

No.:

**24-5645**

L.T. Case No.: SC2024-0753

**ORIGINAL**

IN THE

SUPREME COURT OF THE UNITED STATES

PROVIDED TO DESOTO C.I.  
ON 9-15-24 FOR MAILING  
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JOHNNY PATTERSON,  
As A Pro Se Petitioner,

Supreme Court, U.S.  
FILED

**SEP 06 2024**

OFFICE OF THE CLERK

vs.

STATE OF FLORIDA, And  
ATTORNEY GENERAL OF FLORIDA, Ashley Moody,  
Respondent(s)

On petition for writ of certiorari  
To the Supreme Court of Florida

AMENDED  
Petition For Writ Of Certiorari

Johnny Patterson, #4740091  
DeSoto Correctional Inst. Annex  
13617 Southeast Highway 70  
Arcadia, Florida 34266-7800

**RECEIVED**

**SEP 24 2024**

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

# 1.) QUESTION PRESENTED

BY CONSTITUTIONAL STANDARDS, WHEN DOES A  
JUDGE COMMIT FRAUD?

## LIST OF ALL PARTIES

All parties appear in the caption of the case on the cover page.

## RELATED CASES

*No ME*

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Appendix <b>ONE</b> :	The District Court of Appeal acknowledgement of new case as well as The District Court of Appeal denied Mandamus
Appendix <b>TWO</b> :	Proceedings before the Florida Supreme Court.
Appendix <b>THREE</b> :	Exhibits to pleadings in the Thirteenth Judicial Circuit Court in and for Hillsborough County Florida

## TABLE OF AUTHORITIES CITED

### Cases

- 1.) Patterson v. State, 569 So.2d 450 (Fla. 2<sup>nd</sup> DCA
- 2.) Florida supreme Court, 82 So.2d 161 (Fla. 1955)

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### Statutes and Rules

Florida Statute, Chapter 119 /Public Records Request

Federal Statute, 552 / Freedom Of Information Act

IN THE  
SUPREME COURT OF THE UNITED STATES

*AMENDED*  
*PETITION FOR WRIT OF CERTIORARI*

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

**OPINIONS BELOW**

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

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

- ☒ Reported at DONT KNOW
- ☐ has been designated for publication but is not yet reported; or,
- ☐ is unpublished.

## JURISDICTION

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 July 9, 2024.  
A copy of that decision appears at Appendix TWO.

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

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

- 1.) United States Constitution –Amendments 5<sup>th</sup> and 14<sup>th</sup>.
- 2.) Florida Constitution Article 1, section 9.
- 3.) Florida Statute Chapter 552 The Freedom Of Information Act 552
- 4.) The Florida Statute Chapter 119 / Request for Public Records



## STATEMENT OF THE CASE

On December 16, 1987, a grand jury in the Thirteenth Judicial Circuit in and for Hillsborough County indicted Mr. Patterson for first-degree murder and armed robbery for an offense which occurred on December 13, 1987. The jury returned a verdict of guilty as charged on both counts (R 423, 571). On June 10, 1988, the trial court sentenced Patterson to life imprisonment with twenty-five years conviction on the armed robbery convictions, the trial court imposed a consecutive sentence of five and half years (R 434-445, 580), in Florida Department of Corrections.

Patterson appealed the judgment of convictions and sentences to the Second District Court of Appeal. The Second District Court of Appeal per curiam affirmed on 10/12/1990. See *Patterson v. State*, 569 So.2d 450 (Fla. 2<sup>nd</sup> DCA 1990).

Patterson had filed a "Petition for Writ of Habeas Corpus" with the Thirteenth Judicial Circuit in and for Hillsborough County, Florida on 2/6/2023. On April 20, 2023, the trial court treated said petition as a rule 3.850 and summary denied the same. On 5/21/23, Patterson filed appellant's initial brief and on August 18, 2023 the district court of appeal of Florida, Second District per curia affirmed. On 9/2/2023 Patterson filed his motion for rehearing, rehearing en banc, and motion to certify question of great public importance into the district court of appeal, Second District of Florida.

Petitioner Johnny Patterson has maintained his innocence for 37 years long years in these courts and he not an attorney.

The freedom of Information Act 552 and the Florida Statute, Chapter 119, Public Records Request Violation.

Petitioner Patterson has done a Public records request to the "Florida Department of State", division of election for the "Oath of Office" and "Bond, Oath of Office" Article 2, section 5(b) of the Constitution of Florida, for Judge John P. Griffin.

1.) In its August 2, 2018 letter, the "Florida Department of State" stated:

Patterson, Johnny #4744091  
Cross City Correctional Institution  
568 NE 225<sup>th</sup> Street

RE: Public records request

Dear Mr. Patterson:

The Florida Department of State does not have documents responsive to your July 12, 2018, request regarding the Oath of Office or bond for Judge John P. Griffin.

Respectfully,

Office of the general counsel

The legal document Patterson received from the Florida Department of State bears the names of both the governor and secretary of state and the seal of the State of Florida.

The State of Florida Executive branch of government consist of the Office of the governor and the Florida Department of State which is the secretary of state.

Judge John P. Griffin was no a U.S. and Florida constitutionally elected circuit court judge based upon "Florida Department of State", legal document

Appendix-Three-1 and Florida Supreme Court case law, 82 So.2d 161 (Fla. 1955). That omission rendered the criminal case #87-16087 indictment null and void because the U.S. and Florida constitutions require the "Oath of Office and bond, Oath of Office" and the law requires that it be properly notarized.

2.) FLORIDA SUPREME COURT  
82 So.2d 161 (Fla. 1955)

On Monday January 3, 1955, Tappy filed in the Office of the Secretary of State his "Oath of Office as said county judge, and a bond, dated January 4, 1955 in the principal amount of \$5,000, executed by Tappy as principal and Continental Casualty Company as surety, conditioned that he, Tappy, would faithfully perform the duties of the office. Endorsed on the bond was a notation by the comptroller of Florida.

## REASONS FOR GRANTING THE PETITION

With a public official/officer if Judge John P. Griffin hold the position of a judge, then he must have an “Oath of Office” filed with the Secretary of State, division of election and a copy of the “Oath of Office” filed in the county in which he hold his official position. That is a certified copy of Judge John P. Griffin’s “Oath of Office”. See Appendix-Three-1

### FLORIDA DEPARTMENT OF STATE

1.) Stated:

The Florida Department of State does not have documents responsive to your July 12, 2018, request regarding the Oath of Office or bond for Judge John P. Griffin. See Appendix-Three-1

2.) This also means that the clerk of the 13<sup>th</sup> Judicial Circuit Court in and for Hillsborough County do not have on record a filed certified copy “Oath of Office” for Judge P. Griffin, because the “Florida Department of State Division of Election” would have sent Johnny Patterson a copy of those documents on August 2, 2018. See Appendix –Three-1

3.) Judge John P. Griffin (was not) a defacto judge, because he (was not) a practicing member of the Hillsborough County, Florida Bar Association, for December 13-19, 1987, based upon “The Florida Department of State” document. See Appendix-Three-1.

Relief sought:

Petitioner Patterson humbly seeks this Supreme Court of the United States to grant him immediate release from the custody and control of the Florida Department of Corrections now today. Thanks!

LEGAL CANDIDATE

- 1.) If an individual was campaigning, collecting money and have never registered for an office and name did not appear on the ballot as a legal candidate, “would the individual” be guilty of fraud? See Appendix Three-1
- 2.) Representing himself as registered candidate while being actually an un-registered individual.
- 3.) Judge John P. Griffin did commit violations of federal laws and policies and violations of State of Florida laws and statutes.

## CONCLUSION

The petition for writ of certiorari should be granted.

Respectfully submitted,

Date:

9/16/2024

/s/ J. Ray P. #