTS OF FLORIDA, MAKE
COPIES, HAVE DOCUMENTS NOTARIZED,
AND SEND OUT TIME SENSITIVE LEGAL
MAIL. THERE SEEMS TO BE A MALICIOUS
ATTEMPT TO RESTRAIN ME FROM THESE

14.

John Wilson 1985 civil rights complaint

JSW
5/23/15

VITAL SERVICES, AS WAS DOCUMENTED IN THE "EXECUTIVE Summary" INITIALLY TO MARCO RUBIO DATED 9/11/14, AND ALSO LATER SUBMITTED TO THE ATTENTION OF KATHERINE FERNANDEZ RUNDLE IN OCTOBER OF 2014. (PLEASE SEE ANY AND ALL RELATED COPIES OF INNATE GRIEVANCES ON FILE WITH JUDGE MIRANDA, AND AVAILABLE UPON REQUEST.) I HAVE GONE SO FAR AS TO SPEAK WITH CAPTAIN RODRIGUEZ PERSONALLY ABOUT THE MATTER, AND THE LACK OF LEGAL SUPPORT, HOWEVER, TO NO AVAIL. I ALSO SENT A COPY TO THE ATTENTION OF PAM BONDI IN TALLAHASSEE, AND HAVE YET TO RECEIVE A REPLY TO DATE.

16.) POTUS: BARACK OBAMA AND ADVISERS

1600 PENNSYLVANIA AVENUE
VIA THE WHITE HOUSE
DEFENSE WASHINGTON, D.C. 20510
VIA OPERATIVE ① → AND SO THROUGH HIS UNAUTHORIZED AGENTS OF THE 'EURO 5' INTELLIGENCE SERVICE, THE FOREIGN INTEREST FROM WHICH I HAVE BEEN WRONGLY AND ILLEGALLY TARGETED; MR. OBAMA'S CONNECTION THROUGH THE NEXUS OF '5' GREEN; TO FORMER KING JUAN CARLOS OF SPAIN (ILLUMINATED BY THE EVENTS IN BUENOS AIRES, ARGENTINA) STEMMING FROM 2011) ONTO US SOIL WITHIN THE JURISDICTIONS OF MIAMI-DADE COUNTY, FLORIDA, my CONSTITUTE THE CRIMINAL

SEE ATTACHED
Program EU
Summit
Meeting
with CK

Fall 2011

JOHN WILSON 1983 CIVIL RIGHTS COMPLAINT

(15)

(JJW)

5/23/15

CHARGE OF HIGH TREASON. THE TRUTH IS I
SEE ATTACHED WHITE PAPER. I AM BEING WRONGLY ACCUSED BY THE WHITE
HOUSE FOR EVENTS I AM NOT RESPONSIBLE
FOR, AND OBAMA'S LOYALTIES ARE MORE
ALIGNED WITH THE EU WHICH FUNDED HIS
* BILLION DOLLAR ELECTION
TO EU DEBT
TO EU INTERESTS
ABOVE US INTERESTS.
THE CONDUIT TO THE ANALYSIS
OF THE INTELLIGENCE OBAMA IS BEING FEED
IS CIA AND NSA SOURCES, WHICH HAVE
LED TO MY WRONGFUL PERSECUTION IN
THE FLORIDA COURTS OF THE 11TH JUDICIAL
CIRCUIT, WHICH IS COMPLETELY CORRUPTED,
PREJUDICIAL, AND REPLETE WITH
EVIL INTENT AT THE EXPENSE OF ANY
MORAL OR ETHICAL CODE TO DO WHAT IS
RIGHT, AS EVIDENCED THROUGHTOUT MY UNFORTUNATE
EXPERIENCES WITH THE COURT SINCE 2012.

* I HEREBY REQUEST TO MOVE THE TRUE ALLEGATIONS
BEHIND MY ARRESTS TO FEDERAL COURT,
WHERE THEY MAY BE RIGHTLY BROUGHT INTO
THE OPEN ONCE AND FOR ALL, AND
ADDRESSED ACCORDINGLY; PLEASE SEE
ATTACHED DOCUMENTATION.

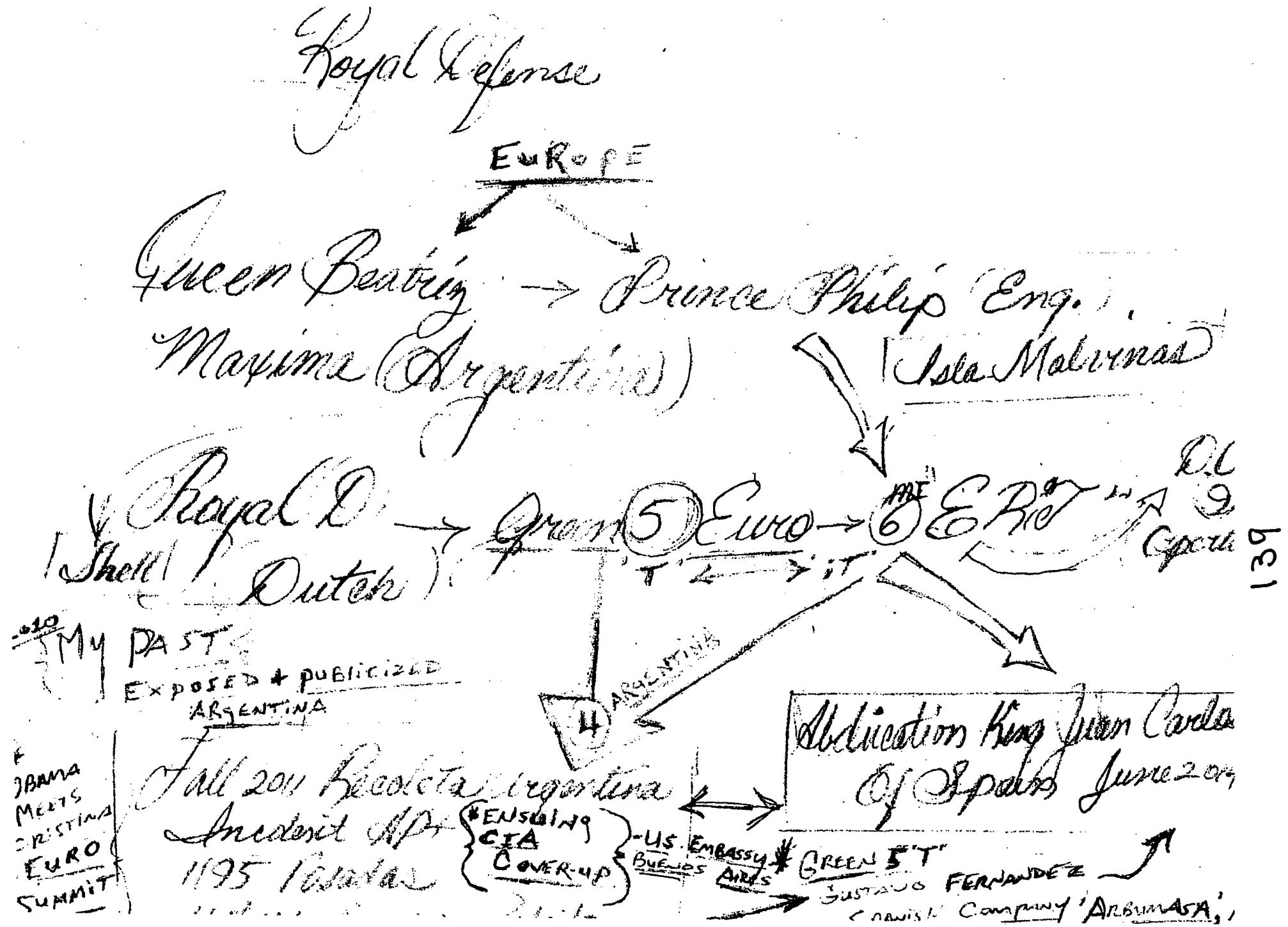
17.) THE CENTRAL INTELLIGENCE AGENCY
C/O : THE DIRECTOR OF CENTRAL INTELLIGENCE (DCI)
1000 COLONIAL FARM ROAD
MCLEAN, VA 22101
- ACTING AS CONDUIT OF THE EXECUTIVE
BRANCH TO THE ELECTED POLITICAL OFFICE OF
THE POTUS AND ITS CLOSE ADVISERS WHO

John Wilson 1983 CIVIL RIGHTS COMPLAINT

(16)

(JJW)
5/23/15

HAVE SO WRONGLY TARGETED ME, AND
VILIFIED ME ILLEGALLY VIA COVERT MEANS,
THROUGH IT'S "COVERED" INTELLIGENCE
SOURCES, INCLUDING THE EMPLOY OF U.S.
LAW ENFORCEMENT, CONSTITUTING A
CRIMINAL CONSPIRACY; AND THE AGENCY'S
FAILURE TO HELP, COMPENSATE, ADVISE,
PROTECT, OR INTERCEDE IN ANY MEANINGFUL
WAY, CONSTITUTING A WILLFUL ACT OF
NEGIGENCE.



Royal Defense Europe US Connection

Operator 1

2012 OPERATION

119° PALERMO OPEN

* 19672 THE PROMENADE, AVENTURA

* EXPOSED

NANOTHERMITE

for FALSE ARREST

ON 12/13/12

AVENTURA, FL

CASE # B12056615

US Presidency

Bush/Obama

(Dmt office)

ARRESTS 1
MIAMI-
DADE
COUNTY

9/11, 2001

Defense Committee (9)

Officers Attado, Pac

* CASE# F1500678 * 4/1/15

US SOIL
MIAMI-DADE

012

F.B.I.C.I.H. Miami Field Office

Local Law Enforcement Miami Dade

Euro 5

140

① CC: Andrea GARCIA
ADMINISTRATIVE
COURTS.

MIAMI-DADE County

FROM: JOHN J. WILSON
{Jail # 150011065}
METROWEST DETENTION CTR.
13850 N.W. 41st STREET
MIAMI, FL 33178

May 21, 2015

TO: CHIEF JUSTICE OF THE 11TH JUDICIAL CIRCUIT
THE HONORABLE BERTILA SOTO
1351 N.W. 12TH STREET
MIAMI, FL 33125

RE: Cause of Action for Malicious Prosecution,
AND QUESTIONABLE PROCEDURAL
RULINGS IN COURT CASE #'S F15001083
AND F15001084; GROUNDS FOR CONFLICT
OF INTEREST WITH THE HONORABLE
CRISTINA MIRANDA, AND REQUEST FOR
CHANGE OF VENUE BASED ON PARTIAL,
UNFAVORABLE, OR UNFAIR TREATMENT IN
THE AFOREMENTIONED CASES BY THE
COURT OF THE ACCUSED, JOHN J.
WILSON.

Dear Judge Soto:

I am writing to bring the
11th Circuits Attention to several
questionable rulings by the Honorable
Cristina Miranda in Case #F15001083;
F15001084; and F15006748 Since
Allowing later the Public Defender,
and the office of Regional Counsel,

(2)

(TS) 5/12/15

to file conflicts in these three cases where no apparent real conflict existed; and where the alleged conflicts were really pretenses over new evidence involving immunity and jurisdictional issues raised by the documentation attached.

I believe the content of some of the Emails and Corresponding documents connecting these latest cases to prior cases stemming from 2013 in which I am withdrawing please to be the true basis for both the Public Defender and Regional Counsel filing conflicts, causing my cases to be delayed into continuances, unfairly and unjustly.

As a direct result, I filed my own motion for a speedy trial on 5/1/15 in Case # F15001083, based on representing myself with this new evidence.

On 5/12/15 I was mysteriously not brought to court when I was scheduled, yet received in the mail from prosecutor

3.

5/21/15
336

* THIS ISSUE
OF NOT BEING
BROUGHT TO
COURT WITHIN
IMPORTANT
TIME LIMITS
WERE THAT
HAPPENED
BEFORE OR
4/28/15
IN THE
COURT

Recon of
Judge
particular
Case #
F14026905
~~SEE
ATTACHED.~~

Ms. Victoria Cueto (Bar # 98918)
Evidence from Case # F15001084,
a case for which I was already
assigned regular Counsel, Mr.
Steven Saylor.

On 5/20/15 the day I
was finally brought to Court,
Mr. Steven Saylor suddenly
withdrew from Case # F15001084
and F15006748 without notice.

→ Ms. Cueto then abruptly
filed a motion to merge Case #
F15001084 into Case # F15001083,
a case for which I am pro-se,
and which I already have set
for Speedy Trial July 8.

Judge Miranda then wrongly
granted this motion after the
issue to merge any of the
cases had been decided weeks
earlier, and after she also had
denied me the right to make any
further motions except trial motions.

Judge Miranda then unfairly denied
me the right to stand by or
Co-Counsel to help in the case in
any way.

(4)

JW
5/21/15

Judge Miranda also failed to address, or verify, any of the documentation I provided the Court, hereby attached, pertaining to my involvement and immunity status in any state criminal proceeding by the federal Access Program therein named.

I indeed believe the material to have prejudiced me in the eyes of Judge Miranda and the Court, as evidenced by the numerous motions and rulings on 5/20/15 which can be categorized as a Cause of Action for Malicious Prosecution and grounds for a Conflict of Interest in case #'s F15001084, F15001083 and F15006748, a case for which I have no current attorney and fertile grounds for a Change of Venue at this stage, as well as a reversal of the motion to merge F15001083 and F15001084.

I would assert Ms. Cuetos

5.

* Judge Miranda is also denying
me the right to list witnesses
in the case. SEE ATTACHED LIST

Play of merging cases at this late
stage as a lack of any real
evidence in case # F15001083, and
a malicious attempt to support
the scurrilous charges in her
indictment with prejudicial
and fabricated testimony from
the police in # F15001084.

* These same malicious prosecutions
are evident in cases in Miami-Dade
during the Calendar year of 2013,
cases for which I took plea
for the dis Withold of Adjudication
but for which I am now
being wrongly habitualized.

I am attempting to redress
the true issues which have been
behind my wrongful persecution in
all Criminal cases in Miami-Dade
County since 2012. I believe those
reasons to be documented in the
attached material with Corresponding
emails that have come directly
from the file of the Public Defender.
I was provided in case #
F15001083, Mr. Jeremy Siana.

I.)

I AM ASKING ANY AND ALL
E-MAILS ON FILE SINCE

6.

5/1/15

2013 WITH THE OFFICE OF THE
PUBLIC DEFENDER BE PROVIDED
AS EVIDENCE NOT ONLY FOR THE
CASES IN QUESTION, BUT ALSO AS
A BASIS FOR GROUNDS OF
MALICIOUS PROSECUTION AND
FALSE IMPRISONMENT IN ALL STATE
OF FLORIDA CASES OCCURRING
IN MIAMI-DADE COUNTY SINCE
2012. (PLEASE REFER TO ATTACHED
SUPPLEMENT: 24A FLA SURZD,
* FALSE IMPRISONMENT AND MALICIOUS
PROSECUTION.)

* II.) I AM ALSO REQUESTING A COPY OF
THE AUDIO-TAPED INTERVIEW
ON FILE WITH THE OFFICE OF INTERNAL
AFFAIRS MIAMI BEACH OUTLINED AS
EVIDENCE ORIGINALLY IN THE ATTACHED
LETTER TO MR. JEREMY TRIANA
DATED 2/20/15. THIS SAME TAPE
WAS FIRST MENTIONED IN THE EXECUTIVE
SUMMARY TO SENATOR MARCO RUBIO
DATED 9/11/14. I AM ALSO REQUESTING
A COPY OF THIS DOCUMENT TO BE
PROVIDED. (PLEASE CONTACT CASE
WORKER MERCEDES'S OFFICE AT
SENATOR RUBIO, ORLANDO
TEL. (407) 254-2573.)

7.

5/2/15
JSH

III.) I AM ALSO DEMANDING THE LETTER TO JUDGE STACY GLICK DATED MAY 3, 2014 BE PROVIDED WHICH IS ON FILE WITH THE OFFICE OF THE PUBLIC DEFENDER REGARDING CASE # F14000192. (CHECK WITH MS. RACHEL GOOD.)

I believe the sum of this evidence in total to be sufficient grounds as a cause of action for MALICIOUS PROSECUTION in case # F15001083 considering THE wrongful action by the state to merge F15001084 into case # F15001083 for purely prejudicial reasons at the last hour, when a Demand for a SPEEDY TRIAL was already in effect, and the fact the issue had already been decided previously.

CIA
DUKEMOG Contacting the 2 relevant witnesses to provide affidavits to set forth and corroborate all of the necessary facts outlined in the attached to initiate a CHANGE OF VENUE.

WITNESS
SUBPOENA
accordingly

Please be advised I

(8.)

am being denied my rights to an investigator, Co-Counsel, or any type of legal assistance to accomplish these critical tasks on my own, from being incarcerated.

Thank You in advance for your careful and judicious attention to these important legal issues raised herewith.

I look forward to being in the company of your Court room as soon as feasibly possible to resolve these legal matters.

Best regards,

John J. Wilson 5/21/15

John J. Wilson

INM # 180011065 }

METROWEST DETENTION CENTER

13850 N.W. 41st STREET
Miami, FL 33178

* PLEASE ALSO PROVIDE VITAL RECORD: DEATH CERTIFICATE
OF MY MOTHER, FLORIDA 2006.

1.

CC: U.S. INTELLIGENCE: {DUKEMAGOO@GMAIL.COM}
FAX: 571-204-3800
TEL: 703-482-0623 {SPECIAL ACCESS
program}
RELEVANT ENCLOSURES: 2/14/15 DCI LETTER; 5/2/15
3DDEAPPEAL

TO: CHIEF COUNSEL, OFFICE OF US ATTORNEY
99 N.E. 4TH STREET
MIAMI, FL 33132

May 11, 2015

~~VERIFIABLE
Participation~~
RE: PENDING REQUEST OF INVESTIGATION;
IMMUNITY STATUS BASED ON FEDERALLY
SANCTIONED CLANDESTINE INTELLIGENCE
- PROGRAM IN ALL STATE CRIMINAL PROCEEDINGS.

Dear Counsel:

* Per the enclosed, for your review...

Please refer to prior sent Correspondence
received by your office, including
Corresponding emails and letters to the public officials therein
named.

- I.) Accordingly, I request to
speak with an investigator
from your office as soon as
possible regarding the attached:
annotated documentation.

- II.) I formally request and
all related Criminal Cases

REQUEST
FED.
FOR
ASAP

* U.S. ATTORNEY

2.

JJA

5/11/15

~~Please refer to previously sent Notarized Documentation~~

occurring in Miami-Dade County since June 8, 2012 that can be linked to Covert intelligence activities, using local law enforcement assets, be transferred to federal Court, to be prosecuted under federal jurisdiction, appropriately under U.S. federal Code.

Thank you in advance for your careful review of these important legal issues.

I look forward to rectifying this situation with your help in the near future.

I look forward to your prompt contact.

Sincerely,

~~John J. Wilson 5/11/15~~
- Director, R.I.I.A

John J. Wilson {JAIL # 150011065}
METRO WEST DETENTION CENTER
13850 N.W. 41st Street
Miami, FL 33178

Jeremy Triana

file of public DEFENDER, TEL. 305 545 - 1600

From: Martha Operea [redhawkpartnersinc@gmail.com] "Nom de Guerre": CIA
Sent: Tuesday, December 03, 2013 3:19 PM Dukemagag@gmail.com
To: Kelly Cordi; millardmaloney@att.net; Sarah Margolis; Miami@ic.fbi.gov
Cc: Jon Bastian; Hugo Edouard; kathryan@nytimes.com; drobin@nytimes.com; clive@clivethompson.net; jonathan.kelly@nytimes.com; warren@outcastsunited.com; Bob Opyd; wm@nytimes.com; Daniel Cannon; Evelio Medina; M Miao; Sara Kane; Matthew Rogoff; John Odell
Subject: Re: NSA PRISM Coded Message Received: "140 eDuEwl"

FBI also hereby copied.

Kelli:

That's a beautiful photo. Mny. thanks for that.

We have a bit of a major operational problem here... Kelly-- important favor. I need a phone and a bit of petty cash restored to me that was taken, plus an identification ASAP.

Can you help?

Please ring Mr. Millard D. Maloney ASAP @ 919 846 9971.

* (SYNTACTICALLY
VICTIMIZED AND
TURNED OUT TO THE
STREET)

Someone has been tracking and calling into the hotels and calling management each time I am working on a computer there...

For the record, the Euro 5 works for US. So if they "D(u)O" anyone, it will be the parties violating NSA rules and sending veiled coded threats to me personally.

Bob Opyd will be reporting this directly to the DoD.

Internal Affairs Miami Beach PD Scott Flanagan, et al. we have learned is also involved as "Florida" Operative, Rubio implicated with the Bush clan.

Mr. Maloney will then respond by contacting the Miami field office of the FBI, all of which they are already aware.

I need what was taken returned. these guys and agencies work on multi-billion dollar budgets while our's is being withheld.

Millard Maloney can then ring Hugo Edouard @ 202 738 8654 or 786 510 9378 to send a Western Union in the name as directed.

I can also pick up funds from 19672 Promenade from "REGGIE", Mr. Edouard hereby copied to receive a Western Union.

Keey -- Mny, Mny thanks to you in advance if you can assist with this favor...

the records cannot be accessed by an individual and/or have been removed after a period of 6 months pursuant to federal law, nevertheless, I think you get the picture.

Sincerely,

Alexis Korybut

<JJW Mug Shot.png><Screen Shot 2013-08-21 at 12.50.14 PM.png><Screen Shot 2013-08-21 at 12.51.26 PM.png><Screen Shot 2013-08-21 at 12.52.15 PM.png><Screen Shot 2013-08-21 at 12.55.12 PM.png><Screen Shot 2013-08-21 at 12.57.24 PM.png><Screen Shot 2013-08-30 at 1.20.52 AM.png>

On Wed, Sep 4, 2013 at 8:38 AM, Martha Operea <redhawkpartnersinc@gmail.com> wrote:
Received.

Thanks very much, Christina.

~~All BUSINESS
CONTACTS LOST~~

As discussed, my personal e-mail at usge101@yahoo.ca was shut down by N.S.A. PRISM electronic spy program as a result of your sending this e-mail...

Pls. forward to FBI headquarters, N. Miami Beach well.

The message the "Police" sent was they were the "ROYAL '40s", a reference to the Argentine police mafia that was hired by the US embassy, Buenos Aires to break an entering, steal computer hardware and documents in Buenos Aires, and rendition a US citizen to an undisclosed facility and ENHANCED INTERROGATION Techniques by use of drugs and torture.

US Chief of Station fall 2011: Jeff Miles/Dalie Sava implicated/ US EMBASSY, Buenos Aires.

Judge Thomas of the 11th Judicial Circuit will not be confirmed to the Fed. Bench.

Case # F13 00 8291

On Tue, Sep 3, 2013 at 2:34 PM, Hirschhorn, Christina <ChristinaHirschhorn@miamibeachfl.gov> wrote:

Asked to send it to this second email since his first one was closed down.

Respectfully Submitted,

Christina Hirschhorn, AAII

Internal Affairs Division

MIAMI BEACH POLICE DEPARTMENT
Tel: 305-673-7000 ext 5771

Email: christinahirschhorn@miamibeachfl.gov

Mission:

Prevent crime and enhance public safety.

Vision:

We aspire to be a world-class agency, which protects our diverse community and serves as a model for character, innovation and service to meet the challenges of tomorrow.

Values:

Professional, Accountable, Honest and Proud.

From: Hirschhorn, Christina
Sent: Friday, August 30, 2013 8:58 AM
To: Flanagan, Scott → **FBI ASSET**
Cc: usge101@yahoo.ca
Subject: WALK IN Case 2013-97826

* Case # B13036773
Severely beaten in
handcuffs in court of
white foods on Miami Beach

JOHN (JACOBS) WILSON came in reference being struck in face by Ofcs Ferbeyre and Angulo on 08/26/13 while handcuffed and he has more details....

States an unknown other male claimed to have been shoved by Jacobs/Wilson, but Wilson denies it.

* NO VICTIM: INTELLIGENCE OPERATIONS

AR lists name Jacobs, not Wilson, but Wilson states he doesn't know how the name got listed incorrectly on the report. * FORMER BUSS AT CGF SECURITIES. THEY WERE TOLD THIS.

He states it's noteworthy that some of his property was returned to him but not all (library books, documents, cell phone, Kaballah book), and the bag returned to him had "Royal 40's" written on it, which he states is the name of a well-known gang. THREATENING, KNOWLEDGEABLE MESSAGES. PROPERTY TAKEN.

Since now now phone taken, please use email usge101@yahoo.ca and he can come right in to discuss.

SEE ALL TEXT MESSAGES.

786-366-5935 (when he has it) PHONE TAKEN / STOLEN

Citizen requested to be added to email above

He will wait awhile to possibly meet now.

Respectfully Submitted,

Jeremy Triana

From: Martha Operas [redhawkpartnersinc@gmail.com] **SEE PROFILE: LINKED-IN**
Sent: Thursday, December 12, 2013 12:53 PM
To: Kelly Cordi; RamAir Transam; davebox@free.fr; **Matias Gomez-Hoyt**
Cc: millardmaloney@att.net; Hugo Edouard; Bob Opyd; **scottflanagan@miami Beachfl.gov**; Sara
Kane; Matthew Rogoff; John Odell
Subject: Forthcoming Funds/Commission/R.I.I.A *** INTERNAL AFFAIRS**

Kelli:

Being without my belongings, clothes, telephone, food, hotel, and knowing they were all stolen by the Obama 5 is really trying patience here...

Do we have a deal we can collect a SUCCESS FEE on?

A little money here solves ALL PROBLEMS>

But I am not playing a game here with my luggage...

Be advised: We know exactly who the S. Florida Obama 5 rats are..

Simple YES or SIMPLE NO.

Pls. advise.

Mny thanks!

SYSTEMATICALLY VICTIMIZED,

NO MEANS OF PROCURING

SHELTER OR generating

INCOME.

LUGGAGE STOLEN.

SEE HOTEL SHORE CLUB

GM. JESPER

305-695-3284

* SEE RELATED emails

OFFICE OF PUBLIC DEFENDER.

① CC: MATTHEW ROGOFF, Esq., FROM: John J. WILSON
~~VIA U.S. MAIL~~

{JAIL # 150120831}
METROWEST DETENTION CTR.
13850 N.W. 41st STREET
MIAMI, FL 33178

TO: PUBLIC DEFENDER JEREMY TRIANA
OFFICE OF CARLOS J. MARTINEZ
1320 N.W. 14th STREET
MIAMI, FL 33125

February 20, 2015

RE: CASE # F15001083, # F1426905, # F14192

Dear Jeremy: ^{MIRROK} [✓] [✓] POOLER [✓] GLICK

Please be advised Court Case # F1426905 and F14192 are both connected to current open Case # F15001083 on the basis of State fraud, government and law enforcement malfeasance, and criminal Conspiracy. As a result, a federal investigation has ensued, and is currently underway.

Accordingly, please must be withdrawn in Case # F1426905 and F14192, and I require legal assistance in order to file the necessary motions, as well as to mount a Compulsory legal defense.

Per my prior, left message,

(2)

with your office in relation to our attorney/client discussions, please endeavor to do the following:

I.) Run both cases in 15001083 concurrent.

II.) Provide me documents: The May 3rd Judge Gluck letter on file with the Office of Public Defender in Case #F14192, as well as the 9/11/14 Executive Summary to Marco Rubio, on file with office of State Attorney, Katherine Fernandez Rundle.

III.) Contact Palm Beach attorney JAMES K. GREEN copied on the 5 emails you provided me:

* info@JAMESKGREENLaw.com
* Tel. 561-659-2029

Please request I see him as soon as feasibly possible.

IV.) * Request audio-taped interview with internal affairs detective Mr. Scott Gilargian, Miami Beach, in connection to Case #F14192 mentioned in the 9/11/14 Rubio document, at 305-673-7000 ext 5-1.

(3.)

(V)

Call Case worker "Mercedes" in the Orlando office of Marco Rubio to verify my diplomatic immunity of states through Ambassador Jay Spain, Ramon Gil-Casares, based on my work with the proposed creation of Vatican City State 26 in Bilbao, Spain.

TEL. 407-254-2573

You may also speak with Naureen in the Doral office for local assistance at:

TEL. 305-418-8553

(VI)

Please also be advised these documents are on file with Chief Justice of the 3rd District Court of Appeals, the Honorable Frank A. Shepherd.

Please additionally call his office to verify and make his office aware what is going on, with respect to Bradley violations.

Thank you for your attention to this important legal matter. Rmt. 30th & 1...

1.

INTELLIGENCE Agency, DIA
THE DENTAGON

JOHN J. WILSON
JAIL # 150011065

METROWEST Detention Ctr.
13850 N.W. 41st STREET
MIAMI, FL 33178

SENATOR BILL NELSON

716 HART SENATE OFFICE

WASHINGTON, D.C. 20510

SENATOR MARCO RUBIO

284 RUSSELL SENATE OFFICE

WASHINGTON, D.C. 20510

SIGNED COPY OF PRIVATE
ACT CONSENT FORM ON
FILE OFFICE OF MARCO RUBIO
CUSTODES: CASEWORKER "MERCEDES" GUN
CASE - WORK RUBIO 2/73
TEL: 407-254-2773
WORKING FEDERAL AGREYMENT
RECEIVED PROGRAM REPORT
DESCRIBED.

RE: * URGENT REQUEST FOR DIPLOMATIC
ASSISTANCE; SUPPORTING WHITE PAPER

April 14, 2015

TO: DIRECTOR OF CENTRAL INTELLIGENCE, DCI
"CAT BUSH", THE DUKE MAGOG GROUP
SEE PROCEE: DIRECTORATE OF OPERATIONS, CIA
LINKED-1
1000 Colonial Farm Road
McLean, VA 22101

"AVATAR"
1 * SEE LINKED-1

Dear Director, C/o "Kat Bush",
Directorate of Operations, the Central
Intelligence Agency:

At this stage, I would
respectfully request specific clarification
of our relationship going forward along
clearly defined lines as an active
partnership in pursuit of mutual
economic, diplomatic, and legal ambi-

(2.)

#Contract formed after contacts transacted

*CONTACTS
considered* Since faithfully turning over my contacts to the Duke Mabog Group, a sub-section of the Agency, electronically via LinkedIn, in December of 2012; (And also to explore both personal and professional options to ensure my future security and well-being -- as well as diplomatic status -- at this crucial juncture, if that indeed may be an option still in the cards.)

As the Agency has been keenly aware since the Fall of 2011 in Buenos Aires, Argentina, I have been actively engaged in promoting the quasi-political/religious/financial entity La Casa Real, loosely defined as the royal troika existing between Argentina, England, and Spain, through my Redhawk Partners organization (doing-business-as-the R.i.i.A.).

As you also are aware, a key component of this troika is the proposed establishment of a Vatican City State 26, or 2, in Bilbao, Spain, an entity-institution already symbolically named by former King Juan Carlos during his veiled Abdication on the 2nd of June in 2014. One of the key missions of Vatican 2 is to eradicate

*
26 THE
2nd of June
my BIRTHDAY

(3.)

European Union sovereign debt from EU member nation-states such as Portugal, Ireland, Italy, and Spain by restructuring that sovereign debt through Bank Guarantees (BGs), and "assigning" it to Vatican City State Z6 the "pay-back" in terms ~~to be~~ - Determined (TBD). Funding would come into Vatican Z through donations and contributions based on the mergers of the 3 major monotheistic religions such as : Islam, Christianity and Judaism, with the long-term prospects of bringing Peace to the Middle-East and the rest of the civilized world through the ultimate creation of the 1 world currency backed by Vatican City State Z6 in Spain.

I had previously solicited your diplomatic help and professional advise on numerous occasions in forming a non-profit foundation, for the explicit purpose by fund raising along these lines, however, to no avail. As you are well aware, my own lone efforts lacking the necessary requisite diplomatic protections which would have naturally come through your legitimate institutions

(4.)

have led to my wrongful persecution by other intelligence interests, resulting in my latest arrest in Miami-Dade County, Florida on 1/4/15. These covert attacks, masked by law enforcement, are purely politically motivated, and comprise intelligence services, both foreign and domestic, across a range of nations to form the meredes T. Please be advised many of these under cover operation have been well documented in evidenced material to the public officials hereby copied on the masthead of this letter, dating back to the Fall of 2011 in Recoleta, Argentina, where one of these particular incidents has been the direct cause of the dethroning of Juan Carlos of Spain on the 2nd of June in 2014.

Be that as however it may, the threshold of time has decisively past for the thrust of public events to advance the initiative from the shadows of a secret intelligence was into the light of the public domain. Accordingly.

(5.)

I am hereby requesting full diplomatic immunity of protections against my being wrong targeted in Covert Intelligence operations involving local and state law enforcement perpetrated by the intelligence groups herein described. In lieu of being rightfully granted this proper diplomatic designation and its accompanying immunities as a safeguard against past and future political attack based solely on my identity, I would humbly request to be provided alternative employment options, possibly in the intelligence field, or as a last resort, a protection program, which would allow me to be privately relocated under another identity. Lacking any protections at this point, the last of these options, however unsavory, underscores a legitimate and escalating concern for my personal safety, which has caused me to feel more secure in jail than out, regardless of the underlying injustices of why. Beyond the black rage enveloping this Covert intelligence conflict.

(6.)

being waged on multiple continents, one point remains starkly clear: I cannot, and will not, fall prey as victim in further intelligence operations; nor will I be caught in the middle of warring factions within the Western security apparat.

A proper diplomatic mandate based on my identity and work, along with royal title would suffice as a large extent of the solution to this growing issue, which has caused me to seek safe harbour and refuge in other political jurisdictions over these last 24 months. Some level of financial restitution, either directly or indirectly, based on the previous injustices that have transpired, would complete the remaining equation to this lesser solution.

Either way, the sundry elements of our mandate here are clear and present, and on this basis, I faithfully trust you will choose the best course required under the current variable circumstances.

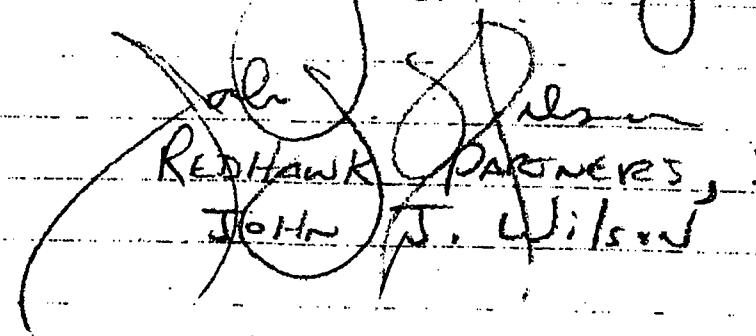
(7.)

Accordingly, I eagerly await
your prompt advise regarding
my proposed options in this
escalating security matter.

Thank you in advance for
your thoughtful attention and
personal regard for my current
situation.

I look hopefully forward to
working with you in future
endeavors.

Yours truly,


John T. Wilson
Redhawk Partners, S.A. 4/14/15

(JRW) STATE OF FLORIDA
vs.
JOHN J. Wilson

5/4/15

- ADDENDUM: ~~RECEIVED~~

SECTION 13

11 JUDICIAL CIRCUIT

Please be duly advised the attached Order Denying Motion for Post-Conviction Relief to which I am responding is neither dated, nor signed.

Thank you for your careful attention to this important legal detail.

Regards,

John J. Wilson
Ex-# 150011065

John J. Wilson
METROWEST DETENTION CENTER
13850 N.W. 41ST STREET
MIAMI, FL 33178

PLEASE make copies of
ATTACHED DOCUMENTS + forward
to any ~~appropriate~~ person

NAME: CUMMINGS, ANDREW L
JAIL NUMBER: REDACTED
LOCATION: METRO WEST MW2A4
DINNER/KOSHER DIET
DATE: 12/14/2014

166

INSTRUCTIONS FOR FILING A COMPLAINT UNDER THE CIVIL RIGHTS ACT 42 U.S.C., SECTION 1983

This packet includes two forms:

- (1) Complaint Under The Civil Rights Act, 42 U.S.C. § 1983
- (2) Application to Proceed Without Prepayment of Fees or Costs

To start an action under the you must file:

- an original, signed complaint,
- one copy of the complaint for *each* defendant named in the complaint. For example, if you name two defendants, you file the original complaint plus two copies. You should also keep a copy for your records. All copies of the complaint must be identical to the original, signed complaint.
- filing fee of \$350.00 or an Application to Proceed Without Prepayment of Fees/Costs

Return the above forms and/or filing fee to the following address:

Clerk's Office
United States District Court
Southern District of Florida
400 North Miami Avenue, 8N09
Miami, FL 33128-7716

Your complaint must be legibly typewritten or clearly handwritten using a pen (do not use a pencil to complete these form s). As the plaintiff, you must sign and swear to the accuracy of the information in the com plaint. If you need m ore space than is provided on t he form, attach an additional blank page to the complaint.

Your complaint can be brought in this Court only if one or more of the named defendants is located within the Southern District of Florida. Also,you must file a separate complaint for each claim you have unless the claims are related to the same incident or issue.

In your complaint, you must provide the facts; you should not include legal arguments or citations.

Dear Clerk:
* * * * * Please be ADVISED,
PER THIS ATTACHED ENCLOSED HEREBY,
THE OTHER REQUIRED 14 COPIES AS MANDATED
FOR YOUR INSTRUCTIONS ARE ON HAND WITH ME HERE
AT METROWEST DETENTION CENTER. I AM UNABLE TO MAIL
ITEM TO YOU TOGETHER ALL AT ONCE. ACCORDINGLY, PLEASE
BEGIN THE COMPLAINT AT ONCE WITH THIS FIRST ENCLOSED
MASTER COPY. PLEASE ADVISE IF A COURIER
CAN PICK-UP THE OTHER 14 COPIES
OTHERWISE, I AM SEEKING
ALTERNATIVES TO MAIL
THEM. THANK
YOU.

