

No. 25-5831

FILED
APR 15 2025
OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE
SUPREME COURT OF THE UNITED STATES

In Re THOMAS, RAY MICHAEL — PETITIONER
(Your Name)

ON PETITION FOR A WRIT OF HABEAS CORPUS

PETITION FOR WRIT OF HABEAS CORPUS

RAY MICHAEL THOMAS
(Your Name)

14400 49th St. North
(Address)

Clearwater, Florida 33762
(City, State, Zip Code)

469 601 9082
(Phone Number)

QUESTION(S) PRESENTED

If the Federal Government really can exercise an undelegated and implied power to "punish" under the commerce clause, then why do the Federal Rules of Criminal Procedure limit their territorial reach to prosecute felonious "interstate commerce" crimes and misdemeanor offenses as if the courts are legislative courts?

Any documentation showing ownership by the United States (Federal Government) over the place where the criminal activity is alleged in the complaint/indictment to have occurred, and any cessions and acceptance of jurisdiction as required under Article I, § 8, cl. 17, and 40 U.S.C. § 3112.

The Executive branch to continuously prosecute felonious criminal "interstate commerce" cases in violation of the Constitution and my inalienable rights secured under it (which Supreme Court consistently fails to notice sva-spante their lack of subject-matter jurisdiction and instead continuously renders decisions on the merits of these cases that come before them from the lower federal courts anyway)?

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

- Ex parte Tom Tong, 108 U.S. 556 (1883)
- Bradley v. Fisher, 80 U.S. 335 (1871)
- Pennsylvania v. Union Gas Co 491 U.S. 126 (1989)
 - Cases are legion holding that a party may not waive a defect in subject-matter jurisdiction or invoke federal jurisdiction simply by consent.
- Steel Co. v. Citizens for Better Environment, 523 U.S. 83 (1998)
- United States v. Cotton, 535 U.S. 625, 152 L.Ed.2d 860 (2002)
- Heck v. Humphrey, et al., 512 U.S. 477, 114 S.Ct. 2364, 129 L.Ed.2d 383 (1994)

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CASES

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8:25-CV-00374-KKM-AEP → US District Court
Middle District of Florida
Tampa Division

25-10733-J → 11th Circuit Court of Appeals

STATUTES AND RULES As noted by the United States Court of Appeals for the Eleventh Circuit, The substantive component of Due Process Clause protects those rights that are Fundamental; That is rights that are implicit in the Concept of ordered Liberty. It is established part of our Constitutional Jurisprudence that the term Liberty in the Due Process Clause extends beyond Freedom from restraint physically. First as noted above the Due Process Clause specially protect those Fundamental Rights and Liberties which are objectively deeply rooted in this nations history and traditions and implicit in the concept of ordered Liberty such that neither Liberty nor Justice would exist if they were sacrificed. The power to regulate Commerce among the several States does NOT allow Congress to punish felonies. Such power to punish, being a grant of authority to Punish felonies concurrently with the several Union States, is expressly reserved to the several Union States via the Tenth Amendment.

OTHER Enumeration proves it is delegated. The power to "punish" is not delegated in the Constitution. Enumeration presupposes something not enumerated. It does not support the proposition that Congress has authority over all activities that "substantially affect" interstate commerce.

Implication of the power to "punish" under the commerce clause, by and thru the necessary and proper clause, is not favored nor appropriate. It is a fundamental precept that the rights of sovereignty are NOT to be taken away by implication.

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 03/07/2025; 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 03/07/2025; 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 03/26/2025.

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: 03/26/2025, 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 _____.
A copy of that decision appears at Appendix _____.

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

The government must proceed according to the "law of the land".

The Due Process Clause, in both the Fifth and Fourteenth Amendments, in and of itself does not add to those provisions, but in effect states that the government is a government of law and Constitutionally bound to act only according to law. To some that view may seem a degrading and niggardly view of what is undoubtedly a fundamental part of our basic freedoms. The government is one of limited powers and that such an arrogation of unlimited authority by the judiciary cannot be supported by the language or the history of any provision of the Constitution.

violation of notice provisions of Rule 15(d) is a denial of right to due process.

5th Amendment - Amendment V - No person shall be held to answer to a capital, or otherwise infamous crime, unless on a presentment or indictment of, a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service ⁱⁿ time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation. 10th Amendment - Amendment X: The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the People. Article I § 8, cl. 17 - This Constitution contains no grant, general or specific, to the Congress of the power to provide for the punishment of felonious crimes, except where the power to punish is expressly delegated by enumeration. The punishment of all other felonious crimes is reserved to the several Union States, regardless of an activities connection to a delegated power, except where jurisdiction has been ceded provided under Article I § 8, cl. 17. Amendment XXVIII: The Congress may provide for the punishment of Misdemeanors as necessary and proper ONLY if it has a direct connection to the execution of a delegated power. The power to regulate shall not extend to any activity wholly within any ONE of the several Union States, regardless of its potential to substantially affect commerce among the several Union States. Amendment XXIX - The Congress shall not establish legislative Courts within the several Union States or the District of Columbia (the seat of the Government), and shall only Ordain and Establish constitutional Article III courts within the several Union States, including all Federal land within them, and expressly declare them to be so Ordained and Established, except that Congress shall be authorized to vest the District of Columbia courts with additional jurisdiction not found under Article III, concerning local matters. Amendment IX, The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people. Amendment: XXXII, IV, XXX, XXXI, XXXIII, XXXIV, XXXV, XXXVI, XXXVII, XXXVIII, XXXIX & Fourth Amendment

**STATEMENT OF THE CASE
& RULE 20.4(A) STATEMENT**

I told Attorney Laura Grace Hastay I was being extorted and it was text msgs to prove it. I caught this alleged victim hacking my phones and banking accounts when I woke up from being asleep. I immediately drove to the Tampa Police Station in an attempt to file a FTC report. I then told this alleged victim that we had to make arrangements for her to go back to Boston. We made a decision over the next day or so but before transportation moves finalized, this alleged victim committed an act of violence/fighting at the hotel in Tampa and I stood my ground because I had nothing to do with the women fighting and mid fight I walked away to the restaurant across the street. Later that evening I returned to the hotel with a warning from my job and the hotel that I was being banned because the ladies were fighting. I met the alleged victim later that night at Wendy's and gave her some money and a phone charger and went my separate way that night. My job got me another hotel down the street at La Quinta and the alleged victim came to my room to say her goodbyes. She went to Boston and I went to Chicago. A year later, I get arrested. I told Attorney Laura Grace Hastay, no guns, no drugs, no violence, no minors, and I get no bond. I asked to appeal she told me No. I'm being deprived of law library access at Pinellas County Jail. I've made a history of requests at the jail to show my attempts for legal documents and denied. On 03/27/2025 at US District Court Tampa, on record for the record, I told Judge Flynn I've tried several times to dismiss counsel and the documents have been refused to be given to me for ineffective counsel because I asked Attorney Laura Grace Hastay to file habeas Corpus and/or Certiorari and was told No. I also told Judge Flynn, this is a tenth Amendment violation and Fifth Amendment violation. I filed notice of appeal with 11th Circuit Court of Appeals in Atlanta and got denied, so I've tried every court except Supreme. I filed habeas corpus with US District Court Tampa and got denied. Please release me from unlawful restraint please. I feel I'm being denied the opportunity to be heard and being rushed to judgement.

REASONS FOR GRANTING THE PETITION

The Complaint/information or indictment fails to charge an offense against the laws of the United States because no jurisdiction has been ceded or accepted over the place where the criminal activity is alleged to have occurred, the trial court is without subject-matter jurisdiction under 18 U.S.C. § 3231., the criminal statute exceeds the power of Congress because it violates my "due process" rights secured under the F, Fth Amendment, and encroaches on the sovereignty and jurisdiction of the State in violation of the Tenth Amendment and the fundamental principles of federalism... Amendment XXXI - The establishment of any legislative Federal Court within the several Union States or the District of Columbia shall be considered an attempt to overthrow our constitutional Republican form of government and to fundamentally alter this Constitution, and deemed to be Treason Punishable by Life imprisonment or Death, by both the several Union States and Congress. Amendment XXXIII: The several States shall have Power to Punish all violations of the Constitution and the Rights secured under it that occur within each of their territorial boundaries, regardless of whether it occurs upon Federal Land under the exclusive or concurrent jurisdiction of the United States (Federal Government).

CONCLUSION

The petition for a writ of habeas corpus should be granted.

Respectfully submitted,



Date: June 09 2025