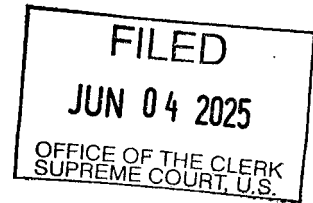


25-5723

No. \_\_\_\_\_



IN THE  
SUPREME COURT OF THE UNITED STATES

\_\_\_\_\_  
MATTHEW A. TOBIN — PETITIONER  
(Your Name)

vs.

\_\_\_\_\_  
STATE of FLORIDA — 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

\_\_\_\_\_  
MATTHEW A. TOBIN  
(Your Name)

\_\_\_\_\_  
5850 S. MILTON RD.  
(Address)

\_\_\_\_\_  
MILTON, FL 32583  
(City, State, Zip Code)

\_\_\_\_\_  
(Phone Number)

### QUESTION(S) PRESENTED

- WHY WAS I SENT TO PRISON WITHOUT HAVING THE STATUTORY MINIMUM POINTS LEGALLY ALLOWING IT.
- WHEN MY APPEAL WAS WON ON 12-CF-2798 WHY WAS THIS CASE NOT REMANDED BACK TO THE COUNTY COURT AS WELL? I TOOK THE PLEA ON THIS CASE UNDER THE IMPRESSION IT WOULD BE BY ASSISTANT STATE'S ATTORNEY KIMBERLY TORRES OUT OF OKALOOSA COUNTY.
- WHY IS AN ASSISTANT STATE'S ATTORNEY GIVEN SO MUCH AUTHORITY TO BULLY AND BRING FORTH FALSE CHARGES?
- WHY DIDN'T THE PUBLIC DEFENDER PRESENT MY EVIDENCE PROVING MY INNOCENCE THAT THE PHONES IN QUESTION WERE NOT STOLEN, BUT RATHER DONATED TO ME DIRECTLY BY THE OWNERS, OR PRIOR OWNERS, OF THEM?
- WHY WAS NO DISCOVERY EVER PRESENTED BY THE STATE UPON FILING THIS APPEAL?
- HOW IS THE ASSISTANT STATE'S ATTORNEY KIMBERLY TORRES STILL ALLOWED TO PRACTICE LAW IN THE STATE OF FLORIDA WITH SO MUCH EVIDENCE OF MISCONDUCT? SEE TOBIN V. DIXON, 3:24cv467 OUT OF THE N.D. FLA HABEAS PETITION CURRENTLY BEFORE THIS COURT ALONG WITH ALL CASES FILED AGAINST ME IN OKALOOSA COUNTY.
- WILL I BE ABLE TO REVIEW ALL OF HER CASES SO AS TO UNCOVER THE MULTITUDE OF OTHER CASES FILLED WITH PROSECUTORIAL MISCONDUCT? SO THAT I MAY LEAD A CLASS ACTION SUIT AGAINST OKALOOSA COUNTY, THE STATE'S ATTORNEY'S OFFICE AND ALL OTHER RELEVANT PERSONS.

## 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:

## RELATED CASES

TOBIN V. FLORIDA, YET TO BE NUMBERED, §1983  
ABSTENTION FILED HEREIN.

TOBIN V. MOODY, 3:24cv550 WHICH IS CURRENTLY  
IN THE APPELLATE PROCESS. N.D. FLA CASE

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### STATUTES AND RULES

### OTHER

IN THE  
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

**OPINIONS BELOW**

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix \_\_\_\_\_ to the petition and is

- ☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

The opinion of the United States district court appears at Appendix \_\_\_\_\_ to the petition and is

- ☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

☒ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix A to the petition and is

- ☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

The opinion of the \_\_\_\_\_ court appears at Appendix \_\_\_\_\_ to the petition and is

- ☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

## JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was \_\_\_\_\_.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

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

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☒ For cases from **state courts**:

The date on which the highest state court decided my case was 21 MAR 2025.  
A copy of that decision appears at Appendix A.

☐ A timely petition for rehearing was thereafter denied on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

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

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

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- FLORIDA STATUTE DECLARES THAT A PERSON SCORES OUT TO PRISON WITH 44 POINTS AND MUST SCORE A MINIMUM OF 22 POINTS TO BE ENHANCED FOR A PRISON SENTENCE, TOBIN DID NOT SCORE 22 POINTS AND WAS STILL SENTENCED TO PRISON.

- TOBIN WAS SENTENCED TO PRISON ON CASE 12-CF-2798 AND THE STATE COERCED HIM INTO SIGNING THIS PLEA UNDER FALSE PRETENSES THAT WHEN HIS APPEAL WAS WON ON 12-CF-2798 THAT THIS CASE WOULD BE REVIEWED AGAIN AS WELL. THAT DID NOT HAPPEN.

- THE PHONES IN QUESTION WERE NOT STOLEN AND TOBIN GAVE HIS PUBLIC DEFENDER IRREFUTABLE PROOF THAT COULD BE SUPPORTED BY BOTH VERIZON AND THE PHONES PREVIOUS OWNERS RATHER THAN USE THE EVIDENCE THE PUBLIC DEFENDER JOINED RANKS IN PERSECUTING TOBIN COERCING HIM INTO SIGNING A BOGUS PLEA. JASON MCKINNEY WAS THE PUBLIC DEFENDER AND KIMBERLY TORRES WAS THE ASSISTANT STATE'S ATTORNEY.



## STATEMENT OF THE CASE

AROUND THE TIME OF THE ALLEGED CRIME TOBIN WAS A SALES PERSON FOR CELL-N-ACCESSORIES A COMPANY WHO SOLD AS A RETAILER FOR VERIZON. AT TIMES CUSTOMERS WOULD COME INTO THE STORE TO UPGRADE THEIR PHONES OR TO OPEN A NEW VERIZON ACCOUNT AND THEY WOULD SEEK TO GET RID OF OR DESTROY THEIR OLD PHONES. THE STORE HAD NO POLICY FOR DESTROYING OR OBTAINING DONATED PHONES WHICH TOBIN ALWAYS MADE SURE TO MENTION THIS. TOBIN INSTEAD HAD A DEAL WORKED OUT WITH A USED PHONE STORE NEARBY; THEY WOULD PAY A FEW DOLLARS FOR ANY DONATED PHONE TOBIN WOULD BRING IN, NEVER A HUNDRED OR MORE PER PHONE, NORMALLY ABOUT \$10 - \$20 A PHONE. NOT SURE WHY OR HOW CHARGES WERE FILED, BUT PRETTY SURE THE STATE COERCED THE OWNERS OF CELL-N-ACCESSORIES TO LIE WHICH IS WHY THEY ARE NOW LISTED AS DEFENDANTS IN A CASE CURRENTLY IN THE ELEVENTH CIRCUIT ARISING OUT OF THE N.D. FLA. TOBIN V. MOODY, 3:24 CV 550

## REASONS FOR GRANTING THE PETITION

THIS CASE IS COMPLETE INJUSTICE AND PROSECUTORIAL MISCONDUCT OF THE MALICIOUS SORT. IT WAS ILLEGAL WHAT WAS DONE, BOTH THE CHARGES THEMSELVES AND THE SENTENCING IN DISREGARD TO FLORIDA STATUTE. IT IS DISGUSTING HOW SO MANY OFFICERS OF THE LAW HAVE COME TOGETHER, JUDGES, ATTORNEYS AND MORE TO PERSECUTE ONE PERSON, MATTHEW A. TOBIN. IT'S TIME THIS COURT BRINGS THE AUTHORITY OF ITS STATION TO SHOW THIS NATION THAT OUR GOVERNMENT WON'T STAND INJUSTICE BEING TARGETED AT ANYONE NO MATTER HIS OR HER STATION IN LIFE. IT'S TIME FOR SOMEONE TO STAND UP FOR WHAT'S RIGHT LIKE TOBIN IS TRYING TO DO AND THIS COURT HAS THE AUTHORITY OF THE U.S. GOVERNMENT TO DO SO.

## CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

M. A. T. C.

Date: 3 JUN 2025

Also, TOBIN would LIKE A REVIEW OF ALL PREVIOUS  
CONVICTIONS OUT OF THE STATE COURTS ARISING UNDER  
THE ELEVENTH CIRCUIT - BOTH OKALOOSA COUNTY FLORIDA  
AND LOWERY COUNTY GEORGIA.