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21-5779

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IN THE SUPREME COURT OF THE UNITED STATES

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US Sct Case No.: \_\_\_\_\_

Lower Tribunal Nos.: \_\_\_\_\_

SC Case No.: SC21-986

Case No. 5D20-2609

Case No. 1 62016CP000558CPAXMX

MORRIS KENT THOMPSON

Plaintiffs- Appellants.

v.

JENNIFER LEPPEK CERATO,  
PERSONAL REPRESENTATIVE

IN THE ESTATE OF NATALIE A. RICHARDS – THOMPSON

Defendants-Cross Appellants.

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PETITION FOR WRIT OF CERTIORARI  
FROM THE SUPREME COURT OF THE STATE OF FLORIDA AN  
APPEAL FROM THE DISTRICT COURT OF APPEALS AND CIRCUIT  
COURT THAT ISSUED AN ORDER WITHOUT OPINION OR  
EXPLANATION.

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September 3, 2021

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SUPREME COURT, U.S.

## **Questions for the Supreme Court of the United States.**

1. Have the attorney's and court committed a management override of the Constitution?
2. When fraud and attorney misconduct is present is the court required to reopen a probate case to determine the facts?
3. Is the court allowed to coverup criminal actions of government agencies and government actors?
4. Can government agencies divulge confidential investigations and information to government actors?
5. Are government actors empowered to investigate and set up individuals?
6. Is law enforcement to investigate and do such investigation include running an inquisition?
7. Is torture and terrorizing protected actions by government agencies and government actors?
8. Is law enforcement allowed to sanction with no due process and equal protection of the law?
9. Has the court set the precedent under stare decisis to allow false police reports and perjurious statement under oath?
10. Can we have a fair and impartial Judge when the court and government agencies conspire to override the right of free speech, due process, and equal protection?
11. Are government agencies and its informants empowered to defraud Trusts?
12. Can our State DCA, and Supreme Court allow fraud upon the court?
13. Has the government become destructive?

	<b>Page</b>
<b>Table of Contests</b>	
Table of Contents	3
Index of Appendix	3
Table of Authorities	3-4
Opinion of the Lower Court	4
Jurisdiction	4
Preface	5
Background	6-14
Argument – Probate Case	14-21
A. Constitutional Issues	21-23
B. Statutory Scheme Supports Appellants Claim	23-25
Conclusion	25-26
Certificate of Compliance	27
Certificate of Service	27
Certificate of Interested Persons and Corporate Disclosure Statement	27

## **INDEX OF APPENDIX**

	<b>Appendix</b>
Decision of the Florida Court of Appeal 5 <sup>th</sup> District	A
Decision of the Florida Probate Court 5 <sup>th</sup> Circuit	B
Decision of the Supreme Court of Florida, dated, January 23, 2020	C
Motion to Circuit Court of Sumter County Probate to reopen case	D
Motion to Circuit Court of Sumter County additional information	E
Motion to Circuit Court of Sumter Country Summary Judgement	F
Judicial Qualifying Committee Complaint	G
42 U.S. Code § 1983 – Police Misconduct court cases	H
Circuit Court Probate – Letter of Administration	I

## **TABLE OF AUTHORITIES**

	<b>Page</b>
<b>Florida Statute</b>	
Florida Statute 732.201 (20)	23
Florida Statute §§ 732.102; 733.103	23
Florida Statute § 731.110	24
Florida Statute 736.0801 – 0817	24
<b>Florida Court Cases</b>	
Jollie v. State, 405 So.2d 418, 420 (Fla.1981)	4
Fla. Star, 530 So.2d at 288 n. 3.	4
Schilling v. Herrera, 952 So. 2d 1231 (Fla. 3d DCA 2007)	24
DeWitt v. Duce, 408 So. 2d 216 (Fla. 1981)	24
<b>U. S. Constitution</b>	
1 <sup>st</sup> Amendment – Free Speech	5, 22
4 <sup>th</sup> Amendment – Prohibition of Illegal Search and Seizure	5, 10, 22

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4 <sup>th</sup> Amendment – Prohibition of Illegal Search and Seizure	5, 10, 22
5 <sup>th</sup> Amendment – Due Process	5, 22
14 <sup>th</sup> Amendment – Equal Protection	5, 22
<b>Federal Court Cases</b>	
(Thomson v USMC, 29 s.ct. 1663 (2009). 556 u.s. 1135 173 l.ed.2d 1007)	8
<b>Federal Statutes</b>	
18 U.S. Code § 1512 - Tampering with a witness, victim	5, 21
42 U.S. Code § 1983 – Police Misconduct	13
18 U.S. Code § 2520 - Recovery of civil damages authorized	14

### **OPINION OF THE LOWER COURT**

The Probate court, the district court of appeals, and Supreme Court for the State of Florida presented a decision with an unelaborated opinion.

### **JURISDICTION**

This case is an automatic appeal to the US Supreme Court from the Florida District Court of Appeals - Fifth District order, dated August 26, 2021, and Florida Sct order dated July 1, 2021, who would not entertain any more motions, case closed(see Attachment 1 & 2).

“In Florida Star, this Court succinctly summed up its prior decisions in Dodi Publishing and Jollie, explaining that this Court does not have subject-matter jurisdiction over a district court opinion that fails to expressly address a question of law, such as opinions issued without opinion or citation. Thus, a district court decision rendered without opinion or citation constitutes a decision from the highest state court empowered to hear the cause, and appeal may be taken directly to the United States Supreme Court. Moreover, there can be no actual conflict...an opinion containing only a citation to other case law unless one of the cases cited as controlling authority is pending before this Court, or has been reversed on appeal or review, or receded from by this Court, or unless the citation explicitly notes a contrary holding of another district court or of this Court. See Jollie v. State, 405 So.2d 418, 420 (Fla.1981); Fla. Star, 530 So.2d at 288 n. 3.”

Therefore, the Supreme Court of the United States has subject-matter jurisdiction. The Florida Supreme Court would not accept further motions Attachment 2).

5th Amendment – Due Process	5, 22
14 <sup>th</sup> Amendment – Equal Protection	5, 22
<b>Federal Court Cases</b>	
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## **OPINION OF THE LOWER COURT**

The Probate court, the district court of appeals, and Supreme Court for the State of Florida presented a decision with an unelaborated opinion.

## **JURISDICTION**

This case is an automatic appeal to the United States Supreme Court based on the Supreme Court of Florida order dated, July 1, 2021 (see Appendix C).

“In Florida Star, this Court succinctly summed up its prior decisions in Dodi Publishing and Jollie, explaining that this Court does not have subject-matter jurisdiction over a district court opinion that fails to expressly address a question of law, such as opinions issued without opinion or citation. Thus, a district court decision rendered without opinion or citation constitutes a decision from the highest state court empowered to hear the cause, and appeal may be taken directly to the United States Supreme Court. Moreover, there can be no actual conflict...an opinion containing only a citation to other case law unless one of the cases cited as controlling authority is pending before this Court, or has been reversed on appeal or review, or receded from by this Court, or unless the citation explicitly notes a contrary holding of another district court or of this Court. See Jollie v. State, 405 So.2d 418, 420 (Fla.1981); Fla. Star, 530 So.2d at 288 n. 3.”

Therefore, the Supreme Court of the United States has subject-matter jurisdiction.

## **Subsequent Events Preface**

This Writ of Certiorari is a continuation of the prior case before the US Supreme Court, (Sct), which denied Cert. In an unpublished decision dated June 15, 2020, case number 19-8238. The case and facts demonstrate beyond any reasonable man standard that the courts are aware of, or conspiring, to cover up the actions of government agencies.

For the second time, the Florida District Court of Appeals- Fifth District (Florida 5th DCA), and Florida Supreme Court, (Florida Sct), have gone against its own Civil Rules of Procedure 1.540. That requires the court to take an independent action, *sua sponte*, irrelevant of the procedural flaws, to address extrinsic fraud and a fraud upon the court. Then issuing an unelaborated Opinion that is a direct appeal to the Sct..

By the facts, alleging and pointing the finger at the Sct.. Which infers the Sct. has done something to override Constitutional Rights and allow government agencies and actors immunity for death threats, acts of intimidation, setting the Appellant up in court, and destroying the Appellants career, reputation, ability to earn a living in this country, destroying his family with financial insecurity and disbelief, and on top of everything else defrauding his mother's trust.

## **Subsequent Events Background**

Made Part of this Writ of Certiorari is the prior Writ of Certiorari, that provides a summary of key events, with cites. The Appendix is on file with the Sct. from the prior case. To document the allegations and egregious actions of the government, government actors, attorneys, and the court.

Florida Rule of Civil Procedure “1.540 (b) provides that a final judgment may be set aside for mistakes, ... fraud”, and other issues. This should require the Florida 5th DCA and or the Florida Sct. to set aside the decision of the lower court, recall the mandate, and require an extensive review as the elements of fraud present on the court. “FED. R. Civ. P. 60(b) are virtually identical, ... The entire sentence reads: judgment, order, or proceeding, or to grant relief to a defendant not actually personally notified as provided in Title 28, USC, § 1655, or to set aside a judgment for fraud upon the court”.

The appellant took all legal steps, as a pro se, to demonstrate that the Florida 5<sup>th</sup> DCA was negligent in its decision and went against the requirement the court act sua sponte when there is allegations of extrinsic fraud and fraud upon the court. (Fla. R. Civ. P. 1.540(b)(3); FED. R. Civ. P. 60(b)).

Knowing the only court that can set aside a DCA ruling is the Florida Sct., and Sct. The actions of both the Florida 5<sup>th</sup> DCA and Florida Sct only attest to the

automatic appeal to the Sct.. That the lower courts could not issue an elaborated opinion, as to do so would be perjurious at best, with their actions pointing the finger to the Sct.

Leaving one to question just what the Sct has done to override constitutional rights of the Appellant and run, not a court ruling, but an inquisition against the Appellant. Further asking the court when burning at the stake will be the new standard.

### ***Hostile Witnesses***

The Appellant was prepared to call as hostile witnesses several informants, police, and attorneys. The passage of time and blockage that has occurred has seen some deceased or moved on.

One, the infamous LL, who was an informant for the ATF and orchestrated defrauding the trust in question, with legal acumen far beyond her scope and ability, as noted in the Motion to Recall and Set Aside a Mandate issued by the Florida 5<sup>th</sup> DCA (Attachment 1 and 3).

A key player in this was found to be a local detective, who was an Officer in the USMC, wounded in the first Gulf War, and unable to return to active duty, with Military intel. This individual is who I believe orchestrated taking my original Military Records file from St Louis. Not copies, but the entire original records file,

that was on loan to the Commandant of the Marine Corps. Subsequently lost and had to be reconstructed from other records, as I was told.

There were 42 blacked out entries in my NRPC tracking record that was mysteriously mailed to me after I filed a case in the Federal Court in West Palm Beach. But even with an 11<sup>th</sup> Circuit Court of Appeals Ruling, not the military nor would the Federal District Court enforce to take the black off my NRPC records. How could they, my records were not there?

This local Police Department had been the target of several complaints I filed with the DOJ Special Litigation unit. Subsequently, written up for drug trafficking, false police reports, and child pornography. They were supposed to be annexed into the local Sheriffs Department, that never happened. There are several other hostile informants who are known to work for this police department, and accounts for the false police reports and more.

These informants, and others, many, are from a large family of Lebanese who, as I came to know, are working for Mossad, and have been for many years. Mossad was thrown out of Boca Raton PD in the late 80's. But were using many small PD's records to investigate Americans. A retired Detective from Delray Beach told me they had the same problem.

It is my belief that this detective on the witness stand would admit that my Military Records were given to a foreign country intelligence agency working here in America. That is reinforced by comments that I made when checking out of supply upon my discharge from the USMC, that I was amazed was in my records. Comments made by an informant who is now deceased. Together with, my living in rental houses in Miami. Comments from this informant that reinforced someone had built a dossier on me, and he admitted just that. Obviously, he was going to be a hostile witness also.

All this information was given to the DOJ and the implications from these events and a subsequent event opens a major issue that has never been investigated. From the government and courts own actions protecting these agencies and individuals it appears it is well known.

In essence, we have a foreign country intelligence agency, running undercover, and using local PD's to investigate and receive confidential information on Americans. That includes my Military Records that I don't even know what is in them. I worked with, at the time, top secret, encryption devices, and weapons systems in Vietnam. That is espionage by a foreign intelligence agency who has stolen the plans for top secret nuclear devices in the past. Noted in the news was Pollack.

Further reinforcing, strange occurrences in my Cap Stone class at Nova University, that wrecked of military personnel, and the VA lack of treatment for blunt force trauma in battle. Resulting in over 5 years on and off antibiotics. As one VA Emergency Room Physician stated, I kept you alive. Oh yes, he was going to be a witness also.

There were many hostile witnesses I planned to bring forward in Federal Court before a jury. And I was going to be asking the questions. I had told the Clerk in the West Palm Beach Federal District Court to tell the Judge to get a big white tent, with a tunnel, to hide their skulking faces, and those were my exact words.

Further, Military intel involved in this reinforces that I could not go anywhere in this country without being set upon. They are in every reserve unit nationwide and a direct link into local police and other government agencies.

The following is the prior motion for certiorari, and made part of this motion for certiorari, to reinforce the egregious actions of government agencies, government actors, and the court. The Appendix is on file with the US Supreme Court from the prior case.

## **PREFACE**

To understand the issues in this case one must have a brief overview of the players and history. The background presents a cause of action begins in 1985 and has included acts by the government and government actors in terrorizing, torturing, and now defrauding a trust. These actions and denial by the 11th Circuit Court of Appeals in a prior case. Where the clerk's office originally stated that the appeal could be reinstated without time limits. The appeal was under 18 U.S. Code § 1512 – Threatening and intimidating a witness, victim in a Federal Court.

Such acts that caused the Plaintiff to seek Political Asylum and Witness Protection in Canada. Only to find the hearing officer would not allow me to print my documents to support the case that were on my laptop and on flash drives. Noting Canadian Intel stated to me after investigating a critical issue occurring in South Florida, their findings agreed with mine.

These actions denied the Plaintiff his constitutionally protected rights under the first amendment right of free speech, violations of the Fourth Amendment's prohibition on illegal search and seizure. Other applications include violations of Due Process and Equal Protection Fifth and Fourteenth Amendments. Moreover, the right to life, liberty, and the pursuit of happiness, as granted in the U.S. Constitution, and by God.

## **BACKGROUND**

### **A Management Override of The Constitution?**

The background information is to apprise the Supreme Court of the United States of a long line of egregious actions that began in 1985 after passing the CPA exam. To further understand the actions of LL and the government agencies that plays into defrauding the trust in Probate Court.

Plaintiff was working for the Chairman of the Board of a Major South Florida NYSE Corporation (NYSE Corp). Just prior to the infamous untimely firing had found an outside 300-man construction company, unaffiliated, charging men and materials against the NYSE Corp, building buildings, and clipping 100% profit.

Subsequently, it was determined the Construction Company was a backup and controlled by the NYSE Corp. Its stated purpose was to be brought in if the other labor companies like Red Dot or Carpenter Contractors of America overpriced.

The Chairman of the Board did not hesitate given internal problems with the company to take it over and subsequently shut down. There was anything from shifting expense, loan sharking, kickback arrangements, fictitious employees on the payroll, to building buildings. I might add I was astounded to find that the loan sharking was at 20% a week and the usury

laws, per our attorney, were no longer in effect. This issue was handled very confidentially and through attorney work product to insulate against any legal issue that might arise.

Subsequent to that, I was informed I was being promoted to a key position at the NYSE Corp. I was transferred under the Sr. VP and moving forward to take over a region. Then as usual I was working at around 7:30 one evening only to find a very tall individual standing at my door in a security guard uniform, glaring. Most unsettling and the individual left. Then I was summarily fired for no cause and for years thought it was the NYSE Corp seeking revenge. Only to find after years of sending out resumes and trying to build a firm I was blocked. Please note there is no protection for the CPA.

One individual friendly with my family, a State Prosecutor, stated it sounded like someone started an investigation and never turned it off. This set-in motion years of smoking out the “investigator” hiding behind a whisper.

This effort took off when requesting my Military Records from NRPC. Only to find the entire original file was on loan to the Commandant of the Marine Corps. After over a year waiting for the records and need to

get war related dental work done at the VA for blunt force trauma incurred in battle. And requesting under FOIA who had the records and why?

I filed in 2008 in Federal Court to obtain the medical records and to find out who had my records and why? Immediately, the Department of the Navy sent an NRPC tracking record with 42 entries blacked out.

The Federal Court blocked me from the beginning, and I appealed to the 11<sup>th</sup> Circuit Court of Appeals. This became a Ping Pong match and ultimately took my case to the US Supreme Court.

The 11<sup>th</sup> Circuit Court of Appeals had issued a ruling that included, or words to the effect, Mr. Department of Navy, you do not have a B6 or any other exemption take the black off the document. Neither the Department of the Navy nor the Federal District Court would enforce the 11<sup>th</sup> Circuit Court of Appeals ruling. The US Supreme Court Denied Certiorari. This case would have been over had the blacked-out documents been revealed. First, my records were not at NRPC, and second, whoever had them appeared to be creating plausible deniability (Thomson v USMC, 29 s.ct. 1663 (2009). 556 u.s. 1135 173 l.ed.2d 1007).

There were other events that instigated another Federal Court action attacking Boynton Beach Police Department that is further delineated in the Federal Court Records. The Federal District Court blocked my attack again

and we were back to the 11<sup>th</sup> Circuit Court of Appeals. Events unfolded and I found myself being set up in the Palm Beach County Court. The attached complaint to the Judicial Qualifying Committee will elaborate on the documented events that occurred (see Appendix G).

In essence, the documents by all reasonable man standard attest that I was being threatened right into the court to silence my Federal Lawsuit. Please note numerous complaints had been filed with the Department of Justice Special Litigation Unit (DOJ). Including a death threat from Mosad, in writing, and followed up the next day by a phone call from Israeli Military in Israel, and numerous threatening actions by government actors (informants). Including what is believed to be an attempt to entrap Plaintiff in a murder for hire scheme. Please note in a meeting with a retired detective from Delray Beach Police Department. He stated, “we have the same problem here”.

Additionally, an attempted assault and theft of my laptop. The individual was known to others and from the interaction with police was an informant. Subsequent to that a client was brought up under I.R.S. audit on issues that only could have been discovered from my computer that were to correct an event. Meaning the informants and police who reviewed my computer had broken into my CPA Firm. Shielded under Certified Public

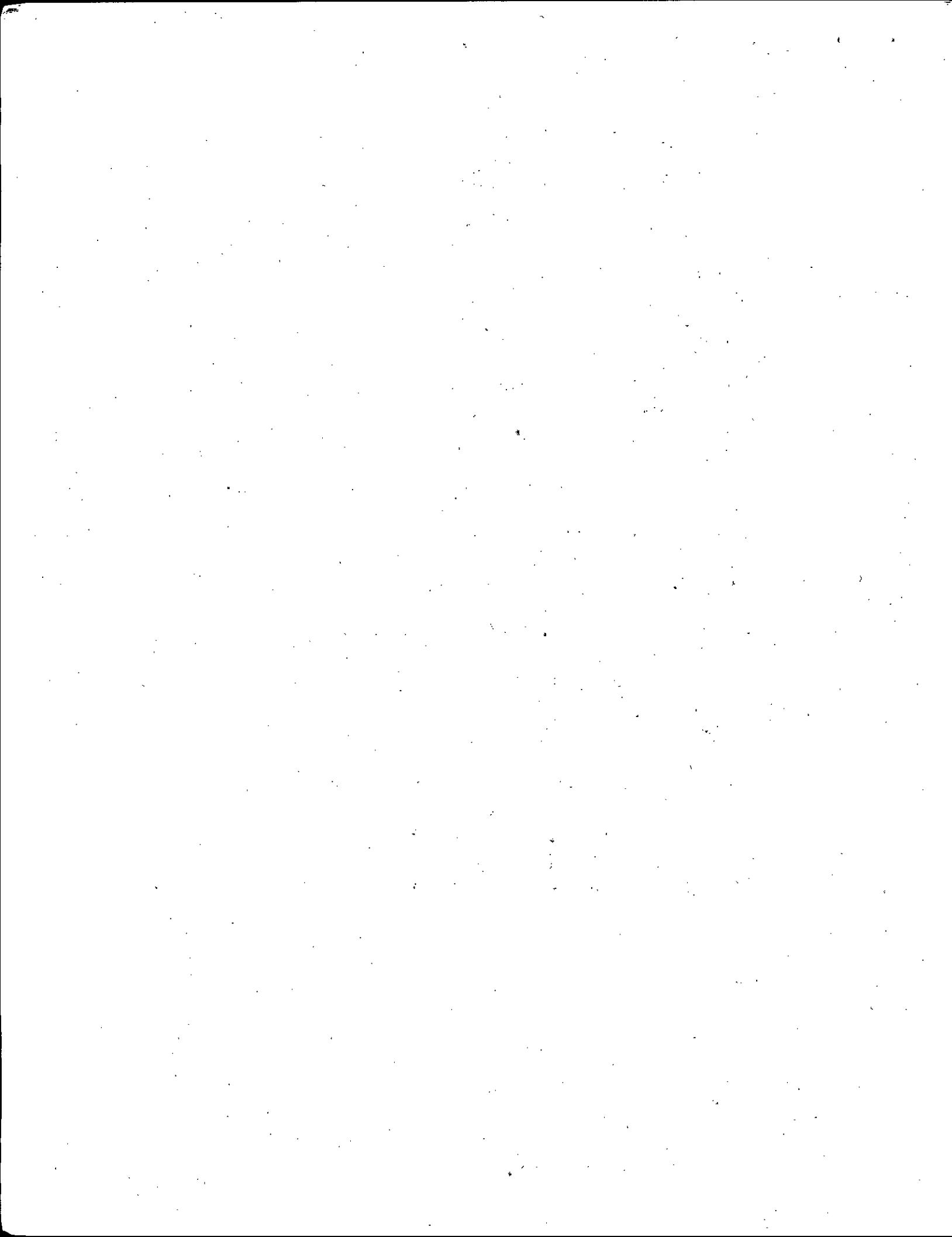
Accountant confidentiality rules and instigated a complaint with the IRS.

When I called IRS, they laughed. As even the IRS knew the informant's interpretation of the information was incorrect. That is an illegal search and seizure Under the Fourth Amendment.

Based on numerous complaints to DOJ Boynton Beach Police Department came under investigation and was charged with filing false police reports, drug trafficking, and child pornography. The Police Department was supposed to be annexed into the Palm Beach County Sheriff's Department, which never occurred.

In my Federal lawsuit attorneys running undercover and working with the FBI and others were noted. These same individuals had tried to recruit me through my brother-in-law in a number of face-to-face meetings with the attorneys involved. At the time I was moving on after my military experience that included working with the Military Police and making numerous narcotic busts. Including a commendation for a heroin bust.

I was not interested and got wind of my brother-in-law setting up LW and took him to another attorney. The attorney was recommended by LL whose attorney boyfriend worked for the ex-governor of Florida. My brother-in-law reminded me subsequently over the years "why didn't you take him to MB".

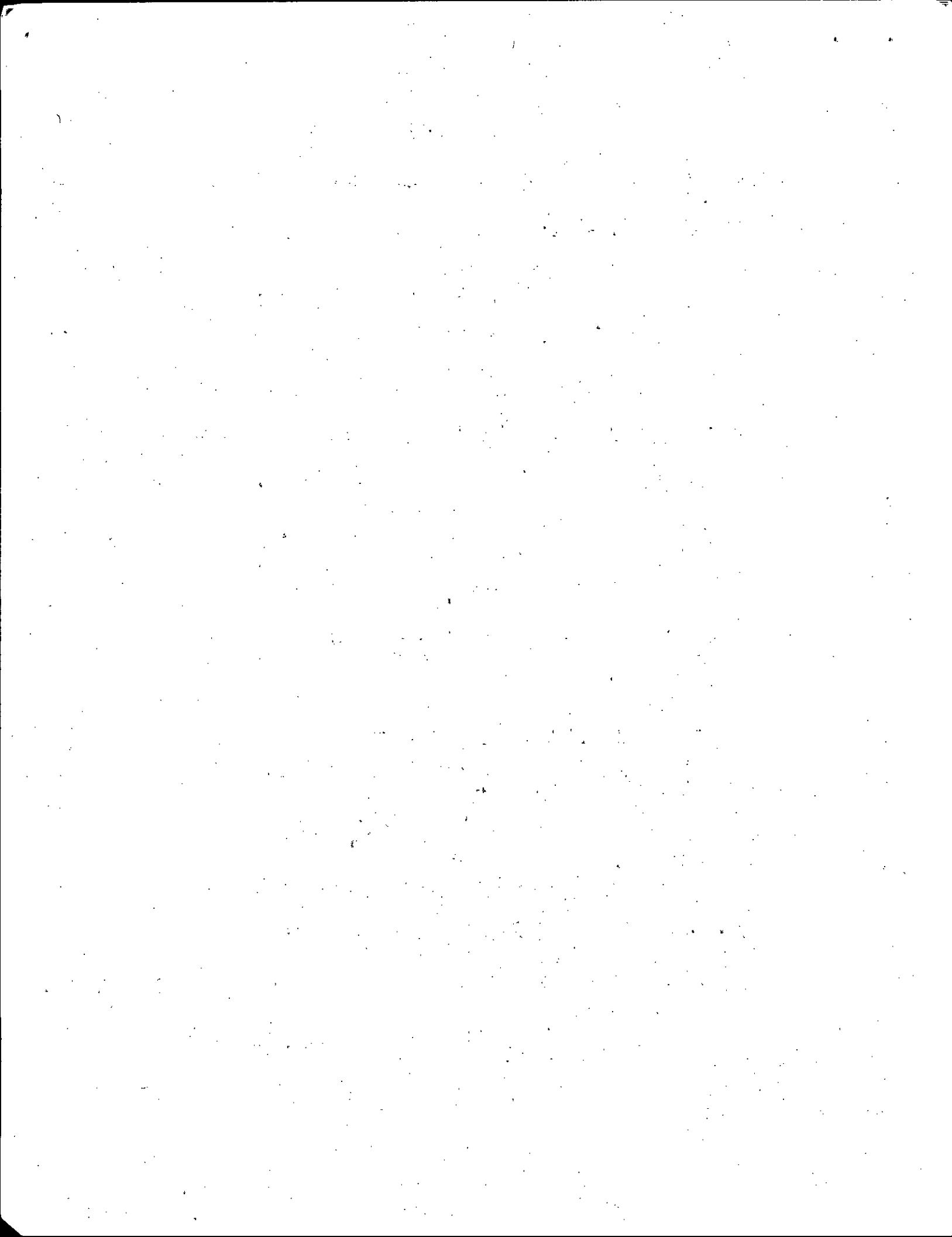


The case against LW mysteriously disappeared and found he was a criminal justice major and went to work for the police. These events occurred in the 1970's while a college student. I lived on the GI Bill and my ex-wife worked.

LL and her attorney boyfriend were self-admitted informants for the ATF and by her actions had branded me a drug dealer going back to the time of the meeting with LW. The Public Defender's office inferred this to me in a conversation. That it was the specific government agency. An agency with a reputation for being low lives and scum. They were behind the problems, and I needed two witnesses to overcome. LL was one of many to be called as a hostile witness in Federal Court in my next filing in the Federal Court for Damages.

The events of the Palm Beach County Court are stated in the attached document. Where a 90-day speedy trial ended up at over 2 years and a five-year appeal to the 4th DCA. My Public Defender apprised me in writing that guilty verdict over an email was being appealed to the 4th DCA.

Subsequently finding it was not appealed to the 4th DCA but hung up before a three-judge panel in the Palm Beach County Court that ended in 2018 after my filing a complaint with the Judicial Qualifying Committee (Appendix G).



I was informed by the public defender that the voice recordings in the hearing in Palm Beach County Court in the prior case were inaudible. The intent was to impeach LL who was under oath and discredited as to the false police report, her being committed to mental institutions, undergoing electric shock therapy on three occasions, being diagnosed a schizophrenic, and as to her intent and motives, with documents that were sent to State of Florida Department of Revenue Children and Families to investigate her for elder and financial abuse. In furtherance of defrauding the trust.

Additionally, given the Judge and Public Defender denied there was a defense to the present case in the Palm Beach County Court. I filed a motion to go pro se citing a 4th DCA ruling on point (See Appendix G).

Now to find as I was told by my Public Defender that the voice recordings in the entire case in the Misdemeanor Court were also inaudible?

After an extensive effort soliciting over 4,000 board certified trial attorneys. The common response, it's too big for me, you can't sue the government, or as one adjunct professor stated, or words to the effect, I would not take your case or refer you to another attorney. Noting not one saw anything but a summary of events and none would even review the documents or issues.

42 U.S.C. § 1983 demonstrates a myriad of Federal Court Cases that demonstrate that Law Enforcement and government actors (informants) can be sued and held accountable criminally (See Appendix H).

“Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory, 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”.

In the 1970's I thought the actions of criminal defense attorneys and informants working with the FBI and others was isolated. Only to find today this is extensive. Also finding judges protecting these government agencies, attorneys, and informants. My experience demonstrated the informants have what appears to be organizational charts and training classes. Additionally, the police are providing them with Confidential information or dossiers.

As one informant new I rented houses in Miami, and a specific comment I had made that was in my military records. Still raising concern just who got my records and why they had a dossier on me. And more importantly I was never arrested or interrogated regarding any crime. This became a feeding frenzy with a member of Military Intel being caught also.

As the State Prosecutor said, it sounds like someone opened an investigation and never turned it off, and how do you prove a whisper.

18 U.S.C. § 2520 (1976) demonstrate that government agencies cannot hide behind the actions of government actors, informants. All police behavior alleged to violate a citizen's constitutional rights with the exception of wiretapping.

Only to find that LL and her attorney boyfriend GL who were known informants for this specific government agency. Had branded the Petitioner a drug dealer. That set-in motion a journey into terror and torture by the government agency, Attorneys, and Informants for Acts Discreditable. That destroyed the Petitioners career, reputation, family with financial insecurity, and left the skeletons on the side of the street hiding behind a whisper. And now the actions of the probate court portend they have defrauded a trust to further cause the plaintiff financial and psychological damage.

### **ARGUMENT - PROBATE CASE**

In 2010, after staying at the Villages my mother requested, I review her Trust Documents and those of the competing Trust. We set upon clearing up some issues to ensure she was protected. She had stated that LL was her trustee and wanted me to be the Trustee. I declined and suggested my brother who was also a CPA.

Prior to getting the changes to the competing trust document immortalized in writing the other trust principle died. As further elaborated

on in the attached filing with the Circuit Court in Sumter County Probate Court there were nefarious acts by the Competing trust heir, attorney and LL (Appendix D & E).

It was in late 2018 I found my mother was deceased and had succumb to Alzheimer's and that she had been hospitalized in 2013. Suffering from another broken back under LL care. That was discovered through an internet search checking up on the properties. Also, that the mothers home had been sold in a questionable transaction and amount to the competing Trust Heir.

The sale was not in an arm's length transaction and well below the original cost and FMV. Subsequently issued two demand letters to LL return receipt requested with no response (Appendix D & E).

I did not learn of LL death until after the retrial date for the infamous email in the Palm Beach County Court. The Public Defender did not apprise that the state's star witness LL had expired, nor would they defend the case again. Leaving me no choice but to accept a guilty plea no pros.

I subsequently learned of LL death from a communication one of my daughters had with LL ex-husband that LL was deceased. Then filed in Probate Court to reopen the case (Appendix E attachment 5).

My initial conversations with the Probate clerk showed shock and disbelief that LL was the trustee, and there were trust documents that

insulated the trust from probate. The clerk's office became very sarcastic as to my being prose. Given my financial situation and after having found no attorney would represent my case in Federal Court. I had no choice but to go pro se. Note the clerk's office apprised me I was not a party to the contract and was not notified as they had no requirement to do so.

Now, we find an attorney in Clermont Florida was used to file in probate. An unknown attorney that was not familiar with the trust and well outside of both the Villages and the fictitious personal representative who lives in Cape Coral, Florida. Clermont is on the outskirts of Orlando, Florida. Even the Probate Clerk found it unusual.

I filed a motion with the Probate Court to reopen the case citing fraud and the prior acts of LL. An order to obtain NART medical records and the trust documents on file with Wells Fargo Bank (Appendix D, E, G, H).

The Motion to reopen the case included Documents that reflected the signature of NART when the asset was acquired and the forged signature when the transfer occurred. Noting that my in-person conversations with Wells Fargo Bank was very deceptive and sarcastic. Almost belligerent on the part of the Bank Representative. Those documents and the signature are needed to further support that we have a fraudulent transaction (Appendix E Attachment 2).

The defendant's attorney did not respond to any motions to the Circuit Court, the District Court of Appeals, nor the Supreme Court of the State of Florida. Inferring by their action that they did not dispute the allegation. Plaintiff filed for a Summary Judgement. The Circuit court ignored the findings of fraud, and the move for a summary judgement. Noting also that the document obtained from the Real Estate Tax Assessors office demonstrated the signature on the transfer of the asset in question was forged at a time NART is believed to have been under care for a broken back, in and out of nursing homes, and taking Dilaudid a power pain killer. That alone left her delusional from the prior episode.

Additionally, she was suffering from accident and Alzheimer's the end stage cause of death. The Plaintiff believes the records and physician reports will attest to the fact NART was not mentally competent to enter into these transactions. Moreover, that LL was attempting to defraud the trust and did, and the court is attempting to cover up the antics and criminal acts of government agencies, and government actors (Appendix D attachment 2).

The plaintiff requested court orders to obtain deceased medical records and original documents with Wells Fargo Bank to establish the mental state of the deceased, date and signature on those documents.

Additionally, a history of LL demonstrating her motive, means, opportunity

and intent to defraud the trust. That included violent behavior in police report, false police report, and creating an email as the plaintiff did not write the email in question (see Appendix E Attachment 1).

Note, LL had Plaintiffs computer and password and is known to have conspired with the ex-wife to create a hostile environment. Supporting her intent to make sure no one was comfortable going to the Villages to check up on the deceased or her actions.

The facts of this case demonstrate a long line of abuse by the government agencies, attorneys, and government actors (informants). That went right into the court based on the documents included in the Appendix G, and the Public Defenders knowledge of the specific government agency.

### *Analysis of Documents*

The signature of NART is demonstrated on a Warranty Deed, dated May 12, 2006, A Trust Deed, Dated June 26, 2007, and Corrective Trust Deed, dated January 29, 2009. These signatures as compared to the Warranty Deed, Dated October 26, 2011 demonstrates that how she signed with a distinctive slash from the T crossing over the N in her first name and flare going well below the line. The script of her last name shows a flare and line for much of the letters. The signature on these documents is clearly not that of NART and looks to have either been replaced by generating a new

page or an attempt to write her signature and child like in comparison (Appendix E Attachment 2).

The Trust Deed dated January 9, 2009 provides LL a life estate in the property located at 985 Davit Place, The Village, Florida 33162. Why would she need a life estate if she was the heir? (Appendix E Attachment 3)

NART died on August 27, 2016. On October 4, 2016 LL was appointed a personal representative of the Trust by the court by Judge Morley. Noting she had issued letters of administration in the trust. There was no notification to the heirs nor any communication of the death of NART. As evidenced by the demand letters sent to LL, with no response (Appendix E Attachment 3, Appendix D Attachment 3 & 4).

In a face-to-face conversation with representatives of Wells Fargo Bank. The Petitioner was shown a computer screen that demonstrated the Trust at 985 Davit Address but that there were no documents.

This presented a problem as the address on file was the 1677 Nelson Terrace Address and had to have been changed to the 985 Davit place. Then stated even if I had a court order, they would not provide the Trust Documents. First denying the existence then admitting.

In a conversation with Wells Fargo Customer service the existence of the Trust and change was admitted to. Stating my brother and I were

originally heirs but changed and would not elaborate. I then apprised the Wells Fargo representative they were now party to a fraud investigation.

We have forged trust documents. LL did not submit the trust documents to the court to avoid probate. The court appointed LL a personal representative when she was the trustee (Appendix I).

In 2010 LL was turned into the Florida Department of Revenue, Children and Families to have her investigated for elder abuse and financial manipulation. They did not investigate. That was also presented in the hearing before Judge Burton where LL was discredited with filing a false police report and her background was elicited. The court threw out the injunction and the false arrest was thrown out in the criminal case. LL had filed a police report that I was armed and dangerous going to Palm Beach to kill someone. (see Appendix G).

The attorney representing LL and JC was not a party to any Trust document nor in the area and raises suspicion as to why?

The court instead of reopening the case and providing the court order to obtain NART medical records and Trust document opted to disregard the facts presented and denied. Stating in her order not a party to the contract.

This not only infers a cover up but is in keeping with the court protecting the government agencies and informants even with criminal acts present.

Note, Prior to the death of NART my brother informed me that LL called him stating she and NART were not getting along and she would need to go live with him. WT responded, or words to the effect, fine bring the trust documents, all financial records, check books and bank statements with her. LL then as he stated appeared to turn to NART and say, "we're all right, right mom". Then hung up.

Therefore, given the deteriorating state of NART medical health. It is imperative to obtain the Trust documents to determine if they were changed, by whom, what documents were present. Additionally, this raises serious question if the Trust documents were legally changed why did Wells Fargo Bank protest so much? More importantly, why LL did not present the trust documents to avoid probate all together?

#### **A. Constitutional Issues**

The actions of government agencies, government actors, attorneys, and the court, are demonstrated with documents and Federal court cases. Plaintiffs filed with the 11<sup>th</sup> Circuit Court of Appeal. A continuation of an appeal under Federal Statute 1512: Threatening and Intimidating a Federal

Witness and Victim. The 11<sup>th</sup> Circuit Court of Appeals delayed requiring I file an Appendix for which Plaintiff was under threat and financially unable to file the voluminous document. Followed by a request for political asylum and witness protection in Canada. Due to events that have gone on since 1985. Events that include threats, intimidation, setting the plaintiff up using government actors, false police reports, false arrest, suborned perjury, blocking plaintiffs' efforts of employment and firm, attempted assault, theft of the Plaintiffs laptop and breaking into his CPA Firm. Instigating a false complaint with IRS and the court protecting those government agencies, government actors, and attorneys. LA attempt to set me up for a murder for hire scheme. All these events are in my Federal Lawsuits enumerated in the Certificate of Interested Persons and Corporate Disclosure Statement in this document.

Note, I told the Federal District Court Clerk to "tell the Judge to get a big white tent with tunnel to hide their skulking faces". My intent is to pull in known informants and attorneys to have them testify under oath before a Federal Judge and Jury as to just what they have been doing. Please note several individuals I know who they work for. One took me on a tour of the FBI.

These actions denied the Plaintiff his constitutionally protected rights under the first amendment right of free speech, violations of the Fourth Amendment's prohibition on illegal search and seizure. Other applications include violations of Due Process and Equal Protection Fifth and Fourteenth Amendments.

### **B. Statutory Scheme Supports Plaintiffs Claim**

Florida Statute 732.201 (20) tells us that “‘Heirs’ or ‘heirs at law’ means those persons, including the surviving spouse, who are entitled under the statutes of intestate succession to the property of a decedent.” (2018).

In an intestate estate, only certain members of the decedent’s family, known as heirs, can be potential beneficiaries (Fla. Stat. §§ 732.102; 733.103). The distinction between heirs and beneficiaries is fundamentally important, as it is beneficiaries who are always entitled to notice of probate in Florida.

LL was an appointed Trustee by NART to perform the tasks listed in the trust, which typically include the distribution of assets to the beneficiaries and handling any other issues that may arise in the administration of the trust. A trust is a private document and is usually prepared for tax purposes, creditor protection and avoiding probate. A

personal representative is someone or some entity in a Will or appointed by the probate court to administer the estate of a deceased person.

The Trustee did not act in good faith. No notice of change in administration or probate court. The trustee did not seek advice of heirs prior to the sale of the asset. The Trustee did not notify of the death of the mother and her refusal to comply with Demand for Accounting and Distribution (Florida Statutes 736.0801 – 0817).

Fortunately, safeguards are available for individuals who suspect that administration may have commenced or is likely to commence without notice. For one, information regarding probate proceedings is disseminated online by the Circuit Courts of most Florida counties. Individuals wishing to take an even more proactive approach can file a caveat, discussed here, which triggers a compulsory response regarding the status of probate in most instances (See Fla. Stat. § 731.110).

As in the present case the Defendant's fraud was not discovered until after probate, plaintiff is allowed to bring a later action for damages since relief in the probate court was impossible (Schilling v. Herrera, 952 So. 2d 1231 (Fla. 3d DCA 2007)).

In DeWitt v. Duce, the Florida Supreme Court set forth the rule of tortious interference, stating that: if adequate relief is available in a probate

proceeding, then that remedy must be exhausted before a tortious interference claim may be pursued (408 So. 2d 216 (Fla. 1981)).

Plaintiff exhausted the remedies in the 5th Circuit Court of Florida Probate as the judge considering documents that support fraud existed, attorney misconduct, the mental state of the deceased, and LL intent, denied.

## **CONCLUSION**

The plaintiff has demonstrated a long line of egregious actions by the government. Actions that began with the plaintiff being branded a drug dealer by LL and her attorney boyfriend who were and are known informants for a government agency. That set-in motion a journey upon passing the CPA exam for acts discreditable that led to the destruction of my career, reputation, family, and all I sought to achieve.

What was thought to be a unique event in the 70's to address the growing drug problem in this country has become a common event. That has evolved to a vigilante mob running rough shod over society, with the court protecting the criminal actions of government agencies. Agencies that cannot escape liability in damages or criminally for the acts of its government actors. Only to find the court protecting these actions. Actions that include threatening and intimidating a federal witness victim while in Federal Court and defrauding a trust.

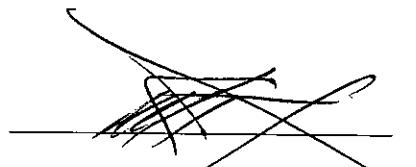
The intent to deny plaintiff financial relief and psychological damage.

An intent from the beginning to drive the plaintiff into a life of crime. All the time being surrounded by informants who tried to set the plaintiff up. To charge him for some nefarious crime and say, "see he's a criminal".

As in the present case the Circuit Court denied opening up the probate case considering fraud, attorney misconduct, and know well the mental state of the deceased was impaired, and she was not competent to enter into any transactions. This is an obvious attempt to cover up the criminal actions of the government agencies and informants who the court are known to protect and allow criminal actions by.

The petition for a writ of certiorari should be granted.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 3, 2021.



Morris Kent Thompson, Pro Se

## **CERTIFICATE OF COMPLIANCE**

I certify that this brief complies with the type-volume limitations set forth in Rule 32(a) (7) (b). This notice contains 4,551 words. Times New Roman 14 Pt.

## **CERTIFICATE OF SERVICE**

FRAP 259 b) through (d) (see reverse) requires that at or before the time of filing a paper, a party must serve a copy on the other parties to the appeal or review. In addition, the person who made service must certify that the other parties have been served, indicating the date and manner of service, the names of the persons served, and their addresses. You may use this form to fulfill this requirement. Please type or print legibly.

I hereby certify that a true copy of the foregoing PETITION FOR WRIT OF CERTIORARI and Certificate of Interested Persons and Corporate Disclosure Statement was served by:

[ x ] Deposited in the U.S. Mail

And properly addressed to the persons whose names and addresses are listed below:

Patrick L. Smith, Esq. 179 N. US HWY 27, Suite F, Clermont, Fl. 34711, For Jennifer A. Cerato

## **Certificate of Interested Persons and Corporate Disclosure Statement**

Interested person:

1. Wayne N. Thompson
2. Robert Renner
3. Kathryn Renner
4. Judge Burton
5. Robert Gilbert
6. Morris Kent Thomson
7. Jennifer Leppek Cerato
8. Susan Sullivan, Esq
9. Larkin Sullivan
10. Patrick L. Smith, Esq
11. Louis Aventino, Deerfield Beach, Florida
12. Maurice Graham, Attorney, Pompano Beach, Florida
13. Milton S. Jennings, Palm Beach Gardens, Florida, formerly Miami Florida
14. Norman Ghanem, Boca Raton, Florida
15. Carolyn Eckroade, Palm Beach Gardens, Florida, formerly Miami Florida
16. Jeffrey Robertson, Miami Lakes, Florida
17. Thomas R. Herrera, Miami/Hollywood, Florida, Formerly New York, N.Y.
18. Jeff Neilson, Bunker, Miami, Florida, retired in Virginia, Former Naval Intel

19. Paul McMahon, attorney, Coconut Grove, Florida
20. Zack Michael Slaibi, Boca Raton/West Palm Beach, Florida
21. Christian Johansson, Miami, Florida
22. Dan Perez, Miami, Florida

Southern District Of Florida | United States District Court

Docket No. 08-80312-CV-KLR

Docket No. 09:10-CV-81233-KRL

Docket No. 10-81233-CIV

Docket No. 13-80308-CIV-MARRA

Not all inclusive

11<sup>th</sup> Circuit Court of Appeals

Docket No. 09-16523

Docket No. 11782C

Docket No. 16212F

Not all Inclusive

US Supreme Court

Docket No. 08-8281

29 s.ct. 1663 (2009) 556 u.s. 1135 173 l.ed.2d 1007

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

Department of Justice, Federal Bureau of Investigation

Department of Alcohol, Tobacco, and Firearms

Department of the Navy, Headquarters USMC

Ferrer, Wilfredo A. \_ US Attorney

Ryscamp, Hon. Kenneth L.

Schultz, Anne R. – Chief Appellate Division

Vitunac, Hon. Anne E.