

24-6361

ORIGINAL

PETITION FOR WRIT OF CERTIORARI

IN THE SUPREME COURT OF THE UNITED STATES

FILED
DEC 2 / 2024
OFFICE OF THE CLERK
SUPREME COURT, U.S.

ZACHARY CROUCH,)
 404 Chickamauga Ave.)
 Knoxville, TN 37917)
 Tel: 702-843-3457)
 Petitioner,)
 v.)
 CHRISTOPHER CANNING,)
 C/O Matthew Acuff, Attorney)
 261 W. Crogan Street)
 Lawrenceville, GA 30046)
 Respondent.)

*On Petition for a Writ of Certiorari to
Superior Court of Fulton County, State of Georgia, Case No. 2019CV314973*

[Oral Argument Requested]

QUESTION(S) PRESENTED

Should corrupt lower courts and illegal laws of state courts have the jurisdiction to steal the freedoms granted under the Constitution of the United States of America?

Should malicious judges of state courts have the power to steal the freedoms of the people as stated in the Constitution of the United States of America?

Should liars have the ability to abuse state laws which allow treason against the granted rights and freedoms of the people of the United States of America as bound by the Constitution of the United States of America?

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 proceedings in the court whose judgment is the subject of this petition is as follows:

RELATED CASES

There were no related cases found to this case.

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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 is unpublished.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 is unpublished.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 A 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 is unpublished.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 Supreme Court of Georgia court 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.

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 Oct 1st, 2024.
A copy of that decision appears at Appendix C.

A timely petition for rehearing was thereafter denied 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. § 1257(a).

FILING DATES OF THE APPEAL

The Supreme Court of Georgia made a judgment on the civil case no. S24C1235 on October 1, 2024. This petition for writ of certiorari was submitted to the Supreme Court of the United States on December 27, 2024. This filing date of the appeal falls within the 90-day time period to file the appeal to the Supreme Court of the United States.

ENUMERATION OF ERRORS

- 1) The Superior Court of Fulton County wrongfully made a judgment on a civil matter outside of their jurisdiction.
- 2) The Superior Court of Fulton County failed to provide Zachary Crouch with proper service in the civil case.
- 3) The Superior Court of Fulton County relied on testimony from a witness without credibility.
- 4) The Superior Court of Fulton County allowed multiple judgments of the same civil matter even after they were previously dismissed by the same court.

STATEMENT OF THE ISSUE PRESENTED FOR REVIEW

Whether the Superior Court made a fair executing of the temporary protective order in January 2019, a fair executing of the permanent protective order in May 2019, and a just decision in denying the motion to dismiss in May 2024. To wit, the Superior Court erred in holding that Fulton County has jurisdiction in the above case where neither Zachary Crouch nor Christopher Canning resided.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

First Amendment of the Constitution of the United States of America: Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Second Amendment of the Constitution of the United States of America: 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.

Fourth Amendment of the Constitution of the United States of America: The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Fifth Amendment of the Constitution of the United States of America: 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; 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; nor shall private property be taken for public use, without just compensation.

Sixth Amendment of the Constitution of the United States of America: In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.

Seventh Amendment of the Constitution of the United States of America: In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Eighth Amendment of the Constitution of the United States of America: Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

STATEMENT OF THE CASE

In 2018, Christopher Canning filed a Temporary Protective Order with many malicious lies to win his case. Christopher Canning suggested that Zachary Crouch was stalking him because he saw him at a gay bar. Christopher then further lied and said Zachary followed him out of the bar when Christopher left. Christopher wrote this down on his temporary protective order filing. Zachary went to court in November 2018, Christopher never showed to court, and the case was dismissed.

At the end of the semester while Zachary was studying at Georgia Tech, he was accepted at North Carolina State University for Spring 2019 and notified Christopher that he was moving to North Carolina. Zachary's tenant lease ended on December 31, 2018, and he left Fulton County. Zachary moved to Raleigh, North Carolina on January 1, 2019, had all of his belongings in a storage unit, and was living at an AirBRB while he searched for an apartment. On January 7, 2019, Christopher stated in his protective order filing that Zachary lived at his old address in Fulton County. The police tried to serve him at this address and were unable to locate Zachary. The police wrote on the protective order summons that Zachary was avoiding service.

At some time in January presumably, the court proceedings were allowed to continue without service and without Zachary's presence. Judge Alexandra Manning granted a 1-year protective order fraudulently and illegally. Zachary was never notified or served with the 1-year protective order. Zachary had no idea there was a protective order against him.

Zachary had a change of heart and decided to move back to Georgia and continue at Georgia Tech around January 20, 2019, when classes began. Zachary moved to DeKalb County in Georgia. Not hearing from Christopher and possibly thinking that Christopher had a change of heart, Zachary decided to text him in January through April 2019 with messages mostly consisting of "I love you" and "I miss you." Christopher never blocked Zachary's number and kept reading these messages because read status kept showing on the iPhone.

On May 1, 2019, Zachary was arrested for Aggravated Stalking in DeKalb County for violating the TPO via these text messages that he was unaware of. While Zachary was in jail, he also went to the Fulton County court oblivious to what was going on, Zachary said he did not

know about any 1-year protective order and the judge said, "Yes you did," then granted a permanent protective order.

In the underlying administrative proceedings, the Superior Court ruled that Fulton County has jurisdiction over this civil case. However, this is not true. Judge Alexandra Manning ruled to favor Christopher Canning in a malicious manner.

STATEMENT OF THE FACTS

In the administrative proceedings before the Superior Court, Zachary Crouch, *pro se*, provided the courts with a sworn oath that he did not live in Fulton County and Christopher Canning did not live in Fulton County during the January 7, 2019, service of the petition. Christopher Canning's attorney, Matthew Acoff, lied under oath to win the case. To wit, Matthew Acoff said that Zachary Crouch lived in Fulton County during the service of the January 7, 2019, petition.

SUMMARY OF ARGUMENT

THE SUPERIOR COURT OF FULTON COUNTY DOES NOT HAVE THE PROPER VENUE OR JURISDICTION OF THIS CIVIL MATTER.

In Georgia it clearly states that the Petitioner or Respondent need to reside in the County in which the protective order is filed.

In the present case, it is disputed that there is jurisdiction in Fulton County. It is likewise disputed that Christopher Canning and his attorney, Matthew Acoff, are telling lies to win the civil case. Zachary Crouch will gather evidence of his residence on January 7, 2019, and subpoena witnesses to prove his case.

ARGUMENT #1 JURISDICTION

FULTON COUNTY NEVER HAD JURISDICTION OVER THIS MATTER.

Christopher Canning wrote down a false address while submitting the petition. No one served Zachary Crouch at this location because there was not a residency of Zachary Crouch at this location.

The law states that jurisdiction may occur in multiple methods:

- 1) Where the Petitioner resided during accusations about the Respondent occurred
- 2) Where the Petitioner resided after accusations about the Respondent occurred
- 3) Where the Respondent resided during accusations about the Respondent occurred
- 4) Where the accusations occurred

However, none of these methods brought up any jurisdiction, to wit:

- 1) Christopher Canning resided in DeKalb County during accusations about Zachary Crouch occurred
- 2) Christopher Canning resided in DeKalb after accusations about Zachary Crouch occurred
- 3) Zachary Crouch resided in North Carolina and in DeKalb County during accusations about Zachary Crouch occurred
- 4) The accusations all occurred in DeKalb County

The trial court stated that they have jurisdiction because of the following:

- 1) Zachary Crouch lived in Fulton County during the time period in which the accusations occurred

However, there was no evidence brought to the courtroom that this was fact. Secondly, this does not even designate jurisdiction if this indeed did occur.

According to the court proceeding, *Graham v. The State*, venue was not properly proven in the lower courts and the Supreme Court of Georgia ruled the judgment of the lower court reversed due to lack of jurisdiction.

ARGUMENT #2 LACK OF SERVICE

FULTON COUNTY NEVER SERVED ZACHARY CROUCH.

Fulton County says they attempted to serve Zachary Crouch at his address and stated that Zachary Crouch was avoiding service. However, this was a false address and a false statement. Zachary Crouch was not living at the address Christopher Canning wrote on the petition.

Fulton County decided to move along with the case without service and set up a court date and granted the Temporary Protective Order.

Zachary Crouch was never notified of the outcome of this court date. Zachary Crouch had no idea about a protective order until the day he was arrested for text messaging Christopher Canning.

According to the court proceeding, *DeJarnette Supply Company v. F. P. Plaza, Inc. et al.*, the Supreme Court of Georgia upheld the judgment that the lawsuit be dismissed due to lack of service.

ARGUMENT #3 OBSTRUCTION OF JUSTICE

CHRISTOPHER CANNING WAS MALICIOUSLY LIEING TO THE COURTS OF FULTON COUNTY TO WIN HIS CASE.

Christopher Canning thought he was so superior to Zachary Crouch that he did not want him at the same gym he went to. Christopher Canning made up lies about stalking to win his case.

Christopher Canning was being controlled by his then lover, Tyler Tillis. Christopher Canning was lying to the courts because his lover told him to. Christopher Canning's lover, Tyler Tillis, became jealous of Zachary Crouch and their relationship. Tyler Tillis became obsessed with seeking revenge on Zachary Crouch by manipulating Christopher Canning and the court systems.

According to the court proceeding, *Orkin Exterminating Company Inc. v. McIntosh et al.*, the Court of Appeals of Georgia reversed the judgment based on the witness's testimony and it not be allowed as evidence due to the romantic relationship between her and the plaintiff.

ARGUMENT #4 HARASSMENT / DOUBLE JEOPARDY

THE PETITION WAS ALREADY DISMISSED BY A COURT JUDGE AND A SECOND PETITION WAS GRANTED TWO MONTHS LATER.

Christopher Canning filed a temporary protective order in November 2018 (2 months before he filed a second temporary protective order). Christopher Canning never showed up to court and the judge dismissed the case. Filing multiple petitions and not showing up to court is frivolous and harassment.

Since Zachary Crouch showed up for court and lost time in school, Christopher Canning lost his right to petition a temporary protective order. Secondly, this constitutes double jeopardy since Zachary Crouch was already tried for the case.

According to the court proceeding, *McCannon v. The State*, the Supreme Court of Georgia reversed the ruling of the lower courts which allowed the defendant to be prosecuted twice for the same crime.

REASONS FOR GRANTING THE PETITION

The First Amendment of the Constitution of the United States of America was violated. Zachary Crouch texted Christopher Canning. Zachary Crouch was simply using his Freedom of Speech. Zachary Crouch was arrested and sentenced to jail for exercising his Freedom of Speech.

The Second Amendment of the Constitution of the United States of America was violated. Zachary Crouch has a Constitutional right to bear arms. Zachary Crouch is not a threat to anyone. The corrupt judge in Fulton County has presumed to illegally steal Zachary Crouch's right to bear arms.

The Fourth Amendment of the Constitution of the United States of America was violated. The detective which Christopher Canning hired search Zachary Crouch without a warrant. Specifically, this detective used Zachary's cell phone to track him. This is a clear violation of the Fourth Amendment.

The Fifth Amendment of the Constitution of the United States of America was violated. Christopher Canning filed a temporary protective order in November 2018. Zachary Crouch went to court and Christopher Canning did not show up. The judge dismissed the case. In January 2019 Christopher Canning filed another protective order. This second protective order is illegal because it is double jeopardy. Zachary Crouch was already tried for a protective order from Christopher Canning. This is a clear violation of the Fifth Amendment. Furthermore, the judge in Fulton County illegally sentenced Zachary Crouch for a month in jail without a jury trial. This is a second violation of the Fifth Amendment.

The Sixth Amendment of the Constitution of the United States of America was violated. Zachary Crouch was given a 1-year protective order without a trial. This is a clear violation of the Sixth Amendment.

The Seventh Amendment of the Constitution of the United States of America was violated. The malicious judge in Fulton County ordered Zachary Crouch, who has not even present in court, to pay Christopher Canning \$5,000 for his lies and abuse of a protective order. There was not a jury present for this monetary demand. This is a clear violation of the Seventh Amendment.

The Eighth Amendment of the Constitution of the United States of America was violated. The Fulton County courthouse delayed a bail hearing for Zachary Crouch for a month. This is not speedy. The cruel and unusual punishment of imprisonment is not suitable for a civil case. This is a clear violation of the Eighth Amendment.

CONCLUSION

For these reasons, Zachary Crouch requests the Supreme Court of the United States grant the petition for a writ of certiorari.

Respectfully Submitted,

_____

ZACHARY CROUCH

Petitioner

Date: December 27, 2024