

IN THE CIRCUIT COURT, SEVENTH  
JUDICIAL CIRCUIT, IN AND FOR  
VOLUSIA COUNTY, FLORIDA

STATE OF FLORIDA,

v.

MATTHEW MOULTON,

Defendant.

CASE NO: 2025 102222 CFDL  
JUDGE A. KATHLEEN McNEILLY

### WRIT OF HABEAS CORPUS; MOTION TO DISMISS

COMES NOW the Defendant, Matthew Moulton, by and through his undersigned Assistant Public Defender and moves this Honorable Court to: Dismiss the indictment on the grounds that there is no material disputed facts and the disputed facts do not establish a prima facie case of guilt against the defendant.

To detail, the jury instructions in my case say that to prove the crime the state must prove that the defendant intended the threat to be a "true threat." An illegal threat.

FILED

IN OPEN COURT

SEP 12 2025

The state has already proven otherwise.

Clerk Circuit & County  
Court Volusia County, FL

Detective Daniel Smith based his probable cause for a warrant on two statements taken out of greater context, but even taken out of context the later statement clearly says, "legal death threat," asserting that my stated intent was to operate lawfully.

This lawful intent is repeated all throughout the investigation and is never proven otherwise, only repeatedly affirmed.

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Any reasonable detective would be familiar with, "cause of death" and any reasonable person knows reason can't

The previous statement, also taken out of greater context, in which death is portrayed as a comedic riff on unavoidable certainties; like sin and taxes, only offers an affect, death itself, with no stated cause or action for it.


To be clear, death is a state of being, not a form of bodily injury or an act. As no threat to kill or cause bodily injury is given a reasonable person can only conclude;  
"THE END IS NEAR!"

Likewise, any reasonable medical professional can tell you, death requires a cause. You can't death someone to death. Any reasonable detective would be familiar with, "cause of death" and any reasonable person knows reason can't exist without context, but judicial fraud certainly can!

WHEREFORE, Defendant prays this Honorable Court grant this Motion.

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by delivery to: Jeanne Stratis, Assistant State Attorney, and to the court, on September 12<sup>th</sup>, 2025.



Matthew Moulton

Defendant