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No. Pending 23-5395 ORIGINAL

FILED
AUG 14 2023
OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE
SUPREME COURT OF THE UNITED STATES

JUSTIN "DAVID" LEWIS
Petitioner

v.

UNITED STATES OF AMERICA
Respondent

In re JUSTIN "DAVID" LEWIS for an EXTRAORDINARY WRIT OF HABEAS CORPUS

UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT
UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION

JUSTIN "DAVID" LEWIS
3290 NW 10th St
Ocala FL, 34475

Addressing the Questions of the Controversy

1. To address before the Honorable Supreme Court, the difference between civil and criminal fraud, and determine a judgment in principal; "if criminal fraud (whether Knowing or unKnowing) can be based upon a breach of the Corporate Nature of the Contract."

a. If an individual complies with the contract holders terms, what behavior renders and triggers criminal prosecution?

2. When issuing a warrant pursuant to Federal Rules of Criminal Procedure 41 and pursuant to Federal Rules of Criminal Procedure 27, 55 and Federal Rules of Evidence 901, 902, is it required to docket a warrant for the purpose of authentication and to prove the record?

a. During the search of a residence and in accordance to the Fourth Amendment (and Rule 41), if a warrant is not immediately served on the resident of the search, is the search/warrant rendered invalid as procedurally deficient?

3. To please address the remedy when representation is so deficient, that the dereliction of counsel is that of a guise/allusion, to intentionally disinform, deceive, and convey falsehoods to an unsuspecting client who may not understand the law. In turn, this purposely allows the government (or Court) to infringe upon and desolate a Defendants Constitutional and human rights, while counsel voluntarily enjoins in the governments conspiracy and creating a violation of Constitutional proportions to a Defendants Fifth, Sixth, Eighth and Fourteenth Amendment. Where the powers to be creates such unjust influence and corruption, that the only person that a Defendant can truly trust is himself as to petition the Court for self-representation in trial and on appeal. (Question is inclusive of 3b)

a. If the Courts are made aware of a Constitutional violation, treaty, or being held outside a statute/law/or right and the defendant, confined to an institution but files a pro se motion for relief while being represented by counsel and counsel still chooses not to file said motion, what alternative avenue can a defendant reprieve in order to be released from the confines of illicit detainment?

b. Does an Appellant's Fifth, Sixth, and/or Fourteenth Amendment right, extend to his right to represent himself on direct appeal? In accordance with Question 3, should denying him that right be used as a tactical advantage, so that the Petitioner may be unable to seek instant relief such as his claim for Summary Affirmance on Double Jeopardy grounds (See Appeal No: 22-10564)? (See Exhibit D1)

c. Can a Court appoint unwanted representation as a leverage to prevent a Defendant/Appellant from appropriately filing motions that a Court Knows has absolute merit but deny's his right to Self-representation to prevent the filing which may grant him instant relief? (See Exhibit D1)

d. Can a Judge persuade a Defendant from representing himself by stating deliberate falsehoods such as when an illegal Fourth Amendment search has occurred, that a public defender, if appointed, will utilize the exclusionary rule to Suppress the fruits of the tainted search? (Though the Public Defender never intends to file the motion.)

e. When a defendant at trial moves the Court to represent himself, can a Judge deny that right because he "doesn't want to Keep the jury waiting"?

4. In the situation that a Pro Se Defendant motions the Court for release from custody pursuant to 18 USC § 3145 and the Magistrate deny's that motion (instead of issuing a Report & Recommendation which is objectable) and the Defendant appeals that denial, why doesn't the Circuit Court obtain Jurisdiction?

a. In that same motion for release from custody, the Defendant cites a Double Jeopardy claim as an additional factor for his release and the Magistrate in his denial cites that the Double Jeopardy claim is "frivolous". Can the additional claim for a Double Jeopardy be used in addition to his motion for release, to give the relevance of Jurisdiction on the second issue? (See Exhibit D1)

5. In the Middle District of Florida, at a hearing addressing the Defendants Double Jeopardy claim, the Court verbally denied the Defendants motion without reason. After so, the Defendant immediately appealed that decision. On each of the Defendants appeals, the District Court strategically denied the right to proceed the appeal In Forma Pauperis (even though deemed indigent) because the Defendants' appeal was "not taken in Good Faith". The question presented is 2 part: Can a Court 'verbally' deny a motion to dismiss on a Constitutional violation of Double Jeopardy for no reason? and 2; Should the denial of a Defendants Informa Pauperis be contingent upon a "not taken in Good Faith" argument, when in reality the argument here is being used as a tactical maneuver to prevent a Defendant from seeking relief from a higher court.

a. If a Defendant is appealling a judgment from a District Court to a Circuit Court (docketed as required to the District Court) and the notice of appeal brings notice of the Defendants intent to appeal to a Circuit Court, Can a District Court divert that appeal from the Circuit Court, act as if it is the Circuit Court, in order to prevent a Defendant from reaching a higher Court?

b. According to a judgment from an appeal to the Eleventh Circuit, that an appeal from release of custody pending trial pursuant to 18 USC § 3145 is without jurisdiction from this Court because "it would not serve to cure the premature notice of appeal."

On another Interlocutory appeal from a denial of a motion to dismiss on Double Jeopardy grounds, the Circuit Court cites that they lack jurisdiction because a "Motion to Dismiss" is not a final or immediately appealable decision (strategically omitting the violation of Fifth Amendments Double Jeopardy Clause). Then the Circuit Court seems to have already made the determination in liason with the government that the Appellants claim (without review) is already presumed frivolous and that the "Court can only review colorable, non-frivolous double Jeopardy claims prior to final judgment". Later the same jurisdictional question cites that a "denial of an interlocutory motion to suppress evidence is not appealable by the defendant", (which is not the relief sought and highly irrevelant.)

In the present cases, the Circuit Court seems to have voluntarily relinquished jurisdiction on all interlocutory appeals. The Petitioner has cited and well documented 2 of the 3 instances in which an appeal can be heard on interlocutory review (See Shalhoub, 855 F.3d at 1260). But the Circuit Court strategically prohibits review on the basis of an inadequate Jurisdictional question. Then for what reason does an interlocutory appeal exist, when an alleged 'neutral and detached' Circuit Court has already made the predetermined presumption that an appeal is frivolous and cites a lack of Jurisdiction when Jurisdiction has already been appropriatly established?

6. Does it constitute a Fifth, Eighth, and/or Fourteenth Amendment violation, to Keep a Defendant confined to an institution for a prolonged period of time without reason while awaiting a competancy evaluation? (or Sixth Amendment)

7. Would venue in a government created conspiracy constitute Jurisdiction to an alleged offense that otherwise should of been tried in an entirely different district?

8. To please address the illegal; 2703's, Google Warrants, Search of the residence, Bank Warrants/Seizure and to make a default judgment on the Constitutionality of both indictments.

a. Investigate Judiciary, clerK, and government misconduct per the illicit forgery of a Judges signature, where they came from, when they were signed and who actually signed them

9. Make a default judgment on the illegal criminal forfeiture proceedings against the Defendant:

a. Property that was vindictively forfeited upon an illegal pre-indictment offense for which was never charged.

i. A Double Jeopardy violation of Money Laundering and Identity Theft that predicated Wire Fraud (Identity Theft Dropped).

ii. Seized under a criminal drug statute and at trial an illicit money judgment.

iii. That both properties were located in the Northern District of Florida (both properties are located in the Middle District

10. To launch a full investigation (RICO and False Claims ACT) into the corruptive behavior of Verizon and any other corporation, group, or government agency involved with the misconduct, setup, and prosecution in an attempt to make a contract a criminal offense.

a. Address the utilization of tax funded criminal investigations for Corporate profit such as using a government agency as an extortion tool and free resource debt collection agency.

b. As provided to the Petitioner [Defendant] by the government (ECF Doc. 34, 35, 36, 37, 38, 39, 40, 41, 42, 44 5:19-cr-5) Verizon claims that they are a Law Enforcement agency and collecting evidence as a law enforcement officer. Is Verizon a "Law Enforcement" agency? Can Verizon utilize a "Law Enforcement" officer to circumvent legal process?

c. Can Verizon violate federal law and voluntarily share information with the government such as the contents of communication without a warrant and without legal process?

d. Is Verizon or any corporation, government official/agency, above the law?

11. Can a case be so vindictive that it constitutes a federal crime to those involved who have voluntarily conspired and enjoined in liason with the illegal apprehension (and seizure of property/funds) of a Defendant in order to sustain some type of illegitimate motive, violating his Constitutional and human rights?

12. Does the Petitioners Double Jeopardy claim hold merit when the original Jeopardy as to the "Reason for the search" did not sustain the underlining violation of "Money Laundering and Wire Fraud" which ended with the indictment? The original indictments main count was "Identity Theft" not "Wire Fraud/Money Laundering" which ended the original Jeopardy. Then dropping "Identity Theft" in the second superseding indictment ends the second Jeopardy and creates a third Jeopardy and presents a domino effect with the other Jeopardy's including the Jeopardy for the indictment in the Middle District. (via Successive Prosecution and Collateral Estoppel) ↓

a. Does GRANTING a Motion to Reconsider Franks, Motion to Suppress, and Motion to Dismiss end all Jeopardy's including the Jeopardy for the indictment in the Middle District? (Doc 187 via Doc 191)

10(e). Can the government/Verizon act on behalf a fake investigation to procure a criminal indictment? Can Verizon through the government introduce irrelevant information to the record at trial such as their ability to trace "cookies" to a certain individual to enact some type of illegitimate policy (inter alia)? All of FD-302's with the agent and Verizon all reference Verizon's utilization of a tool or verbage that consist of various violations of the Stored Communication Act 2701-2713 and the Omnibus Crime Control and Safe Streets Act 2510-2523. Can the government/Verizon show the jury two inconsistant loss amounts and both with different dates? If Verizon openly admits that they are using "deception technology", how can this same deception technology be used to illegally apprehend and prosecute a Defendant?

13. Is an agent of the FBI, AUSA, USA or any government official above the law?

a. If any government official forges a Judges judicial signature, does that forged signature, on any document, take precedent and hold merit over the presiding (the victim) Judges official capacity and authority?

b. Can a government official(s) utilize the powers of the United States under the Color of Law to:

1. Forge a Judges signature on a search warrant to seize the Bank account funds of a Defendant under the table for their own personal financial gain?; (should they be held in criminal contempt?)

2. In an attempt to make a contract a criminal offense?;

3. Search a Fourth Amendment protected domicile, records, and everything else (i.e.) without the requirements of a warrant?; (should the government agents/officers be sanctioned and charged with a federal crime?)

4. Provide irrelevant and inconsistant case law, criminally seize a property and funds under an incorrect (blatantly wrong) statute (money laundering, Identity Theft, Drug Crime, Aiding and Abetting, etc.) and lie under the penalty of perjury of an incredible story that is negated between the acting AUSA and FBI agent on record?; (is this criminally applicable?) (Doc. 59)

5. Provide defenses prior attorney with an illegal search warrant of the residence by sketchy means of an informal email stating, "here is a copy of the warrant provided by agent Barter", Knowing that the warrant was a forgery of a Judges signature to Defendants prior attorney and without the appropriate cover letter (Knowing its illegitimate source).

i. If an AUSA voluntarily enjoins himself in the illicit action of a criminal conspiracy, such as providing an illegal warrant(s) to a defendants attorney, should that AUSA (USA, FBI agent) be criminally prosecuted (and omitted from the bar)?

6. For the procurement of an additional indictment (to slander, create libel statements, character defemation, and utilized as a deference from a previous (original) indictment of ill defined charges and without Jurisdiction, to be utilized "only" as leverage to:

1. deplete the funds of a Defendant from obtaining the sustenance and choice of competent/adequate private counsel and;

2. create an additional barrage of emotional inflictions and hinderances (as a demonstration to the public) on exactly what a Corporation and a government agency (working in liason) can do and how far they can go to show totalitarian authority to those who challenge an illicit status quo.

7. Can the government practice procedure and policy outside the Federal Rules of Criminal Procedure and Federal Rules of Evidence? And outside the laws of the constitution, statutes, and rights of the United States? What should be the consequences imposed to a government official that chooses to operate outside the confines (as a rouge entity) of the rules and procedures enacted by Congress?

8. Can the government be allowed to screen and filter the legal mail from a confined Defendant in order to prevent/restrict him from reporting, attorney, court, and government misconduct? Including seeking the assistance of counsel or other organizations/non-profits that specialize in human rights violations/false imprisonment? And restricting him from his First Amendment right of access to the Courts on what can or cannot be introduced or viewed and accessed by the public (to meet the confines of an illicit government narrative).

14. Should the Courts (jeopardizing the publics confidence in itself) be working in liason with a government cover-up, to aid in the assistance of the illegitimate motive?

15. Does the Courts and government still recognize the Constitution as the leading authority of the law? Does that also include the recognition of a natural born citizens Bill of Rights and Human Rights?

16. Is it concerning that the original cover letter provided by former AUSA Jason Beaton stipulates a caveat and questions his own authenticity of the discovery provided stating, "This notice of intent to offer the evidence in this manner is provided to allow you fair opportunity, prior to trial, to challenge the authenticity (written solely in bold and underlined) of the records or the sufficency of the certificate."? (no mention of the search warrant to the search of the residence is included). The AUSA soon resigns and flees to Texas. Soon after the Northern District of Florida, Clerk of Courts' website adds a sidebar link to report Prosecutorial Misconduct, though Defendants attorney advised against the reporting.

17. On July 3rd 2018 in the Northern District of Florida (Doc.21) as part of the Defendants arraignment, Judge Jones reviews the indictment and questions the government, "What is Page Plus?" (the Defendants' company). AUSA Jason Beaton reluctantly has to explain to the judge, "...It's nothing your Honor." Why is it that Judge Jones who allegedly signed 30 plus orders and warrants (and who knows what else), but has no idea who I, or who my company was? (there should of been at least a semi-ammount of familiarity)

18. In the instance of the Defendants arrest, is it a violation of the Fifth, Eighth, or Fourteenth Amendment for the government to utilize the FBI Task Force Team (who typically is only deployed in terrorist scenarios; not alleged white collar crimes of reselling data of an alleged 1.3 million dollar loss) to initiate as a show of force and violently engage an individual who would not go along with the governments frivolous plea deal? (In return would jeopardize the exposure of the governments malversative vindictiveness and illegal activity)

19. In a discovery exhibit provided to the Defendant, the agent tries to cover-up the illegal search of the residence by providing a superfulious miscalculation involving Stoobies Electronics. What raises the Defendants suspicion is a "Writ of Errata" of the alleged warrant is signed off by "Judge Jones" of the Northern District of Florida. Though the original warrant (provided later) was allegedly signed by Judge Lammens of the Middle District of Florida. Why would "Judge Jones" clear an error of validity for a warrant he didn't sign and outside his jurisdiction?

20. In a discovery exhibit provided to the Defendant, a conflict is exchanged between AUSA Beaton and SunTrust Bank. SunTrust Bank questions the authenticity of the seizure to the bank account warrant concerning "why there isn't a payout order." AUSA Beaton engages with the rep suggesting if SunTrust does not comply, that an order would be entered on behalf the United States to make them comply. There are other strange exchanges with other banks about lost checks and issuing checks in the name of the agent. Does the behavior of the government officials including the illicit missing payout order (inter alia; illegal search of the residence, Bank Warrant forgery, late docketing, etc.) illustrate the malversative intent of those involved to seize the funds under the table for their own financial gain?

21. Why is it okay for an FBI agent to lie to a witness to sustain an inditment from a grand jury (while lying to a grand jury) but if a witness lies to a FBI agent he will be criminally prosecuted?

22. Even if the search warrant of the residence was valid, can the government initiate an generalized unrestricted search to search and seize anything from anywhere? Can the government seize devices and other articles of a search, and because the device does not meet the governments narrative, be strategically excluded from the provided inventory sheet, but still be seized as part of the search? Should the government 'during' the search of a residence be broadly searching (for anything and everything) all electronic devices including broken laptops, salvaged parts, school tablets, etc.? (the government left the broken drives but kept anything that was operational). Should a government agent of a search be able to move electronic devices from their original location and place them in a more incriminating perspective for photographic and evidentiary purposes? Can this type of behavior along with a deficient warrant render a criminal action to the government agents executing the search?

23. When viewing the original email headers (the address to and fro) between the FBI agent and Florida Credit Union rep Dawn Deese, the headers of the email all point to be originating from the FBI and not from FCU and Deese. The agent utilizes the agent-principal problem as a means to initiate an vindictive investigation that never was originated by Deese, but instead was initiated by the agent. If the FCU rep never initiated the procurement of the alleged initial investigation and the agent, unknowing to the FCU rep, utilized her position and identification in a malversative manner, then is this behavior more of a case of identity theft then it is an agent-principal problem? And according to the agent on testimony, the ads in question were simply forwarded

by Deese in August of 2017 and then in a recanted statement the refferal was in June of 2017 but the timelines don't match up with the story. Even though the FCU rep coercingly testified at trial (under the penalty of perjury) to say she "wanted to see what was reselling of Verizon data," the checks of the customers contradicts all these statements as the endorsements on the back of the checks in February of 2017 were utilized as evidence to obtain a government created conspiracy of venue to pursue a more selective jurisdictional prosecution. The endorsments of the checks are imprinted with a "Florida Credit Union, Gainesville, FL" insignia. While out on bond and inquiring with several other individuals who had an established bank account with FCU and had opened their account in the Middle District of Florida, Ocala branch, all reported the same method of mobile depositing their checks as the Petitioner [Defendant] and around the same time but none of their check examples had the manipulated endorsement of "Florida Credit Union, Gainesville, FL." The question then presented and like Verizon, can a financial institution such as Florida Credit Union, voluntarily enjoin in a conspiracy to create venue in liason with the government, in order to establish the means of a malversative motice and illicit prosecution, while still assuming immunity even though they are breaking federal law?

a. Following the governments' created conspiracy of venue at Florida Credit Union, the Petitioners brother also had an established Verizon account in the name of his business. In March or April of 2017, several suspicious checks from Verizon were sent to him as a monetary return of deposits. (though the checks were immaturely issued by almost a year). The underlining idea from the government/Verizon was that the Petitioner would open the bank account in the name of the business in order to cash the checks and with the government created conspiracy of venue in the Northern District of Florida, prosecution could then commence as the additional means for the new bank account and the search and seizure would of commenced in March or April of 2017. Being it did not happen the way it was predicted, Verizon and the government had to create the new means of prosecution which is foretold in 5:19-cr-5-PRL Doc 255 Issue 6, page 36.

24. Does it seem auspicious that every Defendant subject to criminal sanctions is deemed by the government to be both a flight risk and/or a danger to society? Is it concerning that the government utilizes the power of incarceration on a pre-trial Defendant in order to restrict him emotionally and physically from his finances, the retainment of private counsel, freedom, family and friends, and ultimately coerce him into signing an unwanted plea deal (even though he may indeed be completely innocent)? Have we as a country fallen in such a state of despair that we have forgotten the underlining principal behind the purpose of rehabilitation through incarceration? That instead of providing a pathway to freedom and assisting those that need help, we have become a society of prosecuting for profit and promoting the business of slavery, all for personal gains, interest, and to diminish the rights of the people.

25. When requesting missing discovery such as the missing emails between Verizon and the government to coincide with the testimony of the agent, the agent provides 100's of missing emails from Verizon, the AUSA, and other entities. However the emails provided had multiple concerning issues. Most particularily, the missing emails all lacked any header (or address) to show evidence of when, who, and where the email had originated and the direction it was being sent. Simply put, the suspicious additional emails consists of opening a template of a blank email and manually adding the contextual value of the data, or in other words the emails are nothing more then another adept attempt of data manipulation and forgery. At what point does the governments elaborate story of fiction become so bad, so ill-gotten, so malicious, so vindictive, that we question the purpose of our constitution, human rights and ask ourselves if it is to late to return from the void of a rabbit hole and to divert ourselves from self-inflicted destruction?

26. FBI agent Brannon Baxter testified at trial that he has been promoted to a teaching position within the Bureau. What message are we implying when we reward illicit conduct such as the forgery of a Judges signature and allow a boisterous malversative agent to not only continue his employment with the Bureau but to also immunify him from being immediately criminally prosecuted for his treasonous behavior? And at the same time the same agent has been promoted to a teaching position so that he may further envelop others to teach that this type of activity is ok?

27. Why should a defendant be the one to pay for the misconduct of the government through false imprisonment and criminally sanctioning him even though it should be the government agents involved that should be subject to criminal prosecution?

28. The government would contend that the Petitioner's proof of the forgery of a Judges signature is conspiratorial. However if that is the case to explain the following:

1. Why would a federal judge sign multiple orders that violate federal law such as: (inter alia)

a. Intentional gross negligence of the Stored Communications Act 18 § 2701-2713.
b. 2703 Application - States, does "Not" include the contents of communication.
c. 2703 Order - "Requests" the contents of communication (exceeds SCA 2703(d) - See SCOTUS in Carpenter v. US)
d. 1st Verizon 2703 (1:17-mj-c7-GRJ) on its face states the contents of communication, "one of my stores". See 18 USC § 2510 (ep. 2515) in relation to the illegal interception of communication as evidence (Verizon & Gov't sharing wire before legal proc
e. Written on a civil docket sheet, Illegally ex parte, no notification, no right to Quash, Illegally sealed, Warrantless
f. Intentional mix-up of identity negligence. Verizon to eBay, eBay to Verizon (See 1:17-mj-c22-GRJ)
g. Multiple entities, strange spacing, added wording, "determining who the ads belong to," after search of the residence by 2 months. (See 1:18-mj-c3-GRJ)
h. Why the suspicious documents are not signed and certified pursuant to Federal Rules of Evidence 901, 902 nor are they clerk stamped.
i. Why Verizon is communicating the contents of communication (even if legitimate) before an order is signed by the Judge? Note 1:17-mj-c7-GRJ, the application is on August 16, 2017 and before it is even allegedly signed as an order on August 23, 2017, Verizon states on August 17, 2017:

"

Hi Brannon, Please see the attached which includes Victor Fetters statement, as well as an interesting email exchange he had with Justin Lewis. There is a screen shot of Justin's former website included, as well as the two term letters for both companies that we issued are attached as well. I told Victor to anticipate a conference call between the three of us. I also have another employee witness I need to reach out to. I will also let him articulate the details of the losses he is showing on there, which are significant. I believe I understand the re-rate portion, but we will let him explain it all to you on the phone. Lastly, as far as several email addresses we have for Justin... Personal email: Juslew352@gmail.com Work email: ceo@pageplusprogram.com I'm thinking he is acting as an affiliate or dealer for: https://www.pagepluscellular.com/ which is a subsidiary of America Movil Bruce Pavlicek Corporate Security & BCDR Verizon Wireless

j. Why are the warrants for the bank account seizures docketed 2 months after they were seized? (See 1:18-mj-7 (thru 16)) Why is a 2, forged to a 4 on the date? Was it (federal) Judge Jones who forged a 2 to a 4? Was it Judge Jones who was trying to seize the funds under the table for his own personal financial gain? Why is the inventory sheet docketed before the warrants?

K. Why would an AUSA threaten a bank account rep, that "they will utilize the powers of the United States to enforce compliance" (for a personal sought seizure) when all the bank account rep was inquiring on is why there wasn't a payout order

l. Why would Judge Jones of the Northern District of Florida sign and clear a "Writ of Errota" for a warrant/search of the residence he didn't sign and outside his Jurisdiction?

i. In a similar exhibit of the "Writ of Errota" the agent states that AUSA Hamilton (of the Middle District) and AUSA Beaton (of the Northern District) have reviewed the warrant/search of the residence for the error and both conclude the error to be harmless. Later on the Defendant's prior attorney inquires AUSA Hamilton about the legitimacy and authenticity of the warrant/search at the Defendant's home (5:18-mj-1008-PRL), Mr Hamilton states in an email, "I [he] have to see whats in it." It's ironic that the AUSA contends that he has never seen the warrant, when in a spy v. spy dogma the agents (again the agent-principal problem) statement contradicts itself.

m. Why would former AUSA Jason Beaton (who's signature is on the warrantless documents) question his own authenticity suggesting a "challenge [to] the authenticity (written solely in bold and underlined) of the records or the sufficency of the certificate". And after multiple request to provide the search warrant of the residence, the AUSA immediately resigns and flees to Texas. On the same letter it is concerning that the letter is dated July 25th 2018, when the AUSA resigned on July 24th 2018. Is this another example of abuse by the agent to conceal his illicit procurement of anothers identity and the agent principal problem?

i. This would ultimately explain the attempt to cover-up the illegal under the table bank seizures, the illegal search of the residence threatening Defendant's prior attorney after the attainment of the illegal indictment, the show of force by the FBI task force to aggressively and violently apprehend the Defendant instead of the Defendant being able to voluntarily turn himself in, the illegal 2703's, the authenticity issue (forgery) and the damaging 1:17-mj-47 and 1:18-mj-c3.

n. Why would "Judge Jones" put in an order, "Commanding Google Not to Notify" (See 1:17-mj-47-GRJ) and in violation of federal law? Why are there other suspicious documents in the same docket that appear missing and unaccessible within the Clerks' memorandum (as if attempting to conceal or cover-up something)? (the agent admits in the discovery of searching the email of N.S.'s Yahoo without a warrant)

o. For what reason does the government docket the contradictive "ex parte" application/order (2nd eBay 2703; 1:18-mj-c3-GR under the name of "Judge Jones"? Could the purpose for the government to docket this frivolous order (falibly under the Judges identity) was to make something so bad, defenses prior attorney would be inclined to write a dismissal on the intentional violations of the Stored Communications Act 18 USC § 2701-2713?

p. Why is there no docket entry of the warrant/search of the residence (5:19-cr-5; 5:18-mj-1008-PRL)? Why when addressing Judge Lammens and AUSA Hamilton on the violation of the Color of Law warning letter and the letter challenging the legitimacy and authenticity of 5:18-mj-1008-PRL as the subject matter, does AUSA Hamilton state he is "granted immunity" and Judge Lammens states he "doesn't like [his] rulings to be mocked" ignoring the merits of the material? Doc. 92, 93, 95, 96, 97. Why when simply requesting the government to compel and authenticate a "docketed" (on February 6, 2018) search warrant of the residence, does Judge Lammens deny that request because "its unclear what the Defendant is seeking"? Doc 183, 188, 196, 199 (MD of FL). How can a "Federal Magistrate Judge" be allowed to let a FBI agent forge and utilize his judicial signature on an illegal Fourth Amendment protected (warrant required) search warrant and how can he be allowed to get away with it and let the corruptive nature and abuse of his official capacity, to continue its term on the bench?

i. Even if the warrant was legitimately signed and docketed, how could a federal Judge sign a warrant, that in the beginning states "In November of 2015 Verizon became aware of the Defendants reselling activity"? This is almost 2 months after the first account was open and the same month the second account was open. If a loss is being contributed to the amount of time the accounts were open (and never closed them) and Verizon knew from the beginning/whole time of the alleged underlining illegal activity (See also 5:19-cr-5 Doc 255 pg 36, Issue 6), how could a Judge sign a warrant when within its own context, deliberately gives notice, that Verizon knew of the reselling but didn't interfere or stop the reselling, but instead utilized the government as a free debt collection agency to compound the alleged loss and basically have a free for all (and unrestricted power) between Verizon, the government and a well executed extortion scheme?

9. On September 30, 2021, the Defendant sent a letter to the Clerk of Court in all divisions (except the Ocala Division due to its corruptive nature) of the Middle District of Florida. The letter requested the Clerk to produce a docketed (on February 6th 2018) clerk stamped, authenticated (See F.R.C.P. 27,55 and F.R.E 901, 902) copy of the search warrant that initiated the search of the residence (5:18-mj-1008-PRL). The letter that was sent to the Ft. Myers division was docketed but no response was received from any of the other Districts. The letter was not written or motioned in anyway to be heard by the District Court but instead requested the Clerk to respond to the suspicious and undocketed warrant. After being docketed, the Judge who allegedly signed the warrant Judge Lammens attempts to cover-up his illicit activity by endorsing the [non-motion] "order granting [193] Letter MOTION for miscellaneous relief, specifically request for copy of 5:18-mj-1008-PRL as to Justin Lewis. ... his request is granted to the extent the Clerk shall produce a certified copy of the warrant that was previously unsealed (and previously sent to Defendants prior counsel). [199]

Around the same time the Defendant motioned the Court for discovery and a Writ of Mandamus, again requesting (inter alia) an authentic docketed copy of the search warrant, which both motions were denied. [Doc. 195, 196]. In the denial of the Writ of Mandamus, Judge Lammens deny's and deny's as moot suggesting "the production of discovery from the government, which according to the government's recent filing, has been sent to the Defendant, and the certified copy of the warrant issued by this Court, which was already sent to him." [Doc 199]

At this point it is in agreeance that AUSA Hamilton and Magistrate Lammens both are intentionally trying to deceive the Defendant into believing that the warrant/search was indeed signed by Lammens and is authentic. To goal is to utilize perceptive disinformation hoping it would prohibit the Defendant from asking anymore question and ultimately leave the issue alone as settled. It is apprehensible to see just how far the Court and government will go in an attempt to prove the merits of documentation and voluntarily partake in the cover-up (conspiracy) through forgery and other manipulative tactics in order to circumvent the evidence of the factual record.

Included herein are several of such documents provided by the Courts and government, criminally inclusive of a fraudulent Clerk Stamp, fraudulent (and allowment) use of a judges' judicial signature, and the fraudulent undocketed context of each motion and document.

r. Why has AUSA Hamilton of the Middle District provided no discovery, stating, "all discovery has previously been provided by the agent"? Why Mr. Hamilton states in an email that he has never seen the search warrant of the residence and "[he] has to see whats in it"? Why does the agent state in a discovery reference that AUSA Hamilton has reviewed an error in the search warrant of the residence and concluded the error to be harmless? Why to date has Mr. Hamilton provided zero evidence?

Around September of 2021, the Defendant motioned the Court for discovery pursuant to Fed. R. Crim. P 16. Discovery was produced with a caveat on the civil cover sheet. Why does the AUSA cite..., "In connection with the above-captioned case and pursuant to Fed. R. Crim. P 16(a) please be advised of the following: (1)...(2)... Please see the attached factual summary. NOTE: I have prepared this factual summary for the limited purpose of helping you quickly understand the case. It may not contain all the details found in the discovery materials. (solely in bold font) It is not a substitute for your thorough review of the discovery materials. (emphasis added) It also is not evidence and should not be treated as such."? (The AUSA verbalizes the caveat, in an attempt to protect himself from being criminally prosecuted, Knowing an illegal search/warrant had been utilized on the Defendant and his home.)

s. When the Defendant was out on bond, the Defendant noticed something suspicious about the search warrant of the residence (a full description of the events can be found on Doc. 133 of 5:19-cr-5). The Defendant inquired with the Clerk of Court in the Ocala Division about the missing search warrant (5:18-mj-1008-PRL) in Pacer. The Clerk advised the Defendant that oddly the search warrant didn't exist on the docket either. After the Defendant expressed some legitimate concern, the Clerk inquired if he [the Defendant] was acting on behalf of an attorney? The Defendant replied "no, the Defendant", the Clerk advised to give her a minute and returned to the back to (guessing) conduct further research. While awaiting for her return, it is assumed that the Clerk made contact with Lammens or Hamilton who co-conspired the deceitful means of addressing the missing undocketed search warrant to the Defendant. After 15 or so minutes she returned from the back and advised the Defendant, that the search warrant was sealed and that [he] will need his attorney to unseal it." (Though it was never sealed/unsealed). Defendant immediately advised his attorney that the warrant/search of the residence was illegal and a warrantless search had commenced on the Defendant's property, including advising him that Lammens was "in on it". The attorney would not entertain or listen to his client, stating the clients logic as "conspiritorial" & "doesn't Know the law". Though on the contrary, the Defendant has learned the law and the facts on this case and with the evidence being presented, this is not just something that can be made up.

When mentioning the warrant via email to AUSA Hamilton, and the inability to find it on Pacer, the AUSA specify's that he has never seen the warrant and "has to see what's in it." Immediately after the Defendant's bond is revoKed preventing the Defendant from further investigation of the illegal, undocKeted warrant, where it came from, when it was signed, or who actually signed it. The Defendant adamantly expressed the concern to counsel (at that time) and the attorney only naively motions to unseal the warrant (for a warrant that was never sealed or never originally exited)(See Doc. 103). With "no objection" from AUSA Hamilton, the motion to conspicuously unseal a "non-existant" warrant is granted by Lammens. (Doc. 105).[1] After the warrant is "unsealed", counsel requests a copy of the warrant from the Clerk, and the Clerk hand delivers him the same undocKeted copy as previously provided, furthering the conspiracy of the cover-up to the illegal search. Without further investigation, counsel considers the matter settled and instead incoherently motion for a competency evaluation.

Should an AUSA be opposed or unopposed on a motion to unseal a non-existant warrant? Should a Federal Magistrate Judge grant a motion to unsed a non-existant warrant? Should a Clerk of Court be enjoining in on a conspiracy by stipulating that the local rules do not require the docKeting of warrants, that a general warrant is not required to be docKeted per Federal Rules of Crimial Procedure 27, 55 and Federal Rules of Evidence 901, 902, and is it ethical and legal to hand deliver a fraudulent search warrant to a Defense's attorney?

(In 5:18-mj-1008, and following the Clerk's sequential numbering scheme, how does the number 1008 play out with similar warrants docKeted in the Ocala Division)?

If warrants are not required to be docKeted by the Federal Rules of Criminal Procedure, the Federal Rules of Evidence, or the local rules, then to please explain why all the Electronic devices seized during the search are all properly docKeted but the search warrant for the home is not? (See 5:18-mj-1058-(thru 1067 and 1117)). If the Magistrate doesn't flagrantly allow his judicial signature to be used maliciously by the FBI agent, then why are the search warrants 5:18-mj-1063 and 5:18-mj-1117 being used for the same device? Why are the search warrants issued 4 to 9 months after the seizure and search of the residence? Where is the ethics, the accountability and what else exists unKnowing to the Petition and this Honorable Court?

[1] The Clerk has also referenced to prior counsel that the local rules do not require the docKeting of a warrant.

t. In late 2022 in the Middle District of Florida, a hearing was held on a status of trial and Defendants Double Jeopardy motion. (Doc 283). Which Judge Antoon verbally denied without cause (Doc 293). After addressing that motion, the Defendant inquired with Judge Antoon why criminal sanctions have been held against him when everyone present Knows an illegal search had commenced and the warrant provided was undocketed and a forgery of a judges signature. The Clerk spoke up first stipulating that a "warrant is not required to be docketed." Petitioner refuted that claim and cited, "then what is the purpose for Federal Rule of Criminal Procedure 55?" Judge Antoon reluctantly reaches over to a stack of books and fumbles through his copy of the Federal Rules of Criminal Procedure. "Rule 55 he says, "The Clerk of the District Court must Keep records of criminal proceedings in the form prescribed by the Director of the Administrative Office of the United States Courts. The Clerk must enter in the records every Court order or judgment and the date of entry." Then arrogantly eyes the Petitioner as if seemingly aggravated, "a warrant is not a judge's order. Dismayed by the Judge's response and stating on record such incriminating statements which contradicts his Judicial power and authority over an individual and the law, the Petitioner proclaims, "Well according to the Federal Rules of Evidence 901, 902 a document cannot be considered as evidence until it sealed, signed, and docketed in the public record." At this point the Court and government both Knew that the Petitioner had "called" their slight of hand attempt to pursuade the Petitioner into believing that it is not required to docket warrants and simply just moved onto another subject without regress as if the issue had been resolved, then the Petitioner was asked to leave the podium.

"Reluctantly", the question presented, is a search warrant that is signed by a Judge considered a Judges' order?

This would also explain why Judge Antoon at a previous pre-trial conference with Defendants prior attorney, demanded to Know "what was taking so long," to bring the Defendant to trial (Doc 100). This was right after the Defendant learned that the search/warrant of his residence was illegal, (which if Defenses' attorney would of listened to his client's, would of jeopardized both indictments and the governments/Courts illicit motive) and having his bond revolked.

u. Judge Allen Winsor of the Northern District of Florida entertained that he was aware of the illegal search of the residence but there was nothing he could do about it. Doc 231, 233, 234. Is it true that there was nothing he could do about it? (this includes addressing the illegal 2703's, bank seizures, indictment, and warrants/searches). Why on record did Judge Winsor attempt to convince the Defendant that Judge Jones did "put in an order claiming he did sign the (questionable) orders/warrants," when Judge Jones did not sign them and no such order exists? (Doc 233)

v. Why did AUSA Milligan provide the search warrant of the residence by sketchy means and through an informal email stating, "Here is a copy of the warrant as provided by agent Baxter" and without the required civil cover sheet?

w. How can it take 7 months for a Judge to rule on a motion to dismiss (Doc 214)? Why does the Magistrate not reference the contextual value of the motion and instead base his Report and Recommendation on a "re-hashment of prior motion" and "a motion to reconsider"? How can Judge Antoon ignore the Defendants Objection and the questions presented? How can the Courts be made aware of an illegal search and do nothing about it, especially when the governments case in chief is the fruits of the search?

y. Why as soon as the Defendant refused the government's frivolous plea deal did (former) AUSA Jason Beaton verbally threaten Defense's (prior) attorney?

In conclusion of, If the Magistrate Judge Jones did sign over 30+ illegal applications/orders/warrants, you would think that there would be some semi-level of familiarity with the Defendant. However, at the Defendant's retention hearing and after Judge Jones reviewed the indictment, the Judge quizzicaly asked the government, "What is Page Plus"? The government on behalf of Jason Beaton (former AUSA) has to reluctantly reply, "It's nothing your Honor." In other words the Judge has no idea who the Defendant was, nor knew anything about the Defendant's company. (Doc. 20, 21 If it was Judge Jones who signed the illegal documents, why would the Judge allow the Defendant to be released from custody on bond? Why would the website for the Northern District of Florida, Clerk of Court, add a sidebar link exclusively for the purpose of reporting prosecutorial misconduct? In accordance with 28 USC § 636(b) and as required by the local rules of the Northern District, the United States Magistrate Judge Gary R. Jones, should of been the Judge to conduct hearings, request supplemental briefing and submit to the Court proposed findings of fact and recomendations of the hearing. Why did Judge Mark Walker divert Judge Jones from hearing the Defendant's Motion to Suppress and request for a Frank's hearing when it was Judge Jones who allegedly signed the contradictory applications/orders/and warrants? Was it Judge Jones who intentionally violated the Stored Communications Act 18 USC. 2701-2713, giving the government an unrestricted power and ability to search for anything and everything without cause and contradicting violations of the ACT including 18 USC § 2510 - 2515. Was it Judge Jones who created more of a fall back plan, than a legitimate legal process of documentation? Was it Judge Jones who forged a 2 to a 4 on the seizure warrants for the bank accounts, in an attempt to seize the funds under the table for his own financial gain?

[1] Was it Judge Jones who put in an order "Commanding Google Not to Notify"? Was it Judge Jones who caused the Clerk's docket to reflect missing and unaccessible documents to omit damaging evidence of a forgery and the means of an attempt to cover it up? Was it Judge Jones who signed the "Writ of Errata" for a search warrant he didn't sign? Was it Judge Jones who conjured up 1:18-mj-c3-GRJ to make something so bad that an attorney would be inclined to base a dismissal on the intentional violation of the Stored Communications ACT?

If Judge Jones did have such a personal vendetta against the Petitioner, why would he allow the Petitioner to be released from custody on bond? After the Petitioner was illegally detained, why would Judge Jones relay to the Petitioner that he was in favor of having the Petitioner released from custody but it wasn't up to him? Why when addressing the forgery of Judge Jone's signature and a 2 forged to a 4, did Judge Jones not refute the allegation but instead noted that the Petitioners insight was one of "intelligence" (though he did not address the accusations either way). Why would Judge Jones intentionally allow a letter to him from the Petitioner to be published on the docket in order to bring attention to the attorney to take the concern seriously (Doc 148)? Why would Judge Jones care if the Petitioner was stuck in a state of purgatory for over 4 months without recourse or reason (while still presumed innocent) while awaiting a competency evaluation? (it was not the generalized and over used excuse of Covid. Transportation of inmates did not cease at FCI-Tallahassee until April of 2020. At the Petitioners time in FCI-Tallahassee, he met several individuals in transit for a competency evaluation to Miami, FL and Butner, NC who came and left within 2 weeks of their arrival. Still for unknown (yet malversative) reasons, the Petitioner remained, alone, stuck, and purposely forgotten).

Simply put, the Petitioner here is just as much the victim of the government's illicit motive and misconduct as it is to the victimized Judge Jones and their illicit malevolent use of his Judicial role and signature.

[1] Why there is a missing docket entry for the search warrant of the residence in the Middle District of Florida?

29. When providing a "Notice" from a Defendant compelling standby counsel to prep for trial due to a detainee's inability to partake in the defense, should Judge Lammens interfere with the communication between a Defendant and his standby counsel (that was not a motion or directed at him) and deny the notice without purpose or reason? (I do not have the docket #)

30. Is it a violation of procedure, ethics, and a Defendants constitutional rights, for an AUSA to respond to a motion (Doc 212) (such as a motion for Forensic Examination Doc. 205) by adding grossly inappropriate material to the record, including personal info, descriptive photos, and private information irrelevant to the case and motion (some of which is simply untrue)? How about Judge Antoon who eggs this type of behavior on from the government (to prevent him from filing anymore motions) to slander and defamate the character of a Defendant to the public (Doc 206)?

31. Please address the continuation of misconduct by FBI agent Brannon Baxter, who enacted a ploy on Defendants prior attorney (to create a sinister projection of the Defendant) by showing him grossly explicit videos that were <u>NEVER</u> present on any of the Defendant's devices.

32. Should a Judge deny a Defendants right to appeal via Informa Pauperis because, "the Defendant's motion for bond has already been vigorously construed"? (Doc. 173)

33. Should the government be allowed to "select" a prejudicial Judge by filing an indictment in a different venue than where the alleged offense took place? (See Doc 1; "filed in the Orlando Division"). When the Defendant motioned for Discovery (Doc 195), Why would AUSA Hamilton provide his notice of discovery compliance which represents an origination from the Orlando division (Doc 197)? (See header)

34. What should be the consequence when the government (AUSA, USA, FBI agent) and acting Judge (Magistrate, District) utilizes their position of power (acting in liason) to procure an illegal indictment and falsly imprison a Defendant for some ill-begotten motive, influence, or bribe? And if that motion uses the statuatory language of Habeas Corpus and advises the Judge that the Defendant is being held in captivity in violation of the Constitution or the laws of the United States (an ACT of Congress) and the Judge still chooses to ignore that provision, what other options can a Defendant utilize to reconcile the acquired relief and how can a Judge be held accountable for the reprehensible malevolent behavior.

35. In August of 2022, the Petitioner filed a Motion to Dismiss in violation of his Fifth Amendment right of Double Jeopardy (Doc 283). The Court without reason verbally denied the motion (Doc 294). The Petitioner immediately appealed that decision and did so via Informa Pauperis (Doc 292). Judge Lammens issued a Report and Recommendation on the Petitioner's Informa Pauperis that it should be denied because it wasn't taken in "Good Faith". In the report Lammens states, "... that his latest appeal to a subsequent motion to dismiss that was also denied (and that was itself without merit) is not taken in Good Faith and that his motion to proceed In Forma Pauperis should be denied accordingly." Should and is a Magistrate Judge acting under 28 USC § 636 qualified to render what is or isn't "without merit" on a Motion to Dismiss (especially a Motion to Dismiss on Double Jeopardy grounds; the Judge can't even stipulate the context of the motion due to the true meritorious nature of the dismissal remedy on Double Jeopardy grounds. Noting a "Motion to Dismiss")

36. Should Judge Lammens be threatening a Defendant that they (Courts/Government) intend to forfeit and seize the Defendant's property and funds if found guilty? (Even though there is no forfeiture provision on the statute or indictment). (Doc 180). Is it not ironic that as part of the government/Courts theory on why a bond revocation is necessary is due to a violation of Florida statute § 843.0855 and the use of simulated legal process? (This is another example of do as I say, not as I do). (Doc 97)

37. If an attorney files a motion to Suppress and it gets denied and that attorney is later relieved from representation and a Defendant wishes to represent himself Pro Se and files a new motion to Suppress/Dismissal with an entirely different argument, how can the Court and Government utilize the no longer consistant previous argument against a Defendant in lieu of his new Pro Se filing/ruling of a motion to Suppress/Dismiss? (The Court/Government cite that the argument presented is simply a "rehashed" version of the prior argument that was already raised. Though contrarily subjective, compare Doc. 14 with Doc. 214/255)

37(a). In order to convict a Defendant doesn't the government have to prove all the allegations of an indictment?

38. On August 12, 2021, the government moves the Court for a "Money Judgment and Preliminary Order of Forfeiture." Doc 28
a. The government erroneously moves the Court to forfeit assets under criminal statutes/case law for which the Defendant is NEVER charged. (and Do Not Apply, including the indictment which has the forfeiture statute under 21 USC § 853(p) which can criminally seize assets pursuant to 28 USC § 2461 (c), and the erroneous Aiding & Abetting statute 18 USC § 1342, Doc. 1, 93, 117 inclusive to the indictments)

21 USC § 853 is defined as a drug crime statute under "Drug Abuse Prevention and Control"
28 USC § 2461 can only criminally forfeit if the following charges apply:

1. Racketeering — 18 USC § 1961
2. Money Laundering — 18 USC § 1956
3. Drug Crime — 21 USC § 853

(It is unknown why 18 USC § 1342 Aidding and Abetting is included in the criminal indictment though highly irrevelant and inconsistant to the case and charges present, but it is assumed that it has to do with either vindictiveness or purposely utilized for the enactment of the illicit forfeiture proceedings).

Defendant is/was only charged with Identity Theft that predicates Wire Fraud (in the name of A.M.) citation § 853, 2461, and 1342 can NOT apply. Defendant is NOT charged with Racketeering, Money Laundering, a drug crime, or Aiding and Abetting.

b. The Defendant strongly objects to governments motion due to lack of venue (Inter Alia) and the illegal seizure under incorrect statutes, case law, and indictment for which the Defendant was NEVER charged. Doc. 295
c. The District Court in plain error and complete bias "Grants" the governments motion. The Court disregards the Defendant's objection for abuse of discretion, notice of error, and misapplying controlling law and (in a unlawful/malversative manner) in unison with the government, continuously cites Money Laundering, Racketeering, and a Drug Crime. (Doc 310)
d. On November 16, 2021, the Defendant moved the Courts to Reconsider the objection (line by line) to the illicit Money Judgment and Preliminary Order for forfeiture (plain error, abuse of discretion, controlling law); that motion was struck. (Doc 338).
e. After the Defendant called the governments illicit bluff, the government amended the order of forfeiture as generalized and without the problematic statute and case law. Doc 356. The Court did not respond.

f. On February 23, 2022, Judge Winsor entered a "Statement of Reasons". Doc. 362. (sealed). It can only be assumed that the Judge was attempting to explain the reasoning behind the granting of the illicit money judgment and trial/sentence, and sealing those reasons from the public's conspicuous eye.

g. On March 2, 2022, the government moves the Court for Judgment of Forfeiture - FINAL ORDER. Doc 372. Though on March 4, 2022 a docketed FINAL ORDER OF FORFEITURE, re 372 (Doc 380) MOTION for Judgment of Forfeiture - FINAL ORDER... signed by the Judge, does not grant or deny the motion, instead it is being deceptively utilized to make a reader think that the order was final as reflected on the docket sheet.

i. The Manifest-Disregard Doctrine of 1983 applies to the above ruling: The principal that an arbitration award will be vacated if the arbitrator knows the applicable law and delibertly chooses to disregard it. (See also Substantive Due Process of 1933).

Question Presented: If the Courts/Government illicitly move to seize and indict a Defendant intentively under the wrong statute and case law, and after being advised of the illicit activity by the Defendant (See also Doc. 187 & 231) and the Courts/Government still decisively move forward with the proceedings (Knowing), what avenue can an agrieved person utilize to state a claim for relief? What should be the consequences of those actions by the Court/Government and be put into play to divert this type of cumulative behavior from happening to anyone ever again?

39. How can the government disclose information that is irrelevant and prejudicial on an indictment of Identity Theft that predicates Wire Fraud? Such as introducing it at a hearing (Doc. 62) in order to demeanor the character of an individual subject to an illegal search of his domicile? For what purpose should the Court be introducing the illicit fruits of an illegal search and relaying the information on the public record (Doc. 262) (when the indictment in the Middle District of Florida has nothing to do with the indictment here in the Northern District of Florida, sin of jurisdiction, nor has anything to do with Identity Theft, Wire Fraud, or Aidding and Abetting (or any of the other incredulous statutes and charges) and the only purpose for motioning such is to create an additional barrage of emotional inflictions and derogatory statement to and about a Defendant (as a demonstration to the public) on exactly what the Courts, a Corporation, and a government agency (working in liason) can do and how far they can go to show totalitarian authority

to those who challenge an illicit status quo. The statements are not only uncalled for but they may also, criminally violate the libel statute, are imperiously used to defemate the character of the Defendant, and are entirely at its core, slanderish. (They know what they are doing and the reasoning for, that is both ethically and etiquettely wrong, and should not used in anyway, shape, or form.)(and contextually fabricated to something never relayed via text Doc. 360)

In addition to the above, why on the first day of trial would Judge Winsor mention the name of a previous released attorney? (this will be explained in the Brief)(Doc. 262).

40. How can a Federal Judge sign a Google warrant that has nothing to do with him and completely out of his venue and Jurisdiction? Why couldn't it be addressed by a Judge in the Northern District of Florida, Gainesville Division? (there is an additional Google warrant but I cannot recall the case number)

41. Can a FBI agent (even if the search was legal)(and without additional warrants) utilize a program that searches for a MD5 hash value within an electronic device and in order to access the device he is guessing at passwords and ultimately hacking the device? Can the agent break into a safe without permission that is located in a closet?

42. There has been a point at certain hearings where the Petitioner requested the District Court Judge to grant constitutionally required relief such as the verbal motion for Self-representation (Pro Se) in the Northern District of Florida (1:18-cr-15 Doc 273 or 276) and questioning the District Court Judge why it has taken him almost 5-6 months to rule on the Defendants Motion to Dismiss (5:19-cr-5 Doc 257). In both instances and a number of other hearings/rulings; the acting Judge retreats to their chambers and assumingly places a phone call and awaits instruction on how to proceed. Should it take 5-6 months to rule on a Motion to Dismiss? And should an alleged neutral and detached judge be taking instruction on how to proceed instead of making his own determination and ruling? (when the government has control over the Courts, the government can direct the Judges to do whatever they want). Another example of such judge misconduct with Judge Mark Walker when the Defendant was testifying at the Frank's hearing (Doc 62, 67) and the Defendant relayed an exhibit of a damaging email from Verizon "that the loss was about equipment purchases, not about data usage because the usage is about old grandfathering UNL (Unlimited) plans/stos." The government objected as irrelevant and the Court sustained the objection, almost as if rehearsed.

43. In almost every instance where there was a potential witness involved, the agent would verbally threaten them with potential violence and incarceration, if they did not comply with his narrative. This includes Petitioners girlfriend, that if she doesn't immediately cooperate with his investigation that he (the agent) would go to her children's school and get her children taken away. (though this should be based on a question, the statement alone is highly disturbing). This includes telling the Defendants mom that "if he would of just plead guilty in the Northern District of Florida, he wouldn't have the indictment in the Middle District."

44. What message are we sending to the future of this country where we not only allow a malversative agent to prosecute others who resell data but to continuously allow the agent to remain on the case of the Defendant and maliciously allow him to falsly testify, all the while "promoting" him to a teaching position to relay to others that this type of behavior is somehow ok (which in itself almost seems unbelieveable/unrealistic, have we not learned anything?)?

45. At the Frank's hearing with Judge Mark Walker the Defendants attorney through the Defendant just became aware of the eBay 2703 (1:17-mj-c22), which was suspiciously denied by Judge Walker (Doc 66). Everytime the agent would testify and Defense's attorney would catch him in a lie, the hearing was abruptly stopped and the Judge would save the agent by advising the attorney of the misconduct and advising him next time that he "will need to bring a change of clothes" with threats of imprisonment. At the close of the hearing, Judge Walker articulated that if the Defendant's attorney was aware of any misconduct to please address it in his Brief. (to see if the attorney became aware of the illegal search of the residence, or that those signatures portrayed to be Judge Jones were not indeed authentic)(this is also why the government testified first, to put on record before an acquired warrant as the fruits of a search).

46. How can the Courts/Government Knowingly allow a FBI agent to testify when they Know that the testimony provided by the agent is indeed false, but still rely on him as a credible witness on the stand? How can the Courts/Government allow a continuation of criminal sanctions on the Defendant (and illegally Keep him confined) when the alleged loss was conspired (and not really a loss but a gain), Knowing that the Defendant was setup by a major corporation and that setups purpose was to enact an ill-gotten motive and establish a Mafia-styled extortion scheme? (See 5:19-cr-5 Doc 255, Issue 6, page 36). That some of the evidence that the government utilized at trial was intended to invoke an emotional response on the Defendant, that it was only the Defendant and the government who Knew the purpose behind certain evidence presented to the jury. An example of such was the "hacking video" relayed to the jury, when the tat

(1) on the video showed the creator of the video (who happens to be Eric D. Mann, a LinkedIn profile of him shows his position with Verizon Wireless as the Engineering Director for 20 + years)(when asking Victor Fettes on the stand, of the revelance of the tab and his involvement, including the evidence that it was created by one of his directors, Fettes declined to address it) that its sole purpose was used to setup and entrap a victim to enhance the purpose for prosecution.

On a later exhibit, the government introduced the evidence of an invoice from the Defendant to one of his first customers, Alexander Mora. After some significant research, the Defendant became aware that Mora's profile on LinkedIn establishes Mora with his position with Verizon Wireless as a Verizon Security Specialist (VSAT). Mora from the beginning was working in collusion with Verizon and the whole time his job was to participate in the enactment and entrapment of the Defendant as part of the underlying scheme.

It is of dire importance to read 5:19-cr-5, Doc 255, Issue 6, page 36 +

This is only the information that the Petitioner has while confined, what information the Petitioner has outside of this is astronomically damaging to both the government and Verizon (assuming on paper that they are different entities). This includes over 50 + PowerPoint trial exhibits of evidence of broken laws, entrapment, extortion & conspiracy, including the proof that the government/Verizon were involved from the beginning and were indeed listening illicitly to enact and entrap the Defendant and others.

47. If somehow the reselling of data is illegal, how is it these 3 other entities were way more involved than the Petitioner but are somehow free?

Christopher Marshall - sold 100's if not 1000's of these type's of reselling accounts to others including to the Petitioner (had 2)

Stuart Wacker - had several accounts and over triple the amount of lines then the Petitioner had. This includes a government ATT acco

Everything Wireless - had 1000's of lines and openly resold them through others and eBay.

(Note on Wacker - Even though Wacker was way more involved than the Petitioner, they somehow utilized Wacker to testify against the Petitioner, when in reality it should of been Wacker, the difference was that Wacker had the funds to defend himself, the Petitioner didn't

(1) This includes Fettes lying under the penalty of perjury on the stand, that the Petitioner was the only one Verizon criminally prosecuted for reselling data. The Petition is aware of 3 other prosecutions including the agent hinting on testimony that he was involved in other prosecutions who resold data.

48. How can a neutral and detached judge who Knows the law, argue with the Defendant in favor of the government and attempt to persuade him that the 11th Circuit rulings of law are inept, such as, that the government can supersed their original indictment on one theory of the illegal conduct and the government can prosecute the case on an entirely different theory? (Leaving the prosecution free to roam at large - to shift its theory of criminality) See Russel v. United States 369 US 749, 768, 82 Ct. 1038. 8 L.ED.2d 240 (1962) (See also Stirone v. United States 361 US 212 80 S.Ct 270, 4 L.Ed.2d 252 (1960) "In violation of the Fifth Amendment principal mandating reversal when the grand jury indicts on one theory and the petit jury convicts on another.")

49. How can the prosecution Know that their is a paramount amount of Brady Material and not disclosing it when requested (such as Defendants prior attorney advising the AUSA of the Northern District of a Brady disclosure on an entrapment defense of Christopher Marshall and the AUSA countering aggressively that "its just a FaceBook post," Knowing another Key that would exonerate the Defendant)? This includes the Defendant motioning for Giglio material on behalf his motion for a new trial, the Defendant and the prosecuter (government) both Know that Dawn Deese of Florida Credit Union, FBI agent Brannon Baxter, and Victor Fittes all gave false testimony. All the AUSA referenced was a short statement that he was unsure what the Defendant was reffering to. Doc 291, 294

50. Judge Winsor Knew that the Defendants Double Jeopardy claim was colorable (Doc 320), though instead of staying sentencing (Doc 330), the Courts/Government (Doc 334) rushed the sentencing proceeding in an attempt to retain jurisdiction even though the Defendant appealed the Judges' denial of the motion to dismiss on Double Jeopardy grounds (Doc 326, 327). At the sentencing hearing Judge Winsor on the record, "thinks [he] can still proceed," but in reality the Court and Government were without Jurisdiction and should of stayed the proceeding. (See Abney v. US 431 US 651, 662-63, 97 S.Ct 2034, 2042, 52 L.Ed.2d.651 (1977) and United States v. Rogers 788 F.2d 1472, 1475 (11th Cir 1986)(citing Marrese v. American Academy of Orthopedic Surgeons, 470 US 373, 105 S.Ct 1327, 1331, 84 L.Ed.2d 274 (1985))

51. How can a Judge deny a pro se Defendant the right to a Forensic Examination, without cause, when the examination (the Courts/Government Know this) would totally exonerate and free the Defendant from criminal charges of any wrong doing? If standby counsel declines to assist a detained Defendant with trial related research and exhibits, how is it possible for the Defendant to have a fair trial?

52. Is it suspicious that the Northern District of Florida and the 11th Circuit do not publish their rulings and decisions on the public docket? Can an argument be made that the Defendants Sixth Amendment right to a public trial was infringed upon? (Verizon and the government did a heck of a job to keep the proceeding quiet and out of the public's eye).

53. Unwanted Appellate Counsel has sent the Petitioner multiple transcripts of pre-trial, trial, and post trial hearings. It is concerning that the Petitioner intrinsically remembers most of what was said at the hearings and it seems the record is missing or has been altered as to what was actually said which is not reflected within the context of the transcripts here. While the Petitioner has yet to review the entire record of the transcripts, a brief review of the previous questions here should easily raise doubt about the legitimacy of not only the authenticity of the transcripts being accurate but also the entirety of the whole record being both intrinsically flawed and absolutely broken.

54. The above caption is prevalent to also include tampering of the jury. There were several questionable Voir Dire answers from the potential jurors not included in the transcripts but worth mentioning for the record, where one juror stated (in other words) he "wasn't sure if he could render a decision based upon his own reconnaissance" (in lieu of others conclusions). Another juror proudly expressed that her husband was a "Verizon engineer" (possible but rather suspicious). The Juror of the Petitioner's choosing (only one personally choose), who during trial would wink periodically in a positive manner at the Defendant, would nod in agreeance when the Defense spoke, and gestured negatively when the government presented evidence or raised an argument. The Public Defender would smirk sinisterly at the Defendant and mention the juror that the Defendant chose in a sarcastic, prolific yet malevolent manner. This was the same juror who ended up being (by design) the foreman who returned the guilty verdict on the Defendant. After the guilty verdict and upon the forfeiture phase of the proceeding the jurors stood to retreat to the Juror room, but before so, the Petitioner saw the particularily suspicious juror make eye contact with the agent and in unison both smirked and nodded with each other as if in agreement that that things were indeed going as plan. The government could not take the risk of the same thing that happened to the grand jury (did NOT want to indict the Defendant over an alleged loss from Verizon; the transcripts show that the jury's concern was "what was illegal"?) to happen to the petit jury so the jury was tainted and the Petitioner was found guilty for a federal crime he didn't commit.

While they may have the means to alter a transcript, I can assure you their is contemplation about devising a scheme on how to alter the record on the docket. (like adding a new docket entry that shows it was entered on a previous date).

55. How can the Middle District Court establish pre-trial restrictions such as no contact orders and violate a Defendant on those restrictions when they have nothing to do with the case or charges in their district?

56. How can a Court deny motions such as a Motion to Suppress (5:19-cr-5, Doc 255) or Motion to Dismiss pursuant to Fifth Amendments Double Jeopardy Clause (Doc 386), where the government doesn't respond in opposition and the Court deny's the Constitutional violations without cause? (See also writ of Habeas Corpus 165, 175, 208, 336)

57. In accordance with the Fifth, Sixth, Eighth or Fourteenth Amendment (or any other statute or amendment) what remedies are available to an American who is in the same legal dilemma as the Petitioner, who cannot trust the government to provide a fair and impartial defense (nor private counsel), when the posture is prejudicial against a defendant standing up to a big corporation, where he has no choice but to represent himself?

58. When a Magistrate judge of the United States Knowingly allows a government official to forge or utilize his judicial signature after an illegal search by the government has commenced on an illegal warrant, does that newly procured warrant from the illegal search hold merit and become valid? If this is criminally disallowed, what consequences should one be exposed to in order to set an example as to what happens to those judges who Knowingly allows a government agent to forge and utilize his judicial signature on an illegal search and search warrant?

Please also see 5:19-cr-5 doc 255 pg 36, Doc 386, and Doc. 393

# LIST OF PARTIES

All parties appear in the caption of the case on the cover page

# RELATED CASES

UNITED STATES OF AMERICA v. JUSTIN LEWIS, No. 1:18-cr-15 AW/GRJ,
United States District Court for the Northern District of Florida. Judgment entered February 22nd 2022

UNITED STATES OF AMERICA v. JUSTIN LEWIS, No. 5:19-cr-5 JA/PRL,
United States District Court for the Middle District of Florida, Judgment Pending

JUSTIN LEWIS v. UNITED STATES OF AMERICA, No. 21-12893
United States Court of Appeals for the Eleventh Circuit, Appeal dismissed on May 10th 2022.

JUSTIN LEWIS v. UNITED STATES OF AMERICA, No. 21-13893
United States Court of Appeals for the Eleventh Circuit, Appeal dismissed on February 22nd 2022.

JUSTIN LEWIS v. UNITED STATES OF AMERICA, No. 22-10564 (direct appeal)
United States Court of Appeals for the Eleventh Circuit, Appeal Pending

JUSTIN LEWIS v. UNITED STATES OF AMERICA, No. 21-12518
United States Court of Appeals for the Eleventh Circuit, appeal dismissed on November 4th 2021

JUSTIN LEWIS v. UNITED STATES OF AMERICA, No. 22-10080
United States Court of Appeals for the Eleventh Circuit, appeal dismissed on July 27th 2022.

JUSTIN LEWIS v. UNITED STATES OF AMERICA, No 22-10586
United States Court of Appeals for the Eleventh Circuit, appeal dismissed on July 19th 2022

JUSTIN LEWIS v. UNITED STATES OF AMERICA, No 22-12624
United States Court of Appeals for the Eleventh Circuit, appeal dismissed on April 12th 2023

JUSTIN LEWIS v. UNITED STATES OF AMERICA, No 23-11915
United States Court of Appeals for the Eleventh Circuit, appeal pending

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# IN THE SUPREME COURT OF THE UNITED STATES

## In re. JUSTIN "DAVID" LEWIS for an EXTRAORDINARY WRIT OF HABEAS CORPUS

Petitioner respectfully prays that a Writ of Certiorari issue through a Writ of Habeas Corpus to review the judgments below:

## OPINIONS BELOW

### For cases from federal courts:

The opinion of the United States Court of Appeals for the Eleventh Circuit at Appendix B and B1 to the petition has been dismissed and is unpublished. (21-12843 - ND of FL). The pages can be found at 10-12 and 32.

The opinion of the United States Court of Appeals for the Eleventh Circuit at Appendix C and B1 to the petition has been dismissed and is unpublished. (21-13893 - ND of FL). The pages can be found at 13-14 and 32.

The opinion of the United States Court of Appeals for the Eleventh Circuit at Appendix D and B1 to the petition is pending in his direct appeal. (22-10564 - ND of FL). The pages can be found at 15-18 and 32.

The opinion of the United States Court of Appeals for the Eleventh Circuit at Appendix F and D1 to the petition has been dismissed and is unpublished. (21-12518 - MD of FL). The pages can be found at 20-21 and 38.

The opinion of the United States Court of Appeals for the Eleventh Circuit at Appendix G and D1 to the petition has been dismissed and is unpublished. (22-10080 - MD of FL). The pages can be found at 22-23 and 38.

The opinion of the United States Court of Appeals for the Eleventh Circuit at Appendix H and D1 to the petition is pending (23-11915 - MD of FL). The pages can be found at 24-26 and D1.

## OPINIONS BELOW (Page 2)

The opinion of the United States District Court for the Northern District of Florida at Appendix A and A1 to the petition judgment is final and unpublished. (1:18-cr-15). The pages can be found at 1-9 and 27-31.

The opinion of the United States District Court for the Middle District of Florida at Appendix E and C1 to the petitions judgment is pending and unpublished. (5:19-cr-5). The pages can be found at 19 and 33-37.

# JURISDICTION

In accordance with Sup. Ct. R. 14.1(e) the Petitioner provides this concise statement of jurisdiction to this Honorable Supreme Court:

On May 25th 2023, in appeal number 23-11915, the Petitioner filed his notice of appeal (doc 398) challenging the district courts order (doc 388) denying the Petitioners motion to dismiss pursuant to a violation of Fifth Amendments Double Jeopardy Clause (doc 386), to which the Petitioner is being illegally detained by the Courts and government, working together in unison, against the laws of this country, the Constitution of the United States, international law, and the Petitioners' Civil Rights, Human Rights, and his Bill of Rights.

The Circuit Court then issued the above appeal number, which is currently pending in the United States Court of Appeals for the Eleventh Circuit.

Therefore because judgment has yet to be entered in the current pending appeal, the Petitioner hereby provides the statement that he intends to file his Writ of Habeas Corpus under Sup. Ct. R. 11.

The Petitioner believes that he can provide a showing, that this appeal is of such imperative public importance, that it should justify deviation from normal appellate practice as to require immediate determination by this Court. See 28 USC § 2101(e).

Also because judgment has yet to be entered and is still pending with the Middle District of Florida in case No. 5:19-cr-5, this Honorable Supreme Court can retain jurisdiction of that case and court as well under 28 USC § 1251(b)(2).

For these reasons the Petioner hereby invokes jurisdiction of this Court under 28 USC § 1251(b)(2); 28 USC § 1254(1).

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## Concise Statement of the Case

In accordance with Supreme Court Rule 14.1(g) the Petitioner provides this statement of the case based on the following information:

Around 2012 the Petitioner purchased a home in a rural area of Ocala, FL. After the purchase, the Petitioner established utilities such as electricity, but after multiple inquire's to internet service providers, he was unable to find an internet service provider that serviced his area. Being that almost everything now adays requires internet to get by, the Petitioner went on an unrelenting search to acquire the unattainable holy grail of internet access for his home.

Upon that search, the Petitioner came across an ad on Amazon.com which advertised the monthly rental of an unlimited data plan serviced by Verizon Wireless. The purchase price of the ad was $99 dollars for the sellers commission and the monthly rate of service per the advertisement was $99 dollars plus tax, which equated to about $120 dollars per month. After some back and forth correspondence, the Petitioner elected to purchase the listing for the services as advertised. After the sale, the seller instructed the Petitioner that he was solely the middle man and that the Petitioner would have to complete the transaction with his contact, Mark Ramirez, who was the sales representative for a cellular based company out of Los Angeles, California by the name of E. Wireless Communications[1] (or Everything Wireless).

The setup of the account was rather straightforward and uneventful, except for the fact that the Petitioner had to pay a deposit (to which he was originally never made aware of by the Amazon seller); sign a month to month contract, and submit his identification for the purposes of a credit check to post pay the account on credit.

[1] The FBI and Verizon admit that the Petitioner probably got the idea of the business model from E. Wireless Communications (See 5:18-cr-5 doc 175, pg 26 & 27)

The contract from E. Wireless Communications (See 5:19-cv-5 doc 34, 35, 36, 40, 41, 42, 44; while confined, the Petitioner doesn't have the means to specify the exact location to reference the exhibit) references that the lines are from a "corporate business plan" and requires that the customer (Petitioner) acknowledge that the plans and phone numbers are the property of E. Wireless Communications. The contract continues to state that these specially developed plans by E. Wireless Communications, Known as their "rental fleet" is how "the customer is able to be assigned a phone number with Unlimited Data that will operate on the Verizon Cellular Phone Network." There is also a mention of a fine if the number is ported without permission, but nothing is relayed that prohibits the Appellant from reselling these type of plans to the public, just as E. Wireless is reselling these same plans, to the public, from Verizon.

(1)

After paying the deposit and the first month of service, E. Wireless shipped a SIM card to the Petitioner where the Petitioner inserted it into a jetpack and the jetpack displayed that the data limit was "unlimited". After a month or so of solid use the Petitioner was very satisfied with the product. He then reached out to Ramirez about how difficult it was for the Petitioner to find the unlimited data solution, and due to that demand, he inquired with Ramirez about the business opportunity that was of interest to the Petitioner. Ramirez expressed no concern and made some suggestions to get the Petitioner started. Heeding that advice, the Petitioner registered the website name WirelessManagementSolutions.com, the content and business plan for the website was created soon after.

In the midst of launching a campaign to resell the lines from E. Wireless, the Petitioner took a devastating fall off a roof while employed by his father's construction company. In turn the website and the new business venture was abandoned and remained dormant until 2014/2015.

(1) While further investigating the business, the Petitioner was able to register the E. Wireless SIM directly with Verizon. The registration showed detailed information about the plan which cost E. Wireless around 30 dollars (allocating them around a 70 dollar profit) and the plan utilized was a "Corporate Flat Rate Plan" which consisted of plan code "73809."

Around 2014 due to his injuries, the Petitioner found it extremely difficult to continue working in the field of construction and desired to do something more intellectually challenged in the field of something technology based. In the mean time the Petitioner revisited the idea of reselling and desired to research what other platforms, besides his website, where these type of lines could be resold. On eBay the Petitioner witnessed other resellers leasing their unlimited data lines for about $120 a month, which originally discouraged the Petitioner but testing the waters to see what would happen, his girlfriend at the time placed a similar ad but increased the monthly rate to $159 a month which suprisingly sold rather quickly. While the profit margin of $25 dollars was rather low, it could still be profitable if reselling multiple lines. (The later renown Verizon "security" rep Alexander Mora was one of the Petitioners first customers)

Within the course of a couple of months, the Petitioner reached out to E. Wireless and purchased 12 more lines but with each new line purchased, the price would increase $5 to $10 dollars more per month than the other lines. This increase significantly dipped into the Petitioners profits, where he was once making about $25 dollars per line, he was now only making $5 to $10 dollars per line.

So on the same platform the Petitioner came across another reseller by the name of Stuart Wacker of Stewbies Electronics. Mr. Wacker advertised these Verizon unlimited data lines for a flat monthly fee of $120 dollars per month which was more geared to the Petitioners profit margin as originally intended per his business model of the originating E. Wireless lines. The Petitioner made a mental note that when Mr. Wacker would establish a new line of service with him that the date of the line, per the jetpack, would suggest that these lines were newly created. Mr. Wacker could also create, resume, suspend, and change service on SIM cards on demand and was obviously making a profit close to what E. Wireless was easing the lines for. The Petitioner was adament about learning how Wacker and E. Wireless did it. After purchasing about 20 lines from Mr. Wacker, Mr. Wacker informed the Petitioner that he could no longer lease any more lines to him, so the Petitioner sought out only another reseller to buy lines from, but also the search on how to obtain this type of resellable account. (Wacker was way more involved, but because Wacker was previously wealthy, he testified at trial but never was charged)

Next the Petitioner came across another reseller by the name of Adel el Shaborgy who operated a Taxi cab company out of New York. The Petitioner learned on a later date that his company made a deal with Verizon to attach a hotspot with unlimited data to each one of their taxi cabs. After the contract between the two parties ended, instead of disconnecting the lines, Mr. Shaborgy elected to profit off the reselling of the service to later porting out the lines for sale in order to transfer ownership of the plan through the process of Verizon's "Assumption of Liability (AOL)" program.[1] The porting of lines could render a profit per line ranging from $500 to $2000 dollars depending on the type of line.

After some back and forth correspondence Mr. Shaborgy offered these lines to the Petitioner for a monthly fee of $110 dollars per line, which was lower than the price offered by E. Wireless. Upon this agreement the Petitioner purchased around 20 of these line and had them resold without incident.

In early 2015 the Petitioner decided to officialize his business by entering into a resell agreement with Verizon and with permission created the business Page Plus Unlimited which specializes in the reselling of Verizon's services. He was given a login name and password to access the network where he was told by a representitive that he can formally advertise that he was a Verizon reseller and could resell Verizon services. (This was the Petitioners Aha! moment which explained how E. Wireless operated).

Afterwards the Petitioner quit the construction industry and instead focused all his energy and time on building the business and storefront, where he rented out the middle of his mom's store in Ocala, FL. Part of the agreement was that he would renovate the store by applying fresh paint and a new color scheme along with installing hard wood flooring, decorating the store with insignia, and installing glass shelving.

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[1] For some reason E. Wireless did not have the means to create new unlimited data lines. The only way that E. Wireless could acquire new lines of unlimited data service was to purchase pre-existing unlimited data lines from private parties, such as Christopher Marshall and Adel el Shaborgy (the same entities who setup the Petitioners accounts and ported the lines to his account years later), and import them via "AOL" to E. Wireless's account. E. Wireless purchased over half a million dollars worth of lines from Mr. Shaborgy and even though it is known that E. Wireless purchased lines from Christopher Marshall, it is unknown as to how many and for how much. The Petitioner learned later that E. Wireless was also independently reselling their unlimited data lines through Verizon stores and through eBay.

In July of 2015 the Petitioner became aware of an ad on eBay that was selling a resellable Verizon unlimited data account. The ad boasted a business opportunity that this "wholesale" resellable account could create new lines of unlimited data, resume and suspend service, disconnect lines and swap service on SIM cards, to manage the business, all within the click of a mouse. The Petitioner was immediately able to establish a connection with the type of account E. Wireless, Wacker, and Shubargy had with what this type of account provided. This was the Petitioners 2nd Aha! moment.

The cost of the account was $5000 dollars and the seller of the eBay ad went by the name of Christopher Marshall who stated that he specialized in data trading as a "data trader" and operated the business Taccom data LLC. Marshall, as part of that $5000 dollar fee, would setup the account and transfer over 5 lines of unlimited data to that account and in the process would teach you all the ins-and-outs on how to operate the business of reselling data. Per the advertisement, Marshall hinted that the plan code for the resellable unlimited data lines was "73809" but would not disclose the mysterious feature code, which he only referenced in numerical hashtags, "#####, but would be revealed upon purchase.

This was the Petitioners 3rd and final Aha! moment when the Petitioner drew a definitive connection to the account and plan type that Marshall was selling in lineage with the type of account and plan type that was registered and previously provided by E. Wireless (See the footnote at the bottom of page 2). The correlation in the similaritys between the 2 accounts rendered the position with the Petitioner that this account was exactly the same type of account that E. Wireless utilized and the Petitioner, who was now contracted as a reseller, was about to venture into the business of reselling.

① As part of Marshall's sales pitch, Marshall boasted that he was well versed in this trade (and seemingly so) and has sold 1000's of lines and had created, maintained, and established 100's of accounts for his customers. Marshall also made several sales-pitch videos where he addressed the public in sporting business attire with the insignia of Verizon Wireless embroidered on his collared shirt. Marshall never communicated anything to the Petitioner about anything being fraudulent or illegal, he only stated, "you get paid, Verizon gets paid, and your customers get unlimited data," which seemed like a win-win for all. If anything was ever relayed to the Petitioner that this venture was illegal in anyway, then the Petitioner would of never got involved.

The Petitioner made the purchase around July of 2015 but things with Marshall didn't transpire as Marshall suggested they would. In fact Marshall no longer replied to his messages or phone calls after the initial sale. Finally out of frustration and due to the unforeseen delay in the setup of the accounts, the Petitioner sent Marshall a text message demanding that the Petitioner be fully refunded because Marshall had not fulfilled his end of the bargain. With the onset of this message, Marshall negated the Petitioners demand for a refund stating "No Refunds" and attempted to explain to the Petitioner the reasoning behind the delay by sending him a screenshot of a logged summary depicting all the text and phone calls Marshall had received since placing the ad on eBay. The Petitioner did remember that the amount of correspondence was substantial and Marshall made the statement that he typically responds to over 100 different inquiries per day, to which the Petitioner believes as true. But either way the Petitioner wanted out but by Marshall denying him the refund, the Petitioner had no other choice but to wait for the transaction to manifest.

Then in September of 2015 Marshall finally owned up to his side of the bargain and started the process of establishing the account. Like E. Wireless, the Petitioners original intention was to open the Verizon account under his business Page Plus Unlimited but due to the fact that the business was relatively new and only opened earlier that year, Verizon required $400 dollar deposits per line, which at the time was something that the Petitioner just could not afford. So he inquired with his mother if he could use her business name that was well established and did not require deposits, to which she agreed to. The setup of the accounts is well documented in 5:19-cr-5 doc 34, 35, 36, 40, 41, 42, and 44. (Even though the record speaks for itself, it is important to note that Verizon only required that the Petitioner send an informal email of "I agree to the terms and conditions" (of the contract)).

Once the Petitioner had 5 lines on his account, if desired, he could sign what is called a Major Account Agreement (or MAA) with Verizon. This agreement allowed more control over the account and allocated discounts typically not associated with a standard business account. As part of Marshall's fee, he assisted the Petitioner with the "MAA" though the "MAA" was never signed by the Petitioner. The Petitioner cannot recall if it was signed by Marshall or someone at Verizon but the IP of the signee appeared to be signed by someone in another state outside the state in which the Petitioner resides in.

A month or 2 after opening the account, the Petitioner received a phone call from two district Verizon reps who were inquiring on how the Petitioner was able to establish an account that provided unlimited data. Being that the Petitioner was unaware of any wrong doing, he had no problem sharing the method on how he was able to obtain the unlimited data feature on his account but would not disclose who the Verizon executive was (or at least who he thought Marshell was) due to a Non-disclosure agreement between him and Marshall.

After disclosing the method to the representitives, a "government" entity would appear in the header of the Petitioners emails from Verizon. This "government" entity would show itself as originating from the government in over 30 different emails ranging from the opening of the account around November 2015 to the day after the raid of the residence in February 2018. This would prove that the government and Verizon knew all along that not only were these accounts being resold, but that these two entities, working together, assisted each other in developing a scheme to create the problem of reselling.

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Around the same time in November of 2015, the Petitioner questioned a Verizon rep if he was allowed to have two Verizon accounts, the rep relied, "yes, that multiple people have multiple business accounts." The Petitioner reached out to Marshall again inquiring if Marshall could help him setup the resellable Verizon account on another account and for a fee, Marshall agreed. Being that the original intent of the Verizon account was to be established under the Petitioners Page Plus Unlimited business and being that the Petitioners Page Plus Unlimited business was well established and no longer required deposits, the Petitioner had Marshall setup the new Verizon business account under that name.

Around or on March of 2016, the unlimited data feature code, 71711, that Marshall sold to the Petitioner no longer worked and the Petitioner was unable to create any new unlimited data lines. Coincidently around the same time, the reseller Adel el Shaborgy, reached out to the Petitioner offering for sale a new type of unlimited data plan. Though this plan was more expensive, it still provided unlimited data like Marshalls plan and gave the Petitioner the opportunity to create new unlimited data lines. The Petitioner paid Mr. Shaborgy over 19K dollars for the new lines and even assisted the Petitioner and his brother with porting lines to his resellable Verizon account.

1 After the raid of the Petitioners home and arrest in 2018, the Petitioner investigated Marshall where he became aware of a Facebook post from Marshall, where Marshall admits to being indicted by law enforcement in March of 2016.

March of 2016 was quite eventful when the Petitioner came across another reseller by the name of Warren Sandusky who operated the websites Secure.zone and later 4gdata.net. The Petitioner over time got to know Sandusky and Sandusky shared with the Petitioner that his account was similar to those accounts used by government entities. Sandusky also shared the code of the unlimited data plans that he leased to the public and the Petitioner noted that the codes utilized were completely different than the codes utilized by Marshall or Sheboygan. The Petitioner rented a couple of lines from Sandusky but did not further associate with Sandusky until early 2017. (There were a couple of other resellers that the Petitioner utilized through out the venture of reselling.)

In July of 2016 Wackers Verizon account goes down which consisted of 300 to 500 unlimited data lines. One of the resellers that Wacker knows makes the suggestion to open multiple business accounts and to keep the line count relatively low, so if one business account goes down the financial loss and burden of the impact would be miniscule compared to an account with an overabundant amount of lines. To be safe, Wacker presented the idea to a corporate attorney who upon reviewing the contracts stated that the only exposure that Wacker would face by opening multiple accounts, per the terms of that contract, would be early termination fees and account termination. Wacker heeding that advice opens 5 Verizon accounts in his friends name and does so without incident.

In December of 2016 the profile on the Petitioners Verizon account goes down leaving everything inaccessible and the account shows 0 lines. Even though the account at this point is unmanageable, Verizon keeps the lines active because Verizon is utilizing the Petitioner as a test subject / modern-day experiment, to see what the Petitioner would do next. So with no other choice the Petitioner consultes with the local Verizon corporate store in Ocala, FL as to why the account profile is down. The manager at the store did not understand why the profile had been removed, but reassured the Petitioner that they will get it fixed and later followed through with that promise. (Out of caution, the Petitioner requested that the manager change the plan type to the more expensive Sheboygan plan code instead of the Marshall plan code, hoping that change could possibly resolve the conflict with the error in the profile.)

Around the same time the Petitioner had a phone conversation with and received an email from a Verizon representative by the name of Jay or Joyce Mason. The context of the email from Mason seemed to mock the Petitioner into bringing "[his] employees to the local store for training". Hence further revealing that Verizon knew that these accounts were being resold the entire time. This same Mr. Mason was also the Mason who was responsible for calculating Verizon's alleged loss.

The profile returns and all activities resume to their normal operations, for a short while anyways. Two weeks later the Petitioner receives an account termination letter for both accounts which states that the accounts would be closed in 30 days. The letter cites the main reasoning behind the termination of the accounts is due to the purchasing of the equipment. There is no mention of fraud or financial loss by Verizon, in fact they let the Petitioner Keep the account open after the 30 days.

(1)(2)(3)
After a few phone calls the Petitioner finally gets ahold of the Verizon representative responsible for the two account termination letters; Victor Fetter the director of sales compliance. Fetter finds the conversation quite humorous (because he Knew the accounts were being resold the whole time), but in the end he concedes to letting the Petitioner Keep the accounts if the Petitioner agrees to change the plan type of the lines from unlimited data to current/public pricing (a tiered data structure). The Petitioner agrees and while the government (not Verizon; See 5:19-cr-5 doc 175 page 25) may attempt to persuade the layman into believing that the Petitioner didn't follow through with Fetter request, the email correspondence between Fetter and the Petitioner is well documented in the docket entry of 5:19-cr-5 and 1:18-cr-15 to prove otherwise; that it was Verizon that was hindering the transition, not the Petitioner. (The cost of leaving the accounts dormant was around 5K dollars a month per account).

In order to change the lines the Petitioner had to move his entire customer base off the two accounts and onto Warren Sandusky's account while the transition, which took over 9 months, was being made.

(1) In early 2016 Verizon offers an Unlimited data option to the public.

(2) Throughout 2017 and per the "June" referral, the eBay ad advertising unlimited data "Heavenly data" wasn't even from the Petitioners accounts, the accounts utilized were several others including Sandusky, Walker, and E. Wireless. Even so the alleged loss calculation for Verizon only calculated a loss from the opening of the accounts to November of 2016 which is outside the placement of the ad and loss.

(3) The Petitioners brothers account went down in early 2016.

The Petitioner carefully reviewed his options on how to proceed further, being:

1. Wacker's system of opening new accounts went flawless under his friends name and OK'd by an attorney; and
2. Verizon's Fetter left the Petitioner's two accounts open and never communicated any type of fraud or loss; and
3. If there was a loss, the loss was contributed to the discount associated with the purchase of equipment, not per the resell of Verizon services.

Prong 3 can be supported by the termination letters, prong 2/5:19-cr-5, Doc 175 pg 29, and pg 30 of the same document, where Verizon's Jonathan Forrester states that there is no loss per the data usage because "[E]ven then it is about data usage on old grandfathering UNL plans/sfos." Bruce Pavlicek, Verizon's senior investigator concours with the finding.

Being these 3 prongs, among many of other things, cleared the Petitioner of any wrong doing, the Petitioner assists his friend in setting up 2 Verizon accounts without equipment because if there is a loss with the equipment, the Petitioner does not intend to defraud anyone. (Even the rep who attempts to setup the account stipulated that if there was a loss, due to non-payment, that the loss would only be contributed to a little bit of air time being that the customer wasn't purchasing discounted equipment.) 1 of the 2 accounts is a success the other is declined an account. This was done around March of 2017.

According to Fetter FD-302 (See 5:19-cr-5 doc 175 pg 27) the amount of Verizon's alleged "loss" per the Petitioners brothers account was "$100-150,000". However the Petitioners brothers account was terminated in March of 2017. Then in May of 2017 Verizon sent the Petitioners brother $1000's of dollars in refunds per his use of the account. If Verizon truly loss all this money, why would Verizon send $1000's of dollars in refunds to the Petitioners brother? The answer is simple. Verizon and the government were attempting to tie the Petitioner into ownership of the brothers company and account as another reason to persue to criminal charges. If it would of been the Petitioner who deposited the checks instead of the brother, the raid of the Petitioners house would of happened then.

In one phone call Fetter advised the Petitioner that accounts under (if I remember correctly) 35 lines are never brought to his attention. Inciting to the Petitioner that he would be safe if any new accounts were opened under that line limit.

In June of 2017 the Petitioners name shows up on Howardforums.com and the post is entitled "The Department of Justice is going after resellers." The post names 3 individuals Christopher Marshall, Ramesh Kadel, and the Petitioner. The post suggests later that soon you will see people hacking into Verizons' network in order to establish new unlimited data lines. The reference from the Verizon insider was by no mistake because that method is exactly what manifests, by no coincidence, a couple of months later.

In November 2017 and as orchestrated, Warren Sandusky's account goes down including all the Petitioners lines on that account. Verizon and the government knew that the Petitioner would be looking for an alternative location to place 200 disgruntled customers who were without service. So magically out of the blue, a new method to obtain unlimited data lines manifests. The new method, to no surprise, involves the same technique prescribed by the poster/Verizon/government insider on Howardforums.com.

After this "setup," to which the Petitioner can prove was a "setup," the government raids the Petitioners residence on February 7th 2018. And because the Petitioner became aware of Verizons and the governments (including the judges of the Middle District) outrageous behavior the government utilized an indictment in an alternative district as the means for a more favorable opportunity to sustain a conviction (and to set an example to the public as to what happens to those who challenge the governments illegitimate status quo.).

This concludes the Petitioners concise statement of facts. For more details or for a continuation as to these facts See 5:19-cr-5 doc 34, 35, 36, 40, 41, 42, 44; doc 255, issue 6 pg 36 and doc 393

# 2nd Concise Statement of Facts



1.① On February 7, 2018, a federal search was executed on the Defendant's home in Ocala, FL.
a.② The government cites that they are searching the residence pursuant to violations of the "Money Laundering/Wire Fraud" statute.
b. The government criminally pre-indicts the Defendant and his mother's assets as follows:

| | |
|---|---|
| 1. Property | See Indictment or 1:18-cv-27-AW/GRJ |
| 2. Property | See Indictment or 1:18-cv-28-AW/GRJ |
| 3.③ Bank Accounts | See Indictment or 1:18-mj-7 (thru 16)-AW/GRJ |
| 4. Other Tangible Items and Funds (seized from residence) | |

c. The government cites that they are criminally forfeiting assets pursuant to a Money Laundering and Drug Crime statute.
i. The defendant is/was never charged with Money Laundering or a Drug Crime.

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① The alleged criminal activity is predicated upon a statement made by the Director of Verizon Compliance (Victor Fettes), that "the fraud only occoured because the Corporate Nature of the Contract." Verizon and the government in unison attempt to make a contract a criminal offense. (See Defendant's Motion for Acquittal for a recantment of the FBI statement).

Due to the vindictiveness of the government and those involved with their personal enticement of prosecution (and unknowing of someone to challenge the status quo) everything prior to, was covertly acquired. All (Illegal) orders/warrants were issued before any grand jury proceeding in violation of the Federal Rules of Criminal Procedure.

② Violation of Fifth Amendment's Double Jeopardy Clause: The original Jeopardy as to the "Reason for the Search" was "Money Laundering and Wire Fraud," which ended the first Jeopardy with the onset of the indictment. The main count of the Indictment (Count 10) was "Identity Theft" not "Wire Fraud/Money Laundering." Dropping "Identity Theft" in the second Jeopardy, creates a third Jeopardy and presents a domino effect with the other Jeopardy's including the Jeopardy for the indictment in the Middle District

③ The corruptive/malversative nature of FBI agent Brannon Baxter, (former) AUSA Jason Beaton, and (former) USA Christopher Canova, devised a scheme of forging a federal Judge's signature to illegally seize the Defendants' and his mother's bank account funds under the table, for their own personal financial gain (possibly split 3-ways). The warrants and funds were illegally incentivized (with Verizon) utilizing the power of the United States. (See docket date and the forging of a 2 to a 4 (cover-up) on the inventory sheets).

2 On June 26, 2018 (though oddly written) the Defendant is federally indicted on Count 10 of Identity The (in the name of A.M.) that the Defendant allegedly used A.M.'s name to commit Counts 1-9 of Wire Frauc See ECF Doc. 1 (and § 2 'Aiding and Abetting (unknowing why) is included). This ends the original Jeopardy.

① a The indictment includes a criminal forfeiture statute under 21 USC § 853(p) which can criminally seize assets pursuant to 28 USC § 2461(c).

3 On the same day, an "Order for Issuance of Arrest Warrant as to Justin Lewis [is] signed by Magistrate Judge Gary R. Jones." See ECF Doc. 6

② 4 On July 10, 2018, the Defendant motioned the Court pursuant to Rule 16 for discovery. See ECF Doc. 23 Discovery was partially provided, but included the following relevant cases:

| | | |
|---|---|---|
| a | Verizon 2703 | 1:17-mj-c7-GRJ |
| b | eBay 2703 | 1:17-mj-c22-GRJ |
| c | Google | 1:17-mj-47-GRJ |
| d | eBay (2) 2703 | 1:18-mj-c3-GRJ |

① 21 USC § 853 is defined as a drug crime statute under "Drug Abuse Prevention and Control."

28 USC § 2461 can only criminally forfeit if the following charges apply:

| | | |
|---|---|---|
| 1 | Racketeering | 18 USC § 1961 |
| 2 | Money Laundering | 18 USC § 1956 |
| 3 | Drug Crime | 21 USC § 853 |

Defendant is/was only charged with Identity Theft that predicates Wire Fraud (in the name of A.M.) citation § 853 and § 2461 can NOT apply. Defendant is NOT charged with Racketeering, Money Laundering, or a drug crime.

In a concerning letter to Defendants prior attorney (addressing discovery) the former AUSA states, "this notice of intent to offer the evidence in this manner is provided to allow you fair opportunity, prior to trial, to challenge the 'authenticity' (emphasis added) of the records or the sufficency of the certificate." (The word 'authenticity' is underlined and written in bold font.)

② Discovery was partially produced but omitted the search warrant of the residence and lacked any mention of such via the appropriate cover letter to Defendants prior attorney. After multiple requests the AUSA resigns, the new AUSA produces the warrant through an informal email stating, "Here is a copy of the warrant provided by agent Baxter." (The agent assumes he is immune to Constitutional law.) No docket entry of "5:18-mj-1008-PRL" exists pursuant to Rule 27, 55 and F.R.E. 901, 902.

The malicious use of a Judges signature seems more like a fall back plan than a legitimate legal process of documentation. The orders are contradictory intentional negligent violations of the Stored Communications Act § 2701-2713.

The "Known" illegal "ex parte" Applications, Orders, and Warrants

| District | Case Name | Case Number | Date on Order/Warrant | Date Docketed | Certified/Authenticated FRE 901, 902 |
|---|---|---|---|---|---|
| ND | Verizon 2703 | 1:17-mj-c7-GRJ | August 16, 2017 | August 23, 2017 | NO |
| ND | eBay 2703 | 1:17-mj-c22-GRJ | August 23, 2017 | August 23, 2017 | NO |
| ND | Google | 1:17-mj-47-GRJ | September 2017 | September 2017 | NO |
| ND | Bank Seizures | 1:18-mj-7-GRJ (7 thru 16) | February 6, 2018 | April 6, 2018 | NO (NO) |
| MD | Search of Residence | 5:18-mj-1008-PRL | February 6, 2018 | (1) Undocketed | NO |
| ND | 2nd eBay 2703 | 1:18-mj-c3-GRJ | April 2018 | April 2018 | NO |

While some may feel it absurd to think an AUSA/FBI agent would ever forge a judges signature, to please review the context in the above entitled motions and orders in relation to this case.

1. Intentional Gross Negligence of the Stored Communications ACT 18 USC § 2701-2713.
2. 2703 Application - States, does "NOT" include the contents of communication.
3. 2703 Order - "Requests" the contents of communication (exceeds SCA 2703(d) - See SCOTUS in Carpenter v. US)
4. 1st Verizon 2703 (1:17-mj-c7-GRJ) on its face states the contents of communication, "one of my stores"
   See 18 USC § 2510 (esp. 2515) in relation to the illegal interception of communication as evidence (Verizon & Govt sharing wire before legal process
5. Written on a civil docket sheet, Illegally ex parte, No Notification, No Right to Quash, Illegally Sealed, Warrantless
6. Intentional mix-up of identity negligence. Verizon to eBay, eBay to Verizon (See 1:17-mj-c22-GRJ)
7. Multiple entities, strange spacing, added wording, "determining who the ads belong to," after search of the residence (1:18-mj-c3-GRJ)
   The above document appear to be more about a fall back plan, than a legitimate legal process of documentation.

(1) See F.R.Crim.P Rule 27 and 55 as per the requirement of docketing warrants.

5 On August 30, 2018, Defendants attorney (at that time) takes the bait and files a Motion to Suppress on an unauthenticated search warrant of the residence (5:18-mj-1008-PRL). See ECF Doc. 41.

(1-1A) 6 On October 18, 2018, Judge Walker sets a hearing for Defendants Motion to Suppress via Franks. Doc. 55 After a 2-day trial, Defendants motion (in plain error) is denied. See ECF Doc. 73.

a On February 19, 2019, in the Middle District of Florida, predicating the decision in the Northern District, the Defendant was now being indicted on an unrelated charge. See 5:19-cr-5-PRL, ECF Doc 1.

7 Missing discovery at the request of the Defendant was now being provided, though should of been provided prior to the commencement of the Franks hearing in the Northern District.

(1A) 8 On April 23, 2019, a pre-Franks hearing was held and Judge Lammens issued a Report and Reccommendation on why the pre-Franks hearing should be denied.

(1) In accordance with 28 USC § 636 (b) and as required by the local rules of the Northern District, the United States Magistrate Judge Gary R. Jones, should of been the Judge to conduct hearings, request supplemental briefing and submit to the Court proposed findings of fact and reccomendations of the hearing. (Particularily the Judge who allegedly signed the orders and warrants).

(1A) A District Court abuses its discretion if it applies an incorrect legal standard, follow improper procedures in making the determination or makes findings of fact that are clearly erroneous. See US v. Brown, 415 F.3d 1257, 1266 (11th Cir 2005) A factual finding is clearly erroneous when [,] Although there is evidence to support it, the reviewing Court on the entire evidence is left with the definite and firm conviction that a mistake has been committed. United States v. Robertson 493 F.3d 1322, 1329-30 (11th Cir 2007).

A conviction may be reversed under the plain error doctrine only when [t]here [was] an 'error' that is plain and that affect[s] substantial rights. United States v. Olano 113 S.Ct 1770, 1776, 123 L.Ed 2d 508 (11th Cir 1983) Even if the error was harmless, the Defendant would still be entitled to relief because the error was a perse prejudicial violation that affected the Defendants substantial rights. See eg. Neder v. United States 527 US 1, 7, 119 S. Ct. 1827, 1833, 144 L. Ed 2d 35, 46 (1999) (stating that there is a "limited class of fundamental constitutional errors that... are so intrinsically harmful as to require automatic reversal (i.e. 'affect substantial rights' without regard to there effect on the outcome.)

(2) Per the Federal Rules of Criminal Procedure Rule 16 (c), the government has a continuing duty to disclose. If the Defendant was provided this discovery pursuant to Rule 16 and in a timely manner consistant with this rule, the Defendant could of easily negated any statement and testimony that the agent had "no idea who the ads belonged to" as stated in the denial of the Franks hearing in the Northern District.

9 The Middle District Court adopted the evidentiary material but denied the suppression hearing citing the recomendations of the Northern District Courts denial.

10 On August 7 2019 (still oddly written) the government superseded the indictment. The indictment still stipulates Count 10 of Identity Theft (in the name of A.M.) that the Defendant allegedly used A.M.'s name to purportcate Counts 1- of Wire Fraud (and § 2 'Aiding and Abetting' maliciously remains). Numes of the Wire Fraud Counts change (checks of the customers) to somehow meet the governments narrative of a defective indictment. See ECF Doc 93.

11 On October 2 2019 the government superseded the indictment a second time. In the second superseding indictment the government Knew the allegations did not state a crime under governing Eleventh Circuit nor did the Defendant steal the identity of A.M. (to allegedly purportcate wire fraud in his name) nor did the Defendant defraud his customers (nor is he charged with such). For these reasons the charge of Identity Theft was dropped though the Wire fraud counts remained. (See United States v. AdKinson 135 F.3d 1363 (11th Cir)). The government adds and removes wire fraud counts (checks of the customers) to somehow meet their narrative in a defective indictment, however by dropping Identity Theft that purportcated Wire Fraud (in the name of A.M.) the fruition of the fraud should of been at its end. Doc 118. ('Aiding and Abetting maliciously remains). This superseding indictment ends the second jeopardy.

12 In late 2019, the government in the Northern District released an assortment of new discovery material to the Defendant. This included 100's of missing emails, subpoenas, and other pertinent discovery material. The government in the Middle District provides no discovery stating, "all discovery has already been provided by the agent." When Defendants prior attorney directly questions the AUSA on the warrant of the residence, AUSA Hamilton states, "I have to see whats in it."

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Part of the problem is that the government has attempted to turn a Bank Fraud case [in Defendants case Identity Theft] into a case that includes an income tax case [wire fraud] and a mail fraud case [Aiding and Abetting] and everything else [porn, html manipulation, racketeering, money laundering and a drug crime] and the pieces simply don't fit together very well. See AdKinson I, 135 F.3d at 1378n.

The danger is compounded when the grand jury indicts on one theory of the illegal conduct and the government prosecutes the case on an entirely different theory. This roaming theory of the prosecution can produce trial error of constitutional proportions. See Russel v. United States 369 US 749, 768, 82 Ct 1038, 8 L.ED. 2d 240 (1962) (ill defined charges leave the prosecution free to roam at large - to shift its theory of criminality so as to take advantage of each passing vicissitude of the trial and appeal)

In violation of the Fifth Amendment principal mandating reversal when the grand jury indicts on one theory and the petit jury convicts on another. See, eg. Stirone v. United States 361 US 212 80 S.Ct 270, 4 L.Ed. 2d 252 (1960).

13. Around the same time, the Defendant established an account with Pacer, unable to locate the search warrant, the Defendant conferred with the Clerk who jointly established that no docket entry of the alleged (5:18-mj-1008-PRL) search warrant existed (See F.R.Crim.P. Rule 27, 55). Upon learning of such, the Defendants bond in the Middle District is immediately revolked, preventing further investigation of the missing docket. See 5:19-cr-5-PRL; Doc. 92, 93, 95, 96, 97

a. At the hearing, the Defendant advised Judge Lammens that his judicial signature was used maliciously, Judge Lammens did not address the issue except for stating, "I [he] don't like my rulings to be mocked." This precludes Judge Lammens Knowingly allowed FBI agent Brannon Baxter to utilize his judicial signature on an illegal search/warrant of a Fourth Amendment protected dwelling of the Defendants home. As detention in the Defendants case seems to be less about pre-trial release and the indictment and more about detainment which prohibits the Defendant from investigating the alleged warrant, why it is undocketed, where it came from, when it was signed, or who actually signed it (which jeopardizes the prosecution on both indictments.)

b. Even more disturbing both District Courts (1:18-cr-15-GRJ and 5:19-cr-5-PRL) have not only chosen to ignore the government misconduct but have become a willing and able participant (as an aid in assistance) to further the governments illegitimate and illegal activity. (Simply because corruption within a corporation (with a hidden agenda) is involved).

c. When requesting the government to compel and authenticate a 'docketed' (on February 6, 2018) copy of the alleged search warrant 5:18-mj-1008-PRL, Judge Lammens rules "...it is unclear what the Defendant is seeking", furthering the cover-up. Doc. 183, 188, 196, 199 (Middle District)

d. When addressing the government misconduct, illegal "under the table" bank seizures, and illegal search of the residence (Inter Alia) Judge Allen Winsor rules "... theres nothing I can do about it." furthering the cover-up. Doc. 231, 233, 234 (Northern District)

e. The only fair and just Judge was the Honorable United States Magistrate Judge Gary R. Jones, who initially allowed the Defendant to be released on bond which allowed the Defendant to learn and partake in the discovery process for over a year before being illegally detained by Judge Lammens. The Defendant believes the Hon. Judge Jones intentionally allowed a letter to him (from the Defendant) to be published on the docket to bring attention to Defendants attorney to take the concern seriously. Doc. 148. The letter establishes a nexus of government misconduct for the illegal seizure of funds and the attempt by the government to cover it up. (cont on Next Page)

Multiple Illegal Google Orders/Warrants (Forgery of a Judges Judicial Signature)

f. On or about September of 2017, the government dockets several Google orders/warrants (See 1:17-mj-47-GRJ). One suspicious document in the name of "Judge Jones" is an order "Commanding Google Not to Notify." The other suspicious documents appear missing and unaccessible within the Clerks docketed memorandum.

g. Government Attempts to Cover-up Illegal Activity
In or around April of 2018, the government on behalf of USA Christopher Canova, AUSA Jason Beaton, and FBI agent Brannon Baxter attempt to cover up the illegal forgery of warrantless seizures, orders, and warrants.

h. The government dockets the "ex parte" application/order ($2^{nd}$ eBay 2703; 1:18-mj-c3-GRJ) under the name of "Judge Jones." The purpose for the government to docket this frivolous order was to make something so bad, defenses prior attorney would be inclined to write a dismissal on the intentional violations of the Stored Communications Act 18 USC § 2701-2713. However defenses attorney somehow never saw it. See Carpenter v. US, 201 L.Ed. 2d 507 (SCOTUS)

i. The government then dockets the warrants (in the name of Judge Jones) for the bank account seizures on April of 2018, though the original warrants appear signed in February. The agent attempts the cover-up by docketing the first page of the inventory sheet, forging a 2 to a 4 (on the month) of the date (See 1:18-mj-7-GRJ), then on the second page include the bank account warrants (dated February). The goal of the USA, AUSA, and FBI agent was to utilize the power of the United States to seize the bank account funds "under the table" for their own personal financial gain.

j. The government on behalf of Verizon working in unison, knowingly created a Mafia-Styled extortion scheme which engaged certain individuals to resell a particular plan for profit, then utilized a government agency to enforce criminal charges based upon a contractual obligation of intent. (The Goal; Knowing or unknowing, to make a contract a criminal offense.) Verizon is in direct violation of the RICO and False Claims Act.

K. Verizon approached USA's and AUSA's incentivizing criminal enforcement in exchange for the seized bank funds. A quick overview on how the bank warrants were obtained and docketed will satisfy intent with the malicious forgery and unlawful seizure, unknowing that anyone would challenge the status quo.

Government Misconduct "Here" is Record Bearing to Date

L. On July 3rd 2018 in the Northern District of Florida (Doc. 21) as part of the Defendants arraignment, Judge Jones reviews the indictment and questions the government, "What is Page Plus?" (the Defendants' company). AUSA Jason Beaton reluctantly has to explain to the judge, "It's nothing your Honor." It's ironic that Judge Jones who signed 30 plus orders and warrants (and who Knows what else), but has no idea who I or my company was. After the hearing, the Northern District Clerk of Courts adds a large link to their website to "report suspected prosecutorial misconduct." Afterwards the AUSA resigns, moves to Texas, and the USA resigns soon after. FBI agent Brannon Baxter remained on the case, assuming that he is immune to constitional law. Later the agent boasted (assuming he get away with his malversative behavior) that he since has been promoted to a teaching position within the Bureau. Not only does the government seem to support this outrageous behavior but it appears now they also promote it.

M. In the instance of the Defendants arrest, this would explain the excessive use of force by the FBI Task Force Team (who typically is only deployed in terrorist sceanarios, not someone who resells data). The team of several military styled vehicles and around 20 agents deployed multiple flash bang grenades and smashed out the windows of his vehicle, while the car was still in motion. After the Defendant was violently extracted from his vehicle while still in drive, the vehicles tire came within inches of his head and barrelled toward several FBI agent vehicles before being abruptly stopped by another agent. This show of force is only because the Defendant would not go along with the governments frivolous plea deal and in return would jeopardize the exposure of the governments malversative vindictiveness and illegal activity. This would explain why the AUSA would threaten Defendants prior attorney and resign after the attainment of the illegal indictment.

Misconduct in the Discovery

N. In a discovery exhibit provided to the Defendant, an exchange happens between AUSA Beaton and SunTrust Bank. SunTrust Bank questions the authenticity of the seizure to the bank warrant concerning "why there isn't a payout order." AUSA Beaton engages with the rep suggesting if SunTrust does not comply, that an order would be entered on behalf the United States to make them comply. There are other strange exchanges with other Banks about lost checks and issuing checks in the name of the agent.

o. In a discovery exhibit provided to the Defendant, the agent tries to cover-up the illegal search of the residence by providing a superfulious miscalculation involving Stoebies Electronics. What raises the Defendants suspicion is a "Writ of Errata" of the alleged warrant is signed off by "Judge Jones" of the Northern District of Florida. Though the original warrant was allegedly signed by Judge Lammens of the Middle District of Florida. Why would "Judge Jones" clear an error of validity for a warrant he didn't sign and outside his jurisdiction?

p. Utilizing investigation techniques, there is no doubt a matching Judges signature exists within other documents signed by Judge Jones and Judge Lammens. Another indication of the falsly utilized signature of Judge Jones and Judge Lammens is to question if either judge was present when the questionable documents were allegedly signed, timed and dated. (An investigation per the rules for Judicial Conduct and Judicial Responsibility needs to be addressed)

Case Law

q. Government involvement in criminal schemes can be so outrageous that it offends due process. See United States v. Tobias, 662 F.2d 381 (5th Cir 1981)(unit B) cert den., 457 US 1108, 102 S.Ct 2908, 73 L.Ed.2d 1317 (1982). See also Hampton v. United States, 425, US 484, 492-93, 96 S.Ct 1646, 1651, 48 L.Ed 113 (1976)(Powell, J. concurring); United States v. Russel, 411 US 423, 431, 93 S.Ct 1637, 1642, 36 L.Ed 366 (1973). To amount to a constitutional violation the law enforcement techniques must be so outrageous that they are fundamentally unfair and 'shocking' to the universal sense of justice, enacted by the Due Process Clause of the Fifth Amendment. United States v. Russel, 441 US at 432, 93 S.Ct at 1643 (quoting Kinsella v. United States, ex reh Singleton, 361 US 234, 246, 80 S.Ct 297, 303, 4L.Ed.2d 268 (1960)).

14. Instead of the attorney investigating the Defendants claims, it was easier to have his competency assessed (which he was undoubtatly deemed competent and the doctors questioned, "why are you here?") which was supposed to only consist of 4-months. After spending almost 4 months in a transport facility at FCI-Tallahassee, Florida (he was supposed to be in Butner, North Carolina) and uneventful repeated attempts for corrispondence with his attorney, the Defendant was deemed alone, stuck, and abandoned. Noone at the facility could understand or explain why the Defendant appeared to being held. For these reasons the Defendant independently reached out to the Courts begging and pleading that the situation was more of a purgatory and exquisitely not a competency evaluation. (Northern District Doc. 184, 185)

15. Upon desperation on February 28, 2020, the Defendant Pro Se, submitted a 50 page motion entitled, "Motion to Reconsider Franks, Suppress, and Dismissal." See 1:18-cr-15, Doc. 187. The motion contained factual/legal discussions, case law, and additional pertinent violations of United States Constitutional law:

a. Verizon 1:17-mj-c7-GRJ  b. eBay 1:17-mj-c22  c. Google 1:17-mj-47-GRJ  d. Residence 5:18-mj-1008-PRL  e. eBay (2) 1:18-mj-c3-GRJ

16. On April 23, 2020 in the Northern District of Florida, Judge Winsor GRANTS Defendants "187" motion. The motion concluded requesting relief as a "Motion to Reconsider Franks, Motion to Suppress, and Motion to Dismiss." See Doc 191: "ORDER GRANTING 187"..."Motion 187 is granted." The government did NOT object.

(1) 17. The governments contention is that the Defendants 187 motion was striken and not considered, however the Defendant disagrees. At a hearing on April 7, 2021, the District Court re-reviewed Defendants 187 motion, "187 Motion to Reconsider filed pro se is DENIED." See Doc. 234.

a. Being it was once again reviewed and denied does not change the fact it was originally granted as noted on the case docket.

18. Being the Defendants motion was Granted, this acquitted him of all charges via Franks, Suppression, and Dismissal. The government (or someone) still attempted to try the case by docketing an "ARREST Warrant Returned Executed" as to (2) Justin Lewis" Doc. 240, which portrays a date of January 14th 2020 but docketed April 19, 2021, which rearrested the Defendant and provided a continuation of criminal proceedings in which the Defendant was wrongly convicted at trial. In violation of United States Constitutions Fifth Amendment Double Jeopardy's Successive Prosecution and Collateral Estoppel, to which the Defendant is granted constitutional immunity from any further prosecution.

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(1) For the record, noting the denial as a "Motion to Reconsider," not on the grounds of the intended "Motion to Dismiss."

(2) The proposition that the date of entry of an order or judgment, is the date it is recorded in the docket, not the date the order is "filed" (i.e.: file stamped). See Chem-Haulers supra in Chem-Haulers inc. v. United States 536 F.2d 610 (5th Cir 1976)

19. In August and September of 2021, the Defendant motioned the Courts in the Northern and Middle District to represent himself Pro Se. Both districts granted the Defendants Motion.

20. On August 12, 2021, the government moves the Court for a "Money Judgment and Preliminary Order of Forfeiture." Doc 284

a. The government erronously moves the Court to forfeit assets under criminal statutes for which the Defendant is NEVER charged.

b. The Defendant strongly objects to governments motion due to lack of venue (Inter Alia) and illegal seizure under Money Laundering, Racketeering, and a Drug Crime for which the Defendant was NEVER charged. Doc. 295.

c. The District Court in plain error and complete bias "Grants" the governments motion. The Court disregards the Defendant's objection for abuse of discretion, notice of error, and misapplying controlling law and (in a unlawful/malversative manner) in unison with the government, continuously cites Money Laundering, Racketeering, and a Drug Crime. Doc 310.

d. On November 16, 2021, the Defendant moved the Courts to Reconsider the objection to Money Judgment and Preliminary Order for Forfeiture (plain error, abuse of discretion, and controlling law), that motion was struck. Doc. 338.

(i) The Manifest-Disregard Doctrine of 1983 applies to the above ruling: The principle that an arbitration award will be vacated if the arbitrator knows the applicable law and delibertly chooses to disregard it. (See also Substantive Due Process of 1933)

21. In October of 2021 (1 month after representing himself) after reviewing the record, the Defendant became aware of multiple violations of United States Constitutions Fifth Amendments' Double Jeopardy Clause. The Defendant immediately filed a Motion to Dismiss. Doc 320. The government objected and the Court denied the motion. Doc 326. That decision was immediately appealed. Doc. 327 (See Appeal 21-13893). Unfortunately the appeal was untimely and he was sentenced rendering his appeal dismissed as moot. That motion then was refiled and is currently pending in his direct appeal. (See Appeal 22-10564)

22. On November 22nd 2021 in the Middle District of Florida, Defendant filed a Motion to Reconsider (Doc 175) Motion to Immediately Release Defendant from Illegal Detainment on Greater Writ of Habeas Corpus (Doc. 208). Defendants motion requested release based upon a change of circumstances, particularily on the grounds that he had just became aware that the government and courts violated United States Constitutions Fifth Amendment Double Jeopardy Clause. The motion for release is similar, if not the same, requesting relief as a Motion to Dismiss on Double Jeopardy grounds, as the issues were raised together and ultimately denied by the District Court (Doc. 211). After the Distrit Court attempted to divert the appeal from the Eleventh Circuit (Doc. 211, 215, 218, 219, 221), Defendant was finally able to correctly docket the appeal with the help of an Eleventh Circuit Clerk; [redacted].

# Reasons For Granting the Petition

In accordance with Sup. Ct. R. 14.1(h), the Petitioner provides the reasons why the Writ should be granted based on the following:

Also, pursuant to Sup. Ct. R. 20, the Petitioner hereby submits his Writ of Habeas for an extraordinary writ as authorized under 28 USC § 1651(a), whereas the Petitioner can show that exceptional circumstances warrant the excercise of this Courts discretionary powers, and that adequate relief cannot be obtained in any other form or from any other court. Therefore the Petitioner provides the "reasons for not making [an] application to the district court of the district in which the applicant is held" pursuant to Sup. Ct. R. 20.4(a):

As well documented in this petition and the case history as docketed in both districts, 1:18-cr-15 (ND of FL) and 5:19-cr-5, and several appeals, 21-12843, 21-13893, 22-10564, 21-12518, 22-10080, 22-10586, 22-12624, and 23-11915, the Petitioner has sought relief via Habeas Corpus and has been denied, on multiple cases, through multiple courts, to which the Courts have become lawless, rogue, and devoided themselves from, and are purposely desecrating the Constitution of the United States.

In addition to, the Petitioner is currently being illegally detained for almost 4 years as a political prisoner against the Constitution of the United States, the laws of this country, international law, the Bill of Rights, and his civil and human rights. The criminal conspiracy against the Petitioner involves an unprecedented amount of outrageous misconduct by the Courts and Government to which, criminally, both entities acting as one, have attempted to cover-up each others illicit sinister behavior. This Supreme Court is also highly aware of their defectors illegitimate motives.

The Constitutional violations in the case with the Petitioner includes the deprivation, denial, and violation of every Constitutional, civil, and human right afforded to a citizen of the United States. These Constitutional violations include violations to Amendments I, IV, V, VI, VIII, IX, X, XIV and pursuant to the United Nation Universal Human Rights

Articles violations of I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XVII, XXVIII, XXIX, XXX.

Right around the time that the Petitioner was illegally sentenced and his Double Jeopardy appeal purposely erroneously dismissed, this Supreme Court came out with a press release to the public that was geared toward and in reference to the illicit criminal indictments against the Petitioner. A justice from the Supreme Court notated the cause for concern to the public which cited that "the Courts are in a crisis of no longer being neutral and independent."

The warning by the Justice to the public was a warning of dire importance, as to whats to come, if the ruling class of this country continues to allow the government to overtake the Courts and judges of the Court, in implementing totalitarian authority over not only the Petitioners case but also authoritarian control over the country. Which if this warning is <u>NOT</u> immediately heeded, then to expect the Constitution, our human rights, and this country to be desecrated and further sunken into a state of total desolation.

As it pertains to one of the Petitioners appeals, (it is believed to be 21-12518) the government cited in agreeance that a question of great importance to the future of this country was being raised by the Petitioner that should be addressed by a higher court. Those questions among many others were presented to the United States Court of Appeals for the Eleventh Circuit but the Court of the Eleventh Circuit has continuously divested themselves of jurisdiction by either citing a "lack of jurisdiction" or denying the Petitioner the right to represent himself on appeal. A summary of those questions has also been presented to the district court for the Middle District of Florida and denied in doc. 393 via doc 394. The Petitioners' "Addressing the Questions of the Controversy" contextually involves a breach / violation of every Constitutional Amendment / Human Right afforded and guaranteed to a defendant facing criminal sanctions. Those violations include but is not limited to:

1. Debt into enslavement.
2. Forgery of a judges judicial signature.
3. Federal judge(s), that are no longer neutral and independent, who knowingly allow a government agent to forge a judges judicial signature on an illegal search and search warrant of the defendants residence (See F.R.Crim.P. 27, 55 and

F.R.E. 901; noting no docket entry of 5:18-mj-1008, while docket entry exists for 5:18-mj-1058 (thru 1067 & 1117) (also in existance is 2 warrants for the same device 5:18-mj-1063 & 1117)
4. The Government and the Courts working together to cover-up the illegal search on the defendants residence.
5. The Government and Courts selectively procuring an indictment in the Orlando division in order to appoint a judge who would knowingly go along with and voluntarily partake a role in, the governments outrageous behavior.
6. The Court, Government, and a Corporation working together to incite an illegitimate motive such as the circumvention of; legal process, the Constition, the laws of the United States, international law, civil, human, and the Bill of Rights.
7. The Court, Government, and a Corporations attempt to make a breach of contract a criminal offense.
8. Government officials who devised a scheme of forging a federal judges judicial signature, to utilize the power of the United States, to illegally seize the defendants and his mothers bank account funds under the table, for their own personal financial gain. See 1:18-mj-7 (thru 16). See the docket date and the forging of a 2 to a 4 on the date of the inventory sheet. (In collusion with the government and Verizon the funds were illegally incentivized).
9. In the history of the United States, and jurisprudence, even beyond Watergate, this is by far one of the biggest attempts by the government and the judicial system to cover-up the outrageous misconduct of government officials. See 1:18-mj-c3.
10. Illegal seizures and criminal allegations/charges for crimes that the defendant didn't commit, this includes: Identity Theft that predicated wire fraud, wire fraud, money laundering, aiding and abetting, racketeering, conspiracy, Html manipulation (See Doc 255, Issue 6, pg 36), Exceeding authorized access, Possession, and a drug crime.
11. Verizon and the government disclosing the contents of the defendants communication, with each other and without a warrant or legal process. See 1:17-mj-c7 in refrence to a recorded phone call, "one of my stores".
12. Verizon admits that they worked with the defendant in allowing him to keep his accounts open, never relaying any type of loss or fraud, but still claim an alleged loss and working together with the government in having the government raid his home based on the incredulous alleged loss. See 5:19-cr-5 doc 14, 15, 16, 17, 18, 34, 35, 36, 37, 38, 40, 41, 42, 44, 54 and doc 175 pg 29.
13. The government on behalf of Verizon (working in collusion together and yes it can be proven) knowingly created a scheme in which engaged certain individuals to resell a particular plan for profit then utilized a government agency to enforce criminal charges based upon a contractual obligation of intent. (All Verizon had to do is turn the spigot off (but they didn't for a reason and in fact originally created the problem; See doc 255, Issue 6, page 36), the data usage is and always has been in the control of Verizon and the intellecutial rights of the data usage is inclusive to Verizon.

Though, to let the spigot continue to leak, Verizon collects at tax payer expense and the government seizes in a mafia-style extortion scheme, on behalf a corporation).

14. Verizon and the government approached USA's and AUSA's incentivizing criminal enforcement in exchange for the seized property and bank funds. A quick overview on how the bank account warrants were forged, docketed, and obtained will satisfy the unlawful intent of these government thugs who attempted (and got caught red-handed) to seize the funds of the defendant "under the table" for their own personal financial gain. The goal, among many others, Knowing or unKnowing, to make an alleged breach of contract a criminal offense.

15. The Courts and Government are no longer following the Federal Rules of Criminal Procedure, nor the Federal Rules of Evidence and have become rogue, lawless, and devoided themselves from the Constitution.

16. The government and Courts are violating about every Constitutional Amendment and right afforded to a United States citizen, and they are coming for your rights next.

17. The 2 illicit indictments against the Petitioner does not levy justice in any form. Instead, the selective prosecution here is nothing more than a psychological human experiment on what the government, courts, and a major corporation can do and how far they can go, when they work together to enact an illegitimate motive and to show an example to the public as to what happens to those who challenge the governments illegitimate status quo.

In turn, the government/courts on behalf a major corporation, Verizon, have falsly imprisoned the Petitioner, silencing him, all because he:

1. Allegedly violated a contract; which is disputed if there really was a violation and if there was a breach, why weren't the remedies per the terms of the contract adheared to?;
2. did not go along with the governments frivolous plea deal and;
3. caught wind of a paramount of outrageous misconduct by Verizon (See 5:19-cr-5, doc 255, Issue 6 page 36), USA, AUSA, FBI, and the judges in the case, unseen to the eyes of the public and record bearing to date.

Though even more confusing the original indictment (See 1:18-cr-15 doc 1) doesn't even charge the Petitioner with defrauding Verizon, instead the Petitioner is charged with checks from his customers as to the counts on the indictment.

The governments theory of the alleged criminal conduct, was that the Petitioner allegedly committed the crime of identity theft through count 10, where the Petitioner allegedly used, without permission, his friends identity. And through his friends identity, as the theory suggests, the Petitioner deposited checks of customers into his own bank that was supposed to belong to his friend. Because the Petitioner allegedly utilized his friends identity without permission, through identity theft, in depositing checks of the customers that supposedly, somehow, belonged to his friend, the Petitioner allegedly committed the crime of Aiding and Abetting / Wire Fraud in counts 1-9, through the main count of the indictment count 10 of Identity Theft.

Two superseding indictments later, the government completely changes the theory of the vindictive indictment against the Petitioner. In 1:18-cr-15 doc 117 the government drops and dismisses the main count of the indictment, Identity Theft which should of also dropped the wire fraud counts / aiding and abetting because Identity theft predicated wire fraud and the indictment should of been at its end. This count was dropped because the government Knew the allegations did not state or support a crime under governing Eleventh Circuit, nor did the Petitioner steal the identity of his friend, which in turn created a double jeopardy violation as a jeopardy terminating event.

The Bible reference in Micah 7:2-4 says it best;:
The godly people have all disappeared; not one honest person is left on the earth.
They are all murderers, setting traps even for their own brothers. Both their hands are equally skilled at doing evil!
Officials and judges alike demand bribes. The people with influence get what they want,
and together they scheme to twist justice. Even the best of them is like a briar;
the most honest is as dangerous as a hedge of thorns. But your judgment day is coming swiftly now.
Your time of punishment is here, a time of confusion.

Though through devotion and prayer, god's covenant was with the founding fathers when they laid the foundation to the once most blessed nation in all the land. And through god's loving-Kindness, that land will flourish as the brightest star in the sky, a nation unmatched and unlike any other, just as long we remember where we came from and how we got here.

However, when a nation turns away from God and the foundation on which it was established, the turning of spirit will inevitably lead to a turning of values, the changing of standards, laws, and precepts. That which it had long upheld as right, it will now judge as evil, and what it had long opposed as wrong, it now champions.

God Knew that one day he may have to bring his sheep back to the flock, so through the founding fathers he devised a plan to be carried out into the future. That plans foundation can be found at the foot steps of Washington DC, and at the threshold of that sanctuary you will find a statue of a seated man, in his left hand he wields a sword of protection and against his shoulder he is defending the law of the land on a tablet made of stone. He is Known as "The Guardian of the Law".

Beyond the statue of the Guardian resides the most prestigious positions of Judicial power and responsibility in american culture, those who sit as the Keepers of the nations standards, the sanctifiers of its laws and values, the highest Court in the land... The Justices and The Supreme Court of the United States.

The Justices play a central role in either the rise or fall of a nation or civilation. They will either uphold its spiritual and moral foundations and resist the nations apostasy... or they will sanctify, sanction, and seal the nation's apostasy. In the fall of ancient Israel they sanctified it... For America, what will be the choosing of the Justices' here?

So in accordance with Supreme Court Rule 10(a) the Petitioner addresses the following writ for action to the Supreme Court of the United States, where the Petitioner has demonstrated a significant showing; that the United States Court of Appeals for the Eleventh Circuit has entered a decision in conflict... and so far departed from the accepted and usual course of judicial proceedings and sanctioned such a departure by the lower court, as to call for an immediate exercise of this Supreme Courts supervisory power.

The cause for concern is also inclusive of Supreme Court Rule 10(c) where here to the Petitioner believes that he has made a showing that the Court of Appeals for the Eleventh Circuit has decided an important federal question in a way that conflicts with relevant decisions of this Court. See also Sup. Ct. R. 11. (See 28 USC § 2101(e); 28 USC § 1251(b)(2); 28 USC § 1254(1).)(Const., Amdt. 11)

Conclusion

To justify the granting of a writ of habeas corpus, the Petitioner must show and has shown that exceptional circumstances warrant the exercise of this Courts discretionary powers, and that adequate relief cannot be obtained in any other form or from any other court and that the Petitioner must also show and has shown the "reasons for not making an application to the district court of the district in which the applicant is being held" (See Sup. Ct. R. 20. 4(a)). And that reason, as previously demonstrated, has already been sought and denied by the district court and the court of appeals to which the courts no longer take writs of Habeas Corpus serious, even if the applicant is being illegally detained, because the Courts are in a crisis of no longer being neutral and independent.

Therefore because the issues presented require immediate intervention by the supervisory powers of this Supreme Court and being that the Petitioner has addressed a sincere cause for concern in regards to Sup. Ct. R. 10, 11, 14 and 20, then the Petitioner hereby calls upon this Honorable Supreme Court to immediately ascertain jurisdiction because the Petitioner is being illegally detained as a political prisoner by the Courts, a corporation, and the government against the Constitution of the United States, the laws of this country; international law, his civil, human, and Bill of Rights to GRANT his writ of Habeas Corpus pursuant to Sup. Ct. R. 20 including any other

[1] relief that this Honorable Supreme Court may find just and proper.

Respectfully Submitted,

Justin Lewis
Petitioner / Pro Se

Declaration / Certification:

I JUSTIN LEWIS certify under the penalty of perjury 28 USC § 1746 that the following statement of facts is true and correct dated day of 27, month of July, year of 2023.

Justin Lewis
Petitioner / Pro Se

[1] See also 28 USC § 1651(a).