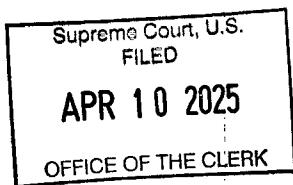


ORIGINAL

24-1286

GASC No. S25C0113



IN THE

Jeffrey Fitzgerald Buford

Petitioner

Suri Juris Pro Per

vs.

ON PETITION FOR A WRIT OF CERTIORARI TO
SUPREME COURT OF GEORGIA

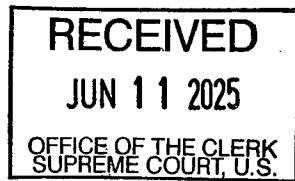
PETITION FOR WRIT OF CERTIORARI

Jeffrey Fitzgerald Buford Petitioner

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QUESTIONS PRESENTED FOR REVIEW

The Court Lacked Original Jurisdiction, Personal and Subject Matter Jurisdiction for the reasons listed below.

1. Does the U.S. Supreme Court has Original Jurisdiction Authority when the State is party in the case? Article 3 Section 2 Paragraph 2, 5th amendment, 13th amendment.
2. Who has Jurisdiction Authority when the State is a party in the case and the citizen of another State? Article 3 Section 2 Paragraph 1, Title 28 U.S.C. 1251 (b) (3), 11th amendment.
3. Did the State violate their Obligation and Duty by not recusing and/or dismissing the case for Lack of Personal and Subject Matter Jurisdiction Authority? Article VI Clause 2, Article VI Clause 3, Title 28 U.S.C. 455, Title 5 U.S.C. 3331, Title 5 U.S.C. 7311.
4. Is it the first duty of the Court to establish Jurisdiction Authority? F.R.C.P. 60 and 60 (b) (4).
5. Did the State Commit Fraud on the Court without proving on the record of the Court Personal and Subject Matter Jurisdiction Therefore, making the judgement **void**? F.R.C.P. 60 (d) (3), F.R.C.P. (b) (4).
6. Does the State have the Authority to give any judgement or ruling without Personal and Subject Matter Jurisdiction? Article 3 Sec. 2 Para 1, 2.
7. Can a Court Deny a Motion to Dismiss Without proving Corpus Delicti? 16 Am Jur 2d Sec 177 late, Sec 256.
8. Can a Court Deny a Motion to Dismiss For Want of Jurisdiction of Subject Matter? F.R.C.P. 12 (4) (b) (1).
9. Can a Court Waive Jurisdiction? 5th Amendment, 14th Amendment.
10. Can a Court Presume Jurisdiction? Title 18 U.S.C. Sec. 2381

11. Can a Court deny a motion to dismiss without a Warrant, while committing Due process of Law Violation? F.R.C.P. 60 (d) (3).
12. When it is apparently clear that jurisdiction is lacking, should the case be dismissed? F.R.C.P. 12 (4) (b) (1) (2).
13. Can a Court affirm the lower Court ruling or judgement without the Lower Courts proof of Jurisdiction? Title 5 U.S.C. Sec. 556 & 556 (d).
14. Can a Court deny a Motion for Unconstitutional Acts, Judicial Notice to Dismiss Lower Court Frivolous and void judgement without Subject Matter Jurisdiction? F.R.C.P. 12 (b) (6) (1).
15. Is it the Agents (Solicitor Generals) obligation and duty to prove on the court record that the State has Personal and Subject Matter Jurisdiction? F.R.C.P. 12 (4) (b) (1) (2) Title 18 U.S.C. 2381.
16. When the State is a party in the case, is it the Agents Obligation and Duty to their oath of office to uphold the Constitution of the United States? Title 5 U.S.C. 3331 (3) (b).
17. Did the Agents Commit Fraud on the Court without proving on the record of the Court that Personal and Subject Matter Jurisdiction, Therefore, making the judgement void? F.R.C.P. 60 (d) (3).
18. Does the Agents have the burden of proof of proving on the record of the Court that Personal and Subject Matter Jurisdiction exist? F.R.C.P. 12 (4) (b) (1) (2).
19. Is failure to prove in the record of the Court by not showing that probable cause existed and supported by Oath or Affirmation, has the Agents committed fraud on the Court? F.R.C.P. 60(d) (3).
20. Is it the Agents Obligation and Duty to provide all evidence to the Defendant/Petitioner? F.R.C.P. 16 (a) (1) (e) (i).

21. Can an Agent Charge We the People of a crime without an injured party or property? Corpus Delicti, 5th and 14th Amendment.
22. Can an Agent (Police Officer) make an arrest without Probable Cause? 4th amendment 5th amendment, 14th amendment.
23. If the State is listed as a party in the case, can an agent be the accuser (Police Officer) and witness (Police Officer) in the case, without probable cause supported by Oath or Affirmation? 4th amendment, 5th amendment and 14th amendment.
24. How much time is given for an Agent to obtain a warrant after arrest? 4th amendment, 5th amendment, 14th amendment.
25. Did the Agent violate their obligation and duty when issuing a warrantless false accusation to the Court? F.R.C.P. 60 (d) (3), 4th amendment.
26. If the Agent did not read the Petitioner his Miranda Rights is the Agent violating the Petitioner Protected Rights? 5th and 6th Amendments.
27. Does the State Court have the Obligation and/or Duty to the Supreme Court of the United States Ruling and Decision or the Constitution of the United States? Article VI Clause 2 of the U.S. Constitution.

LIST OF PARTIES

All parties in the caption of the case cover page.

All parties do not appear in the caption of the case cover page. A list of all parties to the proceeding in the court whose judgement is the subject of this petition as follows:

Buford v. State of Georgia Case 2022SR-0544
Judgment August 22nd, 2023
Jason B. Thompson State Court Judge
1 Center Drive
Fayetteville, Georgia 30214

Buford v. State of Georgia Case 2022SR-0544
Judgment August 22nd, 2023
Jamie K. Inagaw Solicitor General
1 Center Drive
Fayetteville, Georgia 30214

Buford v. State of Georgia Case A24A0838
Judgment July 30th, 2023
J. Wade Padgett Court of Appeals of Georgia
330 Capitol Ave., S.E.
1st Floor, Suite 1601
Atlanta, Georgia 30334

Buford v. State of Georgia Case S25C0113
Judgment January 14th, 2025
Therese S. Barnes Clerk Supreme Court of
Georgia
Nathan Deal Judicial Center
330 Capitol Avenue, S.E.
1st Floor, Suite 1100
Atlanta, Georgia 30334

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

Petitioner respectfully prays that a Writ of Certiorari be issued to review the judgment below.

OPINIONS

For the case of the **Supreme Court of Georgia**

- 1) The opinion of the Supreme Court of the State of Georgia
Appears at Appendix A p. to the petition and is
[] reported at _____; or
[] has been designated for publication but is not
yet reported; or
[X] is unpublished.

- 2) The opinion of the State Court of Fayette County State of Georgia appears at Appendix C p. to the petition and is
[X] reported at the Clerks of Fayette County State of Georgia
[] has been designated for publication but is not
yet reported; or
[] is unpublished.

- 3) The opinion of the State Court of Fayette County State of Georgia appears at Appendix C p. to the petition and is
[X] reported at the Clerks of Fayette County State of Georgia; or
[] has been designated for publication but is not
yet reported; or
[] is unpublished.

JURISDICTION OPINION

For the case from the **Supreme Court of the State of Georgia:**

- 1) (A) The date on which the supreme Court of the State of Georgia decided my case was January 14, 2025.
(B) A Motion for Unconstitutional Acts Judicial Notice was February 11, 2025. Motion was denied for Lack of Jurisdiction.

For the case from the **Court of Appeals of the State of Georgia:**

- 2) I timely filed a Notice of Appeal on September 14, 2023. I filed my Brief on January 29, 2024, which clearly challenging the jurisdiction of the lower court appears. The Court of Appeals Affirmed the lower court decision on July 30, 2024.

For the case from the **State Court of Fayette County of the State of Georgia:**

- 3) The State Court of Fayette County convicted Petitioner on August 22, 2023.

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully petitions for a Writ of Certiorari to be granted for three reasons:

First the Supreme Court of Georgia Acted prematurely in dismissing the Certiorari where there is absence of Jurisdiction all administrative and Judicial proceeding are nullity and confer no right. Jurisdiction is the issue of the case. *Hagan v. Lavine* 415 v. U.S. 528 (1972).

Secondly, The State Court of Fayette County Georgia failed to prove jurisdiction on the record. Jurisdiction can be challenged at any time during the case. *Alderson v. Kentucky* 241 U.S. 51 (1916).

Thirdly, The State Court of Fayette County Georgia does not have original jurisdiction when the State is listed as a party in the case. Article 3 Sec. 2. Para 2.

OPINIONS BELOW

The opinion of the Supreme Court of the United States as *Louisville and Nashville R.Co. v. Motley* 211 U.S. 149 (1908) want of jurisdiction.

The opinion of the Supreme Court of the United States as *Smith v. United States* 348 U.S. 147 (1954) Independent proof was required that someone had inflicted the violence (Corpus Delicti).

The opinion of the Supreme Court of the United States as *Maine v. Thiboutot* 448 U.S. 1 (1980) provides that anyone who under the color of state statutes regulation or custom deprives another of any rights, privileges, or immunities, secured by the constitution and law shall be liable to the injured party.

JURISDICTION

The date on which the Supreme Court of the State of Georgia decided my case was January 14, 2025.

A Motion for Unconstitutional Acts Judicial Notice was denied by the Supreme Court of the State of Georgia on the following date: March 25, 2025, and a copy of the order denying appears at Appendix B, page 10.

The Jurisdiction of this court is invoked under Article 3 Sec. 2 Para. 2, Article 3 Sec. 2 Para 1, Article 3 Sec. 1 & 28 U.S.C. 1254 (1).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- 1) The Equal Protection Clause of Section 1 of the 14th Amendment provides that no State Shall "deny to any person within its jurisdiction the equal protection of the Laws."
- 2) Under F.R.C.P. 60, 60 (d) (3), 60 (b) (4) Relief from a judgment or order.
- 3) Under F.R.C.P. 12 (4) (b) (1), (2) Lack of Subject Matter Jurisdiction, Lack of Personal Jurisdiction.

STATEMENT OF THE CASE

Petitioner requests this court to exercise its power of Original Jurisdiction under Article 3 Section 1, Article 3 Section 2 paragraph 1, Article 3 Section 2 paragraph 2 of its Obligations and Duty to the Constitution of the United States by granting a Writ of Certiorari after the Court of Appeals of the State of Georgia Affirmed the Lower Court verdict. The Court of Appeals never addressed the Jurisdictional question before the Court of Appeals. Hagan v. Lavine 415 U.S. 528 stated where there is absence of jurisdiction, all administrative and judicial proceedings are a nullity and confer no rights. Then I filed a Writ of Certiorari to the Supreme Court of the State of Georgia. Rosemont v. Lambert 469 v. F.2d 416 (1972) dismissing without viewing the merit of jurisdiction. The Lower State Court of Fayette County of the State of Georgia never made any attempt to address the Jurisdictional Question. Simply no regard to the constitution. United States v. Sciuto 531 F.2d 842 The State Court of Fayette County in the State of Georgia committed Fraud on the Court by the Agent of the Court by not having proof of Jurisdiction on the record

of the Court. You cannot make an unlawful act lawful over time. If the act is fraudulent from the beginning, the judgment is simply void on its conception. The Court does not have the authority to make any rulings without Jurisdiction on the record of the Court.

FACTUAL BACKGROUND

Petitioner Jeffrey Fitzgerald Buford Filed for a Writ of Certiorari to the Supreme Court of the State of Georgia on September 04, 2024. The Court denied the Writ stating that it was untimely. The Court obligation and duty is to the Constitution of the United States which the Court by not granting the Writ failed to do their obligations and duty to protect the Petitioner God given rights Title 5 U.S.C. 3331. The Court of Appeals of the State of Georgia was given a timely Notice of Appeal on September 14, 2023. Jurisdictional question was presented to the Court and was never answered by the Court. Jurisdiction must be established before a Court can render any judgment or verdict Basso v. Utah Power & Light 495 F.2d 906. A Court lacking Jurisdiction must dismiss the case at any stage of the proceeding in which it becomes apparent there is no proof on the record of the Court. The Court of Appeals in the State of Georgia failed to protect the petitioner by neglecting their Obligation and Duties to uphold the Constitution of the United States Title 5 U.S.C. 3331. The Petitioner on August 21, 2023 and August 22, 2023, challenged the Lower State Court of Fayette County in the State of Georgia to prove on the record of the court that the court has Jurisdiction over the case Melo v. United States 505 F.2d 1026 (1974) the law is clear that no case can properly go to trial if Jurisdiction is not proven on the record of the Court. It is the Solicitor General burden to prove to the Court on the record of the Court that the Court has Jurisdiction and without Jurisdiction the judgment render is simply void without cause or effect. The Court has no Authority without Jurisdiction Norton v. Shelby County

118 U.S. 425 the Court held that the act creating the board was unconstitutional, that the board was an illegal body.

PROCEEDING BELOW

A. THE STATE COURT

The Petitioner was Arrested for DUI-Less Safe & Failure to Maintain Lane. The State Court of Fayette County in the State of Georgia failed to establish on the record of the court that the Court has Jurisdiction on the record of the Court. The Court committed Fraud on the Court by proceeding with the trial without Jurisdiction. The Court without Jurisdiction can render no judgment or verdict. The Solicitor General provided no proof of probable cause, supported by Oath or Affirmation, protected by the 4th, 5th, and 14th Amendments of the Constitution Gerstein v. Pugh 420 U.S. 103 (1975). The Police Office arrested Petitioner without a warrant does not support with probably cause but with supported with only presumption that doesn't constitute an arrest Byars v. U.S. 273 U.S. 28 (1928).

B. THE COURT OF APPEALS

The Court of Appeals of the State of Georgia overlooked the Jurisdiction question presented to the Court of Appeals. The Court of Appeals cannot affirm a decision from the Lower State Court with proof of jurisdiction Louisville and Nashville R.Co. v. Motley 211 U.S. 149 (1980) want of Jurisdiction.

C. THE SUPREME COURT

The Supreme Court of the State of Georgia dismissed the Writ of Certiorari without viewing the merits of Jurisdiction Rosemont v. Lambert 469 F.2d 416.

REASON FOR GRANTING WRIT

This Court should Exercise its power to Grant Review Before Judgment.

First reason, it is the Court Obligation and Duty to Article 3 Section 2 Paragraph 1, 2 to the circumstance of this case make it appropriate for granting Petition request for proof of Original Jurisdiction. The case presents the issue of fundamental importance. It concerns Constitutional and protected civil rights, and the resolution of these issues will almost certainly have effects that extend far beyond the parties to the case. *Maybury v. Madison* 5 U.S. (2 Cranch) 137 established the principle of judicial review, meaning that American Court have the power to strike down laws and statutes they find to violate the constitution of the United States. Chief Justice John Marshall argued that the Constitution is the Supreme Law of the land and any law that contradicts is void. By declaring a law unconstitutional, the court established the principle of Judicial review, which is the cornerstone of the U.S. legal system.

Secondly, it is the Solicitor Generals responsibility to prove the Court has Personal and Subject Matter Jurisdiction and where a Judge arbitrarily claim the court has Jurisdiction, the Court is violating the Petitioner right to due process of the law. It is, in fact, the Court responsibility to prove, on the record of the Court, that Jurisdiction exists, and Jurisdiction can be challenged at any time, even years later, and even collaterally, as in a private administrative process. It is the Petitioner's right to challenge Jurisdiction, and it is the State's/Agent(s) Obligation and Duty to prove it exists. The Respondent (State Court & Solicitor General) was given multiple times to put the facts of Jurisdiction on the record of the court by multiple Motions to Dismiss for Want of Jurisdiction. The Law provides that once State and Federal Jurisdiction has been challenged, it must be proven F.R.C.P. 12 (4) (b) (1), (2) & F.R.C.P. 60, 60 (b) (4), *Basso v. Utah Power & Light Co.* 495 F.2d 906.

CONCLUSION

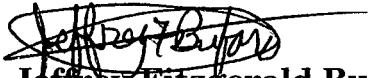
We are in a Climate that the State Court is out of Control.

The State Court of Fayette County Georgia has no regard when they are presented with a constitutional question before the Court or Supreme Court Case stating that what the State Court of Fayette County Georgia is doing is not the law. God forbid you to challenge Jurisdiction, that is frowned upon with followed me with malicious attacks. Example using an unlawful verdict to lock up the Petitioner on two different occasions. Causing undue hardship by putting the petitioner on probation without lawful Authority. The real question is who has the real Authority the State Court of Fayette County Georgia or the Supreme Court of the United States Gibbon v. Ogden, 22 U.S. 1 (1824), Martin v. Hunter's Lessee, 14 U.S. 304.

For the foregoing reasons, Petitioner Jeffrey Fitzgerald Buford prayerfully requests the Court to grant his petition for Writ of Certiorari before judgement.

The Petition for Writ of Certiorari should be granted.

By God's Plan, respectfully submitted,


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