

No. 22-7560

ORIGINAL

Supreme Court, U.S.
FILED

MAY 01 2023

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

Patrick Timothy Wyatt — PETITIONER
(Your Name)

vs.

Jon Bolling Wood et al, — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court OF APPEALS 11th Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Patrick Timothy Wyatt
(Your Name)

Dooly State Prisons F-1 206-B
(Address)

UNADILLA, Georgia (31091)
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

- 1) Does A Federal Court Fail In It's Fiduciary Duties When
On The Face Of The Record It Fails To Administer
Justly The LAWS OF An AFFIDAVIT.

- 2) Did The Federal District Court Err By NOT RECOGNIZING
Plaintiffs' 5th And 14th Amendment Rights To Accept For
Value And Return For Value All The Charges In The
Charging Instrument.

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

[X] 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:

Patrick Timothy Wyatt ;

Plaintiff

Chris CARR ;

Defendants

Herbert E. "Buzz" FRANKLIN,

Kim Windle JAMES,

Jon Bolling Wood ;

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STATUTES AND RULES

14th Amendment Due Process	9
The right itself derives at two provisions in the U.S. Constitution, the first provision of law which is also part of the 5th Amendment, and must be respected.	
15 USC 1681 a(b)	9.1
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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 A to the petition and is

☐ reported at 23-10279; 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☐ is unpublished.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 B to the petition and is

☐ reported at 4:22-CV-0246-WMR; 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☐ is unpublished.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 March 03 - 2023.

☒ 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 _____.
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

5th. Amendment U.S. Constitution :

14th. Amendment U.S. Constitution :

15 USC 1681a(b)

27 CFR 72.11

28 USC 3002 Section 15 (4)(b)(c)

STATEMENT OF THE CASE

Accordingly the record in Patrick Timothy Wyatt's Case shows, he filed a "Commercial Affidavit of Truth ON the 14th day of June 2022 in Chattooga County, State of Georgia And the record will further show Plaintiff filed for "Summary Judgment on July 29, 2022. Both filings went into default and still remain unrebutted by the State of Georgia in the State Courts.

Plaintiff in further showing This Honorable Supreme Court of The United States, Title 28 USC 3002 Section 15(a)(6) in which Plaintiff is in pursuant to 27 CFR 73.11 "ALL Crimes Are Commercial" as well as protected under the 5th and 14th Amendments towards due process of law, which should have afforded Plaintiff's substantive right to accept his Commercial charge at anytime, Gideon v. Wainwright 372 U.S. 335

Plaintiff is not Arguing the Convictions he is Making A Valid Claim under the "MAXIMS OF LAW" which states An unrebutted Affidavit After 30 days stands as law and Judgment in Commerce U.S. v. Lopez, NO. 07-3159 (10th Cir 2008)

Plaintiff would further show that the State of Georgia's silence can only be equated with fraud where there was a legal or moral duty to speak, or where inquiry left unanswered would be intentionally misleading . . . U.S. v. Tweel 550 F.2d. 297-299

Plaintiff's denial of Due-Process renders All judgments Void in this case; Worldwide Volkswagen V. Woodson, And NATIONAL BANK V. Wiles And Also see, Pennayer V. Neff

Plaintiff Also shows This Honorable Supreme Court of the United States, The Federal District Court was entitled to Accept as true the facts Alledged in Plaintiff's Affidavits, Trushow V. Woodruff (1967).

Plaintiff further respectfully shows 28 USC 3002 Section 15 (A)(C) states the United States defines itself as A Federal Corporation And Not a government (Note the Capitalization indicating the Corporation, Not the Republic), including the judiciary proceeding section.

Plaintiff further submits pursuant to 15 USC 1681 a(b) and 28 USC 3002 Section 15(a)(b)(c) the All Caps "Person/NAME" is a trust/estate Corporation, as per IRS publication 1212 All Courts (Corporations) Must file a 1099 OID for each CASE And the trust Account involved on the form is the SSN Account of This Plaintiff. IRS MANUAL 21.7.13.3.2.2, states the SSN is a trust;

Plaintiff further would respectfully show that "a public official is a fiduciary toward the public, including in the case of a Judge. The litigants who appear before him/her And if He or she deliberately Conceals Material information from them, he/she is guilty of fraud." U.S. V. Holzer 816 F2d. 304-307 (1987), also, Public Officials Are Also "Trustee[s] And servant(s) of the people", Georgia Dept. V. Sistrunk 291 SE 2d. 524, 526 (1982).

REASONS FOR GRANTING THE PETITION

Plaintiffs' reasoning involved in granting of her writ is to ensure
And preserve this Plaintiffs' 5th and 14th Admendment Rights to her
U.S. Constitutional provisions which the right itself derives at two
provisions in the U.S. Constitution And both must be respected; in
Plaintiffs' Rights to be heard, AS to her Lawfully filed Affidavit
which is still unlawfully "unrebutted", by the state of Georgia; And
it will enforce already established LAW, concerning her properly
filed "COMMERCIAL AFFIDAVIT OF TRUTH"

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Patrick Linerth, of the family, Wyatt

Date: 5-1-23

NOTARY Public;

encl 5-1-23

