

QUESTION(S) PRESENTED

OF A TOTALLY EXPIRED SENTENCE, THAT AT THE STATE LEVEL, HASN'T DECIDED DIRECT APPEAL IN 21 YEARS. DOES THE FEDERAL DISTRICT COURT LACK JURISDICTION TO RULE DUE TO THE "IN CUSTODY REQUIREMENT" WHEN A STRONG SHOWING OF ACTUAL INNOCENCE, FACTUAL INNOCENCE, THAT NO CRIME HAS OCCURRED.

DUE TO FEDERAL DISTRICT COURT HAS JURISDICTION TO RULE, WHEN PERMISSION PLEA & SUCCESSIVE HABEAS WAS "UNNECESSARY" DECIDED BY THE 11<sup>th</sup> CIR.

## 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:

## RELATED CASES

*Please see EXHIBIT "A" ZUSMANA CR-COURT ORDER*

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## **TABLE OF AUTHORITIES CITED**

**CASES**

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**STATUTES AND RULES**

**OTHER**

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 is unpublished.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 is unpublished.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 \_\_\_\_\_ 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 is unpublished.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 \_\_\_\_\_ 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 is unpublished.

## JURISDICTION

For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was 4-27-24

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 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. § 1254(1).

For cases from **state courts**:

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

A timely petition for rehearing was thereafter denied 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. § 1257(a).

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

IN 21 CONTINUOUS YEARS, WHEN A STATE DIRECT APPEAL WAS  
TIMELY FILED. IN 21 YEARS THE STATE COURT HAS FAILED TO  
DECIDE ON IT'S MERITS.

HAVING ME EXPIRE THIS SENTENCE. DUE TO THE PARTICULARS  
OF THIS FALSE ARREST, LED TO A MENTAL BREAKDOWN OF A  
U.S. NAVAL SPECIAL FORCES, (SUBMARINE) NAVAL VETERAN, WHO  
HAS A ONGOING MENTAL DEFECT OF POST TRAUMA DIC-STRESS  
DISORDER, (PTSD).

IF THE COURT DECIDE ON IT MERITS OF THIS FALSE ARREST  
, IT WILL PROVIDE A "COLATERAL CONSEQUENCE" ON THE  
PRESENT INCARCERATION.

## STATEMENT OF THE CASE

WHILE ON SECURIT BOND IN A "AGGRAVATED STALKING" CASE, MY WIFE BROKE MY SON ARM. I CHALLENGED THE RESTRAINS ~~ORDER~~ ORDER, WHILE AT THIS RESTRAINS ORDER HEARING, MY WIFE BOYFRIEND TAMPA POLICE OFFICER REGINALD WILLIAMS FALSELY ARRESTED ME FOR DOMESTIC VIOLENCE.

THE STATE USED THIS FALSE INFORMATION TO HOLD ME WITHOUT BOND ON THE DOMESTIC VIOLENCE CHARGE, AND THE FELONY ~~CHARGE~~ CHARGE OF AGGRAVATED STALKING.

AFTER 40 DAYS HELD WITHOUT BOND, MY PRO ATTORNEY CAME UP WITH A PLEA OF TIME SERVE.

I SIGN THIS PLEA.

THE COURT DRAMATICALLY ALTERED THIS PLEA, MAKING THIS PLEA IN VOLUNTARY; I TIMELY APPEALED

THE STATE USED THIS FALSE ARREST TO HOLD ME WITHOUT BOND. I FILED FOR A "SPEEDY TRIAL" AFTER 5 CONTINUOUS MONTHS OF INCARCERATION. THE STATE LIED TO ME AND THE COURT THAT HER PARENT DIED, AND SHE NEEDED EXTRA TIME TO PREPARE, FORCING ME TO PLEAD OUT TO A NON EXISTANT CRIME.

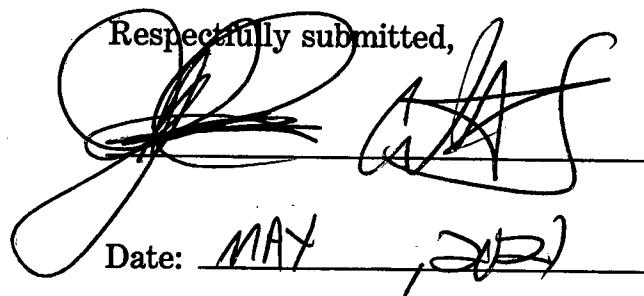
**REASONS FOR GRANTING THE PETITION**

IF THE PETICULARS OF THIS FALSE ARREST IS DECIDED ON ~~THE~~  
MERITS, NO REASONABLE FACT FINDER WOULD HAVE FOUND ME  
GUILTY OF THE OFFENSE, AND A NEW TRIAL WOULD BE  
AWARDED.

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: MAY , 2021