

U.S.C.A. 11 # 23-10086-E

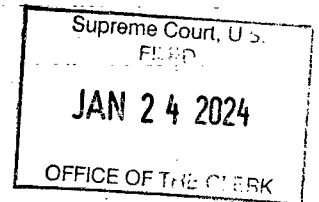
No. ~~23-10086-E~~

24-5068

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES



FRANKIE W. POPE pro-se — PETITIONER
(Your Name)

vs.

WARDEN — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

11th Cir. Court of Appeals 23-10086 Case NO.
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

FRANKIE W. POPE pro-se ID #39198

(Your Name)

HOUSTON COUNTY CI
203 N. PERRY PKWY.

(Address)

PERRY, GA. 31069

(City, State, Zip Code)

(478) 218-4900

(Phone Number)

COUNTY JAIL L.T. RUNYON

QUESTION(S) PRESENTED

PETITIONER ALLEGES he has been serving an illegal conviction by way of TAYLOR COUNTY, GEORGIA DEFRADING HIS INNOCENT PRISON WHERE STATE OF GEORGIA SENDING PETITIONER INTO AN APRIL 16, 2014 MOORE COURT SET IN VIOLATION OF ESTABLISHED legal procedures where STATE OF GEORGIA DID NOT SEND TAYLOR COUNTY, GEORGIA CASE NO. 12-CR-137 TO GRAND JURY. yet presented PETITIONER WITH A FRAUD CREATED INDICTMENT THAT IS NOT COURT FILE STAMPED AND THE TAYLOR COUNTY CLERK ROBERT E. TAUNTON, JR. FORGED, as in COMMITTED FORGERY by signing a false Grand Juror FORGE PRISON MS. ELLEN ~~WILLIAMS~~ WILLIAMS SIGNATURE and DATE.

ALL GROUNDS ARE STATEMENTS OF FACT.
I've got (2) TWO FRAUD CREATED PLEA TRANSCRIPTS IN STATE HABEAS COURT I NEED BROUGHT FORTH AND EXAMINED.

PETITIONER IS TOTALLY ALONE IN LIFE. NOT REPRESENTED IN ANY FASHION BY ANY ATTORNEY. RULE 14 STATES TO ASK QUESTIONS? THIS IS COMPLETELY NON-UNDERSTOOD AS PETITIONER HAS ACTED PRO-SE THROUGH ALL STATE AS WELL AS FEDERAL AND AT NO TIME HAS ANY COURT REQUESTED I ASK QUESTIONS TO BE ANSWERED. I'VE BEEN TOLD I'VE NOT "SHOWN" OR "MADE A SHOWING" IN AFFIDAVIT. I ASK QUESTION: CAN THIS COURT ORDER THE STATE HABEAS FILE FOR TWO SETS OF FRAUD CREATED PLEA TRANSCRIPTS THAT ILLUSTRATE FRAUD CONVICTION A MARCH 31, 2014 PLEA AND RESP'T'S APRIL 14, 2014 PLEA TRANSCRIPT. A FRAUD CREATED INDICTMENT. I AM LOST ON "QUESTION" I'VE ALWAYS MADE CLAIMS ON GROUNDS THE COURTS HAD TO DISPROVE. I NEED FRAUD RECORDS TO BE ORDERED.

THANK YOU

FRANKIE POPE pro-se

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:

11. ADKINS, Judy - VICTIM
21. CARR, CHRISTOPHER M. - ATTORNEY GEN. GA. - COUNSEL FOR RESP'T
31. CROWDER, MATTHEW B. - COUNSEL FOR RESP'T/APPELLEE
41. HYLPS, HON. M. STEPHEN - U.S. MAGISTRATE
51. KIRBY, WILL - STATE TRIAL COUNSEL
61. LAND, HON. CLAY D. - U.S. DISTRICT JUDGE
71. Mc/DANIEL, HON. BRIAN A. - STATE HABEAS JUDGE
81. MOORE LORAE - STATE PROSECUTOR
91. MULLINS HON. RON - STATE TRIAL JUDGE
101. POPE FRANKIE W. - PETITIONER/APPELLANT
111. SLATER JULIA - FORMER DISTRICT ATTORNEY - STATE PROSECUTOR
121. SPRAYBERRY, KEVIN - WARDEN - RESP'T/APPELLEE

RELATED CASES

- 1) TAYLOR COUNTY, GA. CASE NO. 12-CR-137//14-CR-015
- 2) BIBB COUNTY FIRST OFFENDER CASE WAS UPSET BY THIS ESSW

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TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
<u>Brady v. Maryland, 373 U.S. 83 (1963)</u>	Ground 8 pg 1
<u>NAZARIO V. STATE, 293 Ga. 480 Quoting TURNER OCGA § 13-8-2(a) all 606 nds</u>	
<u>Hargett v. STATE, 285 Ga. 82, 86, 674</u>	
<u>Washington v. DOW, 176, P 30 597, 601 L Washington crt. of App. 2008)</u>	
<u>JACKSON V. VIRGINIA, 443 U.S. 307, 99 S.Ct. 2781, 61 L.Ed 560 (1979) (6219)</u>	
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<u>Bell V. STATE, 377 GA. APP. 730, 730-731 (2016)</u>	Page 2
<u>Mydell V. Superior Court Clerk, 241 Ga. 24 (1978)</u>	Page 2
<u>ANDERSON V. STATE of SC., 338 SC. 629, 527 S.E. 2d 398;</u>	
<u>People v. Petrea, 92 N.Y. 128, 144 L ENDECTMENT</u>	Page 4

STATUTES AND RULES

- A) O.C.G.A. § 13-8-2(a) A CONTRACT THAT IS AGAINST THE POLICY OF THE LAW CANNOT BE ENFORCED. SEE NAZARIO V. STATE, 293 GA. 480
- Q LUTING TURNER VOID 17-9-4 FRAUD CREATED INDICTMENT, FRAUD CREATED MARCH 31, 2014 CONVICTION, Vlea TRANSCRIPT FROM MOCK-COURT date OF APRIL 16, 2014
- I.) FRAUD CREATED SECOND AND SUCCESSIVE CONVICTION, Vlea TRANSCRIPT CREATED BY FRAUD AS AN APRIL 14, 2014 FROM THE WORDS USED AT APRIL 16, 2014 MOCK COURT date ESTABLISHED IN VIOLATION OF ESTABLISHED legal PROCEDURE TO INJURE by MALICE, THIS INNOCENT PETITIONER

OTHER

CASE: U.S.C.A. 11 # 23-10086-E

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 4:22-cv-35-CDL-MSH LACKS MERIT (AEDPA)
☐ reported at MIDDLE D. GA. COLUMBUS DIVISION; or, DEC. 5 2022
☐ 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 LEAVE TO FILE WITHOUT PREPAYMENT DENIED
☐ reported at WITH CIR. DEC. 11 2023 LACKS MERIT; 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 LACKS MERIT Feb 26 2025
☐ reported at LOWMEDES CO. SUPERIOR COURT 17-CV-1537; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the DO NOT UNDERSTAND court appears at Appendix _____ to the petition and is
☐ reported at N/A; 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 Dec. 11, 2023.

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

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: Dec. 11, 2023, and a copy of the order denying rehearing appears at Appendix _____.

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

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

I FILED A PETITION 2 TIMES. BUT I REDED IT TO "CAPTION" MY NEW ONE IN "SUPREME COURT U.S." ON A OF ABOUT JAN. 1, 2024

☐ For cases from **state courts**:

The date on which the highest state court decided my case was December 14, 2021.
A copy of that decision appears at Appendix _____. DENIED S.Ct. GA.
CASE NO. S21H0921
LWR.Ct. NO. 2012-W-1537
LOWNDES CO. Superior Court

☐ A timely petition for rehearing was thereafter denied on the following date: N/A, 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 N/A (date) on N/A (date) in Application No. A.

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

CASE: U.S.C.A. 11# 23-10086-E

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

ARTICLE V OF THE CONSTITUTION PROVIDES: NO Person shall be held to answer for a Capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of war or public danger; MOSES ANDERSON, V. STATE OF S.C. 338 S.E. 629, 527 S.E. 2d 398; Petitioner was presented with a "NON COURT FILE STAMPED INDICTMENT PAPER" presented by means to defraud this innocent Petitioner where NO GRAND JURORS had been approached. The then clerk of court Mr. Robert E. Taunton, Jr. committed criminal acts of FORGERY by signing a FALSE GRAND JURY FORE PERSON SIGNATURE a MS. ELLEN MICHILLIENS and dated the INDICTMENT PAPER outside of ARTICLE V of the Constitution and case law MOSES ANDERSON (SUPRA)

ARTICLE V. OF CONSTITUTION STATES: nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb nor shall he be compelled in any criminal case to be a witness against himself nor be deprived of life, liberty, or property see ARTICLE 14 ON Double Jeopardy. HOWEVER, STATE OF GEORGIA sent Petitioner in violation of FACT AND SPENDING TRIAL 17-7-17. TO AN APRIL 16, 2014 MOCK COURT AND ULTIMATELY HAVE FRAUD CREATED TWO OTHER CONVICTION DATES FROM THE APRIL 16, 2014 MOCK COURT DATE CREATING BY THIS PETITIONER: IDENTITY-THEFT A FRAUD CREATED CONVICTION PLEA TRANSCRIPT DATED AS MARCH 31, 2014 AND A FRAUD CONVICTION TRANSCRIPT OF DATED APRIL 14, 2014.

UPON PRESENTMENT OF FRAUD CREATED INDICTMENT DATED OCT. 8, 2015 TAYLOR COUNTY GA. JAIL CONTINUED TO HOLD PETITIONER TWO additional years with NO criminal charges. Once the FRAUD CREATED INDICTMENT WAS PRESENTED TO PETITIONER DATED AS OCTOBER 08, 2018. Petitioner became in a state of FALSE IMPRISONMENT where STATE OF GEORGIA had NO PROBABLE CAUSE TO HOLD THIS INNOCENT PETITIONER and STATE COMMITTED MALICIOUS PROSECUTION PURSUANT TO GA. CODE 51-7-40 RIGHT OF ACTION FOR MALICIOUS PROSECUTION (GA. CODE (2023 EDITION) § 51-7-40 RIGHT OF ACTION FOR MALICIOUS PROSECUTION) A CRIMINAL PROSECUTION WHICH IS CARRIED ON MALICIOUSLY and WITHOUT PROBABLE CAUSE and which causes damages to the person prosecuted shall give him a cause of action. *Mahlden v. Shepperd*, 113 Ga. App. 874, 150 S.E. 2d 150, 154 1966

STATE LACKED PROBABLE CAUSE TO HOLD DEFENDANT after NEGATIVE GBT FORENSICS SEXUAL ASSAULT TESTS by Scientific procedure STATE MALICIOUSLY hold INNOCENT PETITIONER through means OF MALICE CONCERTED EFFORTS THROUGH THE ENTIRE COURTS TO AND DONNA MADDOX (ALL IN CONNING FAMILY OUT OF PETITIONERS INHERITANCE. PETITIONER'S TWO BUSINESSES and Real Estate were all stolen. Petitioner has been hospitalized multiple times.

STATEMENT OF THE CASE

ON February 1, 2011 VICTIM JUDY ADKINS FILED A FALSE RAPE, aggravated
SODOMY WHILE FALSE IMPRISONMENT, THREATS, aggravated
SODOMY x 2 offenses, marijuana less than ounce.
At 11:30 P.M. JAN. 31, 2011 VICTIM alleged she had her cell #1
taken by defendant so he could privately rape and aggravated
SODOMIZE her. Cell NO. 2 has a timed dated cell phone picture
of VICTIM talking on cell NO. 1.
February 2, 2011 Taylor County Deputy escorted VICTIM to
Peach County Hospital's HODAC RAPE CRUISES center who
FOUND ZERO sex act and zero RAPE and zero aggravated
SODOMY had occurred. PETITIONER IS FULLY INNOCENT.
ON OCTOBER 08, 2012 the then Taylor County Clerk Mr. Robert
E. Trawson, Jr. committed criminal Falsely in signing a
FALSE GRAND JURY signature, the BILL and Date.
ON JAN 05, 2014 PETITIONER'S Fast and Speedy MOTION PIDS
was approved. ~~March 21, 2014~~ MARCH 21, 2014 Taylor County
and Public Defender, Will Kirby committed GRAND IN
CRIMINAL A GRAND SIMILAR TRANSACTIONS TRANSCRIPT.
ON APRIL 16, 2014 STATE brought PETITIONER to a mock
court and used verbiage to create two additional
CONVICTION PVA TRANSCRIPTS DATES AS A MARCH 3,
2014 IN STATE HABEAS RECORDS and a second
PVA CONVICTION Date as A APRIL 14, 2014. PETITIONER
was lied to on APRIL 16, 2014 by Taylor County Court
stating all JUDGES were down states. NO NOT GOING
PVA was accepted ON APRIL 16, 2014 and a appointed
council assigned forcing Defendant to PVA guilty.

REASONS FOR GRANTING THE PETITION

- 1) ON OCTOBER 08, 2012 STATE OF GEORGIA SERVED THIS AFFIANT WITH A FRAUD INDICTMENT. THE FRAUD INDICTMENT WAS ALSO A GRAND JURY FORGERY BY THE THEN CLERK OF COURT.
 - 2) ON APRIL 16, 2014 AFTER FILING FOR A FAST & SPEEDY TRIAL APRIL 16, 2014 WAS A MOCK-COURT SET UP IN VIOLATION OF ESTABLISHED LEGAL PROCEDURES.
 - A) FROM THE APRIL 16, 2014 MOCK COURT A MARCH 31, 2014 FRAUD CREATED PLEA TRANSCRIPT WAS COMPOSED THAT IS NOT CERTIFIED NOR SIGNATURED BUT IS STATED IS FINAL ORDER.
 - B) FROM THE APRIL 16, 2014 MOCK COURT, A SECOND AND SUCCESSIVE PLEA TRANSCRIPT WAS FRAUD COMPOSED DATED AS A APRIL 14, 2014 YET G.D.O.C. DOES NOT LIST THIS AS FINAL ORDER.
 - 3) I WAS VIOLATED ON FAST & SPEEDY TRIAL
 - 4) STATE WITHHELD EXCULPATORY EVIDENCE FAVORABLE TO DEFEND
 - 5) NO SEX ACT WAS COMMITTED. NO RAPE WAS COMMITTED. STATE DID NOT HAVE D.N.A. OR FINDINGS OF A SEX ACT.
 - A) PETITIONER HAS BEEN DEFRAUDED BY STATE AND IS INNOCENT.
 - B) ACTS OF MALICE BY MISFEASANCE-OF-JUSTICE TO GAIN MY STEP MOTHERS HOME IN CONNECTION WITH SHERIFF IS REASON PETITIONER WAS DEFENDED BY MALICE IN AN ABSOLUTE NO SEX ACT ISSUE. PETITIONER IS INNOCENT OF ALL CHARGES.
 - 6) ON OCTOBER 08, 2012 AFTER BEEN SERVED WITH FRAUD INDICTMENT, PETITIONER WAS HELD (2) TWO ADDITIONAL YEARS WHERE ALL CHARGES SHOULD'VE BEEN DROPPED AND PETITIONER RELEASED. BUT SHERIFF AND STATE OF GEORGIA DID NOT RELEASE PETITIONER BUT ILLEGALLY HELD PETITIONER AND EVEN CHARGED PETITIONER WHILE ILLEGALLY HELD WITH A FALSE OBSTRUCTION 14-CR-015 TALOT COUNTY, GEORGIA.
 - 7) AGGRAVATED SODOMY WHERE FALSE IMPRISONED WAS REDUCED TO A LESSER OFFENSE WHERE FALSE IMPRISONED SHOULD BE DISMISSED.
 - A) EXCULPATORY WAS WITHHELD.
 - B) NO ATTORNEY FRAMED A DEFENSE.
 - 9) ALL HOVAC RAPE CRISES CENTER SCIENTIFIC REPORTS WERE NEGATIVE FINDINGS OF ANY TYPE SEX ACT.
 - 10) ALL G.B.I. RESULTS WERE SCIENTIFIC NEGATIVE. NO SEX ACT WAS COMMITTED.
 - 11) VICTIM WAS MADE FALSE RAPE ALLEGATIONS IN GRAYSON, KY. WHERE IN CONCLUSION SHE DROPPED CHARGES STATING SHE'D LIE. COUNSEL FOR DEFENDANT DID NOT FRAME A DEFENSE.
 - 12) COUNSEL REASONED FORCING A GUILTY PLEA.
- SAP PETITION AND GROUNDS.
- 1-24 GROUNDS.
- 13.) PETITIONER WAS NEVER GRAND-JURY INDICTED. A FRAUD INDICTMENT WAS PRESENTED TO PETITIONER.
 - 14) FIRST OFFENDERS ACT OUT OF ANOTHER JURISDICTION BIBB COUNTY WAS FRAUD MESSED WITH BY SHERIFF. ID COMPLETED FIRST OFFENSE.

SOP PETITION

ON FEBRUARY 2, 2011 VICTIM FILED A FALSE RAPE ALLEGATION OF WHICH VICTIM STATED SHE'D BEEN SEXUALLY ASSAULTED BY FRANKIE WAYNE POPE INsofar RAPED VAGINALLY, AGGRAVATED SODOMIZED WHILE FALSE IMPRISONED ANAL, AND ORALLY SODOMIZED WITH PETITIONER'S MALE SEX ORGAN OF 9 3/4 X 2 3/4. SUBSEQUENTLY A TAYLOR COUNTY DEPUTY ACCOMPANIED VICTIM TO PEACH COUNTY HOSPITAL WITHIN 24 HOURS OF THE ALLEGED SEXUAL ASSAULT WHERE VICTIM ALLEGED PETITIONER RAPED AND AGGRAVATEDLY SODOMIZED VICTIM FROM 11:30 P.M. INTO EARLY MORNING HOURS OF FEBRUARY 1, 2011. VICTIM STATED PETITIONER EJACULATED IN HER EYE, ORAL VAGINAL, ANAL AND ORAL. TAYLOR COUNTY DEPUTY REPORT STATES VICTIM STATED SHE DID NOT DOUCHENOR DID VICTIM USE ANY METHOD TO WASH HER VAGINAL AREA. THE SEXUAL ASSAULT FROM THES PETITIONER WEIGHING 220 LBS AT 6'2" AGAINST THE VICTIM 4'11" 100 LBS WAS ALLEGED TO'VE GONE ON FOR SEVERAL HOURS. TAYLOR COUNTY DEPUTY ADMITTED VICTIM INTO THE "HODAC RAPE CRISIS CENTER" WHERE NURSE DENISE ATKINS A SEXUAL ASSAULT FORENSICS EXAMINER AND SEXUAL ASSAULT MEDICINE ESTABLISHED ZERO EJACULATION OR PENETRATION TO VAGINAL VAULT, ANAL CAVITY NOR MOUTH. ZERO D.N.A. WAS FOUND ON BREASTS, NOR NECK OR ANY WHERE. PETITIONER STATES VICTIM REPORTED WE'D NEVER HAD SEXUAL RELATIONS FROM HER ARRIVAL OF JANUARY 22, 2010 UP UNTIL JANUARY 31, 2011 AT 11:30 WHEN VICTIM STATES PETITIONER ASSAULTED HER. VICTIM STATES PETITIONER TOOK VICTIM CELL PHONE TO PREVENT 911 CALL SO PETITIONER COULD PRIVATELY RAPE VICTIM. IN EVIDENCE BOX 2011-02-0068 TAYLOR COUNTY ARREST, CELL PHONE NO. 2, SPC. # RQ72695999T SHOWS A CELL PHONE PICTURE OF VICTIM TIMED AND DATED ON HER CELL PHONE.

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Frankie W. Pope

Date: 1 MAY 20 24

CASE: U.S.C.A. 11 # 23-10086-E