

IN THE SUPREME COURT OF THE STATE OF _____

_____(YOUR NAME),

Petitioner,
v.

D.C.F.
_____(Name of agent)

Respondent.

Case No. _____
(Provided by clerk of court)

PETITION FOR WRIT OF HABEAS CORPUS

I. General Information

A. Place of confinement: The United States of America

B. Petitioner's institutional address:

N/A

II. SUBJECT OF THIS PETITION

A. Indicate the type of decision or action which you are challenging:

_____ Denial of parole
_____ Revocation of parole
_____ Disciplinary matter
_____ Revocation of good time credits
_____ Detainer
_____ Immigration or deportation order

☒ Other (described briefly the type of decision or action involved)

This petition for a writ of Habeas Corpus is regarding rights violations committed by agents of the State under the guise of child protection known here as DCF. This writ is proper in the equal protections of rights and law as used in PA and NY. "The benefit of the writ of habeas corpus is given in "all cases where any person, not being committed or detained for any criminal, or supposed criminal matter," Who "shall be confined or restrained of his or her liberty, under any color or pretence whatsoever." The color of law being used by D.C.F. is restraining me in my freedom of due process of law as well as self incrimination.

B. Who made the decision or took the action? D.C.F.

C. Date of decision or action?

D. Was there a hearing of any kind? Yes () No (X)

E. Were you represented by counsel or a staff member at any hearing?
Yes () No (X)

D. Have you filed any previous lawsuit(s) related to your present claim?
Yes () No (X) (NOT YET, A CIVIL SUIT AND CRIMINAL CHARGES WILL FOLLOW THIS WRIT)

GROUND FOR RELIEF

A. Ground One:

- While it is true that the use of this writ is not common practice for the nature of this situation it is appropriate and proper that this writ be the method for seeking injunctive relief. I understand that equality under and before the law is paramount, and as such I claim the right to use this writ under equal protections, as it is used in PA and NY “in all cases where he is confined or restrained of his liberty, under any color or pretence whatsoever” While NOT in ACTUAL confinement in a prison, the restraint of freedom presented D.C.F. who are attempting to intimidate me in the free exercise and enjoyment of the right to refuse to be a witness against myself, in connection to an obviously unfounded complaint intended to harass me.

B. Ground Two:

- The intimidation of petitioner in the free exercise and enjoyment of rights being so fundamental to the nature of freedom, this deprivation committed at the hands of D.C.F. and the agent of that bureaucracy, has created restraints and fear in the exercise of basic freedoms and fundamental rights. The investigative efforts of D.C.F. have created undue harassment without ANY form of valid cause for such an investigation. There is absolutely ZERO evidence of any crime. The injunctive relief sought to prevent D.C.F. from continuing this oppressive investigation is both appropriate and necessary in the name of justice.

C. Ground 3:

- The third and final ground for the requested relief exists within the elements of corpus delicti, more accurately stated, the complete lack of a single element of corpus delict. D.C.F. has ZERO evidence of the existence of damage or injury to person or property, and ZERO evidence of a violation of any one else's rights. And as such there is no redress ability for any court in this matter. As this is the case the investigation should be close because it was unfounded from the beginning and is the very essence of a “false report” filed with the sole intent of harassing me, not protecting children.

V. REQUEST FOR RELIEF

- In this writ the petitioner seeks injunctive relief against the malicious investigation launched by D.C.F. and the lawless behavior of it's agents who are acting under color of law but whom have no real authority. I will not have the claim and exercise of my fundamental rights alone be used as the basis for the State to seize my children. My children are NOT state property in spite of any potential agreement that may exist as I never knowingly consented to waive any rights or to sign my children over to the State. The relief I am requesting is an injunction and granting of this petition to relieve the restrains of my freedom put upon my by the intimidation and tactics of D.C.F. and it's agents.

VI. CONCLUSIONS

- As this writ of habeus corpus is a special and extraordinary writ that is to be granted in all cases where one is “confined or restrained of their freedom under any color or pretense whatsoever”, it is both proper and necessary in the name of justice and truth, that the requested injunctive relief be granted. THIS court has jurisdiction as standing has been proven by this complaint filed under penalty of perjury alleging all 3 elements of corpus delicti against D.C.F. and it’s agents. Subsequent criminal and civil charges are going to follow once my children are protected by the injunction and granting of this writ. It is self evident in this complaint that I have been restrained in my freedom, and it is also self evident that the court has a duty to remove this restraint by granting the injunctive relief sought.

VII. DECLARATION UNDER PENALTY OF PERJURY

- I, the undersigned, declare, (swear, certify, verify AND state) under penalty of perjury, that I am the petitioner in the above action, that I have read the above petition and that I have personal knowledge of the information contained herein and that all statements made are true and correct to the best of my knowledge. 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Signed this ____ day of _____, 20____.

Signature of Petitioner

Notary / Seal:
