

1 OF 234

20-7710
NO. TO BE ASSIGNED

DATE: 4-1-21

NO. SC20-1600

NO. 5D20-1475

NO. 1991-001276-CFAES

ORIGINAL

FILED

APR 01 2021

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

CLERK OF THE COURT, ONE FIRST ST. N.E.
WASHINGTON, DC. 20543

BERTRAM S. MANN PETITIONER

VS

VOLUSIA COUNTY SHERIFF'S DEPARTMENT ET. AL
RESPONDENT(S)

ON

PETITION FOR A WRIT OF CERTIORARI

TO

SUPREME COURT OF FLORIDA. SC20-1600

PETITION FOR A WRIT OF CERTIORARI

BERTRAM S. MANN 585588

BLACKWATER RIVER CORRECTIONAL FACILITY

5914 JEFF ATES ROAD

MILTON, FLORIDA. 32583

RECEIVED

APR - 8 2021

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Legal Mail

Provided to

Blackwater River Correctional

and Rehabilitation Facility

on 4/1/21 for mailing.

Initials

QUESTION(S) PRESENTED

WAS IT A VIOLATION OF PETITIONERS UNITED STATES CONSTITUTIONAL RIGHTS TO DUE PROCESS AND EQUAL PROTECTIONS UNDER THE LAW, UNDER THE 5TH AND 14TH AMENDMENTS, AND A VIOLATION OF THE "PUBLIC TRUST" AND THE JUSTICE AND POLICING ACT OF 2020 (H.R. 7120) 116TH CONGRESS HOUSE BILL 7120 WHEN THE "EMPLOYING AGENCY" VOLUSIA COUNTY SHERIFF'S DEPARTMENT REFUSED REPETELY TO "COMPLETE A MINISTERIAL DUTY IE: BY COMPLETELY FAILING TO CONDUCT A THOROUGHLY COMPETANT INTERNAL AFFAIRS INVESTIGATION, DISPOSITION, AND SUPERINTENDING DISCIPLINARY ACTION ON DEPUTYS ROBERT VAIL AND MIKE COFFIN?

LIST OF PARTIES

ALL PARTIES APPEAR IN THE CAPTION OF
THE CASE ON THE COVER PAGE.

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EXHIBIT	DOCUMENT	DATES/PAGE(S)
"AA"	MANDAMUS - FLORIDA SUPREME COURT	10-26-20/18-26
"1"	MANDAMUS - SEVENTH JUDICIAL CIRCUIT VOLUSIA COUNTY FLORIDA (WITH EXHIBITS)	12-27-19/27-34
"A"	SWORN FORMAL COMPLAINT/GRIEVANCE/AFFIDAVIT	7-18-14/35-41
"B"	LETTER FROM CHIEF DEPUTY COFFIN	7-31-14/42-43
"C"	RESPONSE TO LETTER	8-12-14/44-48
"D"	NOTARIZED SWORN FORMAL COMPLAINT/GRIEVANCE/AFFIDAVIT	8-13-14/49-53
"E"	INQUIRY/REQUEST	9-2-14/54-57
"F"	REQUEST SPECIFIC DEMAND FOR PERFORMANCE	9-24-14/58-61
"G"	SPECIFIC DEMAND FOR PERFORMANCE	11-27-19/62-66
"2"	PLEASE SIGN AND FILL OUT THE PROPOSED FINAL DISPOSITION FORM	3-24-20/67-69
"3"	NOTICE OF INQUIRY (AND) MOTION FOR ENFORCEMENT	6-8-20/70-74

INDEX TO EXHIBITS

EXHIBIT	DOCUMENT	DATES/PAGE(S)
"4"	ORDER'S FROM CIRCUIT COURT Judge CRAIG - RECEIVED ALL IN ONE PACKET ON SAME DAY	6-23-20/75-87
"5"	NOTICE OF APPEAL/DIRECTIONS TO CLERK/AFFIDAVIT OF INDIGENCY	6-29-20/88-93
"6"	FIFTH DISTRICT COURT OF APPEALS (ALL ORDER'S OF THE COURT)	7-7-20/94-103
"7"	NOTICE OF FILING	7-16-20/104-106
"8"	MOTION FOR ORDER OF INSOLVENCY	7-16-20/107-110
"9"	NOTICE OF INQUIRY	7-20-20/111-114
"10"	DIRECTIONS TO CLERK	7-20-20/115-118
"11"	SHOW CAUSE-TO PETITIONER EXHIBIT "A" NOTICE OF APPEAL/ DIRECTIONS TO CLERK/AFFIDAVIT OF INDIGENCY (FILED 6-29-20)	7-31-20/119-131
"12"	AMENDED NOTICE OF APPEAL/ DIRECTIONS TO CLERK	7-31-20/132-140
"13"	MOTION FOR LEAVE OF COURT TO STAY AND ABREYANCE OF APPEAL	8-17-20/141-148

INDEX TO EXHIBITS

EXHIBIT	DOCUMENT	DATES/PAGE(S)
"14"	REHEARING/NOTICE OF FILING/ CLARIFICATION PURSUANT TO 9.330	8-18-20/149-155
"15"	ACKNOWLEDGEMENT OF NEW CASE FLORIDA RULE OF APPELLATE PROCEDURE 9.100(b) FILING FEE MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS GRANTED WRIT OF HABEAS CORPUS - DENIED	11-4-20/156-161(157) 11-4-20/158 11-20-20/159 1-5-21/160
"16"	GENERAL ORDER(S) CITIZEN COMPLAINTS NO. 211 SUPERVISORY INVESTIGATIONS/DIRECT SUPPORT PERSONNEL MISCONDUCT NO. 212 CONDUCT - STANDARDS OF ETHICS - OATH AND CANON SUPERVISORY INVESTIGATIONS OFFICER MISCONDUCT INTERNAL AFFAIRS INVESTIGATIONS NO. 225	162-220 163-166 167-174 NO. 213 175-191 NO. 215 192-194 NO. 224 195-210 211-220
"17"	JUSTICE IN POLICING ACT OF 2020	221-224
"18"	PROF OF SERVICE	225-227
"19"	MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS	228-234

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A) SEE: JUDICIAL NOTICE.	17
B) SEE: GENERAL ORDERS AND STATUTES THEREIN.	162-220
C) SEE: JUSTICE IN POLICING ACT OF 2020.	221-224

(AND)

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- D) 5TH AMENDMENT OF THE CONSTITUTION,
DUE PROCESS OF LAW.
- E) 14TH AMENDMENT OF THE CONSTITUTION,
EQUAL PROTECTION OF THE LAW.
- F) CONSTITUTIONAL QUESTIONS INVOLVED

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

PETITIONER RESPECTFULLY PRAYS THAT A
WRIT OF CERTIORARI TO REVIEW THE JUDGMENT
BELOW.

OPINIONS BELOW

THE OPINION OF THE HIGHEST STATE COURT
TO REVIEW THE MERITS APPEARS AT EXHIBIT
TO THE PETITION AND IS REPORTED AT
THE FLORIDA SUPREME COURT, CASE NUMBER
SC20-1600

THE OPINION OF THE 5TH DISTRICT COURT
OF APPEALS APPEARS AT EXHIBIT
CASE NUMBER 5D20-1475

Jurisdiction

THE DATE ON WHICH THE HIGHEST STATE COURT
DECIDED MY CASE WAS JANUARY 5, 2021, A
COPY OF THAT DECISION APPEARS AT EXHIBIT

THE JURISDICTION OF THIS COURT IS INVOKED
UNDER 28 U.S.C. § 1257(a).

STATEMENT OF THE CASE AND HISTORY

PETITIONER EXERCISED EXTREME DUE DILLIGENCE AND TIME TO FILE COMPLAINTS ON DEPUTY VAIL AND COFFIN, LISTED BELOW IS THE CHRONOLOGICAL EVENTS AND FILINGS TO DATE OF THIS CERTIORARI.

AA) ON 10-26-20 FILED PETITION FOR WRIT OF MANDAMUS, TO FLORIDA SUPREME COURT

D) ON 12-27-20 FILED PETITION FOR WRIT OF MANDAMUS, TO CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT VOLUSIA COUNTY FLORIDA.

A) ON 7-18-14 FILED SWORN FORMAL COMPLAINT/ GRIEVANCE/ AFFIDAVIT, WITH INTERNAL AFFAIRS.

B) ON 7-31-14 RECEIVED A LETTER FROM CHIEF DEPUTY MIKE COFFIN.

C) ON 8-12-14 MAILED RESPONSE TO LETTER

D) ON 8-13-14 FILED NOTARIZED SWORN FORMAL COMPLAINT/ GRIEVANCE/ AFFIDAVIT.

E) ON 9-2-14 FILED INQUIRY/ REQUEST.

F) ON 9-24-14 FILED REQUEST/ SPECIFIC DEMAND FOR PERFORMANCE.

G) ON 11-27-19 FILED SPECIFIC DEMAND FOR PERFORMANCE.

STATEMENT OF THE CASE AND HISTORY CONT...

2) ON 3-24-20 RECEIVED "PLEASE SIGN AND FILL OUT THE PROPOSED FINAL DISPOSITION FORM".

3) ON 6-8-20 FILED NOTICE OF INQUIRY AND MOTION FOR ENFORCEMENT.

4) ON 6-23-20 RECEIVED ORDER'S FROM CIRCUIT COURT JUDGE CRAIG, ALL IN ONE PACKET.

5) ON 6-29-20 FILED NOTICE OF APPEAL/DIRECTIONS TO CLERK/AFFIDAVIT OF INDIGENCY

6) ON 7-7-20 THRU 9-9-20 FIFTH DISTRICT COURT OF APPEALS, ALL ORDER'S FROM THE COURT.

7) ON 7-16-20 FILED NOTICE OF FILING

8) ON 7-16-20 FILED MOTION FOR ORDER OF INSOLVENCY.

9) ON 7-20-20 FILED NOTICE OF INQUIRY

10) ON 7-20-20 FILED DIRECTIONS TO CLERK

11) ON 7-31-20 FILED SHOW CAUSE WITH EXHIBIT "A" NOTICE OF APPEAL/DIRECTIONS TO CLERK/AFFIDAVIT OF INDIGENCY, ALSO FILED 6-29-20.

12) ON 7-31-20 FILED AMENDED NOTICE OF APPEAL/DIRECTIONS TO CLERK

STATEMENT OF THE CASE AND HISTORY CONT...

13) ON 8-17-20 FILED MOTION FOR LEAVE OF COURT
TO STAY AND ABeyANCE OF APPEAL

14) ON 8-18-20 FILED REHEARING / NOTICE OF
FILING / CLARIFICATION PURSUANT TO 9.330.

15) ON 11-4-20 THRU 1-5-21 ALL ORDER'S FROM THE
SUPREME COURT OF FLORIDA.

16) GENERAL ORDER(S)

17) JUSTICE IN POLICING ACT OF 2020

18) PROOF OF SERVICE

19) MOTION FOR LEAVE TO PROCEED IN FORMA
PAUPERIS

REASONS FOR GRANTING THE PETITION

1)

REASON (1)

THE REASON FOR GRANTING THIS PETITION IS TO HAVE THIS HONORABLE COURT UTILIZE ITS "SUPERVISOR POWERS" AND AUTHORITY TO ISSUE ALL ORDERS OR WRITS TO THE VOLUSIA COUNTY SHERIFF'S DEPARTMENT TO COMPLETE THEIR "MINISTERIAL DUTIES" REGARDING CONDUCTING A COMPLETE INTERNAL AFFAIRS INVESTIGATION, AND DISPOSITION OF PETITIONERS COMPLAINTS FILED OVER SEVEN YEARS AGO.

REASON (2)

THE JUSTICE AND POLICING ACT OF 2020 (H.R. 7120) WAS IMPLEMENTED TO HOLD LAW ENFORCEMENT ACCOUNTABLE FOR MISCONDUCT IN COURT, IMPROVE TRANSPARENCY..., AND TO INVESTIGATE MISCONDUCT AS VOLUSIA COUNTY SHERIFF'S OFFICERS VAIL AND COFFIN EXHIBITED. THE QUESTION IS, WHY IS A DISCIPLINARY PROCESS NECESSARY? THE ANSWER IS OFFICER MISCONDUCT IS A "SERIOUS THREAT TO PUBLIC SAFETY" THIS COURT'S AUTHORITY IS NEEDED TO ENSURE THAT THE CITIZENS ARE SERVED BY THE MOST QUALIFIED, WELL TRAINED AND ETHICAL OFFICERS IN THE NATION. GRANTING THIS PETITION WOULD REASSURE SOCIETY THAT THE FAILURE TO MAINTAIN GOOD MORAL CHARACTER WILL SUBJECT

THE VIOLATOR TO DISCIPLINE AND POSSIBLE "MANDATORY RETRAINING" WHICH IS NEEDED TO MAINTAIN PUBLIC SAFETY, AND TRUST. THE DISCIPLINARY PROCEDURE FURTHER REASSURES THE PUBLIC THAT A "PUBLIC RECORD" EXISTS TO DO HISTORY OF REPEAT MISCONDUCT. THERE MUST BE A UNPRECEDENTED LEVEL OF PROFESSIONALISM. THIS COURT'S ROLE IN ITS "SUPERVISORY AUTHORITY" BY ENSURING THE CITIZENS, OUR COUNTRY IS SERVED BY THE MOST QUALIFIED, WELL TRAINED, COMPETANT AND ETHICAL LAW ENFORCEMENT OFFICERS IN THE NATION. FURTHERMORE GRANTING THE PETITION WILL SUPPORT VOLUSIA COUNTY'S MANDATORY GENERAL ORDERS.

REASON (3)

THIS COURT'S "SUPERVISORY POWERS AND AUTHORITY" IS NEEDED AS IT APPEARS THAT THERE IS ABSOLUTE CONSPIRACY AND CORRUPTION BY THE FOLLOWING OFFICIALS NOTIFIED OF THE OFFICERS MISCONDUCT, BUT FAILED TO TAKE ACTION, AFTER BEING NOTIFIED BY CERTIFIED LEGAL MAIL.

A) GOVERNOR - CITIZEN SERVICES GROUP;

1) TRANSACTION NUMBER 104305526,
TRANSACTION RECEIPT DATED: 6-12-20 @ 09:20:36

B) MAYOR - DERRICK HENRY;

1) TRANSACTION NUMBER 104292095
TRANSACTION RECEIPT DATED 5-26-20@14:43:06

2) TRANSACTION NUMBER 104305535
TRANSACTION RECEIPT DATED 6-12-20@09:21:41

3) TRANSACTION NUMBER 104346210
TRANSACTION RECEIPT DATED 8-5-20@08:16:57

4) TRANSACTION NUMBER 104366568
TRANSACTION RECEIPT DATED 9-1-20@10:34:34

C) COUNTY COMMISSIONERS

1) TRANSACTION NUMBER 101885810
TRANSACTION RECEIPT DATED 8-12-14@14:10:36

2) TRANSACTION NUMBER 104305529
TRANSACTION RECEIPT DATED 6-12-20@09:21:13

3) TRANSACTION NUMBER 104316017
TRANSACTION RECEIPT DATED 6-24-20@14:10:36

D) DENNIS CRAIG

CIRCUIT COURT Judge Volusia County Florida.

E) MICHAEL T. CHITWOOD

SHERIFF Volusia County Florida.

F) ALL THE ABOVE ARE DULY NOTIFIED VIA
U.S. LEGAL MAIL.

JUDICIAL NOTICE

ESCAMBIA COUNTY SHERIFF'S OFFICE GENERAL ORDERS FOR INTERNAL AFFAIRS INVESTIGATIONS IS PROVIDED TO THIS HONORABLE COURT AS VOLUSIA COUNTY SHERIFF'S OFFICE WOULD NOT SUPPLY PETITIONER WITH GENERAL ORDERS RELATING TO THE SUBJECT MATTER IN THIS PETITION, PLEASE TAKE JUDICIAL NOTICE OF THE (G.O.) GENERAL ORDERS HEREIN AS THEY ARE THE ORIGINAL GENERAL ORDERS FROM ESCAMBIA COUNTY SHERIFF'S OFFICE, THERE OF INDISPUTABLE ACCURACY AND VERIFIABLE CERTAINTY.

SEE; 187 N.W. 2D. 845, 847

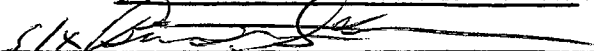
CONCLUSION

THIS PETITION FOR A WRIT OF CERTIORARI SHOULD BE GRANTED.

RESPECTFULLY

BERTRAMS. MANN

DATE: 4-1-21

SIX 

RELATED CASE(S)

1991-001276-CFAES	2014-31772-CICI	CC-14-034 V.C.S. PE. 43
2020-30011-CICI	5TH DCA 20-1475	SC 20-1600
2021-CA-000216	2021-CA-000506	5TH DCA 20-2141
2021-30144-CICI		