

IN AND FOR BROWARD COUNTY, FLORIDA

Williams: Anthony-Troy, American National)
non-citizen, foreign to the United States AND)
ANTHONY TROY WILLIAMS[®])
(Petitioner))
VS)
THE STATE OF FLORIDA,)
(Respondents))
)

CASE NO.: 15014566CF10A

PETITION FOR WRIT OF HABEAS CORPUS

COMES NOW, Williams: Anthony Troy[®], Real Party of Interest, Registered Owner and Beneficiary, formerly known as the Person/Trust/Estate/Corporation, DBA, ANTHONY TROY WILLIAMS[®]; hereby, moves this court for a speedy and/or immediate release from his present unlawful confinement due to countless constitutional rights violations stemming from a lack of jurisdiction, 11th Amendment Immunity, improper venue, no standing, no corpus delicti (injured party), and etc. As grounds for this petition, the petitioner will state as follows:

The petitioner is not a lawyer and his pleadings cannot be treated as such. In fact, according to *Haines v. Kerner*, 404 U.S. 519 (1972), a complaint, "however in-artfully pleaded," must be held to "less stringent standards than formal pleadings drafted by lawyers" and can only be dismissed for failure to state a claim if it appears "beyond doubt that the plaintiff can prove no set of facts in support of his claim which would entitle him to relief." *Id.*, at 520-521, quoting *Conley v. Gibson*, 355 U.S. 41, 45-46 (1957). "[A] pro se petitioner's pleadings should be liberally construed to do substantial justice." *United States v. Garth*, 188 F.3d 99, 108 (3d Cir.1999).

If this court does not accept this petition, the petitioner respectfully requests this court to construe this petition into a counterclaim, because there is only one action and that's civil according to Federal Rules of Civil Procedure, Rule 2.

The respondent was unlawfully arrested without a Fourth Amendment warrant, so this writ is now the appropriate remedy to challenge his unlawful detention since the petitioner's constitutional rights are being violated, to wit: due process (5th Amendment of US Constitution), equal protection of the law, right to a fair trial (6th Amendment under the US Constitution), and

petitioner's right to confront his accusers (6th Amendment confrontation clause under the US Constitution) are being violated; mainly, because of the fact that the petitioner has been arrested without probable cause and no evidence of guilt private for profit corporation, THE UNITED STATES OF AMERICA is not the corpus delicti (injured party), and therefore, has no standing to press charges; and no jurisdiction to press charges, and other major violations that warrant dismissal of charges.

"Habeas Corpus" is Latin for, "You have the body." Prisoners often seek release by filing a petition for a writ of habeas corpus. The writ is a judicial mandate to a prison official ordering that an inmate be brought to the court so that it can be determined whether or not that person is imprisoned lawfully and whether or not he should be released from custody. Federal Rules of Civil Procedure 60 (b) (3)

Under THE UNITED STATES OF AMERICA habeas statute, a prisoner can bring a habeas corpus action to challenge a criminal conviction and sentence on the ground that "there was a substantial denial of his [or her] rights under the Constitution of the UNITED STATES " in the "proceedings which resulted in his [or her] conviction." (See Section 394.459(8), Florida Statutes).

1. This is an action for a writ of habeas corpus pursuant to Section 394.459(8), Florida Statutes. Also applicable are Article I, Section 13 of the Constitution of the State of Florida; Chapter 79, Florida Statutes; Section 916.107, Florida Statutes; and Rule 1.630, Florida Rules of Civil Procedure.
2. The circuit court has jurisdiction of this matter pursuant to Article V, Section 5(b) of the Constitution; Section 79.01, Florida Statutes; Section 394.459(8)(b), Florida Statutes; Section 916.107, Florida Statutes; and Rule 1.630, Florida Rules of Civil Procedure.
3. The use of a Petition for Writ of Habeas Corpus to secure the release of an innocent Living Being such as Petitioner, Williams: Anthony-Troy is specifically authorized by Florida law, Section 916.107(a), Florida Statutes.
4. Petitioner's detention is unlawful and contrary to the Constitution of the State of Florida and the Constitution of the United States of America, as further set forth below.
5. Petitioner Williams: Anthony-Troy is a competent adult, who has never been adjudicated incompetent or mentally deficient. He is presumed by law to be competent.
6. Petitioner Williams: Anthony-Troy has the unalienable right to freedom and liberty. Amendments IV, V and XIV, Constitution of the United States; Article I, Sections 2, 9

and 12, Constitution of the State of Florida. The facts on which Petitioner relies are as follows:

- a. Petitioner, Williams: Anthony-Troy has no history of violence or threat to the safety of the public.
- b. Petitioner was not properly read Miranda Rights nor was shown a valid warrant to justify sheriffs arresting and imprisoning him.

STATEMENT OF THE CASE AND FACTS

7. On November 8, 2015 Williams: Anthony-Troy was unlawfully kidnapped by deputies of the Broward County Sheriff's Office based on a warrant issued by JUDGE ANDREW L. SIEGEL.
8. Petitioner, Williams: Anthony-Troy, was jailed for allegations of violating Florida Statutes in his filing of claims against certain judges in December of 2014, creating felony case 15014566CF10A.
9. Williams: Anthony-Troy sworn un rebutted affidavit is truth in this matter due to acquiescence (silence). "TRUTH IS EXPRESSED IN THE FORM OF AN AFFIDAVIT" Lev. 5:4-5; Lev 6:3-5; Lev. 19:11-13; Num. 30:2; Mat. 5:33; James 5:12; "AN UNREBUTTED AFFIDAVIT STANDS AS TRUTH IN COMMERCE"¹² Pet. 1:25; Heb. 6:13-15. Claims made in your affidavit, if not rebutted, emerge as the truth of the matter. "AN UNREBUTTED AFFIDAVIT BECOMES THE JUDGMENT IN COMMERCE" Heb. 6:16-17. There is nothing left to be resolved. **Legal Maxim:** "He who does not deny, admits."
10. The state has no sworn affidavit of an alleged victim therefore probable cause should have never been issued in this case. The District Court of the State of Florida, successors and assigns cannot be a witness with first-hand information; all testimony is hearsay. Everything said in the alleged warrant and everything the prosecutor will say will be hearsay because there is no sworn affidavit from any victim to verify and justify the arrest and charges against the Petitioner, so this case must be dismissed as a result. "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing

the place to be searched, and the persons or things to be seized” ~ 4th Amendment of the US Constitution.

11. Based upon all of the foregoing facts, the petitioner is indeed being unlawfully detained due to no standing, improper venue, no jurisdiction, no corpus delicti, and no evidence of guilt presented by the THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT, IN AND FOR BROWARD COUNTY FLORIDA DBA JUDICIARY COURT OF THE STATE OF FLORIDA AT 201 SE 6TH STREET SUITE 565 IN FORT LAUDERDALE FLORIDA (BASED ON DUN AND BRADSTREET REPORTING), successors and assigns, which constitutes abducting, kidnapping, false imprisonment, false arrest, slavery, false claims, fraud, cruel and unusual punishment, treason, trespass, defamation of character, loss of the enjoyment of life, emotional distress, loss wages, malicious prosecution, retaliation, and etc. The list of charges goes on and on when you imprison a man without any evidence of guilt and especially when the petitioner has presented overwhelming evidence of innocence, but yet is still being illegally detained.
12. The fee for illegal incarceration according to Trezevant v. City of Tampa, 741 F.2d 336 (11th cir.1984), is \$65, 217 dollars per hour, and \$1,800,000 (\$1.8 Million) dollars per day. The petitioner came to this conclusion, because in Trezevant, a Motorist illegally held for 23 minutes in a traffic charge was awarded \$25,000 in damages (Note: multiply the total number of days petitioner has served behind bars with the going fee of \$1.8 million dollars per day, in order to determine how much money to award the petitioner in damages. The petitioner was kidnapped on February 12, 2015 and has since been behind bars, unlawfully and illegally with slave hackles on his hands, feet and waist.
13. Private Federal Agents of THE STATE OF FLORIDA must both pay the petitioner for each day of his unlawful incarceration. With punitive damages the amount will be doubled, because the record clearly reflects that the petitioner is innocent and THE FEDERAL COURTS OF THE STATE OF FLORIDA are aware of his innocence due to facts on record in this case and Petitioner is innocent until proven guilty of CRIME. The Private Federal Agents of the STATE OF FLORIDA is acting with wanton and callous disregard towards the petitioner’s federally secured constitutional rights by unlawfully and illegally holding the petitioner with no evidence of guilt, no standing, no jurisdiction, no corpus delicti (injured party), and etc.

Ground I: EXCESSIVE BAIL

- (1.) The petitioner is being held without bond in a misdemeanor case on frivolous charges with no evidence of guilt whatsoever being provided by the STATE OF FLORIDA; therefore, no bond in this case is not only excessive, but it amounts to cruel and unusual punishment in violation of the 8th amendment of the US Constitution. (See James V. Grimes, 219 Ga. 585, 587, 134 S.E. 2d 790, 792 (1964) (*Excessive bail is the equivalent of a refusal to grant bail, and in such cases Habeas Corpus is an available and appropriate remedy*)).
- (2) Agents of the private for profit corporations of the STATE OF FLORIDA have not and cannot meet its burden of proof in this case because there is none and Petitioner's innocence is proven by there being No Injured or Party or Damaged Property. The state has not proven the petitioner is a flight risk or a threat to society; therefore, detaining without bond in this case is unconstitutional in violation of the 8th Amendment.
- (3) The petitioner respectfully requests his release due to there being no evidence whatsoever to hold him in custody or release under 18 USC 3142 (a)(1).

GROUND II: DENIAL OF RIGHT TO CONFRONT HIS ACCUSERS

- (1.) The Sixth Amendment's Confrontation Clause provides that, "[i]n all criminal prosecutions, the accused shall enjoy the right ... to be confronted with the witnesses against him." We have held that this bedrock procedural guarantee applies to both federal and state prosecutions. *Pointer v. Texas*, 380 U.S. 400, 406 (1965); and *Crawford v. Washington* (02-9410) 541 U.S. 36 (2004).
- (2.) Based upon the above US supreme court case law, the Petitioner seeks to cross examine the victim, which is THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT, IN AND FOR BROWARD COUNTY FLORIDA DBA JUDICIARY COURT OF THE STATE OF FLORIDA AT 201 SE 6TH STREET SUITE 565 IN FORT LAUDERDALE FLORIDA, in order to confront his accusers; however, it can't be done, because THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT, IN AND FOR BROWARD COUNTY FLORIDA DBA JUDICIARY COURT OF THE STATE OF FLORIDA AT 201 SE 6TH STREET SUITE 565 IN FORT LAUDERDALE FLORIDA is a municipal corporation according to Title 28 USC section 3002 (15)(A), and every state is a sub-corporation under it. Also see, *William Dixon v. The United States*, 1 Marsh 117, 181 (1811), Justice John Marshall explained, "The United States was a corporation and all of the politicians were the officers of that corporation."
- (3.) A corporation is something that is artificial and dead, hence the word corpse, which is the origin of the word corporation, which means dead body; so therefore, it is impossible for the petitioner to confront his accusers, because he is being charged by a corporation called, "THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT, IN AND FOR BROWARD COUNTY FLORIDA DBA JUDICIARY COURT OF THE STATE OF FLORIDA".
- (4.) The petitioner will never be able to confront his accusers in this case because there is no flesh and blood victim as the injured party (corpus delicti). For a crime to exist there must

be an injured party (Corpus Delicti). There can be no sanction or penalty imposed on one because of this Constitutionally Protected Rights. (See Sherer v. Cullen 481 F. 945.)

CONCLUSION

Based upon the foregoing grounds, the facts, and the authorities cited herein, the petitioner respectfully requests this court to release him immediately from his unlawful confinement due to various constitutional violations stemming from THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT, IN AND FOR BROWARD COUNTY FLORIDA DBA JUDICIARY COURT OF THE STATE OF FLORIDA DIVISION having no evidence, no jurisdiction, no standing, no corpus delicti, and etc. (See the attached un rebutted Petition to dismiss for greater detail).

RELIEF SOUGHT

- (1.) Gant the petitioner/defendant a speedy release from his present unlawful confinement.
- (2.) Grant the petitioner/defendant a reasonable bond if this court feels that dismissal of charges is not warranted.
- (3.) Award the petitioner/defendant \$1.8 million US dollars per day for compensatory damages for every hour that he has spent unlawfully so far in custody.
- (4.) November 8, 2015 at a rate of \$65,217 per hour or 1.8 million dollars per day and counting. Add an extra 1.8 million for each additional day of unlawful incarceration.
- (5.) Order THE STATE OF FLORIDA to pay for any and all filing fees, court fees, and attorney fees associated with this action.

NOTICE TO THE DISTRICT OF COLUMBIA ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS DBA US COURT INTERNATIONAL TRADE DUNS NUMBER 103340399 CAGE CODE 4H2GO UNITED STATES DISTRICT COURT SOUTHER DISTRICT OF FLORIDA BROWARD DIVISION

Notice is hereby given, that the Respondent(s), has 30 days to rebut this writ, point-by-point, under oath. If not, then this pleading will be deemed true and correct at law and it will stand as evidence that the said cases have been dismissed and it will stand as default judgment against the THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT, IN AND FOR BROWARD COUNTY FLORIDA DBA JUDICIARY COURT OF THE STATE OF FLORIDA for all relief sought in any higher court of law.

WHEREFORE, Petitioner demands a Writ of Habeas Corpus be issued requiring Respondents to deliver up and bring Petitioner before this Court so that the legality of his detention can be determined and that Petitioner can be discharged from custody. Other parties or organizations who may be involved in or may have been involved in the detention of Petitioner or who may be called upon to assist Respondents, should also be noticed with the Writ.

DONE: This 5th day of December, 2015

/ss/ Williams: Anthony- Troy, sui juris

Williams: Anthony-Troy

Administrator for DEFENDANT,

ANTHONY WILLIAMS

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