

No.

25-7423

ORIGINAL

IN THE  
SUPREME COURT OF THE UNITED STATES

FILED  
FEB 28 2024  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

GLENN FRANCIS — PETITIONER  
(Your Name)

vs.

Thomas SCARANTINO, et al — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the Eleventh Circuit, Atlanta  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

GLENN FRANCIS  
(Your Name)

2901 FIG CT  
(Address)

PALM HARBOR, FL 34684  
(City, State, Zip Code)

727-777-3946  
(Phone Number)

#### QUESTION PRESENTED

Can you deny me a jury trial for civil rights violations and wrongful incarceration and punitive damages based only on immunity of defendants that I tried to remove and want to remove all 12 defendants and continue against the United States of America? Can you deny my Writ of Certiorari to move forward to trial or compensation when my case has never had a trial or probable cause and the Supreme Court ruled in Larry Thompson v. Pagiel Clark, No. 20-659 that Writ of Certiorari proceedings were to move forward when there is no probable cause or trial?

## 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: *Thomas Scarantino (warden),*

*Lori Palmieri (Court Appoint Counsel), Mark J. O'Brien (Court Appoint Counsel), Amanda Arnold Sansone (Judge at Competency Hearing), Stephen Merryday (Judge for Criminal Case), Rachel Jones (Lead U.S. Attorney), Mike Prendergast (warden), Bob Gualtieri (warden), Scott L. Robbins (Court Appoint Counsel), Maria Chopa Lopez (U.S. Attorney in Tampa), Tina Rep (FBI Agent).*

## RELATED CASES

*LARRY THOMPSON v. PAGIEL CLARK, No. 20-659,  
Argued October 12, 2021 Decided April 4, 2022*

*GIDEON v. WAINWRIGHT 372 U.S. 335 (1963)*

*BARKER v. Wingo 407 U.S. 514 (1972)*

*MARBURY v. MADISON 5 U.S. 137 (1803)*

*TITLE III Omnibus Act of 1968 18 U.S.C.  
STATURE 2510 et seq*

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APPENDIX F

IN THE  
SUPREME COURT OF THE UNITED STATES  
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

**OPINIONS BELOW**

For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix \_\_\_\_\_ to the petition and is

reported at PACER.gov Doc 45 case no; 22-10886; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

The opinion of the United States district court appears at Appendix \_\_\_\_\_ to the petition and is

[ ] reported at \_\_\_\_\_; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

[ ] For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix \_\_\_\_\_ to the petition and is

[ ] reported at \_\_\_\_\_; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

The opinion of the \_\_\_\_\_ court appears at Appendix \_\_\_\_\_ to the petition and is

[ ] reported at \_\_\_\_\_; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

## JURISDICTION

### [ ] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was 01/03/2024.

[ ] 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: 01/19/2024, and a copy of the order denying rehearing appears at Appendix Doc. 50

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No.   A  .

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

### [ ] For cases from **state courts**:

The date on which the highest state court decided my case was \_\_\_\_\_. A copy of that decision appears at Appendix \_\_\_\_\_.

[ ] A timely petition for rehearing was thereafter denied on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No.   A  .

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

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1. Sixth Amendment – Right to Speedy Trial by Jury, Witnesses, Counsel (I was denied the Barker v Wingo 4 prong balancing test). Plus, the government interfered in my attorney client relationship by not allowing me an attorney visit for two years despite many documented attempts. They failed to rule Mark O'Brien ineffective despite my witnesses claim in court of Mark's wife being held in contempt of court stating she has proof Mark texted 11 months to get illegal drugs. Plus, he had me declared incompetent for this reason and two other reasons I listed in court docs. Hence, the government interfered in my attorney client relationship which is a clear Sixth Amendment violation. The District Court and Appellate Court are aware of the two years I never had a visit or call from my attorney and failed to rule an obvious Sixth Amendment violation. They also denied my right to a jury trial in my criminal case and my civil case. Both courts are sticking with the lie of my unconstitutional competency claim. This is usurpation by judges by denying my right to depose the government's unaccredited doctors that broke all the laws to declare me incompetent intentionally and illegally. Judge Mary S. Scriven ruled I have cognizable facts backing up my civil conspiracy claims in my competency proceedings. On my docket it mentions Judge Scriven must fix her errors. I want to know what errors they are talking about. Did they pressure her to reverse her Habeas Corpus findings? I would love to ask her!
2. CRM 500 – 999, 648. Entrapment – Outrageous Government Conduct. I documented that Leo Corrigan was a CI for the FBI and he was wired up by the FBI and told me this in a meeting. He intentionally ran fraudulent sales through my corporation, and I paid \$6,700 to the victims so they were not frauded. I wanted to prove this in a court of law and requested my business bank statements that prove I paid these victims of this failed entrapment by the FBI. I was denied getting my bank statements. So, they had no choice but to falsely declare me incompetent. Rachel Jones, the U.S. Attorney on my case, signed off on me being incompetent to cover this up and to cover up that she had no evidence of a crime. Plus, I was told by Leo Corrigan's sister that all her family are big time judges and police. She went on to say they were all from the East coast of Florida in the Jacksonville area. I wonder if Leo Corrigan is related to Timothy J. Corrigan, who is the head Judge for the 11<sup>th</sup> Circuit. He works out of the Jacksonville Appellate court. It would explain why Leo never went to jail for being a fraud. Leo tried to warn me he was wired up because he knows I am an honest man and he frauded me three years prior to our meeting. I was aware of all the FISA abuse by the FBI, and I felt someone must stop this insanity of obvious FISA-GATE abuse by the FBI. My kids and grandkids deserve better.
3. Rule 41. Search and Seizure "Domestic terrorism" and "international terrorism" having the meanings set out in 18 U.S.C. Statute 2331. I have proof that I am on a government watch list and labeled as a domestic terrorist on truthfinder.com. I have stated this in court docs and will provide this proof to the Supreme Court. This has rendered me unemployable. This is the lie the FBI used to get the FISA warrant. This is why I asked for the affidavits and orders they used to get the illegal FISA warrant that has me indigent and In Forma Pauperis to this day!
4. Rule 41 (h) Motion to Suppress. A defendant may move to suppress evidence where the trial will occur, as Rule 12 provides. I put in a motion to suppress because my 2<sup>nd</sup> and 3<sup>rd</sup> court-appointed attorneys refused to do the motion despite my documented attempts asking

them to suppress all FISA related evidence citing the Title III Omnibus Crime Control Act of 1968 18 U.S.C. Statute 2510 et seq. However, the ineffective counsel that aided and abetted the FISA-GATE corruption, refused to suppress all the evidence of which none showed evidence of a crime.

5. 18 U.S. Code Statute 4241, 4242, 4243, 4244, 4245, 4246, 4247, 4248 et seq, are the statutes that govern Psychiatric or Psychological Examinations. All these rules were ignored in my case, and I documented it all. Judge Mary S. Scriven ruled I presented cognizable facts backing up my claim of "civil conspiracy in my competency proceedings in my civil case."
6. 18 U.S.C. Statutes 1349, 1343, 1341, 1957 are the bogus charges that were filed against me.
7. Due Process Protections Act (requires mandatory Brady orders in every criminal case). I was denied Brady material illegally. They intentionally declared me incompetent to cover it up. I have been denied my common law and constitutional right to depose the doctors to prove it. Timothy J. Corrigan sent a warning of sanctions for Brady violations. Tampa should have major sanctions for never showing evidence.
8. Freedom of Information Act (FOIA) I requested information through this act, and I got none.
9. Title III of the Omnibus Crime Control Act of 1968, 18 U.S.C. Statute 2510-2522 (Title III). I should have never been arrested because they used FISA surveillance for two years and 10 months and this law says there is a two-year limit on FISA surveillance, or all evidence is suppressed.
10. Foreign Surveillance Act of 1978 (FISA). 50 U.S.C. Statute 1801 et seq. FISA requires the FBI to obtain an order from the Foreign Intelligence Surveillance Court (FISA Court) upon a showing of probable cause to believe that the subject of the surveillance is a foreign government or organization engaging in clandestine intelligence activities or international terrorism or show a reason they believe there will be evidence of a crime. San Francisco 9<sup>th</sup> Circuit ruled all FISA cases between 2016-2020 all had no idea of a crime or as an agent of a foreign power.
11. 5<sup>th</sup> Amendment. My right to a jury trial or a fair trial was denied. Plus, I lost everything I owned by the government without compensation.
12. 14<sup>th</sup> Amendment. I have been deprived of life, liberty, and property without due process of law.
13. 7<sup>th</sup> Amendment. I have been deprived of my right to a jury trial in my civil case that exceeds \$20.
14. 4<sup>th</sup> Amendment. The FBI did an illegal search and seizure with a FISA warrant in March of 2016 through January of 2019. The appellate Court in San Francisco stated May 19 (Reuters) The court ruling found the FBI violated rules around the use of the database, created under section 702 of the FISA Act with its searches. Specifically, the court found that searches as part of probes into crimes between 2016 and 2020 violated the rules because there was "no reasonable basis to expect they would return foreign intelligence or evidence of a crime", although the FBI believed this was "reasonably likely," the decision said. The FBI used FISA surveillance on me from March of 2016 to January of 2019.
15. The Interstate Agreement on Detainers Act
16. Law of Habeas Corpus of 24 May 1984
17. Fed. R. Crim. P. 48 (b). I was denied ineffective counsel despite a two-year period of never seeing or talking to my attorney with many attempts to do so.

18. USCA Title 18 Statute 4241 (d) 1 (b). They lied to declare me incompetent and then denied me this statute that states they must dispose of the charges after four months according to law, so they broke the law again. This motion was put on the docket on April 16<sup>th</sup>, 2020, and they kept me in jail for 16 more months!
19. Fed. R. Crim. P. 5.1
20. Fed. R. Crim. 6 (b) 2. This law makes all evidence inadmissible, and they kept me incarcerated another 16 months and Judge Merryday either recused himself or was replaced without telling me.
21. Rule 4-1
22. Sell v. United States, 539 U.S. 166. This law was made a joke in my case. You must have a Sell hearing within one year of declaring me incompetent. They knew I had witnesses listed and questions documented in court docs. Yet, they denied me this right!
23. Local Rule 2.03. They intentionally abused this rule to deny me motions like speedy trial and much more. All is documented.
24. Local Rule 2.04. I asked for all three of my court appointed attorneys to have their licenses suspended for obvious obstruction of justice and intentionally denying me my rights. I sent my requests to the Bar Association.
25. 28 U.S.C. Statute 2255
26. 28 U.S. Code Statute 2241
27. 42 U.S.C. Statute 1983
28. 50 U.S. Code Statute 1806 (f). I was denied an in camera and ex parte review of the applications and orders used by the FBI to get the illegal FISA warrant by the district court and the appellate court. Once again proving usurpation of judges in the 11<sup>th</sup> Circuit District Tampa Division and the Atlanta Appellate Court.
29. R. Regul. FL. Bar 4-1.16 (*I retained Ben Buck of Ben Buck law firm when I got out of jail, and we agreed to his services on contingency. He broke this law and lied and said he emailed me a termination notice for failure to pay an hourly fee. I sent the contract to both the District Court and the Appellate Court along with bad reviews showing he has done this before. I also sent all the emails I sent to Ben Buck. I said he is the only one on lawyers.com that responds to civil suits against the government, and I claim it is obvious he does so to intentionally try to run out the six-month statute of limitations to enter as my attorney, therefore getting my case dropped. He also did not respond with his lie about emailing me a termination letter till after the 15-day deadline to respond. Yet the Appellate Court just calmly states in its opinion that this is ok! I clearly asked the Appellate Court to have him produce the email he claimed to have sent terminating our agreement on January 12<sup>th</sup>, 2022, and of course Ben Buck cannot produce it because he lied. How the Appellate court can continue the lie is truly disturbing and usurpation of their responsibilities.*)
30. Probable Cause. Florida law requires a judge to determine whether there is probable cause at a defendant's first appearance. This is a nonadversary proceeding where the judge will evaluate the evidence presented by the officer and determine whether there is sufficient probable cause to continue holding the individual in custody. This must be done within 48 hours. In my case no evidence has ever been presented. So, Judge Amanda Arnold Sansone broke common law and detained me illegally. Plus, I was denied repeatedly my right to see the probable cause affidavit. This is a clear usurpation of the judges' responsibilities.

31. 40 CFR Statute 78.14 – Evidentiary hearing procedure. I was denied an evidentiary hearing despite many attempts to get one. It is the law to have an evidentiary hearing when a Judge rules you have a claim for a 42 Statute 1983 civil suit. Judge Mary S. Scriven sent me the 1983 form to sue. Of course I was denied an evidentiary hearing when judge Amanda Arnold Sansone knew all the evidence was inadmissible when stating in my bond hearing that she was concerned about the length of the investigation. She knew the FBI illegally spied on me from March of 2016 to January of 2019 breaking the statute of limitations of FISA surveillance set by common law under the Title III Omnibus Crime Control Act of 1968 18 U.S.C. Statute 2510 et seq. Then I was denied the audio of the bond hearing to prove they altered the bond transcripts to cover this up. Once again this is usurpation of the judges' responsibilities and corruption by altering transcripts.
32. Rule 37-Failure to Make or Cooperate in Discovery: Sanctions. (a) Motion for Order Compelling Disclosure or Discovery. As a movant in good faith, I asked and certified mail asking my three court appointed attorneys and OIG/DOJ and Court/Judges and U.S. Attorneys to produce the Discovery. This was done before I was illegally declared incompetent and after. They failed to make a disclosure as required by Rule 26(a). This led to Judge Timothy J. Corrigan threatening Sanctions for this violation and Brady violations. This again is a usurpation of the Judges' responsibilities under common law.
33. Title 9: Criminal 9-5.000, 9-5 .002, 9-5.003, 9-5.004, 9-5.100, 9-5.110, 9-5.150 are the common laws that were broken in my case by never producing exculpatory evidence or any evidence at all despite many documented attempts by me asking and certifying my requests to my Attorneys and Judges and U.S. Attorneys and OIG/DOJ.
34. Fla. R. Crim. P. 3.212(a). I was denied this right to depose the doctors at my competency hearing. This is yet another common law and right that I was denied. I was denied being videotaped during my competency evaluation despite asking in court docs to be recorded.
35. 50 U.S. Code Statute 1806 (a). I have been denied deposing the FBI agent Tina Rep to prove she violated compliance with minimization procedures; privileged communications; lawful purposes. Considering the FISC and ODNI have stated the FBI broke this statute in all criminal cases between 2016-2020, you would think I deserved my right to a jury trial under the 7<sup>th</sup> amendment to depose her. Once again, the Atlanta Appellate court usurped their responsibilities and denied me this right.
36. 50 U.S. Code Statute 1806 (b) and (c) have also been ignored by the government. They never informed me that they intended to use FISA related evidence against me in trial. This led to them intentionally having me declared incompetent to cover up the fact that I wrote the court and documented that I knew they used FISA illegally on me before they declared me incompetent. Senator Lee stated in the hearing on section 702 of FISA oversight on June 13th of 2023, stated that thru 3 administrations the FBI has promised to fix FISA related compliance issues and fails. I am one of those citizens Senator Lee is talking about. He stated all the FBI wants to fix is getting caught. Well, I caught them, and they intentionally declared me incompetent to cover it up. He went on to state no one ever gets held accountable. Well, the Appellate Court has made it clear they want me to take off the FBI Agent and U.S. Attorney as defendants in my case. They say I failed to acknowledge their absolute immunity. I am ok with taking these two women off my case in this Writ of Certiorari. I did show with 35 case laws that the Supreme Court has taken away qualified immunity and sovereign

immunity in the past when an affidavit has omissions and lies to get a warrant. I was denied seeing the applications and orders to prove this despite citing 50 U.S.C. 1806(f) which states it is my right to see these in a camera suppression hearing. Now that the FISC stated the FBI violated this rule on criminal cases between 2016-2020, I rest my case. So, in essence, the appellate court failed to recognize Statute 2712 that the Supreme Court has taken away immunity as I stated clearly in my complaints in my appeal. Senator Lee also stated the FBI never informs criminal defendants they intend to use FISA related evidence at trial. Miss Elizabeth Goitein, co-director of the liberty and national security program at the Brennan Center for Justice, stated that the FBI not only breaks the law every time by not informing criminal defendants, but they do what's called parallel construction, which is they source the illegal FISA evidence in a way to make it appear legal! This is why they denied me a speedy trial. Not only did they need time to find evidence of a crime, for which of course it was said there was no evidence of a crime, but if they found evidence, they needed time to do parallel construction.

37. Rule 30(b)(6) gives defendants absolute right to depose the government under this rule. The Appellate Court mocked me in their opinion because I subpoenaed Attorney General William Barr. So, once again they deny my absolute right and do so in their opinion despite Judge Mary S. Scriven stating I have cognizable facts backing up my claim of civil conspiracy in my competency proceedings. This of course remanded me to the Attorney General, which of course was William Barr at that time. I wrote certified mail to him, and he still allowed them to continue the lie of me being incompetent knowing they denied me a SELL hearing and the witnesses and questions I documented in court docs. This is obvious even to Appellate Judges. Therefore, they once again take away my right to depose the Attorney General when common law states that I have the absolute right to do so. William Barr also stated on January 30<sup>th</sup>, 2020, that all 2016 FISA cases left out exculpatory evidence off all 2016 applications to get FISA warrants by not informing the FISA Court that they used FISA queries before asking for the warrant. This of course exonerates me, and I documented all the questions I wanted answered by all the people I subpoenaed in the Appellate Court. The Appellate Court refused to put the questions I sent to them for the people I subpoenaed on the docket. This is usurpation of their duties.
38. 628. Speedy Trial Act of 1974. This law was usurped by the District Court and the Appellate Court in my case. Judge Amanda Arnold Sansone denied me bond despite stating that she was concerned about the length of the investigation while staring at FBI Agent Tina Rep and U.S. Attorney Rachel Jones. Then the transcripts were changed and omitted this statement. She knew it was an illegal investigation due to two years and ten months of FISA surveillance per the Title III Omnibus Crime Control Act of 1968 18 U.S.C. Statute 2510 et seq, which clearly states all evidence is inadmissible after two years of such surveillance. I asked for the audio wave file to prove the transcripts were altered and I was denied. Then after documenting my request for a speedy trial in court docs twice and to my first two court appointed attorneys in certified mail, Judge Stephen Merryday stated excludable delay due to voluminous discovery to deny my right to a speedy trial. He knew all evidence was inadmissible. I informed him they had no evidence and that I am a FISA case. It is illegal to declare me incompetent after denying a speedy trial. It is illegal to keep me as incompetent without a camera suppression hearing. Judge Merryday knew they could not hold a camera

suppression hearing because they refused to video tape my competency evaluations despite me requesting, they do so, and I documented this in court docs. Plus, most circuits frown upon this tactic as I mentioned in a case law. You must show evidence of a crime to keep me detained and they never showed evidence despite many documented attempts by me to see evidence and asking for an evidentiary hearing. Plus, I was denied being in the fraudulent detention hearing they held where no evidence was disclosed. All they could do was declare me incompetent to cover up FISA abuse. To watch bi partisan hearings where Matt Gaetz asked Christopher Wray how many times the FBI has illegally used Section 702 under his watch and he had no answer, yet the court stated 278,000 times under his watch, is truly unbelievable that my life is destroyed, and I can't even get in a court room. This is worse than Russia, Iran, North Korea, and China if I do not get my day in court.

39. Carruthers, 64 M.J. 340 (the Sixth Amendment guarantees an accused's right to be confronted with the witnesses against him; an important function of this constitutionally protected right is to provide the defense an opportunity to expose the possible interests, motives, and biases of prosecution witnesses). I was denied this right and judges in both the District Court in Tampa and the Appellate Court in Atlanta failed to acknowledge this right that I have been denied. This is common law, and both courts judges usurped their responsibilities by denying my 7<sup>th</sup> Amendment right to a jury trial so I can depose witnesses.
40. Rule 12.2 This is the governments right to a mental examination of the defendant when the defense gives notice of expert testimony about the defendant's mental health condition under Rule 12.2 is an absolute right only when the notice is of an actual insanity defense, otherwise, the court has the discretion to either order or not order an examination. I asked for a doctor not appointed by the court to avoid getting a government hack. It is my right to have up to three Doctors examinations for competency that are not appointed by the court and of course I was denied this right because they all knew I was competent. Hence, Judge Mary S. Scriven ruled I have cognizable facts backing up my claims of civil conspiracy in my competency proceedings.
41. Bail Reform Act of 1984. This common law was ignored by the Tampa District Court by never addressing the four factors listed in Section 3142(g). I included this in my complaints and showed how all four factors would be in my favor of release. The courts ignored this common law and made me the longest pretrial detainee for fraud in history. This is a clear usurpation of their responsibilities.
42. 18 U.S.C. Statute 3142(g). This common law says the court is expected to weigh all the factors before making its decision on bail. The 11<sup>th</sup> Circuit Tampa Division did not address the four factors and illegally denied me bail. I also asked all my attorneys to get me another bail hearing citing major factual changes. I sent certified mail to my first two court appointed attorneys telling them to do that and stated the major factual changes to each attorney and the court and the OIG/DOJ and the U.S. Attorney. Once again this is breaking common law and usurpation of judge's responsibilities. This led to the intentional false incompetency and the longest pretrial detainee for fraud in history and they never had a trial and still have a felony fraud conviction on my background check and have me on a government watch list as a potential domestic terrorist. Can anything be more corrupt? The Carter Page case pales in comparison to mine!

43. 50 U.S.C.S Statute 1861(b)(2)(a) is the Statute requiring that each application for access to certain business records "shall specify that the records concerned are sought for an authorized investigation in accordance with subsection (a)(2) to obtain foreign intelligence information not concerning a United States person." In my case they illegally got access to my business records because the FISC and ODNI stated in a decision in San Francisco 9<sup>th</sup> Circuit Appellate Court that the FBI in all criminal cases between 2016-2020 did not have any proof the FISA queries would show evidence of a crime or evidence of being a foreign agent. This shows I was falsely and wrongfully incarcerated.

44. F.A.A. Exec. Order: 12333 no longer authorizes surveillance of U. S. Persons

45. 50 U.S.C.S. Statute 3001 "national security act of 1947" Under this statute I asked for a Frank hearing. I claimed my affidavits and orders would show the FBI miss filed the affidavits to get the FISA warrants continued for an illegal two years and ten months by lying on the affidavits and orders stating either I am an agent of a foreign power, or they lied and said the FISA queries would show proof of a crime. I was denied seeing these applications and orders and both the District and Appellate Courts refused to do an in camera ex parte look at these applications and orders per the law and denied me a Frank hearing. This is breaking common law and usurpation of the court's responsibilities.

46. 18 U.S.C. 3161, (sic) (of the speedy trial act) specifically requires that priority be given to a case in which a defendant is detained, and requires that his trial must, in any event, occur within 90 days, subject to certain periods of excludable delay...these current limitations are sufficient to assure that a person is not detained pending trial for an extended period of time. Judge Stephen Merryday was informed that I stated Judge Amanda Arnold Sansone said in my bond hearing that she was concerned about the length of the investigation and that I claimed to be a FISA case that was all over the news that these cases were no good. He ignored my claim, and in my opinion, after nine months he stated excludable delay from voluminous discovery that I say he knew was all inadmissible evidence. I also claim he knew this meant they had no evidence as I told him in court docs in a letter, I wrote directly to him. I claim he did this intentionally and I claimed he not only appointed Mark O'Brien as my attorney as Kay at the federal public defender's office informed me on a recorded line, but he also conspired with Mark O'Brien to have me declared incompetent to cover up the fact that I threatened to sue for thirty million in court docs. I have been denied my right to depose them to prove I was intentionally denied speedy trial.

47. Statute 347.5 states: A state which has made a jury determination generally available to persons subject to commitment for compulsory treatment for mental problems cannot, consistent with the equal protection clause of the 14<sup>th</sup> Amendment, arbitrarily withhold the right of a jury determination from a few such persons. They broke this common law and denied me my 14<sup>th</sup> Amendment right. All the judges know this and still turned down my 7<sup>th</sup> Amendment right to a jury trial in a federal civil lawsuit despite my Habeas Corpus claims being accepted by Judge Mary S. Scriven and her sending me the 42 Statute 1983 form to sue. This is usurpation of their responsibilities.

48. Section 702 is the section under FISA that obligates the government to notify criminal defendants, among others, when it uses Section 702 data in a trial or other proceeding. In April of 2017 a FISC judge took the FBI and NSA to task for an "institutional lack of candor" after these agencies failed to inform the court promptly about searches for information

about U.S. persons that violated restrictions the court had imposed. In my case they had to declare me incompetent to cover up the fact that they did not inform me which took away information needed to suppress all evidence. As I have stated, I believe this was a conspiracy by the government to cover up that I am a FISA case, and they got a FISA warrant illegally. The FISA abuse has gone on for 15 years and my case needs to be in the Supreme Court to show how they intentionally destroyed my life. For the judges to ignore the obvious Section 702 violations that the FBI did by avoiding restriction on U.S. persons queries, is usurpation of their duties and breaking common law.

49. Federal Rules of Criminal Procedure Rule 43. This is a Sixth Amendment right that a person accused of a crime has a right to confront witnesses against him or her in a criminal action. As well as the right to cross-examine prosecution witnesses. I was denied this right to be present at a trial and I never waved this right and never asked for a continuance. Plus, I asked several times for my right to assert my right to a speedy trial. This is breaking common law under the 6<sup>th</sup> Amendment and usurpation of both courts' judges' duty.
50. The Confrontation Clause in the Sixth Amendment. This clause provides "in all criminal prosecutions, the accused shall enjoy the right...to be confronted with the witnesses against him." The clause was intended to prevent the conviction of a defendant upon written evidence (such as depositions or ex parte affidavits) without that defendant having an opportunity to face his or her accusers and to put their honesty and truthfulness to test before the jury. Once again, I have been denied my right to confront witnesses and I have basically been found guilty by ex parte affidavits because I have a felony conviction on my Checkr background check company which stated I was not allowed to drive for Uber as I have done in the past because of this lie on my background check. This is a clear Sixth Amendment violation and once again this is breaking common law and usurpation of judge's responsibilities. For the Appellate Court to regurgitate the unconstitutional declaration of me being incompetent to deny me this right without ever allowing me to depose the doctors in my competency hearing or in a Sell hearing when I documented the questions I had for the doctors in court docs, is egregious and seemingly intentionally denying my rights under the Sixth Amendment. It is scary to think my life has been destroyed and all my rights under the constitution are being denied knowingly and wantonly by Judges that know better. This is the very essence to why the founding forefathers wrote the Seventh Amendment. It was written to prevent government employees from stopping civil suits against the government that they work for. Plus, they are not allowed to prevent me from submitting evidence of any kind to a jury of my peers in my Seventh Amendment right to a jury trial in my civil suit.
51. Compulsory Process Clause. This is the right to call witnesses. I was denied this right despite documenting the witnesses and questions I wanted in a trial and a Sell hearing. I was clearly denied this right by the intentional declaration of me being incompetent. Chairman Nadler has stated in a hearing on Section 702 reauthorization that he would like to get rid of immunity due to the FISA abuse he has seen over many years and has said he will continue to vote against reauthorization of Section 702. The vote for reauthorization has been delayed till April 2024. I was denied my right to call witnesses under false pretext. This again is breaking common law and usurpation of District and Appellate Court Judges'.
52. Due Process Clause. This appears in both the 5<sup>th</sup> and 14<sup>th</sup> Amendments. It gives an accused the right to see opposing evidence. I was deprived of this right in the District and Appellate

Court while they are clinging to an unconstitutional incompetent claim. To me this is beyond shameful that they obviously intentionally deny me due process while knowing I live on \$774 a month social security and pay \$570 rent. I lived the first 13 months I was let out of jail on zero money. I did not get social security till after 13 months when I turned 62 years of age. My son kept me rent free for a while because I was forced to pay \$550 for my appeal after the District Court dismissed my case because my Attorney Ben Buck never even entered as my Attorney and lied to Judge Mary S. Scriven about notifying me via email, a termination letter on January 12<sup>th</sup>, 2022. He told her this after the 15-day time limit to give her the reason for not entering as my attorney because I saved the contract I had with him and presented her with a copy of that contract. She asked me not to mention this in my appeal. Well, I did mention this in my appeal. Yet the Appellate Court refused to mention the obvious intentional ineffective counsel that was designed to have my case dismissed by a six-month statute of limitations. I must laugh to keep from crying because of this endless corruption that has destroyed my life and affected my family. If I am denied Due Process, then our constitution means nothing. This again breaks common law and is a usurpation of the Judges' duties.

53. Rule 104. Preliminary Questions et seq. This law shows I was denied a decision based exclusively on evidence. This breaks common law and is usurpation of Judges duties.
54. 50 U.S.C. 1810. FISA's text expressly authorizes judicial review in civil cases in traditional courts. For example, Congress expressly provided a cause of action for damages against individuals responsible for FISA violations. Obviously, the three Appellate Judges, that took two years to form their opinion, did not read this which I clearly stated in my revised complaint that they ignored completely. This is usurpation of their duty.
55. 18 U.S.C. 2712. This Statute has expressly waived sovereign immunity for some FISA violations. This proves my claim to keep Tina Rep (FBI Agent) and Rachel Jones (lead U.S. Attorney) on as defendants did have merit despite claims by the Appellate Court Judges stating I did not recognize absolute immunity. I showed 35 case laws that prove when you lie or omit exculpatory evidence from an affidavit, that qualified and sovereign immunity is lost. Then for them to state statute of limitations as reason to save a corrupt FBI agent once again despite intentionally breaking FISA laws is sickening. To save her because of a statute of limitations from them taking two years to act, is done intentionally to cover up FISA abuse by the FBI. Meanwhile, they act as if I never took off the other 10 defendants when I clearly did so on three complaints and on an add/remove motion. So now I am continuing my case solely against the United States in my Writ of Certiorari and once again the FBI gets away with destroying innocent people's lives with illegal FISA warrants without any repercussions.
56. 50 U.S.C Statute 1809(a)(2); 18 U.S.C Statute2. These two statutes show that if you intend to disclose or use information obtained under the color of law by electronic surveillance, knowing or have reason to know that the information was obtained thru electronic surveillance not authorized "by FISA or another express statutory authorization." Surveillance is not authorized when the authorization was obtained by false or misleading statements. The Supreme Court stated in *Franks v Delaware*, "When the fourth Amendment demands a factual showing sufficient to comprise 'probable cause,' the obvious assumption is there will be a truthful showing." I have never seen my probable cause affidavit despite asking in court docs and in certified mail to my first and second court appointed attorneys.

Plus, this was done before they falsely declared me incompetent. So, they have never disclosed to me their intention to use their illegal FISA surveillance evidence in trial because I put it in court docs that I knew I was a FISA case. After that, they had no choice but to have Judge Merryday state excludable delay when he knew all the FISA evidence was inadmissible from an illegal two year and ten-month FISA surveillance from a voluminous discovery that I have never seen. Then they had to declare me incompetent to cover up their obvious FISA abuse. Edward Snowden stated in an interview on YouTube, that this is exactly what the government does, once again breaking common law and Judges have usurped their duties.

57. Section 1809; Section 1810. The FISA provides that an “aggrieved person that had been subject to an electronic surveillance or about whom information obtained by electronic surveillance of such person has been disclosed or used in violation of Section 1809 of this title shall have a call to action against any person who committed such violation.” 50 U.S.C. 1810. So, the Appellate court failed to recognize that I am an aggrieved person that FBI Agent Tina Rep can be sued under these common law statutes and usurped their duties by stating she has absolute immunity when she clearly does not. I will gladly take her off my Writ of Certiorari because I want The Supreme Court to appoint me an attorney to argue this important case in Court. It was stated that there is between 200 and 300 cases like mine in the hearing on weaponization and politicization of the government against U.S. citizens. Plus, it was stated the FBI never does their constitutional obligation to inform criminal defendants they used FISA surveillance which takes away criminal defendants right to suppress the illegal FISA surveillance. So, how many people are in jail under false pretexts from the FBI’s 15 years and counting of FISA abuse? It is imperative for the Supreme Court to act. The FBI has been found to use parallel construction to make the illegal FISA surveillance appear as legal in trial. Lucky for me that I knew I was not guilty all along so I could fight so hard for my rights and my day in court. If the Supreme Court allows the FBI to continue their illegal FISA police state surveillance and accept Christopher Wray’s poor explanation that these are just FISA compliance issues when these issues destroyed my life and family’s lives, then laws mean nothing, and our constitution does not have to be followed by the FBI. This breaks common law and is a usurpation of all the judges’ duties.
58. 28 U.S.C Statute 2674; 28 U.S.C. Statute 2675. These two statutes show that the Federal Tort Claims Act provides “the United States shall be liable, respecting provisions of this title relating to tort claims, on the same manner and to the same extent as a private individual under like circumstances.” I have clearly exhausted all my administrative remedies.
59. 5 Statute 552 a(g)(1)(A), (g)(2). These statutes show the Privacy Act enforces the court to amend an individual’s record and allow attorney fees. I have illegally been put on a government watch list as a possible domestic terrorist on truthfinder.com and as a convicted felon of fraud on Checkr background check company. This has rendered me unemployable. In addition, under 5 U.S.C. 552a (d)(3)(A), a court may order appropriate relief and injunctive relief.
60. 5 U.S.C. Statute 552a (d)(3)(D); 5 U.S.C. Statute 552a(b). These statutes show the Privacy Act allows a civil action against an agency that discloses any records by any means of communication to any person or any other agency. I can show the screenshot of me being on a government watch list as a terrorist. This was ignored by all the judges in my case and once again breaks common law and usurps the judges’ responsibilities.

## STATEMENT OF THE CASE

I will mix in my allegations along with fact to make my statement of the case. The reason for mixing in my allegations is because I have been denied my constitutional right to a trial by jury in both my criminal case and my civil cases.

In January of 2016, Leo Corrigan called me and asked me to meet him at a Winghouse restaurant on Route 60 in Clearwater Florida. I was shocked because he committed fraud three years earlier in a business relationship with me and my corporation of which we had a contract. He did not fulfill his agreed obligation to fulfill orders and kept the money. I had to pay approximately \$10,000 to his fraud victims and I was forced to shut down that corporation. When he called me in January of 2016, I was shocked. I went to meet him out of curiosity. He started by whispering to me that he was wired up by the FBI. He then asked the waitress for a pen and started writing on a paper towel. He said the FBI took a million-dollar home from him and a million in assets. He still arrived in a new Hummer, so the FBI allowed him to throw me off that he is and was a CI sent by the FBI to entrap me. He was trying to warn me to leave so I would not be caught up in the FBI's attempt to entrap me.

I am a republican that watches Fox news and CNN on a regular basis. I like to consider both sides of the political spectrum. I also listened to Rush Limbaugh and never missed a Bill Maher show. However, I was very familiar with FISA warrant allegations of corruption at that time that the FBI was supposedly involved in. I was also aware of the DNC hacked server that Julian Assange did his journalistic duty by informing the world of the corruption clearly stated on those papers. Therefore, I decided to continue with the business transaction with Leo Corrigan despite him really wanting me not to because he knows I am an honest man. We had a contract between our corporations showing he gets the lion's share because his company had to fulfill the orders. He was mad I would not leave because he had no choice but to continue our business because the FBI sent him to do exactly that. Then Leo gave me sales and never fulfilled the orders. I was forced to pay back the fraud victims that he intentionally did not fulfill the orders to set me up for the FBI. I allege the FBI was doing illegal FISA queries and this is how my name came into their purview to try to set me up with fraud.

Then in March of 2016, the FBI along with the IRS CI, came to my home at 6:00 am with approximately 16-20 agents and a swat truck. They had a battering ram and threatened to break down the door. Then I was pulled out on my front lawn in my boxer shorts and an FBI woman was yelling at me and threatening me and wolfing on me. I turned to her and said this is still the United States of America and I am innocent till proven guilty, and I am innocent, but you should be fired! Then three men literally dragged her off my front lawn and put her in the Swat truck. Then the two lead agents sat me back down and started by saying that they were not here to arrest me. I said that it seemed like you were going to arrest me because of the battering ram and swat truck and 20 or so armed agents. They went on to say I have as many failed businesses as Donald Trump. I looked at these young so called intel agents as if they obviously hate Trump and they included their Trump remark in the 205-page index that my first court appointed attorney, Lori Palmieri had showed me. They handed me a search warrant that did not disclose that it was a FISA warrant. I saw Elizabeth Warren had signed it. I realize now that it was not Elizabeth Warren the Senator, it was Elizabeth W. Warren the clerk of the court. This is the only fact that the appellate court was right about. I allege they could not arrest me because they failed in their attempt to entrap me with Leo Corrigan's fraudulent sales.

After they left with all my computers and contracts with Leo's corporation and contracts with call centers in India, they waited a week or so and went to my CPA Michael Stuear's business and stormed his business and gathered all my information. They could not arrest me because I report all earnings. So, they had no evidence of a crime or probable cause, but they decided to start an outcome driven investigation. They had bugged my phone and my home and did not even hide this fact. They had no clue that Leo Corrigan told me he was wired up by the FBI. They could not arrest me because I paid back their fraud victims that they tried to entrap me with. I paid \$6,700 to those victims and this can be seen on my business bank statements that the FBI has according to Martin G. Enterlin, my forensic accountant hired by Mark O'Brien, my second court-appointed attorney. I allege they used FISA wiretapping and surveillance on me from March of 2016 to January of 2019 when they arrested me. I allege they tried to set me up again with Thomas Fortman in October of 2018 through January 11<sup>th</sup>, 2019.

I was put in jail on January 11<sup>th</sup>, 2019. I have no record of any crime and no history of mental illness. My bond hearing came about, and I was brought into the courtroom and met my court-appointed attorney Lori Palmieri. I was not given enough time to finish reading the indictment. I clearly heard and recognized the anger Judge Amanda Arnold Sansone had and directed her dismay towards Tina Rep (FBI Agent) and Rachel Jones (U.S. Attorney) when she said she was concerned about the length of the investigation. I allege she knew all evidence was inadmissible due to a fraudulent investigation by the FBI using FISA over two years. This statement was taken out of the bond transcripts that I did not get for nine months. I claim that five things were altered or omitted in those transcripts and asked for the audio wave file to prove it. I was denied the wave file for obvious reasons. I am right.

Lori Palmieri got fired as my attorney because she just disappeared after I alleged, she took attorney-client information to U.S. Attorney Rachel Jones, and I claimed they used Shah as plausible deniability for this fact. I claim he received a downward departure to be the one to say that this is how Rachel Jones got information illegally from Lori Palmieri. I documented phone calls that Lori never answered. This is when I decided to send Lori certified mail asking for a new bail hearing while citing major factual changes and I asked for her to put in a motion for a speedy trial and Barker v Wingo, U.S. v Russell, Marbury v Madison and U.S. v Knight. She ignored my requests and basically disappeared. I then wrote to the Judge to fire her for ineffective counsel, and I was told in the hearing she was fired for ineffective counsel only to read when I got out of jail that Judge Stephen Merryday changed the ruling to her being allowed to recuse herself. I had my son in law forward the email sent to Lori Palmieri, forwarded to my 2<sup>nd</sup> court appointed attorney, Mark O'Brien.

Before she was fired, I wrote 20 pages, and they were filed in court docs. I claimed I was unmasked illegally, and a victim of raw intelligence being passed from the FBI to the IRS, OIG, POSTMASTER GENERAL and HOMELAND SECURITY and PINELLAS COUNTY SHERIFF'S OFFICE. This sharing of raw intelligence is called "crossfire hurricane." All these agencies were involved in what I call FISA-GATE. This sparked Judge Merryday to give me the number one attorney in Florida, Mark O'Brien. After we met for 5 minutes after Lori Palmieri was supposedly fired for ineffective counsel, Mark said do you know who I am. I could not believe the vanity of this man. He claimed he never lost a pro bono case. I lied and said, "are you some famous lawyer I never heard of." Then I asked if he read the 20 pages that I wrote in to court docs and threatened to sue for 30 million. He said no and of course I believe he lied. Then he said forget everything about my first attorney. So, I naturally think he is friends with Lori Palmieri and does not want me to report that she intentionally gave information to the U.S. attorney.

After this short meeting, I only had one more meeting with him a few days later and then never saw or talked to him again for the next 23 months that he was my attorney.

Mark's employee Chelsea Pelligrino was assigned to my case. I called her four times to get my bank statements that forensic accountant Martin G. Enterlin informed me the FBI had. She promised me she would get these exculpatory statements weeks before my fourth call to her asking for them. She literally got angry at me for asking for them four times and the phone conversations that I asked for and have been denied, prove this. She went on to say that her and Mark had been discussing a new strategy for my case. Well, I later wrote that I feel and want to ask her if that strategy was to intentionally have me declared incompetent. I have been denied my right to depose her for what I allege are obvious reasons. They want to cover up that I was thrown in jail illegally from an illegal FISA warrant and an illegal length of time investigation. Plus, Mark knew I had information of his wife's alleged contempt of court ruling from her stating she has video of Mark O'Brien smoking meth and crack on video and eleven months of his texts ordering illegal drugs. Mark's wife was allegedly in the same jail as me and her lover was as well, according to Cedric Jackson. They were both charged with possession of heroin as I was told by my witness Cedric Jackson. Cedric was brought into court along with Mark O'Brien about my hearsay allegations. I do not know the particulars of that hearing as I have been denied everything in my case. Nonetheless, I was declared incompetent by Mark lying in the competency hearing after his bought and paid for doctors intentionally declared me incompetent despite me writing the court asking for a doctor not associated with the court to do the evaluation and asking the court to video tape my competency exam to prove I am competent and to keep a government appointed doctor from intentionally declaring me incompetent because I threatened to sue the court for 30 million dollars. So, Doctor Maher walks in and asks me three questions and said he would set up a meeting with my attorney. That never happened. Doctor Maher knew I was competent in his three questions and never got me that meeting with Mark. He intentionally declared me incompetent and of course he didn't show up at my sham of a competency hearing so I could depose him.

As time went on, I was sent to the unaccredited FMC Butner facility. Dr. Wadsworth broke protocol and she disappeared as my appointed psychologist. I wrote to her and emailed her asking for my right to a new court appointed attorney and a hearing to challenge my false incompetency claim as it was stated as my right in their FBOP handbook. The 2<sup>nd</sup> time I went back to FMC Butner, they removed inmates' rights from their new FBOP handbook. I was denied this right, and I never saw Dr. Wadsworth again. Nine weeks later, I was brought into a meeting with psychiatrist Dr. Charlton, psychologist Dr. Wood and intern Stohler. Dr. Charlton asked me if I was aware of the assessment that Dr. Wood made of my alleged delusional disorder and that she was recommending me to be medicated. I said how could I be aware of her assessment when I have never met her before. I documented all the laws they broke and rights they denied me to intentionally declare me incompetent and stated why they had to declare me incompetent. I had written to the court, and I listed the witnesses I wanted and the questions I wanted to ask in my Sell hearing. Once they all saw these questions, they had no choice but to declare me incompetent to have me medicated to take away my right to call and depose witnesses. Dr. Wood had declared me competent to stand trial after she thought I was taking the drug Abilify. One of the side effects of this drug is death. I was not informed of the side effects as the law says they must do. I told my bunkie, Dr. Chris Lapp (a nuclear physicist), to document I was faking taking the drug Abilify and showed him I flushed each pill down the toilet. He committed suicide from the Butner Doctors poor ethics and his family is currently suing. Dr. Wood announced I was competent to stand trial in front of intern Stohler

in a meeting I was in with the two of them. I told them I intended to announce myself as dual counsel in my trial. This did not matter to Dr Wood. All she cared about was me taking the drug because as I showed in a case law, this takes away your compulsory and due process right to call witnesses. She conspired to take away these rights away from me on purpose and I could prove it if I was not denied my right to a Sell hearing. I listed the questions and people I wanted deposed in my Sell hearing and of course they denied me this right. They all knew I was competent, and Dr. Wood asked if I was an attorney because of all the laws I mentioned to her and the rights that I was being denied. I said no I am not an attorney, but I read a lot. After approximately twelve more days I wrote to my son, and on page 17 of 18 they documented that I said I was faking taking the drug. They wrote me up with a 301 form and denied me commissary for a week. Then Dr. Wood declared me incompetent again without a meeting with me because she knew that me being declared competent for trial as she said in front of witness intern Stohler, that I would be able to get my listed questions answered in a court of law. So, the corrupt Dr. Wood declared me incompetent again without even having a meeting with me. This made them change my psychiatrist to Dr. Logan Graddy. I would like to ask why Dr. Charlton disappeared. I imagine by the way he looked at Dr Wood after I told him the fact that I never had one meeting with her and her obviously declaring me incompetent illegally and recommending me to be medicated without one meeting with me, that he decided to remove himself from this obvious railroad job. Dr. Graddy came to my door and asked if I would take the drug voluntarily and I said no. I then wrote to Judge Merryday asking him not to allow involuntary medication because I am obviously not incompetent. I emailed Dr Graddy to video tape our meetings to prove I was not incompetent and asked for a Dr. not associated with the government to do a competency exam on me as it is my right. Once again, I was denied my right. I wrote to the deputy warden and the warden informing them of all the rights I was being denied and this all led to me filing a Habeas Corpus.

In my Habeas Corpus I started with two reasons. Ineffective counsel and falsely being declared incompetent. A couple weeks later I added six more reasons for Habeas Corpus. Judge Mary S. Scriven was assigned to my Habeas Corpus case. She only ruled that I have cognizable facts for three of my eight claims. I say she knows all eight were legitimate, but she had to cover up obvious railroading by the government. She ruled I have cognizable facts backing up my claim of civil conspiracy in my competency proceedings and intentional infliction of distress and fraudulent investigation. How she did not rule I was denied exculpatory evidence is ridiculous considering I have never seen exculpatory or any evidence of any kind. How she did not rule false arrest when the FISA warrant was derived from lies on the affidavits and orders I have never seen but she has and of course the FISA investigation was fraudulent from a 2 year and 10-month investigation is crazy. As we all know now, precedence has been set by the FISC and ODNI announcing on April 21<sup>st</sup>, 2022, that all FISA criminal cases from 2016-2020, the FBI knew they did not have proof anyone would be an agent of a foreign power or that evidence of a crime was likely to be found. I have printed pages 21-28 of that 127-page memorandum and order for you to see. This shows precedence and is the reason that I must have my trial by a jury in my civil suit per the 7<sup>th</sup> amendment.

I was told by my mailman that the Postmaster General in October of 2018, stopped me from getting my corporation mail. This put me out of business with no proof of wrongdoing. Two guys from Homeland Security came to my home around May of 2016, and wanted to know about Indians. I asked them if India call centers were a national security risk and they said no. I went on to ask why they were here at my home when the FBI and IRS were already here with an illegal FISA warrant and now you two guys are here knowing there is no national security issue with India call centers. I literally yelled at them

and shamed them as I chased them off my property for breaking the law. I wrote certified mail while in jail to Mark O'Brien, my attorney, and an exact copy certified to DOJ attention William Barr. In this mail, I listed 18 people I wanted as witnesses and questions I wanted answered. I asked to have the two Homeland Security guys that came to my home as witnesses to prove they had no national security risk to get a FISA warrant. I have been denied this on purpose.

I have an article that shows the FBI, IRS, OIG, POSTMASTER GENERAL, HOMELAND SECURITY and the PINELLAS COUNTY SHERIFF'S OFFICE were all involved in my case, and I believe this is the weaponization and politicization of the U.S. Government against me, a U.S. Citizen.

Once thrown in jail I went on a writing campaign to get my rights. I had three meetings with my first court appointed attorney Lori Palmieri. The third meeting was not in the attorney-client rooms designated for exactly that. Our third meeting was in a room right near the cell I was in, and it had a camera in the room. Lori told me the prosecution had Thomas Fortman and Mathew Sipple as witnesses that were going to testify against me. I laughed so hard she looked at me dumbfounded. When I told her I knew that Tina Rep (FBI Agent) was trying to set me up using these two guys as CI'S or CHS'S by attempting to run 25k of fraudulent sales thru my corporation Techavia IT Solution Inc., that I had my business bank account closed without their knowledge and I did not sign the application that Thomas Fortman filled out and asked me to sign to get the ACH terminal, Lori knew that the FBI tried to set me up to entrap me. I went on to explain to Lori that I knew she took information to U.S. attorney Rachel Jones illegally about a man I did business with, and I had a witness named Shah that can prove it. I hit the button to get out of the attorney visit in a room with a camera knowing that Pinellas County Jail was caught video tapping attorney-client visitations and had a class action lawsuit to prove it. Lori never came back and never took a call after that meeting. She knows the FBI failed at entrapment and knew I have a witness that proves she took information to the U.S. attorney Rachel Jones. This is one of many reasons they had to declare me incompetent and deny me witnesses and trial and a Sell hearing. The only way they could do that is have me medicated to take away my compulsory rights under the 6<sup>th</sup> amendment. Mark O'Brien told my brother the only way I would go to trial was medicated. So, Mark was a part of the corruption because he knew that there was no evidence against me because his forensic accountant Martin G. Enterlin told me there was no evidence against me before Mark had me declared incompetent. This led to me being intentionally and unconstitutionally declared incompetent. Hence, Judge Mary S. Scriven ruled I have cognizable facts backing up my claim of civil conspiracy in my competency proceedings. Yet, the judges in my appeal totally ignore this fact.

After 23 months I put in a Habeas Corpus civil suit. Then in March of 2021 I started my 42 Statute 1983 civil suit while still in jail. I never had the mandatory evidentiary hearing that by law you must have in a 42 Statute 1983 case. I never had my Sell hearing. They had a hearing on 05/27/2021. In that hearing they announced that I was being let out as incompetent when I clearly asked in that hearing that I wanted to get my case dismissed with prejudice. The Judge ignored my request knowing about all the laws broken to have me declared incompetent and knowing Judge Scriven ruled I have cognizable facts backing up my claim of civil conspiracy in my competency proceedings.

The case continued after my release of a 31-month detention for a crime I did not commit, and my life destroyed. I lived 13 months with zero money thanks to my son allowing me to live with him. I got Ben Buck from Ben Buck Law Firm in Tampa to be my attorney. I got him on lawyer.com and we signed a contract on contingency. He never entered as my attorney to intentionally try to run out my case on a

six-month statute of limitations. He lied to the court when he said he emailed me a termination letter. Even the FBI could prove this by looking at his emails. Lucky for me I turned 62 and started getting social security so I could pay the \$550 fee for the appeal. My son had given me free board for 13 months and let me pay the fee. I was only getting \$690 a month social security at that time. My credit score is 459 thanks to my loans not getting paid from the government and FISA abuse. I had a brand-new car. Now I can't go anywhere. It's like a nightmare you're not allowed to wake up from. All this stress has been from illegal FISA abuse and never having evidence of a crime.

In my case I have been denied counsel, motions, speedy trial, transcripts, committal reports, affidavits and orders, trial, Sell hearing, evidentiary hearing, detention hearing, 4 factors of the Bail Act of 1984, Barker v Wingo 4 prongs being addressed, Brady material, Nelson hearing, Frank hearing, civil trial, in camera ex parte review, probable cause affidavit, discovery, exculpatory evidence, another bond hearing after stating major factual changes, FOIA requests, wave files of bond hearing and competency hearing, right to call witnesses in a Sell hearing or a trial or a civil trial, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup> and 14<sup>th</sup> Amendments. Sixty Statutes and common laws and rights were ignored or broken in my case.

My case has been stated and documented. I will drop the FBI Agent and U.S. Attorney from my Writ of Certiorari and just sue the United States. I am asking for the Supreme Court to provide me an Attorney to present my case in Court with a jury. Considering the Section 702 reauthorization has come to a vote in Congress in April 2024, it is time to disclose a case like mine to the public so they can know the true ramifications of my life after FISA abuse. My case should never have been sealed to begin with. My case is one of many cases that were in the scope of the decision by the FISC and ONDI stating the FBI targeted Americans between 2016-2020 in criminal cases with FISA warrants derived without any proof the subject would be an agent of a foreign power or that there would be evidence of a crime. This is precedent and absolute 100% proof my case is won!

I could go on for a long time. However, I did present my case and documented it all. There is proof I should have never been arrested or detained and denied so many rights that it is exhausting to repeat the 60 Statutes and laws and rights I was denied. This is about the continued abuse by the FBI abusing Section 702 of FISA and me not being compensated for over five and a half years of living as a pauper by the stated FISA abuse and denial of 7<sup>th</sup> amendment right to a trial with a jury to determine civil damages. I ask the Supreme Court to grant me my constitutional right to a jury trial for my civil damages. Sincerely, Glenn Francis

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## REASONS FOR GRANTING THE WRIT

The reasons my case is worthy of granting me the Writ of Certiorari are glaringly obvious and set by precedence and repeated violations by the FBI in there querying procedures that has targeted Americans illegally for at least 15 years. The prosecution was malicious with malice. It was a false arrest by using an illegal FISA warrant for an illegal two years and ten months per the Title III of The Omnibus Crime Control and Safe Streets Act of 1968 18 U.S.C. Statute 2510-22 et seq. Let me quote the May 19<sup>th</sup>, 2023, article of a decision by the FISC and released by the ODNI. A U.S. court found that the FBI improperly searched for information in a U.S. database of foreign intelligence 278,000 times over several years, including on Americans suspected of crimes, according to a ruling released on Friday.

The decision by the Foreign Intelligence Surveillance Court was released by the Office of the Director of National Intelligence (ODNI).

The searches occurred in the course of U.S. crime investigations including the Jan. 6 Capital riots and protests after the 2020 killing of George Floyd, the court said.

The intelligence database stores digital and other information on individuals. The Foreign Intelligence Surveillance Act allows the FBI to search without a warrant communication of foreigners abroad including conversations with Americans.

The court ruling found the FBI violated rules around the use of the database, created under Section 702 of the FISA Act with its searches.

Specifically, the court found that searches as part of probes into crimes between 2016 and 2020 violated the rules because there was “no reasonable basis to expect they would return foreign intelligence or evidence of a crime”, although the FBI believed this was “reasonably likely,” the decision said.

The revelations came as U.S. President Joe Biden’s administration is trying to garner congressional support to keep surveillance powers under Section 702, which is set to expire later this year.

The ODNI said the FBI tightened its procedures in mid-2021 and 2022. “As a result, these compliance incidents do not reflect FBI’s querying practices subsequent to the full deployment of the remedial measures,” the office said.

When the FISA Court (FISC) says that criminal cases between 2016-2020 the FBI violated the rules to get the FISA warrants in criminal cases like mine, nothing else needs to be said. I was illegally targeted with a FISA warrant that the Court says in plain English that they were no good. For sealed to be stamped on my indictment when there was never a national security risk in my case to begin with, is clear abuse by the FBI in its use of warrantless FISA warrants. For the court to deny me speedy trial when the judges knew all the evidence was inadmissible, due to 2 years and 10 months of FISA surveillance is neglect of their duty and of course in my mind is conspiracy. To have my corporation shut down by the Postmaster General with no evidence of fraud is Russia, China, Iran, and North Korea communism like actions. To not see an attorney for 2 years is holding me hostage, railroading, and deep sixing me. To start by charging me with 190 years in jail only to be nice enough to come down to a level 34 which is

over 15 years in jail when the indictment had nothing, but broad fraud scams listed with no evidence, is sad that a judge could not look at the indictment and kick the case out immediately. To google the federal law most likely you will be granted bail is being charged with fraud, yet I was denied bail for fraud with no evidence or history of any crime and Bernie Madoff and mini-Madoff (Sam Bankman Fried) got out on bail despite committing fraud into the billions, is a show of prejudice by the government to a civil degree that is truly unprecedented. To watch the bi-partisan YouTube videos describing the FISA 702 violations that have been done over 12 years and they say it was wrong to use warrantless FISA warrants on Americans, and they are finally acting in reauthorization of Section 702 is too little too late in my case. 60 Statutes and Laws and rights were ignored or broken in my case, and this is obvious usurpation. It has been over 5 years I have lived in dire financial status from the continued FISA abuse in my case. I have no car. Electric has been off. I live with no food for weeks at a time. I must spend money on ink for this case. For over 200,000 warrantless searches by the FBI in 2022 targeting Americans illegally is allowing the warrantless surveillance of Americans to continue. The FBI does not have compliance issues, they have corrupt agents that intentionally break the law. In its Hasbajrami opinion, Second Circuit wrote that regardless of the procedures the FBI put in place for backdoor searches must be treated as "separate Fourth Amendment events."

Supreme Court case Larry Thompson v. Pagiel Clark, No. 20-659. Argued October 12, 2021--- Decided April 4, 2022. Cite as: 596 U.S. \_\_\_\_ (2022). This case shows that in the Supreme Court, the Writ of Certiorari was remanded for further proceedings. It was remanded as a 4<sup>th</sup> amendment violation because there was no probable cause as is the case in my case. I asked and documented my right to see my probable cause affidavit many times. I was denied this right. It also states you do not have to prove your innocence when you are denied a trial. However, I could have proved my innocence easily with the exculpatory evidence that the FBI and prosecution withheld. They withheld contracts I had with call centers and the authorizations and recordings of all the sales I made. Plus, I gave Tina Rep (FBI agent) many invoices over the two years and ten months she illegally used FISA warrants against me. The FBI and IRS took all my computers, which have this 100% proof of my innocence and refused to give them to me. This resulted in Judge Timothy J. Corrigan (head judge for the 11<sup>th</sup> circuit) threatening sanctions for the Brady violations of never giving me exculpatory evidence or any evidence showing I committed a crime. How judge Mary S. Scriven did not rule that I was denied exculpatory evidence and a false arrest and ineffective counsel in my habeas corpus requests, is usurpation of her responsibilities. I gave her eight reasons for habeas corpus, and she only ruled I have facts for three. This resulted in an illegal seizure and a 4<sup>th</sup> amendment violation. I could cite all the case laws in that case, but I am sure the opinion is all that matters.

Supreme Court case Gideon v. Wainwright 372 U.S. 335 (1963) is a case that shows the 6<sup>th</sup> amendment's guarantee of counsel being a fundamental right essential to a fair trial and as such, applies through the Due Process Clause of the 14<sup>th</sup> amendment. I asked to see my counsel during a two-year period from April of 2019 to April of 2021 many times through cop out sheets at FMC Butner NC and with many phone calls to all three of my court appointed attorneys. I was denied this right for two years. When I told a female CO when I was sent to Citrus County jail that I haven't seen an attorney for over a year and a half, she looked it up and was mortified. When Scott Robbins finally came for a visit, she got angry at him and wanted to know why I never got to see an attorney. I told her they intentionally declared me incompetent to cover-up an illegal FISA warrant and had tried to medicate me to take away my right to call witnesses. She reamed him out. Then I didn't see Scott Robbins for 10 months and he did

not give me his number or address. I was told my first court appointed attorney (Lori Palmieri) was fired for ineffectual counsel in a hearing, only to find out once I got out of jail, Senior Judge Stephen Merryday changed the ruling illegally and worded the ineffectual counsel as him allowing her to recuse herself. This should cause an investigation for ethics violations by getting the wave file of that hearing. I watched so many inmates get attorney calls and visits while at FMC Butner NC, that I knew they were denying me attorney calls on purpose despite my many attempts to have attorney consultations. To have no trial by lying about me being incompetent and I proved this fact and judge Scriven ruled I have cognizable facts backing up my claim, is yet another obvious 6<sup>th</sup> amendment violation.

The gross negligence of the court to never bring me into court when my habeas corpus was accepted is yet another reason to allow me a trial by jury to determine civil damages. By law I was supposed to be in front of a judge within 48 hours. I never got in front of a judge till six months later. This was on 05/27/2021 and was a hearing to drop my case as incompetent not to address my accepted habeas corpus claims. By law I was supposed to have a Sell hearing within one year from 12/05/2019. I was denied this right despite asking for this right and listing the people I wanted as witnesses and the questions I wanted answered at that hearing. The egregious violation of denying me this right and denying me my right to be in front of a judge within 48 hours after my habeas corpus was accepted, should have my writ remanded to proceed to a civil jury by trial and cause many sanctions on the 11<sup>th</sup> Circuit Middle District Court of the Tampa Division.

The 5<sup>th</sup> amendment violation by not recording my competency evaluations that I requested in letters to the Court, DOJ/OIG and doctors and emails to doctors, violates my 5<sup>th</sup> amendment right to protection from self-incrimination by not having a mandatory camera suppression hearing. Plus, not being compensated for my civil case for 31.2 million dollars, is also a 5<sup>th</sup> amendment violation. Not having a trial is a 5<sup>th</sup> amendment violation.

The 14<sup>th</sup> amendment violations by not allowing me a jury to determine my compulsory and due process rights were being violated under statute 347.5 and to deny me life, liberty, and the pursuit of happiness, is corruption at extreme levels. I sent in case management reports to the District and Appellate courts along with summons and subpoenas and listed hundreds of questions I wanted answered for each person I subpoenaed. This is yet another obvious reason to allow my trial by jury. I was reverse targeted, which is illegal, by the FBI and could have proved it if I was not denied my right to a trial. Many congress members and senators and the FISC and ODNI all state that 2016 FISA cases, of which my case is, violated the law to get those warrants as it has been documented in the 9<sup>th</sup> Circuit appellate court by the FISC and ODNI releasing the memorandum and order on April 21, 2022. This is 100% proof my case is won. Everyone knows this and it makes it obvious why they lied to get me declared incompetent and deny me due process. It was to cover up FISA abuse.

I listed 90 case laws in my complaints throughout my historic 31-month wrongful incarceration which makes me the longest pretrial detainee for fraud in history and I never had a trial, and judges should be sanctioned for continuing the lie of my unconstitutional incompetency evaluations. Imagine you being declared incompetent by Dr. Wood at FMC Butner NC, which is not an accredited facility, when you never had one meeting with her. This blatant railroad job needs to be exposed. Imagine an intern named Stohler telling you that the doctors were so mad they couldn't medicate you, which of course was to take away your compulsory rights to call witnesses, that they told her they were thinking of committing you knowing you were

competent. This is pure evil. It needs to stop. Immunity should never allow intentionally knowingly and wantonly breaking laws and denying rights. Lies on the affidavits to get 2016 FISA warrants are fact and stated by the very judges at the FISC that allowed the FBI to lie to the court for four years between 2016-2020. I have shown that when you lie to get a warrant, the Supreme Court has taken away immunity through statute 2712 and *Franks v Delaware*. I have stated the tort laws that allow defendants to be sued. The Appellate Court stated they have absolute immunity. Well, I am ok with removing all the defendants except for the United States of America. I did remove ten defendants on three complaints and an add/remove motion. The failure of the Atlanta Appellate court to recognize this is egregious. When I called after two years and after a six-month lapse to rule on a motion, the clerk of the court assigned to my case literally had not read one thing from my case. I got heated due to the incredible incompetence of the Atlanta Appellate Court. This lapse by law is why they had to allow a Writ of Mandamus. Then they intentionally denied me being *In Forma Pauperis* knowing my dire financial status from the government having me on a terrorist watchlist on *truthfinder.com* and as a convicted felon on *Checkr* background company which got me denied driving for Uber as I have done in the past.

No evidence has ever been presented in my case. I have had my right to have judges do an *in camera ex parte* look into the legality of the affidavits and orders used to get FISA warrants on me for an illegal 2 years and 10 months denied for obvious reasons, they all know the FBI lied on those affidavits and orders as the FISC and ODNI have stated. For the Appellate Court to cling to an obvious and intentional declaration of me being incompetent by breaking all the laws that govern competency evaluations, is egregious. Edward Snowden has stated that this is exactly what they do to cover up FISA abuse. To deny me my right to depose the doctors when it is my right in a *Sell* hearing and I have been denied, is egregious and I deserve my right to state this to a jury in my 7<sup>th</sup> amendment right to do so. To send in summons and have the Courts not return them with the seal they are supposed to stamp when I filled out the summons correctly every time, is egregious. To allow Ben Buck from Ben Buck Law Firm in Tampa to lie to the court about sending me an email for termination of legal representation when they all know he did not send me that email and he intentionally tried to run out the 6-month statute of limitations to have my case dismissed, is usurpation of the Appellate Judges responsibilities.

When you go to law school, you hear that in your constitutional duties, you are supposed to cast out the devil so the righteous prevail. Let me explain my case in a biblical way. When I was in jail and in my friend Dion's cell, I told Dion, let me cover my eyes and open the bible and point to a random verse. Well, I landed on *Isaiah 42 verse 21*. It says, "a righteous man shall magnify the law and make it honorable again." The Romans wanted to stop Jesus but knew that their courts could not do it because Jesus broke no laws. So, they had a secret national security court called the Sanhedrin try him. In nine hours, they found him guilty with no charges presented. There was no warrant for his arrest, and no statement of what he had done. They usurped their own laws by sentencing him to death in one day when their own law states it is illegal to sentence someone to death in one day. There was no supporting evidence. Jesus was indicted on a false charge and two false witnesses. They announced he committed blasphemy without evidence or an investigation. It was said that Jesus's conviction made him a victim of conspiracy and that the verdict was not the result of sober reason and calm deliberation. He was pronounced guilty with no defender in the court. The trial of Jesus was not even held in a court of law. The Sadducees and Pharisees hated Jesus, yet they permitted themselves to try him. They illegally

switched the charges against Jesus from blasphemy to treason before Pilate. They had to make the trial look legal.

Parallel construction is what the FBI does to make their illegally obtained FISA evidence appear legal in a court of law. This has been stated by Senator Lee and Miss Goitein on capitol hill. The 7<sup>th</sup> amendment states it is my right to a jury trial in my civil suit, yet the Judges in the District court and the Appellate court have permitted themselves to try me. I could never have been arrested if my case went through a regular court. Therefore, they used a national security court called FISA so they could illegally avoid probable cause and a warrant. My 31-month pretrial incarceration was based on lies with no witnesses or victims of fraud with no trial. At least President Trump had a trial for fraud with no victims and did not go to jail for 31 months as I have. At least two witnesses lied to get Jesus indicted. In my case there are no witnesses. At least Carter Page had his case investigated despite doing no jail time as I have done. Like Jesus's case, there has never been any evidence shown that I committed a crime. Like Jesus's case, my case was not tried in a regular court. It was tried in a national security court without my presence when my case has no national security issues. Like Jesus I had no defender in court. Though I haven't been sentenced to death, I have been sentenced to a life with no money or possibility to work or get back my home, car, furniture, business, credit, or the years of missing family. Ask yourself if you could survive with no electricity or income and no money or transportation with destroyed credit for over five years! Why is this corruption allowed to continue? How has FISA abuse continued for 16 years since Section 702 has been initiated? If I listed all the Congress members statements of FISA abuse over decades, I would be here all day. My life has been destroyed without due process. Give me my day in court! It is not only the right thing to do, but it is the constitutional thing to do. Otherwise, the FBI will continue to use FISA illegally. The FBI has bought endless private emails and phone conversations and location data on Americans from shady information brokers. I never did business without legal contracts and invoices for every sale and IVR's and authorizations and the licenses to do such business. I reported all income on my taxes. For me to be denied my day in court when Mark O'Brien (considered to be the top lawyer in Florida) knew that the government had no evidence against me as his forensic accountant, Martin Enterlin, said to me before Mark had me illegally declared incompetent, is clear conspiracy by the government. This is why my Writ must be heard. The Appellate Court knew I did not have the money to pay for a Writ of Mandamus and knew they were allowed to deny me being IN FORMA PAUPERIS because a rule allows this when I keep people on as defendants. I now know this, and I am only suing the United States in my Writ of Certiorari, so the Supreme Court can declare me IFP and give me an attorney to argue my case in Court. I will allow the Supreme Court to make the decision if they feel they must. However, I want it noted that the 7<sup>th</sup> amendment is clear in this matter. Because of this case, I can't visit grandkids or go to my grandson's basketball games. I can't have the family over on Sundays to have our traditional Sunday family gathering.

My Habeas Corpus was granted and by law you are supposed to be in front of a Judge within 48 hours. I did not get in front of a Judge for over 6 months, and it was not to discuss my accepted habeas corpus case per the law. A writ of habeas corpus ad subjiciendum procedure in the Suspension Clause (Clause 2), located in Article One, Section 9, states "The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it". Of course, my case does not involve rebellion or invasion. So, both the District Court of Tampa and the Appellate Court of Atlanta broke habeas corpus law by trying to suspend my case as did Ben Buck of Ben Buck Law Firm in Tampa. The Supreme Court of the United States overturned President George W. Bush's attempt

to place Guantanamo Bay detainees outside of the jurisdiction of habeas corpus, but they overturned this action in Boumediene v. Bush. It is sad that I must point out so many rights and laws and statutes to the courts that I am still being denied. Why they allow my life to continue being destroyed has continued the intentional infliction of distress that Judge Mary S. Scriven said I have cognizable facts backing up my claim.

In conclusion, please adhere to the rule of law and declare me In Forma Pauperis and appoint me an attorney. If not, then I am prepared to present my case as a pro se litigant. In a 42 U.S.C Statute 1983 case you may sue for deprivation of rights, privileges, or immunities secured by the constitution and federal laws. Sixty laws and statutes and rights have been stated in my case and proven that they were broken and denied. For these reasons, I ask the Supreme Court to grant my Writ of Certiorari.

Sincerely, Glenn Francis

## CONCLUSION

Habeas Corpus cannot be suspended by law. I have had my rights denied and documented it all with certified mail and pro se motions. I have been denied every right there is. The FISC and ODNI have stated in their 127-page memorandum and order that FISA criminal cases between 2016-2020 got their FISA warrants illegally and pages 21-28 of that memorandum and order from 04/21/2022, prove this. I am a FISA case that the FBI illegally used FISA warrants from March of 2016 to January of 2019. I have listed all the rights I have been denied. FISA abuse has destroyed my life. I presented to the FBI and IRS, four companies that broke federal law and stole money from me and they were under the statute of limitations when I told them in March of 2016. They ignored Intuit, Securenet, Champion electric, Zoom by Phone stealing a couple hundred thousand dollars from me while under the statute of limitations and breaking federal laws. I would have been making 30k a month just from Securenet alone. Instead, I got a tax lien, and all the government agencies go after me, the little guy, and let the big companies break federal laws that when made aware of this and it being under the statute of limitations, they should have investigated my accusations per the law. I have only one reason I can think of as to why I was targeted. I am a republican. Sad that I think that. Since the FISC has stated the FBI using FISA illegally between 2016-2020 in criminal cases like mine, I expect my 7<sup>th</sup> amendment right to a jury trial. I have listed all the rights I was denied, and I still get opinions denying my right to face my accusers and doctors, lawyers, U.S. Attorney, FBI Agent, Judges, and all the people I subpoenaed including William Barr who knew all 2016 FISA cases like mine, left out exculpatory evidence, in a jury trial, which is my right. My 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, and 14<sup>th</sup> amendment rights have been taken from me. I am the longest pretrial detainee for fraud in history, and I am not only not guilty, but the FBI tried to set me up twice. I know no one wants to hear this and all government employees protect each other. But what about me? Is it ok to destroy my life? Just put me on the cross. Yes, I believe in Jesus. Is that a crime? When my finger landed on Isaiah 42 verse 21 and it says, "a righteous man shall magnify the law and make it honorable again," do you think that was just a coincidence? Ask yourself, does God exist? Was our constitution based on God? Do we swear to God when we get on the stand? Why is everyone afraid of me getting my right per the law to have a jury trial and depose witnesses? It's simple, I have been persecuted and can prove it if given my rights. They all know my FISA warrant is illegal which means my search and seizure was illegal. They all know the 2 year and ten-month FISA wiretapping, and surveillance is illegal. This led to a false arrest and wrongful incarceration. The sad part is the corruption that led to illegally denying me a speedy trial. Judge Merryday had to state excludable delay from a voluminous discovery that was all inadmissible. The Brady violation of never presenting evidence is enough to grant me my civil trial by jury. Being denied my right to a new attorney and hearing to argue my incompetency claim and to deny me my Sell hearing and witnesses is more rights I am being denied. My right to a speedy trial has been denied. My right to talk or see an attorney for 2 years was denied. My right to see the affidavits and orders or the probable cause affidavit have been denied. My right to hear evidence at a detention hearing was denied. My right to see discovery is still being denied. My right to have a doctor not appointed by the court was denied. My right to have my competency exams recorded was denied. I emailed Dr. Graddy the request. I wrote to Dr. Wadsworth and emailed her asking for another attorney and hearing and I was denied this right. I was denied having a jury to determine my compulsory rights were being denied by false incompetency evaluations that broke every law of how exams are supposed to be done. Of course no one wants me in court to depose them, because they know they would have to lie.

I have sent my case to Jim Jordan and Chuck Grassley for oversight because the OIG had sent me a letter saying they would not do oversight because they claim my request did not say my case involved fraud. I stated to them that the FBI did a fraudulent investigation to which Judge Mary S. Scriven agreed that I presented cognizable facts of a fraudulent investigation. Of course, I consider this intentionally denying me an investigation because the OIG is listed in an article that they were involved in my case from the start. So, in essence, they did not investigate themselves for the fraudulent investigation that they were a part of. This is why there is a 7<sup>th</sup> amendment.

I officially acknowledge immunity and I will only sue the United States government and I request an attorney to be appointed after allowing me my IFP motion. When president Trump said they were coming after your businesses, I thought he was crazy. I was wrong. They did come after my business and his business. They shut my business down illegally with no proof of fraud. When president Trump said they were spying on him in 2015 and 2016 I thought he was crazy. As it turns out, they were spying on him and me in those years. What truly amazes me is the fact that it took till April 21<sup>st</sup>, 2022, for the FISC and ODNI memorandum and order to state the FBI did illegal queries to get FISA warrants between 2016-2020, in criminal cases. This would make you think the judges in the FISA Court were rubber stamping FISA warrants and just couldn't figure out the FBI was abusing FISA. I am not going to say the Court was involved in the FBI's deception in those many years, the embarrassment they must feel for being played by the FBI and allowing them to target innocent Americans like me is truly putting egg on their face. They just believed the FBI was always being honest. They and all Americans want to trust the FBI and I do not fault those Judges for that trust. Unfortunately, I am flat broke, and my life is destroyed by the FBI lying to the FISC.

My current anxiety is not having enough money to get enough ink to make ten copies of my Writ of Certiorari. The 645-page appendix that is on doc 32 on pacer.gov in the 11<sup>th</sup> Circuit Court of appeals for case number 22-10886, can easily be seen on pacer.gov. I thank God that I just got a check from the Bank of America class action suit. It is just enough to do my Writ. I got the money after the time limit to pay for a Writ of Mandamus.

I have tried to have my case get press so I could get an attorney on contingency. I sent my case everywhere. Only Fox news has responded that they are following my case. I never broke one law in my life and that includes domestic violations from my ex-wife. A judge ruled they should be expunged. Then he said that I must pay to get those charges expunged despite the fact I never did those domestic violations. It's the same having to pay for my appeal when I never committed a crime to begin with. How on God's green Earth has this FISA abuse been allowed to continue over a decade? Are people in Washington so power hungry that they cannot give up illegal surveillance of Americans despite the 4<sup>th</sup> amendment? I grew up a few miles from Joe Biden. I met him at a bowling alley in Wilmington Delaware at a charity event. He seemed to be a nice guy. I watched his family explain many corporations with no proof of what they were selling. I have proof of what I sold and receipts and authorizations and taxes. I watch Hillary smash her phones and bleach bit her computers when I calmly turned over my phone with sim card and the FBI and IRS took my computers that were not bleached and found no evidence of a crime. The IRS and FBI went and stormed my CPA's business and found no evidence of tax evasion. Then they did an illegal investigation using FISA for 2 years and 10 months. All my rights that I have been denied are documented and led to Habeas Corpus. It is time to hear a case of the FISA abuse that has been going on over a decade. This has affected over 200 to 300 people as stated in the hearing on weaponization of the U.S. government against U.S. citizens. Considering it was said in that hearing that

the FBI never informs one criminal defendant that they intend to use FISA related evidence in trial, it is fair to assume there are many people in jail under false pretext because the law is clear that you must inform a defendant you intend to use FISA related evidence in trial. Then it was stated they do parallel construction to make illegal FISA related evidence look like legal evidence. This is conspiracy. Just because I am one of the 200 to 300 people that know FISA was used against me illegally, I have had all my rights denied. In closing, I ask the Supreme Court to compensate me for the unjust rights violations and wrongful incarceration. I know Tina Rep (FBI Agent) did not want to arrest me when she was crying on my front lawn. I don't want her in jail because I know it was someone above her that forced her to arrest me, and she didn't have the guts to be a whistle blower. Having seen the way, the FBI has treated the three FBI whistle blowers in the oversight hearing, is truly disturbing. It was established in that hearing, that the Washington field office forced a whistleblower to serve a federal grand jury subpoena without proper predicate. I want to ask Tina Rep if this happened to her and if she was forced by the Washington field office to get a grand jury without evidence of a crime in my case and this is why she was crying on my lawn. This would expose the weaponization and politicization of the government against U.S. citizens. When parallel construction is done by the FBI to make illegal FISA evidence appear legal and the FBI and prosecutors never inform defendants that they intend to use FISA related evidence in trial, it makes the judicial system appear as corrupt and two-tiered. The Supreme Court needs to rule, and the FBI needs to start holding people accountable for intentionally breaking the law with illegal Section 702 FISA queries.

My Habeas Corpus case and my 42 Statute 1983 case have been stated and documented. This grants me a right to a jury trial per the 7<sup>th</sup> Amendment. I am asking for that right and my right to punitive damages and wrongful incarceration compensation. No other remedy is available for me to get the relief I deserve per the constitution. All other remedies have been exhausted.

Thank you, Glenn Francis

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Glenn Francis

Date: 05/03/2024