

No. 06-382

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IN THE

**Supreme Court of the United States**

October Term, 2006

RUTH D. BUNDY;  
RALPH CHARLES WHITLEY, SR.,  
*Petitioners,*

vs.

JAMES H. BOARD; RANDALL ODO REDER; JOHN  
WILKINS DAY; JUDGE HERBERT JOHN  
BAUMANN, JR., In His Official Capacity; SUPREME  
COURT OF FLORIDA; DISTRICT COURT OF  
APPEAL SECOND DISTRICT OF FLORIDA; BRUCE  
WELCH, M.D.; COLGI, INC., A Florida Corporation for  
Profit; STEVE MARTIN,  
*Respondents.*

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PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES  
COURT OF APPEALS FOR THE ELEVENTH CIRCUIT.\*

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**CORRECTED**  
**PETITION FOR WRIT OF CERTIORARI**

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## **QUESTIONS PRESENTED**

### Question One:

Whether Florida State or Federal Justices, Magistrates, Judges, BAR members, are required to honor the solemn 'Oath' taken for membership in the Florida Bar, Supreme Court of Florida Admission, Admission to the Federal Courts including Supreme Court of the United States?

### Question Two:

Whether the State and Federal Rules, Laws/Statutes/Codes/Titles/Canons/Oaths apply equally to Florida State or Federal Justices, Magistrates, Judges, BAR members, Witnesses or Clients of BAR member for civil/criminal Law Violations?

### Question Three:

Whether Federal Courts have a duty and obligation under existing LAW/Canons, Rules of Court, Codes of Judicial Conduct, Titles of the United States Code, to exercise supervisory power on 'appeal Petitions' to correct obvious violations of known duties and obligations of members of the lower Judiciary and Florida BAR preventing miscarriage of justice in this Nation/State?

### Question Four:

Whether 'BY LAW written and approved by Congress or Legislative Branch in a State signed and approved by the President or Governor as Executive Branch' immunity extends to any State or Federal Judge/BAR member from Florida for any 'deliberate'

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violation of law, felony fraud or conspiracy, intentional violation of due process of law, deliberate disregard of material facts, judicial acts without jurisdiction, aiding or abetting perjury thus blocking of a lawful conclusion of a case, or any deliberate violation of the Constitutions and Laws of Florida or the United States, notwithstanding Common Law, or any other contrary statute?

Question Five:

Whether this Court, legal assistants, law school teachers, BAR members within this Nation and Worldwide know or knew specific State and Federal Florida court judges/BAR members have routinely violated the Laws, Rules and solemn "Oaths" taken and hide such felony acts and actions under false 'absolute judicial immunity' or 'immunity' detrimental to the RULE OF LAW in America by not stopping such known practices at all levels?

Question Six:

Whether this Highest Court of the United States will, through Rule/duty/obligation, receive this case from private citizen non attorneys and finally address the known problems/miscarriage of justice and acts of fellow BAR members in lower Florida State or Federal Courts as such a case has never been brought 'sua sponte' or otherwise before this Court or Congress?

**iii.**

Question Seven:

Whether Federal/State Judges and BAR members have a duty or obligation to FOLLOW and Honor Titles of the United States Code and especially Title 18 U.S. Code § 4 as “Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.” which is mandatory?

Question Eight:

Whether it is the duty of a Federal/State Judge as committing magistrates to immediately call for full investigation of any felony act reported as done concerning any case in or out of court involving Judges, BAR members, Witnesses and Experts proven to have violated Federal/State Laws involving Perjury/Fraud upon the Court even through testimony or with filings and thus a duty or obligation demands immediate Arrest or demands the Court Ordering Law Enforcement or Executive Branch Officials to investigate and Arrest or Convict those found to have violated State or Federal Laws?

iv.

Question Nine:

Whether any Appeal Court can secretly ignore the undeniable fact that a lower tribunal Florida judges failed to take and sign a written Oath of Office for duty as a judge, failed to obtain a surety Bond required by the Constitution and thus lost jurisdiction by such act plus the fact that the wife of the trial imposter jurist was a material witness in case and jurist failed to recuse himself after stating in open court the jurist would have to recuse on a case if spouse name used which continued Violating Canon 3(e) resulting in miscarriage of justice proven by filings and transcripts?

Question Ten:

Whether a Federal Court, once being shown clearly a Florida Supreme Court by quorum of justices never made any decision on a case appealed, has a duty and obligation to ALLOW OR ORDER A NEW TRIAL for any Citizen in Federal Court PLUS report those felony suspects to proper Authorities Federal/State to insure investigation and arrest for felony conduct?

Question Eleven:

Whether or not any Florida Judges or BAR can ignore Florida Rules For Certification And Regulation of Court Reporters Florida Rules of Court, State Rule 13.010-13.190 [2002, 2003]; Fla. R. Jud. Admin Rule 2.070(a)-(h) entirely or other Rules of Court/State Statutes since there are and remain to this very day no Certification Board or any entity for qualifying annually any Court Reporter denying Petitioners and others of a verbatim record

v.

of the spoken word and not allowing non attorney's like Petitioners to challenge incomplete or bad transcripts which result in bad transcripts which are placed in the true Record of Court Proceedings by obvious stubbornness of Florida Judges and BAR members to recognize fatal flaws in transcripts proven by personal TAPE RECORDINGS of Petitioners which alone should trigger a NEW TRIAL?

**LIST OF ALL PARTIES  
TO THE PROCEEDINGS BELOW**

**CORPORATE DISCLOSURE STATEMENT**

Neither Petitioner Ruth D. Bundy, nor Petitioner Ralph Charles Whitley, Sr. participated in any corporate organizations. [See Rule 29.6]

**PARTIES**

- A. Petitioner Ruth D. Bundy, In Proper Person.
- B. Petitioner Ralph Charles Whitley, Sr., In Proper Person.
- C. Respondent JAMES H. BOARD, deceased.
- D. Respondent Randall Odo Reder
- E. Respondent John Wilkins Day
- F. Respondent Herbert John Baumann, Jr.
- G. Respondent Supreme Court of Florida  
[Members of the Supreme Court of Florida  
Justice Henry Lee Anstead  
Justice Kenneth B. Bell  
Justice Raoul G. Cantero, III  
Clerk Thomas D. Hall  
Justice R. Fred Lewis  
Chief Justice Barbara J. Pariente  
Justice Peggy A. Quince  
Justice Charles T. Wells]

**vii.**

- H. Respondent Second District Court of Appeal  
[MEMBERS OF THE SECOND DISTRICT COURT  
OF APPEAL OF THE STATE OF FLORIDA  
INCLUDE:  
Judge Chris W. Alterbernd  
Clerk James Birkhold  
Judge Charles T. Canady  
Judge Darryl C. Casanueva  
Judge Charles A. Davis  
Chief Judge Carolyn K. Fulmer  
Judge Patricia J. Kelly  
Judge Edward LaRose  
Judge Steven D. Northcutt  
Judge E.J. Salcines  
Judge Morris Silberman  
Judge Thomas E. Stringer, Sr.  
Judge Craig C. Villanti  
Judge Douglas A. Wallace  
Judge James W. Whatley]
- I. Respondent Bruce Welch, M.D.
- J. Respondent COLGI, Inc.
- K. Respondent Steve Martin

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**CORRECTED PETITION FOR**  
**WRIT OF CERTIORARI**

1. It has clearly been some 230 years since the formation of the United States and immediately after the Constitution and Bill Of Rights plus Amendments were provided by the founding fathers, Congress was formed to make Laws supporting conduct of people and commanding Executive, Judicial, Legislative responsibilities all mandating specific conduct and thus formed guidelines for Judges Federal and State with Laws both Federal and State providing specific guidelines with no 'immunity' yet a 'dirty little secret' would be kept in 2002-2006 by BAR members and Jurists alike to protect Florida Judicial Branch and BAR members from investigation, arrest and conviction for felony conduct known and kept hidden from Federal and State Legislative and Executive Branches of Government all detrimental to the Public or Visitor in America.
  - A. Several great lawyers known to both Petitioners argued before this Court and not once has this secret been challenged for reasons unclear, one founder of Steptoe and Johnson out of Washington/W.Va. Attorney Louis A. Johnson, former Secretary of Defense under Truman comes to mind as well as a New York Attorney Hayden C. Covington but neither would know of Florida BAR violations of Oaths or Acts aiding felonies involving Florida BAR members/Judges in 2002.

- B. Lawyer and former Secretary of Defense Louis A. Johnson indicated on many occasions that a case must travel up to the Supreme Court of the United States to correct a travesty of justice if lower courts and BAR members would not allow the matter to be heard properly in any other Court.
  - C. Petitioners have attempted to find suitable Florida based BAR lawyers to take this case to present same to the Highest Supreme Court of the United States and herein state for the record GRANTING openly anyone permission to file an Amicus Brief in support or against this Corrected Petition.
  - D. Petitioners have called for Florida Judges and chosen Court Reporter Firms to be checked pursuant to Florida Rules of Court after finding serious flaws in transcriptions paid for and proof has been given to local Chief Judge Menendez only to be ignored as tape recordings were 'unauthorized' and thousands of transcripts are in question because no one certifies Court Reporters.
2. Sadly, Lawyers and Judges perhaps within the walls of the Supreme Court of the United States Building share knowledge of a 'Florida dirty little secret' which has been hidden effectively for many years and now the 'Truth is coming out' and it is up to the Supreme Court of the United States and/or Congress of the United States to finally verify, correct and clarify the actual position on items such as "Absolute Judicial Immunity" "immunity" involving "Perjury" now and let one case come forward to correct such 'errors' granting overdue relief protecting everyone from the Florida Jurists and Florida BAR itself.

3. Petitioners are witnesses, complainants, victims of acts and actions, misfeasance and malfeasance plus direct felony acts openly done under a false protection by jurists and fellow Florida BAR members where Judges and Lawyers have hidden behind the 'absolute judicial immunity' or 'immunity' claims when committing, aiding and abetting or furthering felony acts including perjury and fraud upon Court and conduct which is known and documented clearly in this case from Case 98-8569 Division I, Thirteenth Judicial Circuit to present Cases in Federal Court like 05-15938-A or 8:04-cv-1439-T-23TBM.
4. A Federal U.S. District Court for the Middle District of Florida was given a filing, perhaps lengthy, [Case 8:04-cv-1439-T-23TBM] [App. Q at 107a-179a] but certainly on point concerning felony conduct and acting under color of law or authority with ALL parties being 'state actors' and such was dismissed 'WITH PREJUDICE' as the Federal Judge Merryday clearly violated the Oath and duty to the public and Judiciary hiding felony conduct thus the Federal Judge Orders were appealed to the higher Federal Court or the 11<sup>TH</sup> USCA in Atlanta in a timely manner citing acts or non actions of BAR members including Judiciary against the Rule of Law, Laws, Constitutions of the Federal and State Government with use of perjury tainting a jury.
5. The Case originally filed by the Petitioners was filed timely in 1993, [Case 93-11695 CC] a fee paid for a Jury Trial and several private parties and one Corporation were sued yet the Clerk assigned the people

to the wrong court which was County Court where alleged imposter State Court Judges, without Oath of Office or Surety Bond properly available or filed, took great pleasure keeping the Case out of Jury Trial. Such action delayed any hope of the Petitioners to obtain relief under the Constitutions for the State of Florida and United States plus all Rules of Court and Laws for each for over FIVE (5) YEARS languishing in County Court when the Judges and the Lawyers representing clients as fellow BAR members knew the case should have been in State Circuit Court and failed to follow the Rules Regulating the Florida BAR by not being honest and candid with the alleged judges or unrepresented litigants.

6. Petitioners went to meetings and hearings on many matters, filed documents and had 'sworn testimony under oath transcribed taken in the form of depositions plus received sworn filings in the official record notarized by the same attorneys for their Clients from 1993 [Case 93-11695 CC then into Case 97-10683 CC] until filed again under Circuit Court [Case 98-8569] and time for Trial was finally granted for 2002. [Eleven Years to get a case through to any hope of a trial before any imposter judge]
7. Petitioners had one former Judge retire [Case 93-11695 CC] after perhaps causing a problem for the Judge, ignored by opposing counsels, pointing out the Flag with '3 Gold Fringed sides' was not the Flag of the United States [Title 4 USC 1] seen flying proud outside the courtroom nor was the flag exhibited for the State the true Flag of Florida and each should have been removed.

8. Petitioners presented this FLAG argument and demanded to know if the presiding Judge was Ordering Petitioners to seat themselves at a small table with the opposing counsels in courtroom through the BAR and Judge Don Castor stated he was 'going to retire now' and further stated "I dismiss your case without prejudice" then Judge Castor did indeed retire but Petitioners had to refile in County Court again paying a fee [Case 97-10682].
9. In perhaps 1997 a slip of the tongue by one Attorney Respondent in this Case representing several Respondents told the Petitioners in front of the new lady alleged County Judge Charlotte Anderson that the Case "...WAS IN THE WRONG COURT FOR OVER 5 YEARS NOW." and such was not ignored.
10. A motion was immediately filed by Petitioners to determine 'Venue' and the replacement imposter Judge Charlotte Anderson bumped the County Case 97-10682 up to Circuit Civil under assigned Case 98-8569 and Petitioners again had to PAY to refile. One secret known to BAR and Jurists which came out by a slip of the tongue as Petitioners were in the 'Wrong Court' and all knew except the non attorneys waiting for a jury trial!
11. At all times Respondent imposter Jurists and BAR members [Case 98-8569] no doubt felt protected by 'absolute judicial immunity' and perjury did not raise it's ugly head until Petitioners finished their case in chief turning over the trial to Respondents who 'knew perjury was acceptable and would not be challenged' feeling total protection with years of immunity allowing perjury which really does not exist as a matter of Law

with approval of Congress yet courts allowing 'Free Pass' to BAR members/jurists and it is known by even this Court and all BAR members to be illegal, against the law and now this Highest Court should acknowledge same and stop it.

12. After some time imposter Judge Gregory P. Holder was assigned and after Petitioners Challenged HOLDER the case was turned over to imposter Judge Greco.
13. A trial was started in Circuit Civil Case 98-8569 but Petitioners quickly pointed out to one State Circuit Court Judge, without Oath or Bond thus declared in Federal Court to be an imposter, that the days provided would NOT allow a full trial and more time was necessary. Circuit Court in Hillsborough County, Florida only allowed a few days for a long trial when Petitioners had asked for at least 'Two Weeks'. Imposter Judge Dick Greco Jr., son of the Tampa Mayor, stopped the initial trial and declared a 'mistrial' stating that he took an Oath as a Jurist and all would be allowed sufficient time to have any trial in his Courtroom allowing Petitioners to start again seeking a full trial.
14. Oddly imposter Judge Dick Greco 'retired' nearly immediately after the pronouncement Case 98-8569 stating he was going to make someone happy and someone sad with this 'Ruling of Mistrial' on this matter.
15. Petitioners were assigned a new imposter Judge in Circuit Court John Herbert Baumann, Jr. and the Case was set for TRIAL in the trial division but still two

weeks was asked by Petitioners and was disallowed for reasons unknown and the Trial Division Judge John Herbert Baumann, Jr., also with no Oath or Bond on file in Florida, walked into the courtroom the day of trial and in the first minutes indicated he had found out his spouse was a material witness in the case. Alleged Judge Baumann, Jr. ignored Canons and Rules of Court and immediately stated that he felt his spouse's involvement was de minimis but if anyone brought up her name he would have to recuse himself immediately then he called in the jury pool to begin a trial amazing Petitioners.

16. Imposter Judge Baumann, Jr. failed to follow the Rules of Court and State Law on Disqualification under Florida Statutes Chapter 38 and did not leave the Court room but let the Jury Pool be summoned and commenced a trial without the opposing BAR member stating anything except Respondent Attorney Day guaranteed he would not be calling the Judges Spouse as a witness yet he let the spouse information be given to the jury and judge allowed it without recusal as the imposter judge lost jurisdiction.
17. Respondents Bauman and Day knew the law, knew the Rules and knew the imposter Judge Baumann, Jr. should have stepped down and after hearing that 'If my spouse is mentioned I will have to recuse myself from this case' [Canon 3(e)] two non-attorney litigants presenting the case felt secure the name would not be used or the alleged 'material witness' not be even remotely necessary to any case as Petitioner Bundy knew full well a lady doctor never examined nor treated Petitioner named Baumann so Respondent Welch lied, Respondent Baumann and Respondent Day knew of perjury and did nothing but block Petitioners exposing it. 'A felony known as perjury'

18. The sad part is the imposter Jurist failed to follow the Rules of Court, Constitution, Code of Judicial Conduct and Canons known to Judges and Lawyers who would be judges in Florida plus Federal Courts across this Nation and BAR member knew yet aided and abetted felony acts.
19. Respondent Baumann, Jr., as transcripts verified, stopped Petitioners from IMPEACHING Respondents in Trial 98-8569 in violation of Rules of Evidence State or Federal before jurors who were also not truthful with the Court or Petitioners about knowledge of Petitioners or the Case as Motions To Interview or Hearings disallowed.
20. Respondent Baumann, Jr. allowed Respondent Day representing Clients/Expert Witness who are also Respondents shown in case 98-8569 and this case, to commit open verifiable perjury, concealed same and aided and abetted perjury including acts and actions not allowing Petitioners to introduce court records during a trial to impeach perjury in the Courtroom when the defense testified or during closing arguments and afterward to this very day when notified with proof positive filings of perjury this imposter Judge aided and abetted the PERJURY and hid his own violations of the Canons and Rules of Court hoping Petitioners would just roll over and play dead like good non attorneys.

21. Multiple Motions for Disqualification were filed and heard by imposter Judge Baumann, Jr. who was provided with undeniable proof of perjury, tainting jury and case plus fraud upon court even by the Judge filing a Verdict returned against one single Respondent and made applicable to all respondents who never received a Jury Verdict in their name as Petitioners were waiting patiently to have the same Verdict treatment given the Jury on all Case Defendants and it did not happen.
22. Multiple verified sworn documents pointed clearly to perjury and fraud upon the court yet imposter Judge Baumann, Jr. did nothing nor would he follow the Rules of Court which mandated hearings on motions to Interview Jurors when it was obvious the Jury was tainted and two Jurors lied under Oath about knowing Petitioners and the Case or Respondents thus the trial was tainted by perjury and interference from within and the transcript received was a joke and not verbatim.
23. An appeal was taken immediately to the mandatory Appeal Court which turned out to be the Second District Court of Appeal in Lakeland, Florida Case 2D 02-05449 where more imposter Jurists without Oath or Bond ignored proof of felony conduct by all involved even reported to the Hillsborough County Sheriffs Office where a Case Number HCSO 02-140946 was provided.
24. The Governor of the State of Florida allowed the Florida Department of Law Enforcement to start a Case Number EI-73-5183-38/8 and TN-48-479 Tampa but no action was taken because the Investigators were informed all judges enjoy absolute judicial immunity plus all BAR members/Clients/Witnesses enjoy same immunity citing Federal and State Case Law which conflicts with Laws.

25. The Second District Court of Appeal under Case 2D 02-05449 issued a 'Per Curiam Affirmed Decision without written opinion' and Petitioners, non attorneys, victims, witnesses, complainants, filed with the Supreme Court of Florida a Brief On Jurisdiction following the PCA from 2<sup>ND</sup> DCA in Florida then were told by a Clerk to file a full Petition for Writ of Mandamus appeal which was done and Case assigned was SC04-480 one day and denied the same day by the Clerk alone which was impossible if a quorum of justices were to decide any case this large.
26. Immediately after receipt of the Appeal from Petitioners directed to the District Court of Appeal Second District of Florida the clerk 'only' in the supreme court of Florida took the money for filing fee, gave the case a case number SC04-480 then under color of law or authority unconstitutionally denied the entire case and denied right for rehearing without one single justice let alone a quorum mandated by Article V Section 3(a) Florida Constitution reviewing one single document page or reaching a decision depriving Petitioner of known rights under Constitutions and Laws of the United States and Florida all under an Internal Operating Procedure 2002.
27. Such unconstitutional and hidden action by a clerk, known and condoned by Florida Supreme Court Justices is a direct Violation of the Constitution of the State of Florida and Constitution of the United States depriving Petitioners plus thousands of litigants of the State and Federal Constitutional rights and under the Laws and

Rules of Court or Canons of Judicial Conduct denied Petitioner a 'proper court' hearing in Florida. [See Jenkins V. State, supra, and all Federal Cases and State Cases provided in App. S at 197a-219a fully incorporated herein.

28. It is further verified that the Clerk did this action under color of law or authority violating the State of Florida Constitution and United States Constitution and Laws based upon a 1980-2002 'Internal Operating Procedure' or 'IOP' intake provision giving full power of the Supreme Court only to the clerks violating all known rights of petitioners under laws of Florida and United States causing damage to over 30,000 [Thirty Thousand] litigants, even ones represented by Florida BAR members who could not blow the whistle/risk disbarment or having a right to practice law in a court for another pulled.
29. Petitioners drafted a Federal Filing and submitted same to the Federal Middle District of Florida where blind rotation resulted in Judge Steven D. Merryday assigned case 8:04-cv-1439-T-23TBM (App. Q at 107a-179a).
30. Petitioners served all parties Respondents at a considerable Cost plus provided copies to each counsel and Respondent including a Corporation registered in Florida. Weeks turned into Months and document after document were filed then the Federal Judge filed an Order Document 26 then Order Document 90 and finally Order Document 94 [See App. B at 3a-6a,C at 7a-9a, E at 11a] which were appealed to the 11<sup>TH</sup> USCA under Case 05-15938-AA where it was not known which jurists would be assigned but a Motion for Judicial

Notice would reveal concerns of Petitioners that Florida imposter judges could have been assigned which was not desired in any way shape or form.

31. Docket Sheets for Federal Cases will be Exhibits made available for any Joint Brief authorized.
32. Petitioners were shocked that two Florida panel members were assigned the case involving Judges Tjoflat and Black who were not to sit on the case and suddenly the entire case was thrown out by these same Judge as 'FRIVOLOUS' without citing any law or without a motion from Respondents thus hiding obvious fraud upon the court, felony perjury and hiding the unconstitutional acts and actions of lower court jurists and BAR members who were officers of the court claiming absolute judicial immunity which does not exist under the Rule Of Law and no judge had ever reported the felony acts to proper authorities and thus the 'dirty little secret' continues.
33. Petitioners responded with a filing challenging the 11<sup>th</sup> USCA panel filed a motion or request for judicial notice (App. I, J, K at 27a-64a, N, O, P at 77a-106a) which were denied when in fact should have been allowed or answered by Respondents as the panel did not cite any rime or reason for declaring the entire filings 'Frivolous' and the Clerk alone removed the filing sending same back with all copies and a letter indicating 'case closed' preventing Petitioners from filing anything seeking relief for any reason and under 'confidential letter' sought to make it look like the action was Ordered by an 11<sup>TH</sup> USCA Judge, filing was removed but will be included herein (App. L at 65a-72a) as such seems a

violation and unconstitutional under Florida and Federal Laws/Rules of Courts as a Motion or Notice is to be heard by the Federal Judges on the panel, not decided by Clerk.

34. The Florida Department of Law Enforcement investigation Case Files FDLE File EI-73-5183-38/8 and TN-48-479 of felony acts and conduct was believed stopped illegally under color of law or authority well known to this court and BAR members by an Attorney or BAR member who indicated no doubt to Governor John Ellis Bush and Florida Department of Law Enforcement as legal advisers then perhaps even Sheriff David Gee and Detective Derrick Grace that no investigation of felony conduct can be conducted by Sheriff of Hillsborough County, Florida or HCSO told 'All judges, lawyers, clients, witnesses are absolutely immune for any perjury, fraud upon the court and conspiracies aiding and abetting felony conduct in America during a trial.'
35. Unfortunately Petitioners reviewed references to Cases such as *Fridovich V. Fridovich*, 598 So.2d 65 (Fla 1992) App. R and a famous case cited as *Stump V. Sparkman*, 435 U.S. 349 (1978) which is contrary to Laws/Constitutions and merely appears as a 'BAR member' 'immunity' type action which must be reviewed by this Highest Court of the United States in light of the lower court judges and BAR members openly committing felony perjury plus felony crimes under Laws/Constitutions State and Federal as if they are protected, even when they do not do something mandatory and ministerial under Laws, Constitutions, Canons, Rules.

36. Petitioners respectfully submit this Honorable Supreme Court know very well what is and has been done by lower tribunal alleged Florida jurists and BAR members and it is time in America that this matter is not only resolved but ORDERS are in Order to cause arrest and conviction of anyone who commits a felony in Florida involving a Trial or Filing and thus The Sheriff David Gee of Hillsborough County, Florida, Detective Derrick Grace of the HCSO and Federal Bureau of Investigation plus Florida Department of Law Enforcement Sworn Officers of the Executive Branch must conduct the full immediate investigation and arrest suspects immediately or they too aid and abet criminal acts amounting to a felony under Florida and Federal Laws referenced herein.
37. It is believed that the Honorable Sheriff David Gee Sheriff of Hillsborough County Florida and Deputy Derrick Grace under Case File HCSO 02-140946 were stopped by Florida BAR members who indicated all judges/BAR are absolutely immune along with clients or witnesses for felony acts and conspiracy deemed a felony [Fla. Stat. Chapters 777, 837 apply].
38. Petitioners have documented 'prima facie proof positive evidence' to the FBI, President of the United States and Governor of Florida as well as HCSO local offices and FDLE of the commission of multiple felonies by BAR members, Judges, Respondents and all were stopped by the claimed 'absolute judicial immunity' extended to all respondents which is unconstitutional and against Laws.

39. Petitioners seek this Supreme Court review and if necessary will Petition Congress to allow non attorneys to have this and other matters fully investigated with proof in all filings indicated in lower tribunals confirming same as all Florida BAR members are fully aware the Constitution and Laws of this Nation and Florida do not grant 'immunity' for felony acts or for ministerial acts not done when one has a duty and obligation under existing Law thus it is time this Court addresses the problem as 'Equal Justice Under Law' is not being followed even if two elderly senior citizens bring same without being able to afford the lawyers who would be reluctant to assist in this matter as no lawyer is licensed in Florida and Florida BAR/judiciary control hiding felony conduct yet granting permission to practice to BAR members after payment of a BAR membership fee then aiding and abetting felonies by blocking investigations.
40. In Florida any Judge/BAR member at all levels can commit felonies, violating law and constitution, violate Oath taken with appearance of and no Criminal charges or investigations are allowed to proceed if they are brought for even felony or misdemeanor obvious reported criminal conduct under 'immunity' yet a Judicial Qualifications Commission made up of Florida BAR or BAR committee primarily may start an investigation and the public feel that action is going to be taken yet if the alleged Judge or Justice involves retires suddenly or resigns suddenly the 'JQC' action stops in it's tracks and the people actually never see justice for anything done by these people or their clients for civil or criminal acts amounting to a felony nor for civil acts as suits are blocked.

- A. Surely such cannot be hidden, allowed, condoned or sanctioned in Florida or any other state of the United States of America or we are truly not with “Equal Justice Under Law”
  - B. It is the solemn duty and obligation under Oath taken pursuant to our existing Laws as written for the this Court pursuant to Laws and Rules under supervisory powers to take this Case and allow briefs, or Amicus Briefs from others knowing full well Petitioners would automatically grant full permission, as provided herein, for anyone or any group to file an Amicus in this case.
41. Petitioners seek granting of this Corrected Petition as well as seek Orders providing notification of the appropriate investigative arms of Executive Branch of Government Federal and State to insure all felony practices are investigated, suspects arrested and convictions sought.
- A. Petitioners seek herein an ORDER allowing access to a full trial in Federal Court ‘ab initio’ or now as then because Petitioners have never appeared before a proper Court and Jury Trial was demanded.

**CONCISE STATEMENT OF THE BASIS FOR  
JURISDICTION AND OPINIONS BELOW**

42. Petitioners reincorporate ¶¶ 1-41 made part of this filing and referenced herein indicating clearly Supreme Court of the United States Rules 10(a), 10(b), 10(c), 12-4 call for an exercise of this Court's supervisory power PLUS Title 28 U.S.C. §§ 1251-54, 1257, 1291-92, 1295, 1331, 1343-44, 1346, 1352, 1361, 1366, 1367, 2101; Title 18 U.S.C. §§ 2,3,4, 241, 242, 1621, 2382 and Title 42 U.S.C. §§ 1981-1988, 1994; Article VI, Clause 3, XII Amend., Section 1, XIII Amend. Sections 1,2,3,4; XIV Amend. along with all Corrected Exhibits attached ask this Court to consider one or more of the above references as granting Jurisdiction as the Court is fully aware of the problems plus correction overdue in this matter. All OPINIONS of the Federal and State Courts are included in Appendices A-E at 1a-11a included herein by reference.
  
43. Petitioners sited to this Court the Constitution and Laws of this United States and State of Florida which command with Rules/Canons/Code of Judicial Conduct specific protections needed for review to ensure that all who would be known as Florida Judges and BAR members or Witnesses that Perjury, Fraud Upon The Court, and Felony Violations of the Laws both Federal and State will no longer be tolerated or hidden under a claim of 'absolute judicial immunity' or 'absolute immunity' as such is believed contrary to the Laws and Constitution as written by the Legislative Branches of Government applicable to all Courts, Hearings and Proceedings State and Federal brought at all levels.

44. Petitioners site the Titles of the United States Code in Titles 18, 28, 42 fully incorporated herein by reference on previous pages clearly indicate a Federal Jurist named Steven D. Merryday and three Appeal level Jurists at the 11<sup>TH</sup> USCA have not properly done their job and allowed all who enter the court can become victims along with Petitioners as Victims, Complainants and Witnesses to violations of Felony Laws, Civil Rights Violations and Petitioners have a right to ask for relief and bring a case to be heard by 'Jury Trial' in Federal Court.
45. Petitioners submit that if not this Court allowing this case to be briefed and corrected once and for all by the Court and Congress, WHO will protect the people under the Constitutions and Laws identified herein in ¶¶1-44 or Appendices A through U (at 1a-241a) submitted herewith?
46. Petitioners submit that the Appendix shall contain all Orders retyped from Federal Court/State Courts for booklets submitted and each Appendix A through U (at 1a-241a) show Motions indicating ERROR exists which must not be hidden, condoned or kept concealed by this Court who alone have the duty and obligation to take supervisory roles to stop such violations of the Laws and stop the errors of Florida Courts/BAR members/Clients.
47. Petitioners submit that previous Case Laws stated as rulings from this Court indicated a problem existed for years and the Court did not address what is covered in this Corrected Petition thus it is suggested the time is ripe and protection of the public necessary to prevent further damage to all who live, visit and pass through Florida.

48. Petitioners submit the Orders Docket Numbers 26, 90, 94 App. B at 3a-6a, C at 7a-9a, E at 11a from Judge Merryday were as wrong as the Orders received from the 11<sup>TH</sup> USCA Federal Panel of Three App. A at 1a-2a, D at 10a and a trial 'ab initio' should be allowed against all of the respondents in a True Court in a Federal Court such as the Middle District of Florida but Judge Merryday should be banned from participating in such jury trial by denying a proper court and right to have the case heard 'now as before' in a Federal Court.
49. Petitioners submit Motions filed immediately after Order 90 resulted in final denial by Order 94 App. E at 11a was then appealed timely under Docket Numbers 91, 92, 93 and 95 and that Judge Merryday was in error by such Orders.
50. Petitioners submit a timely Appeal was taken to the 11<sup>TH</sup> USCA under Case 05-15938-AA and an Order of the Court dismissing the entire appeal as 'Frivolous' App. A at 1a-2a without reference to any law, findings of fact or conclusions of law which is deemed in error and a timely Motion filed by Petitioners App. J at 39a-50a, K at 51a-64a resulted in a denial then the entire case mysteriously was sealed with no further filing allowed which seems contrary to the Rules and denies Petitioners Equal Access when Federal Rules of Civil Procedure like 60(b)(6) indicate it is the duty of a litigant to bring specific items to the attention of the Court when Fraud Upon The Court is involved or Perjury. A timely challenge to the Panel App. L at 65a-72a was removed after being stamped in and sent back for reasons quite unclear depriving Petitioners of the right to have any document filed or review done by the 11<sup>TH</sup> USCA court.

**CONSTITUTIONAL PROVISIONS, TREATIES,  
STATUTES, LAWS, REGULATIONS  
INVOLVED IN THE CASE**

51. The Constitutions and Laws of the United States/State of Florida State of Florida, plus Rules of Court both Federal and State and Canons or Code of Judicial Conduct clearly known already and mentioned in ¶¶ 1-50 reincorporated herein.
52. Petitioners submit this Highest Court is fully aware of the Constitution/Laws, Codes, Rules of Court, Codes of Judicial Conduct indicated as being violated by Florida BAR members who are imposter Judges/BAR members who have clearly attempted to stop this case from ever getting heard with Oral Arguments or review by the Federal Courts unless this Petition is granted under supervisory powers as such is detrimental to every living and breathing human who lives or visits Florida today.

**STATEMENT OF THE CASE**

53. Petitioners submit that the Statement of the Case is contained in pages 1-20 of this document above consisting of paragraphs 1-52 above fully referenced herein with the facts also stated which should grant allowance of the Writ without question based upon the Facts sworn to herein under Penalty of Perjury pursuant to Title 28 Section 1746 United States Code and backed up with Appendices A thru U at 1a-241a attached in the Appendix.

**ARGUMENT AMPLIFYING THE REASONS RELIED  
UPON FOR ALLOWANCE OF THE WRIT**

54. Petitioners have not had the pleasure of having a Trial nor Hearings before proper Florida State Judges or State Court based upon findings and proving such jurists were imposters and the Federal Court including this Highest Court is the only Court who can now hear the case, rule on all Motions and grant a new Jury Trial 'Now as Then' or ' ab initio' in a Federal Court plus make Orders protecting the rights of all litigants in Florida.
55. Petitioners have tried to obtain necessary relief proper and just unsuccessfully in a Supreme Court of Florida as indicated then tried to obtain relief and a new jury trial in a Federal Middle District Court only to have a Middle District Judge deny every filing citing authority involving 'absolute judicial immunity' App. B at 3a-6a, C at 7a-9a, E at 11a, M at 73a-76a which does not exist nor apply plus 'must have a racial animus' which also is false for mixed race litigants under the Constitutions/Laws of the United States/Florida and those LAWS are made by Congress/Legislatures under separation of Powers.
56. Petitioners can only PRAY to this Court to allow the Corrected Petition be GRANTED and the case scheduled for Briefs and Oral Argument by this Highest Court in the United States who is the only court who can stop such abuse in America and elsewhere under American Control as no one has ever brought a case of this Nature involving an entire Florida Supreme Court who openly violated the Constitution and Laws of the State of Florida under color of law or authority against

the Constitutions/Laws Federal and State and Codes of Judicial Conduct for the BAR of Florida and American Bar Association guidelines or Canons known to all jurists.

57. Petitioners submit perjury and fraud upon the court has reached epidemic proportions and is known by this Court and staff but once reported to a jurist under the Rule of Law must be investigated by the Judicial and Executive Branches and failure of any jurist or BAR member to report a fellow jurist or BAR member for a felony act is aiding and abetting a felony plus conspiring to commit a felony and each become an accessory if not a principal under the Rule of Law or Laws of this Nation and State of Florida. Such is not the 'justice' people seek in Courts of Law in the United States nor can this Highest Court now ignore or bury the problem critical to all.
58. Clearly this Court is the only remaining protection for humans under the Constitution/Laws/Rules as the Florida BAR members of lower tribunals and BAR members who would claim 'absolute judicial immunity' while violating their Oaths and Appointments cannot be condoned or hidden even by this Highest Court now that there are over 30,000 known victims in Florida alone to a practice which violates the State of Florida Constitution and Laws let alone Federal Constitution and Laws stated herein and contained by reference herein unique to Florida, where entire Florida Supreme Court grants full power to a mere clerk for some 9 years by IOP.

59. The Sheriffs, FBI, FDLE, and all law enforcement officers plus Secret Service and Marshal Service know full well the 'Statute of limitations clock is ticking' on the Arrest, Conviction and Incarceration allowed as the Felonies known to have been committed since the 21-24<sup>TH</sup> day of August 2002 to PRESENT must result in action or known felons go free under American Laws and Titles/Statutes for perjury under oath in a court of law. Nothing stops further investigation, arrest, prosecution and confinement for those Respondents who have been part of a Civil and Criminal Conspiracy to Hide felony acts but a Supreme Court Jurist must Order/Report those suspects immediately for investigation, arrest and prosecution!
60. Petitioners therefore ask or pray this Highest Court to immediately 'Order' a full Federal and State investigation and confirm the Sheriff of Hillsborough County, Florida, Governor and Florida Department of Law Enforcement have been victims of Florida BAR/Jurists lying about 'Immunity' issues thus stopping or interfering with Criminal Investigations State/Federal amounting to 'Obstruction of Justice' as Respondents are known and local for full investigation purposes.
61. Petitioners also ask or pray this Court to not condone 'Perjury or Subornation of Perjury' by Respondents named herein under the same Laws State and Federal. [See Exhibits A through U at 1a-241a incorporated fully herein]
62. Petitioners seek permission to brief this Case to be heard by the full Supreme Court and further submit a request to allow anyone the right to file an Amicus Brief on this matter without question as it is a case where every man, woman and child in Florida need to know what is allowed under the Laws of the United States and Florida.

**REASONS WHY CERTIORARI SHOULD BE GRANTED**

63. Petitioners have proven time and time again denial of a proper trial before a proper court, perjury, fraud upon the court, violation of Laws/Constitutions state/federal by Florida BAR members and Jurists in State Courts through multiple Sworn documents submitted or filed in various State/Federal Courts which have been ignored by some claiming to have 'immunity' contrary to Law!
  
64. Petitioners felt confident filing timely in Federal Court would allow the Sheriff, FBI, FDLE to investigate and arrest those who would violate the Felony Laws of the United States and Florida and still are shocked that the Sheriff of Hillsborough County, Florida has not arrested anyone and that the Florida BAR members who represent the Respondents all claim or are supported by judges who claim 'immunity' for criminal acts and deprivation of civil rights of Petitioners which known and proof is supported by a Federal Judge in Tampa and two imposter Florida based Federal Judges Tjoflat and Black in the 11<sup>TH</sup> USCA who seek to bury this case calling same "Frivolous' without any rime, reason, conclusions of law or facts supporting such a decision other than the court getting perhaps upset with people who lost over \$17,000,000.00 possible award of damage verdict plus possible treble damages award verdict in a state court because of a local Judge who violated the Laws, Codes, Rules of Court and all other Appeal Court Jurists seem reluctant to let the two non attorney litigants get the Truth out to the highest Supreme Court of the United States and Congress to stop such known violations of Law/Constitution/Rules of Court/Canons.

CONCLUSION

65. Petitioners, non attorneys, witnesses and victims have insufficient FUNDS to hire the finest legal minds in the World living in America to bring this case before the Court who already know of Florida violations and errors.
66. Petitioners are fully aware of the Cliche "A man or woman who represents themselves has a fool for a client!" but all should be able to demand and receive 'Equal Justice Under Law' as is engraved over the entrance to the Supreme Court of the United States building and thus when perjury or other felony conduct is allowed tipping the entire balance of justice favoring the criminal element including BAR members and private citizens told they can lie, who trash the non attorney and public with the help of an imposter Judge like Respondents who are protected by other Florida Judges and BAR members in positions below this Court who are challenged to prove they have required Oaths of Office on file properly or are properly bonded and adhere to the solemn Oaths taken thus case deserves a proper court and NEW TRIAL.
67. Petitioners submit the 11<sup>TH</sup> USCA jurists from Florida were advised clearly not to become part of this three judge panel and a request for judicial notice App. I, J, K, L at 27a-72a clearly indicated the fear that Federal Judges from Florida would try to hide the 'dirty little secret' involving the 'State of Florida Supreme Court violations of the Constitution and thus depriving litigants of the rights and protections of the Constitution of the United States and Laws both State and Federal' allowing extra time off by Clerk being given full authority to deny cases and no justices saw it at all.

68. Petitioners feel sure and confident that Respondents must admit error, must admit felony conduct and also must be investigated, arrested and conviction attempted or no man, woman or child in Florida can expect Justice and State of Florida v. Marks App. T at 220a-228a clashes with App R at 180a-196a Fridovich v. Fridovich!
69. Petitioners submit that there is a law on the books which allows the Judiciary to instantly order the arrest of anyone identified under Federal Rules of Criminal Procedure Rule 3 and 4 but no private citizen can file any document related to Fed.R.Crim.P. Rule 3 as no Judge will take the Oath on such a document claiming in lock-step that the Rule is not allowed for private citizens as once signed with Oath taken and signed by a Judge the Judge has to order arrest of the suspects under Rule 4.
70. The Supreme Court of Florida allowed through the Internal Operating Procedures App. G at 16a-17a and Jenkins v. State of Florida App. S at 197a-219a a Constitutional Violation which damaged Petitioners and over 30,000 people under a Senate Joint Resolution 20-C or SJR 20-C smoke screen where a Constitutional Amendment was placed on the ballot in Florida to 'Give More Power To The Supreme Court' as indicated in Jenkins v. State, supra. Such known unconstitutional trickery resulted everyone trusting the Supreme Court of Florida and since many Justices came out of the building to talk on the need for more power, no one suspected nor realized that the Vote taken would not increase the power of the Supreme Court but remove power of the people and give more power to the district courts of appeal in that the Supreme Court made the assistant

clerks the final decision on a district court of appeal case with a "PCA" 'without written opinion and automatically took the money, gave the filing a number then denied the case and rehearing on heir own without ever allowing a Justice let alone a quorum of justices to view the filings. Such unconstitutional abuse of powers is not to be hidden or tolerated once exposed here.

71. The Manual of Internal Operating Procedures Updated January 2002 page 4 Section II Internal Procedures For Handling Cases, Supreme Court of Florida Stated:

"A. Discretionary Review.

1. Discretionary Review of District Court of Appeal Decisions (Except Those Certified By District Court of Appeal).

(a) When a party files a notice seeking to invoke discretionary review, the clerk's office determines whether the district court of appeal has written an opinion in the case. If there is no opinion, the case is automatically docketed and automatically dismissed by the clerk's office. In such cases, no rehearing is allowed. If there is a written opinion, the clerk's office docketes the case, and when all jurisdictional briefs have been filed, assigns the case to a panel of five justices according to a rotation formula, and the file goes to the office of the assigned justice on the panel. The assigned justice's office prepares a memorandum summarizing the basis for jurisdiction asserted in the jurisdictional briefs and analyzing whether a basis for exercising discretionary jurisdiction exists. Copies of the briefs and memorandum then to the offices of each justice on the

panel to vote on whether review should be granted and, if so, whether oral argument should be heard. Five justices constitute a quorum, and the concurrence of four justices is required to grant or deny review. If fewer than four justices on the panel agree on a disposition, the case circulates to the two members of the Court not originally assigned to the panel. Several possibilities result from circulation of petitions for discretionary review.” [Emphasis Petitioners]

72. Clearly Petitioners are correct that their rights were indeed violated and such fact remains hidden to this very date by Florida Jurists and BAR members for reasons to deprive Petitioners from receiving a fair trial before a True Court in Florida or Federal Court which should not be condoned by this Court under any circumstances as all people/visitors of Florida are victims or potential victims.

Dated: September 11, 2006

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