

No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

Ashley Prince — PETITIONER
(Your Name)

vs.

Michel Chouragui — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Supreme Court of Florida
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Ashley Prince
(Your Name)

Post Office Box 642402
(Address)

Los Angeles, California 90064
(City, State, Zip Code)

954-821-3564
(Phone Number)

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Questions Presented for Review:

(under Rule 12.4 Supreme Court)

These companion cases SC17-1172 and SC17-1237, that are asked to be Reviewed by the United States Supreme Court, present a national security issue/ vulnerability, to any Tenant renting an apartment, in any city of the United States:

1. How can the common man, the Respondent, who is not an actual member of a State Law Bar or even a United States Citizen, be allowed to gain fraudulent authority to a Judge, preparing self-made court templates, act in misrepresentation, able to flout and illegally supplant and bypass the rule of law in Florida? F.S. 83.59(2)

The Petitioners are seeking a Review of Two Orders from the Supreme Court of Florida, both SC17-1172, Discretionary Review and SC17-1237, Petition For Writ Of Mandamus because each are companion cases: *under Rule 12.4 Supreme Court)*

2. How can a Floridian's indigenous and inalienable right to a hearing on Court Determination of Rent never occur, with illustrated violation complaints against the non-compliance of the Respondent to maintain premises? F.S. 83.51

3. Is it justifiable, that in order to unfairly evict the Petitioners, Judge Miller contravened the civil rights and zealously disenfranchised them by breaking statutorial and constitutional procedures in Statutes of Landlord-Tenant law?

LIST OF PARTIES

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

☒ All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

Judge Terri Ann Miller

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October 27, 2017

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Police Department Code Enforcement Unit
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05/12/17

TABLE OF AUTHORITIES CITED

CASES.	PAGE NUMBER
[Bennett v. Mattison] 382 So.2d 873 (Fla. 1st DCA 1980).	[5]
[Firth v. Marhoefer] 406 So.2d 521 (Fla. 4th DCA 1981).	[5]
[Fuster-Escalana v. Wisotsky] 781 So.2d 1063 (Supreme Court of Florida 2001)	[5]
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August 12, 2015	}
CITY of HOLLYWOOD, FLORIDA	

Special Magistrate System
Police Department Hollywood Florida
1706 THOMAS ST LLC
5151 Collins Avenue PH H
MIAMI BEACH, FL 33140

CASE No.: V15-03619
Final Order or Stipulated Final Order
August 12, 2015
CITY of HOLLYWOOD, FLORIDA
Special Magistrate, City of Hollywood
Police Department Hollywood Florida
PROPERTY OWNER
1706 THOMAS ST LLC
5151 Collins Avenue PH H
MIAMI BEACH, FL 33140

[1 4 7 9 11 12]
[16 17 18 19 23]

REPORT: of V15-03619
City of Hollywood Florida
Code Enforcement
City of Hollywood, Florida
Police Department
from Officer Irish Gardner

[1 4 7 9 11 12]
[16 17 18 19 23]

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 & B to the petition and is

☒ reported at Westlaw 2017 WL 4161261 SC 17-1172
2017 WL 4856779 SC 17-1237
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished. LEXIS-NEXIS

The opinion of the _____ court appears at appendix _____ to the petition and is

☒ reported at Broward County Commission; or, on May 12, 2017
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

Mandate
That the
opinion
of the
Panel of
Judges

See Appendix J

1.

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Current through June 2016

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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. _____.

The jurisdiction of the U.S. Supreme 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 October 27, 2017
A copy of that decision appears at appendix A

☐ A timely petition for rehearing was thereafter denied on the following date: September 20, 2017 and a copy of the order denying rehearing appears at appendix B

☐ An extension of time to file the petition for a writ of certiorari was granted to and including n/a (date) on n/a (date) in Application No. n/a

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

These Florida Supreme Court cases SC17-1172 & SC17-1237 are sought to be reviewed, ~~on~~ on a writ of certiorari to the same court and involve identical and closely related questions, a single petition for a writ of ~~certiorari~~ 1 certiorari covering

all the judgments suffices. These are companion cases.

The Jurisdiction of the United States Supreme Court is invoked and is being sought by the Petitioners to ☐ not [O]nly motion for the Writ Of Certiorari for this Court's review of a controversial September 20, 2017 decision of the Florida Supreme Court denying discretionary review, but to [A]lso review the Florida Supreme Court's equally controversial October 27, 2017 denial of their Petition For Writ of Mandamus.

As the basis of this case for petitioning jurisdiction in the United States Supreme Court for this Writ of Certiorari is a statutory provision called, Florida State Statute 83.51, the most famous of Landlord-Tenant laws that exist for the state of Florida and the Petitioner's ask: "How can a Rent Determination that is by Florida Statutes required constitutional law be denied by the Lower and Circuit Court with an active City of Hollywood Code Enforcement violation that indicated non-compliance with Florida state Statute 83.51?" Under Rules of Florida Appellate Procedure 9.330, The Petitioner's appealed in a timely response on April 30, 2017 the decision of the Appellate Circuit Court as such an issue has a great impact on the general public and the Appellants motioned to have the issue be certified to the Florida Supreme Court because of its importance , not just to the Appellants, but to most if not all Florida citizens.

Exceptional circumstances warrant the exercise of the Court's discretionary powers and that adequate relief cannot be obtained in any other form or from any other Court, this is last chance for any relief to be considered or offered though deserved

from the United States Supreme Court. This motion for a Writ of Certiorari that should be granted by the United States Supreme Court as Florida State Statute 83.51 and the right to be granted a hearing for a Court Determination of Rent is of core importance to any state of Florida resident who rents an apartment, these serious errors in the application of Florida State Statutes sets a legal precedent that endangers a vulnerable Florida community and Public - especially for Broward County Florida in the courtroom of Judge Terri Ann Miller. The United States Supreme Court has jurisdiction to grant the Petitioner's motion for a Writ of Certiorari under Rule 10 (a) from the Rules of the Supreme Court of the United States which states that a United States court of appeals has entered a decision in conflict with the decision of another United States court of appeals on the same important matter. Petitioner's will have cited case history that indicates a conflict with the decision of the Florida Judicial system, who will not hear any argument made by the Petitioners indicating severe unjust prejudice have been perpetrated against them [A]nd in the face of adversity, homeless, exiled from their native state, comes this motion for Writ of Certiorari for the United States Supreme Court by granting the motion for this Writ Of Certiorari to right this miscarriage of justice as the last chance for The U.S. Judicial system to establish accountability and credibility of the Florida Judicial system that is riddled with rogue, staid, and lazy complacence , to stand up for an American ^{who} refugee has now come for their time of justice and be granted

relief.

The Florida Supreme Court to summarily deny a Petition for a Writ Of Mandamus as well as a brief on Discretionary Jurisdiction has so far departed from the accepted and usual course of judicial proceedings as well as sanctioning such a departure of the lower court that brings this call for an exercise of the supervisory power and authority of the United States Supreme Court. The United States Supreme Court has jurisdiction to grant the Petitioner's motion for this Writ of Certiorari under Rule 14(e):
(i) The basis for jurisdiction in the United States Supreme Court is from a Default Judgment

for A Writ of Possession granted April 16, 2015 that exiles the Petitioner's from their home

state, who motion for this Writ of Certiorari is sought to be reviewed as Judge Terri Ann Miller had been motioned to Recuse and Disqualify herself according to prescribed Florida

Constitutional law and instead zealously accepted and expedited the fraudulent representative's motion [W] ho is not a Member Of

The Florida Bar, while the respondent knowingly acted in misconduct - in an LLC, it is against the law for [B]oth a property manager to file more than the initial Residential

Summons Complaint for Eviction that was accepted and granted by

Judge Miller in astonishing and stunning [V] iolation of Florida Statute 83.59 (2).

Florida Statute 83.59. (2) "A landlord's agent is not permitted to take any action other than the initial filing of the complaint, unless the landlord's agent is an attorney"

The Court Record of the Florida Supreme Court indicates that the Respondent himself filed a Motion to Strike Answer inaccurately

alleging the Petitioner's had not filed a Motion for Rent Determination, not being a member of the Florida Bar, the fraudulent Michel Chouraqui. On March 31, 2015 the lower court entered an Order Striking Petitioner's Answer to the Residential Summons Complaint. On April 16, 2015 while the motion for recusal and disqualification was pending, the lower court entered a Default Judgment for Eviction.

The State of Florida has set legal precedent in Fuster-Escalana v. Wisotsky, 781 So.2d 1063(Fla 2001) where this occurrence of a violation of quashing order on motion to dismiss because trial court ruled on the motion to dismiss while a motion to disqualify was pending, which is exactly what Judge Miller illegally did against the Petitioners.(ii) The date that the Appellate Division of 17th Judicial Circuit In and For Broward County, Florida made a decision that was¹¹not Final until timely response¹¹ is March 31, 2017 respecting rehearing: In Case no., CACE 15-006848 reads "Not Final until disposition of timely filed motion for rehearing."

As the basis of this case for petitioning jurisdiction in the United States Supreme Court for this Writ of Certiorari is a statutory provision called, Florida State Statute 83.51, the whole state of Florida and the Petitioner's ask:

"How can a Rent Determination by the Lower and Circuit Court be denied with an active City of Hollywood Code Enforcement violation that indicated non-compliance with Florida state Statute 83.51?"

Under Rules of Florida Appellate Procedure 9.330, The

Petitioner's appealed in a timely response on April 30, 2017 the decision of the Appellate Circuit Court as such an issue has a great impact on the general public and the Appellants motioned to have the issue be certified to the Florida Supreme Court because of its importance , not just to the Appellants, but to most if not all Florida citizens. Exceptional circumstances warrant the exercise of the Court's discretionary powers and that adequate relief cannot be obtained in any other form or from any other Court, this is last chance for any relief to be considered or offered though deserved from a Court of Law and to establish the accountability of the state of Florida judicial system whose state courts left the Petitioner's vulnerable to become disenfranchised. There were many violations of Florida Constitutional and Statutory Provisions involved in this controversial case. The United States Supreme Court should grant the Petitioner's motion for Writ Of Certiorari as the state of Florida's most famous Landlord-Tenant statutes 83.51 has been violated to such an extreme degree that this law of the Florida constitution has been declared revoked and Invalid by the actions of the Florida courts. The Petitioner's have been victim to a double standard where one side had the law where the Petitioner's have become viciously disenfranchised through the judicial vengeance of Judge Terri Ann Miller. In the instances of court precedence set by: Firth v. Marhoefer and Bennett v. Mattison where Sect. 83.51 (2) (a)3 FS 1979 imposes a statutory duty upon landlords to take reasonable precautions to maintain an apartment in a safe clean condition. In Harris v. H.G.

Smithy, "Minimum standards of proper maintenance require the landlord to anticipate dangerous conditions that recur regularly and to take some precautions."

Florida Courts have held up arguments that repeated verbal and written warnings to owners were sufficient to put them on notice of the recurring nature of the problem. Under Florida State Statute 83.64 where it is unlawful for a landlord to retaliate against a tenant who reports to a government agency of residential code violation, Judge Terri Ann Miller heinously allowed the fraudulent respondent to retaliate against these Petitioners throughout the whole term of the Lease agreement by not implementing other Florida Constitutional statutes that regulate and provide a defense to the Florida tenant.

The Petitioner's were denied to use as a defense Florida Statute 83.60, Defenses to action for Rent or Possession procedure:

Florida Statute 83.60 (1)(a)
"In an action by the landlord for possession of a dwelling unit based upon non-payment of rent
or in an action by the landlord under Statute 83.55 seeking to recover unpaid rent, the tenant
may defend upon the ground of a material non-compliance with Statute 83.51 may raise any other
defense whether reasonable or equitable that he or she may have, including the defense of
retaliatory conduct accordance with Statute 83.64 (r6).

This petition for a Writ of Certiorari from the United States Supreme Court should be granted to the petitioners, and grant relief through vacating the illegal Default Judgment for Eviction, the United States Supreme Court should overturn the miscarriage of justice taking place in the State of Florida as the Petitioner's were using existing Florida Statutes to defend themselves upon the grounds of a material non-compliance and Judge Terri Ann Miller disenfranchised not only the

Petitioners but the whole state of Florida by not allowing the
Petitioners to have a court hearing in the issue of rent
determination with evidence that Florida Statute 83.51(1) had
been violated by the fraudulent Respondent Michel Chouraqui.
Judge Terri Ann Miller deprived the Petitioner's their Florida
Tenant rights Denying their more than seven attempts of motions
for a Court Hearing on Rent Determination mandated/required by

Florida Statute 83.56(1)(b)
"If the landlord's failure to comply does not render the dwelling
unit untenable and the
tenant remains in occupancy, the rent for the period of non-
compliance shall be reduced
by an amount in proportion to the loss of rental value caused by the
non-compliance.

This Florida Judge Terri Ann Miller is abusive and a scofflaw
that disenfranchised the deserving Petitioner's who motion for
this Writ Of Certiorari from the United States Supreme Court as
the following law requiring a Court Determination For Rent has
been declared and invalid as the Petitioner's were denied access to
defend upon.

Florida Statute 83.60 (1)(b)
"A material noncompliance with Statute 83.51(1) by the landlord is a
complete defense to
an action for possession based upon nonpayment of rent, and, upon
hearing, the court or
the jury, as the case may be, shall determine the amount, if any, by
which the rent is
to be reduced to reflect the diminution in value of the dwelling
unit during the period
of noncompliance with Statute 83.51(1) . After consideration of all
other relevant issues,
the court shall enter appropriate judgment."

Judge Terri Ann Miller's bypassing these Florida statutes and
withholding lawful relief that the Petitioner's deserved shows
prejudicial treatment in favor of the adverse party and
violating the United States Fair Housing Act should be

considered in the United States Supreme Court granting this Motion for Writ of Certiorari to, not only the Petitioner's but also in the interests of the civil rights of every tenant in the state of Florida. The issue over the eligibility to be granted a hearing for a Court Determination of Rent has been unlawfully WITHELD by Judge Terri Ann Miller in violation of Florida Statutes in

Title VI, Civil Practice & Procedures in Chapter 83 FS 83.232 (3)
"The court, in its own motion, shall notify the tenant of the requirement that rent be paid into the court registry by order, which shall be issued immediately upon filing of the tenants initial pleading, motion, or other paper."

Judge Terri Ann Miller abuses and ignores the laws of the Florida Constitution, not only the against the Petitioner's but to the whole population of the state of Florida tenants as under Florida Rules of Appellate Procedure 9.310 Motion to Stay All Proceedings Pending Appeal, the Judge refused to rule in total defiance of the superseding rule of Florida Constitutional law. Judge Terri Ann Miller against Florida Rules of Judicial Administration 2.330 (f) refused to disqualify herself which fundamentally destroyed the fairness of the whole case, which the United States Supreme Court should evaluate for civil rights violations against the Petitioner's who couldn't apply Florida Laws to defend upon as the law states: as Florida Rules of Judicial Administration 2.330(f) is being Violated by a rogue Judge Terri Ann Miller:

"if the motion to disqualify is legally sufficient, the judge must immediately grant it and take no further action in the matter. The Requirements for a motion of recusal

or disqualification are fairly well-established. The party seeking
recusal or
disqualification must file a motion explaining that the party fears
that it 'will not
receive a fair trial ... on a account of the prejudice of the judge
of that court
against the applicant or in favor of the adverse party. Statute
38.10 Florida Statute
2014.

Judge Terri Ann Miller unfairly evicted the Petitioner's on
October 17, 2014, although there were City Of Hollywood Code
Enforcement active and outstanding violations illustrated
through court record evidence of Violation V14-13906 and V14-
13699, in COSO 14-0926 which ridiculously resulted in an unfair
default judgment for eviction against the Petitioner's.
The controversial case now being motioned for Writ Of Certiorari
by the United States Supreme Court by the Petitioner's has
identical similarities with there being extreme violations of
Florida Statute 83.51 and there are active and outstanding City
of Hollywood Florida Code Enforcement violations and Judge Terri
Ann Miller again, viciously without any regard of any
laws of Florida, manipulated the scales of justice and
maliciously evicted the Petitioner's with Violation V15-03619
against the respondent who never properly repaired the apartment
to restore a breach of safe habitat which occurred during the
whole length of the lease and the Petitioner's
were ordered by Judge Terri Ann Miller to pay full rent to the
fraudulent Respondent acting in Misconduct, Michel Chouraqui.
The Petitioner's are motioning the United States Supreme Court
to be granted a Writ of Certiorari because the Petitioner's have
no other remedy to overturn these illegal decisions and grant

the relief they are entitled to under:

Florida Rule of Civil Procedure 1.540
Relief From Judgment, Decrees, or Orders on motion and upon such terms are just, the court may relieve a party, or a party's legal representative from a final judgment, decree, order, proceeding for the following reasons 1) mistake, inadvertance, surprise or excusable neglect. 2) newly discovered evidence which by due diligence could not be discovered on time to move for trial or rehearing. 3) fraud, misrepresentation or other misconduct of the adverse party. The motion should be made within reasonable time and for reasons (1), (2), (3) not more than one year after the judgment decree, order, proceeding as entered or taken. This does not limit the power of the court to entertain an independent action to relieve a party from a judgment, decree, order, or proceeding or to set aside a judgment or decree for fraud upon the court."

The Petitioner's are motioning the United States Supreme Court for this Writ of Certiorari as Judge Terri Ann Miller made serious controversial errors in evicting the Petitioner's who as any Florida Tenant would, suffering being homeless from having. their civil rights violated and their ability to rent an apartment with their record of credit compromised, vehemently express an urgency that the Supreme Court of the United States grant the Petitioner's relief by correcting the Record. Judge Terri Ann Miller's violating multitude Florida Constitutional Laws sets a legal precedent that endangers the public.

The Respondent has had no accountability established under the law from violating

Florida Statute 83.51(1)
Landlords obligation to maintain premises
(1) The landlord at all times during the tenancy shall maintain functioning facilities
for heat during winter, running water, and hot water.

Judge Terri Ann Miller violated not only the civil rights of the

Petitioner's but to all the Tenant's in the state of Florida by not allowing a hearing on the issue of a court determination of rent as the Petitioner's were defending themselves upon the grounds of a material non-compliance, allowing the Respondent Michel Chouraqui to be a scofflaw and violate the state of Florida's legal requirements governed under Florida Statute 83.51(a) [to] Comply with the requirements of applicable building, housing, and health codes; or

Florida Statute 83.51(b)
[that] The Landlord at all times during the tenancy shall: maintain the plumbing in reasonable working condition.

Judge Terri Ann Miller obliterated the civil rights of the Petitioner's illegally excusing the fraudulent respondent Michel Chouraqui and denied the rights also of the Petitioner's to defend themselves under Florida Statute 83.60(1) the section of Florida law specifically addressing the tenants right to withhold rent, indicates that a tenants rights to withhold rent are acceptable to occur when violations of Florida Statute 83.51(1) which involve the landlord's failure to maintain the property up to existing Building, Housing, or Health Codes. Judge Miller illegally violated Florida Statute 83.232 which states:

"Unless the tenant disputes the amount of accrued rent, the tenant must pay the amount alleged in the complaint into the court registry on Or before the date on which his or her answer to the claim for possession is due. If the tenant contests the amount of accrued rent, the tenant must pay the amount determined by the court into the court registry on the day that the court makes its determination."

The rule of law has been wrongly applied to favor the fraudulent respondent Michel Chouraqui while depriving unfairly the Florida Tenant rights of the Petitioner's as under

Florida Statute 83.232 states:

"In an action by the landlord which includes a claim for possession of real property,

the tenant shall pay into the court registry the amount alleged in the complaint as

unpaid, or if such amount is contested, such amount as is determined by the court,

and any rent accruing during the pendency of the action, when due, unless the tenant

has interposed the defense of payment or satisfaction of the rent in the amount the complaint

alleges as unpaid. Unless the tenant disputes the amount of accrued rent, the tenant must pay

the amount alleged in the complaint in the court registry in or before the date in which his

or her answer to the claim for possession is due. If the tenant contests the amount of accrued

rent, the tenant must pay the amount determined by the court into the court registry on the day

that the court makes its determination. The court may, however, extend these time periods to

allow for later payment, upon good cause shown."

The Court Record reveals that the Petitioner's have contested the amount of rent. A landlord in the state of Florida cannot evict a tenant in

retaliation for certain acts the Tenant commits in good faith, the

Petitioners had to complain to City of Hollywood Code Enforcement that

the fraudulent respondent violated building, housing and health codes, not

maintaining rental unit's plumbing and Judge Terri Ann Miller violated

Florida Statute 83.64 which states the landlord is

"forbidden to retaliate against Petitioner's with Court Action for tenants rights over

landlord's material non-compliance with State Laws."

The Petitioner's motion that the writ of certiorari be granted as the

fraudulent Respondent, Michel Chouraqui has escaped culpability under

Florida Statute 83.67:

"A landlord who violates any provision of this section shall be liable to the tenant

for actual and consequential damages or three months rent, whichever is greater

and costs, including attorney's fees. Subsequent or repeated violations that are not

contemporaneous with the initial violation shall be subject to separate awards of damages"

In Mansur v. Eubanks 368 So.2d (Ervin, J., concurring)

"The owner of a residential dwelling unit, who leases it to a tenant for residential purposes, has a duty to reasonably inspect the premises before allowing the tenant to take possession, and to make the repairs necessary to transfer a reasonably safe dwelling unit to the tenant unless defects are waived by the tenant."

In Ransom v. Connelly 11-5431(53) Broward 2011 a Broward County Judge Robert W. Lee gave the opportunity to Florida tenants to perform repairs as provided under Florida Statute 83.51. Judge Robert W. Lee in Broward county deducted the tenant's repair and hotel bills from the rent, ordering the tenant to pay the balance of the past due rent into the court registry. [Ransom v. Connelly 11-15431 (53)]

Petitioner's have a solid complete defense in the landlords failure to cure a defect. Judge Terri Ann Miller violated Florida Rule of Appellate Procedure 9.310, where motion after motion for a hearing on a Court Detemination for rent went unanswered and the granting of a stay during an appeal is within the Trial Court's discretion. The stay would not have harmed the opposing party and would not unduly delay the proceedings. There was severe economic hardship and irreparable harm caused to the Petitioner's because the stay had illegally not been granted.

Statement of the case is as follows: these pro se Petitioner's have been Diligently applying Florida Statutes and Laws of the state constitution to defend their civil rights in a Landlord Tenant eviction where there are multiple examples where these laws ~~have~~ actually become a mockery, therefore meaningless as there is a double standard of justice in the Florida Justice system being applied, where there's only a one sided fairness for the adverse party over and over and not one Florida law that these Petitioners could ever state, have been given any credibility or accountability except for two Broward County Judges, Murphy., J. and

Haury., J. in the Circuit Court however right, - have [u]nfathomably failed, and the Petitioner's can only conclude that there is an illegal "good old buddy" network of lackluster effort in the enforcement of Florida Constitutional law combined with ignorant thinking in the upper eschelon of the 17th Judicial Circuit In and For the County of Broward in the state of Florida, and of the Florida Fourth District Court Of Appeal, especially in the Florida Supreme Court. Two and half years ago, a fraudulent residential court eviction began that led to the unfair exile and american refugee status for two Florida married ex-residents, who with their 17 year old cat remain unfairly homeless and bring this motion for Writ Of Certiorari for the United States Supreme Court to grant as the Petitioner's controversial case has been besmirched with unfair prejudice, discrimination and disenfranchisement of a Florida citizens' indigenous civil rights and only the United States Supreme Court can provide the relief sought as the Petitioner's are simultaneously appealing with this motion for a Writ of Certiorari why a companion case a Petition For A Writ of Mandamus in the Florida Supreme Court SC17-1231 that is also being appealed to vacate the Default Judgment that creates an unfair barrier for the Petitioners to rent an apartment and would allow the Petitioners to return to their home state of Florida with their record unblemished from an eviction which should not have occurred as their Credit ability to Rent an apartment has become so severely compromised because the Petitioner's were refused their civil rights to Recuse and Disqualify Broward County Judge Terri Ann Miller of Hollywood, Florida. According to Florida Rules of Judicial Administration 2.330 (f):

If the motion to disqualify is legally sufficient, the judge must immediately grant it and take no further action in the matter. The requirements for a motion

for a recusal or disqualification motion are fairly well established. The party seeking recusal or disqualification must file a motion explaining that the party fears that it 'will not receive a fair trial ...on account of the prejudice of the judge of the court against the applicant or in favor of the adverse party."

The Petitioners motion the United States Supreme Court for a Writ of Certiorari in a state of Florida case of great importance, the controversial case serves as an example of how the administration of statutes and constitutional laws are not being followed as prescribed, that there is a disenfranchisement of the Petitioner's civil rights, where the Petitioner has not been given any fairness to claim any defense that is accorded to every Florida citizen. The laws, the statutes, the constitutional provisions that the Petitioner has cited with to defend in this case don't have true validity if Petitioner, who is too poor to represent himself, Fails by the words and becomes homeless as opposed to having paid representation and then, Not as taken advantage of by the judicial system.

There is a double standard taking place in the state of Florida, where only an attorney has the authority to have the laws become applicable and the judges take advantage of the little people no matter how accurate and truthful the little person can state the facts as is, the judicial system is crooked and slanted especially in this one particular courtroom in Hollywood, Florida in the Chambers of Judge Terri Ann Miller where, controversially - zealously permitted - allowed multiple violations of Florida Constitutional Law and the Statutes involving Landlord-Tenant governing.

This is a highly controversial Landlord-Tenant Residential eviction case where a judge, with extreme prejudicial bias against the Petitioner's,

evicted them with their fourth Default Judgment Eviction in a period from March 3, 2014 through September 11, 2015.

1. Judge Terri Ann Miller of Hollywood, Florida in an example of her abuse of authority, issues a hasty writ of Possession to the respondent who fraudulently docketed templates who is not in

authority to use as legal instruments into Court, as only an attorney of the Florida Bar has the power which is in violation of Florida Statute 83.59(2).

2. Petitioner's, were unfairly evicted by the same Judge Terri Ann Miller three times in past Landlord-Tenant residential summons complaints.

3. Petitioner's filed a motion on the basis of Florida Constitutional law to recuse the Judge who had unlawfully given the writ of possession to the fraudulent respondent and in the 17th Judicial Circuit in and for Broward County Florida, there was Judge John J. Murphy who verified that the respondent is not a Member of the Florida Bar, and yet the Petitioner's motion for recusal under the state laws of Florida would go silently unanswered-leaving no relief that the law provides for the vulnerable.

4. There was a serious plumbing issue with the Petitioner's apartment and there had been active violations filed with the City Of Hollywood Code Enforcement Unit which is operated by the Hollywood Florida Police Department that Judge Terri Ann Miller in an example of her abuse of authority ignored the existence of the V15-03619 (active residential code violation that came before a special magistrate of Hollywood City Hall in August 2015 as a result of extreme reluctance to effect a plumbing repair) and acted in favor of the respondent.

5. The respondent who is a slum-lord, as stated in March 2015 in the

answer to the residential summons, of why the Petitioner's should not be evicted is : a) not only, Not a member of the Florida Bar who was ^{and} [i]llegally granted a writ of possession, ^{and} the Petitioner's assert is

(b) not an actual American citizen but a foreign national of another country , who is a predator of the court system, knowing how to evict other unsuspecting tenants under the guise of illegal eviction machinations in this fraudulent 1706 Thomas Street LLC.

6. There are multiple laws that are from Florida State Statutes that ^{are being violated} ~~that~~ the tenant has a right to -but one Above All AS A FLORIDA CITIZEN

to defend upon when having to make an answer in the Florida Court System in a Residential Summons Complaint Is the Right To Have The Court Make A Rent Determination at the request of the Defendant - an indigenous right of being a Renter.

This has been denied to the Petitioner's which is another example of Judge Terri Ann Miller's abuse of authority. THIS IS UNFATHAMABLE And EVERY other law cited by the Petitioner's have been been one that would have allowed the Petitioner's justice and relief and what the Judge Terri Ann Miller has unlawfully allowed to occur, what the 17th Judicial Circuit - (with one dissension that there was enough evidence for a Court hearing on a rent determination) per curiam affirmed is against the Florida Constitution and the cases Petitioners cite have in common a Defendant winning claims against landlords in violation with Florida Statute 83.51, this issue involved water and insect infestation.

The Reasons for granting this motion for Writ of Certiorari is stated

below:

1). This Scandolous Judge Terri Ann Miller causes irreparable harm to the Petitioners and for All Florida Citizens WITHOUT the U.S. Supreme Court granting the Petitioners Motion for this Writ Of Certiorari. Judge Terri Ann Miller VIOLATES every Florida Citizens's indigenous right to answer a Residential Summons complaint for eviction with a request for a Court Hearing on the Determination of Rent. It is a heinous occurance of enormous proportion to Prejudiciously deny these inalienable rights to a Florida Citizen. This was a FUNDAMENTAL ERROR IN THE CASE WHICH DESTROYED THE WHOLE FAIRNESS.

2). The Respondent, the adverse party had been allowed to collect full rent because of the Judge Terri Ann Miller's deliberate violation of many existing Florida Constitutional Laws to hold a Court Hearing on the issue of rent determination even though Michel Chouraqui had been in violation of Residential Code Ordinances in the City of Hollywood, Florida City (Ordinances 157.19 D & F) which the Petitioner's had a right and the Judge had a duty to perform and the respondent received from the Code Enforcement of Hollywood, Florida a citation Violation, with the establishment of case number V15-03619 . The fraudulent respondent, in vicious deliberate reluctance to make a repair on unprofessionally installed plumbing had been forced to appear before a Special Magistrate who had to legally enforce a deadline and issue fines against Michel Chouraqui for this non-compliance, although the Michel Chouraqui NEVER MADE REPAIRS and the SECURITY DEPOSIT of \$800.00 remains stolen property in the hands of Michel Chouraqui to be returned to the Petitioners. WITHOUT the granting of the Petitioner's motion to the U.S. Supreme Court for this Writ of

Certiorari, both Judge Terri Ann Miller and Michel Chouraqui will ESCAPE CULPABILITY for their irreparable harm to the Petitioners from their scandalous reluctance to perform their professional function of their office. WITHOUT SUCH DEMONSTRATION of Predjudice and Discrimination, as there is evidence in the Court Record which illustrates that the Appellate Division of the 17th Judicial Circuit Court In and For Broward County Florida in a panel vote on the Petitioners case CACE - 1500-6848, there had been a vote indicating there was enough evidence in the court record for a hearing on the issue of rent determination.

3). The Respondent through predudice and discrimination had violated the standards of the United States Fair Housing Act not being held accountable for never fixing inferior installed plumbing and restoring premises to a habitable condition as the roaches by the delinquency of never fixing water ridden gaps of deterioration which overwhelmed and destroyed the Petitioner's property including the Petitioner's car, [e]ven though the Respondent had to enter a Stipulated settlement with the City of Hollywood, Florida Code Enforcement Division for the violations and fines made in VIOLATION V15-03619; however the Petitioner's were never given any relief other than in the amount of paying full rent for horrible conditions.

4). No Judge should be allowed to remain on a case when the Petitioner has attempted to recuse according to Florida Rules Of Administration 2.330 (f).

Comes the Petitioner, who motions via forma pauperis and without assistance for an important Writ of Certiorari in the United States Supreme Court. The 17th Judicial Circuit In and For Broward County, The Fourth District Court of Appeal in West Palm Beach and reaching the Florida Supreme Court in Tallahassee have either Revoked or Declared

invalid the governing covenants of

1.) Landlord-Tenant State constitutional statutes

2.) Florida Rules of Appellate Procedure which are intended to be superseding rules of the Florida Bar are being illegally manipulated where the common man, even a foreign national or not even a citizen can upload a court template to strike a defendant's Answer to the court motioning for a Hearing on determination of rent by the court.

These Petitioner's had a judge make a fundamental error that destroyed the fairness of e whole case and lazy appellate judges who on the first panel had been dissented, the District Court of Appeal looked to technicality the appeal over Appendices, and after accepting the appendix two weeks later said appendix was a problem, when there really was not. - and Petitioner's forced to write an exercise claiming timely filed motions for certification; the Hurricane Irma in September brought a rule change to the appendices filing process which is highly controversial since the Petitioner's June 16, 2017 rejection in the Fourth District Court of Appeal is all about the filing of Appendices and The Florida Supreme Court changes the rules about filing appendices - highly controversial since Petitioner had a successful chance of being reviewed by the Fourth District Court of Appeal which didn't treat petitioner like forma pauperis but to the high standards of a high powered attorney.

Conclusion: The Petitioner's diligently motioned to the Florida Supreme Court with two motions filed; Motion for Discretionary Jurisdiction which was denied way before the motion for a Petition for Writ Of Mandamus had been recently denied for review October 27, 2017. The Florida Supreme Court dismissed both unfathomably with over 30 laws

being declared invalid or revoked during the Petitioner's case process, allowing a fraudulent resident without Florida Bar Membership file motions that are accepted by a crooked law abusing and manipulating judge who through hating the Petitioner who she met before - disqualifying [E]very answer to the court so shows the court record to evict a defenseless Florida tenant.

Even laws to recuse the judge have gone ignored and unanswered under Florida Rules Of Civil Procedure 2.330 to recuse The Teflon Judge of Terror, Terri Ann Miller, the good 'ol boys of each Judicial level, the Appellate Division of the 17th Judicial Circuit in and for Broward County, allowed this illegal manipulation in the law to not be appealed when Judge John Murphy in the Appellate division wrote in the case CACE15-006848 that the respondent Michel Chouraqui violated Florida Statute 83.59 (2). The Fourth District Court of Appeal didn't say the motion to certify by the Florida Supreme Court wasn't correct or even untimely but because of nothing made up that the appendices had not been accepted but the court record of May 25, 2017 shows there was a filed appendix of the order showing to evict and the order by the 17th Judicial Circuit indicating that the "Decision is Not Final, unless Timely disposition made"

However, The Fourth District Court Of Appeal is extremely hardcore to the Petitioner, highly reluctant to process the information given by the Petitioner to the Court, very lackluster in any providing any professionalism to their office, pulling any information from them was to the point where it bordered on haughty and sheer reluctance to be professional and highly resistant to any questions in the most unprofessional manner just bordering on hypocrisy as no laws cited

were really considered as the Fourth District Court of Appeal passed upon a question of public importance to the state of Florida, hardcore against Petitioner dismissing case while open motions to supplement the record by the Petitioner were waiting are against Florida Rules Of Appellate Procedure, 9.210 (F). the Appellate Court of the 17th Judicial Circuit In and For Broward County, the Fourth District Court of Appeal and the Florida Supreme Court have failed to uphold, measure against, validate, verify, justify or give any credibility in defense to the State's established rule of law When dismissing the Petitioner's case- Declaring Invalid or revoking Florida laws that exist in the State constitution, laws that exist for two sides. Only the adverse party, the respondent Michel Chouraqui has won, by fraudulent misconduct that cannot be sanctioned legal but through guile and deception and a great miscarriage of justice had the Petitioner's, homeless when they in the right under the state law of Florida, but have been disenfranchised, victims of lazy judicial judges who are lackluster in upholding the state laws of the constitution of Florida, compromising the Petitioners ability to rent by evicting tenant/petitioner who can't defend himself under the laws which are there for protection.

These Appellate Courts have not given any credibility or truthfulness in the state of Florida's- Florida Rules of Appellate Procedure as there has been no 'procedure' applied but has rather become revoked through these appellate courts through their hypocrisy to provide any relief to the Petitioners by vacating the judgment to clear the record of the Petitioner from being compromised of bad credit of evictions when petitioner was defenseless against a rogue Judge Miller who refused

to be recused and purposely fundamentally destroyed the fairness of the
whole case by allowing a fraudulent motion to be accepted and granted a
motion by the respondent to strike the Petitioner's answer for a court
hearing on a rent determination with violations to Florida Statute 83.51,
a landlords responsibility to maintain premises was severely violated.

For the U.S. Supreme Court to grant the Petitioner's motion for Writ of
Certiorari would be to decide on a case of great importance, the
validation of whether Florida laws of the state's constitution or
whether Florida Statutes or whether Florida Rules Of Appellate Procedure
have been withheld with prejudice against the Petitioner who is self
representing with no education in law, yet ironically every application
of any law ^{that} ~~has~~ ^{Petitioner's to the} ever been cited by the Florida Court, ~~has denied~~ any
relief to this American citizen who is a refugee -homeless now as a
harmful pernicious vindictive result from a judge and a fraudulent
document, filed by a foreigner, not a member of the Florida Bar and
expedited zealously by an evil hearted judge, Terri Ann Miller and the
"good 'ol buddy" syndrome that permeates the Florida Justice appellate
ranks, burgeoning from the 17 Judicial Circuit In and For Broward County,
The Fourth District Court Of Appeal in West Palm Beach and the Florida
Supreme Court are illegally bypassing a question for the whole state of
Florida: How does a person who answers a Residential Summons Complaint
for Eviction in the state of Florida be justifiably denied a Court,
Determination Of Rent Hearing with breaches to the lease involving
violations of the landlord's responsibility to maintain premises verified
by a case V15-03649 being created by the city of Hollywood Code
Enforcement Unit?

The case that is being petitioned for this writ of certiorari is premised

on one central question:

The right of a Florida citizen in a Florida Residential Summons Complaint for Eviction has a legal right to exercise a motion for a Hearing by the Court on a determination for rent, such instruction appears on every residential summons complaint for eviction in the state of Florida for any renting Florida tenant-

HOWEVER this right is being denied the Petitioner to such an extreme degree that any Florida inhabitant should have been able to defend under the laws of the Florida constitution. With the dismissal of the Petitioner's case these Florida laws have obviously become revoked or eradicated or invalidated by the hugest court in Florida which is heinous and un- American.

What makes this case more controversial is that For the U.S. Supreme Court to grant the Petitioner's motion for a Writ of Certiorari is the last chance to right a severe miscarriage of justice perpetrated by a Judge who should have been disqualified who has revoked or declared invalid laws of the Florida State Constitution, Florida Rules of

Appellate Procedure, Florida Statutes in Landlord-Tenant laws

and this judge compromises the ability of the petitioner to be able to rent an apartment in the state of Florida as there are identical cases in the Court Record that reflect the modus operandi of Judge

Terri Ann Miller illegally manipulating in scofflawed abuse of Florida laws that evicted the Petitioner three other times from March 2014 through September 2015 without a Court Hearing for A

Determination of Rent, something that affects the whole State Of Florida renting public- every

Residential Summons Complaint For eviction contains a state clause that

the Tenant can file with the court a Motion to the Court for a Rent Determination, the Petitioner had plumbing problems that caused such decay that there were roach colonies in such great abundance that Roaches at nighttime covered the floor tiles with no where to walk once the sleeping hours occurred.

For the Supreme Court to grant the Petitioner's motion for Writ of Certiorari and accept the case for review would be to decide that there is existence of a conflict between the decision of which review is sought and a decision of another appellate court on the same issue.

The Petitioner motions that the U.S. Supreme Court grant this motion for Writ Of Certiorari which is deserving to be considered and understand how very important this controversial case is not only to the Petitioner but [A]lso to the public of the entire State Of Florida who rents an apartment, the Petitioner had civil rights that are being denied that are eligible to any Florida Resident which is heinous, unconscionable and unfathomable. With the Petitioner's and the state of Florida renting public civil rights being violated, the U.S.

Supreme Court is being sought to resolve this disagreement among the Florida lower tribunals about this specific legal question.

The Petitioner's motion for the Writ of Certiorari to the U.S. Supreme Court be granted as the Petitioner's are entitled to, along with all relief the United States Supreme Court deems just and proper. The jurisdiction of the U.S. Supreme Court is invoked as there is no other remedy or ability to appeal under these circumstances other than for the U.S. Supreme Court to grant the Writ of Certiorari that the Petitioner's are entitled to.

The motion to invoke jurisdiction of the U.S. Supreme Court to grant the writ of certiorari is not only made by the Petitioner's, [A]s well as for every citizen in the state of Florida, that Judge Miller made a departure from the essential requirements of law that cause material injury for which there is no other adequate remedy other than motioning for this Writ of Certiorari for which the Petitioner's are entitled to. Breaker 1 9, this is Westcoast Dave ^{With his} Florida cat the thing he's loved most in America, for 17 years, Miss Pickle, saying, The Florida Judicial system is corrupt, correct, overturn and vacate the judgment, anybody got a copy?

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Ashley Prince

Date: December 2, 2017