

In The
Supreme Court Of The United States
22-6158

L POWERS,
Petitioner,

v.

UNCLAIMED PROPERTY
c/o Ron DeSantis c/o Tawana McClellan,
Carol Berkowitz, Kristen Carey, Penny Mallow, et al.
Respondents.

Supreme Court, U.S.
FILED

SEP 01 2022

OFFICE OF THE CLERK

On Petition For Writ Of Certiorari
From The Florida Supreme Court
To The United States Supreme Court

PETITION FOR A WRIT OF CERTIORARI

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RECEIVED

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SUPREME COURT, U.S.

QUESTIONS PRESENTED

1. Shall we send the wrong message to public that *judges* use *illogical technicalities* over interests of justice to *cover* for Florida Governor?
2. Forget Civil Rights, for a moment. Was it appropriate for Courts to not judge the issue of guardianship with proof of non-guardianship?
3. Isn't it against the law to take inheritances for whatever reason?

May 30, 2022, 9:30-pm, Petitioner met homeless man institutionalized for 1-day and let go, I believe because his "father took millions to the grave" and Florida State took dads Unclaimed Funds

4. Shall judges be allowed to set aside a case based on his/her connection to Respondent? Isn't this a Constitution 101 No-No?

Abuse of power can cause poverty in this generational inheritance loophole I am fighting, which disgraces American Flag, rather than being stewards of goodwill. If you agree, unicorn in. Life's short.

5. Would the Appearance of a Florida Guardianship CEO linked to Murders give *the appearance to the common man reason to doubt judges' impartiality in dismissing the case? WhyNOT DIG DEEPER for relief in public's best interest?*

Petitioner saved others' lives ultimately by getting CEO fired and *judge dismisses standing laws?*

6. Should the law be allowed to take inheritance of wards in guardianships?

They take it all!?

PARTIES TO THE PROCEEDING

Petitioner L POWERS was plaintiff in Northern District Court Of Florida and appellant in First District Court Of Florida and Florida Supreme Court.

There were Zero Respondents, though Governor DeSantis et al. were listed in the Northern District Court Of Florida. Judge Argued On Their Behalves. Appellant in First District Court Of Florida and Florida Supreme Court was Ryan Newman, Esq., who only made an appearance. He said nothing.

Florida CFO and Attorney General were motioned to be a party.

STATEMENT OF RELATED CASES

Northern District Court Of Florida, No-1D22-749, L Powers vs Florida Governor et al., Tallahassee, Florida. Judgment No Record.

Northern District Court Of Florida, No-4:21-cv-483-WS-MAF, L Powers vs Florida Governor et al., Tallahassee, Florida. Miami, Florida. Judgment Entered 02/17/2022.

Florida Supreme Court, No-SC22-744, L Powers vs Florida Governor et al., Tallahassee, Florida. Judgment Entered 06/07/2022.

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APPENDIX B - Northern District Court Of Florida Order, No-4:21-cv-483-WS-MAF, L Powers vs Florida Governor et al., Tallahassee, Florida. Miami, Florida. Judgment Entered 02/17/2022.

APPENDIX C - Florida Supreme Court Order, No-SC22-744, L Powers vs Florida Governor et al., Tallahassee, Florida. Judgment 06/07/2022.

APPENDIX D - Judge Signed Off Father As Possible MH (Mental Health), Not GD (Guardianship).

TABLE OF AUTHORITIES

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| <u>-Rule 28 U. S. C. §1257(a)</u> | pg I |
| <u>-Rule 11</u> | pg I |
| <u>-COX v. BURKE</u> , Florida District Court of Appeal, Fifth District, No. 96-2835, (1998). <u>Re: Fraud On The Court</u> | pg 3 |
| <u>-Association for Molecular Pathology v. Myriad Genetics, Inc.,</u> 569 U.S. 576, <u>Unites States Supreme Court</u> , 2013 | pg 5 |
| <u>-Rule 10: U.S. Supreme Court Compelling Reasons Grant Cert.</u> | pg 5 |
| <u>Richards v. United States</u> , 369 U.S. 1, 6 (1962) | pg 6 |

1 - OPINIONS BELOW

No Opinion Published To The Best Of My Knowledge

JURISDICTION

Jurisdiction Invoked under Rule 28 U. S. C. § 1257(a).

The petition is filed under this Court's Rule 11.

STATUTES AND CONSTITUTIONAL PROVISIONS

- 39 U. S. C. §409(c) pg 2
- Florida Statute 732.107pg 2
- Florida Statute 744.534pg 3
- Fla. Code Of Judicial Conduct, Canon 3pg5
- Amendments I & XIV U.S. Constitution ... pg 6
- Florida Statute 57.081pg 6
- 18 U.S.C.§1031(a).Major Fraud ContraU.S.pg7
- 18 U.S.C. §1622. Subornation of Perjurypg7
- 18 U.S.C. §1341 pg7

2 - STATEMENT OF CASE

UNITED STATES SUPREME COURT per **Federal Tort**

Claims Act (FTCA) allows Florida State, its' Governor, CFO, Attorney General, Other Staff to be liable under "tort claims arising out of [Negligent] activities 39 U. S. C. §409(c). *FTCA waives sovereign immunity* in cases involving negligence committed by federal employees in the course of their employment, making the United States liable "in the same manner to the same extent as a private individual under like circumstances". So as his daughter, I sued based on my father's unclaimed funds wrongly "permanently escheated", per Florida Statute 732.107: "When a person dies leaving an estate *without being survived by any person entitled* to a part of it, that part shall escheat to the State."

I have standing and the lower courts erred.

My inheritance in this unclaimed fund at fttreasurehunt.gov was removed (2017) by a sick Florida State Guardianship Program Supervisor, Carol Berkowitz. This happens to many, in Other States and when they have loved ones in Florida Guardianships, but live in Another State. Rules on inheritance should change to keep families' monies within families. They aren't informed upfront, dishonestly.

3 - STATEMENT OF CASE

My father was NOT in a guardianship and a Judge signed off on that (Appendix D). Reward Money from his Engle Cigarette Company Lawsuit Win was placed in the Florida's Unclaimed Funds, upon his sudden death (2008). When the funds disappeared (2017) online, I informed Florida State CFO, Jimmy Patronis, and Others via email that the Unclaimed Funds Website was hacked--post billion Facebook people hacked and Many Millions on Yahoo hacked, as I was a victim in both!

Florida State changed the rules online in this digital age (2022) to appear innocent. Court Clerk, Kristina Samuels, et al. altered my record, engaged in mail fraud, and used undated stamps to confuse (see COX v. BURKE). Making matter worse, mail travel for me, as a pro se, to respond /receive court mail was hampered in a terrible, unfair experience to not have computer access to file docs in **21st Century** to rely only mail. Miami court communists deleted files & letters to Judges I wrote from one day to the next. World was anew: no more polite, competent customer service.

I solely reported the guardian to be fired, which they call "retired". An investigation--which led to finding wards being killed, against written consent, & families losing their inheritances, also shockingly, against Florida Statute 744.534; they didn't search for us. We lived 10-minutes

4 - STATEMENT OF CASE

apart: 2 Rigwan's (last name) in U.S., I was born in Miami Beach, FL and have Court Cases Galore Listed Online, and more easy 411 to find me.

Upon due diligence, the unclaimed funds law is in my favor. I can show proof, never asked, but want it back in my father's unclaimed funds.

Per the law, they did NOT take his funds within 5 years from 2008. It took 10, when killer-thief Berkowitz was hired (2017). I claim *laches*!

At no point was anyone reasonable in returning the funds. They should have upon firing the killers, but dismissed me and kept the funds.

If I don't fight this, American Inheritances Go To Assholes and WE Go To The Poor House due to Abused Laws Helmed By Greedy Individuals. Though the education fund is a worthy recipient, it should not be tied to people's Ferraris', Picassos' or Furniture with the plastic on it when a ward dies, nor should the State be given card blanche during their living. That clearly leads to abuse! They are NOT calling us, intentionally. The abuse portion is on the State, who employ sick people and are *meritless* in my claim. They should have returned it, pronto!

Attorney General, Ashley Moody, is supposed to fight this case for the Governor, not Mr. Newman, Esq., I stated by law to them. My motions to add her & the CFO were also ignored.

5 - STATEMENT OF CASE

Many families in Ohio, Michigan, Texas, and in Other U.S. Guardianships will benefit from this *overdue matter of concern*.

If the Patent Office can be wrong after 3 decades, so can Guardianship Programs: Association for Molecular Pathology v. Myriad Genetics, Inc., 569 U.S. 576, United States Supreme Court, 2013.

REASONS FOR GRANTING THE PETITION

TO PROTECT INTEGRITY OF THE

UNCLAIMED FUNDS LAWS:

1. My father was not in a guardianship and the State should by law put his money back into the treasure hunt unclaimed fund.
2. Guardianship inheritance law should be changed for wards.
3. Inheritance money/assets should go to the families by law!
4. Rule 10: U.S. Supreme Court
5. Protect Canon 3: "a Judge Shall Perform Duties of Judicial Office Impartially and Diligently."

6 - STATEMENT OF CASE

6. FTCA (1946) was enacted as a mechanism to compensate victims of *governmental wrongdoing* and to “deter tortious conduct by federal personnel” by rendering the *United States liable for the torts of its agents ...*. *I Concur Whole Heartedly!!! Do you?*
7. Richards v. United States, 369 U.S. 1,6 (1962): Judge opined that sovereign immunity is an *affirmative defense* personal to the sovereign to which it bears the burden. It was limited for claims of negligence or wrongdoing, *like denying taking my dad's money even upon providing proof of MH, not GD and denying a homeless person, they made homeless on other cases, en forma pauperis.*
8. Florida courts have always allowed suit to enforce contracts as well as challenges to constitutionality of statutes or actions for taking private property.
9. Amendments I, XIV and FL Sta. 57.081(1).
10. Respondents et al. and Courts essentially just shifted the real issues by seizing my civil rights in a Bad-Faith Order.

7 - STATEMENT OF CASE

11. Respondents et al. knew better, against 18 U.S.C. §1341, §1622 & §1031(a): "Whoever knowingly executes, or attempts to execute, any scheme ... intent to defraud the United States".
12. Plaintiff strongly feels Florida Supreme Court had **public + statutory duty to remedy the defects of justice too.**
13. Tort Claims Act: Congress enacted a rule requiring federal courts, in multistate tort actions, to look in the first instance to the State law where the acts of negligence took place. Pp. 6-10. District Courts did not. I sent the e-mail trail of first instance.
14. Permanent Harm to victims vs. gain to Respondents et al. must be reviewed for Integrity of Guardianship Programs and Families, Health & Wealth Of Our American Population, and Courts Conduct On These Issues.
15. Appearance of the court neglecting my indigency application, intentionally, also makes my claims on the merits look credible.
16. Isn't granting forma pauperis U.S. Supreme Court precedent?

8- CONCLUSION

Plaintiff has standing, per Florida Statute 732.107: "When a person dies leaving an estate without being survived by any person entitled to a part of it, that part shall escheat to the State." How many Rigwan's do you know? Exactly. None. We looked alike too. I was conceived on Miami Beach and we lived 10 minutes apart. I wasn't even asked for proof. Of course, his name is on my birth certificate. They never searched for heirs. My case was NOT difficult. Negligence is.

Certificate Of Service

I HEREBY CERTIFY that a true & correct copy was mailed to the Office of Governor Ron **DeSantis** c/o Ryan Newman Esq., State of Florida, The Capitol 400 S. Monroe St., Tallahassee, FL 32399 on September 1st, 2022.

Sincerely,

L Powers, Pro Se

General Delivery

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LPowers

September 1, 2022