

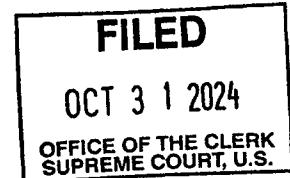
Provided to South Bay Carr. and Rehab. Facility  
on 10/31/2024  
mailing.

No. 24-5977

**ORIGINAL**

IN THE

SUPREME COURT OF THE UNITED STATES



SAMMY GIBBS — PETITIONER  
(Your Name)

VS.

RICKY DIXON — RESPONDENT

Supreme Court of Florida

(NAME OF THAT COURT LAST RULED ON MERITS OF YOUR CASE)

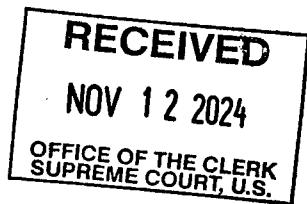
PETITION FOR A WRIT OF CERTIORARI

Sammy Gibbs  
(Your Name)

P. D. Box 7171  
(Address)

South Bay, Florida 33493  
(City, State, Zip Code)

(Phone Number)



## QUESTION(S) PRESENTED

ARE ALL JUDGES IN EVERY STATE IN THE UNITED STATES  
BOUND TO FOLLOW ALL THE ARTICLES IN THE CONSTITUTION  
OF THE UNITED STATES?

CAN AND STATE COURT DEPRIVE ANY PERSON OF LIFE, LIBERTY, OR  
PROPERTY, WITHOUT DUE PROCESS OF LAW?

DOES THE DEPRIVATION OF EQUAL PROTECTION OF THE LAW  
RENDER A STATE COURT JUDGMENT VOID FOR LACK OF JURISDICTION?

DOES THE LAW REQUIRE MANDATORY FOR THE TRIAL JUDGE TO RECUSE  
HIMSELF WHEN THE JUDGE IS RELATED WITHIN THE THIRD DEGREE TO  
EITHER PARTY?

WHEN A JUDGE IS RELATED WITHIN THE THIRD DEGREE AND FAILS TO  
DISQUALIFY HIMSELF, DOES JUSTICE REQUIRE RELIEF FROM ALL JUDGMENTS  
UNDER EQUAL PROTECTION OF THE LAW?

## 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:

## TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
Breedlove v. Singletary 595 So.2d 8	4
DENSON v. State 775 So.2d 288	4
Marbury v. Madison 5 US 137	4
STATUTES AND RULES	
28 U.S.C. 455 (b) (5)	3, 4
CODE OF JUDICIAL CONDUCT CANON 3E (1) (d)	3, 4
OTHER	
ARTICLE VI United States Constitution (1789)	3
AMENDMENT V United States Constitution (1791)	3, 4
AMENDMENT XIV United States Constitution (1868)	3, 4

## TABLE OF CONTENTS

OPINIONS BELOW .....	1
JURISDICTION .....	2
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED .....	3
STATEMENT OF CASE AND FACTS.....	4
REASON FOR GRANTING PETITION.....	5
CONCLUSION.....	6

## INDEX OF APPENDICES

APPENDIX A PETITION FOR EXTRAORDINARY RELIEF AND APPENDIX

APPENDIX B MOTION TO SET-ASIDE / RELIEF FROM JUDGMENT, DECREES,  
OR ORDERS

APPENDIX C ORDER DENY PETITION FOR WRIT OF HABEAS CORPUS

APPENDIX D ORDER DENYING REHEARING

APPENDIX E

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 \_\_\_\_\_; 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 Third District Appeals 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 \_\_\_\_\_

[ ] No petition for rehearing was timely filed in my case.

[ ] A timely petition of 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 August 12, 2024 copy of that decision appears at Appendix C.

[] A timely petition of rehearing was thereafter denied on the following date: September 12, 2024, and a copy of the order denying rehearing appears at Appendix D.

[ ] An extension of time to file the petition for a writ of certiorari was granted to an 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

28 U.S.C. § 1257 (a) Final judgments or decrees rendered by the highest court of a state in which a decision could be had, may be reviewed by the Supreme Court by writ of certiorari where the validity of a treaty or statute of the United States is drawn in question or where the validity of a statute of any State is drawn in question on the ground of its being repugnant to the Constitution, treaties, or laws of the United States, or "where any title, right, privilege, or immunity is specially set up claimed under the Constitution or treaties or statutes of or any commission held or authority exercised under, the United States."

28 U.S.C. § 455 (b) (5) "Mandatory Recusal." The Judge or the Judge's spouse are "within the third degree of relationship" to either party. Code of Judicial Conduct Canon 3E (1)(d).

ARTICLE VI: This constitution and the laws of the United States which shall be made in pursuance thereof; all treaties made or which shall be made under the Authority of the United States, shall be the Supreme Law of the Land "the Judges in every State shall be bound thereby any thing in the Constitution" or laws of any state to the contrary notwithstanding

AMENDMENT V: 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, nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself; nor be deprived of life, liberty, or property, without "due process of law."

AMENDMENT XIV: No state shall deprive any person of life liberty or property without due process of law; Nor deny to any person within its jurisdiction "the equal protection of the laws."

### STATEMENT OF CASE AND FACTS

Gibbs through Quinikius Turner presented the Florida Supreme Court with the deprivation of life, liberty, or property, "without due process of law." The presiding Judge in this capital murder trial withheld information that he was under mandatory recusal obligation. Gibbs' family went on a web sight, [www.littletownmart.com](http://www.littletownmart.com) and discovered over a hundred years of family death record of the Bailey and Peacock families who have been resident of Calhoun County Florida since the late 1800's. JOHN Bailey Jr. marriage to Elizabeth Peacock puts Judge Bailey and James Peacock as related within the third degree. Judge Bailey's recusal was mandatory, and as such all orders entered by Judge Bailey after the duty to recuse arose should be vacated as tainted, void, deprivation of "equal protect" and "due process of law". AMENDMENTS Five and Fourteen United State Constitution.

The Florida Supreme Court placed it law. (Denson v State, 775 So.2d 288 and Breedlove v Singletary, 595 So.2d 8). Above Gibbs' equal protection rights guarantee of the Fourteenth Amendment, section 1 of the United States Constitution (1868) The Florida Supreme Court deprivation of Gibbs rights include Amendment I and Five. Redress of grievance and due process of law. See Marbury v Madison 5 US 137. (1803)

This constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made or which shall be made, under the authority of the United States shall be the supreme law of the land. "The Judges in every state shall be bound thereby any thing in the constitutions or laws of any state to the contrary notwithstanding." The Judges on the Florida Supreme Court held their law as superior to United States Constitution rights to due process and equal protection.

Code of Judicial Conduct Canon 3E (1)(d) and 28 U.S.C § 455(b)(5) made it mandatory for Judge Bailey to recuse himself. All orders issue should be vacated. Gibbs has suffered an unconstitutionally long lost of liberty in violation of Equal Protection and Due Process Rights."

## REASON FOR GRANTING PETITION

"To Correct a Miscarriage of Justice." Uphold the ~~Constitution~~ supremacy of the Constitution and strike down the actions of the the Florida Supreme Court which offended the Constitution rights to Equal Protection and Due Process of Law.

## CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully Submitted,

1st Sammy Gibbs

Name Sammy Gibbs

DC# 580345

### Certificate of Mailing

I certify that I, Sammy Gibbs DC# 580345

placed this petition for a writ of certiorari in the hands of South Bay Correctional Facility officials for mailing to: Office of the Clerk, Supreme Court of the United States, Washington D.C. 20543-001

on October 31 2024

1st Sammy Gibbs

Name Sammy Gibbs

Address South Bay Correctional Facility  
P.O. Box 7171  
South Bay, Florida 33493

DC # 580345