

No. 25-7032

ORIGINAL

Supreme Court, U.S.
FILED

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OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

of America

RODRICUS DARNELL SCOTT — PETITIONER
(Your Name)

vs.

JOSHUA JONES, Warden — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals, Eleventh Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Rodricus Darnell Scott

(Your Name)

777 Underwood Dr. P.O. Box 668

(Address)

Trion, Ga 30753

(City, State, Zip Code)

N/A

(Phone Number)

QUESTION(S) PRESENTED

I. Re: U.S. Court of Appeals, Eleventh Circuit (U.S. Habeas Appeal)
Rodricus Darnell Scott v. HAYS SPWARDEN, case no. 25-11372-C.

- 1) Does the U.S. Court of Appeals, Eleventh Circuit have Jurisdiction over State Court Judgments obtained through Fraud in the State of Georgia?
- 2) Did U.S. Circuit Judge, Robert J. Luck deny Petitioner of due process when he dismissed and/or mooted his Motions including Exhibits/Evidence that showed Petitioner was a victim of Fraud, Kidnapping, and Slavery by State Trial Court Officials?
- 3) Did U.S. Circuit Judge, Robert J. Luck deny Petitioner of his Thirteenth Amendment right to be ~~free~~ from Slavery under an unduly conviction when he dismissed Petitioner's Habeas Corpus Appeal?

II. Re: U.S. District Court, Southern District of Georgia, Statesboro Division
(U.S. Habeas Court), Rodricus Darnell Scott v. Joshua Jones, Warden,
Case no. 624-CV-061.

- 4) Did U.S. Magistrate Judge, Brian K. Epps violate Petitioner's due process when he made his Report and Recommendation against petitioner without holding an Evidentiary hearing in his U.S. Habeas case?
- 5) Did U.S. District Judge, J. Randall Hall violate U.S. Supreme Court caselaw *Holiday v. Johnston*, 313 U.S. 342, when he dismissed Petitioner's U.S. Habeas case without an Evidentiary hearing being held?

6) Did the U.S. District Court deny Petitioner of his right to due Process under the Fourteenth Amendment to the Constitution of the United States when it dismissed his case without holding an Evidentiary hearing?

7) Does the U.S. District Court, Southern District of Georgia, Statesboro Division have Jurisdiction over State Court Judgments obtained through Fraud in the Southern District of Georgia?

III. Re: Superior Court of Bulloch County / State of Georgia, Ogeechee Judicial Circuit (Trial Court), State of Georgia v. Rodricus Darnell Scott, case no. SUCR2020000288.

8) When arresting Officer Jared Atkins (307) Failed to bring Petitioner before the most convenient Judicial Officer after the arrest authorized to examine, commit, or receive bond, did this make Petitioner's imprisonment illegal?

9) When Petitioner was held in the Common Jail without Form of commitment/mittimus from June 18, 2020 until August 31, 2022 was he held under false imprisonment the entire time?

10) IF Petitioner was held under False imprisonment when he was tried, convicted, and sentenced on August 31, 2022 is this grounds to reverse the conviction and Judgment?

- 11) When the trial Court cannot produce the transcripts and record of the minutes in connection with the return of the Bill of indictment to show it was duly returned by Grand Jury, does this require reversal of the conviction and Judgment?
- 12) If the trial Court used a False Bill of indictment to try, convict, and sentence the Petitioner, does this make his conviction "illegal and ~~unduly~~" and places Respondent Joshua Jones, Warden in violation of the 13th Amendment?
- 13) If the trial Court failed to indict Petitioner by Grand Jury for serious offenses, then tried, convicted, and sentenced him, did the trial Court deny Petitioner of his 5th Amendment right under the U.S. Constitution?
- 14) After Passage of a Grand Jury indictment For serious offenses does this give Petitioner grounds For relief From the Judgment and requires reversal of the Conviction and Judgment?
- 15) When the arresting Officer Jared Atkins (307) told a lie to obtain the arrest warrants, does this make the arrest warrants void?
- 16) When Officer Jared Atkins (307) based his arrest warrants on intentional false statements in order to obtain warrants to arrest Petitioner, did he deny him of his 4th Amendment right under the U.S. Constitution?

17) When D.A. Richard A. Mallard made the same False statements in his Indictment's Written Accusations to support the False statements in Arresting Officer's arrest Warrant Affidavits, does this make the Bill of indictment void?

18) When Prosecutor, Benjamin T. Edwards presented the False statements made in the indictment's Written Accusations to a Jury in trial to obtain a conviction, was this a denial of Petitioner's due process?

19) Does the Prosecution's use of Known False statements and Evidence in a trial requires reversal of the Petitioner's conviction?

20) If trial Judge, Michael T. Muldrew made a Civil Action (Findings of Fact) in regard to Petitioner's Criminal Action, does this constitute Fraud on the Court by Trial Judge, Michael T. Muldrew?

21) If the State Court Judgment was obtained through Fraud, does this give the Supreme Court of the United States Jurisdiction over the State Court's Judgment?

22) IF the State Court Judgment was obtained through Fraud against the Petitioner, does this require reversal of his conviction?

IV . Re: Georgia Supreme Court (Direct Appeal), SCOTT V. STATE, Case no. S24A0527.

- 23) If trial Court, CCR Haley Pitzer (Formally Haley Sanchez) "altered" the typed Transcripts by changing testimonies and statements made in the "Audio Recording", did she violate 18 USC § 1506, Falsifying a Record?
- 24) When trial Court, CCR Haley Pitzer (Formally Haley Sanchez) concealed the "Audio Recording" of the trial from the direct Appeal record when Petitioner's Notice of Appeal stated to submit the recording, did she violate 18 USC § 2071, Concealment of Records?
- 25) Did Georgia Supreme Court violate it's own caselaw *Weatherbed v. State*, 524 Ga. S.E. 2d 452 (1999) when it dismissed Petitioner's direct Appeal attacking the Void Judgment?

V. Re: Superior Court of Chattooga County / State of Georgia, Lookout Mountain Circuit (State Habeas Court), SCOTT V. JONES, case no. 2023 CA45133.

- 26) When the State Habeas Court "altered" the File Stamp date on Petitioner's Motion For Summary Judgment, Brief in Support, and Exhibits and changed it from Nov. 8, 2023 to Dec. 15, 2023 was Petitioner denied due process?
- 27) When the State Habeas Court "altered" the File stamp date on Petitioner's Motion For Summary Judgment changing it from Nov. 8, 2023 to Dec. 15, 2023, did State Habeas Court violate 18 USC § 1506, Falsifying a Record?

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

- 1) STATE OF GEORGIA V. RODRICUS DARNELL SCOTT, case no. S11CR2020000288, Superior Court of Bulloch County / State of Georgia. Judgment entered Aug. 31, 2022.
- 2) SCOTT V. STATE, case no. S24A0527, Georgia Supreme Court. Judgment entered Feb. 20, 2024.
- 3) RODRICUS DARNELL SCOTT V. JOSHUA JONES, Warden, case no. 2023CA45133, Superior Court of Chattooga County / State of Georgia. Judgment entered Dec. 10, 2023.
- 4) SCOTT V. JONES, case no. S24H0655, Georgia Supreme Court. Judgment entered Sept. 4, 2024.
- 5) RODRICUS DARNELL SCOTT V. JOSHUA JONES, Warden, case no. 624-CV-061, U.S. District Court, Southern District of Georgia, Statesboro Division. Judgment entered April 4, 2025.
- 6) RODRICUS DARNELL SCOTT V. HAYS SP WARDEN, case no. 25-11372-C, U.S. Court of Appeals, Eleventh Circuit. Judgment entered Oct 8, 2025.

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- APPENDIX B - *Rodricus Darnell Scott v. Joshua JONES, Warden case# 624-CV-061 U.S. District Court, Southern District of Georgia, Statesboro Division (Final Court Order 2 pgs.)*
- APPENDIX C - *SCOTT V. JONES, case no. S24110655, Georgia Supreme Court (State Habeas Appeal)*
- APPENDIX D - *Rodricus Darnell Scott v. Joshua Jones, Warden case# 2023CA45133, Superior Court of Chattooga Co. (State Habeas Court) Court order 3 pgs.*
- APPENDIX E - *SCOTT V. STATE, case no. S24A0527, Georgia Supreme Court, Direct Appeal.*
- APPENDIX F - *State of Georgia v. Rodricus Darnell Scott, case# SUCR2020000288, Superior Court of Bulloch County (Final Disposition 2 pgs.)*
- APPENDIX G - *Report and Recommendation of the Magistrate Judge, United States District Court, Southern District of Georgia, Statesboro Division / Exhibit-A. (Scott v. Jones, case no. 624-CV-061).*

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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 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 United States district court appears at Appendix B 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 October 8, 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: _____, 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

I Rodricus Darnell Scott, petitioner in the above-styled case have attached hereto the following Exhibits listed below to this Petition For Writ of Certiorari in order to make the requisite showing of the Constitutional and Statutory provisions involved and why this Court should review the decision of the State Court in the Superior Court of Bulloch County, State of Georgia in regard to case STATE OF GEORGIA V. RODRICUS DARNELL SCOTT, case no. SUCR2020000288, and Petitioner's 28 U.S.C. § 2254 Appeal case.

EXHIBIT(S) LIST

- Petitioner's Exhibit 1 - Miranda Warning Document dated June 18, 2020 at 1:13 am, by Capt. Jared Akins (307).
- Petitioner's Exhibit 2 - State Warrant(s) 2020-1320 Felony Murder, 2020-1321 Aggravated Assault, and 2020-1322 Cruelty to Children in the First Degree, sworn to and subscribed before Bulloch County Magistrate Court, Judge June B. Braswell by Capt. Jared Akins (307) on June 18, 2020 1:24 pm.
- Petitioner's Exhibit 3 - Statesboro Police Dept. Incident/Investigation Report by Capt. Jared Akins (307) dated July 2, 2020 at 2:11 pm.
- Petitioner's Exhibit 4 - Petition For Modification/Revocation of Probation of Petitioner, signed by Bulloch County Superior Court, Trial Judge Michael T. Muldrew on July 19, 2020.
- Petitioner's Exhibit 5 - Trial Transcripts Volume 2: Day two of trial recorded by (CCR) Haley Pitzer (Formally Haley Sanchez) on Aug. 31, 2022 pgs. 1-4, Testimony by Jared Akins (307) (admission to never bringing petitioner before a Judicial Officer after arresting Petitioner),

Re: State of Georgia v. Rodricus Darnell Scott, case no. SUCR2020000288.

- Petitioner's Exhibit 6 - List of Court dates/hearings from Clerk of Court, Heather Banks McNeal, Superior Court of Bulloch Co., Re: State of Georgia v. Rodricus Darnell Scott, case no. SUCR2020000288, Jan. 25, 2023.
- Petitioner's Exhibit 7 - Transcripts recorded by (CCR) Debbie S. Lanier, Superior Court of Bulloch Co., on Aug. 16, 2022, pgs. 1-5, Petitioner's criminal case no. SUCR2020000288, Re: Judge Muldrew's comments.
- Petitioner's Exhibit 8 - Georgia Dept. of Corrections, Sentence Computation Report, Re: Criminal docket no. SUCR2020000288.
- Petitioner's Exhibit 9 - Autopsy Report by (GBI) Medical Examiner Edmund Donoghue dated July 27, 2020, Re: State of Georgia v. Rodricus Darnell Scott, case no. SUCR2020000288 in the Superior Court of Bulloch County.
- Petitioner's Exhibit 10 - Trial Transcripts Volume 1; Day one of Trial recorded by Haley Pitzer (formally Haley Sanchez) on Aug. 30, 2022, Testimony by Medical Examiner Edmund Donoghue, Re: State of Georgia v. Rodricus Darnell Scott, case no. SUCR2020000288 in the Superior Court of Bulloch County. (pgs. 1-2)
- Petitioner's Exhibit 11 - Indictment's Written Accusations made by District Attorney, Richard A. Mallard, Superior Court of Bulloch Co., Re: State of Georgia v. Rodricus Darnell Scott, case no. SUCR2020000288.

- Petitioner's Exhibit 12 - Transcripts recorded by (CCR) Debbie S. Lanier on Oct. 28, 2020. Superior Court of Bulloch County, Pgs. 1-2.
- Petitioner's Exhibit 13 - Copy of Statutory Motion for Summary Judgment / Certificate of Service submitted by Petitioner on Nov. 1, 2023 to (State Habeas Court), Superior Court of Chattooga County, filed by Clerk of Court Kim Windle James on Nov. 8, 2023, Re: Scott v. Jones, case no. 2023CA45133.
- Petitioner's Exhibit 14 - Copy of Statutory Motion for Summary Judgment submitted by Petitioner on Nov. 1, 2023 to (State Habeas Court), Superior Court of Chattooga County, Re: File stamp date "Altered" by Clerk of Court Kim Windle James on Dec. 15, 2023 in case, SCOTT V. JONES, Case no. 2023CA45133.
- Petitioner's Exhibit 15 - Notice of Appeal / Certificate of Service submitted Sept. 2, 2022 by Petitioner, Superior Court of Bulloch County, Re: State of Georgia v. Rodricus Darnell Scott, case no. SUCR2020006288. (3 pgs.)
- Petitioner's Exhibit 16 - Letter, Re: Notice of Appeal submitted Sept. 21, 2022 by Petitioner, Superior Court of Bulloch County, Re: State of Georgia v. Rodricus Darnell Scott, case no. SUCR202000288.
- Petitioner's Exhibit 17 - Brief of Appellant filed Feb. 6, 2024 by Petitioner, Georgia Supreme Court, SCOTT V. STATE, case no. S24A0527. (3 pgs.)

- Petitioner's Exhibit 18 - False/Forged Motion For New trial dated Sept. 22, 2022 without Certificate of Service, Superior Court of Bulloch County, Re: State of Georgia v. Rodricus Darnell Scott, case no. SUCR2026000288. (2 pgs.)
- Petitioner's Exhibit 19 - Notice of Remittitur, Court of Appeals of Georgia dated June 3, 2025, Re: SCOTT v. STATE, case no. A25A1150.
- Petitioner's Exhibit 20 - U.S. Court of Appeals, 11th Cir. Notice to file Motion to Reconsider, Vacate, or Modify order dated Oct. 8, 2025 giving Petitioner (21) days to file by Oct. 29, 2025 pursuant to 11th Cir. R. 27-2, Re: Rodricus Darnell Scott v. HAYS SP Warden, case no. 25-11372-C.
- Petitioner's Exhibit 21 - Motion to Vacate Court's Order (Oct. 8, 2025) / Exhibits - A, B, C, D, E Filed on Oct. 27, 2025 in a timely manner before Oct. 29, 2025, U.S. Court of Appeals, 11th Circuit, Re: Rodricus Darnell Scott v. HAYS SP Warden, case no. 25-11372-C.

State Court Officials / Arresting Officer denied Petitioner of his Fourth Amendment right to the Constitution of the United States of America to be Free From unreasonable Search and Seizure.

On June 17, 2020 arresting Officer Capt. Jared Atkins (307) placed petitioner under false arrest without a warrant. On June 18, 2020 approx. 1:13 am he presented Petitioner with a Miranda rights warning document to sign. (See Pet. Ex. 1 hereto).

After placing Petitioner under arrest without a warrant on June 17, 2020 arresting Officer Capt. Jared Atkins (307) never informed him of the charges against him and why he placed Petitioner under arrest.

On June 18, 2020 approx. 1:24 pm, Officer Jared Akins (307) obtained arrest warrants 2020-1320 Felony Murder, 2020-1321 Aggravated Assault, and 2020-1322 Cruelty to Children in the First degree against Petitioner, Rodrigus Darnell Scott, (see Pet. Ex. 2 hereto), to confirm.

On June 18, 2020 Magistrate Court, Judge June B. Braswell issued Capt. Jared Akins (307) State Warrants "without" First requiring him to file a Bond with sufficient sureties to prosecute the case in the event of a committal. Pursuant to O.C.G.A §17-4-43, Magistrate Court, Judge June B. Braswell violated Georgia Law when she issued state warrants 2020-1320 Felony Murder, 2020-1321 Aggravated Assault, and 2020-1322 Cruelty to Children in the First degree to Capt. Jared Akins (307) against Petitioner, see O.C.G.A §17-4-43.

Arresting Officer, Capt. Jared Akins (307) placed Petitioner under arrest without an arrest warrant then made False statements in his arrest warrant applications and committed Perjury under oath in each State Warrant Affidavit to obtain Arrest warrants. The arresting officer's warrants were based on intentional False statements and omissions. Williams v. Aguirre, 965 F3d. 1147, 1157 (11th Cir. 2020).

Capt. Jared Akins (307) made False statements under oath that Petitioner had possession of a Firearm in State Warrant(s) 2020-1320 Felony Murder, and 2020-1321 Aggravated Assault. Petitioner was never charged with possession of a Firearm, neither was there a warrant made charging him of possession or transfer of Firearm by Convicted Felon the only State warrants that were made in regard to the case was for Felony Murder,

Aggravated Assault, and Cruelty to children in the First degree. (See Pet. Ex. 2 hereto), to confirm.

Petitioner was Found "not guilty" of Possession of Firearm by Convicted Felon, See Appendix F - State Court Final Disposition to confirm.

Possession of Firearm by Convicted Felon was a False charge made by District Attorney, Richard A. Mallard against the Petitioner after District Attorney, Richard A. Mallard made the False Bill of indictment and Written Accusations in private outside of a Grand Jury on or about November 3, 2020. Possession of Firearm by Convicted Felon charge did not exist against petitioner until the False Bill of indictment was made (Nov. 3, 2020) approx. Five (5) months after Petitioner's arrest on June 17, 2020.

Capt. Jared Akins (307) made false statements under oath in state warrants 2020-1320 Felony Murder, and 2020-1321 Aggravated Assault that Petitioner, Rodricus Darnell Scott caused James Edwin Henry's death by using a handgun and shooting him in the "Head". (See Pet. Ex. 2 hereto), to confirm.

(BBI) Medical Examiner, Edmund Donoghue who performed the Autopsy confirmed in his Autopsy Report that James Edwin Henry's cause of death was "Gunshot Wound of the Neck". (See Pet. Ex. 9 hereto), to confirm.

(GBI) Medical Examiner, Edmund Donoghue who performed the Autopsy on James Edwin Henry also confirmed under oath in his testimony given in Criminal Trial on August 30, 2022 that James Edwin Henry's "cause of death" was not from a gunshot wound of the Head. (See Pet. Ex. 10 hereto), to confirm.

Capt. Jared Akins (307) made False statements under oath to obtain State Warrant 2020-1322 Cruelty to Children in the First degree. Petitioner was wrongfully accused of this offense. Capt. Jared Akins (307) never brought Petitioner before a Judicial Officer to show probable cause for his arrest and/or Evidence he committed the Offense of Cruelty to Children in the First degree. The Memorandum/Forms of Commitment on State Warrants 2020-1320, 2020-1321, and 2020-1322 are "blank" which shows no evidence was shown, and no evidentiary hearing was held to determine probable cause for arrest and/or petitioner committed any offense. Process went forward without satisfying the Probable cause requirement. (See Pet. Ex. 2 hereto), to confirm.

On July 2, 2020 approx. 2:11 pm Capt. Jared Akins (307) made his Incident/Investigation Report approx. fourteen (14) days after he obtained State Warrants for 2020-1320 Felony Murder, 2020-1321 Aggravated Assault, and 2020-1322 Cruelty to Children in the First degree, neither is Aggravated Assault, possession of a Firearm, or Cruelty to Children in the First degree listed in his Incident/Investigation Report which shows Capt. Jared Akins (307) conspired to make and made False charges against the Petitioner Fourteen (14) days prior to obtain warrants on June 18, 2020. (See Pet. Ex. 3 hereto), to confirm.

Furthermore, an eight (8) year old male child is not listed as a victim, witness, and/or person involved in Capt. Jared Akins (307) Incident/Investigation Report that was made on July 2, 2020

approx. Fourteen (14) days after he obtained a state Warrant for 2020-1322 Cruelty to Children in the First degree, (See Pet. Ex. 3 hereto), to confirm,

The "alleged" Complainant Person "Amos Lee Hodge" listed in the Incident/ Investigation Report never appeared in any Court hearings including the trial, and testified against the Petitioner, neither is "Amos Lee Hodge" listed as a State Witness in the "alleged" Indictment that took place on November 3, 2020. (See Pet. Ex. 3 hereto).

Deidra Natalia Graves who is listed in the Incident/ Investigation Report is a False Witness who was made-up as a person involved by Capt. Jared Akins (307). Deidra Natalia Graves who is listed in the Incident/ Investigation Report made by Capt. Jared Akins (307) never appeared and/or testified in any Court hearings against the Petitioner including the unwarranted trial that took place on August 30, 2022. (See Pet. Ex. 3 hereto).

The Petitioner was a Probationer at the time he was placed under False arrest by Capt. Jared Akins (307) on June 17, 2020. A Petition For Modification/ Revocation of Probation was served upon Petitioner on October 6, 2020 approx. Four (4) months after he was arrested by Capt. Jared Akins (307) on June 17, 2020. which was signed and dated by State Court, Trial Judge Michael T. Muldrew on July 19, 2020 approx. thirty-one (31) days after Petitioner's arrest and after State Warrants 2020-1320 Felony Murder, 2020-1321 Aggravated Assault, and 2020-1322 Cruelty to

Children in the First degree was made, neither is Aggravated Assault and/or Cruelty to Children in the First degree listed in the Petition For Modification/Revocation of Probation which shows both Capt. Jared Akins (307), and State Court Officials made False charges against the Petitioner. (See Pet. Ex. 4 hereto), to confirm. The Petitioner had a Constitutional right to be free from unreasonable seizure by malicious Prosecution. Capt. Jared Akins (307) made false statements under oath to a Court to obtain State Warrants 2020-1320 Felony Murder, 2020-1321 Aggravated Assault, and 2020-1322 Cruelty to Children in the First degree. 18 U.S.C §1623.

The State Prosecutor, Benjamin T. Edwards had a duty to dismiss the charges against the Petitioner because of the "void and unconstitutional" indictment and arrest warrants which the Prosecution failed to do,

In the Petitioner's State Court case, STATE OF GEORGIA V. RODRICUS DARNELL SCOTT, case no. SUCR2020000288 it was the false statements under oath and omissions from the warrants that violated Petitioner's Fourth and Fourteenth Amendment rights, clearly established Federal law as determined by the Supreme Court of the United States of America.

No Arraignment hearing was held in regard to case, STATE OF GEORGIA V. RODRICUS DARNELL SCOTT, case no. SUCR2020000288.

An Arraignment is the initial step in a prosecution whereby the defendant is brought before the Court to hear the charges against him and to enter a plea within 48 to 72 hours after his arrest.

Arresting Officer Capt. Jared AKins (307) never brought Petitioner before a Judicial Officer to show probable cause for his arrest, Probable cause was predicted solely on Capt. Jared AKins (307) False Statements in his arrest warrant affidavits by State Court Officials in the Superior Court of Bulloch County, Ogeechee Judicial Circuit.

When an Officer lie to obtain a Warrant the Warrant is void. *Franks v. Delaware*, 438 U.S. 154, 171, 98 S. Ct. 2674, 57 L. Ed. 2d. 667 (1978).

Regardless of Evidence the arrested must be brought before a Judicial Officer promptly. *City of Riverside v. McLaughlin*, 500 U.S. 44, 53, 111 S. Ct. 1661, 114 L. Ed. 2d. 49 (1991).

According to established law in the State of Georgia an arrested person must be brought before a Judicial Officer within 48 to 72 hours after arrest by arresting Officer, Failure to do so the arrested person shall be released because the imprisonment is no longer legal. See O.C.G.A §§ 17-4-26 ; 17-4-62.

During cross examination by Defendant Scott in trial on August 31, 2022 of Capt. Jared AKins (307) he admitted on the record that he never brought Petitioner before a Judicial Officer

After arresting him, as a matter of fact Capt. Jared Akins (307) openly admitted that in his twenty-one (21) years as an officer he never brought a person before a Magistrate Court for a hearing which shows that Petitioner was still being held under false imprisonment at the time of the trial on August 30-31, 2022. (See Pet. Ex. 5 hereto), to confirm.

No Commitment hearing was held in regard to the Criminal case, STATE V. SCOTT. Petitioner was committed to the common Jail "illegally" without forms of Commitment/mittimus and was held at Bulloch County Jail under false imprisonment throughout the entire Court process for over (800) days from approx. June 22, 2020 until Sept. 14, 2022.

State Warrants 2020-1320 Felony Murder, 2020-1321 Aggravated Assault, and 2020-1322 Cruelty to Children in the First degree will show that the forms of Commitment/mittimus are "Blank" and no Commitment hearing took place. (See Pet. Ex. 2 hereto), bottom of each State Warrant will confirm.

Petitioner was held in Bulloch County Jail under false imprisonment and without forms of Commitment which gives a Jailer/Sheriff legal authority in the State of Georgia to hold an arrested person. See O.C.G.A. § 17-7-32.

Bottom of Georgia Dept. of Correction, Sentence Computation report will show Petitioner was held under false imprisonment in Bulloch County Jail over (800) days. (See Pet. Ex. 8 hereto), to confirm.

State Court Officials denied Petitioner of his Sixth Amendment right to the Constitution of the United States of America to be informed of the charges against him and the right to confront and cross examine his accusers.

petitioner was never given an Arraignment hearing after he was arrested without warrant and informed of the charges against him, neither was Petitioner given a Commitment hearing and/or any Pre-trial Evidentiary hearings to confront and cross examine his accusers which also violated Petitioner's right to Assistance of Counsel for Defence.

No Bond and/or Preliminary hearing was held in case, STATE OF GEORGIA V. RODRIGUS DARNELL SCOTT, case no. SUCR2020000288, but on August 30, 2022 Trial Judge, Michael T. Muldrew of the Superior Court of Bulloch County made a Civil Action (Findings of Fact) in regard to the Criminal Action stating he held a bond hearing in regard to the case on October 22, 2020. (See Pet. Ex. 21, Ex. A hereto: Civil Action (Findings of Fact), to confirm).

See Pet. Ex. 21, Ex. C hereto: List of Court dates/hearings from Clerk of Court, Heather Banks McNeal, Superior Court of Bulloch County. October 22, 2020 - Clerk states no such date on record with Clerk of Court as to this date. Also see November 10, 2020 in same document, Clerk states bond hearing was scheduled but no hearing was held per Clerk of Court records.

See U.S. District Court docket, SCOTT V. JONES, case no. 624-CV-061, Southern District of Georgia, Statesboro Division (Doc. 32)

Exhibit 1 - State Court docket for case, STATE OF GEORGIA V. RODRIGUS DARNELL SCOTT, case no. SUCR2020000288 made by Clerk of Court, Heather Banks McNeal, Superior Court of Bulloch Co., pg. 2 of 9 will show bond hearing was placed on Calendar on October 29, 2020 For November 10, 2020 9:00 am, Comment: states no hearing was held and there is no return date which shows Petitioner was never given a right to a Bond hearing, neither was one held which shows Judge Michael T. Muldrew made-up this False Court date and Bond hearing.

No Bond hearing was held for anyone and/or Petitioner to accept liability for a Bond and/or obligation to perform or pay any cost in the event of a conviction being Final.

There was no Bond filed to prosecute the Criminal case, STATE OF GEORGIA V. RODRIGUS DARNELL SCOTT, case no. SUCR2020000288. Therefore, the case was not subject to "Writ of Execution" which makes the Petitioner's conviction "illegal and unduly" and the Judgment "void".

According to established Federal Law a "void" Judgment cannot be enforced which gives Petitioner grounds for relief to be released from this Illegal imprisonment and/or Slavery.

State Court Officials denied Petitioner of his Fifth Amendment right to the Constitution of the United States of America, his right to due process made applicable to the States, and his right to a Grand Jury indictment after wrongfully accusing

him of serious offenses punishable by death and Life imprisonment.

On or about November 3, 2020 Trial Court Officials in the Superior Court of Bulloch County, Ogeechee Judicial Circuit made a False Bill of indictment in the practice of Fraud and deception that was not returned by a Grand Jury in "Open Court" as the Bill of indictment states.

"Open Court" refers to a proceeding in which Formal entries are made on the "record", meaning on a recording device and/or verbatim transcripts.

Bill of indictment shows that it was "allegedly" returned by Grand Jury in "Open Court" on November 3, 2020. (see Pet, Ex. 21, Ex. D hereto; Bill of indictment), to confirm.

List of Court dates/hearings made by Clerk of Court, Heather Banks McNeal, Superior Court of Bulloch County on January 25, 2023, November 3, 2020 - Clerk states N/A - No information on this date. No record of a Grand Jury indictment in regard to case, STATE OF GEORGIA V. RODRIGUS DARNELL SCOTT, Indictment no. SUCR2020006288. (See Pet, Ex. 6 hereto), to confirm.

List of Court dates/hearings made by Clerk of Court, Heather Banks McNeal, Superior Court of Bulloch Co. on Oct. 31, 2022, November 3, 2020 - Clerk states again, N/A - No information on this date in regard to case, STATE OF GEORGIA V. RODRIGUS DARNELL SCOTT, Indictment no. SUCR2020000288. (See Pet, Ex. 21, Ex. E hereto; List of Court dates), to confirm.

On October 28, 2020 six (6) days before the "alleged" Grand Jury indictment took place on November 3, 2020 the Petitioner went before the Superior Court of Bulloch County for a Revocation hearing which was the Petitioner's "First and only" Court hearing and appearance after he was arrested without warrant by Officer Jared Atkins (307) on or about June 18, 2020.

The Revocation hearing was in regard to (Pet. Ex. 4 hereto) Petition For Modification / Revocation Petition that was served upon Petitioner on October 6, 2020 twenty-two (22) days prior before the hearing on October 28, 2020.

See Pet. Ex. 12 hereto & Transcripts pgs. 1-2 will show Mr. Yekel informing Judge Michael T. Muldrew on Oct. 28, 2020 that Petitioner has not had a Preliminary and a Bond hearing since he has been in custody since June 18, 2020. Judge, Michael T. Muldrew specifically stated "that he understood that" which shows again, that he knowingly and willfully made a False statement in his (Findings of Fact) that the Petitioner came before his Court on October 22, 2020 for Bond hearing after making the statement he understood the fact the Petitioner has never had a Bond hearing on Oct. 28, 2020.

The transcript coversheet to the Revocation hearing shows the hearing took place on October 28, 2020 six (6) days prior before the "alleged" Grand Jury indictment (Nov. 3, 2020), but the transcript coversheet to the Revocation hearing has the indictment

number on it next to the Revocation hearing case name dated October 28, 2020 which shows State Court Officials conspired to prepare a False Bill of indictment against Petitioner without a Grand Jury returning one. (See Pet. Ex. 12 hereto; Transcript cover sheet dated Oct. 28, 2020), to confirm.

A Competent Judicial Officer who knows the Law know that the "Indictment number" does not exist and cannot be used until the Bill of indictment is returned by a Grand Jury First.

Felony Murder was the only offense listed in the Petitioner's Petition For Modification/Revocation of Probation for the hearing that took place on October 28, 2020. (See Pet. Ex. 4 hereto), to confirm.

Approx. six (6) days Later on November 3, 2020 the Petitioner was "allegedly" indicted by Grand Jury "without" any Evidentiary hearings and/or any Pre-trial hearings such as an Arraignment, Commitment, Preliminary, and/or Bond hearing.

Petitioner was "allegedly" indicted six (6) days after the Revocation hearing took place on October 28, 2020 by District Attorney, Richard A. Mallard on November 3, 2020 For Malice Murder, Felony Murder, Aggravated Assault, Cruelty to Children in the First degree, and Possession of Firearm by convicted Felon. (See Pet. Ex. 21, Ex. D hereto; Bill of indictment), to confirm.

Offenses for Malice Murder, Aggravated Assault, Cruelty to Children in the First degree, and Possession of Firearm by convicted Felon is not listed in the Statesboro Police Dept. Incident/Investigation Report. (See Pet. Ex. 3 hereto), to confirm.

Offenses for Malice Murder, Aggravated Assault, Cruelty to Children in the First degree, and Possession of Firearm by Convicted Felon is not listed in the Petitioner's Petition for Modification/Revocation of Probation in regard to the Probation hearing that was held on October 28, 2020 six (6) days before the "alleged" Grand Jury indictment. (see Pet. Ex. 4 hereto), to confirm.

On August 16, 2022 Superior Court of Bulloch County, Judge Michael T. Muldrew openly admitted on the record out of prejudice and abuse of Power that "there were no record of a Grand Jury indictment hearing, that no transcripts exist of alleged State Witnesses's testimony against Petitioner, and if it were transcripts he was not entitled to these transcripts." Trial Judge, Michael T. Muldrew made "egregious" statements toward Petitioner which shows he was a prejudice and bias Judge. (See Pet. Ex. 7 hereto), to confirm.

Therefore, this shows not only did State Court Officials make a False Bill of indictment against Petitioner, State Court Officials also placed additional False charges against the Petitioner "without" ever holding any evidentiary hearings including a Grand Jury indictment for serious offenses which was a complete denial of Petitioner's fifth Amendment right to the United States Constitution.

Superior Court of Bulloch County, Court Officials made a False Bill of indictment then used this False Bill of indictment that was not returned by a Grand Jury on November 3, 2020 to confer subject matter Jurisdiction to the Court that did not

otherwise have it, in order to illegally try, convict, and sentence the Petitioner on August 31, 2022. (see Appendix-F hereto), to confirm.

State Court Officials denied Petitioner of his Fourteenth Amendment right to the Constitution of the United States of America, right to due process under the due process clause, right to be free from Arbitrary incarceration, and an illegal, unduly, and tainted conviction due to the Prosecution's use of Fraud, False evidence, and testimony in an unwarranted Trial.

Petitioner's rights under the Fourteenth amendment was violated by State Court Officials because he had a right to be free from Arbitrary incarceration. Arbitrary incarceration by a State Government implicates the Due process clause. The Paradigmatic liberty interest under the due process clause is Freedom from incarceration. *Oviatt v. Pearce*, 954 F.2d 1470, 1475 (9th Cir. 1992).

State Court District Attorney, Richard A. Mallard made False Written Accusations in regard to the Bill of indictment consist of False Statements to support the same False Statements in the Arresting Officer, Capt. Jared Akins (307) State Warrant Affidavits.

The Written Accusations in regard to the Bill of indictment contains Perjury such as the "Cause of death", False statement(s) accusing Petitioner of having possession of a Firearm, and Cruelty to Children in the First degree "inter alia".

On or before November 3, 2020 District Attorney, Richard A. Mallard made Written Accusations consist of perjury in a five (5) count Indictment. (See Pet. Ex. 11 hereto), to confirm.

In Count 2 - Felony Murder, Count 3 - Aggravated Assault, and Count 4 - Cruelty to Children in the First Degree the offenses in the conviction which Petitioner is challenging the Written Accusations States that RODRICUS DARNELL SCOTT caused James Edwin Henry's death by "shooting him in the Head" which is a False Statement material to the issue made in a Court proceeding to a Grand Jury, 18 USC § 1623. (See Pet. Ex. 11 hereto pgs. 1-2), to confirm.

(GBI) Medical Examiner, Dr. Edmund Donoghue who performed the Autopsy on James Edwin Henry stated during cross examination by (Defendant Scott), that James Edwin Henry's "cause of death" was not the result of a Gunshot wound to the Head. which makes the "cause of death" in the indictments written Accusations prepared by District Attorney, Richard A. Mallard a False statement. (See Pet. Ex. 10 hereto), to confirm.

(GBI) Medical Examiner, Dr. Edmund Donoghue also made the Autopsy Report which shows that the "cause of death" of James Edwin Henry was a "Gunshot wound of the Neck". The Autopsy Report was made on July 27, 2020 approx. four (4) months before the "alleged" Grand Jury indictment hearing took place on November 3, 2020. (See Pet. Ex. 9 hereto), to confirm.

District Attorney, Richard A. Mallard knowingly and willfully made a False statement to a Grand Jury about the "cause of death" of James Edwin Henry, or never presented the case before a Grand Jury and made the Bill of indictment and Written Accusations in private, either or both acts are "illegal".

False statement #2 in the indictment's written Accusations was accusing Petitioner of possession of a Firearm by Convicted Felon, Petitioner was found "not guilty" of Possession of a Firearm by Convicted Felon. (see Appendix - F hereto), to confirm.

Petitioner did not sign pg. 2 of 2 (Appendix F) in the Criminal case regarding the Final Disposition, he did not enter into this contract and/or Commercial Agreement with the trial Court in regard to the unwarranted trial. (see Appendix - F hereto).

Written Accusations (Pet. Ex. II hereto) Falsely states that Petitioner had possession of a Firearm when he did not, neither was he charged with possession of a Firearm by arresting Officer, Jared AKINS (307), neither did arresting Officer bring petitioner before a Judicial Officer to show probable cause for his arrest and/or to show evidence Petitioner had possession of a Firearm, as a matter of Law and Fact the Petitioner was never brought before a Judicial Officer by arresting Officer and/or anybody else to show probable cause and/or evidence Petitioner committed any of the offenses listed in the indictment.

False statement #3 in the indictment's written Accusations was accusing Petitioner of Cruelty to Children in the First degree. On July 2, 2020 approx. 2:11 pm Capt. Jared AKINS (307) made his Incident/Investigation Report approx. fourteen (14) days after Petitioner was arrested on June 17, 2020, an eight (8) year old child Rai'jeann Rawls is not listed as a victim, witness,

and/or person involved in Capt. Jared Atkins (307) Incident/
Investigation Report. (See Pet. Ex. 3 hereto), to confirm,

District Attorney, Richard A. Mallard made this False Count (4)
and Accusation against Petitioner, RODRICUS DARNELL SCOTT in
his indictment's Written Accusation to support the False state-
ments in the Arrest Warrant Affidavit made by Capt. Jared
Atkins (307) when he obtained Warrant, 2020-1322 Cruelty to
Children in the First degree,

Capt. Jared Atkins (307) never brought Petitioner before a Judicial
Officer to show probable cause for his arrest and show evidence
he committed the offenses of Felony Murder, Aggravated Assault,
and Cruelty to Children in the First degree which the "Blank"
Forms of Commitment/mittimus on each warrant will show.
(see pet. Ex. 2 hereto), to confirm,

District Attorney, Richard A. Mallard took advantage of the
fact that no Evidentiary hearings and/or Pre-trial hearings
were held in the Petitioner's criminal case, so he made-up
two (2) more additional false counts against Petitioner for Malice
Murder and Possession of Firearm by convicted Felon to be added
with the false charges made by Capt. Jared Atkins (307) for
Felony Murder, Aggravated Assault, and Cruelty to Children in
the First degree which shows Conspiracy.

On December 15, 2020 after District Attorney, Richard A. Mallard's
indictment's Written Accusations were read out on the record

he renounced the following month in January 2021 to remove himself from the Conspiracy and illegal Prosecution. District Attorney, Daphne J. Totten became District Attorney in the Superior Court of Bulloch County, Ogeechee Judicial Circuit and continued to pursue the Conspiracy and illegal Prosecution against the Petitioner after District Attorney, Richard A. Mallard left.

On August 30, 2022 State Court Prosecutor, Benjamin T. Edwards presented Richard A. Mallard's (Former D.A.) False Written Accusations knowing them to be false to a Jury in an unwarranted trial to obtain an illegal, unduly, and tainted conviction.

The United States Supreme Court held in *Napue* that the Prosecution's use of known false evidence and/or testimony at trial required a reversal of the Petitioner's conviction, *Napue v. Illinois*, 360 U.S. 264, 79 S. Ct. 1173, 3 L. Ed. 2d 1217 (1959).

Therefore, due to the fact the Trial was illegal and unwarranted this makes the Petitioner's conviction "unduly" and the Judgment "void" which places Respondent, Joshua Jones HAYS SP, Warden and the State of Georgia in violation of the Thirteenth Amendment to the Constitution of the United States of America.

- Thirteenth Amendment, Constitution of the United States of America - Neither Slavery nor involuntary servitude, except as punishment for crime whereof the party shall have been "duly" convicted, shall exist within the United States, or any place subject to their Jurisdiction.

- Petitioner, RODRICUS DARNELL SCOTT hereby invoke his Thirteenth Amendment Right to be Free From Slavery / Involuntary Servitude by the State of Georgia due to her "unduly" conviction and "void" Judgment that took place in the Superior Court of Bulloch County / State of Georgia, Ogeechee Judicial Circuit in Statesboro, Ga. 30458 on August 31, 2022 in regard to case, STATE OF GEORGIA V. RODRICUS DARNELL SCOTT, case no. SUCR2020000288.

The Superior Court of Bulloch County, Ogeechee Judicial Circuit is a Court of "Record" and there is no record of an Arraignment, Commitment hearing, Bond hearing, Preliminary hearing and/or Grand Jury indictment hearing including transcripts and/or minutes of recording in connection with the return of the Bill of indictment in case, STATE OF GEORGIA V. RODRICUS DARNELL SCOTT, case no. SUCR2020000288 which shows Petitioner's Constitutional rights were more than denied, but were as a matter of Law and Fact "Exstinguished" by Superior Court of Bulloch County, Court Officials.

The State Court exstinguished it's own Uniform Court Rules, Rules of Criminal Procedure, and Failed to conduct the Legal Proceedings listed above according to established Laws, rules, and principles which was contrary to the Law, and Arbitrary.

On August 30, 2022 day of the unwarranted trial in case, STATE OF GEORGIA V. RODRICUS DARNELL SCOTT, case no. SUCR2020000288 Judge, Michael T. Muldrew and Prosecutor, Benjamin T. Edwards

in the Superior Court of Bulloch County, Ogeechee Judicial Circuit violated Federal RICO ACT, 18 U.S.C. §§1961-1968 by making a false, fictitious, and fraudulent claim in equity (18 U.S.C. §287) to defraud the Government with respect to claims (18 U.S.C. §286) in order to collect an unlawful debt and/or attempt to collect an unlawful debt from a Federal Financial institution which constitutes Bank Fraud, (18 U.S.C. §1344). Section 1962 in turn makes it unlawful for "any person" - not just mobsters to commit racketeering activity. *Sedima v. Imrex Company, Inc.*, 473 U.S. 479, 105 S.Ct. 3275, 87 L.Ed. 2d 346 (1985).

Judge Michael T. Muldrew made an Ex Parte Civil Action for the State of Georgia against Petitioner and his Capital Letter Estate RODRICUS DARNELL SCOTT, RODRICUS DRANELL SCOTT, RODRICUS D. SCOTT, RODRICUS SCOTT, Cestui Que Vie Trust that is governed and/or in custody of the Federal Reserve Bank of Virginia in which Petitioner is Beneficiary and Executor of this trust, and without giving him notice of the Civil Action, STATE OF GEORGIA V. RODRICUS DARNELL SCOTT, Civil Action no. SUCR2020000288. (see Pet. Ex. 21, Ex. A hereto : Civil Action/Findings of Fact), to confirm.

Pursuant to 28 U.S.C. § 1655 a defendant is entitled to relief who was not personally notified of the action.

Furthermore, the Civil Action case name and case number is the same as the Criminal Action case in regard to the conviction Petitioner is challenging in this Court, which constitutes both

Fraud and Fraud on the Court by State Court Officials,

Petitioner made these Federal Statute violations committed by State Court Officials and denial of his Constitutional rights mentioned above known to the U.S. Court of Appeals, 11th Circuit in October, 2025. (See Pet. Ex. 21 hereto), to confirm.

Petitioner also made the same information above known to the U.S. District Court, Southern District of Georgia, Statesboro Division in case, SCOTT V. JONES, case no. 624-CV-061. (See Docs, 33, 32, 21, and 20), to confirm.

Petitioner informed the Georgia Supreme Court in his direct Appeal of the denial of his Constitutional rights and violation of State and Federal Laws by State Court Officials in case, SCOTT V. STATE, case no. S24A0527. (See Brief of Appellant & Motion for Reconsideration), to confirm.

Petitioner informed (State Habeas Court), Superior Court of Chattooga County / State of Georgia of the denial of his Constitutional rights and violation of State Laws by State Court Officials in case, SCOTT V. JONES, case no. 2023CA45133. (See Petitioner's Statutory Motion for Summary Judgment, Brief in Support, and Exhibits 1 through 32), to confirm.

Petitioner informed the Georgia Supreme Court again in regard to his (state Habeas Appeal) of the denial of his Constitutional rights and violation of State Laws by State Court Officials in case, SCOTT V. JONES, case no. S24H0655. (See Application for

probable cause to appeal; Statutory Motion For Summary-Reversal),
to confirm,

Superior Court of Bulloch County, Ogeechee Judicial Circuit, Court
Officials misuse of power possessed by virtue of State Law
was made possible only because these wrongdoers are clothed
with the Authority of State Law.

On October 14, 2025 Petitioner filed a "verified Complaint" with
(FBI) Director, Kash Patel via USPS "Certified Mail", Tracking no.
9590-9402-9688-5199-8189-58 and informed the Federal
Bureau of Investigation that he **is** a victim of Conspiracy,
Fraud, Federal Racketeering, Kidnapping, and Slavery by Respondent,
Joshua Jones, Warden and Superior Court of Bulloch County,
Ogeechee Judicial Circuit, Judge Michael T. Muldrew et. al., in
regard to case, STATE OF GEORGIA V. RODRICUS DARNELL SCOTT,
Case no: SUCR2020000288.

On October 27, 2025 Petitioner filed a "verified Complaint" with
Senator, Jon Ossoff of the State of Georgia via USPS "Certified
Mail", Tracking no. 9590-9402-9688-5199-8194-67 and in-
formed Senator, Jon Ossoff that he is a victim of Conspiracy, Fraud,
Federal Racketeering, Kidnapping, and Slavery by Respondent,
Joshua Jones, Warden and Superior Court of Bulloch County
Ogeechee Judicial Circuit, Judge Michael T. Muldrew et. al.,
in regard to case, STATE OF GEORGIA V. RODRICUS DARNELL SCOTT,
Case no. SUCR2020000288.

STATEMENT OF THE CASE

On August 30, 2022 State Court Officials in the Superior Court of Bulloch County forced Petitioner into an unwarranted trial for serious offenses using a Bill of indictment that was a false return and was not returned by a Grand Jury. State Court officials tried, convicted, and sentenced Petitioner to Life without Parole plus (20) years after using a "Rogue Jury" that was chosen by Prosecutor, (ADA) Benjamin T. Edwards on August 16, 2022 to convict and sentence the Petitioner on August 31, 2022 without Prosecutor proving any element in each count. (ADA) Prosecutor, Benjamin T. Edwards failed to meet "Burden of Proof" in this illegal trial.

On September 2, 2022 Petitioner submitted a Notice of Appeal with the Clerk of Court, Heather Banks McNeal, Superior Court of Bulloch Co. for the case, STATE OF GEORGIA v. RODRIGUS DARNELL SCOTT, case no. SUCR2020000288 to be reviewed by the State Appellate Court for denial of his Constitutional rights by Trial Court. (See Pet. Ex. 15 hereto), to confirm.

On September 21, 2022 Petitioner also filed another Notice of Appeal against the "illegal and undue" conviction. On March 17, 2023 approx. seven (7) months after his conviction Petitioner wrote Clerk Heather Banks McNeal, Superior Court of Bulloch Co, inquiring about why his Appeal hasn't been transmitted to the Appellate Court (See Pet. Ex. 16 hereto), to confirm.

Clerk of Court, Heather Banks McNeal, Superior Court of Bulloch Co., violated State Law O.C.G.A § 5-6-43, and denied Petitioner of his due process by failing to transmit his case to the State

Appellate Court in a timely manner, within (20) days as required by Law. State Court Officials were concealing the Petitioner's case and conviction from the State Appellate Court in an attempt to conceal his illegal conviction and their wrongdoing from the Higher State Courts.

On March 17, 2023 approx. (7) months after his conviction and after Petitioner wrote Clerk, Heather Banks McNeal, Superior Court of Bulloch Co., inquiring about why his appeal hasn't been transmitted to the State Appellate Court, State Trial Court still refused to transmit his case to State Appellate Court which shows guilt by State Court Officials.

On August 7, 2023 approx. twelve (12) months after State Court Officials refused to transmit Petitioner's case to the State Appellate Court he filed a State Habeas Corpus in the Superior Court of Chattooga County seeking relief as a matter of Law from his "unduly" conviction and "void" Judgment.

On November 8, 2023 Petitioner filed a Statutory Motion for Summary Judgment, Brief in Support, and Exhibits 1 through 32 in State Habeas Court, Superior Court of Chattooga County. (see Pet. Ex. 13 hereto; also see file stamp date "November 8, 2023"), to confirm.

On December 15, 2023 presiding Judge, Kristina Cook Graham, and Clerk of Court, Kim Windle James conspired and changed the original file stamp date from November 8, 2023 and changed it to December 15, 2023 in order to make a Court order the

Following business day on December 18, 2023 denying the Petitioner Habeas corpus, and denying him relief as a matter of Law. (see Pet. Ex. 14 hereto); also see File stamp date changed from Nov. 8, 2023 to Dec. 15, 2023 to confirm.

Superior Court of Chattooga County (State Habeas Court) Tampered with Evidence and "Forged" a File stamp date in order to prevent ruling in favor of Petitioner, so that State Court Officials can file his direct Appeal in the Appeal Court of Georgia on December 4, 2023 approx. fifteen (15) months after Petitioner's conviction which shows Superior Court of Chattooga County, Court Officials and Superior Court of Bulloch County, Court Officials conspired against the Petitioner, denied him of due process, and his right to relief as a matter of Law. (See Appendix D hereto).

On December 4, 2023 Petitioner's Direct Appeal was transmitted to Court of Appeals of Georgia who transmitted the case to Georgia Supreme Court on January 8, 2024 due to lack of Jurisdiction.

On Jan. 8, 2024 Georgia Supreme Court docketed the Petitioner's direct Appeal case, SCOTT V. STATE, Case no. S24A0527. Superior Court of Bulloch Co. submitted false records and fabricated Evidence in the Appeal record such as a Civil Action (Findings of Fact) made by trial Judge, Michael T. Muldrew in regard to a Criminal Action, "Altered" typed transcripts made by Certified Court Reporter, Haley Pitzer (Formally Haley Sanchez), A False and Forged Motion for New trial, "inter alia".

State Court Officials used a False Motion For New trial that was Forged in the Petitioner's name in order to get the Georgia Supreme Court to dismiss his Appeal. (See Pet. Ex. 18 hereto).

The Motion For New trial was seventeen (17) months old and without a Certificate of Service which constitutes an Ex parte communication and prevents a Judicial Official from ruling on or even considering pursuant to, Georgia Code of Judicial Conduct Canon 3(B)(7).

Georgia Supreme Court violated Georgia Code of Judicial Conduct Canon 3(B)(7) and violated (18 USC §§ 1001, 1002) by basing and making a False statement in it's Court Order that Petitioner had a pending Motion For New Trial, a "Forged" Motion that was Ex parte communication. The Court Order was made on February 20, 2024. (see Appendix - E hereto), to confirm.

On February 6, 2024 approx. Fourteen (14) days before Georgia Supreme Court made it's order on February 20, 2024 dismissing Petitioner's Appeal he specifically informed the Georgia Supreme Court in his Brief of Appellant, part one, B) Preservation of error, Enumeration-1, that Superior Court of Bulloch County, Court Officials disposed of his Notice of Appeal filed on September 21, 2022 and replaced it with a False/Forged Motion For New trial dated September 22, 2022 to conceal their wrongdoing Fourteen (14) days before Georgia Supreme Court made the assumption. (See Pet. Ex. 17 hereto), to confirm.

Petitioner also informed Georgia Supreme Court in his Brief of Appellant that State Trial Court bypassed a Grand Jury indictment for serious offenses in ground (5) of his brief, and cited Georgia Supreme Court's own caselaw which it undermined, (See Pet. Ex. 17 hereto), to confirm.

Petitioner cited *Weatherbed v. State* 271 Ga. 736, 524 S.E. 2d 452 (1999) which states if State Trial Court fail to indict for serious offenses and convict/sentence a person then the Judgment is "void". Supreme Court of Georgia ruled under this caselaw that an Appeal against a "void" Judgment cannot be dismissed but only "Reversed" and can be attacked at anytime in any court. The Georgia Supreme Court ignored and undermined its own caselaw and dismissed Petitioner's Appeal against his "void" Judgment on February 20, 2024 without investigating the fact he was convicted for serious offenses without Grand Jury indictment.

On October 25, 2024 Petitioner filed a Petition for Writ of U.S. Habeas Corpus, 28 U.S.C. § 2254 in the U.S. District Court, Southern District of Georgia, Statesboro Division seeking relief from his "illegal and undue" conviction under a "void" Judgment in regard to an unwarranted trial for serious offenses without Grand Jury indictment in case, STATE OF GEORGIA V. RODRIGUS DARNELL SCOTT, case no. SUCR2020000288 in the Superior Court of Bulloch County, Ogeechee Judicial Circuit.

On February 6, 2025 Petitioner Filed a Motion to Strike and for Sanctions including a Notice of Filing - Exhibits L - 8 showing

evidence that state trial Court Officials committed Conspiracy, Fraud, Kidnapping, Federal Racketeering, "inter alia" against the petitioner. (See Docs. 20-21, SCOTT V. JONES, case no. 624-CV-061, U.S. District Court, Southern District of Georgia, Statesboro Division), to confirm.

On March 5, 2025 approx. twenty-nine (29) days later U.S. Magistrate Judge, Brian K. Epps whom the case was referred to made a Report and Recommendation (Doc. 28) consist of False statements in a legal document violating (18 U.S.C. §§ 1001; 1002) and recommended that U.S. District Judge, J. Randal Hall dismiss Petitioners 28 U.S.C. § 2254 without holding an evidentiary hearing for his R and R in a habeas corpus case.

It is a longstanding requirement that evidentiary hearings in habeas corpus cases be conducted by a Judge. *Wingo v. Wedding*, 418 U.S. 461, 94 S.Ct. 2842, 41 L.Ed. 2d. 879 (1974).

Magistrate Judge, Brian K. Epps failed to hold an evidentiary hearing so that he could also make False statements in his R and R on March 5, 2025 that Petitioner had a pending Direct Appeal in the Court of Appeals of Georgia that was docketed on February 7, 2025 the following day after Petitioner filed his Motion to strike on February 6, 2025 then stated it was "expected" to be transmitted to the Georgia Supreme Court for review. This was a clear-and-convincing conspiracy between State Trial Court, and U.S. District Court, Southern District of Georgia, Statesboro Division.

On March 5, 2025 when Magistrate Judge made the statement that Petitioner's Direct Appeal was pending and expected to be transmitted to the Georgia Supreme Court for review, the Georgia Supreme Court rejected the Direct Appeal on February 13, 2025 approx. seven (7) days after it was docketed in the Court of Appeals of Georgia on February 7, 2025 making Magistrate Judge, Brian K. Epps Statement False in his Report and Recommendation (Doc. 28) on March 5, 2025. Respondent's Counsel even stated in his response in Opposition to "Declaration of Petitioner" filed on February 14, 2025 that Georgia Supreme Court "rejected" Petitioner's Appeal on February 13, 2025 also, which shows after the case was docketed in the Appeal Court of Georgia on February 7, 2025 the Georgia Supreme Court "rejected" the direct Appeal from the Court of Appeals of Georgia on February 13, 2025. (see Doc. 22, SCOTT V. JONES, case no. 624-CV-061, U.S. District Court, Southern District of Georgia, Statesboro Division) to confirm.

Both U.S. Magistrate Judge and Respondent's Counsel, made False statements in a legal Court document in regard to the Petitioner having a "pending" direct Appeal in order to "manipulate" the record and "impede" on the Court process so that District Judge, J. Randal Hall could dismiss the Petitioner's 28 U.S.C. § 2254.

The Georgia Supreme Court never "accepted" the case from the Court of Appeals of Georgia in regard to case, SCOTT V. STATE, case no. A25A1150 due to the fact the Georgia Supreme Court knew the Appeal record was consist of false documents and fabricated evidence. The case was sent back to the State Trial Court

by the Court of Appeals of Georgia on June 3, 2025 because the Georgia Supreme Court refused to accept it, (see Pet. Ex. 19 hereto), to confirm.

On April 4, 2025 District Judge, J. Randal Hall made false statements in his Court Order violating (18 USC §§ 1001, 1002) by stating Petitioner failed to make a requisite showing he was denied a Constitutional Right by the State Court, in trial.

On March 31, 2025 four (4) days prior Petitioner showed evidence which proved "Beyond a Reasonable Doubt" that his Constitutional rights were not only denied, but "extinguished" by State Court Officials, (see Docs. 32; 33, Scott v. Jones, case no. 624-EV-061, U.S. District Court, Southern District of Georgia, Statesboro Division), to confirm.

On April 22, 2025 Petitioner filed an Appeal against U.S. District Court denying his 28 U.S.C. § 2254, in the U.S. Court of Appeals, Eleventh Circuit.

On October 8, 2025 U.S. Court Circuit Judge, Robert J. Luck dismissed Petitioner's Appeal. U.S. Circuit Judge, Robert J. Luck attached a Notice to his order giving Petitioner twenty-one (21) days to file a Motion to Reconsider, Vacate, or Modify his order up until Oct. 29, 2025 pursuant to 11th Cir. Rule 27-2. (see Pet. Ex. 20 hereto), to confirm.

On October 27, 2025 Petitioner filed his Motion to vacate Court Order made by U.S. Circuit Judge, Robert J. Luck in a timely manner before final date Oct. 29, 2025. (see Pet. Ex. 21 hereto), to confirm.

U.S. Circuit Judge, Robert J. Luck ignored and undermined 11th Cir. Rule 27-2 and Failed to answer and acknowledge Petitioner's Motion to vacate his Court Order that Petitioner filed in a timely manner on October 27, 2025.

This shows that Higher State Courts and Lower U.S. Courts in the State of Georgia has chosen to "aid and abet" State Court Officials in the Superior Court of Bulloch County, Ogeechee Judicial Circuit who violated Constitutional, Federal, and State Laws which has caused Petitioner to be subjected to illegal imprisonment and/or Slavery by Respondent, Joshua Jones HAYSPWARDEN.

For the reasons set forth above, Petitioner is now seeking relief as a matter of Law from this Court, Supreme Court of the United States of America.

REASONS FOR GRANTING THE PETITION

Supreme Court of the United States of America should grant Petitioner's Petition because Court Officials in the Superior Court of Bulloch County "extinguished" his Constitutional Rights to the Constitution of the United States of America and failed to conduct legal proceedings according to established rules and principles for the protection and enforcement of his private rights. Petitioner was denied due process and Lower U.S. Courts denied him relief as a matter of Law.

State Court failed to hold an Arraignment, Commitment hearing, Preliminary hearing, Bond hearing, Grand Jury indictment and/or any Evidentiary hearings before trying, convicting, and sentencing Petitioner to Life without Parole plus twenty (20) years for serious offenses. Petitioner sought relief through State Habeas Court, Superior Court of Chattooga County. (State Habeas). Court Officials tampered with Evidence and "altered" the file stamp date on Petitioner's Motion for Summary Judgment, Brief to Support, and Exhibits requesting relief from "illegal imprisonment" as a matter of Law in order to deny Petitioner relief.

Petitioner sought relief through direct Appeal with Georgia Supreme Court who undermined its own caselaw and dismissed Petitioner's Appeal in order to deny him relief from an "unduly" conviction and "void" Judgment.

Petitioner sought relief through U.S. Habeas Corpus 28 USC § 2254 in the U.S. District Court, Southern District of Georgia, Statesboro Division who made a Court order consist of false statements in order to dismiss his 28 U.S.C. § 2254 and deny Petitioner relief.

Petitioner sought relief through U.S. Habeas Corpus Appeal in the U.S. Court of Appeals, Eleventh Circuit who chose to "aid and abet" U.S.

District Court who made a false court order consist of false state-

ments in order to deny Petitioner relief because he was (PROSE) and Petitioner had no person in his favor to witness the prejudice and abuse of power committed by both State and Federal Court Officials in the State of Georgia throughout him seeking relief from "illegal imprisonment" by representatives of the State of Georgia.

In cases in which there is a claim of denial of rights under the Federal Constitution, this court is not bound by the conclusions of Lower Courts, but will reexamine the evidentiary basis on which those conclusions are founded. *Nremotko v. State of Maryland*, 340 U.S. 268, 271, 71 S.Ct. 325, 327, 95 L. Ed. 267.

CONCLUSION

WHEREFORE, for the reasons set forth above, and the matters being true and correct statement of Law and Facts,

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Rodwin D. Scott

"Without Prejudice" UCC 1-207 / UCC 1-103

Self-Aware Natural Person
in propria persona Sui Juris

Date: 12-24-2025