In the Supreme Court of the United States

25-7503 ORIGINAL

NO._____

Eddie Scott Petitioner

v.

Crystal Blanton ET. AL Respondents

Writ of Certiorari Before Judgment

In The United States Court of Appeals Eleventh Circuit

Eddie Scott

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So, if a law be in opposition to the Constitution, if both the law and the Constitution apply to a particular case, so that the Court must either decide that case conformably to the law, disregarding the Constitution, or conformably to the Constitution, disregarding the law, the Court must determine which of these conflicting rules governs the case. This is of the very essence of judicial duty. If, then, the Courts are to regard the Constitution, and the Constitution is superior to any ordinary act of the Legislature, the Constitution, and not such ordinary act, must govern the case to which they both apply. Those, then, who controvert the principle that the Constitution is to be considered in court as a paramount law are reduced to the necessity of maintaining that courts must close their eyes on the Constitution, and see only the law. Marbury v. Madison, 5 U.S. (1 Cranch) 137 (1803) Page 5 U. S. 178 opinion written by Chief Justice John Marshall.

Questions Presented

1. Does the Younger Doctrine violate the Due Process Clause of the United States Constitution by denying citizens their Bill of Rights protections guaranteed by the Bill of Rights against the State government, being incorporated into the States by the Fourteenth Amendment during the Reconstruction Era?

2. Should Younger V. Harris, 401 U.S. 37 (1971), be overruled? The Younger Doctrine was ruled in respect to federalism, equity, and comity. Has the Younger Doctrine deviated from those rooted principles over time?

3. And, due to the State's case being prosecuted in Bad Faith pursuant to Dombrowski v. Pfister, 380 U.S. 479 (1965), was the district court's dismissal of the preliminary injunction without a hearing applying Younger prejudice? Was the district court in error using Younger as its tool in denying equity by not producing the prisoner to be heard by the court or judge after material in fact was presented in the habeas corpus claim petition pursuant to Waley v. Johnson, 316 U.S.101 (1942)?

4. Did the Federal District Court make a clear legal error in applying Younger even after the State proceedings were concluded with an acquittal by using Federal Rule 60 (b) as its basis?

In the Supreme Court of the United States

Related Proceedings

Proceedings Below

United States Court of Appeals Eleventh Circuit:

- Eddie Scott v. Crystal Blanton ET, AL No: 25-10214 (preliminary injunction & federal rule 60(b) case stayed & pending)

United States District Court for the Middle District of Florida

- Eddie Scott v. Crystal Blanton ET, AL No: 5:24-CV-00139 (preliminary injunction dismissed, judgment entered May 13th, 2024, & federal rule 60 (b) motion to reopen case dismissed, judgment entered August 30th, 2024).

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NO._____

Eddie Scott petitioner

v.

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Writ of Certiorari Before Judgment

In The United States Court of Appeals Eleventh Circuit

PETITION FOR WRIT OF CERTIORARI

Petitioner Eddie Scott respectfully requests that a writ of certiorari before judgment be granted to review the judgment of the United States District Court for the Middle District of Florida entered in this case on May 13th, 2024 & August 30th, 2024.

OPINION BELOW

The order from the District Court dismissing the preliminary injunction on May 13th, 2024 (Appendix A & then the District Court's denial of a federal rule of civil procedure 60(b) motion to reopen the case on August 30th, 2024 (Appendix B). The United States Court of Appeals for the Eleventh Circuit has stayed both dismissals pending appeal.

In the Supreme Court of the United States

JURISDICTION

The District Court for the Middle District of Florida entered judgment on May 13th, 2024, dismissing without prejudice preliminary injunction relief and Habeas Corpus 2241 without a hearing on either claim. It denied a federal Rule 60 (b) motion to have the case reopened on August 30th, 2024, after a State trial acquittal. This Court has certiorari before judgment jurisdiction under 28 U.S. 2101(e) & Supreme Court Rule 11. The Eleventh Circuit Court of Appeals has both orders pending from the District Court for the Middle District of Florida; the case is stayed.

PARTIES TO THE PROCEEDING

Petitioner is Eddie Scott, a former school teacher, and respondents are Detective Crystal Blanton & the City of Ocala. There are no corporate parties.

CONSTITUTION AND STATUTORY PROVISIONS

Due process (or due process of law) primarily refers to the concept found in the Fifth Amendment to the US Constitution, which says no one shall be "deprived of life, liberty, or property without due process of law" by the federal government. The Fifth Amendment's reference to "due process" is only one of many promises of protection the Bill of Rights gives people against the federal government. Incorporated into the States by the Fourteenth Amendment.

CONCISE STATEMENT

Petitioner Eddie Scott was arrested on March 17th and March 25th, 2023, for allegedly sexual related crimes against a minor and domestic battery. The arresting agency is the City of Ocala Police Department; the arresting officer at the relevant times was Detective Crystal Blanton. The petitioner was arrested on March 17th, 2023, without a warrant, and his iPhone property was taken without a search warrant. The petitioner was given a bond without seeing a judge, without having a probable cause hearing to determine whether the arrest was legally justified under the Fourth Amendment.

The petitioner was arrested again after being released eight days later for domestic battery on March 25th, 2023, with a warrant at that relevant time and had a hundred-dollar bond. On March 27th, 2023, a search warrant was issued for the iPhone; the same arresting officer, Crystal Blanton, completed the search warrant under oath or affirmation. The results of the search warrant were that no data was collected a crime was never found relating to the alleged sex crime allegations. On March 19th, 2024, because the petitioner was never given a probable cause hearing and because the search warrant was conclusive evidence on the state court record, the petitioner sought to find a relief forum from the federal district court for the reasons the state was not allowing the petitioner to raise his Constitutional claims. The petitioner sought a preliminary injunction against the state, which was taken under advisement by the magistrate judge. The petitioner was told to amend the complaint because of the Younger doctrine. The amended complaint was filed as