

UNITED STATES DISTRICT COURT
FOR DISTRICT OF CONNECTICUT

PAUL BOYNE

CASE #:

V

JESUS GUADARAMA

PETITION FOR WRIT OF HABEAS CORPUS
28 USC § 2241

THE UNDERSIGNED PETITIONS FOR WRIT OF HABEAS CORPUS FOR RELIEF OF UNCONSTITUTIONAL INCARCERATION IN FORM OF PRE-TRIAL DETAINMENT IN DEPRIVATION OF FIRST AND FOURTEENTH AMENDMENT RIGHTS UNDER COLOR OF STATE STALKING LAWS. INFORMATION BELOW IS IN FORMAT OF FORM AO242, FILED IN PROCEDURE OF STANDING ORDER ON PRISONER E-FILE PROGRAM; 6/22/2016, HALL, USDCJ. (BRIDGEPORT).

PERSONAL INFORMATION:

- 1 (a) PAUL ANDREW BOYNE (b) N/A
- 2 PLACE OF CONFINEMENT (a) MACDOUGALL CORRECTIONAL INSTITUTION. (b) 1153 EAST ~~SOUTH~~ STREET SOUTH, SUFFIELD, CT 06078 (c) INMATE # 342171
3. CURRENTLY HELD ON ORDERS OF CONNECTICUT SUPERIOR COURT, CRIMINAL DIVISION, NEW HAVEN JD
4. CURRENTLY A PRE-TRIAL DETAINEE; \$750K BOND.

5. CHALLENGING PRE-TRIAL DETENTION

6. (a) NEW HAVEN SUPERIOR COURT (CRIMINAL PART A)

(b) DOCKET #S: N23N-CR23-0250215-S, N23N-CR23-0250216-S, N23N-CR23-0250217-S

(c) CHALLENGING ACTION OF CONNECTICUT ARREST AND EXTRADITION OF A CITIZEN IN VIRGINIA FOR SPEECH UNDER COLOR OF CONNECTICUT'S BREACH OF PEACE STATUTES; STALKING CGS 53a-181c AND CYBER STALKING CGS 53a-181f, FOR BEING CONTRARY TO SCOTUS OPINION IN CANTWELL V CONNECTICUT (1946).

(d) DATE OF ACTION: FELONY ARREST WARRANT ISSUED 7/13/23 BY GOLD, J (HARTFORD); VIRGINIA ARREST 7/21/23; CT GOVERNOR'S DEMAND WARRANT 8/31/23; VIRGINIA GOVERNOR'S RENDITION WARRANT 9/21/23; EXTRADITION 10/19/23; CT ARRAIGNMENT 10/20/23, CHALLENGE TO VA GOVERNOR'S RENDITION WARRANT BY HABEAS IN FAIRFAX COUNTY CIRCUIT COURT, DISMISSED WITHOUT HEARING OR OPINION BY SMITH, J ON 10/13⁶/23.

7. PREVIOUS REMEDY SOUGHT UNDER UNIFORM CRIMINAL EXTRADITION ACT, SECTION 6, BY HABEAS FOR NON-FUGITIVE CASE AT (1) FAIRFAX COUNTY CIRCUIT COURT, JUDICIAL DISTRICT 19 OF COMMONWEALTH OF VIRGINIA, 4110 CHAIN BRIDGE RD, FAIRFAX, VA. JUDGE ROBERT SMITH, PJ (2) FILED 10/14/23 (3) DOCKET # CL-2023-14121 (4) RESULT: DISMISSED WITHOUT COMMENT OR HEARING ON 10/13⁶/23

(6), ISSUES RAISED:

- (a) FIRST AMENDMENT, FREE SPEECH, VIOLATION OF RIGHTS
- (b) SPEECH IS NOT CONDUCT OF "STALKING"
- (c) GOVERNORS VIOLATE ARTICLE III CONSTITUTION'S SUPREMACY CLAUSE
- (d) EXTRADITION DEMAND BY CT GOVERNOR BASED ON FALSE CLAIM PETITIONER COMMITTED A CRIMINAL ACT IN VIRGINIA AND TOOK REFUGE THERE.
- (e) VIRGINIA GOVERNOR'S RENDITION WARRANT EXERCISED FALSELY ON CONSTITUTION ARTICLE IV FUGITIVE CLAUSE INSTEAD OF UCEA SECTION 6, NON FUGITIVE STATE STATUTE.
- (f) VIRGINIA STALKING STATUTES DO NOT TARGET SPEECH, CT CRIMINAL STALKING STATUTES DO NOT APPLY TO SPEECH IN VIRGINIA; NOT A CRIME IN VIRGINIA,
- (g) FOURTH AMENDMENT VIOLATIONS STARTING WITH SEARCH WARRANT BY GOLD, J (HARTFORD) APPLIED TO D, CONNECTICUT BY AUSA DONOVAN TO USMJ SPECTOR (NewHaven) 1/25/22, 1:22 mj 113 TO HUNT ACCOUNT HOLDER INFORMATION OF BLOG: thefamilycourtcircus.com, FOLLOWED BY VIRGINIA STATE POLICE SEARCH WARRANT OF 6/28/22 ISSUED BY SAYLOR, J OF FAIRFAX COUNTY CIRCUIT COURT BASED ON INFORMATION PROVIDED BY CONNECTICUT STATE POLICE, WHICH FAILED PEACEFUL EXECUTION (6/30/22) BY PRE-DAWN (0515) SWAT RAID BROKE DOWN

- RESIDENTIAL FRONT DOOR. AFTER ILLUMINATING PETITIONER WITH RIFLE LIGHT AIMED AT HIS HEAD THRU WINDOW, SEIZURE OF COMPUTERS/CELL PHONE UNLAWFUL
- (h) ILLEGAL REMOVAL OF SEIZED PROPERTY FROM VIRGINIA BY CONNECTICUT STATE TROOPERS PARTICIPATING IN THE RAID OF 6/30/22.
- (i) ACTIONS OF POLICE BEING CRIMINAL CONDUCT UNDER 18 USC § 241, CONSPIRACY IN DEPRIVATION OF RIGHTS. UNDER KU KLUX KLAN ACT OF 1871.
- (j) FAIRFAX COUNTY CIRCUIT COURT SEARCH WARRANT CASE # KM-2022-365.
- (k) D. CONNECTICUT SEARCH WARRANT CASE 1:22mj113 UNDER ARTICLE III REVIEW BEFORE USDCJ SHEA (HARTFORD), WHERE PETITIONER HOLDS APPEARANCE.
- (l) CONTINUING COURSE OF CONDUCT BY CONNECTICUT JUDICIARY GOING BACK TO FBI SEARCH & SEIZURE IN JANUARY 2017, SEE D. EASTERN VIRGINIA CASE 1:17sw14, RESOLVED ON OPINION OF U.S. V CASSIDY, D. MARYLAND (2011), PROTECTED SPEECH.
- (m) WARRANT FOR ARREST BY JUDICIAL AUTHORITY LACKING REQUISITE IMPARTIALITY; GOLD, J IS AUTHOR OF P#18 IN TRIAL DECISION OF STATE V TAUPIER, IN WHICH HE CREATES A NEW EXCEPTION TO FREE SPEECH; A ROUGH EQUIVALENT TO A TRUE THREAT TO CRIMINALIZE JUDICIAL CRITICISM AND CHILL PUBLIC EXPRESSION OF MATTERS IN A PUBLIC FORUM, WHICH DISPLEASES HIM; A VIOLATION OF UCEA SECTION 3 & 6 STATUTORY NON-COMPLIANCE.
- 4 -

- (n) PREJUDICIAL FACT THAT CT CHIEF JUSTICE RICHARD ROBINSON PENNED AN OP-ED IN THE CT MIRROR ON 1 MARCH 2019 CALLING UPON "WE THE PEOPLE" TO 'DISAVOW' THE PROTECTED SPEECH CONTAINED IN BLOG. STATE PROSECUTORS WORK FOR A COMMISSION CHAIRED BY A SUPREME COURT JUSTICE WHO REPORTS TO CJ ROBINSON
- (o) IN JANUARY '22, RETIRED STATE SUPREME COURT JUSTICE AND ADL ADVOCATE JOETTE KATZ, EDITOR OF CT LAW TRIBUNE PUBLISHES OPINION PIECE THAT BLOG IS NOT FREE SPEECH AND MUST BE EXPOSED (LAW TRIBUNE 12 JAN 22)
- (p) IN NOVEMBER '22 THE JEWISH ANTI-DEFAMATION LEAGUE (ADL) HOLDS ANTI-SEMITISM CONVENTION IN NEW YORK CITY WHICH FOCUSES ON HATE SPEECH TITLED "NEVER IS NOW", WHERE JOETTE KATZ OPINES ON BLOG, PROMOTING "LEVERAGING THE CRIMINAL JUSTICE SYSTEM TO COMBAT ANTI-SEMITISM."
- (q) CASE LAW CITED IN VIRGINIA HABEAS: CANTWELL V CT, SCOTUS (1940); BRANDENBURG V OHIO, SCOTUS (1969); US V CASSIDY, D. MARYLAND (2011); CLAIBORNE HARDWARE V NAACP, SCOTUS (1982); TEXAS V JOHNSON, SCOTUS (1992); US V JAKE BAKER, 6th CIRCUIT, (1996); US V BAGDASARIAN, 9th CIRCUIT (2011); US V VALLE, 2ND CIRCUIT (??); VIRGINIA V BLACK, SCOTUS (2000); NATAL V TAM, SCOTUS (??); DUBOIS CLUB V CLARKE, SCOTUS (1967) DISSENT BY DOUGLAS & BLACK, JJ.; COOPER V AARON, SCOTUS (1958); US V WATTS, SCOTUS (1967); NORTH CAROLINA V TAYLOR, NC SUPREME (2011); KANSAS V BOETTEGER, JOHNSON, SCOTUS CERT DENIAL (2020), DISSENT BY THOMAS, J. CITING STATE V TAUPIER, CT

SUPREME (2018); DUTIL V RICE, CT SUPERIOR COURT, HARTFORD (1977); PEOPLE V HINTON, NYS COA (1976); BAILEY V TAAFE, CALIFORNIA SUPREME (1866)

(P) ACTION ALSO FILED IN D. EASTERN VIRGINIA AT ALEXANDRIA FOR DEPRIVATION OF CIVIL RIGHTS UNDER 42 USC § 1983/5; BOYNE V SPONHEIMER ETAL FOR UNREASONABLE SEARCH OF 30 JUNE '22, ACTION REPEATEDLY DISMISSED WITHOUT HEARING BY USDJ NACHMANOFF IN SQUABBLE OVER FEE WAIVER, DENIAL OF ACCESS TO COURT APPEALED TO FOURTH CIRCUIT WITH NO RELIEF; NACHMANOFF'S DENIAL OF REDRESS FOR CAUSE OF DEMAND OF LEAVE UPHOLD, DESPITE PAYMENT OF ENTRY FEE.

(S) A MOTION FOR RETURN OF PROPERTY UNDER CGS 54-33F WAS PRESENTED BY THE CLERK TO GOLD, J IN HARTFORD, HAVING BEEN PROPERLY FILED BY THE AGGRIEVED PETITIONER IN JANUARY '23, WHICH GOLD, J REFUSED TO DOCKET, ORDERING CLERK TO DELIVER THE PLEADING TO ASA JACK DOYLE, NEW HAVEN, WHERE IT DISSAPPEARED, PRESENTLY CONCEALED FROM HARMON, J IN THE CRIMINAL CASES OF THE INSTANT MATTER.

8. SECOND APPEALS COULD NOT BE TAKEN AS PETITIONER HAS BEEN HELD IN PRISON SINCE 7/21/23, WITH ONLY APPOINTED COUNSELS WHO LIMIT REPRESENTATION TO THE STATE TRIAL COURTS.

9. THIRD APPEAL: SEE 8.

10. N/A 11. N/A

12. OTHER APPEALS / ACTIONS: SEE 7, VIRGINIA HABEAS. ALSO FILED FOR MANDAMUS IN VIRGINIA SUPREME COURT FOR CIRCUIT COURT'S FAILURE TO DOCKET RETURN OF PROPERTY MOTION VA CODE 19.2-60 AFTER SMITH, J UNSEALED THE 28 JULY'22 SEARCH WARRANT, DOCKETING OF MOTION REFUSED BY JUDGE GRACE CARROLL AS SHE DISAGREED WITH SMITH'S UNSEALING ORDER, MANDAMUS DISMISSED BY SUPREME COURT STAFF ATTORNEY IN SQUABBLE OVER FEES AND CONFUSION OVER NAMED JUDGE AS TARGET OF MANDAMUS.

PETITIONER ATTEMPTED TO OBTAIN BAIL IN VIRGINIA BUT JUDGE D. PIDDI-KITTY SMITH OF GENERAL DISTRICT COURT RULED PETITIONER IS A "CLEAR & PRESENT DANGER", ON APPEAL TO CIRCUIT COURT CHIEF JUDGE PENNEY AZCARATE REJECTED FIRST AMENDMENT PROTECTIONS, RULING PETITIONER IS A "DANGER TO THE COMMUNITY" TO BE HELD WITHOUT BAIL; SEEKING RELIEF FROM INSIDE PRISON WITH DISINTERESTED APPOINTED COUNSEL IS IMPOSSIBLE

13. GROUNDS FOR CHALLENGE

- GROUND ONE

STATE CHARGES AIMED SQUARELY AT PROTECTED SPEECH; ANONYMOUS, UNCOMFORTABLE, INTERNET SPEECH, ADDRESSING POLITICAL AND RELIGIOUS MATTERS; WHERE CONTENT RESTRICTION OF EMOTIONALLY DISTRESSING SPEECH FAILS STRICT SCRUTINY

FOR LACK OF COMPELLING STATE INTEREST.

- GROUND TWO

CGS 53a-181 c/f, ANTI STALKING STATUTES REGULATE CONDUCT, DO NOT TARGET SPEECH ON PUBLIC MATTERS INVOLVING PUBLIC OFFICIALS. CONNECTICUT STATE TROOPER SGT VANTESCO, SUPERVISOR OF AFFIANT DETECTIVE SAMANTHA McCORD, STATES THIS IS A "TEST CASE" IN APPLICATION OF AMENDED STATUTES (1 OCTOBER 2021), THAT PETITIONER WILL BE "FAMOUS"!

- GROUND THREE

SPEECH CITED BY CSP DETECTIVE McCORD FAILS PROTECTION EXCEPTION DEFINED BY 2ND CIRCUIT IN KELNER (1976) REQUIRING 'UNEQUIVOCAL, UNCONDITIONAL, IMMEDIATE, AND SPECIFIC TO CONVEY GRAVITY OF PURPOSE AND IMMINENT PROSPECT OF EXECUTION.

- GROUND FOUR

SPEECH ~~IS~~ IS NOT CONDUCT, BLOGS ON SERVERS IN CYBERSPACE DO NOT BROADCAST, THEY MUST BE SOUGHT OUT BY VOLUNTARY AND INTERESTED READERS IN FULL CONTROL OF THEIR COMPUTER BROWSERS WHICH DOWNLOADS REQUESTED FILES FOR PERSONAL PRESENTMENT ON READER'S SCREEN.

- GROUND FIVE

ALL INFORMATION/PROPERTY OBTAINED BY STATE AND FEDERAL ACTIONS (GOLD, J, USM SPECTOR, SAYLOR, PJ) IS SIEZED BY UNREASONABLE SEARCHES, ALL FOURTH

AMENDMENT VIOLATIONS; FOURTEENTH AMENDMENT
DUE PROCESS/EQUAL PROTECTION, NOTWITHSTANDING

- GROUND SIX

FAIR WARNING DOCTRINE APPLIES TO FIRST
AMENDMENT DEPRIVATIONS, UNSCRUPULOUS STATE
ACTORS KNOW EXACTLY THE CRIMINAL CONDUCT
UNDER 18 USC § 241 IN WHICH THEY ENGAGE,
IT IS DUTY OF FEDERAL COURT UNDER ENFORCEMENT
ACT OF 1871 (KUKLUX KLAN ACT) TO REMEDY THE
UNCONSTITUTIONAL INCARCERATION OF THE PETITIONER.

- GROUND SEVEN

BLOG IS PROTECTED SPEECH IN EYES OF FEDERAL
LAW ENFORCEMENT, ADJUDICATE AS SUCH BEFORE USMJ
BUCHANAN, D. EASTERN VIRGINIA ~~(#)~~ (1:17SW14) ADMITTED (2017)
TO BY USA D. EASTERN VIRGINIA CITING CASSIDY, SUPRA,
18 USC 875(C) NOT VIOLATED FOR LACK OF ANY TRUE
THREAT.

- GROUND EIGHT

BLOG IS PROTECTED SPEECH IN NORTH CAROLINA
SO OPINED BY STATE SUPREME COURT JUSTICE MORGAN
IN STATE V TAYLOR (2021) AT PARAGRAPH 37 SUCCINCTLY
STATING THE PROTECTIONS OF SPEECH INCLUDING PUBLIC
OFFICIALS, CITING SCOTUS VIRGINIA V BLACK; EQUAL
PROTECTION VOIDS CONNECTICUT'S CLAIM TO REGULATE
SPEECH IN VIRGINIA.

- GROUND NINE

CONNECTICUT ACTS THRU ITS EXECUTIVE AND JUDICIAL

BRANCHES, BY MISAPPLICATION OF PENAL CODE TO
WAR AGAINST THE CONSTITUTION, TO WILLFULLY
AND CRIMINALLY VIOLATE THE SUPREMACY CLAUSE,
ART VI, IN SINISTER EFFORT TO VOID THE
FIRST AMENDMENT.

- GROUND TEN

THE FOURTEENTH AMENDMENT WITHDREW
STATE POWER TO REGULATE SPEECH IN 1868.

- GROUND ELEVEN

CONNECTICUT OBTAINED JURISDICTION OVER
PETITIONER BY FRAUD OF CSP TROOPERS McCORD
& VANTESCO, ASA JACK DOYLE, SA PATRICK GRIFFIN,
SUPERIOR COURT JUDGE GOLD AND GOVERNOR NED
LAMONT.

14. N/A

15. RELIEF REQUESTED:

FEDERAL COURT D. CONNECTICUT TO EXECUTE ITS
DUTY UNDER ENFORCEMENT ACT OF 1871, REMEDY THE
UNCONSTITUTIONAL CONDUCT OF THE STATE, ISSUE
SAID WRIT, RELEASE THE PETITIONER FROM
JAIL, NULLIFY STATE CHARGES ON CONSTITUTIONAL
GROUNDS, ENSURE SAFE PASSAGE TO PETITIONER
TO EXIT THE STATE IMMEDIATELY AND RETURN OF PROPERTY.

DECLARATION UNDER PENALTY OF PERJURY

PETITION PRESENTED FOR FILING TO CORRECTIONAL
STAFF ON 1/18/24 IN ACCORDANCE WITH STANDING

ORDER OF USDCJ HALL (6/22/16) PRISONER EFFING

I DECLARE UNDER PENALTY OF PERJURY THAT I AM THE PETITIONER, I HAVE READ THIS PETITION, THE INFORMATION IN THIS PETITION IS TRUE AND CORRECT, I UNDERSTAND THAT A FALSE STATEMENT OF A MATERIAL FACT MAY SERVE AS THE BASIS FOR PROSECUTION FOR PERJURY.

1/18/24

Paul A. Boyne

PAUL A. BOYNE

PETITIONER, PRO SE

NOTE: RELATED CASE D, CONNECTICUT 1:22mj113, BEFORE USDCJ SHEA.