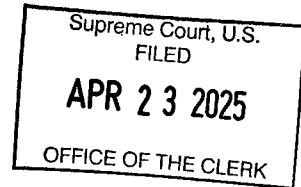


24-7202 ORIGINAL
No. _____



IN THE
SUPREME COURT OF THE UNITED STATES

Iris L. Anderson — PETITIONER
(Your Name)

vs.

STATE OF FLORIDA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

FIRST (1st) DISTRICT COURT OF APPEALS
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Iris L. Anderson DL#222991
(Your Name)

10650 SW. 46th ST.
(Address)

JASPER, FLA. 32052
(City, State, Zip Code)

(Phone Number)

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QUESTION(S) PRESENTED

- * 1.) Is The Writ of Habeas Corpus permitted too Determine whether or not the STATUTE OF Limitations Has Run Barring Prosecution, To Prove Courts LACK of Subject Matter JURISDICTION
- * 2.) Is Florida's "Spencer Sanction" Unconstitutional where the Standards and the Criteria Can be decided by Arbitrary and Capricious Unbridled discretion, In Violation of U.S.C. Amend. 14
- * 3.) CAN STATES REFUSE TO FOLLOW Their Own STATUTORY and Constitutional Commands, Intentionally Denying Pro se. Inmates "Equal Protection of The Law as Guaranteed in The U.S.C. Amend. 14 DUE PROCESS
- * 4.) To Protect Pro se. Inmates from VINDICTIVE PROSECUTION(S) Violative of Their 1ST Amendment Rights Should Facts In Support of A Spencer Sanction be found by a Jury Pursuant to "Appendix" And U.S.C. Amend VII and XIV
- * 5.) where A "Spencer Sanction Scheme" has been orchestrated to Conceal an "Act of ACTUAL SLAVERY" being carried out within The U.S.A., Does This Violate The U.S.C. Amend XIII Anti-SLAVERY Act of 1865
- * 6.) where it is Proven That an Accused Prosecution was barred, Pursuant to "Legislative Intent," Is The Writ of Habeas Corpus The Fundamental Instrument To Safeguard against A Lawless Government ACTION, In violation of U.S.C. Amend 14 OR HAS The WRITS Power been Abridged IN The STATE OF FLORIDA.

* QUESTIONS OF GREAT Public Importance, To Ensure The Fair Administration of JUSTICE Thru OUT The U.S.A.

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:

Judge Brian Lambert (2013), State Atty. Byron Aven (2013), Judge Thomas Sawaya (5th DCA),
Public Defender John Tedder (2013), Appellate Public Defender (Ryan) 5th DCA, Judge Koberlain Jr
(2023), STATE OF FLORIDA ET AL., THE SKEEN FIRM (Crystal McLaughlin, Esq.)
Jessica Sue Johnson Esq. (Petitioner's Daughters Atty.) Petitioner's Attorney

RELATED CASES

1. CASE NO: 2013-207-LF - 5th Judicial Circuit Court In And For Marion County Florida
2. Anderson v. STATE, 129 So.3d 1081 (FLA. 5th DCA 2013)
3. U.S. District Court for The Middle District of FLA. local Division.
CASE NO: 5:16-LV-460.
4. Anderson v. Sec'y Dept. of Corrections 5:16-LV-460 2019 WL
3857860 (M.D. FLA. 2019)
5. Anderson v. Inch, 141 S. Ct. 948 (2020)
6. Anderson v. STATE, SC2002-1759 (FLA. Supreme)
7. Anderson v. City of Jasper, County of Hamilton, FLA. D.D.C., STATE OF FLA. et al.
CASE NO: 2023-3039 (1st DCA)
8. Commonwealth of Pennsylvania, Juvenile Court. In The Interest of; Breanne Anderson
Docket NO. 92-24, 93-24, 94-24, 95-24, 96-24
9. Iris Anderson v. FLA. D.D.C., CASE NO: ~~2023~~^{1D}-2023-2908 (1st DCA)

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TABLE OF AUTHORITIES CITED

CASES

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GAZDA V. STATE, 244 So.2d 454 (4th DCA 1970)

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HARRIS V. NELSON, 394 U.S. 286, 22 LEd.2d. 281 (1969)

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SANDSTROM V. LEADER, 370 So.2d. 3, 5 (FLA. 1979)

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STATE EX REL. SILVERMAN V. COLEMAN, 190 So.811, 812 (FLA. 1939)

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THE LONGE V. STATE, 184 So.3d 1120 (FLA 4th DCA 2015)

5

WATKINS V. BLACKBURN, 137 So.2d 217 (FLA. 1962)

4

WINGO V. WEDDING, 418 U.S. 461, 41 LEd.2d. 879 (1974)

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STATUTES AND RULES

F.S. 775.15 (2)(a)

5

F.S. 775.15 (13)(a)

5

F.S. 775.15 (16)(a)

5

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U.S.C. Amend. I

7

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7

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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 FIRST DISTRICT COURT OF APPEAL (PLA) court appears at Appendix G 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 March 11, 2025
A copy of that decision appears at Appendix G.

P
E
N
D
I
N
G

☐ 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 ____.

BARRER
Can't
File Pro se

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

U.S.C. Amendment I - Abridging Freedom of Speech...
(1791) To Petition the Government for Redress of Grievances

U.S.C. AMENDMENT V ... NOR BE DEPRIVED of Life Liberty or Property
(1791) without Due Process of Law

U.S.C. Amendment XIII - Neither slavery nor Involuntary Servitude shall EXIST
(1865) Except as a punishment for Crime whereof the Party
shall have been duly CONVICTED

U.S.C. Amendment XIV :- No STATE Shall make or Enforce any Law
(1868) which shall Abridge The Priveleges or
Immunities of Citizens of the United STATES...

FLA. STATUTE 775.15 (2)(a) 4 yr. STATUTE OF Limitations

FLA. STATUTE 775.15 (16)(a) DNA EXCEPTION

FLA. STATUTE 775.15 (13)(a) Identity Ebstablished by Another Governmental
Agency

STATEMENT OF THE CASE

On Sept. 20, 2023 Petitioner filed A pro se. Application for A WRIT of HABEAS Corpus; Challenging The Subject Matter Jurisdiction of The Court because The STATUTE OF Limitations had Run for A 1st Degree felony, making Petitioner Immune From Prosecution Forever!.,.

ON Oct 16, 2023 The Honorable Judge Koberlain, Denied Petitioners Habeas Corpus by STATING; THE FLORIDA Supreme Court Has Long Held "that The Writ of Habeas Corpus will Not be permitted to determine whether or Not the STATUTE OF Limitations Has Run" on a Criminal Prosecution, STATE EX REL Silverman v. Coleman, 190 So 811, 812 (Fla. 1939); SEE ALSO WATKINS v. BLACKBURN, 137 So.2d 217 (FLA 1962) (" WE HAVE held that Habeas Corpus Cannot be Employed to determine whether the STATUTE OF Limitations HAS RUN ") [SEE; APPENDIX C pgs. 43-45]

ON OR ABOUT April 10, 2024 after Petitioner Appealed this Denial, Petitioner filed His Initial Brief [Appendix D pgs. 46-57] bringing To The 1st DISTRICT Court of Appeal attention That The L.T Erred in His decision of Denial, because Since The "1939" and "1962" decisions were made by The Fla. Supreme, The CASE Precedent of This Issue HAS changed

In "1969" The U.S. Supreme Court HELD;

"Mindful that the writ of Habeas Corpus is The Fundamental Instrument for Safeguarding Individual Freedom against Arbitrary and Lawless state Action" HARRIS v. NELSON, 394 U.S. 286, 22 L Ed.2d 281 (1969)

Moreso, In "1979" THE FLA. Supreme Court Clearly STATED;

"A Writ of Habeas Corpus May be Utilized by an Accused To challenge The Constitutionality of A STATUTORY Provision under which He is charged" Sandstrom v. Lederer, 370 So.2d 3,5, (FLA. 1979)

Also; In "1970" (Habeas Corpus Determined STATUTE OF Limitations had Run)

Appellant GAZDA was brought before the Court by Writ of HABEAS Corpus for a guilty Plea entered in 1964 and In 1969 was Sentenced. The STATUTE OF Limitations at that time barred Imposition of Sentence, more than 5 years after appellant plead Guilty. HOLDING; That The Trial Court LACKED JURISDICTION to Sentence Appellant more than five years after the Date of Conviction

GAZDA v. STATE, 244 So.2d 454 (4th DCA 1970)

Clearly The Denial of Petitioner Anderson's Habeas Corpus was An "Abuse of Discretion", in Violation of U.S.C. Amend. XIV Due Process, under The Equal Protection of The Law Clause.

On Sept. 20, 2023 in Petitioner Application for Writ of Habeas Corpus [Appendix A pgs. 0-7], Petitioner stated The Controlling Law in Instant Case as follows; F.S. 775.15(2)(a), A prosecution for a felony in the 1st Degree, "must"

be commenced within 4 years after it was committed. Based upon Petitioner's Probable Cause Arrest Affidavit [Appendix B pgs. 10-11], The offense Was committed in July 2008. And, Petitioner Prosecution commenced on Feb. 11, 2013, Clearly The Statute of Limitations Had Run.

The Fla. Supreme Court Explained it in This Way; "Under our Constitution The Power To Enact Substantive Laws, is Granted Exclusively to the Legislature. See; Art. III sec. 1 Fla. Const., This Involves the Investigation and Prosecutions of an offense under Fla. Statute 775.15(2)(a) in which; Grants the state 4 years to file charges (with certain exceptions) for a first Degree felony. AND, IF the State fails to meet this Requirement, A Defendants Prosecution is Forever BARRED," Born-Suniaga v. State, 256 So. 3d 783 (Fla. 2018)

Yet Petitioner Anderson Has BEEN Treated Differently Since 2013, to today's date; There Are Two Cases Directly on Point with The Above Numbered Cause and the Controlling Fla. Statutes Explained; Proving Petitioner's Immediate Release is The Only Cognizable Remedy;

See; THE LONGE v. STATE, 184 So. 3d 1120 (Fla 4th DCA 2015) (Explaining F.S. 775.15(1)(a)) A Case Directly on Point with Petitioner as argued in [Appendix A pgs. 0-7]

CURRY v. STATE, 227 So. 3d 628 (4th DCA 2017) Explaining F.S. 775.15(1)(a) A Case Directly on Point As Argued [Appendix A pgs. 0-7]

BOTH OF These Defendants Conviction, Sentence and designation were Vacated !, While yet. Petitioner being A Pro se Inmate is being Denied The Same Relief ??,

FOR LEGAL USE ONLY

Any other use of this paper will result in Disciplinary Action per F.A.C. 33-601.314 (7-4)

4
6

ON OR ABOUT May 28, 2024 Appellants filed His Reply "Rebuttal" Brief, totally As A matter of Law and Record of COURT EVIDENCE Located in, Appendix B pgs. 8-42 irrefutably Proved that he's being ILLEGALLY detained.

Therefore, The COURT ERRED TO; PER LURIAM AFFIRM [Appendix G pgs. 84-85] Then Issue An UnConstitutional Spencer Sanction, where The Courts Are merely STATING That; Petitioner has filed meriless and Frivolous MOTIONS. While ALL THE TIME THE STATE OF FLORIDA COURTS ARE REFUSING TO FOLLOW THEIR OWN "CONSTITUTIONAL COMMANDS." [SEE; Appendix J pgs. 95-101]

In 2013 A Spencer Sanction Scheme was Orchestrated OF Feb. 8 exactly 3 days Prior to Petitioner Vindictive and Malicious Prosecutions Commencement; SEE Appendix B pgs. 37-41 "STATEMENT OF Foundational CASE FACTS". FURTHERMORE; THIS COURT SHOULD TAKE JUDICIAL NOTICE That THE ISSUE OF THE STATUTE OF LIMITATIONS WAS RAISED ON A PRE-TRIAL MOTION, ONLY for The Trial Court, To Deny by stating; There's "No STATUTE OF Limitations". In which CLEARLY WAS IN ERROR, Establisishing "ACTUAL SLAVERY" being forced upon Petitioner, because He was Immune from Prosecution,. And, Every Aspect of These Proceedings from Feb. 8, 2013 has been "UNCONSTITUTIONAL". ALTHOUGH THE STATE OF FLORIDA USES Language of an. Unmistakably Mandatory character, In The Laws and Criminal PROCEDURES", but The Nature of Inmate Anderson' Deprivations Are totally opposed to The mandatory Languages AND "A MISCARriage OF JUSTICE" IS Apparent by The Records of COURT, beginning ON Feb. 8, 2013 AND Ending ON April 3, 2025 WITH The Issuing OF A VINDICTIVE Spencer Sanction Stating In Part(s); [APPENDIX L pgs. 107-109]

We Therefore prohibit Appellant from filing and Instruct The CLERK of This COURT To REJECT Any FUTURE PLEADINGS, PETITIONS [EXHAUSTION], MOTIONS, documents or other filings Submitted By IRLS L. ANDERSON DE# 222981 That are Related to his Conviction and Sentencer in MARION County Circuit COURT Case No. 2013-LF-00207.

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Any other use of this paper will result in Disciplinary Action per F.A.C. 33-601.314 (7-4)

7.

Clearly THIS SPENCER SANCTION IS UNCONSTITUTIONAL
and VINDICTIVE BECAUSE;

1.) PETITIONER "HAS NOT" RECEIVED A RESPONSE TO HIS "PENDING"
MOTION FOR REHEARING / REHEARING EN BANC / CLARIFICATION AND MOTION
FOR WRITTEN OPINION [Appendix I pgs. 89-94].

BRINGING TO THE COURTS ATTENTION THEY OVERLOOKED
BINDING CASE PRECEDENT BY THE UNITED STATES SUPREME
COURT AND THE FLA. S. CT., OTHER FLA. DCA DECISION
AND THEIR OWN LAW OF THE CASE JURISDICTIONAL DOCTRINES.

2.) PETITIONER CANNOT ASK FOR AN EXTENSION OF TIME TO FILE A
WRIT OF HABEAS CORPUS OR SERVE THE 1ST DCA A WRIT OF CERTIORARI,
Clearly a VIOLATION OF U.S.C. AMEND I and XIV

3.) THIS VINDICTIVE "SPENCER SANCTION" IS MERELY BEING USED
TO SILENCE "ACTUAL SLAVERY" OCCURRING WITHIN THE STATE
OF FLORIDA IN VIOLATION OF U.S.C. AMEND. XIII

4.) THE FIRST DCA IS STUCK WITH WHAT THE FIFTH JUDICIAL CIRCUIT COURT
IN MARION COUNTY FLORIDA DID [SEE; APPENDIX B pgs. 37-41
"STATEMENT OF FOUNDATIONAL CASE FACTS"] AND IT'S AN ABSOLUTE
MISARRIAGE OF JUSTICE DONE INTENTIONALLY BY GOVERNMENT
OFFICIALS. AGAINST PETITIONER TO ESTABLISH HIS ILLEGAL DETENTION

5.) PETITIONER WILL NOT BE SERVING THE 1ST DCA A WRIT OF CERTIORARI
BECAUSE THEY PREMATURELY IN VIOLATION OF U.S.C. AMEND XIV ISSUED
A SPENCER SANCTION, WHERE GENUINE ISSUE / MOTION(S) STILL WERE
PENDING.

6.) CLEARLY ESTABLISHING THE "SPENCER SANCTION" CANNOT PASS
THE TEST OF CONSTITUTIONALITY [SEE; APPENDIX J pgs. 95-101]
AND IT'S VIOLATION OF U.S.C. AMEND. V IN INSTANT CASE

7.) BASED ON THE FOREGOING, "THE SHOW OF CAUSE," FACTS PERTAINING
TO THE ISSUING OF A SPENCER SANCTION, BEFORE ABRIDGING THE MOST
IMPORTANT RIGHT (U.S.C. 1ST AMEND.) OF A U.S. CITIZEN, SHOULD BE
FOUND BY A JURY AND NOT ARBITRARY OR CAPRICIOUS ACTS BY THE COURTS.

FOR LEGAL USE ONLY

Any other use of this paper will result in Disciplinary Action per F.A.C. 33-601.314 (7-4)

REASONS FOR GRANTING THE PETITION

This Petition for A WRIT OF HABEAS CORPUS should be Granted because Petitioner has shown by The FACE of The Record on Appeal and The STATE OF FLORIDA OWN STATUTORY AND Constitutional Commands, That The 1ST DCA as well as The Original Trial Court (2013), In And For Marion County FLORIDA. "Departed from The ESSENTIAL Requirements of LAW". Thru Arbitrary and Capricious Acts of Misconduct, Too Intentionally Achieve "Actual Slavery" upon PETITIONER., resulting in Material Injury That cannot be adequately Remedied by STATE OF FLORIDA Appeal. Then Employed A "SPENCER SANCTION" TO Silence/Conceal.

THIS Court Espoused the View that the duty of a trial Judge to apply to admitted facts a correct principle of law, is such a Fundamental and ESSENTIAL ELEMENT OF THE JUDICIAL PROCESS that a Litigant cannot be said to have had the "Remedy, By Due Process of LAW", guaranteed by The U.S.C. Amendment XIV under The Equal Protection clause, if the trial Judge(s) fails or Refuses to perform that Duty. "In A civilized society, IF The Imprisonment cannot be shown to Conform with the Fundamental Requirements of Law, The Individual is entitled to his Immediate Release". WINGO V. WEDDING, 418 U.S. 461, 468, 41 L Ed. 2d. 879 (1974).

Because The STATE OF FLORIDA Lower Tribunals Did NOT Dispose of Petitioner's Complaint on The Merits since 2013, HE is Entitled to plenary Appellate Review by The U.S. Supreme Court. To Correct "Miscarriage of Justice".

FURTHERMORE; The "Spencer Sanction" has been and Continues to be used as A "Improper Selective Enforcement under The Equal Protection of The Law clause". Because; 1.) Petitioner is being treated differently from other Similarly situated Individuals [see; THE LONGE (supra) and CURRY (supra)], and 2.) Such Differential treatment was based on Impermissible Considerations [see; APPENDIX B pgs. 37-41 "STATEMENT OF Foundational Case Facts", Rendered Under OATH].

THEREFORE, THE Forgoing WRIT OF HABEAS CORPUS Should BE GRANTED. ALSO because; THIS CASE Clearly shows, The WRIT of Habeas Corpus Power and Authority is being Abridged for FLORIDA'S Pro Se, Inmate Population, IN "Violation of Established Federal Laws" and "UNITED STATES SUPREME COURTS BINDING CASE PRECEDENTS".

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Date: _____