

19-8330  
No. \_\_\_\_\_

IN THE SUPREME COURT OF THE UNITED STATES

02/03/20

& 03/25/20, with page A and b

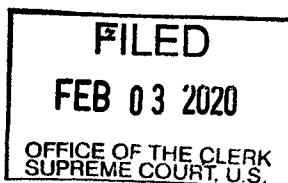
VALENTIN SPATARU, Petitioner,

vs.

FLORIDA DEPARTMENT OF TRANSPORTATION, et al., Respondents

ORIGINAL

On Petition For Writ Of Certiorari to the  
Supreme Court of the State of Florida



**PETITION FOR WRIT OF CERTIORARI**

by Valentin Spataru, pro se  
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To the Honorable Chief Justice Charles T. Canady of the Supreme Court of the State of Florida:

**QUESTIONS PRESENTED**

1. Whether employees of Florida government, who have callously disregarded and failed to exercise the standard of care requested by law and expected from professionals in the USA and State of Florida pursuant to Fla. Stat. § 316.0745 and the Federal Highway Administration's (FHWA) Manual on Uniform Traffic Control Devices (MUTCD)" - [www.fdot.gov/traffic/TrafficServices/MUTCD.shtml](http://www.fdot.gov/traffic/TrafficServices/MUTCD.shtml)-, may conspire with more government employees, including judges, to avoid compensating their victims. Truly, when a van hit me in 2013, the State of Florida had had -and still has- a duty at least since 2003 to place a warning "TWO-WAY BIKE ROUTE" traffic sign (WTBRS) under the warning "ONE WAY" traffic lanes sign, because the drivers will not expect contraflow bicycles if they do not see a WTBRS. Also, U.S. Const. Amend. IX protects rights not enumerated in the Constitution, including my right to benefit from the best and newest practices in traffic regulation in the USA and the world.
2. Whether Fla. Stat. 68.093(2)(d) has been illegal, as it has conflicted with U.S. Const. Amend. XIV, sec. 1 (right to due process in all state courts), U.S. Const. Amend. V (right to due process in all courts) and with U.S. Const. Amend. VIII (no cruelty is allowed; it prohibits cruelty against criminals so it even more prohibits cruelty against those who have not violated the laws) by having limited discriminately to five the number of actions by a pro-se plaintiff in each Circuit Court of the State of Florida. Indeed, if 6 different members of one or more organized crime (OrC) groups have injured me in 6 different incidents, and have "convinced" all available attorneys not to assist me on contingency, Fla. Stat. § 68.093(2)(d) does not allow me to sue as pro-se more than five criminals, which is absurd, cruel, illegal, and even proof that OrC is behind Fla. Stat. § 68.093(2)(d) and all such abusive laws. Certainly, the legislators in Florida who voted Fla. Stat. § 68.093(2)(d) had illegally-undisclosed interests to vote it -please ask the FBI, NSA, etc. to investigate them-. Please ask the current legislators in Florida to respect the Constitution of the USA and to eliminate Fla. Stat. § 68.093(2)(d). Moreover,

“Lex iniusta non est lex” and judges have the authority and the obligation to refuse to enforce unjust laws, therefore, certainly, by having enforced the unjust law, the judges of State of Florida have proved their illegally-undisclosed interests against certain actions -please ask the FBI, NSA, etc. to investigate them-; the judges of State of Florida have proved common interests with the Respondents -or their managers if Respondents are organizations-, such as common investments -please investigate whether the funds for "TWO-WAY BIKE ROUTE" warning signs have been embezzled and who “profited”-. Indeed, all Judges should have refused to enforce Fla. Stat. § 68.093(2)(d), thus the below Judges should not have dismissed any case, including my case, based on Fla. Stat. § 68.093(2)(d) or such abusive laws. Judges cannot invoke judicial immunity for acts that violate litigants civil rights. Truly, judges and legislators have been liable for criminal acts committed under “color of law”, pursuant to 18 U. S. C. § 242, and for conspiracy against rights, pursuant to 18 U. S. C. § 241. As provided in 18 U.S.C. § 3331(a), the U.S. District Court must impanel a special grand jury when requested -and I request it for all judges involved in my case, and for all legislators involved in voting of the abusive, unethical laws- to investigate whether organized crime is occurring in the community in which it sits. This could include, for instance, organized drug activity or organized corruption in government.

3. Even if Fla. Stat. § 68.093(2)(d) were legal, for its August 9, 2017, decision finding me to be a “quintessential litigious Plaintiff” and for its order on October 16, 2017, Judge Garcia of CC counted wrongly and abusively to five or more my CC cases that were dismissed, while the total of my cases dismissed by CC was only four; in addition, I abandoned two cases without appealing, due to my mental injuries which the Offenders caused or aggravated, and not due to lack of merits and causes. Therefore, according even with the Fla. Stat. § 68.093(2)(d), I was not a vexatious litigant and Judge Garcia of the CC was unlawful and abusive when, on October 16, 2017, it “[o]rdered the clerk of court to refuse to accept any future actions commenced by this Plaintiff in Circuit Court unless they have been reviewed and signed by an attorney who is a duly licensed member of the Florida Bar in good

standing." Please, void the order that has required me to have all pleadings in this, and any future actions commenced in the circuit court of MC, be signed by a member of the Florida Bar. Indeed, it is satanic and hellish for a group to affect me mentally with brain injuries for me to abandon or lose my cases, then for Judge Garcia of CC (then Judges at FL's Higher Courts -3DCA and FSC-) to accuse me of losing my cases.

4. Whether a Court may dismiss any case, including my case, because the pro-se Plaintiffs who have been mentally injured by an incident are not able to follow properly the orders of the Court without detailed instructions from Court. Whether all Courts have to offer the help of a licensed, independent attorney to represent such pro-se Plaintiffs, or to respond to their pleadings by giving them detailed instructions, information and enough time to correct the problems. For proper justice and civilization and for the progress of our state and country, urgently, please create -and ask the legislators to approve, too- a new Public Office with a name such as "Public Civil Attorney Assistance for Persons with Cognitive Disabilities", that must offer -free or for credit or loan given from the public budget- professional, independent legal help in civil cases to me and other persons in similar situations, who do not have anymore the necessary mental capacities promptly and completely to study, understand and memorize the Laws and Courts' Procedures to represent themselves to prove their complaints on time. Also, please order all Courts to offer free access to the relevant legal books and to computers with Lexis, Westlaw, or other such complete, electronic, legal research services.

5. Whether Fla. Stat. § 768.28 has been illegal, as it has conflicted with U.S. Const. Amend. VIII (no cruelty is allowed; it prohibits cruelty against criminals so it even more prohibits cruelty against those who have not violated the laws) by having limited abusively the damages to be paid by the government pursuant to a Court order to \$300,000 per incident. The "portion of the judgment that exceeds these amounts may be reported to the Legislature, but may be paid in part or in whole only by further act of the Legislature." <http://www.leg.state.fl.us/statutes>. Please ask the Legislature of FL to specify how a

citizen may report a case to the Legislature of FL and how the Legislature of FL will review and decide upon a case. Punitive damages or interest that accrued before the judgment was made cannot be awarded in cases against the Florida government. Please ask the legislators in Florida to respect the Constitution of the USA, which forbids cruelty, corruption and abuses, and to eliminate all abusive limits for damages, as the state of Oklahoma did recently; "the Oklahoma Supreme Court ruled that arbitrary caps on pain and suffering damages imposed by the Legislature are unconstitutional."  
<https://kfor.com/2019/04/23/oklahoma-supreme-court-invalidates-civil-justice-damages-cap/>.

If you do not order Respondents, including Florida Department of Transportation (FL DOT), to compensate me properly for the injuries they caused me, and to retrain then test themselves at least annually regarding the best and newest practices in traffic regulation in the USA and the world, then they will continue to injure others; thus, they will cause more disabilities, poverty and other social problems; therefore, you will condemn me and others to deadly poverty and disabilities and the USA to under-development.

These questions are of great national importance too due to the high number of state and local DOTs in the USA.

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**PETITION FOR WRIT OF CERTIORARI**

Petitioner respectfully petitions this Court for a writ of certiorari to review the judgment below.

**3 OPINIONS BELOW**

The Judges of Florida Supreme Court (FSC) declined on November 04, 2019, to accept jurisdiction. A copy is attached at appendix A.

6 The Judges of Florida's Third District Court of Appeal (3DCA) dismissed my appeal, affirmed and filed  
opinion on July 3, 2019, -see appendix B-. I have appealed to FSC because Fla. Stat. 68.093(2)(d) has  
been illegal, as it has conflicted with U.S. Const. Amend. XIV, sec. 1 (right to due process in all state  
9 courts), U.S. Const. Amend. V (right to due process in all courts) and with U.S. Const. Amend. VIII (no  
cruelty is allowed; it prohibits cruelty against criminals so it even more prohibits cruelty against those  
who have not violated the laws) by having limited discriminatingly to five the number of actions by a  
12 pro-se plaintiff in each Circuit Court of the State of Florida. Indeed, if 6 different members of one or  
more organized crime (OrC) groups have injured me in 6 different incidents, and have "convinced" all  
available attorneys not to assist me on contingency, Fla. Stat. § 68.093(2)(d) does not allow me to sue  
15 as pro-se more than five criminals, which is absurd, cruel, illegal, and even proof that OrC is behind  
Fla. Stat. § 68.093(2)(d) and all such abusive laws. Certainly, the legislators in Florida who voted Fla.  
Stat. § 68.093(2)(d) had illegally-undisclosed interests to vote it -please ask the FBI, NSA, etc. to  
18 investigate them-. Please ask the current legislators in Florida to respect the Constitution of the USA  
and to eliminate Fla. Stat. § 68.093(2)(d). Moreover, "Lex iniusta non est lex" and judges have the  
authority and the obligation to refuse to enforce unjust laws, therefore, certainly, by having enforced  
21 the unjust law, the judges of FSC, 3DCA and CC have proved their abusive adversity and  
discrimination against my action and my person due to my disabilities, political affiliation, religion,  
ethnic or national origin, domicile, first spoken language, race, or other illegal causes; they have had

illegally-undisclosed conflicts of interest -please ask the FBI, NSA, etc. to investigate them-; they have proved common interests with the Respondents -or their managers if Respondents are organizations-,

3 such as common investments -please investigate whether the funds for "TWO-WAY BIKE ROUTE" warning signs have been embezzled-. Truly, judges and legislators have been liable for criminal acts committed under "color of law", pursuant to 18 U. S. C. § 242, and for conspiracy against rights,

6 pursuant to 18 U. S. C. § 241. As provided in 18 U.S.C. § 3331(a), the U.S. District Court must impanel a special grand jury when requested -and I request it for all judges involved in my case, and for all legislators involved in voting of the abusive, unethical laws- to investigate whether organized

9 crime is occurring in the community in which it sits. This could include, for instance, organized drug activity or organized corruption in government.

Judge Garcia of the Monroe County Civil Circuit Court of the 16th Judicial Circuit of Florida (CC)

12 dismissed abusively with prejudice on October 15, 2018, my case based on Fla. Stat. § 68.093(2)(d). A copy is attached at appendix C.

3DCA dismissed on August 07, 2018, my first appeal as one taken from a non-final, non-appealable order of CC -a copy is attached at appendix D-, therefore, I had to go back to CC, and I filed in CC an "Amended Complaint" on August 09, 1918, to show cause of action and to continue with the case at CC. I could not find an attorney to help me with this case as CC required me previously; no attorney

18 was available on a contingency basis due to the many work-hours needed compared to the low income potential for an attorney -please order the legislators in Florida to respect the Constitution of the USA, which forbids cruelty, corruption and abuses, and to eliminate all abusive limits for remedies, as the

21 state of Oklahoma did recently. In addition, 3DCA denied on October 17, 2018, my motion for issuance of a written opinion or for rehearing.

On October 16, 2017, abusively, Judge Garcia of CC dismissed my case without prejudice based on

Fla. Stat. § 68.093(2)(d) and asked me to hire an attorney -a copy is attached at appendix E-. I appealed to 3DCA. On October 13, 2017, Judge Garcia of CC denied my request to CC for other Judge than 3 Judge Garcia who was not accurate in his calculations of my cases dismissed by CC -he counted five not four, the actual number, abusively-, and did not help me, a pro-se plaintiff injured mentally also, with more instructions and explanations-; a copy is attached at appendix F.

## **6 JURISDICTION**

This petition is timely filed. The date on which the highest state court decided my case was November 04, 2019. A copy of that decision appears at Appendix A.

9 The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a). My questions and case are of national importance.

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

12 U.S. Const. Amend. XIV, sec. 1: All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United 15 States; nor shall any State deprive any person of [...] liberty [including liberty from disabilities], or property [including property which I could have earned if I were not injured], without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

18 U.S. Const. Amend. IV: Guarantees "The right of the people to be secure in their persons", therefore, not to be injured on any property, including government property.

U.S. Const. Amend. V: "No person shall be [...] deprived of [...] liberty [...] without due process of 21 law." The Fifth Amendment imposes on the federal government restrictions that are almost identical to those imposed on the States by the Equal Protection Clause of the Fourteenth Amendment.

U.S. Const. Amend. VII: In Suits at common law, the right of trial by jury shall be preserved.

24 U.S. Const. Amend. VIII: Prohibits cruelty.

U.S. Const. Amend. IX: Protects rights not enumerated in the Constitution, including my right to benefit from the best and newest practices in traffic regulation in the USA, and my right to decent 27 housing.

U.S. Const. Amend. I: Guarantees the freedom of speech, the right to petition the government.

18 U.S.C. §§ 241, 242: It is a crime for one or more persons acting under color of law willfully to deprive or conspire to deprive another person of any right protected by the Constitution or laws of the United States.

18 U.S.C. §§ 1961–1968 - The Racketeer Influenced and Corrupt Organizations (RICO) Act provides for extended criminal penalties and a civil cause of action for acts performed as part of an

3 ongoing criminal organization. The RICO Act focuses specifically on racketeering and allows the leaders of a syndicate to be tried for the crimes they ordered others to do or assisted them in doing.

29 U.S.C. § 794 - Nondiscrimination under Federal grants and programs

34 U.S.C. § 10228 - Prohibition Against Discrimination on ground of race, color, sex, or national origin - The Office of Justice (OJP) Program Statute

42 U.S.C. § 1983, Reconstruction Civil Rights Act: “Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.” It allows citizens to sue governmental officials, including commissioners and judges, and their employers, the cities, counties and states, for damages caused by them; it is enough to show that the official, acting under color of state law, caused the deprivation of some specific federal right. Punitive damages are available against individual defendants where a plaintiff establishes actions were either intentional or committed with reckless or callous disregard for the plaintiff's rights. Significantly, punitive damages may be available against individual defendants even absent actual damages.

42 U.S.C. § 1985 - Prohibition Against Discrimination on ground of race, color, or national origin. It renders conspiracies civilly actionable.

42 U.S.C. § 2000d, et seq. - Prohibition Against Discrimination on ground of race, color, or national origin - Title VI of the Civil Rights Act of 1964

42 U.S.C. § 12131, et seq. - Prohibition Against Discrimination on ground of disabilities - Title II of the Americans with Disabilities Act, The Public Health and Welfare Title

34 C.F.R. Part 104.4 - Section 504 of the Rehabilitation Act of 1973: It prohibits discrimination against people with disabilities in programs that receive federal financial assistance (“no qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives Federal financial assistance”).

6 Fla. Stat. § 316.0745: It “mandates the Department of Transportation compile and publish a manual of uniform traffic control devices which defines a uniform system. To comply with this statute, the FL DOT has adopted the Federal Highway Administration's (FHWA) Manual on Uniform Traffic Control Devices (MUTCD).” [www.fdot.gov/traffic/TrafficServices/MUTCD.shtm](http://www.fdot.gov/traffic/TrafficServices/MUTCD.shtm). Maintenance of Signs and

9 Sign Supports: A Guide for Local Roads Maintenance Personnel, Federal Highway Administration, USDOT, Report Date January 2010, [https://safety.fhwa.dot.gov/local\\_rural/training/fhwasa09025/](https://safety.fhwa.dot.gov/local_rural/training/fhwasa09025/): “Replacement of damaged or missing guide signs should be done within approximately seven working days from notice [...] establish a procedure whereby the police department notifies you of any sign problems.”

15 Fla. Stat. § 68.093(2)(d): limits discriminately to five the number of actions a pro-se plaintiff may start in each Circuit Court of the State of Florida.

18 Fla. Stat. § 768.28: “Neither the state nor its agencies or subdivisions shall be liable to pay a claim or a judgment by any one person which exceeds the sum of \$200,000 or any claim or judgment, or portions thereof, which, when totaled with all other claims or judgments paid by the state or its agencies or subdivisions arising out of the same incident or occurrence, exceeds the sum of \$300,000. However, a judgment or judgments may be claimed and rendered in excess of these amounts and may be settled

and paid pursuant to this act up to \$200,000 or \$300,000, as the case may be; and that portion of the judgment that exceeds these amounts may be reported to the Legislature, but may be paid in part or in whole only by further act of the Legislature." <http://www.leg.state.fl.us/statutes>. Punitive damages or interest that accrued before the judgment was made cannot be awarded in cases against the Florida government.

6

The United Nations' Universal Declaration of Human Rights forms part of customary international law, thus applies in my case, as I was born outside the USA -I became a citizen of the USA by naturalization 9 in 2002- in Romania -a member of NATO and UE- and includes:

Article 1. [...] act towards one another in a spirit of brotherhood.

Article 5. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or 12 punishment.

Article 8. [...] effective remedy by the competent national tribunals.

Article 10. [...] independent and impartial tribunal."

15

## INTRODUCTION

<Https://www.supremecourt.gov/filingandrules/electronicfiling.aspx> writes "Filings from pro se parties

18 are submitted only on paper, but will be scanned and made available electronically on the Court's docket", thus I submit only one paper copy of my petition to save valuable resources by not printing and mailing more copies; please let me know if you need more paper copies. A digital copy of this

21 PWC is available also at <http://tiny.cc/229oiz>.

Petitioner will be referred to as "Petitioner", or "I" as I, the Petitioner myself, will have written this.

Florida Department of Transportation and FL DOT's lawyers or attorneys will be referred to as "FL 24 DOT"; Monroe County as MC; Key Largo as KL. Other terms and acronyms will be defined as they appear. If I do not know which Respondents are guilty for a violation, I will use the term "Offenders". I use bold letters to ease the reading.

27 Respectfully, I ask the Court to accept my PWC and other motions, forms, pleadings, and communications as they are, assist me in correcting them, or appoint professional, independent counsel to help me. Indeed, due to my mental injuries that the Offenders proximately caused or aggravated, 30 which reduced much my cognitive skills and manifest as headaches, depression, anxiety, memory

problems, reasoning errors and slowness, slow and poor concentration and attention, and other undiscovered yet issues, I am not able anymore to read and memorize all the rules of procedures 3 promptly and completely. Furthermore, I have no money to hire lawyers for my case because my injuries stop me from keeping a job that would provide income for me to pay the lawyers' fees. In 6 addition, no pro-bono attorney takes a case worth more than \$5,000, and I can not find an attorney to help me with this case on a contingency basis due mainly to the many work-hours needed compared to the low income potential for an attorney.

Please, for proper justice and civilization and for the progress of our states and country, and even the 9 other countries, urgently, please create a new Public Office with a name such as "Public Civil Attorney Assistance for Mentally Injured Persons", that must offer - free or for credit or loan given from the public budget – professional, independent, law counsel in civil cases to victims like me, who became 12 too mentally-impaired and do not have anymore the necessary intellectual capacities promptly and completely to study, understand and memorize the Laws and the Courts' Procedures to represent themselves to prove their complaints.

15 Please, to save valuable resources by not printing and mailing, send me all your communications by emails only, and allow me to file all my future documents by using the Court's electronic system.

18 **STATEMENT OF THE CASE**

1. At all times material, Respondents were existing under the laws of the State of Florida and USA and were otherwise *sui juris*; Petitioner was and is otherwise *sui juris*.
- 21 2. At all times material, Offenders have designed, owned, maintained and controlled the location of the subject incident, the Atlantic Dr., Key Largo, FL, and "The Overseas Heritage Trail" which has

included the bike route, which has been near and parallel to Highway 1 (Hwy 1), on the East Side of Hwy 1, and has crossed Atlantic Dr., crossing where I was hit by a van. At all times material, the bike route was only on the East Side of Hwy 1.

3     3. At all times material, Offenders had and owed Petitioner a duty of reasonable care and a duty to  
design, redesign, repair, maintain and keep the subject location in a reasonably safe condition; to  
6     6 conduct safe maintenance, additions and repairs; and to warn of perils.

4     4. On June 4th, 2013, at around 9:20 AM, Petitioner was a public invitee of the Offenders and was  
lawfully riding his bicycle Southward on the bicycle -and pedestrian (many pedestrians have been  
9     9 injured, too)- route/sidepath (route) in order to cross the subject Atlantic Drive. The Offenders breached  
their duty of care when Petitioner was hit, thrown in the air, hit again and caused to fall off the bicycle  
on the road surface by a van whose driver, Mr. Jeffery Sheriff (the driver/Sheriff), came from the East  
12     12 on Atlantic Dr; Sheriff, the driver, said that he was a safe driver and it was **the fault of the Offenders**  
because the only sign placed at the intersection by the Offenders under the "STOP" sign was a  
15     15 **"ONE WAY" sign which pointed toward the right (North), thus he thought that all traffic were**  
**one-way only, to the right, therefore, he did not expect a bicyclist coming from the right as I was**  
**coming; consequently, he had looked only to the left to watch for the traffic when he started his**  
**van to cross the Hwy's coming-from-the-left traffic lanes. Indeed, unlawfully, there were not any**  
18     18 **warning two-way bike route traffic signs (WTBRS) and markings (WTBRM) on Atlantic Dr. and**  
**on the bike route as required by the state and federal regulations.**

5     5. As a proximate result of the Offenders's negligence or malevolence or corruption, Petitioner  
21     21 suffered severe injuries in multiple body areas. As a result of the injuries, Petitioner endured having  
treatments for his injured areas for which he continues to suffer.

6     6. The Offenders knew, or in the exercise of reasonable care should have known, that the bicycle

route was not properly designed, or/and that the WTBRS&M for the bicycle route in the area were not properly installed or maintained, thus the drivers were not properly warned about bicyclists, and

3     **posed a serious hazard to bicyclists, even though the Offenders sought to attract tourists as the local economy is heavily dependent on tourism; shockingly but truly, the conclusion is that the Offenders have intended to cause injuries to people for the Offenders and their relatives and**  
6     **friends to benefit from the medical, legal, insurance, funeral, and other expenses of the injured and their families.** Please punish them under RICO and the other relevant laws.

7. Petitioner has complied with all applicable statutory notice requirements pursuant to Florida

9     Statutes § 768 et. seq and all conditions precedent.

8. Offenders by and through their acts and omissions and of their employees, agents, and/or contractors, breached their duty of care to Petitioner and were negligent or malevolent or corrupt in the  
12 following ways: a. Failing to take reasonable care in designing, redesigning, repairing, maintaining and keeping the route in a reasonably safe condition for bicyclists so as not to pose a hazard on the premises; b. Creating dangerous conditions in the subject area; c. Failing to adequately implement  
15 safety protocols, policies, and procedures for the design, redesign, construction, repair, and maintenance of the route and surrounding area; d. Failing to adequately warn Petitioner and the driver of the dangerous conditions of the subject area when Offenders knew or should have known of the  
18 existing hazards; e. Failing to remedy hazardous conditions of which they knew or should have known; f. Failing to supervise their employees, contractors, subcontractors, partners, and/or agents in the design, redesign, construction, repair, and maintenance of the subject area; g. Other acts of negligence  
21 or malevolence or corruption not yet discovered.

9. As a proximate result of the aforementioned negligence or malevolence or corruption of Offenders, Petitioner suffered severe permanent physical, mental and emotional injuries, sustaining sprains of

multiple joints, ligaments, tendons and muscles, tears of cartilages and ligaments, and micro-fractures of bones. As a result of his injuries, Petitioner endured having years of treatments; he experienced pain 3 and suffering therefrom; suffered physical handicap, disability, mental anguish, loss of past earnings, loss of earnings and earning capacity in the future, aggravation of preexisting injuries and conditions, inconvenience, loss of capacity for the enjoyment of life; and all of the elements of damages allowed 6 under laws of Florida, the USA, the UN. All of these injuries are permanent and continuing in nature.

10. As a further direct and proximate result of the injuries sustained due to the aforementioned negligence or malevolence or corruption of Offenders, Petitioner has incurred medical expenses in the 9 past and will continue to incur such expenses in the future.

11. Because of the injuries caused by Offenders, I had to stop my sailing business for which I had prepared since 2008, and which I had just started in December 2012 when I purchased a sailboat; I am 12 not able anymore to maneuver and control a sailboat, to swim properly, and to row properly even a small tender boat; I cannot keep other physically demanding jobs; I cannot get an office job due to my 15 mental issues which include headaches, depression, anxiety, slowness, memorization difficulties and reasoning errors. In addition, my enjoyment of life diminished abruptly and severely because I am not able anymore to properly ride a bicycle, exercise, run, dance, play tennis or soccer, swim, row, or travel with a backpack; I have had to go to a hot tub during colder weather to calm my body and mind, and 18 my living expenses increased as I had to buy and use a car instead of my bicycle for trips longer than 2-3 miles and faster than 3-4 miles per hour.

12. Recklessly or maliciously or corruptly, Travelers, the insurer of the FL DOT and General Asphalt 21 Co. the contractor that was repairing the bike route at the time of the accident, has denied coverage of my treatment expenses, living expenses, and pain and suffering.

13. In order to survive, I had to apply in 2014 for housing assistance and Social Security Benefits

(SSB) including Medicaid but they were approved after almost five years, in 2019, and only for \$1011 per month, which is five times less than \$5000 per month that I could have earned with a sailing business<sup>1</sup>, and 15 times less than what I could have earned with an accounting business for which I have had the Master's Degree since 2000 from the University of GA, and the CPA Professional License since 2003 from the state of GA, USA.

6 14 . Because of the injuries caused by Offenders and lack of proper assistance from Offenders, I have suffered more brutal injuries in 2015, 2016, and 2019 which almost killed me, and added to my permanent pain and suffering; see the medical records at <http://tiny.cc/q6m6iz>. A summary is at  
9 <https://1drv.ms/x/s!AoQWvvOQcbRYguY8d6Q41WLDshViUw> (Please excuse that some cells are empty, but I have no time to finalize it; please let me know if you need it completed.). In addition, I had to stop living in an anchored boat; and I had to sleep in my car, which made me a victim of harassment  
12 by many, including law enforcement employees (LEEs).

15. As Dr. Levy advised me in 2013, I have swam (unfortunately, less and slowly only, because of my body issues caused by Offenders) almost every day since the accident in order to heal as much as  
15 possible my health problems. Recklessly or maliciously (due to their prejudices against me caused by

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1 A Ship or Boat Captain can expect wages of around 56000 to 84000 depending on seniority - <https://www.recruiter.com/salaries/ship-and-boat-captains-salary/> ; In 2007, a charter boat captain's average income was \$65,000 per year - <https://www.trustedchoice.com/boat-insurance/types/charter-boat-coverage/> ; a fishing charter in Destin, Florida charges between \$165 and \$200 per hour for up to six people. ... Going out 200 days a year, this would equate to an annual profit around \$34,300 (after the captain has been paid). - <https://howtostartanllc.com/business-ideas/fishing-charter>

my national origin, my disabilities, and my comments about local corruption -which were a lawful exercise of my right of free speech) or corruptly, the Police came to my anchored sailboat and arrested  
3 and detained me wrongly, without prior warning of any violation, without probable cause and a warrant on 08/11/15 for six days and nights for trespassing in public water owned by the state to be enjoyed by all; and injured me more by unlawful, disabling detaining conditions. I did not trespass at all but I did  
6 the prescribed therapeutic exercises in public water. Please ask legislators in all the USA -and even all the other UN countries- to ban corporal "punishment" -and especially the attacks of the brain, including through hyperthermia or hypothermia- at all ages, as it injures and disables permanently thus it is  
9 counterproductive (Educators should convince by explaining the bad consequences of improper behavior).

**16. I have not been able to study and take the Law Schools' LSAT exam anymore to enroll to  
12 become attorney. The Master's Degrees which I have received in the years 1997 and 2000 prove  
that I had had the mental abilities to obtain a Law Degree, too, but Offenders destroyed such  
abilities. In addition, I have an uncle's cousin, architect, whose wealth is almost \$10,000,000 today,  
15 and he spent the rest of his income only on the best products and services; he took refuge around the  
year 1973 in California, USA, due to political issues in Romania, but he was never injured anywhere,  
thus he could work with all his abilities and skills, which brought him deserved abundance, and proves  
18 that I would have had such abundance if I had not been injured; I cannot contact him to help me with  
legal assistance because his email address, along with other more than one million Yahoo email  
addresses, was hacked in 2012 by criminals, and I cannot obtain his new contact datae because my  
21 uncle died. Regarding my situation, even though, due to the lack of accountability from the elected  
politicians in Romania, I took refuge in USA, my skills -which were proper to provide abundance-  
were destroyed by Offenders. Indeed, due 100% to Offenders as proximate causes, I can perform only**

with less than 25% of my previous abilities and skills, which causes me undeserved poverty and suffering. You can help me to live decently -and hopefully recover to be able to work with all my

3 previous abilities and skills-.

17. Indeed, Offenders caused me intentional infliction of emotional distress (IIED), and I have proved the essential elements of IIED: (1) Offenders's extreme and outrageous conduct, with either the  
6 intention of, or reckless disregard for, causing emotional distress, (2) my having suffered severe or extreme emotional distress and (3) actual or proximate causation.

18. I do not know whether LEEs have investigated corruption by Respondents, as LEEs have not  
9 contacted me. Please make sure that the investigators are not part of the criminal conspiracy<sup>2</sup>, also by  
analyzing the solving rates of the LEEs; historically, most unsolved crimes have been committed by the  
investigators or their family or friends.

12 19. In September 2017, Hurricane Irma, the biggest ever recorded in FL, as big as the prior top five  
hurricanes combined -thus, it was not "natural" but "created"- caused extensive destruction in Florida  
(\$50 billion - <https://www.thebalance.com/hurricane-irma-facts-timeline-damage-costs-4150395>);  
15 consequently, to avoid future punishing catastrophes, please, prove to God and his, her or its angry

2 "In 1994, various law-enforcement agencies concluded that Bulger had been protected by the FBI, and thus launched a three-prong investigation without the Bureau's knowledge. [...] Initially investigated for feeding info to Bulger, the FBI agent ended up going down also for taking bribes and for the 1973 murder of a Bulger target in Florida. He will die in prison." -  
<https://www.investigationdiscovery.com/crimefeed/crime-history/whitey-bulger-5-pop-culture-takes-on-boston-irish-mob-legend>. "Around June 1984, the Key West Police Department located in Monroe County, Florida, was declared a criminal enterprise under the federal RICO statutes after a lengthy United States Department of Justice investigation. Several high-ranking officers of the department, including Deputy Police Chief Raymond Cassamayor, were arrested on federal charges of running a protection racket for illegal cocaine smugglers."

[https://www.wikiwand.com/en/Racketeer\\_Influenced\\_and\\_Corrupt\\_Organizations\\_Act](https://www.wikiwand.com/en/Racketeer_Influenced_and_Corrupt_Organizations_Act).

angels that you can manage its Earth properly. Please order all local, state and federal government employees not to be corrupt at all and not to abuse anyone, but to help all injured persons to live  
3 decently and to recover.

## **REASONS FOR ALLOWANCE OF THE WRIT**

6 1. The fact that I have not found a lawyer to assist me does not prove that I am a vexatious litigant, as  
I have not found an attorney to help me with this case on a contingency basis because of the many  
work-hours needed compared to the low income potential for an attorney. Truly, abusive Fla. Stat. §  
9 768.28 limits the monetary liability for injuries caused by the entities of the FL government to  
\$300,000 per incident, and the “portion of the judgment that exceeds these amounts may be reported to  
the Legislature, but may be paid in part or in whole only by further act of the Legislature.”  
12 <http://www.leg.state.fl.us/statutes>. Please ask the Legislature of FL to specify how a citizen may report  
a case to the Legislature of FL and how the Legislature of FL will review and decide upon a case.  
Punitive damages or interest that accrued before the judgment was made cannot be awarded in cases  
15 against the Florida government. Please ask the legislators in Florida to respect the Constitution of the  
USA, which forbids cruelty, corruption and abuses, and to eliminate all abusive limits for damages, as  
the state of Oklahoma did recently; “the Oklahoma Supreme Court ruled that arbitrary caps on pain and  
18 suffering damages imposed by the Legislature are unconstitutional. In 2009, the majority in the  
Legislature pushed through legislation to limit pain and suffering damages despite repeated warning  
that it was unconstitutional.” <https://kfor.com/2019/04/23/oklahoma-supreme-court-invalidates-civil-justice-damages-cap/>. Indeed, “Three national surveys of diverse attorney groups reflect that firms turn  
21 away cases when it is not cost-effective to handle them.” <https://iaals.du.edu/blog/us-access-justice-gap-garners-international-attention-and-scrutiny>, March 2019. In addition, I have had no money to hire

lawyers because the injuries caused or aggravated by the Offenders have stopped me from getting or keeping a job that provides income; and there have been no pro bono attorneys available for almost

3 90% of the cases in South Florida. "Only 16% of those who reported having civil legal problems during the past year received assistance [in all Florida].", [https://www.lsc.gov/media-center/publications/fiscal-year-2018-budget-request#footnoteref5\\_ll1m3b](https://www.lsc.gov/media-center/publications/fiscal-year-2018-budget-request#footnoteref5_ll1m3b), March 2019.

6 2 . Fla. Stat. 68.093(2)(d) has been illegal, as it has conflicted with U.S. Const. Amend. XIV, sec. 1 (right to due process in all state courts), U.S. Const. Amend. V (right to due process in all courts) and with U.S. Const. Amend. VIII (no cruelty is allowed; it prohibits cruelty against criminals so it even 9 more prohibits cruelty against those who have not violated the laws) by having limited discriminatingly to five the number of actions by a pro-se plaintiff in each Circuit Court of the State of Florida. Indeed, if 6 different members of one or more organized crime (OrC) groups have injured me in 6 different

12 incidents, and have "convinced" all available attorneys not to assist me on contingency, Fla. Stat. § 68.093(2)(d) does not allow me to sue as pro-se more than five criminals, which is absurd, cruel, illegal, and even proof that OrC is behind Fla. Stat. § 68.093(2)(d) and all such abusive laws. Certainly, 15 the legislators in Florida who voted Fla. Stat. § 68.093(2)(d) had illegally-undisclosed interests to vote it -please ask the FBI, NSA, etc. to investigate them-. Please ask the current legislators in Florida to respect the Constitution of the USA and to eliminate Fla. Stat. § 68.093(2)(d). Moreover, 1: "Lex

18 iniusta non est lex" (English: An unjust law is no law at all; originating with St. Augustine, the motto was used by St. Thomas Aquinas), and 2: "common law tradition gives judges a dual mandate: to apply the law and to develop it. There is no conflict between their official duty and their moral responsibility.

21 Consequently, judges have the authority -[...] even the obligation- to refuse to enforce" unjust laws - Douglas E. Edlin, *Judges and Unjust Laws: common law constitutionalism and the foundations of judicial review*, 2010, [https://www.press.umich.edu/2287623/judges\\_and\\_unjust\\_laws](https://www.press.umich.edu/2287623/judges_and_unjust_laws). "Douglas E.

Edlin uses case law analysis, legal theory, constitutional history, and political philosophy to examine the power of judicial review." idem. Therefore, certainly, by having enforced an unjust law, the judges

3 of FSC, 3DCA and CC have proved their abusive adversity and discrimination against my action and my person due to my disabilities, political affiliation, religion, ethnic or national origin, domicile, first spoken language, race, or other illegal causes; they have had illegally-undisclosed conflicts of interest

6 -please ask the FBI, NSA, etc. to investigate them-; they have proved common interests with the Respondents -or their managers if Respondents are organizations-, such as common investments -please investigate whether the funds for "TWO-WAY BIKE ROUTE" warning signs have been

9 embezzled-, businesses, political affiliation, religion, ethnic origin, country or state or area of birth or domicile, first spoken language, race, or other interests. Their abusive adversity has affected my case and my life unfairly and brutally so far. I was born in Romania, outside USA, my ethnic origin is

12 Moldovan-Romanian, my first language is currently English, my religion is Rational-Scientific Christianity and Human Rights, my political affiliation is Ethical Democracy and Laws, my health status is disabled by abusive incidents and attacks. Truly, judges and legislators have been liable for

15 criminal acts committed under "color of law", pursuant to 18 U. S. C. § 242, and for conspiracy against rights, pursuant to 18 U. S. C. § 241. As provided in 18 U.S.C. § 3331(a), the U.S. District Court must impanel a special grand jury when requested -and I request it for all judges involved in my case, and for

18 all legislators involved in voting of the abusive, unethical laws- to investigate whether organized crime is occurring in the community in which it sits. This could include, for instance, organized drug activity or organized corruption in government.

21 3. According to the Supreme Court decision, *Marbury vs. Madison*, 1803, which has never been challenged much less overturned, any law that is passed in the United States, or any of its territories, which is contrary to the Constitution is void. The decision applies to all unconstitutional FL laws, rules,

24 regulations, ordinances and directives, too, including Fla. Stat. § 68.093(2)(d) and § 768.28, therefore,

Fla. Stat. § 68.093(2)(d) and § 768.28 are void.

4 . Even if Fla. Stat. § 68.093(2)(d) were legal, for its August 9, 2017, decision finding me to be a

3 "quintessential litigious Plaintiff" and for its order on October 16, 2017, Judge Garcia of CC counted

wrongly and abusively to five or more my CC cases that were dismissed, while the total of my cases

dismissed by CC was only four; in addition, I abandoned two cases without appealing, due to my

6 mental injuries which the Offenders caused or aggravated, and not due to lack of merits and causes

-moreover, FL, MC, CC, 3DCA, and FSC did not provide me the help of a licensed, independent

attorney to eliminate my disadvantage caused by the injuries of my cognitive skills-. Therefore,

9 according even with the Fla. Stat. § 68.093(2)(d), I was not a vexatious litigant and Judge Garcia of the

CC was unlawful and abusive when, on October 16, 2017, it "[o]rdered the clerk of court to refuse to

accept any future actions commenced by this Plaintiff in Circuit Court unless they have been reviewed

12 and signed by an attorney who is a duly licensed member of the Florida Bar in good standing." Please,

void the order that has required me to have all pleadings in this, and any future actions commenced in

the circuit court of MC, be signed by a member of the Florida Bar. **Indeed, it is satanic and hellish for**

15 **a group to affect me mentally with brain injuries for me to abandon or lose my cases, then for**

**Judge Garcia of CC (then Judges at FL's Higher Courts -3DCA and FSC-) to accuse me of losing**

**my cases. Please add as conspirators all Judges below involved in my case.** Please order all

18 government employees to pass an ethics test every year to keep their jobs {the test can use educational,

ethics texts about abusive rulers, including Pilate, Herod, Caiaphas, the Imperial Roman Claudian

dynasty, Hitler, Stalin, their abusive bankers and financiers, their abusive tactics and instruments, the

21 suffering they caused, and their final, unavoidable, premature downfall. For example, Pilate, hired by

the Imperial Roman Claudian dynasty to lead the peace-keeping forces of the commercial roads in a

part of Levant, followed the "advice" of Herod, the head of the local army of 40,000 soldiers

-<https://ospreypublishing.com/the-army-of-herod-the-great-pb->, and of Caiaphas, the head of the Persian-Pharisee “clergy”, and executed Jesus who was actually a peaceful activist for ethical

3 democracy and human rights, including taxation with representation and public auditing. Jesus was  
explaining to people the abuses and lies of the Persian-Pharisee "clergy" who were spending the  
people's donations for clergy's luxurious lifestyle instead of for public services such as crime victims'  
6 funds, cleansing bath houses, hospitals and housing for the injured, and the safety of the roads -please  
order the re-audit by independent professionals of all the public services at all levels in the USA after  
the year 2010 or 2000 or even 1800; and the public publishing of all the reports-. The abusive rulers did  
9 not want to lose their abusive revenues and privileges, and conspired to kill him. However, not long  
time after the execution, all involved in his killing lost all their “privileges”. Caiaphas, the High Priest  
of the Temple and the de-facto ruler of the worldwide Jewish community at that time, was removed  
12 from office and a luxurious life and lived quietly on his small property near Galilee –

[https://www.bbc.co.uk/religion/religions/christianity/history/whokilledjesus\\_1.shtml](https://www.bbc.co.uk/religion/religions/christianity/history/whokilledjesus_1.shtml); Herod and Pilate  
were removed too and exiled. The Imperial Roman Claudian dynasty -they also burned all central

15 Rome to build a bigger, more luxurious, and “safer” ruling palace, and blamed the peaceful, ethical  
Christians- ended by suicide after the citizens revolted against the Praetorian Guard of the oligarchic  
clan to prove their suffering and determination.} Today's abusive governmental officials should  
18 immediately stop the abuses, return their illegal benefits to the public budgets, compensate their  
victims, including me, and educate the citizens about the importance of continuing monitorization by  
all citizens of public officials' activities or they will be punished even more by you, the Highest Court  
21 of the Citizens; and they will have to live only with the Supplemental Security Income (SSI) from the  
Social Security Administration (SSA).

5. "Judges cannot invoke judicial immunity for acts that violate litigants civil rights." Robert Craig

24 Waters, Tort & Insurance Law Journal, Spr. 1986 21 n3, p509-516. Please create at every level, local,

state, federal, UN, a new public department, the Public Auditing, independent of all political parties; the Director of the Public Auditing shall be an ethical, reputed professional voted by and liable to the 3 citizens. The Public Auditors will audit professionally all the public activities and budgets annually and prosecute all abusers and all politicians who do not respect their electoral promises.

6 . The fact that I am not able (due to the injuries of my cognitive skills) to know all the rules of 6 procedure, does not prove that I am vexatious, but that the Courts have to offer the help of a licensed, independent attorney to represent me, or to respond by giving me the detailed instructions, information and time I need to correct the problems. For proper justice and civilization and for the progress of our 9 state and country, urgently, please create -and ask the legislators to approve, too- a new Public Office with a name such as "Public Civil Attorney Assistance for Persons with Cognitive Disabilities", that must offer -free or for credit or loan given from the public budget- professional, independent legal help 12 in civil cases to me and other persons in similar situations, who do not have anymore the necessary mental capacities promptly and completely to study, understand and memorize the Laws and Courts' Procedures to represent themselves to prove their complaints on time. Also, please order all Courts to 15 offer free access to the relevant legal books and to computers with Lexis, Westlaw, or other such complete, electronic, legal research services. "At a speech in June at the American Constitution Society, Tribe called Americans' access to justice a "dramatically understated" crisis, Main Justice reports. "The 18 whole system of justice in America is broken," Tribe said. "The entire legal system is largely structured to be labyrinthine, inaccessible, unusable.'" [http://www.abajournal.com/news/article/middle-class\\_dilemma\\_cant afford\\_lawyers\\_cant qualify\\_for\\_legal\\_aid](http://www.abajournal.com/news/article/middle-class_dilemma_cant afford_lawyers_cant qualify_for_legal_aid). "We must develop a judicial climate 21 in which people who lack money to hire a lawyer have a reasonable chance to vindicate their rights." – Hon. Wallace Jefferson, Chief Justice of Texas.

7. Offenders caused me intentional infliction of emotional distress (IIED), and I have proved the

essential elements of IIED: (1) Offenders's extreme and outrageous conduct with either the intention of, or reckless disregard for, causing emotional distress, (2) my having suffered severe or extreme emotional distress and (3) actual or proximate causation.

8. In case that you are not convinced about Respondents' malevolent or corrupt intent, I include the accusations of Respondents' reckless or callous disregard for my rights and of their negligent or careless acts and omissions. They have callously disregarded and failed to exercise the standard of care commensurate with and expected from professionals in the USA, State of Florida, and United Nations Countries. I have proved "by a preponderance of the evidence" or "more likely than not" the four elements of the cause of action for the negligence of FL DOT which has been in charge of all public ways in FL, including the bike route built on the property of FL DEP in Key Largo: 1) the Offenders owed a duty of care pursuant to Fla. Stat. § 316.0745, 2) the Offenders breached their duty of care, 3) the Offenders' actions or omissions were the proximate cause of my accident; and 4) I was in fact injured. In short -more details for each element are in my Initial Brief to 3DCA, case nr. 3D18-2142-, the Offenders had had -and still has- a duty at least since 2003 to place a warning "TWO-WAY BIKE ROUTE" traffic sign at and for Atlantic Drive immediately ahead of its intersection with the bicycle route in order to warn the drivers about the two-way bicycle route located near and parallel to the one-way lanes of the Hwy.; the drivers will not expect contraflow bicycles if they do not see a warning "TWO-WAY BIKE ROUTE" sign under the "ONE WAY" sign. Fla. Stat. § 316.0745, "mandates the Department of Transportation compile and publish a manual of uniform traffic control devices which defines a uniform system. To comply with this statute, the FL DOT has adopted the Federal Highway Administration's (FHWA) Manual on Uniform Traffic Control Devices (MUTCD)" - [www.fdot.gov/traffic/TrafficServices/MUTCD.shtml](http://www.fdot.gov/traffic/TrafficServices/MUTCD.shtml). Truly, the-year-2003 MUTCD was made part of the rules of the FL Department of Transportation, effective on 01/02/2004 - Florida Statutes

316.0745(1), 334.044(2); the year-2003 MUTCD

-[https://muted.fhwa.dot.gov/HTM/2003r1/part9/fig9b-07\\_longdesc.htm](https://muted.fhwa.dot.gov/HTM/2003r1/part9/fig9b-07_longdesc.htm)- has required warning two-way

3 bike lane/route traffic signs as you can see in the Appendix G which shows “Examples of Signing and  
Markings for Shared-Use Paths” -from year 2003 MUTCD's Figure 9B-7-; the option regards the type  
of sign not its installation which is obligatory. Therefore, since at least 2003, **WTBRS have been**  
6 **mandatory, and** in June 2013, more than eight years had passed, thus FL DOT had had sufficient time  
to comply. In addition, U.S. Const. Amend. IX protects rights not enumerated in the Constitution,  
including my **right to benefit from the best and newest practices in traffic regulation in the USA**  
9 **and the world.** Indeed, **the dangerous condition was not readily apparent to the bicycling and**  
**motoring public. However, the Offenders had not installed the required sign before the 2013**  
**accident that disabled me**, which was a breach of duty by the Offenders. Had the Offenders provided  
12 the proper warning sign to the motorist crossing the route, this incident and my injuries would not have  
occurred. Thus, the Offenders' failure to take such measure was a proximate cause of the crash and my  
injuries, consequently, the Offenders must compensate me, the Petitioner, and install the signs at and  
15 for every street ahead of every street's intersection with the route where the route is parallel to one-way  
lanes, as MUTCD requires. Indeed, due to the Offenders, "Monroe County has the highest fatality rate,  
the highest ER visit rate and the third highest hospitalization rate in the state for bicycle accidents with  
18 motor vehicles. Monroe County has 1.7 deaths per 100,000 population, FL Average is 0.6 [**almost 3**  
**times lower than MC-]** per 100,000; **the Monroe County emergency department visit rate for**  
**bicyclists being struck by motor vehicles is 75.09 per 100,000 versus the FL average of 25.89 [**  
21 **almost 3 times lower than the average for Monroe County!-]** per 100,000. All statistics are from  
FLCHARTS, 2017." <http://thebluepaper.com/free-certification-course-for-bike-helmet-fitting/>. **Truly,**  
**the 2013 accident proximately caused by the Offenders disabled me;** I have provided the medical  
24 records and other documents as “Received Exhibits” for Appellate Court Case Number 3D17-2295;

they are also stored at <https://edca.3dca.flcourts.org/Docket.aspx?CaseID=23388> and at my storage at <http://tiny.cc/f3lriz>. Please let me know if you need me to upload them to your website, too.

3    9 . Indeed, Judge Garcia -and 3DCA and FSC- should have focused on the real issues of this case, the  
Offenders' omissions or wrong acts, which were breaches of Offenders' duties, and caused me  
permanent injuries. The main issue is that the Offenders had not installed the essential -required since  
6    at least 2003- warning traffic sign "Two-Way Bike Route", and even though people complained about  
the dangerous conditions; for example, Mr. Gregory Alan Jennings, ph. nr. (305) 731-3687, -a former  
neighbor whose bicycle was hit, thus he had to have his titanium implant re-screwed- told me that he  
9    complained to MC more than a month before I was hit. Indeed, "Damaged or missing warning signs  
should be repaired or replaced as soon as possible. As a general rule, **deficiencies should be corrected**  
**within three days of notice. [...] Replacement of damaged or missing guide signs should be done**  
12    **within approximately seven working days from notice**, recognizing that timing of the replacement is  
dependent upon how critical the sign is. [...] Timely detection of and response to maintenance needs  
are critical elements of an effective sign management system. This can be accomplished through  
15    periodic inspections of your signs to ensure they are still there [...] Sometimes, defective signs can be  
identified through informal methods including: Agency's employees — **train all staff to look out for**  
**any signing deficiencies and report** their finding. Police patrols — **establish a procedure whereby**  
18    **the police department notifies you of any sign problems**. Citizen inputs — do not overlook the  
importance of having citizens contact your agency when they observe problems; having a phone  
number on the sign dating sticker on the sign is recommended for this purpose. When your agency  
21    receives notice of any sign deficiency from any of the above methods, **it should be recorded and**  
**attended to within the appropriate priority** for the type of sign involved. [...] Sign Inspection  
Checklist: [...] Is the sign missing? Is the sign the correct one; is it in accordance with MUTCD?"

Maintenance of Signs and Sign Supports: A Guide for Local Roads Maintenance Personnel, Federal Highway Administration, USDOT, Report Date January 2010,

3 [https://safety.fhwa.dot.gov/local\\_rural/training/fhwasa09025/](https://safety.fhwa.dot.gov/local_rural/training/fhwasa09025/). I remind you that the Police did not give me a ticket because I had the right of way on the bike route crossing Atlantic Dr.. Police did not give a ticket to the driver, Mr. Jeffery Sheriff, because there was no sign or marking in order to warn drivers

6 about the two-way bike route and about its renovation. They, Police and Mr. Jeffery Sheriff, asked me to contact the car insurance of Mr. Jeffery Sheriff to help me recover, but the coverage was limited to

9 \$20,000, thus it ended in April 2014 after I paid attorneys ~\$4000, doctors ~\$10,000, landlord ~\$3,000,

12 and bought a car for ~\$3,000. Please ask the legislators in FL and all USA and even all planet to require proper insurance -at least \$10 million dollars per incident- from each local DOT. Police would have given a ticket to the developers and renovators of the bike route if it had been possible. Even if the sign

15 were stolen by an unknown criminal, the Offenders' "failure to replace the sign within a reasonable time amounted to negligence [if not corruption]." <https://www.lawyers.com/legal-info/personal-injury/types-of-personal-injury-claims/what-if-my-car-accident-was-caused-by-a-hidden-missing-road-sign.html>. Indeed, **the Offenders made the driver believe that the route was one-way only, allowing bicycles or other non-motorized vehicles to go only toward the driver's right, thus the drivers did not look in front and to the right before they drove.** Truly, Florida gets D-grade in 2015 State

18 Integrity Investigation by the Center for Public Integrity, <https://publicintegrity.org/politics/state-politics/state-integrity-investigation/florida-gets-d-grade-in-2015-state-integrity-investigation/>, which proves Florida's corruption and the suffering of Florida's residents; **"Judicial Accountability,**

21 **GRADE:F(51), RANK: 38<sup>th</sup>.** [...] In law, there is an independent confirmation process for state-level judges (i.e. conducted by the legislature or an independent body), based on professional criteria: MODERATE. In practice, professional criteria are followed in selecting state-level judges: 50. In law,

24 there is a process in place to evaluate the performance of judges: NO. In law, citizens can access the

performance evaluations of judges: NO. In practice, state-level judges' performance evaluations are complete and detailed: 25. [...] In law, state-level judges are required to file an asset disclosure form:

3 MODERATE. In law, state-level judges' asset disclosure forms are regularly audited: MODERATE.

[...] In law, there are restrictions for state-level judges entering the private sector after leaving the government: NO. In practice, state-level judges' asset disclosures are independently audited: 50. In

6 practice, judicial branch actions (e.g. hiring, firing, promotions) are not based on nepotism, cronyism, or patronage: 25. In practice, the asset disclosure records of state-level judges are complete and detailed: 50. In practice, asset disclosure records of state-level judges are accessible to the public in

9 open data format: 0. [...] Political Financing: GRADE:F(59), RANK: 28<sup>th</sup> [...] Electoral Oversight,

GRADE:F(50), RANK: 46<sup>th</sup> [...] In practice, state legislators recuse themselves from actions in which they may have a conflict of interest: 25. [...] In practice, the asset disclosure records of state legislators

12 are complete and detailed: 50. In practice, asset disclosure records of state legislators are accessible to the public in open data format: 25. [...] In practice, legislative records are accessible to the public in open data format: 25 [...] In law, there are limits on lobbyists' donations to candidates and to political

15 parties: NO. State Budget Processes: GRADE:F(57), RANK: 48<sup>th</sup>; State Civil Service Management:

GRADE:F(50), RANK: 50<sup>th</sup>; Lobbying Disclosure: GRADE:F(55), RANK: 38th; [...] In practice, the limits on individual donations to candidates and political parties are respected: 0. In practice, the limits

18 on corporate donations to candidates and political parties are respected: 0. In practice, the limits on political action committees' donations to candidates and political parties are respected: 0. In practice, the limits on lobbyist donations to candidates and political parties are respected: 0. [...] In practice, the

21 campaign finances of candidates, political parties and PACs are independently audited: 25. [...] In practice, the entity/ies mandated to monitor state elections operates with independence and is protected from political interference: 0. In practice, when necessary, the entity/ies mandated to monitor elections

24 independently initiates investigations: 25. [...] In practice, the entity/ies mandated to monitor elections

publishes the results of its investigations or audits: 50. [...] In practice, the governor gives reasons for his/her policy positions: 0. [...] In practice, executive branch asset disclosures are independently 3 audited: 50. In practice, executive branch actions (e.g. hiring, firing, promotions) are not based on nepotism, cronyism, or patronage: 0. [...] In practice, the state budgetary debate process is conducted in a transparent manner (i.e. before final approval): 25. [...] In practice, when necessary, a legislative 6 committee initiates independent investigations into financial irregularities: 0. [...] In practice, the state executive publishes a pre-budget statement presenting assumptions, such as expected revenue, expenditure, debt-levels, and broad allocations among sectors: 0. [...] In practice, the state publishes an 9 annual audit report, produced by an entity independent from the executive, which covers the activities undertaken by the executive during the fiscal year: 0. [...] In law, there is a state fiscal budget office mandated to provide fiscal notes and non-partisan analysis on the costs and benefits of every bill and 12 budget proposal: NO. [...] In law, state civil servants convicted of corruption are prohibited from future state government employment: NO. [...] In practice, the state civil service redress mechanism independently initiates investigations and imposes penalties on offenders: 0. [...] In practice, senior 15 civil servants' asset disclosures are independently audited: 25. [...] In practice, state civil servants recuse themselves from actions in which they may have a conflict of interest: 0. [...] In practice, the asset disclosure records of senior civil servants are complete and detailed: 0. In practice, asset 18 disclosure records of senior civil servants are accessible to the public in open data format: 0. [...] In practice, civil servants are protected from recrimination when reporting cases of corruption, graft, or abuse of power: 0. Is the internal mechanism through which civil servants can report corruption 21 effective? In law, civil servants are required to report cases of alleged corruption through an internal mechanism: NO. In practice, the internal reporting mechanism for public sector corruption has sufficient staff and resources to conduct its work: 50. In practice, the internal reporting mechanism for 24 public sector corruption acts on complaints within a reasonable time period: 50. In practice, the internal

reporting mechanism for public sector corruption independently initiates investigations and imposes penalties on offenders: 25. [...] In law, there is mandatory professional training for public procurement

3 officials: NO. [...] In law, state service contractors must adhere to the same code of conduct (or equivalent) applicable to government employees: NO. In practice, state service contractors adhere to

the same code of conduct (or equivalent) applicable to government employees: 0. [...] In practice, audit

6 reports are made available in open data format: 25. [...] In practice, lobbyists file detailed registration forms within a few days of initiating lobbying activity: 25. In practice, lobbyists file detailed spending

reports with reasonable frequency: 0. In practice, employers/principals list the compensation/salary of

9 all lobbyists they hire on spending reports: 0. [...] In law, employers or principals of lobbyists are required to fill out spending reports: NO. [...] In practice, lobbying disclosure records are

independently audited: 25. In practice, penalties are imposed as necessary when lobbying reporting

12 requirements are violated: 0. [...] In law, the ethics entity/ies has an independently allocated budget: NO. [...] In practice, the ethics entity/ies independently initiates investigations and imposes penalties

on offenders: 25. [...] In practice, ethics entity/ies asset disclosures are independently audited: 25. [...]

15 In practice, citizens can access the asset disclosure records of members of the ethics entity/ies within a reasonable time period and at no cost: 50. In practice, asset disclosure records of members of the ethics entity/ies are accessible to the public in open data format: 0. In law, citizens can access ethics entity

18 reports: MODERATE. In practice, citizens can access reports by the ethics entity/ies within a reasonable time period and at no cost: 25. In practice, ethics reports are made available in open data format: 25. [...] In practice, pension investment decision-makers are protected from political

21 interference: 0. [...] In law, there are restrictions on decision-makers at state-run pension funds entering the private sector after leaving the office: NO. " idem.

10. There are at least four decisions which offer considerable protection to a pro-se litigant facing a

motion to dismiss or other ruling because of a technicality or because of some real or imagined flaw:

“*Picking v. Pennsylvania Railway* , (151 F2d. 240) Third Circuit Court of Appeals. In *Picking* , the

3 plaintiffs civil rights complaint was 150 pages and described by a federal judge as 'inept.' Nevertheless,

it was held: 'Where a plaintiff pleads pro-se in a suit for protection of civil rights, the court should

endeavor to construe plaintiffs pleading without regard to technicalities.' In *Walter Process Equipment*

6 *v. Food Machinery* 382 U.S. 172 (1965) it was held that in a 'motion to dismiss, the material allegations

of the complaint are taken as admitted.' From this vantage point, courts are reluctant to dismiss

complaints unless it appears the plaintiff can prove no set of facts in support of his claim which would

9 entitle him to relief -see *Conlev vs. Gibson*, 355 U.S. 41(1957). In *Puckett v. Cox*, it was held that a

pro-se complaint requires a less stringent reading than one drafted by a lawyer (*Puckett v. Cox*, 456 F2d

233 (1972 Sixth Circuit USCA)) [...] 'The Federal Rules rejects the approach that pleading is a game of

12 skill in which one misstep by counsel may be decisive to the outcome and accepts the principle that the

purpose of pleading is to facilitate a proper decision on the merits.' The Court also cited **Rule 8(f)**

**FRCP, which holds that all pleadings shall be construed to do substantial justice.** It could also be

15 argued that **to dismiss a civil rights action or other lawsuit in which a serious factual pattern or**

**allegation of a cause of action has been made would itself be violative of procedural due process**

**as it would deprive a pro-se litigant of equal protection of the law visa vis a party who is**

18 **represented by counsel. In a fair system, victory should go to a party who has the better case, not**

**the better representation.”** <http://www.uslawbooks.com/books/prosefederaldecisions.htm>. Also,

“Courts must often 'exercise [their] equity powers ... on a case-by-case basis,' *Baggett v. Bullitt*, 377 U.

21 S. 360, 375, demonstrating 'flexibility' and avoiding 'mechanical rules,' *Holmberg v. Armbrecht*, 327 U.

S. 392, 396, in order to 'relieve hardships ... aris[ing] from a hard and fast adherence' to more absolute

legal rules”, *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U. S. 238, 248. The Judges **involved in**

24 **my case below in Florida** were unwilling to listen to facts or reasons; they favored Respondents

illegally also because “[j]udicial selection processes are politically controlled and closed, frequently giving us judges who are better connected than they are qualified. And once on the 3 bench, these judges reward their friends [forming an OrC] and punish their enemies. Although ethical codes require judges to disclose facts bearing upon their impartiality, they don't always do so. They sit on cases in which they have undisclosed relationships with parties, their attorneys, or 6 have interests in the outcome, and do so deliberately because they wish to advantage either one side over another or sometimes themselves.” [http://www.tulanelink.com/tulanelink/sassower\\_01a.htm](http://www.tulanelink.com/tulanelink/sassower_01a.htm). “The politicization of Florida’s courts is a crisis.” Editorial, South Florida Sun-Sentinel, <https://www.sun-sentinel.com/opinion/editorials/fl-op-edit-florida-supreme-court-20181130-story.html>. A person is 9 barred from deciding any case in which he or she may be, or may fairly be suspected to be, biased. The judges involved in my case so far have been biased against my just interests, therefore, please bar them 12 from deciding any of my cases in the future. Cases from different jurisdictions currently apply two tests for apparent bias: the “reasonable suspicion of bias” test and the “real likelihood of bias” test. One view that has been taken is that the differences between these two tests are largely semantic and that they 15 operate similarly. “Two [FL] Dade County judges involved in the nation’s second largest judicial corruption investigation were convicted [...] of selling favors from the bench. [...] **Judge Harvey Shenberg, 49, was found guilty of racketeering conspiracy and one count of extortion. David 18 Goodhart, 63, a former judge, was found guilty of racketeering conspiracy.** [...] The Government’s indictment accused the four judges of accepting a total of \$266,000 in exchange for acts like lowering bail, disclosing the existence of arrest warrants, returning seized property and suppressing evidence. ... 21 The investigation was the second-largest judicial corruption investigation in American history. The largest was Chicago’s investigation of municipal courts in the early 1980’s, in which 67 officials pleaded guilty and 15 judges were convicted.” <https://www.nytimes.com/1993/04/28/us/2-judges-guilty-in-florida-corruption-inquiry.html>. Judicial appointees must be qualified, professional men of 24

truth and proper cognitive skills, who hate injustice, rule for the rightful party -even if it hurts their selfish interests- live a healthy lifestyle and detest greed; please investigate whether all below judges

3 have conformed to all the requirements. The current system of disciplining Florida judges, a system that is answerable only to itself, is ineffective. "If we fail to check the power of the judiciary, I predict that we will eventually live under judicial tyranny." - Patrick Henry, Founding Father of the United

6 States. Thomas Jefferson said that "whatever power in any government is independent, is absolute also; in theory only, at first, while the spirit of the people is up, but in practice, as fast as that relaxes.

Independence [which includes independence from selfish interests] can be trusted nowhere but with the 9 people in mass. They are inherently independent of all but moral law." Thomas Jefferson, letter to

Judge Spencer Roane, September 6, 1819, "*The Writings of Thomas Jefferson*," edited by Andrew A. Lipscomb, vol. 15, p. 213 (1904). Therefore, I cannot trust some judges and legislators -and their

12 abusive and selfish "laws"- anymore, and I ask you respectfully to order a review of my case by a jury of independent, wise peers, only under the authority of the U.S. Constitution. Indeed, "evidence at the Founding through the Fourteenth Amendment's adoption actually shows the civil jury right was a

15 fundamental right, respected by the English, the Founders, the Fourteenth Amendment's Framers, and the states." <https://constitutioncenter.org/interactive-constitution/interpretation/amendment-vii/interps/125#the-seventh-amendment-today-suja-a-thomas>.

18 11. Offenders violated my rights under Section 533 of the Public Health Service Act (42 USC § 290cc-33). Offenders have, by reason of disability, age, race, color, national origin, disability, sex (gender), or religion excluded me from participation in, and denied me the benefit of the Projects for Assistance in

21 Transition from Homelessness. Also, **U.S. Const. Amend. IX** protects rights not enumerated in the Constitution, including my right to decent housing. However, Offenders acted intentionally and with deliberate indifference and knew or should have known that they had not provided the benefit of their

services to such a person. As a result of their discrimination, I have suffered injuries including pain, frustration, and distress.

3 12. **34 U.S.C. § 10228** and **42 U.S.C. § 2000d, et seq.** and their implementing regulations, including  
34 C.F.R. Part 104.4, prohibit both individual instances and patterns or practices of discrimination on  
ground of disability, race, color, or national origin; and offer individual remedial relief for the victim

6 and changes in the policies and procedures of the agency to remedy violations. I was born outside the  
USA -I became a citizen of the USA by naturalization in 2002- in Romania -a member of NATO and  
UE-, thus Respondents considered me a helpless “alien”, discriminated against me based on my

9 national origin, color -my skin tans in the sun-, and my disability, injured me, and did not compensate  
me to be able to live decently. Certainly, the judges of Florida's CC, 3DCA and FSC protected  
Respondents abusively and injured me more.

12 13. **42 U.S.C. § 12131, et seq., 29 U.S.C. § 794**, and their implementing regulations, including 28  
C.F.R. Part 35, Part 42, prohibit discrimination against people with disabilities. Respondents  
discriminated against me, a person with disabilities, by not compensating me to be able to live decently.

15 14. Respondents violated **42 U.S.C. § 1983** by acting as governmental officials under color of state law,  
and injuring me. Respondents caused the deprivation of my federal rights, including those guaranteed  
by U.S. Const. Amend. I, IV, V, VIII, IX, XIV, therefore, Respondents -or their managers if

18 Respondents are organizations- are personally liability to me. Punitive damages are available against  
individual Respondents, as I have established that their actions were either intentional or committed  
with reckless or callous disregard for my rights. *Smith v. Wade*, 461 U.S. 30, 51, 103 S. Ct. 1625, 1637

21 (1983). Punitive damages may be available against individual Respondents even absent actual  
damages. *King v. Marci*, 993 F.2d 294, 297 (2d Cir. 1993).

15. Respondents violated **42 U.S.C. § 1985** which renders conspiracies civilly actionable, therefore,

please order all Respondents and the biased, below judges to compensate me for their conspiracies against me. I have proved the elements of a claim for civil conspiracy, which are: "(a) an agreement between two or more parties, (b) to do an unlawful act or to do a lawful act by unlawful means, (c) the doing of some overt act in pursuance of the conspiracy, and (d) damage to plaintiff as a result of the acts done under the conspiracy." *Raimi v. Furlong*, 702 So. 2d 1273, 1284 (Fla. 3d DCA 1997). There is no requirement that each co-conspirator commit acts in furtherance of the conspiracy; it is sufficient if each conspirator knows of the scheme and assists in some way. *Charles v. Fla. Foreclosure Placement Ctr., LLC*, 988 So. 2d 1157, 1160 (Fla. 3d DCA 2008). "The gist of a civil action for conspiracy is not the conspiracy itself, but the *civil wrong* which is done pursuant to the conspiracy and which results in damage to the plaintiff." *Blatt v. Green, Rose, Kahn & Piotrkowski*, 456 So.2d 949, 951 (Fla. 3d DCA 1984); *Morris USA Inc. v. Boatright*, 2017 WL 1356285 (civil conspiracy claim holds co-conspirators liable for "harm caused by other members of a conspiracy to commit an intentional tort."); *Walters v. Blankenship*, 931 So.2d 137, 140 (Fla. 5th DCA 2006). The crime of criminal conspiracy is committed when a person conspires with one or more persons to commit a criminal offense. Florida Statute 777.04(3). The applicable penalties are determined by the underlying crime intended to be committed.

16. Respondents violated RICO, too. "Under RICO, a person who has committed "at least two acts of racketeering activity" drawn from a list of 35 crimes -27 federal crimes and 8 state crimes- within a 10-year period can be charged with racketeering if such acts are related in one of four specified ways to an "enterprise". [Indeed, Respondents have created an "enterprise" of corruption since at least the year 2003 to obtain money illegally by embezzlement.] [...] A civil RICO action can be filed in state or federal court. Both the criminal and civil components allow the recovery of treble damages (damages in triple the amount of actual/compensatory damages). Although its primary intent was to deal with organized crime, Blakey said that Congress never intended it to merely apply to the Mob. He once

told Time, "We don't want one set of rules for people whose collars are blue or whose names end in vowels, and another set for those whose collars are white and have Ivy League diplomas.\*\*\*"

3    [https://www.wikiwand.com/en/Racketeer\\_Influenced\\_and\\_Corrupt\\_Organizations\\_Act](https://www.wikiwand.com/en/Racketeer_Influenced_and_Corrupt_Organizations_Act). Law enforcement authorities describe organized crime as "a continuing and self-perpetuating criminal conspiracy, having an organized structure, fed by fear and corruption, and motivated by greed." Please

6    punish Respondents and their crime partners under RICO, too. **All required elements of a RICO claim are present; repeated acts (a RICO pattern), constituting specific crimes (predicate acts), committed in specific ways by an identifiable group of people (a RICO enterprise) who control,**

9    **corrupt and influence unlawfully all Respondents.** In another case, a Judge, Ciavarella, "got kickbacks from the facility where he sent those kids. No wonder the hearings often lasted only two minutes, Ciavarella got up to a million dollars for putting hundred of innocent children behind bars.

12    The courts wised up to his plans, and eventually sentenced Mr. Zero Tolerance to 27 years in prison. Following his sentencing, nearly 4,000 of Ciavarella's previous convictions were overturned."

<https://www.investigationdiscovery.com/crimefeed/bad-behavior/5-corrupt-judges-the-countless-lives-they-tried-to-destroy>. "The judges were charged with RICO after allegedly committing acts of mail and wire fraud, tax evasion, money laundering, and honest services fraud. The judges were accused of taking kickbacks for housing juveniles, that the judges convicted of mostly petty crimes, at a private

18    detention center. The incident was dubbed by many local and national newspapers as the "Kids for cash scandal"." [https://www.wikiwand.com/en/Racketeer\\_Influenced\\_and\\_Corrupt\\_Organizations\\_Act](https://www.wikiwand.com/en/Racketeer_Influenced_and_Corrupt_Organizations_Act). Truly, after expressing publicly my plan to sue Offenders, the RICO enterprise has used criminals who

21    have caused me more "incidents", have used Computer-Voice-to-Brain-or-to-Proximity and other evil "Science Fiction" devices and techniques to attack me with air-borne sound or electromagnetic waves to tire me, ask me to shut up about an issue or abandon the lawsuit; have used "actors" with hypnotic

24    voices to make me "shut up about that", "abandon the lawsuit"; "do not read that, you waste your

time". Truly, our communities must ensure that all the services and developments, public and private, are and will be lawful, safe, sufficient and good for all, otherwise we must correct them or stop the 3 unsafe services and developments; please order scientific, professional audits of the compliance of all states' DOT with the best and newest practices of traffic regulation.

17. Respondents violated U.S. Const. Amend. I which guarantees the freedom of speech, including 6 my right to comment about and ask others to help me sue Respondents, including Monroe County, FL, and FL DOT, for lack of proper warning two-way bike route traffic signs, even if my comments antagonized governmental officials; they retaliated illegally by conspiring for and committing my 9 abusive and injuring arrest by MC LEEs in August 2015. We need to be free to comment and talk in public about probable local corruption due to which many streets did not have a proper bike route sign and there were no proper community services such as victims funds, free or on credit recovery 12 hospital/nursing home/hotel, health and legal care for injured persons. We need to be free to comment about investigating the criminal enterprise of individuals who have infiltrated our country's governments and public or private organizations, and cause us damages. Please help me to recover and 15 continue my good anti-corruption work for your benefit too, to help FL, USA, to avoid the collapse of civilization; if you are not convinced that you are in danger too, please read again Ethics courses or books. A book, "Socialism, Fascism, and the Tyranny of Big Government" by Michael Dahlen shows 18 how tyrants subjugate entire nations and destroy them -and finally themselves but usually after the nations suffer very much-. Please do not allow any group to create a tyranny and abuse people. Please do not condemn me to the deadly poverty the Offenders have caused me. Please help me continue to 21 expose the old and new lies, deceptions, and abuses of the organized crime (OrC); "Mr. Buttigieg said that when capitalism becomes unrestrained by democratic checks and impulses, that's no longer the kind of capitalism that once produced broad prosperity in this country. 'If you want to see what happens

when you have capitalism without [real, ethical] democracy, you can see it very clearly in Russia,' he said. 'It turns into crony capitalism, and that turns into oligarchy [which abuses people].' [...]

3   **Democracy [-I remind you that the bigger the group that analyses the issue is (and the more time and other resources the group uses for the analysis of the issue), the wiser conclusion of the group will be-] can't flourish in a context of grotesque concentration of wealth [by injuring abuses too].**

6   [...] Some will rejoin that many nations even more unequal than ours are still democracies — South Africa, Brazil, India. But are those the models to which the United States of America should aspire? "-  
<https://www.nytimes.com/2019/04/14/opinion/america-economic-inequality.html>, accessed in April '19.

9   18. Dismissal of my case by the local court, based on my missing the deadline to show cause, was error because Florida's Hurricane Irma Incident Period started on September 04, 2017  
(<https://www.fema.gov/disaster/4337>; why did FSC use another period!?), which was during the

12   deadline for me to show cause, and the MC' Public Authorities advised us to use all our time for preparation to secure our lives and possessions as MC was in Irma's path, and to leave all else for later, after recovery. Unfortunately, Hurricane Irma damaged my home at that time, a live-aboard sailboat

15   anchored in the bay, and pushed unprocessed sewage in the bay water, thus made me homeless and to use all my time to save my boat and find a safe and healthy anchoring zone, and to find a shelter to sleep. The incident Period ended on October 18, 2017, after the deadline for me to show cause. Indeed,

18   I did not miss the deadline due to my intention or negligence but due to a major disaster, therefore, lawfully, I might have shown cause ASAP. Regarding the damage that Irma caused to my sailboat, please request the Coast Guard to change the hurricane anchoring instructions they give in all their

21   brochures. The Coast Guard should advise that if no safer areas can be found to tie securely to as many strong trees as possible, then the anchor line's length should be, depending on the wind speed and the type of the water's bottom, 7-10 times the depth of the water plus 7-10 times the distance from the bow

to the water line plus 7-10 times the storm surge and waves; the anchor and its line for a 36' sailboat in 66 mph winds should be able to sustain a force of 4500 lbs for 30 hours without chafing or breaking.

3 See, for example, the advice by Alain Fraysse who offers a free calculator, rodeanch.xls, at  
<http://alain.fraysse.free.fr>; by the scientists from  
[http://northpacificresearch.com/downloads/anchor\\_load\\_revealed.pdf](http://northpacificresearch.com/downloads/anchor_load_revealed.pdf) who wrote in Anchor Load  
6 Revealed that “as a minimum, we have found that dynamic loads depend on; Boat displacement, Wind  
velocity, Fetch, Storm duration, Rode material, Rode construction, Rode length, Rode diameter, Rode  
breaking strength, Water depth, Load path.”; and by the scientists from  
9 <https://www.boatdesign.net/threads/calculating-forces-on-anchor-rode.45116/> who wrote  
“understand the characteristics of sand (never anchor in mud during a big blow.) And then the rode  
geometry for the type of anchor you are using.” The wrong anchoring instructions of the Coast Guard,  
12 that “the anchor line's length should be 5 times the depth of the water”, have caused the loss of  
hundreds of boats and the increase in insurance rates. Who and why approved the insufficient,  
negligent Coast Guard instructions? Where may I start a lawsuit if Judge Garcia does not allow me to  
15 file in the local court?

19. Indeed, the dismissal of my case is wrong no matter what reasons the Offenders invoke -such as  
“vexatious” litigation, defective notice, or shorter official Hurricane Irma period than FEMA's official  
18 period- to avoid the real, imperative issues, of which the main one is why there was no warning “Two-  
Way Bike Route” sign as required by the traffic science and law.

21 **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Valentin Spataru

3



c/o CILK - Center for Independent Living

103400 Overseas Hwy. #243, Key Largo, FL 33037

6 Mobile cell phone: 305 615 0061,

Email: valentin.spataru.macc.cpa@gmail.com , valespa@outlook.com

9 PS: I would like to write more and review my Petition again but I have no more time, as my brain  
injuries have slowed me very much. Moreover, due to my legal actions in Courts, on July 14, 2019, in  
Miami Beach, FL, two persons -ordered or “suggested” by OrC- hit my head and my face, which  
12 caused me open facial wounds, new brain and body issues and aggravation of old issues -such as  
headaches, nausea, impaired and slow reasoning and memory. The emergency CT of my head/brain  
was done by Mount Sinai Medical Center due to my pain and visible head trauma -see  
15 <http://tiny.cc/nar9gz>. Please ask the Federal USA Attorney and FL State Attorney to prosecute the two  
attackers for attempted manslaughter, and let me know ASAP about the result of the case and  
investigation. Due to my new injuries I am even slower mentally, thus I need to think very much time  
18 about what I write and to check it many times. Please ask legislators in all the USA -and even all the  
other UN countries- to ban corporal “punishment” -and especially hits to or other kinds of attacks of  
the head, mind, and abdomen- at all ages, as it injures and disables permanently (Parents and educators  
21 should convince by explaining the bad consequences of improper behavior.) Please pray for my

recovery -and that of the offenders-, and let me know what I need to clarify or add in this petition.

3 "Verily I say unto you, inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me." (Matthew 25:40) "There is no justice when even a single voice goes unheard." (1 Thessalonians 5:21, 1 John 4:1-3, John 14:26, John 16:26)

6

## APPENDICES

Appendix A - Florida Supreme Court declined on November 04, 2019, to accept jurisdiction .....	A-1 & A-1b
Appendix B – 3DCA on July 3, 2019, dismissed my appeal, affirmed and filed opinion.....	A-1
Appendix C – CC dismissed on October 15, 2018, with prejudice my case .....	A-3
Appendix D – 3DCA dismissed on August 07, 2018, my first appeal as one taken from a non-final, non-appealable order.....	A-5
Appendix E – on October 16, 2017, CC dismissed my case without prejudice.....	A-6
Appendix F – on October 13, 2017, Judge Garcia of CC denied my request for another Judge .....	A-8
Appendix G – missing warning traffic sign .....	A-9