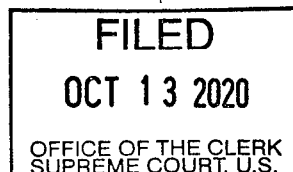


No. 20-6168



IN THE
SUPREME COURT OF THE UNITED STATES

RE CHRISTOPHER J. RAHAIM — PETITIONER
(Your Name)

vs.

STATE OF FLORIDA, USA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Second District Court of Appeal
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Christopher J. Rahaim

(Your Name)

Taylor Correctional Institution, Annex

8501 Hampton Springs Road

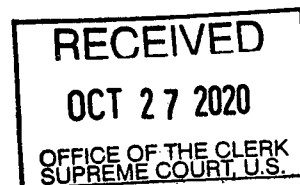
(Address)

Perry, Florida 32348

(City, State, Zip Code)

N/A

(Phone Number)



QUESTION(S) PRESENTED

- ① When there are clear contradictions between Universal Human Rights and state and Federal constitutional articles and amendments, and these articles and amendments provide the non-denial and non-impairment of political power to government officials, should bad faith, fraudulent actions of others retained by the people be allowed to supercede and eviscerate the bill of guaranteed human and constitutional rights?
- ② When a criminal defendant of a state has complied with that states ruler and laws, technically entitling the defendant to relief and exhausting all state remedies, and state officials clearly acted in bad faith, with a pre-meditated intent to commit "fraud on the court", violating every due process right to exculpatory discovery and the right to be heard, all by manufacturing probable cause by fraud, should state and Federal court rules and statutory laws be exempted for political corruption?
- ③ When officials, involved in a multi-pronged conspiracy, conceal their own actions and actions of other colleagues, proving consciousness of guilt, all engaging in criminal conspiracy against rights by suppressing exculpatory public records and material witness testimony, should they not be held accountable for obstructing justice and depriving rights under color of state law?
- ④ Should the actually innocent victim of a fraudulent prosecution of non-existent crimes be sacrificed, by permanent concealment and false imprisonment, without so much as an offer by the government for a just, monetary, non-disclosure settlement?
- ⑤ Did the founding fathers intend for fraudulent, uncorroborated, manufactured "me too" allegations to deprive an actually innocent, criminal defendant of the right to even a single evidentiary hearing or fair trial?
- ⑥ When there is proof of intent to conceal evidence of actions and facts, at all costs, by the undue influence by government officials, is it not probable that the federal court, presiding over the district, would defer to, and apply the states choice of substantive law to facilitate the continued concealment of incriminating actions of officials and the false imprisonment of an innocent defendant, despite the existence of a "fundamental miscarriage of justice".

- ⑦ Should not the doctrine of detrimental impact to unnecessary delays in bringing a defendant to trial, dictate ~~that~~ the probable redundancy, in the denial ^{by district court} and need to again refile this petition in this court, show the need to grant cert the first time.
- ⑧ Would not the active investigation and concealment by The Department of Justice, The U.S. Marshalls and other Federal co-conspirators, located in Washington D.C., who, in connivance with the state of Florida, have become the larger, precluding authority, creating criminal, and or negligent liability, thus establishing the jurisdiction and the proper venue of The United States Supreme Court?
- ⑨ When this Supreme Court is determining whether it will hear and review a case and there are several disputed, determining facts by opposing parties, unaddressed and unresolved by the state, should not the proper administration of justice require this court to resolve the disputes by compelling material witness testimony, concealed records and evidence necessary in the fair determination of venue and proper jurisdiction.
- ⑩ Would not these combined issues establish a justiciable case or controversy by the "Impact of Actuality" and warrant venue and discretionary jurisdiction and grant writ for review.

LIST OF PARTIES

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

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

Unknown Federal Court issued, possible, injunction, depriving civil rights of Petitioner. Witness Richard N. Watts can advise of these facts. (727) 821-1300. He's the defense counsel for these cases. Department of Justice investigation and concealment of facts, showing Petitioner's actual innocence. Alleged victim, confidential informant Mary Francis McDole Peck being concealed by U.S. Marshalls. D.O.B 11-25-83. D.L.# P200178800590

RELATED CASES

- ① Rahaim V. State of Florida: 2D18-5896 Second District Court of Appeal
Judgment entered May 22nd 2020. Supreme Court: SC20-918.
- ② Rahaim V. State of Florida: 2D19-3568 Second District Court of Appeal
Judgment entered June 17th 2020.
- ③ Rahaim V. State of Florida: 2D19-3947 Second District Court of Appeal
Returned: Judgment entered July 15th 2020
- ④ Rahaim V. State of Florida: 2D19-4211 Second District Court of Appeal
Returned: Pending in Circuit Court, Clearwater, FL.
- ⑤ Rahaim V. State of Florida: 2D20-1986 Second District Court of Appeal
Judgment entered July 23rd 2020. Supreme Court: SC20-1218.
- ⑥ Rahaim V. State of Florida: 2D20-1804 Second District Court of Appeal
Appeal pending.

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Issue: Human Rights as Law

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Issue: False Testimony Reversible Error

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Title 18 chapter 73 § 1506, § 1572 (b) (2) (A) § 1579 - obstructing justice ⑦
Title 28 USC § 1655 - no limit for the court to relieve for fraud
18 USC § 3161 - § 3174 - denial of speedy trial ⑦
28 U.S.C. § 1651 - all writs act, 42 USC § 1983 deprivation of rights ③
28 U.S.C. § 1331 - District courts have jurisdiction for civil actions arising under law or treaties of the U.S.
28 USC. 2241 - state prisoner held in violation of constitution or treaties of the U.S. Power To Grant Writ. (c) (3).
Chapter 133 § 2102 - priority of criminal state court cases. 2283 - expressly authorized exceptions for judgment being obtained by fraud.
§ 2104 - Supreme Court will hear cases in same manner as district courts.
§ 2108 - Proof of amount of controversy, established by the oath of a party or other competent evidence ⑦
Rule 12(b)(6) power to dismiss for fraud Fed Rules Civil Procedure, ③
Rule 60(b) Fed. rules civil procedure. Extrinsic Fraud On The Court.
Rule 48(b) Fed rules criminal procedure. provides dismissal for unnecessary delay

State

Fla Stat § 90.605.1 - oath and answer of witness must be written in record. ④

Fla. Stat § 90.104 - excluded evidence

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§ 90.501 - witnesses must testify

(4)

§ 119.01 - public records entitlement Article 1 § 24

(3)

The Florida Constitution.

§ 454.18 - provides self representation.

§ 843.0855 - criminal actions under the color of state law

(4)

Rule 3.220 Fla rules criminal procedure, providing exculpatory discovery.

Rule 3.191 Fla rules criminal procedure, providing speedy trial and discharge (4)

Rule 1.630 Fla rules civil procedure, providing right to writs of Mandamus prohibition, habeas corpus.

Rule 3.140(6) Fla. rules criminal procedure, providing material witness testimony must be taken before filing charges.

Rule 1.540 Fla rules civil procedure, providing removal of judgment for fraud. (3)

Rule 1.370 Fla rules civil procedure, providing evidence by "Requests for Admissions" (3)

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☒ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix A to the petition and is

☒ reported at 2019-3947 Rahami V. State; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the Circuit Court court appears at Appendix B to the petition and is

☒ reported at 06-23073, 06-26725; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☒ For cases from **state courts**:

The date on which the highest state court decided my case was July 15th.
A copy of that decision appears at Appendix A.

☒ A timely petition for rehearing was thereafter denied on the following date: July 15th, and a copy of the order denying rehearing appears at Appendix A.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Constitutional due process violations for the denial of self-representation, denial of trial, denial of public records, material witness testimony denied in bad faith to commit fraud on the Court. This is a violation of the 6th and 14th amendments and 42 § 1983. This is an exception to 28 USC 2283 against state judgement being obtained by fraud, see *Mitchum v. Foster* 407 U.S. 225 (1972) *Kugler v. Helfant*, 421 U.S. 117 (1975). The violation of Petitioner's application in state court for a writ of prohibition is unlawful. The states denial of speedy trial, violates rule 48 b Fed rules crim. procedure and rule 3.191 Fla rule crim. procedure. Petitioner complied with rules and laws providing exception to hybrid representation doctrines in the filing of the petition of Writ of Prohibition, see, *Logan v State*, 846 So 2d 472 (Fla 2003). The denial of exculpatory evidence and public records violates rule 60 b Fed rules civil procedure, Fla. stat § 90.104, rule 3.220 Fla rules crim. procedure and should warrant dismissal under rule 12(b)(6) and rule 1.540 Fla rules civil procedure, see *Brady v. Maryland*, 373 U.S. 83 (1963). Public records concealment violates § 119 and Article 1 § 24 of The Florida Constitution and apply to substantive law. see *Orlando v. Desjardins*, 493 So 2d 1027 (Fla 1986). Procedural due process has been violated by the denial of the circuit court to any hearings or fair trial, denying subpoenas duces tecum and the production of exculpatory material witness testimony, as provided by the sixth amendment Compulsory process. see *Wilcox v. State*, 143 So. 3d 359 (Fla 2014). Furthermore, the appellate court suppressed the exculpatory evidence in the non-response to over 14 requests for admissions, pursuant to rule 1.370 Fla rules civ procedure, by striking all requests from the record in cases 2019-3588, 2019-3947, depriving rights under color of state law § 1983 and that courts own rulings for material witness testimony. The state continues, in bad faith, to conceal and delay discovery by fraudulent concealment and criminal conspiracy obstructing justice.

STATEMENT OF THE CASE

Christopher Rahami was involved in civil suits for real estate dealings and was setup and jailed to stop civil litigation through his inability to continue to pay for his attorneys. He had to settle for \$5,000 dollars and paid his attorney for his criminal defense. The sheriffs conspired to employ police informant prostitutes in a pre-meditated set-up by telling these girls that Rahami was going around sexually battering girls. They tried to help out only these facts were all untrue and fabricated. Alibi video, lack of any record of the 911 call or police and fire dept dispatch to a non-existent scene shows this first case was manufactured case # 06-26725. The second accuser was never on Rahami's boat. This is proven by overwhelming discrepancies in the informant's testimony (see list of 111 facts with verifying exhibits). These facts and discrepancies have never been put on the record. Petitioner has tried to obtain public records and call defense counsel as an adversarial witness against the state, pursuant to Fla. Stat 90. ~~88~~(1)(2)(3) and exonerating evidence laws. Petitioner has been prevented from hearing and exculpatory evidence. All testimony by the state was false. Impeaching documents and material witness testimony have been suppressed creating total fraud and Brady violations. The state process is in violation of its own statute § 843.855. Undercover investigations have deprived the Petitioner of any trial. Petitioner re-invoked his right to trial, pursuant to Fla Stat 454.18 rule 3.191. Fla rules criminal procedure, see *Atkins v. State*, 785 So 2d 1219 (Fla 4th DCA 2001). The state denied Petitioner a trial and after 60 days Petitioner filed a motion for discharge in both cases (see exhibits). The court lost jurisdiction. Petitioner petitioned the appellate court for a writ of prohibition while simultaneously moving for the right to self representation. In *Logan v. State* 846 So 2d (Fla. 2003). There is an exception to hybrid representation allowing defendants, pending discharge of counsel, to get relief from prohibition. The appellate court ruled in

just 3 days but not before Petitioner Filed a rehearing motion for the right to proceed pro-se. The two issues were overlapping for only 1 day in two courts, rehearing in case 2018-0096, Filed on July 16th and the court denied rehearing in case 2020-1986 on July 17th. Technically the Petitioner had the two issues pending simultaneously, pursuant to the Logan rule. The court tried to stop this but failed. Petitioner is entitled to release by writ of prohibition and habeas corpus. ~~By~~ keeping an attorney of record from being discharged, to disqualify any motions Filed by Petitioner, the court prevented speedy trial rights from the Petitioner. The right to self representation is provided by Fla. Stat. § 5454.15 and Federal Case; Faretta V. California, 422 U.S. 806 (1975). The Failure to ever bring Petitioner to trial violates the 6th and 14th amendments to due process. see Barker V. Wingo 407 U.S. 574 (1972). The Petitioner is being denied an acquittal and release by extrinsic fraud. This court ruled in Duncan V. Louisiana that speedy trial is a guaranteed right. In U.S. v. Maxwell the court ruled a defendant gives up his 6th amendment right by not re-invoking by demand for speedy trial. Petitioner has included every motion, pursuant to rule 3.191 Fla. rules crim procedure. All evidence proves Petitioner would be acquitted by a true contest of the merits. It is only by fundamental error and deprivation of human and constitutional rights that Petitioner remains the incarcerated victim of a fundamental miscarriage of justice.

REASONS FOR GRANTING THE PETITION

Petitioner has shown a justiciable case and controversy giving the "impact of actuality" needed to meet the amount of controversy, pursuant to § 2108 and case law: *Benton v. Maryland*, 395 U.S. 784 (1969). The fraudulent actions by state officials, depriving Petitioner the fundamental constitutional and human rights to self-representation, a jury trial, being given the guarantees of an effective defense free from government tampering. See Articles 8, 10, 11.1 30 Declaration of Human Rights. This treaty gives the U.S. Supreme Court the jurisdiction under 28 U.S.C. § 1331 and provides a remedy by issuing a writ of Habeas Corpus under 28 U.S.C. § 2241 for a state prisoner being held in custody in violation of the laws or treaties of the United States, pursuant to 28 U.S.C. § 1651 all writs act. see case: *Story v. Collins*, 920 F.2d 1247 (5th Cir. 1991). The Universal Declaration of Human Rights, by providing private rights upon citizens, is applicable to due process rights, pursuant to the 6th and 14th amendments of The U.S. Constitution under constitutional article III, Clause 2. see case: *Drayfus v. Van Fieck*, 534 F.2d 24 (1975). Furthermore, petitioner has presented overwhelming evidence with 111 facts proofs and elements with 94 verifying exhibits proving actual innocence. see cases: *McQuiggen v. Perkins* proving gateway exception for actual innocence 133 S.Ct 1924 (2013), *Murray v. Carrier* 477 U.S. 478 (1986) where statements made in deposition by the accuser establish the actual innocence of the Petitioner, *Sellup v. Delo*, 578 U.S. 298 (1995). The continuing fraudulent concealment of exculpatory discovery and sealed public records shows bad faith intentional fraud by state officials, showing consciousness of guilt. *US v Baldeo*, 2014 U.S. Dist Lexis 12410 (2014). *US v Mastropieri*, 685 F.2d 776 (2nd Cir 1982). *Twilegar v. State*, 42 So 3d 177 (Fla. 2010). Extrinsic fraud by the false representation that the accuser was before the court and the state using an imposter and total unsworn testimony, Fla Stat 90.605(1), no oath or answer written in the record, proves the intentional fraud on the court and manifest injustice. see *U.S. v. Throckmorton*, 98 U.S. 61 (1878), *Parker v. Parker*, 950 So 2d 388 (Fla. 2007). This unconscionable scheme in case 06-23073 and the alibi video evidence and alibi witness testimony

In case 06-26725 shows criminal conspiracy by obstructing justice pursuant to Title 18 chapter 73 §1506 §1512. The denial of an official trial and the face to face confrontation violates fundamental due process. see *Olden v. Kentucky*, 488 U.S. 227, 231 (1988). No lawful conviction could be attained without the accuser taking the stand amounting to a sham trial see *Mooney v. Holohan*, 294 U.S. 103 (1935), *Napue v. Illinois* 360 U.S. 265 (1959). The deprivation of an official trial violates rule 406 Fed rules criminal procedure, 18 U.S.C. §3161-§3174 see *Barker v. Wingo*, 407 U.S. 574 (1972). Petitioner offers all motions submitted under oath as competent evidence, combined with the List of 111 facts, as proof of amount of controversy, pursuant to §2108. Furthermore, Federal agencies have acted to deprive the Petitioner, and venue and the ongoing conspiracy warrants. The U.S. Supreme Court to grant writ and certiorari review. see *Hyde v. U.S.*, 225 U.S. 347 (1912). Petitioner prays this court takes this case out of Florida, where the states choice of substantive law would influence the Federal District court by undue influence to prevent exposure of criminal conspiracy. The Petitioner was setup. The first accuser has never met the Petitioner and refused to prosecute 30 days later. The second accuser's deposition proves she was never on Petitioner's boat, therefore sex could not have occurred. There's a great effort to conceal the true facts. Petitioner believes his only hope is with Washington D.C. as the venue. The 9th amendment of The U.S. constitution and Article 1 §1 of the Florida Constitution provide political power, but this violates all thoughts of fairness and due process. There cannot ever have been a case before this court with this much proof of actual innocence and the same showing corruption by state officials, Imposter witnesses, withheld alibi video and exonerating DNA. with the majority of state employees getting fired and disbarred over their misconduct in these cases. There was never sworn statements taken prior to the filing of the closing document violating rule 3.140g Fla rules crim. procedure. The Detrimental impact of being denied any trial or hearing shocks anyone who has ever been informed of this case. The power to conceal and influence the media is truly scary. I truly do not believe any Federal judge in Florida would grant me relief by applying state substantive law. see *Arrieta*, 839 F.2d 1033 (11th Cir. COA 1990).

CONCLUSION

Petitioner prays for this honorable court to consider the voluminous exculpatory record, the venue in Washington D.C. and the amount of controversy making justiciable this case for review.

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Chitpa Patel

Date: 10-13-2020