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IN THE
SUPREME COURT OF THE UNITED STATES

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SUPREME COURT, U.S.

Jeffrey Ray Sundwall PETITIONER
(Your Name)

ORIGINAL

vs.

State of Florida — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Florida District Court of Appeals, 3d DCA
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Jeffrey Ray Sundwall
(Your Name)

Wakulla Annex, 110 Melaleuca Dr.
(Address)

Crawfordville, Fla. 32327
(City, State, Zip Code)

N.A.
(Phone Number)

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p#1

Questions Presented

1) Contrary to scrivener's error, Grammatical error or Harmless Procedural Defects can any Indictment be valid when brought by uncredible Persons who are Guilty of acts of misconduct, both in the instant cases "specific deeds", and Modus Operandi (M.O.) that violates the validity of the Justice Systems Foundations in Fairness and Impartiality, required by the U.S. Constitution for the peoples faith and trust in a righteous criminal Justice System? i.e. my prosecutor being found Guilty for M.O. misconduct Deeds before my case, and 3 offenses in my case.

2) How can a criminal conviction be up-held when obtained by actions of prejudicial misconduct, and the courts' allowance of those intrusions on such Fundamental fair-play, on a invalid allegation[s], because they are brought through persons of ill-repute, known to practice unethical methods, unlawfully done in Bad-Faith, to taint and prejudice the Judicial system in obtaining convictions at any cost.

3) How can a State Court willfully defy well established Substantive Procedural Rights of Due Process, that are conflicting with Doctrine, Policies, and its' self?

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

State of FL v. Jeffrey Ray Sundwall : case #'s in 16th Judicial Cir., Monroe Co. Fla.

- 1) 17-CF-160-AKW
- 2) 17-CF-164-AKW
- 3) 17-CF-314-AKW

Jeffrey Ray Sundwall v. State of FL. : case # in 3d DCA Miami Fla.
 (A) 3D18-1763 = Affirmed Topic: Misfiled Suppression

Jeffrey Ray Sundwall v. St. of Fla. : case # in 3d DCA Miami Fla.

(B) 3D19-2462 = Affirmed Topic: Withdrawal Plea

Jeffrey Ray Sundwall v. St. of Fla. : case # in Fla. Supp. Ct.

(C) SC20-1430 = Declined Jurisdiction

Jeffrey Ray Sundwall v. St. of Fla. : case # in U.S. Supp. Ct. Cert.

(D) 20-07965 = Declined to Enter firm

Jeffrey Ray Sundwall v. St. of Fla. : case # in 3d DCA Miami Fla.

(E) 3D21-1464 = Affirmed Topic: New Trial

Jeffrey Ray Sundwall v. St. of Fla. : case # in Fla. Supp. Ct.

(F) SC22-098 = Declined Jurisdiction - 2-28-2025

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CASES	PAGE NUMBER
1) Mendez v. US 2018 US App. lexis 37821 (9-26-2018)	
2) St. v. Johnny 407 So. 2d 642, 1981, Fla. App. lexis 22033	
3) St. v. Bullard 858 So. 2d 1189, 1192 (Fla 2d DCA 2003)	
4) Blackburn v. St 888 So. 2d 1119 (2004) Fla. Sup. Ct case # SC18-1880	
5) Fla. Bar v. Colleen Marie Dunn 2020 Fla. lexis 772020 (Jan 16-2020) Fla. Bar case # 2017-70, 102 (16A)	
6) Fla. Bar v. Dunne 2019 Fla. lexis 1446 (Fla. Aug. 19-2019)	

STATUTES AND RULES

Fla. R. Crim. P. Rule # 3.600
Fed. R. crim. P. Rule # 33
Fed. 18 USC § 3161(b)
U.S. Const. 5th Amend.

OTHER

Fla. Bar Attorney Oath
Fla. App. Practice 8th Ed. (3) II (E) 2 e) 3 [§ 3.29]

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 "H" to the petition and is

- ☒ reported at Sundwall v. St. 2021 Fla. App. LEXIS 15140 (11-24-21); 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.

1.

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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 Feb. 23-2022.
A copy of that decision appears at Appendix "K".

☒ A timely petition for rehearing was thereafter denied on the following date: 3-2-2022, and a copy of the order denying rehearing appears at Appendix meet.

☐ 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).

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Constitutional & Statutory Provisions Invoked

Pursuant to the U.S. Const. 5th Amend. "No Person shall be held to answer for a ... Crime, unless on a presentment or indictment ...". Herein argument is put forth that such indictment is only valid when brought by a Reputable Accuser, and subsequent to Ms. Colleen Marie Dunne's Jan. 2010 misconduct she had violated her Fla. Bar Oath of Admission (see below); and caused all instruments she endorsed to become impotent and unprosecutable. This issue is independent from Mendez v. US 2018 US App. Lexis 37821 (4-26-2018) wherein the U.S. Appellate court found his indictment valid and case affirmable, for lack of a prejudice showing in a procedural error. Herein, Ms Dunne's malus in the Modus Operandi (M.O) is also illustrated in 3 "case specific" prejudicing Acts that mandate abandonment of "her" Indictment and all subsequent proceedings, moving toward dismissal or new Indictment.

Notwithstanding Fed. 18 USC § 3161(b) Speedy Trial Act, and St. v. Johnny 407 So.2d 642, 1981, Fla App. Lexis 22033 Petitioner Sundwall sought redress via Fla. R. Crim. P. Rule #3.600 demanding a New Trial on 3 Grounds.

Ⓐ Ms. Dunne's impotance to prosecute, Ⓑ New Discovery of such impotance Post-Proceedings, and Ⓒ The 3 "Case specific" prejudicing misconduct Acts committed by Ms. Dunne against me.

The Trial Court Abused its Discretion Arbitrarily Denying my demand claiming: a Petition for New Trial isn't applicable to Plea agreements. The 3d DCA adopted the Fla. Att. Gen.'s citation of St. v. Bullard

858 So. 2d 1189, 1192 (Fla 2d DCA 2003) erroneously.

The vehical of new Trial Doctrine is clearly illustrated to be applicable to any proceeding that is unlawfully prejudicial to any party. Thus the Fla. Sup. Ct. has Deprived Petitioner Sundwall of Due Process via it's refusal properly construe my Petition for Extraordinary writ to compell the 1st DCA of Fla. to expressly declar is reasoning for rendering in conflict between State v. Bullard (supra) and Blackburn v St (supra) as required under Substantive rights Doctrine. see: Lexis "Fla. Ann. Practice 8th Ed. #3 II) E) #2 c) 3 [3329].

Oath of Admission

TO THE Fla. Bar

Line #8) TO opposing Parties & their counsel, I Pledge fairness, integrity, and civility, not only in court, but also in all written & oral communications.

Line #9) I will abstain from all offensive personality & advance no fact prejudicial to the honor or reputation of a Party or witness, etc.

STATEMENT OF
CASE

This instant case comes before this Court from 3 Criminal cases "Traveling Together" wherein a Global Plea was entered by a Defendant with an Psychotropic Medication. Said plea was accepted by the Key West, Monroe Co. Fla., 16th Jud. Cir. Ct., presided over by Chief Judge Mark Jones, on Aug. 26-2018. The case prosecution was handled by Assf. St. Att. Colleen Marie Dunne FL Bar #451843. Ms. Dunne was Disciplined via "Suspended from the practice of law for 1 (one) year," on Jan. 16th 2020. Ms. Dunne is currently Defending against being Perminently Bar from the practice of law for additional offenses Ms. Dunne's sanction in case # SC18-1880 was imposed for conduct done between July 6th through 27th in 2010. On Mar. 5-2017 case # 164 began, and Ms. Dunne was assigned as prosecutor, over the next 45 days case # 160 and # 314 were added to Ms. Dunne's case-load. wherein my case occurred after Ms. Dunne's punished misconduct occurred and during the pendency of Bar case # 2017-70, 102 (164), culminated in FL Sup. Ct. case # SC18-1880, and her suspension, my indictments are moot. Subject to this prosecutors' impotence her authority to endorse legal documents and act before the court was invalid and the acts and filings are incapacitated, and thus void, disabling any constitutionally supported conviction in these instant case. Causing Petitioner to demand a New Trial. However, the L.T. advised its discretionary Power, via Refusing to adhere to well established procedural! Doctrines that safe-guard Accused's Rights. P # 10

Reasons For Granting Petition

The L.T.'s unreasonable grounds for Denying my New Trial was: "Cases" were resolved through a negotiated plea. This arbitrary Decision plainly conflicts with *Blackburn v. St.* (supra) defiling the consistency of the courts uniformly in "Principles of Law" and "Share Decrees", and herein specifically toward the application New Trial (R.L.C.M.P. #3,600), that derives from Fed R of Crim. P. Rule #35, equivalent to setting aside Judgements obtained prejudicially in violation of the U.S. 5th Amendment. wherein this may be a "Novel Cause" for a New Trial it fails to justify any Departure from the essential elements of law, to evade addressing this defect in the court, because it would collaterally upset 10 years worth of finalized criminal prosecutions. Subsequently the 1st Det's opinion in this case arbitrarily derived as me of my right to redress of this wrong I'm afflicted by.

The 1st Det's refusal to "acknowledge" that I sought an enforceable order to compel the 1st Det to expressly Declare its reasoning for conflicting with the 1st Det's words rises to a deprivation of Justice that is of Great Public Interest, because it cripples the people of this country's faith in Justice, turning a blind eye from what is constitutionally protected if we insist to claim that the U.S. Const. protects All persons, Florida, and other states abandonment of Justice for cost via moral and constitutional emptiness causes this case to be ripe for entertaining, even if only to reinforce the fact that all state Governments are subject to the people under our constitution, for the proper dispensation of Law and Justice.

Conclusion

Based on the invalidity of a Government Prosecutor, in countless wrongs, and her M.O. of misconduct that has been proven to be "Prosecutorial victory at any cost", that undermines the faith of the people of this country, and shames the courts for not having a Righteous, Just, and moral Judicial system, this case should be entertained for a reversal of any finding of Guilt based on any invalid Indictment.

This Petition for writ of Certiorari should be Granted, at least to such end of a New Trial.

Respectfully Submitted

Jeffrey Ray

Jeffrey Ray Sundwall
DC# B29115

Dated: 5-19-2022