

24-7404

CASE NO.:

ORIGINAL

Supreme Court, U.S.
FILED

JUN 05 2025

OFFICE OF THE CLERK

IN THE SUPREME COURT OF THE UNITED STATES

ZOE AJJAHNON,
PLAINTIFF- PETITIONER

-VS-

EDWARD SANDLER,
DEFENDANT- RESPONDENT

ON PETITION FOR WRIT OF CERTIORARI TO FL 6th DCA

ON PETITION FOR WRIT OF CERTIORARI TO FLORIDA'S
SIXTH DISTRICT COURT OF APPEALS, CASE NO.: 6D2023-3700

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QUESTIONS PRESENTED

Whether the Fla. 6thDCA application of the State's Per Curium: Affirmed (PCA) law violates the US Constitution 14th Amendment and perpetuates affirmance of deprivation of property and liberties in denial of the Amendment' due process of law guarantees and equal protection of law provisions.

THE PARTIES

Plaintiff-Petitioner, Zoe Ajjahnon of 110 Chestnut Ridge Road, Montvale, NJ

07645 is a Writer for the NJ based LOI Network, Inc. LOI is an Information

Analysis company that treats current issues of international physical and economic securities risks. In this capacity Plaintiff has submitted intelligence of domestic and international securities compromises to U.S. Government authorities charged with enforcing laws to restore these securities.

LOI's intelligence to proper US government official implicate one Michael Reuben Bloomberg, former NYC mayor and actors formerly of the FBI and other areas of the U.S. DOJ. These actors are involved in the Fla. PCA law in question on petition for certiorari to the Sixth (6th) DCA and the cases directly related to it.

Defendant-Respondent, Edward Sandler of 610 Swallow Dr., Casselberry, FL 32707; Ph.: 407-869-7370 Email: eas32712@yahoo.com states himself to be a Real Estate Broker and owner of 90 rental units of Suncrest Realty; Ph: 407-869-7370;

Edward Sandler is Landlord actor/agent for Sandler Holdings Inc. the entity holder of 7457#D Daniel Webster, Winter Park, FL 32792 that Plaintiff rented from Sandler, April 3rd, 2020 for one year plus two subsequent similar 12-month lease contracts entered into April 1st, 2021 and April 1st, 2022. Plaintiff resided at this rental when Edward Sandler, Defendant – Respondent burglarized the premises burglarized the premises on 10/12/2021 to steal and did steal Petitioner’s MAC ID. In all these proceedings, Defendant has offered no contest to having stolen Plaintiff- Petitioner’s MAC ID. In fact, he cannot, the record is of him sending a text from Petitioner’s dwelling address to Petitioner at the time of his theft of the MAC ID.

RELATED CASES

Instant Petition before the Court arises from, and is directly related to the issues of the civil theft trial case of the Fla. 6th DCA PCA on petition for certiorari.

The Sixth DCA appeal court adjudication of the civil theft by application of Fla.

PCA law is further entwined with the civil theft’s “criminal intent” and “conversion” elements for and by which the civil theft was executed. To clarify, Edward Sandler’s theft of Petitioner’s MAC ID was given to one Michael Reuben Bloomberg to continue a retaliation scheme that has as its aim, the end of any and all Petitioner’s

financial resources. Michael Reuben Bloomberg's retaliation scheme informs both the 'criminal intent' and 'conversion' elements of Defendant- Respondent, Edward Sandler' civil theft. The stolen MAC ID property was converted in the various cybercrimes of the retaliation scheme that prevented Petitioner the liberty of gainful employment concurrent necessarily with depleting existing resources that would naturally eventually result in the loss of her rented dwelling.

The trial court civil theft case, Case No.: 2023-CC-007283-O is therefore linked to Sandler' action to displace Petitioner from her dwelling once the cybercrimes of the retaliation scheme effected the complete depletion of all Petitioner' finances. The matter is argued as fraud on the court in this case. Petitioner' appeal from Sandler' writ of possession was before Fla Fifth (5th) DCA Case No.: 5D22-2629. This Fifth (5th) DCA appeal was decided in a PCA, which ruling came before the U.S. Supreme Court on Petition for Certiorari to the 5th DCA, Case No.: 22-6492, filed Jan. 4th 2023. Petition was denied for 'moot' as well as "at the Court's discretion" whereas the case was no longer before the 5th DCA on the date of filing. It was transferred to the Sixth (6th) DCA as of Jan. 1st 2023, Case No.: 6D2023-1564. (App. J, 508a-509a) On 12/17/2024 the 6th DCA rendered PCA disposition on this case. (**App. D, 4a**)

In Florida, the PCA determination/ ruling becomes the law of the case when it involves the same issue or parties, *State of Florida, Commission on Ethics v. Sullivan*, 430DCA So. 2d 928, 932 (Fla. 1st DCA 1983), and the trial court civil theft case, Case No.: 2023-CC-007283-O appealed to the 6th DCA, Case. No.: 6D2023-3700 from the trial court’s dismissal of the complaint with prejudice upon dismissing every shred of evidence Plaintiff gave of Sandler’ civil theft before any of it could be tried or heard, was summarily decided in a PCA ruling and is the PCA ruling of instant Petition for Certiorari to Florida’s Sixth (6th) district court of appeals.

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Case No.:

In The Supreme Court of The United States

Zoe Ajjahnon, Plaintiff-Petitioner

v.

Edward Sandler, Defendant – Respondent

On Petition for Writ of Certiorari to Florida's Sixth (6th) District Court of Appeals
Case. No.: 6D2023-3700

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully petitions the Court for a Writ of Certiorari to the State of Florida's Sixth District Court of Appeals for its Per Curiam: Affirmed /PCA order rendered 01/07/2025 in Case No.: 6D2023-3700. A timely motion for En Banc Rehear was denied, 03/19/2025.

NO OPINIONS BELOW:

**THE 6DCA PER CURIAM AFFIRMED/ PCA LAW APPLICATION FOR
DISPOOSITION is WITHOUT AN OPINION
SIXTH DISTRICT COURT OF APPEAL STATE OF FLORIDA**

Case No. 6D2023-3700
Lower Tribunal No. 2023-CA-007283-O

ZOE AJJAHNON,
Appellant,
v.
EDWARD SANDLER,
Appellee.

Appeal from the County Court for Orange County.

David P. Johnson, Judge.

January 7, 2025

PER CURIAM: AFFIRMED.

David P. Johnson, Judge.

January 7, 2025

PER CURIAM.

AFFIRMED.

TRAVER, C.J., and MIZE and GANNAM, JJ., concur.

Zoe Ajjahnon, Montvale, New Jersey, pro se.

Jessica C. Conner, of Dean, Ringers, Morgan & Lawton, P.A., Orlando, for Appellee.
NOT FINAL UNTIL TIME EXPIRES TO FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF TIMELY FILED

6DCA Order Denying En Banc Rehear, Rendered, 03/19/2025:

**IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
SIXTH DISTRICT**

March 19, 2025 ZOE AJJAHNON, APPELLANT(S), V. EDWARD SANDLER, APPELLEE(S).	CASE NO.: 6D2023-3700 L.T. NO.: 2023-CC-007283-O
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BY ORDER OF THE COURT:

Appellant's Motion for En Banc Rehearing and/or Written Opinion filed January 13, 2025, is denied by the Court.

I hereby certify that the foregoing is a true copy of the original court order.

6D2023-3700 March 19, 2025

PANEL: TRAVER, C.J., and MIZE and GANNAM, JJ. (acting on panel-directed motion(s))

EN BANC COURT (acting on en banc motion)

cc:

ZOE AJJAHNON

JESSICA C. CONNER, ESQ.

TIFFANY RUSSELL, CLERK

JENNA M. WINCHESTER, ESQ.

JURISDICTION

Florida's 6th DCA disposed of Case No.: 6D2023-3700 in a Per Curiam: Affirmed (PCA), judgment of affirmance without written opinion/ elaboration of laws relied on or reference to the facts involved. Under *Florida Constitution Art. V. Sec. 3(b)(3)* the state Supreme Court may not review PCA decisions/ rulings without

elaboration/ opinion from the state' district courts of appeal, *Jenkins v. State*, 385 So. 2d 1356 (Fla.1980). See also, *Florida Star v. B.J.F.*, 530 So. 2d 286, 288 n.3 (Fla. 1988), Florida Supreme Court "does not have subject-matter jurisdiction over a district court opinion that fails to expressly address a question of law, such as decisions issued without opinion or citation. Wherefore, a district court decision rendered without opinion or citation constitutes a decision from the highest state court empowered to hear the cause, and appeal may be taken directly to the United States Supreme Court. See further, *Davis v. State*, 953 So. 2d 612, 614 (Fla. 2d DCA 2007). The Fla. DCA is therefore the highest appellate court in which the decision appealed from may be had and jurisdiction in this Court is invoked under 28 U.S.C. § 1257 (a) allowing for : "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 or claimed under the Constitution or the treaties or statutes of, or any commission held or authority exercised under, the United States." (Emp. added)

CONSTITUTIONAL AND STATUTORY PROVISIONS

The question concerns the U.S. Constitution's Fourteenth Amendment that provides, "No State shall make or enforce any law which shall abridge the privileges or

immunities of citizens of the United State; nor shall any State 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

This Petition for writ of certiorari to Florida 6th DCA, Case No.: 6D2023-3700 arises from and is directly related to Petitioner’ default dispossession order appeal that was before the state’s 5th DCA, 5th DCA, Case No.: 22-2629. Writ of Possession was granted Respondent, Edward Sandler in his Fla. s. 83.60 (2) action in the County Court of the Ninth Judicial Circuit in and for Orange County, Florida, Case No.: 2022-CC-017074-O. The 5th DCA’s PCA disposition of the trial court’s default order of possession to Edward Sandler in that matter was put before the Court on similar question of US Constitution Amendment 14 breach, docketed, 01/04/2023, Case No.: 22-6492.

On 4/18/2023, Petitioner filed Fla. s. 772.11 civil action against Edward Sandler for civil theft in the County Court of the Ninth Judicial Circuit in and for Orange County, Florida, Case. No.: 2023-CC-007283-O. Instant Petition before the Court arises from, and is directly related to the issues of the civil theft trial case of the Fla. 6th DCA PCA on petition for certiorari. The 6th DCA PCA of this petition disposed of the civil theft complaint’ “criminal intent” and “conversion” elements (**App. G**, 460a, 461a) for and by which Sandler’s retaliation conduct purposed his

Fla. s. 83. 60 (2) dispossession action was executed. To clarify, Edward Sandler's theft of Petitioner's MAC ID was given to one Michael Reuben Bloomberg to continue a retaliation scheme that has as its aim, the end of any and all Petitioner's financial resources. Michael Reuben Bloomberg's retaliation scheme informs both the 'criminal intent' and 'conversion' elements of Defendant- Respondent, Edward Sandler' civil theft. (**App. G**, 464a – 465a) The stolen MAC ID property was converted in the various cybercrimes of the retaliation scheme that prevented Petitioner the liberty of gainful employment concurrent necessarily with depleting existing resources that would naturally eventually result in the loss of her rented dwelling. The matter is argued as fraud on the court in this case. (**App. E**, 145a – 147a)

The trial court civil theft complaint, case No.: 2023-CC-007283-O, is directly linked to Sandler Fla. s. 83. 60 (2) action to displace Petitioner from her dwelling which action he initiated immediately upon the cybercrimes of the retaliation scheme inevitable result of the complete depletion of all Petitioner' finances.

At the trial court's initiative, the complaint at the trial court's own motion for a hearing, was ordered to be amended, the court stipulating, contrary to Fla. R. Civ. P. 1.190(b) that the Amended Complaint should make no reference to names of individuals or places in substantiating evidence of the elements of Respondent's

civil, i.e., Sandler's 'criminal intent' in his burglary of Petitioner's dwelling for her MAC ID he stole to be used / 'converted' in the cybercrimes-executed retaliation scheme of the civil theft. (**App. G**, 420a – 426a).

The trial court dismissed the Amended complaint with prejudice for having referenced the evidence substantiating Sandler's civil theft notwithstanding the deleted names of places as the judge requested. (**App. B**, 2a & **App. E**, 193a, 359a, 360a) Petitioner timely filed Notice of Appeal from this order in the 6th DCA. (**App. E**, 361a)

The Amended and Operative civil theft complaint was filed 08/14/2023. (**App. E**, 134a – 192a). The record is of Petitioner's motion to be heard on the papers given the schemer's ongoing cyber-criminalities of telephone and computer intrusion that was extended to Florida's courts system and court system computers upon filing the civil theft action. (**App. G**, 420a, 430a). Rather the court dismissed the civil theft Complaint with prejudice in a second court- self-motined hearing. This court evinced at this second 'hearing' a manipulation of Florida' procedural allowance to amend a complaint to conform to the evidence since the facts show, the court had dismissed all evidence of the civil theft claim at this first hearing and feigned allowance to amend and amend to conform with the evidence ordering no reference be made to names in the evidence in the amended complaint. (**App. G**, 470a –478a). Indeed, the trial court in dismissing the Amended Complaint with prejudice, actually fairly laughed at Petitioner for supporting civil theft claim with the

evidence whilst following its stipulation to make no reference to any names in the originally filed complaint. (**App. G**, 424a, 486a)

Sander's civil theft, as intended, resulted in the damage of Petitioner's inability to pay rent to Sandler or court registry which is essentially the only defense against a landlord's Fla. s. 83.60 (2), dispossession action in Florida. Fla. s. 83.60 (2) reads, "In an action by the landlord for possession of a dwelling unit, if the tenant interposes any defense other than payment, ... the tenant shall pay into the registry of the court the accrued rent as alleged in the complaint ... and the rent that accrues during the pendency of the proceeding."

Florida's sec. 83 statutes offer the inadequate measure to 'raise any defense' against a dispossession action but rent must be placed in the court registry if the defense is other than satisfying the rent. Sandler's civil theft of Petitioner's rent money under Fla. s. 83.60 (2) barred Petitioner's defense of landlord substantiated retaliation, Fla. s. 83.64 (2) provision, for which Sandler stole Petitioner's MAC ID and gave to the retaliation schemers to be used in / converted through cybercrimes for the retaliation scheme' systematic depletion of all Portioner's financial resources. (**App. E**, 141a-145a, 152a,159a, -160a,164a-167a; **App. G**,464a-465a,475a). Sandler' civil theft for the complete end of Petitioner's finances constitutes fraud on the court whereas Sandler would be guaranteed a default writ of possession grant – as Respondent, a seasoned Realtor, well knew. (**App. E**. 145a, 146a, 152a; **App. G**, 418a - 419a)

The default writ of possession awarded Sandler Petitioner appealed in the 5th DCA (case no.: 5D22-2629). It was disposed of in a PCA affirmance. Regarding this ruling, petition for certiorari was sought in the U.S. Supreme Court filed 01/04/2023, Case No.: 22-6492 on question of the Fla. 5th DCA PCA trespass against the 14th Amendment of the U.S. Constitution. The Fifth (5th) DCA appeal was transferred to the Sixth (6th) DCA on 01/01/2023, Case No.: 6D2023-1564. (**App. J**, 508a-509a) The Sixth DCA disposed of the case in a PCA ruling rendered 12/17/2024. (**App. D**, 4a). Instant petition for certiorari to the 6th DCA presents the similar question of breach of the *U.S. Constitution Amendment 14* by Florida for the 6th DCA' 01/07/2025 application of Florida's Per Curiam: Affirmed (PCA) law - the 6th DCA summary Affirmance of the trial court' dismissal with prejudice of Petitioner's related Complaint for civil theft against Respondent, Edward Sandler, in the dispossession action default award appealed to 5th DCA. The appeal to 6th DCA substantiated that the trial court dismissed the evidence of Sandler's civil theft without a trial / hearing of the evidence/proofs of the claim. (**App. G**, 450a, 470a-472a, 479a - 480a)

The 6th DCA PCA on Petition for certiorari evince application of Florida's PCA law in disposing of the civil theft appeal (PCA order in case no.: 6D2923-3700, **App. A**, 1a) that is directly related to the 6th DCA' PCA summary decision in the 1/1/2023 transferred default dispossession award appeal initiated in the 5th DCA (5th DCA

transfer order, **App. J**, 508a – 509a); 6th PCA order in case no.: 6D2023-1564, **App. D**, 4a). The initiating 5th DCA appeal was decided in a PCA in the 5th DCA and was before the Court on petition for certiorari, filed 01/04/2023, Case No.: 22-6492.

These cases are directly related in issues and parties; these cases are directly related in the facts and laws of the PCA order on Petition for certiorari. The names of the actors in the evidence that the trial court ordered Petitioner not to reference in the Amended complaint for civil theft against Edward Sandler, are the same actors of the retaliation scheme for which Sandler stole Petitioner's MAC ID and gave to these actors to be used in the cybercrimes-executed retaliation scheme of his civil theft. (**App. E**, 141a, 165a) The conversion of Petitioner's MAC ID was in various cyber-technology frauds that routinely deprived Petitioner, the substantive liberty pursuit of gainful employment by interfering with Petitioner's online job applications, scheduled remote, as well as, in-person job interviews the latter by contacting the potential employer ahead of the interview and where Petitioner originated the application in person, Petitioner's subsequent telephone communication with the potential employer were interfered with by the schemers. (**App. E**, 165a-169a). The systematic depletion of Petitioner's savings primarily / in bulk in the monthly rent payments to Sandler in concert with his civil theft retaliation barring an income directly caused, as purposed, Sandler' 10/07/2022 dispossession action against Petitioner. (**App. E**, 181a – 186a; **App. G**, 465a-466a).

The *U.S. Constitution 14th Amendment* Due Process and Equal Protection of law

guarantees are denied in Florida's application of the state's PCA law. The 6th DCA PCA on Petition for certiorari is framed in Florida's: "if the same issues and parties are involved in two or more cases, a PCA becomes the law of the case and is res judicata," *State of Florida, Commission on Ethics v. Sullivan*, 430 So. 2d 928, 932 (Fla. 1st DCA 1983). This is unconstitutional – this petition substantiates.

This case is of the inextricable intertwine of the unconstitutional deprivation of vital property i.e., Petitioner's dwelling in Sandler's 10/7/2022 dispossession action that his civil theft in and for the retaliation of his related Fla. s. 83.60 (2) action, as purposed, generated cause. Sandler's civil theft retaliation, used and converted Petitioner's MAC ID cyber-property he on 10/12/2021 burglarized Petitioner's dwelling for in the cyber-crimes of the retaliation scheme that operated to deprive Petitioner of the liberty to pursue a livelihood.

Petitioner was deprived substantive liberties of the freedom to seek employment in the stolen MAC ID conversion to carry out the cybercrimes that prevented getting an income and this occurring simultaneously with Petitioner's savings being depleted, directly and proximately caused the loss of her rental dwelling / the deprivation of vital property. (**App. G**, 473a-475a).

These deprivations were adjudicated/disposed of in Florida courts without substantive Due Process under the state's inadequate laws for defense against Fla. s. 83.60 (2) actions founding Sandler's default writ of possession grant, summarily affirmed in the 5th DCA and where two or more cases of the same issues and parties

in Florida are decided in a PCA - the PCA disposition becomes the law of the case and the 6th DCA decided the transferred 5th DCA Sandler' default writ of possession grant appeal in a PCA and the subsequent Sandler's civil theft dismissal with prejudice of the substantiated claim in the PCA of instant petition for certiorari. This further denies Equal Protection of law in egregious infringement on the U.S. Constitution 14th Amendment for sustaining deprivations of property and liberties by way of denial of substantive / meaningful access to Florida's courts of appeal in the state's law of adjudication by summary PCA in appellate review of related issues and parties of two or more cases, *Jenkins v. State*, 385 So. 2d 1356 (FL 1980).

Petitioner' reliance on Fla. s. 83.64 (2) defense provision where there exists substantiated landlord retaliation conduct in a landlord's Fla. s. 83.60 (2) dispossession action, proved an inadequate measure against the statute's demand for the rent to be paid to the court registry in order to be heard. The nature of Sandler's retaliation of his civil theft was to prevent Petitioner's ability to pay the rent – to landlord or to the court registry. Sandler's Fla. s.83.60 (2) action generated from his civil theft, facilitated and ensured judgment in his favor resultant the complete loss of all financial resources as it was designed to effect and Florida's Fla.s.83.60 (2) requirement to pay the rent to landlord or the court registry to be heard would guarantee grant of writ of possession. Further, Sandler's illegalities in this, determine fraud on the court - the prevention of income through the cybercrimes-based retaliation scheme concurrent with the systematic depletion of existing

resources. in bulk in the rent payment, to ensure the default grant of writ of possession, in Florida qualifies fraud on the court, *Perrine v. Henderson*, So.3d 1210, 1211-22 (Fla. 5th DCA 2012) quoting *Cox v. Burke* 706 So.2d 43, 46 (Fla. 5th DCA 1998). (**App. E**, 238a, 294a-295a)

Petitioner's Initial Appeal Brief from dismissal of the civil theft claim in the 6th DCA filed 03/01/2024 was amended for additional filings. The Amended and Operative Appellant Initial Brief was filed, 03/20/2024. (**App. G**, 401a – 489a). The 6th DCA decided the appeal in a PCA/ summary affirmance 01/07/2025 without reference to legal rules relied on nor the evidence of the claim in nonconformity with the Court's instructions for the court decision, *Goldberg v. Kelly*, 397 U.S. 254, 271 (1970). (**App. A**, 1a). Petitioner, motioned for En Banc Rehear, 01/13/2025. (**App. H**, 490a – 500a) This was reargued, filed 01/29/2025. (**App. I**, 501a – 507a) En Banc Rehear was denied, 3/19/2025 (**App. C**, 3a).

Petitioner now Petitions for Writ of Certiorari to Florida's 6th DCA for Florida's PCA law' significant departure from / violations of the *U.S. Constitution, Fourteenth Amendment sec. 1* law reading: "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State 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."

REASONS TO GRANT THE PETITION FOR CERTIORARI

The *U.S. Constitution Amendment 14, Sec. 1* reads, "No State shall make or

enforce any law which shall abridge the privileges or immunities of citizens of the United State; nor shall any State 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.”, The law that “no one shall be deprived of life, liberty, or property, without due process of law;’ is so enshrined in the U.S. Constitutional privileges, the clause is repeated at the 5th Amendment. Certiorari is sought to bring Florida courts adjudication of cases of deprivation of property and liberty in compliance with U.S. Constitution Amendment 14 Due Process and Equal Protection of law fundamental guarantees and provisions.

This Petition pursues the Court’s interpretation and instructions on Amendment 14 Due Process and Equal Protection of law provisions to guard against state laws and statutes that deprive U.S. citizens of property and liberties founded in denial of Due Process and Equal Protection of law as evinced in this matter where related Florida laws abridge fundamental due process and equal protection of law to grant and sustain the grant of deprivation of property and are further dismissive of depravation of substantive liberties. The Florida laws of instant Petition are unconstitutional for the deprivation of liberty, and property in denial of 14th Amendment’ Due Process guarantees and Equal Protection provisions.

I. **Florida Laws of This Petition Abridge and Deny Fundamental Substantive Due Process and Allow Deprivation of Property and Substantive Liberties in Further Denial of Equal Protection of Law**

In the State of Florida, “if the same issues and parties are involved in two or

more cases, a PCA becomes the law of the case and is res judicata,” *State of Florida, Commission on Ethics v. Sullivan*, 430 So. 2d 928, 932 (Fla. 1st DCA 1983). Instant Petition for certiorari to FL’6th DCA (Case No.: 6D2023-3700) for the PCA for review evinces an application of Florida’s PCA law. The facts and laws of this case directly relate to the 6th DCA’ PCA adjudication of its Case No.: 6D2023-1564 which case in turn was disposed of in a PCA in Florida’s Fifth (5th) DCA that came before the US Supreme Court, Case No.: 22-6492 on petition for certiorari to FL’ 5th DCA filed, 1/4/2023. Florida’ 6th DCA PCA in Case No.: 6D2023-1564 followed on FL 5th DCA PCA of the Court’s 1/4/2023 filed petition, Case No.: 22-6492, the matter having been transferred to the 6thDCA from the 5th DCA 1/1/2023. (**App., D**, 4a, 6th DCA PCA order in related 5th DCA transferred case (case. no.: 6D2023-1564))

The PCA order of instant Petition is of the 6th DCA’ application of Florida’s PCA law to conclude appellate review / decide appeal of Petitioner’s civil theft claim against Respondent Edward Sandler that effectively summarily affirmed the trial court’s dismissal with prejudice of the claim – the dismissal with prejudice of all the evidence substantiating Sandler’ civil theft – without trial or hearing. (**App. G**, 440a - 446a, 478a-479a, 482a-484a).

The 6th DCA PCA decision of appeal from the trial court’s dismissal with prejudice here, is in round violation of U.S. Constitution 14th Amendment for sustaining deprivation of property and substantive liberties in inherent denial of substantive due process of law, whereas Florida’s PCA operates to bypass

a substantive appellate review process and summarily affirms judgments below as a matter of (the state' PCA) law. See, *State of Florida, Commission on Ethics v. Sullivan*, 430 So. 2d 928, 932 (Fla. 1st DCA 1983).

Sandler's civil theft was for, and executed in, this matter' retaliation scheme designed to end all Petitioner's financial resources and thereby ending her ability to pay rent purposed for Sandler's cause for Fla. s. 83.60 (2) dispossession action.

Sandler's civil theft – the retaliation scheme operational, was conducted through various cyber frauds and cybercrimes of deprivation of the substantive liberty to seek employment. (**App. E**, 139a, 141a – 144a, 160a, 179a -180a; **App. G**, 473a-475a)

Sandler's civil theft was designed to execute the retaliation scheme' purpose to effectively bring about the end of all Petitioner' financial resources. Sandler's theft of Petitioner's MAC ID on 10/12/2021 followed on the schemer's 9/18/2021 cyber-attack on Petitioner's devices. Measures Petitioner implemented to guard her computer / internet information transmission prevented the scheme's manipulation of Petitioner's internet use. (**App. E**, 141a, 159a 160a, 165a -167a, 173a-174a) and Sandler's theft of Petitioner's MAC ID was pivotal to restart the cybercrimes-based retaliation scheme done in civil theft of Petitioner's finances by deprivation of the liberty to make a living, seek employment. (**App. G**, 414a-417a) Sandler' theft of Petitioner's MAC ID restarted a scheme that used cybercrimes to steal Portioner's unemployment checks, repeatedly hack into her bank account, hack

hack into her Independent Insurance sales business and routinely interfered with her online job search and remote job interviews and interfered further in any telephone contact Petitioner had with a potential employer after an in-person interview. (**App. G**, 473a -475a) For Sandler his civil theft would bring about the end of Petitioner's ability to pay the rent bringing about cause for his dispossession action, whereby, "he could get more for the place". (**App. G**, 418a -419a)

Respondent, Edward Sandler stole Petitioner's MAC ID property. Throughout these proceedings, Sandler has never once contested / disputed that he stole Petitioner's MAC ID property. The MAC ID constitutes legally recognized property interests in Florida, *Burr v. Norris*, 667 So. 2d 424 (Fla. 2d DCA 1996) (**App. E**, 226a). Sandler gave Petitioner's MAC ID cyber technology property over to his associated retaliation schemers to be converted by /in various cybercrimes that routinely deprived Petitioner the liberty of pursuit of a livelihood resulting in the loss of all Petitioner's financial resources and ability to pay rent, directly causing the deprivation of Petitioner's vital property interest – her dwelling. (**App. G**, 419a, 462a-465a). Sandler's civil theft retaliation conduct functioned to systematically deplete Petitioner existing financial resources and prevent the source of an income, thereby generating for him cause for his Fla. s. 83.60 (2) dispossession action. Sandler's civil theft for the retaliation scheme constitutes fraud on the court. (**App. E**, 332a)

Florida's inadequate landlord-tenant statutes are unconstitutional for abridging due process and equal protection of law. Petitioner's reliance on Fla. s. 83.64 (2)

defense allowance for substantiated landlord retaliation conduct against a landlord's Fla. s. 83.60 (2) dispossession action, proved inadequate against s. 83.60 (2) demand for the rent money to be paid to the court registry in order for the defense to be heard. Fla. Stat. § 83.60(2) reads: "In an action by the landlord for possession of a dwelling unit, if the tenant interposes any defense other than payment ... the tenant shall pay into the registry of the court the accrued rent as alleged in the complaint or as determined by the court and the rent that accrues during the pendency of the proceeding ... Failure of the tenant to pay the rent into the registry of the court or to file a motion to determine the amount of rent to be paid into the registry within 5 days ...constitutes an absolute waiver of the tenant's defenses other than payment, and the landlord is entitled to an immediate default judgment for removal of the tenant with a writ of possession to issue without further notice or hearing thereon".

As this matter evinces, a Fla. s. 83.64 (2) defense is rendered moot / meaningless under Fla. s. 83.60 (2) demand for rent where the landlord's retaliation conduct is in civil theft of the tenant's money to and for preventing the ability to pay the rent – to landlord or to the court registry creating forfeit to being heard in the landlord' Fla. s. 83.60 (2) action since, "Failure of the tenant to pay the rent into the registry of the court ...constitutes an absolute waiver of the tenant's defenses other than payment, and the landlord is entitled to an immediate default judgment for removal of the tenant with a writ of possession to issue without further notice or hearing

thereon”, Fla. s. 83.60 (2).

Sandler’s Fla. s. 83.60 (2) action generated from/produced by his civil theft facilitated and ensured judgment in his favor whereas his civil theft was designed to end all financial resources of and to Petitioner/tenant-defendant done in the prevention of income through the cybercrimes-based retaliation scheme concurrent with the systematic depletion of existing resources in bulk in the rent payment. (**App. E**, 145a) Sandler’s civil theft through fellow retaliation schemers cybercrimes executed deprivation of the substantive liberty to seek employment in order to effect deprivation of property in his dispossession action is determined fraud on the court in Florida, *Perrine v. Henderson*, 85 So.3d 1210, 1211-22 (Fla. 5th DCA 2012) quoting *Cox v. Burke* 706 So.2d 43, 46 (Fla. 5th DCA 1998). (**App. E**, 145a – 146a; **App. G**, 432a-433a).

This Petition’s related previous petition to the Court for writ of certiorari to Florida’s 5th DCA (Case No.: 22-6492, filed 01/04/2023) sought review of the 5th DCA’ PCA/ summary affirmance of the trial court’s default writ of possession to Sandler under Fla. Stat. § 83.60(2). The question in part gave: ‘Florida’s Orange County trial court [entered] final judgment upon an abridged rendering /partial text of Fla. Stat. § 83.60 (2) [and the order was rendered] without due process requirement of hearing Defendant’s Fla. Stat. § 83.64(2) defense’.

Fla. Stat. § 83.60(2) is plainly inherently flawed for denial of Amendment 14’ Equal Protection and substantive Due Process rights in a landlord retaliation

conduct defense under Fla.s.83. 64 (2) where the landlord's § 83.60(2) action arises from plaintiff/landlord's retaliation conduct of civil theft of the tenant/defendant's money and is the direct and proximate cause of the inability pay the rent to landlord, or court registry, as evinced in this matter.

Fla.s.83.60 (2) inadequacies absurdly facilitated fraud on the court in this case and rendered meaningless related tenant-landlord regulatory statutes, *Fla. Stat. sec. 83.53 (2)(a)* and *Fla. Stat. § 83.53(3)* governing landlord entry into the dwelling for instance and of particular relevance here, there is no allowance to invoke the Fla. s. 83.64 (2) defense notwithstanding clear and convincing proof of Sandler's retaliation conduct.

Fla.s.83.60 (2) legal rule for deprivation of vital property to tenants / landlord dispossess actions, denies the Constitution's Equal Protection of law and Due Process rights where the defense is not heard of plaintiff/landlord's retaliation in the civil theft of tenant/defendant rent money requisite for the statute' stipulation for being heard / requirement to defend against the dispossess action. Fla. s. 83.60 (2) forbids any defense other than payment of rent in the § 83.60(2) deprivation of property action and abridges fundamental Due Process guarantees by summarily granting the plaintiff's cause / action without ear to the defense for not "paying (the rent in order) to be heard" in denial of Equal Protection of law to defendant.

Petitioner's substantiated *Fla. Stat 83.64 (2)* defense was decidedly not heard under *Fla. Stat. 83.60 (2)*' "Failure of the tenant to pay the rent into the registry of

the court ... constitutes an absolute waiver of the tenant's defenses other than payment, and the landlord is entitled to an immediate default judgment for removal of the tenant with a writ of possession to issue without further notice or hearing thereon".

Not heard at trial, the Fla. Stat. 83.64 (2) defense was further not heard on appeal to the 5th DCA that disposed of the case in a PCA affirmance of the writ of possession grant to Sandler. Further, whereas under *Florida Constitution Art. V. Sec. 3(b)(3)* a PCA ruling may not be further appealed in the state's highest court for lack of jurisdiction, due process is prevented for appeal from a court decision under Florida's inadequate landlord-tenant statutes. Florida's supreme court may not review a PCA decision whereas the PCA does not elaborate on the legal rules and evidence relied on for the court's determination and lacks a (Written) Opinion of the facts and conclusions of law for the court's decision' as Court teaching calls for in *Goldberg v. Kelly*, 397 U.S. 254, 271 (1973).

Further unconstitutionality of the PCA disposition in Florida is that it becomes the law of the case where the issues and parties are the same in two or more cases (*State of Florida, Commission on Ethics v. Sullivan*, 430 So. 2d 928, 932 (Fla. 1st DCA 1983)) in perpetual inability to appeal an inadequate measure of law for adjudication in a lower court as in this case, in denial of meaningful access to the court for due process right to be heard. Florida court system does not offer a meaningful appellate review and abridges the appeal process in Florida's PCA law

application.

Florida courts are in violation of the U.S. Constitution's Fourteenth Amendment Due Process provisions here that require, "[S]ome form of hearing before an individual is finally deprived of a property [or liberty] interest." *Mathews v. Eldridge* 424 U.S. 319, 333 (1976). "Parties whose rights are to be affected are entitled to be heard." *Baldwin v. Hale*, 68 U.S. (1 Wall.) 223, 233 (1863). This right is a "basic aspect of the duty of government to follow a fair process of decision making when it acts to deprive a person of his possessions. The opportunity to be heard "must be granted at a meaningful time and in a meaningful manner." *Armstrong v. Manzo*, 380 U.S. 545, 552 (1965). (Further citation omitted.) Florida courts PCA application operate to perpetuate denial of due process whereas there is denial of substantive / meaningful appeal review process of the issues in sustained denial of being heard, if on the papers.

Fla. s. 83.60(2) inherently denies the 14th Amendment' Equal Protection of law provision and Due Process of law guarantees for U.S. constitutional compliant deprivation of property process whereas a defense against nonpayment of rent – the usual cause for deprivation of the tenant's vital property - will not be heard outside of satisfying rent payment. A PCA affirmance of appeal from order founded in this statute functions to continue Florida's infringement on U.S. Constitution Amendment 14. A PCA affirmance of Fla. s.83.60 (2) action where the defense was not heard is unconstitutional for violation of the due process requirement for a

meaningful hearing before the deprivation of property.

The PCA does not comply with the Court's instructions for the court decision. The Court teaches, "[a court decision] must rest solely on the legal rules and evidence adduced from a hearing [and] to demonstrate compliance with this elementary requirement, the court should state the reasons for the determination and indicate the legal rules and evidence relied on. In court proceedings this is called the (Written) Opinion of the facts and conclusions of law for the court's decision."

Goldberg v. Kelly, 397 U.S. 254, 271 (1973). Florida's PCA decisions and PCA law application in related cases do not comply with this instruction from the Court.

The PCA decision in Florida district courts of appeal have a malignant impact on due process and equal protection being systemically and systematically violating of the U.S. Constitution in appeals where the same issues and parties are involved in two or more cases [so that the] PCA becomes the law of the case and is res judicata, *State of Florida, Commission on Ethics v. Sullivan*, 430 So. 2d 928, 932 (Fla. 1st DCA 1983), functioning as summary judgment grant /judgment as a matter of law. The PCA law adjudication in truncated if outright denial of substantive appellate review is essentially 'precedential' and perpetuating of un-appealed and un-appealable genuine issues and material facts affecting the final court decision.

Florida's appeal process here, is unconstitutional for abridging meaningful right to be heard by abridging substantive Due Process and denies Equal Protection of law.

Florida courts compromised due process and equal protection of law respecting

its deprivation of property statute s. 83.60 (2) evince a court system of internal and external conflict at law. Internally, the law acts to deny State laws for defense, as seen here respecting inapplicability of *Fla. Stat. § 83.64 (2)*, the provision for a retaliation conduct defense where the retaliation caused the nonpayment of rent as intended and was designed to prevent payment into the court registry, the statute's only defense against the deprivation of property / dispossess action. Externally, *Fla. s. 83.60 (2)* abridges federal Constitution Amendment 14 provisions of Equal Protection of the parties under the law and fundamental Due Process of law to be heard.

Fla. s. 83.60 (2) inadequacy curtails substantive due process and equal protection provisions in invalidating *Fla. s. 83.64 (2)*. See, *Pena v. Mattox*, 84 F.3d 894 (7th Cir. 1996) reading: if the State itself takes action [/to/and enforce measures] that prevents State remedies, then adequate State remedies are not available. *Id.* at 898.

The Court grants this petition for certiorari to Florida's 6th DCA whereas a question of adequate procedures is determined by U.S. Constitutional law, not State law and under the Court teaching, that the issue of what procedures are required (to guard against deprivation of property) is a matter of U.S. constitutional law, *Cleveland Board of Education v. Loudermill*, 470 U.S. 532, 541 (1985): "[t]he right to due process 'is conferred, not by legislative grace, but by Constitutional guarantee'".

The Court has held, "because "minimum [procedural] requirements [are] a matter

of federal law, they are not diminished by the fact that the State may have specified its own procedures that it may deem adequate for determining the preconditions to adverse action.” This teaching comes against ‘state-at-will’ destruction of state-created property interests. *Vitek v. Jones*, 445 U.S. 480 491, (1980), and *Cleveland Bd. of Educ. v. Loudermill*, 470 U.S. 532 (1985). [Further citation omitted].

Florida’s s. 83.60 (2) denial of any other defense except payment of rent – in an action for nonpayment of rent denies due process and equal protection of deprivation guarantees of the 14th Amendment. See *Logan v. Zimmerman Brush Co.*, 455 U.S. at 428–33 and at 455 U.S. at 438 for example where the Court gives, property interests exist independently of cause of action (also deemed property) [and equal protection of law bars deprivation of property without fundamental due process].

This case plainly shows, Florida’s Stat. § 83.64 (2) is an inadequate defense measure for FL Stat. § 83.60 (2) actions where the plaintiff/landlord perpetrated civil theft in the theft of the tenant /defendant MAC ID cyber property to conduct a retaliation through cybercrimes that generated for plaintiff/landlord his § 83.60 (2) cause of action, directly causing deprivation of vital property.

Respondent, Edward Sandler with ‘criminal intent’ burglarized Petitioner’s dwelling and stole her MAC ID property that he then gave to his associated retaliation schemers to be ‘converted’ in cybercrimes operating to deprive Petitioner

the liberty of an income pursuit and deplete all Petitioner's finances to result in / generate the cause for his Fla. s. 83.60 (2) dispossession action and ensure his default writ of possession grant under the statute' waiver of any defense other than payment of the rent

This essentially is the civil theft claim as it relates to Sandler' writ of possession grant appealed to the 5th DCA. The 5th DCA disposed of the appeal in a PCA that was the subject of petition for certiorari in the Court's Case No.: 22-6492. The 5th DCA appeal was transferred to the 6th DCA that disposed of it in a PCA 12/17/2024. (**App. D**, 4a). Florida's 6th DCA PCA of this Petition for certiorari, disposed of Petitioner' appeal from the civil theft trial court' dismissal of the civil theft complaint with prejudice - in fact, dismissal with prejudice of all evidence of the civil theft without fundamental due process of trial or hearing (**App. G**, 412a – 425a). Under Fla. PCA law, the 6th DCA PCA on Petition for review summarily affirmed the trial court's dismissal of the civil theft complaint for the issues and the parties of the civil theft being of two or more cases that were disposed of in a PCA adjudication in the Florida courts.

The Florida 6thDCA PCA of this Petition for certiorari is unconstitutional for denying the U.S. Constitution 14th Amendment provisions of fundamental due process rights and equal protection of law guarantees, against deprivation of vital property - and deprivation of substantive liberties.

II. Writ of Certiorari to Florida's 6th DCA is Sought to Bring Florida's Laws in Compliance with the U.S. Constitution 14th Amendment Fundamental Due Process of Law Guarantees and Equal Protection of Law Provision and to Regulate the State's Application of PCA Judgments that Perpetuate State Laws Violations of the U.S. Constitution 14th Amendment Guards Against Deprivation of Property and Liberty Without Due Process and Equal Protection of Law

Florida's PCA denies *U.S. Constitution 14th Amendment's* guarantees and, in this case, absurdly sustained fraud on the court by Respondent, Edward Sandler. (App. E, 146a, 149a, 186a). The PCA is inherently a court decision at variance with the Court's elementary requirement for the court decision. The Court teaches, "[a court decision] must rest solely on the legal rules and evidence adduced from a hearing [and] to demonstrate compliance with this elementary requirement, the court should state the reasons for the determination and indicate the legal rules and evidence relied on in a [Written] Opinion, *Goldberg v. Kelly*, 397 U.S. 254, 271 (1973).

Florida's appeals courts PCA adjudication abridges the appeal process by not hearing the case / review the issues and evidence and is in effect, dismissive of the facts and legal rules for the appeal court determination. This is denial of substantive Due Process and operates to enable erroneous judgments below to go undisturbed in further denial of the Constitution's Equal Protection provision. This is seen here where Respondent' writ of possession grant under *Fla. s. 83.60 (2)* was

faulty for rendering “meaningless” relevant provisions of law for the defense under Fla. s. 83.64 (2) – “meaningless” qualified here in not hearing the legal rules and evidence of the defense.

Instant Petition for Certiorari reviews a PCA adjudicated appellate review that summarily affirmed the trial court’s dismissal of all evidence of Sandler’ civil theft without hearing/trying the evidence (**App. G**, 419a – 425a) which evidence is of the FL s. 83.64 (2) landlord retaliation conduct defense also not heard for FL s. 83.60 (2) inadequacies of equal protection of law and abridged due process as set out above. This is in round compromise of *U.S. Constitution Amendment 14*. Further, the 6th DCA PCA also serve to perpetuate Sandler’ fraud on the court. To touch on the absurdity / unconstitutionality of the law, any law, here Florida’s PCA law, being used as an instrument of injustice, Florida’s supreme court in *Heart of Adoptions v. J.A.*, 963 So. 2d 189 (Fla. 2007) states, “[A provision at law] must be read in the context of the full statute to hold otherwise would fail to read the statute as a consistent whole and create an absurd result.” This Petition observes, Florida’s PCA law of the case is in like manner defective applied outside the full context of U.S. Constitution 14th Amendment Due Process and Equal Protection of law requirement for court procedures in decisions on property and liberty deprivation.

The 14th Amendment forbids deprivation of property or liberties without due process and equal protection of law. In this case Petitioner’s deprivation of property

is informed by Sandler' civil theft that deprived Petitioner the substantive liberty of pursuit of gainful employment which deprivations done in denial of due process and equal protection under the state' inadequate sec. 83.60 (2) statute, FL' 6th DCA PCA summarily affirm / grant, or, more accurately, continue to grant- as a matter of (PCA) law, in the state's district courts of appeal.

"The Court teaches that the liberty interest protected by the Due Process Clause include the right 'generally to enjoy those privileges long recognized at common law as essential to the orderly pursuit of happiness by free men.' [such as the right to pursue a livelihood]. Among the historic liberties so protected is a right to be free from, and to obtain judicial relief for, unjustified intrusions on personal security." *Ingraham v. Wright*, 430 U.S. 673 (1977) (further citation omitted).

Florida 6th DCA' PCA of the lower court's dismissal with prejudice of the civil theft claim / all the evidence of the civil theft claim of both Respondent' 'criminal intent' in the theft of Petitioner' MAC ID and of the 'conversion' of the MAC ID stolen property in various and multiple cybercrimes for and in depriving Petitioner the liberty to pursue an income. Florida's 6th DCA summary PCA ruling neither grant judicial relief for the Amendment 14 -violating deprivation of the liberty to pursue a livelihood nor remedy Respondent's civil theft's conversion of Petitioner's MAC ID in unjustified intrusions on Petitioner's personal cybersecurity.

The Court grants this Petition for Certiorari to provide instruction on U.S.

Constitution 14th Amendment provisions where deprivation of property and liberty resultant due process and equal protection of law denials are substantiated in cybercrimes. as evinced in this case where the evidence of Respondent' civil theft is of his theft of Petitioner' MAC ID cyber-property (**App. E**, 139a,141,149a) converted through various cyber frauds designed to and did deprive Petitioner the liberty of income which further resulted, as intended, in the deprivation of property.

"[T]he essence of [a civil theft] conversion is not the acquisition of property but the wrongful deprivation of that property from its true owner." *Yaeger v. Magna Corp. (In re Mag Corp.)*, 2005 Banker. LEXIS 1114 (Banker. M.D.N.C. Mar. 14, 2005), (**App. E**, 179a; **App. G**, 461a) and here where the 6th DCA' PCA on petition for certiorari has managed to compound dismissal of the civil theft element of conversion of the MAC ID executed in the cyber frauds it was used for (**App. E**, 157a-158a, 165a-167a, 179a, 184a) with dismissal of Congress' prohibitive against unauthorized access to litigant' computer devices, the Court's review of this PCA gives clarity on State laws regulation under the U.S. Constitution Amendment 14 Due Process and Equal Protection of law guarantees in relation to Federal law, 18 U.S.C. § 1030 - the Computer Frauds and Abuse Act of 1986 (CFAA).

Respondent, Edward Sandler' deprivation of property *FL s. 83.60 (2)* action against Petitioner arose from his illegalities of deprivation of the liberty to secure an income which liberty deprivation was carried out in the cyber-criminalities of the retaliation scheme civil theft.

Respondent's civil theft conversion of Petitioner's MAC ID was in using it for various cyber-frauds that routinely prevented Petitioner's pursuit of gainful employment by intruding on Petitioner's online job applications, scheduled remote or in-person job interviews – the latter by contacting the potential employer ahead of the interview and where Petitioner originated the application in person, Petitioner's subsequent telephone communication with the potential employer were interfered with to prevent consideration for the job, secondary the schemers' intrusions on Petitioner's telephone device.

Florida's 6th DCA PCA summary affirmance of the dismissal of Respondent's civil theft / the evidence substantiating it, here significantly, the evidence of the conversion of Petitioner's MAC ID, needs to be reviewed for infringement on Federal law, *18 U.S.C. § 1030* whereas it summarily, if dismissively, affirms Respondent's civil theft's unlawful intrusions on Petitioner's personal cybersecurity, *Ingraham v. Wright*, 430 U.S. 673 (1977) - in substantive liberty deprivation in order to cause further the deprivation of property – Petitioner's dwelling.

The PCA of this Petition is affirmance of substantive liberty and vital property deprivation pronounced at variance with the Court's teachings for court decisions set out in *Goldberg v. Kelly*, 397 U.S. 254, 271 (1973) and is further violating of the *U. S. Constitution Amendment 14* for uphold of deprivation of property and liberty founded in denial of due process and equal protection of law.

Sandler's civil theft employ of cybercrimes to deprive Petitioner of substantive

liberty for the further deprivation of Petitioner's vital property – her dwelling was conducted simultaneous with the systematic depletion of existing financial resources done in bulk in Petitioner's monthly rent payments to Sandler. (**App. E**, 144a-145a, **App. G**, 466a).

In Florida, the lease contract does not preclude civil theft. The civil theft claim is established in clear evidence of defendant's 'criminal intent' and 'conversion' of the stolen property and is independent of the contractual obligations to pay rent. See, *Gasparini v. Pordomingo*, 972 So. 2d 1073 (Fla. 3d DCA 2008) and *Ginsberg v. Lennar Fla. Holdings, Inc.*, 645 So. 2d 490, 495 (Fla. 3d DCA 1994). (**App. G**, 466a). In this civil theft case, the rent payments functioned to deplete Petitioner's financial resources that the cybercrimes for which Sandler stole the MAC ID concurrently converted to deprive Petitioner the substantive liberty of an income /gainful employment and that in order to remove Petitioner from the dwelling so that, in his words, "he could get more for the place." (**App. E**, 145a, **App. G**, 418a- 419a)

Sandler himself fully participated in the cybersecurity crime of intrusions on Petitioner's telephone device. Respondent kept abreast of his theft's intended final end - the complete depletion of Petitioner's financial resources and the damage the retaliation scheme was designed to do, that is, cause Petitioner's inability to pay rent, to him or court registry, generating the cause of his writ of possession action and ensure the deprivation of Petitioner's vital property interests/ her dwelling.

Sandler' telephone intrusion on Petitioner's private conversations is supported in his taking his mail, specifically his Condominium Association overdue bill at Petitioner's address in June 2022 when his intrusion on Petitioner's cellular telephone device gave him to assume that Petitioner would then be out of rental. (**App. E**, 152a). In Congress' Computer Frauds and Abuse Act of 1986, the term computer includes the cellular telephone, *United States v. Kramer*, 631 F.3d 900 (8th Cir. 2011).

The retaliation scheme mode of conversion of Petitioner's MAC ID in the various cybercrimes of cyber -frauds on Petitioner's information transmitted via her cell phone and internet-use devices, operated to deprive Petitioner of the substantive liberty to pursue employment. Sandler's MAC ID theft was needed to get the retaliation scheme' fraudulent information to Petitioner's internet-use devices for the scheme' cyber-criminalities regarding Petitioner' private personal information of online job applications, job interviews, and telephone communications with potential employers. (**App. E**, 142a-144a, 165a-167a).

The 6th DCA PCA summarily affirmed the trial court-initiated allowance to "amend" the civil theft complaint with the stipulation that the amended complaint make no mention of the evidence of the elements of the civil theft. The trial court ordered at a hearing on its own motion that the amended complaint make "no reference to the names of the individuals or places given in the substantiating

evidence of Sandler' "criminal intent" in his burglary of Petitioner's dwelling and his theft of Petitioner' MAC ID – this MAC ID property theft, it is worth repeating, Sandler never once contested - for the retaliation scheme; the trial court ordered at this hearing on its own motion that the amended complaint make "no reference to the names of the individuals or places given in the substantiating evidence of Sandler' "conversion" of the MAC ID done by / in giving it to the schemers to be used in the cybercrimes for deprivation of the liberty to seek an income concurrent with the systematic depletion of Petitioner's existing money, in bulk in the monthly rent payments to him in order to ensure a writ of possession grant in the deprivation of Petitioner's vital property – her dwelling. (**App. G**, 473a – 475a)

The retaliation scheme's cyber-criminalities were also of hackings into Petitioner's bank account and Independent Insurance sales newly constructed webpage to end Petitioner's business. Both these crimes were of a particular vicious attack on 9/18/2021 on Petitioner' computer devices and finances – the financial institution holding her money. This viscous cybercrime was carried out by the retaliation schemers in answer to Petitioner' 9/15/2021 email to the FBI giving substantiation of these schemers' clear and present national securities danger. (**App. E**, 278a-281a) The schemers' hacking into Petitioner's Independent Insurance sales business is linked to Sandler's theft of Petitioner's MAC ID, both for 'necessitating' the theft, as well as scheduling the date Sandler would burglarize Petitioner' apartment for the MAC ID. (**App. E**, 139a – 143a, 266a & 268a-para.18).

In the retaliation schemer's determination to end Petitioner's Independent Insurance sales business - any income from it, Respondent, Edward Sandler' co-retaliation schemers of the civil theft, exposed Petitioner to one al Amerilife / Amerilife Marketing Group an evident Racketeering Influenced Corrupt Organization (RICO) that generates its income across states through professional liability/ Error and Omission (E&O) insurance fraud trade, by way of the illegal acquisition of Independent Insurance sales Agencies to collect E&O premiums that Amerilife then money launders in the wholly State Farm Insurance Company owned personal auto insurer GAINSCO, Amerilife further controls the Independent Insurance Agency' sales/ money from their Life and Health Insurance and Variable Annuities sale and ends the Independent Insurance Agency business when Amerilife 'for any reason' loses control of the business. The RICO matter is now before the USDC for the 11th Cir. (Case No.: 24-13709-AA). The verified statements motioned for supplemental record in that 11th circuit federal appeal case is appended whereas they speak substantively to the schemer's motive for the retaliation, and of further frauds, in addition to those done by cybercrimes, of the retaliation scheme. (**App. F**, 372a-400a)

Congress' Computer Frauds and Abuse Act of 1986 makes Sandler' conduct in his civil theft, his giving to his fellow-schemers Petitioner' MAC ID cyber-property he stole for the deprivation of liberty and vital interests dwelling property by cybercrimes /computer frauds in a scheme to defraud, a Federal crime, *18 U.S. Code*

§ 1030.

Respondent's civil theft retaliation schemers' cybercrimes used Petitioner's MAC ID in a scheme to and in fact, did routinely defraud Petitioner in infringement of her liberty to pursue a livelihood that resulted, as purposed, in the further deprivation of vital property interests to Petitioner, her dwelling.

Florida's PCA law abridges due process for appellate review in the summary affirmance / affirmance as a matter of law to federal cybercrime as determined in Sandler's and co-retaliation schemers criminal use of Petitioner' stolen MAC ID in the civil theft conversion through "malicious cyber command and control, method for unauthorized remote identification of, access to, use of, Petitioner' information system and information that is stored on, processed by, and that is transited on her information system" both her internet-use electronically transferred data and her telephone communications, 6 U.S.C.A. § 1501(11) and see, *Cybersecurity Act of 2015*, Pub. L. No. 114-113, Div. N, § 1(a), 129 Stat. 2935 (codified at 6 U.S.C.A. §§ 1501–10 (West 2016)).

The Court grants this Petition for certiorari for federal clarity to the definition of cybersecurity. The Cybersecurity Act of 2015 does not define the term, but see 6U.S.C.A. § 1501(4); *Id.* § 1501(17); *Id.* § 1501(5)(A); *Id.* § 1501(16) where "The term 'security control' means the management, operational, and technical controls used to protect against an unauthorized effort to adversely affect the confidentiality,

integrity, and availability of an information system or its information.” The
Petition proposes a determination for Cyber-insecurity vis a vis U.S. Constitution
Amendment 14 in: the unlawful access to a natural or legal “person” cyberspace on
any cyber-operational / computer device with the intent to threaten and cause
harm, in the deprivation of “property”, “liberties” or “life” where the cybersecurity
compromise is the transmission of information that threatens, orders, or, directly or
indirectly, executes the deprivation of life, liberty, or property.

Respondent Edward Sandler’s fellow retaliation schemers of his civil theft cyber-
criminalities are given in the Court’s Case No.: 22-6492, that asked to consolidate
‘Related Actions’ involving these parties in issues then presented that went beyond
Petitioner’s immediate deprivation of property/liberties in denial of due process and
equal protection. The petition of Case No.: 22-6492, pg. vi named Michael Reuben
Bloomberg, is the “mastermind of the retaliation scheme’ (**App. E**, 36a, 45a);
instant Petition references one of the suspected FBI operatives of Case No.: 22-6492
“Related Action” for his apparent complicity in Amerilife’s E&O insurance frauds of
the 11th Cir. USDC, Case No.: 24-13709-AA and for his knowledge of cybercrimes-
conducted theft having prosecuted them, as he has cases of insurance fraud.

The civil theft cyber criminalities were executed for the retaliation scheme by
experts in cybertechnology, one possibly including former FBI agent, Michael [J.]
Driscoll, suspected of insurance fraud in the RICO action against al Amerilife.

Former FBI agent, Mr. Driscoll's apparent al Amerilife ties is possibly just one of several other FBI agents' connections to this suspected RICO entity supported in, *Amerilife Holdings, LLC.; Network of Insurance Senior Health Division ALG, LLC.; Amerilife Marketing Group, LLC. vs. Centre for Medicaid Medicare Services*, Case No.: 8: 24- cv- 01305 FLMD, Tampa Division, a case where FBI agents, in an affront to Congress and the Court's teachings in the overturn of *Chevron v. Natural Resources Defence Council Inc.*, 467 U.S. 837 (1984) in *Loper Bright Enterprises v. Ramon*, 603 U.S. 369 (2024)) actually attempted to create and enact laws to benefit this al Amerilife / Amerilife Marketing Group, LLC.

The relevance as to reason to grant this Petition for Certiorari finds further grounds in the facts of the clear and present various national securities dangers the parties of US Supreme Court Case No.: 22-6492 now of instant Petition, continue to present.

The major national securities crimes here seem to be able to continue unimpeded for the facilitatory interdependence of these actors. (**App. F**, 372a-395a) The motions to consolidate the 'Related Actions' of Case No.: 22-6492 further supports this mutual dependence to perpetrate crimes with lasting impunity. (**App. K**, 510a-554a) These actors' criminalities unchecked serve only to exasperate the national securities dangers they present. See, for example, the analysis of the 7/13/2024 attempt on President Donald Trump's life at **App. F**, 395a.

These parties' mutual dependence in carrying out their various national securities compromising crimes, is also evinced in the record of the USDC RICO al Amerilife matter, Case No.: 24-13709-AA. (**App. L**, 555a -561a)

The Court grants instant Petition for the national significance of a repeated issue involving the same parties and Constitutional question presented the Court.

The question of the petition for certiorari to Florida's 5th DCA in Case No.: 22-6492 on U.S. Constitution Amendment 14 forbidding deprivation of life, liberty, or property without due process and equal protection of law, has resurfaced with greater tenacity in instant Petition for Certiorari to Florida's 6th DCA. This matter evinces: FL laws protecting plaintiff/ landlord rights in a s.83.60 (2) pursuit is unequal/inadequate for the defendant/tenant's substantiated landlord retaliation conduct s.83.64 (2) defense where the retaliation of the plaintiff/landlord civil theft of all the defendant / tenant's money executed in cybercrimes that deprived the liberty to secure an income, caused, as intended, the tenant/defendant' inability to pay the rent, to landlord or court registry. The further absurdity inherent Florida's inadequate laws of this Petition show that they may become instruments of injustice in fraud on the court and Florida laws operating in a court system that abridges due process and equal protection of law in the appellate review process in PCA affirmance and perpetual PCA law application is wholly against the *U.S. Constitution Amendment 14* and Court teachings for the court decision besides. *Goldberg v. Kelly*, 397 U.S. 254, 271 (1973).

This further reason to grant instant Petition is not without precedence, see for example, *Gideon v. Wainwright* 372 U.S. 335 (1963) where certiorari was granted to reconsider, rather in fact, to overturn the Court's previous ruling in *Betts v. Brady*, 316 U.S. 455 (1942) where the Court removed the ruling's limitations on Amendments 14's Federal provisions where regulatory of State law.

The Court's grant of instant Petition for certiorari, necessarily considers the previous related cases. Florida 6th DCA PCA on Petition for certiorari is founded in Florida's PCA law that abridges Due Process of law in a matter of deprivation of substantive liberty to – and did - cause deprivation of property secondary Florida's inadequate Equal Protection of law in *Fla. s. 83.60 (2)* deprivation of property cases. Where Florida Sixth District Court of Appeals PCA on Petition is a perfunctory application for concluding judgment under the state' PCA law, is not substantive for Constitutional due process and, is otherwise violating of US Constitution Amendment 14 as sustained in the reasons for grant of the Petition, the Court, in the interests of guarding the privileges U.S. citizens enjoy under the U.S. Constitution, is impelled to grant this Petition for Certiorari to Florida's Sixth District Court of Appeals.

CONCLUSION

THAT the Petition has substantiated that Florida laws abridge and deny fundamental Due Process guarantees and allow and sustain deprivation of property

and substantive liberties in further denial of Equal Protection of law and has substantiated that Florida's 6th DCA application of the state's PCA law is in violation of U.S. Constitution 14th Amendment guards against deprivation of property and liberties founded in denial of due process and equal protection of law concludes need for review of Florida's 6th DCA application of the State's Per Curium: Affirmed (PCA) law which is in evident conflict with the U.S. Constitution 14th Amendment for its perpetual affirmance of deprivation of property and liberties in denial of Amendment 14 Due Process of law guarantees and Equal Protection of law provisions; wherefore, in the interests of guarding these guarantees and privileges afforded U.S. citizens in the U.S. Constitution Amendment 14, Petitioner asks the Court to grant this Petition for Certiorari to Florida's Sixth District Court of Appeals.

Respectfully Submitted

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By, 

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