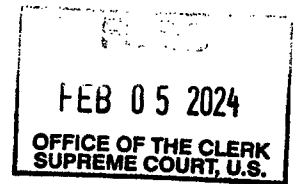


(1)
ORIGINAL

No. 23-6861



IN THE
SUPREME COURT OF THE UNITED STATES

TYREE FORD — PETITIONER
(Your Name)

vs.

STATE OF FLORIDA et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

SUPREME COURT OF FLORIDA
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

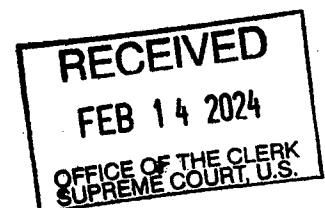
TYREE FORD #128493
(Your Name)

LEE COUNTY JAIL FACILITY
2501 ORTIZ AVE
(Address)

DORM (3)

FORT MYERS, FLORIDA 33905
(City, State, Zip Code)

(Phone Number)



QUESTION(S) PRESENTED

- 1) If the alleged Capias is found to be fraudulent, will the States Attorney JAMES D MILLER be Disciplined for Professional, moral, and ethics misconduct.
- 2) I have challenged the Arrest Capias in open court, and invoked my rights to have my charges read in open court Thompson, and MILLER appear not to be bound by the Constitution or oath, and ethics will they be Disciplined if I'm being unlawfully detained.
- 3) At the time of my Arrest, Lee County Sheriff's enter my home forcefully without being able to Produce an arrest warrant, nor at the time of being booked into the Lee County Sheriff office Jail facility, will they be held liable for an unlawfully Arrest.
- 4) Is the, in THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR LEE COUNTY, FLORIDA (A PRIVATE AGENCY) D. B. A. THE TWENTIETH JUDICIAL CIRCUIT OF THE STATE OF FLORIDA fraudulently, and unlawful. [see exhibits]

LIST OF PARTIES

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

NICHOLAS R. THOMPSON

JAMES D. MILLER

CARMINE MARCINO

RELATED CASES

CARMINE MARCINO et al,

SUPREME COURT UNITED STATE

CASE NO: 23-6456

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TABLE OF AUTHORITIES CITED

CASES

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DAVIS V. STATE, 744 So 2d 586 1999 Fla App Lexis
15073 (Fla 2nd DCA 1999).

STATUTES AND RULES

- 1) 98:14 Petition for writ of Habea Corpus
- 2) Rule 3.140 Information indictments
- 3) Statute 932.48 Issuance of Arrest Warrants
- 4) Fla Stats, 901, 131

OTHER

- 1) Amendment IV No warrant shall be issued
Constitution United States of America.
- 2) The 4th 14th Amendment Due Process

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☒ For cases from **state courts**:

The date on which the highest state court decided my case was NOVEMBER 1, 2023
A copy of that decision appears at Appendix A.

☒ A timely petition for rehearing was thereafter denied on the following date: DECEMBER 5, 2023, and a copy of the order denying rehearing appears at Appendix E.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- 1) Amendment IV no warrant shall be issued
- 2) The 4th 14th Amendment Right to Due Process

STATEMENT OF THE CASE

MOTION FOR WRIT OF HABES CORPUS

Comes now, Tyree Ford, Pro-se (not withstanding appointed counsel) Pursuant to a Nelson Hearing request, to Petition this Court for a writ of Habeas corpus on the basis that the accused (petitioner) is being detained illegally and without cause due to, a lack of Due Process, Multiple 4th and 14th Amendment violation, a complete lack of Jurisdiction of the lower tribunal court, and an improperly propagated Arrest Capias.

Whereas: It is alleged the clerk of the Twentieth Judicial Circuit Issued a Arrest Capias to detain Petitioner, which, on its face, has no basis in fact as alleging the Petitioner of attempting to deprive an individual of their Property by way of filing a fraudulent lien against said Property the instrument was recorded erroneously in the official Public record and a refund issued. These facts are attested to via intra-office communications amongst the clerical and legal staff of the clerk's office specifically between Eileen Gabrick, CPM and Michael Healy, Esq on Monday, March 21, 2022 3:56 PM by the State's own discovery.
(see Exhibit A)

Further, there are no charges assessed by any affiant and no findings by a court. There is no finding of Probable Cause nor any actionable information for an indictment or just cause for Arrest Capias Issuance by the clerk. Within a crime or information see fraudulent allege Arrest Capias
(Exhibit B)

REASONS FOR GRANTING THE PETITION

The following evidence shows Probable cause to believe that Petitioner is detained without lawful authority by JAMES D. MILLER Assistant States Attorney, NICHOLAS R. THOMPSON Lee County Justice Center, Circuit Judge and CARMINE MARCINO, Sheriff Lee County Sheriff Office Jail Facility.

- (1) Information indictment wasn't filed Rule 3.140
- (2) who filed information didn't file indictment under oath 3.140
- (3) warrant (Arrest capias) must be issued by the clerk as per Statute 932.48 but warrant fails to state what agency issued it.
- (4) Amendment IV no warrant shall issued
 - (A) but upon Probable Cause
 - (B) unless supported by oath or Affirmation
 - (C) without Particularly describing the Persons or things to be seized

The 1st Arrest capias does not meet the elements to be issued as it lacks all of these on its face, F.S.A. § 79.01 Habeas corpus

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

TYREE FORD #128493

Date: FEBRUARY 3, 2024