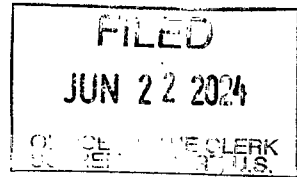


No. 24-5597

ORIGINAL



IN THE

SUPREME COURT OF THE UNITED STATES

Justin Andre Lamoureux — PETITIONER
(Your Name)

vs.

State of Florida — RESPONDENT(S)
Additional Party: Judge William Roby
ON PETITION FOR A WRIT OF CERTIORARI TO

Supreme Court of Florida
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Justin Andre Lamoureux
(Your Name)

800 SE. Monterey Rd.
(Address)

Stuart, Florida 34994
(City, State, Zip Code)

Inmate # 000590
(Phone Number)

QUESTION(S) PRESENTED

1. Is the Florida Supreme Courts use of *Harvard v. Singletary*, 733 So. 2d 1020 (Fla. 1999) Constitutional where a pretrial detainee petitions the court for prohibition involving partial judge violating due process and privileges and immunities clause of U.S. Constitution?

2. When a judge involved in racketeering activity is committing forcible felonies against a victim of such, does the Judicial Immunity Doctrine abrogate the victim's rights under U.S. Const. Art. IV sec. 2(1) and Stand Your Ground Laws Fla. Stat. 776.012(2) & 776.032?

3. Does a RICO association in the Governors office; violating separation of powers doctrine, to continue an interstate controversy, require this Court to exercise jurisdiction under U.S. Const. Art. III sec. 2, when the U.S. District Court has abstained?

4. Would 18 U.S.C. 922 et seq. Federal Forfeiture Act, used to forfeit all pensions, retirement benefits along with other contraband used or obtained in the commission of crime, be a Constitutional way to deter corruption of courts and judges and balance the Judicial Immunity Doctrine with U.S. Const. Art. VI sec. 2 Supremacy Clause?

5. At what point, when courts fail to uphold the Constitution and laws of the United States, does deployment of Militia become necessary to establish justice and secure the Blessings of Liberty?

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:

RELATED CASES

19th Judicial Circuit for Martin County, Florida Cases 2021-DR-154, 2021-CF-1106

Florida 4th District Court of Appeal Cases 22-0605, 23-0853, 23-1153, 23-2626, 23-2727, 24-0851; 1st District Court of Appeal Case 24-0247

Supreme Court of Florida Cases SC2024-0229, SC2024-0399, SC2024-0881, SC2024-0882, SC2023-0628

U.S. District Court Southern District of Florida Cases 23-cv-14138-RS, 23-cv-14325-AMC, 23-cv-14010-AMC, 22-cv-14186-AMC

U.S. Court of Appeal 11th Circuit Case 23-11997-G, 22-13229-A

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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 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 _____; 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 C 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 Florida 4th District Appeal court appears at Appendix A 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 _____.

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

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

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

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

☒ For cases from **state courts**:

The date on which the highest state court decided my case was 2 April 2024.
A copy of that decision appears at Appendix C.

☒ A timely petition for rehearing was thereafter denied on the following date: no order, and a copy of the ~~order denying rehearing~~ Motion for Rehearing appears at Appendix E.

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

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Fla. Stat. 38.01 acts of judge null and void when disqualification is warranted

Fla. Stat. 38.02 Judge shall disqualify if material witness

Fla. Stat. 38.09 Disqualification by petition for temporary writ of injunction

Fla. Stat. 38.10 Disqualification for fear of prejudice of judge or favor of party

Fla. Const. Art. V sec. 12(d) Supreme Court - The power of removal conferred by this section shall be both alternative and cumulative to the power of impeachment.

Fla. Const. Art. III sec. 17(a) The governor, justices of the supreme court, judges of district court of appeal, judges of circuit courts ... shall be liable to impeachment for misdemeanor in office.

Fla. Const. Art. III sec. 18 Conflict of Interest - A code of ethics for all state employees and nonjudicial officers prohibiting conflict between public duty and private interest shall be prescribed by law.

Fla. Const. Art. II sec. 3 - The power of the state government shall be divided into legislative, executive and judicial branches. No person belonging to one branch shall exercise any powers appertaining to either of the other branches unless expressly provided herein.

Fla. Const. Art. II sec. 8 - Ethics in Government - A public office is a public trust. The people shall have the right to secure and sustain that trust against abuse. (d) Any public officer or employee who is convicted of a felony involving a breach of public trust shall be subject to forfeiture of rights and privileges under a public retirement system or pension plan in such manner as may be provided by law. (b)(2)

A public officer or public employee shall not abuse his or her public position in order to obtain a disproportionate benefit for himself or herself; his or

her spouse, children, or employer; or for any business with which he or she contracts; in which he or she is an officer, a partner, a director, or a proprietor; or in which he or she owns an interest.

Fla. Stat. 843.14 Compounding Felony - it shall be a felony to know about the commission of a felony and not report it.

18 U.S.C. 922 et seq. Federal Forfeiture Act

Fla. Const. Art. I sec. 1 - All political power is inherent in the people.

The enunciation herein of certain rights shall not be construed to deny or impair others retained by the people.

Fla. Const. Art. V sec. 3(b)(1) Jurisdiction - The supreme court: shall hear appeals from ... decisions of district courts of appeal declaring invalid a state statute or a provision of the state constitution.

18 U.S.C. 1201 Interstate Kidnapping

U.S. Const. Art. IV sec. 1 Full Faith & Credit Clause

U.S. Const. Art. IV sec. 4 The United States shall guarantee to every State in this Union a Republican Form of Government

10 USC 894 failure to do utmost to prevent disturbance against civil authority

18 USC 2385 It is seditious when a person becomes a member of a group destroying the republican form of government

18 USC 2383 Insurrection against authority of United States

U.S. Const. Preamble We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America

U.S. Const. Art. VI sec. 2 Supremacy Clause

U.S. Const. Amend. 2 A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Fla. Const. Art. I sec 8(a) The right of the people to keep and bear arms is defense of themselves and of the lawful authority of the state shall not be infringed

18 USC 2201-2202 Declaratory Judgment Act

18 USC 3771(a)(2)(A) The term "crime victim" means a person directly and proximately harmed as a result of the commission of a Federal offense

18 USC 2071 Concealment, removal or mutilation of any record or other thing filed with clerk

18 USC 1503-1514 Obstruction of Justice

18 USC 1961 et seq. RICO Act.

Fla. Stat. 777.20(2) Entrapment Immunity

Fla. Stat. 776.032(1) Stand Your Ground Immunity

Fla. Stat. 776.012(2) a person is justified in using or threatening to use force if he or she reasonably believes that using or threatening to use such force is necessary to prevent imminent death or great bodily harm to himself or another person or to prevent the imminent commission of a forcible felony

Fla. Stat. 775.021(1) rule of lenity statute

U.S. Const. Art. IV sec. 2 Privileges and Immunities Clause

STATEMENT OF THE CASE

The nature of the case below is a Petition for Writ of Prohibition to restrain the 19th Judicial Circuit Court for Martin County, Florida from bad faith, vindictive prosecution, without territorial jurisdiction, arising from an objective entrapment in the same court Case No. 2021-DR-154, which is an artful pleading case in furtherance of 18 USC, 1201 interstate Kidnapping. The petition below also invokes the Supreme Court of Florida's exclusive jurisdiction for the disqualification and removal of Judge William Roby and ASA Kristen Chase for obstruction of justice, witness tampering and retaliation after prior involvement in objective entrapment to aid and abet Kidnapping and after being named as a material witness for the defense over a year prior to reassignment to case.

The record of case 2021-DR-154 contains irrefutable evidence of interstate Kidnapping, venue shopping with artful pleading fraud on the court to continue Kidnapping, objective entrapment to further Kidnapping creating an interstate controversy, with deprivation of rights under color of law and intentional infliction of emotional distress to induce some kind of changeable conduct in attempt to justify judicial criminal conduct.

The record of Case 2021-EF-1106 contains irrefutable evidence that a BKW association involved in the Kidnapping conspiracy has corrupted the Governors & Attorney Generals offices, 4th District Court of Appeal, Florida Supreme Court, Judicial Qualification Commission, Commission on Ethics, Justice Administrative Commission, 19th Circuit Court, State Attorneys and Public Defenders office and more.

The Supreme Court of Florida was provided an extensive Appendix and Addendum to Appendix with evidence of the above mentioned. The court improperly transferred the case under *Harvard v. Singletary*, 733 So. 2d 1020 (Fla. 1999). Petitioner filed Motion for Rehearing showing unconstitutionality of that case's application is a case involving nonforeclosed questions of law and a pretrial detainee being denied due process from transfer of court.

The Supreme Court did not issue ruling on Motion for Rehearing. The 4th District Court of Appeal dismissed in such a manner to declare Fla. Statutes, U.S. Const. and Fla. Const. provisions invalid. Petitioner filed Notice of Appeal invoking mandatory jurisdiction of the Supreme Court of Florida pursuant to Fla. R. App. P. 9.030(a)(1)(A)(ii) and Fla. Const. Art. V sec. 3(b)(1). The Supreme Court then denied appeal improperly as discretionary citing cases involving unelaborated denial of relief which do not apply to 4th DCA dismissal order, which is elaborated. On 4 June 2024 Judge Roby recused and another judge has yet to be assigned.

Petitioner is in solitary confinement after retaliatory, vindictive prosecution alleging question of law to FL Supreme Court in Motion for Rehearing is threat to Judge Roby. Gang members deliver drugs to Derrick Roby at the judges home, where a girl died from an overdose. Petitioner's use of the invited response doctrine in Motion for Rehearing

has made all that relevant evidence, to show criminal activity of judges in the 19th Circuit as part of objective entrapment defense.

Using Fed. R. Evid. 301 the following general knowledge and records of such can be used to prove a pattern of racketeering activity involving Governor Ron DeSantis, AG Ashley Moody, the 19th Circuit, the 4th DCA, the Supreme Court of Florida, State Attorneys' offices and the Sheriffs' offices, et. al.:

In St. Lucie County Sheriff Bobby Knowles was flying cocaine into fields in Ft. Pierce while Sheriff Holt was flying cocaine into a "taboo" ranch in Manatee County. That money was used in land acquisition and real estate development. When these Sheriffs leave office present day they do so prior to elections so that Governor Ron DeSantis can appoint trusted RICO members, abrogating peoples right to elect officials. This is violation of 18 USC 2385, U.S. Const. Art. IV sec. 4 and Fla. Const. Art. I sec. 1, also 18 USC 1961 et seq. when an official is not dead or unable to perform his duty. The same scheme is used to appoint RICO members to the Courts by Ron DeSantis.

"Duty of suppressing sedition within state rests directly upon Federal government by virtue of provision of Art. IV, sec. 4 of Constitution" *Commonwealth v. Nelson*, 350 U.S. 497 (1956).

The RICO sedition is also demonstrated by the fact Ron DeSantis has replaced 4 justices of the Supreme Court of Florida, who ignore evidence of his criminal conduct. It is also demonstrated by Ron DeSantis's creation of a new court of appeal so he could appoint judges/RICO members in key area for Brightline/Real Estate scheme. See *Thompson v. DeSantis*, 2020 Fla. LEXIS 1486 (Fla. Sept. 8, 2020) which shows DeSantis was appointing RICO members that were constitutionally ineligible because they did not reside in the jurisdiction of the court.

The RICO Brightline/Real Estate development scheme has been a long running project, laundering drug money in properties like Tradition in St. Lucie County and paying to have it rated as the #1 community in America. The RICO association built several marijuana grow houses into the first phase of development which used a sophisticated system to syphon power from neighboring houses. Those houses were operational for years providing RICO funds to expand new phases of development. When one of the RICO members was caught cheating on his wife, she tipped off FPL who told the paper the system was so sophisticated they would never have discovered it otherwise.

The Chief of Police for Jupiter was teaching 16 year old girls how to walk out of prostitution strings and there is likely extorsion scheme involving massage parlor in Jupiter. See 15th Circuit for Palm Beach County, Florida

case of Robert Kraft. 2019-MM-2346 and 2019-MM-2348 which shows police and parker used illegal cameras.

Ron DeSantis and RICO members in the courts is also proven by nearly 2000 page appendix in Todd Watson's Petition for Writ of Quo Warranto in the Supreme Court of Florida. Ron acted to protect RICO members in Miami Prosecutors office who forged a power of attorney while Todd was deathly ill and hospitalized so they could convert Todd's MRI clinic into an illegal pill mill then fire bombed the clinic after they murdered a patient.

The DeSantis Mafia doesn't just launder drug money in real estate, they commit fraud to obtain properties through illegal foreclosures. See Common Law Grand Jury RICO indictment by 19th Circuit landowners, available online and filed in case 2021-DR-154. Landowners had to create such because RICO members in 4th DCA and Supreme Court of Florida refuse to act.

Ron's violations of separation of powers doctrine also implicate him in RICO conspiracy and sedition. When Petitioner provided Ron DeSantis and Ashley Moody with evidence that RICO member appointed by Ron, Judge Brett Waronick, was violating law, constitutions and aiding interstate kidnapping, he had a duty to investigate and act. When Petitioner went to the News Media about the 2021-DR-154 case Ron made the legislature pass

a law making it so the public could not view the 2021-DR-154 docket.

"evidence of prior bad acts was properly admitted to prove intent to retaliate" United States v. Torres, 977 F. 2d 321 (7th Cir 1992).

"18 USC 1512 criminalizes action intended to prevent witness from communicating" United States v. Sutton, 30 F. 4th 981 (10th Cir 2022).

Ron DeSantis and Ashley Moody used Attorney General's office to obstruct justice across state lines in Georgia Supreme Court Case 22-DO688, Georgia Court of Appeals case A-22-DO319 and Newton Superior Court Case 2021-CV-1726-5 to protect RICO member Waronicki, aid and abet kidnapping and further interstate controversy.

"government involvement in a crime may in theory become so excessive it violates due process and requires dismissal even if defendant was not entrapped." United States v. Cronitie, 727 F. 3d 194 (2nd Cir 2013).

"under Rosemond v. United States, (2014) one becomes liable if one takes affirmative action in furtherance of that offense, with intent to facilitate offenses commission" United States v. George, 761 F. 3d 412 (1st Cir 2014).

"Judge did not err in stating that, as a matter of law, retaliation and witness tampering under 18 USC 1513 were 'crimes of violence' United States v. Weston, 960 F. 2d 212 (1st Cir).

"Last clause of 18 USC 1503 is broad catch-all phrase and is all embracing and designed to meet any corrupt conduct in endeavor to obstruct or interfere with due administration of justice." *Fulk v. United States*, 370 F.2d 472 (9th Cir 1966).

The Court below was given evidence that the 19th Circuit removed documents from docket and commit perjury in transcript production. That prevents judicial notice under Fed R. Evid 201 and record on certiorari.

"Defendant was properly found guilty of obstruction of justice by concealing or attempting to conceal documents with intent to impair documents integrity or availability for use in official proceedings" *United States v. Black*, 530 F.3d 596 (7th Cir 2008).

It should be noted that the pattern of racketeering activity by the DeSantis Mafia all contains the required connection to interstate commerce. The following used are all instrumentality of interstate commerce:

1. the courts themselves,
2. airplanes used to transport cocaine,
3. 2 way communication device,
4. Custody order with child support,
5. Georgia e-filing system,
6. Pharmaceutical prescriptions,
7. Train & railroad,
8. Mortgages,
9. Real estate stock regulated by SEC,
10. Power lines used in growhouses,
11. U.S. Presidential Campaign funding PACs,
12. trucking companies such as Poppy's Trucking of South Florida.

"The Racketeer Influenced and Corrupt Organizations Act, 18 USC 1961 et seq., requires only that the activities of the enterprise in question be connected with interstate commerce" United States v. Stratton, 649 F.2d 1066 (5th Cir 1981) which established the 3rd Circuit of Florida as a RICO association.

United States v. Sisk, 476 F.Supp. 1061 (M.D. Tenn 1979) established Governors office could be RICO association.

"Purpose and history of 18 USC 1961 demonstrate clear Congressional intent that RICO be interpreted to apply to activities that corrupt public or government entities" United States v. Angelilli, 640 F.2d 23 (2nd Cir 1981)

"Charges against judge for obstructing justice could extend RICO conspiracy for purposes of statute of limitations, where conspiracy's main criminal objective [Brightline / Real Estate Scheme] was neither accomplished nor abandoned... since overt act of concealment was made in furtherance of conspiracy's objective rather than as cover up."

United States v. Maloney, 71 F.3d 645 (7th Cir 1995).

"Where defendant and another were acting in concert, act of one in furtherance of violation of predecessor to 18 USC 1201 was act of other, although conspiracy was not charged... it was not necessary to show previous agreement between them to commit particular act." Gooch v. United States, 82 F.2d 534 (10th Cir 1936).

"Kidnapping, as defined by 18 USC 1201, is unitary crime; kidnapping, once begun, does not end until victim is free." United States v. Rodriguez-Moreno, 526 U.S. 275 (1999).

"For violation of 18 USC 241 government need not establish that there existed formal agreement to conspire; circumstantial evidence and reasonable inferences concerning relationship of parties, their overt acts, and totality of their conduct may serve as proof" United States v. Redwine, 715 F.2d 315 (7th Cir 1983).

The Supreme Court of Florida's refusal to exercise mandatory and exclusive jurisdiction in the case below and others is an overt act in concert with Judge Roby's witness tampering and furtherance of the kidnapping they have evidence of. This only raises the importance of the non-foreclosed questions posed to that court. What would the court view an appropriate response to a judge committing forcible felonies against a victim of his criminal conduct and the higher court's refusal to act in a supervisory capacity? Does a judge created right like judicial immunity abrogate the judge's victim's rights under the Privileges and Immunities Clause and Stand Your Ground laws?

That important federal question now requires an interpretation by this Court or action instructing the lower court to answer.

REASONS FOR GRANTING THE PETITION

The actions of the lower courts have disposed of an important question of federal law in a way that conflicts with relevant decisions of this Court and that question has not, but should be foreclosed by this Court. The lower courts have so far departed from the usual and accepted course of judicial proceeding, as to call for an exercise of this Court's supervisory power. There is a great national importance to this Court providing guidance on the issues and controversies ongoing in the matter before the Court. Others similarly situated require these non-foreclosed issues be attended to.

"Partly because of importance of questions involved, writs of certiorari will be granted" *Shapiro v. United States*, 235 U.S. 412 (1914).

The family court judge in Pennsylvania has already been shot to death outside his home. Was that father acting constitutionally under Stand Your Ground laws? Does he have immunity from prosecution? Petitioner used a non-violent way to act under stand your ground laws. If the state courts refuse to address immunity issues or constitutional violations it is in conflict with this Court.

The very issue of presenting an issue requiring a question of law which is determinative of the cause and for which there is no controlling precedent has been addressed by this Court in *Florida Star v. B.J.F.*, 484 U.S. 984 (1987).

