

Chief Judge Manuel Menendez, Jr.  
Thirteenth Judicial Circuit Of Florida  
800 E. Twiggs Street  
Tampa, Florida 33602-3500

RE: *Access to public records and meetings*, Article I, Section 24, Florida Constitution.  
Neil J. Gillespie v. Thirteenth Judicial Circuit, Florida et al., Case 5:10-cv-00503-WTH-TBS, U.S. District Court, Middle District of FL, Ocala.

Chief Judge Manuel Menendez, Jr.:

The enclosed response by David Rowland October 23, 2014 on your behalf is not correct. Provide the requested records immediately. Mr. Rowland wrote:

We have no records in response to your request.

There was no settlement of the above-referenced federal lawsuit. Rather, your lawsuit was dismissed by Senior Judge William Terrell Hodges for several reasons. I am enclosing a copy of the dismissal order.

The Order of Dismissal (Doc. 64) that Mr. Rowland provided with his response belies his contention that “There was no settlement of the above-referenced federal lawsuit.”

Judge Hodges found there was a settlement, a copy is attached hereto, and found on PACER: Case 5:10-cv-00503-WTH-DAB Document 32 Filed 06/21/11 Page 3 of 4 PageID 602 Case 5:10-cv-00503-WTH-DAB Document 32 Filed 06/21/11 Page 4 of 4 PageID 603 and titled the “Settlement Agreement and General Mutual Release” dated June 21, 2011.

Judge Hodges, in his Order of Dismissal (Doc. 64), relied upon the settlement agreement, general mutual release, and assignment of claims, on page 2, at footnote 2:

[fn2] The Court is aware that the Plaintiff has challenged the validity of the settlement agreement and assignment of claims on the grounds that it was procured by fraud, executed under duress, and without informed consent (Docs. 33, 39, 61, 63). However, the core of the settlement agreement containing the assignment involved the resolution of various matters pending in state court, and the settlement agreement itself appears to have been executed as part of a state court proceeding. (Doc. 32, 40). As such, the state court is the appropriate judicial body with the jurisdiction to resolve any disputes over the validity and/or enforceability of the settlement agreement and assignment. This Court will not (absent subject-matter jurisdiction) entertain any disputes within the purview of the settlement agreement unless and until the state court enters a judgment declaring the settlement agreement and assignment invalid. Cf. Heck v. Humphrey, 512 U.S. 477, 114 S.Ct. 2364 (1994).

The “core of the settlement agreement” is bribery of state court judges, *inter alia*, deprivation of rights, the subject matter of my civil action for deprivation of rights, 42 U.S.C. § 1983, *see* the enclosed case docket, Cause: 42:1983 Civil Rights Act, and pages 1-2 of the Complaint (Doc.1)

Tellingly Judge Hodges’ Order of Dismissal (Doc. 64) does not mention 42 U.S.C. § 1983.

Judge Hodges’ Order of Dismissal (Doc. 64) only mentions the Americans with Disabilities Act and violation of constitutional rights. From the Order of Dismissal (Doc. 64), paragraph 1:

The Plaintiff, proceeding *pro se*, has filed a Complaint against eleven (11) Defendants which, by its title, purports to state a claim under the Americans With Disabilities Act, 42 U.S.C. §§ 12131, *et seq.*, as well as various violations of his constitutional rights.[fn1] (Doc. 1). The Complaint is due to be dismissed for several reasons. (footnote omitted)

Judge Hodges’ reasons for dismissal noted by Mr. Rowland were previously refuted in Response to Order to Show Cause (Doc. 58); the parties were served under Rule 4(d) waiver, etc. The Complaint pled under 42 U.S.C. § 1983, which Judge Hodges refused to acknowledge in Order Dismissing Case (Doc. 64). Section 1983 and the ADA allege federal subject matter jurisdiction. Judge Hodges failed to follow Rule 8(e) “Pleadings must be construed so as to do justice”. Lastly Hodges relied upon the attached “Settlement Agreement and General Mutual Release” dated June 21, 2011, noting Rodems “moved for voluntary dismissal with prejudice under Fed. R. Civ. P.41(a)(2). (See Doc. 32).” Tellingly Judge Hodges did not grant Rodems’ motion.

Under 42 U.S.C. § 1983 Judge Hodges had a duty and authority duty to make a *Non-Criminal Justice Act Counsel Appointment*. The U.S. Eleventh Circuit adopted provisions for furnishing representation for persons financially unable to obtain adequate representation in cases and situations which do not fall within the scope of 18 U.S.C. § 3006A, as amended -- but in which the court believes that the interests of justice will be served by the presence of counsel. *See* Addendum Five, U.S. Eleventh Circuit, Rev.: 8/07, found online, <http://www.ca11.uscourts.gov/attorney-info/criminal-justice-act>  
<http://www.ca11.uscourts.gov/sites/default/files/courtdocs/clk/RulesAddendum05AUG07.pdf>

Provide immediately records showing authority to bind the Thirteenth Judicial Circuit, Florida, et al, in contract in the “Settlement Agreement And General Mutual Release” that purportedly assigned my claims to Defendants Ryan Christopher Rodems, Chris A. Barker, and William J. Cook, or anyone else, or any other entity, and is attached to this records request, and was entered into my section 1983 Civil Rights and ADA Disability federal lawsuit by Rodems at Doc. 32. The state of Florida defendants include:

Thirteenth Judicial Circuit, Florida  
Gonzalo B. Casares, ADA Coordinator, and individually  
David A. Rowland, Court Counsel, and individually  
Judge Claudia Rickert Isom, Circuit Court Judge, and individually  
Judge James M. Barton, II, Circuit Court Judge, and individually  
Judge Martha J. Cook, Circuit Court Judge, and individually

Under Article V, Section 2(d), Fla. Const., Chief Judge Menendez “[S]hall be responsible for the administrative supervision of the circuit courts and county courts in his circuit.”.

ARTICLE V, JUDICIARY, SECTION 2. Administration; practice and procedure.—  
(d) A chief judge in each circuit shall be chosen from among the circuit judges as provided by supreme court rule. The chief judge shall be responsible for the administrative supervision of the circuit courts and county courts in his circuit.

Under Section 43.26, Florida Statutes, the Chief Judge shall exercise administrative supervision:

F.S. § 43.26 Chief judge of circuit; selection; powers. (the complete section is attached)  
(1) The chief judge of each judicial circuit, who shall be a circuit judge, shall exercise administrative supervision over all the trial courts within the judicial circuit and over the judges and other officers of such courts.

Under Article II, Section 5(b), Fla. Const., Chief Judge Manuel Menendez, Jr. swore an Oath of Office in the State of Florida on August 26, 2008:

ARTICLE II, GENERAL PROVISIONS, SECTION 5. Public officers.—

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 Circuit Court Judge, Thirteenth Judicial Circuit, Group Nineteen, on which I am now about to enter, so help me God.

A copy of your Oath of Office executed August 26, 2008 is attached.

Thank you in advance for the courtesy of a response.

Sincerely,



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

Enclosures


**UPS Internet Shipping: View/Print Label**

- 1. Ensure there are no other shipping or tracking labels attached to your package.** Select the Print button on the print dialog box that appears. Note: If your browser does not support this function select Print from the File menu to print the label.
- 2. Fold the printed sheet containing the label at the line so that the entire shipping label is visible.** Place the label on a single side of the package and cover it completely with clear plastic shipping tape. Do not cover any seams or closures on the package with the label. Place the label in a UPS Shipping Pouch. If you do not have a pouch, affix the folded label using clear plastic shipping tape over the entire label.
- 3. GETTING YOUR SHIPMENT TO UPS**  
**UPS locations include the UPS Store<sup>®</sup>, UPS drop boxes, UPS customer centers, authorized retail outlets and UPS drivers.**  
Schedule a same day or future day Pickup to have a UPS driver pickup all of your Internet Shipping packages.  
Hand the package to any UPS driver in your area.  
Take your package to any location of The UPS Store<sup>®</sup>, UPS Drop Box, UPS Customer Center, UPS Alliances (Office Depot<sup>®</sup> or Staples<sup>®</sup>) or Authorized Shipping Outlet near you. Items sent via UPS Return Services(SM) (including via Ground) are also accepted at Drop Boxes. To find the location nearest you, please visit the 'Find Locations' Quick link at [ups.com](http://ups.com).

**Customers with a Daily Pickup**

Your driver will pickup your shipment(s) as usual.

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NEIL J. GILLESPIE 352-854-7807 NEIL J. GILLESPIE 8092 SW 115TH LOOP OCALA FL 34481	<b>1 LBS</b>	<b>1 OF 1</b>
DWT: 14,14,1		
<b>SHIP TO:</b> CHIEF JUDGE MANUEL MENENDEZ, JR. THIRTEENTH JUDICIAL CIRCUIT FLORIDA ROOM 602 800 E. TWIGGS STREET <b>TAMPA FL 33602-3558</b>		
	<b>FL 336 9-03</b> 	
<b>UPS GROUND</b> TRACKING #: 1Z 645 89F P2 9391 4887		
		
BILLING: P/P ATTENTION UPS DRIVER: SHIPPER RELEASE		
UIS 16.7.04. WXPNV50 57.0A 10/2014		



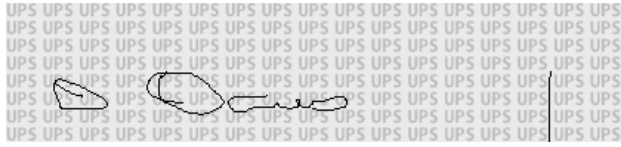
Proof of Delivery

[Close Window](#)

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

**Tracking Number:** 1Z64589FP293914887  
**Service:** UPS Ground  
**Weight:** 1.00 lb  
**Shipped/Billed On:** 11/17/2014  
**Delivered On:** 11/18/2014 11:35 A.M.  
**Delivered To:** 800 E TWIGGS ST  
 602  
 TAMPA, FL, US 33602  
**Signed By:** DAVIS



**Left At:** Mail Room

Thank you for giving us this opportunity to serve you.

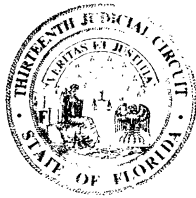
Sincerely,

UPS

Tracking results provided by UPS: 11/18/2014 12:34 P.M. ET

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**ADMINISTRATIVE OFFICE OF THE COURTS**  
THIRTEENTH JUDICIAL CIRCUIT OF FLORIDA  
LEGAL DEPARTMENT

DAVID A. ROWLAND

October 23, 2014

GENERAL COUNSEL

Neil J. Gillespie  
8092 SW 115<sup>th</sup> Loop  
Ocala, Florida 34481

Re: *Neil J. Gillespie v. Thirteenth Judicial Circuit, Florida, et. al.*,  
Case No.: 5:10-cv-00503-WTH-TBS, U.S. District Court,  
Middle District of Florida (Ocala)

Mr. Gillespie:

This letter is in response to your October 20, 2014 public records request sent to Chief Judge Manuel Menendez, Jr. You requested "records showing the authority relied upon to bind the Thirteenth Judicial Circuit, Florida in contract in the settlement of a federal lawsuit..." You also requested "records showing the authority relied upon to bind [S]tate of Florida, Hillsborough County, defendants in contract in the settlement of a federal lawsuit..." The state defendants you mention are three Thirteenth Judicial Circuit Court judges and two court employees. The federal lawsuit to which you refer is noted above.

We have no records in response to your request.

There was no settlement of the above-referenced federal lawsuit. Rather, your lawsuit was dismissed by Senior Judge William Terrell Hodges for several reasons. I am enclosing a copy of the dismissal order.

Sincerely,



David A. Rowland

Enclosure

cc: The Honorable Manuel Menendez, Jr., Chief Judge

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
OCALA DIVISION

NEIL J. GILLESPIE,

Plaintiff,

-vs-

Case No. 5:10-cv-503-Oc-10TBS

THIRTEENTH JUDICIAL CIRCUIT,  
FLORIDA, et al.,

Defendants.

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**ORDER OF DISMISSAL**

The Plaintiff, proceeding *pro se*, has filed a Complaint against eleven (11) Defendants which, by its title, purports to state a claim under the Americans With Disabilities Act, 42 U.S.C. §§ 12131, *et seq.*, as well as various violations of his constitutional rights.<sup>1</sup> (Doc. 1). The Complaint is due to be dismissed for several reasons.

First, the Plaintiff has never effected service of summons on any of the Defendants, or complied with any of the requirements of Fed. R. Civ. P. 4. Second, the Complaint consists of 39 pages of rambling, largely incomprehensible allegations and fails to set forth “a short and plain statement of the claim showing that the pleader is entitled to relief,” as required by Fed. R. Civ. P. 8(a)(2). Third, the Complaint fails to allege the basis for the Court’s subject-matter jurisdiction as required by Fed. R. Civ. P. 8(a)(1) – the parties are clearly all citizens of Florida and therefore not diverse, and the Plaintiff has not alleged any

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<sup>1</sup>The Plaintiff voluntarily dismissed all claims against two (2) of the Defendants, Barker Rodems & Cook, P.A., and Ryan Christopher Rodems, on October 29, 2010 (Docs. 22, 25-26).

intelligible facts that would support a finding of the existence of federal question jurisdiction. See 28 U.S.C. §§ 1331-1332. And fourth, it appears that the Plaintiff has assigned all of his claims in this case to Defendants Ryan Christopher Rodems, Chris A. Barker, and William J. Cook, who have moved for voluntary dismissal with prejudice under Fed. R. Civ. P. 41(a)(2). (See Doc. 32).<sup>2</sup>

Accordingly, upon due consideration, it is hereby ORDERED that the Plaintiff's Complaint (Doc. 1) is DISMISSED. The Clerk is directed to enter judgment accordingly, terminate all pending motions, and close the file.

IT IS SO ORDERED.

DONE and ORDERED at Ocala, Florida this 27th day of February, 2012.



UNITED STATES DISTRICT JUDGE

Copies to: Counsel of Record  
Neil J. Gillespie, *pro se*

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<sup>2</sup>The Court is aware that the Plaintiff has challenged the validity of the settlement agreement and assignment of claims on the grounds that it was procured by fraud, executed under duress, and without informed consent (Docs. 33, 39, 61, 63). However, the core of the settlement agreement containing the assignment involved the resolution of various matters pending in state court, and the settlement agreement itself appears to have been executed as part of a state court proceeding. (Doc. 32, 40). As such, the state court is the appropriate judicial body with the jurisdiction to resolve any disputes over the validity and/or enforceability of the settlement agreement and assignment. This Court will not (absent subject-matter jurisdiction) entertain any disputes within the purview of the settlement agreement unless and until the state court enters a judgment declaring the settlement agreement and assignment invalid. Cf. Heck v. Humphrey, 512 U.S. 477, 114 S.Ct. 2364 (1994).



ADMINISTRATIVE OFFICE OF THE COURTS  
13<sup>th</sup> JUDICIAL CIRCUIT  
**LEGAL DEPARTMENT**  
800 E. TWIGGS STREET, SUITE 603  
TAMPA, Florida 33602

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FIRST-CLASS MAIL

10/23/2014

**US POSTAGE**

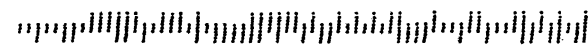
**\$00.48<sup>9</sup>**



ZIP 33602  
011D11644968

Neil J. Gillespie  
8092 SW 115<sup>th</sup> Loop  
Ocala, Florida 34481

34481#3567 R067



SETTLEMENT AGREEMENT AND GENERAL MUTUAL RELEASE

This settlement agreement and general mutual release, executed on June 21, 2011, by and between Neil J. Gillespie, hereinafter "Party A" and Barker, Rodems & Cook, P.A., its agents and employees, and Chris A. Barker, and William J. Cook, and Ryan Christopher Rodems, hereinafter "Party B".

WHEREAS disputes and differences have arisen between the parties, as detailed in the pleadings and records filed in the case styled Neil J. Gillespie v. Barker, Rodems & Cook, P.A., and William J. Cook, Esquire, Case No. 05CA7205, pending in the Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida and Gillespie v. Thirteenth Judicial Circuit, Florida, et al., 5:10-cv-00503-WTH-DAB, pending in the United States District Court, Middle District of Florida, Ocala Division; WHEREAS, the parties wish to fully and finally resolve all differences between them from the beginning of time through June 21, 2011; WHEREAS, the parties represent that none of the claims released herein have been assigned to a third-party;

NOW THEREFORE, in consideration of the assignment to Party "B" of all claims pending or which could have been brought, based on the allegations of Party "A", against any person or entity, without limitation, in Gillespie v. Thirteenth Judicial Circuit, Florida, et al., 5:10-cv-00503-WTH-DAB and dismissal with prejudice of their claims in the case styled Neil J. Gillespie v. Barker, Rodems & Cook, P.A., and William J. Cook, Esquire, Case No. 05CA7205, and dismissal of the appeal, Case No. 2D10-5197, pending in the Second District Court of Appeal, with the parties to bear their own attorneys' fees and costs, and the agreement of Party "B" to record a Satisfaction of Judgment regarding the Final Judgment entered on March 27, 2008, in Neil J. Gillespie v. Barker, Rodems & Cook, P.A., and William J. Cook, Esquire, Case No. 05CA7205:

Each party (the releasing party) hereby releases, without limitation, the other party (the released party) from any and all actions, suits, claims, debts, accounts, bills, bonds, attorneys' fees or costs, judgments, or any claims, without limitation, whether in law or equity, and whether known or unknown, which the releasing party now has or ever had resulting from any actions or omissions by the released party from the beginning of time through June 21, 2011.

This mutual release shall be acknowledged before a notary public and may be signed in counterpart.

PARTY A

*Neil J. Gillespie*  
NEIL J. GILLESPIE

PARTY B

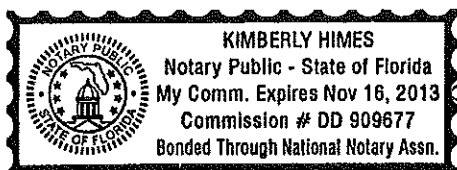
*Chris A. Barker*  
CHRIS A. BARKER, individually and as an officer of and on behalf of Barker, Rodems & Cook, P.A.

*Ryan Christopher Rodems*  
RYAN CHRISTOPHER RODEMS

*William J. Cook*  
WILLIAM J. COOK  
individually and as an officer of and on behalf of Barker, Rodems & Cook, P.A.

- Neil J. Gillespie  
Provided Florida Driver's License  
Class E # G 421.630.56.099.0  
- Signed this 21<sup>st</sup> day of June, 2011  
in Hillsborough County, Florida

*(RCR)*



*Kimberly Himes*

EXHIBIT 1

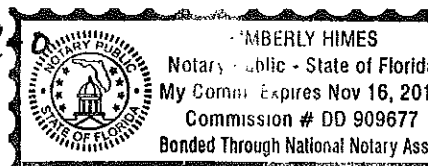
STATE OF FLORIDA  
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of June, 2011, by  
NEIL J. GILLESPIE.

Kimberly Himes  
Notary Public - State of Florida

Personally Known \_\_\_\_\_ OR Produced Identification   
Type of Identification Produced Florida Driver's License

#: G 421-630-56-0990

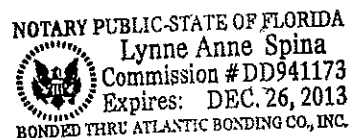


STATE OF FLORIDA  
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of June, 2011, by  
WILLIAM J. COOK.

Lynne Anne Spina  
Notary Public - State of Florida

Personally Known  OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_



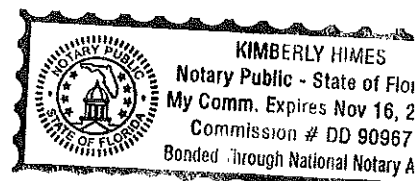
STATE OF FLORIDA  
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of June, 2011, by  
RYAN CHRISTOPHER RODEMS.

Kimberly Himes  
Notary Public - State of Florida

Personally Known \_\_\_\_\_ OR Produced Identification   
Type of Identification Produced Florida Driver's License

#: R 352-723-66-444-D

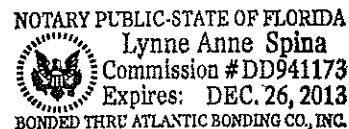


STATE OF FLORIDA  
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of June, 2011,  
by CHRIS A. BARKER, individually and as officer for BARKER, RODEMS & COOK, P.A.

Lynne Anne Spina  
Notary Public - State of Florida

Personally Known  OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_



**U.S. District Court  
Middle District of Florida (Ocala)  
CIVIL DOCKET FOR CASE #: 5:10-cv-00503-WTH-TBS**

Gillespie v. Thirteenth Judicial Circuit, Florida et al  
Assigned to: Senior Judge Wm. Terrell Hodges  
Referred to: Magistrate Judge Thomas B. Smith  
Case in other court: 11th Circuit, 12-11213-C  
Cause: 42:1983 Civil Rights Act ←

Date Filed: 09/28/2010  
Date Terminated: 02/28/2012  
Jury Demand: Plaintiff  
Nature of Suit: 446 Civil Rights: Americans  
with Disabilities - Other ←  
Jurisdiction: Federal Question ←

**Plaintiff**

**Neil J. Gillespie**

represented by **Neil J. Gillespie**  
8092 SW 115th Loop  
Ocala, FL 34481  
352/854-7807  
PRO SE

V.

**Defendant**

**Thirteenth Judicial Circuit, Florida**

**Defendant**

**Gonzalo B. Casares**  
*ADA Coordinator, and individually*

**Defendant**

**David A. Rowland**  
*Court Counsel, and individually*

**Defendant**

**Judge Claudia Rickert Isom**  
*Circuit Court Judge, and individually*

**Defendant**

**Judge James M. Barton, II**  
*Circuit Court Judge, and individually*

**Defendant**

**Judge Martha J. Cook**  
*Circuit Court Judge, and individually*

**Defendant**

**Barker, Rodems & Cook, P.A.**  
*TERMINATED: 11/23/2010*

represented by **Ryan Christopher Rodems**  
Barker, Rodems & Cook, PA  
Suite 790  
501 E Kennedy Blvd  
Tampa, FL 33602  
813/489-1001  
Fax: 813/489-1008  
Email: rodems@brclawyers.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Ryan Christopher Rodems**  
*TERMINATED: 11/23/2010*

represented by **Ryan Christopher Rodems**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**The Law Office of Robert W. Bauer, P.A.**

represented by **Catherine Barbara Chapman**  
Guilday, Tucker, Schwartz & Simpson, PA  
1983 Centre Pointe Boulevard, Suite 200  
Tallahassee, FL 32308  
850/224-7091  
Fax: 850/222-2593  
Email: catherine@guildaylaw.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Robert W. Bauer**

represented by **Catherine Barbara Chapman**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Chris A. Barker**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/28/2010	<a href="#">1</a>	COMPLAINT against Barker, Rodems & Cook, P.A., James M. Barton, II, Robert W. Bauer, Gonzalo B. Casares, Martha J. Cook, Claudia Rickert Isom, Ryan Christopher Rodems, David A. Rowland, The Law Office of Robert W. Bauer, P.A., Thirteenth Judicial Circuit, Florida with Jury Demand (Filing fee \$ 350 receipt number C-8835) filed by Neil J. Gillespie.(MJT) (Entered: 09/29/2010)
09/28/2010	2	Exhibits 1 through 15 and ADA Assessment & Report re <a href="#">1</a> Complaint by Neil J. Gillespie (filed separately). (MJT) (Entered: 09/29/2010)
09/29/2010	<a href="#">3</a>	MOTION to dismiss Complaint by Barker, Rodems & Cook, P.A., Ryan Christopher Rodems. (Rodems, Ryan) (Entered: 09/29/2010)

09/30/2010	<a href="#">4</a>	NOTICE of designation under Local Rule 3.05 - track 2. Signed by Deputy Clerk on 9/30/2010. (Attachments: # <a href="#">1</a> consent forms)(MAM) (Entered: 09/30/2010)
10/01/2010	<a href="#">5</a>	<i>Emergency</i> MOTION for protective order <i>and Order of Removal</i> by Neil J. Gillespie. (MJT) Motions referred to Magistrate Judge David A. Baker. (Additional attachment(s) added on 10/1/2010: # <a href="#">1</a> Exhibit Exhibits A through J) (MJT). (Entered: 10/01/2010)
10/01/2010	<a href="#">6</a>	MOTION for miscellaneous relief, specifically <i>to file electronically</i> by Neil J. Gillespie. (MJT) (Entered: 10/01/2010)
10/04/2010	<a href="#">7</a>	MOTION to amend/correct <a href="#">1</a> Complaint by Neil J. Gillespie. (LMF) (Entered: 10/04/2010)
10/04/2010	<a href="#">8</a>	MOTION to disqualify counsel Ryan Christopher Rodems and Baker, Rodems & Cook, PA by Neil J. Gillespie. (LMF) (Entered: 10/04/2010)
10/05/2010	<a href="#">9</a>	NOTICE of change of address titled "Motion to correct mailing address" by Neil J. Gillespie. (LMF) (Entered: 10/05/2010)
10/06/2010	<a href="#">10</a>	MEMORANDUM (response) in opposition re <a href="#">5</a> Motion for protective order filed by Barker, Rodems & Cook, P.A., Ryan Christopher Rodems. (Attachments: # <a href="#">1</a> Exhibit State Court Action Complaint, # <a href="#">2</a> Exhibit Order Granting Judgment on Pleadings, 11/28/2007, # <a href="#">3</a> Exhibit Order Granting Judgment on Pleadings, 7/7/2008, # <a href="#">4</a> Exhibit Final Summary Judgment, 9/28/2010, # <a href="#">5</a> Exhibit Order Granting Motion to Compel, 7/24/2006, # <a href="#">6</a> Exhibit Order Granting Fla. Stat. s. 57.105 sanctions, 7/20/2007, # <a href="#">7</a> Exhibit Final Judgment, 3/27/2008, # <a href="#">8</a> Exhibit Order, Second DCA, affirming Final Judgment, # <a href="#">9</a> Exhibit Order Adjudging Gillespie in Contempt, 7/7/2008, # <a href="#">10</a> Exhibit Order Adjudging Gillespie in Contempt, 9/30/2010)(Rodems, Ryan) (Entered: 10/06/2010)
10/06/2010	<a href="#">11</a>	MEMORANDUM (response) in opposition re <a href="#">7</a> Motion to amend/correct filed by Barker, Rodems & Cook, P.A., Ryan Christopher Rodems. (Rodems, Ryan) (Entered: 10/06/2010)
10/07/2010	<a href="#">12</a>	MEMORANDUM (response) in opposition re <a href="#">8</a> Motion to disqualify filed by Barker, Rodems & Cook, P.A., Ryan Christopher Rodems. (Attachments: # <a href="#">1</a> Exhibit Order Denying Plaintiffs Emergency Motion to Disqualify Defendants Counsel Ryan Christopher Rodems & Barker, Rodems & Cook, P.A.)(Rodems, Ryan) (Entered: 10/07/2010)
10/08/2010	<a href="#">13</a>	ORDER granting <a href="#">7</a> motion to amend complaint. Plaintiff shall file the amended complaint within 7 days of this order. Signed by Magistrate Judge David A. Baker on 10/8/2010. (LMF) (Entered: 10/08/2010)
10/12/2010	<a href="#">14</a>	MOTION for extension of time to file amended complaint by Neil J. Gillespie. (LMF) (Entered: 10/12/2010)
10/13/2010	<a href="#">15</a>	NOTICE of correct phone number titled "Motion to correct phone number" by Neil J. Gillespie. (MJT) (Entered: 10/13/2010)
10/14/2010	<a href="#">16</a>	ORDER granting <a href="#">14</a> Motion for extension of time to file amended complaint. Amended complaint shall be filed on or before 10/25/10. Signed by Magistrate Judge David A. Baker on 10/14/2010. (LMF) (Entered: 10/14/2010)
10/14/2010	<a href="#">17</a>	ORDER denying <a href="#">6</a> Motion to file electronically. Signed by Magistrate Judge David A. Baker on 10/14/2010. (LMF) (Entered: 10/14/2010)

10/22/2010	<a href="#">18</a>	ORDER denying <a href="#">5</a> Emergency Motion for protection and Order of Removal. Signed by Magistrate Judge David A. Baker on 10/21/10. (LMF) (Entered: 10/22/2010)
10/22/2010	<a href="#">19</a>	Second MOTION for extension of time to file amended complaint by Neil J. Gillespie. (LMF) (Entered: 10/22/2010)
10/25/2010	<a href="#">20</a>	ORDER denying <a href="#">8</a> Motion to disqualify counsel, Ryan Christopher Rodems and Barker, Rodems & Cook, P.A. Signed by Magistrate Judge David A. Baker on 10/22/10. (LMF) (Entered: 10/25/2010)
10/26/2010	<a href="#">21</a>	ORDER granting <a href="#">19</a> Motion for extension of time to file an amended complaint on or before 10/29/10. Signed by Magistrate Judge David A. Baker on 10/25/10. (LMF) (Entered: 10/26/2010)
10/29/2010	<a href="#">22</a>	NOTICE of voluntary dismissal as to Defendant's Rodems & BRC in lieu of amended complaint by Neil J. Gillespie. (LMF) (Entered: 11/01/2010)
10/29/2010	<a href="#">23</a>	NOTICE of filing affidavits of Extraordinary Circumstances by Neil J. Gillespie. (LMF) (Entered: 11/01/2010)
11/01/2010	<a href="#">24</a>	SUPPLEMENTAL filing in support of <a href="#">22</a> Notice of voluntary dismissal as to Defendant's Rodems & BRC in lieu of complaint by Neil J. Gillespie. (Attachments: # <a href="#">1</a> Exhibits to Supplement)(LMF) (Entered: 11/01/2010)
11/23/2010	<a href="#">25</a>	ORDER dismissing all claims against Defendants Ryan Christopher Rodems and Barker, Rodems & Cook, P.A. re <a href="#">22</a> Notice of voluntary dismissal filed by Neil J. Gillespie. Signed by Senior Judge Wm. Terrell Hodges on 11/22/2010. (LRH) (Entered: 11/23/2010)
11/23/2010	<a href="#">26</a>	JUDGMENT entered. Civil appeals checklist attached. (Signed by Deputy Clerk) (LMF) (Entered: 11/23/2010)
04/08/2011	<a href="#">27</a>	MOTION to dismiss Complaint <i>or alternatively, Motion to Strike and Motion for More Definite Statement</i> by Robert W. Bauer, The Law Office of Robert W. Bauer, P.A.. (Chapman, Catherine) (Entered: 04/08/2011)
04/18/2011	<a href="#">28</a>	NOTICE of Unavailability by Neil J. Gillespie. (LMF) (Entered: 04/19/2011)
04/18/2011	<a href="#">29</a>	MOTION for extension of time to file response/reply titled "Motion to stay, or to enlarge time to respond" as to <a href="#">27</a> MOTION to dismiss Complaint <i>or alternatively, Motion to Strike and Motion for More Definite Statement</i> by Neil J. Gillespie. (LMF) Motions referred to Magistrate Judge David A. Baker. (Entered: 04/19/2011)
05/09/2011	<a href="#">30</a>	ORDER granting in part <a href="#">29</a> Motion for extension of time to file response/reply to <a href="#">27</a> MOTION to dismiss Complaint <i>or alternatively, Motion to Strike and Motion for More Definite Statement</i> . Response due by 5/27/2011. Signed by Magistrate Judge David A. Baker on 5/9/2011. (MJT) (Entered: 05/09/2011)
06/01/2011	<a href="#">31</a>	RESPONSE/Reply re <a href="#">30</a> Order on motion for extension of time to file response/reply filed by Neil J. Gillespie. (LMF) (Entered: 06/01/2011)
06/21/2011	<a href="#">32</a>	MOTION to dismiss Action <i>pursuant to Fed.R.Civ.P. 41(a)(2)</i> by William J Cook, Chris A. Barker, Ryan Christopher Rodems. (Rodems, Ryan) (Entered: 06/21/2011)
06/30/2011	<a href="#">33</a>	MOTION to strike or set aside Mr. Rodem's Notice of Assignment of Claims and <a href="#">32</a> MOTION to dismiss Action <i>pursuant to Fed.R.Civ.P. 41(a)(2)</i> and to strike or set aside

		settlement agreement and general mutual release by Neil J. Gillespie. (Attachments: # <a href="#">1</a> Appendix and Exhibits)(LMF) Motions referred to Magistrate Judge David A. Baker. (Entered: 06/30/2011)
06/30/2011	<a href="#">34</a>	NOTICE regarding Attorney Eugene P. Castagliuolo, Florida Bar ID # 104360 by Chris A. Barker (LMF) (Entered: 06/30/2011)
07/07/2011	<a href="#">35</a>	NOTICE of filing " <i>Letter of Neil J. Gillespie to Judge James D. Arnold, May 27, 2011</i> " by Neil J. Gillespie. (MJT) (Entered: 07/08/2011)
07/07/2011	<a href="#">36</a>	NOTICE of filing " <i>Verified Notice of Filing Disability Information of Neil J. Gillespie</i> " by Neil J. Gillespie. (Attachments: # <a href="#">1</a> Exhibit A - Part 1, # <a href="#">2</a> Exhibit A - Part 2)(MJT) (Entered: 07/08/2011)
07/07/2011	<a href="#">37</a>	NOTICE of filing " <i>Plaintiff's Motion for Appointment of Counsel, ADA Accomodation Request and Memorandum of Law, May 24, 2011</i> " by Neil J. Gillespie (Attachments: # <a href="#">1</a> Exhibit A - Part 1, # <a href="#">2</a> Exhibit A - Part 2, # <a href="#">3</a> Exhibit A - Part 3, # <a href="#">4</a> Exhibit A - Part 4)(MJT) (Entered: 07/08/2011)
07/12/2011	<a href="#">38</a>	NOTICE of filing Pat Frank, Clerk of Circuit Court did not comply with Order of Judge Martha Cook by Neil J. Gillespie. (LMF) (Entered: 07/13/2011)
07/14/2011	<a href="#">39</a>	SUPPLEMENT (addendum) re <a href="#">33</a> MOTION to strike or set aside Mr. Rodem's Notice of Assignment of Claims and <a href="#">32</a> MOTION to dismiss Action pursuant to <i>Fed.R.Civ.P. 41(a)(2)</i> and to strike or set aside settlement agreement and general mutual release by Neil J. Gillespie. (LMF) (Entered: 07/14/2011)
07/14/2011	<a href="#">40</a>	RESPONSE in opposition re <a href="#">33</a> MOTION to strike <a href="#">32</a> MOTION to dismiss Action pursuant to <i>Fed.R.Civ.P. 41(a)(2)</i> MOTION to strike <a href="#">32</a> MOTION to dismiss Action pursuant to <i>Fed.R.Civ.P. 41(a)(2)</i> filed by Chris A. Barker, Ryan Christopher Rodems. (Attachments: # <a href="#">1</a> Exhibit Settlement Conference [6-21-2011])(Rodems, Ryan) (Entered: 07/14/2011)
07/15/2011	<a href="#">41</a>	NOTICE of filing <i>transcripts</i> re <a href="#">33</a> MOTION to strike <a href="#">32</a> MOTION to dismiss Action pursuant to <i>Fed.R.Civ.P. 41(a)(2)</i> by Neil J. Gillespie. (Three transcripts filed separately.) (MJT) (Entered: 07/18/2011)
07/21/2011	<a href="#">42</a>	MOTION for leave to file a reply to response to Motion to Strike or set aside Notice of Assignment of Claims and Motion to Dismiss, titled "Motion for leave to submit rebuttal to response to Motion to strike" by Neil J. Gillespie. (LMF) Modified on 7/21/2011 (LMF). (Entered: 07/21/2011)
07/29/2011	<a href="#">43</a>	Case reassigned to Magistrate Judge Thomas B. Smith. New case number: 5:10-cv-503-Oc-10TBS. Magistrate Judge David A. Baker no longer assigned to the case. (LMF) Motions referred to Magistrate Judge Thomas B. Smith. (Entered: 07/29/2011)
08/30/2011	<a href="#">44</a>	NOTICE of Filing Rule 22 applications to United States Justice Clarence Thomas re <a href="#">33</a> MOTION to strike <a href="#">32</a> MOTION to dismiss Action pursuant to <i>Fed.R.Civ.P. 41(a)(2)</i> by Neil J. Gillespie. ( <i>Exhibits to Notice filed separately</i> )(LMF) (Entered: 08/31/2011)
08/31/2011	<a href="#">45</a>	SUPPLEMENT re <a href="#">38</a> Notice of filing Pat Frank, Clerk of Court did not comply with Order of Judge Martha Cook by Neil J. Gillespie. (LMF) (Entered: 09/01/2011)
08/31/2011	<a href="#">46</a>	NOTICE of pendency of related cases per Local Rule 1.04(d) by Neil J. Gillespie. (LMF) (Entered: 09/01/2011)



09/09/2011	<a href="#">47</a>	NOTICE of Filing Transcript of proceeding held on 6/21/11 re <a href="#">33</a> MOTION to strike or set aside Mr. Rodem's Notice of Assignment of Claims and <a href="#">32</a> MOTION to dismiss Action with prejudice <i>pursuant to Fed.R.Civ.P. 41(a)(2)</i> by Neil J. Gillespie. (Filed separately) (LMF) (Entered: 09/12/2011)
09/30/2011	<a href="#">48</a>	SUPPLEMENT ( <i>Second</i> ) re <a href="#">38</a> Notice of filing Pat Frank, Clerk of Circuit Court did not comply with Order of Judge Martha Cook by Neil J. Gillespie. (MJT) (Entered: 09/30/2011)
09/30/2011	<a href="#">49</a>	NOTICE of filing transcript in support of <a href="#">33</a> MOTION to strike <a href="#">32</a> MOTION to dismiss Action <i>pursuant to Fed.R.Civ.P. 41(a)(2)</i> by Neil J. Gillespie. (Attachments: # <a href="#">1</a> Exhibit 1 - Transcript, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3)(MJT) (Entered: 09/30/2011)
10/05/2011	<a href="#">50</a>	ORDER denying <a href="#">42</a> Motion for leave to file a rebuttal paper. Signed by Magistrate Judge Thomas B. Smith on 10/5/2011. (Smith, Thomas) (Entered: 10/05/2011)
10/06/2011	<a href="#">51</a>	ORDER denying <a href="#">33</a> Motion to strike. Signed by Magistrate Judge Thomas B. Smith on 10/6/2011. (Smith, Thomas) Corrected PDF attached.(LMF). Modified on 10/6/2011 (LMF). (Entered: 10/06/2011)
10/12/2011	<a href="#">52</a>	NOTICE of filing email with the Honorable Thomas B. Smith by Neil J. Gillespie. (LMF) (Entered: 10/12/2011)
10/19/2011	<a href="#">53</a>	ORDER TO SHOW CAUSE for failure to file case management report as to Neil J. Gillespie. Signed by Senior Judge Wm. Terrell Hodges on 10/19/2011. Copy mailed to plaintiff. (MAM) (Entered: 10/19/2011)
10/20/2011	<a href="#">54</a>	MOTION for extension of time to file a Notice of Objection by Neil J. Gillespie. (LMF) (Entered: 10/20/2011)
11/02/2011	<a href="#">55</a>	MOTION for extension of time to file written response to Order to Show Cause by Neil J. Gillespie. (LMF) (Entered: 11/02/2011)
11/03/2011	<a href="#">56</a>	ORDER granting <a href="#">55</a> Motion for extension of time to file. Signed by Magistrate Judge Thomas B. Smith on 11/3/2011. (Smith, Thomas) (Entered: 11/03/2011)
11/07/2011	<a href="#">57</a>	ORDER granting <a href="#">54</a> Motion for extension of time to file response to Order to Show Cause and denying motion to disqualify the Magistrate Judge. Signed by Magistrate Judge Thomas B. Smith on 11/7/2011. (Smith, Thomas) (Entered: 11/07/2011)
11/14/2011	<a href="#">58</a>	RESPONSE TO ORDER TO SHOW CAUSE re <a href="#">53</a> Order to show cause by Neil J. Gillespie. (Attachments: # <a href="#">1</a> Appendix - Part I, # <a href="#">2</a> Appendix - Part II)(LMF) (Entered: 11/15/2011)
11/18/2011	<a href="#">59</a>	RESPONSE re <a href="#">57</a> Order on motion for extension of time to file by Neil J. Gillespie. (LMF) (Entered: 11/18/2011)
11/23/2011	<a href="#">60</a>	<i>Unopposed</i> MOTION for leave to <i>submit addendum</i> re <a href="#">58</a> RESPONSE TO ORDER TO SHOW CAUSE by Neil J. Gillespie. (MJT) (Entered: 11/23/2011)
01/10/2012	<a href="#">61</a>	AFFIDAVIT <i>in opposition to</i> <a href="#">32</a> MOTION to dismiss Action <i>pursuant to Fed.R.Civ.P. 41(a)(2)</i> and <i>in support of</i> <a href="#">60</a> <i>Unopposed</i> MOTION for leave to <i>submit addendum</i> by Neil J. Gillespie. (MJT) (Entered: 01/11/2012)
01/10/2012	<a href="#">62</a>	NOTICE of filing copy of <i>Petition for Writ of Mandamus Supreme Court of Florida, Case No. SC11-1622</i> in opposition to <a href="#">32</a> MOTION to dismiss Action <i>pursuant to</i>

		<i>Fed.R.Civ.P. 41(a)(2)</i> and in support of <a href="#">60</a> <i>Unopposed</i> MOTION for leave to <i>submit addendum</i> by Neil J. Gillespie. (Attachments: # <a href="#">1</a> Petition for Writ of Mandamus, (2) <i>CD with Appendixes received and filed separately.</i> )(MJT) (Entered: 01/11/2012)
01/12/2012	<a href="#">63</a>	Notice of OBJECTION re Notice of Assignment of claims and <a href="#">32</a> MOTION to dismiss Action <i>pursuant to Fed.R.Civ.P. 41(a)(2)</i> by Neil J. Gillespie by Neil J. Gillespie. (LMF) (Entered: 01/12/2012)
02/27/2012	<a href="#">64</a>	ORDER upon due consideration, it is hereby ORDERED that the Plaintiffs Complaint <a href="#">1</a> is DISMISSED. The Clerk is directed to enter judgment accordingly, terminate all pending motions, and close the file. See Order for further details. Signed by Senior Judge Wm. Terrell Hodges on 2/27/2012. (LRH) (Entered: 02/27/2012)
02/28/2012	<a href="#">65</a>	JUDGMENT entered. Civil appeals checklist attached. (Signed by Deputy Clerk) (LMF) (Entered: 02/28/2012)
03/02/2012	<a href="#">66</a>	NOTICE OF APPEAL as to <a href="#">64</a> Order, <a href="#">65</a> Judgment by Neil J. Gillespie. Filing fee not paid. (MJT) (Entered: 03/05/2012)
03/05/2012		TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <a href="#">66</a> Notice of appeal. (MJT) (Entered: 03/05/2012)
03/09/2012	<a href="#">67</a>	MOTION for leave to appeal in forma pauperis/affidavit of indigency by Neil J. Gillespie. (LMF) (Entered: 03/12/2012)
03/13/2012		ACKNOWLEDGMENT by USCA of receiving Notice of Appeal on 3/7/12 re <a href="#">66</a> Notice of appeal. USCA number: 12-11213-C. (LMF) (Entered: 03/13/2012)
03/27/2012	<a href="#">68</a>	MOTION to alter/amend judgment by Neil J. Gillespie. (LMF) (Entered: 03/28/2012)
03/29/2012	<a href="#">69</a>	ORDER denying <a href="#">67</a> Motion for leave to appeal in forma pauperis/affidavit of indigency; denying <a href="#">68</a> Motion to alter or amend judgment. Signed by Senior Judge Wm. Terrell Hodges on 3/29/2012. (LRH) (Entered: 03/29/2012)
03/30/2012		TRANSMITTAL to USCA forwarding <a href="#">69</a> ORDER denying <a href="#">67</a> Motion for leave to appeal in forma pauperis/affidavit of indigency re <a href="#">66</a> Notice of appeal. USCA number: 12-11213-C. (MJT) (Entered: 03/30/2012)
07/30/2012	<a href="#">70</a>	MOTION for miscellaneous relief, specifically to apply funds toward filing fees by Neil J. Gillespie. (LAB) (Entered: 07/31/2012)
08/01/2012	<a href="#">71</a>	ORDER denying <a href="#">70</a> Plaintiff's pro se "Motion to Apply Funds Toward Filing Fees." Signed by Senior Judge Wm. Terrell Hodges on 8/1/2012. (LRH) (Entered: 08/01/2012)
08/02/2012		TRANSMITTAL to USCA forwarding <a href="#">70</a> Motion to Apply Funds Toward Filing Fees and <a href="#">71</a> ORDER re <a href="#">66</a> Notice of appeal. USCA number: 12-11213-C. (MJT) (Entered: 08/02/2012)
08/07/2012	<a href="#">72</a>	USCA DISMISSAL ORDER as to <a href="#">66</a> Notice of appeal filed by Neil J. Gillespie, dismissing appeal for want of prosecution because the appelliant has failed to pay the filing fee within the time fixed by the rules. EOD: 08/07/12; USCA number: 12-11213-C. (MJT) (Entered: 08/07/2012)

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UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
OCALA DIVISION

CLERK, U.S. DISTRICT COURT  
OCALA, FLORIDA

NEIL J. GILLESPIE,

CASE NO.: 5:10-CV-503-OC-10-DAB

Plaintiff,

vs.

DEMAND FOR JURY TRIAL

THIRTEENTH JUDICIAL CIRCUIT, FLORIDA,  
GONZALO B. CASARES, ADA Coordinator, and individually,  
DAVID A. ROWLAND, Court Counsel, and individually,  
CLAUDIA RICKERT ISOM, Circuit Court Judge, and individually,  
JAMES M. BARTON, II, Circuit Court Judge, and individually,  
MARTHA J. COOK, Circuit Court Judge, and individually,

BARKER, RODEMS & COOK, P.A.,  
RYAN CHRISTOPHER RODEMS,

THE LAW OFFICE OF ROBERT W. BAUER, P.A.,  
ROBERT W. BAUER,

Defendants.

\_\_\_\_\_ /

COMPLAINT FOR VIOLATION OF THE AMERICANS WITH  
DISABILITIES ACT (ADA), AND CIVIL RIGHTS VIOLATIONS



Plaintiff pro se NEIL J. GILLESPIE sues the Defendants and alleges as follows:

JURISDICTION AND VENUE

1. This lawsuit arises under the Americans With Disabilities Act ("ADA"), 42 U.S.C., Chapter 126, Equal Opportunities for Individuals with Disabilities, Subchapter II, Public Services, Part A, §§ 12131 - 12134, Subchapter III, Public Accommodations and Services Operated by Private Entities, §§ 12181 - 12189, Subchapter IV, §§ 12201 - 12213, including the ADA Amendments Act of 2008 (ADAAA) updates. Plaintiff also

C-8835  
#350-

makes claims under 42 U.S.C. § 1983 Civil action for deprivation of rights, and the following amendments to the Constitution of the United States: The Fifth and Fourteenth Amendments as to Due Process; The Eight Amendment as to Cruel & Unusual Punishment; and the Fourteenth Amendment as to Equal Protection. This lawsuit also brings claims under Article 1, Section 21 of the Constitution of the State of Florida, Access to Courts; Article 1, Section 17 of the Constitution of the State of Florida, Excessive Punishments. This Court is vested with original jurisdiction under 28 U.S.C. §§ 1331, 1343, and supplemental jurisdiction over the state law claims pursuant to 28 U.S.C. § 1367.

2. Venue is proper in this Court, the Ocala Division, pursuant to 28 U.S.C. § 1391(b) and Rule 1.02, Local Rules of the United States District Court for the Middle District of Florida. Plaintiff resides in Ocala. Plaintiff received harassing phone calls in Ocala from attorney Ryan Christopher Rodems. The harassing phone calls were recorded in Ocala. Ocala is the central location of parties and witnesses widely dispersed in the State of Florida. One witness, United States District Judge James D. Whittemore, is currently a judge in the Tampa Division, making that venue improper.

#### PARTIES

3. Plaintiff pro se NEIL J. GILLESPIE ("Gillespie") resides at 8092 SW 115th Loop, Ocala, Marion County, Florida.

4. Defendant THIRTEENTH JUDICIAL CIRCUIT, FLORIDA ("13th Circuit") is a state court of original jurisdiction in and for Hillsborough County located in the George E. Edgecomb Courthouse, 800 E. Twiggs Street, Tampa, Florida. Gillespie is currently



Select Year:

## The 2014 Florida Statutes

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[Title V](#)  
JUDICIAL BRANCH

[Chapter 43](#)  
COURTS: GENERAL PROVISIONS

[View Entire Chapter](#)

### 43.26 Chief judge of circuit; selection; powers.—

(1) The chief judge of each judicial circuit, who shall be a circuit judge, shall exercise administrative supervision over all the trial courts within the judicial circuit and over the judges and other officers of such courts.

(2) The chief judge of the circuit shall have the power:

(a) To assign judges to any division of the court and to determine the length of the assignment;

(b) To regulate use of courtrooms;

(c) To supervise dockets and calendars;

(d) To require attendance of state attorneys, public defenders, clerks, bailiffs, and all other officers of the court; and

(e) To do everything necessary to promote the prompt and efficient administration of justice in the courts over which he or she is chief judge.

(f) To delegate to the trial court administrator, by administrative order, the authority to bind the circuit in contract.

(g) To manage, operate, and oversee the jury system as provided in s. [40.001](#).

(3) The chief judge shall be responsible to the Chief Justice of the Supreme Court for such information as may be required by the Chief Justice, including, but not limited to, caseload, status of dockets, and disposition of cases in the courts over which he or she presides.

(4) Failure of any judge, clerk, prosecutor, public defender, or other officer of the court to comply with an order or directive of the chief judge under this section shall constitute neglect of duty for which such officer may be suspended from office as provided by law.

(5) There may be a trial court administrator who shall perform such duties as the chief judge may direct.

(6) The chief judge of each circuit is charged by s. 2(d), Art. V of the Florida Constitution and this section with the authority to promote the prompt and efficient administration of justice in the courts over which he or she is chief judge. The clerks of court provide court-related functions which are essential to the orderly operation of the judicial branch. The chief judge of each circuit, after consultation with the clerk of court, shall determine the priority of services provided by the clerk of court to the trial court. The clerk of court shall manage the performance of such services in a method or manner that is consistent with statute, rule, or administrative order.

**History.**—s. 1, ch. 71-214; s. 1, ch. 77-119; s. 260, ch. 95-147; s. 65, ch. 2003-402; s. 30, ch. 2005-236.

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# OATH OF OFFICE

STATE OF FLORIDA

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SUBSTITUTION STATE

County of Hillsborough

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

COURT JUDGE, THIRTEENTH JUDICIAL CIRCUIT, GROUP NINETEEN  
(Office)

on which I am now about to enter, so help me God.

Manuel Menendez Jr  
Signature

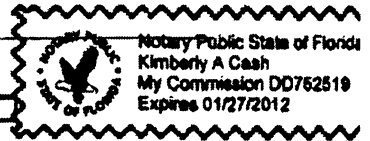
Sworn to and subscribed before me this 26<sup>th</sup> day of August, 2008

Kimberly A. Cash  
Signature of Officer Administering Oath or of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known  OR Produced Identification

Type of Identification Produced \_\_\_\_\_



## ACCEPTANCE

I accept the office of CIRCUIT COURT JUDGE, THIRTEENTH JUDICIAL CIRCUIT, GROUP NINETEEN. The above is the Oath of Office taken by me.

In addition to the above office I also hold the office of \_\_\_\_\_

Mailing Address:  Home  Office

800 E. Twiggs St. # 602  
Street or Post Office Box

Tampa, FL 33602  
City, State, Zip Code

Signature:

Manuel Menendez, Jr.  
Print name as you desire commission issued

Manuel Menendez Jr.  
Signature