

Clerk
Supreme Court of the United States
1 First Street, NE
Washington, DC 20543

December 4, 2017

Dear Clerk:

Please find attached the Clerk's letter of November 28, 2017, and file on my behalf:

1. A petition for writ of certiorari (corrected), and 10 copies. (SC17-1572)
2. Rule 29 proof of service, December 4, 2017
3. Rule 39 motion (corrected) for leave to proceed in forma pauperis
4. Separate appendices

Thank you.

Sincerely,



Neil J. Gillespie
A disabled non-lawyer appearing *pro se*
8092 SW 115th Loop
Ocala, Florida 34481
Tel: 352-854-7807
Email: neilgillespie@mfi.net

Enclosures

RECEIVED, 12/04/2017 11:33:31 PM, Clerk, Supreme Court

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

November 28, 2017

Neil J. Gillespie
8092 SW 115th Loop
Ocala, FL 34481

RE: Neil J. Gillespie v. Reverse Mortgage Solutions, Inc.
FLSC No. SC17-1572

Dear Mr. Gillespie:

The above-entitled petition for writ of certiorari was postmarked November 24, 2017 and received November 28, 2017. The papers are returned for the following reason(s):

The notarized affidavit or declaration of indigency does not comply with Rule 39 in that question 10 is not answered.

The pages to your petition for writ of certiorari are numbered incorrectly.

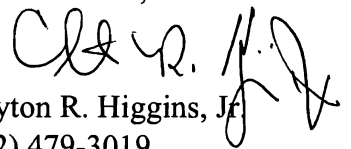
Please correct and resubmit as soon as possible. Unless the petition is submitted to this Office in corrected form within 60 days of the date of this letter, the petition will not be filed. Rule 14.5.

A copy of the corrected petition must be served on opposing counsel.

When making the required corrections to a petition, no change to the substance of the petition may be made.

Sincerely,
Scott S. Harris, Clerk

By:


Clayton R. Higgins, Jr.
(202) 479-3019

Enclosures

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Neil J. Gillespie — PETITIONER
(Your Name)

VS.

Reverse Mortgage Solutions, Inc — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

see attached sheet

Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

The appointment was made under the following provision of law: _____, or

a copy of the order of appointment is appended.

Neil J. Gillespie
(Signature)

**AFFIDAVIT OR DECLARATION
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Neil J. Gillespie, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ 0	\$ <u>N/A</u>	\$ 0	\$ <u>N/A</u>
Self-employment	\$ 0	\$ <u>N/A</u>	\$ 0	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ 0	\$ <u>N/A</u>	\$ 0	\$ <u>N/A</u>
Interest and dividends	\$ 0	\$ <u>N/A</u>	\$ 0	\$ <u>N/A</u>
Gifts	\$ 0	\$ <u>N/A</u>	\$ 0	\$ <u>N/A</u>
Alimony	\$ 0	\$ <u>N/A</u>	\$ 0	\$ <u>N/A</u>
Child Support	\$ 0	\$ <u>N/A</u>	\$ 0	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$ <u>N/A</u>	\$ 0	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>1894</u>	\$ <u>N/A</u>	\$ <u>1894</u>	\$ <u>N/A</u>
Unemployment payments	\$ 0	\$ <u>N/A</u>	\$ 0	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ 0	\$ <u>N/A</u>	\$ 0	\$ <u>N/A</u>
Other (specify): _____	\$ 0	\$ <u>N/A</u>	\$ 0	\$ <u>N/A</u>
Total monthly income:	\$ <u>1894</u>	\$ <u>N/A</u>	\$ <u>1894</u>	\$ <u>N/A</u>

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
<u>NOT EMPLOYED</u>	<u>N/A</u>	<u>N/A</u>	<u>\$ N/A</u>
<u>disabled</u>	<u>N/A</u>	<u>N/A</u>	<u>\$ N/A</u>
	<u>N/A</u>	<u>N/A</u>	<u>\$ N/A</u>

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
<u>NO spouse</u>	<u>N/A</u>	<u>N/A</u>	<u>\$ N/A</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>\$ N/A</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>\$ N/A</u>

4. How much cash do you ~~and your spouse~~ have? \$ 52.
 Below, state any money you ~~or your spouse~~ have in bank accounts or in any other financial institution.

Financial Institution	Type of account	Amount you have	Amount your spouse has
<u>SUNTRUST BANK</u>	<u>Checking</u>	<u>\$ 19.</u>	<u>\$ N/A</u>
<u>Comerica Bank</u>	<u>SS deposit</u>	<u>\$ 8.</u>	<u>\$ N/A</u>
<u>Metabank</u>	<u>debit card</u>	<u>\$ 9.</u>	<u>\$ N/A</u>

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

- Home
Value 86,684
- Other real estate
Value N/A
- Motor Vehicle #1 1990 Dodge GRAND CARAVAN
Year, make & model GRAND CARAVAN
Value \$300
- Motor Vehicle #2
Year, make & model NONE
Value N/A
- Other assets
Description NONE
Value N/A

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
<u>NONE</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
<u>NONE</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
<u>NONE</u>	\$ <u>N/A</u>	\$ <u>N/A</u>

7. State the persons who rely on you or your spouse for support.

Name	Relationship	Age
<u>NONE</u>	<u>N/A</u>	<u>N/A</u>
<u>NONE</u>	<u>N/A</u>	<u>N/A</u>
<u>NONE</u>	<u>N/A</u>	<u>N/A</u>

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ <u>No Mont. Paymat</u>	\$ <u>N/A</u>
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Rev. Mont pay</u>	
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>\$258 SERVICE FEE/MO</u>	
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>298</u>	\$ <u>N/A</u>
Home maintenance (repairs and upkeep)	\$ <u>80</u>	\$ <u>N/A</u>
Food	\$ <u>785</u>	\$ <u>N/A</u>
Clothing	\$ <u>37</u>	\$ <u>N/A</u>
Laundry and dry-cleaning	\$ <u>15</u>	\$ <u>N/A</u>
Medical and dental expenses	\$ <u>150 +</u>	\$ <u>N/A</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>90</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>N/A</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>78</u>	\$ <u>N/A</u>
Life	\$ <u>0</u>	\$ <u>N/A</u>
Health	\$ <u>Medicare</u>	\$ <u>N/A</u>
Motor Vehicle	\$ <u>43</u>	\$ <u>N/A</u>
Other: <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>Real Estate \$768/12 = 86</u>	\$ <u>86</u>	\$ <u>N/A</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>N/A</u>
Credit card(s)	\$ <u>0</u>	\$ <u>N/A</u>
Department store(s)	\$ <u>0</u>	\$ <u>N/A</u>
Other: <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>N/A</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>N/A</u>
Other (specify): <u>Litigation Expenses</u>	\$ <u>212</u>	\$ <u>N/A</u>
Total monthly expenses:	\$ <u>2,132</u>	\$ <u>N/A</u>

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

Yes No If yes, describe on an attached sheet.

*I EXPECT to loose my home in wrongful foreclosure
see attached sheet & Petition*

10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form? Yes No

If yes, how much? 0

If yes, state the attorney's name, address, and telephone number:

N/A

11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

Yes No

If yes, how much? 0

If yes, state the person's name, address, and telephone number:

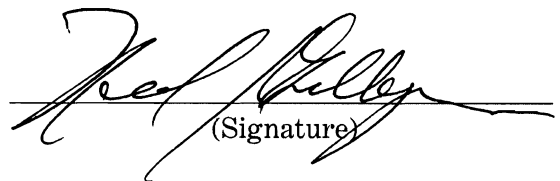
N/A

12. Provide any other information that will help explain why you cannot pay the costs of this case.

See attached sheet

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: December 4, 2017


(Signature)

SUPREME COURT OF THE UNITED STATES

Neil J. Gillespie v. Reverse Mortgage Solutions, Inc.

Attached sheet for *in forma pauperis* cases. Petitioner Neil J. Gillespie has previously been granted leave to proceed *in forma pauperis* in the following courts: (as of Nov-24-2017)

Supreme Court of the United States

1. **No. 13-7280**, Docketed: November 8, 2013 (+ rehearing)
Neil J. Gillespie, Petitioner v. Reverse Mortgage Solutions, Inc., et al.
2. **No. 12-7747**, Docketed: December 14, 2012 (Linked with **12A215**) (+ rehearing)
Neil J. Gillespie, Petitioner v. Thirteenth Judicial Circuit of Florida, et al.

Supreme Court of Florida

3. **SC11-858** - 05/03/2011, Neil J. Gillespie v. Barker, Rodems & Cook, PA, Et Al.
4. **SC11-1622** - 08/08/2011, Neil J. Gillespie v. Barker, Rodems & Cook, PA, Et Al.
5. **SC14-1637** - 08/20/2014, Neil J. Gillespie v. The Florida Bar
6. **SC15-1145** - 06/18/2015, Neil J. Gillespie Etc. v. Reverse Mortgage Solutions, Inc., et al.
7. **SC15-1897** - 10/15/2015, Neil J. Gillespie v. Barker, Rodems & Cook, PA, Et Al.
8. **SC16-2031** - 11/09/2016, Neil J. Gillespie v. Kenneth J. Detzner, Secretary
9. **SC17-561** - 03/27/2017, Neil J. Gillespie Etc. v. Reverse Mortgage Solutions, Inc.
10. **SC17-739** - 04/19/2017, Neil J. Gillespie v. Sumter Electric Cooperative, Inc.
11. **SC17-1321** - 08/18/2017, Neil J. Gillespie Etc. v. Reverse Mortgage Solutions* (5DCA-IFP)
12. **SC17-1631** - 08/02/2017, Neil J. Gillespie Etc. v. Reverse Mortgage Solutions, Inc., et al.
13. **SC17-1750** - 08/23/2017, Neil J. Gillespie Etc. v. Reverse Mortgage Solutions
14. **SC17-1752** - 08/25/2017, Neil J. Gillespie Etc. v. Reverse Mortgage Solutions

Fifth District Court of Appeal (5th DCA)

15. **5D15-0340** - 01/29/2015, Neil J. Gillespie Etc. v. Reverse Mortgage Solutions, Inc. Et Al.
16. **5D15-0341** - 01/29/2015, Neil J. Gillespie Etc. v. Reverse Mortgage Solutions, Inc.
17. **5D16-3886** - 11/15/2016, Neil J. Gillespie v. Sumter Electric Cooperative, Inc.
18. **5D16-4324** - 12/20/2016, Neil J. Gillespie Etc. v. Reverse Mortgage Solutions, Inc.
19. **5D17-2273** - 07-31-2017, Neil J. Gillespie et al. v. Reverse Mortgage Solutions, Inc.
20. **5D17-2317** - 07-31-2017, Neil J. Gillespie et al. v. Reverse Mortgage Solutions, Inc.
21. **5D17-2665** - 08-21-2017, Neil J. Gillespie et al. v. Reverse Mortgage Solutions, Inc.

Second District Court of Appeal (2nd DCA)

22. **2D10-5197** - 10/28/2010, Neil J. Gillespie v. Barker, Rodems & Cook, PA
23. **2D10-5529** - 11/18/2010, Neil J. Gillespie v. Barker, Rodems & Cook, PA
24. **2D11-2127** - 05/02/2011, Neil J. Gillespie v. Barker, Rodems & Cook, PA
25. **2D14-5388** - 11/19/2014, Neil J. Gillespie v. Barker, Rodems & Cook, PA (The docket shows affidavit of insolvency not ruled on; lower tribunal insolvency)

Marion County Circuit Civil Court

26. **2013-CA-115** - 01/09/2013, Reverse Mortgage Solutions, Inc. v. Neil J. Gillespie, Et Al.
27. **2016-CA-712** - 04/15/2016, Sumter Electric Cooperative, Inc. v. Neil J. Gillespie

Hillsborough County Circuit Civil Court

28. **2005-CA-7205** - Neil J. Gillespie v. Barker, Rodems & Cook, PA
sec. 27.52 Fla. Stat. appointed public defender for civil contempt

SUPREME COURT OF THE UNITED STATES
Neil J. Gillespie v. Reverse Mortgage Solutions, Inc.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*
Attached sheet for Neil J. Gillespie, Nov-24-2017

Question #9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months? If yes, describe on an attached sheet.

Yes, I expect to loose my home in wrongful foreclosure, unable to pay HECM Reverse Mortgage Payoff (Federal Home Equity Conversion Mortgage); unable to pay corruptly calculated fees to Oak Run Associates, LTD (ORAL). Monthly ORAL "Services Fee" = \$247.54 + \$10.49 "Road / Drainage Assessment" = \$258.03 total / month.

HECM Reverse Mortgage Payoff:

\$148,394.54 as of July 12, 2017 + per diem \$12.81
\$ 1,729.35 (\$12.81 x 135 days to Nov-24-2017)
\$43,604.93, Oak Run Associates, LTD (ORAL)
\$ 7,261.28, Loan owned to Mark Gillespie (ongoing since 12-09-2014)
\$ 387.00, Deferred presentation transaction, AMSCOT. (payday loan)

\$201,377.10 TOTAL

Florida Residential Homestead

8092 SW 115th Loop, Ocala, FL 34481

\$87,985, Market Value, Marion County Tax Collector
- \$25,000, Homestead Exemption
- \$20,461, Additional Homestead Exemption

\$42,524 - Net Market Value, Less Residential Homestead Exemptions

NOTE: Regarding a debt of \$43,604.93 to Oak Run Associates, I filed *Defendant Gillespie's Notice of Contest of Lien*, Filing # 34278459 E-Filed 11/10/2015 12:51:49 PM, but the Court has not heard the motion that argues, *inter alia*, unlawful post-judgment interest was charged before adjudication. Since then I learned Oak Run Associates, LTD, a Florida limited partnership, may not have authority to transact business, affecting 3,400 properties in Oak Run, a 55+ community. I believe this explains, *inter alia*, attorney betrayal, see *Defendants' Notice of Client Betrayal by Robert Stermer, Esq.*, Filing # 59068976 E-Filed 07/17/2017 07:49:44 AM.

No: _____

IN THE
SUPREME COURT OF THE UNITED STATES

NEIL J. GILLESPIE, PETITIONER

vs.

REVERSE MORTGAGE SOLUTIONS, INC., RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI TO
The Supreme Court of Florida, Case No.: SC17-1572

PETITION FOR A WRIT OF CERTIORARI

November 24, 2017

by

Neil J. Gillespie, *pro se*
8092 SW 115th Loop
Ocala, Florida 34481
Tel: 352-854-7807
Email: neilgillespie@mfi.net

QUESTIONS PRESENTED

1. Does the Seventh Amendment to the United States Constitution guarantee the right to a trial by jury in a state court residential home foreclosure of a federal Home Equity Conversion Mortgage [12 USC § 1715z-20; 24 CFR Part 206] also called a HECM reverse mortgage?
2. Does a disabled homeowner age 61 have a right to assistance of counsel under the federal Older Americans Act, 42 U.S. Code Chapter 35 - PROGRAMS FOR OLDER AMERICANS, for old age, and disability including Post Traumatic Stress Disorder (PTSD), and Traumatic Brain Injury (TBI)?
3. Can the Civil Rights Division, Voting Section, U.S. Department of Justice ignore the enclosed Voting Section complaint against Florida's rigged judicial elections?
4. Can the U.S. Department of Justice deny on May 18, 2017 my FOIA into the mental health screening imposed by the Florida Supreme Court on bar applicants, because the records you have requested pertain to an ongoing law enforcement proceeding?
5. Can the U.S. Supreme Court ignore wrongdoing in Petition 12-7747 for a writ of certiorari as stated in the enclosed letter of Mr. Clayton Higgins on October 19, 2016?
6. Do time limits on civil litigation have any meaning? Pursuant to Fla. R. Jud. Admin. 2.250(a)(1)(B), the time standard for a civil trial case is 18 months from filing to final disposition. Non-jury cases — 12 months (filing to final disposition)

LIST OF PARTIES

NOTE: All Parties Will Be Served On The Florida Portal By Email

NEIL J. GILLESPIE, PETITIONER

A disabled non-lawyer appearing *pro se*
8092 SW 115th Loop
Ocala, Florida 34481
Tel: 352-854-7807
Email: neilgillespie@mfi.net

vs.

REVERSE MORTGAGE SOLUTIONS, INC., RESPONDENT

Represented by:
Curtis Alan Wilson, Esq.
Florida Bar No. 77669
McCalla Raymer Leibert Pierce, LLC
225 E. Robinson St. Suite 115
Orlando, FL 32801
Phone: 407-674-1850
Fax: 321-248-0420
Email: MRService@mrpllc.com
Email: MRService@mccalla.com

Other Parties

13CA000115AX	DEVELOPMENT & CONSTRUCTION CORPORATION OF AMERICA
13CA000115AX	ELIZABETH BAUERLE*
13CA000115AX	JOETTA GILLESPIE*
13CA000115AX	MARK GILLESPIE*
13CA000115AX	OAK RUN HOMEOWNERS ASSOCIATION INC
13CA000115AX	UNITED STATES OF AMERICA

*Justin R. Infurna, Esq., LL.M, The Infurna Law Firm, P.A.
Attorney for Defendants Mark Gillespie, Joetta Gillespie, Elizabeth Bauerle, Scott Bidgood.
121 South Orange Ave., Ste. 1500, Orlando, Florida 32801
Telephone: (800)-774-1560; Fax: (407)386-3419
Primary Email: justin@infurnalaw.com; Secondary Email: justininfurna@gmail.com

Fake Parties

- All unknown spouse parties
- Neil J. Gillespie and Mark Gillespie as Co-Trustees of the Gillespie Family Living Trust Agreement dated February 10, 1997 (the Trust terminated on February 2, 2015)
- Unknown Settlers/Beneficiaries of The Gillespie Family Living Trust Agreement dated February 10, 1997 (NONE)

TABLE OF CONTENTS

OPINIONS BELOW..... 1

JURISDICTION. 1

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED 2

STATEMENT OF THE CASE 3

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INDEX TO APPENDICES

APPENDIX - - - - - Petition for Writ of Prohibition - A Case of Original Jurisdiction
To Remove Marion County Circuit Court Judge Ann Melinda Craggs

The 355 page petition is presented in separate appendices for clarity.

APPENDIX A VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN
MELINDA CRAGGS

APPENDIX B SECOND VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE
ANN MELINDA CRAGGS.

APPENDIX C DEFENDANTS’ MOTION TO CANCEL HEARING SET FOR
NOVEMBER 28, 2016

APPENDIX D DEFENDANTS’ SECOND MOTION TO CANCEL HEARING SET
FOR NOVEMBER 28, 2016

APPENDIX E JUDICIAL DISQUALIFICATION - MEMORANDUM LAW

APPENDIX F NOTICE OF REFILING FEDERAL CIVIL RIGHTS COMPLAINT DUE
TO *Official Misconduct By David R. Ellspermann Marion County Clerk of
Court and Comptroller*

APPENDIX G INSTRUCTION TO THE CLERK ADMINISTRATIVE ORDER A-
2013-56, ESTABLISHING FORECLOSURE CASE STATUS
REPORTING REQUIREMENTS
Filing # 54155368 E-Filed 03/23/2017 11:55:23 PM

TABLE OF AUTHORITIES CITED

See Statement of the Case

COURTS AND JUDGES, 12A FlaJur2d
§144 Duty to determine and decide issues¹

The power of the judiciary is not merely to rule on cases but also to decide them, subject to review only by superior courts.[fn1] Thus, when a court properly acquires jurisdiction, it must fully perform and exhaust its jurisdiction,[fn2] determine the controversy, and decide every issue or question properly arising in the case [fn3] and render a decision.[fn4]

DUE PROCESS

Only a Florida licensed attorney in good standing is **competent** (Rule 4-1.1) or **diligent** (Rule 4-1.3) to provide me legal advice and/or legal representation.

The 5thDCA Court found me indigent/insolvent. I am a non-lawyer, unable to obtain adequate counsel, a consumer of legal and court services affecting interstate commerce.

Legal protections found under the Constitution and laws of the U.S. and Florida include,

- Due Process Clause; Equal Protection Clause, Fourteenth Amendment, U.S. Constitution.
- Powell v. Alabama, 287 U.S. 45, for “due process in the constitutional sense”
- Due Process, Article I, Section 9, Florida Constitution
- Access to Courts, Article I, Section 21, Florida Constitution

¹ [fn1] Bush v. Schiavo, 885 So. 2d 321 (Fla. 2004), cert. denied, 125 S Ct. 1086 (U.S. 2005).
[fn2] King v. State, 143 So. 2d 458 (Fla. 1962); Malone v. Meres, 91 Fla. 709, 109 So. 677 (1926); Schoenrock v. Ballard, 185 So. 2d 760 (Fla. Dist. Ct. App. 1st Dist. 1966).
[fn3] Wade v. Clower, 94 Fla. 817, 114 So. 548 (1927); Malone v. Meres, 91 Fla. 709, 109 So. 677 (1926); Schoenrock v. Ballard, 185 So. 2d 760 (Fla. Dist. Ct. App. 1st Dist. 1966).
[fn4] King v. State, 143 So. 2d 458 (Fla. 1962).

- Basic Rights, Article I, Section 2, Florida Constitution
- Fla. Stat. § 29.007 Court-appointed counsel “This section applies in any situation in which the court appoints counsel to protect a litigant’s due process rights.”
- Chapter 27 Florida Statutes, Part III, Other Court-Appointed Counsel. Civil Regional Counsel where mandated constitutionally or by general law in civil cases.
- The Americans With Disabilities Act (ADA) and the ADA Amendments Act (ADA 2008)
- The Rehabilitation Act of 1973, as amended.

I am over age 60. The Older Americans Act (OAA) 42 U.S.C. 3001 et seq., as amended, provides for legal services under **Title III B** Services or Activities for persons age 60 and over.

In Florida, the OAA is administered under Chapter 430, Florida Statutes, by the Department of Elder Affairs, section 430.101, Administration of federal aging programs.

The Department of Elder Affairs was established by Section 20.41, Florida Statutes.

I am not competent, and not diligent, as defined by the Rules Regulating The Florida Bar:

- Florida Bar Rule 4-1.1 Competence.

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation.

- Florida Bar Rule 4-1.3 Diligence.

A lawyer shall act with reasonable diligence and promptness in representing a client.

Powell vs. Alabama, civil counsel required for “due process in the constitutional sense”.

MR. JUSTICE SUTHERLAND delivered the opinion of the Court...."If in any case, civil or criminal, a state or federal court were arbitrarily to refuse to hear a party by counsel, employed by and appearing for him, it reasonably may not be doubted that such a refusal would be a denial of a hearing, and, therefore, of due process in the constitutional sense..."

"...The right [p69] to be heard would be, in many cases, of little avail if it did not comprehend the right to be heard by counsel. Even the intelligent and educated layman has small and sometimes no skill in the science of law. If charged with crime, he is incapable, generally, of determining for himself whether the indictment is good or bad. He is unfamiliar with the rules of evidence. Left without the aid of counsel, he may be put on trial without a proper charge, and convicted upon incompetent evidence, or evidence irrelevant to the issue or otherwise inadmissible. He lacks both the skill and knowledge adequately to prepare his defense, even though he have a perfect one. He requires the guiding hand of counsel at every step in the proceedings against him. Without it, though he be not guilty, he faces the danger of conviction because he does not know how to establish his innocence. If that be true of men of intelligence, how much more true is it of the ignorant and illiterate, or those of feeble intellect. If in any case, civil or criminal, a state or federal court were arbitrarily to refuse to hear a party by counsel, employed by and appearing for him, it reasonably may not be doubted that such a refusal would be a denial of a hearing, and, therefore, of due process in the constitutional sense..."

Powell v. Alabama, 287 U.S. 45 Argued: October 10, 1932
Decided: November 7, 1932 224 Ala. 524, 531, 540, reversed.

The Supreme Court of Florida has a duty and the authority to administratively provide civil legal counsel under the Fourteenth Amendment of the U.S. Constitution for Due Process:

The Constitution states only one command twice. The Fifth Amendment says to the federal government that no one shall be "deprived of life, liberty or property without due process of law." The Fourteenth Amendment, ratified in 1868, uses the same eleven words, called the Due Process Clause, to describe a legal obligation of all states. These words have as their central promise an assurance that all levels of American government must operate within the law ("legality") and provide fair procedures....

Wex Due Process Article by Richard Strauss, Legal Information Institute Cornell Law
https://www.law.cornell.edu/wex/due_process

. Constitutional requirement for due process under Florida law:

Article 1, section 9, Florida Constitution.

SECTION 9. Due process.—No person shall be deprived of life, liberty or property without due process of law, or be twice put in jeopardy for the same offense, or be compelled in any criminal matter to be a witness against oneself.

. Case law for due process under Florida Law:

10A Fla. Jur 2d Constitutional Law § 480 (2007)

The guaranty of due process of law extends to every type of legal proceeding. Pelle v. Diners Club, 287 So. 2d 737 (Fla. Dist. Ct. App. 3d Dist. 1974); Tomayko v. Thomas, 143 So. 2d 227 (Fla. Dist. Ct. App. 3d Dist. 1962). Whenever life, liberty, or property rights are involved in any official action, the organic requirements of due process of law must be afforded, whether such action is the exercise of the powers of government by governmental departments, State ex rel. Barancik v. Gates, 134 So. 2d 497 (Fla. 1961); Williams v. Kelly, 133 Fla. 244, 182 So. 881 (1938) or a duly authorized administrative or ministerial function or duty. State ex rel. Barancik v. Gates. The constitutional guaranty of due process of law applies not only to court and administrative procedures, but also to legislative acts. Williams v. U.S., 179 F.2d 644 (5th Cir. 1950), cert. granted, 340 U.S. 849, 71 S. Ct. 77, 95 L. Ed. 622 (1950) and judgment aff'd, 341 U.S. 70, 71 S. Ct. 581, 95 L. Ed. 758 (1951) (implied overruling on other grounds recognized by, U.S. v. McDermott, 918 F.2d 319 (2d Cir. 1990)) and (overruling on other grounds recognized by, Brzonkala v. Virginia Polytechnic Institute and State University, 169 F.3d 820, 136 Ed. Law Rep. 15 (4th Cir. 1999)).

10A Fla. Jur 2d Constitutional Law § 483 (2007)

Due process encompasses both substantive and procedural due process. McKinney v. Pate, 20 F.3d 1550 (11th Cir. 1994); M.W. v. Davis, 756 So. 2d 90, 25 Fla. L. Weekly S334 (Fla. 2000); State v. O.C., 748 So. 2d 945, 24 Fla. L. Weekly S425 (Fla. 1999).

Constitutional due process is required for Access to Courts, Article I, Section 21, Florida Constitution, and Basic Rights, Article I, Section 2, Florida Constitution.

SECTION 21. Access to courts.—The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay.

SECTION 2. Basic rights.—All natural persons, female and male alike, are equal before the law and have inalienable rights, among which are the right to enjoy and defend life and liberty, to pursue happiness, to be rewarded for industry, and to acquire, possess and protect property; except that the ownership, inheritance, disposition and possession of real property by aliens ineligible for citizenship may be regulated or prohibited by law. No person shall be deprived of any right because of race, religion, national origin, or physical disability.

A litigant has a right to conflict-free counsel, http://en.wikipedia.org/wiki/Right_to_counsel

Whether counsel is retained or appointed, the defendant has a right to counsel without a conflict of interest *. If an actual conflict of interest is present, and that conflict results in any adverse effect on the representation, the result is automatic reversal.[17] The general rule is that conflicts

can be knowingly and intelligently waived,[18] but some conflicts are unwaivable. [19] *Wheat v. United States, 486 U.S. 153 (1988), conflicts of interest

[17] Burger v. Kemp, 483 U.S. 776 (1987); Cuyler v. Sullivan, 446 U.S. 335 (1980); Holloway v. Arkansas, 435 U.S. 475 (1978).

[18] See United States v. Curcio, 680 F.2d 881 (2d Cir. 1982).

[19] See, e.g., United States v. Schwarz, 283 F.3d 76 (2d Cir. 2002); United States v. Fulton, 5 F.3d 605 (2d Cir. 1993).

The state and federal judiciary denied me due process on a residential home foreclosure of a federal Home Equity Conversion Mortgage [12 USC § 1715z-20; 24 CFR Part 206] also called a HECM reverse mortgage.

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

The opinion of the highest state court to review the merits appears at Appendix 1 to the petition and is unpublished

Appendix 1. Supreme Court of Florida
August 25, 2017
CASE NO.: SC17-1572
Lower Tribunal No(s):
5D17-2317; 422013CA000115CAAXXX

Appendix 2. Florida Fifth District Court of Appeal
August 02, 2017
CASE NO. 5D17-2317

Petition for Writ of Prohibition - A Case of Original Jurisdiction
To Remove Marion County Circuit Court Judge Ann Melinda Craggs

Supreme Court of Florida

FRIDAY, AUGUST 25, 2017

CASE NO.: SC17-1572

Lower Tribunal No(s).:

5D17-2317; 422013CA000115CAAXXX

NEIL J. GILLESPIE, ETC.

vs. REVERSE MORTGAGE
SOLUTIONS

Petitioner(s)

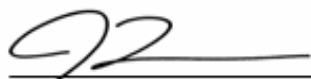
Respondent(s)

This case is hereby dismissed. This Court lacks jurisdiction to review an unelaborated decision from a district court of appeal that is issued without opinion or explanation or that merely cites to an authority that is not a case pending review in, or reversed or quashed by, this Court. See Wells v. State, 132 So. 3d 1110 (Fla. 2014); Jackson v. State, 926 So. 2d 1262 (Fla. 2006); Gandy v. State, 846 So. 2d 1141 (Fla. 2003); Stallworth v. Moore, 827 So. 2d 974 (Fla. 2002); Harrison v. Hyster Co., 515 So. 2d 1279 (Fla. 1987); Dodi Publ'g Co. v. Editorial Am. S.A., 385 So. 2d 1369 (Fla. 1980); Jenkins v. State, 385 So. 2d 1356 (Fla. 1980).

No motion for rehearing or reinstatement will be entertained by the Court.

A True Copy

Test:



John A. Tomasino

Clerk, Supreme Court



td

Served:

CURTIS ALAN WILSON

NEIL J. GILLESPIE

HON. ANN MELINDA CRAGGS, JUDGE, JUDGE

HON. DAVID R. ELLSPERMANN, CLERK

HON. JOANNE P. SIMMONS, CLERK

EXHIBIT

APPENDIX 1

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

NEIL J. GILLESPIE, INDIVIDUALLY, AND AS
FORMER TRUSTEE(F.S. CH. 736 PART III) OF
THE TERMINATED GILLESPIE FAMILY LIVING
TRUST AGREEMENT DATED FEBRUARY 10,
1997 (TERMINATED TRUST),

Petitioner,

v.

CASE NO. 5D17-2317

REVERSE MORTGAGE
SOLUTIONS, INC.,

Respondent.

_____ /

DATE: August 02, 2017

BY ORDER OF THE COURT:

ORDERED that the Petition for Writ of Prohibition, filed July 21, 2017, is
denied on the merits.

*I hereby certify that the foregoing is
(a true copy of) the original Court order.*


JOANNE P. SIMMONS, CLERK



Panel: Judges Orfinger, Torpy, and Eisnaugle

cc:

Curtis A Wilson

Neil J. Gillespie

Hon. Ann Melinda Craggs



CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

DUE PROCESS

WEX article Author: Peter Strauss
Legal Information Institute

“The Constitution states only one command twice. The Fifth Amendment says to the federal government that no one shall be "deprived of life, liberty or property without due process of law." The Fourteenth Amendment, ratified in 1868, uses the same eleven words, called the Due Process Clause, to describe a legal obligation of all states. These words have as their central promise an assurance that all levels of American government must operate within the law ("legality") and provide fair procedures.” https://www.law.cornell.edu/wex/due_process

Seventh Amendment to the United States Constitution, trial by jury

Home Equity Conversion Mortgage [12 USC § 1715z–20; 24 CFR Part 206] also called a HECM reverse mortgage

Older Americans Act, 42 U.S. Code Chapter 35 - PROGRAMS FOR OLDER AMERICANS

Florida Constitution, Article V, Section 10(b)(1) The election of circuit judges shall be preserved; Article VI, Section 1. Regulation of elections. All elections by the people shall be by direct and secret vote

Florida Constitution, Article I, SECTION 9. Due process.—No person shall be deprived of life, liberty or property without due process of law, or be twice put in jeopardy for the same offense, or be compelled in any criminal matter to be a witness against oneself.

Florida Constitution, Article I, SECTION 21. Access to courts.—The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay.

Florida Constitution, Article I, SECTION 22. Trial by jury.—The right of trial by jury shall be secure to all and remain inviolate. The qualifications and the number of jurors, not fewer than six, shall be fixed by law.

Pursuant to Fla. R. Jud. Admin. 2.250(a)(1)(B), the time standard for a civil trial case is 18 months from filing to final disposition. Non-jury cases — 12 months (filing to final disposition)

My foreclosure case commenced January 9, 2013. Today is November 24, 2017. The duration is almost 5 years. This case has taken almost 5 times as long as provided by the rules for a non-jury trial;

Exceeding time limits by many years has major negative health consequences. The same tactic was used by the court in the Hillsborough case, which began in 2005. That’s 12 years total.

STATEMENT OF THE CASE

My name is Neil J. Gillespie, an indigent non-lawyer, unable to obtain adequate counsel, a consumer of legal and court services affecting interstate commerce, a consumer of personal, family and household goods and services, consumer transactions in interstate commerce, a person with disabilities, and a vulnerable adult, henceforth in the first person, where I reluctantly appear *pro se* to save my home from wrongful foreclosure.

On April 7, 2017 I misfiled in the trial court, “Petition for Writ of Prohibition - A Case of Original Jurisdiction To Remove Marion County Circuit Court Judge Ann Melinda Craggs”.

On or about July 20, 2017 the trial court transmitted my 355 page petition to the correct court, the Fifth District Court of Appeal. My petition has the following parts:

- PETITION - - - - - Petition for Writ of Prohibition - A Case of Original Jurisdiction To Remove Marion County Circuit Court Judge Ann Melinda Craggs
- APPENDIX A VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS
- APPENDIX B SECOND VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS.
- APPENDIX C DEFENDANTS’ MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016
- APPENDIX D DEFENDANTS’ SECOND MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016
- APPENDIX E JUDICIAL DISQUALIFICATION - MEMORANDUM LAW
- APPENDIX F NOTICE OF REFILING FEDERAL CIVIL RIGHTS COMPLAINT DUE TO *Official Misconduct By David R. Ellspermann Marion County Clerk of Court and Comptroller*
- APPENDIX G INSTRUCTION TO THE CLERK ADMINISTRATIVE ORDER A-2013-56, ESTABLISHING FORECLOSURE CASE STATUS REPORTING REQUIREMENTS
Filing # 54155368 E-Filed 03/23/2017 11:55:23 PM

On August 2, 2017 the Florida Fifth District Court of Appeal entered the following one-sentence order in Case No. 5D17-2317:

ORDERED that the Petition for Writ of Prohibition, filed July 21, 2017, is denied on the merits.

The ruling does not meet the requirements of Florida law, or Constitutional Due Process. Under Florida law, a judge has a duty to determine and decide issues.

COURTS AND JUDGES, 12A FlaJur2d
§144 Duty to determine and decide issues¹

The power of the judiciary is not merely to rule on cases but also to decide them, subject to review only by superior courts.[fn1] Thus, when a court properly acquires jurisdiction, it must fully perform and exhaust its jurisdiction,[fn2] determine the controversy, and decide every issue or question properly arising in the case [fn3] and render a decision.[fn4]

On August 25, 2017, the Florida Supreme Court in SC17-1570 entered an order on appeal that states,

This case is hereby dismissed. This Court lacks jurisdiction to review an unelaborated decision from a district court of appeal that is issued without opinion or explanation or that merely cites to an authority that is not a case pending review in, or reversed or quashed by, this Court. See Wells v. State, 132 So. 3d 1110 (Fla. 2014); Jackson v. State, 926 So. 2d 1262 (Fla. 2006); Gandy v. State, 846 So. 2d 1141 (Fla. 2003); Stallworth v. Moore, 827 So. 2d 974 (Fla. 2002); Harrison v. Hyster Co., 515 So. 2d 1279 (Fla. 1987); Dodi Publ'g Co. v. Editorial Am. S.A., 385 So. 2d 1369 (Fla. 1980); Jenkins v. State, 385 So. 2d 1356 (Fla. 1980).

No motion for rehearing or reinstatement will be entertained by the Court.

¹ [fn1] Bush v. Schiavo, 885 So. 2d 321 (Fla. 2004), cert. denied, 125 S Ct. 1086 (U.S. 2005).
[fn2] King v. State, 143 So. 2d 458 (Fla. 1962); Malone v. Meres, 91 Fla. 709, 109 So. 677 (1926); Schoenrock v. Ballard, 185 So. 2d 760 (Fla. Dist. Ct. App. 1st Dist. 1966).
[fn3] Wade v. Clower, 94 Fla. 817, 114 So. 548 (1927); Malone v. Meres, 91 Fla. 709, 109 So. 677 (1926); Schoenrock v. Ballard, 185 So. 2d 760 (Fla. Dist. Ct. App. 1st Dist. 1966).
[fn4] King v. State, 143 So. 2d 458 (Fla. 1962).

On August 25, 2017, the Florida Supreme Court in SC17-1361 had opened a similar case on my Petition for Writ of Prohibition - A Case of Original Jurisdiction To Remove Marion County Circuit Court Judge Ann Melinda Craggs, that it wrongly closed November 14, 2017.

I plan another Petition for Writ of Cert on SC17-1361 well before the 90 day time limit now that my health has stabilized.

DUE PROCESS

Only a Florida licensed attorney in good standing is **competent** (Rule 4-1.1) or **diligent** (Rule 4-1.3) to provide me legal advice and/or legal representation.

The 5thDCA Court found me indigent/insolvent. I am a non-lawyer, unable to obtain adequate counsel, a consumer of legal and court services affecting interstate commerce.

Legal protections found under the Constitution and laws of the U.S. and Florida include,

- Due Process Clause; Equal Protection Clause, Fourteenth Amendment, U.S. Constitution.
- Powell v. Alabama, 287 U.S. 45, for “due process in the constitutional sense”
- Due Process, Article I, Section 9, Florida Constitution
- Access to Courts, Article I, Section 21, Florida Constitution
- Basic Rights, Article I, Section 2, Florida Constitution
- Fla. Stat. § 29.007 Court-appointed counsel “This section applies in any situation in which the court appoints counsel to protect a litigant’s due process rights.”
- Chapter 27 Florida Statutes, Part III, Other Court-Appointed Counsel. Civil Regional Counsel where mandated constitutionally or by general law in civil cases.
- The Americans With Disabilities Act (ADA) and the ADA Amendments Act (ADA 2008)

- The Rehabilitation Act of 1973, as amended.

I am over age 60. The Older Americans Act (OAA) 42 U.S.C. 3001 et seq., as amended, provides for legal services under **Title III B** Services or Activities for persons age 60 and over.

In Florida, the OAA is administered under Chapter 430, Florida Statutes, by the Department of Elder Affairs, section 430.101, Administration of federal aging programs.

The Department of Elder Affairs was established by Section 20.41, Florida Statutes.

I am not competent, and not diligent, as defined by the Rules Regulating The Florida Bar:

- Florida Bar Rule 4-1.1 Competence.

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation.

- Florida Bar Rule 4-1.3 Diligence.

A lawyer shall act with reasonable diligence and promptness in representing a client.

Powell vs. Alabama, civil counsel required for “due process in the constitutional sense”.

MR. JUSTICE SUTHERLAND delivered the opinion of the Court...."If in any case, civil or criminal, a state or federal court were arbitrarily to refuse to hear a party by counsel, employed by and appearing for him, it reasonably may not be doubted that such a refusal would be a denial of a hearing, and, therefore, of due process in the constitutional sense..."

"...The right [p69] to be heard would be, in many cases, of little avail if it did not comprehend the right to be heard by counsel. Even the intelligent and educated layman has small and sometimes no skill in the science of law. If charged with crime, he is incapable, generally, of determining for himself whether the indictment is good or bad. He is unfamiliar with the rules of evidence. Left without the aid of counsel, he may be put on trial without a proper charge, and convicted upon incompetent evidence, or evidence irrelevant to the issue or otherwise inadmissible. He lacks both the skill and knowledge adequately to prepare his defense, even though he have a perfect one. He requires the guiding hand of counsel at every step in the proceedings against him. Without it, though he be not guilty, he faces the danger of conviction because he does not know how to establish his innocence. If that be true of men of intelligence, how much more true is it of the ignorant and illiterate, or those of feeble intellect. If in any case, civil or criminal, a state or federal court were arbitrarily to refuse to hear a party by counsel, employed by and appearing for him, it reasonably may not be doubted that such

a refusal would be a denial of a hearing, and, therefore, of due process in the constitutional sense..."

Powell v. Alabama, 287 U.S. 45 Argued: October 10, 1932
Decided: November 7, 1932 224 Ala. 524, 531, 540, reversed.

The Supreme Court of Florida has a duty and the authority to administratively provide civil legal counsel under the Fourteenth Amendment of the U.S. Constitution for Due Process:

The Constitution states only one command twice. The Fifth Amendment says to the federal government that no one shall be "deprived of life, liberty or property without due process of law." The Fourteenth Amendment, ratified in 1868, uses the same eleven words, called the Due Process Clause, to describe a legal obligation of all states. These words have as their central promise an assurance that all levels of American government must operate within the law ("legality") and provide fair procedures....

Wex Due Process Article by Richard Strauss, Legal Information Institute Cornell Law
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Constitutional requirement for due process under Florida law:

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Case law for due process under Florida Law:

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by, Brzonkala v. Virginia Polytechnic Institute and State University, 169 F.3d 820, 136 Ed. Law Rep. 15 (4th Cir. 1999)).

10A Fla. Jur 2d Constitutional Law § 483 (2007)

Due process encompasses both substantive and procedural due process. McKinney v. Pate, 20 F.3d 1550 (11th Cir. 1994); M.W. v. Davis, 756 So. 2d 90, 25 Fla. L. Weekly S334 (Fla. 2000); State v. O.C., 748 So. 2d 945, 24 Fla. L. Weekly S425 (Fla. 1999).

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A litigant has a right to conflict-free counsel, http://en.wikipedia.org/wiki/Right_to_counsel

Whether counsel is retained or appointed, the defendant has a right to counsel without a conflict of interest *. If an actual conflict of interest is present, and that conflict results in any adverse effect on the representation, the result is automatic reversal.[17] The general rule is that conflicts can be knowingly and intelligently waived,[18] but some conflicts are unwaivable. [19] *Wheat v. United States, 486 U.S. 153 (1988), conflicts of interest

[17] Burger v. Kemp, 483 U.S. 776 (1987); Cuyler v. Sullivan, 446 U.S. 335 (1980); Holloway v. Arkansas, 435 U.S. 475 (1978).

[18] See United States v. Curcio, 680 F.2d 881 (2d Cir. 1982).

[19] See, e.g., United States v. Schwarz, 283 F.3d 76 (2d Cir. 2002); United States v. Fulton, 5 F.3d 605 (2d Cir. 1993).

The state and federal judiciary denied me due process on a residential home foreclosure of a federal Home Equity Conversion Mortgage [12 USC § 1715z-20; 24 CFR Part 206] also called a HECM reverse mortgage.

I was denied due process during a non-jury trial held July 18, 2017, see the Affidavit of Neil J. Gillespie Non-Jury Trial July 18, 2017.

I am a disabled homeowner age 61 denied assistance of counsel under the Older Americans Act, 42 U.S. Code Chapter 35 - PROGRAMS FOR OLDER AMERICANS, for old age, and disability including Post Traumatic Stress Disorder (PTSD), and Traumatic Brain Injury (TBI)

The Civil Rights Division, Voting Section, U.S. Department of Justice ignored my Voting Section complaint against Florida's rigged judicial elections

The U.S. Supreme Court has ignore wrongdoing in Petition 12-7747 for a writ of certiorari as stated in the enclosed letter of Mr. Clayton Higgins on October 19, 2016.

The Florida Supreme Court failed to properly screen the mental health of bar applicants.

REASONS FOR GRANTING THE PETITION

For a man's house is his castle

—Sir Edward Coke
Third Institute (1644)


The maxim that a "man's house is his castle" is one of the oldest and most deeply rooted principles in Anglo-American jurisprudence. It reflects an egalitarian spirit that embraces all levels of society down to the "poorest man" living "in his cottage." The maxim also forms part of the fabric of the Fourth Amendment to the Constitution, which protects people, their homes, and their property against unreasonable searches and seizures by the government.

Citation: Sir Edward Coke, Third Institute of the Laws of England 162 (1644). The complete quotation is: "For a man's house is his castle, *et domus sua cuique tutissimum refugium*." The Latin means: "and his home his safest refuge." See *Semayne's Case* (1603) 77 Eng. Rep. 194 (K.B.) ("[T]he house of every one is to him as his castle and fortress, as well for his defence against injury and violence, as for his repose."), *quoted in* *Wilson v. Layne*, 526 U.S. 603, 609–10 (1999); *Weeks v. United States*, 232 U.S. 383, 390 (1914) ("[E]very man's house is his castle." (quoting Judge Thomas McIntyre Cooley, *A Treatise on the Constitutional Limitations Which Rest upon the Legislative Power of the States of the American Union* 299 (1868))); William Blackstone, 3 *Commentaries* 288 (1768) ("[E]very man's house is looked upon by the law to be his castle..."); William Blackstone, 4 *Commentaries* 223 (1765–1769) ("[T]he law of England has so particular and tender a regard to the immunity of a man's house, that it stiles it his castle, and will never suffer it to be violated with impunity..."); *Miller v. United States*, 357 U.S. 301, 307 (1958) (quoting William Pitt's 1763 speech in Parliament: "The poorest man may in his cottage bid defiance to all the forces of the crown. It may be frail; its roof may shake; the wind may blow through it; the storm may enter; the rain may enter; but the king of England may not enter—all his force dares not cross the threshold of the ruined tenement!").

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Neil J. Gillespie, *pro se*
Date: December 4, 2017

No: _____

IN THE
SUPREME COURT OF THE UNITED STATES

NEIL J. GILLESPIE, PETITIONER

vs.

REVERSE MORTGAGE SOLUTIONS, INC., RESPONDENT

PROOF OF SERVICE

I, Neil J. Gillespie, do swear or declare that on this date, December 4, 2017, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

REVERSE MORTGAGE SOLUTIONS, INC., RESPONDENT
Represented by: Curtis Alan Wilson, Esq., Florida Bar No. 77669
McCalla Raymer Leibert Pierce, LLC
225 E. Robinson St. Suite 115
Orlando, FL 32801
Phone: 407-674-1850
Fax: 321-248-0420
Email: MRService@mrpllc.com
Email: MRService@mccalla.com

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 4, 2017.


Signature

FIFTH DISTRICT COURT OF APPEAL
STATE OF FLORIDA

NEIL J. GILLESPIE,
INDIVIDUALLY AND AS
FORMER TRUSTEE OF
THE TERMINATED
GILLESPIE FAMILY LIVING
TRUST AGREEMENT,

Petitioners,

PETITION NO. _____
L.T. NO.: 2013-CA-00115

v.

- REVERSE MORTGAGE SOLUTIONS, INC., [RMS]
- OAK RUN HOMEOWNERS ASSOCIATION, INC.; [ORHA]
- UNITED STATES OF AMERICA, ON BEHALF OF THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT; [HUD or SECRETARY]
- ELIZABETH BAUERLE;
- MARK GILLESPIE;
- DEVELOPMENT & CONSTRUCTION CORPORATION OF AMERICA; [DECCA]
- UNKNOWN SPOUSE OF ELIZABETH BAUERLE; [n.k.a. Scott Bidgood]
- UNKNOWN SPOUSE OF MARK GILLESPIE; [n.k.a. Joetta Gillespie]
- UNKNOWN SETTLERS/BENEFICIARIES OF THE GILLESPIE FAMILY LIVING TRUST AGREEMENT DATED FEBRUARY 10,1997; [NONE]
- UNKNOWN TRUSTEES, SETTLERS AND BENEFICIARIES OF UNKNOWN SETTLERS/ BENEFICIARIES OF THE GILLESPIE FAMILY LIVING TRUST AGREEMENT DATED

STATE OF FLORIDA, COUNTY OF MARION
 I HEREBY CERTIFY that the foregoing is a true and correct copy of pages 1 through 32 of the instrument filed in this office.
 The original instrument filed contains 32 pages.
 This copy has no redactions.
 This copy has been redacted pursuant to law.
 DAVID R. ELLSPERMANN, Clerk of Circuit & County Court
 Dated 04/07/17 by [Signature] D.C.

RECEIVED, 7/21/2017 11:50 AM, Joanne P. Simmons, Fifth District Court of Appeal

FEBRUARY 10, 1997; [NONE]

- UNKNOWN TENANT IN POSSESSION 1 [NONE] and
- UNKNOWN TENANT IN POSSESSION 2 [NONE]

Respondents.

Petition for Writ of Prohibition - A Case of Original Jurisdiction
To Remove Marion County Circuit Court Judge Ann Melinda Craggs

1. Petitioner Neil J. Gillespie, individually, and as former Trustee (F.S. Ch. 736 Part III) of the terminated Gillespie Family Living Trust Agreement Dated February 10, 1997 (“Terminated Trust”), an indigent non-lawyer, unable to obtain adequate counsel, a consumer of legal and court services affecting interstate commerce, a consumer of personal, family and household goods and services, consumer transactions in interstate commerce, a person with disabilities, and a vulnerable adult, henceforth in the first person, reluctantly appears *pro se*, and petitions this Court for a Writ of Prohibition to remove Marion County Circuit Court Judge Ann Melinda Craggs (“Judge Craggs”) as judge in Lower Tribunal No. 2013-CA-00115, Marion County Circuit Court, Fifth Judicial Circuit, Florida.

Jurisdiction

2. This Court has jurisdiction under the Constitution of Florida, Article V, Section 4, District courts of appeal (b) Jurisdiction (3) *A district court of appeal may issue writs of mandamus, certiorari, prohibition, quo warranto, and other writs necessary to the complete exercise of its jurisdiction.*

The Florida Rules of Appellate Procedure, Rule 9.030(b) Jurisdiction of District Courts of Appeal, and (3) Original Jurisdiction,

(3) Original Jurisdiction. District courts of appeal may issue writs of mandamus, prohibition, quo warranto, and common law certiorari, and all writs necessary to the complete exercise of the courts' jurisdiction; or any judge thereof may issue writs of habeas corpus returnable before the court or any judge thereof, or before any circuit judge within the territorial jurisdiction of the court.

3. **RULE 9.100. ORIGINAL PROCEEDINGS**

(a) Applicability. This rule applies to those proceedings that invoke the jurisdiction of the courts described in rules 9.030(a)(3), (b)(2), (b)(3), (c)(2), and (c)(3) for the issuance of writs of mandamus, prohibition, quo warranto, certiorari, and habeas corpus, and all writs necessary to the complete exercise of the courts' jurisdiction; and for review of non-final administrative action.

(e) Petitions for Writs of Mandamus and Prohibition Directed to a Judge or Lower Tribunal. When a petition for a writ of mandamus or prohibition seeks a writ directed to a judge or lower tribunal, the following procedures apply:

(1) Caption. The name of the judge or lower tribunal shall be omitted from the caption. The caption shall bear the name of the petitioner and other parties to the proceeding in the lower tribunal who are not petitioners shall be named in the caption as respondents.

(2) Parties. The judge or the lower tribunal is a formal party to the petition for mandamus or prohibition and must be named as such in the body of the petition (but not in the caption). The petition must be served on all parties, including any judge or lower tribunal who is a formal party to the petition.

(3) Response. Following the issuance of an order pursuant to subdivision (h), the responsibility for responding to a petition is that of the litigant opposing the relief requested in the petition. Unless

otherwise specifically ordered, the judge or lower tribunal has no obligation to file a response. The judge or lower tribunal retains the discretion to file a separate response should the judge or lower tribunal choose to do so. The absence of a separate response by the judge or lower tribunal shall not be deemed to admit the allegations of the petition.

(g) Petition. The caption shall contain the name of the court and the name and designation of all parties on each side. The petition shall not exceed 50 pages in length and shall contain

- (1) the basis for invoking the jurisdiction of the court;
- (2) the facts on which the petitioner relies;
- (3) the nature of the relief sought; and
- (4) argument in support of the petition and appropriate citations of authority.

If the petition seeks an order directed to a lower tribunal, the petition shall be accompanied by an appendix as prescribed by rule 9.220, and the petition shall contain references to the appropriate pages of the supporting appendix.

PARTIES - RULE 9.100(2)

4. Petitioners: Neil J. Gillespie, Individually, And As Former Trustee Of The Terminated Gillespie Family Living Trust Agreement Dated February 10, 1997.

5. Respondents: Rule 2.516(c) Service; Numerous Defendants. In actions when the parties are unusually numerous, the court may regulate the service contemplated by these rules on motion or on its own initiative in such manner as may be found to be just and reasonable. (The Court failed to do so; counsel failed to motion the Court).

- Marion County Circuit Court Judge Ann Melinda Craggs (Judge Craggs), Fifth Judicial Circuit, Florida, presiding in L.T. No. 2013-CA-00115;
- Marion County Circuit Court Case No. 2013-CA-00115;
- David R. Ellspermann, Marion County Clerk of Court & Comptroller;
- REVERSE MORTGAGE SOLUTIONS, INC.; [RMS]
- OAK RUN HOMEOWNERS ASSOCIATION, INC.; [ORHA]
- UNITED STATES OF AMERICA, ON BEHALF OF THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT; [HUD or SECRETARY]

- ELIZABETH BAUERLE;
- MARK GILLESPIE;
- DEVELOPMENT & CONSTRUCTION CORPORATION OF AMERICA;
[DECCA]
- UNKNOWN SPOUSE OF ELIZABETH BAUERLE; [n.k.a. Scott Bidgood]
- UNKNOWN SPOUSE OF MARK GILLESPIE; [n.k.a. Joetta Gillespie]
- UNKNOWN SETTLERS/BENEFICIARIES OF THE GILLESPIE FAMILY
LIVING TRUST AGREEMENT DATED FEBRUARY 10,1997; [NONE]
- UNKNOWN TRUSTEES, SETTLERS AND BENEFICIARIES OF
UNKNOWN SETTLERS/ BENEFICIARIES OF THE GILLESPIE FAMILY
LIVING TRUST AGREEMENT DATED FEBRUARY 10, 1997; [NONE]
- UNKNOWN TENANT IN POSSESSION 1 [NONE] and
- UNKNOWN TENANT IN POSSESSION 2 [NONE]

PETITION - RULE 9.100(g)

6. RULE 9.100(g)(1) the basis for invoking the jurisdiction of the court;

See ¶ 2; Fla. Const., Art. V, Sec. 4, (b)(3), Fla. R. App. Pro. 9.030(b)(3)

7. RULE 9.100(g)(2) the facts on which the petitioner relies;

- Judge Craggs wrongly denied two legally sufficient motions to disqualify her as trial judge:

**APPENDIX A, VERIFIED MOTION TO DISQUALIFY CIRCUIT
JUDGE ANN MELINDA CRAGGS, Filing # 49329068 E-Filed 11/28/2016
02:47:59 PM, provided under Rule 9.220, Fla. R. App. Pro.**

**APPENDIX B, SECOND VERIFIED MOTION TO DISQUALIFY
CIRCUIT JUDGE ANN MELINDA CRAGGS, Filing # 49423621 E-Filed
11/30/2016 10:09:13 AM, provided under Rule 9.220, Fla. R. App. Pro.**

- Judge Craggs wrongly took issue with motions to disqualify her at the
Case Management held November 28, 2016; see,

**APPENDIX E, JUDICIAL DISQUALIFICATION - MEMORANDUM OF LAW
Section IV Judicial determination of initial motion, see paragraphs 22-32.**

22. The judge against whom an initial motion to disqualify us directed shall determine only the legal sufficiency if the motion an shall not pass on the truth of the facts alleged. Fla. R. Judicial Admin. 2.330(f).

23. No other reason for denial shall be stated, and an order of denial shall not take issue with the motion. Fla. R. Judicial Admin. 2.330(f).

24. Accordingly, a judge may not rule on the truth of the facts alleged or address the substantive issues raised by the motion but may only determine the legal sufficiency of the motion. *Knarich v. State*, 866 So.2d 165 (Fla. Dist. Ct. App. 2d Dist. 2004).

25. In determining whether the allegations that movant will not receive a fair trial so as to disqualify a judge are sufficient, the facts alleged must be taken as true (*Frengel v. Frengel*, 880 So.2d 763, Fla.App. 2 Dist.,2004), and must be viewed from the movant's perspective. *Siegel v. State*, 861 So.2d 90, Fla.App. 4 Dist., 2003.

26. Case law forbids trial judges to refute facts set forth in a motion to disqualify, and their doing so will result in judicial disqualification irrespective of the facial sufficiency of the underlying claim. *Brinson v. State*, 789 So.2d 1125, Fla.App. 2 Dist., 2001.

27. A trial judge's attempt to refute charges of partiality thus exceeds the scope of inquiry on a motion to disqualify and alone establishes grounds for disqualification. *J & J Industries, Inc. v. Carpet Showcase of Tampa Bay, Inc.*, 723 So.2d 281, Fla.App. 2 Dist., 1998.

28. Whether the motion is legally sufficient is a pure question of law; it follows that the proper standard of review is the de novo standard (*Sume v. State*, 773 So.2d 600 Fla.App. 1 Dist., 2000) and an order denying a motion to disqualify a trial judge is reviewed for abuse of discretion. *King v. State*, 840 So.2d 1047, Fla., 2003.

29. Once a motion for disqualification has been filed, no further action can be taken by the trial court, even if the trial court is not aware of the pending motion. *Brown v. State* 863 So.2d 1274, Fla.App. 1 Dist., 2004.

30. A judge presented with a motion to disqualify him-or-herself must rule upon the sufficiency of the motion immediately and may not consider other matters before considering the disqualification motion. *Brown v. State* 863 So.2d 1274, Fla.App. 1 Dist., 2004.

31. The court is required to rule immediately on the motion to disqualify the judge, even though the movant does not request a hearing. *Fuster-Escalona v. Wisotsky*, 781 So.2d 1063, Fla., 2000.

32. The rule places the burden on the judge to rule immediately, the movant is not required to nudge the judge nor petition for a writ of mandamus. *G.C. v. Department of Children and Families*, 804 So.2d 525 Fla.App. 5 Dist., 2002.

- Judge Craggs wrongly denied two legally sufficient motions to disqualify, and contemporaneously wrongly entered the orders;

On November 28, 2016 at the start of the Case Management there were two outstanding motions to disqualify Judge Craggs. Because existing law requires a judge to immediately rule on a motion to disqualify before proceeding further, the second motion to disqualify Judge Craggs would prevent her from ruling on the first motion, thereby granting the motion to disqualify. The Judge is disqualified.

See, **APPENDIX E**, JUDICIAL DISQUALIFICATION - MEMORANDUM OF LAW **Section IV** Judicial determination of initial motion, see paragraphs 22-32.

- Judge Craggs failed to obey AO A-2013-56, see,

INSTRUCTION TO THE CLERK ADMINISTRATIVE ORDER A-2013-56
Filing # 54155368 E-Filed 03/23/2017 11:55:23 PM

- Judge Craggs wrongly dismissed my court reporter, Cynthia Hanson, PRP, whom I hired through US Legal Support;

Administrative Order A-2010-01-C states a court reporter must be approved by the Administrative Office of the Court in order to make a record of a court proceeding for which the court does not provide a record. But the Administrative Office of the Court does not actually approve court reporters. There is no list of court reporters approved by the Administrative Office of the Court. Therefore, Chief Judge Briggs has essentially banned the use of court reporters order to make a record of a court proceeding for which the court does not provide a record.

The Court Reporting process in the Fifth Judicial Circuit is designed to prevent a party who wishes to make a record, from making a record, of a court proceeding for which the court does not provide a record. Without an official record, a corrupt trial judge is free to falsify what happened. Whenever any officer of the court commits fraud during a proceeding in the court, he/she is engaged in "fraud upon the court". "Fraud upon the court is fraud which is directed to the judicial machinery itself..." Bulloch v. United States, 763 F.2d 1115, 1121 (10th Cir. 1985). This issue is separate from disqualification and will appear separately.

NOTICE OF FRAUD UPON THE COURT - COURT REPORTING
IN THE FLORIDA FIFTH JUDICIAL CIRCUIT AO: A-2010-01-C

- Judge Craggs failed to timely rule on motions other than to disqualify;

APPENDIX C, DEFENDANTS' MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016, Filing # 49223578 E-Filed 11/22/2016 03:48:52 PM, provided under Rule 9.220, Fla. R. App. Pro.

APPENDIX D, DEFENDANTS' SECOND MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016 ABATE THIS ACTION, Fla. R. Civ. Pro. 1.100(c)(2); AND MOTION TO DISQUALIFY MCCALLA RAYMER PIERCE LLC AND ALL ITS LAWYERS AS COUNSEL FOR PLAINTIFF, Filing # 49296630 E-Filed 11/28/2016 08:16:25 AM, provided under Rule 9.220, Fla. R. App. Pro.

- Judge Craggs committed *fraud upon the court*;

“Fraud upon the court is an egregious offense against the integrity of the judicial system and is more than a simple assertion of facts in a pleading which might later fail for lack of proof.” *Wells Fargo Bank, N.A. v. Reeves*, 92 So. 3d 249, 252 (Fla. 1st DCA 2012). “The integrity of the civil litigation process depends on truthful disclosure of facts. A system that depends on an adversary's ability to uncover falsehoods is doomed to failure, which is why this kind of conduct must be discouraged in the strongest possible way. . . . This is an area where the trial court is and should be vested with discretion to fashion the apt remedy.” *Cox v. Burke*, 706 So. 2d 43, 47 (Fla. 5th DCA 1998).

- Judge Craggs usurped jurisdiction of the Backlog Foreclosure Program;

This is a foreclosure case, and governed by the Backlog Foreclosure Program, see Administrative Order No. A-2016-22.

- Judge Craggs failed to provide disability accommodation, or a hearing,

APPENDIX D, DEFENDANTS' SECOND MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016 ABATE THIS ACTION, Fla. R. Civ. Pro. 1.100(c)(2); AND MOTION TO DISQUALIFY MCCALLA RAYMER PIERCE LLC AND ALL ITS LAWYERS AS COUNSEL FOR PLAINTIFF Filing # 49296630 E-Filed 11/28/2016 08:16:25 AM

- Judge Craggs failed to disqualify Plaintiff's Counsel or hear my motion to disqualify Plaintiff's Counsel, see,

APPENDIX D, DEFENDANTS' SECOND MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016 ABATE THIS ACTION, Fla. R. Civ. Pro. 1.100(c)(2); AND MOTION TO DISQUALIFY MCCALLA RAYMER PIERCE LLC AND ALL ITS LAWYERS AS COUNSEL FOR PLAINTIFF Filing # 49296630 E-Filed 11/28/2016 08:16:25 AM

- Judge Craggs failed to lawfully win reelection in 2016, see,

APPENDIX F, NOTICE OF REILING FEDERAL CIVIL RIGHTS COMPLAINT DUE TO *Official Misconduct By David R. Ellspermann Marion County Clerk of Court and Comptroller*

8. RULE 9.100(g)(3) the nature of the relief sought;

- Removal of Judge Craggs as trial judge in L.T. No. 2013-CA-00115.
- Separately and in addition to removal of Judge Craggs, Rule 2.330(h) Disqualification of Trial Judges, provides,

(h) Prior Rulings. Prior factual or legal rulings by a disqualified judge may be reconsidered and vacated or amended by a successor judge based upon a motion for reconsideration, which must be filed within 20 days of the order of disqualification, unless good cause is shown for a delay in moving for reconsideration or other grounds for reconsideration exist.

9. RULE 9.100(g)(4) argument in support of the petition and appropriate citations of authority.

Question presented: What is the standard for judicial disqualification?

The standard for judicial disqualification under Canon 3E(1)

“A judge shall disqualify himself or herself where his or her impartiality might reasonably be questioned, including but not limited to...”.
Canon 3E(1)

10. It has long been said in the courts of this state that “every litigant is entitled to nothing less than the cold neutrality of an impartial judge.” State ex rel. Davis v. Parks, 194 So. 613, 615 (Fla. 1939). (Opening citation in the Opinion filed December 17, 2014, Third District Court of Appeal, No. 3D14-2625, Lower Tribunal No. 14-8506, Great American Insurance Company of New York, Petitioner, vs. 2000 Island Boulevard Condominium Association, Inc., et al., Respondents. A Case of Original Jurisdiction – Prohibition.)

11. Florida Code of Judicial Conduct
Adopted September 29, 1994, effective Jan. 1, 1995 (643 So. 2d 1037).
As amended through October 1, 2016 (194 So. 3d 1015).

http://www.floridasupremecourt.org/decisions/ethics/Code_Judicial_Conduct.pdf
<http://www.floridasupremecourt.org/decisions/ethics/index.shtml>
<http://www.floridasupremecourt.org/decisions/ethics/canon3.shtml>

12. Fla. R. Jud. Admin. 2.330(b) “Parties. Any party, including the state, may move to disqualify the trial judge assigned to the case on grounds provided by rule, by statute, or by the Code of Judicial Conduct. (Emphasis added).

RULE 2.330. DISQUALIFICATION OF TRIAL JUDGES.

(b) Parties. Any party, including the state, may move to disqualify the trial judge assigned to the case on grounds provided by rule, by statute, or by the Code of Judicial Conduct.

13. Under Canon 3E(1) of the Code of Judicial Conduct for the State of Florida, “A judge shall disqualify himself or herself where his or her impartiality might reasonably be questioned, including but not limited to...”. Canon 3E(1)
Commentary for Canon 3E(1)

Canon 3E(1). Under this rule, a judge is disqualified whenever the judge's impartiality might reasonably be questioned, regardless of whether any of the specific rules in Section 3E(1) apply.

14. Disqualification under Canon 3E(1) does not require actual bias or actual prejudice, but “whenever the judge's impartiality might reasonably be questioned”.

15. Rule 2.330. Disqualification of Trial Judges. Fla. R. Jud. Admin. states in relevant part,

RULE 2.330. DISQUALIFICATION OF TRIAL JUDGES

(c) Motion. A motion to disqualify shall:

- (1) be in writing;
- (2) allege specifically the facts and reasons upon which the movant relies as the grounds for disqualification;
- (3) be sworn to by the party by signing the motion under oath or by a separate affidavit; and

(d) Grounds. A motion to disqualify shall show:

- (1) that the party fears that he or she will not receive a fair trial or hearing because of specifically described prejudice or bias of the judge; or

(e) Time. A motion to disqualify shall be filed within a reasonable time not to exceed 10 days after discovery of the facts constituting the grounds for the motion and shall be promptly presented to the court for an immediate ruling...

(f) Determination — Initial Motion. The judge against whom an initial motion to disqualify under subdivision (d)(1) is directed shall determine only the legal sufficiency of the motion and shall not pass on the truth of the facts alleged. If the motion is legally sufficient, the judge shall immediately enter an order granting disqualification and proceed no further in the action. If any motion is legally insufficient, an order denying the motion shall immediately be entered. No other reason for denial shall be stated, and an order of denial shall not take issue with the motion.

Conclusion

Wherefore, the petition for writ of prohibition should be granted, together with such other and further relief as the Court deems just and equitable.

I certifying that this petition complies with the font requirements of Rule 9.100(1).

RESPECTFULLY SUBMITTED April 7, 2017.



Neil J. Gillespie, individually, and former Trustee,
F.S. Ch. 736 Part III, of the Terminated Trust
8092 SW 115th Loop
Ocala, Florida 34481
Phone: 352-854-7807
Email: neilgillespie@mfi.net

Service List April 7, 2017

I hereby certify the names below were served by email April 7, 2017 through the Florida Portal, unless otherwise expressly stated. May include additional names on the Florida Portal.

Jane Norberg, Chief
Email: NorbergJ@sec.gov
SEC Office of the Whistleblower
100 F Street NE
Washington, DC 20549
Phone: (202) 551-4790
Fax: (703) 813-9322
TCR Submission No. TCR1458580189411
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

Thomas J. Marshall, General Counsel
and Executive Vice President
Email: thomas.j.marshall@usps.gov
United States Postal Service
475 L'Enfant Plaza SW
Washington DC 20260
c/o Guy Cottrell, Chief Postal Inspector
18 U.S. Code § 1341 - Frauds and swindles
18 U.S. Code § 1343 - Fraud by wire, radio, or TV
18 U.S. Code § 1346 - Honest services fraud

Civil Rights Division, Voting Section
U.S. Department of Justice
950 Pennsylvania Ave., NW, Rm 7254 NWB
Washington, DC 20530
Email: voting.section@usdoj.gov

W. Stephen Muldrow USAFLM
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Middle District of Florida
400 North Tampa Street, Suite 3200
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Ken Detzner, Secretary of State
Florida Department of State
R. A. Gray Building, Room 316
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Maria Matthews, Esq., Director
Florida Division of Elections
Email: maria.matthews@dos.myflorida.com
W. Jordan Jones, Asst. General Counsel
Florida Department of State
Email: Jordan.Jones@dos.myflorida.com

Notice to the Florida Attorney General
of a constitutional challenge
oag.civil.csrvc@myfloridalegal.com
Pam Bondi, Florida Attorney General
Office of Attorney General
107 West Gaines Street
Tallahassee, FL 32399-1050

Florida Department of Law Enforcement
Rick Swearingen, Commissioner
Email: RickSwearingen@fdle.state.fl.us
Jason Jones, General Counsel
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Matthew Minter, Marion County Attorney
Alt. Member Canvassing Board AO M-2016-8
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Kathy Bryant, Marion Co. BOCC
Marion County Canvassing Board
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Executive Office of the Governor
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Hon. Jay P. Cohen, Chief Judge
Email: woodardj@flcourts.org
Fifth District Court of Appeal(5thDCA)

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<http://elderaffairs.state.fl.us/index.php>

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Service List April 7, 2017

I hereby certify the names below were served by email April 7, 2017 through the Florida Portal, unless otherwise expressly stated. May include additional names on the Florida Portal.

The Honorable Joseph Negron, President
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Florida Senate
409, The Capitol
404 S. Monroe Street
Tallahassee, FL 32399-1100
Tel: 850-487-5229
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The Honorable Richard Corcoran, Speaker
Email: richard@richardcorcoran.com
Florida House of Representatives
420 The Capitol
402 South Monroe Street
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Florida Senate
Debbie Brown, Secretary of the Senate
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Florida House of Representatives
Office of the Clerk
Email: officeoftheClerk@myfloridahouse.gov

Office of Inspector General, "OIGHotline"
c/o Board of Governors of
the Federal Reserve System
20th Street and Constitution Avenue, NW
Mail Stop K- 300
Washington, DC 20551
Email: OIGHotline@frb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

SEC Office of the Whistleblower
100 F Street NE
Washington, DC 20549
Phone: (202) 551-4790
Fax: (703) 813-9322
Via U.S. Mail, First Class or Priority
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750
Not served on the Florida Portal

The Honorable Richard Cordray, Director
Consumer Finance Protection Bureau
1700 G Street, NW
Washington, DC 20002
Email: Richard.Cordray@cfpb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

Stefanie Isser Goldblatt
Senior Litigation Counsel
Enforcement Division
Consumer Finance Protection Bureau
Email: Stefanie.Goldblatt@cfpb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

FBI Tampa Division
Special Agent in Charge, Paul Wysopal
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Special Agent in Charge, Michelle S. Klimt
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Chief Judge, Fifth Judicial Circuit
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The Honorable Ann Melinda Craggs
Circuit Court Judge, Fifth Judicial Circuit
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JAXSFORECLOSURES@hud.gov
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Marion County Clerk of Court & Comptroller
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David R. Ellspermann Marion County Clerk
of Court & Comptroller
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Ocala, Florida 34478-1030
Email: Ellspermann@marioncountyclerk.org

Development & Construction Corporation
of America, c/o Carol Olson, Vice President
of Administration and Secretary-Treasurer
10983 SW 89 Avenue
Ocala, FL 34481
Email: colson@deccahomes.com

Oak Run Homeowners Association, Inc.
(ORHA)
c/o ORHA Board of Directors
Email: orhaboard@yahoo.com

Neil J. Gillespie and Mark Gillespie as Co-Trustees of the Gillespie Family Living Trust
Agreement dated February 10, 1997; Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Neil J. Gillespie
8092 SW 115th Loop
Ocala, FL 34481
Email: ncilgillespie@mfi.net

Mark Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123
Email: mark.gillespie@att.net

Unknown spouse of Mark Gillespie n/k/a Joetta Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123 Email: mark.gillespie@att.net

Unknown Settlers/Beneficiaries of The Gillespie Family Living Trust Agreement dated
February 10, 1997; (NONE); Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481 Email: neilgillespie@mfi.net

Elizabeth Bauerle n/k/a Elizabeth Bidgood
8092 SW 115th Loop
Ocala, FL 34481
Email: ncilgillespie@mfi.net

Unknown spouse of Elizabeth Bidgood,
n.k.a. Scott Bidgood
8092 SW 115th Loop
Ocala, FL 34481
Email: ncilgillespie@mfi.net

Termination of the Gillespie Family Living Trust Agreement Dated February 10, 1997

STATE OF FLORIDA)
) SS.:
COUNTY OF MARION)



DAVID R ELLSPERMANN CLERK & COMPTROLLER MARION CO
DATE: 02/03/2015 11:55:32 AM
FILE #: 2015009748 OR BK 6161 PGS 1844-1845
REC FEES: \$18.50 INDEX FEES: \$0.00
DDS: \$0 MDS: \$0 INT: \$0

AFFIDAVIT

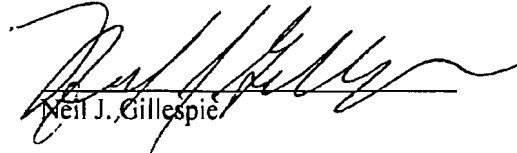
BEFORE ME, this day personally appeared NEIL J. GILLESPIE, who upon being duly sworn deposed upon oath as follows:

1. My name is Neil J. Gillespie. I am over eighteen years of age. This affidavit is given on personal knowledge unless otherwise expressly stated.
2. I am sole Trustee of the Gillespie Family Living Trust Agreement Dated February 10, 1997 (hereinafter "Trust").
3. My Florida residential homestead property is the sole asset of the Trust, property address 8092 SW 115th Loop, Ocala, Florida 34481, Marion County, Florida, (the "property") where I have lived in the property continuously and uninterruptedly since February 9, 2005, Tax ID No. 7013-007-001, legal description:

Lot(s) 1, Block G, OAK RUN WOODSIDE TRACT, according to the Plat thereof as recorded in Plat Book 2 at Page(s) 106 through 112, inclusive of the Public Records of Marion County, Florida.
4. Pursuant to my authority as Trustee of the Trust, and acting in that capacity, I transferred the remaining trust property to the beneficiary, myself, on January 14, 2015.
5. Pursuant to my authority as Trustee of the Trust, and acting in that capacity, I hereby terminate the Trust as provided by Fla. Stat. § 736.0414, and Article V, the Trust. The total fair market value of the assets of the Trust is zero. The Trust served its intended purpose of transferring the property to the beneficiary without going through probate.
6. Pursuant to Fla. Stat. § 736.0414 Modification or termination of uneconomic trust. (1) After notice to the qualified beneficiaries, the trustee of a trust consisting of trust property

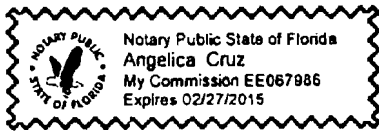
having a total value less than \$50,000 may terminate the trust if the trustee concludes that the value of the trust property is insufficient to justify the cost of administration.


FURTHER AFFIANT SAYETH NOT,


Neil J. Gillespie

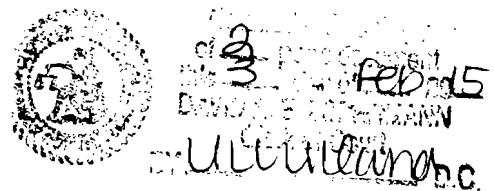
The foregoing instrument was acknowledged before me, this 2nd day of February, 2015, by Neil J. Gillespie, who is personally known to me, or who has produced ^{FL DL} 542630560990 as identification and states that he is the person who made this affidavit and that its contents are truthful to the best of his knowledge, information and belief.

(SEAL)




NOTARY PUBLIC
Angelica Cruz
Print Name of Notary Public

My Commission Expires: 2/27/15



FIFTH DISTRICT COURT OF APPEAL
STATE OF FLORIDA

NEIL J. GILLESPIE,
INDIVIDUALLY AND AS
FORMER TRUSTEE OF
THE TERMINATED
GILLESPIE FAMILY LIVING
TRUST AGREEMENT,

Petitioners,

PETITION NO. _____
L.T. NO.: 2013-CA-00115

v.

REVERSE MORTGAGE
SOLUTIONS, INC., ET AL,

INDEX TO APPENDICIES

Petition for Writ of Prohibition - A Case of Original Jurisdiction
To Remove Marion County Circuit Court Judge Ann Melinda Craggs

- APPENDIX A VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE
ANN MELINDA CRAGGS
- APPENDIX B SECOND VERIFIED MOTION TO DISQUALIFY CIRCUIT
JUDGE ANN MELINDA CRAGGS.
- APPENDIX C DEFENDANTS' MOTION TO CANCEL HEARING SET
FOR NOVEMBER 28, 2016
- APPENDIX D DEFENDANTS' SECOND MOTION TO CANCEL
HEARING SET FOR NOVEMBER 28, 2016
- APPENDIX E JUDICIAL DISQUALIFICATION - MEMORANDUM LAW
- APPENDIX F NOTICE OF REILING FEDERAL CIVIL RIGHTS
COMPLAINT DUE TO *Official Misconduct By David R.
Ellspermann Marion County Clerk of Court and Comptroller*
-

APPENDIX G

INSTRUCTION TO THE CLERK ADMINISTRATIVE
ORDER A-2013-56, ESTABLISHING FORECLOSURE
CASE STATUS REPORTING REQUIREMENTS,
Filing # 54155368 E-Filed 03/23/2017 11:55:23 PM

THIS IS NOT A COMMERCIAL FORCLOSURE

REVERSE MORTGAGE SOLUTIONS, INC.,

Plaintiff,

vs.

NEIL J. GILLESPIE AND MARK GILLESPIE
AS CO-TRUSTEES OF THE GILLESPIE
FAMILY LIVING TRUST AGREEMENT
DATED FEBRUARY 10, 1997, ET AL.

Defendants.

IN THE CIRCUIT COURT OF THE
FIFTH JUDICIAL CIRCUIT FLORIDA
IN AND FOR MARION COUNTY

CASE NO.: 2013-CA-000115
42-2013-CA-000115-AXXX-XX

Residential HECM Foreclosure Case
Florida Homestead of Neil J. Gillespie
Section 4, Article X, Florida Constitution

F.S. § 702.015 **Note/copy missing**
Rule 1.115 Pleading Mortgage Foreclosures
Rule 1.100(c)(2) Civil cover sheet wrong.
F.S. § 837.06 False Official Statements
F.S. § 92.525 Verification of documents

VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS

This Motion is Verified by Neil J. Gillespie F.S. § 92.525(2)

Defendant Neil J. Gillespie, individually, and as former Trustee (F.S. Ch. 736 Part III) of the terminated Gillespie Family Living Trust Agreement Dated February 10, 1997 (“Terminated Trust”), an indigent non-lawyer, unable to obtain adequate counsel, a consumer of legal and court services affecting interstate commerce, a consumer of personal, family and household goods and services, consumer transactions in interstate commerce, a person with disabilities, a vulnerable adult, reluctantly appears pro se, henceforth in the first person, files *Verified Motion To Disqualify Circuit Judge Ann Melinda Craggs*, and states:

1. I move to disqualify Circuit Judge Ann Melinda Craggs (“Judge Craggs”) as judge in this action under Rule 2.330(b) Fla. R. Jud. Admin., and Canon 3E(1) Code of Judicial Conduct for the State of Florida, and State ex rel. Davis v. Parks, because I fear that I will not receive a fair trial in this cause because of specifically described prejudice or bias of the judge.
2. It has long been said in the courts of this state that “every litigant is entitled to nothing less than the cold neutrality of an impartial judge.” State ex rel. Davis v. Parks, 194 So. 613, 615



VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS

This Motion is Verified by Neil J. Gillespie F.S. § 92.525(2)

(Fla. 1939). (Opening citation in the Opinion filed December 17, 2014, Third District Court of Appeal, No. 3D14-2625, Lower Tribunal No. 14-8506, Great American Insurance Company of New York, Petitioner, vs. 2000 Island Boulevard Condominium Association, Inc., et al., Respondents. A Case of Original Jurisdiction – Prohibition.)

3. Fla. R. Jud. Admin. 2.330(b) “Parties. Any party, including the state, may move to disqualify the trial judge assigned to the case on grounds provided by rule, by statute, or by the

Code of Judicial Conduct. (Emphasis added).

4. Under Canon 3E(1) of the Code of Judicial Conduct for the State of Florida,

“A judge shall disqualify himself or herself where his or her impartiality might reasonably be questioned, including but not limited to...”. Canon 3E(1)

Commentary for Canon 3E(1)

Canon 3E(1). Under this rule, a judge is disqualified whenever the judge's impartiality might reasonably be questioned, regardless of whether any of the specific rules in Section 3E(1) apply.

5. Disqualification under Canon 3E(1) does not require actual bias or actual prejudice, but “whenever the judge's impartiality might reasonably be questioned”.

6. Rule 2.330. Disqualification of Trial Judges. Fla. R. Jud. Admin. states in relevant part,

RULE 2.330. DISQUALIFICATION OF TRIAL JUDGES

(c) Motion. A motion to disqualify shall:

- (1) be in writing;
- (2) allege specifically the facts and reasons upon which the movant relies as the grounds for disqualification;
- (3) be sworn to by the party by signing the motion under oath or by a separate affidavit; and

(d) Grounds. A motion to disqualify shall show:

- (1) that the party fears that he or she will not receive a fair trial or hearing because of specifically described prejudice or bias of the judge; or

(e) Time. A motion to disqualify shall be filed within a reasonable time

VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS

This Motion is Verified by Neil J. Gillespie F.S. § 92.525(2)

not to exceed 10 days after discovery of the facts constituting the grounds for the motion and shall be promptly presented to the court for an immediate ruling...

(f) Determination — Initial Motion. The judge against whom an initial motion to disqualify under subdivision (d)(1) is directed shall determine only the legal sufficiency of the motion and shall not pass on the truth of the facts alleged. If the motion is legally sufficient, the judge shall immediately enter an order granting disqualification and proceed no further in the action. If any motion is legally insufficient, an order denying the motion shall immediately be entered. No other reason for denial shall be stated, and an order of denial shall not take issue with the motion.

7. The specific grounds in support of this motion, showing Judge Craggs' impartiality might reasonably be questioned, are as follows:

8. Judge Craggs has failed to respond to,

DEFENDANTS' MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016
Filing # 49223578 E-Filed 11/22/2016 03:48:52 PM

that It is impossible to comply with this Court's ORDER RESCHEDULING CASE MANAGEMENT (under 1.090(a)/2.514(a)(2)(C)(5) due to the Thanksgiving Holiday, and lack of jurisdiction because, *inter alia*, my complaint to the Consumer Financial Protection Bureau, **CFPB Complaint No. 120914-000082**, as not been reviewed in its entirety. The Consumer Financial Protection Bureau (CFPB) is an agency of the United States government responsible for consumer protection in the financial sector. The CFPB's creation was authorized by the Dodd-Frank Wall Street Reform and Consumer Protection Act. I was notified by the Office of Inspector General Hotline (OIG Hotline) of the Board of Governors of the Federal Reserve System (Board) which has oversight of CFPB employees regarding CFPB attorney Greg Evans, and two nonlawyer CFPB employees, Andrew Fey and K. Byron, who **conspired with Bank of America and corrupted CFPB Complaint No. 120914-000082**, with a concocted CFPB closing letter asserting a false claim of privacy for my deceased mother.

VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS

This Motion is Verified by Neil J. Gillespie F.S. § 92.525(2)

9. Judge Craggs has also failed to respond to, or to abate this action under Rule 1.100(c)(2):

DEFENDANTS' SECOND MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016
ABATE THIS ACTION, Fla. R. Civ. Pro. 1.100(c)(2); AND MOTION TO DISQUALIFY
MCCALLA RAYMER PIERCE LLC AND ALL ITS LAWYERS AS COUNSEL FOR PLAINTIFF
Filing # 49296630 E-Filed 11/28/2016 08:16:25 AM

a motion to Judge Craggs to abate this action as required under Rule 1.100(c)(2) because the Plaintiff's *Civil Cover Sheet* (form 1.997) in this case is not properly executed. The Plaintiff wrongly designated this case as a commercial foreclosure when it is a residential foreclosure of my Florida homestead. Under Rule 1.100(c)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed...". Therefore, at any hearing, I would immediately move the Court to abate the action, thus legally ending the hearing.

Previously I claimed in court documents the grounds to abate this action under Rule 1.100(c)(2):

DEFENDANTS' INSTRUCTION TO CLERK: ABATE THIS ACTION, May 16, 2016
Rule 1.100(c)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed..".

Filing # 41583325 E-Filed 05/16/2016 09:57:09 PM

AFFIDAVIT OF NEIL J. GILLESPIE (Rule 1.100(c)(2)), April 29, 2016

Filing # 41583325 E-Filed 05/16/2016 09:57:09 PM

AFFIDAVIT OF NEIL J. GILLESPIE OF RESIDENTIAL HOMESTEAD

THIS IS NOT A COMMERCIAL FORCLOSURE, February 6, 2015

Filing # 23497600 E-Filed 02/07/2015 11:56:00 PM

Therefore, a reasonable person could conclude, as I have concluded, that Judge Craggs is misusing her public office as judge to benefit the Plaintiff and its counsel, and harm me. I hereby assert all this issues claimed in,

DEFENDANTS' SECOND MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016
ABATE THIS ACTION, Fla. R. Civ. Pro. 1.100(c)(2); AND MOTION TO DISQUALIFY
MCCALLA RAYMER PIERCE LLC AND ALL ITS LAWYERS AS COUNSEL FOR PLAINTIFF

VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS

This Motion is Verified by Neil J. Gillespie F.S. § 92.525(2)

Filing # 49296630 E-Filed 11/28/2016 08:16:25 AM

as if I set forth each one in its entirety here, including,

- Defective Service on the Order Rescheduling Case Management
- Service on Oak Run Homeowners Association, Inc. (ORHA) must be struck for conflict of registered agent Robert A. Stermer, Esq. Mr. Stermer represented the Gillespie Family Living Trust at the closing of the HECM reverse mortgage now in foreclosure.
- Failure of Judge Craggs to place on the record US Mail returned as undeliverable to ORHA.
- Failure to provide an ongoing request for disability accommodation made December 10, 2016 under the Americans with Disabilities Act.
- The **HOMICIDE of Frank Collelo** March 3, 2015 by McCalla Raymer Pierce LLC et al., and the Unlicensed Practice of Law Investigation of Stephen Michael Allgood, UPL File No. 2017-1020(17C), Director of the Florida Foreclosure Group in 2015 for McCalla Raymer Pierce, LLC shows the legal profession will commit homicide to achieve its goals.
- Failure to disqualify McCalla Raymer Pierce LLC et al. as counsel for the Plaintiff.

10. The Florida Bar News reported June 1, 2016, “86 judicial races to appear on fall ballots, 194 take seats on the trial bench unopposed”. Judge Craggs was one of the 194 who took her seat on the trial bench unopposed. Why were so many judicial elections unopposed? Circuit judges are paid \$146,079. Welcome to Florida rigged judicial elections, rigged by a de facto political party known as The Florida Bar.

11. The 194 uncontested judgeships were rigged by prior agreement by members of The Florida Bar, the only potential candidates permitted to run. 194 judgeships went uncontested because the election was rigged that way in 2016, as in earlier years, by members of The Florida Bar to protect incumbent judges. In exchange, unopposed incumbent judges automatically reelected protect members of The Florida Bar, lawyers like Curtis Alan Wislon, and law firms like McCalla Raymer Pierce, LLC.

VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS

This Motion is Verified by Neil J. Gillespie F.S. § 92.525(2)

12. See Barriers to Justice attached to this motion to disqualify Judge Craiggs. Barriers to Justice deny litigants constitutionally protected rights, including access to justice, meaningful due process, a fair and neutral judge, and legitimate appellate review. Barriers to Justice are especially harmful and onerous to ordinary people who appear in court proceedings without a lawyer, unrepresented parties, or *pro se* litigants representing themselves.

13. Certification. The undersigned movant certifies that the motion and the movant's statements are made in good faith.

VERIFICATION OF NEIL J. GILLESPIE
F.S. § 92.525(2) Verification of documents

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true.

RESPECTFULLY SUBMITTED November 28, 2016.



Neil J. Gillespie, individually, and former Trustee
F.S. Ch. 736 Part III, of the Terminated Trust
8092 SW 115th Loop Tel. 352-854-7807
Ocala, Florida 34481
Email: neilgillespie@mfi.net (Rule 2.516(b)(1)(C)).

Service List November 28, 2016

I hereby certify the names below were served by email November 28, 2016 through the Florida Portal, unless otherwise expressly stated.

Office of Inspector General, "OIGHotline"
c/o Board of Governors of
the Federal Reserve System
20th Street and Constitution Avenue, NW
Mail Stop K- 300
Washington, DC 20551
Email: OIGHotline@frb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

SEC Office of the Whistleblower
100 F Street NE
Washington, DC 20549
Phone: (202) 551-4790
Fax: (703) 813-9322
Via U.S. Mail, First Class
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750
Not served on the Florida Portal

The Honorable Richard Cordray, Director
Consumer Finance Protection Bureau
1700 G Street, NW
Washington, DC 20002
Email: Richard.Cordray@cfpb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

Stefanie Isser Goldblatt
Senior Litigation Counsel
Enforcement Division
Consumer Finance Protection Bureau
Email: Stefanie.Goldblatt@cfpb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

FBI Tampa Division
Special Agent in Charge, Paul Wysopal
Website: <https://www.fbi.gov/tampa>
Email: tampa.division@ic.fbi.gov

FBI Jacksonville Division
Special Agent in Charge, Michelle S. Klimt
Website: <https://www.fbi.gov/jacksonville>
Email: jacksonville@ic.fbi.gov

The Honorable Don F. Briggs
Chief Judge, Fifth Judicial Circuit
Lake County Judicial Center
550 W. Main Street
Tavares, FL 32778-7800.
Tel. 352-742-4224
Email: dbriggs@circuit5.org

The Honorable Ann Melinda Craggs
Circuit Court Judge, Fifth Judicial Circuit
Marion County Judicial Center
110 NW 1st Ave.
Ocala, FL 34475
Tel: 352-401-6785
Email: amcraggs@circuit5.org

Mr. Curtis Wilson, Esq.
McCalla Raymer Pierce, LLC
225 E. Robinson Street, Ste. 660
Orlando, FL 32801
MRService@mrpllc.com

Ms. Colleen Murphy Davis, AUSA
400 N. Tampa Street, Suite 3200
Tampa, FL 33602
Email: USAFLM.HUD@usdoj.gov Email:
JAXSFFORECLOSURES@hud.gov
JAXSFORECLOSURES@hud.gov
lydia.a.brush@gmail.com

Gregory C. Harrell
General Counsel to David R. Ellspermann,
Marion County Clerk of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
Email: gharrell@marioncountyclerk.org

David R. Ellspermann Marion County Clerk
of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
Email: Ellspermann@marioncountyclerk.org

Development & Construction Corporation
of America, c/o Carol Olson, Vice President
of Administration and Secretary-Treasurer,
for RA Priya Ghumman
10983 SW 89 Avenue
Ocala, FL 34481
Email: colson@deccahomes.com

Oak Run Homeowners Association, Inc.
c/o Board of Directors, orhboard@yahoo.com

Neil J. Gillespie and Mark Gillespie as Co-Trustees of the Gillespie Family Living Trust
Agreement dated February 10, 1997; Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Neil J. Gillespie
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Mark Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123
Email: mark.gillespie@att.net

Unknown spouse of Mark Gillespie n/k/a Joetta Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123
Email: mark.gillespie@att.net

Unknown Settlers/Beneficiaries of The Gillespie Family Living Trust Agreement dated
February 10, 1997; (NONE); Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Elizabeth Bauerle n/k/a Elizabeth Bidgood
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Unknown spouse of Elizabeth Bidgood,
n.k.a. Scott Bidgood
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Termination of the Gillespie Family Living Trust Agreement Dated February 10, 1997

STATE OF FLORIDA)
) SS.:
COUNTY OF MARION)



DAVID R ELLSPERMANN CLERK & COMPTROLLER MARION CO
DATE: 02/03/2015 11:55:32 AM
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AFFIDAVIT

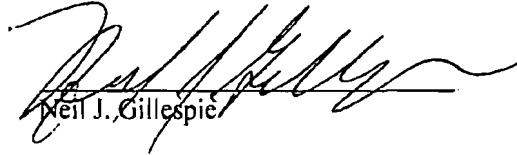
BEFORE ME, this day personally appeared NEIL J. GILLESPIE, who upon being duly sworn deposed upon oath as follows:

1. My name is Neil J. Gillespie. I am over eighteen years of age. This affidavit is given on personal knowledge unless otherwise expressly stated.
2. I am sole Trustee of the Gillespie Family Living Trust Agreement Dated February 10, 1997 (hereinafter "Trust").
3. My Florida residential homestead property is the sole asset of the Trust, property address 8092 SW 115th Loop, Ocala, Florida 34481, Marion County, Florida, (the "property") where I have lived in the property continuously and uninterruptedly since February 9, 2005, Tax ID No. 7013-007-001, legal description:

Lot(s) 1, Block G, OAK RUN WOODSIDE TRACT, according to the Plat thereof as recorded in Plat Book 2 at Page(s) 106 through 112, inclusive of the Public Records of Marion County, Florida.
4. Pursuant to my authority as Trustee of the Trust, and acting in that capacity, I transferred the remaining trust property to the beneficiary, myself, on January 14, 2015.
5. Pursuant to my authority as Trustee of the Trust, and acting in that capacity, I hereby terminate the Trust as provided by Fla. Stat. § 736.0414, and Article V, the Trust. The total fair market value of the assets of the Trust is zero. The Trust served its intended purpose of transferring the property to the beneficiary without going through probate.
6. Pursuant to Fla. Stat. § 736.0414 Modification or termination of uneconomic trust. (1) After notice to the qualified beneficiaries, the trustee of a trust consisting of trust property

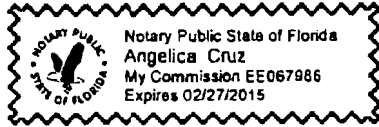
having a total value less than \$50,000 may terminate the trust if the trustee concludes that the value of the trust property is insufficient to justify the cost of administration.


FURTHER AFFIANT SAYETH NOT,


Neil J. Gillespie

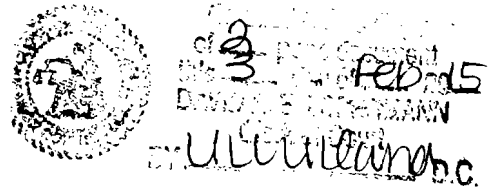
The foregoing instrument was acknowledged before me, this 2nd day of February, 2015, by Neil J. Gillespie, who is personally known to me, or who has produced FDL 542 630 56 099 0 as identification and states that he is the person who made this affidavit and that its contents are truthful to the best of his knowledge, information and belief.

(SEAL)




NOTARY PUBLIC
Angelica Cruz
Print Name of Notary Public

My Commission Expires: 2/27/15



RULE 2.330. DISQUALIFICATION OF TRIAL JUDGES

(a) Application. This rule applies only to county and circuit judges in all matters in all divisions of court.

(b) Parties. Any party, including the state, may move to disqualify the trial judge assigned to the case on grounds provided by rule, by statute, or by the Code of Judicial Conduct.

(c) Motion. A motion to disqualify shall:

- (1) be in writing;
- (2) allege specifically the facts and reasons upon which the movant relies as the grounds for disqualification;
- (3) be sworn to by the party by signing the motion under oath or by a separate affidavit; and
- (4) include the dates of all previously granted motions to disqualify filed under this rule in the case and the dates of the orders granting those motions.

The attorney for the party shall also separately certify that the motion and the client's statements are made in good faith. In addition to filing with the clerk, the movant shall immediately serve a copy of the motion on the subject judge as set forth in Florida Rule of Civil Procedure 1.080.

(d) Grounds. A motion to disqualify shall show:

- (1) that the party fears that he or she will not receive a fair trial or hearing because of specifically described prejudice or bias of the judge; or
- (2) that the judge before whom the case is pending, or some person related to said judge by consanguinity or affinity within the third degree, is a party thereto or is interested in the result thereof, or that said judge is related to an attorney or counselor of record in the cause by consanguinity or affinity within the third degree, or that said judge is a material witness for or against one of the parties to the cause.

(e) Time. A motion to disqualify shall be filed within a reasonable time not to exceed 10 days after discovery of the facts constituting the grounds for the

motion and shall be promptly presented to the court for an immediate ruling. Any motion for disqualification made during a hearing or trial must be based on facts discovered during the hearing or trial and may be stated on the record, provided that it is also promptly reduced to writing in compliance with subdivision (c) and promptly filed. A motion made during hearing or trial shall be ruled on immediately.

(f) Determination — Initial Motion. The judge against whom an initial motion to disqualify under subdivision (d)(1) is directed shall determine only the legal sufficiency of the motion and shall not pass on the truth of the facts alleged. If the motion is legally sufficient, the judge shall immediately enter an order granting disqualification and proceed no further in the action. If any motion is legally insufficient, an order denying the motion shall immediately be entered. No other reason for denial shall be stated, and an order of denial shall not take issue with the motion.

(g) Determination — Successive Motions. If a judge has been previously disqualified on motion for alleged prejudice or partiality under subdivision (d)(1), a successor judge shall not be disqualified based on a successive motion by the same party unless the successor judge rules that he or she is in fact not fair or impartial in the case. Such a successor judge may rule on the truth of the facts alleged in support of the motion.

(h) Prior Rulings. Prior factual or legal rulings by a disqualified judge may be reconsidered and vacated or amended by a successor judge based upon a motion for reconsideration, which must be filed within 20 days of the order of disqualification, unless good cause is shown for a delay in moving for reconsideration or other grounds for reconsideration exist.

(i) Judge's Initiative. Nothing in this rule limits the judge's authority to enter an order of disqualification on the judge's own initiative.

(j) Time for Determination. The judge shall rule on a motion to disqualify immediately, but no later than 30 days after the service of the motion as set forth in subdivision (c). If not ruled on within 30 days of service, the motion shall be deemed granted and the moving party may seek an order from the court directing the clerk to reassign the case.

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June 1, 2016

News HOME

86 judicial races to appear on fall ballots

194 take seats on the trial bench unopposed



Three Supreme Court justices and 28 district court of appeal judges -- including 10 of the 15 judges on the Second DCA -- have filed for merit retention on the November general election ballot.

For circuit court races, 151 seats were up for contention and 25 -- or one sixth of the total -- will have contested elections. In county court races, there are 30 contested judgeships, while 68 were settled without balloting.

On the Supreme Court, Chief Justice Jorge Labarga and Justices Charles T. Canady and Ricky L. Polston filed their papers for merit retention.

For the DCAs, on the First DCA, Ross Bilbrey, Susan Kelsy, Lori S. Rowe, Kent Wetherell, Bo Winokur, and Jim Wolf filed for retention.

For the Second DCA, John Badalamenti, Marva L. Crenshaw, Patricia J. Kelly, Nelly N. Khouzam, Matt Lucas, Robert Morris, Stevan Travis Northcutt, Samuel Salario, Jr., Craig C. Villanti, and Douglas Alan Wallace are on the ballot.

And while 10 judges are up for merit retention in the Second DCA, only two are on the Third DCA: Edwin A. Scales and Linda Ann Wells.

On the Fourth DCA, Judges Cory J. Ciklin, Dorian K. Damoorgian, Jonathan D. Gerber, Robert Marc Gross, Spencer D. Levine, and Melanie G. May filed for retention.

On the Fifth DCA, Judges Jay Cohen, James A. Edwards, Brian Lambert, and Vincent G. Torpy, Jr., qualified for the November ballot.

For circuit court judgeships, there are contested races in the Third, Fourth, Seventh, Ninth, 11th, 13th, 15th, 17th, 18th, and 19th circuits.

The contested races are:

- In the **Third Circuit, Seat 1**, Judge Paul S. Bryan is being challenged by T. Bradley McRae.
- In the **Fourth Circuit, Seat 9**, Bruce R. Anderson and David P. Trotti have filed. In **Seat 25**, Judge Mark Hulsey is facing Gerald L. Wilkerson.
- In the **Seventh Circuit, Seat 4**, Chris France, Sebrina L. Slack, and Stasia Warren have filed. In **Seat 10**, Malcolm Anthony, Judge Scott DuPont, and Jim Riecks are on the ballot. In **Seat 13**, Judge David Hood is being challenged by A. Kathleen McNeilly. In **Seat**

17, Linda L. Gaustad is running against Judge Howard O. McGillin, Jr.

- In the **Ninth Circuit, Seat 4**, Orley Burey, Lius Calderon, and Joseph Haynes Davis are on the ballot. In **Seat 14**, Lorraine Elizabeth DeYoung has filed against Judge Dan Traver.

- In the **11th Circuit, Seat 9**, Judge Jason Edward Bloch is facing Marcia Del Rey. In **Seat 34**, Mark Blumstein, Renee Gordon, Denise Martinez-Scanziani, and Luis Perez-Medina have filed. In **Seat 52**, Rosy A. Aponte, Carol "Jodie" Breece, and Oscar Rodriguez-Fonts are on the ballot. In **Seat 66**, Judge Robert Joshua Luck is being challenged by Yolly Roberson. In **Seat 74**, Elena Ortega-Tauler has filed against Judge George "Jorge" A. Sarduy.

- In the **13th Circuit, Seat 3**, Robin Fernandez Fuson and Carl Hinson have filed. In **Seat 24**, Isabel Cissy Boza Sevelin, Gary Dolgin, Melissa Polo, and Lanell Williams-Yulee are on the ballot.

- In the **15th Circuit, Seat 1**, Judge Dina Keever is being challenged by Robert "Rob" Ostrov. In **Seat 4**, Luis "Lou" Delgado, Gregory Tendrich, and Jeremy M. Zubkoff have filed.

- In the **17th Circuit, Seat 9**, Andrea Ruth Gundersen, Lea P. Krauss, and Maxine K. Streeter have qualified. In **Seat 15**, Haccord James Curry, Jr., Judge Matthew Isaac Destry, Barbara Roseann Duffy, Brian Frederick Greenwald, and Abbe Sheila Rifkin have filed. In **Seat 23**, Judge Barbara McCarthy is facing David A. Salomon. In **Seat 24**, Doreen Turner Inkeles and Michael Lynch are facing off.

- In the **18th Circuit, Seat 9**, Steve Henderson, Bob Moletteire, and Christina Sanchez have qualified.

- In the **19th Circuit, Seat 1**, Beth Elaine Allen has filed against Judge James W. "Jim" McCann. In **Seat 6**, Michael J. McNicholas, Robert "Bob Meadows, Kiernan Patrick Moylan, and Leonard Silvio Villafranco are on the ballot.

All the contested elections will appear on the August 30 primary ballot. Any runoffs will be resolved on the November 8 general election ballot.

Following are those who were elected without opposition. Those with an asterisk (there are three) were not incumbents:

- **First Circuit:** John Thomas Brown, Michael A. Flowers, Coleman Lee Robinson, and William Francis Stone.

- **Second Circuit:** Karen Gievers, Dawn Caloca-Johnson, James C. "Jimmy" Hankinson, and Jonathan Sjoström.

- **Fourth Circuit:** Marianne Lloyd Aho, Russell Healey, Angela M. Cox, Steven Fahlgren, Mark Mahon, Jack Marvin Schemer, and Linda F. McCallum.

- **Fifth Circuit:** Robert W. Hodges, Lawrence J. Semento, Thomas Ralph Eineman, Donald E. Scaglione, Ann Melinda Craggs, Sandra Sue Robbins, Willard Ira Pope, and William Henry "Bud" Hallman III.

- **Sixth Circuit:** Peter Ramsberger, Sherwood S. Coleman, Patricia A. "Trish" Muscarella, Jack Helinger, Patrice Moore, Cynthia Newton, Keith Meyer, Michael Francis Andrews, and Kimberly "Kim" Todd.

- **Seventh Circuit:** Matt Foxman, Craig Dennis, and Dawn D. Nichols.

- **Eighth Circuit:** David Kreider, Robert E. Roundtree, Jr., Donna M. Keim, Mark W. Moseley, James M. Colaw, and Monica J. Brasington.

- **Ninth Circuit:** A. James Craner II, Christi Underwood, Alice L. Blackwell, Renee Roche, Don Myers, Robert Egan, Julie O'Kane, Greg Allen Tynan, Patricia Strowbridge, and Lisa T. Munyon.

- **10th Circuit:** Donald G. Jacobsen, Kelly P. Butz, Keith Peter Spoto, Michael E. Raiden, Ellen S. Masters, Reinaldo Ojeda, J. Kevin Abdoney, Angela Jane Cowden, and James Alan Yancey.

- **11th Circuit:** John Charles Schlesinger, Rudolfo "Rudy" Armando Ruiz II, Scott Bernstein, Bertila A. Soto, John W. Thornton, Jr., Jennifer D. Bailey, Rosa I. Rodriguez, Barbara Areces, David Young*, William Thomas, Milton "Milt" Hirsch, Samantha Ruiz Cohen, Nushin G. Sayfie, and Monica Gordo.

- **12th Circuit:** Diana Lee Moreland and Thomas W. Krug.

- **13th Circuit:** Liz Rice, Wesley Tibbals, Chris Nash, Denise D. Almeida-Pomponio, Mark Kiser, Emmett Lamar Battles, and Tom Barber.

- **14th Circuit:** Tim Register*, Pete Mallory, Christopher N. Patterson, and Brantley S. Clark, Jr.
- **15th Circuit:** Howard Kelly Coates, Jr., Laura Johnson*, Cheryl Annette Caracuzzo, Edward Artau, Krista Marx, Meenu Sasser, Scott Suskauer, John S. Kastrenakes, Kirk Volker, Donald W. Hafele, and Lisa Small.
- **16th Circuit:** Timothy J. Koenig.
- **17th Circuit:** Kenneth L. Gillespie, Elijah Harold Williams, Carlos A. Rodriguez, Hope Tieman-Bristol, William W. "Bill" Haury, Jr., Carlos Rebollo, Lisa Porter, Stacy Michelle Ross, Michael L. Gates, Sandra Perlman, and Edward Harold Merrigan, Jr.
- **18th Circuit:** Kelly Jo McKibben, Jessica J. Recksiedler, David Dugan, Michael J. Rudisill, and Morgan Laur Reinman.
- **19th Circuit:** Gary L. Sweet, Janet Carney Croom, and Charles Schwab.
- **20th Circuit:** Jim Shenko, Nick Thompson, Jay B. Rosman, Ramiro Manalich, Alane Laboda, James D. Sloan, Lauren L. Brodie, and Robert J. Branning.

County judge race information was assembled from individual supervisors of elections' websites and it's possible some information is missing or erroneous. Any additional information should be sent to Senior Editor Gary Blankenship at gbship@floridabar.org. Also, those websites usually do not indicate incumbent judges, so they are not labeled on the following lists.

Here are the contested county court races:

- In **Bradford County**, John Cooper, Tatum Davis, Curtis A. "Lex" Sanders, Paul Sanders, and Dan Sikes.
- In **Brevard County**, Group 2, Francis D. DeMuro, Oscar Hotusing, Kelly McCormack Ingram, and Rodney Miles Kernan.
- In **Broward County**, Group 2, Kal Le Var Koble Evans and Phyllis Pritcher. In Group 3, Florence Taylor Barner, Adam Geller, W. Dale Miller, and Rhoda Sokoloff. In Group 7, Brenda Di Iorio, Nina Weatherly Di Pietro, and Ian Richards. In Group 8, Kathleen McCarthy and Stephen J. Zaccor. In Group 13, Betsy Benson and Mark D. Kushner. In Group 14, Alfreda D. Coward, Samuel D. Lopez, Kim Theresa Mollica, and Bradford Alan Peterson. In Group 21, Deborah Carpenter-Toye and Russell Miller Thompson.
- In **Hendry County**, Scott H. Cupp is facing Daniel R. Paige, Sr.
- In **Hernando County**, Donald M. "Sonny" McCathran, Jr., and Kristie Ruppe have filed.
- In **Hillsborough County**, Group 10, Shelton Bridges and Miriam Velez Valkenburg have qualified.
- In **Holmes County**, Roseanna Bronhard, Lucas (Luke) N. Taylor, Timothy H. Wells, and Brandon J. Young have filed.
- In **Lake County**, Group 2, Benjamin Michael Boylston, Brian J. Weihe, Cary Frank Rada, Jonathan P. Olson, and Judy Ann Stewart are running.
- In **Lee County**, Group 4, Leah Harwood and Archie B. Hayward, Jr., have qualified.
- In **Leon County**, Group 2, Monique Richardson and J. Layne Smith are on the ballot.
- In **Miami-Dade County**, Group 5, Milena Abreau and Fred Seraphin have filed. In Group 7, Lizzet Martinez and Ed Newman are on the ballot. In Group 15, Ruben Y. Alcoba and Linda Luce will face off. In Group 35, Wendell Graham and Antonio "Tony" Jiminez are competing.
- In **Monroe County**, Group 3, Sharon Hamilton and Rob Stober have filed.
- In **Orange County**, Group 1, Eric DuBois, Michael Gibson, and Roger Scott qualified. In Group 4, David Johnson, Kafi D. Kennedy Swanson, and Tom Young are on the ballot. In Group 5, Mark Anthony Arias, Harold M. Bacchus, Frank George, and Evellen Jewett will face off.
- In **Pasco County**, Group 4, Debra Roberts, Scott S. Tremblay, and Michael P. Wilson filed.
- In **Pinellas County**, Group 8, Dora Komninos and Curtis "CK" Korsko are on the ballot. In Group 9, Dwight Dudley and Myriam

Trizarry qualified.

- In **Polk County**, Group 4, Mary Catherine Green and L. Mark Kaylor are facing off. In Group 8, Susan Lee Barber, Carson Bassett, and Michael P. McDaniel filed.

- In **St. Lucie County**, Group 3, Ed Alonzo and Nirlaine Tallandier Smartt are on the ballot.

Here are those elected without opposition to county judgeships:

- In **Alachua County**, Susan Miller-Jones, Walter M. Green, and Tom Jaworski.

- In **Bay County**, Tommy Welch.

- In **Brevard County** David E. Silverman, Rhonda E. Babb, and David C. Koenig.

- In **Broward County**, John D. Fry, Daniel Joseph Kanner, John "Jay" Hurley, Mindy Solomon, Kenneth A. Gottlieb, Mardi Anne Levey Cohen, and Giuseppina Miranda.

- In **Citrus County**, Mark Yerman.

- In **Clay County**, Timothy Collins

- In **Collier County**, Michael Provost.

- In **Desoto County**, Don T. Hall

- In **Duval County**, John A. Moran, Lester B. Bass, Eleni E. Derke, Ronald Higbee, and Eric Roberson.

- In **Escambia County**, Pat Kinsey and Jennifer Frydrychowicz

- In **Hillsborough County**, Artemeus E. McNeil and Paul T. Jeske,

- In **Manatee County**, Doug Henderson.

- In **Marion County**, Jim McCune.

- In **Martin County**, Darren Steele.

- In **Miami-Dade County**, Michaelle Gonzalez-Paulson, Carroll Kelly, Diana Vizcaino, and Laura Anne Stuzin.

- In **Monroe County**, Peary Fowler and Ruth Becker.

- In **Okaloosa County**, James Ward and T. Patterson Maney.

- In **Orange County**, Elizabeth Starr, Wayne J. Shoemaker, Gisela T. Laurent, and Tanya Davis Wilson.

- In **Palm Beach County**, Marni Bryson, Mark Eissey, Paul A. Damico, Caroline Shepherd, Barry M. Cohen, Sheree Cunningham, and August Bonavita.

- In **Pinellas County**, John D. Carballo, Holly T. Grissinger, Paul Levine, Dorothy Vaccaro, and Kathleen "Kathy" T. Hessinger.

- In **Polk County**, Robert G. Fegers, Sharon M. Franklin, and Gerald P. Hill II.

- In **Santa Rosa County**, Robert Hilliard.

- In **Sarasota County**, Phyllis Galen, MaryAnn Boehm, and Erika Quartermaine.

- In **Seminole County**, Fred Schott.

- In **St. Johns County**, Charles J. Tinlin.

- In **Suwannee County**, William F. "Lin" Williams.
- In **Volusia County**, Robert A. Sanders, Jr.
- In **Wakulla County**, Jill Walker.
- In **Walton County**, David Green.
- In **Washington County**, Colby Peel.

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Henry Latimer Center for Professionalism

Barriers to Justice in the American Legal System

Barriers to Justice deny litigants constitutionally protected rights, including access to justice, meaningful due process, a fair and neutral judge, and legitimate appellate review.

Barriers to Justice are especially harmful and onerous to ordinary people who appear in court proceedings without a lawyer, unrepresented parties, or *pro se* litigants representing themselves.

1. Only a Florida licensed attorney in good standing is **competent** (Rule 4-1.1) or **diligent** (Rule 4-1.3) to provide me legal advice and/or legal representation.
2. This Court found me indigent/insolvent. I am a non-lawyer, unable to obtain adequate counsel, a consumer of legal and court services affecting interstate commerce.
3. Legal protections found under the Constitution and laws of the U.S. and Florida include,
 - Due Process Clause; Equal Protection Clause, Fourteenth Amendment, U.S. Constitution.
 - Powell v. Alabama, 287 U.S. 45, for “due process in the constitutional sense”
 - Due Process, Article I, Section 9, Florida Constitution
 - Access to Courts, Article I, Section 21, Florida Constitution
 - Basic Rights, Article I, Section 2, Florida Constitution
 - Fla. Stat. § 29.007 Court-appointed counsel “This section applies in any situation in which the court appoints counsel to protect a litigant’s due process rights.”
 - Chapter 27 Florida Statutes, Part III, Other Court-Appointed Counsel. Civil Regional Counsel where mandated constitutionally or by general law in civil cases.
 - The Americans With Disabilities Act (ADA) and the ADA Amendments Act (ADA 2008)
 - The Rehabilitation Act of 1973, as amended.
4. I am over age 60. The Older Americans Act (OAA) 42 U.S.C. 3001 et seq., as amended, provides for legal services under **Title III B** Services or Activities for persons age 60 and over.
5. In Florida, the OAA is administered under Chapter 430, Florida Statutes, by the Department of Elder Affairs, section 430.101, Administration of federal aging programs.
6. The Department of Elder Affairs was established by Section 20.41, Florida Statutes.
7. I am not competent, and not diligent, as defined by the Rules Regulating The Florida Bar:
 - Florida Bar Rule 4-1.1 Competence.

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A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation.

- Florida Bar Rule 4-1.3 Diligence.

A lawyer shall act with reasonable diligence and promptness in representing a client.

8. Powell vs. Alabama, civil counsel required for “due process in the constitutional sense”.

MR. JUSTICE SUTHERLAND delivered the opinion of the Court....“If in any case, civil or criminal, a state or federal court were arbitrarily to refuse to hear a party by counsel, employed by and appearing for him, it reasonably may not be doubted that such a refusal would be a denial of a hearing, and, therefore, of due process in the constitutional sense...”

“...The right [p69] to be heard would be, in many cases, of little avail if it did not comprehend the right to be heard by counsel. Even the intelligent and educated layman has small and sometimes no skill in the science of law. If charged with crime, he is incapable, generally, of determining for himself whether the indictment is good or bad. He is unfamiliar with the rules of evidence. Left without the aid of counsel, he may be put on trial without a proper charge, and convicted upon incompetent evidence, or evidence irrelevant to the issue or otherwise inadmissible. He lacks both the skill and knowledge adequately to prepare his defense, even though he have a perfect one. He requires the guiding hand of counsel at every step in the proceedings against him. Without it, though he be not guilty, he faces the danger of conviction because he does not know how to establish his innocence. If that be true of men of intelligence, how much more true is it of the ignorant and illiterate, or those of feeble intellect. If in any case, civil or criminal, a state or federal court were arbitrarily to refuse to hear a party by counsel, employed by and appearing for him, it reasonably may not be doubted that such a refusal would be a denial of a hearing, and, therefore, of due process in the constitutional sense...”

Powell v. Alabama, 287 U.S. 45 Argued: October 10, 1932
Decided: November 7, 1932 224 Ala. 524, 531, 540, reversed.

9. The Supreme Court of Florida has a duty and the authority to administratively provide civil legal counsel under the Fourteenth Amendment of the U.S. Constitution for Due Process:

The Constitution states only one command twice. The Fifth Amendment says to the federal government that no one shall be “deprived of life, liberty or property without due process of law.” The Fourteenth Amendment, ratified in 1868, uses the same eleven words, called the Due Process Clause, to describe a legal obligation of all states. These

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words have as their central promise an assurance that all levels of American government must operate within the law ("legality") and provide fair procedures....

Wex Due Process Article by Richard Strauss, Legal Information Institute Cornell Law
https://www.law.cornell.edu/wex/du_e_process

10. Constitutional requirement for due process under Florida law:

Article 1, section 9, Florida Constitution.

SECTION 9. Due process.—No person shall be deprived of life, liberty or property without due process of law, or be twice put in jeopardy for the same offense, or be compelled in any criminal matter to be a witness against oneself.

11. Case law for due process under Florida Law:

10A Fla. Jur 2d Constitutional Law § 480 (2007)

The guaranty of due process of law extends to every type of legal proceeding. Pelle v. Diners Club, 287 So. 2d 737 (Fla. Dist. Ct. App. 3d Dist. 1974); Tomayko v. Thomas, 143 So. 2d 227 (Fla. Dist. Ct. App. 3d Dist. 1962). Whenever life, liberty, or property rights are involved in any official action, the organic requirements of due process of law must be afforded, whether such action is the exercise of the powers of government by governmental departments, State ex rel. Barancik v. Gates, 134 So. 2d 497 (Fla. 1961); Williams v. Kelly, 133 Fla. 244, 182 So. 881 (1938) or a duly authorized administrative or ministerial function or duty. State ex rel. Barancik v. Gates. The constitutional guaranty of due process of law applies not only to court and administrative procedures, but also to legislative acts. Williams v. U.S., 179 F.2d 644 (5th Cir. 1950), cert. granted, 340 U.S. 849, 71 S. Ct. 77, 95 L. Ed. 622 (1950) and judgment aff'd, 341 U.S. 70, 71 S. Ct. 581, 95 L. Ed. 758 (1951) (implied overruling on other grounds recognized by, U.S. v. McDermott, 918 F.2d 319 (2d Cir. 1990)) and (overruling on other grounds recognized by, Brzonkala v. Virginia Polytechnic Institute and State University, 169 F.3d 820, 136 Ed. Law Rep. 15 (4th Cir. 1999)).

10A Fla. Jur 2d Constitutional Law § 483 (2007)

Due process encompasses both substantive and procedural due process. McKinney v. Pate, 20 F.3d 1550 (11th Cir. 1994); M.W. v. Davis, 756 So. 2d 90, 25 Fla. L. Weekly S334 (Fla. 2000); State v. O.C., 748 So. 2d 945, 24 Fla. L. Weekly S425 (Fla. 1999).

12 Constitutional due process is required for Access to Courts, Article I, Section 21, Florida Constitution, and Basic Rights, Article I, Section 2, Florida Constitution.

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SECTION 21. Access to courts.—The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay.

SECTION 2. Basic rights.—All natural persons, female and male alike, are equal before the law and have inalienable rights, among which are the right to enjoy and defend life and liberty, to pursue happiness, to be rewarded for industry, and to acquire, possess and protect property; except that the ownership, inheritance, disposition and possession of real property by aliens ineligible for citizenship may be regulated or prohibited by law. No person shall be deprived of any right because of race, religion, national origin, or physical disability.

13. A litigant has a right to conflict-free counsel, http://en.wikipedia.org/wiki/Right_to_counsel
Whether counsel is retained or appointed, the defendant has a right to counsel without a conflict of interest *. If an actual conflict of interest is present, and that conflict results in any adverse effect on the representation, the result is automatic reversal.[17] The general rule is that conflicts can be knowingly and intelligently waived,[18] but some conflicts are unwaivable. [19] *Wheat v. United States, 486 U.S. 153 (1988), conflicts of interest

[17] Burger v. Kemp, 483 U.S. 776 (1987); Cuyler v. Sullivan, 446 U.S. 335 (1980); Holloway v. Arkansas, 435 U.S. 475 (1978).

[18] See United States v. Curcio, 680 F.2d 881 (2d Cir. 1982).

[19] See, e.g., United States v. Schwarz, 283 F.3d 76 (2d Cir. 2002); United States v. Fulton, 5 F.3d 605 (2d Cir. 1993).

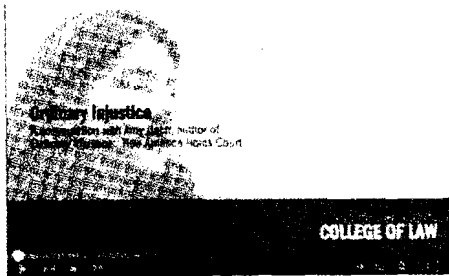
14. Barrier to Justice: Collapse of the Adversarial System
<http://youtu.be/4ug8lXPEexo>

Attorney and journalist Amy Bach spent eight years investigating the widespread courtroom failures that each day upend lives across America. In the process, she discovered how the professionals who work in the system, however well intentioned, cannot see the harm they are doing to the people they serve. The book is Ordinary Injustice, How America Holds Court. <http://ordinaryinjustice.com/>. From the transcript of the Ordinary Injustice video,

Amy Bach on YouTube

<http://youtu.be/4ug8lXPEexo>

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AMY BACH: I wrote this book and it's about places in America where there has been a collapse of the adversarial system. And what I mean by that is that the lawyers stopped checking each other in the ways that they're supposed to. And the result is, is that ordinary people are hurt on a daily basis.

There is this adversarial system in America and it's the prosecutor and defense attorney and neutral judge up above, but when it doesn't work they're not checking each other and they all line up together. They're all like an arrow. They're all moving towards something, but it's not justice. They're not doing the adversarial protections that they're -- they're not protecting the people that they're supposed to be protecting.

15. Barrier to Justice: Ambient judicial bias
<http://ir.lawnet.fordham.edu/flr/vol75/iss6/4/>

The Honorable Dennis Jacobs, *The Secret Life of Judges*, 75 *Fordham L. Rev.* 2855 (2007).

When I refer to the secret life of judges, I am speaking of an inner turn of mind that favors, empowers, and enables our profession and our brothers and sisters at the bar. It is secret, because it is unobserved and therefore unrestrained-by the judges themselves or by the legal community that so closely surrounds and nurtures us. It is an ambient bias. (par. 3, p. 2856)

This bias has several effects and ramifications. Judges all too frequently frame legal doctrines without considering the litigants' transaction costs. Considering how many of us conscientiously think hard about the economic consequences of the outcomes we adopt, it seems strange that our cases reflect an almost complete disregard and ignorance of the costs, uncertainties, and delays inflicted by the judicial process itself. I think that is because judges as lawyers cannot see as a problem the activity and busyness from which our brothers and sisters at the bar draw their livelihood, their career advancement, their distinction, and (often) their sense of purpose in life. All of this depends on the ceaseless turning of the legal machine. (paragraph 4, page 2856)

[myth of the adversarial process]

Judges tend to assume that the adversary process assures a fair fight and a just outcome. And judges work hard to be fair as between the adversarial positions presented. But almost always, the adversaries on all sides are lawyers; so adversariness is no great

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engine for assuring fairness when it comes to the allocation of decision-making power between lawyers (adversaries all) and the institutions and populations outside our profession. The result is not that lawyers and the legal profession always win in court contests (even though they are on both sides); but, there is no doubt that they get to punch above their weight. (page 2856-2857)

I sometimes think that the problem at bottom is really a lack of respect by lawyers for other people. Judges live chiefly in a circle of lawyers. But outside that circle there are people who are just as fully absorbed by other pursuits that deserve consideration and respect. Judges need a heightened respect for how nonlawyers solve problems, reach compromises, broker risks, and govern themselves and their institutions. There are lawyers on the one hand; and just about everybody else is the competition in the framing of values and standards of behavior. (par. 4-5, page 2861)

The legal mind is indispensable to lawyering, and for other purposes it is perfectly okay in its way. But it has its limitations. For example, every problem-solving profession--except ours--quickly adopts as preferred the solution that is simplest, cheapest, and most efficacious, or (as they say) elegant... (par. 5, p. 2862)

As a matter of self-awareness and conscience, judges should accept that the legal mind is not the best policy instrument, and that lawyer-driven processes and lawyer-centered solutions can be unwise, insufficient, and unjust, even if our friends and colleagues in the legal profession lead us that way. For the judiciary, this would mean a reduced role, but not a diminished one if the judiciary is elevated by considerations of honor, self-restraint, and respect for other influences. (last par., p. 2863)

16.

Barrier to Justice: The Lawyer-Judge Bias in the American Legal System

<http://www.cambridge.org/us/academic/subjects/law/us-law/lawyer-judge-bias-american-legal-system>

Prof. Barton on YouTube

http://youtu.be/Hbs_3lePAjE



Professor Benjamin H. Barton, author of *The Lawyer-Judge Bias in the American Legal System*, writes that virtually all American judges are former lawyers, a shared background that results in the lawyer-judge bias. Barton argues that these lawyer-judges instinctively favor the

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legal profession in their decisions and that this bias has far-reaching and deleterious effects on American law. Professor Barton on YouTube discussing his book, http://youtu.be/Hbs_3lePAjE

17. **Barrier to Justice: The Litigation Privilege**
Renders the Supreme Court Verification Rule meaningless. Renders Bar Rule 4-3.3, Candor Toward The Tribunal, meaningless. Also see the Candor Packet.

The Litigation Privilege subverts the rule of law by allowing lawyers to lie in open court, and to lie in court documents, about factual or legal matters in a case, for tactical advantage.

From the rebuttal letter March 10, 2014 of attorney Barry Davidson for Danielle Nicole Parsons, The Florida Bar File No. 2014-30,525(9A), page 2:

With respect to any other claims Mr. Gillespie may allege in the future, I note that Ms. Parsons is protected from liability by the litigation privilege, which extends to all causes of action, including both common-law torts and statutory causes of action. *Levin, Middlebrooks, Mabie, Thomas, Mayes & Mitchell, P.A. v. US. Fire Ins. Co.*, 639 So. 2d 606, 608 (Fla. 1994) (holding that any act occurring during the course of a judicial proceeding enjoys "absolute immunity"); *see also Echevarria, McCalla, Raymer, Barrett & Frappier v. Cole*, 950 So. 2d 380, 384 (Fla. 2007) (holding that the litigation privilege extends to all causes of action, including statutory causes of action).

For example, Florida Bar Rule 4-3.3 Candor Toward The Tribunal.

RULE 4-3.3 CANDOR TOWARD THE TRIBUNAL

<https://www.floridabar.org/divexe/rrtfb.nsf/FV/C7603354C3858947852574F60059B58C>

- (a) False Evidence; Duty to Disclose. A lawyer shall not knowingly:
- (1) make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer;
 - (2) fail to disclose a material fact to a tribunal when disclosure is necessary to avoid assisting a criminal or fraudulent act by the client;
 - (3) fail to disclose to the tribunal legal authority in the controlling jurisdiction known to the lawyer to be directly adverse to the position of the client and not disclosed by opposing counsel; or
 - (4) offer evidence that the lawyer knows to be false. A lawyer may not offer testimony that the lawyer knows to be false in the form of a narrative unless so ordered by the tribunal. If a lawyer, the lawyer's client, or a witness called by the lawyer has offered material evidence and the lawyer comes to know of its falsity,

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the lawyer shall take reasonable remedial measures including, if necessary, disclosure to the tribunal. A lawyer may refuse to offer evidence that the lawyer reasonably believes is false.

(b) Criminal or Fraudulent Conduct. A lawyer who represents a client in an adjudicative proceeding and who knows that a person intends to engage, is engaging, or has engaged in criminal or fraudulent conduct related to the proceeding shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal.

(c) Ex Parte Proceedings. In an ex parte proceeding a lawyer shall inform the tribunal of all material facts known to the lawyer that will enable the tribunal to make an informed decision, whether or not the facts are adverse.

(d) Extent of Lawyer's Duties. The duties stated in this rule continue beyond the conclusion of the proceeding and apply even if compliance requires disclosure of information otherwise protected by rule 4-1.6.

Informational Packet, Candor Toward the Tribunal, Florida Bar Ethics Department Aug 25, 2016

[https://www.floridabar.org/TFB/TFBResources.nsf/Attachments/0F161F3B5030FE0485256B29004BEEEDD/\\$FILE/Candor%20Packet.pdf?OpenElement](https://www.floridabar.org/TFB/TFBResources.nsf/Attachments/0F161F3B5030FE0485256B29004BEEEDD/$FILE/Candor%20Packet.pdf?OpenElement)

The lawyer's duty not to assist witnesses, including the lawyer's own client, in offering false evidence stems from the Rules of Professional Conduct, Florida statutes, and caselaw. (page 6)

Rule 4-1.2(d) prohibits the lawyer from assisting a client in conduct that the lawyer knows or reasonably should know is criminal or fraudulent.

Rule 4-3.4(b) prohibits a lawyer from fabricating evidence or assisting a witness to testify falsely.

Rule 4-8.4(a) prohibits the lawyer from violating the Rules of Professional Conduct or knowingly assisting another to do so.

Rule 4-8.4(b) prohibits a lawyer from committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer.

Rule 4-8.4(c) prohibits a lawyer from engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Rule 4-8.4(d) prohibits a lawyer from engaging in conduct that is prejudicial to the administration of justice.

Rule 4-1.6(b) requires a lawyer to reveal information to the extent the lawyer reasonably believes necessary to prevent a client from committing a crime.

This rule, 4-3.3(a)(2), requires a lawyer to reveal a material fact to the tribunal when disclosure is necessary to avoid assisting a criminal or fraudulent act by the client, and 4-

Barriers to Justice in the American Legal System

3.3(a)(4) prohibits a lawyer from offering false evidence and requires the lawyer to take reasonable remedial measures when false material evidence has been offered.

Rule 4-1.16 prohibits a lawyer from representing a client if the representation will result in a violation of the Rules of Professional Conduct or law and permits the lawyer to withdraw from representation if the client persists in a course of action that the lawyer reasonably believes is criminal or fraudulent or repugnant or imprudent. Rule 4-1.16(c) recognizes that notwithstanding good cause for terminating representation of a client, a lawyer is obliged to continue representation if so ordered by a tribunal.

To permit or assist a client or other witness to testify falsely is prohibited by section 837.02, Florida Statutes (1991), which makes perjury in an official proceeding a felony, and by section 777.011, Florida Statutes (1991), which proscribes aiding, abetting, or counseling commission of a felony.

Florida caselaw prohibits lawyers from presenting false testimony or evidence. *Kneale v. Williams*, 30 So. 2d 284 (Fla. 1947), states that perpetration of a fraud is outside the scope of the professional duty of an attorney and no privilege attaches to communication between an attorney and a client with respect to transactions constituting the making of a false claim or the perpetration of a fraud. *Dodd v. The Florida Bar*, 118 So. 2d 17 (Fla. 1960), reminds us that "the courts are . . . dependent on members of the bar to . . . present the true facts of each cause . . . to enable the judge or the jury to [decide the facts] to which the law may be applied. When an attorney . . . allows false testimony . . . [the attorney] . . . makes it impossible for the scales [of justice] to balance." See *The Fla. Bar v. Agar*, 394 So. 2d 405 (Fla. 1981), and *The Fla. Bar v. Simons*, 391 So. 2d 684 (Fla. 1980).

The United States Supreme Court in *Nix v. Whiteside*, 475 U.S. 157 (1986), answered in the negative the constitutional issue of whether it is ineffective assistance of counsel for an attorney to threaten disclosure of a client's (a criminal defendant's) intention to testify falsely.

Ex parte proceedings

Ordinarily, an advocate has the limited responsibility of presenting 1 side of the matters that a tribunal should consider in reaching a decision; the conflicting position is expected to be presented by the opposing party. However, in an ex parte proceeding, such as an application for a temporary injunction, there is no balance of presentation by opposing advocates. The object of an ex parte proceeding is nevertheless to yield a substantially just result. The judge has an affirmative responsibility to accord the absent party just consideration. The lawyer for the represented party has the correlative duty to make disclosures of material facts known to the lawyer and that the lawyer reasonably believes are necessary to an informed decision.

Barriers to Justice in the American Legal System

18. Barrier to Justice: U.S. Civil Court System Needs Major Overhaul
Rebuilding Justice - Rebecca Love Kourlis and Dirk Olin
<http://iaals.du.edu/rebuilding-justice>

Foreword by Justice Sandra Day O'Connor: Our country's courts are in danger.
<http://iaals.du.edu/rebuilding-justice/foreword-by-justice-sandra-day-oconnor/>

Press Release: Denver, Colorado (July 18, 2011) - Over the past several decades, the civil justice process has become alarmingly expensive, politicized, and time-consuming, with fewer jury trials and more drawn-out cases that polarize and penalize parties seeking to resolve disputes. The court system often does not meet the needs of the American people, resulting in a rift between citizens and their legal system. But in order to amend and protect the courts, we must first understand them.

In *Rebuilding Justice*, Rebecca Love Kourlis and Dirk Olin, in conjunction with the Institute for the Advancement of the American Legal System (IAALS), illuminate why the courts are critical and how they are being eroded, defaced, and undermined in the twenty-first century. Kourlis and Olin propose practical and empowering solutions that aim to improve the efficiency, accessibility, and integrity of the American judicial system...

<http://iaals.du.edu/images/wygwam/documents/pressreleases/RebuildingJusticePR071811.pdf>

Rebecca Love Kourlis

YouTube: <http://youtu.be/e6CDpWI1o9U>



Interview on PBS News Hour October 18, 2011

http://www.pbs.org/newshour/bb/law-july-dec11-civilcourts_10-18/

RAY SUAREZ: Well, the book reads like a 230-page indictment. What's the problem?

Barriers to Justice in the American Legal System

REBECCA LOVE KOURLIS: Well, it's not that complicated -- or it shouldn't be. If you get in a car wreck, and there's an argument about who should be paying damages, your assumption is that you can go to court to have that case resolved. The truth of the matter is that's probably the last place you want to be, because the fees and the costs will ultimately be more than your car is worth, even if you drive a really nice car.... YouTube: <http://youtu.be/e6CDpWI1o9U>

19. Barrier to Justice: Failed self-regulation of the legal profession

The practice of law is unlike any other profession. Only the legal profession is self-regulated. Once a person is admitted to the practice of law, by passing the bar exam, passing character and fitness, and admission to the bar by the supreme court of the lawyer's state, the person becomes, *inter alia*, an officer of the court.

David W. Marston, a Philadelphia lawyer, former United States Attorney, Harvard Law grad, and Author of **Malice Aforethought**, *How Lawyers Use Our Secret Rules to Get Rich, Get Even and Get Away with It* (1991)



Dave Marston on YouTube
<https://youtu.be/AV7xIWw0zr0>

The practice of law is unlike any other *legitimate* profession, according to David W. Marston, a former U.S. Attorney, Harvard Law School grad, and author. Marston, a now Philadelphia lawyer, compared the legal business to the Mafia in *Malice Aforethought, How Lawyers Use Our Secret Rules To Get Rich, Get Sex, Get Even...And Get Away With It*, an exposé of America's legal profession.

"They all have undergone the same tough initiation, and once admitted to membership, all have sworn the same oath. They live by their own rules and

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have fiercely resisted efforts by outsiders to penetrate their clan. They have a code of silence that makes the Mafia's dreaded omerta seem gossipy. And while the organization rigidly limits the operations of its members to their assigned turf, their criminal activities within these areas are surprisingly varied." (Page 22, paragraphs 4 & 5)

"The organization enforces its own discipline, and outsiders can piece together only the most fragmentary picture of the process. But while hard statistics about crime and misconduct by its members remain elusive, there has unquestionably been a sharp escalation in recent years" (Page 23, paragraph 2)

"In every state, the organization has tentacles that reach into the legislature, as well as intimate knowledge of the local criminal justice system. Laws that might threaten operations are vigorously opposed, and when members are convicted of crimes, punishments are often lenient." (Page 23, paragraph 4)

"It's not the Mafia. Not the Medellin drug cartel... The members are all lawyers. And the organization is the American legal profession." (Pages 23-24) Malice Aforethought

RULE 4-8.3 REPORTING PROFESSIONAL MISCONDUCT

<https://www.floridabar.org/divexc/rrt/lb.nsf/FV/C77FC6BD3365174D85257172004B0FBC>

(a) Reporting Misconduct of Other Lawyers. A lawyer who knows that another lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to that lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects shall inform the appropriate professional authority.

(b) Reporting Misconduct of Judges. A lawyer who knows that a judge has committed a violation of applicable rules of judicial conduct that raises a substantial question as to the judge's fitness for office shall inform the appropriate authority.

COMMENT: Self-regulation of the legal profession requires that members of the profession initiate disciplinary investigation when they know of a violation of the Rules of Professional Conduct. Lawyers have a similar obligation with respect to judicial misconduct. An apparently isolated violation may indicate a pattern of misconduct that only a disciplinary investigation can uncover. Reporting a violation is especially important where the victim is unlikely to discover the offense...

20. Barrier to Justice: Poverty; indigency; appearing in forma pauperis; insolvency

Scarcity: Why Having Too Little Means So Much. Recent research by Sendhil Mullainathan of Harvard and Eldar Shafir of Princeton demonstrates that,

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Not only are the poor disproportionately exploited, the very fact of being poor creates extraordinary vulnerability to countless major and minor daily roadblocks.

There is a strong connection between scarce resources and cognition: The more a person struggles financially, the less he or she can channel brain processes to completing other tasks. When you can't make ends meet, the weight of worry occupies a large portion of the mind.

This doesn't just mean those who suffer because of poverty are just stressed but rather, incapable of dedicating themselves to other endeavors because their minds are so fully engrossed in finding ways to survive. It goes beyond the ability to pay bills, and stretches out to other important everyday responsibilities, such as parenting, going to night school or even remembering to take prescribed medicine.

21. Barrier to Justice: Political matters not amenable to courts

See for example, Corrie et al. v. Caterpillar, 05-36210, U.S.C.A.9
<http://ccrjustice.org/ourcases/current-cases/corrie-et-al.-v.-caterpillar>

Corrie v. Caterpillar is a federal lawsuit filed against Illinois-based Caterpillar, Inc. on behalf of the parents of Rachel Corrie, the 23-year-old American peace activist and student who was run over and killed by a Caterpillar bulldozer in Palestine on March 16, 2003, and on behalf of Palestinian families whose family members were killed or injured when bulldozers demolished their homes on top of them.

On September 17, 2007, the Ninth Circuit Court of Appeals affirmed the dismissal of CCR's case charging Caterpillar, Inc. The decision from a three-judge panel found that the Court did not have jurisdiction to decide the case because adjudication would intrude upon the political branches' foreign policy decisions. <http://www.chamberlitigation.com/corrie-et-al-v-caterpillar-inc>
http://njlaw.rutgers.edu/collections/resource.org/fed_reporter/NEW/circs/cir9/0536210_cir9.html

U.S. Court of Appeals, Ninth Circuit, No. 05-36210, D.C. No. CV-05-05192-FDB,
Opinion by Judge Wardlaw Filed September 17, 2007, For Publication
<https://ccrjustice.org/files/Ninth%20Circuit%20Opinion%202007.7.06.pdf>

Plaintiffs filed a petition for panel rehearing or rehearing en banc on October 9, 2007.
Plaintiffs' petition was denied on January 12, 2009.
<http://ccrjustice.org/files/1.12.09%20Order%20Denying%20Rehearing%20En%20Banc.pdf>

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Political Question Doctrine, Cornell U Law School, LII

https://www.law.cornell.edu/wex/political_question_doctrine

Federal courts will refuse to hear a case if they find it presents a political question. This phrase is construed narrowly, and it does not stop courts from hearing cases about controversial issues like abortion, or politically important topics like campaign finance. Rather, the Supreme Court has held that federal courts should not hear cases which deal directly with issues that Constitution makes the sole responsibility of the other branches of government. *Baker v Carr*, 369 U.S. 186 (1962). Therefore, the Court has held that the conduct of foreign relations is the sole responsibility of the executive branch, and cases challenging the way the executive is using that power present political questions. *Oetjen v. Central Leather Co.*, 246 U.S. 297 (1918). Similarly, the Court has held that lawsuits challenging congress' procedure for impeachment proceedings present political questions. *Nixon v. United States*, 506 U.S. 224 (1993).

Political question, Wikipedia

http://en.wikipedia.org/wiki/Political_question

In American Constitutional law, the political question doctrine is closely linked to the concept of justiciability, as it comes down to a question of whether or not the court system is an appropriate forum in which to hear the case. This is because the court system only has authority to hear and decide a legal question, not a political question. Legal questions are deemed to be justiciable, while political questions are nonjusticiable.[1]

22. Barrier to Justice: Information asymmetry

http://en.wikipedia.org/wiki/Information_asymmetry

In contract theory and economics, information asymmetry deals with the study of decisions in transactions where one party has more or better information than the other. This creates an imbalance of power in transactions, which can sometimes cause the transactions to go

Barriers to Justice in the American Legal System

awry, a kind of market failure in the worst case. Examples of this problem are adverse selection,[1] moral hazard, and information monopoly.[2]

Most commonly, information asymmetries are studied in the context of principal-agent problems. Information asymmetry causes misinforming and is essential in every communication process.[3] Information asymmetry is in contrast to perfect information, which is a key assumption in neo-classical economics.[4] In 2001 the Nobel Prize in Economics was awarded to George Akerlof, Michael Spence, and Joseph E. Stiglitz for their "analyses of markets with asymmetric information".[5]

23. Barrier to Justice: A Corrupt Judge

Craig Waters, Public Information Officer and Communications Director for the Florida Supreme Court, wrote,

"In the American judicial system, few more serious threats to individual liberty can be imagined than a corrupt judge. Clothed with the power of the state and authorized to pass judgment on the most basic aspects of everyday life, a judge can deprive citizens of liberty and property in complete disregard of the Constitution. The injuries inflicted may be severe and enduring...."

Judicial Immunity vs. Due Process When Should A Judge Be Subject to Suit?

Robert Craig Walters, Cato Journal, Vol.7, No.2 (Fall 1987)
http://www.tulanelink.com/pdf/judicial_immunity_waters.pdf

When a corrupt judge joins in combination with a corrupt law firm, and a corrupt clerk of court, against a nonlawyer *pro se* plaintiff, the result is not a court of law, but a type of organized crime and/or domestic terrorism.

THIS IS NOT A COMMERCIAL FORCLOSURE

REVERSE MORTGAGE SOLUTIONS, INC.,

Plaintiff,

vs.

NEIL J. GILLESPIE AND MARK GILLESPIE
AS CO-TRUSTEES OF THE GILLESPIE
FAMILY LIVING TRUST AGREEMENT
DATED FEBRUARY 10, 1997, ET AL.

Defendants.

IN THE CIRCUIT COURT OF THE
FIFTH JUDICIAL CIRCUIT FLORIDA
IN AND FOR MARION COUNTY

CASE NO.: 2013-CA-000115
42-2013-CA-000115-AXXX-XX

Residential HECM Foreclosure Case
Florida Homestead of Neil J. Gillespie
Section 4, Article X, Florida Constitution

F.S. § 702.015 **Note/copy missing**
Rule 1.115 Pleading Mortgage Foreclosures
Rule 1.100(c)(2) Civil cover sheet wrong.
F.S. § 837.06 False Official Statements
F.S. § 92.525 Verification of documents

SECOND VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS

This Motion is Verified by Neil J. Gillespie F.S. § 92.525(2); See the Separate Appendix:

JUDICIAL DISQUALIFICATION - MEMORANDUM OF LAW

By Defendant Neil J. Gillespie, a nonlawyer appearing *pro se*

Defendant Neil J. Gillespie, individually, and as former Trustee (F.S. Ch. 736 Part III) of the terminated Gillespie Family Living Trust Agreement Dated February 10, 1997 (“Terminated Trust”), an indigent non-lawyer, unable to obtain adequate counsel, a consumer of legal and court services affecting interstate commerce, a consumer of personal, family and household goods and services, consumer transactions in interstate commerce, a person with disabilities, a vulnerable adult, reluctantly appears *pro se*, henceforth in the first person, files *Verified Motion To Disqualify Circuit Judge Ann Melinda Craggs*, and states:

1. I move to disqualify Circuit Judge Ann Melinda Craggs (“Judge Craggs”) as judge in this action under Rule 2.330(b) Fla. R. Jud. Admin., and Canon 3E(1) Code of Judicial Conduct for the State of Florida, and State ex rel. Davis v. Parks, because I fear that I will not receive a fair trial in this cause because of specifically described prejudice or bias of the judge.



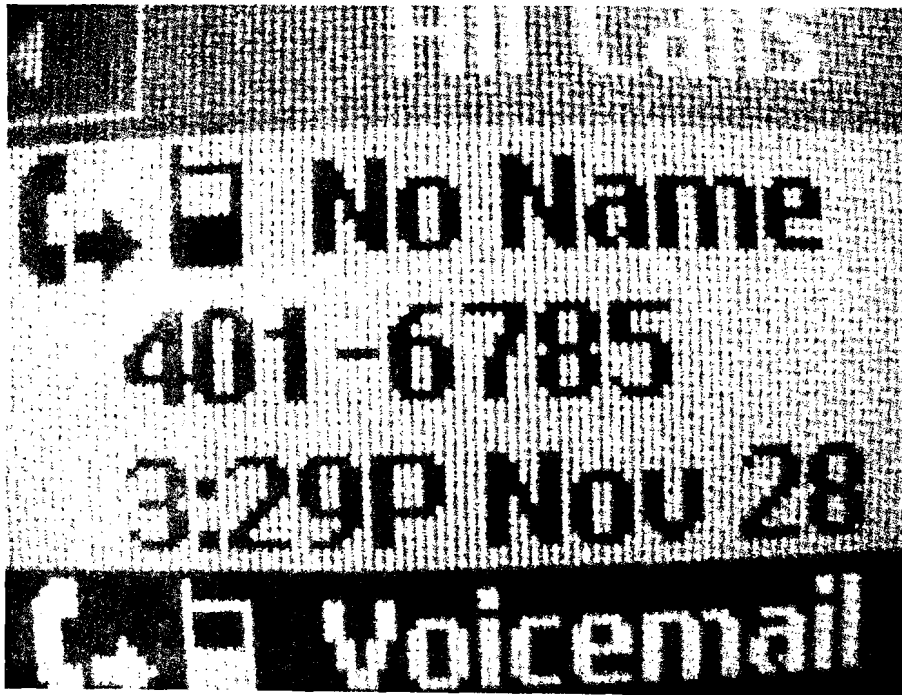
SECOND VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS

This Motion is Verified by Neil J. Gillespie F.S. § 92.525(2)

2. While driving to a Case Management scheduled by Judge Craggs for November 28, 2016 at 3:30 PM at the Marion County Judicial Center, I was delayed by traffic, and telephoned at 3:29 PM the Court at 401-6785 to advise that I was on my way, and in sight of the courthouse.

3. A webpage for Judge Craggs showing "Office: (352) 401-6785" appears at Exhibit 1.

4. An image of my cell phone screen appears imbedded below showing my telephone call to **401-6785 at 3:29P Nov 28**. I was greeted by voice mail of Maria Berrios, Judicial Assistant. I left a voice mail message advising that I was delayed but on my way, and in sight of the courthouse.



5. I arrived at the Marion County Judicial Center shortly thereafter. I entered courtroom 3B and observed Judge Craggs on the bench. Plaintiff's counsel Curtis Alan Wilson (77669) was seated at a table to my right. Several bailiffs or deputies were present. I did not see my court reporter, hired through U.S. Legal Support, to transcribe the hearing. (Exhibit 2).

SECOND VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS

This Motion is Verified by Neil J. Gillespie F.S. § 92.525(2)

6. I asked Judge Craggs if my court reporter had arrived. Judge Craggs responded that the court reported had come and gone. Judge Craggs said I was 9 minutes late, and the court reporter got tired of waiting, and left, or words to that effect.

7. Judge Craggs held the case management anyway. Because my court reporter left, I do not have any way to get a transcript of an important hearing.

6. Upon returning home, I emailed U.S. Legal Support at 5:04 PM Nov-28-2016: (Exhibit 3)

To: Sandra Redavid <sredavid@uslegalsupport.com>
Meridith Consor <mconsor@uslegalsupport.com>;
Cynthia Zingelmann <czingelmann@uslegalsupport.com>
Cc: Dawn Leslie <dleslie@uslegalsupport.com>

“Good afternoon. I was at a hearing today but the court reporter left because I was nine (9) minutes late. I called the court and explained that I was stuck in traffic. Now I do not have any way to get a transcript of the very important hearing. I don't know why I could not pay in advance by card, so the court reporter would be paid, and could wait nine (9) minutes for me to arrive late due to heavy traffic. Neil J Gillespie”

7. Dawn Leslie of US Legal Support responded at 5:13 PM Nov-28-2016: (Exhibit 3)

“I received a call from the reporter at 3:35pm stating that the judge told her to go ahead and leave because you were not in attendance. The reporter checked around in the lobby area for a few minutes before she left to make sure she didn't miss you. She was excused by the judge.”

“My apologies that she was not there when you arrived. Using a credit card was not brought up when you and I confirmed coverage earlier. You stated you would have \$115 with you for the reporter. I didn't fore-see any issues at the time.”

“Again, my apologies – but the judge excused her. The judge started the hearing at 3:30 exactly and wasn't going to wait.”

Dawn Leslie, FPM

Client Service Representative | U.S. Legal Support

7 East Silver Springs Boulevard, Suite 501, Ocala, Florida 34470

Office: 352-877-3337 | <http://www.uslegalsupport.com/>

SECOND VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS

This Motion is Verified by Neil J. Gillespie F.S. § 92.525(2)

8. I replied to Ms. Leslie at 5:23 PM Nov-28-2016: (Exhibit 3).

“Thank you. I believe the judge told the court reporter to leave, because they don't like transcripts involved. But the hearing did not start at 3:30 PM, because it was just me and opposing counsel. Opposing counsel just sat there until I arrived. Then the hearing started. I am certain the judge got my phone message. I said the courthouse was in view, but traffic was heavy. I want to make a complaint against the judge for sending the court reporter away after five minutes. Tellingly the judge did not send opposing counsel away, because the judge knew I was almost there. I would appreciate any detail about the judge's behavior. I am still willing to pay the court reporter something for showing up. Let me know what you think is fair. Thanks - Neil”

9. I received an auto response from Dawn Leslic at 5:23 PM Nov-28-2016: (Exhibit 4)

This message is an auto response to the e-mail message you sent to me.

I will be out of the office November 29, 2016 and will return November 30, 2016 at 8am.

Please contact our Jacksonville office at **904-359-0583** with any questions, concerns, scheduling matters, etc. You can email **floridascheduling@uslegalsupport.com** scheduling needs.

We appreciate your business. Thank you and have a wonderful weekend!

Dawn Leslie, FPM

Client Service Representative | U.S. Legal Support

7 East Silver Springs Boulevard, Suite 501, Ocala, Florida 34470

Office: 352-401-7521 | <http://www.uslegalsupport.com/>

Defective Service of Order Rescheduling Case Management

10. Judge Craggs entered ORDER SCHEDULING CASE MANAGEMENT August 30, 2016 that appears at Exhibit 5 as I received the Order in the U.S. Mail addressed to Neil J. Gillespie. The Certificate of Service shows 12 names served by U.S. mail, and is certified by Maria I. Berrios, Judicial Assistant.

11. Judge Craggs entered ORDER CANCELING AND RESCHEDULING CASE MANAGEMENT October 5, 2016 that appears at Exhibit 6 as served by Ms. Berrios in two separate emails, one at 5:09 PM, and one at 5:24 PM. The Certificate of Service shows only 2

SECOND VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS

This Motion is Verified by Neil J. Gillespie F.S. § 92.525(2)

names, Mr. Curtis Wilson, Esq. and Neil J. Gillespie, individually and Former Trustee, and is certified by Maria I. Berrios, Judicial Assistant.

A. I believe service of ORDER CANCELING AND RESCHEDULING CASE

MANAGEMENT October 5, 2016 is defective under Fla. R. Jud. Admin. Rule 2.516(h):

(h) Service of Orders.

(1) A copy of all orders or judgments must be transmitted by the court or under its direction to all parties at the time of entry of the order or judgment. No service need be made on parties against whom a default has been entered except orders setting an action for trial and final judgments that must be prepared and served as provided in subdivision (h)(2). The court may require that orders or judgments be prepared by a party, may require the party to furnish the court with stamped, addressed envelopes for service of the order or judgment, and may require that proposed orders and judgments be furnished to all parties before entry by the court of the order or judgment. The court may serve any order or judgment by e-mail to all attorneys who have not been excused from e-mail service and to all parties not represented by an attorney who have designated an e-mail address for service.

B. The email service by Ms. Berrios for Judge Craggs does not conform to Rule 2.516(b)(1)(E) Format of E-mail for Service, Fla. R. Jud. Admin.

(E) Format of E-mail for Service. Service of a document by e-mail is made by an e-mail sent to all addresses designated by the attorney or party with either (a) a copy of the document in PDF format attached or (b) a link to the document on a website maintained by a clerk.

(i) All documents served by e-mail must be sent by an e-mail message containing a subject line beginning with the words "SERVICE OF COURT DOCUMENT" in all capital letters, followed by the case number of the proceeding in which the documents are being served.

(ii) The body of the e-mail must identify the court in which the proceeding is pending, the case number, the name of the initial party on each side, the title of each document served with that e-mail, and the name and telephone number of the person required to serve the document.

SECOND VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS

This Motion is Verified by Neil J. Gillespie F.S. § 92.525(2)

C. The e-mail service of attachment “[Untitled].pdf” fails to contain a subject line beginning with the words “SERVICE OF COURT DOCUMENT” in all capital letters, followed by the case number of the proceeding in which the documents are being served.

D. The e-mail service of attachment “[Untitled].pdf” fails to identify in the body of the email the court in which the proceeding is pending, the case number, the name of the initial party on each side, and the title of each document served with that e-mail.

E. The e-mail service of attachment “[Untitled].pdf” does not conform to Rule 2.516(b)(1)(E) Format of E-mail for Service, Fla. R. Jud. Admin. and is void for vagueness.

12. Judge Craggs entered ORDER RESCHEDULING CASE MANAGEMENT November 1, 2016 that appears at Exhibit 7 as I received the Order in the US Mail addressed,

Neil J. Gillespie, individually, and
Former Trustee
F.S. Chapter 736, Part III, of the
Terminated Trust
8092 SW 115th Loop
Ocala, FL 34481

The ORDER RESCHEDULING CASE MANAGEMENT November 1, 2016 appears at Exhibit 8 as served by Ms. Berrios by email sent Wednesday, November 02, 2016 7:48 AM. The Certificate of Service shows only 2 names, Mr. Curtis Wilson, Esq. and Neil J. Gillespie, individually and Former Trustee, and is certified by Maria I. Berrios, Judicial Assistant.

A. I believe service of ORDER RESCHEDULING CASE MANAGEMENT November 1, 2016 is defective under Fla. R. Jud. Admin. Rule 2.516(h):

(h) Service of Orders.

(1) A copy of all orders or judgments must be transmitted by the court or under its direction to all parties at the time of entry of the order or judgment. No service need be

SECOND VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS

This Motion is Verified by Neil J. Gillespie F.S. § 92.525(2)

made on parties against whom a default has been entered except orders setting an action for trial and final judgments that must be prepared and served as provided in subdivision (h)(2). The court may require that orders or judgments be prepared by a party, may require the party to furnish the court with stamped, addressed envelopes for service of the order or judgment, and may require that proposed orders and judgments be furnished to all parties before entry by the court of the order or judgment. The court may serve any order or judgment by e-mail to all attorneys who have not been excused from e-mail service and to all parties not represented by an attorney who have designated an e-mail address for service.

B. The email service by Ms. Berrios for Judge Craggs does not conform to Rule

2.516(b)(1)(E) Format of E-mail for Service, Fla. R. Jud. Admin.

(E) Format of E-mail for Service. Service of a document by e-mail is made by an e-mail sent to all addresses designated by the attorney or party with either (a) a copy of the document in PDF format attached or (b) a link to the document on a website maintained by a clerk.

(i) All documents served by e-mail must be sent by an e-mail message containing a subject line beginning with the words "SERVICE OF COURT DOCUMENT" in all capital letters, followed by the case number of the proceeding in which the documents are being served.

(ii) The body of the e-mail must identify the court in which the proceeding is pending, the case number, the name of the initial party on each side, the title of each document served with that e-mail, and the name and telephone number of the person required to serve the document.

C. The e-mail service of attachment "[Untitled].pdf" fails to contain a subject line beginning with the words "SERVICE OF COURT DOCUMENT" in all capital letters, followed by the case number of the proceeding in which the documents are being served.

D. The e-mail service of attachment "[Untitled].pdf" fails to identify in the body of the email the court in which the proceeding is pending, the case number, the name of the initial party on each side, and the title of each document served with that e-mail.

SECOND VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS

This Motion is Verified by Neil J. Gillespie F.S. § 92.525(2)

E. The e-mail service of attachment “[Untitled].pdf” does not conform to Rule 2.516(b)(1)(E) Format of E-mail for Service, Fla. R. Jud. Admin. and is void for vagueness.

13. On November 22, 2016 I unsuccessfully moved to cancel the hearing (NOTE: Judge Craggs said in court this was a “Case Management” and not a “Hearing”), that was ignored by Judge Craggs, no response of any kind prior to my court appearance November 28, 2016.

DEFENDANTS’ MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016
Filing # 49223578 E-Filed 11/22/2016 03:48:52 PM

14. On November 28, 2016 I again unsuccessfully moved to cancel the hearing (NOTE: Judge Craggs said in court this was a “Case Management” and not a “Hearing”), that was ignored by Judge Craggs, no response of any kind prior to my court appearance November 28, 2016.

DEFENDANTS’ SECOND MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016, ABATE THIS ACTION, Fla. R. Civ. Pro. 1.100(c)(2); AND MOTION TO DISQUALIFY MCCALLA RAYMER PIERCE LLC AND ALL ITS LAWYERS AS COUNSEL FOR PLAINTIFF
Filing # 49296630 E-Filed 11/28/2016 08:16:25 AM

15. On November 28, 2016 I unsuccessfully moved to disqualify Judge Craggs as trial judge in this case, see,

VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS
This Motion is Verified by Neil J. Gillespie F.S. § 92.525(2)
Filing # 49329068 E-Filed 11/28/2016 02:47:59 PM

16. In court on November 28, 2016 at 3:30 PM Judge Craggs initially ignored my verified motion to disqualify the judge. When I objected, Judge Craggs responded that I did not schedule a hearing on my verified motion to disqualify her. This was a huge red flag of wrongdoing by Judge Craggs. Then Judge Craggs sought to pass on the truth of the facts alleged, another red flag.

Once a motion for disqualification has been filed, no further action can be taken by the

SECOND VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS

This Motion is Verified by Neil J. Gillespie F.S. § 92.525(2)

trial court, even if the trial court is not aware of the pending motion. Brown v. State 863 So.2d 1274, Fla.App. 1 Dist., 2004.

A judge presented with a motion to disqualify him-or-herself must rule upon the sufficiency of the motion immediately and may not consider other matters before considering the disqualification motion. Brown v. State 863 So.2d 1274, Fla.App. 1 Dist., 2004.

The court is required to rule immediately on the motion to disqualify the judge, even though the movant does not request a hearing. Fuster-Escalona v. Wisotsky, 781 So.2d 1063, Fla., 2000.

The rule places the burden on the judge to rule immediately, the movant is not required to nudge the judge nor petition for a writ of mandamus. G.C. v. Department of Children and Families, 804 So.2d 525 Fla.App. 5 Dist., 2002.

LEGAL ARGUMENT FOR DISQUALIFICATION OF JUDGE CRAGGS

17. Accompanying this SECOND VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS is my memorandum of law,

JUDICIAL DISQUALIFICATION - MEMORANDUM OF LAW
By Defendant Neil J. Gillespie, a nonlawyer appearing *pro se*

18. The specific grounds in support of this motion, showing Judge Craggs' impartiality might reasonably be questioned, are as follows:

1. Judge Craggs caused my court reporter from US Legal Support to leave the Case Management on November 28, 2016 at 3:35 PM before transcribing the court proceeding. Now I have no way of getting a transcript of the proceeding.
2. The Orders of Judge Craggs on Case Management were not lawfully served.

19. It has long been said in the courts of this state that "every litigant is entitled to nothing less than the cold neutrality of an impartial judge." State ex rel. Davis v. Parks, 194 So. 613, 615 (Fla. 1939). (Opening citation in the Opinion filed December 17, 2014, Third District Court of Appeal, No. 3D14-2625, Lower Tribunal No. 14-8506, Great American Insurance Company of New York,

Petitioner, vs. 2000 Island Boulevard Condominium Association, Inc., et al., Respondents. A
Case of Original Jurisdiction – Prohibition.)

20. Fla. R. Jud. Admin. 2.330(b) “Parties. Any party, including the state, may move to
disqualify the trial judge assigned to the case on grounds provided by rule, by statute, or by the
Code of Judicial Conduct. (Emphasis added).

21. Under Canon 3E(1) of the Code of Judicial Conduct for the State of Florida,
“A judge shall disqualify himself or herself where his or her impartiality
might reasonably be questioned, including but not limited to...”. Canon 3E(1)

Commentary for Canon 3E(1)

Canon 3E(1). Under this rule, a judge is disqualified whenever the judge's
impartiality might reasonably be questioned, regardless of whether any of
the specific rules in Section 3E(1) apply.

22. Disqualification under Canon 3E(1) does not require actual bias or actual prejudice, but
“whenever the judge's impartiality might reasonably be questioned”.

23. Rule 2.330. Disqualification of Trial Judges. Fla. R. Jud. Admin. states in relevant part,

RULE 2.330. DISQUALIFICATION OF TRIAL JUDGES

(c) Motion. A motion to disqualify shall:

- (1) be in writing;
- (2) allege specifically the facts and reasons upon which the movant
relies as the grounds for disqualification;
- (3) be sworn to by the party by signing the motion under oath or by
a separate affidavit; and

(d) Grounds. A motion to disqualify shall show:

- (1) that the party fears that he or she will not receive a fair trial or
hearing because of specifically described prejudice or bias of the judge; or

(e) Time. A motion to disqualify shall be filed within a reasonable time
not to exceed 10 days after discovery of the facts constituting the grounds for the
motion and shall be promptly presented to the court for an immediate ruling...

(f) Determination — Initial Motion. The judge against whom an initial

SECOND VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS

This Motion is Verified by Neil J. Gillespie F.S. § 92.525(2)

motion to disqualify under subdivision (d)(1) is directed shall determine only the legal sufficiency of the motion and shall not pass on the truth of the facts alleged. If the motion is legally sufficient, the judge shall immediately enter an order granting disqualification and proceed no further in the action. If any motion is legally insufficient, an order denying the motion shall immediately be entered. No other reason for denial shall be stated, and an order of denial shall not take issue with the motion.

24. Certification. The undersigned movant certifies that the motion and the movant's statements are made in good faith.

VERIFICATION OF NEIL J. GILLESPIE
F.S. § 92.525(2) Verification of documents

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true.

RESPECTFULLY SUBMITTED November 30, 2016.



Neil J. Gillespie, individually, and former Trustee
F.S. Ch. 736 Part III, of the Terminated Trust
8092 SW 115th Loop
Ocala, Florida 34481
Tel. 352-854-7807
Email: neilgillespie@mfi.net (Rule 2.516(b)(1)(C)).

Service List November 30, 2016

I hereby certify the names below were served by email November 30, 2016 through the Florida Portal, unless otherwise expressly stated.

Office of Inspector General, "OIGHotline"
c/o Board of Governors of
the Federal Reserve System
20th Street and Constitution Avenue, NW
Mail Stop K- 300
Washington, DC 20551
Email: OIGHotline@frb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

SEC Office of the Whistleblower
100 F Street NE
Washington, DC 20549
Phone: (202) 551-4790
Fax: (703) 813-9322
Via U.S. Mail, First Class
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750
Not served on the Florida Portal

The Honorable Richard Cordray, Director
Consumer Finance Protection Bureau
1700 G Street, NW
Washington, DC 20002
Email: Richard.Cordray@cfpb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

Stefanie Isser Goldblatt
Senior Litigation Counsel
Enforcement Division
Consumer Finance Protection Bureau
Email: Stefanie.Goldblatt@cfpb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

FBI Tampa Division
Special Agent in Charge, Paul Wysopal
Website: <https://www.fbi.gov/tampa>
Email: tampa.division@ic.fbi.gov

FBI Jacksonville Division
Special Agent in Charge, Michelle S. Klimt
Website: <https://www.fbi.gov/jacksonville>
Email: jacksonville@ic.fbi.gov

The Honorable Don F. Briggs
Chief Judge, Fifth Judicial Circuit
Lake County Judicial Center
550 W. Main Street
Tavares, FL 32778-7800.
Tel. 352-742-4224
Email: dbriggs@circuit5.org

The Honorable Ann Melinda Craggs
Circuit Court Judge, Fifth Judicial Circuit
Marion County Judicial Center
110 NW 1st Ave.
Ocala, FL 34475
Tel: 352-401-6785
Email: amcraggs@circuit5.org

Mr. Curtis Wilson, Esq.
McCalla Raymer Pierce, LLC
225 E. Robinson Street, Ste. 660
Orlando, FL 32801
MRService@mrpllc.com

Ms. Colleen Murphy Davis, AUSA
400 N. Tampa Street, Suite 3200
Tampa, FL 33602
Email: USAFLM.HUD@usdoj.gov Email:
JAXSFFORECLOSURES@hud.gov
JAXSFORECLOSURES@hud.gov
lydia.a.brush@gmail.com

Gregory C. Harrell
General Counsel to David R. Ellspermann,
Marion County Clerk of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
Email: gharrell@marioncountyclerk.org

David R. Ellspermann Marion County Clerk
of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
Email: Ellspermann@marioncountyclerk.org

Development & Construction Corporation
of America, c/o Carol Olson, Vice President
of Administration and Secretary-Treasurer,
for RA Priya Ghumman
10983 SW 89 Avenue
Ocala, FL 34481
Email: colson@deccahomes.com

Oak Run Homeowners Association, Inc.
c/o Board of Directors, orhaboard@yahoo.com

Neil J. Gillespie and Mark Gillespie as Co-Trustees of the Gillespie Family Living Trust
Agreement dated February 10, 1997; Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Neil J. Gillespie
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Mark Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123
Email: mark.gillespie@att.net

Unknown spouse of Mark Gillespie n/k/a Joetta Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123
Email: mark.gillespie@att.net

Unknown Settlers/Beneficiaries of The Gillespie Family Living Trust Agreement dated
February 10, 1997; (NONE); Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Elizabeth Bauerle n/k/a Elizabeth Bidgood
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Unknown spouse of Elizabeth Bidgood,
n.k.a. Scott Bidgood
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Termination of the Gillespie Family Living Trust Agreement Dated February 10, 1997

STATE OF FLORIDA)
) SS.:
COUNTY OF MARION)



DAVID R ELLSPERMANN CLERK & COMPTROLLER MARION CO
DATE: 02/03/2015 11:55:32 AM
FILE #: 2015009748 OR BK 6161 PGS 1844-1845
REC FEES: \$18.50 INDEX FEES: \$0.00
DDS: \$0 MDS: \$0 INT: \$0

AFFIDAVIT

BEFORE ME, this day personally appeared NEIL J. GILLESPIE, who upon being duly sworn deposed upon oath as follows:

1. My name is Neil J. Gillespie. I am over eighteen years of age. This affidavit is given on personal knowledge unless otherwise expressly stated.

2. I am sole Trustee of the Gillespie Family Living Trust Agreement Dated February 10, 1997 (hereinafter "Trust").

3. My Florida residential homestead property is the sole asset of the Trust, property address 8092 SW 115th Loop, Ocala, Florida 34481, Marion County, Florida, (the "property") where I have lived in the property continuously and uninterruptedly since February 9, 2005, Tax ID No. 7013-007-001, legal description:

Lot(s) 1, Block G, OAK RUN WOODSIDE TRACT, according to the Plat thereof as recorded in Plat Book 2 at Page(s) 106 through 112, inclusive of the Public Records of Marion County, Florida.

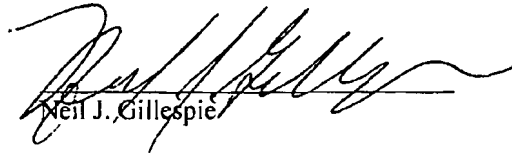
4. Pursuant to my authority as Trustee of the Trust, and acting in that capacity, I transferred the remaining trust property to the beneficiary, myself, on January 14, 2015.

5. Pursuant to my authority as Trustee of the Trust, and acting in that capacity, I hereby terminate the Trust as provided by Fla. Stat. § 736.0414, and Article V, the Trust. The total fair market value of the assets of the Trust is zero. The Trust served its intended purpose of transferring the property to the beneficiary without going through probate.

6. Pursuant to Fla. Stat. § 736.0414 Modification or termination of uneconomic trust. (1) After notice to the qualified beneficiaries, the trustee of a trust consisting of trust property

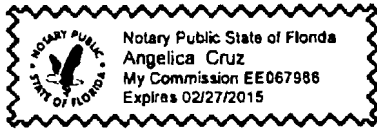
having a total value less than \$50,000 may terminate the trust if the trustee concludes that the value of the trust property is insufficient to justify the cost of administration.


FURTHER AFFIANT SAYETH NOT,


Neil J. Gillespie

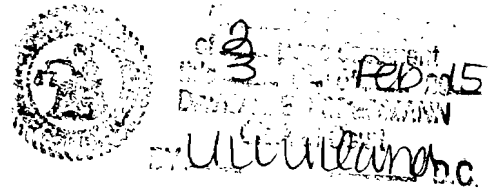
The foregoing instrument was acknowledged before me, this 2nd day of February, 2015, by Neil J. Gillespie, who is personally known to me, or who has produced ^{FL DL} 6421 630 56 099 0 as identification and states that he is the person who made this affidavit and that its contents are truthful to the best of his knowledge, information and belief.

(SEAL)




NOTARY PUBLIC
Angelica Cruz
Print Name of Notary Public

My Commission Expires: 2/27/15



THIS IS NOT A COMMERCIAL FORCLOSURE

IN THE CIRCUIT COURT OF THE
FIFTH JUDICIAL CIRCUIT FLORIDA
IN AND FOR MARION COUNTY

REVERSE MORTGAGE SOLUTIONS, INC.,

Plaintiff,

CASE NO.: 2013-CA-000115
42-2013-CA-000115-AXXX-XX

vs.

Residential HECM Foreclosure Case
Florida Homestead of Neil J. Gillespie
Section 4, Article X, Florida Constitution

NEIL J. GILLESPIE AND MARK GILLESPIE
AS CO-TRUSTEES OF THE GILLESPIE
FAMILY LIVING TRUST AGREEMENT
DATED FEBRUARY 10, 1997, ET AL.

F.S. § 702.015 **Note/copy missing**
Rule 1.115 Pleading Mortgage Foreclosures
Rule 1.100(c)(2) Civil cover sheet wrong.
F.S. § 837.06 False Official Statements
F.S. § 92.525 Verification of documents

Defendants.

ATTACHED APPENDIX OF EXHIBITS

SECOND VERIFIED MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS

- Exhibit 1 Ann Melinda Craggs (Circuit Judge) « State of Florida Fifth Judicial Circuit
- Exhibit 2 Email agreement between Gillespie and US Legal Support for a court reporter
- Exhibit 3 Email with US Legal Support, court reporter was excused by Judge Craggs
- Exhibit 4 Email auto response of Dawn Leslie US Legal Support
- Exhibit 5 ORDER SCHEDULING CASE MANAGEMENT August 30, 2016
- Exhibit 6 ORDER CANCELING AND RESCHEDULING CASE MANAGEMENT Oct-05-16
- Exhibit 7 ORDER RESCHEDULING CASE MANAGEMENT Nov-01-2016, US Mail
- Exhibit 8 ORDER RESCHEDULING CASE MANAGEMENT Nov-01-2016, by email
-

State of Florida Fifth Judicial Circuit

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The Honorable Ann Melinda Craggs

Circuit Judge

Office Information

Marion County Judicial Center
110 NW First Avenue
Ocala, Florida 34475
(352) 401-6700

Judicial Assistant: Maria Berrios
Office: (352) 401-6785
Fax: (352) 401-6760



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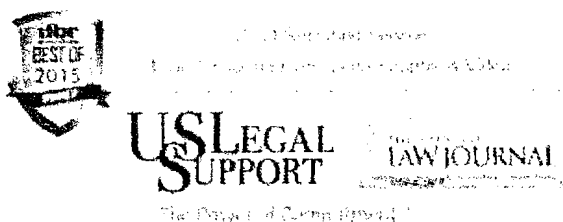
Neil Gillespie

From: "Dawn Leslie" <dleslie@uslegalsupport.com>
To: "Neil Gillespie" <neilgillespie@mfi.net>
Sent: Monday, November 28, 2016 10:58 AM
Subject: RE: CORRECTION Request for a Court Reporter today November 28, 2016 at 3.30 PM
Please be sure to let me know as soon as possible if you find that this hearing is cancelled.
And you are welcome.

Dawn Leslie, FPM

Client Service Representative | U.S. Legal Support
7 East Silver Springs Boulevard, Suite 501, Ocala, Florida 34470
Office: 352-877-3337 | www.uslegalsupport.com

ONLINE BILL PAY: www.uslegalsupport.com/online-bill-pay



From: Neil Gillespie [mailto:neilgillespie@mfi.net]
Sent: Monday, November 28, 2016 10:55 AM
To: Dawn Leslie <dleslie@uslegalsupport.com>
Cc: Neil Gillespie <neilgillespie@mfi.net>
Subject: Re: CORRECTION Request for a Court Reporter today November 28, 2016 at 3.30 PM

Thank you Ms. Leslie, I appreciate your consideration. Neil J Gillespie

----- Original Message -----

From: Dawn Leslie
To: Neil Gillespie
Sent: Monday, November 28, 2016 10:05 AM
Subject: RE: CORRECTION Request for a Court Reporter today November 28, 2016 at 3.30 PM

Mr. Gillespie, please then provide the reporter with the prepayment amount of \$115. The balance, if any, will be owed upon immediate receipt of the invoice. If there is an amount to be refunded, it will be sent to you after going through our billing process.

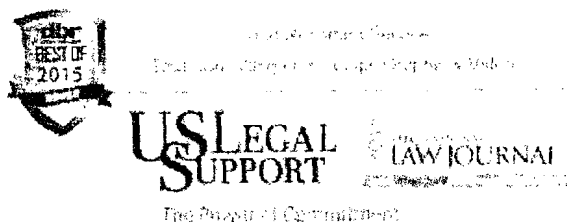
Thank you.

Dawn Leslie, FPM
Client Service Representative | U.S. Legal Support
7 East Silver Springs Boulevard, Suite 501, Ocala, Florida 34470



Office: 352-877-3337 | www.uslegalsupport.com

ONLINE BILL PAY: www.uslegalsupport.com/online-bill-pay



From: Neil Gillespie [<mailto:neilgillespie@mfi.net>]

Sent: Monday, November 28, 2016 10:02 AM

To: Dawn Leslie <dleslie@uslegalsupport.com>; Sandra Redavid <sredavid@uslegalsupport.com>

Cc: Neil Gillespie <neilgillespie@mfi.net>

Subject: Re: CORRECTION Request for a Court Reporter today November 28, 2016 at 3.30 PM

Thank you. I have \$115 cash today. I get paid on Friday, can I pay the balance then? I don't believe the hearing will last long, if it is not canceled altogether. Neil Gillespie

----- Original Message -----

From: Dawn Leslie

To: Sandra Redavid ; Neil Gillespie

Sent: Monday, November 28, 2016 8:42 AM

Subject: RE: CORRECTION Request for a Court Reporter today November 28, 2016 at 3.30 PM

Mr. Gillespie, I am in the process of entering this assignment onto our calendar now.

I do have a reporter that will be able to cover this hearing for you, however, you will need to bring payment to the hearing as we require Pro Se individuals to pre-pay for the reporter's attendance. The amount you will need to bring with you is \$145 (that's \$85 for the first hour, and \$60 for the next hour). We require a 2-hour prepayment. The difference, if any, will be refunded to you once the hearing has been billed and processed through our billing department with payment.

The reporter will need to collect the \$145 from you prior to the start time of the hearing.

If payment is not received prior to the start time of the hearing, the reporter will not stay and provide coverage for this hearing. The reporter's name is Cynthia Hanson and she will already be in the courtroom for another hearing prior to yours.

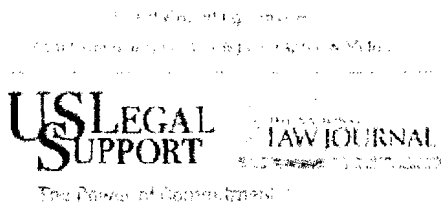
If you have any questions or concerns, please feel free to contact me directly at 352-877-

3337.

Dawn Leslie, FPM

Client Service Representative | U.S. Legal Support
7 East Silver Springs Boulevard, Suite 501, Ocala, Florida 34470
Office: 352-877-3337 | www.uslegalsupport.com

ONLINE BILL PAY: www.uslegalsupport.com/online-bill-pay



From: Sandra Redavid

Sent: Monday, November 28, 2016 8:37 AM

To: Neil Gillespie <neilgillespie@mfi.net>; Meridith Consor <mconsor@uslegalsupport.com>; Cynthia Zingelmann <czingelmann@uslegalsupport.com>

Cc: Dawn Leslie <dleslie@uslegalsupport.com>

Subject: RE: CORRECTION Request for a Court Reporter today November 28, 2016 at 3.30 PM

Good morning Mr. Gillespie,

We have received your request for a Reporter for this afternoon hearing. Your local office is working on arranging to have a Reporter present for this hearing. The contact person for this job is Dawn Leslie. She is cc on this e-mail.

Thank you,

Sandra Redavid

Toll-free: 866-339-2608

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www.uslegalsupport.com

transcriptionservices@uslegalsupport.com

**USLEGAL
SUPPORT**

The Power of Commitment

INTERNATIONAL
LAW JOURNAL

From: Neil Gillespie [<mailto:neilgillespie@mfi.net>]

Sent: Monday, November 28, 2016 2:54 AM

To: Meredith Consor <mconsor@uslegalsupport.com>; Sandra Redavid
<sredavid@uslegalsupport.com>; Cynthia Zingelmann
<czingelmann@uslegalsupport.com>

Cc: Neil Gillespie <neilgillespie@mfi.net>

Subject: CORRECTION Request for a Court Reporter today November 28, 2016 at 3.30 PM

CORRECTION

Request for a Court Reporter today November 28, 2016 at 3:30 PM

US Legal Support - 352-401-7521
<https://www.uslegalsupport.com/>

Meridith Consor, US Legal Support
Email: mconsor@uslegalsupport.com

Sandra Redavid, US Legal Support
Email: sredavid@uslegalsupport.com

Cynthia Zingelmann, US Legal Support
Email: czingelmann@uslegalsupport.com

Good morning. This is a request for a court reporter today November 11, 2016 at 3:30 PM.

A copy of the ORDER RESCHEDULING CASE MANAGEMENT is attached.

IN THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT
IN AND FOR MARION COUNTY, FLORIDA
CASE NO.: 2013-115-CA-S

REVERSE MORTGAGE SOLUTIONS, INC., Plaintiff,
V.
NEIL J. GILLESPIE; et.al., Defendant.

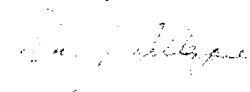
November 28, 2016 at 3:30 p.m.
Forty-five (45) minutes have been reserved.

Marion County Judicial Center
110 N.W. 1st Avenue, Third Floor
Courtroom 3B, Ocala, FL 34475
Telephone: (352) 401-6700

ANN MELINDA CRAGGS, Circuit Judge
Judicial Assistant: Maria Berrios
Office: (352) 401-6785
Fax: (352) 401-6760

Sorry about the short notice, I have been trying to get the hearing canceled. I'm still working on getting the hearing canceled. Thank you.

Sincerely,



Neil J. Gillespie
8092 SW 115th Loop
Ocala, Florida 34481
Tel. 352-854-7807
Email: neilgillespie@mfi.net

Neil Gillespie

From: "Neil Gillespie" <neilgillespie@mfi.net>
To: "Meridith Consor" <mconsor@uslegalsupport.com>; "Sandra Redavid" <sredavid@uslegalsupport.com>; <cingelmann@uslegalsupport.com>
Cc: "Neil Gillespie" <neilgillespie@mfi.net>
Sent: Monday, November 28, 2016 2:53 AM
Attach: CORRECTION Request for a Court Reporter today November 28, 2016 at 3.30 PM.pdf
Subject: CORRECTION Request for a Court Reporter today November 28, 2016 at 3.30 PM

IN THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT
IN AND FOR MARION COUNTY, FLORIDA

REVERSE MORTGAGE SOLUTIONS, INC.,
Plaintiff,

v.

CASE NO.: 2013-115-CA-S

NEIL J. GILLESPIE; et.al.,
Defendant.

ORDER RESCHEDULING CASE MANAGEMENT

THIS CAUSE came before the court upon its own Motion. The Court having a scheduling conflict for the date of Case Management Conference on **November 22, 2016 at 2:00 p.m.**, finds it necessary to reschedule this matter. Therefore, it is

ORDERED:

1. The Case Management Conference currently scheduled **November 22, 2016 at 2:00 p.m.**, is hereby rescheduled to **November 28, 2016 at 3:30 p.m.**, Marion County Judicial Center, 110 N.W. 1st Avenue, Third Floor, Courtroom 3B, Ocala, FL 34475. **Forty-five (45) minutes have been reserved.**
2. Any and all requirements of the Order Scheduling Case Management Conference entered on August 30, 2016 shall remain.

DONE AND ORDERED in Chambers in Ocala, Marion County, Florida, this

1ST day of ~~October~~^{Nov.}, 2016.



ANN MELINDA CRAGGS
Circuit Judge

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact ADA Coordinator, Marion County Judicial Center, 110 N.W. 1st Avenue, Ocala, Florida 34475 or (352) 401-6710 at least at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

IF YOU NEED AN INTERPRETER/ SI NECESITA UN INTERPRETE

No later than ten (10) days prior to the scheduled court hearing, if an interpreter is needed, the person requiring the interpreter's services must request an appropriate court interpreter for the hearing via the Fifth Circuit website:

<http://www.circuit5.org/c5/court-interpreter-request-form/>

Should the party requesting the interpreter fail to appear at the court hearing, that party may be responsible for the costs of the interpreter's appearance. Additional information on Court Interpreting Services is located at www.circuit5.org under the Programs & Services section.

Si alguien necesita un intérprete, la persona que requiere los servicios de un intérprete debe solicitar un intérprete de la corte apropiado por lo menos diez (10) días antes de la audiencia judicial programada. El pedido se hace por el sitio web del Quinto Circuito:

<http://www.circuit5.org/c5/court-interpreter-request-form/>

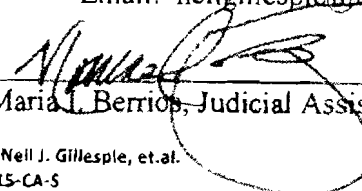
Si la parte que pide un intérprete no comparece en la audiencia judicial, puede que aquella parte se le imponga el costo de la comparecencia del intérprete. Información adicional acerca de los Servicios de Interpretación Judicial están disponible en el sitio web www.circuit5.org bajo la sección titulada "Programs & Services."

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been provided to the following by U.S. and/or electronic mail on this 1st day of ~~October~~, 2016:
NOV.

Mr. Curtis Wilson, Esquire
McCalla Raymer Pierce, LLC
225 E. Robinson Street, Ste. 660
Orlando, FL 32801
Email: Curtis.Wilson@mrpllc.com

Neil J. Gillespie, individually, and
Former Trustee
F.S. Chapter 736, Part III, of the
Terminated Trust
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net



Maria L. Berrios, Judicial Assistant

Neil Gillespie

From: "Neil Gillespie" <neilgillespie@mfi.net>
To: "Dawn Leslie" <dleslie@uslegalsupport.com>; "Sandra Redavid" <sredavid@uslegalsupport.com>; "Meridith Consor" <mconsor@uslegalsupport.com>; "Cynthia Zingelmann" <czingelmann@uslegalsupport.com>
Cc: "Neil Gillespie" <neilgillespie@mfi.net>
Sent: Monday, November 28, 2016 5:23 PM
Subject: Re: CORRECTION Request for a Court Reporter today November 28, 2016 at 3.30 PM

Thank you. I believe the judge told the court reporter to leave, because they don't like transcripts involved. But the hearing did not start at 3:30 PM, because it was just me and opposing counsel. Opposing counsel just sat there until I arrived. Then the hearing started. I am certain the judge got my phone message. I said the courthouse was in view, but traffic was heavy. I want to make a complaint against the judge for sending the court reporter away after five minutes. Tellingly the judge did not send opposing counsel away, because the judge knew I was almost there. I would appreciate any detail about the judge's behavior. I am still willing to pay the court reporter something for showing up. Let me know what you think is fair. Thanks - Neil

----- Original Message -----

From: Dawn Leslie
To: Neil Gillespie ; Sandra Redavid ; Meridith Consor ; Cynthia Zingelmann
Sent: Monday, November 28, 2016 5:12 PM
Subject: RE: CORRECTION Request for a Court Reporter today November 28, 2016 at 3.30 PM

I received a call from the reporter at 3:35pm stating that the judge told her to go ahead and leave because you were not in attendance. The reporter checked around in the lobby area for a few minutes before she left to make sure she didn't miss you. She was excused by the judge.

My apologies that she was not there when you arrived. Using a credit card was not brought up when you and I confirmed coverage earlier. You stated you would have \$115 with you for the reporter. I didn't fore-see any issues at the time.

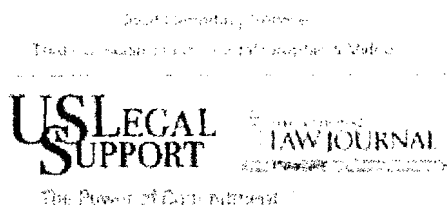
Again, my apologies - but the judge excused her. The judge started the hearing at 3:30 exactly and wasn't going to wait.

Dawn Leslie, FPM

Client Service Representative | U.S. Legal Support
 7 East Silver Springs Boulevard, Suite 501, Ocala, Florida 34470
 Office: 352-877-3337 | www.uslegalsupport.com

ONLINE BILL PAY: www.uslegalsupport.com/online-bill-pay





From: Neil Gillespie [mailto:neilgillespie@mfi.net]
Sent: Monday, November 28, 2016 5:04 PM
To: Sandra Redavid <sredavid@uslegalsupport.com>; Meridith Consor <mconsor@uslegalsupport.com>; Cynthia Zingelmann <czingelmann@uslegalsupport.com>
Cc: Dawn Leslie <dleslie@uslegalsupport.com>; Neil Gillespie <neilgillespie@mfi.net>
Subject: Re: CORRECTION Request for a Court Reporter today November 28, 2016 at 3.30 PM

Good afternoon. I was at a hearing today but the court reporter left because I was nine (9) minutes late. I called the court and explained that I was stuck in traffic. Now I do not have any way to get a transcript of the very important hearing. I don't know why I could not pay in advance by card, so the court reporter would be paid, and could wait nine (9) minutes for me to arrive late due to heavy traffic.
Neil J Gillespie

----- Original Message -----

From: [Sandra Redavid](#)
To: [Neil Gillespie](#) ; [Meridith Consor](#) ; [Cynthia Zingelmann](#)
Cc: [Dawn Leslie](#)
Sent: Monday, November 28, 2016 8:36 AM
Subject: RE: CORRECTION Request for a Court Reporter today November 28, 2016 at 3.30 PM

Good morning Mr. Gillespie,

We have received your request for a Reporter for this afternoon hearing. Your local office is working on arranging to have a Reporter present for this hearing. The contact person for this job is Dawn Leslie. She is cc on this e-mail.

Thank you,

Sandra Redavid
Toll-free: 866-339-2608
Global Transcription Services | U.S. Legal Support
www.uslegalsupport.com
transcriptionservices@uslegalsupport.com

**USLEGAL
SUPPORT**

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THE NATIONAL
LAW JOURNAL

www.uslegalsupport.com

From: Neil Gillespie [<mailto:neilgillespie@mfi.net>]

Sent: Monday, November 28, 2016 2:54 AM

To: Meredith Consor <mconsor@uslegalsupport.com>; Sandra Redavid
<sredavid@uslegalsupport.com>; Cynthia Zingelmann
<czingelmann@uslegalsupport.com>

Cc: Neil Gillespie <neilgillespie@mfi.net>

Subject: CORRECTION Request for a Court Reporter today November 28, 2016 at 3.30 PM

Neil Gillespie

From: "Dawn Leslie" <dleslie@uslegalsupport.com>
To: "Neil Gillespie" <neilgillespie@mfi.net>
Sent: Monday, November 28, 2016 5:24 PM
Subject: Automatic reply: CORRECTION Request for a Court Reporter today November 28, 2016 at 3.30 PM
This message is an auto response to the e-mail message you sent to me.

I will be out of the office November 29, 2016 and will return November 30, 2016 at 8am.

Please contact our Jacksonville office at **904-359-0583** with any questions, concerns, scheduling matters, etc. You can email **floridascheduling@uslegalsupport.com** scheduling needs.

We appreciate your business. Thank you and have a wonderful weekend!

Dawn Leslie, FPM
Client Service Representative | U.S. Legal Support
7 East Silver Springs Boulevard, Suite 501, Ocala, Florida 34470
Office: 352-401-7521 | www.uslegalsupport.com



IN THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT
IN AND FOR MARION COUNTY, FLORIDA

REVERSE MORTGAGE SOLUTIONS, INC.,
Plaintiff,

v.

CASE NO.: 2013-115-CA-S

NEIL J. GILLESPIE; et.al.,
Defendant.

ORDER SCHEDULING CASE MANAGEMENT

ORDERED AND ADJUDGED that pursuant to Rule 1.200(a) Florida Rules of Civil Procedure, the undersigned has scheduled a Case Management Conference in the entitled cause for **October 7, 2016 at 1:30 p.m.**, Marion County Judicial Center, 110 N.W. 1st Avenue, Third Floor, Courtroom 3B, Ocala, FL 34475. **Forty-five (45) minutes reserved.**

A. Counsel or parties pro se shall be prepared to discuss with this Court all matters regarding this case, including but not limited to the following:

1. Schedule or reschedule the service of motions, pleadings, and other papers;
2. Set or reset the time of hearings and trials; coordinate the progress of the action; limit schedule, order or expedite discovery; schedule motions in limine;
3. Scheduling of other conferences or determine other matters which may aid in the disposition of this action;
4. Status of settlement negotiations

B. Counsel or pro se party will file with the Clerk of Court, serve opposing party, and deliver a copy to the undersigned Judge's Chambers not less than 48 hours before the above Case Management Conference, a written statement which shall contain the following:

1. A statement of the facts that they believe supports their claim (if Petitioner or Plaintiff) or a statement of the facts that support the denial of the Petitioner or Plaintiff's claims (if Respondent or Defendant);
2. Facts that they believe to be undisputed;
3. Issues of Law that should be decided by the Court;
4. A proposed discovery schedule, anticipated trial date, and anticipated time required for trial.

C. **Both parties are directed to appear. Failure to appear at this conference or comply with the terms of this order may result in the striking of pleadings, or parts thereof; staying further proceedings until compliance with this order; dismissing of the action; entry of final judgment by default; contempt proceedings; or other appropriate sanctions.**

No electronic audio tape recording or court reporting services are provided by the court. A party may arrange in advance for the services of and provide for a court reporter to prepare a written transcript of the proceedings at that party's expense.

DONE AND ORDERED in Chambers in Ocala, Marion County, Florida, this

30 day of August, 2016.



ANN MELINDA CRAGGS
Circuit Judge

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact ADA Coordinator, Marion County Judicial Center, 110 N.W. 1st Avenue, Ocala, Florida 34475 or (352) 401-6710 at least at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711 or (352) 742-3890.

No later than ten (10) days prior to the scheduled court hearing, if an interpreter is needed, the person requiring the interpreter's services must request an appropriate court interpreter for the hearing via the Fifth Circuit website:

<http://www.circuit5.org/c5/court-interpreter-request-form/>

Should the party requesting the interpreter fail to appear at the court hearing, that party may be responsible for the costs of the interpreter's appearance. Additional information on Court Interpreting Services is located at www.circuit5.org under the Programs & Services section.

Si alguien necesita un intérprete, la persona que requiere los servicios de un intérprete debe solicitar un intérprete de la corte apropiado por lo menos diez (10) días antes de la audiencia judicial programada. El pedido se hace por el sitio web del Quinto Circuito:

<http://www.circuit5.org/c5/court-interpreter-request-form/>

Si la parte que pide un intérprete no comparece en la audiencia judicial, puede que aquella parte se le imponga el costo de la comparecencia del intérprete. Información adicional acerca de los Servicios de Interpretación Judicial están disponible en el sitio web www.circuit5.org bajo la sección titulada "Programs & Services."

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been provided to the following by U.S. mail on this 30 day of August, 2016:

Mr. Curtis Wilson, Esquire
McCalla Raymer Pierce, LLC
225 E. Robinson Street, Ste. 660
Orlando, FL 32801

Ms. Colleen Murphy-Davis, AUSA
400 N. Tampa Street, Ste. 3200
Tampa, FL 33602

Gregory C. Harrell, Esquire
General Counsel to David R. Ellspermann
Marion County Clerk of Court & Comptroller
PO Box 1030
Ocala, FL 34478-1030

Oak Run Homeowners Association, Inc.
7480 SW Highway 200
Ocala, FL 34476

Development and Construction Corp. of America
C/o R.A. Priya Ghuman
10983 SW 89th Avenue
Ocala, FL 34481

Neil J. Gillespie and Mark Gillespie as Co-Trustees of the Gillespie Family Living Trust
Agreement dated February 10, 1997; Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481

Neil J. Gillespie
8092 SW 115th Loop
Ocala, FL 34481

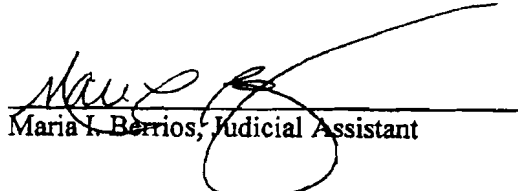
Mark Gillespie
7504 Summer Meadows Drive
Ft. Worth, EX 76123

Unknown Spouse of Mark Gillespie n/k/a Joetta Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123

Unknown Settlers/Beneficiaries of the Gillespie Family Living Trust
Agreement dated February 10, 1997; (NONE); Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481

Elizabeth Bauerle n/k/a Elizabeth Bidgood
8092 SW 115th Loop
Ocala, FL 34481

Unknown Spouse of Elizabeth Bauerle n/k/a Elizabeth Bidgood
n/k/a Scott Bidgood
8092 SW 115th Loop
Ocala, FL 34481


Maria I. Berrios, Judicial Assistant

Judge Ann Melinda Craggs
CIRCUIT COURT FIFTH JUDICIAL CIRCUIT
MARION COUNTY JUDICIAL CENTER
110 NW 1ST AVENUE, ROOM 3030
OCALA, FLORIDA 34475

JACKSONVILLE FL 320

03 14 2016 PM 3:1



Neil J. Gillespie
8092 SW 115th Loop
Ocala, FL 34481

34481-356792



IN THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT
IN AND FOR MARION COUNTY, FLORIDA

REVERSE MORTGAGE SOLUTIONS, INC.,
Plaintiff,

v.

CASE NO.: 2013-115-CA-S

NEIL J. GILLESPIE; et.al.,
Defendant.

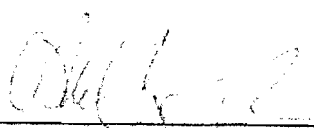
ORDER CANCELING AND RESCHEDULING CASE MANAGEMENT

THIS CAUSE came before the court upon its own Motion on October 5, 2016; due to the possibility of severe weather issues and the Chief Judge of the Fifth Judicial Circuit ordering the Marion County Judicial Center closed on Friday, October 7, 2016, the undersigned has determined that this matter should be rescheduled. Therefore it is

ORDERED:

1. The Case Management Conference currently scheduled for **October 7, 2016 at 1:30 p.m.**, Marion County Judicial Center, 110 N.W. 1st Avenue, Third Floor, Courtroom 3B, Ocala, FL 34475 is hereby rescheduled to **November 22, 2016 at 2:00 p.m.** **Forty-five (45) minutes have been reserved.**
2. Any and all requirements of the Order Scheduling Case Management Conference entered on August 30, 2016 shall remain.

DONE AND ORDERED in Chambers in Ocala, Marion County, Florida, this 5th day of October, 2016.



ANN MELINDA CRAGGS
Circuit Judge

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact ADA Coordinator, Marion County Judicial Center, 110 N.W. 1st Avenue, Ocala, Florida 34475 or (352) 401-6710 at least at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

IF YOU NEED AN INTERPRETER/ SI NECESITA UN INTERPRETE

No later than ten (10) days prior to the scheduled court hearing, if an interpreter is needed, the person requiring the interpreter's services must request an appropriate court interpreter for the hearing via the Fifth Circuit website:

<http://www.circuit5.org/c5/court-interpreter-request-form/>

Should the party requesting the interpreter fail to appear at the court hearing, that party may be responsible for the costs of the interpreter's appearance. Additional information on Court Interpreting Services is located at www.circuit5.org under the Programs & Services section.

Si alguien necesita un intérprete, la persona que requiere los servicios de un intérprete debe solicitar un intérprete de la corte apropiado por lo menos diez (10) días antes de la audiencia judicial programada. El pedido se hace por el sitio web del Quinto Circuito:

<http://www.circuit5.org/c5/court-interpreter-request-form/>

Si la parte que pide un intérprete no comparece en la audiencia judicial, puede que aquella parte se le imponga el costo de la comparecencia del intérprete. Información adicional acerca de los Servicios de Interpretación Judicial están disponible en el sitio web www.circuit5.org bajo la sección titulada "Programs & Services."

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been provided to the following by U.S. and/or electronic mail on this 5 day of October, 2016:

Mr. Curtis Wilson, Esquire
McCalla Raymer Pierce, LLC
225 E. Robinson Street, Ste. 660
Orlando, FL 32801
Email: Curtis.Wilson@mrpllc.com

Neil J. Gillespie, individually, and
Former Trustee
F.S. Chapter 736, Part III, of the
Terminated Trust
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net



Maria Berrios, Judicial Assistant

Neil Gillespie

From: "Berrios, Maria" <mberrios@circuit5.org>
To: <Curtis.Wilson@mrpllc.com>; <neilgillespie@mfi.net>
Sent: Wednesday, October 05, 2016 5:09 PM
Attach: [Untitled].pdf
Subject: Order Canceling and Rescheduling Case Management Conference, Marion County Case Number 2013-115-CA-S

Good afternoon:

Please note the attached Order Canceling and Rescheduling the Case Management Conference in the above referenced matter. Please confirm receipt, thank you.

Maria I. Berrios, Judicial Assistant
Honorable Ann Melinda Craggs
Marion County Judicial Center
110 NW First Avenue, Suite 3030
Ocala, FL 34475
Telephone (352) 401-6785

YOUR EMAIL IS IMPORTANT TO US. HOWEVER, DUE TO THE HEAVY VOLUME OF EMAILS RECEIVED BY THIS OFFICE ON A DAILY BASIS, IT MAY TAKE 24 TO 48 HOURS TO RESPOND TO YOUR EMAIL MESSAGE. IF YOU HAVE AN URGENT MATTER, PLEASE CALL OUR OFFICE.

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If you have received this E-mail in error, please notify the sender and delete the material from any computer. Thank you.

From: Suite3Amfp@circuit5.org [<mailto:Suite3Amfp@circuit5.org>]
Sent: Wednesday, October 05, 2016 4:41 PM
To: Berrios, Maria
Subject:

Neil Gillespie

From: "Berrios, Maria" <mberrios@circuit5.org>
To: <Curtis.Wilson@mrpllc.com>; <neilgillespie@mfi.net>
Sent: Wednesday, October 05, 2016 5:24 PM
Attach: [Untitled].pdf
Subject: FW: Order Canceling and Rescheduling Case Management Conference, Marion County Case Number 2013-115-CA-S

Maria I. Berrios, Judicial Assistant
Honorable Ann Melinda Craggs
Marion County Judicial Center
110 NW First Avenue, Suite 3030
Ocala, FL 34475
Telephone (352) 401-6785

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From: Berrios, Maria
Sent: Wednesday, October 05, 2016 5:09 PM
To: Curtis Wilson (Curtis.Wilson@mrpllc.com); 'neilgillespie@mfi.net'
Subject: Order Canceling and Rescheduling Case Management Conference, Marion County Case Number 2013-115-CA-S

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Honorable Ann Melinda Craggs
Marion County Judicial Center
110 NW First Avenue, Suite 3030
Ocala, FL 34475
Telephone (352) 401-6785

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TO YOUR EMAIL MESSAGE. IF YOU HAVE AN URGENT MATTER, PLEASE CALL OUR OFFICE.

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From: Suite3Amfp@circuit5.org [mailto:Suite3Amfp@circuit5.org]

Sent: Wednesday, October 05, 2016 4:41 PM

To: Berrios, Maria

Subject:

IN THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT
IN AND FOR MARION COUNTY, FLORIDA

REVERSE MORTGAGE SOLUTIONS, INC.,
Plaintiff,

v.

CASE NO.: 2013-115-CA-S

NEIL J. GILLESPIE; et.al.,
Defendant.

ORDER RESCHEDULING CASE MANAGEMENT

THIS CAUSE came before the court upon its own Motion. The Court having a scheduling conflict for the date of Case Management Conference on **November 22, 2016 at 2:00 p.m.**, finds it necessary to reschedule this matter. Therefore, it is

ORDERED:

1. The Case Management Conference currently scheduled **November 22, 2016 at 2:00 p.m.**, is hereby rescheduled to **November 28, 2016 at 3:30 p.m.**, Marion County Judicial Center, 110 N.W. 1st Avenue, Third Floor, Courtroom 3B, Ocala, FL 34475. **Forty-five (45) minutes have been reserved.**
2. Any and all requirements of the Order Scheduling Case Management Conference entered on August 30, 2016 shall remain.

DONE AND ORDERED in Chambers in Ocala, Marion County, Florida, this

1ST day of ~~October~~ ^{Nov.}, 2016.



ANN MELINDA CRAGGS
Circuit Judge

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact ADA Coordinator, Marion County Judicial Center, 110 N.W. 1st Avenue, Ocala, Florida 34475 or (352) 401-6710 at least at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

IF YOU NEED AN INTERPRETER/ SI NECESITA UN INTERPRETE

No later than ten (10) days prior to the scheduled court hearing, if an interpreter is needed, the person requiring the interpreter's services must request an appropriate court interpreter for the hearing via the Fifth Circuit website:

<http://www.circuit5.org/c5/court-interpreter-request-form/>

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<http://www.circuit5.org/c5/court-interpreter-request-form/>

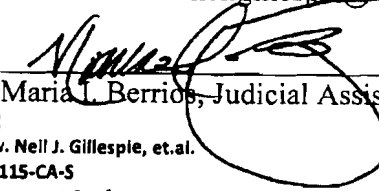
Si la parte que pide un intérprete no comparece en la audiencia judicial, puede que aquella parte se le imponga el costo de la comparecencia del intérprete. Información adicional acerca de los Servicios de Interpretación Judicial están disponible en el sitio web www.circuit5.org bajo la sección titulada "Programs & Services."

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been provided to the following by U.S. and/or electronic mail on this 1st day of ~~October~~, 2016:
NOV.

Mr. Curtis Wilson, Esquire
McCalla Raymer Pierce, LLC
225 E. Robinson Street, Ste. 660
Orlando, FL 32801
Email: Curtis.Wilson@mrpllc.com

Neil J. Gillespie, individually, and
Former Trustee
F.S. Chapter 736, Part III, of the
Terminated Trust
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net



Maria I. Berrios, Judicial Assistant

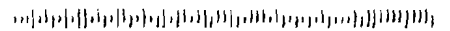
Page 2 of 2

Judge Ann Melinda Craggs
CIRCUIT COURT FIFTH JUDICIAL CIRCUIT
MARION COUNTY JUDICIAL CENTER
110 NW 1ST AVENUE, ROOM 3030
OCALA, FLORIDA 34475



Neil J. Gillespie, individually, and
Former Trustee
F.S. Chapter 736, Part III, of the
Terminated Trust
8092 SW 115th Loop
Ocala, FL 34481

3448133567 R067



IN THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT
IN AND FOR MARION COUNTY, FLORIDA

REVERSE MORTGAGE SOLUTIONS, INC.,
Plaintiff,

v.

CASE NO.: 2013-115-CA-S

NEIL J. GILLESPIE; et.al.,
Defendant.

ORDER RESCHEDULING CASE MANAGEMENT

THIS CAUSE came before the court upon its own Motion. The Court having a scheduling conflict for the date of Case Management Conference on **November 22, 2016 at 2:00 p.m.**, finds it necessary to reschedule this matter. Therefore, it is

ORDERED:

1. The Case Management Conference currently scheduled **November 22, 2016 at 2:00 p.m.**, is hereby rescheduled to **November 28, 2016 at 3:30 p.m.**, Marion County Judicial Center, 110 N.W. 1st Avenue, Third Floor, Courtroom 3B, Ocala, FL 34475. **Forty-five (45) minutes have been reserved.**
2. Any and all requirements of the Order Scheduling Case Management Conference entered on August 30, 2016 shall remain.

DONE AND ORDERED in Chambers in Ocala, Marion County, Florida, this

1st day of ~~October~~ ^{Nov.}, 2016.



ANN MELINDA CRAGGS
Circuit Judge

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<http://www.circuit5.org/c5/court-interpreter-request-form/>

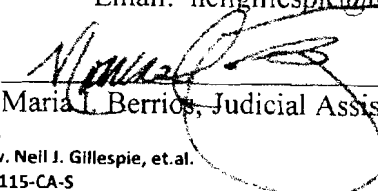
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been provided to the following by U.S. and/or electronic mail on this 15th day of ~~October~~, 2016:
NOV.

Mr. Curtis Wilson, Esquire
McCalla Raymer Pierce, LLC
225 E. Robinson Street, Ste. 660
Orlando, FL 32801
Email: Curtis.Wilson@mrpllc.com

Neil J. Gillespie, individually, and
Former Trustee
F.S. Chapter 736, Part III, of the
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8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net



Maria L. Berrios, Judicial Assistant

Neil Gillespie

From: "Berrios, Maria" <mberrios@circuit5.org>
To: <neilgillespie@mfi.net>
Sent: Wednesday, November 02, 2016 7:48 AM
Attach: [Untitled].pdf
Subject: Reverse Mtg. v. Neil J. Gillespie, et.al., Case Number 2013-115-CA-S

Please note attached Order reference the above matter. Hard copies have been mailed. Please confirm receipt, thank you.

Maria I. Berrios, Judicial Assistant
Honorable Ann Melinda Craggs
Marion County Judicial Center
110 NW First Avenue, Suite 3030
Ocala, FL 34475
Telephone (352) 401-6785

YOUR EMAIL IS IMPORTANT TO US. HOWEVER, DUE TO THE HEAVY VOLUME OF EMAILS RECEIVED BY THIS OFFICE ON A DAILY BASIS, IT MAY TAKE 24 TO 48 HOURS TO RESPOND TO YOUR EMAIL MESSAGE. IF YOU HAVE AN URGENT MATTER, PLEASE CALL OUR OFFICE.

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If you have received this E-mail in error, please notify the sender and delete the material from any computer. Thank you.

From: Suite3Amfp@circuit5.org [<mailto:Suite3Amfp@circuit5.org>]
Sent: Tuesday, November 01, 2016 3:00 PM
To: Berrios, Maria
Subject:

THIS IS NOT A COMMERCIAL FORCLOSURE

REVERSE MORTGAGE SOLUTIONS, INC.,

Plaintiff,

vs.

NEIL J. GILLESPIE AND MARK GILLESPIE
AS CO-TRUSTEES OF THE GILLESPIE
FAMILY LIVING TRUST AGREEMENT
DATED FEBRUARY 10, 1997, ET AL.

Defendants.

IN THE CIRCUIT COURT OF THE
FIFTH JUDICIAL CIRCUIT FLORIDA
IN AND FOR MARION COUNTY

CASE NO.: 2013-CA-000115
42-2013-CA-000115-AXXX-XX

Residential HECM Foreclosure Case
Florida Homestead of Neil J. Gillespie
Section 4, Article X, Florida Constitution

F.S. § 702.015 **Note/copy missing**
Rule 1.115 Pleading Mortgage Foreclosures
Rule 1.100(c)(2) Civil cover sheet wrong.
F.S. § 837.06 False Official Statements
F.S. § 92.525 Verification of documents

DEFENDANTS' MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016

Defendant Neil J. Gillespie, individually, and as former Trustee (F.S. Ch. 736 Part III) of the terminated Gillespie Family Living Trust Agreement Dated February 10, 1997 ("Terminated Trust"), an indigent non-lawyer, unable to obtain adequate counsel, a consumer of legal and court services affecting interstate commerce, a consumer of personal, family and household goods and services, consumer transactions in interstate commerce, a person with disabilities, a vulnerable adult, reluctantly appears pro se, henceforth in the first person, files *Defendants' Motion To Cancel Hearing Set For November 28, 2016*, and states:

1. It is impossible to comply with this Court's ORDER RESCHEDULING CASE MANAGEMENT (under 1.090(a)/2.514(a)(2)(C)(5) that appears at Exhibit 1 and states,

1. The Case Management Conference currently scheduled November 22, 2016 at 2:00 p.m., is hereby rescheduled to November 28, 2016 at 3:30 p.m., Marion County Judicial Center, 110 N.W. 1st Avenue, Third Floor, Courtroom 3B, Ocala, FL 34475. Forty-five (45) minutes have been reserved.

2. Any and all requirements of the Order Scheduling Case Management Conference entered on August 30, 2016 shall remain.



DEFENDANTS' MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016

2. This Court's Order Scheduling Case Management Conference entered on August 30, 2016 appears at Exhibit 2.

3. On information and belief, "Any and all requirements of the Order Scheduling Case Management Conference entered on August 30, 2016 shall remain" means the following:

ORDERED AND ADJUDGED that pursuant to Rule 1.200(a) Florida Rules of Civil Procedure, the undersigned has scheduled a Case Management Conference in the entitled cause for October 7, 2016 at 1:30 p.m., Marion County Judicial Center, 110 N.W. 1st Avenue, Third Floor, Courtroom 3B, Ocala, FL 34475. Forty-five (45) minutes reserved.

A. Counsel or parties pro se shall be prepared to discuss with this Court all matters regarding this case, including but not limited to the following:

1. Schedule or reschedule the service of motions, pleadings, and other papers;
2. Set or reset the time of hearings and trials; coordinate the progress of the action; limit schedule, order or expedite discovery; schedule motions in limine;
3. Scheduling of other conferences or determine other matters which may aid in the disposition of this action;
4. Status of settlement negotiations

B. Counsel or pro se party will file with the Clerk of Court, serve opposing party, and deliver a copy to the undersigned Judge's Chambers not less than 48 hours before the above Case Management Conference, a written statement which shall contain the following:

1. A statement of the facts that they believe supports their claim (if Petitioner or Plaintiff) or a statement of the facts that support the denial of the Petitioner or Plaintiff's claims (if Respondent or Defendant);
2. Facts that they believe to be undisputed;
3. Issues of Law that should be decided by the Court;
4. A proposed discovery schedule, anticipated trial date, and anticipated time required for trial.

C. Both parties are directed to appear. Failure to appear at this conference or comply with the terms of this order may result in the striking of pleadings, or parts thereof; staying further proceedings until compliance with this order; dismissing of the action; entry of final judgment by default; contempt proceedings; or other appropriate sanctions.

4. It is impossible to comply with this Court's ORDER RESCHEDULING CASE MANAGEMENT (Exhibit 1), under Fla. R. Civ. Pro 1.090(a) Computation of Time, and Fla. R.

DEFENDANTS' MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016

Jud. Admin. 2.514, Computing and Extending Time, subpart (a)(2)(C)(5) with "Any and all requirements of the Order Scheduling Case Management Conference entered on August 30, 2016" (Exhibit 2) and part "B" of the Order entered on August 30, 2016: "Counsel or pro se party will file with the Clerk of Court, serve opposing party, and deliver a copy to the undersigned Judge's Chambers not less than 48 hours before the above Case Management Conference, a written statement which shall contain the following:" (underline added)

B. Counsel or pro se party will file with the Clerk of Court, serve opposing party, and deliver a copy to the undersigned Judge's Chambers not less than 48 hours before the above Case Management Conference, a written statement which shall contain the following:

1. A statement of the facts that they believe supports their claim (if Petitioner or Plaintiff) or a statement of the facts that support the denial of the Petitioner or Plaintiff's claims (if Respondent or Defendant);
2. Facts that they believe to be undisputed;
3. Issues of Law that should be decided by the Court;
4. A proposed discovery schedule, anticipated trial date, and anticipated time required for trial.

5. "48 hours" before the Case Management Conference is 3:30 PM Friday, November 25, 2016, a legal holiday as defined by Rule 2.514(6)(A) the Friday after Thanksgiving Day.

6. The next day under rule 2.514(a)(2)(C)(5) is 3:30 PM Monday November 28, 2016, the date and time of the hearing, and not "48 hours" before the hearing.

7. RULE 1.090. TIME, "(a) Computation. Computation of time shall be governed by Florida Rule of Judicial Administration 2.514." (Exhibit 3).

8. Florida Rule of Judicial Administration 2.514 (Exhibit 4), states in relevant part,

RULE 2.514. COMPUTING AND EXTENDING TIME

(a) Computing Time. The following rules apply in computing time periods specified in any rule of procedure, local rule, court order, or statute that does not specify a method of computing time.

(2) Period Stated in Hours. When the period is stated in hours
(A) begin counting immediately on the occurrence of the event that triggers the period;
(B) count every hour, including hours during intermediate Saturdays, Sundays, and legal holidays; and
(C) if the period would end on a Saturday, Sunday, or legal holiday, or during any period of time extended through an order of the chief justice under Florida Rule of Judicial Administration 2.205(a)(2)(B)(iv), the period continues to run until the same time on the next day that is not a Saturday, Sunday, or legal holiday and does not fall within any period of time extended through an order of the chief justice.

(5) "Next Day" Defined. The "next day" is determined by continuing to count forward when the period is measured after an event and backward when measured before an event.

(6) "Legal Holiday" Defined. "Legal holiday" means
(A) the day set aside by section 110.117, Florida Statutes, for observing New Year's Day, Martin Luther King, Jr.'s Birthday, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, the Friday after Thanksgiving Day, or Christmas Day, and

Section 110.117, Florida Statutes, Paid holidays. (Exhibit 5)

(g) Thanksgiving Day.

(h) Friday after Thanksgiving.

Thanksgiving Day is November 24, 2016. The Friday after Thanksgiving is November 25, 2016.

(B) any day observed as a holiday by the clerk's office or as designated by the chief judge.

The Marion County Clerk's Office "Holiday Schedule" at Exhibit 6 shows,

Holiday: Day after Thanksgiving

Date: Friday, November 25, 2016

The Chief Judge of the Fifth Judicial Circuit "2016 Holiday Schedule", Exhibit 7 shows,

"Friday November 25, 2016 Thanksgiving Day Holiday"

9. The Court has Ordered compliance of the parties at least "48 hours" before the Case Management Conference, which is 3:30 PM Friday, November 25, 2016, a legal holiday (Rule 2.514(6)(A)/Fla. Stat. 110.117) the Friday after Thanksgiving Day. The next day for compliance under the Court's Order(s) [Exhibit 1 and Exhibit 2] under rule 2.514(a)(2)(C)(5) is 3:30 PM

DEFENDANTS' MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016

Monday November 28, 2016, the date and time of the hearing, and not "48 hours" before the hearing. Therefore, I move to cancel the hearing 3:30 PM Monday, November 28, 2016.

10. I move to reschedule the Case Management not sooner than 90 days from today, on or about February 27, 2017. In support thereof, I state:

11. On October 5, 2016 I filed Defendants' First Amended Answer, see,

DEFENDANTS' FIRST AMENDED ANSWER TO VERIFIED COMPLAINT
TO FORECLOSE HOME EQUITY CONVERSION MORTGAGE
Filing # 47307379 E-Filed 10/05/2016 01:15:15 PM

Based on Defendants' First Amended Answer. the Court should dismiss this case with prejudice.

Jurisdiction

12. On information and belief, the Court lacks jurisdiction over this matter because, *inter alia*, my complaint to the Consumer Financial Protection Bureau, **CFPB Complaint No. 120914-000082**, as not been reviewed in its entirety.

13. The Consumer Financial Protection Bureau (CFPB) is an agency of the United States government responsible for consumer protection in the financial sector. The CFPB's creation was authorized by the Dodd–Frank Wall Street Reform and Consumer Protection Act, see,

12 U.S. Code Chapter 53 - WALL STREET REFORM AND CONSUMER
PROTECTION, <https://www.law.cornell.edu/uscode/text/12/chapter-53>

12 U.S. Code Subchapter V - BUREAU OF CONSUMER FINANCIAL PROTECTION
<https://www.law.cornell.edu/uscode/text/12/chapter-53/subchapter-V>

14. Before this foreclosure commenced, I made a complaint to HUD, the U.S. Department of Housing and Urban Development, as provided in the Reverse Mortgage Handbook 7610.01,

Section 4-19¹. HUD did not rule on my complaint, but instead sent it to the CFPB, where it was ultimately compromised by CFPB attorney Gregory Evans, according to FOIA documents received. Evans told CFPB investigators that they could not speak with me due to privacy rules. Later I learned deceased persons do not have privacy. I made a complaint about Evans to the Office of Inspector General Hotline (OIG Hotline) of the Board of Governors of the Federal Reserve System (Board) which has oversight of CFPB employees.

15. On September 21, 2016 the OIG Hotline emailed me as follows: (Exhibit 8)

Mr. Gillespie:

Thank you for contacting the OIG Hotline and we appreciate your patience as we reviewed your complaint in its entirety.

In the email to our office, dated February 15, 2016 (below), you stated, "The Consumer Financial Protection Bureau (CFPB) provided evidence through the attached responses to my 2 FOIA/PA that CFPB attorney Greg Evans, and two nonlawyer CFPB employees, Andrew Fey and K. Byron, **conspired with Bank of America and corrupted CFPB Complaint No. 120914-000082**, with a concocted CFPB closing letter[.]"

Please provide any evidence you have that supports your complaint of the CFPB working with Bank of America to yield an unfavorable resolution to your complaint. Once submitted, we will review and evaluate to determine if the CFPB acted in an improper manner or deviated from its normal process.

Please keep in mind, that the OIG cannot provide information regarding what action has been taken on any allegation reported to our office. However, if we need any more supporting evidence, our office will contact you directly.

Lastly, as stated in our previous email to you, the Federal Reserve Board has no jurisdictional authority over Bank of America, N.A., therefore, we are not the appropriate entity to handle your complaint against the bank. You may wish to pursue a follow-up with the OCC or seek counsel. Please note that our office is unable to investigate or intervene in individual consumer complaints against financial institutions and the OIG does not dispense legal advice to private citizens, nor does it act as a legal representative for private citizens.

¹ I filed a copy of my HUD complaint in this Court on February 4, 2013 as part of my *Motion To Dismiss Verified Complaint To Foreclose Home Equity Conversion Mortgage*, see Defendant's Composite B, 240 pages, to Defendants' Motion To Dismiss.

We look forward to your correspondence regarding this complaint.

Thank you,
OIG Hotline

16. I responded by email to the OIG Hotline (Exhibit 9) on September 23, 2016 at 1:40 AM:

OIGHotline
RE: Office of Inspector General (OIG) of the Board of Governors of the Federal Reserve System (Board)

Dear OIGHotline,

Thank you for your email. This is to acknowledge your request:

Please provide any evidence you have that supports your complaint of the CFPB working with Bank of America to yield an unfavorable resolution to your complaint. Once submitted, we will review and evaluate to determine if the CFPB acted in an improper manner or deviated from its normal process.

I plan a response within two-three weeks, with my affidavits and supporting documents. I appreciate your patience.

In the meantime, attached is my PDF letter and attachments to the OIGHotline that I emailed February 18, 2016 to OIGHotline@frb.gov. The PDF letter is also posted on my Scribd at <https://www.scribd.com/document/299848838/OIGHotline-Rc-CFPB-to-Board-of-Governors-of-the-Federal-Reserve-System-Feb-18-2016>

I plan to file the foregoing with the court, RMS v Gillespie, 2013-CA-00115, Marion County Florida.

Sincerely,
Neil J. Gillespie
8092 SW 115th Loop
Ocala, Florida 34481
Tel. 352-854-7807
Email: neilgillespie@mfi.net

17. My 74 page response emailed to the OIG Hotline February 18, 2016 appears as a separate volume appendix, and includes my response of February 15, 2016:

From: "Neil Gillespie" <neilgillespie@mfi.net>
To: "OIGHotline" <oighotline@frb.gov>
Cc: "Neil Gillespie" <neilgillespie@mfi.net>

DEFENDANTS' MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016

Sent: Monday, February 15, 2016 2:02 PM

Attach: An advocate who scares Republicans - The New York Times.pdf; Regulatory capture - Wikipedia.pdf; Federal Reserve Bank of San Francisco.pdf; CFPB close-out letter to Neil Gillespie March 19, 2013.pdf; CFPB Martin Michalosky response to FOIA Request #CFPB-2014-182-F-P.pdf; CFPB Martin Michalosky response to FOIA Request #CFPB-2014-206-F.pdf

Subject: Office of Inspector General (OIG) of the Board of Governors of the Federal Reserve System (Board)

To: The Office of Inspector General (OIG) of the Board of Governors of the Federal Reserve System (Board):

You wrote, "Our office investigates fraud, waste, and abuse of Board and CFPB programs and operations".

The Consumer Financial Protection Bureau (CFPB) provided evidence through the attached responses to my 2 FOIA/PA that CFPB attorney Greg Evans, and two nonlawyer CFPB employees, Andrew Fey and K. Byron, conspired with Bank of America and corrupted CFPB Complaint No. 120914-000082, with a concocted CFPB closing letter March 19, 2013, in part,

"Our records indicate that we do not have proper authorization to disclose any information to you regarding Ms. Penelope M. Gillespie's account. Bank of America values and guards our customers' privacy and financial information and, therefore, does not provide customer-specific information to unauthorized third parties."

The Bank of America employees were Jason Powell, Customer Advocate, Office of the CEO and President, and Chris Pickle, Customer Advocate, Office of the CEO and President.

Regarding claims of privacy for the decedent by CFPB attorney Greg Evans and Bank of America: Privacy laws do not protect the privacy of dead people. Dead people do not have privacy rights. Privacy rights are personal and die with the individual. *Nestor v. Posner-Gerstenhaber*, 857 So. 2d 953 (Fla. Dist. Ct. App. 3d Dist. 2003), review denied, 869 So. 2d 540 (Fla. 2004). [E]ven where a private confidentiality agreement is otherwise proper, it will not be enforced where its effect becomes obstructive of the rights of non-parties. See, e.g., *Nestor v. Posner-Gerstenhaber*, 857 So. 2d 953, 955 (Fla. 3rd DCA 2003); *Scott v. Nelson*, 697 So. 2d 1300, 1301 (Fla. 1st DCA 1997). Quoted by U.S. Judge John E. Steele in *Tardif, Trustee (Jason Yerk) v. PETA, USDC, SD Fla. Fort Myers Div. Case No. 2:09-cv-537-FtM-29SPC*, at the Pacer link, Case 2:09-cv-00537-JES-SPC Document 179 Filed 11/04/11 Page 14 of 31 PageID 6050

Regarding your statement: "Lastly, the Board does not regulate Bank of America; it is regulated by the Office of the Comptroller of the Currency (OCC),"

DEFENDANTS' MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016

And my response: No. The OCC does not regulate Bank of America in any meaningful way. Bank of America regulates the government of the United States.

Bank of America regulates the government of the United States through Regulatory Capture, see attached the Wikipedia article that refers to the Office of the Comptroller of the Currency (OCC)

"The Office of the Comptroller of the Currency (OCC) has strongly opposed the efforts of the 50 state attorneys general, who have banded together to penalize banks and reform the mortgage modification process, following the subprime mortgage crisis and the financial crisis of 2008. This example was cited in *The New York Times* as evidence that the OCC is "a captive of the banks it is supposed to regulate"" Also attached the New York Times story by Joe Nocera, "An advocate who scares Republicans".

Regarding my comment about the Fed as a private concern, see attached the education piece by the Federal Reserve Bank of San Francisco.

In conclusion, CFPB attorney Greg Evans, and two nonlawyer CFPB employees, Andrew Fey and K. Byron, conspired with Bank of America and corrupted CFPB Complaint No. 120914-000082, with a concocted a CFPB closing letter March 19, 2013 that wrongly denied my rights, which is under your jurisdiction. When can I expect an investigation?

Neil J. Gillespie
8092 SW 115th Loop
Ocala, Florida 34481

18. Today I am submitting a further response to the OIG Hotline.

WHEREFORE, I respectfully move this Honorable Court to cancel the hearing for November 28, 2016 at 3:30 PM because it is impossible for me to comply with the Court's ORDER RESCHEDULING CASE MANAGEMENT under the Fla. R. Jud. Admin. 2.514(a)(2)(C)(5), and if rescheduled, 90 days from today on February 27, 2017.

RESPECTFULLY SUBMITTED November 22, 2016.



Neil J. Gillespie, individually, and former Trustee
F.S. Ch. 736 Part III, of the Terminated Trust
8092 SW 115th Loop Tel. 352-854-7807
Ocala, Florida 34481
Email: neilgillespie@mfi.net (Rule 2.516(b)(1)(C)).

Service List November 22, 2016

I hereby certify the names below were served by email November 22, 2016 through the Florida Portal, unless otherwise expressly stated.

Office of Inspector General, "OIGHotline"
c/o Board of Governors of
the Federal Reserve System
20th Street and Constitution Avenue, NW
Mail Stop K- 300
Washington, DC 20551
Email: OIGHotline@frb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

SEC Office of the Whistleblower
100 F Street NE
Washington, DC 20549
Phone: (202) 551-4790
Fax: (703) 813-9322
Via U.S. Mail, First Class
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750
Not served on the Florida Portal

The Honorable Richard Cordray, Director
Consumer Finance Protection Bureau
1700 G Street, NW
Washington, DC 20002
Email: Richard.Cordray@cfpb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

Stefanie Isser Goldblatt
Senior Litigation Counsel
Enforcement Division
Consumer Finance Protection Bureau
Email: Stefanie.Goldblatt@cfpb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

FBI Tampa Division
Special Agent in Charge, Paul Wysopal
Website: <https://www.fbi.gov/tampa>
Email: tampa.division@ic.fbi.gov

FBI Jacksonville Division
Special Agent in Charge, Michelle S. Klimt
Website: <https://www.fbi.gov/jacksonville>
Email: jacksonville@ic.fbi.gov

The Honorable Don F. Briggs
Chief Judge, Fifth Judicial Circuit
Lake County Judicial Center
550 W. Main Street
Tavares, FL 32778-7800.
Tel. 352-742-4224
Email: dbriggs@circuit5.org

The Honorable Ann Melinda Craggs
Circuit Court Judge, Fifth Judicial Circuit
Marion County Judicial Center
110 NW 1st Ave.
Ocala, FL 34475
Tel: 352-401-6785
Email: amcraggs@circuit5.org

Mr. Curtis Wilson, Esq.
McCalla Raymer Pierce, LLC
225 E. Robinson Street, Ste. 660
Orlando, FL 32801
MRService@mrpllc.com

Ms. Colleen Murphy Davis, AUSA
400 N. Tampa Street, Suite 3200
Tampa, FL 33602
Email: USAFLM.HUD@usdoj.gov Email:
JAXSFFORECLOSURES@hud.gov
JAXSFORECLOSURES@hud.gov
lydia.a.brush@gmail.com

Gregory C. Harrell
General Counsel to David R. Ellspermann,
Marion County Clerk of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
Email: gharrell@marioncountyclerk.org

David R. Ellspermann Marion County Clerk
of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
Email: Ellspermann@marioncountyclerk.org

Development & Construction Corporation
of America, c/o Carol Olson, Vice President
of Administration and Secretary-Treasurer,
for RA Priya Ghumman
10983 SW 89 Avenue
Ocala, FL 34481
Email: colson@deccahomes.com

Oak Run Homeowners Association, Inc.
c/o Board of Directors, orhaboard@yahoo.com

Neil J. Gillespie and Mark Gillespie as Co-Trustees of the Gillespie Family Living Trust
Agreement dated February 10, 1997; Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Neil J. Gillespie
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Mark Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123
Email: mark.gillespie@att.net

Unknown spouse of Mark Gillespie n/k/a Joetta Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123
Email: mark.gillespie@att.net

Unknown Settlers/Beneficiaries of The Gillespie Family Living Trust Agreement dated
February 10, 1997; (NONE); Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Elizabeth Bauerle n/k/a Elizabeth Bidgood
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Unknown spouse of Elizabeth Bidgood,
n.k.a. Scott Bidgood
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Termination of the Gillespie Family Living Trust Agreement Dated February 10, 1997

STATE OF FLORIDA)
) SS.:
COUNTY OF MARION)



DAVID R. ELLSPERMANN CLERK & COMPTROLLER MARION CO
DATE: 02/03/2015 11:55:32 AM
FILE #: 2015009748 OR BK 6161 PGS 1844-1845
REC FEES: \$18.50 INDEX FEES: \$0.00
DDS: \$0 MDS: \$0 INT: \$0

AFFIDAVIT

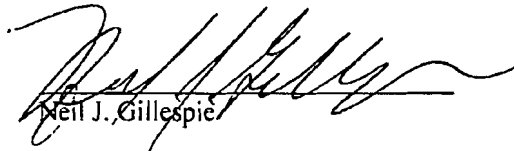
BEFORE ME, this day personally appeared NEIL J. GILLESPIE, who upon being duly sworn deposed upon oath as follows:

1. My name is Neil J. Gillespie. I am over eighteen years of age. This affidavit is given on personal knowledge unless otherwise expressly stated.
2. I am sole Trustee of the Gillespie Family Living Trust Agreement Dated February 10, 1997 (hereinafter "Trust").
3. My Florida residential homestead property is the sole asset of the Trust, property address 8092 SW 115th Loop, Ocala, Florida 34481, Marion County, Florida, (the "property") where I have lived in the property continuously and uninterruptedly since February 9, 2005, Tax ID No. 7013-007-001, legal description:

Lot(s) 1, Block G, OAK RUN WOODSIDE TRACT, according to the Plat thereof as recorded in Plat Book 2 at Page(s) 106 through 112, inclusive of the Public Records of Marion County, Florida.
4. Pursuant to my authority as Trustee of the Trust, and acting in that capacity, I transferred the remaining trust property to the beneficiary, myself, on January 14, 2015.
5. Pursuant to my authority as Trustee of the Trust, and acting in that capacity, I hereby terminate the Trust as provided by Fla. Stat. § 736.0414, and Article V, the Trust. The total fair market value of the assets of the Trust is zero. The Trust served its intended purpose of transferring the property to the beneficiary without going through probate.
6. Pursuant to Fla. Stat. § 736.0414 Modification or termination of uneconomic trust. (l) After notice to the qualified beneficiaries, the trustee of a trust consisting of trust property

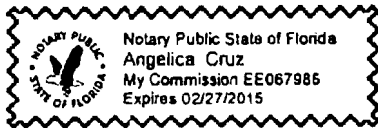
having a total value less than \$50,000 may terminate the trust if the trustee concludes that the value of the trust property is insufficient to justify the cost of administration.


FURTHER AFFIANT SAYETH NOT,


Neil J. Gillespie

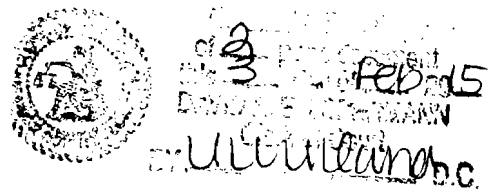
The foregoing instrument was acknowledged before me, this 2nd day of February, 2015, by Neil J. Gillespie, who is personally known to me, or who has produced FL DL 642630560990 as identification and states that he is the person who made this affidavit and that its contents are truthful to the best of his knowledge, information and belief.

(SEAL)




NOTARY PUBLIC
Angelica Cruz
Print Name of Notary Public

My Commission Expires: 2/27/15



THIS IS NOT A COMMERCIAL FORCLOSURE

IN THE CIRCUIT COURT OF THE
FIFTH JUDICIAL CIRCUIT FLORIDA
IN AND FOR MARION COUNTY

REVERSE MORTGAGE SOLUTIONS, INC.,

Plaintiff,

CASE NO.: 2013-CA-000115
42-2013-CA-000115-AXXX-XX

vs.

Residential HECM Foreclosure Case
Florida Homestead of Neil J. Gillespie
Section 4, Article X, Florida Constitution

NEIL J. GILLESPIE AND MARK GILLESPIE
AS CO-TRUSTEES OF THE GILLESPIE
FAMILY LIVING TRUST AGREEMENT
DATED FEBRUARY 10, 1997, ET AL.

F.S. § 702.015 **Note/copy missing**
Rule 1.115 Pleading Mortgage Foreclosures
Rule 1.100(c)(2) Civil cover sheet wrong.
F.S. § 837.06 False Official Statements
F.S. § 92.525 Verification of documents

Defendants.

APPENDIX OF EXHIBITS

DEFENDANTS' MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016

- Exhibit 1 2016, 11-01-16, ORDER SCHEDULING CASE MANAGEMENT
- Exhibit 2 2016, 08-30-16, ORDER SCHEDULING CASE MANAGEMENT
- Exhibit 3 RULE 1.090. TIME
- Exhibit 4 RULE 2.514. COMPUTING AND EXTENDING TIME
- Exhibit 5 F.S. § 110.117 Paid holidays
- Exhibit 6 Marion County Clerk of Courts - Holiday Schedule
- Exhibit 7 Court Holidays « State of Florida Fifth Judicial Circuit
- Exhibit 8 OIG Hotline/BOG email September 21, 2016 to Neil J. Gillespie
- Exhibit 9 Gillespie email to OIG Hotline/BOG email September 23, 2016

Separate Volume Appendix (74 pages)

Gillespie Communication to the OIGHotline_BOG Re CFPB Feb-18-2016

IN THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT
IN AND FOR MARION COUNTY, FLORIDA

REVERSE MORTGAGE SOLUTIONS, INC.,
Plaintiff,

v.

CASE NO.: 2013-115-CA-S

NEIL J. GILLESPIE; et.al.,
Defendant.

ORDER RESCHEDULING CASE MANAGEMENT

THIS CAUSE came before the court upon its own Motion. The Court having a scheduling conflict for the date of Case Management Conference on **November 22, 2016 at 2:00 p.m.**, finds it necessary to reschedule this matter. Therefore, it is

ORDERED:

1. The Case Management Conference currently scheduled **November 22, 2016 at 2:00 p.m.**, is hereby rescheduled to **November 28, 2016 at 3:30 p.m.**, Marion County Judicial Center, 110 N.W. 1st Avenue, Third Floor, Courtroom 3B, Ocala, FL 34475. **Forty-five (45) minutes have been reserved.**
2. Any and all requirements of the Order Scheduling Case Management Conference entered on August 30, 2016 shall remain.

DONE AND ORDERED in Chambers in Ocala, Marion County, Florida, this

1st day of ~~October~~^{NOV.}, 2016.



ANN MELINDA CRAGGS
Circuit Judge

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact ADA Coordinator, Marion County Judicial Center, 110 N.W. 1st Avenue, Ocala, Florida 34475 or (352) 401-6710 at least at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

IF YOU NEED AN INTERPRETER/ SI NECESITA UN INTERPRETE

No later than ten (10) days prior to the scheduled court hearing, if an interpreter is needed, the person requiring the interpreter's services must request an appropriate court interpreter for the hearing via the Fifth Circuit website:

<http://www.circuit5.org/c5/court-interpreter-request-form/>

Should the party requesting the interpreter fail to appear at the court hearing, that party may be responsible for the costs of the interpreter's appearance. Additional information on Court Interpreting Services is located at www.circuit5.org under the Programs & Services section.

Si alguien necesita un intérprete, la persona que requiere los servicios de un intérprete debe solicitar un intérprete de la corte apropiado por lo menos diez (10) días antes de la audiencia judicial programada. El pedido se hace por el sitio web del Quinto Circuito:

<http://www.circuit5.org/c5/court-interpreter-request-form/>

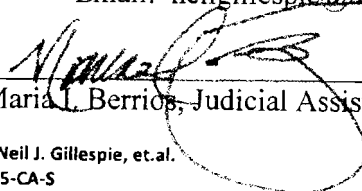
Si la parte que pide un intérprete no comparece en la audiencia judicial, puede que aquella parte se le imponga el costo de la comparecencia del intérprete. Información adicional acerca de los Servicios de Interpretación Judicial están disponible en el sitio web www.circuit5.org bajo la sección titulada "Programs & Services."

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been provided to the following by U.S. and/or electronic mail on this 1st day of ~~October~~, 2016:
NOV.

Mr. Curtis Wilson, Esquire
McCalla Raymer Pierce, LLC
225 E. Robinson Street, Ste. 660
Orlando, FL 32801
Email: Curtis.Wilson@mrpllc.com

Neil J. Gillespie, individually, and
Former Trustee
F.S. Chapter 736, Part III, of the
Terminated Trust
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net



Maria L. Berrios, Judicial Assistant

FILED
CIVIL DIVISION

IN THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT
IN AND FOR MARION COUNTY, FLORIDA

2016 AUG 31 AM 11:30

REVERSE MORTGAGE SOLUTIONS, INC.,
Plaintiff,

DAVID R. FLEISCHMANN
CLERK CIRCUIT COURT
MARION COUNTY, FL.

v.

CASE NO.: 2013-115-CA-S

NEIL J. GILLESPIE; et.al.,
Defendant.

ORDER SCHEDULING CASE MANAGEMENT

ORDERED AND ADJUDGED that pursuant to Rule 1.200(a) Florida Rules of Civil Procedure, the undersigned has scheduled a Case Management Conference in the entitled cause for **October 7, 2016 at 1:30 p.m.**, Marion County Judicial Center, 110 N.W. 1st Avenue, Third Floor, Courtroom 3B, Ocala, FL 34475. **Forty-five (45) minutes reserved.**

A. Counsel or parties pro se shall be prepared to discuss with this Court all matters regarding this case, including but not limited to the following:

1. Schedule or reschedule the service of motions, pleadings, and other papers;
2. Set or reset the time of hearings and trials; coordinate the progress of the action; limit schedule, order or expedite discovery; schedule motions in limine;
3. Scheduling of other conferences or determine other matters which may aid in the disposition of this action;
4. Status of settlement negotiations

B. Counsel or pro se party will file with the Clerk of Court, serve opposing party, and deliver a copy to the undersigned Judge's Chambers not less than 48 hours before the above Case Management Conference, a written statement which shall contain the following:

1. A statement of the facts that they believe supports their claim (if Petitioner or Plaintiff) or a statement of the facts that support the denial of the Petitioner or Plaintiff's claims (if Respondent or Defendant);
2. Facts that they believe to be undisputed;
3. Issues of Law that should be decided by the Court;
4. A proposed discovery schedule, anticipated trial date, and anticipated time required for trial.

C. Both parties are directed to appear. Failure to appear at this conference or comply with the terms of this order may result in the striking of pleadings, or parts thereof; staying further proceedings until compliance with this order; dismissing of the action; entry of final judgment by default; contempt proceedings; or other appropriate sanctions.

No electronic audio tape recording or court reporting services are provided by the court. A party may arrange in advance for the services of and provide for a court reporter to prepare a written transcript of the proceedings at that party's expense.

DONE AND ORDERED in Chambers in Ocala, Marion County, Florida, this

30 day of August, 2016.



ANN MELINDA CRAGGS
Circuit Judge

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact ADA Coordinator, Marion County Judicial Center, 110 N.W. 1st Avenue, Ocala, Florida 34475 or (352) 401-6710 at least at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711 or (352) 742-3890.

No later than ten (10) days prior to the scheduled court hearing, if an interpreter is needed, the person requiring the interpreter's services must request an appropriate court interpreter for the hearing via the Fifth Circuit website:

<http://www.circuit5.org/c5/court-interpreter-request-form/>

Should the party requesting the interpreter fail to appear at the court hearing, that party may be responsible for the costs of the interpreter's appearance. Additional information on Court Interpreting Services is located at www.circuit5.org under the Programs & Services section.

Si alguien necesita un intérprete, la persona que requiere los servicios de un intérprete debe solicitar un intérprete de la corte apropiado por lo menos diez (10) días antes de la audiencia judicial programada. El pedido se hace por el sitio web del Quinto Circuito:

<http://www.circuit5.org/c5/court-interpreter-request-form/>

Si la parte que pide un intérprete no comparece en la audiencia judicial, puede que aquella parte se le imponga el costo de la comparecencia del intérprete. Información adicional acerca de los Servicios de Interpretación Judicial están disponible en el sitio web www.circuit5.org bajo la sección titulada "Programs & Services."

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been provided to the following by U.S. mail on this 30 day of August, 2016:

Mr. Curtis Wilson, Esquire
McCalla Raymer Pierce, LLC
225 E. Robinson Street, Ste. 660
Orlando, FL 32801

Ms. Colleen Murphy-Davis, AUSA
400 N. Tampa Street, Ste. 3200
Tampa, FL 33602

Gregory C. Harrell, Esquire
General Counsel to David R. Ellspermann
Marion County Clerk of Court & Comptroller
PO Box 1030
Ocala, FL 34478-1030

Oak Run Homeowners Association, Inc.
7480 SW Highway 200
Ocala, FL 34476

Development and Construction Corp. of America
C/o R.A. Priya Ghuman
10983 SW 89th Avenue
Ocala, FL 34481

Neil J. Gillespie and Mark Gillespie as Co-Trustees of the Gillespie Family Living Trust
Agreement dated February 10, 1997; Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481

Neil J. Gillespie
8092 SW 115th Loop
Ocala, FL 34481

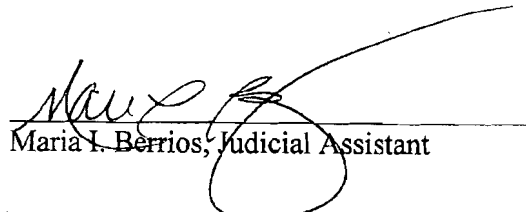
Mark Gillespie
7504 Summer Meadows Drive
Ft. Worth, EX 76123

Unknown Spouse of Mark Gillespie n/k/a Joetta Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123

Unknown Settlers/Beneficiaries of the Gillespie Family Living Trust
Agreement dated February 10, 1997; (NONE); Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481

Elizabeth Bauerle n/k/a Elizabeth Bidgood
8092 SW 115th Loop
Ocala, FL 34481

Unknown Spouse of Elizabeth Bauerle n/k/a Elizabeth Bidgood
n/k/a Scott Bidgood
8092 SW 115th Loop
Ocala, FL 34481


Maria I. Berrios, Judicial Assistant

RULE 1.090. TIME

(a) Computation. Computation of time shall be governed by Florida Rule of Judicial Administration 2.514.

(b) Enlargement. When an act is required or allowed to be done at or within a specified time by order of court, by these rules, or by notice given thereunder, for cause shown the court at any time in its discretion (1) with or without notice, may order the period enlarged if request therefor is made before the expiration of the period originally prescribed or as extended by a previous order, or (2) upon motion made and notice after the expiration of the specified period, may permit the act to be done when failure to act was the result of excusable neglect, but it may not extend the time for making a motion for new trial, for rehearing, or to alter or amend a judgment; making a motion for relief from a judgment under rule 1.540(b); taking an appeal or filing a petition for certiorari; or making a motion for a directed verdict.

(c) Unaffected by Expiration of Term. The period of time provided for the doing of any act or the taking of any proceeding shall not be affected or limited by the continued existence or expiration of a term of court. The continued existence or expiration of a term of court in no way affects the power of a court to do any act or take any proceeding in any action which is or has been pending before it.

(d) For Motions. A copy of any written motion which may not be heard ex parte and a copy of the notice of the hearing thereof shall be served a reasonable time before the time specified for the hearing.



Telephone Number

Florida Bar Number

E-mail Address

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing motion was served by mail to PHV Admissions, The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2333 accompanied by payment of the \$250.00 filing fee made payable to The Florida Bar, or notice that the movant has requested a judicial waiver of said fee; and by (e-mail) (delivery) (mail) (fax) to (name of attorney or party if not represented)

this _____ day of _____, 20____.

Movant

B. PRACTICE AND LITIGATION PROCEDURES

RULE 2.514. COMPUTING AND EXTENDING TIME

(a) **Computing Time.** The following rules apply in computing time periods specified in any rule of procedure, local rule, court order, or statute that does not specify a method of computing time.

(1) **Period Stated in Days or a Longer Unit.** When the period is stated in days or a longer unit of time

(A) exclude the day of the event that triggers the period;



(B) count every day, including intermediate Saturdays, Sundays, and legal holidays; and

(C) include the last day of the period, but if the last day is a Saturday, Sunday, or legal holiday, or falls within any period of time extended through an order of the chief justice under Florida Rule of Judicial Administration 2.205(a)(2)(B)(iv), the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday and does not fall within any period of time extended through an order of the chief justice.

(2) Period Stated in Hours. When the period is stated in hours

(A) begin counting immediately on the occurrence of the event that triggers the period;

(B) count every hour, including hours during intermediate Saturdays, Sundays, and legal holidays; and

(C) if the period would end on a Saturday, Sunday, or legal holiday, or during any period of time extended through an order of the chief justice under Florida Rule of Judicial Administration 2.205(a)(2)(B)(iv), the period continues to run until the same time on the next day that is not a Saturday, Sunday, or legal holiday and does not fall within any period of time extended through an order of the chief justice.

(3) Period Stated in Days Less Than Seven Days. When the period stated in days is less than 7 days, intermediate Saturdays, Sundays, and legal holidays shall be excluded in the computation.

(4) “Last Day” Defined. Unless a different time is set by a statute, local rule, or court order, the last day ends

(A) for electronic filing or for service by any means, at midnight; and

(B) for filing by other means, when the clerk’s office is scheduled to close.

(5) “Next Day” Defined. The “next day” is determined by continuing to count forward when the period is measured after an event and backward when measured before an event.

(6) **“Legal Holiday” Defined.** “Legal holiday” means

(A) the day set aside by section 110.117, Florida Statutes, for observing New Year’s Day, Martin Luther King, Jr.’s Birthday, Memorial Day, Independence Day, Labor Day, Veterans’ Day, Thanksgiving Day, the Friday after Thanksgiving Day, or Christmas Day, and

(B) any day observed as a holiday by the clerk’s office or as designated by the chief judge.

(b) **Additional Time after Service by Mail or E-mail.** When a party may or must act within a specified time after service and service is made by mail or e-mail, 5 days are added after the period that would otherwise expire under subdivision (a).

RULE 2.515. SIGNATURE AND CERTIFICATES OF ATTORNEYS AND PARTIES

(a) **Attorney’s Signature and Certificates.** Every document of a party represented by an attorney shall be signed by at least 1 attorney of record in that attorney’s individual name whose current record Florida Bar address, telephone number, including area code, primary e-mail address and secondary e-mail addresses, if any, and Florida Bar number shall be stated, and who shall be duly licensed to practice law in Florida or who shall have received permission to appear in the particular case as provided in rule 2.510. The attorney may be required by the court to give the address of, and to vouch for the attorney’s authority to represent, the party. Except when otherwise specifically provided by an applicable rule or statute, documents need not be verified or accompanied by affidavit. The signature of an attorney shall constitute a certificate by the attorney that:

- (1) the attorney has read the document;
- (2) to the best of the attorney’s knowledge, information, and belief there is good ground to support the document;
- (3) the document is not interposed for delay; and
- (4) the document contains no confidential or sensitive information, or that any such confidential or sensitive information has been properly protected by complying with the provisions of rules 2.420 and 2.425. If a document is not

OFFICE HOURS

The Marion County Clerk's Office is open from 8:00 am to 5:00 pm, Monday through Friday. The holiday schedule is as follows:

Holiday	Date
New Year's Day	Friday, January 1, 2016
Martin Luther King, Jr. Day	Monday, January 18, 2016
Memorial Day	Monday, May 30, 2016
Independence Day	Monday, July 4, 2016
Labor Day	Monday, September 5, 2016
Veterans' Day	Friday, November 11, 2016
Thanksgiving Day	Thursday, November 24, 2016
Day after Thanksgiving	Friday, November 25, 2016
Christmas Day (Observed)	Monday, December 26, 2016
New Year's Day (2017 - Observed)	Monday, January 2, 2017

State of Florida Fifth Judicial Circuit
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2016 Holiday Schedule

As set out in the State Courts' Personnel Regulation 4.07, the following are designated holidays for the Judges, Judicial Assistants and Court Administration State employees in the Fifth Judicial Circuit for the calendar year 2016:



Friday	January 1, 2016	New Year's Day
Monday	January 18, 2016	Martin Luther King, Jr. Day
Friday	March 25, 2016	Good Friday
Monday	May 30, 2016	Memorial Day
Monday	July 4, 2016	Independence Day
Monday	September 5, 2016	Labor Day
Monday	October 3, 2016	Rosh Hashanah
Wednesday	October 12, 2016	Yom Kippur
Friday	November 11, 2016	Veteran's Day Holiday
Thursday	November 24, 2016	Thanksgiving Day
Friday	November 25, 2016	Thanksgiving Day Holiday
Friday	December 23, 2016	Christmas Holiday
Monday	December 26, 2016	Christmas Holiday

In accordance with 4.07(2), Chief Judge Don F. Briggs has designated Friday, December 23, 2016 as his one discretionary holiday.

In accordance with 4.07(3), the Chief Judge has also designated Good Friday, Rosh Hashanah and Yom Kippur as legal holidays.

Each court employee occupying an established position with a minimum of six months of service with state government is authorized one personal leave day each fiscal year.

2017 Holiday Schedule



As set out in the State Courts' Personnel Regulation 4.07, the following are designated holidays for the Judges, Judicial Assistants and Court Administration State employees in the Fifth Judicial Circuit for the calendar year 2017:

Monday	January 2, 2017	New Year's Day
Monday	January 16, 2017	Martin Luther King, Jr. Day
Friday	April 14, 2017	Good Friday
Monday	May 29, 2017	Memorial Day
Monday	July 3, 2017	Discretionary Holiday
Tuesday	July 4, 2017	Independence Day
Monday	September 4, 2017	Labor Day
Thursday	September 21, 2017	Rosh Hashanah
Friday	November 10, 2017	Veterans Day
Thursday	November 23, 2017	Thanksgiving Day
Friday	November 24, 2017	Thanksgiving Day Holiday
Monday	December 25, 2017	Christmas Day

In accordance with 4.07(2), Chief Judge Don F. Briggs has designated Monday, July 3, 2017 as his one discretionary holiday.

In accordance with 4.07(3), the Chief Judge has also designated Good Friday, Rosh Hashanah as legal holidays. (Yom Kippur falls on a Saturday for the year 2017)



Each court employee occupying an established position with a minimum of six months of service with state government is authorized one personal leave day each fiscal year.



Neil Gillespie

From: "OIGHotline" <oighotline@frb.gov>
To: "Neil Gillespie" <neilgillespie@mfi.net>
Sent: Wednesday, September 21, 2016 12:06 PM
Subject: RE: Office of Inspector General (OIG) of the Board of Governors of the Federal Reserve System (Board)

Mr. Gillespie:

Thank you for contacting the OIG Hotline and we appreciate your patience as we reviewed your complaint in its entirety.

In the email to our office, dated February 15, 2016 (below), you stated, "The Consumer Financial Protection Bureau (CFPB) provided evidence through the attached responses to my 2 FOIA/PA that CFPB attorney Greg Evans, and two nonlawyer CFPB employees, Andrew Fey and K. Byron, **conspired with Bank of America and corrupted CFPB Complaint No. 120914-000082**, with a concocted CFPB closing letter [.]"

Please provide any evidence you have that supports your complaint of the CFPB working with Bank of America to yield an unfavorable resolution to your complaint. Once submitted, we will review and evaluate to determine if the CFPB acted in an improper manner or deviated from its normal process.

Please keep in mind, that the OIG cannot provide information regarding what action has been taken on any allegation reported to our office. However, if we need any more supporting evidence, our office will contact you directly.

Lastly, as stated in our previous email to you, the Federal Reserve Board has no jurisdictional authority over Bank of America, N.A., therefore, we are not the appropriate entity to handle your complaint against the bank. You may wish to pursue a follow-up with the OCC or seek counsel. Please note that our office is unable to investigate or intervene in individual consumer complaints against financial institutions and the OIG does not dispense legal advice to private citizens, nor does it act as a legal representative for private citizens.

We look forward to your correspondence regarding this complaint.

Thank you,

OIG Hotline

From: Neil Gillespie [mailto:neilgillespie@mfi.net]
Sent: Monday, February 15, 2016 2:03 PM
To: OIGHotline <oighotline@frb.gov>
Cc: Neil Gillespie <neilgillespie@mfi.net>
Subject: Office of Inspector General (OIG) of the Board of Governors of the Federal Reserve System (Board)

To: The Office of Inspector General (OIG) of the Board of Governors of the Federal Reserve System (Board):



This is a follow-up to my email response to your February 5, 2016 email, see below.

You wrote, "Our office investigates fraud, waste, and abuse of Board and CFPB programs and operations".

The Consumer Financial Protection Bureau (CFPB) provided evidence through the attached responses to my 2 FOIA/PA that CFPB attorney Greg Evans, and two nonlawyer CFPB employees, Andrew Fey and K. Byron, conspired with Bank of America and corrupted CFPB Complaint No. 120914-000082, with a concocted CFPB closing letter March 19, 2013, in part,

"Our records indicate that we do not have proper authorization to disclose any information to you regarding Ms. Penelope M. Gillespie's account. Bank of America values and guards our customers' privacy and financial information and, therefore, does not provide customer-specific information to unauthorized third parties."

The Bank of America employees were Jason Powell, Customer Advocate, Office of the CEO and President, and Chris Pickle, Customer Advocate, Office of the CEO and President.

Regarding claims of privacy for the decedent by CFPB attorney Greg Evans and Bank of America: Privacy laws do not protect the privacy of dead people. Dead people do not have privacy rights. Privacy rights are personal and die with the individual. *Nestor v. Posner-Gerstenhaber*, 857 So. 2d 953 (Fla. Dist. Ct. App. 3d Dist. 2003), review denied, 869 So. 2d 540 (Fla. 2004). [E]ven where a private confidentiality agreement is otherwise proper, it will not be enforced where its effect becomes obstructive of the rights of non-parties. See, e.g., *Nestor v. Posner-Gerstenhaber*, 857 So. 2d 953, 955 (Fla. 3rd DCA 2003); *Scott v. Nelson*, 697 So. 2d 1300, 1301 (Fla. 1st DCA 1997). Quoted by U.S. Judge John E. Steele in *Tardif, Trustee (Jason Yerk) v. PETA, USDC, SD Fla. Fort Myers Div. Case No. 2:09-cv-537-FtM-29SPC*, at the Pacer link, Case 2:09-cv-00537-JES-SPC Document 179 Filed 11 04 11 Page 14 of 31 PageID 6050

Regarding your statement: "Lastly, the Board does not regulate Bank of America; it is regulated by the Office of the Comptroller of the Currency (OCC)."

And my response: No. The OCC does not regulate Bank of America in any meaningful way. Bank of America regulates the government of the United States.

Bank of America regulates the government of the United States through Regulatory Capture, see attached the Wikipedia article that refers to the Office of the Comptroller of the Currency (OCC)

"The Office of the Comptroller of the Currency (OCC) has strongly opposed the efforts of the 50 state attorneys general, who have banded together to penalize banks and reform the mortgage modification process, following the subprime mortgage crisis and the financial crisis of 2008. This example was cited in *The New York Times* as evidence that the OCC is "a captive of the banks it is supposed to regulate"" Also attached the New York Times story by Joe Nocera, "An advocate who scares Republicans".

Regarding my comment about the Fed as a private concern, see attached the education piece by the Federal Reserve Bank of San Francisco.

In conclusion, CFPB attorney Greg Evans, and two nonlawyer CFPB employees, Andrew Fey and K. Byron, conspired with Bank of America and corrupted CFPB Complaint No. 120914-000082, with a concocted a CFPB closing letter March 19, 2013 that wrongly denied my rights, which is under your

jurisdiction. When can I expect an investigation?

Neil J. Gillespie
8092 SW 115th Loop
Ocala, Florida 34481

----- Original Message -----

From: Neil Gillespie

To: OIGHotline

Sent: Monday, February 08, 2016 6:51 AM

Subject: Re: Letter to Stefanie Isser Goldblatt, CFPB Senior Litigation Counsel Dec-23-2015 re AMAZON.COM, Synchrony Bank, FOCUS Camera

Thank you for your email. I respectfully disagree as set forth below.

RE: "We hope this information is helpful to you."

RE: "Please note, the OIG does not dispense legal advice to private citizens, nor does it act as a legal representative for private citizens."

Without diligent, competent, and conflict-free legal counsel, I am unable to know (legally) if the information provided is helpful. I am unable to obtain counsel. On its face, the OIG simply made referrals to other government agencies.

RE: "Lastly, the Board does not regulate Bank of America; it is regulated by the Office of the Comptroller of the Currency (OCC),"

No. The OCC does not regulate Bank of America in any meaningful way. Bank of America regulates the government of the United States. In a capitalist system, the market should regulate Bank of America. In the fall of 2008 the market rejected Bank of America, and a number of other bad banks and bad financial institutions. The market worked. Unfortunately of the Board of Governors of the Federal Reserve System (Board) usurped the market, along with co-conspirators, and wrongly saved, by taxpayer bailout, Bank of America from the regulating capitalist market. The Board became a Communist politburo to pick winners (banks and financial institutions) and losers (The People) in its vision of a planned economy. The Board has doomed The People of the United States through capitulation to banks and financial institutions and resulting treasonous interference with the capitalist economic system. That is how Bank of America regulates the government of the United States, and the Board, which is a private concern. Has the Board and the Federal Reserve Bank/System agreed to an independent audit?

Neil J. Gillespie

----- Original Message -----

From: OIGHotline

To: 'Neil Gillespie'

Sent: Friday, February 05, 2016 12:56 PM

Subject: RE: Letter to Stefanie Isser Goldblatt, CFPB Senior Litigation Counsel Dec-23-2015 re AMAZON.COM, Synchrony Bank, FOCUS Camera

Mr. Gillespie:

The Office of Inspector General (OIG) of the Board of Governors of the Federal Reserve

System (Board) and the Consumer Financial Protection Bureau (CFPB) has received your December 23, and 27, 2015, e-mails regarding consumer issues with Amazon and its vendors and Bank of America . Our office investigates fraud, waste, and abuse of Board and CFPB programs and operations. Your matter does not appear to fall under the purview of our office; additionally, we are unable to investigate or intervene in individual consumer matters against financial institutions. While it does not appear the OIG can assist you with this matter, we have researched various points of contact to better assist you. Please note, the OIG does not dispense legal advice to private citizens, nor does it act as a legal representative for private citizens.

If you have not done so already, you may wish to contact the CFPB's Ombudsman's Office; an independent, impartial, and confidential resource to help resolve process issues arising from CFPB activities. They may be reached at:

Consumer Financial Protection Bureau
Ombudsman's Office
Email: CFPBOmbudsman@cfpb.gov
Phone: 855-830-7880
Fax: 202-435-7888

If you would like to report fraud, waste, or abuse related to the programs or operations of the Board or CFPB, you may contact us via mail, email, fax, or phone at the following.

Office of Inspector General
c/o Board of Governors of the Federal Reserve System
20th Street and Constitution Avenue, NW
Mail Stop K- 300
Washington, DC 20551
Attn: Hotline

Phone: (800) 827-3340 (toll free) / (202) 452-6400 (DC local)
Fax: (202) 973-5044 (DC local)
Email: OIGHotline@frb.gov
Website: http://www.federalreserve.gov/oig/oig_hotline.htm

Lastly, the Board does not regulate Bank of America; it is regulated by the Office of the Comptroller of the Currency (OCC), which is a branch of the Department of the Treasury. Individuals can obtain information about, or file a formal complaint against a national bank, such as Bank of America, by contacting the OCC Customer Assistance Unit. They may be reached at the following:

Comptroller of the Currency
Customer Assistance Unit
1301 McKinney Street
Suite 3450
Houston, TX 77010
Toll Free: 1-800-613-6743
TDD Number: 713-658-0340
Fax: 713-336-4301
Website: www.HelpWithMyBank.gov
Customer Complaint Form Online:

https://appsec.helpwithmybank.gov/olcc_form

We hope this information is helpful to you.

OIG Hotline

From: Neil Gillespie [<mailto:neilgillespie@mfi.net>]

Sent: Wednesday, December 23, 2015 5:08 PM

To: CFPB Academic Research Council <ARC@cfpb.gov>; CFPB Consumer Advisory Board <CAB@cfpb.gov>; CFPB Accessibility <CFPB_Accessibility@cfpb.gov>; CFPB Section 504 of the Rehabilitation Act <CFPB_504Request@cfpb.gov>; CFPB Office of Civil Rights <CFPB_EEO@cfpb.gov>; David Abney <David.Abney@ups.com>; Focus Camera1 <cs@focuscamera.com>; Focus Camera2 <csfocusamazon@focuscamera.com>; Focus Camera3 <info@focuscamera.com>; Jeff Bezos <jeff@amazon.com>; Lowes Consumer Credit Card Customer Service <statements@mail.synchronybank.com>; Lowes Customer Care <CustomerCare@lowes.com>; Lowes Home Improvement <lowes@e.lowes.com>; Malki Greenfeld <MGreenfeld@focuscamera.com>; Margaret Keane <Margaret.Keane@synchronybank.com>; Robert A. Niblock <robert.a.niblock@lowes.com>; Service Survey Synchrony Bank <Service.survey@synchronybank.com>; Stefanie Goldblatt <Stefanie.Goldblatt@cfpb.gov>; SWAROVSKI OPTIK <info@swarovskioptik.us>; UPS Customer Service <customer.service@ups.com>; CFPB Ombudsman <CFPBombudsman@cfpb.gov>; OIGHotline <oighotline@frb.gov>; Neil Gillespie <neilgillespie@mfi.net>

Subject: Letter to Stefanie Isser Goldblatt, CFPB Senior Litigation Counsel Dec-23-2015 re AMAZON.COM, Synchrony Bank, FOCUS Camera

Neil Gillespie

From: "Neil Gillespie" <neilgillespie@mfi.net>
To: "OIGHotline" <oighotline@frb.gov>
Cc: "Neil Gillespie" <neilgillespie@mfi.net>; "Mark Gillespie" <mark.gillespie@att.net>
Sent: Friday, September 23, 2016 1:40 AM
Subject: Re: Office of Inspector General (OIG) of the Board of Governors of the Federal Reserve System (Board)

OIGHotline
RE: Office of Inspector General (OIG) of the Board of Governors of the Federal Reserve System (Board)

Dear OIGHotline,

Thank you for your email. This is to acknowledge your request:

Please provide any evidence you have that supports your complaint of the CFPB working with Bank of America to yield an unfavorable resolution to your complaint. Once submitted, we will review and evaluate to determine if the CFPB acted in an improper manner or deviated from its normal process.

I plan a response within two-three weeks, with my affidavits and supporting documents. I appreciate your patience.

In the meantime, attached is my PDF letter and attachments to the OIGHotline that I emailed February 18, 2016 to OIGHotline@frb.gov. The PDF letter is also posted on my Scribd at

<https://www.scribd.com/document/299848838/OIGHotline-Re-CFPB-to-Board-of-Governors-of-the-Federal-Reserve-System-Feb-18-2016>

I plan to file the foregoing with the court, RMS v Gillespie, 2013-CA-00115, Marion County Florida.

Sincerely,

Neil J. Gillespie
8092 SW 115th Loop
Ocala, Florida 34481
Tel. 352-854-7807
Email: neilgillespie@mfi.net

----- Original Message -----

From: OIGHotline
To: Neil Gillespie
Sent: Wednesday, September 21, 2016 12:06 PM
Subject: RE: Office of Inspector General (OIG) of the Board of Governors of the Federal Reserve System (Board)

Mr. Gillespie:

Thank you for contacting the OIG Hotline and we appreciate your patience as we reviewed your complaint in its entirety.



In the email to our office, dated February 15, 2016 (below), you stated, "The Consumer Financial Protection Bureau (CFPB) provided evidence through the attached responses to my 2 FOIA/PA that CFPB attorney Greg Evans, and two nonlawyer CFPB employees, Andrew Fey and K. Byron, **conspired with Bank of America and corrupted CFPB Complaint No. 120914-000082**, with a concocted CFPB closing letter[.]"

Please provide any evidence you have that supports your complaint of the CFPB working with Bank of America to yield an unfavorable resolution to your complaint. Once submitted, we will review and evaluate to determine if the CFPB acted in an improper manner or deviated from its normal process.

Please keep in mind, that the OIG cannot provide information regarding what action has been taken on any allegation reported to our office. However, if we need any more supporting evidence, our office will contact you directly.

Lastly, as stated in our previous email to you, the Federal Reserve Board has no jurisdictional authority over Bank of America, N.A., therefore, we are not the appropriate entity to handle your complaint against the bank. You may wish to pursue a follow-up with the OCC or seek counsel. Please note that our office is unable to investigate or intervene in individual consumer complaints against financial institutions and the OIG does not dispense legal advice to private citizens, nor does it act as a legal representative for private citizens.

We look forward to your correspondence regarding this complaint.

Thank you,

OIG Hotline

From: Neil Gillespie [mailto:neilgillespie@mfi.net]

Sent: Monday, February 15, 2016 2:03 PM

To: OIGHotline <oighotline@frb.gov>

Cc: Neil Gillespie <neilgillespie@mfi.net>

Subject: Office of Inspector General (OIG) of the Board of Governors of the Federal Reserve System (Board)

To: The Office of Inspector General (OIG) of the Board of Governors of the Federal Reserve System (Board):

This is a follow-up to my email response to your February 5, 2016 email, see below.

You wrote, "Our office investigates fraud, waste, and abuse of Board and CFPB programs and operations".

The Consumer Financial Protection Bureau (CFPB) provided evidence through the attached responses to my 2 FOIA/PA that CFPB attorney Greg Evans, and two nonlawyer CFPB employees, Andrew Fey and K. Byron, conspired with Bank of America and corrupted CFPB Complaint No. 120914-000082, with a concocted CFPB closing letter March 19, 2013, in part,

"Our records indicate that we do not have proper authorization to disclose any information

to you regarding Ms. Penelope M. Gillespie's account. Bank of America values and guards our customers' privacy and financial information and, therefore, does not provide customer-specific information to unauthorized third parties."

The Bank of America employees were Jason Powell, Customer Advocate, Office of the CEO and President, and Chris Pickle, Customer Advocate, Office of the CEO and President.

Regarding claims of privacy for the decedent by CFPB attorney Greg Evans and Bank of America: Privacy laws do not protect the privacy of dead people. Dead people do not have privacy rights. Privacy rights are personal and die with the individual. *Nestor v. Posner-Gerstenhaber*, 857 So. 2d 953 (Fla. Dist. Ct. App. 3d Dist. 2003), review denied, 869 So. 2d 540 (Fla. 2004). [E]ven where a private confidentiality agreement is otherwise proper, it will not be enforced where its effect becomes obstructive of the rights of non-parties. See, e.g., *Nestor v. Posner-Gerstenhaber*, 857 So. 2d 953, 955 (Fla. 3rd DCA 2003); *Scott v. Nelson*, 697 So. 2d 1300, 1301 (Fla. 1st DCA 1997). Quoted by U.S. Judge John E. Steele in *Tardif, Trustee (Jason Yerk) v. PETA*, USDC, SD Fla. Fort Myers Div. Case No. 2:09-cv-537-FtM-29SPC, at the Pacer link, Case 2:09-cv-00537-JES-SPC Document 179 Filed 11-04-11 Page 14 of 31 PageID 6050

Regarding your statement: "Lastly, the Board does not regulate Bank of America; it is regulated by the Office of the Comptroller of the Currency (OCC),"

And my response: No. The OCC does not regulate Bank of America in any meaningful way. Bank of America regulates the government of the United States.

Bank of America regulates the government of the United States through Regulatory Capture. see attached the Wikipedia article that refers to the Office of the Comptroller of the Currency (OCC)

"The Office of the Comptroller of the Currency (OCC) has strongly opposed the efforts of the 50 state attorneys general, who have banded together to penalize banks and reform the mortgage modification process, following the subprime mortgage crisis and the financial crisis of 2008. This example was cited in *The New York Times* as evidence that the OCC is "a captive of the banks it is supposed to regulate"" Also attached the New York Times story by Joe Nocera, "An advocate who scares Republicans".

Regarding my comment about the Fed as a private concern, see attached the education piece by the Federal Reserve Bank of San Francisco.

In conclusion, CFPB attorney Greg Evans, and two nonlawyer CFPB employees, Andrew Fey and K. Byron, conspired with Bank of America and corrupted CFPB Complaint No. 120914-000082, with a concocted a CFPB closing letter March 19, 2013 that wrongly denied my rights, which is under your jurisdiction. When can I expect an investigation?

Neil J. Gillespie
8092 SW 115th Loop
Ocala, Florida 34481

----- Original Message -----

From: [Neil Gillespie](#)

To: [OIGHotline](#)

Sent: Monday, February 08, 2016 6:51 AM

Subject: Re: Letter to Stefanie Isser Goldblatt, CFPB Senior Litigation Counsel Dec-23-2015 re

AMAZON.COM, Synchrony Bank, FOCUS Camera

Thank you for your email. I respectfully disagree as set forth below.

RE: "We hope this information is helpful to you."

RE: "Please note, the OIG does not dispense legal advice to private citizens, nor does it act as a legal representative for private citizens."

Without diligent, competent, and conflict-free legal counsel, I am unable to know (legally) if the information provided is helpful. I am unable to obtain counsel. On its face, the OIG simply made referrals to other government agencies.

RE: "Lastly, the Board does not regulate Bank of America; it is regulated by the Office of the Comptroller of the Currency (OCC),"

No. The OCC does not regulate Bank of America in any meaningful way. Bank of America regulates the government of the United States. In a capitalist system, the market should regulate Bank of America. In the fall of 2008 the market rejected Bank of America, and a number of other bad banks and bad financial institutions. The market worked. Unfortunately of the Board of Governors of the Federal Reserve System (Board) usurped the market, along with co-conspirators, and wrongly saved, by taxpayer bailout, Bank of America from the regulating capitalist market. The Board became a Communist politburo to pick winners (banks and financial institutions) and losers (The People) in its vision of a planned economy. The Board has doomed The People of the United States through capitulation to banks and financial institutions and resulting treasonous interference with the capitalist economic system. That is how Bank of America regulates the government of the United States, and the Board, which is a private concern. Has the Board and the Federal Reserve Bank System agreed to an independent audit?

Neil J. Gillespie

----- Original Message -----

From: [OIGHotline](#)

To: 'Neil Gillespie'

Sent: Friday, February 05, 2016 12:56 PM

Subject: RE: Letter to Stefanie Isser Goldblatt, CFPB Senior Litigation Counsel Dec-23-2015 re AMAZON.COM, Synchrony Bank, FOCUS Camera

Mr. Gillespie:

The Office of Inspector General (OIG) of the Board of Governors of the Federal Reserve System (Board) and the Consumer Financial Protection Bureau (CFPB) has received your December 23, and 27, 2015, e-mails regarding consumer issues with Amazon and its vendors and Bank of America. Our office investigates fraud, waste, and abuse of Board and CFPB programs and operations. Your matter does not appear to fall under the purview of our office; additionally, we are unable to investigate or intervene in individual consumer matters against financial institutions. While it does not appear the OIG can assist you with this matter, we have researched various points of contact to better assist you. Please note,

the OIG does not dispense legal advice to private citizens, nor does it act as a legal representative for private citizens.

If you have not done so already, you may wish to contact the CFPB's Ombudsman's Office: an independent, impartial, and confidential resource to help resolve process issues arising from CFPB activities. They may be reached at:

Consumer Financial Protection Bureau
Ombudsman's Office
Email: CFPBOmbudsman@cfpb.gov
Phone: 855-830-7880
Fax: 202-435-7888

If you would like to report fraud, waste, or abuse related to the programs or operations of the Board or CFPB, you may contact us via mail, email, fax, or phone at the following:

Office of Inspector General
c/o Board of Governors of the Federal Reserve System
20th Street and Constitution Avenue, NW
Mail Stop K- 300
Washington, DC 20551
Attn: Hotline

Phone: (800) 827-3340 (toll free) / (202) 452-6400 (DC local)
Fax: (202) 973-5044 (DC local)
Email: OIGHotline@frb.gov
Website: http://www.federalreserve.gov/oig/oig_hotline.htm

Lastly, the Board does not regulate Bank of America; it is regulated by the Office of the Comptroller of the Currency (OCC), which is a branch of the Department of the Treasury. Individuals can obtain information about, or file a formal complaint against a national bank, such as Bank of America, by contacting the OCC Customer Assistance Unit. They may be reached at the following:

Comptroller of the Currency
Customer Assistance Unit
1301 McKinney Street
Suite 3450
Houston, TX 77010
Toll Free: 1-800-613-6743

TDD Number: 713-658-0340

Fax: 713-336-4301

Website: www.HelpWithMyBank.gov

Customer Complaint Form Online:

https://appsec.helpwithmybank.gov/olcc_form

We hope this information is helpful to you.

OIG Hotline

From: Neil Gillespie [<mailto:neilgillespie@mfi.net>]

Sent: Wednesday, December 23, 2015 5:08 PM

To: CFPB Academic Research Council <ARC@cfpb.gov>; CFPB Consumer Advisory Board <CAB@cfpb.gov>; CFPB Accessibility <CFPB_Accessibility@cfpb.gov>; CFPB Section 504 of the Rehabilitation Act <CFPB_504Request@cfpb.gov>; CFPB Office of Civil Rights <CFPB_EEO@cfpb.gov>; David Abney <David.Abney@ups.com>; Focus Camera1 <cs@focuscamera.com>; Focus Camera2 <csfocusamazon@focuscamera.com>; Focus Camera3 <info@focuscamera.com>; Jeff Bezos <jeff@amazon.com>; Lowes Consumer Credit Card Customer Service <statements@mail.synchronybank.com>; Lowes Customer Care <CustomerCare@lowes.com>; Lowes Home Improvement <lowes@e.lowes.com>; Malki Greenfeld <MGreenfeld@focuscamera.com>; Margaret Keane <Margaret.Keane@synchronybank.com>; Robert A. Niblock <robert.a.niblock@lowes.com>; Service Survey Synchrony Bank <Service.survey@synchronybank.com>; Stefanie Goldblatt <Stefanie.Goldblatt@cfpb.gov>; SWAROVSKI OPTIK <info@swarovskioptik.us>; UPS Customer Service <customer.service@ups.com>; CFPB Ombudsman <CFPBOmbudsman@cfpb.gov>; OIGHotline <oighotline@frb.gov>; Neil Gillespie <neilgillespie@mfi.net>

Subject: Letter to Stefanie Isser Goldblatt, CFPB Senior Litigation Counsel Dec-23-2015 re AMAZON.COM, Synchrony Bank, FOCUS Camera

THIS IS NOT A COMMERCIAL FORCLOSURE

IN THE CIRCUIT COURT OF THE
FIFTH JUDICIAL CIRCUIT FLORIDA
IN AND FOR MARION COUNTY

REVERSE MORTGAGE SOLUTIONS, INC.,

CASE NO.: 2013-CA-000115
42-2013-CA-000115-AXXX-XX

Plaintiff,

Residential HECM Foreclosure Case
Florida Homestead of Neil J. Gillespie
Section 4, Article X, Florida Constitution

vs.

NEIL J. GILLESPIE AND MARK GILLESPIE
AS CO-TRUSTEES OF THE GILLESPIE
FAMILY LIVING TRUST AGREEMENT
DATED FEBRUARY 10, 1997, ET AL.

F.S. § 702.015 **Note/copy missing**
Rule 1.115 Pleading Mortgage Foreclosures
Rule 1.100(c)(2) Civil cover sheet wrong.
F.S. § 837.06 False Official Statements
F.S. § 92.525 Verification of documents

Defendants.

DEFENDANTS' SECOND MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016
ABATE THIS ACTION, Fla. R. Civ. Pro. 1.100(c)(2); AND MOTION TO DISQUALIFY
MCCALLA RAYMER PIERCE LLC AND ALL ITS LAWYERS AS COUNSEL FOR PLAINTIFF

Defendant Neil J. Gillespie, individually, and as former Trustee (F.S. Ch. 736 Part III) of the terminated Gillespie Family Living Trust Agreement Dated February 10, 1997 ("Terminated Trust"), an indigent non-lawyer, unable to obtain adequate counsel, a consumer of legal and court services affecting interstate commerce, a consumer of personal, family and household goods and services, consumer transactions in interstate commerce, a person with disabilities, a vulnerable adult, reluctantly appears pro se, henceforth in the first person, files *Defendants' Second Motion To Cancel Hearing Set For November 28, 2016*, and states:

1. The Plaintiff's *Civil Cover Sheet* (form 1.997) in this case is not properly executed. The Plaintiff wrongly designated this case as a commercial foreclosure when it is a residential foreclosure of my Florida homestead. Under Rule 1.100(c)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed...". Therefore, at any hearing, I would immediately move the Court to abate the action, thus legally ending the hearing. Previously I claimed in court documents the grounds to abate this action under Rule 1.100(c)(2).



DEFENDANTS' SECOND MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016

2. Because the Order of Assignment of the Honorable Ann McLinda Craggs as trial judge in this case was recently entered, on August 18, 2016, the Court may not be aware of certain previously filed pleadings, two of which accompany this motion as separate appendices, and the AFFIDAVIT OF NEIL J. GILLESPIE, Rule 1.100(c)(2), April 29, 2016 as Exhibit 1.

DEFENDANTS' INSTRUCTION TO CLERK: ABATE THIS ACTION, May 16, 2016
Rule 1.100(c)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."

Filing # 41583325 E-Filed 05/16/2016 09:57:09 PM

AFFIDAVIT OF NEIL J. GILLESPIE (Rule 1.100(c)(2)), April 29, 2016

Filing # 41583325 E-Filed 05/16/2016 09:57:09 PM

AFFIDAVIT OF NEIL J. GILLESPIE OF RESIDENTIAL HOMESTEAD

THIS IS NOT A COMMERCIAL FORCLOSURE, February 6, 2015

Filing # 23497600 E-Filed 02/07/2015 11:56:00 PM

3. The AFFIDAVIT OF NEIL J. GILLESPIE of April 29, 2016 (Exhibit 1) shows

I notified the Clerk of Court by letter Dec-24-2014 to Greg Harrell, the Clerk's General

Counsel to no avail concerning Rule 1.100(c)(2), text below.

Dear Mr. Harrell:

You emailed me December 09, 2014 at 4:59 PM about the civil cover sheet (form 1.997):

-The case was designated as a commercial foreclosure by plaintiff's counsel in the civil cover sheet that the plaintiff is responsible for preparing and filing at the outset of the case. You will need to take the matter up with the court and/or the plaintiff however you deem appropriate if you dispute the plaintiff's characterization of the case, as the Clerk has no say in that.

Mr. Harrell, under Rule 1.100(c)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed...". This is the Clerk's duty, see

Rule 1.100(c)(2) Pleadings and Motions.

(2) A civil cover sheet (form 1.997) shall be completed and filed with the clerk at the time an initial complaint or petition is filed by the party initiating the action. If the cover

DEFENDANTS' SECOND MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016

sheet is not filed, the clerk shall accept the complaint or petition for filing; but all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed. The clerk shall complete the civil cover sheet for a party appearing pro se.

Currently the civil cover sheet (form 1.997) is not "properly executed" as completed and filed. The Clerk has a ministerial duty under Rule 1.100(c)(2), "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."

When can I expect the Clerk to fulfill its ministerial duties under Rule 1.100(c)(2)?

Mr. Harrell responded by email on December 30, 2014, (~~see Appendix 2~~) Now Exhibit 1.

The Clerk's Office is of the belief that it has fulfilled its ministerial duties with regard to the civil cover sheet in Case No. 13-CA-115 and, in any event, does not intend to take any further action with regard to it. The phrase "properly executed" does not mean that the Clerk is required or authorized to evaluate the correctness of which type of matter the plaintiff filer has selected for the case. The phrase simply pertains to whether the form has been filled out and signed by the filer.

4. Currently the civil cover sheet (form 1.997) is not "properly executed" as completed and filed. The Clerk of Court has a ministerial duty under Rule 1.100(c)(2), "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."

5. On November 18, 2016 I received a telephone call at 1:04 PM from the Florida Portal Help line in response to my message about a notice on the Portal:

12/03/2015 Effective January 1, 2016, the Civil Cover Sheet, as required by Florida Rule of Civil Procedure 1.100(c)(2), will be automatically generated based on options selected during case initiation on the Portal. The auto-generated Civil Cover Sheet will attach to all new case filings in circuit civil, domestic relations, and juvenile dependency cases.

6. The telephone call was lawfully recorded. I explained to the Florida Portal Help line that the plaintiff's counsel in my case wrongly filed [with malice aforethought] a cover sheet marked commercial foreclosure when, in fact, this action is a residential homestead foreclosure. The Florida Portal Help line initially responded:

"If they filed it under the wrong category the Clerk should have returned it and not approved it".

DEFENDANTS' SECOND MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016

7. The telephone call lasted 7 minutes and 30 seconds. I need a transcript of the call to accurately cite from it further. But I believe questions remain that can only be resolved by suing David R. Ellspermann, Marion County Clerk of Circuit Court and Comptroller (or Impeachment, Art. III, Sec. 17, Fla. Const.), and the Portal Board of Directors. The caller offered to let me speak to supervisor Gia Howell, but I declined since Howell cannot speak for the Portal Board.

8. On information and belief, this Court has jurisdiction under Article V, Section 5(a)(b) of the Florida Constitution to order Clerk Ellspermann to abate this action under Rule 1.100(c)(2) by writ of mandamus, or other legal process.

SECTION 5. Circuit courts.—

(a) ORGANIZATION.—There shall be a circuit court serving each judicial circuit.

(b) JURISDICTION.—The circuit courts shall have original jurisdiction not vested in the county courts, and jurisdiction of appeals when provided by general law. They shall have the power to issue writs of mandamus, quo warranto, certiorari, prohibition and habeas corpus, and all writs necessary or proper to the complete exercise of their jurisdiction. Jurisdiction of the circuit court shall be uniform throughout the state. They shall have the power of direct review of administrative action prescribed by general law.

Once the Court orders Clerk Ellspermann to abate this action, there is no need for a Case Management until, if ever, the Plaintiff files a “properly executed” civil cover sheet.

9. In the alternative, a notice of action may be appropriate against Clerk Ellspermann, the Portal Board, and Chief Judge Don Briggs for administrative supervision of the Fifth Judicial Circuit. Under Article V, Section 2(d), Fla. Const., the Chief Judge “[S]hall be responsible for the administrative supervision of the circuit courts and county courts in his circuit.” Under Fla. Stat. sec. 43.26, the Chief Judge shall exercise administrative supervision.

DEFECTIVE SERVICE: ORDER RESCHEDULING CASE MANAGEMENT

10. The *Certificate of Service* imbedded in this Court’s ORDER RESCHEDULING CASE MANAGEMENT that appears at Exhibit 2 failed to give notice of the hearing to persons given

DEFENDANTS' SECOND MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016

notice in this Court's **Order Scheduling Case Management Conference** entered on August 30, 2016 which appears at Exhibit 3. Persons missing from the *Certificate of Service* imbedded in this Court's ORDER RESCHEDULING CASE MANAGEMENT entered November 01, 2016 includes the following names not served:

Ms. Colleen Murphy-Davis, AUSA
400 N. Tampa Street, Ste. 3200
Tampa, FL 33602

Oak Run Homcowners Association, Inc.
7480 SW Highway 200
Ocala, FL 34476

Gregory C. Harrell, Esquire
General Counsel to David R. Ellspennann
Marion County Clerk of Court & Comptroller
PO Box 1030
Ocala, FL 34478-1030

Development and Construction Corp. of America
C/o R.A. Priya Ghuman
10983 SW 89th Avenue
Ocala, FL. 34481

Neil J. Gillespie and Mark Gillespie as Co-Trustees of the Gillespie Family Living Trust Agreement dated February 10, 1997; Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481

Mark Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123

Unknown Spouse of Mark Gillespie n/k/a Joetta Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123

Unknown Settlers/Beneficiaries of the Gillespie Family Living Trust Agreement dated February 10, 1997; (NONE); Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481

Elizabeth Bauerle n/k/a Elizabeth Bidgood
8092 SW 115th Loop
Ocala, FL 34481

Unknown Spouse of Elizabeth Bauerle n/k/a Elizabeth Bidgood n/k/a Scott Bidgood
8092 SW 115th Loop
Ocala, FL 34481

11. Under Rule 2.516, SERVICE OF PLEADINGS AND DOCUMENTS, Fla. R. Jud.

Admin., (h) Service of Orders: (Exhibit 4)

(h) Service of Orders.

(1) A copy of all orders or judgments must be transmitted by the court or under its direction to all parties at the time of entry of the order or judgment. No service need be made on parties against whom a default has been entered except orders setting an action for trial and final judgments that must be prepared and served as provided in subdivision (h)(2). The court may require that orders or judgments be prepared by a party, may require the party to furnish the court with stamped, addressed envelopes for service of the order or judgment, and may require that proposed orders and judgments be furnished to all parties before entry by the court of the order or judgment. The court may serve any order or judgment by e-mail to all attorneys who have not been excused from e-mail service and to all parties not represented by an attorney who have designated an e-mail address for service.

12. Default was entered against two Defendants that I know of:

Oak Run Homeowners Association, Inc.
7480 SW Highway 200
Ocala, FL 34476

Development and Construction Corp. of America
C/o R.A. Priya Ghuman
10983 SW 89th Avenue
Ocala, FL. 34481

Service on Oak Run Homeowners Association, Inc. must be struck for conflict. The address 7480 SW Highway 200, Ocala, FL 34476 is for Robert A. Stermer, counsel who represented the Gillespie Family Living Trust at the closing of the HECM reverse mortgage now in foreclosure. Mr. Stermer cited his conflict as counsel for the Gillespie Family Living Trust in the closing of the HECM reverse mortgage as a reason, *inter alia*, he could not represent us in the foreclosure.

13. Evidence showing Mr. Stermer's conflict to act as Registered Agent for the Oak Run Homeowners Association, Inc., in this foreclosure, appears at the following exhibits:

DEFENDANTS' SECOND MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016

A. Florida Bar Directory page for Robert Allen Stermer (Exhibit 5) showing the office address is the same address used by this Court for service to the Oak Run Homeowners Association, Inc. in this Court's **Order Scheduling Case Management Conference** entered on August 30, 2016. Exhibit 3.

Robert Allen Stermer
7480 SW Highway 200
Ocala, FL 34476-9208
www.floridabar.org/mybarprofile/827967

Oak Run Homeowners Association, Inc.
7480 SW Highway 200
Ocala, FL 34476

B. Mr. Stermer signed as a witness June 5, 2008 during the settlement of the HECM reverse mortgage held at Park Ave. Bank in Ocala, a quit-claim deed for the property at 8092 SW 115th Loop, Ocala, FL, 34481, A.P.N.7013007001. A certified copy appears at Exhibit 6.

C. Email of Liz Baize of Park Ave. Bank Tuesday, June 10, 2008 at 4:49 PM to Neil Gillespie at neilgillespie@mfi.net that appears at Exhibit 7 and makes reference to Mr. Stermer:

From: "LIZ BAIZE" <LIZB@parkavebank.com>
To: <neilgillespie@mfi.net>
Sent: Tuesday, June 10, 2008 4:49 PM
Subject: update

Neil, there may be a day or two delay in funding your loan. I just notified your attorney that a small revision needed to be done because A) with all that signing, a signature line for your mom was missed AND the interest rate for the week before, although a slight difference, was picked up in closing package and identified prior to being sent to HUD. Richard (at our expense) has agreed to go to your attorneys office to meet you there to sign the corrections; and Mr. Stermer said that was fine with him. I am trying to confirm with Liberty that they will cover any cost incurred if a notary needs to go back out to Mark. The difference in rate over the life of the loan is less than 1/8th percent. As soon as I know more I will be in touch.

Sincerely,
Liz Baize
PAB

DEFENDANTS' SECOND MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016

D. Statement of account from Robert A. Stermer, Esq., to The Gillespie Trust, c/o Mr. Neil Gillespie, for legal services 12/31/2007 through 10/06/2008 that appears at Exhibit 8. The Statement shows the following names and addresses:

Robert A. Stermer, Esq. 7480 SW Highway 200 Ocala, FL 34476	The Gillespie Trust c/o Mr. Neil Gillespie 8092 SW 115th Loop Ocala, FL 34481
---	--

F. OAK RUN HOMEOWNERS ASSOCIATION, INC. is a Florida Not For Profit Corporation. The 2016 Annual Report appears at Exhibit 9 and shows Paul Pike has been the registered agent since 03/12/2014, address 11665 SW 72ND CIRCLE, OCALA, FL 34476.

Registered Agent Name & Address	Current Principal Place of Business
PIKE, PAUL 11665 SW 72ND CIRCLE OCALA, FL 34476 Name Changed: 03/12/2014 Address Changed: 03/12/2014	Oak Run Homeowners Association, Inc. 10630 SW 71ST CIRCLE OCALA, FL 34476-3955

G. The Plaintiff wrongly sued the Oak Run Homeowners Association, Inc. (“ORHA”) under the mistaken belief that ORHA is a Chapter 720 Homeowners Association. The property is not a condominium. ORHA is not subject to F.S. §§ 718.116 and/or 720.3085. ORHA is NOT a traditional HOA. ORHA is simply a social organization, a non-profit Homeowners Association. There are **no** HOA fees. The Oak Run Homeowners Association (ORHA) does not own any of the common areas.

H. Plaintiff’s counsel, and this Court have knowingly used the wrong address for Oak Run Homeowners Association, Inc. (7480 SW Highway 200) since March 12, 2014.

I. U.S. Mail was returned to the Court sent by Judge Jennifer Bass to the Oak Run Homeowners Association, 7480 SW Highway 200, Ocala, FL 34476, at least twice:

U.S. Mail January 25, 2016 "Return to Sender" a certified copy appears at Exhibit 10.

U.S. Mail May 18, 2016 "Return to Sender" a certified copy appears at Exhibit 11.

DISABILITY ACCOMMODATION REQUESTED

14. On December 10, 2014 I made a request for disability accommodation for the duration of this case with the ADA Coordinator, Marion County Judicial Center, and others including:

Tameka Gordon, ADA Coordinator, Marion County, gordon@circuit5.org
Grace Fagan, General Counsel, Fifth Judicial Circuit, gfagan@circuit5.org
John Anthony Tomasino, Clerk, Florida Supreme Court, tomasino@flcourts.org
Sylvester Dawson, Marshall, Florida Supreme Court, Dawson@flcourts.org
McCalla Raymer E-service, MRService@mccallaraymer.com
Patricia Ann Toro Savitz, Bar Counsel, Parsons TFB 2014-30,525 (9A), psavitz@flabar.org
Barry Rodney Davidson, attorney for Ms. Parsons, bdavidson@hunton.com
Jon Marshall Oden, Investigating member, TFB 2014-30,525 (9A), joden@balljanik.com
Frank Killgore, Jr., Investigating member, 2014-30,525 (9A) FHKILLGORE@KPSOS.COM
Robert J. Stovash, Chair, TFB 2014-30,525 (9A), rstovash@sctlaw.com

A composite appears at Exhibit 12 for the following:

Email Dec-10-2014 with Grace Fagan, General Counsel, Fifth Judicial Circuit
Email Read Receipt December 10, 2014 at 11:37 AM for the names above

Completed Florida State Courts System ADA Title II Accommodation Request Form

1. Date request submitted:
December 10, 2014
2. Person needing accommodation:
Name: Neil J. Gillespie
3. Contact information for person needing accommodation
Address: 8092 SW 115th Loop, Ocala, Florida 34481
Telephone: 352-854-7807
Email: neilgillespie@mfi.net
5. Case information (if applicable)
Style of Case: Reverse Mortgage Solutions Inc v Neil J Gillespie et al
Case number, if known: 2013-CA-000115 or 42-2013-CA-000115-AXXX-XX
Judge, if known: Hon. Hale Stancil
Date accommodation needed: Hearing Dec-18-2014 and duration of this case
Location (courthouse/courtroom) accommodation needed: Marion County
Duration for which the accommodation is requested: duration of this case
Type of case, if known: HECM home foreclosure

DEFENDANTS' SECOND MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016

6. Accommodations requested

Nature of disability that necessitates accommodation: TBI traumatic brain injury, see Amended Disability Motion, US 11th Circuit, 12-11213-C, Neil J Gillespie copy available. Other accommodation (please specify): Counsel Appointment w/o conflict, see "The ADA: One Avenue to Appointed Counsel Before a Full Civil Gideon," Seattle Journal for Social Justice: Vol. 2: Iss. 2, Article 30, copy on request. The ADA Amendments Act of 2008 (Public Law 110-325, ADAAA), also see Amended Disability Motion, US 11th Circuit, 12-11213-C, Neil J Gillespie copy available

Email January 13, 2013 at 11:48 PM to Tameka Gordon, ADA Coordinator, Marion County Judicial Center, Subject: Disability accommodation, RMS vs. Neil J. Gillespie, et al., Case No. 13-115-CAT, Marion County Circuit Court, to the following names:

Tameka Gordon, ADA Coordinator, Marion County, gordon@circuit5.org
Mark Gillespie, mark.gillespie@att.net
Danielle N Parsons, MRService@mccallaraymer.com

My request for disability accommodation: Appointment of counsel. The Court wrongly denied my request. My disability request is active and ongoing. This Court's ORDER

RESCHEDULING CASE MANAGEMENT November 1, 2016 advises, (Exhibit 2)

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact ADA Coordinator, Marion County Judicial Center, 110 N.W. 1st Avenue, Ocala, Florida 34475 or (352) 401-6710 at least at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days: if you are hearing or voice impaired, call 711.

My ongoing request for disability accommodation, initially made December 10, 2014 for the duration of this case, submitted to the ADA Coordinator, Marion County Judicial Center, meets the requirements of the notice, because the Court and/or the ADA Coordinator was given notice "at least 7 days before your scheduled court appearance" of the need for counsel appointment.

15. Appearing at Exhibit 13 is my letter to John F. Harkness, Jr., Executive Director, The Florida Bar, regarding the **HOMICIDE of Frank Collelo** by McCalla Raymer Pierce LLC et al.

DEFENDANTS' SECOND MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016

on March 3, 2015 in Hillsborough County after collapsing in court during a hearing on the pending foreclosure of his home. The following supporting documents are also provided:

My letter October 6, 2015 to Mary Mainland, M.D. Chief Medical Examiner, Hillsborough County, Florida, appears at Exhibit 14. A response October 12, 2015 by Danielle Green, Senior Asst. County Attorney, appears at Exhibit 15. Email from Sarah K Halsell, J.D., DOEA Jan-26-2016, appears at Exhibit 16.

16. My letter to Mr. Harkness states as follows:

VIA Email: jharkness@flabar.org

November 27, 2016

John F. Harkness, Jr.
Executive Director
The Florida Bar
651 East Jefferson Street
Tallahassee, FL 32399-2300

RE: **HOMICIDE of Frank Collelo** by McCalla Raymer Pierce LLC et al.
Unlicensed Practice of Law Investigation of Stephen Michael Allgood
UPL File No. 2017-1020(17C), Algeisa Vazquez, Esq. Branch UPL Counsel

Dear Mr. Harkness:

On March 3, 2015 Frank Collelo, a 67-year-old man died after collapsing in a Hillsborough courtroom during a hearing on the pending foreclosure of his home.

McCalla Raymer (Pierce) LLC represented the foreclosing Plaintiff. Stephen Michael Allgood was the Director of the Florida Foreclosure Group in 2015 for McCalla Raymer Pierce, LLC.

Frank Collelo, a 67-year-old man with disabilities, and a nonlawyer, appeared *pro se* at the hearing March 3, 2015. Under the holding of Florida Freight Terminals, Inc. v. Cabanas, 354 So. 2d 1222 (Fla. Dist. Ct. App., 3d Dist. 1978). "In connection with the requirement in wrongful death actions of an underlying tort or breach of duty, proof of the defendant's violation of a statute or regulatory provision that either is designed to protect a particular class of persons from their inability to protect themselves or establishes a duty to take precautions to guard a certain class of persons from a specific type of injury, establishes negligence per se."

Mr. Collelo was eligible for legal services under the Older Americans Act (OAA), 42 USC Chapter 35, *Programs for Older Americans*, according to the enclosed email of Sarah Halsell, J.D., Florida DOEA State Legal Services Developer. The OAA covers persons age 60 and older, and persons with disabilities. In Florida the OAA is

DEFENDANTS' SECOND MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016

administered by the Department of Elderly Affairs, Fla. Stat. sec 430.101 *Administration of federal aging programs*. Fla. Stat. sec 20.41 created the *Department of Elderly Affairs*. The OAA Title III B provides support services through Area Agencies on Aging, including legal services.

I believe The Florida Bar/Florida Courts have a duty to arrange counsel appointments through the OAA for home foreclosure. Older Americans are generally not aware of the program. Even those who know about the OAA, like myself, are not likely to successfully navigate the system when the lawyers at McCalla Raymer Pierce LLC, aided by the Florida Courts, are hell-bent on wrongly taking an older American's Florida homestead under color of law.

Enclosed you will find the following documents:

- My Oct-06-2015 letter to Mary Mainland, M.D. Chief Medical Examiner, Hillsborough Co. FL, US Bank Trust et al v. Frank J. Collelo et al. Hillsborough No. 14-CA-002711
- Response by Danielle Green, Asst. Hillsborough County Attorney, October 12, 2015
- Email from Sarah K Halsell, J.D., Department of Elderly Affairs, Jan-26-2016

My rebuttal to the Hillsborough County Attorney has been delayed, but not forgotten. I plan to complete and send my rebuttal as soon as possible. There is a lot more to this matter. Thank you.

Sincerely,

Neil J. Gillespie

(address omitted)

Cc: Algeisa Vazquez, Esq. Branch UPL Counsel

VIA Email: avazquez@flabar.org

17. On October 28, 2016 I gave notice of filing the UPL investigation of Mr. Allgood,

DEFENDANTS' NOTICE OF FILING OF FLORIDA BAR UPL INVESTIGATION
of Stephen Michael Allgood, UPL File No. 20171020(17C)
Filing # 48230705 E-Filed 10/28/2016 01:01:52 PM

that states in part relevant to Plaintiff's Counsel Curtis Wilson in this foreclosure,

It appears Mr. Allgood would be governed, if he was licensed, by **Rule 4-5.1 Responsibilities of Partners, Managers, and Supervisory Lawyers**, because as Director of the Florida Foreclosure Group for McCalla Raymer Pierce, LLC, he directs, manages, and supervises Florida licensed lawyers including Curtis Allen Wilson, FL Bar ID 77669, a lawyer who represents Reverse Mortgage Solutions, Inc., in a foreclosure against me of a federal Home Equity Conversion Mortgage, called a HECM, or "reverse" mortgage, Reverse Mortgage Solutions, Inc. vs. Neil J. Gillespie, et al, Case 2013-CA-00115, Marion County Florida, Fifth Judicial Circuit.

18. Branch UPL Counsel Vazquez wrote me by U.S. mail November 21, 2016, (Exhibit 17)

Re: Unlicensed Practice of Law Investigation of Stephen Michael Allgood
File No. 20171020(17C)

Dear Mr. Gillespie:

In response to your phone call to my office on November 18, please be advised that the above-referenced file is pending at staff level. A Bar pamphlet entitled "Filing An Unlicensed Practice of Law Complaint" is enclosed if more information is desired about The Florida Bar's unlicensed practice of law complaint process. You will be notified of the final disposition of our investigation.

Sincerely,
Algeisa Vazquez, Esq.
Branch UPL Counsel

Imbedded Motion to Disqualify McCalla Raymer Pierce, LLC,
And All Its Lawyers, As Counsel For The Plaintiff

19. Stephen Michael Allgood acted as Director of the Florida Foreclosure Group since 2013 for McCalla Raymer Pierce, LLC. Mr. Allgood is under investigation for the Unlicensed Practice of Law, see UPL File No. 2017-1020(17C), Algeisa Vazquez, Esq. Branch UPL Counsel.

20. Mr. Allgood has a conflict representing the Plaintiff, see Florida Bar Rule 4-1.7(a)(2):

RULE 4-1.7 CONFLICT OF INTEREST: CURRENT CLIENTS

(a) Representing Adverse Interests. Except as provided in subdivision (b), a lawyer must not represent a client if:

(2) there is a substantial risk that the representation of 1 or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.

21. I hereby move to disqualify Mr. Allgood as counsel, or supervisory counsel, Florida Bar Rule 4-5.1, in this foreclosure as Director of the Florida Foreclosure Group since 2013 for McCalla Raymer Pierce, LLC, for his conflict under Rule 4-1.7(a)(2).

22. I hereby move to disqualify McCalla Raymer Pierce, LLC, and all its lawyers, as counsel for the Plaintiff in this matter, including Curtis Alan Wilson, Bar Number: 77669.

DEFENDANTS' SECOND MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016

RULE 4-1.10 IMPUTATION OF CONFLICTS OF INTEREST; GENERAL RULE

(a) Imputed Disqualification of All Lawyers in Firm. While lawyers are associated in a firm, none of them may knowingly represent a client when any 1 of them practicing alone would be prohibited from doing so by rule 4-1.7 or 4-1.9 except as provided elsewhere in this rule, or unless the prohibition is based on a personal interest of the prohibited lawyer and does not present a significant risk of materially limiting the representation of the client by the remaining lawyers in the firm.

23. Separately and in addition, Mr. Wilson has engaged in misconduct, see Request For Assistance (RFA) No. 15-13443, Gillespie v. Wilson. So long as this case is wrongly designated a commercial foreclosure instead of a residential homestead foreclosure on the civil cover sheet, Mr. Wilson commits new misconduct, see, Exhibit 18, Complaint against Curtis Allen Wilson, FL Bar ID 77669 Nov-28-2016. Also see,

The Florida Bar File No. 2014-30,525 (9A), Neil Gillespie v. Danielle Nicole Parsons
The Florida Bar UPL Investigation 20143031(9A) of paralegal Yolanda Martinez

24. My a further response to the OIG Hotline as been delayed due to the foregoing.

WHEREFORE, I respectfully move this Honorable Court to cancel the hearing for November 28, 2016 at 3:30 PM, abate this action under Fla. R. Civ. Pro. 1.100(c)(2), disqualify McCalla Raymer Pierce LLC and all its lawyers, including Curtis Allen Wilson, FL Bar ID 77669, as counsel for the Plaintiff, and arrange counsel to represent me under the ADA/OAA.

RESPECTFULLY SUBMITTED November 28, 2016.



Neil J. Gillespie, individually, and former Trustee
F.S. Ch. 736 Part III, of the Terminated Trust
8092 SW 115th Loop Tcl. 352-854-7807
Ocala, Florida 34481
Email: neilgillespie@mfi.net (Rule 2.516(b)(1)(C)).

Service List November 28, 2016

I hereby certify the names below were served by email November 28, 2016 through the Florida Portal, unless otherwise expressly stated.

Office of Inspector General, "OIGHotline"
c/o Board of Governors of
the Federal Reserve System
20th Street and Constitution Avenue, NW
Mail Stop K- 300
Washington, DC 20551
Email: OIGHotline@frb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

SEC Office of the Whistleblower
100 F Street NE
Washington, DC 20549
Phone: (202) 551-4790
Fax: (703) 813-9322
Via U.S. Mail, First Class
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750
Not served on the Florida Portal

The Honorable Richard Cordray, Director
Consumer Finance Protection Bureau
1700 G Street, NW
Washington, DC 20002
Email: Richard.Cordray@cfpb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

Stefanie Isser Goldblatt
Senior Litigation Counsel
Enforcement Division
Consumer Finance Protection Bureau
Email: Stefanie.Goldblatt@cfpb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

FBI Tampa Division
Special Agent in Charge, Paul Wysopal
Website: <https://www.fbi.gov/tampa>
Email: tampa.division@ic.fbi.gov

FBI Jacksonville Division
Special Agent in Charge, Michelle S. Klimt
Website: <https://www.fbi.gov/jacksonville>
Email: jacksonville@ic.fbi.gov

The Honorable Don F. Briggs
Chief Judge, Fifth Judicial Circuit
Lake County Judicial Center
550 W. Main Street
Tavares, FL 32778-7800.
Tel. 352-742-4224
Email: dbriggs@circuit5.org

The Honorable Ann Melinda Craggs
Circuit Court Judge, Fifth Judicial Circuit
Marion County Judicial Center
110 NW 1st Ave.
Ocala, FL 34475
Tel: 352-401-6785
Email: amcraggs@circuit5.org

Mr. Curtis Wilson, Esq.
McCalla Raymer Pierce, LLC
225 E. Robinson Street, Ste. 660
Orlando, FL 32801
MRService@mrpllc.com

Ms. Colleen Murphy Davis, AUSA
400 N. Tampa Street, Suite 3200
Tampa, FL 33602
Email: USAFLM.HUD@usdoj.gov Email:
JAXSFFORECLOSURES@hud.gov
JAXSFORECLOSURES@hud.gov
lydia.a.brush@gmail.com

Gregory C. Harrell
General Counsel to David R. Ellspermann,
Marion County Clerk of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
Email: gharrell@marioncountyclerk.org

David R. Ellspermann Marion County Clerk
of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
Email: Ellspermann@marioncountyclerk.org

Development & Construction Corporation
of America, c/o Carol Olson, Vice President
of Administration and Secretary-Treasurer,
for RA Priya Ghumman
10983 SW 89 Avenue
Ocala, FL 34481
Email: colson@deccahomes.com

Oak Run Homeowners Association, Inc.
c/o Board of Directors, orhboard@yahoo.com

Neil J. Gillespie and Mark Gillespie as Co-Trustees of the Gillespie Family Living Trust
Agreement dated February 10, 1997; Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Neil J. Gillespie
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Mark Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123
Email: mark.gillespie@att.net

Unknown spouse of Mark Gillespie n/k/a Joetta Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123
Email: mark.gillespie@att.net

Unknown Settlers/Beneficiaries of The Gillespie Family Living Trust Agreement dated
February 10, 1997; (NONE); Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Elizabeth Bauerle n/k/a Elizabeth Bidgood
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Unknown spouse of Elizabeth Bidgood,
n.k.a. Scott Bidgood
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Termination of the Gillespie Family Living Trust Agreement Dated February 10, 1997

STATE OF FLORIDA)
) SS.:
COUNTY OF MARION)



DAVID R ELLSPERMANN CLERK & COMPTROLLER MARION CO
DATE: 02/03/2015 11:55:32 AM
FILE #: 2015009748 OR BK 6161 PGS 1844-1845
REC FEES: \$18.50 INDEX FEES: \$0.00
DDS: \$0 MDS: \$0 INT: \$0

AFFIDAVIT

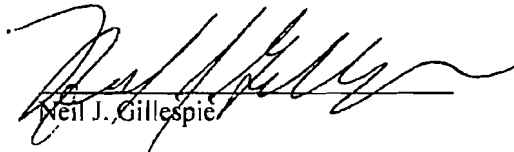
BEFORE ME, this day personally appeared NEIL J. GILLESPIE, who upon being duly sworn deposed upon oath as follows:

1. My name is Neil J. Gillespie. I am over eighteen years of age. This affidavit is given on personal knowledge unless otherwise expressly stated.
2. I am sole Trustee of the Gillespie Family Living Trust Agreement Dated February 10, 1997 (hereinafter "Trust").
3. My Florida residential homestead property is the sole asset of the Trust, property address 8092 SW 115th Loop, Ocala, Florida 34481, Marion County, Florida, (the "property") where I have lived in the property continuously and uninterruptedly since February 9, 2005, Tax ID No. 7013-007-001, legal description:

Lot(s) 1, Block G, OAK RUN WOODSIDE TRACT, according to the Plat thereof as recorded in Plat Book 2 at Page(s) 106 through 112, inclusive of the Public Records of Marion County, Florida.
4. Pursuant to my authority as Trustee of the Trust, and acting in that capacity, I transferred the remaining trust property to the beneficiary, myself, on January 14, 2015.
5. Pursuant to my authority as Trustee of the Trust, and acting in that capacity, I hereby terminate the Trust as provided by Fla. Stat. § 736.0414, and Article V, the Trust. The total fair market value of the assets of the Trust is zero. The Trust served its intended purpose of transferring the property to the beneficiary without going through probate.
6. Pursuant to Fla. Stat. § 736.0414 Modification or termination of uneconomic trust. (l) After notice to the qualified beneficiaries, the trustee of a trust consisting of trust property

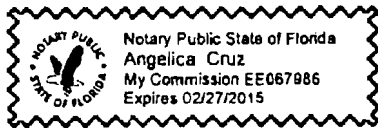
having a total value less than \$50,000 may terminate the trust if the trustee concludes that the value of the trust property is insufficient to justify the cost of administration.


FURTHER AFFIANT SAYETH NOT,


Neil J. Gillespie


The foregoing instrument was acknowledged before me, this 2nd day of February, 2015, by Neil J. Gillespie, who is personally known to me, or who has produced FL DL 64216305100990 as identification and states that he is the person who made this affidavit and that its contents are truthful to the best of his knowledge, information and belief.

(SEAL)




NOTARY PUBLIC
Angelica Cruz
Print Name of Notary Public

My Commission Expires: 2/27/15

 3 FEB 15
DORIS B. HOFFMANN
ULI WILAND, INC.

THIS IS NOT A COMMERCIAL FORCLOSURE

IN THE CIRCUIT COURT OF THE
FIFTH JUDICIAL CIRCUIT FLORIDA
IN AND FOR MARION COUNTY

REVERSE MORTGAGE SOLUTIONS, INC.,

Plaintiff,

CASE NO.: 2013-CA-000115
42-2013-CA-000115-AXXX-XX

vs.

Residential HECM Foreclosure Case
Florida Homestead of Neil J. Gillespie
Section 4, Article X, Florida Constitution

NEIL J. GILLESPIE AND MARK GILLESPIE
AS CO-TRUSTEES OF THE GILLESPIE
FAMILY LIVING TRUST AGREEMENT
DATED FEBRUARY 10, 1997, ET AL.

F.S. § 702.015 **Note/copy missing**
Rule 1.115 Pleading Mortgage Foreclosures
Rule 1.100(c)(2) Civil cover sheet wrong.
F.S. § 837.06 False Official Statements
F.S. § 92.525 Verification of documents

Defendants.

JUDICIAL DISQUALIFICATION - MEMORANDUM OF LAW

By Defendant Neil J. Gillespie, a nonlawyer appearing *pro se*

A judge shall disqualify himself or herself where his or her impartiality might reasonably
be questioned. Canon 3E(1) Code of Judicial Conduct for the State of Florida.

<u>Section</u>	<u>Page</u>	<u>Table of Contents</u>
I	2	Litigant's right to impartial judge.
II	3	Sufficiency of motion or affidavit of prejudice.
III	5	Time for filing motion; waiver of objection.
IV	5	Judicial determination of initial motion.
<u>Exhibit 1</u>		Rule 2.330. Disqualification of Trial Judges. Fla. R. Jud. Admin.
<u>Exhibit 2</u>		Chapter 38, Florida Statutes, Judges: General Provisions
<u>Exhibit 3</u>		AOSC14-66 Diligent Performance of Judicial Duties
<u>Exhibit 4</u>		Rule 1.080 Service and Filing of Pleadings, Orders, and Documents
<u>Exhibit 5</u>		Rule 2.516 Service of Pleadings and Documents. Fla. R. Jud. Admin.
<u>Exhibit 6</u>		Rule 2.525 Electronic Filing. Fla. R. Jud. Admin.
<u>Exhibit 7</u> online		Opinions of the Judicial Ethics Advisory Committee Disclosure/Recusal/Disqualification http://www.jud6.org/LegalCommunity/LegalPractice/opinions/jeacopinions/jeac.html
<u>Exhibit 8</u> online		Code of Judicial Conduct for the State of Florida As Amended through June 19, 2014 http://www.floridasupremecourt.org/decisions/ethics/index.shtml http://www.floridasupremecourt.org/decisions/ethics/Code_Judicial_Conduct.pdf



JUDICIAL DISQUALIFICATION - MEMORANDUM OF LAW

By Defendant Neil J. Gillespie, a nonlawyer appearing *pro se*

• **Section I** Litigant's right to impartial judge.

1. It has long been said in the courts of this state that “every litigant is entitled to nothing less than the cold neutrality of an impartial judge.” State ex rel. Davis v. Parks, 194 So. 613, 615 (Fla. 1939). (Opening citation in the Opinion filed December 17, 2014, Third District Court of Appeal, No. 3D14-2625, Lower Tribunal No. 14-8506, Great American Insurance Company of New York, Petitioner, vs. 2000 Island Boulevard Condominium Association, Inc., et al., Respondents. A Case of Original Jurisdiction – Prohibition.)

2. The importance of the duty of rendering a righteous judgment is that of doing it in such a manner as would raise no suspicion of the fairness and integrity of the judge. State ex rel. Arnold v. Revels, 113 So.2d 218, Fla.App. 1 Dist., 1959.

3. Every litigant is entitled to nothing less than the cold neutrality of an impartial judge, (Mathew v. State, 837 So.2d 1167, Fla.App. 4 Dist., 2003) and the law intends that no judge will preside in a case in which he or she is not wholly free, disinterested, impartial, and independent. State v. Steele, 348 So.2d 398, Fla.App. 1977.

4. When a judge enters into the proceedings and becomes a participant, a shadow is cast upon judicial neutrality so that his or her disqualification is required. Evans v. State, 831 So.2d 808, Fla.App. 4 Dist., 2002. The conditions requiring the disqualification of the judge to act in that particular case are prescribed by statute. § 38.02 Fla. Stat.

5. The basic tenet for the disqualification of a judge is that a judge must satisfy the appearance of justice. Hewitt v. State, 839 So.2d 763, Fla.App. 4 Dist., 2003.

6. The question of disqualification focuses on those matters from which a litigant may reasonably question a judge's impartiality rather than the judge's perception of his or her ability to act fairly and impartially. Wargo v. Wargo, 669 So.2d 1123, Fla.App. 4 Dist., 1996.

JUDICIAL DISQUALIFICATION - MEMORANDUM OF LAW

By Defendant Neil J. Gillespie, a nonlawyer appearing *pro se*

7. The term "recusal" is most often used to signify a voluntary action to remove oneself as a judge; however, the term "disqualification" refers to the process by which a litigant may seek to remove a judge from a particular case. Sume v. State, 773 So.2d 600, Fla.App. 1 Dist., 2000.

8. Question whether disqualification of a judge is required focuses on those matters from which a litigant may reasonably question a judge's impartiality rather than the judge's perception of his ability to act fairly and impartially. West's F.S.A. Code of Jud. Conduct, Canon 3(E)(1), Stevens v. Americana Healthcare Corp. of Naples, 919 So.2d 713 (Fla. Dist. Ct. App. 2d Dist. 2006).

9. Question of disqualification of a trial judge focuses on those matters from which a litigant may reasonably question a judge's impartiality rather than the court's own perception of its ability to act fairly and impartially. West's F.S.A. § 38.10, Valdes-Fauli v. Valdes-Fauli, 903 So.2d 214, Fla.App. 3 Dist., 2005 reh'g denied, (Feb. 17, 2005).

• **Section II** Sufficiency of motion or affidavit of prejudice.

10. A motion to disqualify must show that the party fears that he or she will not receive a fair trial or hearing because: (1) of a specifically described prejudice or bias of the judge; Fla. R. Jud. Admin., Rule 2.330(d)(1).

11. Generally, the critical determination in deciding the legal sufficiency of a motion to disqualify has been whether the facts alleged would prompt a reasonably prudent person to fear he or she would not receive a fair trial, Barnhill v. State, 834 So.2d 836 Fla., 2002.

12. If a motion to recuse is technically sufficient and the facts alleged therein also would prompt a reasonably prudent person to fear that he or she could not get a fair and impartial trial from the judge, the motion is legally sufficient and should be granted. Coleman v. State, 866 So.2d 209, Fla.App. 4 Dist., 2004.

JUDICIAL DISQUALIFICATION - MEMORANDUM OF LAW

By Defendant Neil J. Gillespie, a nonlawyer appearing *pro se*

13. The motion to disqualify a judge should contain facts germane to the judge's undue bias, prejudice, or sympathy. Chamberlain v. State, 881 So.2d 1087, Fla., 2004.

14. Whether a motion to disqualify a judge is legally sufficient requires a determination as to whether the alleged facts would create in a reasonably prudent person a well-founded fear of not receiving a fair and impartial trial. Fla. R. Jud. Admin., Rule 2.160 (f), Rodriguez v. State, 919 So.2d 1252, Fla., 2005, as revised on denial of reh'g, (Jan. 19, 2006).

15. The primary consideration in determining whether motion to disqualify trial judge should be granted is whether the facts alleged, if true, would place a reasonably prudent person in fear of not receiving a fair and impartial trial. Arbelaez v. State, 898 So.2d 25, Fla., 2005, reh'g denied, (Mar. 18, 2005).

16. A motion for disqualification must be granted if the alleged facts would cause a reasonably prudent person to have a well-founded fear that he/she would not receive a fair and impartial trial. Jarp v. Jarp, 919 So.2d 614, Fla.App. 3 Dist., 2006.

17. The test a trial court must use in determining whether a motion to disqualify a judge is legally sufficient is whether the facts alleged would place a reasonably prudent person in fear of not receiving a fair and impartial trial. Scott v. State, 909 So.2d 364, Fla.App. 5 Dist., 2005, reh'g denied, (Sept. 2, 2005).

18. The motion to disqualify a judge must be well-founded and contain facts germane to the judge's undue bias, prejudice, or sympathy. Scott v. State, 909 So.2d 364, Fla.App. 5 Dist., 2005, reh'g denied, (Sept. 2, 2005).

19. Disqualification is required when litigants demonstrate reasonable, well-grounded fear that they will not receive fair and impartial trial, or that judge has pre-judged case. Williams v. Balch, 897 So.2d 498, Fla.App. 4 Dist., 2005.

JUDICIAL DISQUALIFICATION - MEMORANDUM OF LAW

By Defendant Neil J. Gillespie, a nonlawyer appearing *pro se*

• **Section III** Time for filing motion; waiver of objection.

20. A motion to disqualify shall be filed within a reasonable time not to exceed 10 days after discovery of the facts constituting the grounds for the motion and shall be promptly presented to the court for an immediate ruling. Fla. R. Jud. Admin., Rule 2.160(e).

21. Although a petition to disqualify a judge is not timely filed, extraordinary circumstances may warrant the grant of an untimely motion to recuse. Klapper-Barrett v. Nurell, 742 So.2d 851, Fla.App. 5 Dist., 1999.

• **Section IV** Judicial determination of initial motion.

22. The judge against whom an initial motion to disqualify is directed shall determine only the legal sufficiency of the motion and shall not pass on the truth of the facts alleged. Fla. R. Judicial Admin. 2.330(f).

23. No other reason for denial shall be stated, and an order of denial shall not take issue with the motion. Fla. R. Judicial Admin. 2.330(f).

24. Accordingly, a judge may not rule on the truth of the facts alleged or address the substantive issues raised by the motion but may only determine the legal sufficiency of the motion. Knarich v. State, 866 So.2d 165 (Fla. Dist. Ct. App. 2d Dist. 2004).

25. In determining whether the allegations that movant will not receive a fair trial so as to disqualify a judge are sufficient, the facts alleged must be taken as true (Frengel v. Frengel, 880 So.2d 763, Fla.App. 2 Dist., 2004), and must be viewed from the movant's perspective. Siegel v. State, 861 So.2d 90, Fla.App. 4 Dist., 2003.

26. Case law forbids trial judges to refute facts set forth in a motion to disqualify, and their doing so will result in judicial disqualification irrespective of the facial sufficiency of the underlying claim. Brinson v. State, 789 So.2d 1125, Fla.App. 2 Dist., 2001.

JUDICIAL DISQUALIFICATION - MEMORANDUM OF LAW

By Defendant Neil J. Gillespie, a nonlawyer appearing *pro se*

27. A trial judge's attempt to refute charges of partiality thus exceeds the scope of inquiry on a motion to disqualify and alone establishes grounds for disqualification. J & J Industries, Inc. v. Carpet Showcase of Tampa Bay, Inc., 723 So.2d 281, Fla.App. 2 Dist., 1998.

28. Whether the motion is legally sufficient is a pure question of law; it follows that the proper standard of review is the de novo standard (Sume v. State, 773 So.2d 600 Fla.App. 1 Dist., 2000) and an order denying a motion to disqualify a trial judge is reviewed for abuse of discretion. King v. State, 840 So.2d 1047, Fla., 2003.

29. Once a motion for disqualification has been filed, no further action can be taken by the trial court, even if the trial court is not aware of the pending motion. Brown v. State 863 So.2d 1274, Fla.App. 1 Dist., 2004.

30. A judge presented with a motion to disqualify him-or-herself must rule upon the sufficiency of the motion immediately and may not consider other matters before considering the disqualification motion. Brown v. State 863 So.2d 1274, Fla.App. 1 Dist., 2004.

31. The court is required to rule immediately on the motion to disqualify the judge, even though the movant does not request a hearing. Fuster-Escalona v. Wisotsky, 781 So.2d 1063, Fla., 2000.

32. The rule places the burden on the judge to rule immediately, the movant is not required to nudge the judge nor petition for a writ of mandamus. G.C. v. Department of Children and Families, 804 So.2d 525 Fla.App. 5 Dist., 2002.

-----end

RULE 2.330. DISQUALIFICATION OF TRIAL JUDGES

(a) **Application.** This rule applies only to county and circuit judges in all matters in all divisions of court.

(b) **Parties.** Any party, including the state, may move to disqualify the trial judge assigned to the case on grounds provided by rule, by statute, or by the Code of Judicial Conduct.

(c) **Motion.** A motion to disqualify shall:

- (1) be in writing;
- (2) allege specifically the facts and reasons upon which the movant relies as the grounds for disqualification;
- (3) be sworn to by the party by signing the motion under oath or by a separate affidavit; and
- (4) include the dates of all previously granted motions to disqualify filed under this rule in the case and the dates of the orders granting those motions.

The attorney for the party shall also separately certify that the motion and the client's statements are made in good faith. In addition to filing with the clerk, the movant shall immediately serve a copy of the motion on the subject judge as set forth in Florida Rule of Civil Procedure 1.080.

(d) **Grounds.** A motion to disqualify shall show:

- (1) that the party fears that he or she will not receive a fair trial or hearing because of specifically described prejudice or bias of the judge; or
- (2) that the judge before whom the case is pending, or some person related to said judge by consanguinity or affinity within the third degree, is a party thereto or is interested in the result thereof, or that said judge is related to an attorney or counselor of record in the cause by consanguinity or affinity within the third degree, or that said judge is a material witness for or against one of the parties to the cause.

(e) **Time.** A motion to disqualify shall be filed within a reasonable time not to exceed 10 days after discovery of the facts constituting the grounds for the



motion and shall be promptly presented to the court for an immediate ruling. Any motion for disqualification made during a hearing or trial must be based on facts discovered during the hearing or trial and may be stated on the record, provided that it is also promptly reduced to writing in compliance with subdivision (c) and promptly filed. A motion made during hearing or trial shall be ruled on immediately.

(f) Determination — Initial Motion. The judge against whom an initial motion to disqualify under subdivision (d)(1) is directed shall determine only the legal sufficiency of the motion and shall not pass on the truth of the facts alleged. If the motion is legally sufficient, the judge shall immediately enter an order granting disqualification and proceed no further in the action. If any motion is legally insufficient, an order denying the motion shall immediately be entered. No other reason for denial shall be stated, and an order of denial shall not take issue with the motion.

(g) Determination — Successive Motions. If a judge has been previously disqualified on motion for alleged prejudice or partiality under subdivision (d)(1), a successor judge shall not be disqualified based on a successive motion by the same party unless the successor judge rules that he or she is in fact not fair or impartial in the case. Such a successor judge may rule on the truth of the facts alleged in support of the motion.

(h) Prior Rulings. Prior factual or legal rulings by a disqualified judge may be reconsidered and vacated or amended by a successor judge based upon a motion for reconsideration, which must be filed within 20 days of the order of disqualification, unless good cause is shown for a delay in moving for reconsideration or other grounds for reconsideration exist.

(i) Judge's Initiative. Nothing in this rule limits the judge's authority to enter an order of disqualification on the judge's own initiative.

(j) Time for Determination. The judge shall rule on a motion to disqualify immediately, but no later than 30 days after the service of the motion as set forth in subdivision (c). If not ruled on within 30 days of service, the motion shall be deemed granted and the moving party may seek an order from the court directing the clerk to reassign the case.

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The 2016 Florida Statutes

Title V
JUDICIAL BRANCH

Chapter 38
JUDGES: GENERAL PROVISIONS

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CHAPTER 38

JUDGES: GENERAL PROVISIONS

- 38.01 Disqualification when judge party; effect of attempted judicial acts.
- 38.02 Suggestion of disqualification; grounds; proceedings on suggestion and effect.
- 38.03 Waiver of grounds of disqualification by parties.
- 38.04 Sworn statement by judge holding himself or herself qualified.
- 38.05 Disqualification of judge on own motion.
- 38.06 Effect of acts where judge fails to disqualify himself or herself.
- 38.07 Effect of orders entered prior to disqualification; petition for reconsideration.
- 38.08 Effect of orders where petition for reconsideration not filed.
- 38.09 Designation of judge to hear cause when order of disqualification entered.
- 38.10 Disqualification of judge for prejudice; application; affidavits; etc.
- 38.12 Resignation, death, or removal of judges; disposition of pending matters and papers.
- 38.22 Power to punish contempts.
- 38.23 Contempt defined.

38.01 Disqualification when judge party; effect of attempted judicial acts.—Every judge of this state who appears of record as a party to any cause before him or her shall be disqualified to act therein, and shall forthwith enter an order declaring himself or herself to be disqualified in said cause. Any and all attempted judicial acts by any judge so disqualified in a cause, whether done inadvertently or otherwise, shall be utterly null and void and of no effect. No judge shall be disqualified from sitting in the trial of any suit in which any county or municipal corporation is a party by reason that such judge is a resident or taxpayer within such county or municipal corporation.

History.—s. 2, ch. 16053, 1933; CGL 1936 Supp. 4155(1); s. 1, ch. 59-43; s. 205, ch. 95-147.

38.02 Suggestion of disqualification; grounds; proceedings on suggestion and effect.—In any cause in any of the courts of this state any party to said cause, or any person or corporation interested in the subject matter of such litigation, may at any time before final judgment, if the case be one at law, and at any time before final decree, if the case be one in chancery, show by a suggestion filed in the cause that the judge before whom the cause is pending, or some person related to said judge by consanguinity or affinity within the third degree, is a party thereto, or is interested in the result thereof, or that said judge is related to an attorney or counselor of record in said cause by consanguinity or affinity within the third degree, or that said judge is a material witness for or against one of the parties to said cause, but such an order shall not be subject to collateral attack. Such suggestions shall be filed in the cause within 30 days after the party filing the suggestion, or the party's attorney, or attorneys, of record, or either of them, learned of such disqualification, otherwise the ground, or grounds, of disqualification shall be taken and considered as waived.

If the truth of any suggestion appear from the record in said cause, the said judge shall forthwith enter an order reciting the filing of the suggestion, the grounds of his or her disqualification, and declaring himself or herself to be disqualified in said cause. If the truth of any such suggestion does not appear from the record in said cause, the judge may by order entered therein require the filing in the cause of affidavits touching the truth or falsity of such suggestion. If the judge finds that the suggestion is true, he or she shall forthwith enter an order reciting the ground of his or her disqualification and declaring himself or herself disqualified in the cause; if the judge finds that the suggestion is false, he or she shall forthwith enter the order so reciting and declaring himself or herself to be qualified in the cause. Any such order declaring a judge to be disqualified shall not be subject to collateral attack nor shall it be subject to review. Any such order declaring a judge qualified shall not be subject to collateral attack but shall be subject to review by the court having appellate jurisdiction of the cause in connection with which the order was entered.

History.—s. 3, ch. 16053, 1933; CGL 1936 Supp. 4155(2); s. 1, ch. 26890, 1951; s. 6, ch. 63-559; s. 206, ch. 95-147.

38.03 Waiver of grounds of disqualification by parties.—The parties to any cause, or their attorneys of record, may, by written stipulation filed in the cause, waive any of the grounds of disqualification named in s. 38.02 and such waiver shall be valid and binding as to orders previously entered as well as to future acts of the judge therein; provided, however, that nothing herein shall prevent a judge from disqualifying himself or herself of his or her own motion under s. 38.05.

History.—s. 4, ch. 16053, 1933; CGL 1936 Supp. 4155(3); s. 207, ch. 95-147.

38.04 Sworn statement by judge holding himself or herself qualified.—Whenever any judge shall enter an order under s. 38.02 declaring qualification to act in said cause, he or she shall contemporaneously therewith file therein a sworn statement that to the best of his or her knowledge and belief the ground or grounds of the disqualification named in the suggestion do not exist.

History.—s. 5, ch. 16053, 1933; CGL 1936 Supp. 4155(4); s. 208, ch. 95-147.

38.05 Disqualification of judge on own motion.—Any judge may of his or her own motion disqualify himself or herself where, to the judge's own knowledge, any of the grounds for a suggestion of disqualification, as named in s. 38.02, exist. The failure of a judge to so disqualify himself or herself under this section shall not be assignable as error or subject to review.

History.—s. 6, ch. 16053, 1933; CGL 1936 Supp. 4155(5); s. 6, ch. 63-559; s. 209, ch. 95-147.

38.06 Effect of acts where judge fails to disqualify himself or herself.—In any cause where the grounds for a suggestion of disqualification, as set forth in s. 38.02, appear of record in the cause, but no suggestion of disqualification is filed therein, the orders, judgments, and decrees entered therein by the judge shall be valid. Where, on a suggestion of disqualification the judge enters an order declaring himself or herself qualified, the orders, judgments, and decrees entered therein by the said judge shall not be void and shall not be subject to collateral attack.

History.—s. 7, ch. 16053, 1933; CGL 1936 Supp. 4155(6); s. 210, ch. 95-147.

38.07 Effect of orders entered prior to disqualification; petition for reconsideration.—When orders have been entered in any cause by a judge prior to the entry of any order of disqualification under s. 38.02 or s. 38.05, any party to the cause may, within 30 days after the filing in the cause of the order of the chief judge of the circuit or the Chief Justice of the Supreme Court, as provided for in s. 38.09, petition the judge so designated for a reconsideration of the orders entered by the disqualified judge prior to the date of the entry of the order of disqualification. Such a petition shall set forth with particularity the matters of law or fact to be relied upon as grounds for the modification or vacation of the orders. Such a petition shall be granted as a matter of right. Upon the granting of the petition, notice of the time and place of the hearing thereon, together with a copy of the petition, shall be mailed by the attorney, or attorneys, of record for the

petitioners to the other attorney or attorneys of record, or to the party or parties if they have no attorneys of record. This notice shall be mailed at least 8 days prior to the date fixed by the judge for the hearing. The judge before whom the cause is then pending may, after the hearing, affirm, approve, confirm, reenter, modify, or vacate the orders.

History.—s. 8, ch. 16053, 1933; CGL 1936 Supp. 4155(7); s. 10, ch. 63-572; s. 30, ch. 81-259; s. 1, ch. 83-260.

38.08 Effect of orders where petition for reconsideration not filed.—If no petition for reconsideration is filed, as provided for in s. 38.07, all orders entered by the disqualified judge prior to the entry of the order of disqualification shall be as binding and valid as if said orders had been duly entered by a qualified judge authorized to act in the cause. The fact that an order was entered by a judge who is subsequently disqualified under s. 38.02 or s. 38.05, shall not be assignable as error subject to review by the appropriate appellate court unless a petition for reconsideration as provided for in s. 38.07, was filed by the party urging the matter as error, and the judge before whom the cause was then pending refused to vacate or modify said order.

History.—s. 9, ch. 16053, 1933; CGL 1936 Supp. 4155(8); s. 6, ch. 63-559.

38.09 Designation of judge to hear cause when order of disqualification entered.—Every judge of this state shall advise the chief judge of the circuit upon the entry of an order of disqualification. An order of assignment shall then be entered as provided by the Florida Rules of Judicial Administration. In the event any judge is disqualified as herein provided, upon application for any temporary writ of injunction or habeas corpus, the judge shall immediately enter an order of disqualification, whereupon the cause may be presented to any other judge of a court of the same jurisdiction as the court in which that cause is pending; and it shall be the duty of any such judge to hear and determine such matters until a substitute judge is so designated.

History.—s. 10, ch. 16053, 1933; CGL 1936 Supp. 4155(9)81s. 11, ch. 63-572; s. 20, ch. 73-333; s. 2, ch. 83-260; s. 211, ch. 95-147.

38.10 Disqualification of judge for prejudice; application; affidavits; etc.—Whenever a party to any action or proceeding makes and files an affidavit stating fear that he or she will not receive a fair trial in the court where the suit is pending on account of the prejudice of the judge of that court against the applicant or in favor of the adverse party, the judge shall proceed no further, but another judge shall be designated in the manner prescribed by the laws of this state for the substitution of judges for the trial of causes in which the presiding judge is disqualified. Every such affidavit shall state the facts and the reasons for the belief that any such bias or prejudice exists and shall be accompanied by a certificate of counsel of record that such affidavit and application are made in good faith. However, when any party to any action has suggested the disqualification of a trial judge and an order has been made admitting the disqualification of such judge and another judge has been assigned and transferred to act in lieu of the judge so held to be disqualified, the judge so assigned and transferred is not disqualified on account of alleged prejudice against the party making the suggestion in the first instance, or in favor of the adverse party, unless such judge admits and holds that it is then a fact that he or she does not stand fair and impartial between the parties. If such judge holds, rules, and adjudges that he or she does stand fair and impartial as between the parties and their respective interests, he or she shall cause such ruling to be entered on the minutes of the court and shall proceed to preside as judge in the pending cause. The ruling of such judge may be assigned as error and may be reviewed as are other rulings of the trial court.

History.—s. 4, ch. 7852, 1919; RGS 2674; s. 1, ch. 9276, 1923; CGL 4341; s. 3, ch. 83-260; s. 212, ch. 95-147.

38.12 Resignation, death, or removal of judges; disposition of pending matters and papers.—Upon the resignation, death, or impeachment of any judge, all matters pending before that judge shall be heard and determined by the judge's successor, and parties making any motion before such judge shall suffer no detriment by reason of his or her resignation, death, or impeachment. All judges, upon resignation or

impeachment, shall file all papers pending before them with the clerk of the court in which the cause is pending; and the executor or administrator of any judge who dies pending any matter before him or her shall file all papers found among the papers of his or her intestate or testator with the said clerk.

History.—ss. 1, 2, ch. 3007, 1877; RS 971, 972; GS 1341, 1342; RGS 2529, 2530; CGL 4156, 4157; s. 4, ch. 73-334; s. 1331, ch. 95-147.

38.22 Power to punish contempts.—Every court may punish contempts against it whether such contempts be direct, indirect, or constructive, and in any such proceeding the court shall proceed to hear and determine all questions of law and fact.

History.—s. 1, Nov. 23, 1828; RS 975; GS 1345; RGS 2534; CGL 4161; s. 1, ch. 23004, 1945; s. 4, ch. 73-334.

38.23 Contempt defined.—A refusal to obey any legal order, mandate or decree, made or given by any judge relative to any of the business of the court, after due notice thereof, is a contempt, punishable accordingly.

History.—s. 2, Nov. 23, 1828; RS 976; GS 1346; RGS 2535; CGL 4162; s. 8, ch. 2013-25.

Supreme Court of Florida

No. AOSC14-66

IN RE: DILIGENT PERFORMANCE OF JUDICIAL DUTIES

ADMINISTRATIVE ORDER

Article V, section 2(a), of the Florida Constitution invests in this Court the authority and responsibility for the administrative supervision of all courts in this State, including the promulgation of canons of judicial conduct and establishment of policy concerning the judiciary in rules of judicial administration.¹ The Code of Judicial Conduct reflects the commitment of Florida's judicial branch to upholding the high standards of judicial and personal conduct upon which public trust in our courts depends. We recognize that the vast majority of all judges in this State act with diligence and faithful commitment to their judicial duties. We also recognize that the judiciary has a duty to ensure that all judges consistently meet their obligations under the Code.

1. See Fla. R. Jud. Admin. 2.205(a)(1)(A).

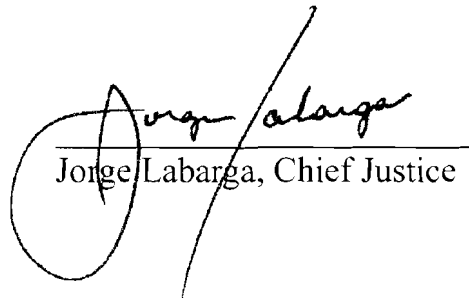
In all things, “a judge shall respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.” Canon 2A, Code of Judicial Conduct. Canon 3 requires that all judges perform their judicial duties diligently. In order for public confidence to be maintained, the citizens of this State must be assured that judges are performing their duties impartially and diligently, and that such duties “shall take precedence over all the judge’s other activities.” Canon 3A, Code of Judicial Conduct. Article V, section 13, of the Florida Constitution, also requires that judges shall devote full time to their judicial duties. Our courts are required to “dispose of all judicial matters promptly, efficiently, and fairly.” Canon 3B(8), Code of Judicial Conduct. All judges have a duty to “cooperate with other judges and court officials in the administration of court business.” Canon 3C(1), Code of Judicial Conduct. Each judge is required to “take appropriate action” whenever the judge “receives information or has actual knowledge that another judge has committed a violation of [the] Code.” Canon 3D(1), Code of Judicial Conduct. Chief judges have a special responsibility: “A judge with supervisory authority for the judicial performance of other judges shall take reasonable measures to assure prompt disposition of matters before them and the proper performance of their other judicial responsibilities.” Canon 3C(3), Code of Judicial Conduct.

Under the Rules of Judicial Administration, the chief judge of each circuit is the administrative officer of the courts within that circuit and exercises administrative supervision over all judges and court personnel in that circuit. Fla. R. Jud. Admin. 2.215(b)(2). This includes the authority to “report the neglect of duty by a judge to the Judicial Qualifications Commission or other appropriate person or body, or take such other corrective action as may be appropriate.” Fla. R. Jud. Admin. 2.215(b)(11). The failure of any judge to comply with an administrative order or directive of the chief judge “is considered neglect of duty” and shall be reported by the chief judge to the chief justice of this Court. Fla. R. Jud. Admin. 2.215(h).

In furtherance of our commitment to ensuring that all judges perform their duties faithfully and diligently, the chief judge in each judicial circuit is hereby directed to act as follows:

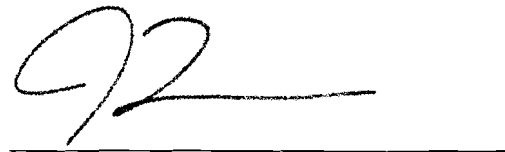
The chief judge in each circuit shall separately communicate to all trial court judges in that circuit the importance of a professional work ethic and accountability to the judiciary as a full-time commitment under the Code and the Constitution of Florida. This commitment includes the responsibility set forth in Canon 3C(1) requiring that a judge “should cooperate with other judges and court officials in the administration of court business.” Where a judge’s calendar allows, each judge should cooperate with other judges to assure that all cases and matters are handled as efficiently and expeditiously as possible. In addition, each chief judge shall take all administrative actions necessary to monitor the work of each judge of the circuit to ensure that appropriate action is taken in any case where a judge neglects his or her duties.

DONE AND ORDERED at Tallahassee, Florida, on December 1, 2014.

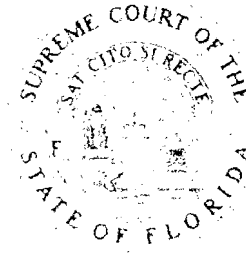


Jorge Labarga, Chief Justice

ATTEST:



John A. Tomasino, Clerk of Court



**RULE 1.080. SERVICE AND FILING OF PLEADINGS, ORDERS,
AND DOCUMENTS**

(a) Service. Every pleading subsequent to the initial pleading, all orders, and every other document filed in the action must be served in conformity with the requirements of Florida Rule of Judicial Administration 2.516.

(b) Filing. All documents shall be filed in conformity with the requirements of Florida Rule of Judicial Administration 2.525.

(c) Writing and written defined. Writing or written means a document containing information, an application, or a stipulation.



(D) every signing attorney is as responsible for the document as if that document had been served by such signing attorney or filed using the assigned electronic filing credentials of such signing attorney.

RULE 2.516. SERVICE OF PLEADINGS AND DOCUMENTS

(a) Service; When Required. Unless the court otherwise orders, or a statute or supreme court administrative order specifies a different means of service, every pleading subsequent to the initial pleading and every other document filed in any court proceeding, except applications for witness subpoenas and documents served by formal notice or required to be served in the manner provided for service of formal notice, must be served in accordance with this rule on each party. No service need be made on parties against whom a default has been entered, except that pleadings asserting new or additional claims against them must be served in the manner provided for service of summons.

(b) Service; How Made. When service is required or permitted to be made upon a party represented by an attorney, service must be made upon the attorney unless service upon the party is ordered by the court.

(1) Service by Electronic Mail (“e-mail”). All documents required or permitted to be served on another party must be served by e-mail, unless the parties otherwise stipulate or this rule otherwise provides. A filer of an electronic document has complied with this subdivision if the Florida Courts e-filing Portal (“Portal”) or other authorized electronic filing system with a supreme court approved electronic service system (“e-Service system”) served the document by e-mail or provided a link by e-mail to the document on a website maintained by a clerk (“e-Service”). The filer of an electronic document must verify that the Portal or other e-Service system uses the names and e-mail addresses provided by the parties pursuant to subdivision (b)(1)(A).

(A) Service on Attorneys. Upon appearing in a proceeding, an attorney must designate a primary e-mail address and may designate no more than two secondary e-mail addresses and is responsible for the accuracy of and changes to that attorney’s own e-mail addresses maintained by the Portal or other e-Service system. Thereafter, service must be directed to all designated e-mail addresses in that proceeding. Every document filed or served by an attorney thereafter must include the primary e-mail address of that attorney and any secondary e-mail addresses. If an attorney does not designate any e-mail address



for service, documents may be served on that attorney at the e-mail address on record with The Florida Bar.

(B) Exception to E-mail Service on Attorneys. Upon motion by an attorney demonstrating that the attorney has no e-mail account and lacks access to the Internet at the attorney's office, the court may excuse the attorney from the requirements of e-mail service. Service on and by an attorney excused by the court from e-mail service must be by the means provided in subdivision (b)(2) of this rule.

(C) Service on and by Parties Not Represented by an Attorney. Any party not represented by an attorney may serve a designation of a primary e-mail address and also may designate no more than two secondary e-mail addresses to which service must be directed in that proceeding by the means provided in subdivision (b)(1) of this rule. If a party not represented by an attorney does not designate an e-mail address for service in a proceeding, service on and by that party must be by the means provided in subdivision (b)(2) of this rule.

(D) Time of Service. Service by e-mail is complete on the date it is sent.

(i) If, however, the e-mail is sent by the Portal or other e-Service system, service is complete on the date the served document is electronically filed.

(ii) If the person required to serve a document learns that the e-mail was not received by an intended recipient, the person must immediately resend the document to that intended recipient by e-mail, or by a means authorized by subdivision (b)(2) of this rule.

(iii) E-mail service, including e-Service, is treated as service by mail for the computation of time.

(E) Format of E-mail for Service. Service of a document by e-mail is made by an e-mail sent to all addresses designated by the attorney or party with either (a) a copy of the document in PDF format attached or (b) a link to the document on a website maintained by a clerk.

(i) All documents served by e-mail must be sent by an e-mail message containing a subject line beginning with the words "SERVICE OF

COURT DOCUMENT” in all capital letters, followed by the case number of the proceeding in which the documents are being served.

(ii) The body of the e-mail must identify the court in which the proceeding is pending, the case number, the name of the initial party on each side, the title of each document served with that e-mail, and the name and telephone number of the person required to serve the document.

(iii) Any document served by e-mail may be signed by any of the “/s/,” “/s,” or “s/” formats.

(iv) Any e-mail which, together with its attached documents, exceeds the appropriate size limitations specified in the Florida Supreme Court Standards for Electronic Access to the Court, must be divided and sent as separate e-mails, no one of which may exceed the appropriate size limitations specified in the Florida Supreme Court Standards for Electronic Access to the Court and each of which must be sequentially numbered in the subject line.

(2) Service by Other Means. In addition to, and not in lieu of, service by e-mail, service may also be made upon attorneys by any of the means specified in this subdivision. If a document is served by more than one method of service, the computation of time for any response to the served document shall be based on the method of service that provides the shortest response time. Service on and by all parties who are not represented by an attorney and who do not designate an e-mail address, and on and by all attorneys excused from e-mail service, must be made by delivering a copy of the document or by mailing it to the party or attorney at their last known address or, if no address is known, by leaving it with the clerk of the court. Service by mail is complete upon mailing. Delivery of a copy within this rule is complete upon:

(A) handing it to the attorney or to the party,

(B) leaving it at the attorney’s or party’s office with a clerk or other person in charge thereof,

(C) if there is no one in charge, leaving it in a conspicuous place therein,

(D) if the office is closed or the person to be served has no office, leaving it at the person’s usual place of abode with some person of his or her family above 15 years of age and informing such person of the contents, or

(E) transmitting it by facsimile to the attorney's or party's office with a cover sheet containing the sender's name, firm, address, telephone number, and facsimile number, and the number of pages transmitted. When service is made by facsimile, a copy must also be served by any other method permitted by this rule. Facsimile service occurs when transmission is complete.

(F) Service by delivery shall be deemed complete on the date of delivery.

(c) Service; Numerous Defendants. In actions when the parties are unusually numerous, the court may regulate the service contemplated by these rules on motion or on its own initiative in such manner as may be found to be just and reasonable.

(d) Filing. All documents must be filed with the court either before service or immediately thereafter, unless otherwise provided for by general law or other rules. If the original of any bond or other document required to be an original is not placed in the court file or deposited with the clerk, a certified copy must be so placed by the clerk.

(e) Filing Defined. The filing of documents with the court as required by these rules must be made by filing them with the clerk in accordance with rule 2.525, except that the judge may permit documents to be filed with the judge, in which event the judge must note the filing date before him or her on the documents and transmit them to the clerk. The date of filing is that shown on the face of the document by the judge's notation or the clerk's time stamp, whichever is earlier.

(f) Certificate of Service. When any attorney certifies in substance:

"I certify that the foregoing document has been furnished to (here insert name or names, addresses used for service, and mailing addresses) by (e-mail) (delivery) (mail) (fax) on (date)

Attorney"

the certificate is taken as prima facie proof of such service in compliance with this rule.

(g) Service by Clerk. When the clerk is required to serve notices and other documents, the clerk may do so by e-mail as provided in subdivision (b)(1) or by any other method permitted under subdivision (b)(2). Service by a clerk is not required to be by e-mail.

(h) Service of Orders.

(1) A copy of all orders or judgments must be transmitted by the court or under its direction to all parties at the time of entry of the order or judgment. No service need be made on parties against whom a default has been entered except orders setting an action for trial and final judgments that must be prepared and served as provided in subdivision (h)(2). The court may require that orders or judgments be prepared by a party, may require the party to furnish the court with stamped, addressed envelopes for service of the order or judgment, and may require that proposed orders and judgments be furnished to all parties before entry by the court of the order or judgment. The court may serve any order or judgment by e-mail to all attorneys who have not been excused from e-mail service and to all parties not represented by an attorney who have designated an e-mail address for service.

(2) When a final judgment is entered against a party in default, the court must mail a conformed copy of it to the party. The party in whose favor the judgment is entered must furnish the court with a copy of the judgment, unless it is prepared by the court, with the address of the party to be served. If the address is unknown, the copy need not be furnished.

(3) This subdivision is directory and a failure to comply with it does not affect the order or judgment, its finality, or any proceedings arising in the action.

RULE 2.520. DOCUMENTS

(a) Electronic Filing Mandatory. All documents filed in any court shall be filed by electronic transmission in accordance with rule 2.525. “Documents” means pleadings, motions, petitions, memoranda, briefs, notices, exhibits, declarations, affidavits, orders, judgments, decrees, writs, opinions, and any paper or writing submitted to a court.

(b) Type and Size. Documents subject to the exceptions set forth in rule 2.525(d) shall be legibly typewritten or printed, on only one side of letter sized (8

on the electronic version of the document, and must neither obscure the content or other date stamp, not occupy space otherwise reserved by subdivision (B).

(e) Exceptions to Recording Space. Any documents created by persons or entities over which the filing party has no control, including but not limited to wills, codicils, trusts, or other testamentary documents; documents prepared or executed by any public officer; documents prepared, executed, acknowledged, or proved outside of the State of Florida; or documents created by State or Federal government agencies, may be filed without the space required by this rule.

(f) Noncompliance. No clerk of court shall refuse to file any document because of noncompliance with this rule. However, upon request of the clerk of court, noncomplying documents shall be resubmitted in accordance with this rule.

Court Commentary

1989 Adoption. Rule 2.055 [renumbered as 2.520 in 2006] is new. This rule aligns Florida's court system with the federal court system and the court systems of the majority of our sister states by requiring in subdivision (a) that all pleadings, motions, petitions, briefs, notices, orders, judgments, decrees, opinions, or other papers filed with any Florida court be submitted on paper measuring 8 1/2 by 11 inches. Subdivision (c) provides a 1-year transition period from the effective date of January 1, 1990, to January 1, 1991, during which time filings that traditionally have been accepted on legal-size paper will be accepted on either legal- or letter-size paper. The 1-year transition period was provided to allow for the depletion of inventories of legal-size paper and forms. The 1-year transition period was not intended to affect compliance with Florida Rule of Appellate Procedure 9.210(a)(1), which requires the type-written appellate briefs be filed on paper measuring 8 1/2 by 11 inches. Nor was it intended that the requirement of Florida Rule of Appellate Procedure 9.210(a)(1) that printed briefs measure 6 by 9 inches be affected by the requirements of subdivision (a).

Subdivision (b), which recognizes an exception for exhibits or attachments, is intended to apply to documents such as wills and traffic citations which traditionally have not been generated on letter-size paper.

Subdivision (c) was adopted to ensure that a 1 1/2 inch square at the top right-hand corner of all filings is reserved for use by the clerk of court. Subdivision (d) was adopted to ensure that all papers and documents submitted for filing will be considered filed on the date of submission regardless of paper size. Subdivision (d) also ensures that after the 1-year transition period of subdivision (e), filings that are not in compliance with the rule are resubmitted on paper measuring 8 1/2 by 11 inches.

This rule is not intended to apply to those instruments and documents presented to the clerk of the circuit court for recording in the Official Records under section 28.222, Florida Statutes (1987). It is also not intended to apply to matters submitted to the clerk of the circuit court in the capacity as ex officio clerk of the board of county commissioners pursuant to article VIII, section (1)(d), Florida Constitution.

1996 Amendment. Subdivision (c) was amended to make the blank space requirements for use by the clerk of the court consistent with section 695.26, Florida Statutes (1995). Subdivision (e) was eliminated because the transition period for letter-size and recycled paper was no longer necessary.

RULE 2.525. ELECTRONIC FILING

(a) Definition. "Electronic transmission of documents" means the sending of information by electronic signals to, by or from a court or clerk, which



when received can be transformed and stored or transmitted on paper, microfilm, magnetic storage device, optical imaging system, CD-ROM, flash drive, other electronic data storage system, server, case maintenance system (“CM”), electronic court filing (“ECF”) system, statewide or local electronic portal (“e-portal”), or other electronic record keeping system authorized by the supreme court in a format sufficient to communicate the information on the original document in a readable format. Electronic transmission of documents includes electronic mail (“e-mail”) and any internet-based transmission procedure, and may include procedures allowing for documents to be signed or verified by electronic means.

(b) Application. Only the electronic filing credentials of an attorney who has signed a document may be used to file that document by electronic transmission. Any court or clerk may accept the electronic transmission of documents for filing and may send documents by electronic transmission after the clerk, together with input from the chief judge of the circuit, has obtained approval of procedures, programs, and standards for electronic filing from the supreme court (“ECF Procedures”). All ECF Procedures must comply with the then-current e-filing standards, as promulgated by the supreme court in Administrative Order No. AOSC09-30, or subsequent administrative order.

(c) Documents Affected.

(1) All documents that are court records, as defined in rule 2.430(a)(1), must be filed by electronic transmission provided that:

(A) the clerk has the ability to accept and retain such documents;

(B) the clerk or the chief judge of the circuit has requested permission to accept documents filed by electronic transmission; and

(C) the supreme court has entered an order granting permission to the clerk to accept documents filed by electronic transmission.

(2) The official court file is a set of electronic documents stored in a computer system maintained by the clerk, together with any supplemental non-electronic documents and materials authorized by this rule. It consists of:

(A) documents filed by electronic transmission under this rule;

(B) documents filed in paper form under subdivision (d) that have been converted to electronic form by the clerk;

(C) documents filed in paper form before the effective date of this rule that have been converted to electronic form by the clerk;

(D) documents filed in paper form before the effective date of this rule or under subdivision (d) , unless such documents are converted into electronic form by the clerk;

(E) electronic documents filed pursuant to subdivision (d)(5);
and

(F) materials and documents filed pursuant to any rule, statute or court order that either cannot be converted into electronic form or are required to be maintained in paper form.

(3) The documents in the official court file are deemed originals for all purposes except as otherwise provided by statute or rule.

(4) Any document in paper form submitted under subdivision (d) is filed when it is received by the clerk or court and the clerk shall immediately thereafter convert any filed paper document to an electronic document. "Convert to an electronic document" means optically capturing an image of a paper document and using character recognition software to recover as much of the document's text as practicable and then indexing and storing the document in the official court file.

(5) Any storage medium submitted under subdivision (d)(5) is filed when received by the clerk or court and the clerk shall immediately thereafter transfer the electronic documents from the storage device to the official court file.

(6) If the filer of any paper document authorized under subdivision (d) provides a self-addressed, postage-paid envelope for return of the paper document after it is converted to electronic form by the clerk, the clerk shall place the paper document in the envelope and deposit it in the mail. Except when a paper document is required to be maintained, the clerk may recycle any filed paper document that is not to be returned to the filer.

(7) The clerk may convert any paper document filed before the effective date of this rule to an electronic document. Unless the clerk is required to maintain the paper document, if the paper document has been converted to an

electronic document by the clerk, the paper document is no longer part of the official court file and may be removed and recycled.

(d) Exceptions. Paper documents and other submissions may be manually submitted to the clerk or court:

(1) when the clerk does not have the ability to accept and retain documents by electronic filing or has not had ECF Procedures approved by the supreme court;

(2) for filing by any self-represented party or any self-represented nonparty unless specific ECF Procedures provide a means to file documents electronically. However, any self-represented nonparty that is a governmental or public agency and any other agency, partnership, corporation, or business entity acting on behalf of any governmental or public agency may file documents by electronic transmission if such entity has the capability of filing document electronically;

(3) for filing by attorneys excused from e-mail service in accordance with rule 2.516(b);

(4) when submitting evidentiary exhibits or filing non-documentary materials;

(5) when the filing involves documents in excess of the appropriate size limitations specified in the Florida Supreme Court Standards for Electronic Access to the Court. For such filings, documents may be transmitted using an electronic storage medium that the clerk has the ability to accept, which may include a CD-ROM, flash drive, or similar storage medium;

(6) when filed in open court, as permitted by the court;

(7) when paper filing is permitted by any approved statewide or local ECF procedures; and

(8) if any court determines that justice so requires.

(e) Service.

(1) Electronic transmission may be used by a court or clerk for the service of all orders of whatever nature, pursuant to rule 2.516(h), and for the

service of any documents pursuant to any ECF Procedures, provided the clerk, together with input from the chief judge of the circuit, has obtained approval from the supreme court of ECF Procedures containing the specific procedures and program to be used in transmitting the orders and documents. All other requirements for the service of such orders must be met.

(2) Any document electronically transmitted to a court or clerk must also be served on all parties and interested persons in accordance with the applicable rules of court.

(f) Administration.

(1) Any clerk who, after obtaining supreme court approval, accepts for filing documents that have been electronically transmitted must:

(A) provide electronic or telephonic access to its equipment, whether through an e-portal or otherwise, during regular business hours, and all other times as practically feasible;

(B) accept electronic transmission of the appropriate size limitations specified in the Florida Supreme Court Standards for Electronic Access to the Court; and

(C) accept filings in excess of the appropriate size limitations specified in the Florida Supreme Court Standards for Electronic Access to the Court by electronic storage device or system, which may include a CD-ROM, flash drive, or similar storage system.

(2) All attorneys, parties, or other persons using this rule to file documents are required to make arrangements with the court or clerk for the payment of any charges authorized by general law or the supreme court before filing any document by electronic transmission.

(3) The filing date for an electronically transmitted document is the date and time that such filing is acknowledged by an electronic stamp or otherwise, pursuant to any procedure set forth in any ECF Procedures approved by the supreme court, or the date the last page of such filing is received by the court or clerk.

(4) Any court or clerk may extend the hours of access or increase the page or size limitations set forth in this subdivision.

(g) Accessibility. All documents transmitted in any electronic form under this rule must comply with the accessibility requirements of Florida Rule of Judicial Administration 2.526.

Court Commentary

1997 Amendment. Originally, the rule provided that the follow-up filing had to occur within ten days. In the 1997 amendment to the rule, that requirement was modified to provide that the follow-up filing must occur “immediately” after a document is electronically filed. The “immediately thereafter” language is consistent with language used in the rules of procedure where, in a somewhat analogous situation, the filing of a document may occur after service. *See, e.g.,* Florida Rule of Civil Procedure 1.080(d) (“All original papers shall be filed with the court either before service or *immediately thereafter.*”) (emphasis added). “Immediately thereafter” has been interpreted to mean “filed with reasonable promptness.” *Miami Transit Co. v. Ford*, 155 So.2d 360 (Fla.1963).

The use of the words “other person” in this rule is not meant to allow a nonlawyer to sign and file pleadings or other papers on behalf of another. Such conduct would constitute the unauthorized practice of law.

RULE 2.526. ACCESSIBILITY OF INFORMATION AND TECHNOLOGY

Any document that is or will become a judicial branch record, as defined in rule 2.420(b)(1), and that is transmitted in an electronic form, as defined in rule 2.525, must be formatted in a manner that complies with all state and federal laws requiring that electronic judicial records be accessible to persons with disabilities, including without limitation the Americans with Disabilities Act and Section 508 of the federal Rehabilitation Act of 1973 as incorporated into Florida law by section 282.603(1), Florida Statutes (2010), and any related federal or state regulations or administrative rules.

RULE 2.530. COMMUNICATION EQUIPMENT

(a) Definition. Communication equipment means a conference telephone or other electronic device that permits all those appearing or participating to hear and speak to each other, provided that all conversation of all parties is audible to all persons present.

(b) Use by All Parties. A county or circuit court judge may, upon the court’s own motion or upon the written request of a party, direct that communication equipment be used for a motion hearing, pretrial conference, or a status conference. A judge must give notice to the parties and consider any objections they may have to the use of communication equipment before directing that communication equipment be used. The decision to use communication equipment over the objection of parties will be in the sound discretion of the trial court, except as noted below.

IN THE CIRCUIT COURT OF THE
FIFTH JUDICIAL CIRCUIT FLORIDA
IN AND FOR MARION COUNTY

REVERSE MORTGAGE SOLUTIONS, INC.,

Plaintiff,

vs.

NEIL J. GILLESPIE AND MARK GILLESPIE
AS CO-TRUSTEES OF THE GILLESPIE
FAMILY LIVING TRUST AGREEMENT
DATED FEBRUARY 10, 1997, ET AL.

Defendants.

CASE NO.: 2013-CA-000115
42-2013-CA-000115-AXXX-XX

Homestead Residential Foreclosure
\$50,001-\$249,999 (Contested)
Home Equity Conversion Mortgage
HUD/FHA/HECM Reverse Mortgage
12 USC § 1715z-20; 24 CFR Part 206
FHA Case Number: 091-4405741
BofA/RMS acct/loan #68011002615899

NOTICE OF REILING FEDERAL CIVIL RIGHTS COMPLAINT DUE TO

Official Misconduct By David R. Ellspermann Marion County Clerk of Court and Comptroller
U.S. Department of Justice, Civil Rights Division, Voting Section

Defendant Neil J. Gillespie, individually, and as former Trustee (F.S. Ch. 736 Part III) of the terminated Gillespie Family Living Trust Agreement Dated February 10, 1997 (“Terminated Trust”), an indigent non-lawyer, unable to obtain adequate counsel, a consumer of legal and court services affecting interstate commerce, a consumer of personal, family and household goods and services, consumer transactions in interstate commerce, a person with disabilities, a vulnerable adult, reluctantly appears pro se, henceforth in the first person, gives *Notice of Refiling Federal Civil Rights Complaint Due To Official Misconduct By David R. Ellspermann Marion County Clerk of Court and Comptroller*, and states:

1. On February 7, 2017 I submitted by email to the U.S. Department of Justice, Civil Rights Division, Voting Section, a complaint against Florida’s rigged judicial elections, to:

Civil Rights Division, Voting Section
U.S. Department of Justice
950 Pennsylvania Ave., NW, Rm 7254 NWB
Washington, DC 20530
voting.section@usdoj.gov



NOTICE OF REILING FEDERAL CIVIL RIGHTS COMPLAINT DUE TO OFFICIAL
Misconduct By David R. Ellspermann Marion County Clerk and Comptroller
U.S. Department of Justice, Civil Rights Division, Voting Section

This is a Civil Rights Division, Voting Section complaint against Florida's rigged judicial elections. Attached you find the following evidence of rigged judicial elections:

1. Notice to Ken Detzner, Secretary of State, Florida's Rigged Judicial Elections
2. MARION COUNTY BAR ASSOCIATION+Email
3. Letter to Mr. Donald R. DeLuca, VP&GC, RLR Investments, LLC
4. Marion County Judicial Center and Bar Association

Thank you.
Sincerely,
Neil J. Gillespie
(address block omitted)

2. On March 23, 2017 I gave Notice of Filing a Federal Civil Rights Voting Section Complaint to the U.S. Dept. of Justice consisting of 100 pages, which appears at Exhibit 1,

NOTICE OF FILING FEDERAL CIVIL RIGHTS COMPLAINT
U.S. Department of Justice, Civil Rights Division, Voting Section
Filing # 54155201 E-Filed 03/23/2017 10:40:48 PM

3. My Notice of Service of Court Documents through the Florida Portal appears at Exhibit 2 and shows how I designated my filing of court documents on March 23, 2017:

NOTICE OF FILING FEDERAL CIVIL RIGHTS
COMPLAINT.pdf (Notice of Filing) (6 pages)

Civil Rights Division, Voting Section complaint Feb-07-
2017.pdf (Attachment Or Exhibit To Pleading) (3 pages)

Exhibit 1, Notice to Ken Detzner, Secretary of State,
Florida's Rigged Judicial Elections.pdf
(Attachment Or Exhibit To Pleading) (34 pages)

Exhibit 2, MARION COUNTY BAR ASSOCIATION+Email.pdf
(Attachment Or Exhibit To Pleading) (39 pages)

Exhibit 3, Letter to Mr. Donald R. DeLuca, VP&GC, RLR
Investments, LLC.pdf (Attachment Or Exhibit To Pleading) (8 pages)

Exhibit 4, Marion County Judicial Center and Bar Association.pdf
(Attachment Or Exhibit To Pleading) (10 pages)

NOTICE OF REILING FEDERAL CIVIL RIGHTS COMPLAINT DUE TO OFFICIAL
Misconduct By David R. Ellspermann Marion County Clerk and Comptroller
U.S. Department of Justice, Civil Rights Division, Voting Section

4. David R. Ellspermann (“Clerk Ellspermann”) is a public servant, the Marion County Clerk of Court & Comptroller, as provided by Article V, Section 16 of the Florida Constitution, tasked with F.S. § 28.13 *Papers and electronic filings*, and F.S. § 28.211 *Clerk to keep docket*.

5. Acting as a public servant, Clerk Ellspermann failed to file and docket my court record as required by F.S. § 28.13 *Papers and electronic filings*, and F.S. § 28.211 *Clerk to keep docket*.

6. Clerk Ellspermann changed and obscured the names of my exhibits, misfiled one exhibit on a different day, so that only a six page court record appears at Filing # 54155201 E-Filed 03/23/2017 at 10:40:48 PM, instead of a 100 page court record.

7. The public docket appearing at Exhibit 3 shows how Clerk Ellspermann changed and obscured the names of my exhibits, and misfiled one exhibit on a different day, as follows:

DOC-417 NOTICE OF FILING FEDERAL CIVIL RIGHTS COMPLAINT
- FILED BY DEFT NEIL J GILLESPIE Date 03 23 2017 (6 pages)

DOC-418 CORRESPONDENCE OR MEMORANDUM - FILED BY
DEFT NEIL J GILLESPIE Date 03/23/2017 (3 pages)

DOC-419 EXHIBIT 1 - FILED BY DEFT NEIL J GILLESPIE,
Date 03/23/2017 (34 pages)

DOC-422 MISC-PLEADINGS FILED BY DFNT NEIL GILLESPIE
Date 03/23/2017 (39 pages)

DOC-423 CORRESPONDENCE OR MEMORANDUM -TO MR. DELUCA
FROM NEIL J. GILLESPIE Date 03/23/2017 (8 pages)

DOC-424 MISC-PLEADINGS FILED BY DFNT NEIL GILLESPIE
Date 03/27/2017 (10 pages)

8. Instead of lawfully performing the duties of a public servant, Clerk Ellspermann engaged in Official Misconduct 838.022(1) Florida Statutes when he knowingly and intentionally obtained a benefit for any person or caused unlawful harm to another, by: (a) Falsifying, or

NOTICE OF REILING FEDERAL CIVIL RIGHTS COMPLAINT DUE TO OFFICIAL
Misconduct By David R. Ellspermann Marion County Clerk and Comptroller
U.S. Department of Justice, Civil Rights Division, Voting Section

causing another person to falsify, any official record or official document; (b) Concealing, covering up, destroying, mutilating, or altering any official record or official document, except as authorized by law or contract, or causing another person to perform such an act;

The 2016 Florida Statutes, Title XLVI CRIMES,
Chapter 838, BRIBERY; MISUSE OF PUBLIC OFFICE

838.022 Official misconduct.—

(1) It is unlawful for a public servant or public contractor, to knowingly and intentionally obtain a benefit for any person or to cause unlawful harm to another, by:

(a) Falsifying, or causing another person to falsify, any official record or official document;

(b) Concealing, covering up, destroying, mutilating, or altering any official record or official document, except as authorized by law or contract, or causing another person to perform such an act; or

(c) Obstructing, delaying, or preventing the communication of information relating to the commission of a felony that directly involves or affects the government entity served by the public servant or public contractor.

(2) For the purposes of this section:

(a) The term “public servant” does not include a candidate who does not otherwise qualify as a public servant;

(b) An official record or official document includes only public records.

(3) Any person who violates this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

9. Clerk Ellspermann believes he is a “checks and balances” clerk, not a ministerial clerk, see the 2015 Annual Report Marion County Clerk of the Circuit Court and Comptroller,

https://www.marioncountyclerk.org/_files/AnnualReport20150.pdf

Functions and Duties of the Clerk - Page 3 - *The Clerk's duties are not purely ministerial, but rather an integral part of the whole county governmental process... Whether as an officer of the court or serving in the many constitutional and statutory roles of county officer, the Clerk of the Circuit Court and Comptroller is maintaining the constitutional doctrine of “checks and balances” at the local level...*

10. Clerk Ellspermann does not obey F.S. § 28.13,

28.13 Papers and electronic filings.—The clerk of the circuit court must maintain all papers and electronic filings in the clerk’s office with the utmost care and security,

NOTICE OF REILING FEDERAL CIVIL RIGHTS COMPLAINT DUE TO OFFICIAL
Misconduct By David R. Ellspermann Marion County Clerk and Comptroller
U.S. Department of Justice, Civil Rights Division, Voting Section

storing them with related case files and affixing a stamp, which may be electronic, to each submission indicating the date and time that the submission was filed....

11. Clerk Ellspermann has not obeyed F.S. § 28.211,

28.211 Clerk to keep docket.—The clerk of the circuit court shall keep a progress docket in which he or she shall note the filing of each pleading, motion, or other paper and any step taken by him or her in connection with each action, appeal, or other proceeding before the court. The clerk may keep separate progress dockets for civil and criminal matters. The clerk shall keep an alphabetical index, direct and inverse, for the docket.

12. Clerk Ellspermann has committed fraud upon the court. “Fraud upon the court is an egregious offense against the integrity of the judicial system and is more than a simple asserction of facts in a pleading which might later fail for lack of proof.” *Wells Fargo Bank, N.A. v. Reeves*, 92 So. 3d 249, 252 (Fla. 1st DCA 2012). “The integrity of the civil litigation process depends on truthful disclosure of facts. A system that depends on an adversary's ability to uncover falsehoods is doomed to failure, which is why this kind of conduct must be discouraged in the strongest possible way. . . . This is an area where the trial court is and should be vested with discretion to fashion the apt remedy.” *Cox v. Burke*, 706 So. 2d 43, 47 (Fla. 5th DCA 1998).

13. The Florida House may impeach Clerk Ellspermann under Article III, Section 17 of the Florida Constitution. Impeachments by the House shall be tried by the Senate.

RESPECTFULLY SUBMITTED April 6, 2017.



Neil J. Gillespie, individually, and former Trustee,
F.S. Ch. 736 Part III, of the Terminated Trust
8092 SW 115th Loop
Ocala, Florida 34481
Tel. 352-854-7807
Email: neilgillespie@mfi.net

Service List April 6, 2017

I hereby certify the names below were served by email April 6, 2017 through the Florida Portal, unless otherwise expressly stated. May include additional names on the Florida Portal.

Civil Rights Division, Voting Section
U.S. Department of Justice
950 Pennsylvania Ave., NW, Rm 7254 NWB
Washington, DC 20530
VIA Email: voting.section@usdoj.gov

Ken Detzner, Secretary of State
Florida Department of State
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250
VIA Email Ken.Detzner@dos.myflorida.com

W. Stephen Muldrow USAFLM
Acting United States Attorney
Middle District of Florida
400 North Tampa Street
Suite 3200
Tampa, Fl. 33602
Email: w.stephen.muldrow@usdoj.gov

Service List April 6, 2017

I hereby certify the names below were served by email April 6, 2017 through the Florida Portal, unless otherwise expressly stated. May include additional names on the Florida Portal.

The Honorable Joseph Negron, President
Email: joe@joenegron.com
Florida Senate
409, The Capitol
404 S. Monroe Street
Tallahassee, FL 32399-1100
Tel: 850-487-5229
<https://www.flscnate.gov/Offices/President>

The Honorable Richard Corcoran, Speaker
Email: richard@richardcorcoran.com
Florida House of Representatives
420 The Capitol
402 South Monroe Street
Tallahassee, Florida 32399-1300
Tel: 850-717-5037
<http://www.myfloridahouse.gov/>

Florida Senate
Debbie Brown, Secretary of the Senate
Office of Senate Secretary
Email: brown.debbie.web@flsenate.gov

Florida House of Representatives
Office of the Clerk
Email: officeoftheClerk@myfloridahouse.gov

Office of Inspector General, "OIGHotline"
c/o Board of Governors of
the Federal Reserve System
20th Street and Constitution Avenue, NW
Mail Stop K- 300
Washington, DC 20551
Email: OIGHotline@frb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

SEC Office of the Whistleblower
100 F Street NE
Washington, DC 20549
Phone: (202) 551-4790
Fax: (703) 813-9322
Via U.S. Mail, First Class or Priority
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750
Not served on the Florida Portal

The Honorable Richard Cordray, Director
Consumer Finance Protection Bureau
1700 G Street, NW
Washington, DC 20002
Email: Richard.Cordray@cfpb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

Stefanie Isser Goldblatt
Senior Litigation Counsel
Enforcement Division
Consumer Finance Protection Bureau
Email: Stefanie.Goldblatt@cfpb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

FBI Tampa Division
Special Agent in Charge, Paul Wysopal
Website: <https://www.fbi.gov/tampa>
Email: tampa.division@ic.fbi.gov

FBI Jacksonville Division
Special Agent in Charge, Michelle S. Klimt
Website: <https://www.fbi.gov/jacksonville>
Email: jacksonville@ic.fbi.gov

The Honorable Don F. Briggs
Chief Judge, Fifth Judicial Circuit
Lake County Judicial Center
550 W. Main Street
Tavares, FL 32778-7800.
Tel. 352-742-4224
Email: dbriggs@circuit5.org

The Honorable Ann Melinda Craggs
Circuit Court Judge, Fifth Judicial Circuit
Marion County Judicial Center
110 NW 1st Ave.
Ocala, FL 34475
Tel: 352-401-6785
Email: amcraggs@circuit5.org

Mr. Curtis Wilson, Esq.
McCalla Raymer Pierce, LLC
225 E. Robinson Street, Ste. 660
Orlando, FL 32801
Email: MRService@mrpllc.com

Ms. Colleen Murphy Davis, AUSA
400 N. Tampa Street, Suite 3200
Tampa, FL 33602
Email: USAFLM.HUD@usdoj.gov
JAXSFFORECLOSURES@hud.gov
JAXSFORECLOSURES@hud.gov
lydia.a.brush@gmail.com

Gregory C. Harrell
General Counsel to David R. Ellspermann,
Marion County Clerk of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
Email: gharrell@marioncountyclerk.org

David R. Ellspermann Marion County Clerk
of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
Email: Ellspermann@marioncountyclerk.org

Development & Construction Corporation
of America, c/o Carol Olson, Vice President
of Administration and Secretary-Treasurer
10983 SW 89 Avenue
Ocala, FL 34481
Email: colson@deccahomes.com

Oak Run Homcowners Association, Inc.
(ORHA)
c/o ORHA Board of Directors
Email: orhaboard@yahoo.com

Neil J. Gillespie and Mark Gillespie as Co-Trustees of the Gillespie Family Living Trust
Agreement dated February 10, 1997; Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Neil J. Gillespie
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Mark Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123
Email: mark.gillespie@att.net

Unknown spouse of Mark Gillespie n/k/a Joetta Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123 Email: mark.gillespie@att.net

Unknown Settlers/Beneficiaries of The Gillespie Family Living Trust Agreement dated
February 10, 1997; (NONE); Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481 Email: neilgillespie@mfi.net

Elizabeth Bauerle n/k/a Elizabeth Bidgood
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Unknown spouse of Elizabeth Bidgood,
n.k.a. Scott Bidgood
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Termination of the Gillespie Family Living Trust Agreement Dated February 10, 1997

STATE OF FLORIDA)
) SS.:
COUNTY OF MARION)



DAVID R ELLSPERMANN CLERK & COMPTROLLER MARION CO
DATE: 02/03/2015 11:55:32 AM
FILE #: 2015009748 OR BK 6161 PGS 1844-1845
REC FEES: \$18.50 INDEX FEES: \$0.00
DDS: \$0 MDS: \$0 INT: \$0

AFFIDAVIT

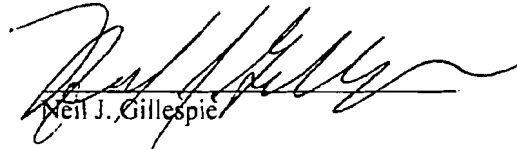
BEFORE ME, this day personally appeared NEIL J. GILLESPIE, who upon being duly sworn deposed upon oath as follows:

1. My name is Neil J. Gillespie. I am over eighteen years of age. This affidavit is given on personal knowledge unless otherwise expressly stated.
2. I am sole Trustee of the Gillespie Family Living Trust Agreement Dated February 10, 1997 (hereinafter "Trust").
3. My Florida residential homestead property is the sole asset of the Trust, property address 8092 SW 115th Loop, Ocala, Florida 34481, Marion County, Florida, (the "property") where I have lived in the property continuously and uninterruptedly since February 9, 2005, Tax ID No. 7013-007-001, legal description:

Lot(s) 1, Block G, OAK RUN WOODSIDE TRACT, according to the Plat thereof as recorded in Plat Book 2 at Page(s) 106 through 112, inclusive of the Public Records of Marion County, Florida.
4. Pursuant to my authority as Trustee of the Trust, and acting in that capacity, I transferred the remaining trust property to the beneficiary, myself, on January 14, 2015.
5. Pursuant to my authority as Trustee of the Trust, and acting in that capacity, I hereby terminate the Trust as provided by Fla. Stat. § 736.0414, and Article V, the Trust. The total fair market value of the assets of the Trust is zero. The Trust served its intended purpose of transferring the property to the beneficiary without going through probate.
6. Pursuant to Fla. Stat. § 736.0414 Modification or termination of uneconomic trust. (1) After notice to the qualified beneficiaries, the trustee of a trust consisting of trust property

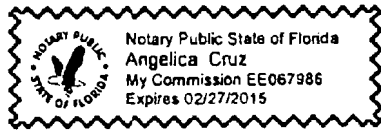
having a total value less than \$50,000 may terminate the trust if the trustee concludes that the value of the trust property is insufficient to justify the cost of administration.


FURTHER AFFIANT SAYETH NOT,


Neil J. Gillespie

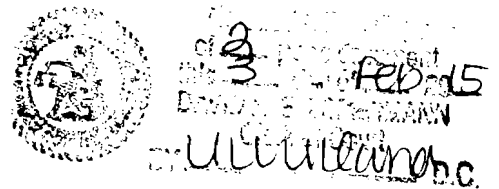
The foregoing instrument was acknowledged before me, this 2nd day of February, 2015, by Neil J. Gillespie, who is personally known to me, or who has produced ^{FL DL} 642630560990 as identification and states that he is the person who made this affidavit and that its contents are truthful to the best of his knowledge, information and belief.

(SEAL)




NOTARY PUBLIC
Angelica Cruz
Print Name of Notary Public

My Commission Expires: 2/27/15



IN THE CIRCUIT COURT OF THE
FIFTH JUDICIAL CIRCUIT FLORIDA
IN AND FOR MARION COUNTY

REVERSE MORTGAGE SOLUTIONS, INC.,

Plaintiff,

vs.

NEIL J. GILLESPIE AND MARK GILLESPIE
AS CO-TRUSTEES OF THE GILLESPIE
FAMILY LIVING TRUST AGREEMENT
DATED FEBRUARY 10, 1997, ET AL.

Defendants.

CASE NO.: 2013-CA-000115
42-2013-CA-000115-AXXX-XX

Homestead Residential Foreclosure
\$50,001-\$249,999 (Contested)
Home Equity Conversion Mortgage
HUD/FHA/HECM Reverse Mortgage
12 USC § 1715z-20; 24 CFR Part 206
FHA Case Number: 091-4405741
BofA/RMS acct/loan #68011002615899

NOTICE OF FILING FEDERAL CIVIL RIGHTS COMPLAINT
U.S. Department of Justice, Civil Rights Division, Voting Section

Defendant Neil J. Gillespie, individually, and as former Trustee (F.S. Ch. 736 Part III) of the terminated Gillespie Family Living Trust Agreement Dated February 10, 1997 (“Terminated Trust”), an indigent non-lawyer, unable to obtain adequate counsel, a consumer of legal and court services affecting interstate commerce, a consumer of personal, family and household goods and services, consumer transactions in interstate commerce, a person with disabilities, a vulnerable adult, reluctantly appears pro se, henceforth in the first person, gives Notice of Filing by email to the U.S. Department of Justice, Civil Rights Division, Voting Section:

1. On February 7, 2017 I submitted by email to the U.S. Department of Justice, Civil Rights Division, Voting Section, a complaint against Florida’s rigged judicial elections, to:

Civil Rights Division, Voting Section
U.S. Department of Justice
950 Pennsylvania Ave., NW, Rm 7254 NWB
Washington, DC 20530
voting.section@usdoj.gov

This is a Civil Rights Division, will Voting Section complaint against Florida’s rigged judicial elections. Attached you find the following evidence of rigged judicial elections:



NOTICE OF FILING FEDERAL CIVIL RIGHTS COMPLAINT
U.S. Department of Justice, Civil Rights Division, Voting Section

1. Notice to Ken Detzner, Secretary of State, Florida's Rigged Judicial Elections
2. MARION COUNTY BAR ASSOCIATION+Email
3. Letter to Mr. Donald R. DeLuca, VP&GC, RLR Investments, LLC
4. Marion County Judicial Center and Bar Association

Thank you.

Sincerely,
Neil J. Gillespie
(address block omitted)

RESPECTFULLY SUBMITTED March 23, 2017.



Neil J. Gillespie, individually, and former Trustee,
F.S. Ch. 736 Part III, of the Terminated Trust
8092 SW 115th Loop
Ocala, Florida 34481
Phone: 352-854-7807
Email: neilgillespie@mfi.net

Service List March 23, 2017

I hereby certify the names below were served by email March 23, 2017 through the Florida Portal, unless otherwise expressly stated. May include additional names on the Florida Portal.

Civil Rights Division, Voting Section
U.S. Department of Justice
950 Pennsylvania Ave., NW, Rm 7254 NWB
Washington, DC 20530
VIA Email: voting.section@usdoj.gov

Ken Detzner, Secretary of State
Florida Department of State
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250
VIA Email Ken.Detzner@dos.myflorida.com

W. Stephen Muldrow USAFLM
Acting United States Attorney
Middle District of Florida
400 North Tampa Street
Suite 3200
Tampa, Fl. 33602
Email: w.stephen.muldrow@usdoj.gov

Service List March 23, 2017

I hereby certify the names below were served by email March 23, 2017 through the Florida Portal, unless otherwise expressly stated. May include additional names on the Florida Portal.

The Honorable Joseph Negron, President
Email: joe@joenegron.com
Florida Senate
409, The Capitol
404 S. Monroe Street
Tallahassee, FL 32399-1100
Tel: 850-487-5229
<http://www.flsenate.gov/Offices/President>

Florida Senate
Debbie Brown, Secretary of the Senate
Office of Senate Secretary
Email: brown.debbie.web@flsenate.gov

Office of Inspector General, "OIGHotline"
c/o Board of Governors of
the Federal Reserve System
20th Street and Constitution Avenue, NW
Mail Stop K- 300
Washington, DC 20551
Email: OIGHHotline@frb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

The Honorable Richard Cordray, Director
Consumer Finance Protection Bureau
1700 G Street, NW
Washington, DC 20002
Email: Richard.Cordray@cfpb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

FBI Tampa Division
Special Agent in Charge, Paul Wysopal
Website: <https://www.fbi.gov/tampa>
Email: tampa.division@ic.fbi.gov

The Honorable Don F. Briggs
Chief Judge, Fifth Judicial Circuit
Lake County Judicial Center
550 W. Main Street
Tavares, FL 32778-7800.
Tel. 352-742-4224
Email: dbriggs@circuit5.org

The Honorable Richard Corcoran, Speaker
Email: richard@richardcorcoran.com
Florida House of Representatives
420 The Capitol
402 South Monroe Street
Tallahassee, Florida 32399-1300
Tel: 850-717-5037
<http://www.myfloridahouse.gov/>

Florida House of Representatives
Office of the Clerk
Email: officeoftheClerk@myfloridahouse.gov

SEC Office of the Whistleblower
100 F Street NE
Washington, DC 20549
Phone: (202) 551-4790
Fax: (703) 813-9322
Via U.S. Mail, First Class or Priority
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750
Not served on the Florida Portal

Stefanie Isser Goldblatt
Senior Litigation Counsel
Enforcement Division
Consumer Finance Protection Bureau
Email: Stefanie.Goldblatt@cfpb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

FBI Jacksonville Division
Special Agent in Charge, Michelle S. Klimt
Website: <https://www.fbi.gov/jacksonville>
Email: jacksonville@ic.fbi.gov

The Honorable Ann Melinda Craggs
Circuit Court Judge, Fifth Judicial Circuit
Marion County Judicial Center
110 NW 1st Ave.
Ocala, FL 34475
Tel: 352-401-6785
Email: amcraggs@circuit5.org

Mr. Curtis Wilson, Esq.
McCalla Raymer Pierce, LLC
225 E. Robinson Street, Ste. 660
Orlando, FL 32801
Email: MRService@mrpllc.com

Ms. Colleen Murphy Davis, AUSA
400 N. Tampa Street, Suite 3200
Tampa, FL 33602
Email: USAFLM.HUD@usdoj.gov
JAXSFFORECLOSURES@hud.gov
JAXSFORECLOSURES@hud.gov
lydia.a.brush@gmail.com

Gregory C. Harrell
General Counsel to David R. Ellspermann,
Marion County Clerk of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
Email: gharrell@marioncountyclerk.org

David R. Ellspermann Marion County Clerk
of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
Email: Ellspermann@marioncountyclerk.org

Development & Construction Corporation
of America, c/o Carol Olson, Vice President
of Administration and Secretary-Treasurer
10983 SW 89 Avenue
Ocala, FL 34481
Email: colson@deccahomes.com

Oak Run Homeowners Association, Inc.
(ORHA)
c/o ORHA Board of Directors
Email: orhaboard@yahoo.com
c/o ORHA President David Stott
Email: dave.stott@deccacable.com

Neil J. Gillespie and Mark Gillespie as Co-Trustees of the Gillespie Family Living Trust
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8092 SW 115th Loop
Ocala, FL 34481
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Mark Gillespie
7504 Summer Meadows Drive
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n.k.a. Scott Bidgood
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Ocala, FL 34481
Email: neilgillespie@mfi.net

Termination of the Gillespie Family Living Trust Agreement Dated February 10, 1997

STATE OF FLORIDA)
) SS.:
COUNTY OF MARION)



DAVID R ELLSPERMANN CLERK & COMPTROLLER MARION CO
DATE: 02/03/2015 11:55:32 AM
FILE #: 2015009748 OR BK 6161 PGS 1844-1845
REC FEES: \$18.50 INDEX FEES: \$0.00
DDS: \$0 MDS: \$0 INT: \$0

AFFIDAVIT

BEFORE ME, this day personally appeared NEIL J. GILLESPIE, who upon being duly sworn deposed upon oath as follows:

1. My name is Neil J. Gillespie. I am over eighteen years of age. This affidavit is given on personal knowledge unless otherwise expressly stated.

2. I am sole Trustee of the Gillespie Family Living Trust Agreement Dated February 10, 1997 (hereinafter "Trust").

3. My Florida residential homestead property is the sole asset of the Trust, property address 8092 SW 115th Loop, Ocala, Florida 34481, Marion County, Florida, (the "property") where I have lived in the property continuously and uninterruptedly since February 9, 2005, Tax ID No. 7013-007-001, legal description.

Lot(s) 1, Block G, OAK RUN WOODSIDE TRACT, according to the Plat thereof as recorded in Plat Book 2 at Page(s) 106 through 112, inclusive of the Public Records of Marion County, Florida.

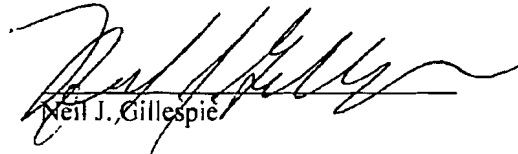
4. Pursuant to my authority as Trustee of the Trust, and acting in that capacity, I transferred the remaining trust property to the beneficiary, myself, on January 14, 2015.

5. Pursuant to my authority as Trustee of the Trust, and acting in that capacity, I hereby terminate the Trust as provided by Fla. Stat. § 736.0414, and Article V, the Trust. The total fair market value of the assets of the Trust is zero. The Trust served its intended purpose of transferring the property to the beneficiary without going through probate.

6. Pursuant to Fla. Stat. § 736.0414 Modification or termination of uneconomic trust. (1) After notice to the qualified beneficiaries, the trustee of a trust consisting of trust property

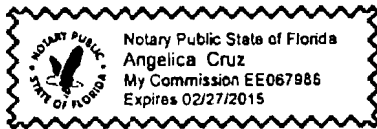
having a total value less than \$50,000 may terminate the trust if the trustee concludes that the value of the trust property is insufficient to justify the cost of administration.


FURTHER AFFIANT SAYETH NOT,


Neil J. Gillespie

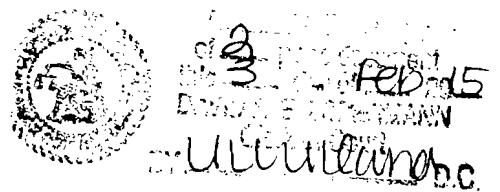
The foregoing instrument was acknowledged before me, this 2nd day of February, 2015, by Neil J. Gillespie, who is personally known to me, or who has produced ^{FL DL} 644630560990 as identification and states that he is the person who made this affidavit and that its contents are truthful to the best of his knowledge, information and belief.

(SEAL)




NOTARY PUBLIC
Angelica Cruz
Print Name of Notary Public

My Commission Expires: 2/27/15



VIA Email: voting.section@usdoj.gov

February 7, 2017

Civil Rights Division, Voting Section
U.S. Department of Justice
950 Pennsylvania Ave., NW, Rm 7254 NWB
Washington, DC 20530

This is a Civil Rights Division, Voting Section complaint against Florida's rigged judicial elections. Attached you will find the following evidence of rigged judicial elections:

1. Notice to Ken Detzner, Secretary of State, Florida's Rigged Judicial Elections
2. MARION COUNTY BAR ASSOCIATION+Email
3. Letter to Mr. Donald R. DeLuca, VP&GC, RLR Investments, LLC
4. Marion County Judicial Center and Bar Association

Thank you.

Sincerely,



Neil J. Gillespie
8092 SW 115th Loop
Ocala, Florida 34481
Tel. 352-854-7807
Email: neilgillespie@mfi.net

Attachments

Neil Gillespie

From: "Neil Gillespie" <neilgillespie@mfi.net>
To: <voting.section@usdoj.gov>; "Neil Gillespie" <neilgillespie@mfi.net>
Sent: Tuesday, February 07, 2017 3:26 PM
Attach: 4 Marion County Judicial Center and Bar Association.pdf; 3 Letter to Mr. Donald R. DeLuca, VP&GC, RLR Investments, LLC.pdf; 2 MARION COUNTY BAR ASSOCIATION+Email.pdf; 1 Notice to Ken Detzner, Secretary of State, Florida's Rigged Judicial Elections.pdf; Civil Rights Division, Voting Section complaint Feb-07-2017.pdf
Subject: Civil Rights Division, Voting Section complaint Feb-07-2017

Neil Gillespie

From: "Neil Gillespie" <neilgillespie@mfi.net>
To: "Neil Gillespie" <neilgillespie@mfi.net>
Sent: Tuesday, February 07, 2017 3:29 PM
Attach: ATT00022.txt
Subject: Read: Civil Rights Division, Voting Section complaint Feb-07-2017

This is a receipt for the mail you sent to
<voting.section@usdoj.gov>; "Neil Gillespie" <neilgillespie@mfi.net> at 2/7/2017 2:26 PM

This receipt verifies that the message has been displayed on the recipient's computer at 2/7/2017 2:29 PM

VIA Email Ken.Detzner@dos.myflorida.com

November 29, 2016

Ken Detzner, Secretary of State
Florida Department of State
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

RE: Florida Rigged Judicial Elections and Circuit Judge Ann Melinda Craggs, et al.

“In the American judicial system, few more serious threats to individual liberty can be imagined than a corrupt judge. Clothed with the power of the state and authorized to pass judgment on the most basic aspects of everyday life, a judge can deprive citizens of liberty and property in complete disregard of the Constitution. The injuries inflicted may be severe and enduring....”

Judicial Immunity vs. Due Process: When Should A Judge Be Subject to Suit?
Robert Craig Walters, Cato Journal, Vol.7, No.2 (Fall 1987)
http://www.tulanelink.com/pdf/judicial_immunity_walters.pdf

Dear Secretary Detzner:

I am writing you as Florida's Chief Election Officer (Fla. Stat. § 97.012) concerning Florida rigged judicial elections that appear unlawful, and unconstitutional under Florida's Constitution, Article V, Section 10(b)(1) The election of circuit judges shall be preserved...and Article VI, Section 1. Regulation of elections. All elections by the people shall be by direct and secret vote...

The Florida Bar News reported June 1, 2016, *86 judicial races to appear on fall ballots, 194 take seats on the trial bench unopposed.* (Exhibit 1). Judge Craggs, currently presiding over the foreclosure of my deceased mother's HECM reverse mortgage in Marion County (13-CA-115), was one of the 194 who took her seat on the trial bench unopposed. Judge Craggs was appointed judge by Governor Scott on October 7, 2014, to fill the vacancy created by the elevation of Judge Brian Lambert to the Florida Fifth DCA, according to Ballotpedia. (Exhibit 2). Under Florida's rigged judicial election system, Judge Craggs may never have face the voters.

Why are so many judicial elections unopposed? Circuit judges are paid \$146,079. Welcome to Florida rigged judicial elections, rigged by a *de facto* political party known as The Florida Bar.

Rigged and/or uncontested judicial elections violate Art. V, Sec. 10(b)(1). It also appears that Fla. Sta. § 105.051 is unconstitutional relative to Art. V, Sec. 10(b)(1).

105.051 Determination of election or retention to office.—

(1) ELECTION.—In circuits and counties holding elections:

(a) The name of an unopposed candidate for the office of circuit judge, county court judge, or member of a school board shall not appear on any ballot, and such candidate shall be deemed to have voted for himself or herself at the general election.



This sounds like an election in a dictatorship. Candidate's name not on the ballot? Candidate only got one vote in the general election? The only vote received was the candidate's own vote?

Fla. Stat. § 105.051 also appears unconstitutional under Article VI, Section 1. Regulation of elections. All elections by the people shall be by direct and secret vote...

Fla. Stat. § 105.041 Form of ballot, (1) and (2) require the names of candidates on the ballot:

(1) BALLOTS.—The names of candidates for nonpartisan office which appear on the ballot at the primary election shall be grouped together on a separate portion of the ballot or on a separate ballot. The names of candidates for election to nonpartisan office which appear on the ballot at the general election and the names of justices and judges seeking retention to office shall be grouped together on a separate portion of the general election ballot.

(2) LISTING OF CANDIDATES.—The order of nonpartisan offices appearing on the ballot shall be determined by the Department of State. The names of candidates for election to each nonpartisan office shall be listed in alphabetical order. With respect to retention of justices and judges, the question "Shall Justice (or Judge) (name of justice or judge) of the (name of the court) be retained in office?" shall appear on the ballot in alphabetical order and thereafter the words "Yes" and "No."

The 194 uncontested judgeships were rigged by prior agreement by members of The Florida Bar, the only potential candidates permitted to run. 194 judgeships went uncontested because the election was rigged that way in 2016, as in earlier years, as shown below, by members of The Florida Bar to protect incumbent judges. In exchange for that protection, unopposed incumbent judges, automatically reelected, protect members of The Florida Bar, such as bad lawyers like Curtis Alan Wilson, and homicidal foreclosure mills like McCalla Raymer Pierce, LLC.

Voluntary bar associations, such as the *Marion County Bar Association*, might be one place where judicial pre-election rigging takes place. Not on the official agenda. But during casual social gatherings. Gregory C. Harrell is the immediate past president of the Marion County Bar Association, a voluntary bar, according to The Florida Bar website. Mr. Harrell is also General Counsel to David R. Ellspermann, Marion County Clerk of Court & Comptroller.

The Florida Bar News reported May 15, 2012, *18 jurists to face retention elections, 72 races set for the trial court ballot. Another 286 judges take a seat on the bench unopposed.* (Exhibit 3).

The Tampa Bay Times reported May 2, 2008, *Unopposed judges quietly keep their seats,* By Lucy Morgan, Times Senior Correspondent. (Exhibit 4).

TALLAHASSEE — Quietly and with little public notice, more than 250 judges as well as two dozen state attorneys and public defenders won re-election Friday as the qualifying period for judicial offices ended.

Among the winners are Pinellas-Pasco State Attorney Bernie McCabe and Public Defender Bob Dillinger, and Hillsborough State Attorney Mark Ober and Public Defender Julianne Holt.

They and hundreds of judges should all thank former Miami Dade Circuit Judge Martin D. Kahn, a veteran jurist who was defeated by 2,700 votes by a political newcomer when he sought re-election in 2000.

Kahn's defeat ginned up so much sympathy among state lawmakers that they quietly tucked a little amendment in an elections bill as it passed on the final night of the 2002 legislative session.

Instead of qualifying for public office with other state candidates in July of every year, the judges would file their paperwork in May, when federal candidates qualify.

Former Rep. Dudley Goodlette, R-Naples, offered the measure as part of a larger amendment. Contacted earlier this week, Goodlette said the issue had been raised because of Kahn's defeat. Sitting judges wanted time to clear their calendars and campaign if they faced opponents, Goodlette said.

"The rumor was that if they moved judicial qualifying, then maybe nobody would notice," recalled Secretary of State Kurt Browning, who was Pasco elections supervisor in 2002 and lobbying lawmakers for improved elections laws.

For the qualifying that closed Friday, there were 283 circuit judge positions statewide. Twenty-three of those are open seats and will be contested.

Of the 260 remaining seats, only eight will be contested. The other 252 won unopposed...

...Few incumbents have lost since Florida began electing judges in nonpartisan races in the 1970s, but the early qualifying date lets even more avoid opposition, according to a review of election results over the past 12 years.

Judges frequently escape opposition because only lawyers can run for the jobs, and few lawyers are willing to risk angering a judge before whom they must appear. In recent years few incumbent circuit judges have faced opposition, and only five have been defeated.

The Florida Bar News reported June 1, 2006, *41 contested judicial races on the ballot*. (Exhibit 5)

...[t]here are 17 contested circuit judge races around the state, while 134 circuit judgeships were decided without an election. Most of those involved incumbents who filed for reelection and drew no opponents. There also are 24 contested county court

races after the June 12 filing deadline, while 93 county judges — again, mostly incumbents — were elected or reelected without opposition.

The Florida Bar News August 15, 2002, *Candidates file to run for nine new judgeships*. (Exhibit 6)

The number of contested circuit judge races rose significantly with the close of qualifying July 26 for nine new legislatively created seats...The second round of qualifying for the nine new seats was unlike the May qualifying. Then there were 246 seats up and only 26 — mostly seats being vacated by incumbents — drew more than one candidate. In most of the uncontested seats, incumbents filed for re-election.

The Florida Bar News reported August 15, 2000, *Candidates qualify for Florida's judicial races*
By Gary Blankenship, Associate Editor (Exhibit 7)

About one of 10 circuit judgeships up for election this year will be determined by Florida voters, while the rest had unopposed candidates following the close of qualifying on July 21, according to the Florida Secretary of State's Division of Elections.

According to the division, 17 circuit races, including four each in the Ninth and 11th circuits, will be on the ballot. Another 142 were elected or re-elected to circuit judgeships without opposition.

The following judges have recently presided over my matters in a circuit court. The judges have two things in common: Judicial misconduct in my matters, and a rigged judicial election.

Ann Melinda Craggs, unopposed, incumbent, circuit judge elected
2016 General Election, Circuit 5 Group 21, Circuit Judge

Charles William Dodson, unopposed, incumbent, circuit judge, elected
2014 General Election, Circuit Judge, Circuit 2 Group 4

Hale R Stancil, unopposed, incumbent, circuit judge, elected
2012 General Election, Circuit Judge, Circuit 5 Group 16

Edward L. Scott, unopposed, incumbent, circuit judge, elected
2012 General Election, Circuit Judge, Circuit 5 Group 29

I am providing this letter to the Florida Judicial Qualifications Commission, who in the past has wrongly dismissed 10 meritorious complaints I submitted. I am also providing this letter to the Florida legislature, who has the power to impeach and remove bad judges, see

Article III, section 17, Impeachment, Florida Constitution.
<http://www.leg.state.fl.us/statutes/index.cfm?submenu=3#A3S17>

SECTION 17. Impeachment.—

(a) The governor, lieutenant governor, members of the cabinet, justices of the supreme court, judges of district courts of appeal, judges of circuit courts, and judges of county courts shall be liable to impeachment for misdemeanor in office. The house of representatives by two-thirds vote shall have the power to impeach an officer. The speaker of the house of representatives shall have power at any time to appoint a committee to investigate charges against any officer subject to impeachment.

(b) An officer impeached by the house of representatives shall be disqualified from performing any official duties until acquitted by the senate, and, unless impeached, the governor may by appointment fill the office until completion of the trial.

(c) All impeachments by the house of representatives shall be tried by the senate. The chief justice of the supreme court, or another justice designated by the chief justice, shall preside at the trial, except in a trial of the chief justice, in which case the governor shall preside. The senate shall determine the time for the trial of any impeachment and may sit for the trial whether the house of representatives be in session or not. The time fixed for trial shall not be more than six months after the impeachment. During an impeachment trial senators shall be upon their oath or affirmation. No officer shall be convicted without the concurrence of two-thirds of the members of the senate present. Judgment of conviction in cases of impeachment shall remove the offender from office and, in the discretion of the senate, may include disqualification to hold any office of honor, trust or profit. Conviction or acquittal shall not affect the civil or criminal responsibility of the officer.

I am also providing this letter to John F. Harkness, Executive Director, The Florida Bar, John A. Tomisino, Clerk, Florida Supreme Court, and federal law enforcement.

Thank you in advance for the courtesy of a reply.

Sincerely,



Neil J. Gillespie
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Telephone: 352-854-7807
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Enclosures

Cc. service list

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June 1, 2016

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86 judicial races to appear on fall ballots

194 take seats on the trial bench unopposed



Three Supreme Court justices and 28 district court of appeal judges — including 10 of the 15 judges on the Second DCA — have filed for merit retention on the November general election ballot.

For circuit court races, 151 seats were up for contention and 25 — or one sixth of the total — will have contested elections. In county court races, there are 30 contested judgeships, while 63 were settled without balloting.

On the Supreme Court, Chief Justice Jorge Labarga and Justices Charles E. Canady and Ricky L. Polston filed their papers for merit retention.

For the DCAs, on the First DCA, Ross Bilbrey, Susan Kelsy, Lori S. Rowe, Kent Wetherell, Bo Winokur, and Jim Wolf filed for retention.

For the Second DCA, John Badalamenti, Marva L. Crenshaw, Patricia J. Kelly, Nelly N. Khouzam, Matt Lucas, Robert Morris, Stevan Travis Northcutt, Samuel Salaro, Jr., Craig C. Villanti, and Douglas Alan Wallace are on the ballot.

And while 10 judges are up for merit retention in the Second DCA, only two are on the Third DCA: Edwin A. Scales and Linda Ann Wells.

On the Fourth DCA, Judges Cory J. Ciklin, Dorian K. Damoorgian, Jonathan D. Gerber, Robert Marc Gross, Spencer D. Levine, and Melanie G. May filed for retention.

On the Fifth DCA, Judges Jay Cohen, James A. Edwards, Brian Lambert, and Vincent G. Torpy, Jr., qualified for the November ballot.

For circuit court judgeships, there are contested races in the Third, Fourth, Seventh, Ninth, 11th, 13th, 15th, 17th, 18th, and 19th circuits.

The contested races are:

- In the **Third Circuit, Seat 1**, Judge Paul S. Bryan is being challenged by T. Bradley McRae.
- In the **Fourth Circuit, Seat 9**, Bruce R. Anderson and David P. Trotti have filed. In **Seat 25**, Judge Mark Hulsey is facing Gerald L. Wilkerson.
- In the **Seventh Circuit, Seat 4**, Chris France, Sebrina L. Slack, and Stasia Warren have filed. In **Seat 10**, Malcolm Anthony, Judge Scott DuPont, and Jim Riecks are on the ballot. In **Seat 13**, Judge David Hood is being challenged by A. Kathleen McNeilly. In **Seat**



17, Linda L. Gaustad is running against Judge Howard O. McGillin, Jr.

- In the **Ninth Circuit, Seat 4**, Orley Burey, Luis Calderon, and Joseph Haynes Davis are on the ballot. In **Seat 14**, Lorraine Elizabeth DeYoung has filed against Judge Dan Traver.
- In the **11th Circuit, Seat 9**, Judge Jason Edward Bloch is facing Marcia Del Rey. In **Seat 34**, Mark Blumstein, Renee Gordon, Denise Martinez-Scanziani, and Luis Perez-Medina have filed. In **Seat 52**, Rosy A. Aponte, Carol "Jodie" Breece, and Oscar Rodriguez-Fonts are on the ballot. In **Seat 66**, Judge Robert Joshua Luck is being challenged by Yolly Roberson. In **Seat 74**, Elena Ortega-Tauler has filed against Judge George "Jorge" A. Sarduy.
- In the **13th Circuit, Seat 3**, Robin Fernandez Fuson and Carl Hinson have filed. In **Seat 24**, Isabel Cissy Boza Sevelin, Gary Dolgin, Melissa Polo, and Lanell Williams-Yulee are on the ballot.
- In the **15th Circuit, Seat 1**, Judge Dina Keever is being challenged by Robert "Rob" Ostrov. In **Seat 4**, Luis "Lou" Delgado, Gregory Tendrich, and Jeremy M. Zubkoff have filed
- In the **17th Circuit, Seat 9**, Andrea Ruth Gundersen, Lea P. Krauss, and Maxine K. Streeter have qualified. In **Seat 15**, Haccord James Curry, Jr., Judge Matthew Isaac Destry, Barbara Roseann Duffy, Brian Frederick Greenwald, and Abbe Sheila Rifkin have filed. In **Seat 23**, Judge Barbara McCarthy is facing David A. Salomon. In **Seat 24**, Doreen Turner Inkeles and Michael Lynch are facing off.
- In the **18th Circuit, Seat 9**, Steve Henderson, Bob Moletteire, and Christina Sanchez have qualified.
- In the **19th Circuit, Seat 1**, Beth Elaine Allen has filed against Judge James W "Jim" McCann. In **Seat 6**, Michael J. McNicholas, Robert "Bob Meadows, Kiernan Patrick Moylan, and Leonard Silvio Villafranco are on the ballot.

All the contested elections will appear on the August 30 primary ballot. Any runoffs will be resolved on the November 8 general election ballot.

Following are those who were elected without opposition. Those with an asterisk (there are three) were not incumbents:

- **First Circuit:** John Thomas Brown, Michael A. Flowers, Coleman Lee Robinson, and William Francis Stone.
- **Second Circuit:** Karen Gievers, Dawn Caloca-Johnson, James C. "Jimmy" Hankinson, and Jonathan Sjoström.
- **Fourth Circuit:** Marianne Lloyd Aho, Russell Healey, Angela M. Cox, Steven Fahlgren, Mark Mahon, Jack Marvin Schemer, and Linda F McCallum.
- **Fifth Circuit:** Robert W. Hodges, Lawrence J. Semento, Thomas Ralph Eineman, Donald E. Scaglione, Ann Melinda Craggs, Sandra Sue Robbins, Willard Ira Pope, and William Henry "Bud" Hallman III.
- **Sixth Circuit:** Peter Ramsberger, Sherwood S. Coleman, Patricia A. "Trish" Muscarella, Jack Helinger, Patrice Moore, Cynthia Newton, Keith Meyer, Michael Francis Andrews, and Kimberly "Kim" Todd.
- **Seventh Circuit:** Matt Foxman, Craig Dennis, and Dawn D. Nichols
- **Eighth Circuit:** David Kreider, Robert E. Roundtree, Jr., Donna M. Keim, Mark W. Moseley, James M. Colaw, and Monica J. Brasington.
- **Ninth Circuit:** A. James Craner II, Christi Underwood, Alice L. Blackwell, Renee Roche, Don Myers, Robert Egan, Julie O'Kane, Greg Allen Tynan, Patricia Strowbridge, and Lisa T. Munyon.
- **10th Circuit:** Donald G. Jacobsen, Kelly P. Butz, Keith Peter Spoto, Michael E. Raiden, Ellen S. Masters, Reinaldo Ojeda, J. Kevin Abdoney, Angela Jane Cowden, and James Alan Yancey.
- **11th Circuit:** John Charles Schlesinger, Rudolfo "Rudy" Armando Ruiz II, Scott Bernstein, Bertila A. Soto, John W. Thornton, Jr., Jennifer D. Bailey, Rosa I. Rodriguez,, Barbara Areces, David Young*, William Thomas, Milton "Milt" Hirsch, Samantha Ruiz Cohen, Nushin G. Sayfie, and Monica Gordo.
- **12th Circuit:** Diana Lee Moreland and Thomas W. Krug.
- **13th Circuit:** Liz Rice, Wesley Tibbals, Chris Nash, Denise D. Almeida-Pomponio, Mark Kiser, Emmett Lamar Battles, and Tom Barber.

- **14th Circuit:** Tim Register*, Pete Mallory, Christopher N. Patterson, and Brantley S. Clark, Jr.
- **15th Circuit:** Howard Kelly Coates, Jr., Laura Johnson*, Cheryl Annette Caracuzzo, Edward Artau, Krista Marx, Meenu Sasser, Scott Suskauer, John S. Kastrenakes, Kirk Volker, Donald W. Hafele, and Lisa Small.
- **16th Circuit:** Timothy J. Koenig.
- **17th Circuit:** Kenneth L. Gillespie, Elijah Harold Williams, Carlos A. Rodriguez, Hope Tieman-Bristol, William W. "Bill" Haury, Jr., Carlos Rebollo, Lisa Porter, Stacy Michelle Ross, Michael L. Gates, Sandra Perlman, and Edward Harold Merrigan, Jr.
- **18th Circuit:** Kelly Jo McKibben, Jessica J. Recksiedler, David Dugan, Michael J. Rudisill, and Morgan Laur Reinman.
- **19th Circuit:** Gary L. Sweet, Janet Carney Croom, and Charles Schwab.
- **20th Circuit:** Jim Shenko, Nick Thompson, Jay B. Rosman, Ramiro Manalich, Alane Laboda, James D. Sloan, Lauren L. Brodie, and Robert J. Branning.

County judge race information was assembled from individual supervisors of elections' websites and it's possible some information is missing or erroneous. Any additional information should be sent to Senior Editor Gary Blankenship at gbship@floridabar.org. Also, those websites usually do not indicate incumbent judges, so they are not labeled on the following lists.

Here are the contested county court races:

- In **Bradford County**, John Cooper, Tatum Davis, Curtis A. "Lex" Sanders, Paul Sanders, and Dan Sikes.
- In **Brevard County**, Group 2, Francis D. DeMuro, Oscar Hotusing, Kelly McCormack Ingram, and Rodney Miles Kernan.
- In **Broward County**, Group 2, Kal Le Var Koble Evans and Phyllis Pritcher. In Group 3, Florence Taylor Barner, Adam Geller, W. Dale Miller, and Rhoda Sokoloff. In Group 7, Brenda Di Iora, Nina Weatherly Di Pietro, and Ian Richards. In Group 8, Kathleen McCarthy and Stephen J. Zaccor. In Group 13, Betsy Benson and Mark D. Kushner. In Group 14, Alfreda D. Coward, Samuel D. Lopez, Kim Theresa Mollica, and Bradford Alan Peterson. In Group 21, Deborah Carpenter-Toye and Russell Miller Thompson.
- In **Hendry County**, Scott H. Cupp is facing Daniel R. Paige, Sr.
- In **Hernando County**, Donald M. "Sonny" McCathran, Jr., and Kristie Ruppe have filed.
- In **Hillsborough County**, Group 10, Shelton Bridges and Miriam Velez Valkenburg have qualified.
- In **Holmes County**, Roseanna Bronhard, Lucas (Luke) N. Taylor, Timothy H. Wells, and Brandon J. Young have filed.
- In **Lake County**, Group 2, Benjamin Michael Boylston, Brian J. Welke, Cary Frank Rada, Jonathan P. Olson, and Judy Ann Stewart are running.
- In **Lee County**, Group 4, Leah Harwood and Archie B. Hayward, Jr., have qualified.
- In **Leon County**, Group 2, Monique Richardson and J. Layne Smith are on the ballot.
- In **Miami-Dade County**, Group 5, Milena Abreau and Fred Seraphin have filed. In Group 7, Lizzet Martinez and Ed Newman are on the ballot. In Group 15, Ruben Y. Alcoba and Linda Luce will face off. In Group 35, Wendell Graham and Antonio "Tony" Jimenez are competing.
- In **Monroe County**, Group 3, Sharon Hamilton and Rob Stober have filed.
- In **Orange County**, Group 1, Eric DuBois, Michael Gibson, and Roger Scott qualified. In Group 4, David Johnson, Kafi D. Kennedy Swanson, and Tom Young are on the ballot. In Group 5, Mark Anthony Arias, Harold M. Bacchus, Frank George, and Evellen Jewett will face off.
- In **Pasco County**, Group 4, Debra Roberts, Scott S. Tremblay, and Michael P. Wilson filed.
- In **Pinellas County**, Group 8, Dora Komninos and Curtis "CK" Korsko are on the ballot. In Group 9, Dwight Dudley and Myriam

Trizarry qualified.

- In **Polk County**, Group 4, Mary Catherine Green and L. Mark Kaylor are facing off. In Group 8, Susan Lee Barber, Carson Bassett, and Michael P. McDaniel filed.

- In **St. Lucie County**, Group 3, Ed Alonzo and Nirlaine Tallandier Smartt are on the ballot.

Here are those elected without opposition to county judgeships:

- In **Alachua County**, Susan Miller-Jones, Walter M. Green, and Tom Jaworski.

- In **Bay County**, Tommy Welch.

- In **Brevard County** David E. Silverman, Rhonda E. Babb, and David C. Koenig.

- In **Broward County**, John D. Fry, Daniel Joseph Kanner, John "Jay" Hurley, Mindy Solomon, Kenneth A. Gottlieb, Mardi Anne Levey Cohen, and Giuseppina Miranda.

- In **Citrus County**, Mark Yerman.

- In **Clay County**, Timothy Collins

- In **Collier County**, Michael Provost.

- In **Desoto County**, Don T. Hall

- In **Duval County**, John A. Moran, Lester B. Bass, Eleni E. Derke, Ronald Higbee, and Eric Roberson.

- In **Escambia County**, Pat Kinsey and Jennifer Frydrychowicz

- In **Hillsborough County**, Artemeus E. McNeil and Paul T. Jeske,

- In **Manatee County**, Doug Henderson.

- In **Marion County**, Jim McCune.

- In **Martin County**, Darren Steele.

- In **Miami-Dade County**, Michaelle Gonzalez-Paulson, Carroll Kelly, Diana Vizcaino, and Laura Anne Stuzin.

- In **Monroe County**, Peary Fowler and Ruth Becker.

- In **Okaloosa County**, James Ward and T. Patterson Maney.

- In **Orange County**, Elizabeth Starr, Wayne J. Shoemaker, Gisela T. Laurent, and Tanya Davis Wilson.

- In **Palm Beach County**, Marni Bryson, Mark Eissey, Paul A. Damico, Caroline Shepherd, Barry M. Cohen, Sheree Cunningham, and August Bonavita.

- In **Pinellas County**, John D. Carballo, Holly T. Grissinger, Paul Levine, Dorothy Vaccaro, and Kathleen "Kathy" T. Hessinger.

- In **Polk County**, Robert G. Fegers, Sharon M. Franklin, and Gerald P. Hill II.

- In **Santa Rosa County**, Robert Hilliard.

- In **Sarasota County**, Phyllis Galen, MaryAnn Boehm, and Erika Quartermaine.

- In **Seminole County**, Fred Schott.

- In **St. Johns County**, Charles J. Tinlin.

- In **Suwannee County**, William F. "Lin" Williams.
- In **Volusia County**, Robert A. Sanders, Jr.
- In **Wakulla County**, Jill Walker.
- In **Walton County**, David Green.
- In **Washington County**, Colby Peel.

[Revised: 11-09-2016]

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Ann Melinda Craggs

Ann Melinda Craggs is a judge on the Fifth Circuit Court in Florida. She was appointed to the court by Governor Rick Scott on October 7, 2014, to fill the vacancy created by the elevation of Judge Brian D. Lambert to the Florida Fifth District Court of Appeal.^[1]

Education

Craggs received both her undergraduate and J.D. degrees from the University of Florida in 1988 and 1991, respectively.^{[1][2]}

Career

From 1991 until her appointment to the Fifth Circuit Court, Craggs practiced law with the firm of *Bond, Arnett, Phelan, Smith & Craggs, P.A.* in Ocala, Florida.^{[1][2]}

See also

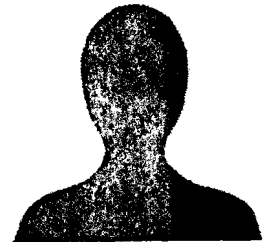
- Courts in Florida
- Florida counties
- Judicial selection in Florida

External links

- *5th Circuit*, "Florida Fifth Judicial Circuit" (<http://www.circuit5.org/>)
- *Ocala.com*, "Newly appointed Judge Craggs takes the bench," November 3, 2014 (<http://www.ocala.com/article/20141103/ARTICLES/141109921>)

Footnotes

1. *Ocala.com*, "Ocala attorney appointed to circuit court," October 7, 2014 (<http://www.ocala.com/article/20141007/ARTICLES/141009766?tc=ar>)
2. *Bond, Arnett, Phelan, Smith & Craggs, P.A.*, "Attorney Profile: Ann Melinda Craggs," accessed October 8, 2014 (<http://web.archive.org/web/20141008185612/http://www.bap-law.com/amc.html>)



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Florida 5th Circuit Court

Tenure

2014-Present

Predecessor Brian D. Lambert

Appointed by Gov. Rick Scott

Bachelor's University of Florida, 1988

J.D. University of Florida, 1991

Attorney, Bond, Arnett, Phelan, Smith & Craggs, P.A.

1991-2014

Born 1/17/1966

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The Florida Bar News - May 15, 2012

18 jurists to face retention elections, 72 races set for the trial court ballot

Another 286 judges take a seat on the bench unopposed

Three Florida Supreme Court justices and 15 district court of appeal judges have qualified for merit retention on this year's November election ballot. In the trial courts, there will be 32 contested circuit court contests on the August 14 primary ballot, while 170 circuit judgeships — mostly held by incumbents — were uncontested.

On the county court bench, there are 40 races on the primary ballot, while 116 were elected or reelected without opposition.

Filing information for the merit retention races and the circuit court races was obtained from the Secretary of State's Division of Elections. Information for the county court elections was obtained by examining each county supervisor of elections' website, which may have been incomplete. Any additional or corrected information on these seats should be emailed to gbship@flabar.org.

No jurisdiction this year came close to Broward County's distinction in 2010 of offering voters contested races in 20 circuit and county judgeships. The largest judicial ballot this year appears to be Miami-Dade County, which has four contested circuit races and eight contested county court races. Broward County will be relatively easy this year for voters who follow judicial races; there are three circuit and four county court contests.

The merit retention campaigns, especially for the Supreme Court justices, are expected to be higher profile this year than recent elections. There are concerns that special interests, including from out-of-state, may organize an anti-retention campaign. At least one website has been created that actively seeks donations to oppose the justices.

In 2010 anti-incumbent sentiments, in some cases associated with the Tea Party movement, was credited with lowering the retention margins for some Supreme Court justices and some DCA judges, especially in the northern part of the state. (See related story on the Bar's [merit retention education campaign](#).)

On the Supreme Court, Justices R. Fred Lewis, Barbara J. Pariente, and Peggy A. Quince all filed their papers for merit retention.

On the First DCA, Simone Marsteller, Stephanie Ray, Ron Swanson, and Brad Thomas filed for retention.

On the Second DCA, Anthony K. Black, Darryl C. Casaneuva, Charles A. Davis, Jr., and Edward C. LaRose filed for retention.

On the Third DCA, Angel A. Cortina, Kevin Emas, Ivan F. Fernandez, Leslie B. Rothenberg, and Richard J. Suarez filed for retention.

On The Fourth DCA, Burton C. Conner and Carole Y. Taylor filed for retention. There are no judges up for retention on the Fifth DCA.

The merit retention vote will be on the November ballot. Contested trial court elections will be decided

in the August 14 primary, with any runoffs being on the November ballot.

Here is the filing for circuit court seats:

- **In the First Circuit**, Judge Terry Ketchel is being challenged by Thomas Murphy in Seat 15. Winning without opposition were John Jay Gontarek, David Rimmer, Marci Levin Goodman, Kelvin Clyde Wells, Mary Polson, Linda L. Nobles, John L. Miller, Gary L. Bergosh, and Ross M. Goodman. All but Polson and Gontarek are incumbents.
- **In the Second Circuit**, Judge Josefina M. Tamayo is being challenged by Kris Dunn and Barbara Hobbs in Seat 2. George Reynolds, James O. Shelfer, and Terry P. Lewis, all incumbents, were unopposed.
- **In the Third Circuit**, Andrew J. "Andy" Decker III and Frederick John "Rich" Schutte IV filed for Seat 2 and Angela M. Cancio, Wes Douglas, and Jimmy Prevatt filed for Seat 5. Judge David W. Fina filed unopposed.
- **In the Fourth Circuit**, Judge Brian J. Davis is being challenged by Melina E. Buncome (Williams), Don Mairs, Greg Messoro, and Gerald L. Wilkerson (who filed as a write-in) in Seat 1. Alvin Wellington Barlow and Mark Borello filed in Seat 29 and Judge John Merrett is being challenged by Suzanne Bass in Seat 34. Don H. Lester, Robert M. Foster, Lawrence Page Haddock, Thomas More Beverly, E. McRae Mathis, Karen K. Cole, Peter Lennings Dearing, Hugh A. Carithers, Kevin A. Blasz, David C. Wiggins, Elizabeth Senterfitt, and Daniel F. Wilensky, all incumbents, were unopposed.
- **In the Fifth Circuit**, there are no contested races. Patricia V. Thomas, Michelle T. Morley, Steven G. Rogers, Heidi Davis, Hale R. Stancil, William G. Law, Jr., Stephen E. Toner, Jr., David B. Eddy, Anthony M. Tatti, Edward L. Scott, Michael G. Takac, and Daniel B. Merritt, Jr., were unopposed. All but Rogers and Toner are incumbents.
- **In the Sixth Circuit**, Bill Burgess and Andy Steingold are running for Seat 15, Brian Battaglia and Kimberly "Kim" Campbell are running for Seat 31, and Judge Jack Day is being challenged by Angelle Theresa McCabe in Seat 45. Lynn Tepper, Christine Helinger, Philip J. Federico, Tom Ramsberger, Dee Anna Farnell, Bill Webb, Amy Williams, Joseph A. Bulone, Pat E. Siracusa, Nancy Moate Ley, Frank Quesada, and Thomas H. "Tommy" Minkoff, were unopposed. All but Ramsberger are incumbents.
- **In the Seventh Circuit** there are no contested races. Incumbents Patti A. Christensen, Terence R. Perkins, C. McFerrin Smith III, J. Michael Traynor, Leah R. Case, Wendy W. Berger, William A. Parsons, and Clyde E. Wolfe were unopposed.
- **In the Eighth Circuit**, incumbents Stan Griffis, Toby S. Monaco, Mary Day Coker, and Victor L. Hulslander were unopposed.
- **In the Ninth Circuit**, Judge Belvin Perry, Jr., is being challenged by Daniel Perry in Seat 3 and Eric DuBois, Leticia "Letty" Marques, and Joel Wilson are running for Seat 7. In seat 27 Judge Keith White is facing Jose Torroella and in Seat 42 Judge Tim Shea is facing Pedro J. Malaret. Jennifer Davis, Gail A. Adams, Marc L. Lubet, Mike Murphy, Mark S. Blechman, Jose R. Rodriguez, Patricia Doherty, Bob Evans, Sally D.M. Kest, and Bob LeBlanc, all incumbents except Blechman, were unopposed.
- **In the 10th Circuit**, Larry Helms, William "Bill" Sites, and Christine Trakas Thornhill have filed in Seat 7 and Catherine L. Combee and Mark Kaylor filed in Seat 27. Steven L. Selph, Charles B. Curry, Mark H. Hofstad, Marcus J. Ezelle, Wayne M. Durden, Beth Harlan, and John K. Stargel, all incumbents, were unopposed.
- **In the 11th Circuit**, Judge David C. Miller is being challenged by Mauricio Padilla in Seat 8 and Robert Coppel and Maria Elena Verde filed in Seat 15. Alex Jimenez Labora and Maria de Jesus

Santovenia filed in Seat 47 and Victor H. De Yurre and Teresa Mary Pooler filed in Seat 49. Beth Bloom, Darrin P. Gayles, Jose "Joe" Fernandez, Cindy S. Lederman, Bronwyn Catherine Miller, Gisela Cardonne Ely, Mindy S. Glazer, Dennis J. Murphy, Pedro P. Echarte, Jr., Maria Marinello Korvick, Lisa Sharon Walsh, Miguel de la O, Ellen Sue Venzer, Victoria R. Brennan, Antonio "Tony" Arzola, Maria Espinosa Dennis, Michael A. Hanzman, Ellen L. Leesfield, Joel H. Brown, Victoria Platzer, Stan Black, Valerie R. Manno Schurr, Antonio "Tony" Marin, and Marisa Tinkler Mendez, all incumbents except de la O, were unopposed.

- **In the 12th Circuit**, Charles E. Williams, John F. Lakin, Lee E. Haworth, Frederick P. Mercurio, Janette Dunnigan, Donna Padar Berlin, Debra Johnes Riva, and Rochelle Taylor Curley, all incumbents except Lakin and Mercurio, were unopposed.

- **In the 13th Circuit**, Judge Mark R. Wolfe is being challenged by Johnnie B. Byrd, Jr., in Seat 14. Paul Huey, Cheryl K. Thomas, Robert A. Foster, Jr., Ronald A. Ficarrota, Bernard "Bernie" Silver, Brenda "Tracy" Sheehan, Kimberly Kay Fernandez, Emily A. Peacock, and Ashley Brooke Moody, all incumbents, were unopposed.

- **In the 14th Circuit**, John L. Fishel II, Shonna Young Gay, and Elijah Smiley, all incumbents, were unopposed.

- **In the 15th Circuit**, Judge Timothy McCarthy is being challenged by Jody Lane in Seat 2 and Judge Ron Alvarez is facing Jaimie Goodman in Seat 9. Judge James L. Martz is facing Margherita Downey in Seat 26. Janis Brustares Keyser, Moses Baker, Jr., Joseph Marx, David E. French, Stephen A. Rapp, Peter D. Blanc, Kathleen J. Kroll, Richard L. Oftedal, Catherine M. Brunson, and Robin L. Rosenberg, all incumbents, were unopposed.

- **In the 16th Circuit**, Judge David J. Audlin was unopposed.

- **In the 17th Circuit**, Michael Ian Rothschild and Julie C. Shapiro-Harris filed for Seat 19 and Judge Dale Ross is facing Michael "Mickey" Rocque in Seat 35. In seat 45, Julio E. Gonzalez, Jr., Oliver Parker, Rhoda Sokoloff, and Laura Marie Watson filed. Carol-Lisa Phillips, Nicholas "Nick" Lopane, David A. Haimes, Ari Abraham Porth, Tim Bailey, Michael A. Robinson, Paul L. Backman, Ilona Maxine Holmes, Mark A. Speiser, Arthur M. Birken, Michael A. Usan, Geoff Cohen, Peter M. Weinstein, Michele Towbin Singer, and Marina G. Wood, all incumbents except Porth (a state representative) and Bailey (a member of the Bar Board of Governors) were unopposed.

- **In the 18th Circuit**, Judge Jim Earp is being challenged by Matthew "Matt" Aungst in Seat 18. Lisa Davidson, Jeffrey (Jeff) Mahl, Debra Nelson, Marlene Alva, and Charles G. Crawford, all incumbents, were unopposed.

- **In the 19th Circuit**, Sherwood Bauer, Jr., Paul B. Kanarek, Robert A. Hawley, Mark W. Klingensmith, Robert E. Belanger, and Bob Pegg, all incumbents, were unopposed.

- **In the 20th Circuit**, Judge Meg Steinbeck is facing Karen Elizabeth Miller for Seat 9 and M.C. Fernandez III and Joe Foster filed for Seat 18. Judge Joseph A. Simpson is being challenged by Lisa Spader Porter in Seat 26, and Judge George C. Richards is facing David McElrath in Seat 29. John Duryea, J. Frank Porter, Cynthia Atkinson Pivacek, Fred Hardt, Bruce Kyle, R. Thomas Corbin, Lee Ann Schreiber, Joseph C. Fuller, Elizabeth V. Krier, Elisabeth Adams, and Keith Kyle, all incumbents, were unopposed.

Here's how the filings went for county court seats:

- **In Alachua County**, Judge David Kreider qualified for election unopposed.

- **In Baker County**, Judge Joseph M Williams filed unopposed.

- **In Bay County**, Judge Shane Vann qualified for election unopposed.
- **In Brevard County**, Curt Jacobus, Stephen R. Koons, and Samuel H. Edwards filed for the Group 5 seat. Judge Judy Atkin will face opposition from Sean C. Cutshall and Morris Richardson for Group 10. Judges Kenneth Friedland, Cathleen Bernadette Clarke, and John C. Murphy filed without opposition.
- **In Broward County**, Olga Levine, Robert "Bob" Nichols, and Richard Adam Sachs filed in Group 5, and Ilene Lieberman and Kathleen Mary "Katie" McHugh filed in Group 6. Judge Robert F. "Bob" Diaz is being opposed by Roshawn Banks and Randy Goodis in Group 10, and Judge Terri-Ann Miller is being opposed by Melanie Golden in Group 32. Joseph A. Murphy III, Sharon L. Zeller, Louis H. "Lou" Schiff, Jane D. Fishman, Mindy Kirsch Brown, Ginger Lerner-Wren, Robert W. Lee, Jill K. Levy, Alan R. Marks, and Arlene Simon Backman all filed without opposition. All, except Backman, are incumbents
- **In Calhoun County**, Judge Kevin Grover filed unopposed.
- **In Charlotte County**, Judge Peter A. Bell, Judge John L. Burns, and Judge Paul Allesandrone all filed without opposition.
- **In Collier County**, Judge Eugene Turner is being challenged by Samuel D. Lopez and Jim McGarity in Group 2, and Judge Mike Carr is being challenged by Stephen Smith in Group 6. Judge Vince Murphy filed unopposed.
- **In Duval County**, Ruth Hepler, Michelle Kalil, and Rhonda Peoples-Waters filed in Group 12. Roberto Arias, Brent D. Shore, Pauline M. Drake, Emmet F. Ferguson III, Sharon H. Tanner, James A. Ruth, Charles G. Cofer and Dawn Hudson all filed unopposed. All except Drake are incumbents.
- **In Escambia County**, Judge Joyce Henderson Williams, Judge Thomas E. Johnson, and Judge Thomas Victor Dannheisser all filed unopposed.
- **In Flagler County**, Judge Sharon B. Atack is not seeking another term. There are seven attorneys who qualified to run for her seat: Don Appignani, Craig Atack, Josh Davis, Marc Dwyer, Sharon Feliciano, Melissa Moore Stens, and W. Scott Westbrook.
- **In Franklin County**, Judge Van P. Russell filed unopposed.
- **In Gadsden County**, Judge Kathy L. Garner is being opposed by Frank Allman and Marva A. Davis.
- **In Gilchrist County**, Sheree H. Lancaster and David Miller (Duke) Long have filed for Group 1.
- **In Glades County**, Judge Jack E. Lundy filed unopposed.
- **In Gulf County**, Brian Hill, Tim McFarland, and Jarred Patterson have filed for Group 1.
- **In Hamilton County**, Judge Sonny Scaff filed unopposed.
- **In Hardee County**, Judge Jeffrey J. McKibben filed unopposed.
- **In Hendry County**, Judge James D. Sloan filed unopposed.
- **In Hillsborough County**, Judge Joelle Ann Ober is being challenged by John A. Grant III in Group 3, and Frances Maria Perrone, Barbara Twine, and Lanell Williams-Yulee have filed for Group 4. Judge Matt Lucas is being challenged by Nancy Jacobs in Group 12. Herbert M. Berkowitz, Walter Heinrich, Gaston Fernandez, Rochard A. Weis, and Scott Far were elected without opposition. All but Berkowitz and Farr are incumbents.

- **In Indian River County**, Judge David C. Morgan and Judge Joe Allen Wild filed unopposed.
- **In Jackson County**, Douglas Wade Mercer filed unopposed.
- **In Jefferson County**, Judge Robert R. Plaines filed unopposed.
- **In Lafayette County**, Judge Darren K. Jackson is being challenged by Leenette McMillan Fredriksson.
- **In Lake County**, Judge James R. Baxley filed unopposed.
- **In Lee County**, Judge Leigh Frizzell Hayes, Judge James R. Adams, Judge Maria E. Gonzalez, and Judge Tara Pascotto Paluck filed unopposed.
- **In Leon County**, Judge Robert R. Wheeler, Judge Judith W. Hawkins, Judge Ronald W. Flury, and Judge Augustus D. Aikens, Jr., filed unopposed.
- **In Levy County**, Judge James T. Browning is being challenged by Cyndee Munkittrick.
- **In Liberty County**, Judge Kenneth L. Hosford filed unopposed.
- **In Madison County**, E. Bailey Browning III and Tom Stone filed for Group 1.
- **In Marion County**, Leanne Mackey-Barnes and Thomas Thompson III filed for Group 3, and Paul Guilfoil and Robert Edward Landt filed for Group 4. Judge Sara Ritterhoff Williams filed unopposed.
- **In Miami-Dade County**, Judge Patricia Marino-Pedraza is being challenged by Frank A. Hernandez in Group 1, and Judge Ana Maria Pando is being challenged by Diana Gonzalez in Group 10. Judge Fleur Jeannine Lobree is being challenged by Michelle Alvarez in Group 20, and Judge Andrea R. Wolfson is being challenged by Arthur Spiegel and Greer Elaine Wallace in Group 24. Ivonne Cuesta and Jacci Suzan Seskinen filed in Group 27, and Tayna Brinkley and Enrique "Rick" Yabor filed in Group 28. Judge Teretha Lundy Thomas is being challenged by John "Johnny" Rodriguez in Group 33, and Judge Don S. Cohn is being challenged by Lordes Cambó in Group 40. Mary Jo Francis, Samuel Joseph "Sam" Slom, Robin Faber, Luise Krieger Martin, Shelley J. Kravitz, Victoria del Pino, Steve Leifman, Gloria Gonzalez-Meyer, Deborah White-Labora, Andrew "Andy" Hague, Linda Singer Stein, Dawn Veronica Denaro, Maria D. Ortiz, Myriam Lehr, Caryn Canner Schwartz, Gladys Perez, Lourdes Simon, Charlie Johnson, Larry King, and Joe Davis filed unopposed. All except Denaro and Davis are incumbents.
- **In Monroe County**, Judge Wayne Miller filed unopposed.
- **In Nassau County**, Judge Granville C. "Doc" Burgess filed unopposed.
- **In Okaloosa County**, Judge Patricia S. Grinsted filed unopposed.
- **In Okeechobee County**, Judge Jerald D. "Jerry" Bryant filed unopposed.
- **In Orange County**, Judge Antoinette Plogstedt is being challenged by Adam K. McGinnis in Group 11, and Judge Leon B. Cheek III is being challenged by Andrew Cameron in Group 13. Martha C. Adams, A. James Craner, Wilfredo Martinez, Maureen Bell, and Steve Jewett filed unopposed. All but Craner are incumbents.
- **In Osceola County**, Judge Heather K. O'Brien is being challenged by Philip T. Dunlop for Group 2 and Judge Hal Epperson is being challenged by Ernest J. Mullins in Group 4. Judge Carol Engel Draper filed unopposed.
- **In Palm Beach County**, Judge Peter M. Evans is being challenged by Kenneth Duane Lemoine in

Group 4 and Edward Garrison and Jane Frances Sullivan filed for Group 6. Sandra Bosso-Pardo, Theodore S. Booras, Nancy Perez, Leonard Hanser, and Frank S. Castor, all incumbents, filed unopposed.

- **In Pasco County**, Frank I. Grey, Tom Hanlon, Joseph A. Poblick, and Eva Vergos filed for Group 2. William G. Sestak, Marc H. Salton, Anne Wansboro, and Candy Morris VanDercar, all incumbents, filed unopposed.

- **In Pinellas County**, Scott Andringa and Cathy Ann McKyton filed for Group 2. Donald E. Horrox, Myra Scott McNary, Walt Fullerton, William H. Overton, Lorraine M. Kelly, and Susan Bedinghaus, all incumbents, filed unopposed.

- **In Polk County**, Bob Grode and William J. Twyford filed for Group 5, Judge John Edward Kirkland, Judge Barry W. Bennett, and Judge Rob Griffin filed unopposed.

- **In Putnam County**, Joe Boatwright II, Tito S. Smith, and Michael W. Woodward filed for Group 1.

- **In Sarasota County**, Judge Judy Goldman filed unopposed.

- **In Seminole County**, Jeff Dowdy, Gregory A. Hass, Debra L. Krause, and Jaimon H. Perry filed for Group 2. Mark Herr and James J. DeKliva filed unopposed. Herr is an incumbent.

- **In St. Johns County**, Alexander R. Christine, Jr., filed unopposed.

- **In Sumter County**, Judge Tom Skidmore filed unopposed.

- **In Taylor County**, G. Cline Moore filed unopposed.

- **In Union County** Bo Bayer, John Cooper, John E. Maines IV, Therese Truelove, Rusty Wade, and Dan Webb have filed.

- **In Volusia County**, Seven R. Burk, Dustin M. Havens, Alan Holt, Christopher Kelly, and Adam Warren filed for Group 4. Judge Bryan L. Feigenbaum is being challenged by Michael McDermott in Group 8. Judge Belle Schumann and Judge Dawn Pamela Fields filed unopposed.

Tampa Bay Times

WINNER OF 12 PULITZER PRIZES

Unopposed judges quietly keep their seats



Lucy Morgan, Times Senior Correspondent

Friday, May 2, 2008 9:55pm

TALLAHASSEE — Quietly and with little public notice, more than 250 judges as well as two dozen state attorneys and public defenders won re-election Friday as the qualifying period for judicial offices ended.

Among the winners are Pinellas-Pasco State Attorney Bernie McCabe and Public Defender Bob Dillinger, and Hillsborough State Attorney Mark Ober and Public Defender Julianne Holt.

They and hundreds of judges should all thank former Miami Dade Circuit Judge Martin D. Kahn, a veteran jurist who was defeated by 2,700 votes by a political newcomer when he sought re-election in 2000.

Kahn's defeat ginned up so much sympathy among state lawmakers that they quietly tucked a little amendment in an elections bill as it passed on the final night of the 2002 legislative session.

Instead of qualifying for public office with other state candidates in July of every year, the judges would file their paperwork in May, when federal candidates qualify.

Former Rep. Dudley Goodlette, R-Naples, offered the measure as part of a larger amendment. Contacted earlier this week, Goodlette said the issue had been raised because of Kahn's defeat. Sitting judges wanted time to clear their calendars and campaign if they faced opponents, Goodlette said.

"The rumor was that if they moved judicial qualifying, then maybe nobody would notice," recalled Secretary of State Kurt Browning, who was Pasco elections supervisor in 2002 and lobbying lawmakers for improved elections laws.

For the qualifying that closed Friday, there were 283 circuit judge positions statewide. Twenty-three of those are open seats and will be contested.

Of the 260 remaining seats, only eight will be contested. The other 252 won unopposed.

Brad King, the state attorney in Hernando, and Howard "Skip" Babb Jr., the public defender, also drew no opposition.

Two of the state's top prosecutors, Lawson Lamar of Orange County and Norm Wolfinger of Brevard County, qualified to seek re-election. Wolfinger is unopposed and Lamar drew a little-known criminal defense lawyer as an opponent.

Lamar and Wolfinger are among the state's top double dippers.

Lamar "retired" in 2005 without leaving office. He collected \$514,927 in lump sum benefits, plus a \$115,752 a year pension, plus an annual salary of \$153,140.

Wolfinger followed suit in 2007. He collected \$447,834 in lump sum benefits, plus an \$83,484 a year pension, plus an annual salary of \$153,140.

Circuit judges are paid \$145,080.

Only two incumbent circuit judges in the Tampa Bay area drew opposition, both in Tampa: Judge Kevin Carey is opposed by lawyer Catherine M. Catlin, and Judge Martha Cook drew opposition from Constance Daniels.

The other contested races are for open seats.

Few incumbents have lost since Florida began electing judges in nonpartisan races in the 1970s, but the early qualifying date lets even more avoid opposition, according to a review of election results over the past 12 years.

Judges frequently escape opposition because only lawyers can run for the jobs, and few lawyers are willing to risk angering a judge before whom they must appear. In recent years few incumbent circuit judges have faced opposition, and only five have been defeated.

In 2005, lobbyists for the state's prosecutors and public defenders got legislators to move their qualifying to May as well, putting all judicial system races up for grabs much earlier than the traditional qualifying period, which usually begins in July.

This year, qualifying for other state candidates begins June 16 because primaries are Aug. 26, a week earlier than in past years.

Supreme Court and District Court justices run under a merit retention system. No judge has been denied another term since the merit retention system was adopted in the 1970s.

On the Supreme Court this year, only Justice Charles T. Wells faces voters. Twenty-three judges from the five district courts of appeal will also be on the ballot.

Times researcher John Martin contributed to this report.

Lucy Morgan can be reached at lmorgan@sptimes.com or (850) 224-7263.

>>**fast facts**

Sixth Circuit

Incumbents re-elected without opposition

State Attorney Bernie McCabe

Public Defender Bob Dillinger

Circuit Judges

Lauren Laughlin

Raymond O. Gross

W. Lowell Bray Jr.

Pamela A.M. Campbell

Walt Logan

Mark Shames

Stanley R. Mills

Shawn Crane

Linda H. Babb

Jack R. St. Arnold

Anthony Rondolino

Bruce Boyer

Tim Peters

John A. Schaefer

Daniel D. Diskey

Linda Allan

George M. Jirotko

Walter L. Schafer Jr.

Thane Bobbitt Covert

Circuit Judge races

Group 6, open seat

Violet M. Assaid

Mary Handsel

Bruce G. Howie

Group 8, open seat

Kenneth Foote

Susan L. Gardner

Robert Angus Williams

>>**fast facts**

Fifth Circuit

Incumbents re-elected without opposition:

State Attorney Brad King

Public Defender Howard "Skip" Babb Jr.

Circuit judges

Richard Tombrink Jr.

Mark J. Hill

William Jack Singbush

Jonathan D. Ohlman

Don F. Briggs

Jack Springstead

G. Richard Singeltary

Sandra Edwards-Stephens

T. Michael Johnson

Brian D. Lambert

Curtis J. Neal

Steve Rushing

Carol A. Falvey

Mark A. Nacke

Circuit Judge races

Group 11

Richard A. Howard, incumbent

Rhonda Portwood

Group 3, open seat

Sandy Hawkins

Michael Lamberti

Denise Lyn

>>**fast facts**

13th Circuit

Incumbents re-elected without opposition

Mark Ober, State Attorney

Julianne Holt, Public Defender

Circuit Court

Manuel Menendez Jr., Chief Judge of the Circuit Court, Group 19

Marva L. Crenshaw, Group 4

Daniel L. Perry, Group 5

James Arnold, Group 8

Greg Holder, Group 9

Rex Martin Barbas, Group 10

Ralph C. Stoddard, Group 11

Charlene Edwards Honeywell, Group 12

Jack Espinosa Jr., Group 13

Claudia Rickert Isom, Group 15

Chet A. Tharpe, Group 18

Sam D. Pendino, Group 20

Vivian Corvo Maye, Group 27

William P. Levens, Group 28
Wayne S. Timmerman, Group 29
Richard A. Nielsen, Group 31
Katherine G. Essrig, Group 33
James M. Barton II, Group 34
Herbert J. Baumann, Jr., Group 35
Michelle Sisco, Group 38
Steven Scott Stephens, Group 39
Christopher C. Sabella, Group 40
Daniel H. Sleet, Group 41

County Court

Cheryl K. Thomas, Group 2
Eric R. Myers, Group 7
John N. Conrad, Group 9
Margaret Taylor Courtney, Group 16
Lawrence Lefler, Group 17

circuit judge Races

Group 1

Caroline J. Tesche
Jason Montes

Group 2

Samantha Ward
Miriam Velez

Group 7

J. Kevin Carey (incumbent)
Catherine M. Catlin

Group 21

Lisa D. Campbell
Linda Courtney Clark

Group 30

Martha J. Cook (incumbent)
Constance Daniels

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June 1, 2006

News HOME

41 contested judicial races on the ballot

Seventeen DCA judges file for retention and three S.C. justices to face the voters

By Gary Blankenship

Senior Editor and

Theresa E. Davis

Assistant Editor

Three Supreme Court justices and 17 district court of appeal judges have filed for merit retention in the fall statewide judicial elections.

In addition, there are 17 contested circuit judge races around the state, while 134 circuit judgeships were decided without an election. Most of those involved incumbents who filed for reelection and drew no opponents. There also are 24 contested county court races after the June 12 filing deadline, while 93 county judges — again, mostly incumbents — were elected or reelected without opposition.

(Circuit court information came from the Secretary of State's office. County judge race information came from the Supreme Court and a Web site and e-mail survey of county supervisors of elections offices.)

Elections for contested trial court seats will be on the September 5 primary ballot, and any runoffs will be decided in the November 7 general election. The merit retention elections for the appellate bench will be on the November ballot.

There will almost certainly be more contested trial court races this fall. The legislature approved 55 new judgeships this year: 35 circuit judgeships and 20 on the county bench. All will be elected and qualifying for those races is July 17-21. Traditionally, such open seats are more likely to draw contested elections than seats occupied by incumbents.

It's also the largest number of new judgeships created and filled by election since at least 1973, when the court system was overhauled.

Here's a list of those who will appear on the November merit retention ballot:

- **Supreme Court** — Chief Justice Barbara J. Pariente, Chief Justice-elect R. Fred Lewis, and Justice Peggy A. Quince.
- **First District Court of Appeal** — Judges Edwin B. Browning, Jr., Bradford L. Thomas, and Peter D. Webster.
- **Second District Court of Appeal** — Judges Darryl C. Casanueva, Charles A. Davis, Edward LaRose, E.J. Salcines, and Thomas E. Stringer, Sr.
- **Third District Court of Appeal** — Judges Angel A. Cortinas, Leslie B. Rothenberg, and Richard J. Suarez.
- **Fourth District Court of Appeal** — Judges Bobby W. Gunther, Fred A. Hazouri, Larry A. Klein, Barry J. Stone, and Carole Y. Taylor.
- **Fifth District Court of Appeal** — Judge Emerson R. Thompson, Jr.

Contested Circuit Races

Here's a list of contested circuit court races:

- **First Circuit** — Group 15, Terry Ketchel, Dixie Dan Powell, Mike Schofield, and Michael T. Webster



- **Fifth Circuit** – Group 7, Michelle T. Morley and Scott Wynn.
- **Sixth Circuit** – Group 9, Mary Handsel, Christine “Chris” Helinger, and Glenn Martin; Group 32, LeAnne Lake, Mark Schleben, and Pat Siracusa
- **Eighth Circuit** – Group 4, Stan Griffis, Stephen Pennypacker, and Lorraine H. Sherman
- **Ninth Circuit** – Group 5, Jenifer Davis, Mary Ann Etzler, and John Gray
- **11th Circuit** – Group 25, Dennis J. Murphy and Josie Perez Velis, Group 65 Israel U. Reyes and Jeffrey D. Swartz.
- **12th Circuit** – Group 13, Lee E. Haworth and Susan Hartmann Swartz, Group 16, Donna Berlin and Franklin Roberts.
- **13th Circuit** – Group 25, Robert A. Foster, Jr., and Catherine Williams Real; Group 32, Cris Debock, Elizabeth (Betsy) Lynn Hapner, Bernard C. Silver, and Caroline Jeanne Tesche.
- **15th Circuit** – Group 13, Jerald S. Beer, David E. French, Kenneth D. Lemoine, and Art Wroble.
- **17th Circuit** – Group 6, Charles “Charlie” Kaplan and Kenneth David Padowitz.
- **18th Circuit** – Group 20, Samuel Bookhardt III, Charles G. Crawford, Patrice J. Pilate, and Frank David Zilaitis.
- **20th Circuit** – Group 9, Kim Levy and Margaret Ogilvie Steinbeck, Group 14, Miguel C. Fernandez III, Steve Holmes, and Bruce Kyle.

Unopposed Circuit Races

Elected or reelected without opposition to the circuit bench were:

- **First Circuit** – Thomas T. Remington, Marc Levin Goodman, Kelvin Clyde Wells, Jack R. Heflin, and Linda L. Nobles.
- **Second Circuit** – George Reynolds, Nikki Ann Clark, and Terry P. Lewis
- **Third Circuit** – E. Vernon Douglas, David W. Fina, and James Roy Bean.
- **Fourth Circuit** – Brian J. Davis, Michael R. Weatherby, Robert M. Foster, Lawrence Page Haddock, E. McRae Mathis, Karen K. Cole, Peter L. Dearing, Hugh A. Carothers, Frederick B. Tygart, David C. Wiggins, and Charles W. Arnold, Jr.
- **Fifth Circuit** – Patricia V. Thomas, Frances King, Haie R. Stancil, William G. Law, Jr., Daniel B. Merritt, Sr., and David B. Eddy.
- **Sixth Circuit** – Lynn Tepper, Phillip J. Federico, Doug Baird, Dee Anna Farnell, Bill Webb, Richard Luce, Nelly N. Khouzam, Amy M. Williams, Joseph A. Bulone, David A. Demers, Nancy Monte Ley, and Frank Quesada.
- **Seventh Circuit** – McFerrin Smith, John W. Watson III, J. Michael Traynor, Patrick G. Kennedy, Wendy W. Berger, and William A. Parsons.
- **Eighth Circuit** – Robert P. Cates and Toby S. Monaco.
- **Ninth Circuit** – Belvin Perry, Jr., Margaret T. Waller, Gail Adams, Marc Leslie Lubet, Jay P. Cohen, R. James Stroker, Theotis Bronson, Jose R. Rodriguez, Cynthia Z. MacKinnon, Bob Wattles, Bob Evans, and Stan W. Strickland.
- **10th Circuit** – Steven L. Selph, Charles B. Curry, James Michael Hunter, Marcus J. Ezelle, and Robert L. Dovel.
- **11th Circuit** – David C. Miller, Cindy S. Lederman, Lester Langer, David H. Young, Gisela Cardonne Ely, Mindy S. Glazer, Pedro P. Echarte, Jr., Maria M. Korvick, Ellen Sue Venzler, Arthur Rothenberg, Maxine Cohen Lando, Mark King Leban, Maria Espinosa Dennis, Cristina Pereyra-Shuminer, Maynard “Skip” Gross, Ellen L. Leesfield, Joel H. Brown, Victoria Platzer, and Stan Blake.
- **12th Circuit** – Charles E. Williams, Paul E. Logan, Becky A. Titus, and Janette Dunnigan.
- **13th Circuit** – Mark R. Wolfe, and Ronald N. Ficarrota.
- **14th Circuit** – Richard H. Albritton and Glenn L. Hess.
- **15th Circuit** – Timothy McCarthy, Jack H. Cook, Moses Baker, Jr., Ronald V. Alvarez, Jonathan D. Gerber, Karen L. Martin, Stephen A. Rapp, Peter D.

Blanc, Kathleen J. Kroli, Richard L. Oftedal, Catherine M. Brunson, Edward A. Garrison, and Robin Lee Rosenberg.

- **16th Circuit** – David J. Audlin, Jr.
- **17th Circuit** – Carol-Lisa Phillips, Robert Lance Andrews, Richard David Eade, Ronald J. Rothschild, Marcia Beach, Ana I. Gardiner, Dale Ross, Paul L. Backman, Ilona Maxine Holmes, Mark A. Speiser, Arthur M. Birken, Geoffrey D. Cohen, Robert A. Rosenberg, and Peter M. Weinstein.
- **18th Circuit** – Kerry I. Evander, Lisa Davidson, Debra Nelson, and Marlene M. Alva.
- **19th Circuit** – Sherwood Bauer, Jr., Paul B. Kanarek, Robert A. Hawley, and Robert E. Belanger.
- **20th Circuit** – J. Frank Porter, Cynthia A. Ellis, Frederick R. Hardt, James Hall Seals, R. Thomas Corbin, Franklin G. Baker.

Contested County Races

Here are county judge races that are contested:

- **Bay County** – Group 2, Hoot Crawford, Elijah Smiley, and Shane R. Vann.
- **Gilchrist County** – Group 1, David Miller "Duke" Lang and Edward "Ed" Philman.
- **Hamilton County** – Group 1, Richard B. Davis, Donald K. Rudser, and Sonny Scaff.
- **Lafayette County** – Group 1, Darren K. Jackson and Leenette W. McMillan.
- **Leon County** – Group 3, Ronald "Ron" W. Flury, John D. C. Newton, and Lisa Raleigh.
- **Marion County** – Group 2, Robert E. Landt and Sarah Ritterhoff Williams.
- **Miami-Dade County** – Group 1, Patricia Marino-Pedraza and Shilyon J. McWhorter; Group 3, Cecilia Armenteros-Chavez and Samuel Joseph "Sam" Slom; Group 4, Robin Faber and Ivan Hernandez; Group 9, Victoria del Pino and Joel Jacobs; Group 10, Sari Teichman Addicott and Ana Maria Pando; Group 11, Karen Mills Francis and Stephen T. Millian; Group 12, Juan F. Gonzalez and Steve Leifman; Group 14, Gloria Gonzalez Meyer and Michael J. "Mike" Samuels; Group 27, Migna Sanchez-Llorrens and Shelton "Shelly" Schwarz; Group 39, George A. Alvarez and Bronwyn Catherine Miller; and Group 40, Don S. Cohn and Bonnie Laro Rippingite.
- **Nassau County** – Group 1, Granville C. "Doc" Burgess, Clyde Davis, and Hugh "Mac" McCarthy.
- **Okeechobee County** – Group 1, Shirley M. Brennan and Jerald D. "Jerry" Bryant.
- **Orange County** – Group 6, Martha C. Adams, Bill Hancock, and Joe Johnson.
- **Palm Beach County** – Group 2, Theodore S. Booras and Jane Frances Sullivan.
- **Polk County** – Group 3, Rob Griffin and Steve Pincket.
- **Taylor County** – Group 1, Stephen F. "Buddy" Murphy and Angela M. Ball.
- **Volusia County** – Group 5, Dawn Fields, Jonathon Glugover, Frank Roche, and Brian R. Toung.

Unopposed County Races

Here are county judge races that are uncontested:

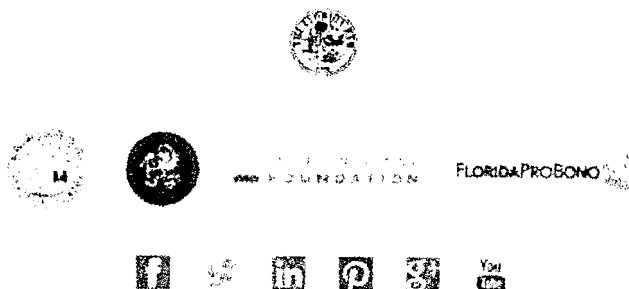
- **Alachua County** – Mary Day Coker.
- **Baker County** – Joseph Williams.
- **Brevard County** – Cathleen B. Clarke, Kenneth Friedland, and William McCluen.
- **Calhoun County** – Kevin Grover.
- **Charlotte County** – Peter A. Bell.
- **Citrus County** – Patricia V. Thomas.

- **Collier County** – Ramiro Manalich, Vincent Murphy, and Eugene Turner.
- **Duval County** – Roberto Arias, Harold C. Arnold, Tyne W. Boyer, Charles G. Cofer, Pauline M. Drayton, Emmet F. Ferguson III, James A. Ruth, Brent D. Shore, and Sharon Tanner.
- **Escambia County** – Thomas E. Johnson, G.J. “Jim” Roark III, and Joyce H. Williams.
- **Flagler County** – Sharon B. Atack.
- **Franklin County** – Van Russell.
- **Gadsden County** – Stewart E. Parsons.
- **Glades County** – Jack Lundy.
- **Hardee County** – Jeffrey J. McKibben.
- **Hendry County** – James D. Sloan.
- **Hillsborough County** – Thomas P. Barber, Gaston J. Fernandez, Walter R. Heinrich, Joelle Ann Ober, and Christine K. Vogel.
- **Indian River County** – David Morgan and Joe Wild.
- **Jefferson County** – Robert R. Plaines.
- **Lee County** – Leigh Frizzell Hayes, James R. Adams, John Duryea, and Maria E. Gonzalez.
- **Leon County** – Judith W. Hawkins and Augustus D. Aikens, Jr.
- **Liberty County** – Kenneth L. Hosford.
- **Madison County** – Wetzel Blair.
- **Marion County** – John E. Fuch.
- **Miami-Dade County** – Mary Jo Francis, Luise Krieger Martin, Shelley J. Kravitz, Deborah White-Labora, Andrew “Andy” Hague, Linda Singer Stein, Darrin P. Gayles, Maria Ortiz, Catherine M. Pooler, Myriam Lehr, Robert Twombly, Caryn Canner Schwartz, Teretha Lundy Thomas, and Larry King.
- **Monroe County** – Wayne M. Miller.
- **Okaloosa County** – Patricia Grinstead.
- **Orange County** – Antoinette Plogstedt, Leon B. Cheek III, and Wilfredo Martinez.
- **Osceola County** – Carol Draper and Ronald A. Legendre.
- **Palm Beach County** – Sandra Bosso-Pardo, Peter M. Evans, Nancy Perez, Nelson E. Bailey, and Donald W. Hafele.
- **Pasco County** – William Sestak, Robert Cole, and Marc Salton.
- **Pinellas County** – Henry J. Andringa, Donald E. Horrox, Myra Scott McNary, Walt Fullerton, and William H. Overton.
- **Polk County** – Timothy Coon and Angela Jane Cowden.
- **Putnam County** – Peter T. Miller.
- **Sarasota County** – Judy Goldman.
- **Seminole County** – Donald L. Marblestone, Mark E. Herr, and Carmine M. Bravo.

- **Sumter County** – Thomas D. Skidmore.
- **Union County** – David Reiman.
- **Volusia County** – Belle Schumann, Peter F. Marshall, David Beck, and Steven deLaroche

[Revised: 11-09-2016]

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August 15, 2002

News HOME

Candidates file to run for nine new judgeships

The number of contested circuit judge races rose significantly with the close of qualifying July 26 for nine new legislatively created seats.

Eight of the new seats drew at least three candidates, while in the ninth, in the 10th Circuit, a state senator filed unopposed for the new post.

Pursuant to a new state law, qualifying for the existing judgeships whose terms end at the end of the year was held in May. That law was intended to give incumbent judges who face last minute challenges more time to arrange their dockets for campaigning.

But this year's legislative session failed to produce a budget agreement for the 2002-03 budget until a special session in May. Part of that budget authorized 18 new circuit judges, with nine being chosen by voters and nine appointed by the governor. Since it was too late for qualifying for those nine elected seats during May, the legislature specified that qualifying would be held with other state judges in July.

The second round of qualifying for the nine new seats was unlike the May qualifying. Then there were 246 seats up and only 26 — mostly seats being vacated by incumbents — drew more than one candidate. In most of the uncontested seats, incumbents filed for re-election.

With the new seats, that means voters will have a total of 34 circuit races on the September 10 primary ballot. Any runoffs will be decided on the November general election ballot.

(There are no contested circuit judgeships in the First, Second, Third, 10th, 14th, 16th, 18th, or 20th circuits. Information on contested county judge races is not collected statewide, but is available from local supervisors of elections offices. A list of the other contested circuit races as well as those elected without opposition was in the June 1 News.)

Filing unopposed for the new 10th Circuit seat is Sen. John Laurent, R-Bartow, a former member of the House Judiciary Committee and a current member of the joint House-Senate panel overseeing the constitutionally mandated increase in Article V funding for the state trial courts.

Contesting the other races are:

- In the Sixth Circuit, Group 41, Linda Allan, Bryon A. Lorrier, Malinda Ottinger, and William L. "Bill" Vinson
- In the Seventh Circuit, Group 24, David A. Burt, Terry LaRue, Larry Nixon, and Henry T. Swann III
- In the Eighth Circuit, Group 12, David A. Glant, Terry Kann, and Gil Schaffnit.
- In the Ninth Circuit, Group 37, Mark C. Bender, Jim Henson, and Norberto Katz.
- In the 12th Circuit, Group 19, Preston DeVilbiss, Jr., Cynthia Evers, Diana Moreland, and Ed Nicholas.
- In the 13th Circuit, Group 37, Ray Brooks, Woody Isom, Monica L. Sierra, and Brad Souders.



- In the 15th Circuit, Group 34, John P. Marinelli, William J. McAfee, Karen M. Miller, and Darren D. Shull
- In the 17th Circuit, Group 52, Michael G. Kaplan, Andrew "Andy" Salvage, Perry Eugene Thurston, Jr., and Jack Tuter.

[Revised: 10-27-2016]

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August 15, 2000

News HOME

Candidates qualify for Florida's judicial races

By Gary Blankenship

Associate Editor

About one of 10 circuit judgeships up for election this year will be determined by Florida voters, while the rest had unopposed candidates following the close of qualifying on July 21, according to the Florida Secretary of State's Division of Elections.

According to the division, 17 circuit races, including four each in the Ninth and 11th circuits, will be on the ballot. Another 142 were elected or re-elected to circuit judgeships without opposition. In county court races, there are 28 contested seats. No information was immediately available on county races decided without opposition.

In addition, there are seven contested races for state attorney and five for public defender. Eighteen district court of appeal judges qualified for the merit retention vote on the November ballot, as did three Supreme Court justices.

The circuit and county races will be first voted on as part of the September 5 primary ballot, with any runoffs decided on the November ballot.

Contested circuit races are:

- In the First Circuit, Daniel W. Clark and Linda L. Nobles for the Group 14 seat.
- In the Sixth Circuit, Don Peyton and incumbent Bill Webb in the Group 14 seat.
- In the Eighth Circuit, Terry Kann and Toby Monaco in the Group 6 seat.
- In the Ninth Circuit, Russell F. McLatchey and incumbent Belvin Perry, Jr. for the Group 3 seat, Gail Adams and Anthony Suarez in the Group 11 seat, Gary E. Doane and incumbent Jeffords D. (Jeff) Miller in the Group 15 seat, and Dennis Hightower and incumbent R. James Stroker in the Group 19 seat.
- In the 11th Circuit, David C. Miller, David Peckins and Arthur (Artie) Spiegel in the Group 8 seat, Mandy S. Glazer and incumbent Martin D. Kahn in the Group 24 seat, Peter Sylvester, Gina Mendez, Dennis J. Murphy and Martin Zilber in the Group 25 seat, and Maria Espinosa, Dennis and Larry Schatzman in the Group 56 seat.
- In the 13th Circuit, Leland Anne Baldwin, David Dee, Robert A. Foster, Jr., and Ellen Ware in the Group 25 seat.
- In the 14th Circuit, Richard Albritton, Bill Lewis and Robert A. Pell in the Group 3 seat.
- In the 17th Circuit, Marcia Beach, Samuel (Sam) Fields and John Jay Hurley for the Group 31 seat.
- In the 18th Circuit, Sylvia A. Grunor and incumbent Debra Nelson in the Group 10 seat and incumbent Tom Freentan and Norman Levin in the Group 11 seat.
- In the 19th Circuit, Jack Cox and incumbent Bob Hawley for the Group 8 seat.

No Opposition

Of the 142 races decided without a contest, 138 were already on the circuit bench, according to state records.

Elected to the circuit bench without opposition were:

- In the First Circuit, Thomas T. Remington, Marci Levin Goodman, John P. Kuder, Jack R. Heflin and Jere Tilton. All but Goodman are incumbents.
- In the Second Circuit, George Reynolds, Nikki Ann Clark and Terry P. Lewis. All are incumbents.



- In the Third Circuit, Douglas E. Vernon, Thomas J. Kennon, Jr., and James Roy Bean. All are incumbents
- In the Fourth Circuit, Brian J. Davis, Michael R. Weatherby, Robert M. Foster, Lawrence Page Haddock, E. McRae Mathis, Karen K. Cole, Peter L. Dearing, Hugh A. Carithers, Jr., Frederick B. Tygart, David C. Wiggins and Charles W. Arnold, Jr. All are incumbents
- In the Fifth Circuit, Patricia V. Thomas, Raymond T. McNeal, Victor J. Musley, Hale R. Stancil, William G. (Bill) Law, Jr., Daniel B. Merritt, Sr., and David Eddy. All are incumbents
- In the Sixth Circuit, Lynn Tepper, Crockett Farnell, Philip J. Federico, W. Douglas Baird, Dee Anna Farnell, Richard A. Luce, Nelly N. Khouzam, Susan F. Schaeffer, David A. Demers, Brandt C. Downey III, Nancy Moate Ley and Frank Quesada. All are incumbents.
- In the Seventh Circuit, David A. Monaco, C. McFerrin Smith III, John (Jack) Watson III, Michael Traynor, Patrick G. Kennedy and William A. Parsons. All but Traynor are incumbents.
- In the Eighth Circuit, Robert P. Cates, Maurice V. Giunta and Elzie S. Sanders. All are incumbents.
- In the Ninth Circuit, Ted Coleman, Richard F. Conrad, Margaret T. Waller, Jay Cohen, Theotis (Theo) Bronson, Jose R. Rodriguez, Cynthia Mackinnon, Bob Wattles, Bob Evans and Stan W. Strickland. All are incumbents.
- In the 10th Circuit, Judy Flanders, Charles B. (Charlie) Curry, Cecelia M. Moore, J. Michael Hunter, Ron Herring and J. Tim Strickland. All are incumbents.
- In the 11th Circuit, Bob Boyel, Cindy S. Lederman, Lester Langer, David Young, Gisela Cardonne, Petro P. Echarte, Jr., Maria Korvick, Michael B. Chaves, Larry A. Schwartz, Arthur Rothenberg, Maxine Cohen Lando, Sidney B. Shapiro, Marilyn Milian, Alex E. Ferrer, Maynard (Skip) Gross, Ellen L. Leesfield, Joel H. Brown, Victoria Platzer and Stan Blake. All but Young, a county court judge, are incumbents.
- In the 12th Circuit, Charles E. Williams, Paul E. Logan, Lee E. Haworth, Becky A. Titus, Jannette Dunningan and Nancy K. Donnellan. All are incumbents.
- In the 13th Circuit, Cynthia Holloway, Dick Greco, Jr., Ronald N. Ficarotta and Perry A. Little. All are incumbents.
- In the 14th Circuit, incumbent Glenn L. Hess.
- In the 15th Circuit, Tim McCarthy, Jack H. Cook, Moses Baker, Jr., Ronald V. Alvarez, Karen L. Martin, Art Wroble, Stephan A. Rapp, Peter D. Blanc, Kathleen J. Kroll, Richard L. Oftedal, Catherine M. Brunson, Edward A. Garrison and Roger B. Colton. All but Wroble are incumbents.
- 16th Circuit, incumbent Richard G. Payne.
- 17th Circuit, Robert Lance Andrews, Julie Koenig, Miette K. Burnstein, Patricia W. Cocalis, Richard D. Eade, J. Leonard Fleet, Ronald J. Rothschild, Ana I. Gardiner, Dale Ross, Paul L. Backman, Ilona Maxine Holmes, Mark A. Speiser, Arthur M. Birkin, Geoff Cohen, Robert A. Rosenberg and Peter M. Weinstein. All are incumbents.
- 18th Circuit, Kerry I. Evander, Lisa Kahn, Gene R. Stephenson and Warren Burk. All are incumbents.
- 19th Circuit, Dwight L. Geiger, Paul B. Kanarek and Cynthia G. Angelos. All are incumbents.
- 20th Circuit, William L. Blackwell, Cynthia A. Ellis, William J. Nelson, Margaret (Meg) Steinbeck, James Hall Seals, James R. Thompson, R. Thomas Corbin and Franklin G. Baker. All are incumbents.

County Contests

Here's a rundown, by county, of contested county judgeship races:

- Brevard County, Ben Garagzolo and incumbent Peter Haddad in Group 4 and incumbent William T. McCluan and William Powell, Jr., in Group 5
- Broward County, Terri-Ann Miller and incumbent Robert S. Zack in Group 4
- Calhoun County, Kevin Grover and David House.
- Charlotte County, Paul Alessandrini, Peter Bell, David Migneault and Robert Segur in Group 1.
- Collier County, Thomas Franchino, Mike Provost, David McElrath and Vince Murphy in Group 1.
- Dade County, Mary Jo Francis and Lazaro Lopez in Group 2, James C. Best, Ivan Hernandez and Reginald A. Richardson in Group 4, Luise Krieger Martin and Adriana Quirantes in Group 6, incumbent Nancy J. Pollock and Martin Shapiro in Group 9, David Alschuler and Ana Maria Pando in Group 10 and Karen Mills Francis and incumbent Harvey L. Goldstein in Group 11.
- Duval County, Tyrie Boyer and incumbent Hugh Fletcher in Group 1
- Gadsden County, Faye Allen Boyce, Marva Davis, Stewart Parsons, Hal Richmond and Michael Ross.
- Hardee County, incumbent Robert Earl Collins and Marcus Ezelle
- Hillsborough County, Nick Naza-retian, incumbent Joelle Ann Ober and Carol Rodriguez in Group 3
- Leon County, Robin Freeman and incumbent Judith Hawkins for Group 2, and incumbent Augustus Aikins, Jr., Dean Morphonios and Robert Rand for Group 4.
- Orange County, incumbent Jim Henson and Antoinette Plogstedt in Group 11, and Alan Scott Apte and incumbent Wilfredo Martinez in Group 14.
- Osceola County, incumbent Ronald Legendre and John P. Quinones IV in Group 2.
- Okeechobee County, incumbent Shirley M. Brennan and Jerald D. Bryant.

- Palm Beach County, incumbent Donald W. Hafele and Val Rodriguez in Group 13.
- Pinellas County, incumbent Myra Scott-McNary and Robert Michael in Group 7, and Kandice Friesen and incumbent Karl Grube in Group 10
- Seminole County, Jeff Deen and Mark E. Herr in Group 3.
- In Union County, Bobby Kirby and incumbent David Reiman.
- Volusia County, Steve de LaRoche, Valerie Foote, Shirley Green and Raymond Warren for Group 7.

Public Defenders

Of the five public defender races, two will be decided in the September 5 primary and three will be decided in the November 7 general election

In the Sixth Circuit, Republicans C.A. Angelis and incumbent Bob Dillinger will meet in the primary, as will Republicans James B. Gibson, the incumbent, and Jim Purdy in the Seventh Circuit.

In the Ninth Circuit, Republican Letty Marques and Democrat Bob Wesley will face off. In the 13th Circuit, incumbent Democrat Julianne Holt is being challenged by Republican Alan Sandler.

In the 15th Circuit, incumbent Republican Richard Jorandby and Democrat Carey Haughwout are running.

Public defenders elected without opposition were Jack Behr in the First Circuit, Nancy Daniels in the Second Circuit, Dennis Roberts in the Third Circuit, Lou Frost in the Fourth Circuit, Howard H. Babb, Jr. in the Fifth Circuit, C. Richard Parker in the Eighth Circuit, James Marion Moorman in the 10th Circuit, Bennett H. Brummer in the 11th Circuit, Elliott C. Metcalfe in the 12th Circuit, Herman D. Laramore in the 14th Circuit, Rosemary E. Enright in the 16th Circuit, Alan H. Schreiber in the 17th Circuit, J.R. Russo in the 18th Circuit and Diamond R. Litty in the 19th Circuit. (The public defender and state attorney in the 20th circuit are elected on nonpresidential general election years.)

State Attorneys

Among state attorneys, incumbent Republican Brad King will face Republican Henry Ferro in the Fifth circuit. In the Eighth Circuit, Republican Bill Cervone and Democrat George F. Schaefer are running. In the 11th Circuit, Republican Al Milian is challenging incumbent Democrat Katherine Fernandez Rurdle. In the 13th Circuit, Democrat Jonathan Alpert will face the winner of the Republican primary between Bill Jennings and Mark Ober.

In the 14th Circuit, incumbent Democrat Jim Appleman is being challenged by Republican Christopher N. Patterson. In the 16th Circuit, incumbent Democrat Kirk C. Zuelch will face the winner of the Republican primary between Michael (Mick) Barnes and Mark E. Kohl. In the 17th Circuit, incumbent Mike Satz is being challenged in the Democratic primary by Adam M. Balkan.

Elected as state attorney without opposition were Curtis A. Golden in the First Circuit, William N. (Willie) Meggs in the Second Circuit, Jerry M. Blair in the Third Circuit, Harry L. Shorstein in the Fourth Circuit, Bernie McCabe in the Sixth Circuit, John Tanner in the Seventh Circuit, Lawson L. Lamar in the Ninth Circuit, Jerry P. Hill in the 10th Circuit, Earl A. Ireland in the 12th Circuit, Barry E. Krischer in the 15th Circuit, Norm Wolfinger in the 18th Circuit, and Bruce Coson in the 19th Circuit.

Merit Bailot

As expected, three Supreme Court justices and 18 district court of appeal judges qualified to be on the November merit retention ballot. [Biographies of the appellate judges and justices](#) are online and the results of a Bar poll will be published later this year.

The qualifying justices are Barbara J. Pariente, R. Fred Lewis and Peggy A. Quince.

Qualifying DCA judges are:

- In the First DCA, Edwin B. Browning, Jr., Richard W. Ervin III and Peter D. Webster.
- In the Second DCA, John R. Blue, Darryl C. Casaneuva, Charles A. Davis, Jr., Oliver L. Green, E.J. Salcines, Thomas E. Stringer and Edward F. Threadgill.
- In the Third DCA, James R. Jorgenson.
- In the Fourth DCA, John W. Dell, Bobby W. Gunther, Fred A. Hazouri, Larry A. Klein, Barry J. Stone and Carole Y. Taylor.
- In the Fifth DCA, Emerson R. Thompson, Jr.

For more information about the candidates, including campaign contribution information, check with the Secretary of State's Division of Elections website at <http://election.dos.state.fl.us/Cand/index.asp>. Use the pull-down menus to select the race or candidate you're interested in.





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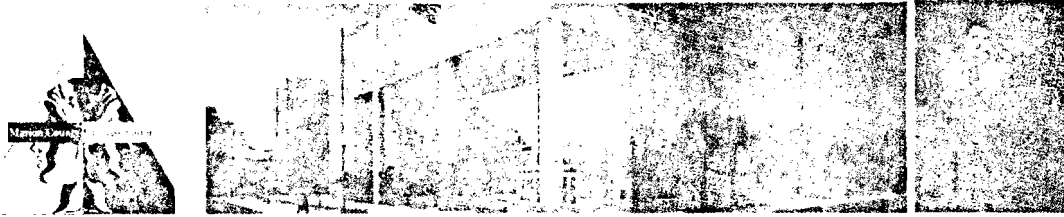
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Judge Iammens
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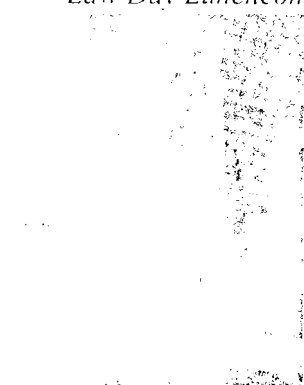
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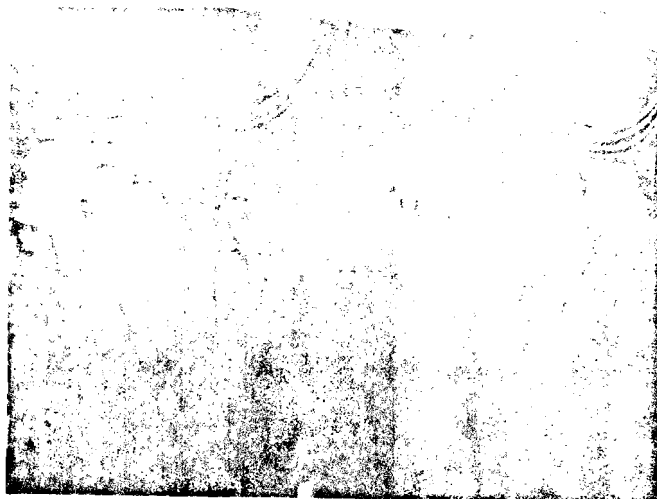
Judge Sarah Ritterhoff Williams
Kent Gunn, Renee Thompson



Gregory C. Harrell, Esq.
May 6, 2016
<http://www.goldenocala.com>



Greg Harrell, attorney Mark O'Mara,
attorney Samantha Shealy Rauba



Judge Jennifer Bass, man, Judge Ann Melinda Craggs,
woman, Gordon Glover, Esq., Golden Ocala Golf and
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Judge Hale Stancil (seated), Richard Perry, Esq.
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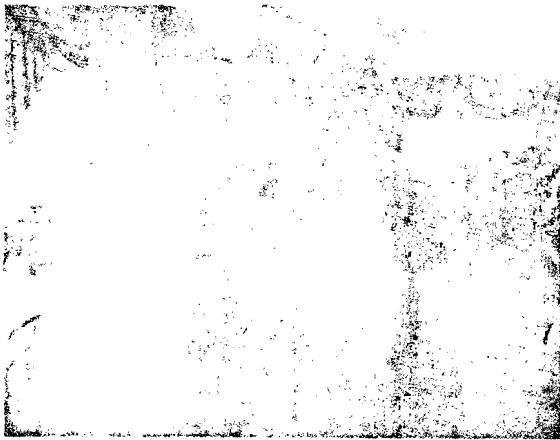
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Renée E. Thompson, Esq.
Governor, Fifth Judicial Circuit
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“Judge Ann Melinda Craggs gets her robes presented to her by Renee Thompson, president of the Marion County Bar Association after Craggs took the oath of office in an Investiture Service held at the Marion County Judicial Center Friday afternoon, December 5, 2014 in Ocala, FL. Friends and family attended the event. (Doug Engle-Ocala Star-Banner)” Facebook.
<http://www.ocala.com/news/2014/12/05/county-s-newest-judge-takes-oath-of-office>



Clerk David Elispermann and Greg Harell
Golden Ocala Golf and Equestrian Club



Judge Craggs with Renee Thompson,
Marion County Bar Association

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Detail By Entity Name - Exhibit 1

Florida Not For Profit Corporation
MARION COUNTY BAR ASSOCIATION, INC.

Filing Information

Document Number	N30029
FEI/EIN Number	02-0626935
Date Filed	01/04/1989
State	FL
Status	ACTIVE

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OCALA, FL 34475
Changed: 04/20/2016

Mailing Address

POST OFFICE BOX 6075
OCALA, FL 34478
Changed: 10/28/2011

Registered Agent Name & Address

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110 NW 1ST AVE (Marion County Judicial Center)
OCALA, FL 34475
Name Changed: 04/20/2016
Address Changed: 04/20/2016

Officer/Director Detail

Name & Address

(see Florida Not For Profit Corporation Annual Reports, by year)

- 2016 Florida Not For Profit Corporation Annual Report - [Exhibit 2](#)
- 2015 Florida Not For Profit Corporation Annual Report - [Exhibit 3](#)
- 2014 Florida Not For Profit Corporation Annual Report - [Exhibit 4](#)
- 2013 Florida Not For Profit Corporation Annual Report - [Exhibit 5](#)

Voluntary Bar Association - The Florida Bar [Revised: 10-14-2016] - [Exhibit 6](#)
https://www.floridabar.org/DIRCOM/PE/PINAsDir.nsf/WBARS_BA68F89A94957D2785256B4100764B4B

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Golden Ocala Golf and Equestrian Club - media kit - [Exhibit 7](#)

<http://www.goldenocala.com/wp-content/themes/Golden-Ocala/images/media-kit.pdf>

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Ocala, FL 34482
Tel. (352) 629-6229

Golden Ocala Golf and Equestrian Club - dues and fees - [Exhibit 8](#)

<http://www.goldenocala.com/wp-content/uploads/2012/02/2014-Schedule-of-Dues-and-Fees1.pdf>

FloridaGolfMagazine YouTube video
Golden Ocala 2016
<https://youtu.be/aaaEQeoqS3I>

GolfingCountryTV YouTube video
Golden Ocala Golf and Equestrian Club, Florida
https://youtu.be/XAd6y-_lDKE



http://www.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=MARIO.

Detail by Entity Name
 Florida Not For Profit Corporation
MARION COUNTY BAR ASSOCIATION, INC.

Entity Information
Document Number N20026
FEI/EIN Number 22-2626926
Date Filed 01/04/1989
State FL
Status ACTIVE

Principal Address
 110 NW 1ST AVE
 OCALA, FL 34476

Changed: 01/01/2016

Mailing Address
 POST OFFICE BOX 6071
 OCALA, FL 34478

Changed: 10/29/2011

Registered Agent Name & Address
 HARRILL GREG
 110 NW 1ST AVE
 OCALA, FL 34476

Name Changed: 04/22/2016

Address Changed: 04/22/2016

Office Contact Detail
Name & Address

Title/Position

HARRILL GREG
 110 NW 1ST AVE
 OCALA, FL 34476

Title/Position

Business Office
 Post Office Box 6071
 Ocala, FL 34478

Title/Position

Phone Number

Address

City

State

Zip

Country

Report Years

Report Year	Filed Date
2014	03/14/2014
2013	04/02/2013
2012	04/02/2012

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2016 FLORIDA NOT FOR PROFIT CORPORATION ANNUAL REPORT

DOCUMENT# N30029

Entity Name: MARION COUNTY BAR ASSOCIATION, INC.

Current Principal Place of Business:

110 NW 1ST AVE
OCALA, FL 34475

Current Mailing Address:

POST OFFICE BOX 6075
OCALA, FL 34478 US

FEI Number: 02-0626935

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

HARRELL, GREG
110 NW 1ST AVE
OCALA, FL 34475 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: GREG HARRELL

04/20/2016

Electronic Signature of Registered Agent

Date

Officer/Director Detail :

Title	PRESIDENT	Title	PRESIDENT-ELECT
Name	HARRELL, GREG	Name	BATSEL, ROBERT E JR.
Address	110 NW 1ST AVE	Address	POST OFFICE BOX 2530
City-State-Zip:	OCALA FL 34475	City-State-Zip:	OCALA FL 34478-2530
Title	TREASURER	Title	SECRETARY
Name	VANVLEET, KRISTI	Name	SCHAAP, MARSHALL
Address	PO BOX 6075	Address	125 NE 1ST AVE. APT#2
City-State-Zip:	OCALA FL 34478-6075	City-State-Zip:	OCALA FL 34470

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath: that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 617, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: GREG HARRELL

PRESIDENT

04/20/2016

Electronic Signature of Signing Officer/Director Detail

Date



2015 FLORIDA NOT FOR PROFIT CORPORATION ANNUAL REPORT

DOCUMENT# N30029

Entity Name: MARION COUNTY BAR ASSOCIATION, INC.

Current Principal Place of Business:

21 NE FIRST AVENUE
OCALA, FL 34470

Current Mailing Address:

POST OFFICE BOX 6075
OCALA, FL 34478 US

FEI Number: 02-0626935

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

BANKS, ABRAHAM C
21 NE FIRST AVENUE
OCALA, FL 34470 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: ABRAHAM C BANKS

04/02/2015

Electronic Signature of Registered Agent

Date

Officer/Director Detail :

Title VP
Name HARRELL, GREG
Address POST OFFICE BOX 6075
City-State-Zip: Ocala FL 34478

Title PRESIDENT-ELECT
Name THOMPSON, RENEE E
Address 7 E SILVER SPRINGS BLVD, STE 500
City-State-Zip: Ocala FL 34470

Title TREASURER
Name BATSEL, ROBERT E JR.
Address POST OFFICE BOX 2530
City-State-Zip: Ocala FL 34478

Title SECRETARY
Name VANVLETTI, KRISTI
Address PO BOX 6075
City-State-Zip: Ocala FL 34478

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 617, Florida Statutes, and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: RENEE E THOMPSON

PRESIDENT-ELECT

04/02/2015

Electronic Signature of Signing Officer/Director Detail

Date



2014 FLORIDA NOT FOR PROFIT CORPORATION ANNUAL REPORT

DOCUMENT# N30029

Entity Name: MARION COUNTY BAR ASSOCIATION, INC.

Current Principal Place of Business:

21 NE FIRST AVENUE
OCALA, FL 34470

Current Mailing Address:

POST OFFICE BOX 6075
OCALA, FL 34478 US

FEI Number: 02-0626935

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

BANKS, ABRAHAM C
21 NE FIRST AVENUE
OCALA, FL 34470 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: ABRAHAM C. BANKS

02/14/2014

Electronic Signature of Registered Agent

Date

Officer/Director Detail :

Title	PRESIDENT
Name	BANKS, ABRAHAM C
Address	POST OFFICE BOX 6075
City-State-Zip:	OCALA FL 34478
Title	PRESIDENT-ELECT
Name	THOMPSON, RENEE E
Address	7 E SILVER SPRINGS BLVD, STE 500
City-State-Zip:	OCALA FL 34470

Title	TREASURER
Name	HARRELL, GREG
Address	POST OFFICE BOX 6075
City-State-Zip:	OCALA FL 34478
Title	SECRETARY
Name	BATSEL, ROBERT E JR.
Address	POST OFFICE BOX 2530
City-State-Zip:	OCALA FL 34478

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 617, Florida Statutes, and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: ABRAHAM C BANKS

PRESIDENT

02/14/2014

Electronic Signature of Signing Officer/Director Detail

Date



2013 FLORIDA NOT FOR PROFIT CORPORATION ANNUAL REPORT

FILED
Feb 28, 2013
Secretary of State
CC0338567855

DOCUMENT# N30029

Entity Name: MARION COUNTY BAR ASSOCIATION, INC.

Current Principal Place of Business:

21 NE FIRST AVENUE
OCALA, FL 34470

Current Mailing Address:

POST OFFICE BOX 6075
OCALA, FL 34478 US

FEI Number: 02-0626935

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

BANKS, ABRAHAM C
21 NE FIRST AVENUE
OCALA, FL 34470 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: ABRAHAM C. BANKS

02/28/2013

Electronic Signature of Registered Agent

Date

Officer/Director Detail :

Title PRESIDENT
Name RUSSELL, CHERI A
Address POST OFFICE BOX 6075
City-State-Zip: Ocala FL 34478

Title TREASURER
Name BANKS, ABRAHAM C
Address POST OFFICE BOX 6075
City-State-Zip: Ocala FL 34478

Title PRESIDENT ELECT
Name MCLEAN, ROBERT H
Address POST OFFICE BOX 6075
City-State-Zip: Ocala FL 34478

Title SECRETARY
Name HARRELL, GREG
Address POST OFFICE BOX 6075
City-State-Zip: Ocala FL 34478

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 617, Florida Statutes, and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: ABRAHAM C. BANKS

TREASURER

02/28/2013

Electronic Signature of Signing Officer/Director Detail

Date



THE FLORIDA BAR



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www.floridabar.org

Voluntary Bar Association

Marion Co. Bar Assn.
marioncountybarassociation@gmail.com

President

Robert Wetsel, Jr.
C. Reginald Wetsel, P.A.
Kaufman Hall, Room 100, 1301 S.W. College Road
Cocoa, Florida 32909
Phone: 321-874-1815
Fax: 321-874-5847
E-Mail: rwetsel@cw.com

Vice President

Marshall Schapp
Marshall Schapp, P.A.
2501 N. Tompkins Ave., Suite 100
Cocoa, FL 32909
Phone: 321-437-1150
Fax:
E-Mail: mschapp@schapp.com

Treasurer

Samantha Rauba
Samantha Rauba, P.A.
2501 N. Tompkins Ave.
Cocoa, Florida 32909
Phone: 321-437-1150
Fax:
E-Mail: srauba@schapp.com

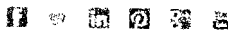
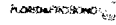
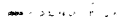
Secretary

William Farns
Phone: 321-437-1150
Fax:
E-Mail: wfarns@schapp.com

Immediate Past President

Harold
Harold
Phone: 321-437-1150
Fax: 321-437-1150
E-Mail: h@schapp.com

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EXHIBIT

7

...ING

WELCOME

January 2015

Thank you for viewing Golden Ocala Golf and Equestrian Club's online media kit. We are honored to host 2015's inaugural LPGA event, the 2015 Coates Golf Championship presented by R+L Carriers.

As you will discover, this terrific tournament is but one of many stories awaiting behind our stately wrought-iron gates. Our Ron Garl-designed course includes meticulous recreations of eight of the world's most celebrated holes. Our elegant homes bring a new level of luxury to the Ocala area. Our history is a compelling tale of triumph. Our new Eagles Landing neighborhood provides truly maintenance-free living. Our staff brings diverse talents together to achieve a common goal of excellence. And so much more.

I hope that you find the information in this media kit useful. If you have any questions or need further assistance, please do not hesitate to contact me. Our management team is also available for interviews.

Sincerely,

Joe Donnelly
800-251-7674
jdonnelly@rlcarriers.com



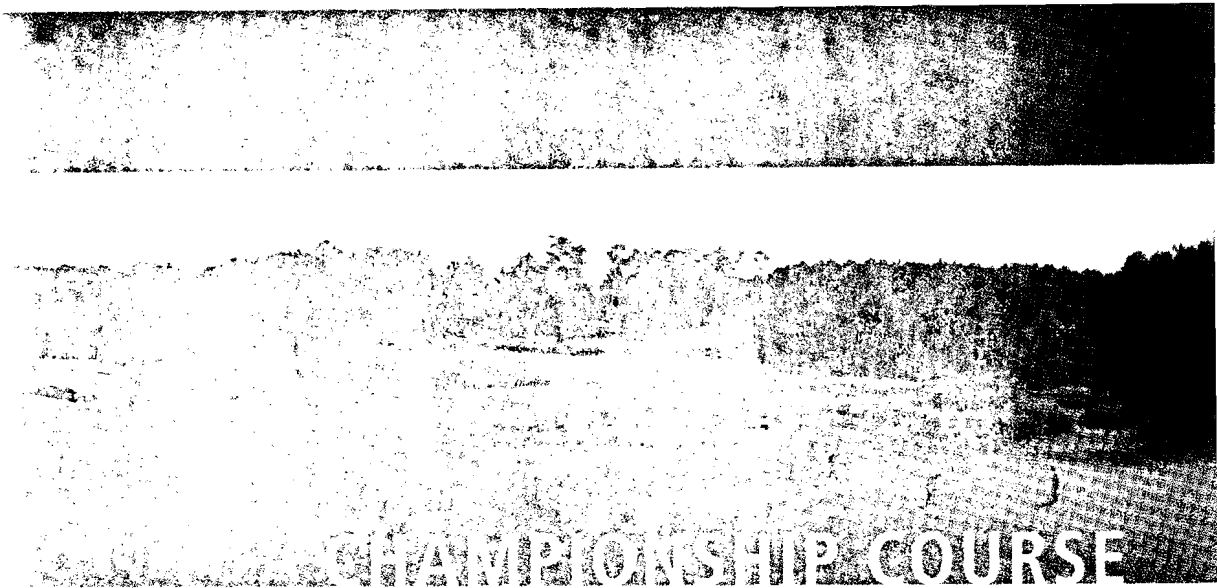
ABOUT GOLDEN OCALA

A PROFILE OF PERFECTION

Like a rare and coveted gem, Golden Ocala has many facets that contribute to the greater beauty of the whole. Southern charm, timeless elegance, and Marion County's natural beauty converge on 1,200 oak-shaded acres. Here, a stately clubhouse, elegant estate homes, and resort amenities create an exceptional lifestyle. This is Central Florida's crown jewel—the perfect place to call home and *Enrich Your Life™*.

AT-A-GLANCE FACTS:

- Golden Ocala is a gated community consisting of eight unique neighborhoods, each carefully designed to provide distinctive options for our residents.
- Club amenities include an 18-hole championship golf course, six Har-Tru HydroGrid® tennis courts, a state-of-the-art spa and fitness center, a resort-style pool, a full-service equestrian center, world-class dining, and social events.
- Golden Ocala offers a variety of membership levels including all access memberships, active wellness memberships, social memberships, and seasonal memberships.
- Annual, seasonal, and vacation rentals are available through Royal Shell Vacations.

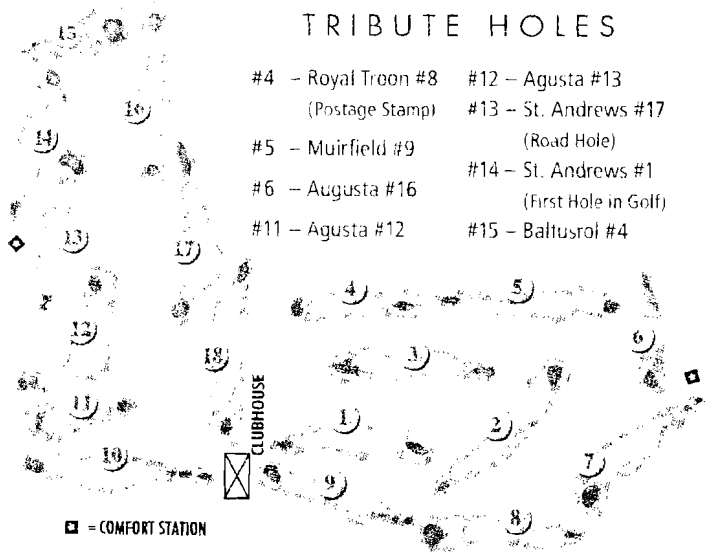


A COURSE AS GREAT AS THE GAME

Golden Ocala's golf course combines inspiration, craftsmanship, and attention to detail. Award-winning course designer Ron Garl has created 18 riveting holes of championship golf that take full advantage of Golden Ocala's scenic surroundings. In addition, the course offers a 10-acre short game area, two practice holes, and a driving range.

The course brings together the best of the world's most celebrated courses, with eight recreated tribute holes from Augusta, Royal Troon, Baltusrol, Muirfield, St. Andrews, and more. The challenge and delight of playing this course draws amateurs and professionals alike.

Golden Ocala is pleased to offer an onsite Pro Shop, as well as expert instruction from golf professionals who can help golfers perfect their game on this perfect course.





GOLDEN OCALA HISTORY

A STORY OF FAMILY, VISION & EXCELLENCE

The magic first began with the vision and desire of one remarkable family—the Roberts. After building an internationally acclaimed logistics company business, R+L Carriers, the founders sought to create a utopian wonderland encircling an exquisite, grand home like no other. Those who visit the Roberts' 1,300-acre equestrian estate are awestruck at its poetic, beguiling beauty that is indeed a fantasy brought to life. One discovers the stunning artistry of fountains, statuary, and gardens at every turn.

Wishing to share this tranquil lifestyle with others, the Roberts established a residential golf and equestrian community echoing the ambiance of their own estate – a private sanctuary where families can enjoy horseback riding, championship golf, luxury homes, and superb amenities.

Golden Ocala Golf and Equestrian Club is proud to be part of the Royal Shell Family of Companies. Royal Shell has served Southwest Florida since 1997, providing excellence in [real estate](#), [vacation rentals](#), [property management](#), and more.

In turn, Golden Ocala and Royal Shell are both part of the [R+L Carriers Family of Companies](#). All companies within the R+L Family serve the same mission to provide superior service at competitive pricing through efficient operations and innovative thinking to the ultimate benefit of our customers and shareholders. Customer satisfaction is mandatory to ensure future success.

OUR LEADERSHIP TEAM

FURN EYORS OF ELEGANCE



JOE DONNELLY, GENERAL MANAGER

When the Roberts family purchased Golden Ocala, they hired Joe Donnelly as their General Manager to help their vision become a reality. Joe has been involved in every aspect of Golden Ocala's growth, including the design and development of the many residential villages, the construction of the 17,000 square foot clubhouse and the spectacular spa and fitness center, as well as the complete renovation of the golf course.

After attending Penn State University, Joe became a PGA Golf Professional in 1990. He has over 20 years of experience in the Golf business and has played professionally in events on the PGA, Canadian and Nationwide tours. Prior to joining the Roberts at Golden Ocala, Joe was the General Manager at the Cape Coral Golf & Tennis Resort in Cape Coral, Florida. He and his wife Marny have two daughters, Brynn and Lauren.

OUR LEADERSHIP TEAM



DON DELUCA, VICE PRESIDENT AND GENERAL COUNSEL

Don DeLuca graduated from the State University of New York at Oswego in 1989 with a Bachelor of Arts degree in English Writing Arts and a minor in Philosophy. He obtained his Juris Doctor degree from Ohio Northern University College of Law in 1994. After graduation, he joined the law firm of Stipley, Kostyo & Lather, L.P.A. as an associate attorney, focusing his practice on commercial transactions, bankruptcy and general litigation. In 1996, Don joined R+L Carriers, Inc. as the Vice General Counsel in the Legal Department with a wide range of responsibilities including real estate transactional work, corporate transactions, claims management and litigation. He rapidly rose to the position of Vice President of Legal and has managed the Corporate Legal Department since 2002.

Working directly with the Roberts family, Don was instrumental in the formation and growth of R.L.R. Investments, L.L.C., one of the family's real estate investment companies. He serves as Vice President and General Counsel for all corporations and as the private attorney for the Roberts family. Don is also responsible for the formation, growth and management of the Royal Shell Companies, which comprises vacation rental, property management and real estate brokerage companies; the Paramount Companies, which comprises truck brokerage, logistics and owner-operator based long haul trucking; and the AFC Companies, which comprises airfreight forwarding, all aspects of logistics and supply chain 3PL solutions. He handles all corporate acquisitions, commercial real estate investments, and construction law, tax/finance and other corporate matters.

GOLDEN OCALA ESTATE LIVING

CENTRAL FLORIDA ESTATE LIVING

Country living meets uncompromised excellence in the heart of Florida. From sumptuous estates at Lakeside, to stunning single-family villas in Eagles Landing, our eight neighborhoods each reflect Golden Ocala's dedication to detail in their own way:



THE RESIDENCES
These spacious 1,900 sq. ft. villas feature 2 Master Suites, 2.5 baths, and stunning golf views from atop a hill.



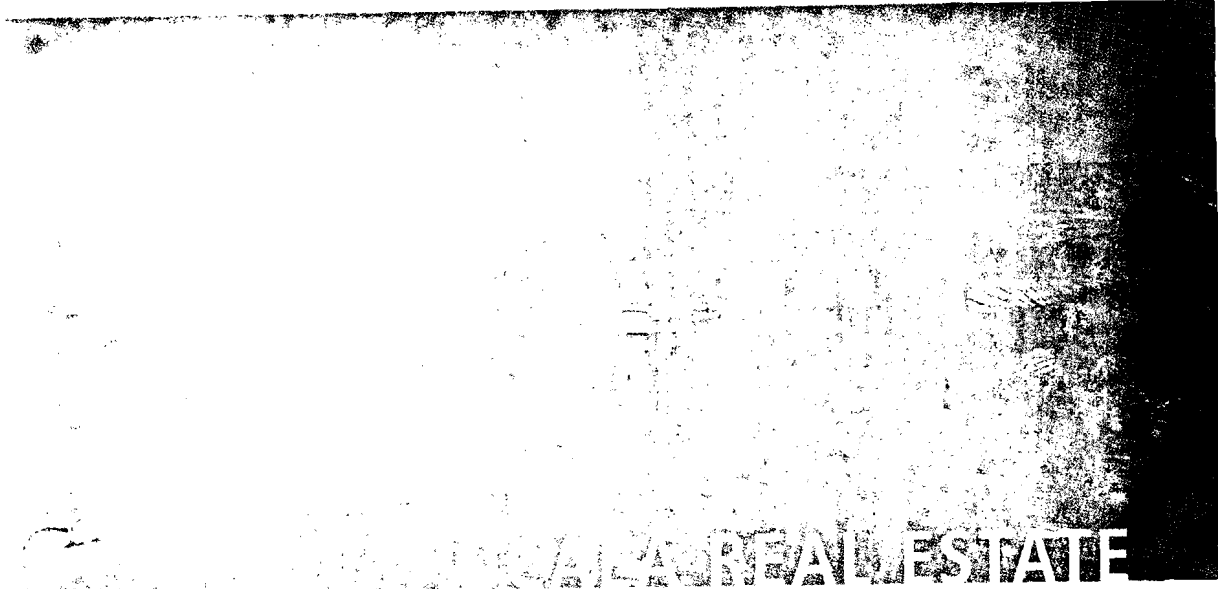
CLUBSIDE VILLAGE I & II
Just steps from the spa, fitness center, and tennis courts, Clubside Village offers floor plans from 2,200 sq. ft. to 2,600 sq. ft.



FOX HOUNDS
Choose from elegant home designs from 2,300 sq. ft. to 3,400 sq. ft. with excellent golf views, golfer's porches, and romantic balconies.



GROTTO PARK
Customize the house of your dreams with these semi-custom estate homes, with your choice of models and elevations.



BRITTANY ESTATES

With generous acreage and enchanting woodland views, Brittany Estates homes offer luxury, choices, and a great lifestyle with floor plans from 2,600 sq. ft. to 4,400 sq. ft.



MASTERS VILLAGE I & II

These architecturally excellent, custom estate homes sized from 4,000 sq. ft. to 7,000 sq. ft. are surrounded by 9 magnificent holes of golf.

LAKESIDE ESTATES

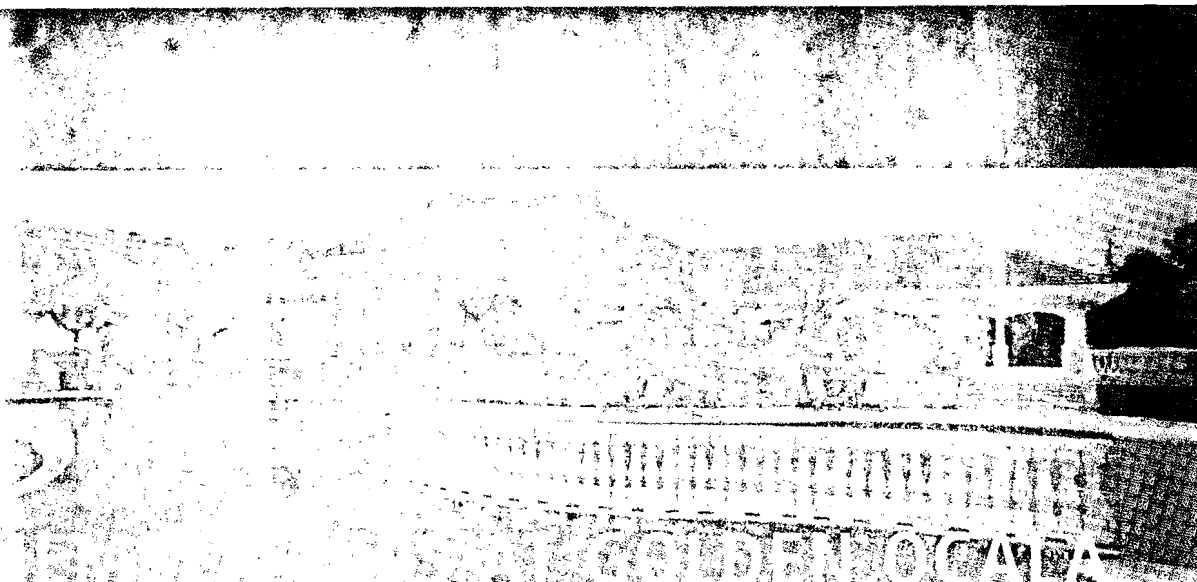
Dramatic views meet quiet country living at Lakeside Estates, where you can design your one-of-a-kind home of 6,000+ sq. ft. overlooking a 22-acre lake or our stunning golf course.



EAGLES LANDING

Park-like grounds nestle townhouses and single-family villas featuring maintenance-free living and floor plans ranging from 1,500 sq. ft. to 2,100 sq. ft.





NOT JUST A CLUB, A LIFESTYLE

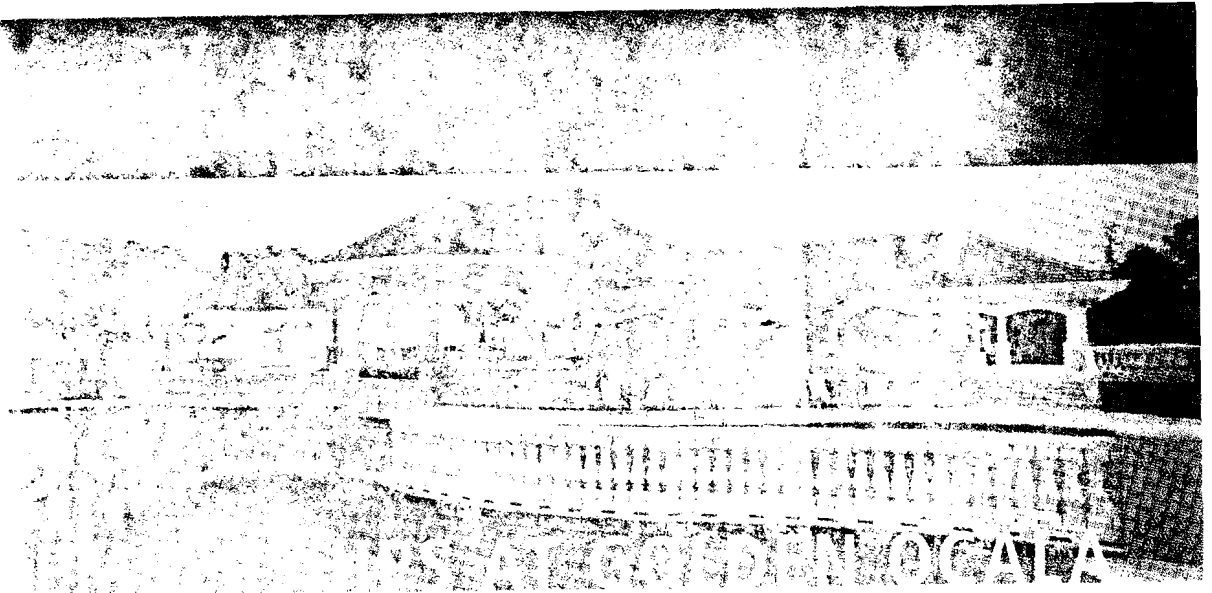
Golden Ocala offers an array of elite memberships and provides members with exclusive benefits. For golf enthusiasts, Golden Ocala boasts a riveting 18-hole, Ron Garl-designed course, incorporating eight recreated tribute holes from some of the world's finest golf courses... Augusta, Royal Troon, Baltusrol and St. Andrews. The Spa & Tennis Club at Golden Ocala is a 17,000 square-foot monument dedicated to total well-being. Golden Ocala's state-of-the-art Equestrian Center features an attractive stable, paddocks, riding arena and a full range of equestrian services.

PLATINUM MEMBERSHIP

Our premier membership for those who live inside the gates of Golden Ocala. *(Provides membership to immediate family).*

GOLD MEMBERSHIP

Our Golden Opportunity for those who want to enjoy all that we have to offer but live outside our gates. *(Provides membership to immediate family).*



YOUNG EXECUTIVE MEMBERSHIP

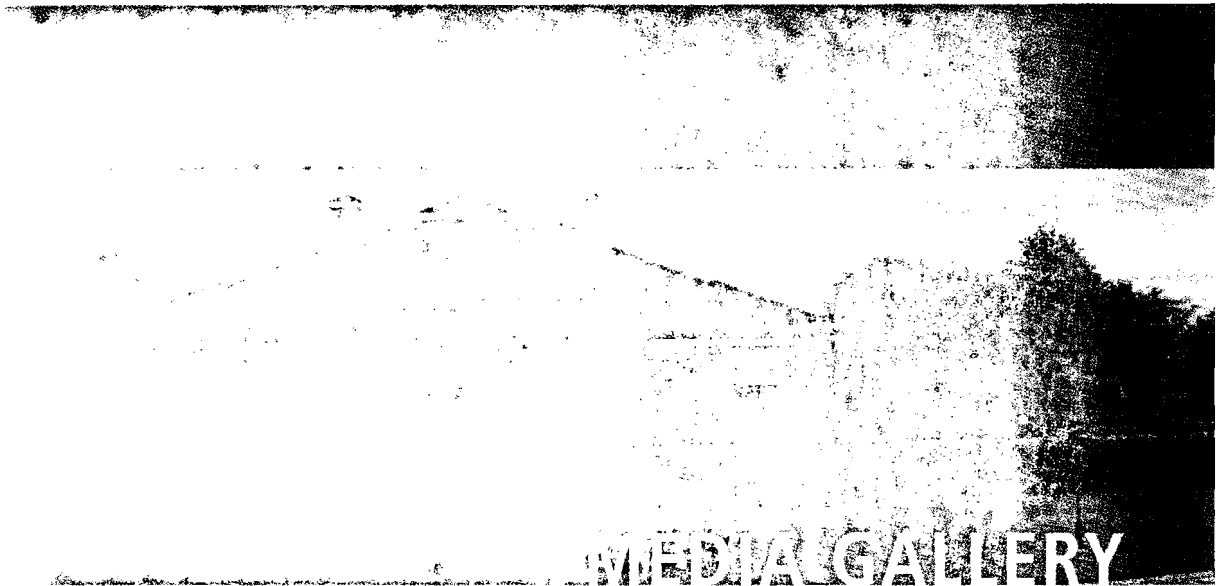
Our membership for those under the age of 40 seeking to enjoy all that Golden Ocala has to offer.

CORPORATE MEMBERSHIP

Our group membership for up to 4 officers from a single company (*minimum of two officers*).

NATIONAL GOLD MEMBERSHIP

Equivalent to our Gold Membership, for those who live outside of a 75 mile radius from the club. Members cannot own, lease, or rent a property in the radius. Members may not participate in member-guests or club championships. (*Use of the Club is limited to 24 days in a calendar year. Provides membership to immediate family*).



PICTURE PERFECT FOR YOUR STORY

With so many inspiring scenes and memorable moments to capture, Golden Ocala has a wealth of photos taken by some of the nation's finest photographers. You are welcome to use any of these images in your media story. Please use the credit line "Courtesy of Golden Ocala."

[Golden Ocala Photo Gallery](#)

ELEGANT FOOTAGE

Golden Ocala is also pleased to present this beautiful footage for journalistic use online and in broadcast. Where possible, please use the credit "Courtesy of Golden Ocala."

[YouTube Media Kit Playlist](#)

GOLDEN Ocala ACTION CENTER NEWS

MAKING HEADLINES IN THE HEART OF HORSE COUNTRY

We are pleased to share this collection of recent news stories and broadcasts about Golden Ocala. And we hope to post a story by you next!

[Coates Golf Championship Presented by C.H. Coopers to Kick Off 2015 LPGA Tour Schedule](#)

[LPGA's 1st Tournament of the Season to be Held in Golden Ocala](#)

[2015 LPGA Tour season to begin in central Florida at Golden Ocala](#)

[LPGA to Open 2015 Season at Golden Ocala](#)

[Golf Digest Ranks Golden Ocala Among Top Courses in Florida](#)

[The HydraFacial[®] Arrives in Ocala, Florida at Golden Ocala Golf & Equestrian Club](#)

2014 Schedule of Dues & Fees

Golf Membership

The Golf Membership at Golden Ocala is a full privilege, family membership including unlimited golf with preferred tee times, use of the practice facility and driving range, tennis, fitness, full service spa, swimming pool, clubhouse, social, dining and catering/banquet privileges as well as invitations to all Member events.

Membership Initiation (non-refundable)	\$15,000
Annual Dues (option to pay quarterly incurs an additional fee)	\$7,130
Food & Beverage Minimum (1/2 must be accumulated by June 30 th , remaining half must be accumulated by December 31 st)	\$1,200

Young Executive Golf Membership

The Young Executive Golf Membership at Golden Ocala is a full privilege, family membership including unlimited golf, use of the practice facility and driving range, tennis, fitness, full service spa, swimming pool, clubhouse, social, dining and catering/banquet privileges as well as invitations to a limited number of member events (based on availability). To qualify, applicant must be under 40 years old at time of joining. Annual dues increase the following membership year to regular golf membership dues after member is 40 years old. Initiation is paid in annual installments, using a formula that is based on age at application.

Membership Initiation (non-refundable)	\$10,000
Annual Dues	\$3,560
Food & Beverage Minimum (1/2 must be accumulated by June 30 th , remaining half must be accumulated by December 31 st)	\$1,200

Corporate Golf Membership

The Corporate Golf Membership at Golden Ocala is a full privilege, family membership including golf, practice facility and driving range, tennis, fitness, full service spa, swimming pool, clubhouse, social, dining and catering/banquet privileges as well as invitations to all Member events. The Corporate Full Golf Membership entitles up to four Corporate Officers, Partners or Executives within the same corporate entity to simultaneously join. There must be at least two designees to qualify for Corporate Membership.

Corporate Membership Initiation (non-refundable) for Primary Designee #1	\$15,000
Corporate Membership Initiation Each Additional Designee (non-refundable)	\$7,500
Annual Dues (each designee)	\$7,130
Food & Beverage Minimum for each designee (1/2 must be accumulated by June 30 th , remaining half must be accumulated by December 31 st)	\$1,200



Summer Golf Membership

The Summer Golf Membership is an individual membership and is available June 1 through September 30, and includes golf (tee time restrictions apply; reservations must be made 48 hours in advance) at the Summer Golf rate (\$39; includes cart), use of the practice facility and driving range, full service spa, swimming pool, clubhouse, social, and dining and catering/banquet privileges.

Membership Initiation	\$0
Summer Dues (may be applied to a full Golf)	\$870
Membership Dues if you commit by October 1)	
Summer Food & Beverage Minimum	\$400 (unused minimum is billed 9/30)

National Membership*

The National Membership at Golden Ocala is a family membership including limited golf at a special rate (see National Golf Fee listed below), use of the practice facility, driving range, tennis, fitness, full service spa, swimming pool, clubhouse, social, dining and banquet privileges as well as invitations to a limited number of member events; National Members are not eligible to play in Club golf tournaments; membership is limited to 24 day-visits per calendar year.

Membership Initiation (non-refundable)	\$2,000
Annual Dues	\$2,210
Food & Beverage Minimum	\$800

Sports Membership

The Sports Membership at Golden Ocala is a family membership including tennis, fitness, full service spa, swimming pool, clubhouse, social, dining and catering/banquet privileges as well as invitations to all Member events. Sports Members may play golf (tee time restrictions apply; reservations must be made 48 hours in advance) from May 1 through October 31 at the rate listed in the fees section below.

Membership Initiation (non-refundable)	\$2,580
Annual Dues (option to pay quarterly incurs an additional fee)	\$4,260
Food & Beverage Minimum (1/2 must be accumulated by June 30 th , remaining half must be accumulated by December 31 st)	\$1,200

Summer Sports Membership

The Summer Sports Membership is an individual membership and is available June 1 through September 30, and includes tennis, fitness, full service spa, swimming pool, clubhouse, social, and dining and catering/banquet privileges. Summer Sports Members do not have any golf privileges.

Membership Initiation	\$0
Summer Dues (may be applied to a full Sports)	\$470
Membership Dues if you commit by October 1)	
Summer Food & Beverage Minimum	\$400 (unused minimum is billed September 30)

* To qualify for National Membership, the member may not own or rent property or a domicile within 75 miles of Golden Ocala Golf & Equestrian Club. Golden Ocala Property Owners are not eligible for Membership in this category.



Spa Membership

The Spa Membership at Golden Ocala is a family membership including full service spa, swimming pool, clubhouse, social, dining and catering/banquet privileges as well as invitations to all Member events. Spa Members may use the fitness and tennis facilities (at the rate listed in the fees section below; tennis court restrictions apply) from May 1 through October 31.

Membership Initiation (non-refundable)	\$2,060
Annual Dues	\$2,370
Food & Beverage Minimum (1/2 must be accumulated by June 30 th , remaining half must be accumulated by December 31 st)	\$1,200

Additional Fees

Golf Trail Fee (per Resident Family Membership) (Proof of Insurance and annual inspection sticker required)	\$1,400 annually
Annual Cart Pass (Primary Member) Each Additional Immediate Family Member	\$1000 annually \$400 annually
Member Cart Fee	\$25 for 18 holes/\$15 for 9 holes
National Golf Fee Includes golf cart	\$60/May 1 – October 31 \$80/November 1 – April 30
Extended Family Golf Fee Accompanied or Unaccompanied, includes golf cart	\$50
Golf “Guest Day” Fee (every 1 st Wednesday of the month) Maximum of 7 guests; includes golf cart	\$55
Accompanied Guest Golf Fee Includes golf cart; maximum of 4 day guest visits annually	\$65 May 1 – October 31 \$100 November 1 – April 30
Unaccompanied Guest Golf Fee Includes golf cart; maximum of 4 day guest visits annually	\$85 May 1 – October 31 \$120 November 1 – April 30
Silver Golf Fee (includes cart)	\$45/18 holes \$30/9 holes
Silver Golf Guest Fee (accompanied only; includes cart)	\$65
Summer Golf Fee (includes cart)	\$39 June 1 – September 30 \$29/9 holes June 1 – September 30
Summer Golf Guest Fee (accompanied only; includes cart)	\$75



Sports Member Golf Fee (includes cart)	\$39 May 1 – October 31 \$24/9 holes May 1 – October 31
Bag Storage	\$100 annually
Clubhouse Locker Rental Fee (Half Locker)	\$125 annually
Fitness Locker Rental Fee (Half Locker)	\$150 annually
Fitness Men’s Locker Rental Fee (Full Locker)	\$200 annually
Spa Member Fitness/Tennis Fee	\$20/visit; May 1 – October 31
Extended Family Tennis Fee	\$22 per visit
Extended Family Fitness Fee (Must be at least 16 years of age; must be accompanied by a member)	\$22 per visit
Extended Family Use of Swimming Pool (must be accompanied by a member)	Complimentary
Tennis Guest Day Pass (Maximum of 4 day-guest visits annually)	\$27 per day
Fitness Guest Day Pass (Must be at least 16 years of age; must be accompanied by a member; Maximum of 4 day-guest visits annually)	\$27 per day
<u>Equestrian Services</u>	
Barn Boarding (basic)	\$800/month
Pasture Boarding (Hay, grain, blanketing on/off)	\$450/month
Use of Arena or Trails	\$0/Member Boarders \$20/Member Non-Boarders & Guests
English Riding Lessons	\$40/hour
Pet Sitting (Dogs, cats only) in Members’ Home	\$25/day (Dogs) \$15/day (Cats)

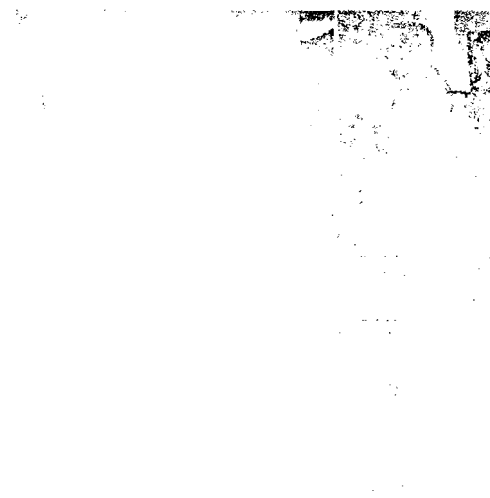
All dues, fees, and charges are subject to applicable Federal, State, and Local taxes, and are subject to change at owner’s discretion.

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Marion County Bar Association

The Marion County Bar Association is a voluntary professional organization composed of local attorneys and judges in Marion County, FL.

159 people like this

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PHOTOS



The MCBA appreciates the donation of Prudential and Mr. Kevin McClelland of Allstate for having given us a primer today on the ins and outs of Social Security benefits.

Legal Company

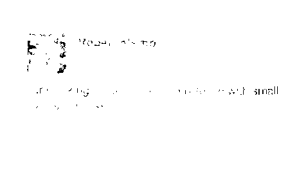
The Marion County Bar Association is a voluntary professional organization composed of local attorneys and judges in Marion County, FL.

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PHOTOS



Marion County Bar Association

The Marion County Bar Association is a voluntary professional organization composed of local attorneys and judges in Marion County, FL.

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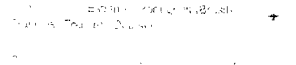
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Marion County Legal Support A...

Neil Gillespie

From: "Neil Gillespie" <neilgillespie@mfi.net>
To: "Marion County Bar Association" <marioncountybarassociation@gmail.com>; "Renée Thompson" <rthompson@uww-adr.com>; "William Harris" <WHARRIS@sao5.org>; "Samantha Rauba" <srauba.cmdpa@yahoo.com>; "Marshall Schaap" <mschaap@wsvlegal.com>; "Robert Batsel" <batselr@cf.edu>
Cc: "Greg Harrell" <gharrell@marioncountyclerk.org>; "David Ellspermann" <Ellspermann@marioncountyclerk.org>; "Ken Detzner" <Ken.Detzner@dos.myflorida.com>; "FBI Tampa Division" <tampa.division@ic.fbi.gov>; "FBI Jacksonville Division" <jacksonville@ic.fbi.gov>; "Michael Schneider" <mschneider@floridajqc.com>; "Neil Gillespie" <neilgillespie@mfi.net>
Sent: Wednesday, December 07, 2016 3:28 PM
Subject: Re: UPS Return Shipping to Neil J Gillespie 1Z64589F9092724256

Robert W. Batsel, Jr.
President
Marion County Bar Association

Dear Mr. Batsel:

Your name appears as President of Marion County Bar Association on The Florida Bar's website, see <https://www.floridabar.org/DIVISION/PLP/PLP/Members/WBARS/BA68F89A94957D2785256B4100764B4B>

Contrary to your assertion, Mr. Harrell did not advise anything relative to you. Your misrepresentation stands as evidence why I cannot speak with you by telephone, or meet with you in person. Our communication shall be by email, unless otherwise ordered.

Marion County Bar Association, Inc., is a voluntary professional organization composed of local attorneys and judges in Marion County, FL. Its principal address is the Marion County Judicial Center, 110 NW 1st Ave., Ocala, FL 34475, and is therefore subject to Florida's public records law. As you know, the purpose of my inquiry is irrelevant under Florida's public records law.

Provide the following public records:

1. Rental agreement between the Marion County Judicial Center, 110 NW 1st Ave., Ocala, FL 34475, and the Marion County Bar Association, Inc., 110 NW 1st Ave., Ocala, FL 34475.
2. Membership list of attorneys and judges for the Marion County Bar Association, Inc.
3. Membership agreement of the Marion County Bar Association, Inc. with Golden Ocala Golf and Equestrian Club.

Thank you.

Neil J. Gillespie
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

----- Original Message -----

From: Marion County Bar Association

To: Neil Gillespie

Cc: Greg Harrell ; David Ellspermann ; Ken Detzner ; FBI Tampa Division ; FBI Jacksonville Division ; Michael Schneider

Sent: Wednesday, December 07, 2016 10:28 AM

Subject: Re: UPS Return Shipping to Neil J Gillespie 1Z64589F9092724256

Dear Mr. Gillespie,

Thank you for your email. As Mr. Harrell advised, I currently serve in a volunteer capacity as the President of the Marion County Bar Association, which is a private, not for profit entity led by a volunteer board and composed of attorneys practicing or residing in Marion County. In this role, I serve the members of the association and do not believe that providing substantive responses to your questions, below, would be in their best interests based upon the lack of information at my disposal. However, I will be happy to assist you and answer any questions you may have after learning more about the purpose of your inquiry. Please provide me with your phone number and a few dates and times when you will be available to schedule a brief phone call or meeting in person and I will be sure to respond in order to schedule same.

Once again, thank you for your inquiry. I look forward to speaking with you soon.

Best regards,

Robert W. Batsel, Jr.
President
Marion County Bar Association
marioncountybarassociation@gmail.com

On Tue, Dec 6, 2016 at 4:21 PM, Neil Gillespie <neilgillespie@mfi.net> wrote:

Marion County Bar Association, Inc.
President Robert Batsel, Jr. et al.

Dear Ladies and Gentlemen of the Marion County Bar Association, Inc.,

Mr. Harrell contends "Your other questions below are beyond the scope of my work for this office", Therefore I direct my questions to you and each of you:

Regarding the Marion County Bar Association, Inc., located at 110 NW 1st. Ave., Ocala, FL 34475, the same address as the Marion County Judicial Center, is the Marion County Bar Association, Inc. subject to public records law?

Regarding the Golden Ocala Golf and Equestrian Club, does the Marion County Judicial Center/Marion County Circuit Court Marion County Clerk hold a membership in the Club?

Attached you will find two photos taken May 6, 2016 at the Golden Ocala Golf and Equestrian Club during an event with the Marion County Bar Association. What was the event, and who are the unidentified persons in the photos?

I believe the event was law day, May 6, 2016. Thank you.

Neil J. Gillespie
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

----- Original Message -----

From: [Greg Harrell](mailto:Greg.Harrell)
To: neilgillespie@mfi.net
Sent: Monday, December 05, 2016 8:25 AM
Subject: Re: UPS Return Shipping to Neil J Gillespie 1Z64589F9092724256

Our outgoing morning UPS mail is normally picked up between 10 and 11 a.m. If you come to get it before it goes out, you can have it. But, if the UPS delivery person arrives before you, we will proceed with sending it via UPS.

Your other questions below are beyond the scope of my work for this office.

Gregory C. Harrell
General Counsel to David R. Ellspermann, Marion County Clerk of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
(352) 671-5603
gharrell@marioncountyclerk.org

>>> "Neil Gillespie" <neilgillespie@mfi.net> 12/04/2016 02:41 AM >>>

Mr. Harrell,

Thanks for letting me know. In that case, is it too late for me to pick-up in person?

Regarding the Marion County Bar Association, Inc., located at 110 NW 1st. Ave., Ocala, FL 34475, the same address as the Marion County Judicial Center, is the Marion County Bar Association, Inc. subject to public records law?

Regarding the Golden Ocala Golf and Equestrian Club, does the Marion County Judicial Center Marion County Circuit Court Marion County Clerk hold a membership in the Club?

Attached you will find two photos taken May 6, 2016 at the Golden Ocala Golf and Equestrian Club during an event with the Marion County Bar Association. What was the event, and who are the unidentified persons in the photos?

Thank you. Neil J. Gillespie

----- Original Message -----

From: [Greg Harrell](mailto:Greg.Harrell)
To: neilgillespie@mfi.net
Sent: Friday, December 02, 2016 5:03 PM
Subject: Re: UPS Return Shipping to Neil J Gillespie 1Z64589F9092724256

Ok, thanks. I was just told that this will be sent out using the label you provided on Monday morning. I apologize that it didn't get sent out this afternoon.

Gregory C. Harrell
General Counsel to David R. Ellspermann, Marion County Clerk of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
(352) 671-5603
gharrell@marioncountyclerk.org

>>> "Neil Gillespie" <neilgillespie@mfi.net> 12/02/2016 11:43 AM >>>

Mr. Harrell, I paid for the records, here is a UPS return shipping label to send the records

to me. I am not able to reach anyone who might get the records in person. Thanks, Neil J Gillespie

----- Original Message -----

From: [Greg Harrell](mailto:Greg.Harrell)

To: neilgillespie@mfi.net

Sent: Friday, December 02, 2016 10:11 AM

Subject: Re: PRR to David R. Ellspermann Clerk&Comptroller Marion Co.

Yes, sir. Please call the Civil Department at [352.671-5610](tel:352.671.5610) and ask for Melissa Tucker or Stephanie Laws to do so.

Gregory C. Harrell

General Counsel to David R. Ellspermann, Marion County Clerk of Court & Comptroller

P.O. Box 1030

Ocala, Florida 34478-1030

[\(352\) 671-5603](tel:352.671.5603)

gharrell@marioncountyclerk.org

>>> "Neil Gillespie" <neilgillespie@mfi.net> 12/02/2016 10:00 AM >>>

Mr. Harrell, may I pay for this record by card (\$2.30), over the phone today? Neil J Gillespie

----- Original Message -----

From: [Greg Harrell](mailto:Greg.Harrell)

To: neilgillespie@mfi.net

Sent: Thursday, December 01, 2016 4:45 PM

Subject: Re: PRR to David R. Ellspermann Clerk&Comptroller Marion Co.

Sure. That would be \$2.30 (\$2.00 for the certification plus \$0.30 for the 2 pages at \$0.15 per page).

Gregory C. Harrell

General Counsel to David R. Ellspermann, Marion County Clerk of Court & Comptroller

P.O. Box 1030

Ocala, Florida 34478-1030

[\(352\) 671-5603](tel:352.671.5603)

gharrell@marioncountyclerk.org

>>> "Neil Gillespie" <neilgillespie@mfi.net> 12/01/2016 04:42 PM >>>

Too many pages. How about what is attached, 25 party drop down, and 10 docket entries drop down = 2 pages?

----- Original Message -----

From: [Greg Harrell](mailto:Greg.Harrell)

To: neilgillespie@mfi.net

Sent: Thursday, December 01, 2016 4:24 PM

Subject: Re: PRR to David R. Ellspermann Clerk&Comptroller Marion Co.

We can provide a certified copy of the docket as it currently stands with the party list set to "100" and the image list set to "ALL" so long as we are certifying a complete copy of the entire 15 pages that presently encompasses. In other words, we would be certifying a hard copy of what is attached to this email as a "pdf". That would cost \$2.00 for the certification and \$2.25 for the 15 pages of the docket at \$0.15 each for a total of \$4.25.

Gregory C. Harrell
General Counsel to David R. Ellspermann, Marion County Clerk of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
(352) 671-5603
gharrell@marioncountyclerk.org

>>> "Neil Gillespie" <neilgillespie@mfi.net> 12/01/2016 03:54 PM >>>

Mr. Harrell, can you provide a certified copy of the attached party list, or one like it? Thank you and the Clerk for making adjustments to the docket reflecting homestead residential foreclosure, etc. The Amended Cover Sheet filed by the plaintiff is a big improvement. However, Part VI. Has Notice Of Any Known Related Case Been Filed", that part has changed. I plan to file a response with all the known related cases, in US District Court, CA11, SCOTUS and CFPB. Neil J. Gillespie

----- Original Message -----

From: [Greg Harrell](mailto:Greg.Harrell)
To: neilgillespie@mfi.net
Cc: [David Ellspermann](mailto:David.Ellspermann) ; [Jack Suess](mailto:Jack.Suess) ; [Katherine Glynn](mailto:Katherine.Glynn) ; [Mellissa Tucker](mailto:Mellissa.Tucker) ; [Staci Winston](mailto:Staci.Winston)
Sent: Tuesday, November 29, 2016 5:00 PM
Subject: PRR to David R. Ellspermann Clerk&Comptroller Marion Co.

Mr. Gillespie:

In response to your public records request to Mr. Ellspermann of earlier today, I have attached below a two-page print out of the docket sheet showing the first 10 lines of the parties listed for 2013.CA.115. I also have attached a two-page print out of the docket sheet showing the next 2 lines of parties listed for the case.

Our on-line docket sheets have a "page forward" feature which permits viewers to see party names, if any, beyond the initial 10 lines designated on the home page of any given docket. Note also that lengthy party names like "Neil J. Gillespie and Mark Gillespie as Co-Trustees of the Gillespie Family Living Trust Agreement Dated February 10, 1997" take up more than one line in the "Party Name" column and portions of such long names end up on other lines; these latter portions of such long party names also end up having "Also Known As" listed as their party type.

We can provide certified hard copies of both of these documents for a total of \$4.60 (\$2.00 for the certification of each document and \$0.15 per page).

Also attached is a copy of the first page of plaintiff's complaint showing every party named therein. We can provide a certified hard copy of the complaint for an additional \$42.00 (\$2.00 for the certification and \$1.00 per page).

Gregory C. Harrell
General Counsel to David R. Ellspermann, Marion County Clerk of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
(352) 671-5603
gharrell@marioncountyclerk.org

Neil Gillespie

From: "Michael Schneider" <mschneider@floridajqc.com>
To: "Neil Gillespie" <neilgillespie@mfi.net>
Sent: Tuesday, December 06, 2016 7:27 PM
Attach: ATT00055.txt
Subject: Read: Re: UPS Return Shipping to Neil J Gillespie 1Z64589F9092724256
Your message

To: Michael Schneider
Subject: Re: UPS Return Shipping to Neil J Gillespie 1Z64589F9092724256
Sent: Tuesday, December 6, 2016 4:21:10 PM (UTC-05:00) Eastern Time (US & Canada)

was read on Tuesday, December 6, 2016 7:27:35 PM (UTC-05:00) Eastern Time (US & Canada).

Neil Gillespie

From: "Detzner, Kenneth W." <Kenneth.Detzner@dos.myflorida.com>
To: "Neil Gillespie" <neilgillespie@mfi.net>
Sent: Tuesday, December 06, 2016 4:32 PM
Attach: ATT00084.eml
Subject: Read: Re: UPS Return Shipping to Neil J Gillespie 1Z64589F9092724256

The Department of State is committed to excellence.
Please take our Customer Satisfaction Survey <<http://survey.dos.state.fl.us/index.aspx?email=Kenneth.Detzner@dos.myflorida.com>>.

Neil Gillespie

From: "Renee Thompson" <rthompson@uww-adr.com>
To: "Neil Gillespie" <neilgillespie@mfi.net>
Sent: Tuesday, December 06, 2016 8:18 PM
Attach: ATT00047.txt
Subject: Read: Fw: UPS Return Shipping to Neil J Gillespie 1Z64589F9092724256
Your message

To: Renee Thompson
Subject: Fw: UPS Return Shipping to Neil J Gillespie 1Z64589F9092724256
Sent: Tuesday, December 6, 2016 6:09:44 PM (UTC-05:00) Eastern Time (US & Canada)

was read on Tuesday, December 6, 2016 8:18:23 PM (UTC-05:00) Eastern Time (US & Canada).

Neil Gillespie

From: "Batsel, Robert" <batselr@cf.edu>
To: "Neil Gillespie" <neilgillespie@mfi.net>
Sent: Tuesday, December 06, 2016 7:57 PM
Attach: ATT00051.txt
Subject: Read: Fw: UPS Return Shipping to Neil J Gillespie 1Z64589F9092724256
Your message

To: Batsel, Robert
Subject: Fw: UPS Return Shipping to Neil J Gillespie 1Z64589F9092724256
Sent: Tuesday, December 06, 2016 6:09:44 PM (UTC-05:00) Eastern Time (US & Canada)

was read on Tuesday, December 06, 2016 7:57:59 PM (UTC-05:00) Eastern Time (US & Canada).

Neil Gillespie

From: "Neil Gillespie" <neilgillespie@mfi.net>
To: "Neil Gillespie" <neilgillespie@mfi.net>
Sent: Tuesday, December 06, 2016 4:44 PM
Attach: ATT00101.txt
Subject: Read: UPS Return Shipping to Neil J Gillespie 1Z64589F9092724256

This is a receipt for the mail you sent to
"Greg Harrell" <gharrell@marioncountyclerk.org>; "MarionCo BarAssn"
<marioncountybarassociation@gmail.com>; "David Ellspermann"
<Ellspermann@marioncountyclerk.org> at 12/6/2016 4:21 PM

This receipt verifies that the message has been displayed on the recipient's computer at 12/6/2016 4:44 PM

Neil Gillespie

From: "Neil Gillespie" <neilgillespie@mfi.net>
To: "Neil Gillespie" <neilgillespie@mfi.net>
Sent: Tuesday, December 06, 2016 6:12 PM
Attach: ATT00067.txt
Subject: Read: UPS Return Shipping to Neil J Gillespie 1Z64589F9092724256

This is a receipt for the mail you sent to

"MarionCo BarAssn" <marioncountybarassociation@gmail.com>; "Robert Batsel" <batselr@cf.edu>;
"Marshall Schaap" <mschaap@wsvlegal.com>; "Samantha Rauba" <srauba.cmdpa@yahoo.com>;
"William Harris" <wharriss@ao5.org>; "Renée Thompson" <rthompson@uww-adr.com> at 12/6/2016
6:09 PM

This receipt verifies that the message has been displayed on the recipient's computer at 12/6/2016 6:12
PM

VIA Email: ddeluca@rlcarriers.com

December 8, 2016

Mr. Donald R. DeLuca
Vice President & General Counsel
Florida Bar No. 116503
Authorized House Counsel
R.L.R. Investments, L.L.C.
7340 N. U.S. HWY 27
Ocala, FL 34482

Dear Mr. DeLuca,

This concerns the Golden Ocala Golf and Equestrian Club, 8300 NW 31st Lane Rd, Ocala, FL 34482, Tel. (352) 629-6229, and a possible link to the Marion County Bar Association, Inc., Florida Rigged Judicial Elections and Circuit Judge Ann Melinda Craggs, et al.

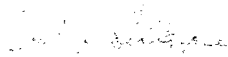
My letter November 29, 2016 to Kenneth Detzner, Secretary of State, shows certain judicial elections are rigged in Florida. I believe rigging, planning and strategy takes place off the record, by and through entities like the Marion County Bar Association, Inc.. I was amazed to find on Facebook photographic evidence of certain judges frolicking with lawyers at Golden Ocala on May 6, 2016 during the *Law Day Luncheon* hosted by the Marion County Bar Association, Inc.

Does Golden Ocala provide free or discounted food and entertainment to judges and lawyers? This is a request for information, specifically how judges and lawyers participate in events at Golden Ocala hosted by the Marion County Bar Association, or other organizations.

The immediate past-president, Gregory C. Harrell, refused to comment. The current president, Robert Batsel, has not provided information. I have attached our emails.

You may agree that fair and honest judicial elections are important to our democratic republic style of government. Your response, if any, is purely voluntary at this time. Thank you.

Sincerely,

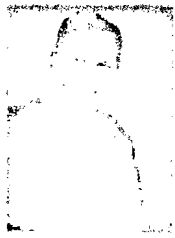


Neil J. Gillespie
8092 SW 115th Loop
Ocala, Florida 34481
Tel. 352-854-7807
Email: neilgillespie@mfi.net

Enclosures, Golden Ocala background information
Letter November 29, 2016 to Kenneth Detzner, Secretary of State, Rigged Judicial Elections
Facebook photos, Marion County Bar Association, Inc., and background information



OUR LEADERSHIP TEAM



DON DELUCA, VICE PRESIDENT AND GENERAL COUNSEL

Don DeLuca graduated from the State University of New York at Oswego in 1989 with a Bachelor of Arts degree in English Writing Arts and a minor in Philosophy. He obtained his Juris Doctor degree from Ohio Northern University College of Law in 1994. After graduation, he joined the law firm of Brinley, Kostyo & Lathrop, P.A. as an associate attorney, focusing his practice on commercial transactions, bankruptcy and general litigation. In 1996, Don joined R+L Carriers, Inc. as Associate General Counsel and Legal Department Director. His day-to-day responsibilities include real estate transactions, mergers, corporate governance, claims work, claims management and litigation. He rapidly rose to the position of Vice President of Legal and has managed the Corporate Legal Department since 2002.

Working directly with the Roberts family, Don was instrumental in the formation and growth of R.L.R. Investments, L.L.C., one of the family's real estate investment companies. He serves as Vice President and General Counsel for all corporations and as the private attorney for the Roberts family. Don is also responsible for the formation, growth and management of the Royal Shell Companies, which comprises vacation rental, property management and real estate brokerage companies; the Paramount Companies, which comprises truck brokerage, logistics and owner-operator based long haul trucking; and the AFC Companies, which comprises airfreight forwarding, all aspects of logistics and supply chain 3PL solutions. He handles all corporate acquisitions, commercial real estate investments, and construction law, tax/finance and other corporate matters.

THE FLORIDA BAR



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Donald R. DeLuca

Authorized House Counsel

Limited Practice of Law in Florida

Bar Number: 116503

Mail Address: R&L Carriers, Inc
7290 College Pkwy Ste 400
Fort Myers, FL 33907-5650
United States
Office: 239-275-2370
Fax: 239-275-5148

Email: ddeluca@rlcarriers.com

Personal Bar URL: www.floridabar.org/mybarprofile/116503

vCard:

County: Lee

Circuit: 20

Admitted: 08/04/2015

10-Year Discipline History: None

The Florida lawyer directory is provided as a public service. The Florida Bar maintains limited basic information about lawyers licensed to practice in the state (e.g., name, address, year of birth, gender, law schools attended, admission year). However, The Florida Bar allows individual attorneys the opportunity to add personal and professional information to the directory. The lawyer is solely responsible for reviewing and updating any additional information in the directory. The lawyer's added information is not reviewed by The Bar for accuracy and The Bar makes no warranty of any kind, express or implied. The Florida Bar, its Board of Governors, employees, and agents are not responsible for the accuracy of that additional information. Publication of lawyers' contact information in this listing does not mean the lawyers have agreed to receive unsolicited communications in any form. Unauthorized use of this data may result in civil or criminal penalties. The Find a Lawyer directory is not a lawyer referral service.



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- Client's Security Fund
- Probono Legal Services
- Pro Bono Legal Aid
- Unconscious Practices of Law
- Lawyer Referral Service

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- Bar's Conference
- Benefits and Discounts
- Emphasis Opportunities
- Lawyer Advising Lawyers
- Private Lawyers Assistance
- Early Retirement
- Practice Resources include
- The Bar's Employment
- Corporate Activity
- Lawyer Referral Service
- Youthful Bar Chair

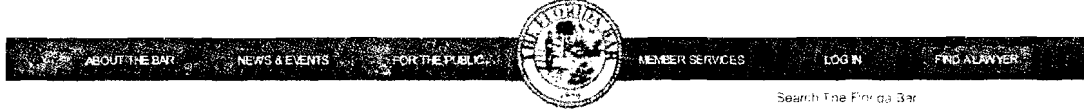
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RULE 17-1.2 DEFINITIONS

17 AUTHORIZED HOUSE COUNSEL RULE

17-1.1 GENERALLY

RULE 17-1.2 DEFINITIONS

(a) **Authorized House Counsel.** An "authorized house counsel" is any person who:

(1) is exclusively employed by a business organization located in the state of Florida and is residing in Florida or relocating to the state of Florida in furtherance of such employment within 6 months of such application under this chapter and receives or shall receive compensation for activities performed for that business organization;

(2) has complied with rule 17-1.4, and

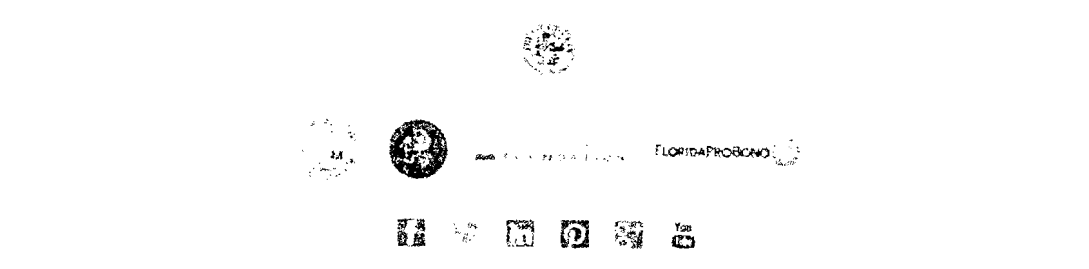
(3) has been certified as an authorized house counsel by the Supreme Court of Florida.

(b) **Business Organization.** A "business organization" for the purpose of this rule is a corporation, partnership, association or other legal entity (taken together with its respective parents, subsidiaries, and affiliates) authorized to transact business in this state that is not itself engaged in the practice of law or the rendering of legal services outside such organization, whether for a fee or otherwise, and does not charge or collect a fee for the representation or advice other than to entities comprising such organization by the activities of the authorized house counsel. For purposes of this rule, a "business organization" does not include:

(1) a governmental entity, governmental subdivision, political subdivision, or school board;

(2) or any other entity that has no authority to levy a tax.

(Revised 12/11/2014)



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Equine development planned near Golden Ocala

Wednesday

Posted Aug 31, 2016 at 5:47 PM

Updated Aug 31, 2016 at 6:24 PM

Companies controlled by Roberts bought 700-plus acres in August.

By **Fred Hiers**

@Hiersnews

Larry Roberts' interest in Golden Ocala Golf & Equestrian Club extends beyond its walls now that the trucking company magnate has bought more than 700 nearby acres with plans to build an equestrian residential community.

The businessman made his fortune when he built the Ohio-based R + L Carrier interstate trucking company and later RLR Investments LLC. The locally well-known philanthropist also owns a nearly 1,250-acre quarter horse farm in Reddick and the former Taylor, Bean & Whitaker mortgage building in Ocala.

For this latest enterprise he paid \$10.74 million for eight parcels totaling 734 acres. All the sales were completed in August, according to land records on file with the Marion County Clerk of the Circuit Court.

Many of the parcels are contiguous and next to or close to land that Roberts already owns, namely through RLR Investments LLC. In this case, some of the land is near 427 acres that RLR owns right next to Golden Ocala.

All but one of the buyers in the August land deals were newly formed limited liability companies whose names correspond to the purchased property's parcel number. The companies all share the same mailing address, which is the same as RLR Investments in Ohio.

Don DeLuca, vice president and general counsel for all the Roberts' companies, responded to the Star-Banner's questions in writing. "We are in the planning stages for adding an equestrian element to Golden Ocala commensurate with the high quality of Golden Ocala,"

he wrote.

Asked whether the new development would be an expansion of Golden Ocala or a stand-alone community, DeLuca replied, "We are in the planning stages and that is yet to be determined."

Asked about the density of the planned community, DeLuca replied: "We are in the planning stages and that has yet to be determined, but we very rarely go the route of high-density residential."

Asked whether the new community would offer amenities similar to those at Golden Ocala including tennis, fine dining and a golf course, DeLuca said only that the community would be an equestrian one and include residential equestrian. A start date for construction has not been determined yet.

Asked if Roberts was looking to buy more land for the project or looking to work with area landowners so they might be part of the planned development, DeLuca replied, "No, we are not looking for additional land. We have what we need but would be willing to consider additional contiguous property."

Local developer John Brunetti's Golden Ocala LLC owns several hundred acres between Golden Ocala LLC investment land and the parcels that the Roberts-connected properties just north of the area.



Much of the recently purchased land is zoned for rural use. Marion County zoning officials say there has not been any request to change it. However, 475 acres of the 734 acres already is zoned for low and medium residential use.

Roberts bought Golden Ocala in 1999 after several failed starts by other developers. He poured millions of dollars into the project and it now includes not only a world-class golf course but also tennis, horseback riding trails, swimming, fine dining and a clubhouse.

To builders who are slowly digging their way out of the recession and a severe home construction downturn, the announcement of a new development is reason to celebrate.

"As a business person that's good news," said John Thorman, executive officer of the Marion County Building Industry Association. "It's a reflection of the economic recovery that's going on in Ocala and Marion County."

And Roberts' willingness to spend money to buy land here and develop it reflects "faith in the local economy," Thorman said.

Thorman said he hoped projects such as this one will add to the improving new home construction industry, which is making a slow but steady improvement since the industry was badly hurt during the recession.

"When people spend money locally it benefits local businesses and everybody benefits and that's good for everybody," he said.

Thorman said Roberts' plan for an equine community in Marion County is a logical step considering the county's existing horse industry which is supported by skilled equine professionals and employs thousands of people locally.

"We have a robust, thriving horse community in Marion County already. So this is just a natural outgrowth of that industry," he said.

And a new equine-oriented community will help attract more jobs to the area, he said.

Building the new homes will also employ many construction laborers, skilled craftsmen and generate business for those who supply building materials, he said.

But not everyone is enthusiastic about the project - at least until all the details are in.

Guy Marwick, executive director of the Felburn Foundation and an environmentalist, said that more should be learned about the future community's water needs and pollution generated from such things as fertilizer and animal waste.

"We never seem to stop construction and development...even when it's not needed," Marwick said.

"We're running out of water. We're already over allocated. I guess we'll stop when the wells go dry," he said.

Marwick said he didn't oppose growth, or necessarily this proposed development, but that growth needed to be well planned and resources conserved.

"We're losing our water because we have growth without a plan," he said. "No one ever has enough."

Reach Fred Hiers at fred.hiers@starbanner.com and 352-397-5914.

Marion County Judicial Center and Bar Association
110 NW 1st. Ave., Ocala, FL 34475



March 11, 2015 meeting, Marion County Bar Association - left to right:

Marion County Circuit Court Judge Ann Melinda Craggs. Oath of Office attached.
<http://www.circuit5.org/c5/values/c5-cadjudicial-officers-judges/marion-county-judges-ann-melinda-craggs-circuit-judge>

Wesley Wilcox, Marion County Supervisor of Elections. Oath of Office attached.
<http://www.marioncounty.com>

Rence E. Thompson, President, Marion County Bar Association
<https://www.facebook.com/marioncountybar>

Marion County Bar Association, Inc.
110 NW 1st. Ave.
Ocala, FL 34475
<https://www.facebook.com/marioncountybar>

Marion County Judicial Center
110 NW 1st. Ave.
Ocala, FL 34475
<http://www.marioncountyclerk.org>

Renee E. Thompson is a Governor of The Florida Bar's Board of Governors
<https://www.floridabar.org/tfb/TFBOrg.nsf/043adb7797e86f9928525700a006b6471?lb35e293d2d31dab85257b96007317e!OpenDocument>

- Rule 1-4.1 Composition Of Board Of Governors. The board of governors shall be the governing body of The Florida Bar. It shall have 52 members,....
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- Rule 1-4.2 Authority; Supervision
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- Rule 1-4.3 Committees
http://www.floridabar.org/divexe/rtfb.nsf/FV_52C7B4D389F0677785256BBC005BE928
- Rule 1-4.4 Board Committees
http://www.floridabar.org/divexe/rtfb.nsf/FV_22B92A7FDA23436685256BBC005BF750
- Rule 1-4.5 Sections
http://www.floridabar.org/divexe/rtfb.nsf/FV_742F20423D8601B185256BBC005C0519

EXHIBIT
4

30145

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of Marion

RECEIVED
14 OCT 20 AM 10:21
DIVISION OF ELECTIONS
SECRETARY OF STATE

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Judge of the Circuit Court, Fifth Judicial Circuit

(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words, "so help me God." See § 92.52, Fla. Stat.]

Ann Melinda Craggs

Signature

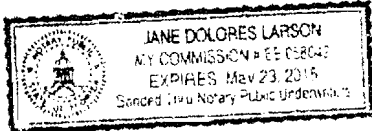
Sworn to and subscribed before me this 16 day of October, 2014.

Jane Dolores Larson

Signature of Officer Administering Oath or of Notary Public

JANE DOLORES LARSON

Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known OR Produced Identification

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

[Redacted]
Street or Post Office Box

[Redacted]
City, State, Zip Code

Ann Melinda Craggs
Print name as you desire commission issued

Ann Melinda Craggs
Signature

THE FLORIDA BAR



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Ann Melinda Craggs

Member of the Judiciary

Bar Number: 896837

Mail Address: Marion County Judicial Center
110 NW 1st Ave
Ocala, FL 34475-6601
United States
Office: 352-401-8785
Fax: 352-401-6760

Email: anncraggs@circuits.org

Personal Bar URL: www.floridabar.org/nybarprofile/896837

vCard:

County: Marion

Circuit: 5

Admitted: 10-01-1991

Judicial Position: Circuit Court

10-Year Discipline: None

History:

Law School: University of Florida - Fredric G. Levin College of Law

Sections: Family Law

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2015B

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(Art. II, § 5(b), Fla. Const.)

12 DEC 28 AM 9:46

STATE OF FLORIDA

County of Marion

DIVISION OF ELECTIONS
SECRETARY OF STATE

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Supervisor of Elections

(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

W. Wilcox
Signature

Sworn to and subscribed before me this 27th day of December 2012

Cheryl L. Treesh
Signature of Officer Administering Oath or of Notary Public

Cheryl L. Treesh
Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known OR Produced Identification

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

PO Box 289
Street or Post Office Box

Ocala, FL 34478
City, State, Zip Code

Wesley B. Wilcox

Print name as you desire commission issued

W. Wilcox
Signature

THE FLORIDA BAR



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Renée Elise Thompson

Member in Good Standing

Bar Number: 462574

Mail Address:
Spencer, Watson, White & Max
Thompson Law Center PLLC
7 E Silver Springs Blvd Ste 500
Ocala FL 34470-6603
United States
Office: 352.377.4177
Cell: 352.288.7828
r.thompson@swwhite.com

Email:

Personal Bar URL: www.floridabar.org/wps/portal/profile/renee/thompson

vCard:

County: Marion

Circuit: 1

Admitted: 03/15/2001

10-Year Discipline: None

History:

Law School: University of Florida, Fredric G. Levin College of Law, 1999

Committees:

Committee

Current Board of Governors

Bar Budget Committee

Program Evaluation Committee

Strategic Planning

Technology Committee

Task Board of Governors

Annual Conference Committee

Committee on Technology

Continuing Education Committee

Small Business Practice Committee

Emergency Ethics Appeal Law Section Executive Council

Early Career of the Bar

Sections:

Annual Law

Small Business Firm

Firm:

Spencer, Watson, White & Max

Firm Size:

21-50 (1)

Firm Website:

www.swwhite.com

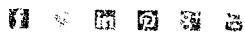
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RULE 1-4.1 COMPOSITION OF BOARD OF GOVERNORS

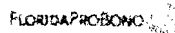
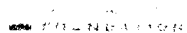
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1-4 BOARD OF GOVERNORS

RULE 1-4.1 COMPOSITION OF BOARD OF GOVERNORS

The board of governors shall be the governing body of The Florida Bar. It shall have 52 members, 51 of whom shall be voting members, and shall consist of the president and the president-elect of The Florida Bar, president and president-elect (who shall vote only in the absence of the president) of the young lawyers division, representatives elected by and from the members of The Florida Bar in good standing, and 2 residents of the state of Florida who are not members of The Florida Bar. There shall be at least 1 representative from each judicial circuit and at least 1 representative from among the members in good standing residing outside of the state of Florida, all of whom shall be apportioned among and elected from the judicial circuits and the nonresident membership, on the basis of the number of members in good standing residing in each circuit and outside of the state. The formula for determining the number of representatives apportioned to and elected from each judicial circuit and the nonresident membership, and all other matters concerning election and term of office for members of the board of governors, shall be prescribed in chapter 2.

(Revised 09/22/1995)



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RULE 1-4.2 AUTHORITY; SUPERVISION

1 GENERAL

1-4 BOARD OF GOVERNORS

RULE 1-4.2 AUTHORITY; SUPERVISION

(a) **Authority and Responsibility.** The board of governors shall have the authority and responsibility to govern and administer The Florida Bar and to take such action as it may consider necessary to accomplish the purposes of The Florida Bar, subject always to the direction and supervision of the Supreme Court of Florida.

(b) **Duty to Furnish Information to Court.** The board of governors shall furnish to each member of the Supreme Court of Florida the following:

- (1) The minutes of each meeting of the board of governors of The Florida Bar and each meeting of its executive committee except when acting in a prosecutorial role in a disciplinary or unlicensed practice of law matter.
- (2) Any written report of any section, committee, or division of The Florida Bar submitted to the board of governors that is either accepted or adopted by the board.
- (3) All rules, policies, or procedures adopted by the board of governors under the authority granted to the board by the court.
- (4) Such additional information and material as may be requested by any member of the court.

(c) **Powers of Court.** The Supreme Court of Florida may at any time ratify or amend action taken by the board of governors under these rules, order that actions previously taken be rescinded, or otherwise direct the actions and activities of The Florida Bar and its board of governors.

(Revised 01/01/1999)



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RULE 1-4.3 COMMITTEES

1 GENERAL

1-4 BOARD OF GOVERNORS

RULE 1-4.3 COMMITTEES

The board of governors will create an executive committee composed of the president, president-elect, chairs of the budget, communications, disciplinary review, program evaluation and legislation committees, president of the young lawyers division, 2 members of the board appointed by the president, and 3 members of the board elected by the board to act on matters that arise and require disposition between meetings of the board; a budget committee composed of 9 members with 3-year staggered terms; grievance committees as provided for in chapter 3; unlicensed practice of law committees as provided for in chapter 10; and a professional ethics committee.

[Revised: 10/01/2015]



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RULE 1-4.4 BOARD COMMITTEES

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1-4 BOARD OF GOVERNORS

RULE 1-4.4 BOARD COMMITTEES

The board may create and abolish additional committees as it may consider necessary to accomplish the purposes of The Florida Bar.

[Revised: 10-22-2009]



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RULE 1-4.5 SECTIONS

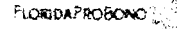
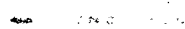
1 GENERAL

1-4 BOARD OF GOVERNORS

RULE 1-4.5 SECTIONS

The board of governors may create and abolish sections as it may consider necessary or desirable to accomplish the purposes and serve the interests of The Florida Bar and of the sections and shall prescribe the powers and duties of such sections. The bylaws of any section shall be subject to approval of the board of governors.

[Revised: 10-22-2009]



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Neil Gillespie

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Filing #: 54155201
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Filer: Neil J. Gillespie 352-854-7807
Court: Fifth Judicial Circuit in and for Marion County, Florida
Case #: 422013CA000115CAAXXX
Court Case #: 13CA000115AX
Case Style: REVERSE MORTGAGE SOLUTIONS INC VS BAUERLE, ELIZABETH

Documents

Title	File
Notice Of Filing	NOTICE OF FILING FEDERAL CIVIL RIGHTS COMPLAINT.pdf
Attachment Or Exhibit To Pleading	Civil Rights Division, Voting Section complaint Feb-07-2017.pdf
Attachment Or Exhibit To Pleading	Exhibit 1, Notice to Ken Detzner, Secretary of State, Florida's Rigged Judicial Elections.pdf
Attachment Or Exhibit To Pleading	Exhibit 2, MARION COUNTY BAR ASSOCIATION+Email.pdf
Attachment Or Exhibit To Pleading	Exhibit 3, Letter to Mr. Donald R. DeLuca, VP&GC, RLR Investments, LLC.pdf
Attachment Or Exhibit To Pleading	Exhibit 4, Marion County Judicial Center and Bar Association.pdf

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Case Number	Filed Date	County	Case Type	Status	Contested	Jury Trial
422013CA000115CAAXXX [13CA000115AX]	01/09/2013	MARION	Circuit Civil 37-D	OPEN	Yes	No

Filing Date	Description	Active	Contested	Judgement Date
01/09/2013	HOMESTEAD RESIDENTIAL FORECL \$50,001-\$249,999	YES	YES	-

100

Party Name	Party Type	Attorney	Bar ID
CRAGGS, ANN MELINDA	JUDGE		
BAUERLE, ELIZABETH	DEFENDANT		
GILLESPIE, NEIL J	DEFENDANT		
UNITED STATES OF AMERICA	DEFENDANT		
AND MARK GILLESPIE A,	ALSO KNOWN AS		
FAMILY LIVING TRUST,	ALSO KNOWN AS		
REVERSE MORTGAGE SOLUTIONS INC	PLAINTIFF	WILSON, CURTIS ALAN	77669
OAK RUN HOMEOWNERS ASSOCIATION	DEFENDANT		
OAK RUN HOMEOWNERS ASSOCIATION	DEFENDANT		
GILLESPIE, MARK	DEFENDANT		
GILLESPIE, NEIL J	DEFENDANT		
GILLESPIE, JOETTA	DEFENDANT		
DEVELOPMENT & CONSTRUCTION COR	DEFENDANT		



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	428	03/29/2017	MISC - CONFIRMATION PAGE STATING THE NOTICE OF APPEAL WAS E-FILED TO THE SUPREME COURT	1
	424	03/27/2017	MISC-PLEADINGS FILED BY DFNT NEIL GILLESPIE	10
	426	03/27/2017	NOTICE OF FILING APPELLANTS' NOTICE OF APPEAL TO THE FLORIDA SUPREME COURT (5D16-4324) - FILED BY DEFT NEIL J GILLESPIE	121
	427	03/27/2017	NOTICE OF FILING FLORIDA BAR LETTER RE UPL FILE NO 20171020(17C) - FILED BY DEFT NEIL J GILLESPIE	52
	421	03/24/2017	NOTICE OF FILING LETTER RE JQC DOCKET NO 16-561 CIRCUIT JUDGE ANN MELINDA CRAGGS - FILED BY DEFT NEIL J GILLESPIE	8
	425	03/24/2017	MISC - 1.340 INTERROGATORIES TO PARTIES - TO CAROL OLSON VICE PRESIDENT OF ADMINISTRATION AND SECRETARY-TREASURER DEVELOPMENT & CONSTRUCTION CORPORATION OF AMERICA ("DECCA")	1
	416	03/23/2017	MISC - INSTRUCTION TO THE CLERK: F.S 28.212 MINUTES OF COURT PROCEEDINGS DAVID R ELLSPERMANN IS THE MARION COUNTY CLERK OF COURT & COMPTROLLER - FILED BY DEFT NEIL J GILLESPIE	16
	417	03/23/2017	NOTICE OF FILING FEDERAL CIVIL RIGHTS COMPLAINT - FILED BY DEFT NEIL J GILLESPIE	6
	418	03/23/2017	CORRESPONDENCE OR MEMORANDUM - FILED BY DEFT NEIL J GILLESPIE	3
	419	03/23/2017	EXHIBIT 1 - FILED BY DEFT NEIL J GILLESPIE	34
	420	03/23/2017	MISC - INSTRUCTION TO THE CLERK: ADMINISTRATIVE ORDER A-2016-56 ESTABLISHING FORECLOSURE CASE STATUS REPORTING REQUIREMENTS - FILED BY DEFT NEIL J GILLESPIE	35
	422	03/23/2017	MISC-PLEADINGS FILED BY DFNT NEIL GILLESPIE	39
	423	03/23/2017	CORRESPONDENCE OR MEMORANDUM-TO MR. DELUCA FROM NEIL J. GILLESPIE	8
	411	03/17/2017	AFFIDAVIT OF NEIL J GILLESPIE RE: MESSAGE OF KULBIR GHUMMAN OCTOBER 2006 ORHA IS NOT GOVERNED BY FLORIDA STATUTE 720	11
	412	03/17/2017	AFFIDAVIT OF NEIL J GILLESPIE - RE LETTER OF REPRESENTATIVE LARRY CRETUL SEPTEMBER 21 2007 ORHA IS NOT SUBJECT TO CHAPTER 720	17

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	410	03/13/2017	ORDER FROM 5TH DCA - ORDERED THAT THE ABOVE-STYLED CAUSE IS HEREBY DISMISSED FOR LACK OF JURISDICTION. APPELLANT'S REQUEST FOR ELAVE TO FILE A PETITION FOR WRIT OF PROHIBITION, FILED FEBRUARY 8, 2017, IS DENIED. APPELLANT'S MOTION FOR CLARIFICATION IS DENIED AS MOOT. APPELLANT'S MOTION FOR ENLARGEMENT OR EXTENSION OF TIME IS DENIED AS MOOT.	1
	408	01/23/2017	MISC - INSTRUCTION TO THE CLERK: SHOW THE CURRENT STATUS OF THIS CASE - FILED BY DEFT NEIL J GILLESPIE	25
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	403	12/30/2016	MISC - INSTRUCTION TO THE CLERK - FILED BY DEFT NEIL J GILLESPIE	28
	404	12/30/2016	APPLICATION FOR INDIGENCY APPROVED	1
	402	12/22/2016	CLERKS CERTIFICATE RE: PROOF OF PUBLICATION DATE	1
	400	12/20/2016	ACKNOWLEDGMENT OF NEW CASE NUMBER - 5D16-4324	1
	401	12/20/2016	MAIL RETURNED BY POST OFFICE	6
	393	12/19/2016	NOTICE OF APPEAL FILED BY DEFT NEIL J. GILLESPIE	17
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	390	12/05/2016	ORDER DENYING MOTIONS TO DISQUALIFY JUDGE ANN MELINDA CRAGGS	2
	386	12/02/2016	Assessment 2062512 assessed at sum \$2.00	
	387	12/02/2016	Assessment 2062513 assessed at sum \$0.30	
	388	12/02/2016	Payment received: \$2.30 Receipt Number XX 166496	
	379	11/30/2016	MOTION-MOTION TO DISQUALIFY CIRCUIT JUDGE AN MELINDA CRAGGS - FILED BY DEFT NEIL J GILLESPIE	45
	380	11/30/2016	CORR/MEMO-MEMORANDUM OF LAW - JUDICIAL DISQUALIFICATION - FILED BY DEFT NEIL J GILLESPIE	28
	381	11/30/2016	NOTICE-NOTICE OF FILING JQC COMPLAINT RE: CIRCUIT JUDGE ANN MELINDA CRAGGS - FILED BY DEFT NEIL J GILLESPIE	55
	382	11/30/2016	CORR/MEMO-CORRESPONDENCE OR MEMORANDUM TO KEN DETZNER SECRETARY OF STATE - FILED BY DEFT NEIL J GILLESPIE	34
	383	11/30/2016	MOTION-MOTION - SECOND VERIFIED - TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS - FILED BY DEFT NEIL J GILLESPIE	45
	384	11/30/2016	MOTION-MOTION TO DISQUALIFY CIRCUIT JUDGE ANN MELINDA CRAGGS - FILED BY DEFT NEIL J GILLESPIE	32
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	376	11/29/2016	CIVIL COVER SHEET - AMENDED	2
	377	11/29/2016	CERTIFICATE OF SERVICE FILED BY PLTF REVERSE MORTGAGE SOLUTIONS INC	4
	378	11/29/2016	NOTICE OF FILING LETTER TO KEN DETZNER SECRETARY OF STATE - FILED BY DEFT NEIL J GILLESPIE	40
	369	11/28/2016	MOTION-EMERGENCY MOTION TO CANCEL HEARING SET FOR NOVEMBER 28, 2016 FILED BY DEFT NEIL J. GILLESPIE	18
	370	11/28/2016	APPENDIX FILED BY DEFT NEIL J. GILLESPIE	37
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	367	11/22/2016	MOTION-MOTION TO CANCEL HEARING SET FOR NOVEMBER 28 2016 - FILED BY DEFT NEIL J GILLESPIE	39
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	365	10/28/2016	NOTICE OF FILING LETTER TO BANK OF AMERICA FILED BY DEFT NEIL J GILLESPIE INDIVIDUALLY AND AS FORMER TRUSTEE	57
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	361	10/05/2016	ANSWER - AMENDED - TO VERIFIED COMPLAINT TO FORECLOSE HOME EQUITY CONVERSION MORTGAGE FILED BY DEFT NEIL J GILLESPIE INDIVIDUALLY AND AS FORMER TRUSTEE	8
	362	10/05/2016	MOTION-MOTION TO STRIKE PLTF'S CASE MANAGEMENT STATEMENT FILED BY DEFT NEIL J GILLESPIE INDIVIDUALLY AND AS FORMER TRUSTEE	15
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	360	08/30/2016	MAIL RETURNED BY POST OFFICE	4
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	355	08/19/2016	Judge: CRAGGS , ANN MELINDA Assigned	
	354	08/18/2016	ORDER OF RECUSAL	3
	353	08/16/2016	COPY OF: DEFT VERIFIED NOTICE OF FILING EFILED ON 08/12/16. MAILED IN BY DEFT GILLESPIE	25
	348	08/15/2016	AFFIDAVIT OF NEIL J GILLESPIE TO DISQUALIFY JUDGE STEVEN ROGERS	2
	349	08/15/2016	MOTION FOR RECUSAL/DISQUALIFICATION OF JUDGE STEVEN ROGERS FILED BY DEFT NEIL J GILLESPIE	30
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	352	08/15/2016	CORR/MEMO FROM CLERKS OFFICE - CERTIFIED COPY	1
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	347	08/12/2016	NOTICE OF FILING CONT SEE DOC FILED BY DEFT NEIL J GILLESPIE	22
	351	08/12/2016	CORR/MEMO TO CLERKS OFFICE FILED BY DEFT NEIL GILLESPIE	4
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	336	08/11/2016	REQUEST - VERIFIED PUBLIC RECORD REQUEST (PRR) TO CLERK FILED BY DEFT NEIL J GILLESPIE	9
	337	08/11/2016	MISC - INSTRUCTION TO CLERK : ABATE THIS ACTION FILED BY DEFT NEIL J GILLESPIE	51
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	343	08/11/2016	Assessment 2062510 assessed at sum \$6.00	
	344	08/11/2016	Assessment 2062511 assessed at sum \$3.00	
	345	08/11/2016	Payment received: \$9.00 Receipt Number XX 136234	
	334	07/28/2016	AMENDED NOTICE OF HEARING FILED BY PLTF REVERSE MORTGAGE SOLUTIONS	3
	333	07/27/2016	NOTICE OF HEARING FILED BY PLTF REVERSE MORTGAGE SOLUTIONS INC	3
	332	07/11/2016	MOTION-MOTION TO SET A CASE MANAGEMENT CONFERENCE AND HEARING ON ALL PENDING MOTIONS FILED BY PLTF REVERSE MORTGAGE SOLUTIONS INC	4
	328	07/01/2016	Assessment 2062508 assessed at sum \$22.00	
	329	07/01/2016	Assessment 2062509 assessed at sum \$14.00	
	330	07/01/2016	Payment received: \$36.00 Receipt Number XX 124578	
	331	07/01/2016	CORR/MEMO-CORR/MEMO TO CLERKS OFFICE FILED BY DEFT GILLESPIE	36
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	326	06/29/2016	CORRESPONDENCE OR MEMORANDUM	1
	327	06/29/2016	CORRESPONDENCE OR MEMORANDUM	8
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	324	06/23/2016	CLERKS CERTIFICATE RE: PROOF OF PUBLICATION DATES	1

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	322	05/23/2016	MAIL RETURNED BY POST OFFICE	7
	321	05/19/2016	MAIL RETURNED BY POST OFFICE UNKNOWN SPOUSE OF ELIZABETH BAUERLE	7
	316	05/18/2016	Judge: ROGERS , STEVEN G Assigned	
	311	05/16/2016	REQUEST FILED BY DEFT NEIL J. GILLESPIE	51
	312	05/16/2016	AFFIDAVIT FILED BY NEIL GILLESPIE	41
	313	05/16/2016	AFFIDAVIT FILED BY NEIL GILLESPIE	7
	317	05/16/2016	CORRESPONDENCE OR MEMORANDUM FROM DEFT GILLESPIE TO STAFF ATTORNEY HARRELL	4
	318	05/16/2016	CORRESPONDENCE OR MEMORANDUM FROM STAFF ATTORNEY HARRELL TO DEFT GILLESPIE	3
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	310	05/02/2016	CORR/MEMO TO CLERKS OFFICE FILED BY DEFT NEIL GILLESPIE	65
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	307	04/14/2016	CORRESPONDENCE OR MEMORANDUM	3
	305	03/21/2016	CORRESPONDENCE OR MEMORANDUM	3
	306	03/21/2016	NOTICE OF CASE MANAGEMENT CONFERENCE AMENDED FILED BY PLTF REVERSE MORTGAGE SOLUTIONS INC	3
	304	03/18/2016	CORRESPONDENCE OR MEMORANDUM	2
	302	03/17/2016	CORRESPONDENCE OR MEMORANDUM	6
	303	03/17/2016	CORRESPONDENCE OR MEMORANDUM	5
	299	03/15/2016	CORR/MEMO FROM CLERKS OFFICE TO ATTORNEY REGARDING DEFAULT NOT ENTERED	1
	300	03/15/2016	DEFAULT NOT ENTERED	4
	301	03/15/2016	CORR/MEMO TO CLERKS OFFICE	58
	296	03/11/2016	MOTION TO STRIKE PLTF MOTION TO DEFAULT	52
	297	03/11/2016	NOTICE OF CASE MANAGEMENT CONFERENCE FILED BY PLTF REVERSE MORTGAGE SOLUTIONS INC	3
	298	03/11/2016	REQUEST	3
	294	03/10/2016	MOTION FOR DEFAULT FILED BY PLTF REVERSE MORTGAGE SOLUTIONS INC	4

Image	Doc #	Action Date	Description	Pages
	295	03/10/2016	AFFIDAVIT OF INABILITY TO DETERMINE MILITARY STATUS FILED BY PLTF REVERSE MORTGAGE SOLUTIONS	1
	291	02/29/2016	Assessment 2062506 assessed at sum \$12.00	
	292	02/29/2016	Assessment 2062507 assessed at sum \$19.00	
	293	02/29/2016	Payment received: \$31.00 Receipt Number XX 87924	
	290	02/24/2016	CORRESPONDENCE OR MEMORANDUM	3
	289	02/15/2016	MOTION FOR EXTENSION OF TIME - SECOND	4
	288	02/11/2016	PROOF OF PUBLICATION NOA	1
	287	02/08/2016	MAIL RETURNED BY POST OFFICE	4
	286	02/02/2016	MOTION FOR RECONSIDERATION	34
	284	01/26/2016	MAIL RETURNED BY POST OFFICE	4
	285	01/26/2016	MAIL RETURNED BY POST OFFICE	4
	282	01/25/2016	AFFIDAVIT	17
	283	01/21/2016	ORDER EXTENDING TIME	3
	281	01/19/2016	NOTICE OF ACTION ISSUED MAILING/ATTY COPY	2
	280	01/15/2016	CERTIFICATE OF MAILING	1
	276	01/13/2016	AFFIDAVIT OF DILIGENT SEARCH	8
	277	01/13/2016	DIRECTIONS TO THE CLERK	1
	278	01/13/2016	AFFIDAVIT OF CONSTRUCTIVE SERVICE	2
	279	01/13/2016	MOTION FOR DEFAULT BY COURT	4
	266	01/12/2016	MOTION FOR CLERK TO REASSIGN CASE TO ANOTHER JUDGE	4
	267	01/12/2016	EXHIBIT 1	50
	268	01/12/2016	EXHIBIT 2	6
	269	01/12/2016	EXHIBIT 3	2
	270	01/12/2016	EXHIBIT 4	9
	271	01/12/2016	MOTION TO STRIKE PLAINTIFFS MOTION TO DEFAULT	6
	272	01/12/2016	EXHIBIT 1	3
	273	01/12/2016	EXHIBIT 2	3
	274	01/12/2016	EXHIBIT 3	2
	275	01/12/2016	EXHIBIT 4	4
	260	01/11/2016	DEFAULT ENTERED	3
	261	01/11/2016	NOTICE OF FILING CONT-SEE DOC	6
	262	01/11/2016	EXHIBIT 1	52

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	263	01/11/2016	EXHIBIT 2	4
	264	01/11/2016	EXHIBIT 3	1
	265	01/11/2016	EXHIBIT 4	6
	256	01/08/2016	AFFIDAVIT OF NEIL J GILLESPIE DEFENDANT MOTION TO DISMISS	31
	257	01/08/2016	AFFIDAVIT OF NEIL J GILLESPIE DEFENDANT MOTION TO DISMISS	46
	258	01/08/2016	AFFIDAVIT OF NEIL J GILLESPIE DEFENDANT MOTION TO DISMISS	46
	259	01/08/2016	AFFIDAVIT OF NEIL J GILLESPIE DEFENDANT MOTION TO DISMISS	31
	254	01/07/2016	AFFIDAVIT OF INABILITY TO DETERMINE MILITARY STATUS	3
	255	01/07/2016	EFILED MOTION FOR DEFAULT	3
	253	12/28/2015	MOTION FOR EXTENSION OF TIME TO RESPOND	6
	249	12/16/2015	AFFIDAVIT OF INDEBTEDNESS	16
	251	12/03/2015	PROOF OF PUBLICATION-NOTICE OF ACTION	1
	252	12/03/2015	PROOF OF PUBLICATION-NOTICE OF ACTION	1
	250	12/02/2015	ORDER FROM SUPREME COURT - AMENDED	1
	246	12/01/2015	Payment received \$8.50 Receipt Number XX 59312	
	247	12/01/2015	COMPLIANCE SATISFIED set on 12/01/2015	
	248	12/01/2015	COST BOND APPROVED	2
	240	11/13/2015	INVOICE	1
	241	11/13/2015	Assessment 2062505 assessed at sum \$8.50	
	242	11/13/2015	Compliance INVOICE has been created with due date of 12/13/2015	
	243	11/13/2015	CERTIFICATE OF FILING	6
	244	11/13/2015	ORDER DENYING DEFENDANT'S MOTION TO STRIKE SHAM PLEADINGS	3
	245	11/13/2015	ORDER DENYING DEFENDANT'S MOTION TO DISQUALIFY JUDGE HALE STANCIL	2
	238	11/12/2015	NOTICE OF FILING COST BOND	4
	237	11/11/2015	AFFIDAVIT OF NEIL J GILLESPIE	50
	231	11/10/2015	NOTICE OF ACTION ISSUED MAILING/ATTY COPY	2
	234	11/10/2015	NOTICE OF ACTION ISSUED MAILING/ATTY COPY	2
	235	11/10/2015	MOTION TO STRIKE SHAM PLEADINGS	56
	236	11/10/2015	NOTICE OF CONTEST OF LIEN	19
	228	11/09/2015	DEFAULT NOT ENTERED	3

Image	Doc #	Action Date	Description	Pages
	229	11/09/2015	DIRECTIONS TO THE CLERK	1
	230	11/09/2015	CERTIFICATE OF MAILING OF NOTICES	1
	232	11/09/2015	DIRECTIONS TO THE CLERK	1
	233	11/09/2015	CERTIFICATE OF MAILING OF NOTICES	1
	225	11/06/2015	AFFIDAVIT OF CONSTRUCTIVE SERVICE	2
	226	11/06/2015	MOTION TO STRIKE SHAM PLEADINGS	97
	227	11/06/2015	AFFIDAVIT OF NEIL J GILLESPIE AND MOTION TO DISQUALIFY JUDGE HALE STANCIU	14
	224	11/04/2015	CERTIFICATE OF FILING	6
	220	11/03/2015	EFILED MOTION FOR DEFAULT	3
	221	11/03/2015	CERTIFICATE OF FILING	8
	222	11/03/2015	AFFIDAVIT OF INABILITY TO DETERMINE MILITARY STATUS	1
	223	11/03/2015	AFFIDAVIT OF CONSTRUCTIVE SERVICE	1
	218	06/18/2015	NOTICE OF FILING APPEAL TO FLORIDA SUPREME COURT	51
	216	06/17/2015	NOTICE OF FILING CORRECTED ORIGINAL TRANSCRIPT	2
	217	06/17/2015	TRANSCRIPT CONT - SEE DOC	15
	215	06/16/2015	NOTICE OF FILING CORRECTED ORIGINAL TRANSCRIPT	18
	213	06/04/2015	MEMO FROM 5TH DCA NO MANDATE WILL BE ISSUED IN THIS CAUSE	1
	214	06/04/2015	ORDER FROM 5TH DCA CAUSE IS DISMISSED	1
	211	05/08/2015	CORR/MEMO TO CLERKS OFFICE	
	212	05/08/2015	CORR/MEMO FROM CLERKS OFFICE	
	208	03/09/2015	MAIL RETURNED BY POST OFFICE FROM UNKNOWN SPOUSE OF ELIZABETH BAUERLE	
	209	03/09/2015	MAIL RETURNED BY POST OFFICE FROM ELIZABETH BAUERLE NKA ELIZABETH BIDWOOD	
	210	03/09/2015	MAIL RETURNED BY POST OFFICE FROM ELIZABETH BAUERLE NKA ELIZABETH BIDWOOD	
	207	03/04/2015	DETERMINATION OF INDIGENT STATUS NEIL J GILLESPIE IS FOUND INDIGENT	
	206	02/28/2015	AFFIDAVIT OF INDIGENT STATUS	
	205	02/20/2015	DETERMINATION OF INDIGENT STATUS NEIL J GILLESPIE IS FOUND INDIGENT	
	204	02/18/2015	DETERMINATION OF INDIGENT STATUS	
	219	02/18/2015	APPLICATION FOR INDIGENCY APPROVED	
	202	02/16/2015	AFFIDAVIT OF INDIGENT STATUS	

Image	Doc #	Action Date	Description	Pages
	203	02/16/2015	AFFIDAVIT OF INDIGENT STATUS	
	201	02/07/2015	AFFIDAVIT AFFIDAVIT OF NEIL J GILLESPIE OF RESIDENTIAL HOMESTEAD	41
	199	02/06/2015	ORDER DENYING MOTION ORDER DENYING DEFENDANTS SECOND MOTION TO DISQUALIFY JUDGE	
	200	02/06/2015	ORDER DENYING MOTION HALE STANCIL	
	198	02/06/2015	ORDER FROM 5TH DCA	
	189	02/03/2015	ANSWER TO VERIFIED COMPLAINT TO FORECLOSE HOME EQUITY CONVERSION	32
	190	02/03/2015	ANSWER MORTGAGE (HECM); DEFENSES AND CLAIMS IN RECOUPMENT; OTHER	
	191	02/03/2015	ANSWER DEFENSES; COUNTER-CLAIMS AND CROSS-CLAIMS	
	192	02/03/2015	ANSWER SEE ANSWER REGARDING COUNTER-CLAIMS AND CROSS-CLAIMS	
	193	02/03/2015	ANSWER DEFENDANTS ANSWER TO VERIFIED COMPLAINT TO FORECLOSE HOME	32
	194	02/03/2015	ANSWER EQUITY CONVERSION MORTGAGE (HECM); DEFENSES AND CLAIMS IN	
	195	02/03/2015	ANSWER RECOUPMENT; OTHER DEFENSES; COUNTER-CLAIMS AND CROSS-CLAIMS	
	196	02/03/2015	ANSWER SEE ANSWER REGARDING COUNTER-CLAIMS AND CROSS-CLAIMS	
	197	02/03/2015	REQUEST REQUEST EFILING SUPPORT	
	188	02/03/2015	CORRESPONDENCE OR MEMORANDUM EMAIL CORRESPONDENCE	
	187	02/03/2015	MTN FOR RECUSAL/DISQUALIFICATN DEFENDANTS SECOND MOTION TO DISQUALIFY JUDGE HALE STANCIL	
	185	01/30/2015	ORDER FROM 5TH DCA	
	186	01/30/2015	ORDER FROM 5TH DCA	
	184	01/29/2015	ACKNOWLEDGMENT OF NEW CASE NO NON FINAL	
	183	01/28/2015	NOTICE OF APPEAL TRANSMITTAL	
	180	01/26/2015	NOTICE OF APPEAL DEFENDANTS' NOTICE OF APPEAL, MOTION TO STAY PENDING APPEAL	
	181	01/26/2015	NOTICE OF APPEAL AND MOTION TO COMPEL PLAINTIFF TO OBTAIN COUNSEL FOR	
	182	01/26/2015	NOTICE OF APPEAL UNKNOWN PARTIES	
	179	01/21/2015	EFILED COST BOND ATTACHED WITH NOTICE OF FILING	
	176	01/20/2015	NOTICE OF FILING DEFENDANTS NOTICE OF FILING ORIGINAL TRANSCRIPT OF HEARING	

Image	Doc #	Action Date	Description	Pages
	177	01/20/2015	NOTICE OF FILING 12/18/14 BEFORE JUDGE HALE R STANCIL	
	178	01/20/2015	TRANSCRIPT OF HEARING TRANSCRIPT OF HEARING ON 12/18/14	
	174	01/17/2015	NOTICE OF FILING ORIGINAL TRANSCRIPT OF HEARING	
	175	01/17/2015	TRANSCRIPT OF HEARING ON 12/18/14 AT 10:00AM	
	173	01/16/2015	CORR/MEMO TO CLERKS OFFICE EMAIL FROM NEIL GILLESPIE WITH ATTACHMENTS	
	169	01/09/2015	NOTICE DEFENDANTS 20 DAYS NOTICE TO PLAINTIFF TO FILE NONRESIDENT	
	170	01/09/2015	NOTICE BOND	
	168	01/09/2015	EXHIBIT APPENDIX OF EXHIBITS JANUARY 9 2015	
	171	01/09/2015	MISC-SEE TEXT DESCRIPTION REGISTERED AGENT INFORMATION FOR REVERSE MORTGAGE SOLUTIONS	
	172	01/09/2015	MISC-SEE TEXT DESCRIPTION INC	
	167	01/08/2015	ASM: COPY FEE CA	
	165	01/08/2015	REQUEST RECORDS REQUEST FILED BY DEFENDANT NEIL GILLESPIE	
	166	01/08/2015	CORR/MEMO FROM CLERKS OFFICE TO NEIL GILLESPIE REGARDING HIS RECORDS REQUEST	
	163	01/07/2015	CORR/MEMO TO JUDGES OFFICE	
	164	01/07/2015	CASE MANAGEMENT ORDER ORDER FROM CASE MANAGEMENT CONFERENCE	
	161	12/29/2014	MAIL RETURNED BY POST OFFICE UNKNOWN SPOUSE OF ELIZABETH BAUERLE / ORDER DENYING	
	162	12/29/2014	MAIL RETURNED BY POST OFFICE DEFENDANTS MOTION DISQUALIFY HALE STANCIL	
	129	12/26/2014	CORRESPONDENCE OR MEMORANDUM FROM NEIL J GILLESPIE TO ARTHUR LEE BENTLEY III WITH	
	130	12/26/2014	CORRESPONDENCE OR MEMORANDUM ATTACHED NOTICE OF FILING AND EXHIBITS	
	131	12/26/2014	EXHIBIT	
	132	12/26/2014	EXHIBIT	
	133	12/26/2014	EXHIBIT	
	134	12/26/2014	EXHIBIT	
	135	12/26/2014	EXHIBIT	
	136	12/26/2014	EXHIBIT	
	137	12/26/2014	EXHIBIT	
	138	12/26/2014	EXHIBIT	

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	139	12/26/2014	EXHIBIT	
	140	12/26/2014	EXHIBIT	
	141	12/26/2014	EXHIBIT	
	142	12/26/2014	EXHIBIT	
	143	12/26/2014	EXHIBIT	
	144	12/26/2014	EXHIBIT	5
	145	12/26/2014	EXHIBIT	
	146	12/26/2014	EXHIBIT	
	147	12/26/2014	EXHIBIT	
	148	12/26/2014	EXHIBIT	
	149	12/26/2014	EXHIBIT	
	150	12/26/2014	EXHIBIT	
	151	12/26/2014	EXHIBIT	
	152	12/26/2014	EXHIBIT	
	153	12/26/2014	EXHIBIT	
	154	12/26/2014	EXHIBIT	
	155	12/26/2014	EXHIBIT	
	156	12/26/2014	EXHIBIT	
	157	12/26/2014	EXHIBIT	
	158	12/26/2014	EXHIBIT	
	159	12/26/2014	EXHIBIT	
	160	12/26/2014	EXHIBIT	
	128	12/22/2014	ORDER DENYING MOTION ORDER DENYING DEFENDANTS MOTION DISQUALIFY HALE STANCIL	
	127	12/18/2014	MTN FOR RECUSAL/DISQUALIFICATN	
	124	12/17/2014	MOTION TO QUASH SERVICE OF PROCESS AND MOTION TO CANCEL CMC HEARING	
	125	12/17/2014	MOTION TO QUASH DECEMBER 18 2014 ON PLAINTIFFS MOTION TO SET CASE	
	126	12/17/2014	MOTION TO QUASH MANAGEMENT CONFERENCE	
	122	12/14/2014	MOTION TO QUASH MOTION TO QUASH PLAINTIFFS NOTICE OF HEARING AND CANCEL	
	123	12/14/2014	MOTION TO QUASH CASE MANAGEMENT CONFERENCE FOR DECEMBER 18 2014	
	120	12/10/2014	NOTICE OF SUBMITTING ADA TITLE II ACCOMODATION REQUEST FORM	

Image	Doc #	Action Date	Description	Pages
	121	12/10/2014	NOTICE FLORIDA STATE COURTS SYSTEM AND WAIVER OF CONFIDENTIALITY	
	119	11/19/2014	NOTICE OF FILING NOTICE OF FILING CASE COMMUNICATION OF AUGUST 15 2014	
	116	11/18/2014	NOTICE OF FILING WITH ATTACHED INSPECTOR GENERAL COMPLAINT AND RESPONSE	
	117	11/18/2014	NOTICE OF HEARING HEARING DATE AND TIME	
	118	11/18/2014	NOTICE OF HEARING 12/18/14 AT 10:00 AM BEFORE JUDGE STANCIL	
	115	11/17/2014	OBJECTION TO HEARING WITH ATTACHED NOTICE OF FILING	
	113	11/12/2014	NOTICE OF APPEARANCE NOTICE OF CHANGE OF RESPONSIBLE ATTORNEY FOR PLAINTIFF AND	
	114	11/12/2014	NOTICE OF APPEARANCE DESIGNATION OF EMAIL ADDRESS FOR SERVICE OF PAPERS	
	112	08/12/2014	MOTION TO SET A CASE MANAGEMENT CONFERENCE	
	109	07/25/2014	MOTION TO STRIKE DEFENDANTS' RULE 1.150 MOTION TO STRIKE SHAM PLEADINGS,	
	110	07/25/2014	MOTION TO STRIKE PLAINTIFF'S VERIFIED COMPLAINT TO FORECLOSURE HOME EQUITY	
	111	07/25/2014	MOTION TO STRIKE LOAN	
	105	12/04/2013	CORR/MEMO TO JUDGES OFFICE REGARDING DEFENDANTS MOTION TO WITHDRAW AS COUNSEL	
	106	12/04/2013	ORDER GRANTING MOTION TO WITHDRAW AS COUNSEL FOR DEFENDANTS MARK GILLESPIE,	
	107	12/04/2013	ORDER GRANTING MOTION JOETTA GILLESPIE AKA UNKNOW SPOUSE OF MARK GILLESPIE AND	
	108	12/04/2013	ORDER GRANTING MOTION ELIZABETH BAUERLE	
	104	11/27/2013	CORR/MEMO TO JUDGES OFFICE	
	103	11/04/2013	NOTICE OF HEARING SET FOR 11/25/13 AT 9:30 AM. 2A ON MOTION TO WITHDRAW	
	102	10/28/2013	MOTION TO WITHDRAW AS COUNSEL	
	97	08/15/2013	SUMMONS RETURNED SERVED IND SERVE MARK GILLESPIE ON 7/11/13	
	98	08/15/2013	SUMMONS RETURNED SERVED SUB SERVE ONH 7/12/13 FOR UNKNOWN SPOUSE OF MARK GILLESPIE	
	99	08/15/2013	SUMMONS RETURNED SERVED NKA JOETTA GILLESPIE	
	100	08/15/2013	SUMMONS RETURNED SERVED IND SERVE 7/12/13 ON ELIZABETH BAUERLE	
	101	08/15/2013	SUMMONS RETURNED NOT SERVED NON SERVE 7/12/13 FOR UNKNOWN SPOUSE OF ELIZABETH BAUERLE	

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	96	07/08/2013	CONSENT CONSENT TO JUDGMENT	
	94	07/03/2013	NOTICE OF FILING REGARDING PREVIOUSLY FILED MOTION TO RECONSIDER, VACATE.	
	95	07/03/2013	NOTICE OF FILING OR MODIFY ORDER FROM PRO SE DEFENDANT NEIL J GILLESPIE	
	91	06/26/2013	COPY OF:(SEE TEXT DESCRIPTION) DEFENDANTS MOTION TO QUASH SERVICE OF PROCESS	
	92	06/26/2013	AGREED ORDER AGREED ORDER ON DEFENDANTS MOTION TO QUASH SERVICE OF	
	93	06/26/2013	AGREED ORDER PROCESS GRANTED	
	84	06/25/2013	ASM: ISSUE SUMMONS-CA	
	85	06/25/2013	ASM: ISSUE SUMMONS-CA	
	86	06/25/2013	ASM: ISSUE SUMMONS-CA	
	87	06/25/2013	ASM: ISSUE SUMMONS-CA	
	88	06/25/2013	ALIAS SUMMONS ISSUED UNKNOWN SPOUSE OF MARK GILLESPIE N/K/A JOETTA GILLESPIE,	
	89	06/25/2013	ALIAS SUMMONS ISSUED UNKNOWN SPOUSE OF ELIZABETH BAUERLE. MARK GILLESPIE,	
	90	06/25/2013	ALIAS SUMMONS ISSUED ELIZABETH BAUERLE	
	78	06/24/2013	EFILED SUMMONS ALIAS SUMMONS TO DEFENDANT UNKNOWN SPOUSE OF MARK GILLESPIE	
	79	06/24/2013	EFILED SUMMONS N/K/A JOETTA GILLESPIE	
	80	06/24/2013	EFILED SUMMONS ALIAS SUMMONS TO DEFENDANT UNKNOWN SPOUSE OF ELIZABETH	
	81	06/24/2013	EFILED SUMMONS BAUERLE	
	82	06/24/2013	EFILED SUMMONS ALIAS SUMMONS TO DEFENDANT MARK GILLESPIE	
	83	06/24/2013	EFILED SUMMONS ALIAS SUMMONS TO DEFENDANT ELIZABETH BAUERLE	
	75	06/19/2013	NOTICE OF DROPPING PARTY UNKNOWN SPOUSE OF NEIL J GILLESPIE	
	74	06/19/2013	EFILED MOTION FOR DEFAULT AGAINST OAK RUN HOMEOWNERS ASSOCIATION INC	
	76	06/19/2013	DEFAULT ENTERED ENTERED OAK RUN HOMEOWNERS ASSOCIATION, INC. AND	
	77	06/19/2013	DEFAULT ENTERED DEVELOPMENT & CONSTRUCTION CORPORATION OF AMERICA	
	73	04/22/2013	NOTICE OF APPEAL TRANSMITTAL	
	69	04/10/2013	NOTICE OF FILING PRO SE DEFT, NEIL J GILLESPIE'S NOTICE OF FILING ATTACHED	61
	70	04/10/2013	NOTICE OF FILING COPY OF NOTICE OF APPEAL; RULE 59(E) MOTION TO ALTER OR	

Image	Doc #	Action Date	Description	Pages
	71	04/10/2013	NOTICE OF FILING AMEND A JUDGMENT AND MOTION TO DISQUALIFY THE HON. WM.	
	72	04/10/2013	NOTICE OF FILING TERRELL HODGES; AND AFFIDAVIT OF NEIL J GILLESPIE	
	68	03/12/2013	ORDER ORDER REMANDING CASE	
	48	02/25/2013	SUMMONS RETURNED SERVED NEIL J GILLESPIE AND MARK GILLESPIE AS CO-TRUSTEE OF THE	
	49	02/25/2013	SUMMONS RETURNED SERVED GILLESPIE FAMILY LIVING TRUST AGREEMENT DATED FEBRUARY 10,	
	50	02/25/2013	SUMMONS RETURNED SERVED 1992	
	51	02/25/2013	SUMMONS RETURNED SERVED SERVED NEIL J GILLESPIE ON 1/12/13	
	52	02/25/2013	SUMMONS RETURNED SERVED NEIL J GILLESPIE 1/12/13	
	63	02/25/2013	SUMMONS RETURNED NOT SERVED UNKNOWN SPOUSE OF NEIL J GILLESPIE	
	64	02/25/2013	SUMMONS RETURNED NOT SERVED ELIZABETH BAUERLE	
	65	02/25/2013	SUMMONS RETURNED NOT SERVED UNKNOWN SPOUSE OF ELIZABETH BAUERLE	
	53	02/25/2013	SUMMONS RETURNED SERVED MARK GILLESPIE 1/15/13	
	54	02/25/2013	SUMMONS RETURNED SERVED UNKNOWN SPOUSE OF MARK GILLESPIE NKA JOETTA GILLESPIE	
	55	02/25/2013	SUMMONS RETURNED SERVED SERVED MARK GILLESPIE 1/15/13	
	66	02/25/2013	SUMMONS RETURNED NOT SERVED UNKNOWN SETTLORS/BENEFICIARIES OF THE GILLESPIE FAMILY	
	67	02/25/2013	SUMMONS RETURNED NOT SERVED LIVING TRUST AGREEMENT DATED FEBRUARY 10, 1997	
	56	02/25/2013	SUMMONS RETURNED SERVED OAK RUN HOMEOWNERS ASSOCIATION INC	
	57	02/25/2013	SUMMONS RETURNED SERVED SERVED ROBERT STERMER 1/14/13	
	58	02/25/2013	SUMMONS RETURNED SERVED UNITED STATES OF AMERICA ON BEHALF OF THE SECRETARY OF	
	59	02/25/2013	SUMMONS RETURNED SERVED HOUSING AND URBAN DEVELOPMENT	
	60	02/25/2013	SUMMONS RETURNED SERVED SERVED LAURIE ANN POTTER 1/14/13	
	61	02/25/2013	SUMMONS RETURNED SERVED DEVELOPMENT & CONSTRUCTION CORPORATION OF AMERICA	
	62	02/25/2013	SUMMONS RETURNED SERVED SERVED MARY CAZZARA 1/17/13	

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	44	02/12/2013	AFFIDAVIT OF DILIGENT SEARCH AS TO ELIZABETH BAUERLE	7
	45	02/12/2013	AFFIDAVIT OF DILIGENT SEARCH AS TO UNKNOWN SPOUSE OF ELIZABETH BAUERLE	
	46	02/12/2013	AFFIDAVIT OF DILIGENT SEARCH AS TO UNKNOWN SETTLORS/BENEFICIARIES OF THE GILLESPIE	5
	47	02/12/2013	AFFIDAVIT OF DILIGENT SEARCH FAMILY TRUST	
	41	02/11/2013	CORR/MEMO TO CLERKS OFFICE	
	42	02/11/2013	DISCLAIMER BY DEFT, THE UNITED STATES OF AMERICA'S DISCLAIMER AND	
	43	02/11/2013	DISCLAIMER BY DESIGNATION OF EMAIL ADDRESSES	
	39	02/07/2013	NOTICE OF FILING PRO SE DEFT, NEIL J GILLESPIE'S NOTICE OF FILING NOTICE	
	40	02/07/2013	NOTICE OF FILING OF HOMESTEAD OF NEIL J GILLESPIE	
	30	02/04/2013	NOTICE OF FILING PRO SE DEFT, NEIL J GILLESPIE'S NOTICE OF FILING ATTACHED	
	31	02/04/2013	NOTICE OF FILING AGREEMENT WITH PLTF'S COUNSEL TO EXTEND TIME TO RESPOND	
	32	02/04/2013	NOTICE OF FILING TO THIS LAWSUIT UNTIL FEBRUARY 4, 2013	
	33	02/04/2013	MOTION TO DISMISS PRO SE DEFT, NEIL J GILLESPIE'S MOTION TO DISMISS	
	34	02/04/2013	MOTION TO DISMISS VERIFIED COMPLAINT TO FORECLOSE HOME EQUITY CONVERSION	
	35	02/04/2013	MOTION TO DISMISS MORTGAGE	
	37	02/04/2013	NOTICE OF REMOVAL PRO SE DEFT, NEIL J GILLESPIE'S NOTICE OF FILING NOTICE	
	38	02/04/2013	NOTICE OF REMOVAL OF REMOVAL	
	36	02/04/2013	DESIGNATION OF EMAIL ADDRESS FILED BY PRO SE DEFT, NEIL J GILLESPIE	
	27	02/01/2013	DESIGNATION OF EMAIL ADDRESS AND NOTICE OF APPEARANCE	
	28	02/01/2013	DESIGNATION OF EMAIL ADDRESS TIFFANY CAPARAS ESQ FOR DEFTS	
	29	02/01/2013	DESIGNATION OF EMAIL ADDRESS **EFILED DOCUMENT**	
	25	02/01/2013	MOTION TO QUASH SERVICE OF PROCESS	
	26	02/01/2013	MOTION TO QUASH **EFILED DOCUMENT**	
	12	01/09/2013	ASM: RPF \$50K-\$250K	
	8	01/09/2013	ASM: ISSUE SUMMONS-CA	
	2	01/09/2013	ASM: CLERK FEE TO ESCROW ACCT	
	11	01/09/2013	ASM: REFUND TO PAYOR	

Image	Doc #	Action Date	Description	Pages
	1	01/09/2013	ASM: ADDITIONAL PERSONS FF CA	
	3	01/09/2013	PETITION/COMPLAINT NO DOC#	
	9	01/09/2013	CIVIL COVER SHEET	
	24	01/09/2013	MORTGAGE FORECLOSURE COMPLAINT	
	10	01/09/2013	RPF VALUE CLAIM FORM	
	4	01/09/2013	DESIGNATION OF EMAIL ADDRESS MRSERVICE@MCCALLARAYMER.COM	
	5	01/09/2013	NOTICE OF REFUND TO MCCALLA RAYMER	
	6	01/09/2013	NOTICE OF REFUND 225 EAST ROBINSON STREET STE 660	
	7	01/09/2013	NOTICE OF REFUND ORLANDO FL 32801	
	13	01/09/2013	SUMMONS ISSUED NEIL J GILLESPIE AND MARK GILLESPIE AS CO TRUSTEES OF THE	
	14	01/09/2013	SUMMONS ISSUED GILLESPIE FAMILY LIVING TRUST AGREEMENT DATED FEBRUARY	
	15	01/09/2013	SUMMONS ISSUED 10 1997, OAK RUN HOMEOWNERS ASSOCIATION INC, UNITED STATES	
	16	01/09/2013	SUMMONS ISSUED OF AMERICA ON BEHALF OF THE SECRETARY OF HOUSING AND	
	17	01/09/2013	SUMMONS ISSUED URBAN DEVELOPMENT, ELIZABETH BAUERLE, MARK GILLESPIE.	
	18	01/09/2013	SUMMONS ISSUED NEIL J GILLESPIE, DEVELOPMENT & CONSTRUCTION CORPORATION OF	
	19	01/09/2013	SUMMONS ISSUED AMERICA, UNKNOWN SPOUSE OF ELIZABETH BAUERLE, UNKNOWN	
	20	01/09/2013	SUMMONS ISSUED SPOUSE OF MARK GILLESPIE, UNKNOWN SPOUSE OF NEIL J	
	21	01/09/2013	SUMMONS ISSUED GILLESPIE, UNKNOWN SETTLORS/BENEFICIARIES OF THE GILLESPIE	
	22	01/09/2013	SUMMONS ISSUED FAMILY LIVING TRUST AGREEMENT DATED FEBRUARY 10 1997.	
	23	01/09/2013	NOTICE OF LIS PENDENS	

Judge Assignment History

Assigned Date	Withdraw Date	Judicial Officer	Type
No records found.			

Court Events

Event Date	Judge	Docket Type	Location	Prosecutor	Defendant Attorney
------------	-------	-------------	----------	------------	--------------------

No records found.

Financial Summary

Financial Summary			
Assessment	Total: \$1,206.30	Paid to Date: \$1,206.30	Balance Due: \$0.00
Restitution	Total: \$0.00	Paid to Date: \$0.00	Balance Due: \$0.00

Financial Details

Count	Assessment Due	Assessment Paid to Date	Restitution Due	Restitution Paid to Date	Last Payment Date
	\$1,206.30	\$1,206.30	\$0.00	\$0.00	

Reopen History

Reopen Date	Reopen Close Date	Reopen Reason
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No records found.

IN THE CIRCUIT COURT OF THE
FIFTH JUDICIAL CIRCUIT FLORIDA
IN AND FOR MARION COUNTY

REVERSE MORTGAGE SOLUTIONS, INC.,

Plaintiff,

vs.

NEIL J. GILLESPIE AND MARK GILLESPIE
AS CO-TRUSTEES OF THE GILLESPIE
FAMILY LIVING TRUST AGREEMENT
DATED FEBRUARY 10, 1997, ET AL.

Defendants.

CASE NO.: 2013-CA-000115
42-2013-CA-000115-AXXX-XX

Homestead Residential Foreclosure
\$50,001-\$249,999 (Contested)
Home Equity Conversion Mortgage
HUD/FHA/HECM Reverse Mortgage
12 USC § 1715z-20; 24 CFR Part 206
FHA Case Number: 091-4405741
BofA/RMS acct/loan #68011002615899

INSTRUCTION TO THE CLERK: ADMINISTRATIVE ORDER A-2013-56
ESTABLISHING FORECLOSURE CASE STATUS REPORTING REQUIREMENTS

Defendant Neil J. Gillespie, individually, and as former Trustee (F.S. Ch. 736 Part III) of the terminated Gillespie Family Living Trust Agreement Dated February 10, 1997 (“Terminated Trust”), an indigent non-lawyer, unable to obtain adequate counsel, a consumer of legal and court services affecting interstate commerce, a consumer of personal, family and household goods and services, consumer transactions in interstate commerce, a person with disabilities, a vulnerable adult, reluctantly appears pro se, henceforth in the first person, instructs the Clerk to show compliance with Administrative Order A-2013-56 on the record, and states:

1. Administrative Order A-2013-56 was entered November 13, 2013 by the Chief Judge of the Fifth Judicial Circuit, the Honorable Don F. Briggs. A-2013-56 appears at Exhibit 1.
2. The Honorable Don F. Briggs is the Chief Judge of the Fifth Judicial Circuit as provided by Article V, Section 2(d) of the Florida Constitution.

Under Article V, Section 2(d), Fla. Const., the Chief Judge “[S]hall be responsible for the administrative supervision of the circuit courts and county courts in his circuit.”

3. Under Fla. Stat. sec. 43.26, the Chief Judge shall exercise administrative supervision.



INSTRUCTION TO THE CLERK: ADMINISTRATIVE ORDER A-2013-56

4. David R. Ellspermann is the Marion County Clerk of Court & Comptroller, as provided by Article V, Section 16 of the Florida Constitution:

SECTION 16. Clerks of the circuit courts.—There shall be in each county a clerk of the circuit court who shall be selected pursuant to the provisions of Article VIII section 1. Notwithstanding any other provision of the constitution, the duties of the clerk of the circuit court may be divided by special or general law between two officers, one serving as clerk of court and one serving as ex officio clerk of the board of county commissioners, auditor, recorder, and custodian of all county funds. There may be a clerk of the county court if authorized by general or special law.

5. The Clerk is also governed by the Florida Statutes, Title V, Judicial Branch, Chapter 28, Clerks of the Circuit Court. Pursuant to the Florida Statutes § 28.13 Papers and electronic filings:

28.13 Papers and electronic filings.—The clerk of the circuit court must maintain all papers and electronic filings in the clerk’s office with the utmost care and security, storing them with related case files and affixing a stamp, which may be electronic, to each submission indicating the date and time that the submission was filed. The clerk may not permit any attorney or other person to remove filed documents from the control or custody of the clerk without leave of the court, except as otherwise provided by law.

6. Pursuant to the Florida Statutes § 28.211 Clerk to keep docket:

28.211 Clerk to keep docket.—The clerk of the circuit court shall keep a progress docket in which he or she shall note the filing of each pleading, motion, or other paper and any step taken by him or her in connection with each action, appeal, or other proceeding before the court. The clerk may keep separate progress dockets for civil and criminal matters. The clerk shall keep an alphabetical index, direct and inverse, for the docket.

7. Florida is a Judicial Foreclosure state. The citations to Florida’s foreclosure statutes are:

CHAPTER 702, FORECLOSURE OF MORTGAGES AND STATUTORY LIENS
Florida Statutes Sections 702.01 through 702.11, and

CHAPTER 45, CIVIL PROCEDURE: GENERAL PROVISIONS
Florida Statutes Sections 45.031 through 45.0315.

8. Pursuant to the Florida Statutes § 28.212 Minutes of court proceedings:

28.212 Minutes of court proceedings.—The clerk may keep minutes of court proceedings. The action of the court shall be noted in the minutes, but orders and judgments shall not be recorded in the minutes.

INSTRUCTION TO THE CLERK: ADMINISTRATIVE ORDER A-2013-56

9. Administrative Order A-2013-56 states as follows:

ADMINISTRATIVE ORDER NO. A-2013-56 - ADMINISTRATIVE ORDER
ESTABLISHING FORECLOSURE CASE STATUS REPORTING REQUIREMENTS

WHEREAS, Florida Supreme Court Administrative Order SC13-51 requires each Chief Judge to issue an administrative order establishing a mechanism that enables judges to provide explicit direction to each Clerk of Court's office with regard to designating a change in the status of a foreclosure case for statistical reporting purposes;

As Chief Judge of this Fifth Judicial Circuit and in accordance with Florida Rule of Judicial Administration 2.215(b)(2), it is now therefore:

ORDERED:

The Clerk of Court in each county in this Fifth Judicial Circuit shall designate a foreclosure case as inactive when court activity is suspended pending resolution of an issue external to the Court or an issue that does not directly involve the court in resolving that issue.

Examples of events that would move a case from active to inactive are:

1. When directed by the presiding judge or judge's staff
2. A stay of bankruptcy
3. Resolution of the case requires resolution of a related case
4. On-going settlement negotiations or agreement by both parties
5. Case is on hold pending appeal
6. A hold is placed on the case due to Department of Justice document review, and;
7. Any other criteria that would otherwise make a case inactive.

The Clerk of Court shall designate a foreclosure case as active when the criteria in the above paragraph cease to exist.

Judges judicial assistants and/or court case managers shall notify the clerk of court in writing (fax, email, letter, monthly spreadsheet) when they are aware that the Clerk of Court should change a case status from active to inactive or vice versa.

DONE AND ORDERED in Chambers, at Tavares, Lake County, Florida, on this
13th day of Nov, 2013

DON F. BRIGGS
Chief Judge
Fifth Judicial Circuit

10. I provided notice to the Clerk of events that would move a case from active to inactive, although the Clerk already had most, if not all of these events, see,

INSTRUCTION TO THE CLERK: ADMINISTRATIVE ORDER A-2013-56

DEFENDANTS' INSTRUCTION TO CLERK: ABATE THIS ACTION

Rule 1.100(c)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."

Filing # 50230820 E-Filed 12/19/2016 12:53:31 PM

which appears at Exhibit 2 including the Service List December 19, 2016 showing service to the Clerk, and Gregory C. Harrell. The cover page to APPENDIX OF EXHIBITS (Exhibit 3), and the cover page of APPENDIX OF EXHIBITS -2 (Exhibit 4) appear as exhibits in lieu of,

APPENDIX OF EXHIBITS - 37 pages

Filing # 50230820 E-Filed 12/19/2016 12:53:31 PM

APPENDIX OF EXHIBITS -2 - 31 pages

Filing # 50230820 E-Filed 12/19/2016 12:53:31 PM

11. Events that would move a case from active to inactive may include the following events described in Exhibit 2, DEFENDANTS' INSTRUCTION TO CLERK: ABATE THIS ACTION:

10. Mr. Wilson failed to list known related cases filed in Part VI of the Plaintiff's "Form 1.997 AMENDED CIVIL COVER SHEET" including at least twenty-one (21) related cases:

(1) **August 9, 2012** U.S. Department of Housing and Urban Development (HUD) complaint as provided in the Reverse Mortgage Handbook 7610.01, Section 4-19:

- HUD Complaint August 9, 2012, Gillespie v. RMS (27 pages)
- HUD Complaint August 9, 2012 APPENDIX I (108 pages)
- HUD Complaint August 9, 2012 APPENDIX II (92 pages)

Neil J. Gillespie et al. v. Reverse Mortgage Solutions, Inc. Not adjudicated by HUD; instead, HUD sent my complaint to the Consumer Financial Protection Bureau (CFPB).

(2) **February 4, 2013**, CFPB Complaint Number 120914-000082, provided to this Court, as part of **Defendants' Composite B** to [Defendants'] *Motion To Dismiss Verified Complaint To Foreclose Home Equity Conversion Mortgage*.

- MOTION TO DISMISS: Verified Complaint To Foreclose HECM
- EXHIBITS: Motion to Dismiss Verified Complaint To Foreclose HECM
- COMPOSITE A: Motion to Dismiss Verified Complaint To Foreclose HECM
- COMPOSITE B: Motion to Dismiss Verified Complaint To Foreclose HECM
- COMPOSITE B: APPENDIX I

INSTRUCTION TO THE CLERK: ADMINISTRATIVE ORDER A-2013-56

- COMPOSITE B: APPENDIX II

(3) **February 4, 2013**, Removal, US District Court, Middle District Fla., Ocala Division Reverse Mortgage Solutions, Inc. v. Neil J. Gillespie, et al., No. 5:13-cv-58-WTH-PRL

- US Judge William Terrell Hodges, Senior Status, trial judge Ocala Division
- US Magistrate Judge Philip R. Lammens, magistrate judge Ocala Division

(4) **May 9, 2013**, US Eleventh Circuit Court of Appeals, Reverse Mortgage Solutions, Inc. v. Neil J. Gillespie, et al., No. 13-11585-B,

- Notice of Appearance by Curtis Wilson and Danielle Parsons (McCalla Raymer LLC)

ORDER July 25, 2013 Granted Gillespie leave to file a separate petition for a writ of mandamus or prohibition with this Court. *See* 28 U.S.C. § 1651; Fed.R.App.P.21.

Before: HULL, WILSON and JORDAN, Circuit Judges. [July 25, 2013]
BY THE COURT:

Appellant Neil Gillespie's July 2, 2013 motion for reconsideration of our June 12, 2013 order dismissing this appeal for lack of jurisdiction is DENIED. All other outstanding motions are DENIED as moot. Should Gillespie wish to petition for mandamus relief, he may file a separate petition for a writ of mandamus or prohibition with this Court. *See* 28 U.S.C. § 1651; Fed.R.App.P.21.

(5) **Supreme Court of the United States - Petition No. 13-7280**

Neil J. Gillespie, Petitioner

v.

Reverse Mortgage Solutions, Inc., et al.

- Oct-23-2013 - Petition for a writ of certiorari and motion for leave to proceed in forma pauperis filed. (Response due December 9, 2013)
- Nov-08-2013 - Docketed
- Nov-18-2013 - Waiver of right of respondent The Florida Bar to respond filed.
- Dec-09-2013 - Waiver of right of respondent Reverse Mortgage Solutions, Inc. to respond filed (Danielle Parsons, Bar ID 29364, McCalla Raymer LLC)
- Dec-26-2013 - DISTRIBUTED for Conference of January 10, 2014.
- Jan-13-2014 - Petition DENIED.
- Feb-07-2014 - Petition for Rehearing filed.
- Feb-19-2014 - DISTRIBUTED for Conference of March 7, 2014.
- Mar-10-2014 - Rehearing DENIED.

(6) **March 4, 2014** Congressional inquiry of US Senator Marco Rubio for Neil Gillespie, new CFPB Complaint Number: 140304-000750, currently in file status (open).

(7) **January 30, 2015**, Florida Fifth District Court of Appeal, Case No. 5D15-0341- Petition for Writ of Prohibition, to review the order(s) denying motion to disqualify judge.

INSTRUCTION TO THE CLERK: ADMINISTRATIVE ORDER A-2013-56

(8) **January 30, 2015**, Florida Fifth District Court of Appeal, Case No. 5D15-0340 to review that portion of the January 6, 2015 order that denies the motion to quash service.

(9) **June 19, 2015**, Florida Supreme Court, Neil J. Gillespie Etc. v. Reverse Mortgage Solutions, Inc. Case No.: 15-1145, , Curtis Wilson for Reverse Mortgage Solutions, Inc. Lower Tribunal Case Number(s): 5D15-340; 422013CA0001 15CAAXXX

(17) **September 21, 2016** notification by email of the OIGHotline, Re investigation of CFPB Complaint Number: 120914-000082, Office of Inspector General (OIG), Board of Governors of the Federal Reserve System (Board), was provided to this Court, **Filing # 49223578 E-Filed 11/22/2016 03:48:52 PM.**

(18) **December 2, 2013**, The Florida Bar File No. 2014-30,525 (9A), Gillespie v Danielle Nicole Parsons. Partial case file 47 pages (case file 1,000+ pages) with Brewer Notice.

(19) **December 1, 2013**, The Florida Bar UPL Investigation 20143031 (9A) of paralegal Yolanda Martinez. Case file 70 pages. Yolanda Martinez acted at direction of Parsons.

My complaints alleged, *inter alia*, that Danielle Nicole Parsons, Bar ID 29364, McCalla Raymer LLC, engaged in *ex parte* communication with US Judge William Terrell Hodges and or US Magistrate Judge Philip R. Lammens and concocted through paralegal Martinez a plan to deprive me of a Rule 55 Default Judgment. Patricia Ann Toro Savitz prosecuted Parsons, but over a year into the investigation, closed the case

(20) **February 6, 2015**, The Florida Bar RFA No. 15-13443, Neil J. Gillespie v. Curtis Allen Wilson, Bar ID 77669. Case file 18 pages with Brewer Notice.

and perhaps other events.

12. Three federal cases are either in an open status or have granted leave to file:

March 4, 2014 Congressional inquiry of US Senator Marco Rubio for Neil Gillespie, new CFPB Complaint Number: 140304-000750, currently in file status (open).

September 21, 2016 notification by email of the OIGHotline, Re investigation of CFPB Complaint Number: 120914-000082, Office of Inspector General (OIG), Board of Governors of the Federal Reserve System (Board), was provided to this Court, **Filing # 49223578 E-Filed 11/22/2016 03:48:52 PM.**

May 9, 2013, US Eleventh Circuit Court of Appeals, Reverse Mortgage Solutions, Inc. v. Neil J. Gillespie, et al., No. 13-11585-B. ORDER July 25, 2013 Granted Gillespie leave to file a separate petition for a writ of mandamus or prohibition with this Court. See 28 U.S.C. § 1651; Fed.R.App.P.21.

INSTRUCTION TO THE CLERK: ADMINISTRATIVE ORDER A-2013-56

Article VI, Clause 2, Constitution of the United States (Supremacy Clause)

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding. https://en.wikipedia.org/wiki/Supremacy_Clause
https://en.wikipedia.org/wiki/Article_Six_of_the_United_States_Constitution#Supremacy

13. Trial Judge Anne Craggs wrote in her “OMNIBUS ORDER ON CASE

MANAGEMENT CONFERENCE and MOTIONS” entered December 5, 2016:

“As of the date of the case management conference, this case has been pending 1,419 days.”

14. Trial Judge Anne Craggs wrote in her “AMENDED OMNIBUS ORDER ON CASE

MANAGEMENT CONFERENCE and MOTIONS” entered December 13, 2016:

“As of the date of the case management conference, this case has been pending 1,419 days.”

15. Judge Craggs contention that “As of the date of the case management conference, this case has been pending 1,419 days.” is not consistent with Administrative Order A-2013-56.

16. This case commenced on January 9, 2013. The CMC was held November 28, 2016. The mathematical calculation of the duration between the two dates is 1419 days. Exhibit 5. However a mere mathematical calculation is not consistent with Administrative Order A-2013-56.

17. An honest, competent judge of the Florida Fifth Judicial Circuit would know and obey Administrative Order A-2013-56.

18. A dishonest, incompetent judge of the Florida Fifth Judicial Circuit might knowingly make a *False Official Statement* in an order and disobey Administrative Order A-2013-56 to benefit the Plaintiff or some other party.

19. False Official Statements violate section 837.06 of the Florida Statutes:

837.06 False official statements.—Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official

INSTRUCTION TO THE CLERK: ADMINISTRATIVE ORDER A-2013-56

duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

20. A dishonest, incompetent judge who knowingly makes a *False Official Statement* (837.06) in an order contrary to Administrative Order A-2013-56 to benefit the Plaintiff violates

Chapter 838, BRIBERY; MISUSE OF PUBLIC OFFICE, 838.022 Official misconduct.—

838.022 Official misconduct.—

(1) It is unlawful for a public servant or public contractor, to knowingly and intentionally obtain a benefit for any person or to cause unlawful harm to another, by:

(a) Falsifying, or causing another person to falsify, any official record or official document;

21. Florida is a Judicial Foreclosure state, requiring access to courts guaranteed by the Florida Constitution, Article 1, Section 21:

SECTION 21. Access to courts.—The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay.

22. Because Florida is a Judicial Foreclosure state, a judge who makes a false official statement (837.06) and/or engages in official misconduct (838.022) during a Florida foreclosure proceeding, unlawfully harms a party, and denies that party due process of law.

23. I have due process guaranteed by the Florida Constitution, Article 1, Section 9.

SECTION 9. Due process.—No person shall be deprived of life, liberty or property without due process of law, or be twice put in jeopardy for the same offense, or be compelled in any criminal matter to be a witness against oneself.

Denial of due process is a denial of access to courts Florida Constitution, Article 1, Section 21.

24. Judge Craggs swore to uphold the Constitution of the United States,

“The Constitution states only one command twice. The Fifth Amendment says to the federal government that no one shall be “deprived of life, liberty or property without due process of law.” The Fourteenth Amendment, ratified in 1868, uses the same eleven words, called the Due Process Clause, to describe a legal obligation of all states. These words have as their central promise an assurance that all levels of American government must operate within the law (“legality”) and provide fair procedures.”

Due Process article by Peter Strauss for the Legal Information Institute

INSTRUCTION TO THE CLERK: ADMINISTRATIVE ORDER A-2013-56

https://www.law.cornell.edu/wex/du_e_process

25. Amendment XIV, Section 1, Constitution of the United States,

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

<https://www.law.cornell.edu/constitution/amendmentxiv>

26. The Supremacy Clause, Article VI, Clause 2, of the Constitution of the United States

binds Judge Craggs to follow federal due process under Amendment XIV, Section 1, of the Constitution of the United States. The Supremacy Clause states:

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding. https://en.wikipedia.org/wiki/Supremacy_Clause
https://en.wikipedia.org/wiki/Article_Six_of_the_United_States_Constitution#Supremacy

RESPECTFULLY SUBMITTED March 23, 2017.



Neil J. Gillespie, individually, and former Trustee,
F.S. Ch. 736 Part III, of the Terminated Trust
8092 SW 115th Loop
Ocala, Florida 34481
Phone: 352-854-7807
Email: neilgillespie@mfi.net

Service List March 23, 2017

I hereby certify the names below were served by email March 23, 2017 through the Florida Portal, unless otherwise expressly stated. May include additional names on the Florida Portal.

The Honorable Joseph Negron, President
Email: joe@joenegron.com
Florida Senate
409, The Capitol
404 S. Monroe Street
Tallahassee, FL 32399-1100
Tel: 850-487-5229
<https://www.flsenate.gov/Offices/President>

The Honorable Richard Corcoran, Speaker
Email: richard@richardcorcoran.com
Florida House of Representatives
420 The Capitol
402 South Monroe Street
Tallahassee, Florida 32399-1300
Tel: 850-717-5037
<http://www.myfloridahouse.gov/>

Florida Senate
Debbie Brown, Secretary of the Senate
Office of Senate Secretary
Email: brown.debbie.web@flsenate.gov

Florida House of Representatives
Office of the Clerk
Email: officeoftheClerk@myfloridahouse.gov

Office of Inspector General, "OIGHotline"
c/o Board of Governors of
the Federal Reserve System
20th Street and Constitution Avenue, NW
Mail Stop K- 300
Washington, DC 20551
Email: OIGHotline@frb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

SEC Office of the Whistleblower
100 F Street NE
Washington, DC 20549
Phone: (202) 551-4790
Fax: (703) 813-9322
Via U.S. Mail, First Class or Priority
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750
Not served on the Florida Portal

The Honorable Richard Cordray, Director
Consumer Finance Protection Bureau
1700 G Street, NW
Washington, DC 20002
Email: Richard.Cordray@cfpb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

Stefanie Isser Goldblatt
Senior Litigation Counsel
Enforcement Division
Consumer Finance Protection Bureau
Email: Stefanie.Goldblatt@cfpb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

FBI Tampa Division
Special Agent in Charge, Paul Wysopal
Website: <https://www.fbi.gov/tampa>
Email: tampa.division@ic.fbi.gov

FBI Jacksonville Division
Special Agent in Charge, Michelle S. Klimt
Website: <https://www.fbi.gov/jacksonville>
Email: jacksonville@ic.fbi.gov

The Honorable Don F. Briggs
Chief Judge, Fifth Judicial Circuit
Lake County Judicial Center
550 W. Main Street
Tavares, FL 32778-7800.
Tel. 352-742-4224
Email: dbriggs@circuit5.org

The Honorable Ann Melinda Craggs
Circuit Court Judge, Fifth Judicial Circuit
Marion County Judicial Center
110 NW 1st Ave.
Ocala, FL 34475
Tel: 352-401-6785
Email: amcraggs@circuit5.org

Mr. Curtis Wilson, Esq.
McCalla Raymer Pierce, LLC
225 E. Robinson Street, Ste. 660
Orlando, FL 32801
Email: MRService@mrpllc.com

Ms. Colleen Murphy Davis, AUSA
400 N. Tampa Street, Suite 3200
Tampa, FL 33602
Email: USAFLM.HUD@usdoj.gov
JAXSFFORECLOSURES@hud.gov
JAXSFORECLOSURES@hud.gov
lydia.a.brush@gmail.com

Gregory C. Harrell
General Counsel to David R. Ellspermann,
Marion County Clerk of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
Email: gharrell@marioncountyclerk.org

David R. Ellspermann Marion County Clerk
of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
Email: Ellspermann@marioncountyclerk.org

Development & Construction Corporation
of America, c/o Carol Olson, Vice President
of Administration and Secretary-Treasurer
10983 SW 89 Avenue
Ocala, FL 34481
Email: colson@deccahomes.com

Oak Run Homeowners Association, Inc.
(ORHA)
c/o ORHA Board of Directors
Email: orhaboard@yahoo.com
c/o ORHA President David Stott
Email: dave.stott@deccacable.com

Neil J. Gillespie and Mark Gillespie as Co-Trustees of the Gillespie Family Living Trust
Agreement dated February 10, 1997; Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Neil J. Gillespie
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Mark Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123
Email: mark.gillespie@att.net

Unknown spouse of Mark Gillespie n/k/a Joetta Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123 Email: mark.gillespie@att.net

Unknown Settlers/Beneficiaries of The Gillespie Family Living Trust Agreement dated
February 10, 1997; (NONE); Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481 Email: neilgillespie@mfi.net

Elizabeth Bauerle n/k/a Elizabeth Bidgood
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Unknown spouse of Elizabeth Bidgood,
n.k.a. Scott Bidgood
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Termination of the Gillespie Family Living Trust Agreement Dated February 10, 1997

STATE OF FLORIDA)
) SS.:
COUNTY OF MARION)



DAVID R ELLSPERMANN CLERK & COMPTROLLER MARION CO
DATE: 02/03/2015 11:55:32 AM
FILE #: 2015009748 OR BK 6161 PGS 1844-1845
REC FEES: \$18.50 INDEX FEES: \$0.00
DDS: \$0 MDS: \$0 INT: \$0

AFFIDAVIT

BEFORE ME, this day personally appeared NEIL J. GILLESPIE, who upon being duly sworn deposed upon oath as follows:

1. My name is Neil J. Gillespie. I am over eighteen years of age. This affidavit is given on personal knowledge unless otherwise expressly stated.
2. I am sole Trustee of the Gillespie Family Living Trust Agreement Dated February 10, 1997 (hereinafter "Trust").

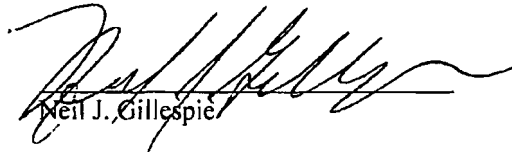
3. My Florida residential homestead property is the sole asset of the Trust, property address 8092 SW 115th Loop, Ocala, Florida 34481, Marion County, Florida, (the "property") where I have lived in the property continuously and uninterruptedly since February 9, 2005, Tax ID No. 7013-007-001, legal description:

Lot(s) 1, Block G, OAK RUN WOODSIDE TRACT, according to the Plat thereof as recorded in Plat Book 2 at Page(s) 106 through 112, inclusive of the Public Records of Marion County, Florida.

4. Pursuant to my authority as Trustee of the Trust, and acting in that capacity, I transferred the remaining trust property to the beneficiary, myself, on January 14, 2015.
5. Pursuant to my authority as Trustee of the Trust, and acting in that capacity, I hereby terminate the Trust as provided by Fla. Stat. § 736.0414, and Article V, the Trust. The total fair market value of the assets of the Trust is zero. The Trust served its intended purpose of transferring the property to the beneficiary without going through probate.
6. Pursuant to Fla. Stat. § 736.0414 Modification or termination of uneconomic trust. (1) After notice to the qualified beneficiaries, the trustee of a trust consisting of trust property

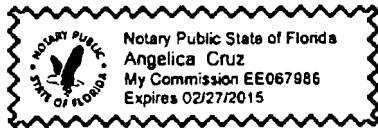
having a total value less than \$50,000 may terminate the trust if the trustee concludes that the value of the trust property is insufficient to justify the cost of administration.


FURTHER AFFIANT SAYETH NOT,


Neil J. Gillespie

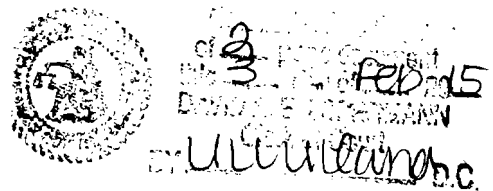
The foregoing instrument was acknowledged before me, this 2nd day of February, 2015, by Neil J. Gillespie, who is personally known to me, or who has produced ^{FL DL} 6422 030 56 0990 as identification and states that he is the person who made this affidavit and that its contents are truthful to the best of his knowledge, information and belief.

(SEAL)




NOTARY PUBLIC
Angelica Cruz
Print Name of Notary Public

My Commission Expires: 2/27/15



**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA**

ADMINISTRATIVE ORDER NO. A-2013- 56

**ADMINISTRATIVE ORDER ESTABLISHING FORECLOSURE CASE STATUS
REPORTING REQUIREMENTS**

WHEREAS, Florida Supreme Court Administrative Order SC13-51 requires each Chief Judge to issue an administrative order establishing a mechanism that enables judges to provide explicit direction to each Clerk of Court's office with regard to designating a change in the status of a foreclosure case for statistical reporting purposes;

As Chief Judge of this Fifth Judicial Circuit and in accordance with Florida Rule of Judicial Administration 2.215(b)(2), it is now therefore:

ORDERED:

The Clerk of Court in each county in this Fifth Judicial Circuit shall designate a foreclosure case as inactive when court activity is suspended pending resolution of an issue external to the Court or an issue that does not directly involve the court in resolving that issue.

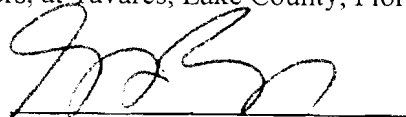
Examples of events that would move a case from active to inactive are:

1. When directed by the presiding judge or judge's staff
2. A stay of bankruptcy
3. Resolution of the case requires resolution of a related case
4. On-going settlement negotiations or agreement by both parties
5. Case is on hold pending appeal
6. A hold is placed on the case due to Department of Justice document review, and;
7. Any other criteria that would otherwise make a case inactive.

The Clerk of Court shall designate a foreclosure case as active when the criteria in the above paragraph cease to exist.

Judges judicial assistants and/or court case managers shall notify the clerk of court in writing (fax, email, letter, monthly spreadsheet) when they are aware that the Clerk of Court should change a case status from active to inactive or vice versa.

DONE AND ORDERED in Chambers, at Tavares, Lake County, Florida, on this 13 day of Nov, 2013.



DON F. BRIGGS
Chief Judge
Fifth Judicial Circuit



IN THE CIRCUIT COURT OF THE
FIFTH JUDICIAL CIRCUIT FLORIDA
IN AND FOR MARION COUNTY

REVERSE MORTGAGE SOLUTIONS, INC.,

Plaintiff,

vs.

NEIL J. GILLESPIE AND MARK GILLESPIE
AS CO-TRUSTEES OF THE GILLESPIE
FAMILY LIVING TRUST AGREEMENT
DATED FEBRUARY 10, 1997, ET AL.

Defendants.

CASE NO.: 2013-CA-000115
42-2013-CA-000115-AXXX-XX

Residential HECM Foreclosure Case
Florida Homestead of Neil J. Gillespie
F.S. § 702.015 **Note/valid copy missing**
Rule 1.115 Pleading Mortgage Foreclosures
Rule 1.100(c)(2) Civil cover sheet wrong.
F.S. § 837.06 False Official Statements
F.S. § 92.525 Verification of documents

DEFENDANTS' INSTRUCTION TO CLERK: ABATE THIS ACTION

Rule 1.100(c)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."

Defendant Neil J. Gillespie, individually, and as former Trustee (F.S. Ch. 736 Part III) of the terminated Gillespie Family Living Trust Agreement Dated February 10, 1997 ("Terminated Trust"), an indigent non-lawyer, unable to obtain adequate counsel, a consumer of legal and court services affecting interstate commerce, a consumer of personal, family and household goods and services, consumer transactions in interstate commerce, a person with disabilities, and a vulnerable adult, henceforth in the first person, reluctantly appears pro se, and instructs the Clerk of the Court, pursuant to Fla. R. Civ. Pro 1.100(c)(2), to abate all proceedings in this action until a properly executed civil cover sheet is completed and filed, and states:

TABLE OF CONTENTS

- "Form 1.997 AMENDED CIVIL COVER SHEET" does not exist in the Fla.R.Civ.Pro
- Plaintiff counsel lied on Part VI, checked "no" to the question, "Has Notice Of Any Known Related Cases Been Filed?" ___yes If "yes" list all related cases by name, case number, and court. There are many related cases. By his signature Curtis Wilson committed perjury.
- Curtis Wilson's Certificate of Service shows mailing to addresses known to be wrong.



DEFENDANTS' INSTRUCTION TO CLERK: ABATE THIS ACTION

Dec-19-2016

Rule 1.100(c)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."

- "Form 1.997 AMENDED CIVIL COVER SHEET" does not exist in the Fla.R.Civ.Pro
- 1. The Clerk of the Court is duty bound to perform ministerial acts. Rule 1.100(c)(2) states, Rule 1.100(c)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."
- 2. On November 29, 2016 the Plaintiff's counsel, Curtis Alan Wilson (FL Bar # 77669), filed "Form 1.997 AMENDED CIVIL COVER SHEET", and a separate service of process, see,

Exhibit 1 Form 1.997 AMENDED CIVIL COVER SHEET
Filing # 49396688 E-Filed 11/29/2016 03:32:41 PM
By Curtis Alan Wilson (FL Bar # 77669) McCalla Raymer Pierce LLC

Exhibit 2 Certificate of Service, Form 1.997 AMENDED CIVIL COVER SHEET
Filing # 49396688 E-Filed 11/29/2016 03:32:41 PM
By Curtis Alan Wilson (FL Bar # 77669) McCalla Raymer Pierce LLC

Exhibit 3 Notice of Service of Court Documents
Filing # 49396688 E-Filed 11/29/2016 03:32:41 PM
By Curtis Alan Wilson (FL Bar # 77669) McCalla Raymer Pierce LLC

Exhibit 4 Form 1.997 AMENDED CIVIL COVER SHEET
US Mail to Neil J. Gillespie, 8092 SW 115th Loop, Ocala, FL 34481
By Curtis Alan Wilson (FL Bar # 77669) McCalla Raymer Pierce LLC

Exhibit 5 Form 1.997 AMENDED CIVIL COVER SHEET
US Mail to Neil J. Gillespie and Mark Gillespie as Co-Trustees of the Gillespie Family Living Trust dated February 10, 1997, 8092 SW 115th Loop, Ocala, FL 34481
By Curtis Alan Wilson (FL Bar # 77669) McCalla Raymer Pierce LLC

Exhibit 6 Form 1.997 AMENDED CIVIL COVER SHEET
US Mail to Unknown Settlers/Beneficiaries of the Gillespie Family Living Trust dated February 10, 1997, 8092 SW 115th Loop, Ocala, FL 34481
By Curtis Alan Wilson (FL Bar # 77669) McCalla Raymer Pierce LLC

- 3. The current "Form 1.997 CIVIL COVER SHEET" begins on page 326 of the Florida Rules of Civil Procedure, Work Product of The Florida Bar, February 23, 2016. Exhibit 7.
- 4. The Plaintiff filed "Form 1.997 AMENDED CIVIL COVER SHEET", see paragraph 2 above and Exhibits 1 through Exhibit 6.

DEFENDANTS' INSTRUCTION TO CLERK: ABATE THIS ACTION
Rule 1.100(c)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."

Dec-19-2016

5. However "Form 1.997 AMENDED CIVIL COVER SHEET" does not exist in the Florida Rules of Civil Procedure (ibid). By filing a "Form 1.997 AMENDED CIVIL COVER SHEET", instead of filing a properly executed "Form 1.997 CIVIL COVER SHEET", amended or corrected, I personally believe anyone with standing could move to strike the current one.

6. The Plaintiff's Form 1.997 CIVIL COVER SHEET is not properly executed because "Form 1.997 AMENDED CIVIL COVER SHEET" does not exist in the Fla.R.Civ.Pro. This case has been designated a homestead residential foreclosure 750 days after Mr. Wilson took . The Clerk finally designated this homestead residential foreclosure as a contested lawsuit.

- Plaintiff counsel lied on Part VI, checked "no" to the question, "Has Notice Of Any Known Related Cases Been Filed?" ___yes If "yes" list all related cases by name, case number, and court. There are many related cases. By his signature Curtis Wilson committed perjury.

7. Part VI, Form 1.997 CIVIL COVER SHEET, states:

VI. HAS NOTICE OF ANY KNOWN RELATED CASE BEEN FILED?

_____ no

_____ yes If "yes" list all related cases by name, case number, and court.

8. Plaintiff's counsel, Curtis Alan Wilson (FL Bar # 77669), checked "no" to Part VI, *Has Notice Of Any Known Related Case Been Filed*. Plaintiff's counsel Mr. Wilson *certified by his signature that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief*:

"I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief."

Mr. Wilson signed his name, followed by "Fla. Bar# 77669, printed his name, "Curtis Wilson" and dated his certification 11/29/16.

Rule 1.100(c)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."

9. The Plaintiff's Form 1.997 CIVIL COVER SHEET is not properly executed because notice has been given of many related cases filed and Mr. Wilson failed to check "yes" and "list all related cases by name, case number, and court." Instead, Wilson checked "no" and did not list all related cases by name, case number, and court.

10. Mr. Wilson failed to list known related cases filed in Part VI of the Plaintiff's "Form 1.997 AMENDED CIVIL COVER SHEET" including at least twenty-one (21) related cases:

(1) **August 9, 2012** U.S. Department of Housing and Urban Development (HUD) complaint as provided in the Reverse Mortgage Handbook 7610.01, Section 4-19:

- HUD Complaint August 9, 2012, Gillespie v. RMS (27 pages)
- HUD Complaint August 9, 2012 APPENDIX I (108 pages)
- HUD Complaint August 9, 2012 APPENDIX II (92 pages)

Neil J. Gillespie et al. v. Reverse Mortgage Solutions, Inc. Not adjudicated by HUD; instead, HUD sent my complaint to the Consumer Financial Protection Bureau (CFPB).

(2) **February 4, 2013**, CFPB Complaint Number 120914-000082, provided to this Court, as part of **Defendants' Composite B** to [Defendants'] *Motion To Dismiss Verified Complaint To Foreclose Home Equity Conversion Mortgage*.

- MOTION TO DISMISS: Verified Complaint To Foreclose HECM
- EXHIBITS: Motion to Dismiss Verified Complaint To Foreclose HECM
- COMPOSITE A: Motion to Dismiss Verified Complaint To Foreclose HECM
- COMPOSITE B: Motion to Dismiss Verified Complaint To Foreclose HECM
- COMPOSITE B: APPENDIX I
- COMPOSITE B: APPENDIX II

(3) **February 4, 2013**, Removal, US District Court, Middle District Fla., Ocala Division Reverse Mortgage Solutions, Inc. v. Neil J. Gillespie, et al., No. 5:13-cv-58-WTH-PRL

- US Judge William Terrell Hodges, Senior Status, trial judge Ocala Division
- US Magistrate Judge Philip R. Lammens, magistrate judge Ocala Division

(4) **May 9, 2013**, US Eleventh Circuit Court of Appeals, Reverse Mortgage Solutions, Inc. v. Neil J. Gillespie, et al., No. 13-11585-B,

- Notice of Appearance by Curtis Wilson and Danielle Parsons (McCalla Raymer LLC)

ORDER July 25, 2013 Granted Gillespie leave to file a separate petition for a writ of mandamus or prohibition with this Court. *See* 28 U.S.C. § 1651; Fed.R.App.P.21.

Rule 1.100(e)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."

Before: HULL, WILSON and JORDAN, Circuit Judges. [July 25, 2013]
BY THE COURT:

Appellant Neil Gillespie's July 2, 2013 motion for reconsideration of our June 12, 2013 order dismissing this appeal for lack of jurisdiction is DENIED. All other outstanding motions are DENIED as moot. Should Gillespie wish to petition for mandamus relief, he may file a separate petition for a writ of mandamus or prohibition with this Court. *See* 28 U.S.C. § 1651; Fed.R.App.P.21.

(5) Supreme Court of the United States - Petition No. 13-7280

Neil J. Gillespie, Petitioner

v.

Reverse Mortgage Solutions, Inc., et al.

- Oct-23-2013 - Petition for a writ of certiorari and motion for leave to proceed in forma pauperis filed. (Response due December 9, 2013)
- Nov-08-2013 - Docketed
- Nov-18-2013 - Waiver of right of respondent The Florida Bar to respond filed.
- Dec-09-2013 - Waiver of right of respondent Reverse Mortgage Solutions, Inc. to respond filed (Danielle Parsons, Bar ID 29364, McCalla Raymer LLC)
- Dec-26-2013 - DISTRIBUTED for Conference of January 10, 2014.
- Jan-13-2014 - Petition DENIED.
- Feb-07-2014 - Petition for Rehearing filed.
- Feb-19-2014 - DISTRIBUTED for Conference of March 7, 2014.
- Mar-10-2014 - Rehearing DENIED.

(6) **March 4, 2014** Congressional inquiry of US Senator Marco Rubio for Neil Gillespie, new CFPB Complaint Number: 140304-000750, currently in file status (open).

(7) **January 30, 2015**, Florida Fifth District Court of Appeal, Case No. 5D15-0341- Petition for Writ of Prohibition, to review the order(s) denying motion to disqualify judge.

(8) **January 30, 2015**, Florida Fifth District Court of Appeal, Case No. 5D15-0340 to review that portion of the January 6, 2015 order that denies the motion to quash service.

(9) **June 19, 2015**, Florida Supreme Court, Neil J. Gillespie Etc. v. Reverse Mortgage Solutions, Inc. Case No.: 15-1145, , Curtis Wilson for Reverse Mortgage Solutions, Inc. Lower Tribunal Case Number(s): 5D15-340; 422013CA0001 15CAAXXX

Rule 1.100(c)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."

(10) **November 9, 2015** - NOTICE OF ACTION by Curtis Alan Wilson (Bar # 77669) McCalla Raymer Pierce LLC, Case No. 42-2013-CA-000115-AXXX-XX against the

- UNKNOWN SPOUSE OF ELIZABETH BAUERLE
- 6356 SW 106TH PLACE, OCALA, FLORIDA, 34476

LAST KNOWN ADDRESS STATED, CURRENT RESIDENCE UNKNOWN

Action to Foreclose Mortgage covering real and personal property

Signed November 10, 2015 by N. Hernandez, Deputy Clerk, for David R. Ellspermann, Marion County Clerk of the Circuit Court and Comptroller.

(11) **November 9, 2015** - NOTICE OF ACTION by Curtis Alan Wilson (Bar # 77669) McCalla Raymer Pierce LLC, Case no. 42-2013-CA-000115-AXXX-XX against the

- UNKNOWN SETTLORS BENEFICIARIES OF THE GILLESPIE FAMILY LIVING TRUST AGREEMENT DATED FEBRUARY 10, 1997
- 8092 SW 115TH LOOP, OCALA, FL 34481

LAST KNOWN ADDRESS STATED, CURRENT RESIDENCE UNKNOWN

Action to Foreclose Mortgage covering real and personal property

Signed November 10, 2015 by N. Hernandez, Deputy Clerk, for David R. Ellspermann, Marion County Clerk of the Circuit Court and Comptroller.

(12) **January 15, 2016** - NOTICE OF ACTION by Curtis Alan Wilson (Bar # 77669) McCalla Raymer Pierce LLC, filed in this Case No. 42-2013-CA-000115-AXXX-XX

- ELIZABETH BAUERLE NKA ELIZABETH BIDWOOD (sic) [Bidgood]
- 7504 SUMMER MEADOWS DRIVE. FORT WORTH, TX 76123

LAST KNOWN ADDRESS STATED, CURRENT RESIDENCE UNKNOWN

Action to Foreclose Mortgage covering real and personal property

Signed January 19, 2016 by N. Hernandez, Deputy Clerk, for David R. Ellspermann, Marion County Clerk of the Circuit Court and Comptroller.

(13) **February 15, 2005**, Marion County Sheriff's Office, Report MCSO 06013570 by Detective Erik B. Dice. Initiated by my letter February 15, 2006 to Sheriff Ed Dean for investigation of exploitation of my mother Penelope Gillespie by Bank of America et al.

(14) **December 22, 2015**, Marion County Sheriff's Office, Report MCSO 15040736 by Detective Erik B. Dice. Initiated by my request for investigation November 8, 2015. Supplemental report January 15, 2016, includes correspondence of ASA Mark Simpson. Detective Dice dated this report as follows:

occurred ON OR FROM date 01/01/2004 time 00:00 day THU
occurred TO date 11/07/2015 time 17:00 day SAT
occurred REPORTED date 11/17/2015 time 16:43 day TUE
(a period of time that is 11 years, 10 months, 6 days excluding the end date)

SUPPLEMENT INCIDENT REPORT, NO 1, date 12/22/2015, time 12:58
SUPPLEMENT INCIDENT REPORT, NO 2, date 01/15/2016, time 14:55

(15) **February 19, 2016**, request by email/letter to State Attorney Brad King, for criminal prosecution of Danielle Nicole Parsons and Curtis Alan Wilson of McCalla Raymer LLC.

Danielle Nicole Parsons, Bar ID 29364
Curtis Allen Wilson, FL Bar ID 77669

February 23, 2016, request via UPS No. 1Z64589FP290965515 to Brad King, State Attorney, for criminal prosecution of Danielle Nicole Parsons and Curtis Alan Wilson.

February 27, 2016, letter of ASA Mark Simpson wrongly dismissed complaint on SOL.

(16) Neil J. Gillespie response to State Attorney Brad King, Re February 27, 2016, letter of ASA Mark Simpson wrongly dismissed complaint on SOL. (to be provided ASAP)

(17) **September 21, 2016** notification by email of the OIGHotline, Re investigation of CFPB Complaint Number: 120914-000082, Office of Inspector General (OIG), Board of Governors of the Federal Reserve System (Board), was provided to this Court, **Filing # 49223578 E-Filed 11/22/2016 03:48:52 PM.**

- **Related Florida Bar Cases**

(18) **December 2, 2013**, The Florida Bar File No. 2014-30,525 (9A), Gillespie v Danielle Nicole Parsons. Partial case file 47 pages (case file 1,000+ pages) with Brewer Notice.

(19) **December 1, 2013**, The Florida Bar UPL Investigation 20143031 (9A) of paralegal Yolanda Martinez. Case file 70 pages. Yolanda Martinez acted at direction of Parsons.

My complaints alleged, *inter alia*, that Danielle Nicole Parsons, Bar ID 29364, McCalla Raymer LLC, engaged in *ex parte* communication with US Judge William Terrell Hodges and/or US Magistrate Judge Philip R. Lammens and concocted through paralegal Martinez a plan to deprive me of a Rule 55 Default Judgment. Patricia Ann Toro Savitz prosecuted Parsons, but over a year into the investigation, closed the case

(20) **February 6, 2015**, The Florida Bar RFA No. 15-13443, Neil J. Gillespie v. Curtis Allen Wilson, Bar ID 77669. Case file 18 pages with Brewer Notice.

(21) **November 28, 2016**, The Florida Bar RFA No. 17-7301, Gillespie v. Curtis Allen Wilson, Bar ID 77669. Complaint and correspondence with The Florida Bar.

- Other Related Cases

U.S. Courts (Article III) - Cases related by way of a common trial judge to both matters:

- **US Senior Judge William Terrell Hodges**

Rule 1.100(c)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."

- **May 28, 2013** letter of U.S. Senator Bill Nelson, Re: Complaint for Judicial Misconduct (U.S. Judge William Terrell Hodges/ U.S. Magistrate Judge Philip R. Lammens with Danielle Nicole Parsons/McCalla Raymer LLC)
- Florida Commission on Human Relations - Attorney General Pam Bondi, et al. **December 10, 2013**, Complaint to the Florida Commission on Human Relations (FCHR) **December 31, 2013**, Re Complaint FCHR No. 201400117 Attorney General Pam Bondi

- **Human Rights Appeals to the United Nations**

Office of the United Nations High Commissioner for Human Rights, Geneva Secretariat for the Convention on the Rights of Persons with Disabilities

October 21, 2013 Affidavit (Declaration) of Neil J Gillespie to the United Nations

- **Fraud or Impairment of SCOTUS Petition No. 12-7747**

To: Gabriela Knaul, Special Rapporteur, Independence of Judges and Lawyers Office of the United Nations High Commissioner for Human Rights, Geneva
To: Shuaib Chalklen, Special Rapporteur on Disability, United Nations Enable Secretariat for the Convention on the Rights of Persons with Disabilities

October 22, 2013 Affidavit (Declaration) of Neil J Gillespie to the United Nations

- **I have a well-founded fear of political persecution**

To: Gabriela Knaul, Special Rapporteur, Independence of Judges and Lawyers Office of the United Nations High Commissioner for Human Rights, Geneva
To: Shuaib Chalklen, Special Rapporteur on Disability, United Nations Enable Secretariat for the Convention on the Rights of Persons with Disabilities

October 25, 2013 Urgent Appeal to the United Nations by Neil J. Gillespie

- **For Protection from Political Persecution in the United States**

To: Gabriela Knaul, Special Rapporteur, Independence of Judges and Lawyers Office of the United Nations High Commissioner for Human Rights, Geneva
To: Shuaib Chalklen, Special Rapporteur on Disability, United Nations Enable Secretariat for the Convention on the Rights of Persons with Disabilities

February 18, 2014 Complaint to Jan Eliasson Deputy Secretary-General, UN Rule of Law Unit, and Robin C. Ashton, OPR Counsel US Department of Justice

- **Re: Fraud or impairment, 18 U.S.C. § 371**

Petition No. 13-7280 U.S. Supreme Court, Gillespie v. RMS

Petition No. 12-7747 U.S. Supreme Court, Gillespie v. Fla. 13th Judicial Circuit

11. Three federal cases are either in an open status or have granted leave to file:

March 4, 2014 Congressional inquiry of US Senator Marco Rubio for Neil Gillespie, new CFPB Complaint Number: 140304-000750, currently in file status (open).

DEFENDANTS' INSTRUCTION TO CLERK: ABATE THIS ACTION
Rule 1.100(c)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."

Dec-19-2016

September 21, 2016 notification by email of the OIGHotline, Re investigation of CFPB Complaint Number: 120914-000082, Office of Inspector General (OIG), Board of Governors of the Federal Reserve System (Board), was provided to this Court, **Filing # 49223578 E-Filed 11/22/2016 03:48:52 PM.**

May 9, 2013, US Eleventh Circuit Court of Appeals, Reverse Mortgage Solutions, Inc. v. Neil J. Gillespie, et al., No. 13-11585-B.
ORDER July 25, 2013 Granted Gillespie leave to file a separate petition for a writ of mandamus or prohibition with this Court. *See* 28 U.S.C. § 1651; Fed.R.App.P.21.

Article VI, Clause 2, Constitution of the United States (Supremacy Clause)

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding. https://en.wikipedia.org/wiki/Supremacy_Clause
https://en.wikipedia.org/wiki/Article_Six_of_the_United_States_Constitution#/Supremacy

12. Wrong address used by Curtis Alan Wilson (Bar # 77669) in his Certificate of Service:

Exhibit 8 AFFIDAVIT OF ROBERT A. STERMER dated December 16, 2016
Not the Registered Agent for the Oak Run Homcowners Association, Inc.

Exhibit 9 February 8, 2016, returned mail to the Hon. Jennifer Bass, addressed to:
Elizabeth Bauerle n/k/a Elizabeth Bidwood (sic) [Bidgood]
7504 Summer Meadow Drive
Ft. Worth, TX 76123

Exhibit 10 February 8, 2016, returned mail to Hon. Jennifer Bass, addressed to:
Oak Run Homeowners Association, Inc.
7480 SW Highway 200
Ocala, FL 34476

Exhibit 11 May 18, 2016, returned mail to Hon. Jennifer Bass, addressed to:
Unknown spouse of Elizabeth Bauerle (n.k.a. Scott Bidgood)
6356 SW 106th Place
Ocala, FL 34476

Exhibit 12 May 23, 2016, returned mail to Hon. Jennifer Bass, addressed to:
Elizabeth Bauerle n/k/a Elizabeth Bidwood (sic) [Bidgood]
7504 Summer Meadow Drive
Ft. Worth, TX 76123

Rule 1.100(c)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."

13. Mr. Wilson knows the information he certified on the "Form 1.997 AMENDED CIVIL COVER SHEET" November 29, 2016 is not accurate. F.S. § 92.525, Verification of documents; perjury by false written declaration, penalty; Rule 2.515, *Signature and Certificates of Attorneys*.

14. Ms. Wilson's false verification mislead the Clerk to accept the "Form 1.997 AMENDED CIVIL COVER SHEET", a violation of F.S. § 837.06, False Official Statements.

837.06 False official statements.—Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Jurisdiction for the Clerk

15. The Clerk has jurisdiction under Fla. Stat. § 28.13. Papers and electronic filings.

28.13 Papers and electronic filings.—The clerk of the circuit court must maintain all papers and electronic filings in the clerk's office with the utmost care and security, storing them with related case files and affixing a stamp, which may be electronic, to each submission indicating the date and time that the submission was filed. The clerk may not permit any attorney or other person to remove filed documents from the control or custody of the clerk without leave of the court, except as otherwise provided by law.

16. Pursuant to Rule 1.100(c)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed...". This is the Clerk's duty, see,

Rule 1.100(c)(2) Pleadings and Motions.

(2) A civil cover sheet (form 1.997) shall be completed and filed with the clerk at the time an initial complaint or petition is filed by the party initiating the action. If the cover sheet is not filed, the clerk shall accept the complaint or petition for filing; but all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed. The clerk shall complete the civil cover sheet for a party appearing pro se.

Currently the civil cover sheet (form 1.997) is not "properly executed" as completed and filed. The Clerk has a ministerial duty under Rule 1.100(c)(2), "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."

Rule 1.100(c)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."

17. The Clerk is duty bound by the word "shall" -- "...all proceedings in the action **shall** be abated until a properly executed cover sheet is completed and filed." (emphasis added). See Black's Law Dictionary, Sixth Edition – **Shall**:

“Shall. As used in statutes, contracts, or the like, this word is generally imperative or mandatory. In common or ordinary parlance, and in its ordinary signification, the term "shall" is a word of command, and one which has always or which must be given a compulsory meaning; as denoting obligation. The word in ordinary usage means "must" and is inconsistent with a concept of discretion. *People v. Municipal Court for Los Angeles Judicial Dist.*, 149 C.A.3d 951, 197 Cal.Rptr. 204, 206. It has the invariable significance of excluding the idea of discretion, and has the significance of operating to impose a duty which may be enforced, particularly if public policy is in favor of this meaning, or when addressed to public officials, or where a public interest is involved, or where the public or persons have rights which ought to be exercised or enforced, unless a contrary intent appears. *People v. O'Rourke*, 124 Cal.App. 752, 13 P.2d 989, 992..."

18. I notified the Clerk of Court of the foregoing by email 12/01/2016 at 03:54 PM:

Mr. Harrell, can you provide a certified copy of the attached party list, or one like it? Thank you and the Clerk for making adjustments to the docket reflecting homestead residential foreclosure, etc. The Amended Cover Sheet filed by the plaintiff is a big improvement. However, :Part VI. Has Notice Of Any Known Related Case Been Filed", that part has changed. I plan to file a response with all the known related cases, in US District Court, CA11, SCOTUS and CFPB. Neil J. Gillespie

19. Currently the civil cover sheet (form 1.997) is not "properly executed" as completed and filed. The Clerk of Court has a ministerial duty under Rule 1.100(c)(2), "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."

20. David R. Ellspermann ("Clerk Ellspermann"), Marion County Clerk of Circuit Court and Comptroller, in and for the Fifth Judicial Circuit, Florida, swore an Oath of Office in the State of Florida on October 2, 2012 under the Constitution of the State of Florida, Article II, General

Rule 1.100(c)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."

Provisions, Section 5, Public officers, (b) Each state and county officer, before entering upon the duties of the office, shall give bond as required by law, and shall swear or affirm:

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of Clerk of Circuit Court on which I am now about to enter, so help me God.

and thereafter shall devote personal attention to the duties of the office, and continue in office until a successor qualifies.

21. The Oath of Office of Clerk Ellspermann binds him under the U.S. Constitution, Article VI Clause 3, and 4 U.S.C. section 101, and 4 U.S.C. section 102. Article VI Clause 3 states:

The Senators and Representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

22. The authority and duties of Clerk Ellspermann are mandated by law,

- Florida Constitution, Article V, Judiciary, Section 16, Clerks of the Circuit Courts
- Florida Statutes, Title V, Judicial Branch, Chapter 28, Clerks of the Circuit Court

23. Florida is a Judicial Foreclosure state. The citations to Florida's foreclosure statutes are:

CHAPTER 702, FORECLOSURE OF MORTGAGES AND STATUTORY LIENS
Florida Statutes Sections 702.01 through 702.11, and

CHAPTER 45, CIVIL PROCEDURE: GENERAL PROVISIONS
Florida Statutes Sections 45.031 through 45.0315.

24. The Plaintiff does not have standing to sue in this action. Florida is a Judicial Foreclosure state. The Plaintiff must comply with F.S. § 702.015. On February 22, 2016, Counsel for the Clerk emailed me that the Plaintiff has not filed the original note, or a copy, with the Clerk,

Rule 1.100(c)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."

showing a clear chain of all endorsements, transfers, or assignments of the promissory note that is the subject of the action.

25. Because Florida is a Judicial Foreclosure state, and the Civil Cover Sheet (Form 1.997) is not "properly executed" as completed and filed by the Plaintiff's counsel Mr. Wilson, the Clerk is mandated under Fla. Stat. § 28.13 to enforce Rule 1.100(c)(2), "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed." so that I have due process guaranteed by the Florida Constitution, Article 1, Section 9,

SECTION 9. Due process.—No person shall be deprived of life, liberty or property without due process of law, or be twice put in jeopardy for the same offense, or be compelled in any criminal matter to be a witness against oneself.

26. The Clerk also swore to uphold the Constitution of the United States,

"The Constitution states only one command twice. The Fifth Amendment says to the federal government that no one shall be "deprived of life, liberty or property without due process of law." The Fourteenth Amendment, ratified in 1868, uses the same eleven words, called the Due Process Clause, to describe a legal obligation of all states. These words have as their central promise an assurance that all levels of American government must operate within the law ("legality") and provide fair procedures."

Due Process article by Peter Strauss for the Legal Information Institute
https://www.law.cornell.edu/wex/due_process

27. Amendment XIV, Section 1, Constitution of the United States,

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

<https://www.law.cornell.edu/constitution/amendmentxiv>

28. Therefore, the Clerk is mandated under Fla. Stat. § 28.13 to enforce Rule 1.100(c)(2) and abate the action, to uphold his Oath of Office to support the Constitution of the United States, and the Constitution of the state of Florida, in this Judicial Foreclosure where I am guaranteed

DEFENDANTS' INSTRUCTION TO CLERK: ABATE THIS ACTION

Dec-19-2016

Rule 1.100(c)(2) "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."

due process by the Florida Constitution, Article 1, Section 9, and where I am guaranteed due process under the Fourteenth Amendment, U.S. Constitution, Clause 1, the due process clause.

WHEREFORE, Clerk Ellspermann is instructed to ABATE "...all proceedings in the action shall be abated until a properly executed cover sheet is completed and filed."

RESPECTFULLY SUBMITTED December 19, 2016.



Neil J. Gillespie, individually, and former Trustee,
F.S. Ch. 736 Part III, of the Terminated Trust
8092 SW 115th Loop
Ocala, Florida 34481
Phone: 352-854-7807
Email: neilgillespie@mfi.net

Service List December 19, 2016

I hereby certify the names below were served by email December 19, 2016 through the Florida Portal, unless otherwise expressly stated.

Office of Inspector General, "OIGHotline"
c/o Board of Governors of
the Federal Reserve System
20th Street and Constitution Avenue, NW
Mail Stop K- 300
Washington, DC 20551
Email: OIGHotline@frb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

SEC Office of the Whistleblower
100 F Street NE
Washington, DC 20549
Phone: (202) 551-4790
Fax: (703) 813-9322
Via U.S. Mail, First Class or Priority
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750
Not served on the Florida Portal

The Honorable Richard Cordray, Director
Consumer Finance Protection Bureau
1700 G Street, NW
Washington, DC 20002
Email: Richard.Cordray@cfpb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

Stefanie Isser Goldblatt
Senior Litigation Counsel
Enforcement Division
Consumer Finance Protection Bureau
Email: Stefanie.Goldblatt@cfpb.gov
CFPB Complaint No. 120914-000082
CFPB Complaint No. 140304-000750

FBI Tampa Division
Special Agent in Charge, Paul Wysopal
Website: <https://www.fbi.gov/tampa>
Email: tampa.division@ic.fbi.gov

FBI Jacksonville Division
Special Agent in Charge, Michelle S. Kliment
Website: <https://www.fbi.gov/jacksonville>
Email: jacksonville@ic.fbi.gov

The Honorable Don F. Briggs
Chief Judge, Fifth Judicial Circuit
Lake County Judicial Center
550 W. Main Street
Tavares, FL 32778-7800.
Tel. 352-742-4224
Email: dbriggs@circuit5.org

The Honorable Ann Melinda Craggs
Circuit Court Judge, Fifth Judicial Circuit
Marion County Judicial Center
110 NW 1st Ave.
Ocala, FL 34475
Tel: 352-401-6785
Email: amcraggs@circuit5.org

Mr. Curtis Wilson, Esq.
McCalla Raymer Pierce, LLC
225 E. Robinson Street, Ste. 660
Orlando, FL 32801
MRService@mrpllc.com

Ms. Colleen Murphy Davis, AUSA
400 N. Tampa Street, Suite 3200
Tampa, FL 33602
Email: USAFLM.HUD@usdoj.gov Email:
JAXSFFORECLOSURES@hud.gov
JAXSFFORECLOSURES@hud.gov
lydia.a.brush@gmail.com

Gregory C. Harrell
General Counsel to David R. Ellspermann,
Marion County Clerk of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
Email: gharrell@marioncountyclerk.org

David R. Ellspermann Marion County Clerk
of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
Email: Ellspermann@marioncountyclerk.org

Development & Construction Corporation
of America, c/o Carol Olson, Vice President
of Administration and Secretary-Treasurer,
for RA Priya Ghumman
10983 SW 89 Avenue
Ocala, FL 34481
Email: colson@deccahomes.com

Oak Run Homeowners Association, Inc.
c/o Board of Directors, orhboard@yahoo.com

Neil J. Gillespie and Mark Gillespie as Co-Trustees of the Gillespie Family Living Trust
Agreement dated February 10, 1997; Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Neil J. Gillespie
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Mark Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123
Email: mark.gillespie@att.net

Unknown spouse of Mark Gillespie n/k/a Joetta Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123
Email: mark.gillespie@att.net

Unknown Settlers/Beneficiaries of The Gillespie Family Living Trust Agreement dated
February 10, 1997; (NONE); Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Elizabeth Bauerle n/k/a Elizabeth Bidgood
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Unknown spouse of Elizabeth Bidgood,
n.k.a. Scott Bidgood
8092 SW 115th Loop
Ocala, FL 34481
Email: neilgillespie@mfi.net

Termination of the Gillespie Family Living Trust Agreement Dated February 10, 1997

STATE OF FLORIDA)
) SS.:
COUNTY OF MARION)



DAVID R ELLSPERMANN CLERK & COMPTROLLER MARION CO
DATE: 02/03/2015 11:55:32 AM
FILE #: 2015009748 OR BK 6161 PGS 1844-1845
REC FEES: \$18.50 INDEX FEES: \$0.00
DDS: \$0 MDS: \$0 INT: \$0

AFFIDAVIT

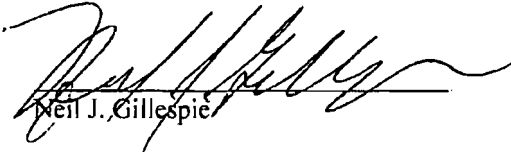
BEFORE ME, this day personally appeared NEIL J. GILLESPIE, who upon being duly sworn deposed upon oath as follows:

1. My name is Neil J. Gillespie. I am over eighteen years of age. This affidavit is given on personal knowledge unless otherwise expressly stated.
2. I am sole Trustee of the Gillespie Family Living Trust Agreement Dated February 10, 1997 (hereinafter "Trust").
3. My Florida residential homestead property is the sole asset of the Trust, property address 8092 SW 115th Loop, Ocala, Florida 34481, Marion County, Florida, (the "property") where I have lived in the property continuously and uninterruptedly since February 9, 2005, Tax ID No. 7013-007-001, legal description:

Lot(s) 1, Block G, OAK RUN WOODSIDE TRACT, according to the Plat thereof as recorded in Plat Book 2 at Page(s) 106 through 112, inclusive of the Public Records of Marion County, Florida.
4. Pursuant to my authority as Trustee of the Trust, and acting in that capacity, I transferred the remaining trust property to the beneficiary, myself, on January 14, 2015.
5. Pursuant to my authority as Trustee of the Trust, and acting in that capacity, I hereby terminate the Trust as provided by Fla. Stat. § 736.0414, and Article V, the Trust. The total fair market value of the assets of the Trust is zero. The Trust served its intended purpose of transferring the property to the beneficiary without going through probate.
6. Pursuant to Fla. Stat. § 736.0414 Modification or termination of uneconomic trust. (l) After notice to the qualified beneficiaries, the trustee of a trust consisting of trust property

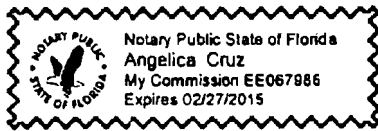
having a total value less than \$50,000 may terminate the trust if the trustee concludes that the value of the trust property is insufficient to justify the cost of administration.


FURTHER AFFIANT SAYETH NOT,


Neil J. Gillespie

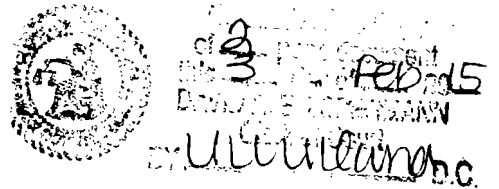
The foregoing instrument was acknowledged before me, this 2nd day of February, 2015, by Neil J. Gillespie, who is personally known to me, or who has produced FL DL 6422630560990 as identification and states that he is the person who made this affidavit and that its contents are truthful to the best of his knowledge, information and belief.

(SEAL)




NOTARY PUBLIC
Angelica Cruz
Print Name of Notary Public

My Commission Expires: 2/27/15



IN THE CIRCUIT COURT OF THE
FIFTH JUDICIAL CIRCUIT FLORIDA
IN AND FOR MARION COUNTY

REVERSE MORTGAGE SOLUTIONS, INC.,

Plaintiff,

vs.

NEIL J. GILLESPIE AND MARK GILLESPIE
AS CO-TRUSTEES OF THE GILLESPIE
FAMILY LIVING TRUST AGREEMENT
DATED FEBRUARY 10, 1997, ET AL.

Defendants.

CASE NO.: 2013-CA-000115
42-2013-CA-000115-AXXX-XX

Residential HECM Foreclosure Case
Florida Homestead of Neil J. Gillespie
F.S. § 702.015 **Note/copy missing**
Rule 1.115 Pleading Mortgage Foreclosures
Rule 1.100(c)(2) Civil cover sheet wrong.
F.S. § 837.06 False Official Statements
F.S. § 92.525 Verification of documents

APPENDIX OF EXHIBITS

- Exhibit 1 Form 1.997 AMENDED CIVIL COVER SHEET
Filing # 49396688 E-Filed 11/29/2016 03:32:41 PM
By Curtis Alan Wilson (FL Bar # 77669) McCalla Raymer Pierce LLC
- Exhibit 2 Certificate of Service, Form 1.997 AMENDED CIVIL COVER SHEET
Filing # 49396688 E-Filed 11/29/2016 03:32:41 PM
By Curtis Alan Wilson (FL Bar # 77669) McCalla Raymer Pierce LLC
- Exhibit 3 Notice of Service of Court Documents
Filing # 49396688 E-Filed 11/29/2016 03:32:41 PM
By Curtis Alan Wilson (FL Bar # 77669) McCalla Raymer Pierce LLC
- Exhibit 4 Form 1.997 AMENDED CIVIL COVER SHEET
US Mail to Neil J. Gillespie, 8092 SW 115th Loop, Ocala, FL 34481
By Curtis Alan Wilson (FL Bar # 77669) McCalla Raymer Pierce LLC
- Exhibit 5 Form 1.997 AMENDED CIVIL COVER SHEET
US Mail to Neil J. Gillespie and Mark Gillespie as Co-Trustees of the Gillespie
Family Living Trust dated February 10, 1997, 8092 SW 115th Loop, Ocala, FL 34481
By Curtis Alan Wilson (FL Bar # 77669) McCalla Raymer Pierce LLC
- Exhibit 6 Form 1.997 AMENDED CIVIL COVER SHEET
US Mail to Unknown Settlers/Beneficiaries of the Gillespie Family Living Trust
dated February 10, 1997, 8092 SW 115th Loop, Ocala, FL 34481
By Curtis Alan Wilson (FL Bar # 77669) McCalla Raymer Pierce LLC
- Exhibit 7 The current "Form 1.997 CIVIL COVER SHEET" begins on page 326 of the
Florida Rules of Civil Procedure, Work Product of The Florida Bar, Feb-23-2016.

IN THE CIRCUIT COURT OF THE
FIFTH JUDICIAL CIRCUIT FLORIDA
IN AND FOR MARION COUNTY

REVERSE MORTGAGE SOLUTIONS, INC.,

Plaintiff,

vs.

NEIL J. GILLESPIE AND MARK GILLESPIE
AS CO-TRUSTEES OF THE GILLESPIE
FAMILY LIVING TRUST AGREEMENT
DATED FEBRUARY 10, 1997, ET AL.

Defendants.

CASE NO.: 2013-CA-000115
42-2013-CA-000115-AXXX-XX

Residential HECM Foreclosure Case
Florida Homestead of Neil J. Gillespie
F.S. § 702.015 **Note/copy missing**
Rule 1.115 Pleading Mortgage Foreclosures
Rule 1.100(c)(2) Civil cover sheet wrong.
F.S. § 837.06 False Official Statements
F.S. § 92.525 Verification of documents

APPENDIX OF EXHIBITS -2

Exhibit 8 AFFIDAVIT OF ROBERT A. STERMER dated December 16, 2016.
Not the Registered Agent for the Oak Run Homeowners Association, Inc.

Exhibit 9 February 8, 2016, returned mail to the Hon. Jennifer Bass, addressed to:

Elizabeth Bauerle n/k/a Elizabeth Bidwood (sic) [Bidgood]
7504 Summer Meadow Drive
Ft. Worth, TX 76123

Exhibit 10 February 8, 2016, returned mail to Hon. Jennifer Bass, addressed to:

Oak Run Homeowners Association, Inc.
7480 SW Highway 200
Ocala, FL 34476

Exhibit 11 May 18, 2016, returned mail to Hon. Jennifer Bass, addressed to:

Unknown spouse of Elizabeth Bauerle (n.k.a. Scott Bidgood)
6356 SW 106th Place
Ocala, FL 34476

Exhibit 12 May 23, 2016, returned mail to Hon. Jennifer Bass, addressed to:

Elizabeth Bauerle n/k/a Elizabeth Bidwood (sic) [Bidgood]
7504 Summer Meadow Drive
Ft. Worth, TX 76123



Calculate Duration Between Two Dates – Results

From and including: **Wednesday, January 9, 2013**
 To, but **not** including **Monday, November 28, 2016**

Result: 1419 days

It is 1419 days from the start date to the end date, but not including the end date

Or 3 years, 10 months, 19 days excluding the end date

Alternative time units

1419 days can be converted to one of these units:

- 122,601,600 seconds
- 2,043,360 minutes
- 34,056 hours
- 1419 days
- 202 weeks and 5 days
- 388.77% of a common year (365 days)

January 2013 23 days included							February 2013 28 days included							March 2013–October 2016 306 days included							November 2016 27 days included								
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat		
													1	2	March 2013–December 2013: 306 days included														
			9	10	11	12	3	4	5	6	7	8	9	Year 2014: 365 days included															
13	14	15	16	17	18	19	10	11	12	13	14	15	16	Year 2015: 365 days included															
20	21	22	23	24	25	26	17	18	19	20	21	22	23	January 2016–October 2016: 305 days included															
27	28	29	30	31			24	25	26	27	28																		

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

October 19, 2016

Neil J. Gillespie
8092 SW 115th Loop
Ocala, FL 34481

RE: Neil J. Gillespie

Dear Mr. Gillespie:

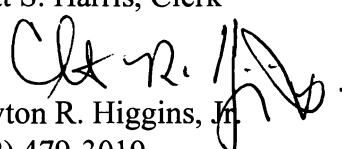
In reply to your letter or submission, received July 1, 2016, I regret to inform you that the Court is unable to assist you in the matter you present.

Under Article III of the Constitution, the jurisdiction of this Court extends only to the consideration of cases or controversies properly brought before it from lower courts in accordance with federal law and filed pursuant to the Rules of this Court.

Your papers are herewith returned.

Sincerely,
Scott S. Harris, Clerk

By:


Clayton R. Higgins, Jr.

(202) 479-3019

Enclosures

OFFICE OF THE CLERK
SUPREME COURT OF THE UNITED STATES
WASHINGTON, D.C. 20543-0001

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

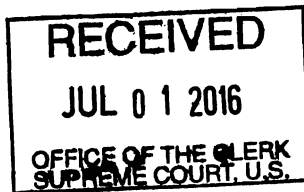


October 19, 2016

Neil J. Gillespie
8092 SW 115th Loop
Ocala, FL 34481

RE: Neil J. Gillespie

10/19/2016
US POSTAGE \$001.36⁰⁰
US OFFICIAL MAIL
2.500 100000
ZIP 20543
041M1120021



Justice Clarence Thomas
Supreme Court of the United States
1 First St. NE
Washington, DC 20543

June 29, 2016

RE: Application No. 12A215, granted September 13, 2012 by Justice Thomas extending the time to file until December 10, 2012.

Neil J. Gillespie, Applicant v. Thirteenth Judicial Circuit, et al.
Lower Ct: United States Court of Appeals for the Eleventh Circuit
Case Nos.: (12-11028, 12-11213)

Dear Mr. Justice Thomas,

On September 13, 2012 you granted my Application 12A215 as captioned above, and as shown on the enclosed correspondence, for CA11 cases 12-11028 and 12-11213.

On December 10, 2012 the Clerk docketed my Petition 12-7747 for a writ of certiorari and motion for leave to proceed in forma pauperis as shown on the enclosed docket. However, it appears CA11 case 12-11213 was removed from Petition 12-7747 as the enclosed docket only shows CA11 case 12-11028. Also, the district court docket does not show Petition 12-7747.

Subsequently I learned trial Judge William Terrell Hodges engaged in bribery with counsel Ryan Christopher Rodems regarding a purported settlement, one that never actually occurred, and likely accounts for the removal of CA11 case 12-11213 from Petition 12-7747. So while Petition 12-7747 was denied cert., and rehearing, the denial is only toward CA11 case 12-11028.

The judicial misconduct has affected a subsequent case, Petition No. 13-7280, because Judge Hodges presided as trial judge in that case too. Enclosed you will find the docket for *Neil J. Gillespie, Petitioner v. Reverse Mortgage Solutions, Inc., et al.* This is a wrongful foreclosure on a *Home Equity Conversion Mortgage* or HECM reverse mortgage on my Florida homestead. I am alive and living in my home as my primary residence, making this foreclosure premature at best. The case is ongoing in state court, Marion County Florida 2013-CA-115.

I plan to make complaints under the Judicial Conduct and Disability Act of 1980 soon. I read you may retire soon, and wanted to send this letter before you left the court. Thank you.

Sincerely,

Neil J. Gillespie
8092 SW 115th Loop
Ocala, Florida 34481

Tel. 352-854-7807
Email: neilgillespie@mfi.net

Enclosures

VIA UPS Next Day Air Saver, No. 1Z64589FNW95427265

**Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001**

**William K. Suter
Clerk of the Court
(202) 479-3011**

September 13, 2012

Mr. Neil J. Gillespie
8092 SW 115th Loop
Ocala, FL 34481

Re: Neil J. Gillespie
v. Thirteenth Judicial Circuit, et al.
Application No. 12A215

Dear Mr. Gillespie:


The application for an extension of time within which to file a petition for a writ of certiorari in the above-entitled case has been presented to Justice Thomas, who on September 13, 2012 extended the time to and including December 10, 2012.

This letter has been sent to those designated on the attached notification list.

Sincerely,

William K. Suter, Clerk

by


Clayton Higgins
Case Analyst

**Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001**

**William K. Suter
Clerk of the Court
(202) 479-3011**

NOTIFICATION LIST

**Mr. Neil J. Gillespie
8092 SW 115th Loop
Ocala, FL 34481**

**Clerk
United States Court of Appeals for the Eleventh Circuit
56 Forsyth Street, N.W.
Atlanta, GA 30303**



SUPREME COURT
OF THE UNITED STATES

No. 12-7747

Title: Neil J. Gillespie, Petitioner
v.
Thirteenth Judicial Circuit of Florida, et al.

Docketed: December 14, 2012

Linked with 12A215

Lower Ct: United States Court of Appeals for the Eleventh Circuit

Case Nos.: (12-11028-B)

Decision Date: July 13, 2012
Rule 12.4

~~~Date~~~ ~~~~~Proceedings and Orders~~~~~

Aug 13 2012 Application (12A215) to extend the time to file a petition for a writ of certiorari from October 11, 2012 to December 10, 2012, submitted to Justice Thomas.

Sep 13 2012 Application (12A215) granted by Justice Thomas extending the time to file until December 10, 2012.

Dec 10 2012 Petition for a writ of certiorari and motion for leave to proceed in forma pauperis filed. (Response due January 14, 2013)

Dec 20 2012 Waiver of right of respondents Rayan Christopher Rodems; and Barker, Rodems & Cook, P.A. to respond filed.

Jan 24 2013 DISTRIBUTED for Conference of February 15, 2013.

Feb 13 2013 Supplemental brief of petitioner Neil J. Gillespie filed. (Distributed)

Feb 19 2013 Petition DENIED.

Mar 18 2013 Petition for Rehearing filed.

Mar 27 2013 DISTRIBUTED for Conference of April 12, 2013.

Apr 15 2013 Rehearing DENIED.

~~~Name~~~~~Address~~~~~Phone~~~

Attorneys for Petitioner:

Neil J. Gillespie 8092 SW 115th Loop (352) 854-7807
Ocala, FL 34481
neilgillespie@mfi.net

Party name: Neil J. Gillespie

Attorneys for Respondents:

Ryan Christopher Rodems Barker, Rodems & Cook, P.A. (813)-489-1001

Counsel of Record

501 East Kennedy Blvd., Suite 790

Tampa, FL 33602

Party name: Rayan Christopher Rodems; and Barker, Rodems & Cook, P.A.

LIST OF PARTIES

All parties do not appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

U.S. Court of Appeals for the Eleventh Circuit, no. 12-11213
District Court no: 5:10-cv-00503-WTH-TBS

Civil rights and disability law.
Misuse and denial of justice under the color of law.

Plaintiff: (1)
Neil J. Gillespie

Defendants: (10 + 5 individually)
Thirteenth Judicial Circuit, Florida
Claudia Rickert Isom, Circuit Judge, and individually
James M. Barton, II, Circuit Judge, and individually
Martha J. Cook, Circuit Judge, and individually
David A. Rowland, Court Counsel, and individually
Gonzalo B. Casares, ADA Coordinator, and individually
Barker, Rodems & Cook, P.A.
Ryan Christopher Rodems, Attorney at Law (Fla. Bar ID: 947652)
The Law Office of Robert W. Bauer, P.A.
Robert W. Bauer, Attorney at Law (Fla. Bar ID: 11058)

U.S. Court of Appeals for the Eleventh Circuit, no. 12-11028
District Court no: 5:11-cv-00539-WTH-TBS

Civil rights and disability law, civil RICO, antitrust, commerce, estate claims.
Misuse and denial of justice under the color of law.

Plaintiffs: (2)
Neil J. Gillespie
Estate of Penelope Gillespie (deceased)

Defendants: (4 + 1 individually)
Thirteenth Judicial Circuit, Florida
James M. Barton, II, Circuit Court Judge, and individually
The Law Office of Robert W. Bauer, P.A.
Robert W. Bauer, Attorney at Law (Fla. Bar ID: 11058)



SUPREME COURT
OF THE UNITED STATES

No. 13-7280

Title: Neil J. Gillespie, Petitioner
v.
Reverse Mortgage Solutions, Inc., et al.

Docketed: November 8, 2013
Lower Ct: United States Court of Appeals for the Eleventh Circuit
Case Nos.: (13-11585)
Decision Date: June 12, 2013
Rehearing July 25, 2013
Denied:

~~~Date~~~ ~~~~~Proceedings and Orders~~~~~  
Oct 23 2013 Petition for a writ of certiorari and motion for leave to proceed in forma pauperis filed. (Response due December 9, 2013)  
Nov 18 2013 Waiver of right of respondent The Florida Bar to respond filed.  
Dec 9 2013 Waiver of right of respondent Reverse Mortgage Solutions, Inc. to respond filed.  
Dec 26 2013 DISTRIBUTED for Conference of January 10, 2014.  
Jan 13 2014 Petition DENIED.  
Feb 7 2014 Petition for Rehearing filed.  
Feb 19 2014 DISTRIBUTED for Conference of March 7, 2014.  
Mar 10 2014 Rehearing DENIED.

~~~Name~~~~~ ~~~~~Address~~~~~ ~~~Phone~~~

Attorneys for Petitioner:

Neil J. Gillespie 8092 SW 115th Loop (352) 854-7807
Ocala, FL 34481
neilgillespie@mfi.net

Party name: Neil J. Gillespie

Attorneys for Respondents:

Danielle N. Parsons McCalla Raymer LLC (407) 674-1850
Counsel of Record 225 E. Robinson St., Suite 660
Orlando, FL 32801

Party name: Reverse Mortgage Solutions, Inc.

Bridget Smitha

**Greenberg & Traurig, P.A.
101 East College Ave.
Tallahassee, FL 32301**

(850) 521-8570

Party name: The Florida Bar

AFFIDAVIT OF NEIL J. GILLESPIE

Non-Jury Trial July 18, 2017

STATE OF FLORIDA)
) SS.:
COUNTY OF MARION)

BEFORE ME, this day personally appeared NEIL J. GILLESPIE, who upon oath
deposes upon personal knowledge and states:

1. I am over the age of eighteen and am competent to testify as to the facts and matters set forth herein. I make this affidavit upon personal knowledge unless otherwise expressly stated.
2. On July 18, 2017 I was taken by ambulance to the hospital after becoming sick during a non-jury trial on the foreclosure of my home. I was alone and without counsel to represent me. Presiding Judge Ann Melinda Craggs continued the trial without me and ruled for the bank.
3. Since January 9, 2013 my Florida homestead residence has been in foreclosure on a federal Home Equity Conversion Mortgage, also called a HECM reverse mortgage.
4. The case is *Reverse Mortgage Solutions, Inc. v. Neil J. Gillespie, et al.*, Marion County Florida Circuit Court, Case No. 2013-CA-000115.
5. I am 61 years-old. I am eligible for benefits under the Older Americans Act (OAA).
6. Social Security found I became disabled on January 17, 1992. I am eligible for protection under the Americans With Disabilities Act (ADA), and Section 504 of the Rehabilitation Act.
7. I was determined indigent by the Clerk on March 4, 2015.
8. On July 18, 2017 I appeared at 10:00 AM for a non-jury trial on the foreclosure of my home before Judge Ann Melinda Craggs (“Judge Craggs”) in Courtroom 3B, on the Third Floor of the Marion County Judicial Center, 110 NW First Avenue, Ocala, FL 34475.
9. Judge Craggs refused to permit telephonic attendance in 3 Orders entered May 3, 2017,

DOC-448 Filing # 55891498 E-Filed 05/03/2017 07:57:53 AM
DOC-449 Filing # 55895836 E-Filed 05/03/2017 09:29:26 AM
DOC-450 Filing # 55946946 E-Filed 05/03/2017 05:21:11 PM

“5. Personal attendance of the parties and counsel is mandatory. Telephone attendance is not permitted. If a Defendant elects not to appear in Court, the Court will assume that the

AFFIDAVIT OF NEIL J. GILLESPIE
Non-Jury Trial July 18, 2017

Defendant who does not appear does not contest the entry of the Final Judgment of Foreclosure.” (Paragraph 5 is the same in all three motions entered by Judge Craggs)

10. Google Maps shows the Marion County Judicial Center is 13.9 miles from my home and takes 29 minutes to drive.

11. I drove my 1990 Dodge minivan to the Marion County Judicial Center on July 18, 2017 for a non-jury foreclosure trial. My 27 year-old vehicle does not have working air conditioning.

12. On July 18, 2017 I filed *Emergency Petition to Cancel Non-Jury Trial 10:00 AM Today* (“Emergency Petition”) Florida Supreme Court Case No. SC17-1321 Filing # 59132663 E-Filed 07/18/2017 at 07:24:12 AM. My 20 page Emergency Petition is attached hereto as Exhibit A.

13. Judge Craggs acknowledged in open court at the non-jury foreclosure trial that she received my Emergency Petition, which was served to her on the Florida Portal.

14. My Emergency Petition included the following nine (9) Appendices:

- Appendix A: Defendants’ Emergency Motion To Cancel Hearing July 18, 2017 (sic)
- Appendix B: Defendants’ Notice of Filing U.S. Supreme Court Petition and Response
- Appendix 1: Order Dismissal Mar-31-2017, Notice Appeal Mar-27-2017.
- Appendix 2: Notice of Filing Federal Civil Rights Complaint
- Appendix 3: U.S. Supreme Court Clerk’s reply letter Mr. Higgins Oct-19-2016
- Appendix 4: Affidavit of Neil Gillespie re Dr. Kassels Jun-12-2017
- Appendix 5: Affidavit of Neil J. Gillespie Traumatic Brain Injury (TBI)
- Appendix 6: Affidavit of Neil J. Gillespie_HECM Age Limits
- Appendix 7: Affidavit of Neil J. Gillespie - Defenses and Claims in Recoupment

15. I arrived a few minutes early for the 10:00 AM non-jury trial on foreclosure of my home. I was hot and dehydrated when I arrived from the 29 minute drive without air conditioning.

16. The bailiffs who were present at the non-jury trial were Captain Tom Terrell and Deputy Thom Moats of the Marion County Sheriff’s Office (MCSO), according to the email of general counsel R. Gregg Jerald, Staff Commander, Sheriff’s Executive Staff, MCSO.

17. When the non-jury foreclosure trial commenced shortly after 10:00 AM on July 18, 2017, I made a spoken motion to disqualify Judge Craggs for wrongly sending mail to me the day before that belonged to my sister, Elizabeth Bauerle, n.k.a. Elizabeth Bidgood, and her unknown spouse, n.k.a. Scott Bidgood, who live at 7926 SW 112TH LN, Ocala, FL 34476-9164.

18. Judge Craggs denied my spoken motion to disqualify her without providing a reasonable amount of time to reduce my spoken motion to disqualify to writing. Rogers v. State, 630 So. 2d 513 (Fla. 1993). As soon as I said “I move to disqualify you for” Judge Craggs said “denied” without even hearing my grounds to disqualify her.

AFFIDAVIT OF NEIL J. GILLESPIE
Non-Jury Trial July 18, 2017

19. I made a second spoken motion to disqualify Judge Craggs for currently presiding over two cases related to the criminal prosecution of Elizabeth Bauerle (nee Gillespie) who was arrested for Aggravated Assault with a Deadly Weapon; Battery, against me on August 5, 2006.

20. Judge Hale R. Stancil presided over State of Florida v. Elizabeth Bauerle, 2006-CF-003274. Judge Craggs presided over two injunctions, 2006-DR-03991 and 2006-DR-4110.

21. Again, Judge Craggs denied my spoken motion to disqualify her without providing a reasonable amount of time to reduce my spoken motion to disqualify to writing. Rogers v. State

22. During the non-jury foreclosure trial I objected to evidence entered by the Plaintiff, specifically an Adjustable Rate Note (Home Equity Conversion) with an altered Direct Endorsement Allonge payable to Bank of America, N.A. without recourse. The Allonge had the date crossed out with another date added without initials. None of the borrowers who signed the Note were eligible to make a Home Equity Conversion Mortgage, or HECM reverse mortgage.

- The only Borrower Penelope Gillespie was incompetent due to Alzheimer's Disease.
- Signer Neil J. Gillespie, Trustee, was not old enough to make a HECM reverse mortgage.
- Signer Mark Gillespie, Trustee, was not old enough to make a HECM reverse mortgage.
- The trust shall not be a party to the Loan Agreement. (4235.1 REV-1 Section 4-5 A. 3)

23. I argued the following from my Emergency Petition:

11. The Non-Jury trial is set for two hours, which is far beyond my ability to attend due to disability, including:

- Type 2 adult-onset diabetes (Exhibit 2)
- Post-traumatic Stress Disorder (PTSD) etc. (Appendix 4)
- Traumatic Brain Injury (TBI) Appendix 5

12. The Preface to the June 21, 2017 Fannie Mae Single-Family Reverse Mortgage Servicing Manual appears at Exhibit 4 with the cover page, and states:

For HECM loans, the servicer must follow all applicable requirements of the HECM program found in the Department of Housing and Urban Development (HUD) Handbook 4235.1 REV-1: Home Equity Conversion Mortgages, Handbook 4330.1 REV-5: Administration of Insured Home Mortgages, all related HUD Mortgagee Letters, and all other guidance provided by HUD. This Manual includes requirements for HECMs that Fannie Mae imposes as a result of its purchase and securitization of those mortgage loans and is not intended to contradict HUD's requirements. In the event that this Manual and guidance provided by HUD are conflicting, the servicer must follow HUD's requirements.

13. The HUD Reverse Mortgage Handbook 4235.1 REV-1 Sections 4-4, 4-5, 4-6

AFFIDAVIT OF NEIL J. GILLESPIE
Non-Jury Trial July 18, 2017

appear at Exhibit 5 and state in part:

4-4 A. The borrower's age. All borrowers must be at least 62 years old when they sign the Uniform Residential Loan Application (URLA) and the HUD/VA Addendum (Form HUD 92900-A). The lender should request evidence of the ages of all borrowers, and accept all reasonable forms of evidence.

On June 5, 2008 HECM borrower Penelope Gillespie was age 77; Neil Gillespie was age 52; and Mark Gillespie was age 49, see

APPENDIX 6 AFFIDAVIT OF NEIL J. GILLESPIE_HECM AGE LIMITS

4-5 A. Conditions for Origination in the Name of a Living Trust.

1) All beneficiaries of the trust must be eligible HECM borrowers at the time of origination and until the mortgage is released [i.e. borrower/beneficiary must occupy the property as a principal residence and new beneficiaries may not be added to the trust].

3) The trust shall not be a party to the Loan Agreement. The borrower/beneficiary may issue instructions to the lender to permit the trustee to exercise one or more rights stated in the Loan Agreement on behalf of the beneficiary; i.e. the right to receive loan advances or to request changes in the payment plan.

B. Transfer of the Property Into or From a Trust.

2) If the trust is terminated, or the property is otherwise transferred from an eligible trust holding the property, the mortgage will not become due and payable, provided that one or more of the original borrowers who signed the Note and Loan Agreement continue to occupy the property as a principal residence and continue to retain title to the property in fee simple or on a leasehold interest as set forth in 24 CFR Section 206.45(a).

4-6 POWER OF ATTORNEY AND CONSERVATORSHIP GUIDELINES. The following guidelines apply to all phases of HECM loan processing:

2) Borrowers lacking legal competency: a. Incompetent borrower may not sign the mortgage loan application.

My mother Penelope Gillespie was incompetent (Alzheimer's Disease) when she

AFFIDAVIT OF NEIL J. GILLESPIE
Non-Jury Trial July 18, 2017

signed the mortgage loan application, the bank did not care, it wanted \$\$\$\$\$\$, see, APPENDIX 7 AFFIDAVIT OF NEIL J. GILLESPIE - DEFENSES AND CLAIMS IN RECOUPMENT

24. Throughout the non-jury trial I told Judge Craggs that I wanted counsel to represent me. I told Judge Craggs I had a right to assistance of counsel under the federal Older Americans Act, (OAA). But Judge Craggs said no and denied my request for counsel.

25. 15 or 20 minutes into the 2 hour non-jury trial my face became hot. I could feel my health and strength declining. I asked for water. A bailiff / deputy brought me a small bottle of water. I splashed water on my face to revive myself. I made a intemperate remark to a bailiff / deputy.

26. The bailiff / deputy asked if I was in distress. I responded yes and asked him to call 911. The bailiff / deputy led me out of the courtroom to await the arrival of the ambulance.

27. Records provided by Marion County Fire Rescue appear at Exhibit B, and show,

Notarized Medical Record and Information Release July 20, 2017 for Neil J. Gillespie

Marion County
Board of County Commissioners
Fire Rescue
2631 SE Third St.
Ocala, FL 34471
Phone: 352-291-8000
Fax: 352-291-8098

Final Patient Care Report Neil Gillespie
Date of Service: 07/18/2017
Run Number: 3605798
Incident Number: 047993
Acuity at Dispatch: Immediate Medical Assist
Location: 110 NW 1st Ave.
OCALA, Marion, FL 34475

Vehicle: R62
Call Sign: R62
Primary Role: Ground Transport
Crew #1 Name: McCartney, Sarah
Crew #2 Name: Morgan, Gronn

Times: At scene 10:27 07-18-17
At patient side: 10:31 07-18-17
Transporting: 10:47 07-18-17
At destination: 10:58 07-18-17
Vital Signs: Glucose: 349

28. Records provided by Ocala Regional Medical Center appear at Exhibit C and show,

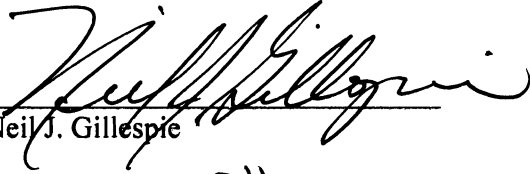
Ocala Regional Medical Center
1431 SW 1st Avenue
Ocala, FL 34478
(352) 401-1000
Discharge Instructions:

Discharge Summary
Date: 07/18/2017
Time: 1:02 PM
Patient name: Neil Gillespie
Dehydration - Adults, Weakness

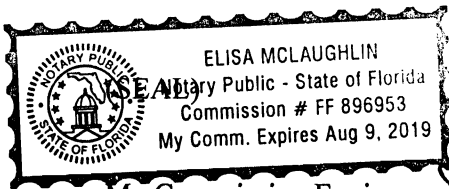
AFFIDAVIT OF NEIL J. GILLESPIE
Non-Jury Trial July 18, 2017

29. Court records in case no. 2013-CA-000115 show that Judge Craggs continued the non-jury foreclosure trial without me, and did not enter any of my documents into evidence.


FURTHER AFFIANT SAYETH NOT.


Neil J. Gillespie

The foregoing instrument was acknowledged before me, this 28th day of July, 2017, by Neil J. Gillespie, who is personally known to me, or who has produced FLDL as identification and states that he is the person who made this affidavit and that its contents are truthful to the best of his knowledge.



My Commission Expires: 8/9/19


NOTARY PUBLIC
Elisa McLaughlin
Print Name of Notary Public

**IN THE SUPREME COURT OF FLORIDA
STATE OF FLORIDA**

NEIL J. GILLESPIE,
INDIVIDUALLY AND AS
FORMER TRUSTEE OF
THE TERMINATED
GILLESPIE FAMILY LIVING
TRUST AGREEMENT,

Petitioner,

v.

REVERSE MORTGAGE
SOLUTIONS, INC.,

Respondent.

_____ /

CASE NO.: _____
LT: 2013-CA-000115
Marion County Circuit Civil

EMERGENCY PETITION TO CANCEL NON-JURY TRIAL 10:00 AM TODAY

Petitioner Neil J. Gillespie, an indigent non-lawyer, unable to obtain adequate counsel, a consumer of legal and court services affecting interstate commerce, a consumer of personal, family and household goods and services, consumer transactions in interstate commerce, a person with disabilities, and a vulnerable adult, henceforth in the first person, reluctantly appears *pro se*, and files Emergency Petition to Cancel Non-Jury Trial 10:00 AM Today and states:

1. On July 14, 2017 at 5:43 PM, Marion County Circuit Judge Ann Craiggs entered "ORDER DENYING DEFENDANT'S, NEIL J. GILLESPIE,

EMERGENCY MOTION TO CANCEL HEARING JULY 18, 2017. (Exhibit 1)

EMERGENCY PETITION TO CANCEL NON-JURY TRIAL 10:00 AM TODAY

2. First, this is NOT a “hearing” that I mistakenly called it, it is a Non-Jury Trial set for 10:00 AM today July 18, 2017 in Courtroom 3B, Third Floor of the Marion County Judicial Center, 110 NW First Avenue, Ocala, FL 34475, in a residential homestead foreclosure of my home worth approximately \$68,000 on a federal Home Equity Conversion Mortgage [12 USC § 1715z–20; 24 CFR Part 206] also called a HECM reverse mortgage. I own my home free and clear.

3. Appearing at APPENDIX A is DEFENDANTS' EMERGENCY MOTION TO CANCEL HEARING JULY 18, 2017 (sic) [Non-Jury Trial]

4. This Court has jurisdiction under the Florida Constitution, Article V, Judiciary, Section 3, Supreme Court,

(7) May issue writs of prohibition to courts and all writs necessary to the complete exercise of its jurisdiction.

(8) May issue writs of mandamus and quo warranto to state officers and state agencies.

(9) May, or any justice may, issue writs of habeas corpus returnable before the supreme court or any justice, a district court of appeal or any judge thereof, or any circuit judge.

5. In lieu of granting this petition, I hereby move the Court to grant me a reprieve to file for federal bankruptcy protection, likely chapter 7 or 13.

6. The following U.S. Supreme Court Appendixes accompany this petition:

APPENDIX B DEFENDANTS' NOTICE OF FILING U.S. SUPREME COURT PETITION AND RESPONSE

APPENDIX 1 Order Dismissal Mar-31-2017, Notice Appeal Mar-27-2017

APPENDIX 2 NOTICE OF FILING FEDERAL CIVIL RIGHTS COMPLAINT

APPENDIX 3 US Supreme Court Clerk's reply letter Mr Higgins Oct-19-2016

APPENDIX 4 Affidavit of Neil Gillespie re Dr. Kassels Jun-12-2017

7. Judge Craggs is fond of beginning each Order with a date count. The Order appearing at Exhibit 1 begins “A. This case has been pending for 1,647 days.”

8. Pursuant to Fla. R. Jud. Admin. 2.250(a)(1)(B), the Trial Court Time Standards for Non-jury cases is 12 months (filing to final disposition).

9. This case should have ended in 48 days, on February 26, 2013, with a Rule 55 Default Judgment in my favor after this case was removed February 4, 2013 to U.S. District Court, Ocala Division, Middle District Florida, No. 5:13-cv-00058-WTH-PRL, but for misconduct between federal judicial officers and Plaintiff’s counsel Danielle Nicole Parsons, Bar ID: 29364.

10. The Florida Bar failed to competently complete its inquiry in Danielle Nicole Parsons, The Florida Bar File No. 2014-30,525 (9A).

11. The Non-Jury trial is set for two hours, which is far beyond my ability to attend due to disability, including:

AFFIDAVIT OF NEIL J. GILLESPIE re Dunnellon PO_FIRE-RESCUE (Exhibit 3)
Type 2 adult-onset diabetes (Exhibit 2)
Post-traumatic Stress Disorder (PTSD) etc. (Appendix 4)
Traumatic Brain Injury (TBI) Appendix 5
APPENDIX 5, AFFIDAVIT OF NEIL J GILLESPIE Traumatic Brain Injury (TBI)

12. The Preface to the June 21, 2017 Fannie Mae Single-Family Reverse

Mortgage Servicing Manual appears at Exhibit 4 with the cover page, and states:

For HECM loans, the servicer must follow all applicable requirements of the HECM program found in the Department of Housing and Urban Development (HUD) Handbook 4235.1 REV-1: Home Equity Conversion Mortgages, Handbook 4330.1 REV-5: Administration of Insured Home Mortgages, all related HUD Mortgagee Letters, and all other guidance provided by HUD. This Manual includes requirements for HECMs that Fannie Mae imposes as a result of its purchase and securitization of those mortgage loans and is not intended to contradict HUD's requirements. In the event that this Manual and guidance provided by HUD are conflicting, the servicer must follow HUD's requirements.

13. The HUD Reverse Mortgage Handbook 4235.1 REV-1 Sections 4-4, 4-5, 4-6

appear at Exhibit 5 and state in part:

4-4 A. The borrower's age. All borrowers must be at least 62 years old when they sign the Uniform Residential Loan Application (URLA) and the HUD/VA Addendum (Form HUD 92900-A). The lender should request evidence of the ages of all borrowers, and accept all reasonable forms of evidence.

On June 5, 2008 HECM borrower Penelope Gillespie was age 77; Neil Gillespie was age 52; and Mark Gillespie was age 49, see

APPENDIX 6 AFFIDAVIT OF NEIL J. GILLESPIE_HECM AGE LIMITS

4-5 A. Conditions for Origination in the Name of a Living Trust.

1) All beneficiaries of the trust must be eligible HECM borrowers at the time of origination and until the mortgage is released [i.e. borrower/beneficiary must occupy the property as a principal residence and new beneficiaries may not be added to the trust].

3) The trust shall not be a party to the Loan Agreement. The

borrower/beneficiary may issue instructions to the lender to permit the trustee to exercise one or more rights stated in the Loan Agreement on behalf of the beneficiary; i.e. the right to receive loan advances or to request changes in the payment plan.

B. Transfer of the Property Into or From a Trust.

2) If the trust is terminated, or the property is otherwise transferred from an eligible trust holding the property, the mortgage will not become due and payable, provided that one or more of the original borrowers who signed the Note and Loan Agreement continue to occupy the property as a principal residence and continue to retain title to the property in fee simple or on a leasehold interest as set forth in 24 CFR Section 206.45(a).

4-6 POWER OF ATTORNEY AND CONSERVATORSHIP GUIDELINES. The following guidelines apply to all phases of HECM loan processing:

- 2) Borrowers lacking legal competency:
 - a. Incompetent borrower may not sign the mortgage loan application.

My mother Penelope Gillespie was incompetent (Alzheimer's Disease) when she signed the mortgage loan application, the bank did not care, it wanted \$\$\$\$\$\$, see,

APPENDIX 7 AFFIDAVIT OF NEIL J. GILLESPIE - DEFENSES AND CLAIMS IN RECOUPMENT

WHEREFORE, I respectfully move this Court to cancel the Non-Jury Trial set for 10:00 AM today July 18, 2017 in Courtroom 3B, Third Floor of the Marion County Judicial Center, 110 NW First Avenue, Ocala, FL 34475. In the alternative,

EMERGENCY PETITION TO CANCEL NON-JURY TRIAL 10:00 AM TODAY

In lieu of granting this petition, I hereby move the Court to grant me a reprieve to file for federal bankruptcy protection, likely chapter 7 or 13.

RESPECTFULLY SUBMITTED July 18, 2017



NEIL J. GILLESPIE, INDIVIDUALLY AND AS FORMER TRUSTEE OF
THE TERMINATED GILLESPIE FAMILY LIVING TRUST AGREEMENT
8092 SW 115th Loop
Ocala, FL 34481
Tel: 352-854-7807
Email: neilgillespie@mfi.net

Service List July 18, 2017

I HEREBY CERTIFY the following names were served today July 18, 2017 on the Florida Portal by email.

The Honorable Ann Melinda Craggs
Circuit Court Judge, Fifth Judicial Circuit
Marion County Judicial Center
110 NW 1st Ave.
Ocala, FL 34475
Tel: 352-401-6785
Email: amcraggs@circuit5.org

Curtis Wilson, Esq.
McCalla Raymer Leibert Pierce, LLC
225 E. Robinson Street, Suite 155
Orlando, FL 32801
Phone: (407) 674-1850; Fax: (321) 248-0420
Email: MRService@mrpllc.com
Email: MRService@mccalla.com
Fla. Bar No.: 77669

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT,
IN AND FOR MARION COUNTY, FLORIDA.

REVERSE MORTGAGE SOLUTIONS, INC.,
Plaintiff,

v.

Case No.: 2013-CA-115-S

NEIL J. GILLESPIE, et.al.,
Defendants.

**ORDER DENYING DEFENDANT'S, NEIL J. GILLESPIE, EMERGENCY MOTION TO
CANCEL HEARING JULY 18, 2017**

THIS CAUSE having come before the Court upon the Defendant's, Neil J. Gillespie, Emergency Motion to Cancel Hearing July 18, 2017, filed July 14, 2017, the Court having reviewed the file and being otherwise fully informed, finds as follows:

- A. This case has been pending for 1,647 days.
- B. The Defendant alleges as a ground for canceling the Non-Jury Trial scheduled for July 17, 2017, that the Unites States Supreme Court, by letter dated July 10, 2017, "requests a corrected petition within 60 days from the date of the Order."
- C. The July 10, 2017, document from the Supreme Court of the United States, Office of the Clerk, is not an order. Furthermore, the Clerk did not request a corrected petition. Rather, the Clerk listed the reasons the Defendant's petition for writ of certiorari was returned to the Defendant. Finally, the Clerk's letter informs the Defendant that, "unless the petition is submitted to this Office corrected from within 60 days of the date of this letter, the petition will not be filed."
- D. Second, in paragraph 11 of the motion, the Defendant alleges the Plaintiff "has not fully complied with my discovery request made March 30, 2017..." The Plaintiff filed Responses to Defendant's Request for Production on May 9, 2017. The Defendant has failed to timely file any objection to the sufficiency of the Plaintiff's response not any timely motion to compel. This Court's Order Granting Motion for Extension of Time and Order Rescheduling Non-Jury Trial, entered May 3,

EXHIBIT

1

2017, provided, in part, the scheduling of this Non-jury Trial does not preclude either party from filing a timely dispositive motion and having that motion set for hearing.

E. Next, the Defendant alleges and raises the sufficiency of the address being utilized for Elizabeth Bauerle, n/k/a Elizabeth Bidgood. First, it is not this Defendant's right to raise issues for another party. Second, Elizabeth Bauerle n/k/a Elizabeth Bidgood, through counsel, consented to the entry of a judgment in favor of the Plaintiff on July 5, 2013 (filed July 8, 2013).

F. The Defendant's allegations concerning the U.S. Postal Service are without merit.

THEREFORE, it is hereby **ORDERED** as follows:

1. The Defendant's, Neil J. Gillespie, Emergency Motion to Cancel Hearing July 18, 2017, filed July 14, 2017, is DENIED.

2. The Non-jury Trial on the present Complaint and all defenses asserted, if any, will be held before Judge Ann Melinda Craggs in Courtroom 3B, Third Floor, Marion County Judicial Center, 110 NW First Avenue, Ocala, FL 34475 on **July 18, 2017 at 10:00 a.m. Two (2) hours have been reserved.**

3. The Court reserves jurisdiction of the parties and of this cause.

DONE AND ORDERED at Ocala Florida this 14th day of July, 2017.



Ann Melinda Craggs
Circuit Judge

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator at the Marion County Judicial Center, 110 NW 1st Avenue, Ocala, FL, 34475 or (352) 401-6710 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled

**appearance is less than 7 days; if you are hearing impaired or voice impaired,
call 711.**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of July, 2017, a true copy of this order was furnished via U.S. Mail or the Florida Court's E-Filing E-Portal, to:

Mr. Curtis Wilson, Esquire
McCalla Raymer Leibert Pierce, LLC*
225 E. Robinson Street, Ste. 155*
Orlando, FL 32801

Ms. Colleen Murphy-Davis, AUSA
400 N. Tampa Street, Ste. 3200
Tampa, FL 33602

Gregory C. Harrell, Esquire
General Counsel to David R. Ellspermann
Marion County Clerk of Court & Comptroller
PO Box 1030
Ocala, FL 34478-1030

Oak Run Homeowners Association, Inc.
7480 SW Highway 200
Ocala, FL 34476

Development and Construction Corp. of America
C/o R.A. Priya Ghuman
10983 SW 89th Avenue
Ocala, FL 34481

Neil J. Gillespie and Mark Gillespie as Co-Trustees of the Gillespie Family Living Trust
Agreement dated February 10, 1997; Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481

Neil J. Gillespie
8092 SW 115th Loop
Ocala, FL 34481

Mark Gillespie
7504 Summer Meadows Drive
Ft. Worth, EX 76123

Revere Mortgage Solutions, Inc. v. Gillespie
2013-CA-115-S
Order Denying Defendant's Emergency Motion to Cancel Hearing July 18, 2017

Unknown Spouse of Mark Gillespie n/k/a Joetta Gillespie
7504 Summer Meadows Drive
Ft. Worth, TX 76123

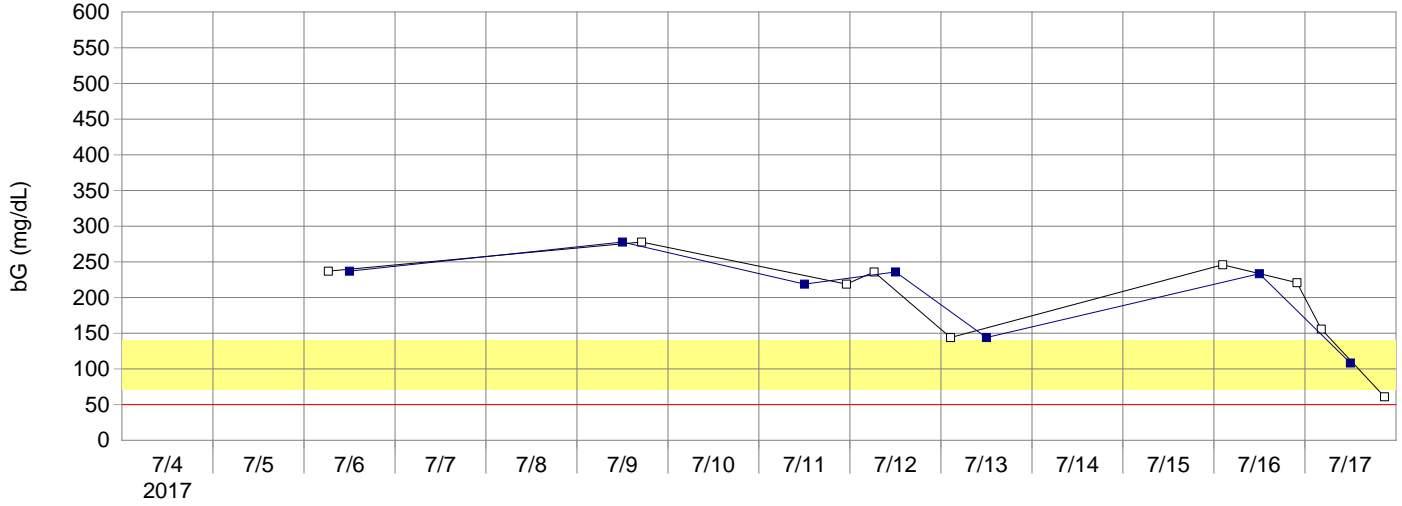
Unknown Settlers/Beneficiaries of the Gillespie Family Living Trust
Agreement dated February 10, 1997; (NONE); Terminated Trust, February 2, 2015
8092 SW 115th Loop
Ocala, FL 34481

Elizabeth Bauerle n/k/a Elizabeth Bidgood
8092 SW 115th Loop
Ocala, FL 34481

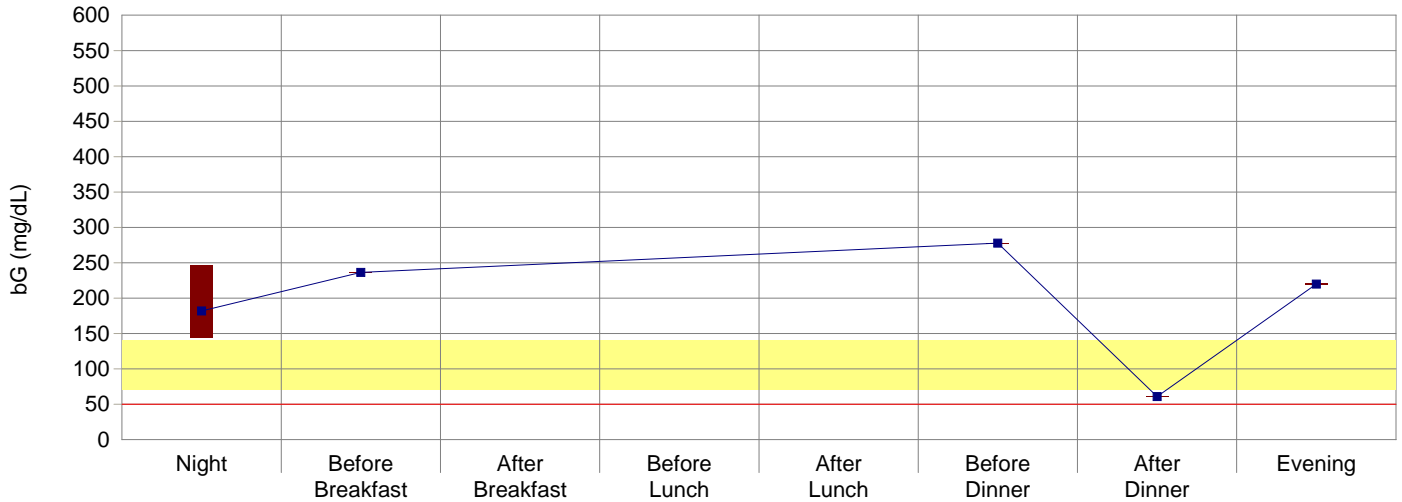
Unknown Spouse of Elizabeth Bauerle n/k/a Elizabeth Bidgood
n/k/a Scott Bidgood
8092 SW 115th Loop
Ocala, FL 34481

By: *Maria Berrios*
Maria I. Berrios
Judicial Assistant

Trend Graph

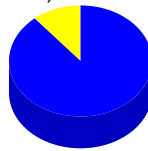


Average Day



Target Range Overall

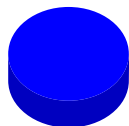
Below 11.1% (1 test)



Above 88.9% (8 tests)

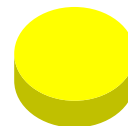
EXHIBIT
2

Before Meals



Above 100.0% (3 tests)

After Meals



Below 100.0% (1 test)

| Range | Tests | Percent | Highest bG (mg/dL): | 278 | Total # of Tests: | 9 |
|---------------------------------|-------|---------|---------------------|-------|-----------------------|------|
| Above Target (> 140 mg/dL): | 8 | 88.9% | Lowest bG (mg/dL): | 61 | Avg. # Tests per Day: | 0.6 |
| Within Target (70 - 140 mg/dL): | 0 | 0.0% | Average bG (mg/dL): | 199.8 | Standard Deviation: | 67.1 |
| Below Target (50 - 69 mg/dL): | 1 | 11.1% | Number of HIs: | 0 | | |
| Hypo (< 50 mg/dL): | 0 | 0.0% | Number of LOs: | 0 | | |


AFFIDAVIT OF NEIL J. GILLESPIE

STATE OF FLORIDA)
) SS.:
COUNTY OF MARION)

BEFORE ME, this day personally appeared NEIL J. GILLESPIE, who upon oath deposes upon personal knowledge and states:

1. I am over the age of eighteen and am competent to testify as to the facts and matters set forth herein. I make this affidavit upon personal knowledge unless otherwise expressly stated.
2. On June 29, 2017 at 11:48 PM I deposited in the U.S. Mail, Dunnellon Post Office, 11432 N Williams St., Dunnellon FL, my petition for writ of certiorari to the U.S. Supreme Court, with imbedded Rule 13.5 Application, and copy of my petition to the Plaintiff's counsel.
3. The next morning, June 30, 2017, I telephoned at 9:05 AM the Dunnellon Post Office and spoke with Postmaster Wyatt Blankenship about mailing issues I encountered the previous night. The Postmaster interrupted and asked "that was one going to the Supreme Court?"
4. Postmaster Blankenship requested I come in person to the Dunnellon Post Office to complete my mailing to the U.S. Supreme Court, to which I agreed.
5. After arriving at the Dunnellon Post Office later that morning, I felt sick. Postmaster Blankenship called Dunnellon Fire Rescue, who evaluated me. I asked for an EKG heart test. Fire Rescue offered to transport me to the hospital, which I declined against medical advice.
6. A copy of the Dunnellon Fire Rescue Patient Evaluation Report for me is attached.

FURTHER AFFIANT SAYETH NOT.

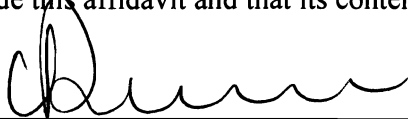

Neil J. Gillespie

The foregoing instrument was acknowledged before me, this 16th day of July, 2017, by Neil J. Gillespie, who is personally known to me, or who has produced FL I D as identification and states that he is the person who made this affidavit and that its contents are truthful to the best of his knowledge.

(SEAL)



Dorothy Ramos
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF958317
Expires 2/8/2020


NOTARY PUBLIC
Dorothy Ramos
Print Name of Notary Public

My Commission Expires: 2/8/2020

CITY OF DUNNELLON FIRE/RESCUE REPORT PATIENT EVALUATION

FD RUN # _____
DISPOSITION _____

DATE 6/30/17 DAY M T W TH (F) S SU CITY/COUNTY _____

CASE # _____ GRID _____

LOCATION 11432 N. Williams St.

CHIEF COMPLAINT hot, lightheaded, exhaustion

UPON ARRIVAL conscious

PT. NAME _____ DOB 3/19/56

AGE 61 SEX M (F) WEIGHT _____ RACE _____ SSN 1 1 1

HOME ADDRESS Neil Gillespie 8092 SW 115th Loop

PHONE # 352 - 854 - 7807 CITY Ocala ST 34481

PHYSICIAN _____ ALLERGIES NKDA

MEDICATIONS Insulin, Metformin, Glipizide
Lisinopril, HCTZ

MED. HX. DM, Mapped Obesity, HTN
TX. _____

VITAL 1-TIME _____ B/P 157/97 P 95 (R-I) RESP 16 (N-L-S)

SIGNS 2-TIME _____ B/P _____ P _____ (R-I) RESP _____ (N-L-S)

3-TIME _____ B/P _____ P _____ (R-I) RESP _____ (N-L-S)

LUNGS: L _____ R _____ GLASGOW 15 GLUCOSE LEVEL 205

PUPILS _____ SKIN _____ PULSE OX SpO2 97

DEFIBRILLATOR: TIME _____ TIME _____ OTHER _____

EQUIPMENT USED _____

EQUIPMENT LOST _____

MEDIC # _____ 10/97 _____ MCFR # _____ 10/97 _____ OTHER _____

CREW MEMBERS _____ / _____ / _____

10/51 _____ 10/97 _____ 10/98 _____

I REFUSE TREATMENT AND TRANSPORT AGAINST MEDICAL ADVICE FROM THE MEDICAL CARE GIVERS AND WAS ADVISED OF POSSIBLE POST ACCIDENT INJURIES AND TO SEEK MEDICAL ATTENTION IMMEDIATELY.

X [Signature]
WITNESS

PARENT OR GUARDIAN _____



Fannie Mae

Fannie Mae Single-Family Reverse Mortgage Loan Servicing Manual

June 21, 2017

EXHIBIT

4

Preface

This *Reverse Mortgage Loan Servicing Manual* (Manual) incorporates all Fannie Mae servicing-related guidelines for reverse mortgage loans. While the Manual sets forth specific servicing requirements unique to reverse mortgage loans, servicers must continue to comply with servicing requirements in the Fannie Mae Single-Family Servicing Guide (Servicing Guide) for reverse mortgage loans to the extent such requirements are not in conflict with the provisions contained in the Manual. In the event that the Manual and the *Servicing Guide* are conflicting, the servicer must follow the requirements in the *Servicing Guide*. If Fannie Mae does not specifically address a particular servicing responsibility, Fannie Mae's standard requirements apply for reverse mortgage loans.

This Manual covers the standard requirements for servicing reverse mortgage loans for one- to four-unit properties owned or securitized by Fannie Mae. On behalf of Fannie Mae, servicers are servicing two reverse mortgage loan products: conventional Home Keeper™ mortgage loans and FHA HECM loans.

For HECM loans, the servicer must follow all applicable requirements of the HECM program found in the Department of Housing and Urban Development (HUD) Handbook 4235.1 REV-1: Home Equity Conversion Mortgages, Handbook 4330.1 REV-5: Administration of Insured Home Mortgages, all related HUD Mortgagee Letters, and all other guidance provided by HUD. This Manual includes requirements for HECMs that Fannie Mae imposes as a result of its purchase and securitization of those mortgage loans and is not intended to contradict HUD's requirements. In the event that this Manual and guidance provided by HUD are conflicting, the servicer must follow HUD's requirements.

In addition, special rules apply in Texas for both HECMs and Home Keeper mortgage loans as noted in Fannie Mae Lender Letters and HUD Mortgagee Letters. Information on how to service these reverse mortgage loans may be obtained through the servicer's Servicing Representative or on Fannie Mae's website.

Home Equity Conversion Mortgages (4235.1)

| | |
|--|-------------|
| Handbook | WORD |
| Transmittal | PDF |
| Table of Contents | PDF |
| Chapter 1: General Information | PDF |
| Chapter 2: Borrower Counseling | PDF |
| Chapter 3: Property Analysis | PDF |
| Chapter 4: Mortgage Credit Analysis | PDF |
| Chapter 5: Calculation of Payments | PDF |
| Chapter 6: Closing and Endorsement | PDF |
| Chapter 7: Payment of Mortgage Insurance Premiums | PDF |
| Chapter 8: Assignments | PDF |
| Chapter 9: HUD Servicing | PDF |
| APPENDIX 1: Model Mortgage Form | PDF |
| APPENDIX 2: Model Fixed Rate Note Form | PDF |
| APPENDIX 3: Model Adjustable Rate Note Form | PDF |
| APPENDIX 4: Model Second Mortgage Form | PDF |
| APPENDIX 5: Model Fixed Rate Second Note Form | PDF |
| APPENDIX 6: Model Adjustable Rate Second Note Form | PDF |
| APPENDIX 7: Home Equity Conversion Loan Agreement | PDF |
| APPENDIX 8: Repair Rider to Loan Agreement | PDF |
| APPENDIX 9: Condominium Rider | PDF |
| APPENDIX 10: Planned Unit Development Rider | PDF |
| APPENDIX 11: Shared Appreciation Rider | PDF |
| APPENDIX 12: Shared Appreciation Allonge | PDF |
| APPENDIX 13: Home Equity Conversion Mortgage Payment Plan | PDF |
| APPENDIX 14: Notice to the Borrower | PDF |
| APPENDIX 15: Instructions for Completing the URLA and Addendum | PDF |
| APPENDIX 16: Certificate of Borrower Counseling | PDF |
| APPENDIX 17: Periodic Disclosure of Interest Rate Change for HECM | PDF |
| APPENDIX 18: CHUMS Input Worksheet | PDF |
| APPENDIX 19: Shared Appreciation Worksheet | PDF |
| APPENDIX 20: Factors for Determining Borrower's Principal Limit | PDF |
| APPENDIX 21: Home Equity Conversion Mortgage | PDF |
| APPENDIX 22: Payment Calculation Formulas | PDF |
| APPENDIX 23: Instructions For Estab. A PAD Account For HECM Loans | PDF |



support the borrower's eligibility. The local HUD Office can provide information regarding when the three-year waiting period has passed or that the social security number in CAIVRS is an error.

4-4TITLE EVIDENCE. The lender must submit a title insurance commitment at least equal to the maximum claim amount with the borrower's application to HUD. If the local HUD office has determined that title insurance cannot be obtained at reasonable rates, an alternative may be substituted. However, in order to avoid incurring unnecessary expenses, the lender must review the following borrower eligibility requirements before ordering a title insurance commitment to be paid for by the borrower:

A.The borrower's age. All borrowers must be at least 62 years old when they sign the Uniform Residential Loan Application (URLA) and the HUD/VA Addendum (Form HUD 92900-A). The lender should request evidence of the ages of all borrowers, and accept all reasonable forms of evidence.

B.The borrower's Federal credit record. The borrower cannot have a delinquent or defaulted Federal debt that cannot be satisfied at closing. Payment of an insurance claim by HUD on a previously insured mortgage does not automatically preclude the borrower from qualifying for a reverse mortgage if valid extenuating circumstances caused the foreclosure (see Paragraph 4-3).

4-4

4235.1 REV-1

(4-4)

C.The borrower's principal residence. The property must be the principal residence of each borrower, as defined in Paragraph 4-7A. of this chapter. Married spouses or other co-borrowers may be living apart because one of them is temporarily or permanently in a health care facility; however at least one borrower must be living in the home in order for the HECM loan to close.

If, after a review of these requirements, the lender finds that the borrower is not eligible, the borrower should be notified of his or her ineligibility, and the application process must cease. The lender cannot charge the borrower for any services performed after this determination.

4-5HOME EQUITY CONVERSION MORTGAGES FOR PROPERTY HELD IN TRUST. HUD will insure HECMs on property held in the name of an inter vivos trust, also known as a living trust. In general, a living trust is created during the lifetime of a person [as opposed to a testamentary trust which is created by the person's will after his/her death]. A living trust is created when the owner of property conveys his/her property to a trust for his or her own benefit or for that of a third party

[the beneficiaries]. The trust holds legal title and the beneficiary holds equitable title. The person may name him/herself as the beneficiary. The trustee is under a fiduciary responsibility to hold and manage the trust assets for the beneficiary. The trustee's responsibilities are set out in a trust agreement.

Property held in a land trust is eligible for a HECM if the requirements for a living trust are met. Property held in a living trust is eligible for a HECM if the trust, and the borrowers, meet the following requirements:

A. Conditions for Origination in the Name of a Living Trust.

1) All beneficiaries of the trust must be eligible HECM borrowers at the time of origination and until the mortgage is released [i.e. borrower/beneficiary must occupy the property as a principal residence and new beneficiaries may not be added to the trust]. Contingent beneficiaries, that receive no benefit from the trust nor have any control over the trust assets until the beneficiary is deceased, need not be eligible HECM borrowers.

4-5

4235.1 REV-1

(4-5A.)

2) The trustee must sign the mortgage, and the mortgage must be signed by each borrower/beneficiary if necessary to create a valid first mortgage. The borrower/beneficiary must sign the Note and Loan Agreement. The lender may require the signature of the trustee on the Note or the signature of the borrower/beneficiary on the mortgage.

3) The trust shall not be a party to the Loan Agreement. The borrower/beneficiary may issue instructions to the lender to permit the trustee to exercise one or more rights stated in the Loan Agreement on behalf of the beneficiary; i.e. the right to receive loan advances or to request changes in the payment plan.

4) The lender must be satisfied that the trust is valid and enforceable, that it provides the lender with a reasonable means to assure that it is notified of any subsequent change of occupancy or transfer of beneficial interest, and ensures that each borrower/beneficiary has the legal right to occupy the property for the remainder of his or her life.

B. Transfer of the Property Into or From a Trust.

1) The borrower under an insured HECM may transfer the property to a living trust without causing the mortgage to become due

and payable if the lender finds that the trust meets all requirements that would have applied if the trust owned the property at closing. The lender may require the trust to formally assume the borrower's obligation to repay the debt as stated in the Note if considered advisable to avoid difficulty in enforcement of the Note and mortgage.

2) If the trust is terminated, or the property is otherwise transferred from an eligible trust holding the property, the mortgage will not become due and payable, provided that one or more of the original borrowers who signed the Note and Loan Agreement continue to occupy the property as a principal residence and continue to retain title to the property in fee simple or on a leasehold interest as set forth in 24 CFR Section 206.45(a).

4-6

4235.1 REV-1

4-6 POWER OF ATTORNEY AND CONSERVATORSHIP GUIDELINES. The following guidelines apply to all phases of HECM loan processing:

A. Mortgage Loan Application.

1) Borrowers with legal competency:

a. All borrowers must sign mortgage loan application.

b. Mortgage loan application may be executed on behalf of a borrower by an "agent" or "attorney in fact" holding a durable power of attorney specifically designed to survive incapacity and avoid the need for court proceedings.

2) Borrowers lacking legal competency:

a. Incompetent borrower may not sign the mortgage loan application.

b. Court-appointed conservator or guardian may execute any necessary documents, including the mortgage loan application. The lender must provide evidence that the conservator or guardian has authority to obligate the borrower.

c. A person holding a durable power of attorney specifically designed to survive incapacity and avoid the need for court proceedings, may execute any necessary documents, including the mortgage loan application.

(1) To be valid, a durable power of

attorney must be prepared when the "principal" is competent to understand the nature and significance of the instrument.

(2)The durable power of attorney must comply with State laws regarding signatures, notarization, witnesses, and recordation.

4-7

4235.1 REV-1

(4-6)

B.Closing Documents. Power of attorney (durable or otherwise) may be used for closing documents. Any power of attorney must comply with State law and allow for the Note to be legally enforced in that jurisdiction.

C.Counseling Session. For borrowers lacking legal competency, the counseling session may be conducted with a person holding a power of attorney, or with a court-appointed conservator or guardian.

4-7REQUIRED MORTGAGE CREDIT DOCUMENTATION. After performing a preliminary eligibility review of the borrower, the lender must submit the following documents to the local HUD office for Mortgage Credit Analysis:

A.Uniform Residential Loan Application (URLA) and HUD/VA Addendum (Form HUD 92900-A). This application must be completed according to the instructions contained in Appendix 15. At the time that the lender completes the borrower's application, it must do the following:

1)Participate in a face-to-face interview with the borrower in which the information on the application is verified by the borrower. Exceptions to this requirement are as follows:

a.A face-to-face interview is not required if the property is at least 50 or more miles from the mortgagee's nearest office, and a face-to-face counseling session was conducted. Under these circumstances, the mortgagee may interview the borrower by telephone, and must certify as to the date and person(s) with whom they spoke. The mortgagee must elicit as complete a picture of the borrower as if a face-to-face interview were conducted.

4-8

4235.1 REV-1

Neil Gillespie

From: <noreply@myflcourtsaccess.com>
Sent: Tuesday, July 18, 2017 8:35 AM
Subject: Filing 59132663 Processed - Appellate Courts
Dear Neil J. Gillespie:

This email verifies the processing of your *PETITIONS PETITION FOR WRIT OF PROHIBITION; MOTIONS OTHER MOTION NOT LISTED; NOTICES NOTICE OF FILING; NOTICES OTHER NOTICE NOT LISTED; NOTICES OTHER NOTICE NOT LISTED; NOTICES APPENDIX/ATTACHMENT TO NOTICE; PETITIONS APPENDIX/ATTACHMENT TO PETITION; PETITIONS APPENDIX/ATTACHMENT TO PETITION; PETITIONS APPENDIX/ATTACHMENT TO PETITION; PETITIONS APPENDIX/ATTACHMENT TO PETITION; MOTIONS MOTION TO APPEAR FORMA PAUPERIS* by the Office of the Clerk, Supreme Court of Florida.

Status: **Docketed**

Florida Courts E-Filing Portal Reference Number: 59132663

Filing Date/Time: 07/18/2017 07:24:12 AM

Case Number:

Case Name: NEIL J. GILLESPIE, ETC. vs.REVERSE MORTGAGE SOLUTIONS, INC.

Documents

| # | Document Type | Status | Filing Date | Not Docketed Reason | Your Attachment |
|----|--|----------|-------------|---------------------|--|
| 1 | PETITIONS PETITION FOR WRIT OF PROHIBITION | Accepted | 07/18/2017 | | EMERGENCY PETITION TO CANCEL NON-JURY TRIAL 10.00 AM TODAY.pdf |
| 2 | MOTIONS OTHER MOTION NOT LISTED | Accepted | 07/18/2017 | | APPENDIX A DEFENDANTS' EMERGENCY MOTION TO CANCEL HEARING JULY 18, 2017.pdf |
| 3 | NOTICES NOTICE OF FILING | Accepted | 07/18/2017 | | APPENDIX B DEFENDANTS' NOTICE OF FILING U.S. SUPREME COURT PETITION AND RESPONSE.pdf |
| 4 | NOTICES OTHER NOTICE NOT LISTED | Accepted | 07/18/2017 | | APPENDIX 1 Order Dismissal Mar-31-2017, Notice Appeal Mar-27-2017.pdf |
| 5 | NOTICES OTHER NOTICE NOT LISTED | Accepted | 07/18/2017 | | APPENDIX 2 NOTICE OF FILING FEDERAL CIVIL RIGHTS COMPLAINT.pdf |
| 6 | NOTICES APPENDIX/ATTACHMENT TO NOTICE | Accepted | 07/18/2017 | | APPENDIX 3 US Supreme Court Clerk's reply letter Mr Higgins Oct-19-2016.pdf |
| 7 | PETITIONS APPENDIX/ATTACHMENT TO PETITION | Accepted | 07/18/2017 | | APPENDIX 4 Affidavit of Neil Gillespie re Dr. Kassels Jun-12-2017.pdf |
| 8 | PETITIONS APPENDIX/ATTACHMENT TO PETITION | Accepted | 07/18/2017 | | APPENDIX 5, AFFIDAVIT OF NEIL J GILLESPIE Traumatic Brain Injury (TBI).pdf |
| 9 | PETITIONS APPENDIX/ATTACHMENT TO PETITION | Accepted | 07/18/2017 | | APPENDIX 6 AFFIDAVIT OF NEIL J. GILLESPIE_HECM AGE LIMITS.pdf |
| 10 | PETITIONS APPENDIX/ATTACHMENT TO PETITION | Accepted | 07/18/2017 | | APPENDIX 7 AFFIDAVIT OF NEIL J. GILLESPIE - DEFENSES AND CLAIMS IN RECOUPMENT.pdf |
| 11 | MOTIONS MOTION TO APPEAR FORMA PAUPERIS | Accepted | 07/18/2017 | | MOTION TO PROCEED IN FORMA PAUPERIS.pdf |

Fees

| # | Description | Amount |
|---|---------------------------|----------|
| | OTHER ORIGINAL PROCEEDING | \$300.00 |

| | | |
|----|---|--------|
| 1 | REGARDING OTHER PROCEEDINGS
NOT LISTED CIVIL | |
| 2 | MOTIONS, OTHER MOTION NOT
LISTED | \$.00 |
| 3 | BRIEFS, APPENDIX/ATTACHMENT TO
BRIEF | \$.00 |
| 4 | BRIEFS, APPENDIX/ATTACHMENT TO
BRIEF | \$.00 |
| 5 | BRIEFS, APPENDIX/ATTACHMENT TO
BRIEF | \$.00 |
| 6 | BRIEFS, APPENDIX/ATTACHMENT TO
BRIEF | \$.00 |
| 7 | BRIEFS, APPENDIX/ATTACHMENT TO
BRIEF | \$.00 |
| 8 | BRIEFS, APPENDIX/ATTACHMENT TO
BRIEF | \$.00 |
| 9 | BRIEFS, APPENDIX/ATTACHMENT TO
BRIEF | \$.00 |
| 10 | BRIEFS, APPENDIX/ATTACHMENT TO
BRIEF | \$.00 |
| 11 | BRIEFS, APPENDIX/ATTACHMENT TO
BRIEF | \$.00 |
| 12 | MOTIONS, OTHER MOTION NOT
LISTED | \$.00 |

Memo:

This is a non-monitored email. If you have questions about this filing, please contact the Office of the Clerk, Supreme Court of Florida, at [Support](#) or 850 488 0125.

Thank you,
Office of the Clerk
Supreme Court of Florida



Marion County
Board of County Commissioners

Fire Rescue

2631 SE Third St.
Ocala, FL 34471
Phone: 352-291-8000
Fax: 352-291-8098

B

MEDICAL RECORD AND INFORMATION RELEASE

Marion County Fire Rescue is hereby authorized and requested by Neil S. Gillespie to furnish to Neil S. Gillespie, all medical records or other information regarding treatment, care and/or hospitalization of Neil S. Gillespie, the patient, provided by Marion County Fire Rescue to the patient, including but not limited to medical records or information concerning injuries, illness, disease, psychological or psychiatric impairment(s), drug abuse, alcoholism, sickle cell anemia, acquired immunodeficiency syndrome (AIDS), or test(s) for, or infection with, human immunodeficiency virus (HIV) or any other medical records or information from the patient's hospital visit/admission, primary physician or any other medical provider that the Marion County Fire Rescue has in its custody or under its control.

I also acknowledge that I have received Marion County Fire Rescue's Summarized Notice of Privacy Practices.

Date Requested: July 20, 2017 Date of Incident/Service July 18, 2017

Patient Name: Neil S. Gillespie

Mailing Address: 8092 SW 115th Loop, Ocala, FL 34981

Contact Number: 352-254-7807

Signature of Patient/Requestor: [Signature]
This Signature Must be Notarized

State of Florida

County of Marion

Sworn to (or affirmed) and subscribed before me this 20 day of July, 2017
Month Year

by Neil Gillespie
Name of Person Making Statement

[Signature]
Signature of Notary Public - State of

Personally Known Or Produced Identification
Type of Identification Produced FLDL

Stamp / Seal:
FELICIA GRASTY
Notary Public - State of Florida
Comm. Expires Jan 25, 2017
Commission # FF 07952

"Meeting Needs by Exceeding Expectations"



Marion County Fire Rescue

2631 SE 3RD ST
 OCALA, FL 34471-9101
 (352) 291-8030

"Partners With Our Community"

Date of Service: 07/18/2017

Run Number: 3605798

Incident Number: 047993

Dispatch & Responding

Scene

Destination

Vehicle: R62
Call Sign: R62
Primary Role: Ground Transport
Crew #1 Name: McCartney, Sarah
Crew #2 Name: Morgan, Gronn

Response Priority: Non-Emergency
Nature Of Call: Sick Person
EMD Performed: Yes, Unknown if
 Pre-Arrival Instructions
 Given
Response Delay: None/No Delay
Location: 110 NW 1st Ave
 OCALA, Marion, FL 34475
Location Type: Public Building
Patient Found: At Scene
Patients: Single
Mass Casualty: No
Possible Injury: No
Acuity at Dispatch: Immediate Medical Assist
Transport Method: Ground-Ambulance
#Pts Transported: 1
Protocol: Fundamentals of Care

Type of Service: 911 Response (Scene)
Outcome: Treated, Transported in this
 Unit
Transport Priority: Non-Emergency
At Scene Miles: 0.00
At Destination Miles: 0.90
Transfer to Ambulance: Stretcher
Patient Transported: Semi-Fowlers - Stretcher
Destination: Ocala Regional Medical Center
 1431 SW 1ST AVE
 OCALA, MARION, FL 34471
Destination Type: Hospital
Destination Reason: Patient's Choice
Condition at Destination: Improved
Destination Delay: Delay 31-60 Minutes

TIMES

| Approximate Onset | PSAP | Dispatch Notified | Received | Dispatched | En Route | At Scene |
|------------------------|----------------|-------------------|----------------|----------------------|----------------|----------------|
| 08:45 07-18-17 | | 10:20 07-18-17 | 10:20 07-18-17 | 10:21 07-18-17 | 10:23 07-18-17 | 10:27 07-18-17 |
| At Patient Side | Scene Transfer | Transporting | At Destination | Destination Transfer | In Service | Cancel |
| 10:31 07-18-17 | | 10:47 07-18-17 | 10:58 07-18-17 | 11:37 07-18-17 | 12:02 07-18-17 | |
| Air Med.Arrival | | | | | | |

PATIENT INFORMATION

Name: Neil Gillespie **DOB:** 03/19/1956 (61 yrs) **Home Country:** United States
SSN: 160-52-5117 **Sex:** Male **Home Address:** 8092 SW 115TH LOOP
Ethnicity: **Weight:** 300.00 lbs 136.08 Kgs **OCALA, MARION, FL 34481**
Race: White **Driver's License:**
Advanced Directives: **Home Phone:**
Belongings: **Home Phone 2:**
Belongings Left With:

PATIENT COMPLAINTS

Chief Complaint(s)

Other (Primary)
 2 Hours

Anatomic Location

General/Global

Organ System

Global/General

Primary Symptom

Malaise

Other Associated Symptoms

*Encounter, adult, no findings or complaints

PATIENT HISTORY

Past Medical History

Behavioral -
 Psych/Behavior-Depression
 Neurological - Neuro-Traumatic
 Brain Injury

Endocrine - Diabetes-Insulin
 Dependent

Cardiac - Hypertension

Post-traumatic stress disorder,
 unspecified

Allergies

No Known Drug Allergy

No Known Environmental/Food
 Allergies



Marion County Fire Rescue

2631 SE 3RD ST
 Ocala, FL 34471-9101
 (352) 291-8030

"Partners With Our Community"

Date of Service: 07/18/2017

Run Number: 3605798

Incident Number: 047993

Medications

Other - Not Listed -

Note: Novalog
 Lisinopril

Medical History Obtained From

Patient

ETOH/Drug use: None Reported

PATIENT ASSESSMENT

07/18/2017 10:31:00 By: McCartney, Sarah Comments: Pt has some facial droop and slurred speech, this is normal due to his hx.

| Body Area | Assessments and Comments | Body Area | Assessments and Comments |
|-----------------------------|--|----------------------------|--|
| Airway | Patent | Breathing | Chest Expansion - Symmetrical :
Tachypnea |
| Circulation | Capillary Refill - < 2 Seconds :
Hemorrhage - None :
Pulses - Radial - Normal (2+) | Blood/Fluid Loss | None Noted |
| Head | Normal | Face | Normal |
| Neck | Normal | Pelvis | Normal |
| Upper Left Arm | Normal | Upper Right Arm | Normal |
| Upper Left Leg | Normal | Upper Right Leg | Normal |
| Lower Left Leg | Normal | Lower Right Leg | Normal |
| Abdomen - Generalized | Normal | Back-General | Normal |
| Chest/Lungs | Normal | External/Skin | Dry :
Warm |
| Left 2nd (Index) Finger | Normal | Left 3rd (Middle) Finger | Normal |
| Left 4th (Ring) Finger | Normal | Left 5th (Smallest) Finger | Normal |
| Left Ankle | Normal | Left Elbow | Normal |
| Left Forearm | Normal | Left Hip | Normal |
| Left Knee | Normal | Left Palm | Normal |
| Left Shoulder | Normal | Left Thumb | Normal |
| Left Wrist | Normal | Mental Status | Oriented-Event :
Oriented-Person :
Oriented-Place :
Oriented-Time |
| Neurological | Gait-Normal :
Normal Baseline for Patient :
Speech Normal :
Strength-Normal :
Strength-Symmetric | Right 2nd (Index) Finger | Normal |
| Right 3rd (Middle) Finger | Normal | Right 4th (Ring) Finger | Normal |
| Right 5th (Smallest) Finger | Normal | Right Ankle | Normal |
| Right Elbow | Normal | Right Forearm | Normal |
| Right Hip | Normal | Right Knee | Normal |
| Right Palm | Normal | Right Shoulder | Normal |
| Right Thumb | Normal | Right Wrist | Normal |

PROVIDER IMPRESSIONS

Primary Impression: MALAISE **Secondary Impressions:** *No Other Complaint (Adult)

VITAL SIGNS

| Time | PTA | BP | Pulse | Respiratory | SPO2 | EtCO2 | Glucose | GCS |
|------------------|-----|--|-------------------------|-----------------------|------|----------------|---------|-------------------|
| 07/18/2017 10:35 | No | 202/108
Automated Cuff,
Left arm | 113, Strong,
Regular | 18 Normal,
Regular | 98% | Not Applicable | 349 | E4 + V5 + M6 = 15 |

GCS has legitimate values without interventions such as intubation and sedation

Temp=99.5 F (37.50 C) Skin Temp=Normal Skin Color=Normal Skin Moisture=Normal Lung Sounds Left=Normal BS Lung Sounds Right=Normal BS Cap. Refill=Normal
 Level of Consciousness: Alert; Pain Scale=0; Pain Scale Type=Numeric (0-10);
 Heart Rate Measurement=Electronic Monitor - Pulse Oximeter



Marion County Fire Rescue

2631 SE 3RD ST
OCALA, FL 34471-9101

(352) 291-8030

"Partners With Our Community"

Date of Service: 07/18/2017

Run Number: 3605798

Incident Number: 047993

TREATMENT SUMMARY CONTINUED

| <u>Time</u> | <u>PTA</u> | <u>Treatment</u> | <u>Who performed</u> | <u>Authorized by</u> | <u>Comments</u> |
|-------------|------------|------------------|----------------------|---------------------------|-----------------|
| 10:44 | No | ETCO2 | McCartney, Sarah | Protocol (Standing Order) | |

Attempt Number : 1

Complication : None

Response : Unchanged

Successful : Yes

ADDITIONAL COMMENTS

R62 dispatched IMA to the Marion County Courthouse. Upon arrival, we were directed to the third floor. 61 yom is sitting on the floor speaking with the OFD crew. Pt c/c of general malaise. Pt relays that he feels this way when he gets too hot, and he does not have A/C in his car. Pt walked to the stretcher. Pt monitored enroute to Ocala Regional. 500 cc bolus of NS given. Bed delay on arrival. Pt then assigned to Triage holding. Pt walked to exam chair. Pt report and TOC given to Jason RN.

MISCELLANEOUS



Marion County Fire Rescue

2631 SE 3RD ST
OCALA, FL 34471-9101

(352) 291-8030

"Partners With Our Community"

Date of Service: 07/18/2017

Run Number: 3605798

Incident Number: 047993

SIGNATURES

| Time | Type | Who signed | Reason Unable to Sign |
|------------------|--------------------------------|------------------------|-----------------------|
| 07/18/2017 11:20 | Accept Treatment and Transport | Self - Gillespie, Neil | |

I agree to the treatment provided and request that payment of authorized Medicare/Medicaid and/or other insurance benefits be made to Marion County Fire Rescue / Marion County Board of County Commissioners for any services furnished to me. I understand that I am financially responsible for the services and supplies provided to me by Marion County Fire Rescue, regardless of my insurance coverage, and in some cases, may be responsible for an amount in addition to that which was paid by my insurance. I authorize and direct any holder of medical, insurance, billing or other relevant information about me to release such information to Marion County Fire Rescue and its billing agents, the Centers for Medicare and Medicaid Services, and /or any other payers or insurers, and their respective agents or contractors, as may be necessary to determine these or other benefits payable for any services provided to me by Marion County Fire Rescue, now, in the past, or in the future. I also authorize Marion County Fire Rescue to obtain medical, insurance, billing and other relevant information about me from any party, database or other source that maintains such information. I agree to assume full financial responsibility for payment of all charges not covered by my insurance carrier as well as any collection and/or attorney's fees as allowed by law.

X Neil Gillespie

| | | | |
|------------------|-----------------------------|------------------------|--|
| 07/18/2017 11:21 | Notice of Privacy Practices | Self - Gillespie, Neil | |
|------------------|-----------------------------|------------------------|--|

Notice of Privacy Practices Acknowledgment: by signing below, the signer acknowledges that Marion County Fire Rescue has provided a copy and /or the opportunity to review its Notice of Privacy Practices. If you have additional questions or comments or require additional copies of our privacy practices, or if you would like to obtain additional information regarding your privacy rights, please contact our Privacy Officer at: County Fire Rescue 2631 SE Third street Ocala, Fl. 34471. You may also contact our Privacy Officer by phone at: 352 291-8000 or on our website <http://www.marioncountyfl.org/departments-agencies/departments-a-n/fire-rescue/billing>.

X Neil Gillespie

| | | | |
|------------------|---------------------|------------------------|--|
| 07/18/2017 11:35 | Facility Acceptance | Nurse (RN) - RN, Jason | |
|------------------|---------------------|------------------------|--|

I hereby accept responsibility of Neil Gillespie from crew members McCartney, Sarah, Morgan, Gronn.

X Jason



Marion County Fire Rescue

2631 SE 3RD ST
OCALA, FL 34471-9101

(352) 291-8030

"Partners With Our Community"

Date of Service: 07/18/2017

Run Number: 3605798

Incident Number: 047993

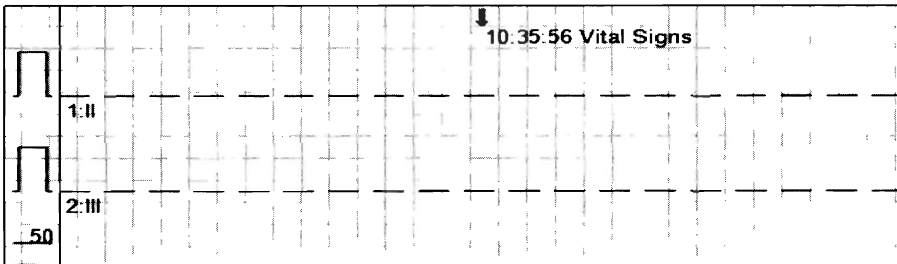
ECG FULL DISCLOSURE REPORT

Physio-Control LIFEPAK 12/15 Defibrillator Full Disclosure Report

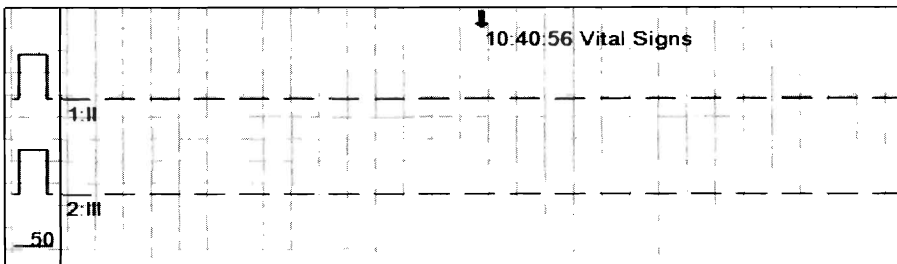
7/18/2017 10:30:56AM

10:30:56 Power On
10:35:08 NIBP

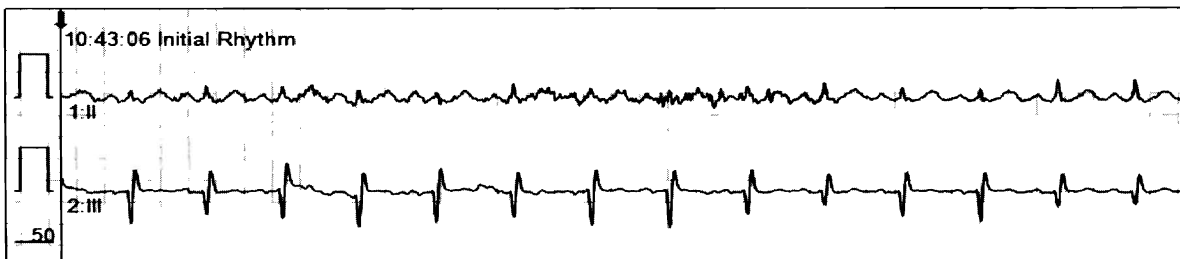
7/18/2017 10:30:56AM



7/18/2017 10:30:56AM



7/18/2017 10:30:56AM





Marion County Fire Rescue

2631 SE 3RD ST
OCALA, FL 34471-9101

(352) 291-8030

"Partners With Our Community"

Date of Service: 07/18/2017

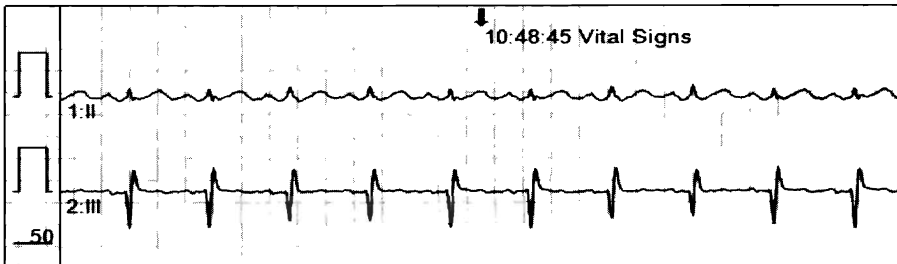
Run Number: 3605798

Incident Number: 047993

7/18/2017 10:30:56AM

10:44:59 NIBP

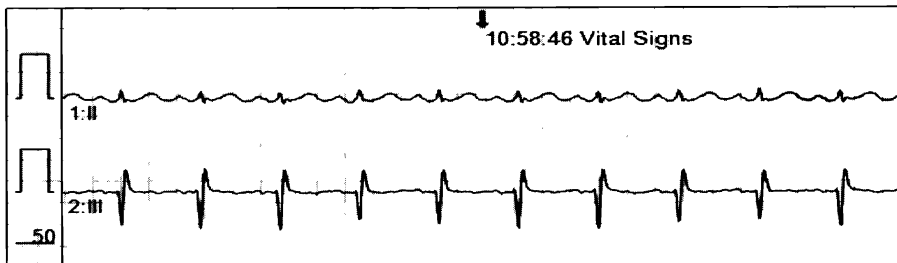
7/18/2017 10:30:56AM



7/18/2017 10:30:56AM

10:54:57 NIBP

7/18/2017 10:30:56AM





Marion County Fire Rescue

2631 SE 3RD ST
OCALA, FL 34471-9101

(352) 291-8030

"Partners With Our Community"

Date of Service: 07/18/2017

Run Number: 3605798

Incident Number: 047993

7/18/2017 10:30:56AM

11:04:37 NIBP



Ocala Regional Medical Center
 1431 SW 1st Avenue
 Ocala, FL 34478
 (352) 401-1000

Discharge Summary (Patient Copy)

Date: 07/18/2017
 Time: 1:02 p.m.

| | | | | | |
|--------------------|--|--------|----------------|----------|--------------|
| Treating Provider: | Ashley Rumnock, ARNP | Phone: | (352) 401-1137 | Fax: | |
| Patient Name: | NEIL GILLESPIE | MR#: | G000380267 | Account: | G00098873000 |
| Patient Address: | 8092 SW 115TH LOOP
OCALA , FL 34481 | Phone: | (352)854-8707 | | |

Your Discharge Instructions:

Your Medication Education:

Your Prescriptions:

DEHYDRATION - ADULTS
WEAKNESS

You should follow up with the following physician in 2 days:

Physician Name: Primary Care Physician

Specialty: Primary Care/Family

Address:

Phone:

Langley 680-0324

Follow-up Notes: On 07/18/2017 this patient was treated at Ocala Regional Medical Center for Refer to Discharge Instruction List.

Additional Notes: rest. increase fluids. stay cool. take your diabetic medications as prescribed.

Neil J. Gillespie's medical wrist band from
Ocala Regional Medical Center on July 18, 2017



GILLESPIE NEIL JOSEPH DOB 03/19/56
U# G000380267 07/18/17
ACCT# G00098873000 PRE ER 01





EKG electrodes from Neil J. Gillespie's electrocardiogram done at
Ocala Regional Medical Center on July 18, 2017.
[Covidien Medi-Trace Mini 130 ECG Monitoring Electrode]





Ocala Regional Medical Center
 1431 SW 1st Avenue
 Ocala, FL 34478
 (352) 401-1000

Discharge Instructions (Patient Copy)

Date: 07/18/2017
 Time: 1:02 p.m.

| | | | |
|--------------------|--|-----------------------|------|
| Treating Provider: | Ashley Rumnock, ARNP | Phone: (352) 401-1137 | Fax: |
| Patient Name: | NEIL GILLESPIE | Phone: (352)854-8707 | |
| Patient Address: | 8092 SW 115TH LOOP
OCALA , FL 34481 | | |

Patient Discharge Instructions:

DEHYDRATION - ADULTS

Dehydration occurs when there is an excess fluid loss. This occurs from repeated vomiting or diarrhea, profuse sweating or a high fever. It may occur as a result of poor fluid intake during times of illness. Improper use of diuretics (water pills) is another cause. Symptoms include thirst, dizziness, weakness and fatigue or excess drowsiness. The diet described below is usually enough to treat most cases. Sometimes medicine is also needed.

Follow These Instructions Carefully:

1. Drink at least 12 eight-ounce glasses of fluid per day to correct dehydration. This may include water, orange juice and lemonade (with no pulp), apple, grape and cranberry juice, clear fruit drinks, electrolyte replacement and sports drinks, decaffeinated teas, and coffee.
2. If you have fever, muscle aching or headache from a viral syndrome, you may use acetaminophen (Tylenol) or ibuprofen (Motrin, Advil) unless another medicine was prescribed for this. (If under 18 years old, do not use aspirin. There is a chance of severe liver injury when aspirin is used during a viral illness.)

Follow up with your doctor or this facility if you are not improving over the next 24 to 48 hours.

Return to this facility immediately or contact your doctor if you begin to have any of the following:

- Continued vomiting (unable to keep liquids down).
- Frequent diarrhea (more than 5 times a day); blood (red or black color) or mucus in diarrhea.
- Weakness, dizziness, fainting or extreme thirst.
- Fever over 101 (oral) for more than 3 days.

I understand that the emergency care I received is not intended to be complete and definitive medical care and treatment. EKG's, X-rays, and lab studies will be reviewed by appropriate specialists and I will be notified of significant discrepancies.



Ocala Regional Medical Center
1431 SW 1st Avenue
Ocala, FL 34478
(352) 401-1000

Discharge Instructions (Patient Copy)

Date: 07/18/2017
Time: 1:02 p.m.

| | | | |
|--------------------|--|-----------------------|------|
| Treating Provider: | Ashley Rumnock, ARNP | Phone: (352) 401-1137 | Fax: |
| Patient Name: | NEIL GILLESPIE | Phone: (352)854-8707 | |
| Patient Address: | 8092 SW 115TH LOOP
OCALA , FL 34481 | | |

Patient Discharge Instructions:

WEAKNESS

Your exam shows you have weakness without a known cause. Your weakness does not appear to be of a serious nature although the exact cause could not be found. Sometimes, a more serious illness will begin with weakness, so watch for the signs listed below.

Follow These Instructions Carefully:

1. Rest at home today. Do not over-exert yourself.
2. Take your medicine as prescribed.
3. Eat a balanced diet.

Follow up with your doctor or as advised if you are not starting to feel better within 5 days.

Return to this facility immediately or contact your doctor if you begin to have any of the following:

- Worsening of your symptoms.
- Chest, arm, neck, jaw or back pain.
- Dizziness or fainting.
- Trouble breathing.
- Nausea, vomiting, abdominal pain or diarrhea.
- Numbness or weakness of the face, one arm or one leg.
- Slurred speech, confusion, and trouble speaking, walking or seeing.
- Blood in vomit or stool (black or red color).

I understand that the emergency care I received is not intended to be complete and definitive medical care and treatment. EKG's, X-rays, and lab studies will be reviewed by appropriate specialists and I will be notified of significant discrepancies.



OCALA HEALTH SYSTEM
 Ocala REGIONAL MEDICAL CENTER
 1431 S.W. First Avenue
 Ocala, Florida 34471
 (352) 401-1000

105290

Name Giles, Neil
 Address _____ Date 7/18/17

Rx

Lisinopril 20mg tab
 $\frac{1}{2}$ tab PO Daily
 Disp: 300 tabs

LABEL Yes No
 REFILL UT DICT.
 1 2 3 4 5 TIMES
 P.R.N. NON-REP.
 REFILLED

[Signature]

 Substitution Permitted

DEA # _____
 M.D. _____ M.D. _____
 Dispense As Written

SBF1604040211

3156 RXM1000A **SBF REORDER • 732.0001**
FADES WITH HEAT

BLUE BACKGROUND. REFLECTIVE WATERMARK ON BACK. SECURITY FEATURES LISTED ON BACK.



OCALA HEALTH SYSTEM

Patient Name: NEIL GILLESPIE

If you have been referred to a specialist in Cardiology, Gastrointestinal Gastroenterology, or General Surgery, you will be contacted by ER Follow up Appointment Services within 24 hours to schedule your appointment. If you would like to schedule an appointment and have not received a call, please call us at 352-401-8333

I understand that the emergency care I received is not intended to be complete and definitive medical care and treatment. I acknowledge that I have been instructed to contact the above physician(s) as indicated for continued and complete medical diagnosis, care, and treatment. EKG's, X-rays, and lab studies will be reviewed by appropriate specialists and I will be notified of significant discrepancies. I also understand that my signature authorizes this Medical Center to release all or any part of my medical record (including, if applicable, information pertaining to AIDS and/or HIV testing, mental health records, and drug and/or alcohol treatment) to the follow-up physician indicated above.

I certify that I have received my Discharge Transition Record . The Discharge Transition Record includes discharge instructions, follow-up care, diagnosis/chief complaint, and major tests or procedures done during my visit and any changes to my current medications and/or new medications prescribed during my visit. The Discharge Transition Record has been explained to me and I understand the reason(s) for any changes to current home medications and/or any new medications prescribed.

Our facility has implemented a patient portal known as MyHealthONE for your convenience. This confidential site will provide you access to a summary of your care and the results of your tests....even test results that were not immediately available when you were with us. It is your responsibility to follow up with your primary care physician or the physician to whom you were referred at the time of discharge, as there may be incidental or additional findings on the final results that may require your outpatient physician to address with you. If you have any questions or problems with the enrollment process, please call MyHealthONE at 1-855-422-6625 to receive expert assistance. Any questions about the information or results from your visit should be directed to your primary care physician.

Discharge Signature