

Patricia M. Testa

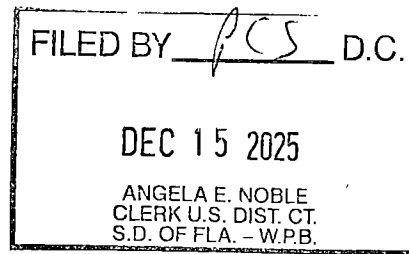
Jupiter, FL 33469

December 11, 2025

Clerk of Courts

701 Clematis St.

West Palm Beach, FL 33401



Clerk of Courts

Please attach these documents from 25-cv-81219-AMC (filing, motion and dismissal) to the case refiled December 11, 2025 **9:25-CV-81554 RMM**

God Bless America

Thank you,


Patricia M. Testa

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

CASE NO. 25-81219-CIV-CANNON/Matthewman

PATRICIA TESTA, et al.,

Plaintiffs,

v.

HAYDEN O'BYRNE,

Defendant.

**ORDER SCREENING COMPLAINT, DISMISSING CASE,
AND DIRECTING CLERK MAILING**

THIS CAUSE comes before the Court upon a sua sponte review of Plaintiffs' Complaint [ECF No. 1] and Motion for Leave to Proceed *in forma pauperis* [ECF No. 3]. For the reasons stated below, Plaintiffs' Complaint [ECF No. 1] is **DISMISSED**, the Motion to Proceed In Forma Pauperis [ECF No. 3] is **DENIED AS MOOT**, and the Clerk is directed to **CLOSE** this case. Additionally, in light of this Order, Plaintiffs' subsequently filed Motion to Amend/Correct [ECF No. 6] is **DENIED AS MOOT**.

* * *

In accordance with the screening procedure in 28 U.S.C. § 1915 for proceedings in forma pauperis, the Court must dismiss a case if the complaint “is frivolous or malicious” or “fails to state a claim upon which relief may be granted.” 28 U.S.C. § 1915(e)(2)(B)(i)–(ii). A dismissal for failure to state a claim under § 1915(e)(2)(B)(ii) is governed by the same standard as a dismissal under Rule 12(b)(6) of the Federal Rules of Civil Procedure. Fed. R. Civ. P. 12(b)(6); *Mitchell v. Farcass*, 112 F.3d 1483, 1490 (11th Cir. 1997). A court may dismiss a complaint that fails to contain “enough facts to state a claim to relief that is plausible on its face.” *Bell Atl. Corp. v.*

CASE NO. 25-81219-CIV-CANNON/Matthewman

Twombly, 550 U.S. 544, 570 (2007). “A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009).

Pro se pleadings are held to a less stringent standard than those drafted by attorneys and are thus liberally construed. *Evans v. Georgia Reg’l Hosp.*, 850 F.3d 1248, 1253 (11th Cir. 2017). However, liberal construction of *pro se* pleadings “does not give a court license to serve as *de facto* counsel for a party, or to rewrite an otherwise deficient pleading in order to sustain an action.” *Campbell v. Air Jamaica Ltd.*, 760 F.3d 1165, 1168–69 (11th Cir. 2014).

DISCUSSION

Plaintiffs filed a Complaint on September 30, 2025, with no discernable factual allegations or cause of action [ECF No. 1]. Plaintiffs appear to be asking the court to compel Defendant Hayden O’Byrne, then United States Attorney for the Southern District of Florida, to empanel a Grand Jury and present evidence that Plaintiffs have gathered regarding unspecified “election violations” [ECF No. 1 pp. 3–4]. But nothing in Plaintiffs’ Complaint comes close to alleging any violation of law or any basis for the relief sought [ECF No. 1 pp. 3–4]. Dismissal is therefore appropriate. 28 U.S.C. § 1915(e)(2)(B)(i)–(ii) (requiring dismissal of *pro se* case where action is “frivolous or malicious” and “fails to state a claim on which relief may be granted”).

For these reasons, it is **ORDERED AND ADJUDGED** as follows:

1. Plaintiffs’ Complaint [ECF No. 1] is **DISMISSED** without leave to amend in this action. Any request to amend is deemed futile in light of the obviously frivolous nature of Plaintiffs’ Complaint.
2. Plaintiffs’ Motion for Leave to Proceed *in forma pauperis* [ECF No. 3] is **DENIED AS MOOT**.

CASE NO. 25-81219-CIV-CANNON/Matthewman

3. Plaintiffs' Motion to Amend/Correct [ECF No. 6] is **DENIED AS MOOT**.
4. The Clerk is directed to **MAIL** a copy of this Order to *pro se* Plaintiffs at the addresses listed below and file a Notice of Compliance on the docket.

ORDERED in Chambers at Fort Pierce, Florida, this 22nd day of October 2025.


AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: **Patricia Testa**

[REDACTED]
Jupiter, Florida 33469
PRO SE

Eugene Testa

[REDACTED]
Jupiter, Florida 33469
PRO SE

Alison Rampersad

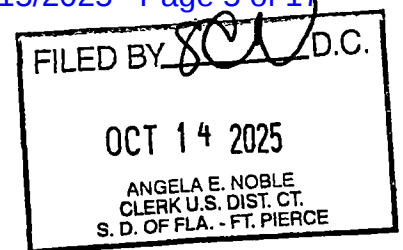
[REDACTED]
Delray Beach, Florida 33484
PRO SE

Shari Perryman

[REDACTED]
Jupiter, Florida 33469
PRO SE

Joyce Russell

[REDACTED]
Lake Worth, Florida 33463
PRO SE



UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF FLORIDA

FORT PIERCE DIVISION

Case No.: 25cv81219WM

**PATRICIA TESTA, EUGENE TESTA, ALISON RAMPERSAD,
SHARI PERRYMAN, JOYCE RUSSELL, People of Palm Beach County**

Florida protected by our Constitutions,

Petitioners,

v.

**JASON A. REDING QUINONES and HAYDEN O'BYRNE, in their official
capacity as United States Attorney for the Southern District of Florida,**

Respondents.

**MOTION TO AMEND, REQUEST FOR CASE
REASSIGNMENT, AND EXPEDITED HEARING**

This Motion is publicly posted at RestoreGrandJuryRights.org, GrandJuryOversight-PalmBeachCountyFL.org, and related community sites to ensure transparency and public awareness.

Petitioners respectfully request leave to amend their Complaint to designate the Fort Pierce District Court division instead of the West Palm Beach division.

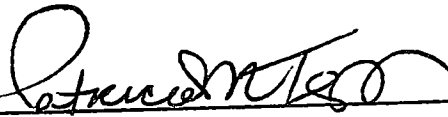
Petitioners further request to add **JASON A. REDING QUINONES** as a Respondent. Former U.S. Attorney **HAYDEN O'BYRNE** held the office when the initial notices were filed and served; **Mr. QUINONES** has since been duly sworn in as his successor. Because the Complaint was filed against the Office of the United States Attorney *in its official capacity*, the substitution of the current officeholder is appropriate and consistent with Rule 25(d) of the Federal Rules of Civil Procedure.

Petitioners further request that this matter be reassigned to a **United States District Judge**, as it raises matters of substantial constitutional importance to the People of Palm Beach County, the State of Florida, and all federal districts across the United States. This case is directly related to other filings within the coordinated national initiative led by RestoreGrandJuryRights.org, which seeks to restore lawful, non-discretionary grand jury oversight and accountability consistent with 18 U.S.C. §§ 241-242 & 3332.

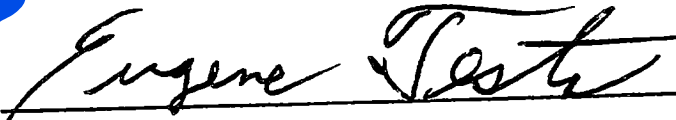
Finally, Petitioners request an **expedited hearing** to present evidence and legal argument supporting their position that the U.S. Attorney must promptly and lawfully perform his *non-discretionary ministerial duties* in a manner in service of the People protected by our Constitutions. Respondents wish to witness the informing of our Grand Jury so as to help ensure transparency in light of the known "ham sandwich indictment" issue(s) **United States v. Williams, 504 U.S. 36 (1992)**.

Respectfully submitted,

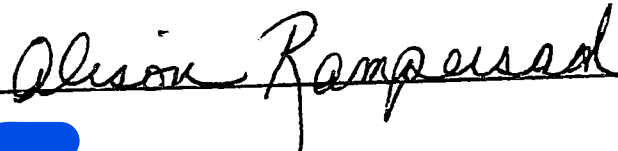
PATRICIA TESTA, Petitioner



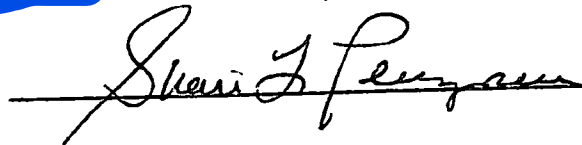
EUGENE TESTA, Petitioner



ALISON RAMPERSAD, Petitioner



SHARI PERRYMAN, Petitioner



JOYCE RUSSELL, Petitioner



People of Palm Beach County Florida protected by our Constitutions.

CERTIFICATE OF SERVICE

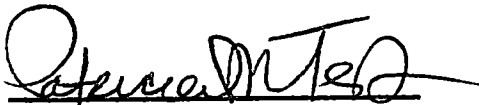
I, **Patricia Testa**, hereby certify that a true and correct copy of the foregoing

**MOTION TO AMEND, REQUEST FOR CASE
REASSIGNMENT, AND EXPEDITED HEARING**

is available to the Respondents when scanned by the Clerk of the Court, and was
mailed to;

1. The office of the U.S. Attorney for the Southern District of Florida attention
JASON A. REDING QUINONES and HAYDEN O'BYRNE at SDFL 99 NE
4th St., Miami, FL 33132.
2. The U.S. Attorney General Ms. Pamela Bondi, Department Of Justice 950
Pennsylvania Avenue NW, Washington, D.C. 20530.

This 14th day of October, 2025.

Signed: 

Patricia M. Testa

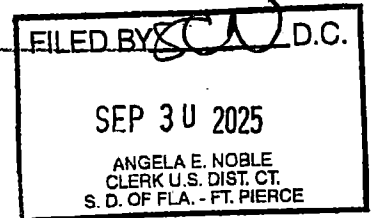
Jupiter, FL 33469

mail.com

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF FLORIDA

WEST PALM BEACH DIVISION



Case No.: 25cv 81219 WM

PATRICIA TESTA, EUGENE TESTA, ALISON RAMPERSAD,

SHARI PERRYMAN, JOYCE RUSSELL, People of Palm Beach County

Florida protected by our Constitutions,

Petitioners,

v.

**HAYDEN O'BYRNE, in his official capacity as United States Attorney for the
Southern District of Florida,**

Respondent.

OPEN PETITION FOR WRIT OF MANDAMUS TO INFORM

GRAND JURY

Introduction

This PETITION will be posted online at **RestoreGrandJuryRights.org** and **GrandJuryOversight-PalmBeachCountyFL.org** and other community sites.

Petitioners respectfully seek a writ of mandamus compelling Respondent, the United States Attorney for the Southern District of Florida, to perform his **nondiscretionary ministerial duties** under **18 U.S.C. § 3332** by presenting evidence of alleged crimes to a duly impaneled Grand Jury.

Background

Before the **1946 Federal Rules of Criminal Procedure**, citizens could bring evidence directly to the Grand Jury without government gatekeeping. This safeguard was central to the Fifth Amendment's guarantee that "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury."

The **Fourteenth Amendment** further secures the People's right to **due process of law**, ensuring that no State or its officers may deprive any person of life, liberty, or property without lawful procedure and accountability. Denying citizens access to the Grand Jury violates both the Fifth and Fourteenth Amendments.

Congress reaffirmed this principle in 18 U.S.C. § 3332, which mandates that a U.S. Attorney “shall, if requested by such other person, inform the grand jury of such alleged offense...” Petitioners have repeatedly requested this, but Respondent has failed to act.

In **United States v. Williams, 504 U.S. 36 (1992)**, Justice Scalia reaffirmed that the Grand Jury is not an arm of the prosecution or judiciary, but an independent body serving as a **protector and shield of the People against tyranny**. Blocking the People’s evidence from reaching the Grand Jury strips away this safeguard, leaving citizens defenseless against government abuse.

Claims

1. Petitioners have gathered and delivered, to all relevant local, state, and federal officials, credible evidence of election violations and related offenses in Palm Beach County since 2022.
2. Despite statutory obligation, Respondent has refused to present this evidence to the Grand Jury, denying Petitioners their constitutional recourse.

3. This refusal constitutes deprivation of rights under **18 U.S.C. §§ 241–242** and undermines the Fifth and Fourteenth Amendments.

Relief Requested

Petitioners seek an order compelling Respondent to:

- Immediately inform a duly impaneled Grand Jury of the evidence presented by Petitioners and their identity;
- Fulfill his **nondiscretionary ministerial duty** under § 3332 by identifying Petitioners and the offenses alleged;
- Ensure the Grand Jury is free to communicate with Petitioners and the People, examine, investigate, and determine whether indictments or presentments are warranted.

WHEREFORE

Petitioners PATRICIA TESTA, EUGENE TESTA, ALISON RAMPERSAD, SHARI PERRYMAN, JOYCE RUSSELL, People of Palm Beach County Florida protected by our Constitutions, respectfully request that this Court

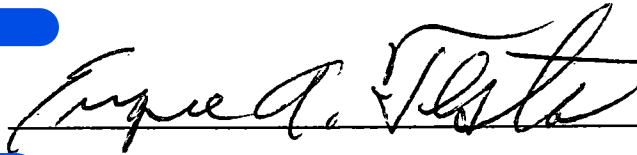
issue a Writ of Mandamus compelling Respondent, Hayden O'Byrne, to fulfill his nondiscretionary ministerial duties under 18 U.S.C. § 3332, the Fifth Amendment, the Fourteenth Amendment, and the 1992 *Williams* decision; and grant such further relief as the Court deems just and proper.

Respectfully submitted,

PATRICIA TESTA, Petitioner



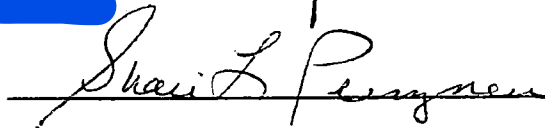
EUGENE TESTA, Petitioner



ALISON RAMPERSAD, Petitioner



SHARI PERRYMAN, Petitioner



JOYCE RUSSELL, Petitioner



People of Palm Beach County Florida protected by our Constitutions.

APPENDIX

Exhibits Index to be Provided to the Grand Jury (including but not limited to)

1. U.S. Constitution – Fifth and Fourteenth Amendments
2. **18 U.S.C. § 3332** – Powers and Duties of Grand Juries
3. **United States v. Williams, 504 U.S. 36 (1992)** – Supreme Court Opinion
4. Affidavits of Petitioners and other citizens documenting evidence collected
5. Copies of Public Notices sent by email and certified mail to Respondent and other officials (May–July 2025)
6. Complaints filed with the Florida Office of Election Crimes and Security
7. Timeline of communications with federal, state, and local officials
8. Emails and correspondence demonstrating refusal to act
9. Relevant Florida Statutes – Chapter 48, Section 111 (2022 Florida Senate)
10. Additional documentary evidence submitted by Petitioners

Witness List (including but not limited to)

- **Patricia Testa** – data and incident collection
- **Eugene Testa** – witness to election activities
- **Alison Rampersad** – data collector
- **Shari Perryman** – data collector
- **Joyce Russell** – data collector
- **Deb Monks** – compiled statistics and testimonials from Palm Beach and statewide grassroots People
- **Mikki Isackson** – data collector, blocked from presenting evidence to Palm Beach County court
- **Erin Aktas** – original and ongoing data and incident collector
- **Jeff Buongiorno** – data collector
- Other witnesses and experts to be identified as necessary

CERTIFICATE OF SERVICE

I, **Patty Testa**, hereby certify that a true and correct copy of the foregoing

OPEN PETITION FOR MANDAMUS TO INFORM GRAND JURY

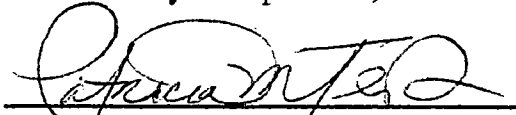
will be Process Served by ABC Legal Services to;

1. The office of the U.S. Attorney for the Southern District of Florida
attention Mr. Hayden O'Byrne at SDFL 99 NE 4th St., Miami, FL 33132.

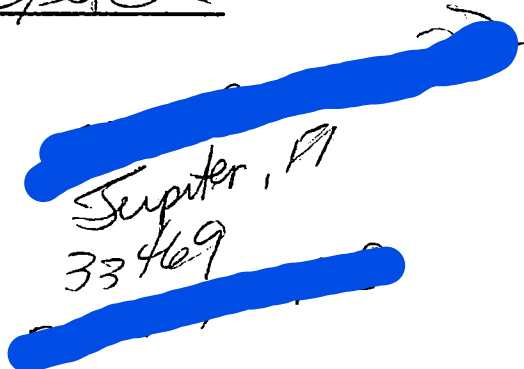
and Priority Mailed to;

2. The U.S. Attorney General Ms. Pamela Bondi, Department of Justice
950 Pennsylvania Avenue NW, Washington, D.C. 20530.

This 30th day of September, 2025.



Patricia M. Testa



Superior, PA
33469

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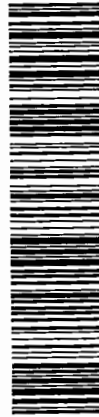
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