

IN THE SUPREME COURT OF THE
STATE OF FLORIDA

NEIL J. GILLESPIE

Petitioner,

Case No.: SC11-1622

Lower Tribunal No(s): 2D10-5197,
05-CA-7205

vs.

BARKER, RODEMS & COOK, ET AL.

Respondents.

_____ /

ADDENDUM, REQUEST TO TOLL TIME, AMENDED CERTIFICATE OF SERVICE

RE: PETITIONER'S MOTION FOR LEAVE TO FILE A PROPER
MOTION FOR RECONSIDERATION ON SINGLE ISSUE

1. Petitioner Gillespie hereby makes an addendum to his motion served March 19, 2012, for leave to file a proper motion for reconsideration on a single issue, and states:

2. Paragraph 8 of the motion states:

“Because of the foregoing, Mr. Rodems and Barker, Rodems & Cook, PA should have been disqualified April 25, 2006. Petitioner had a clear legal right to have his case lawfully adjudicated. In turn the circuit court had an indisputable legal duty to lawfully adjudicate the case. Had the circuit court disqualified Mr. Rodems as required by McPartland this case would have been resolved years ago. But the circuit court did not disqualify Mr. Rodems as required by McPartland. Instead Mr. Rodems prevented the lawful adjudication of this case, made numerous false statements of material fact to the court, failed to cooperate with opposing counsel, and disrupted the tribunal for strategic advantage. As set forth in the Petition, Mr. Rodems made false representations to the court to have an arrest warrant issued for the Petitioner for the purpose of forcing a walk-away settlement agreement in the case, and to force a walk-away settlement agreement in Petitioner's federal civil rights and ADA disability lawsuit.”

3. Petitioner makes this addendum to the above paragraph 8:

a. Mr. Rodems pursued vexatious litigation against Gillespie in the form of a libel counterclaim in the Circuit Court, case 05-CA-007205, Hillsborough County, as further

described in Plaintiff's First Amended Complaint, Volume 8 of the Appendix. (A.8). Petitioner alleged "Abuse of Process" at Count 11 for a libel counterclaim commenced by Mr. Rodems against the Petitioner, and pursued vexatiously by Mr. Rodems from January 19, 2006 through September 28, 2010, whereupon Rodems voluntarily dismissed the counterclaim without prejudice. Petitioner retained counsel to defend the vexatious litigation brought by Mr. Rodems on behalf of Mr. Cook and Barker, Rodems & Cook, P.A. and incurred over \$30,000 in legal fees by attorney Robert W. Bauer, a referral from the Florida Bar Lawyer Referral Service for libel. Mr. Bauer then encourage Petitioner to reinstate dismissed claims in the litigation.

SEPARATE REQUEST TO TOLL TIME

4. Pursuant to Rule 9.300(d)(10), Petitioner belatedly requests the Court to toll time.

AMENDED CERTIFICATE OF SERVICE

5. Petitioner belatedly served his motion of March 19, 2012, for leave to file a proper motion for reconsideration on a single issue, March 21, 2012 as follows:


HON. JAMES BIRK HOLD, Clerk of the Second District Court of Appeal, 1005 E. Memorial Blvd., P.O. Box 327, Lakeland, FL 33801.

HON. PAT FRANK, Clerk of the Circuit Court, Hillsborough County, Thirteenth Judicial Circuit, P.O. Box 989, Tampa, FL 33601-0989.

HON. JAMES D. ARNOLD, Circuit Court Judge, Hillsborough County, Thirteenth Judicial Circuit, 800 E. Twiggs Street, Room 514, Tampa, Florida 33602.

HON. MARTHA J. COOK, Circuit Court Judge, Hillsborough County, Thirteenth Judicial Circuit, 401 N. Jefferson Street, Room 615- Annex, Tampa, Florida 33602.

RESPECTFULLY SUBMITTED March 22, 2012.


Neil J. Gillespie, Petitioner pro se
8092 SW 15th Loop
Ocala, Florida 34481
Telephone: (352) 854-7807

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing was mailed by U.S. Postal Service first class mail March 22, 2012 to the following:

Robert E. O'Neill, US Attorney
US Attorney's Office
400 N. Tampa St., Suite 3200
Tampa, FL 33602-4798

Robert W. Bauer, Esquire
Law Office of Robert W. Bauer, P.A.
2815 NW 13th Street, Suite 200E
Gainesville, FL 32609-2865

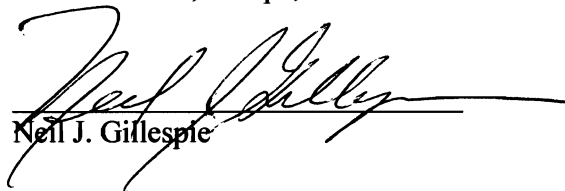
Ryan C. Rodems, Esquire
400 North Ashley Drive, Suite 2100
Tampa, Florida 33602

HON. JAMES BIRK HOLD, Clerk of the Second District Court of Appeal, 1005 E. Memorial Blvd., P.O. Box 327, Lakeland, FL 33801.

HON. PAT FRANK, Clerk of the Circuit Court, Hillsborough County, Thirteenth Judicial Circuit, P.O. Box 989, Tampa, FL 33601-0989.

HON. JAMES D. ARNOLD, Circuit Court Judge, Hillsborough County, Thirteenth Judicial Circuit, 800 E. Twiggs Street, Room 514, Tampa, Florida 33602.

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Neil J. Gillespie