U.S Supreme Court of the United States of America

ORIGINAL

No. 25-5753

WRIT OF CERTIORARI

IN THE

SUPREME COURT OF THE UNITED STATES

EDDIE SCOTT, PETITIONER

V.

UNITED STATES OF AMERICA, ET AL, RESPONDENTS

ON PETITION FOR WRIT OF CERTIORARI

TO THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

PETITION FOR WRIT OF CERTIORARI

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Petition Question Presented

I. The question presented is whether a Judge can keep a case closed even after the plaintiff overcame the Younger Doctrine by being acquitted after a state trial on 8/1/2024, and now that the state proceedings have ended? Although Federal Rule 60(B) states a judgment can be discharged, void, released, or no longer equitable, or any other reason that justifies relief. Will being acquitted at a jury trial meet the relief for one of those options under Federal Rule 60(B)? And is it lawful for federal judges to use the Federal Anti-Injunction Statute, 28 U.S.C. § 2283, which provides that a federal court may not enjoin state court proceedings "except as expressly authorized by an Act of Congress when use of 28 U.S.C. 2241 and Section 1983 is petitioned. Are 28 U.S.C. § 2241, which expands Habeas Corpus to state citizens who are under state authority (Habeas Corpus 2241), and 42 U.S.C. Section 1983, both expressly authorizing Acts of Congress? Did the District Court in Ocala, Florida, "misinterpret" the Federal Anti-Injunction Statute, 28 U.S.C. § 2283, by not allowing the petitioner to file a Section 1983 pursuant to this court-established precedent, Mitchum V. Foster, 407 U.S 225(1972)? And did the Eleventh Circuit Court of Appeals err in" judicial proceedings" by not following Mandate Rule 41 pursuant to this court-established precedent, Mullane V. Central Hanover Bank & Trust Co., 339 U.S. 306 (1950).

List of Parties Proceeding and Rule 29.6 Statement

1. The case caption on the cover page does not appear to include all parties. The parties are Eddie Scott, the petitioner, who is a former certified teacher with a bachelor's degree in business administration, and the Ocala District Court, the Eleventh Circuit Court of Appeals.. United States of America ET AL.
2. No petitioner has a parent corporation, and no publicly held corporation owns 10% or more of any petitioner's stock.

Statement of Related Proceedings

Pursuant to this court's Rule 14.1(b)(iii), the following proceedings are directly related to this case:

- District Court Judgement entered 8/30/24 Eddie Scott V. Crystal Blanton & City of Ocala, Florida No: 5-24-CV-139-TJC-PRL.
- The 11th Circuit Court of Appeals ignored, delayed, and defaulted on the Writ of Mandamus. No: 24-12908. 1/13/25.

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The petitioner will ask the U.S Supreme Court to grant the petition by Certiorari. The judgment of the District Court of Ocala, Florida, which conflicts with this court's" interpretation" of the Federal Anti-Injunction Statute, 28 U.S.C. § 2283, in accordance with established precedent, Mitchum V. Foster, 407 U.S 225(1972). The petitioner was unconstitutionally barred from the District Court in Ocala, Florida, after not being allowed to file a Section 1983 before and after being acquitted in which the District Court unconstitutionally refused to exercise its jurisdiction, forcing the petitioner to file a Writ of Mandamus, which the Eleventh Circuit Court of Appeals defaulted by not following Mandate rule 41, by not giving notice, in "judicial proceedings", which conflicts with this courts established precedent in Mullane V. Central Hanover Bank & Trust Co, 339 U.S. 306 (1950). I will ask this court to review, summary reverse, and remand the default order of the Appeals Court, sending it back to the Federal District Court in Ocala, Florida, with this court's interpretation of 28 U.S.C. § 2283 and the established precedent *Younger v. Harris,* 401 U. S. 37(1971), clarifying the use of Section 1983 and Habeas Corpus 2241 with a

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INTRODUCTION

I filed a complaint 42 U.S.C. 1983 with the Federal Court in Ocala, Florida, against the City of Ocala and Detective Crystal Blanton of the Ocala Police Department on March 19, 2024 seeking relief from a state case. I clearly showed the Honorable Court that my constitutional rights were willfully being violated. I also showed the federal court in Ocala that I was in custody unlawfully by showing the court substantial evidence on the state court record, by presenting federal law 5 U.S.C. 7082(E). Judge Magistrate Phillip Lammens took the complaint under review and told me to amend it, stating that I failed to state a claim because of the Younger V. Harris case law. I amended the complaint and filed a Habeas Corpus 2241 petition. Understanding the Younger Doctrine prohibits the federal court from interfering with state proceedings, I filed a Habeas Corpus, but afterward, the Magistrate Judge recommended that my case be dismissed. Judge Timothy J Corrigan overruled my amended complaint over Younger V. Harris and failed to state a claim. On August 1, 2024, I was taken to trial by the State of Florida, in which I represented myself as pro se without counsel or a public defender. I successfully represented myself at trial and was acquitted of all charges against me, and the case was closed. Because the state proceedings were over and the case ended in my favor, I motioned to have the case reopened so I could file my claim for the damage I had received by my constitutional rights being violated. After I showed the Federal Court in Ocala, Florida, evidence that proved the state proceedings were over and that the case ended in my favor, Judge Corrigan said that I still failed to get relief under Younger V. Harris because of Federal Rule 60(B), even when I showed him that the case was over, and I was acquitted.

STATEMENT

After I was acquitted, I went back to have my case reopened 5:24-CV-00139 in pursuant to 42 U.S.C. 1983, but District Judge Timothy Corrigan said that even after being acquitted at trial I still did not meet any of the relief under Federal Rule 60(B) and stated in an order of judgment that the case would remain closed. The US Supreme Court ruled in a 6-3 ruling in Thompson V. Clark (2022) that a plaintiff suing for unconstitutional imprisonment under the favorable termination rule was not required to provide an affirmative indication of innocence. Instead, the plaintiff only needed to show that the prosecution ended without a conviction. The plaintiff of false charges needs only to show that his prosecution ended without a conviction" in order to

sue. The US Supreme Court Bell ATL Crop V. Twombly (2007) ruled that there must be sufficient facts in a complaint to state a claim to relief that is plausible on its face to avoid dismissal for failing to state a claim. I have presented both the Judge, Timothy J. Corrigan, and the Honorable Appeals Court of the Eleventh Circuit with plausible evidence on its face by submitting the jury trial paperwork, which shows I was acquitted on 8/1/24, and the court case docket, which shows the case is now closed with a favorable outcome in my favor. The Younger Doctrine holds that federal courts should abstain from pending cases in state proceedings. Younger V. Harris, 401 U.S 37(1971). In an 8-1 decision, the Court held that federal courts may not hear the case until the person is convicted or found not guilty of the crime. I was found not guilty of the crimes by a jury on August 1, 2024, and, by this same precedent, I should have my case heard and my rights protected. I have informed the Eleventh Circuit US Court of Appeals of this issue, and they received my writ of mandamus, filing it on 9/9/24. According to 28 U.S. Code § 2266, the Court of Appeals must act on the petition for the Writ of Mandamus within 30 days after the petition is filed; however, the Honorable Court has not yet acted on the writ. Even after 90 days, I reached out to the Honorable Court again, this time with a motion for resolution, which the court received on 10/28/24, well beyond the 30 days according to 28 U.S. Code § 2266, but the court still has not acted on the writ or the motion, which they have both filed. Mullane V. Central Hanover Bank & Trust Co., 339 U.S 306 (1950). Reads notice of "judicial proceedings" must be reasonably calculated to reach those who are known to be affected by such proceedings. Due to the respected office of Judge Timothy J Corrigan, now senior judge, and the highly respected US Court of Appeals Eleventh Circuit, I have no other remedy but to reach out to the Honorable US Supreme Court for justice. On 9/9/2024, I sent this petition to the Eleventh U.S. Circuit Court of Appeals. I sent an in Forma Pauperis showing my Chase bank account closed with a negative balance, with a CIP form. I also sent in a motion for resolution with a CIP form received 10/28/2024 and a letter to the court received 11/21/2024 with another CIP form following Rule 26.1(a). I have exhausted all of my remedies and have no choice but to petition the U.S. Supreme Court for justice, because I have a right to have equal protection under the law. Petitioner was barred from the District Court in Ocala, Florida, twice, which violates my First Amendment right to petition the federal government for redress of grievances.

REASONS FOR GRANTING THE WRIT

A. The petitioner has a constitutional right to due process, fundamentally fair, orderly, and just judicial proceedings.

The Fifth Amendment under the due process clause guarantees that a party will receive a fundamentally fair, orderly, and just judicial proceeding. The Fifth Amendment due process clause also covers procedural law, which establishes the rules of the court, and the methods used to ensure the rights of individuals in the court system. In particular, laws that provide how the business of the court is to be conducted. As of right now, my due process under the Fifth Amendment has been willfully deprived by not allowing me to have just judicial proceedings. U.S. Supreme Court City of Canton, Ohio V. Harris (1989) states that we determine if a municipality under 42 U.S.C. 1983 for constitutional violations resulting from its failure to train municipal employees. We hold that, under certain circumstances, such liability is permitted by statute. I have suffered from my constitutional rights being violated by the City of Ocala and Detective Crystal Blanton, and by law should be allowed to exercise my right to seek damages. The U.S Supreme Court, Monell V. Department of Social Services of the City of New York(1978), wrote that Municipalities can be held liable for violations of constitutional rights through 42. U.S.C. 1983 actions. The U.S Supreme Court ruled in Owen V. City of Independence(1980) that a municipality has no immunity from liability under section 1983 flowing from its constitutional violations and may not assert the good faith of its officers as a defense to such liability. My liberty and property were taken by Detective Crystal Blanton and the City of Ocala without due process of law, a Fourteenth Amendment violation.

B. The petitioner is likely to win on U.S Supreme Court Precedent.

The U.S Supreme Court, in Pursuant with Chiaverini V. City of Napoleon, Ohio(2024), the court ruled that the existence of probable cause for one charge does not create a categorical bar against a malicious prosecution claim relating to other charges. Because this was a malicious prosecution, in which the search warrant shows that a crime was never committed, the search warrant was also on the state court's record. Pursuant to the U.S Supreme Court, Shinn V. Ramirez(2022), a

Federal Habeas Court may not conduct an evidentiary hearing or otherwise consider evidence beyond the state-court record. The search warrant was on the state court record, but was ignored in bad faith by the District Court in Ocala, Florida. Even after the petitioner was falsely imprisoned, the cell phone was illegally searched and seized without a warrant on March 17th, 2023, a Fourth Amendment violation. You can see the apps and airplane mode located on the front of the phone before the warrant was issued. The search warrant was issued on March 27th, 2023. The U.S Supreme Court in Riley V. California (2014) wrote that police generally may not, without a warrant, search digital information on a cell phone seized from an individual who has been arrested. U.S Supreme Court Cheney V. United States District Court for D.C(2004) clarified the standards for issuing a Writ of Mandamus, emphasizing that it should only be granted in exceptional circumstances and when the lower court's actions constitute a clear abuse of discretion. To deny me my constitutional rights after being acquitted by a jury and judge, after trial, by barring me from filing a federal lawsuit, and by not allowing me to petition the government for redress of grievances when I have proven that I have received irreparable harm is a clear abuse of discretion. U.S Will V. United States(1967) wrote that Mandamus is traditionally used to confine a lower court to its lawful jurisdiction or to compel it to act when it has a duty to do so. The irreparable harm was done in Ocala, Florida, Marion County, in accordance with federal law 28 U.S.C. § 1391 and 28 U.S.C. § 1331, the District Court in Ocala, Florida, would be the appropriate venue and jurisdiction.

C. The petitioner is likely to win on the Federal Rules and Civil Procedure, Federal 60(B).

U.S Supreme Court Celotex Corp. V. Catrett(1986) states: The party moving for summary judgment needs to show only that the opposing party lacks sufficient evidence to support its case. A broader version of that doctrine was later formally added to the Federal Rules of Civil Procedure. Although Federal Rule 60(B) states a judgment can be discharged, void, released, or no longer equitable, or any other reason that justifies relief. Kemp V. United States(2022), the Supreme Court held that "mistake" in Rule 60(B)(1) includes a judge's errors of law. To bar the petitioner from petitioning the District Court for redress of grievances after being found acquitted after trial is a clear error of law.

D. The court should grant review because the act violates this court's precedent and the Rule of Law.

U.S Loper Bright Enterprises V. Raimondo(2024). The Administrative Procedure Act requires courts to exercise their independent judgment in deciding whether an agency has acted within its statutory authority; courts may not defer to an agency's interpretation of the law simply because a statute is ambiguous. Chevron was then overruled. The District Court erred when it did not issue the correct judgment after being provided with the search warrant (no data collected), which was presented in accordance with federal law. 5 U.S.C. 7062(E). The Younger Doctrine was overcome when the petitioner was found not guilty; however, even with the doctrine being overcome, the petitioner was still barred from the court This court ruled in U.S. Mitchum V. Foster, 407 U.S 225(1972) Title 42 U.S.C. § 1983, which authorizes a suit in equity to redress the deprivation under color of state law "of any rights, privileges, or immunities secured by the Constitution . . . ." is within that exception of the federal anti-injunction statute, 28 U.S.C. § 2283, that provides that a federal court may not enjoin state court proceedings "except as expressly authorized by Act of Congress." And in this 42 U.S.C § 1983 action, though the principles of equity, comity, and federalism that must restrain a federal court when asked to enjoin a state court proceeding (*cf. Younger v. Harris,* 401 U. S. 37, and companion cases) are not questioned, the District Court is held to have erred in holding that the anti-injunction statute absolutely barred it's enjoining a pending state court proceeding under any circumstances whatsoever. Pp. 407 U. S. 228-243. With this "interpretation", the case was then reversed and remanded. Because of this, the lower District Court in Ocala erred by not allowing me to file my section 1983 action, a disregard of this court's precedent.

CONCLUSION

This Court should grant the petition for a Writ of Certiorari and summarily reverse the judgment of the Court of Appeals.

I declare (or certify, verify, or state under penalty of perjury that the foregoing is true and correct. Executed on 9/22/2025. Signature Eddie Dew. 28 USC 1746.

Respectfully Submitted.

Eddie Scott