

No.: 25-5759

IN THE
SUPREME COURT OF THE UNITED STATES

Anthony Geno Martinson - Petitioner

ORIGINAL

VS.

Eugene Brantley - Respondant (s)

FILED

SEP 02 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

On Petition for a Writ of Habeas Corpus

PETITION FOR WRIT OF HABEAS
CORPUS

Anthony Geno Martinson

Anthony Geno Martinson
Petitioner

1941 Phinizy Road

Augusta, GA 30906

08/31/2025

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SUPREME COURT, U.S.

QUESTIONS PRESENTED

1. Is a criminal prosecution for a civil breach of contract for non-payment constitutional?
2. Is a criminal prosecution for debt constitutional?
3. If a State has the knowledge that more than one crime was committed during one criminal episode, but the State chooses to prosecute for only one crime, is it constitutional for said State to successively prosecute the other crimes after the completion of the initial crime's sentence and the person convicted has been released from custody? In a new prosecution?
4. If a person is unaware of the existence of a warrant for their arrest, leaves the prosecuting state under the impression that they had finished their time there because they were released from custody with credit time served, is that person a fugitive from justice?
5. Do the elements of Fla. Stat. §17.568, §17.034, and Fla. Stat. §17.489, 127 relate so similarly that they could be deemed the same offense for the purposes of double jeopardy?
6. Do the conditions of confinement and violations of Petitioner's constitutional rights asserted in the Statement of the Case demonstrate such severe conditions and violations as to warrant Petitioner's release from custody all on their own?
7. If the charges listed in the warrant holding Petitioner in custody are in fact unconstitutional, does that so invalidate the warrant to a point where the warrant becomes fatally defective?
8. If the charges listed in the warrant holding Petitioner in custody are in fact unconstitutional, does that mean that the warrant then fails to charge a crime?
9. If a person held in custody on an extraditable warrant is deemed to NOT be a fugitive from Justice as defined in law, and said person contests extradition on the ground that said person is not a fugitive from justice, is it still legal to have said person extradited?
10. If a person who has contested extradition has remained in custody for ~~97~~ 97 calendar days, and is then indicted on local charges in the location holding the petitioner for extradition, does the 90-day period restart for extradition purposes?
11. Does the 90-day period prescribed in the UCEA, seen in O.C.G.A. §17-13- , base it's time in calendar days or business days?
12. If a person signs a waiver of extradition under duress by coercion of counsel, is that waiver valid in law?

List of Parties

All Parties DO NOT appear in the caption of the case on the cover page. A list of all parties to the proceeding of this petition is as follows:

1. Eugene Brantley
2. State of Georgia (Office of the District Attorney)
3. Georgia Attorney General's Office

Related Cases

1. Southern District of Georgia - Case No.: 1:24-cv-235
2. Southern District of Georgia - Case No.: 1:25-cv-065
3. Middle District of Florida - Case No.: 2:25-cv-39-SPC-KCD
4. Richmond County, Georgia Superior Court - Case No.: 2025RCHM00013
5. Charlotte County, Florida Circuit Court - Case No.: 23-790F
6. Charlotte County, Florida Circuit Court - Case No.: 24-1060F

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TABLE OF AUTHORITIES CITED

CASES

- X ~~1. United States v. [REDACTED]~~
- ✓ 1. Blockburger v. United States, 284 U.S. 299, 52 S. Ct. 180, 76 L. Ed. 306 (1932)
- ✓ 2. Blackledge v. Perry, 8212, 1660, 417 U.S. 21, 94 S. Ct. 2098, 40 L. Ed. 2d 628 (1974)
- ✓ 3. North Carolina v. Pearce, 395 U.S. 711, 89 S. Ct. 2072, 23 L. Ed. 2d 656 (1969)
- ✓ 4. Waller v. Florida, 397 U.S. 387, 90 S. Ct. 1184, 25 L. Ed. 2d 435 (1970)
- ✓ 5. Strep v. United States, 160 U.S. 128, 133 (1895)
- ✓ 6. United States v. \$40,877.59 in U.S. Currency, 32 F.3d 1151, 1156 (7th Cir. 1994) (Roszkowski)
- ✓ 7. Richardson v. United States, 468 U.S. 317, 104 S. Ct. 3081, 82 L. Ed. 2d 244 (1984)

STATUTES AND RULES

- | | | |
|------------------------------------|--|--------------------------|
| ✓ 1. Fla. Stat. 817.568 | X 1. Fla. Stat. 817.568 | ✓ 13. Fla. Stat. 907.045 |
| X 2. Fla. Stat. 817.568 | X 2. Fla. Stat. 817.568 | ✓ 14. Fla. Stat. 910.11 |
| ✓ 3. Fla. Stat. 489.127 | X 3. Fla. Stat. 489.127 | |
| ✓ 4. O.C.G.A. §17-13-30 | X 4. O.C.G.A. §17-13-30 | |
| ✓ 5. Fla. Stat. 817.034 | ✓ 8. Fla. R. Crim. P. 3.134 | |
| | X 8. Fla. R. Crim. P. 3.134 | |
| ✓ 6. O.C.G.A. §17-13-35 | ✓ 9. Ga. R. Mag. Ct. 33 | |
| X 7. O.C.G.A. §17-13-36 | ✓ 10. Fla. R. Jud. Admin. 2.514 | |
| | ✓ 11. O.C.G.A. §16-1-7 | |
| | ✓ 12. Fla. Stat. 932.63 | |

OTHER

- | | |
|--|--|
| ✓ 1. US Const. Art. I, Sec. X, Clause I | ✓ 17. Ga. Const. Art. I, Sec. I, Para. XIII |
| ✓ 2. US Const. Amd. IV | ✓ 18. Ga. Const. Art. I, Sec. I, Para. X |
| ✓ 3. US Const. Amd. V | ✓ 19. Ga. Const. Art. I, Sec. I, Para. VII |
| ✓ 4. US Const. Amd. VI | ✓ 20. Ga. Const. Art. I, Sec. I, Para. XIV |
| ✓ 5. US Const. Amd. VIII | ✓ 21. Ga. Const. Art. I, Sec. I, Para. XVI |
| ✓ 6. US Const. Amd. XIV | ✓ 22. Ga. Const. Art. I, Sec. I, Para. XIII |
| ✓ 7. Fla. Const. Art. I, Sec. IX | ✓ 23. Ga. Const. Art. I, Sec. I, Para. XXV |
| ✓ 8. Fla. Const. Art. I, Sec. X | ✓ 24. Ga. Const. Art. I, Sec. I, Para. XXIX |
| ✓ 9. Fla. Const. Art. I, Sec. XVI | X 25. Ga. Const. Art. I, Sec. I, Para. [REDACTED] |
| ✓ 10. Fla. Const. Art. I, Sec. XI | ✓ 25. Ga. Const. Art. I, Sec. I, Para. V |
| ✓ 11. Ga. Const. Art. I, Sec. I, Para. I | ✓ 26. Ga. Const. Art. I, Sec. I, Para. VI |
| ✓ 12. Ga. Const. Art. I, Sec. I, Para. II | ✓ 27. Ga. Const. Art. I, Sec. I, Para. XI |
| ✓ 13. Ga. Const. Art. I, Sec. I, Para. XIII | ✓ 28. Fla. Const. Art. I, Sec. XIII |
| ✓ 14. Ga. Const. Art. I, Sec. I, Para. XVIII | ✓ 29. Fla. Const. Art. I, Sec. XVII |
| ✓ 15. Ga. Const. Art. I, Sec. I, Para. XVII | ✓ 30. Fla. Const. Art. I, Sec. XXI |
| ✓ 16. Ga. Const. Art. I, Sec. I, Para. XV | |

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF HABEAS CORPUS

Petitioner respectfully prays that a writ of habeas corpus issue.

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 P 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 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 8/6.

☒ 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 ~~8/6/80~~.
A copy of that decision appears at Appendix ~~8~~.

☒ A timely petition for rehearing was thereafter denied on the following date: ~~8/6/80~~, and a copy of the order denying rehearing appears at Appendix ~~8~~.

[] 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

- ✓ 1. US Const. Art. I, Sec. X, clause I.
- ✓ 2. US Const. Amd. IV.
- ✓ 3. US Const. Amd. V.
- ✓ 4. US Const. Amd. VI.
- ✓ 5. US Const. Amd. VII.
- ✓ 6. US Const. Amd. XIV.
- ✓ 7. Fla. Stat. 817.568.
- X 8. ~~Fla. Stat. 817.568.~~
- ✓ 9. Fla. Stat. 817.634.
- ✓ 10. Fla. Stat. 489.127
- ✓ 11. ~~Fla. Stat. 817.568.~~ Fla. Const. Art. I, Sec. XI
- ✓ 12. Fla. Const. Art. I, Sec. IX
- ✓ 13. Fla. Const. Art. I, Sec. X
- ✓ 14. Fla. Const. Art. I, Sec. XVI
- ✓ 15. Fla. Const. Art. I, Sec. XIIII
- ✓ 16. Ga. Const. Art. I, Sec. I, Para. I
- ✓ 17. Ga. Const. Art. I, Sec. I, Para. II
- ✓ 18. Ga. Const. Art. I, Sec. I, Para. V
- ✓ 19. Ga. Const. Art. I, Sec. I, Para. VI
- ✓ 20. Ga. Const. Art. I, Sec. I, Para. VII
- ✓ 21. Ga. Const. Art. I, Sec. I, Para. X
- ✓ 22. Ga. Const. Art. I, Sec. I, Para. XI
- ✓ 23. Ga. Const. Art. I, Sec. I, Para. XII
- ✓ 24. Ga. Const. Art. I, Sec. I, Para. XIII
- ✓ 25. Ga. Const. Art. I, Sec. I, Para. XIV
- ✓ 26. Ga. Const. Art. I, Sec. I, Para. XV
- ✓ 27. Ga. Const. Art. I, Sec. I, Para. XVI
- ✓ 28. Ga. Const. Art. I, Sec. I, Para. XVII
- ✓ 29. Ga. Const. Art. I, Sec. I, Para. XVIII
- ✓ 30. Ga. Const. Art. I, Sec. I, Para. XXIII
- ✓ 31. Ga. Const. Art. I, Sec. I, Para. XXV
- ✓ 32. Ga. Const. Art. I, Sec. I, Para. XXIX
- X ~~33. Ga. Const. Art. I, Sec. I, Para. XXXI~~
- X ~~34. Ga. Const. Art. I, Sec. I, Para. XXXII~~
- ✓ 35. O.C.G.A. §17-13-30
- ✓ 36. O.C.G.A. §17-13-35
- X ~~37. O.C.G.A. §16-1-7~~
- ✓ 38. Fla. Const. Art. I, Sec. XVII
- ✓ 39. Fla. Stat. 932.63
- 39. Fla. Stat. 907.045
- 40. Fla. Stat. 910.11

Statement of the Case

- Ground One: Petitioner is not a Fugitive from Justice:

Petitioner was released from custody on his local charges in Georgia on January 30th, 2025, however he was held in custody on a capias from Florida. This capias stems from case no.: 24-1060F in Charlotte County Florida. Previously, on April 9th, 2024, Petitioner was released from the Charlotte County Jail with time served on case no.: 23-790F. The events giving rise to case no.: 23-790F and the events giving rise to case no.: 24-1060F stem from the same criminal episode. On June 4th, 2024, Petitioner moved to Augusta, Georgia, completely unaware that he could be charged again off the conduct that he had already served a sentence on. On June 27th, 2024, 14 days after Petitioner moved out of state, the State Attorney filed an information charging the Petitioner with new charges stemming from the same conduct as in case no.: 23-790F. This information was assigned case no.: 24-1060F. On July 8th, 2024, a capias was issued in case no.: 24-1060F. All the while, Petitioner remained completely unaware. On September 11th, 2024, after numerous contacts with law enforcement, my name was run by a Richmond County Sheriff's deputy, and the warrant appeared in the system, so I was arrested. After handling my local charges, that left me with the Florida warrant to handle. Since I did not knowingly and intentionally flee from Florida to avoid prosecution, I cannot be a Fugitive from Justice, by law. (See *Streep v. United States*, and *United States v. \$40,877.59 in U.S. Currency*, as well as the definitions seen in Exhibit A to this petition, shown in Appendix R).

- Ground Two: Double Jeopardy Violations:

Petitioner asserts that the charges in case no.: 23-790F and the allegations in case no.: 24-1060F share similar, and in some respects, the same elements. In addition, both cases' allegations stem from the same episode of criminal conduct, as seen in both Appendix C and D to this Petition. Given this, the conviction in case 23-790F bars the subsequent prosecution in case 24-1060F. (See Fla. Stat. 90.11 - Appendix G; and Caselaws - Appendix K).

- Ground Three: Due Process Violations:

Petitioner asserts that since the prosecuting attorney failed to file the charges now pending against Petitioner in case no.: 24-1060F in 2023 when the initial charges were filed from this conduct and criminal episode in case no.: 23-790F, that the prosecuting attorney therefore expressly waived his or her right to pursue the new charges. (see Fla. Stat. 932.63 - Appendix G; Appendix H; Appendix L; Appendix M; and Appendix N). This new prosecution, and the subsequent hold violate Petitioner's due process rights.

- Ground Six: Imprisonment for Debt:

Petitioner believes that the charges in which the capias stems from, are unconstitutional, inasmuch as they mean to criminally punish the Petitioner for a civil debt. (see Appendix R).

- Ground Seven: Contracts Clause Violations:

Petitioner believes that the charges in which the capias stems from are unconstitutional, inasmuch as they violate the Contracts Clause of the US Constitution, Florida Constitution, and Georgia Constitution, respectively. (See Appendix L; Appendix M; and Appendix N).

- Ground Eight: Waiver of Extradition is Void:

Petitioner asserts that he signed the waiver of extradition under duress. This duress was caused by coercive tactics of Petitioner's own counsel, by making false promises to Petitioner about the effect of signing the waiver of extradition. Petitioner believes that his counsel did so to avoid pursuing a Petition for a Writ of Habeas Corpus, which is what Petitioner paid his counsel, E. Timothy O'Brien, \$750.00 to do. Now that Petitioner has seen through his counsel's lies, he believes that the waiver of extradition should be voided and removed from the record entirely.

REASONS FOR GRANTING THE PETITION

1. This case presents a precedent question to this Court.
2. This case holds certain public interests.
3. This case holds media attention.
4. This case presents questions, whose answers will effect millions of people.
5. The Petitioner's constitutionally protected rights would be violated without the intervention of the jurisdiction and action of this Court.
6. The Petitioner would suffer irreparable injury as a result of this Court's refusal to take this case.
7. The lower courts have ignored Petitioner's filings at the State level, and at the federal level, the lower courts refuse to hear the case, therefore leaving Petitioner no venue to properly be heard.

CONCLUSION

The Petition for a Writ of Habeas Corpus should be granted.

Respectfully submitted,

Anthony Cemo Mortis

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