

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

UNITED STATES OF AMERICA

v.

Case No. 3:24-cr-244-TJC-MCR

JAMES B.V. CROSBY

ORDER

This criminal case is before the Court on defendant’s notice of removal (Doc. 1), motion for leave to proceed in forma pauperis (Doc. 2), and emergency motion “requesting ROR and transfer of state docket” (Doc. 3). In these filings, defendant claims his arrest on state court charges of failure to report a change of address by a sex offender caused him to miss a job interview and are preventing him from removing squatters from his house. He also challenges his state court prosecution on grounds that he is a federal agent, that the state court statutes are unconstitutional as applied to his situation, and that he was framed.¹ Defendant states the removal of his criminal case to federal court is authorized because the state is “engaged in a racket” which prevents him from enforcing his civil rights. Defendant also lists a number of federal statutes

¹ Defendant has also attempted (unsuccessfully) to challenge his charges through a federal habeas petition. See Crosby v. United States, 3:24-cv-825-MMH-MCR.

which he states support removal.

Upon review of these filings, the Court determines that defendant has not met the “sharply limit[ed]” grounds upon which a criminal prosecution case be removed to federal court. Morris v. Florida, No. 8:20-cv-37-T-30CPT, 2020 WL 5215300, at *1-2 (M.D. Fla. Aug. 17, 2020) (report and recommendation explaining the circumstances in which a criminal prosecution can be removed); 2020 WL 5203514 (M.D. Fla. Sept. 1, 2020) (order adopting report and recommendation). See also Florida v. Anderson, No. 3:23-cv-188-TJC-LLL, 2023 WL 2206506 (M.D. Fla. Feb. 24, 2023) (same). Defendant’s filings do not present a valid legal basis to remove his state criminal case to federal court or for this Court to exercise jurisdiction.² Accordingly, it is hereby

ORDERED:

1. Defendant’s Notice of Removal (Doc. 1) is **STRICKEN** and his motions (Docs. 2 & 3) are **TERMINATED**.

2. This case is **REMANDED** to the Circuit Court of the Fourth Judicial Circuit, in and for Duval County, Florida for all further proceedings.

3. The Clerk is **DIRECTED** to transmit a certified copy of this Order to the clerk of that court and to close this file.

² Defendant’s likely deliberate use of certain terms (such as being a “federal agent” and referencing his civil rights) are insufficient to trigger the federal removal statute for criminal cases.

DONE AND ORDERED in Jacksonville, Florida this 26th day of
November, 2024.



Timothy J. Corrigan

TIMOTHY J. CORRIGAN

Senior United States District Judge

s.

Copies:

Clerk of Court, Fourth Judicial Circuit, Duval County, Florida

James B.V. Crosby