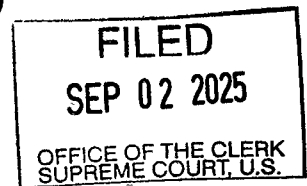


ORIGINAL

SUPREME COURT OF THE UNITED  
STATES

25-6200



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Daman Thomas Caldwell, Petitioner

v.

State of Florida, Respondent

On Petition for Writ of Certiorari to the Florida Sixth District Court of Appeal

PETITION FOR WRIT OF CERTIORARI

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Daman Thomas Caldwell  
Petitioner in propria persona  
10020 Carolina Street  
Bonita Springs, Florida [34135]

## **QUESTIONS PRESENTED**

Whether the conviction of Petitioner, obtained under a per curiam affirmance without opinion and supported by a false police report, violates the First, Fifth, Sixth, Ninth, and Tenth Amendments of the United States Constitution.

**PARTIES TO THE PROCEEDING**

Petitioner: Daman Thomas Caldwell

Respondent: State of Florida

**CORPORATE DISCLOSURE STATEMENT**

Petitioner is a natural person. No corporate disclosure is required.

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### Constitutional Provisions

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- U.S. Const. amend. X

### Cases

- *Napue v. Illinois*, 360 U.S. 264 (1959)
- *Tumey v. Ohio*, 273 U.S. 510 (1927)
- *Press-Enterprise Co. v. Superior Court*, 478 U.S. 1 (1986)
- *Gideon v. Wainwright*, 372 U.S. 335 (1963)

## **OPINIONS BELOW**

The trial court entered judgment of conviction on February 19, 2025 (Appendix C).

The Sixth District Court of Appeal of Florida affirmed the conviction in a per curiam affirmance without opinion on July 25, 2025 (Appendix A).

The Supreme Court of Florida denied review on August 15, 2025 (Appendix B).

## **JURISDICTION**

The judgment of the trial court was entered on February 19, 2025. The Florida Sixth District Court of Appeal affirmed the judgment on July 25, 2025, in a per curiam affirmance without opinion. The Supreme Court of Florida denied discretionary review on August 15, 2025.

This petition seeks review of the judgment of the Florida Sixth District Court of Appeal. The Supreme Court of the United States has jurisdiction under 28 U.S.C. § 1257(a), which authorizes review of final judgments rendered by the highest court of a State in which a decision could be had.



## **CONSTITUTIONAL PROVISIONS INVOLVED**

U.S. Const. amend. I

U.S. Const. amend. V

U.S. Const. amend. VI

U.S. Const. amend. IX

U.S. Const. amend. X

## **STATEMENT OF THE CASE**

Petitioner was arrested on September 4, 2024, in the lobby of a Florida courthouse after recording law enforcement officers. The arrest was based on officers' refusal to allow recording despite the public nature of the space and was later justified by a probable cause statement claiming that Petitioner was "walking around in circles, waving his arms to avoid law enforcement."

Courthouse security footage contradicts these claims, showing Petitioner calmly present without obstructive conduct. Despite this, the trial court convicted Petitioner of resisting or obstructing an officer without violence on February 19, 2025.

The Sixth District Court of Appeal affirmed the conviction without opinion on July 25, 2025. The Florida Supreme Court denied discretionary review on August 15, 2025.

The case presents constitutional questions regarding the validity of a conviction obtained through false police statements, the right to record in a public courthouse lobby, and judicial conflict of interest, as the presiding judge admitted to having participated in drafting the very administrative rules relied on to restrict Petitioner's conduct.

## **REASONS FOR GRANTING THE WRIT**

This case raises profound constitutional concerns. First, under *Napue v. Illinois*, 360 U.S. 264 (1959), a conviction obtained through the knowing use of false testimony violates due process. Here, the record shows the officers' statements in the probable cause affidavit were demonstrably false, contradicting security footage.

Second, the trial judge's admitted involvement in drafting the administrative rules used against Petitioner creates a direct conflict of interest, violating the principle articulated in *Tumey v. Ohio*, 273 U.S. 510 (1927).

Third, the restriction of recording in a public courthouse lobby implicates First Amendment rights to free speech and press, safeguarded by *Press-Enterprise Co. v. Superior Court*, 478 U.S. 1 (1986).

Finally, the denial of effective assistance and a fair process undermines the Sixth Amendment guarantees reaffirmed in *Gideon v. Wainwright*, 372 U.S. 335 (1963).

Because the per curiam affirmance without opinion leaves these constitutional violations unresolved, review by this Court is warranted to prevent manifest injustice and to safeguard fundamental rights under the Bill of Rights.

## **CONCLUSION**

For the foregoing reasons, Petitioner respectfully prays that a writ of certiorari be granted to review the judgment of the Supreme Court of Florida.

## **APPENDIX**

Appendix A – Sixth District Court of Appeal (Florida) per curiam affirmance order.

Appendix B – Florida Supreme Court order denying review.

Appendix C – Trial court judgment of conviction.