

## **Neil Gillespie**

---

**From:** "Amy Hasselbring" <ahasselbring@bowenschroth.com>  
**To:** <neilgillespie@mfi.net>  
**Cc:** "Derek Schroth" <dschroth@bowenschroth.com>  
**Sent:** Monday, April 25, 2016 10:42 AM  
**Attach:** Application Susan Roux Keith.pdf  
**Subject:** JNC Application - Keith

Mr. Gillespie,

Attached is the application of Susan Roux Keith. Thanks.

Amy McCain Hasselbring  
Florida Registered Paralegal and  
Legal Assistant to Derek A. Schroth  
Bowen & Schroth, P.A.  
600 Jennings Avenue  
Eustis, FL 32726  
Telephone: 352-589-1414 Ext. 316  
Facsimile: 352-589-1726  
e-mail: ahasselbring@bowenschroth.com

**APPLICATION FOR NOMINATION TO THE CIRCUIT COURT**

(Please attach additional pages as needed to respond fully to questions.)

DATE: September 28, 2015 Florida Bar No.: 898996

GENERAL: Social Security No.: [REDACTED]

1. Name Susan Roux Keith E-mail: skeith@circuit5.org

Date Admitted to Practice in Florida: October 4, 1991

Date Admitted to Practice in other States: N/A

2. State current employer and title, including professional position and any public or judicial office.

General Magistrate, State of Florida, 5<sup>th</sup> Judicial Circuit

3. Business address: Marion County Judicial Center, 110 N.W. 1st Avenue, Rm 567

City Ocala County Marion State FL ZIP 34475

Telephone (352) 401-7800 FAX (352) 401-7802

4. Residential address: 115 N.E. 31<sup>st</sup> Avenue

City Ocala County Marion State FL ZIP 34470

Since August 1, 1986 Telephone (352) 694-7080; cell-(352)817-2571

5. Place of birth: Apalachicola, Florida

Date of birth: August 29, 1956 Age: 59

6a. Length of residence in State of Florida: 59 years

6b. Are you a registered voter?  Yes  No

If so, in what county are you registered? Marion

7. Marital status: Married

If married: Spouse's name Charles W. Keith

Date of marriage August 16, 1980

Spouse's occupation Retired

If ever divorced give for each marriage name(s) of spouse(s), current address for each former spouse, date and place of divorce, court and case number for each divorce.

N/A

8. Children

Name(s) Age(s) Occupation(s) Residential address(es)

N/A

W-1000-1-1-11

9. Military Service (including Reserves)

Service Branch Highest Rank Dates

N/A

Rank at time of discharge \_\_\_\_\_ Type of discharge \_\_\_\_\_

Awards or citations \_\_\_\_\_

HEALTH:

10. Are you currently addicted to or dependent upon the use of narcotics, drugs, or intoxicating beverages? If yes, state the details, including the date(s).

No

11a. During the last ten years have you been hospitalized or have you consulted a professional or have you received treatment or a diagnosis from a professional for any of the following: Kleptomania, Pathological or Compulsive Gambling, Pedophilia, Exhibitionism or Voyeurism?

Yes  No

If your answer is yes, please direct each such professional, hospital and other facility to furnish the Chairperson of the Commission any information the Commission may request with respect to any such hospitalization, consultation, treatment or diagnosis. ["Professional" includes a Physician, Psychiatrist, Psychologist, Psychotherapist or Mental Health Counselor.]

Please describe such treatment or diagnosis.

N/A

11b. In the past ten years have any of the following occurred to you which would interfere with your ability to work in a competent and professional manner?

- Experiencing periods of no sleep for 2 or 3 nights
- Experiencing periods of hyperactivity
- Spending money profusely with extremely poor judgment
- Suffered from extreme loss of appetite

- Issuing checks without sufficient funds
- Defaulting on a loan
- Experiencing frequent mood swings
- Uncontrollable tiredness
- Falling asleep without warning in the middle of an activity

Yes  No

If yes, please explain.

N/A

- 12a. Do you currently have a physical or mental impairment which in any way limits your ability or fitness to properly exercise your duties as a member of the Judiciary in a competent and professional manner?

Yes  No

- 12b. If your answer to the question above is Yes, are the limitations or impairments caused by your physical or mental health impairment reduced or ameliorated because you receive ongoing treatment (with or without medication) or participate in a monitoring or counseling program?

Yes  No

Describe such problem and any treatment or program of monitoring or counseling.

N/A

13. During the last ten years, have you ever been declared legally incompetent or have you or your property been placed under any guardianship, conservatorship or committee? If yes, give full details as to court, date and circumstances.

No

14. During the last ten years, have you unlawfully used controlled substances, narcotic drugs or dangerous drugs as defined by Federal or State laws? If your answer is "Yes," explain in detail. (Unlawful use includes the use of one or more drugs and/or the unlawful possession or distribution of drugs. It does not include the use of drugs taken under supervision of a licensed health care professional or other uses authorized by Federal law provisions.)

No

15. In the past ten years, have you ever been reprimanded, demoted, disciplined, placed on probation, suspended, cautioned or terminated by an employer as result of your alleged consumption of alcohol, prescription drugs or illegal use of drugs? If so, please state the circumstances under which such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

No

16. Have you ever refused to submit to a test to determine whether you had consumed and/or were under the influence of alcohol or drugs? If so, please state the date you were requested to submit to such a test, the type of test required, the name of the entity requesting that you submit to the test, the outcome of your refusal and the reason why you refused to submit to such a test.

No

17. In the past ten years, have you suffered memory loss or impaired judgment for any reason? If so, please explain in full.

No

**EDUCATION:**

18a. Secondary schools, colleges and law schools attended.

<i>Schools</i>	<i>Class Standing</i>	<i>Dates of Attendance</i>	<i>Degree</i>
University of Florida	91 <sup>st</sup> of 207	01/89-05/91	Juris Doctorate
Florida State University	Unknown	08/77-08/78	Master of Science in Library Science
Florida State University	Unknown	07/74-06/77	Bachelor of Arts with Honors
Apalachicola High School	1 <sup>st</sup> of 66	08/70-06/74	Diploma/ Valedictorian

18b. List and describe academic scholarships earned, honor societies or other awards.  
University of Florida-College of Law: Appellate Advocacy Best Brief; Book Award in Contracts; Dean's List for Spring and Summer of 1989, and Fall of 1990

Florida State University: Bachelor's Degree awarded with Honors; Dean's List throughout attendance

Apalachicola High School: Valedictorian and Multiple Academic Awards

**NON-LEGAL EMPLOYMENT:**

19. List all previous full-time non-legal jobs or positions held since 21 in chronological order and briefly describe them.

<i>Date</i>	<i>Position</i>	<i>Employer</i>	<i>Address</i>
11/78-09/79	See Attached Page for Description Librarian	Indian Temple Mound Museum	139 S.E. Miracle Strip Pkwy, Fort Walton Beach, FL 32548
11/79-02/82	Reference Librarian, II	Central Florida Regional Library	15 S. Osceola Avenue, Ocala, FL 34470
02/82-12/88	Para-Legal to Edwin Cluster	Ayres, Cluster, Curry, McCall, & Briggs, P.A	21 N.E. 1st Avenue, Ocala, FL 34470
05/90-08/90	Research Assistant	University of Florida-College of Law.	264 Holland Hall, Gainesville, FL 32611

**PROFESSIONAL ADMISSIONS:**

20. List all courts (including state bar admissions) and administrative bodies having special admission requirements to which you have ever been admitted to practice, giving the dates of admission, and if applicable, state whether you have been suspended or resigned.

<i>Court or Administrative Body</i>	<i>Date of Admission</i>
The Florida Bar	October 4, 1991

**LAW PRACTICE:** (If you are a sitting judge, answer questions 21 through 26 with reference to the years before you became a judge.)

21. State the names, dates and addresses for all firms with which you have been associated in practice, governmental agencies or private business organizations by which you have been employed, periods you have practiced as a sole practitioner, law clerkships and other prior employment:

<i>Position</i>	<i>Name of Firm</i>	<i>Address</i>	<i>Dates</i>
General Magistrate	State of Florida-5th Judicial Circuit	110 N.W. 1st Avenue, Ocala, FL 34475	10/04 to date
Child Support Enforcement Hearing Officer	State of Florida-5th Judicial Circuit	110 N.W. 1st Avenue, Ocala, FL 34475	08/98-09/04
Staff Attorney	State of Florida-5th Judicial Circuit	110 N.W. 1st Avenue, Ocala, FL 34475	02/92-07/98
Law Clerk	Stripling & McMichael, P.A.	Post Office Box 1287, Gainesville, FL 32602	09/91-12/91

22. Describe the general nature of your current practice including any certifications which you possess; additionally, if your practice is substantially different from your prior practice or if you are not now practicing law, give details of prior practice. Describe your typical clients or former clients and the problems for which they sought your services.

As a General Magistrate and Child Support Enforcement Hearing Officer, I do not engage in the private representation of clients. However, I have heard thousands of cases involving self-represented and represented individuals.

23. What percentage of your appearance in courts in the last five years or last five years of practice (include the dates) was in:

Court		Area of Practice	
Federal Appellate	_____ %	Civil	_____ %
Federal Trial	_____ %	Criminal	_____ %
Federal Other	_____ %	Family	_____ 100 %
State Appellate	_____ %	Probate	_____ %
State Trial	_____ %	Other	_____ %
State Administrative	_____ %		
State Other	_____ %		
	_____ %		
TOTAL	_____ 100 %	TOTAL	_____ 100 %

24. In your lifetime, how many (number) of the cases you have tried to verdict or judgment were:

Jury?	<u>0</u>	Non-jury?	<u>0</u>
Arbitration?	<u>0</u>	Administrative Bodies?	<u>0</u>

25. Within the last ten years, have you ever been formally reprimanded, sanctioned, demoted, disciplined, placed on probation, suspended or terminated by an employer or tribunal before which you have appeared? If so, please state the circumstances under which such action was taken, the date(s) such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

No

26. In the last ten years, have you failed to meet any deadline imposed by court order or received notice that you have not complied with substantive requirements of any business or contractual arrangement? If so, please explain in full.

No

**(Questions 27 through 30 are optional for sitting judges who have served 5 years or more.)**

27a. For your last 6 cases, which were tried to verdict before a jury or arbitration panel or tried

to judgment before a judge, list the names and telephone numbers of trial counsel on all sides and court case numbers (include appellate cases).

As a General Magistrate, Child Support Enforcement Hearing Officer, and Staff Attorney, I have not engaged in the private representation of clients. However, I have heard thousands of cases involving self-represented and represented individuals.

- 27b. For your last 6 cases, which were settled in mediation or settled without mediation or trial, list the names and telephone numbers of trial counsel on all sides and court case numbers (include appellate cases).

As a General Magistrate, Child Support Enforcement Hearing Officer, and Staff Attorney, I have not engaged in the private representation of clients.

- 27c. During the last five years, how frequently have you appeared at administrative hearings?  
0 average times per month

- 27d. During the last five years, how frequently have you appeared in Court?  
14 days average times per month

- 27e. During the last five years, if your practice was substantially personal injury, what percentage of your work was in representation of plaintiffs? 0% Defendants?  
0%

28. If during any prior period you have appeared in court with greater frequency than during the last five years, indicate the period during which this was so and give for such prior periods a succinct statement of the part you played in the litigation, numbers of cases and whether jury or non-jury.

As a Child Support Enforcement Hearing Officer from 1998 through 2004, I heard 800 to 900 cases per month in the five counties of the 5th Judicial Circuit. As a General Magistrate since August of 2004, I hear fewer, but more complex cases each month.

29. For the cases you have tried to award in arbitration, during each of the past five years, indicate whether you were sole, associate or chief counsel. Give citations of any reported cases.

N/A

30. List and describe the six most significant cases which you personally litigated giving case style, number and citation to reported decisions, if any. Identify your client and describe the nature of your participation in the case and the reason you believe it to be significant. Give the name of the court and judge, the date tried and names of other attorneys involved.

As a General Magistrate, Child Support Enforcement Hearing Officer, and Staff Attorney, I have not engaged in the private representation of clients.

31. Attach at least one example of legal writing which you personally wrote. If you have not personally written any legal documents recently, you may attach writing for which you had substantial responsibility. Please describe your degree of involvement in preparing the writing you attached.

The Report and Recommendation was prepared in its entirety.

**PRIOR JUDICIAL EXPERIENCE OR PUBLIC OFFICE:**



32a. Have you ever held judicial office or been a candidate for judicial office? If so, state the court(s) involved and the dates of service or dates of candidacy.

No

32b. List any prior quasi-judicial service:

<i>Dates</i>	<i>Name of Agency</i>	<i>Position Held</i>
10/04 to Date	State of Florida-5th Judicial Circuit	General Magistrate
08/98-09/04	State of Florida-5th Judicial Circuit	Child Support Enforcement Hearing Officer

As a General Magistrate, I hear all manner of domestic relations or family issues including, but not limited to, dissolution of marriage, annulment, support unconnected with dissolution of marriage, paternity, child support, temporary custody by extended family, time-sharing and Parenting Plans, name change, and all proceedings for modification, enforcement, and civil contempt of these actions. In addition, I hear the Department of Revenue cases which are not within the jurisdiction of the the Child Support Enforcement Hearing Officer. Further, I conduct case management hearings.

As a Child Support Enforcement Hearing Officer for the Fifth Judicial Circuit, I heard the Title IV-D cases brought by the Department of Revenue for the establishment, modification, and enforcement of child support in the five counties

Types of issues heard: comprising the Fifth Circuit.

32c. Have you ever held or been a candidate for any other public office? If so, state the office, location and dates of service or candidacy.

No

32d. If you have had prior judicial or quasi-judicial experience,

(i) List the names, phone numbers and addresses of six attorneys who appeared before you on matters of substance.

Jonathan Wershow, Esquire, 204 S.E. 1st Street, Gainesville, FL 32601  
(352)378-2541

Jodi Zakaria, Esquire, 217 North Apopka Avenue, Inverness, FL 34450  
(352)344-3463

Rollin Tomberlin, Esquire, 2800 East Silver Springs Blvd., Suite 202, Ocala, FL 34470  
(352)694-9300

Cherri Russell, Esquire, 820 East Fort King Street, Ocala, FL 34471  
(352)547-4297

Craig Turner, Esquire, 618 SE 17th Street, Ocala, FL 34471  
(352)629-4442

Mary Catherine Landt, Esquire, 230 NE 25th Avenue, Suite 200, Ocala, FL 34470  
(352)368-2242

- (ii) Describe the approximate number and nature of the cases you have handled during your judicial or quasi-judicial tenure.

In excess of 72,900 cases were scheduled on my docket from September 1, 1998, through August of 2015. As the only Child Support Enforcement Hearing Officer from September 1, 1998 through September 30, 2004, I heard the Title IV-D child support cases filed by the Department of Revenue in the five counties comprising the Fifth Judicial Circuit. During this time, I handled 800 to 900 cases per month. The actions involved the establishment, modification, and enforcement of child support, including those cases brought pursuant to the Uniform Interstate Family Support Act or UIFSA.

As a General Magistrate since October 1, 2004, I hear the domestic relations or family law cases including, but not limited to, dissolution of marriage, annulment, support unconnected with dissolution of marriage, paternity, actions for parenting plans with time-sharing schedules, temporary custody by extended family, child support, name change, and all proceedings for the modification, enforcement, and civil contempt of these actions. In addition, I hear the Title IV-D cases which are beyond the jurisdiction of the Child Support Enforcement Hearing Officer. These cases usually involve issues of disputed paternity. Further, I conduct case management hearings to ensure an efficient resolution of the cases.

- (iii) List citations of any opinions which have been published.

Johnson v. Johnson, 979 So.2d 350 (Fla. 5th DCA 2008)

- (iv) List citations or styles and describe the five most significant cases you have tried or heard. Identify the parties, describe the cases and tell why you believe them to be significant. Give dates tried and names of attorneys involved.

1) IN RE: THE MATTER OF ERIK JASON MAGSAM, Petitioner, STEPHANIE FRANCESCA APPLGATE-ROMERO, Respondent, and CHRISTOPHER ROMERO, Third Party. In the Circuit Court in and for Marion County, Case No. 42-2010-DR-005331-FC

Parties: Petitioner, Erik Magsam; Respondent/Mother, Stephanie Romero; and Third-Party/Legal Father, Christopher Romero. All parties appeared pro se.

Date Tried: September 20, 2012

Significance: This paternity action was brought by a putative biological father against two

parties who were still married. The child was conceived and born during an intact marriage. The parties subsequently separated and the mother was residing with the Petitioner. She did not oppose the Petition, whereas her husband, the legal father, vehemently opposed the action. A Guardian Ad Litem was appointed to represent the interests of the child. The case involved procedural issues of the identification and inclusions of all parties to the action as well as the complex issues of rights of legal parents and biological parents.

The Final Judgment from this proceeding is attached as the writing sample.

2) IN RE: THE MATTER OF NATASHA BARUTAS and LARISSA DENNIS, in the Circuit Court in and for Marion County, Case No. 42-2009-DR-001436-FG

Parties: Natasha Barutas, Petitioner and Frank Lawson, Esquire, counsel for the Petitioner; and Larissa Dennis who appeared pro se.

Date Tried: January 27, 2010

Significance: This action involved a Petition for Temporary Custody by Exended Family. The sister of a child sought temporary custody. The Respondent/ Mother of the child objected to the petition. The father was deceased. The case involved an extensive evidentiary hearing regarding the rights of the natural parent versus the petition of a third party. In order to prevail on the petition, the Petitioner had to prove by clear and convincing evidence that the mother of the child was unfit to provide the care and control of the child pursuant to s. 751.05(3) of the Florida Statutes. In making the determination, a finding had to be made that the mother had abused, abandoned, or neglected the child as defined by Chapter 39 of the Florida Statutes.

3) IN RE: THE MARRIAGE OF STEVE JOHNSON and JEAN JOHNSON, In the Circuit Court in and for Marion County, Case No. 42-2006-DR-002806-FG

Parties: Steve Johnson, Husband appearing pro se; and Jean Johnson, Wife, represented by Jonathan Culver, Esquire.

Date Tried: December 6, 2006

Significance: This dissolution of marriage case involved the determination of whether certain real property was the non-marital property belonging solely to the wife or a joint marital asset. The evidentiary hearing involved the tracking of the funds used to acquire and maintain the property. The Exceptions to my Report and Recommendation were denied and the trial court issued a Final Judgment. The Final Judgment was appealed to the Fifth District Court of Appeal and Affirmed in the case of Steve Johnson v. Jean Johnson, 979 So. 2d 350 (Fla. 5th DCA 2008)

4) IN RE: THE MARRIGE OF JOYCE PENNELLA AND FRANK PENNELLA., In the Circuit Court in and for Marion County, Case No. 42-2003-DR-002222-FG

Parties: Joyce Pennella, appearing pro se; and Frank Pennella, appearing pro se

Date Tried: May 6, 2005

Significance: This dissolution case involved multiple case management and discovery hearings as well as a lengthy final hearing. The case had been pending for two years when referred to my docket. Both parties were unrepresented by counsel

and engaged in extensive pre-trial discovery. At the final hearing, the parties presented a case involving complex legal and factual issues regarding questions of supervised time-sharing, sole parental responsibility, third party contributions to the marriage, alimony, child support, and the division of property.

5) DEPARTMENT OF REVENUE ON BEHALF OF SHARON BEDARD v. TODD  
FREDA, in the Circuit Court in and for Citrus County, Case number 09-2003-CA-003027

Parties: Department of Revenue on behalf of Sharon Bedard, represented by Jodi Zakaria, Esquire, 217 North Apopka Avenue, Inverness, FL 34450 and Todd, Reda, appearing pro se. Neither Sharon Bedard, nor Todd Freda appeared at the hearing.

Date: May 12, 2004

Significance: This case is representative of a number of actions brought by the Department of Revenue in all five counties of the Fifth Judicial Circuit. In this UIFSA (Unified Interstate Family Support Act) case, the Department sought to enforce a child support order from the state of Massachusetts. Originally, the Department attempted service upon the Respondent by certified mail which was returned as "unclaimed." Despite the lack of notice, the Department argued that the Court should make a finding of contempt and issue a writ of bodily attachment. The legal issues involved due process arguments as well as the interpretation of rules, statutes, and relevant case law regarding constructive service by unclaimed mail.

(v) Has a complaint about you ever been made to the Judicial Qualifications Commission? If so, give date, describe complaint, whether or not there was a finding of probable cause, whether or not you have appeared before the Commission, and its resolution.

No

(vi) Have you ever held an attorney in contempt? If so, for each instance state name of attorney, approximate date and circumstances.

No

(vii) If you are a quasi-judicial officer (ALJ, Magistrate, General Master), have you ever been disciplined or reprimanded by a sitting judge? If so, describe.

No

**BUSINESS INVOLVEMENT:**

33a. If you are now an officer, director or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such position immediately upon your appointment or election to judicial office.

No

33b. Since being admitted to the Bar, have you ever been engaged in any occupation, business or profession other than the practice of law? If so, give details, including dates.

No

- 33c. State whether during the past five years you have received any fees or compensation of any kind, other than for legal services rendered, from any business enterprise, institution, organization, or association of any kind. If so, identify the source of such compensation, the nature of the business enterprise, institution, organization or association involved and the dates such compensation was paid and the amounts.

No

**POSSIBLE BIAS OR PREJUDICE:**

34. The Commission is interested in knowing if there are certain types of cases, groups of entities, or extended relationships or associations which would limit the cases for which you could sit as the presiding judge. Please list all types or classifications of cases or litigants for which you as a general proposition believe it would be difficult for you to sit as the presiding judge. Indicate the reason for each situation as to why you believe you might be in conflict. If you have prior judicial experience, describe the types of cases from which you have recused yourself.

I do not know of any types or classifications of cases or litigants which I could not or would not hear. As a Child Support Enforcement Hearing Officer and General Magistrate, I have recused myself from several cases where I knew a party personally and /or had personal knowledge of the details of the case

**MISCELLANEOUS:**

- 35a. Have you ever been convicted of a felony or a first degree misdemeanor?

Yes \_\_\_\_\_ No  If "Yes" what charges? \_\_\_\_\_

Where convicted? \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

- 35b. Have you pled nolo contendere or pled guilty to a crime which is a felony or a first degree misdemeanor?

Yes \_\_\_\_\_ No  If "Yes" what charges? \_\_\_\_\_

Where convicted? \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

- 35c. Have you ever had the adjudication of guilt withheld for a crime which is a felony or a first degree misdemeanor?

Yes \_\_\_\_\_ No  If "Yes" what charges? \_\_\_\_\_

Where convicted? \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

- 36a. Have you ever been sued by a client? If so, give particulars including name of client, date suit filed, court, case number and disposition.

No

- 36b. Has any lawsuit to your knowledge been filed alleging malpractice as a result of action or inaction on your part?

No

- 36c. Have you or your professional liability insurance carrier ever settled a claim against you

for professional malpractice? If so, give particulars, including the amounts involved.

No

37a. Have you ever filed a personal petition in bankruptcy or has a petition in bankruptcy been filed against you?

No

37b. Have you ever owned more than 25% of the issued and outstanding shares or acted as an officer or director of any corporation by which or against which a petition in bankruptcy has been filed? If so, give name of corporation, your relationship to it and date and caption of petition.

No

38. Have you ever been a party to a lawsuit either as a plaintiff or as a defendant? If so, please supply the jurisdiction/county in which the lawsuit was filed, style, case number, nature of the lawsuit, whether you were Plaintiff or Defendant and its disposition.

No

39. Has there ever been a finding of probable cause or other citation issued against you or are you presently under investigation for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group. If so, give the particulars.

No

40. To your knowledge within the last ten years, have any of your current or former co-workers, subordinates, supervisors, customers or clients ever filed a formal complaint or formal accusation of misconduct against you with any regulatory or investigatory agency, or with your employer? If so, please state the date(s) of such formal complaint or formal accusation(s), the specific formal complaint or formal accusation(s) made, and the background and resolution of such action(s). (Any complaint filed with JQC, refer to 32d(v).

No

41. Are you currently the subject of an investigation which could result in civil, administrative or criminal action against you? If yes, please state the nature of the investigation, the agency conducting the investigation and the expected completion date of the investigation.

No

42. In the past ten years, have you been subject to or threatened with eviction proceedings? If yes, please explain.

No

43a. Have you filed all past tax returns as required by federal, state, local and other government authorities?

Yes  No  If no, please explain. \_\_\_\_\_

43b. Have you ever paid a tax penalty?

Yes  No  If yes, please explain what and why. \_\_\_\_\_

43c. Has a tax lien ever been filed against you? If so, by whom, when, where and why?

No

**HONORS AND PUBLICATIONS:**

44. If you have published any books or articles, list them, giving citations and dates.

2012: Florida's Child Support Benchbook, Office of the State Courts Administrator (provided assistance in the drafting of the section on paternity)

October, 2003: Marion Docket, "Child Support Enforcement and Hearing Officers"

2002: Children's Alliance Newsletter, "Supporting Our Children"

45. List any honors, prizes or awards you have received. Give dates.

June, 2006: The Florida Bar's Standing Committee on Professionalism 2006 Professionalism Award for the Fifth Judicial Circuit Professionalism Conference (Member of Professionalism Committee receiving the Award)

1990: University of Florida-College of Law: Appellate Advocacy Award and Book Award for Contracts

46. List and describe any speeches or lectures you have given.

See Attached

For the past 4 years, I have served as a faculty member of the Florida Judicial College. In addition to the attached list, I have given multiple short speeches regarding family law presented to the Family Law Committee of the Marion County Bar Association and the Fifth Judicial Circuit Family Law Advisory Group.

47. Do you have a Martindale-Hubbell rating? Yes  If so, what is it? \_\_\_ No

**PROFESSIONAL AND OTHER ACTIVITIES:**

48a. List all bar associations and professional societies of which you are a member and give the titles and dates of any office which you may have held in such groups and committees to which you belonged.

The Florida Bar

The Family Law Section of the Florida Bar: General Magistrate and Hearing Officer Committee; Rules and Forms Committee; Support Committee

Marion County Bar Association

Marion County Bench and Bar Committee

D.R. Smith American Inn of Court (past member), Charter Member and Administrator (1996-1998)

Florida Association of Women Lawyers

Association of Family and Conciliation Courts, including Florida Chapter

- 48b. List, in a fully identifiable fashion, all organizations, other than those identified in response to question No. 48(a), of which you have been a member since graduating from law school, including the titles and dates of any offices which you have held in each such organization.

Altrusa International, Inc. of Ocala

Ocala Women's Network

- 48c. List your hobbies or other vocational interests.

Outdoor activities, including fishing and hiking; travel; reading; cooking

- 48d. Do you now or have you ever belonged to any club or organization that in practice or policy restricts (or restricted during the time of your membership) its membership on the basis of race, religion, national origin or sex? If so, detail the name and nature of the club(s) or organization(s), relevant policies and practices and whether you intend to continue as a member if you are selected to serve on the bench.

I am currently an Associate Member of the Ocala Women's Network which is a professional women's association. If appointed and such membership is deemed a conflict, I will resign.

- 48e. Describe any pro bono legal work you have done. Give dates.

As a General Magistrate and Hearing Officer acting in accordance with the same code and canons which govern the judges, it is difficult, if not impossible and unethical, to engage in any pro bono legal work which involves private clients or the delivery of legal advice. However, I actively participate in advisory groups and committees whose purpose is the advancement and enhancement of the legal system.

#### **SUPPLEMENTAL INFORMATION:**

- 49a. Have you attended any continuing legal education programs during the past five years? If so, in what substantive areas?

Yes. Family Law, Ethics, Dispute Resolution/Mediation, Domestic Violence

- 49b. Have you taught any courses on law or lectured at bar association conferences, law school forums, or continuing legal education programs? If so, in what substantive areas?

Yes, I have presented programs in the areas of child support, family law and General Magistrates/Hearing Officers. For the past four years, I have served on the faculty of the Florida Judicial College. As with the Judges, the newly appointed General Magistrates and Child Support Enforcement Hearing Officers are required to attend the Florida Judicial College for initial training. During the weeklong sessions, I taught on the topics of ethics, preparation of reports and recommendations, handling the self-represented, and multiple substantive areas of family law. In addition, I participated in the Mock Trial Exercises. In 2014, I was appointed as a member of the Florida Court Education Council. This Florida Supreme Court committee is charged with providing oversight of the development and maintenance of educational programs for Florida judges and certain court support personnel.

Over the years, I have presented multiple programs in all areas of the law with a particular emphasis on family law. Please see the list attached to question 46.



50. Describe any additional education or other experience you have which could assist you in holding judicial office.

Certified County, Family, and Dependency Mediator

51. Explain the particular potential contribution you believe your selection would bring to this position.

As a General Magistrate and Child Support Enforcement Hearing Officer for 17 years, I have heard more than 72,900 cases ranging from short five minute hearings to extensive, evidentiary complex final hearings. Although the cases can be predominately categorized as family law matters, all areas of the law have been involved, from domestic relations to contracts to criminal. Many of the cases required detailed findings, statutory interpretation, and the application of state and federal laws to the facts of a particular case.

As the population of the Fifth Judicial Circuit grows, so does the number and complexity of the court cases. A judge must not only make fair and equitable decisions, but must also effectively manage a docket. During the past 17 years, the efficient handling of the large volume of cases evidences my skill in case management and control. As the first Child Support Enforcement Hearing Officer for the Fifth Circuit, I was responsible for the Title IV-D child support hearings in all five counties of the Circuit. During this time, I successfully developed a program which coordinated large dockets, in five counties, with multiple judges, attorneys and court personnel. The number of cases required skillful and effective handling so that all parties received full and fair hearings. The same docket is currently handled by two full time Hearing Officers and one part-time Hearing Officer.

My background and experience is not limited to family law. The individual appointed as a judge must be well versed in many areas of the law. As a Staff Attorney for multiple judges and for the Chief Judge of the Fifth Judicial Circuit for more than 6 years, I was actively involved in the evaluation of cases, pleadings, and issues in every area of the law from civil to criminal to administrative. The experience gave me a well-rounded background in both substantive and procedural issues. Having reviewed and drafted orders for hundreds of post-conviction motions, I understand the need for procedurally proper criminal trials and hearings. In addition, I assisted in the preparation of a complex and extensive order in a death penalty case which was subsequently upheld by the Florida Supreme Court.

Finally, I bring years of practical knowledge to the position. For the past 33 years, I have been involved in the legal and judicial system in Marion County and the Fifth Judicial Circuit. My years of experience in the law offices, my tenure as a Staff Attorney and Hearing Officer, and my present position as a General Magistrate have prepared me to continue serving the people of the Fifth Judicial Circuit as a judge.

52. If you have previously submitted a questionnaire or application to this or any other judicial nominating commission, please give the name of the commission and the approximate date of submission.

Judicial Nominating Commission: August, 2001; January, 2002; July, 2005; January, 2007; July, 2014.

53. Give any other information you feel would be helpful to the Commission in evaluating

your application.

For the past 33 years, I have been involved in the legal and judicial system in Marion County and the Fifth Judicial Circuit, from my beginnings as a Para-Legal to my present position as a General Magistrate. Throughout my career, I have successfully established a reputation as a knowledgeable, capable, and practical individual. Further, I have brought to each position a strong work ethic and a commitment to advancing our system of law and justice.

In my position as a General Magistrate and Child Support Enforcement Hearing Officer, I am committed to the belief that each person who appears before me, as a party, as an attorney, or as a witness, should be accorded a fair, impartial, and full hearing on the issues. Each person should be treated with dignity, courtesy and respect. A party or attorney may not agree with my ruling and recommendation; however, they deserve the right to have "their day in court" and to understand the basis for my opinion.

A central goal in my service has been the improvement of our legal system. I have found that we must constantly seek better and more effective ways to handle cases and improve our system of justice. To achieve this goal, I have been actively involved in committees and commissions on both the local and state levels. For 6 years, I served on the Children and Families in the Courts Steering Committee. This state wide committee appointed by the Florida Supreme Court examines the issues which currently face and will face the families in our state. As Chair of the Florida Supreme Court Family Forms Advisory Workgroup, I have participated in the drafting and revisions of family law forms used by the attorneys and self-represented individuals in the state. In addition to presenting many programs on both the local and state levels on a variety of topics, for the past four years I have served on the faculty of the Florida Judicial College charged with training the newly appointed General Magistrates and Hearing Officers. In 2014, I was appointed to the Florida Court Education Council. This Florida Supreme Court committee is charged with providing oversight of the development and maintenance of educational programs for Florida judges and certain court personnel. Over the years, I have actively participated in a number of Office of State Court Improvement Committees such as the Child Support Assessment Workgroup, the TIMS (Technology Trial Court Integrated Management Solution Project) Committee, and the Child Support Assessment Workgroup. I have participated in the drafting of Bench Books, including the paternity section of the Child Support Bench Book produced by the Office of State Courts Administrator. As a member of the Support Committee and Rules and Forms Committees of the Family Law Section, I have worked to improve family law in the state. On a local level, I regularly meet with the judges and court personnel to address issues and seek solutions to the ongoing problems. I am a member of the Bench and Bar Committee. Currently, I am the chair of the Supreme Court mandated Marion County Family Law Advisory Workgroup, a group of stakeholders that regularly meets to address the local issues involving families and children in the courts. In the past, I was a member of the Fifth Circuit Professionalism Committee. The Committee was awarded the The Florida Bar's Standing Committee on Professionalism's 2006 Professionalism Award for the Professionalism Conference.

In conclusion, I urge the members of the Judicial Nominating Commission to talk with those individuals who have had the opportunity to observe my demeanor and abilities on a daily basis. The judges, clerks, bailiffs, court personnel and attorneys will confirm my commitment to the citizens of the Fifth Judicial Circuit and the State of Florida.

**REFERENCES:**

54. List the names, addresses and telephone numbers of ten persons who are in a position to comment on your qualifications for judicial position and of whom inquiry may be made by the Commission.

The Honorable S.Sue Robbins

Administrative Family Law Judge and Circuit Judge of Marion County

Marion County Judicial Center, 110 N.W. 1st Avenue, Ocala, FL 34475

(352)401-7820

The Honorable David B. Eddy

Administrative and Circuit Judge

Marion County Judicial Center, 110 N.W. 1st Avenue, Ocala, FL 34475

(352)401-7868

The Honorable Raymond T. McNeal

(Retired Circuit Judge and Former Administrative Family Law Judge)

Post Office Box 601, Ocala, FL 34478

(352)351-5828

Honorable Jonathan Ohlman, Circuit Judge

Marion County Judicial Center, 110 N.W. 1st Avenue, Ocala, FL 34475

(352)401-7833

Honorable Heidi Davis, Circuit Judge

Lake County Judicial Center, 550 West Main Street, Tavares, FL 32778

(352)742-4215

General Magistrate Diane Kirigin,

North County Courthouse, 3188 PGA Blvd., Palm Beach Gardens, FL 33410

(561)624-6668

Edwin C. Cluster, Esquire

Ayres, Cluster, Curry, McCall, Collins, and Banks, P.A., 18 N.E. 1st Avenue, Ocala, FL

34470  
(352)351-2222

Patricia Griffith  
1749 S.E. 164th Circle, Ocklawaha, FL 32179  
(352)625-2542

Colleen Duris, Esquire  
500 N.E. 8th Avenue, Ocala, FL 34470  
(352)732-7020

Jack Moring, Esquire  
7655 West Gulf to Lake Highway, Suite 12, Crystal River, FL 34429  
(352)795-1797

**ATTACHMENT-QUESTION #19.**  
**NON-LEGAL EMPLOYMENT**

<b><u>Date</u></b>	<b><u>Position</u></b>	<b><u>Employer</u></b>	<b><u>Address</u></b>
11/78-09/79	Librarian	Indian Temple Mound Museum	139 S.E. Miracle Strip Pkwy Ft. Walton Beach, FL 32548

Description: As a special grant librarian, I created a system which organized and indexed material in the museum library. The system facilitated the retrieval of both general topical and specific factual information.

---

11/79-02/82	Reference Librarian II	Central Florida Regional Library	15 S. Osceola Avenue Ocala, FL 34470
-------------	---------------------------	-------------------------------------	---

Description: As a Reference Librarian II, I handled requests for information from both local and regional patrons in the three county system. Duties included selection and evaluation of library materials; research and preparation of topical bibliographies; and production of special library programs.

---

02/82-12/88	Para-Legal	Edwin C. Cluster, Esquire Ayres, Cluster, Curry, McCall & Briggs, P.A.	21 N.E. 1 <sup>st</sup> Avenue Ocala, FL 34470
-------------	------------	--	---

Description: As the Para-Legal to Edwin C. Cluster, Esquire, I was responsible for the organization and control of civil litigation files from the initial preparation through trial. I drafted and proofed legal documents, researched and prepared special projects, and oversaw the operation of the law library.

---

05/90-08/90	Research Assistant	University of Florida- College of Law	264 Holland Hall Gainesville, FL 32611
-------------	--------------------	--	---

Description: As the Research Assistant to Tom McDonnell, Director of Legal Research and Writing Department, I researched and proposed legal topics for students in the Legal Research and Writing Program. I assisted in the preparation and proofing of the instructional brief used in the course.

**QUESTION 31**

**WRITING SAMPLE**

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

CASE NUMBER: 42-2010-DR-005331-FC

IN RE: The Matter of  
**ERIK JASON MAGSAM,**  
Petitioner,  
and  
**STEPHANIE FRANCESCA APPLGATE-ROMERO,**  
Respondent,  
and  
**CHRISTOPHER ROMERO,**  
Third Party.

Filed in the Office of Clerk of Circuit Court  
Marion County, Florida  
on Oct 26, 20 12  
David R. Ellspermann, Clerk  
BY maiw D.C.

**FINAL ORDER DENYING PETITION TO DETERMINE PATERNITY AND FOR  
RELATED RELIEF and APPROVING REPORT AND RECOMMENDATION  
OF GENERALMAGISTRATE**

THIS CAUSE came before the Court upon the Report of the General Magistrate, after hearing, and the undersigned having considered the Findings and Recommendations therein, and being advised that pursuant to Rule 12.490(f), Fla. Fam. L. R. P., that no exceptions to the Report of the General Magistrate have been filed within the ten (10) day period provided by the Rule, it is therefore:

**ORDERED AND ADJUDGED:**

1. That the Report of the General Magistrate dated October 10, 2012, is approved and confirmed. The parties shall abide by all the Findings and Recommendations contained in said Magistrate's Report.
2. The Petition to Determine Paternity and for Related Relief is **denied** and Christopher Romero shall remain the legal father of the child, **Blake Aaron Romero, born January 23, 2007.**
3. The Findings and Recommendations of the General Magistrate's Report shall be immediately complied with until further Court Order.
4. The Court retains jurisdiction over the parties and subject matter to enforce the terms of this order and to enter any other orders that are necessary to carry out the intent of this ruling.

**DONE AND ORDERED** in chambers in Ocala, Marion County, Florida, this 26 day of October, 2012.

  
\_\_\_\_\_  
Circuit Court Judge

43

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing was sent by regular U.S. Mail on this 26th day of October, 2012 to the following:

**ERIK MAGSAM, 6787 S.E. 125th Street, Lot #49, Belleview, FL 34420**

**STEPHANIE ROMERO, 6787 S.E. 125th Street, Lot #49, Belleview, FL 34420**

**CHRISTOPHER ROMERO, 3254 S.E. 132nd Place, Belleview, FL 34420**

By: *C. B. Harris*  
Administrative Secretary



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

CASE NUMBER: 42-2010-DR-005331-FC

IN RE: The Matter of  
**ERIK JASON MAGSAM,**  
Petitioner,  
and  
**STEPHANIE FRANCESCA APPLGATE-ROMERO,**  
Respondent,  
and  
**CHRISTOPHER ROMERO,**  
Third Party.

---

**REPORT AND RECOMMENDATIONS OF THE GENERAL MAGISTRATE DENYING  
PETITION TO DETERMINE PATERNITY AND FOR RELATED RELIEF**

THIS CAUSE came before General Magistrate Susan Roux Keith, pursuant to Fla. Fam. L. R. P. 12.490, current Administrative Orders, and an Order of Referral previously entered, for hearing on September 20, 2012, on the Petition to Determine Paternity and for Related Relief. Present at the hearing were the Petitioner, Erik Magsam; the Respondent, Stephanie Applegate-Romero; the Third Party Respondent, Christopher Romero; and the Guardian Ad Litem for the child, Steve Bairstow, Esquire.

The General Magistrate, having reviewed the court file, having considered the evidence presented, including the testimony of the parties, and being otherwise fully advised in the premises, finds as follows and submits the following report and recommendations.

**FINDINGS:**

1. This Court has jurisdiction over the parties and the subject matter of this action.
2. The General Magistrate has jurisdiction over the issues.
3. On October 27, 2010, the Petitioner filed a Petition to Determine Paternity and For Related Relief regarding the minor child, **Blake Aaron Romero, born January 23, 2007.**

The Respondent/Mother ("Mother") was served by individual service and filed an Answer. The Petitioner filed a Paternity Analysis Report which indicates a 99.99% probability that he is the father of the child.

4. At a prior Case Management Conference on March 24, 2011, it was learned that the child was conceived and born during an intact marriage. The Respondent is still married to Christopher Romero. A review of companion cases revealed that on May 11, 2009, the Court entered a Final Judgment and Report of Findings and Recommendations of the General Magistrate on Petition to Establish Parental Responsibility, Time-Sharing, and Support Unconnected with Dissolution of Marriage in the case of Christopher M. Romero and Stephanie Applegate-Romero, Marion County case number 42-2008-DR-005491-FG. Christopher Romero has time-sharing with the minor child. Due to the intact marriage, the Petitioner was ordered to file amended pleadings within ten (10) days adding the legal father, Christopher Romero, as a Third Party Respondent and to obtain service of the process. The Amended Petition was not filed until July 11, 2011 and service of process was obtained on July 15, 2011. The Third Party/Legal Father ("Legal Father") filed an Answer objecting to the Amended Petition.

On June 26, 2012, an Order Approving Report and Recommendation of General Magistrate Regarding Second Case Management Conference on Petition to Determine Paternity and for Related Relief was entered. A Guardian Ad Litem, Steve Bairstow, Esquire, was appointed for the child.

5. As noted at the prior hearings, the law is clear that, except in specific, narrow circumstances, a "man who fathers a child with a woman who is married to another man generally has no parental rights or responsibilities to the child." *Shuler v. Guardian Ad Litem*, 17 So. 3d 333, 335 (Fla. 5th DCA 2009). In cases where a "child is born to an intact marriage and is

recognized by the husband and wife as their child, the husband is deemed the legal father to the exclusion of all others and a man claiming to be the child's biological father has no common law, statutory or constitutional right to sue for paternity." *Bellomo v. Gagliano*, 815 So. 2d 721, 722 (Fla. 5th DCA 2002), *citing to G.F.C. v. S.G.*, 686 So. 2d 1382 (Fla. 5th DCA 1997). *See also Johnson v. Ruby*, 771 So. 2d 1275 (Fla. 4th DCA 2000) (prevailing law in Florida is that putative father has no right to seek to establish paternity of child born into intact marriage when mother and her husband object); *S.B. v. D.H.* 736 So. 2d 766 (Fla. 2d DCA 1999) (putative biological father cannot maintain paternity action conceived by married woman when both woman and her husband object). Therefore, it is clear that the "mother's husband is the child's legal father unless and until the court effects the substitution." *Shuler* 17 So. 3d at 335.

In this case, the Mother does not object to the paternity petition and she is currently residing with the Petitioner. However, the marriage between the Mother and the Legal Father is still intact. An "intact marriage" has been defined as the "existence of a marriage without the pendency of divorce proceedings, and that a qualitative analysis of the marriage is not to be undertaken." *Lander v. Smith*, 906 So. 2d 1130, 1134 (Fla. 4th DCA 2005); *see S.B. v. D.H.*, 736 So. 2d 766, 767 (Fla. 2d DCA 1999). The Mother testified at the hearing that she intends to file a dissolution of marriage and it appears that such Petition was filed in Marion County case number 42-2012-DR-003418-FC on September 20, 2012, after the hearing in this matter. As a Final Judgment has not been entered, the Mother and the Legal Father's marriage is still intact.

Again, as noted at the prior hearing, some courts have carved out a narrow exception to the rule precluding intervention in an intact marriage in those instances where there is a claim of a developed relationship between the putative father and the child. "In this regard, in order for a man to institute an action for paternity of a child born during a marriage, the man would be

required to allege that a developed relationship exists between himself and the child; a mere biological link to the child would not suffice.” *G.F.C.*, 686 So. 2d at 1386.\* Even if a relationship exists between the child and the Petitioner, such may not be sufficient to disestablishment of the Legal Father as the father of the child. The Legal Father currently enjoys an ongoing parental responsibility for and time-sharing with the child which he actively sought to have established in case number 42-2008-DR-005491-FG. The Mother actively participated in that case and developed a Parenting Plan which was adopted by the Court. At the hearing today, the Legal Father testified that he wished to increase the amount of time-sharing with the child.

6. The parties requested a scientific paternity test be conducted in this matter. Although the Petitioner utilized a mail order service for one test, it is questionable whether or not such mail order service is a “qualified technical laboratory” as defined by §742.12, Fla. Stat. (2011). Further, the results filed by the Petitioner do not have any verified documentation of the chain of custody of the blood or other specimens. However, before such second test can even be ordered, the court must decide whether the child’s best interests will be served by being declared illegitimate and having parental rights transferred to the biological father. *Dept. of Health & Rehab. Serv. v. Privette*, 617 So. 2d 305, 309 (Fla. 1993) To aid in this determination, a Guardian Ad Litem must be appointed to represent the child. *Id* at 308. By Court Order, Attorney Steve Bairstow was appointed as a Guardian Ad Litem for the child and a report was issued on August 2, 2012.

---

\* It should be noted that the First District Court of Appeal in *Slowinski v. Sweeney*, 64 So. 3d 128 ( 1st DCA 2011) rejected this “hypothetical” exception as invalid and refused to recognize it.

The Florida Supreme Court in *Privette* has established that the:

trial court hearing a petition for a blood test is required: (a) to determine that the complaint is apparently accurate factually, is brought in good faith, and is likely to be supported by reliable evidence, and (b) to find that the child's best interests will be better served even if the blood test later proves the child's factual illegitimacy. The one seeking the test bears the burden of providing these elements by clear and convincing evidence.

*Id.* at 308. The Court went on to state that "there must be a clear and compelling reason based primarily on the child's best interests to overcome the presumption of legitimacy *even* after the legal father is proven not to be the biological father. This is at least the equivalent of the burden of proof that would exist in proceedings to terminate the legal father's parental rights. (*cites omitted*) Thus, if a test shows that the [Petitioner] is the child's biological father; this fact *without more* does not constitute grounds to grant a paternity petition." *Id.* at 309. This significant burden of proof requires "clear and convincing proof that a parent has abused, abandoned, or neglected a child before a parent's rights may be involuntarily terminated." *G.F.C.* 686 So. 2d at 1386.

7. In this case, the Petitioner testified that he "knows he is the biological father" and he wants his "legal rights" as a father. Currently, the child is living with the Mother in his home. He believes his home has rules and structure which are in the child's best interests. Although the child refers to him as "daddy," the Petitioner admits that such name has been at his prompting. He has never referred to Legal Father as "daddy" or "father" in front of the child. If determined to be the father, the Petitioner stated that he would still allow the Legal Father to have contact with the child.

8. In support of the Petition, the Mother testified she is anticipating filing for divorce. (As noted a Petition for Dissolution of Marriage was filed on September 20, 2012) She realizes that the child is loved by all three (3) parents and that she does not want to "take anything from the child." However, she wants the Petitioner to be recognized as the biological and legal father.

9. The Legal Father adamantly opposes the petition. He testified that he has been a part of child's life since birth and has a bond with the child. The Legal Father and the Mother were married on January 11, 2003. Their first child, Cody, was born on August 8, 2003. In January of 2006, the Mother left. She returned in August of 2006 and the parties remained together after the child at issue was born on January 23, 2007. Therefore, the child at issue spent the first year and one-half of his life with the Legal Father. After the Mother moved out in 2008, the Legal Father immediately filed the Petition for Primary Physical Residence and Support Unconnected with Dissolution of Marriage to obtain time-sharing with both the child at issue and the parties' other child, Cody Romero. Since obtaining the Final Judgment on May 11, 2009, the Legal Father has regularly exercised his time-sharing in compliance with the Parenting Plan developed by the Legal Father and Mother at mediation. His only complaint is that he wants more time-sharing with both children. They are his "babies" and he would not trade those "special moments" they have together. The Legal Father stated that he wishes to continue asserting his legal rights. He is willing to pay child support for the child even if Mother files for a dissolution of marriage and later marries the Petitioner.

10. As previously stated, a Guardian Ad Litem was appointed to represent the interests of the minor child. The Guardian interviewed the three parties as well as the minor child and filed an extensive report. In addition, the Guardian testified at the final hearing as to

his findings. Based upon the documents reviewed, the interviews conducted, and the factors considered, the Guardian found that scientific paternity testing and the disestablishment of Christopher Romero as the father of the child was not in the child's best interests. Currently, the child has three loving parents who have closely bonded with the child. The Guardian found that the Petitioner does not wish the Legal Father to have a controlling interest in the child's life. The Mother is concerned that the child may have "confusion" with respect to his last name when he enrolls in the school. The Legal Father is willing to relinquish his parental rights and consent to a name change, but he wanted to remain involved in the child's life by way of frequent and continuing time-sharing. The Guardian specifically found that although "scientific paternity tests and the disestablishment of the Legal Father's paternity, subject to any conditions ordered by this Court, might benefit each of the adult parties to some extent, such actions do not provide any benefit to Blake."

11. Based upon all of the testimony and evidence presented, it is also found by the undersigned General Magistrate that scientific paternity testing and the potential disestablishment of the Legal Father's paternity are not in the child's best interests. Florida law is clear that mere biology is insufficient to overcome a Legal Father's rights when a child is born to an intact marriage. In this case, the Legal Father has been an active part of the child's life since birth. He adamantly wants to continue this relationship despite knowledge that he may not be the child's biological father. The Petitioner and Mother attempt to argue that they Petitioner can offer a more stable and secure environment for the child. They argue that the Legal Father is "controlling" and that he has poor living conditions. Reference was made to Department of Children and Family Services investigations and law enforcement investigations. However, neither agency pursued any actions against the Legal Father. Further, it should be noted that the

Mother had no objections to the Legal Father having time-sharing with the child in 2009 when she freely and voluntarily developed a Parenting Plan with the Legal Father.

The Petitioner argues that he has developed a relationship with the child which should allow him to preempt the Legal Father's rights. Such argument is not sufficient in this case. As the Court stated in *Fernandez v. Fernandez*, 857 So. 2d 997, 999 (Fla. 5th DCA 2003), "[i]n *G.F.C.*, we said that a man claiming to be the biological father of a child born to an intact marriage, may have a right to bring a suit for adjudication of paternity under the due process clause of our state constitution, if he has established a relationship with the child, and the legal father has been remiss in fulfilling his role as father." The Petitioner may have demonstrated that he has established a relationship with the child, but he has failed to prove the second part of the equation, that the Legal Father has been remiss in his role as a father. All of the parties and the Guardian Ad Litem agree that the Legal Father has taken an active role in the child's life since birth. He has fought to continue and build on that relationship despite knowledge that the child is not his biological offspring. The fact that the Mother is now living with the Petitioner and that he has assumed a role as the child's father is not sufficient to terminate the Legal Father's rights.

Both the Petitioner and the Mother testified that if the petition were granted, they would allow the Legal Father to continue interacting with the child. If the Petition were granted, the Legal Father's rights regarding the child would be terminated. He would have no legal recourse if the Petitioner and the Mother decided to sever any contact with the child. His continuing relationship with the child would be dependent upon their whims. As the Guardian Ad Litem testified, currently the child has three loving parents. The granting of the Petition could sever the child's relationship with one of the loving parents and such termination is not in the child's best



interests. As the Florida Supreme Court stated in *Privette*, “[w]hile there may be some cases where the child has had little contact with the legal father, other cases will be quite the contrary. It is conceivable that a man who has established a loving, caring relationship of some year’s duration with his legal child later will prove not to be the biological father. Where this is so, it seldom will be in the children’s best interests to wrench them away from their legal fathers and judicially declare that they now must regard strangers as their fathers. The law does not require such cruelty toward children” *Privette*, 617 So. 2d at 309.

It should be noted that if the Petitioner does, in fact, marry the Mother after she finally obtains a dissolution of marriage from the Legal Father, he will have the ongoing opportunity to be a father to the child in the role of a step-parent. It is hoped that he will recognize this role and not undermine the Legal Father’s relationship with the child.

#### **RECOMMENDATIONS**

The General Magistrate hereby recommends to the Court that an order be entered providing the following:

A. The Petition to Determine Paternity and for Related Relief is **denied** and Christopher Romero shall remain the legal father of the child, **Blake Aaron Romero, born January 23, 2007.**

B. The Court retains jurisdiction over the parties and subject matter to enforce the terms of this order and to enter any other orders that are necessary to carry out the intent of this ruling.

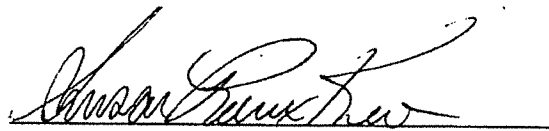
#### **C. EXCEPTIONS TO RECOMMENDATIONS**

The parties are notified that they shall have ten (10) days from the date of service of these Findings and Recommendations to file any Exceptions to the entry of an Order approving these

Findings and Recommendations. The original Exceptions to the Findings and Recommendations of any party shall be filed with the Clerk of the Court with copies to the General Magistrate and to opposing party and/or counsel. Should no timely Exceptions to the Findings and Recommendations be received, a proposed Order and a copy of the Findings and Recommendations will be forwarded to the Judge for appropriate action. The parties are further notified that service of this Report and Recommendations is deemed effective as of the date of mailing.

The testimony of the parties has been electronically recorded, and the certified disc of this hearing is specifically incorporated in and made a part of this report. The certified disc is available to the Court and to the parties for preparation of a transcript. Upon written request and appropriate fee, a copy of the certified disc will be provided to the requesting party for transcription. The party requesting a transcript will be responsible for making the appropriate arrangements with a Certified Court Reporter for transcription and payment.

**RECOMMENDED** at Ocala, Marion County, Florida this 10<sup>th</sup> day of October, 2012.

  
SUSAN ROUX KEITH  
GENERAL MAGISTRATE

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing Report and Recommendation was furnished by U.S. Mail, on this 10<sup>th</sup> day of October, 2012, to the following:

**ERIK MAGSAM**, 6787 S.E. 125th Street, Lot #49, Belleview, FL 34420  
**STEPHANIE ROMERO**, 6787 S.E. 125th Street, Lot #49, Belleview, FL 34420  
**CHRISTOPHER ROMERO**, 3254 S.E. 132nd Place, Belleview, FL 34420

By:   
Administrative Secretary

**ATTACHMENT-QUESTION #46**  
**LECTURES AND SPEECHES**

November, 1992: "Understanding the Court System" presented to the Marion County Legal Secretaries Association,

January 24, 2003: "Quasi-Judicial Officers" presented to the Judicial Assistants Association of Florida, Winter Conference

April 30, 2003: "Marbury v. Madison" presented at the Westport School, Law Day Celebration

September 12, 2003: "Healthcare Coverage" presented at the Statewide Child Support Forum

November 20, 2003: "Invasion of Privacy: The Case of Zelma Cason v. Marjorie Kinnan Baskin" presented to the D. R. Smith American Inn of Court

October 22, 2004: "Supporting the Dependent Child" presented at the Unified Family Court Conference, Child Support Institute

November 17, 2004: "Choices" presented at the W.E.S.T. (Women Escaping Sexual Trade) Graduation

October 16, 2006: "Family Law Forum Update" presented to the Family Law Advisory Group

September 5, 2008: "Mediation Training-Legislative Update"

November 20, 2008: "Family Law-Fall 2008 Changes" presented to the Marion County Legal Support Association

February 27, 2009: "Parenting Plans" presented to the Magistrate and Hearing Officer Forum at the Florida Association of Family and Conciliation Courts

February 26, 2010: "General Magistrate and Hearing Officers" presentation at "Afternoon at the Courthouse" sponsored by the Young Lawyers Section of the Marion County Bar Association

March 12, 2010: "Cultural Cues" presented to the General Magistrates and Hearing Officers Forum at the Florida Association of Family and Conciliation Courts

March 12, 2010: "Self Help Forum" presented to the General Magistrates and Hearing Officers Forum at the Florida Association of Family and Conciliation Courts

September 24, 2010: "Mediation Training and Legislative Update," presented to the Fifth Judicial Circuit Mediators.

January 9, 2012: "Handling Self-Represented Litigants," presented at the Florida Judicial College-Phase I-General Magistrates and Hearing Officers

January 10, 2012: "Trial Practice" presented to the General Magistrates and Hearing Officers at the Florida Judicial College-Phase 1. Mock Trial Evaluator.

January 24, 2012: "SHHHHH-Confidentiality and Minimization Rules", Marion County Bar Association, Family Law Committee.

January 7-10, 2013: Multiple Courses presented to the General Magistrates and Hearing Officers at the Florida Judicial College-Phase I

May 22, 2013: "Ethics for Lawyers" presented at the ERISCS Conference

August 8-9, 2013: Multiple Courses presented at the Foreclosure Magistrate Conference

January 13-16, 2014: Multiple Courses presented to the General Magistrates and Hearing Officers at the Florida Judicial College-Phase I

January 4-8, 2015: Multiple Courses presented to the General Magistrates and Hearing Officers at the Florida Judicial College-Phase I

**CERTIFICATE**

I have read the foregoing questions carefully and have answered them truthfully, fully and completely. I hereby waive notice by and authorize The Florida Bar or any of its committees, educational and other institutions, the Judicial Qualifications Commission, the Florida Board of Bar Examiners or any judicial or professional disciplinary or supervisory body or commission, any references furnished by me, employers, business and professional associates, all governmental agencies and instrumentalities and all consumer and credit reporting agencies to release to the respective Judicial Nominating Commission and Office of the Governor any information, files, records or credit reports requested by the commission in connection with any consideration of me as possible nominee for appointment to judicial office. Information relating to any Florida Bar disciplinary proceedings is to be made available in accordance with Rule 3-7.1(l), Rules Regulating The Florida Bar. I recognize and agree that, pursuant to the Florida Constitution and the Uniform Rules of this commission, the contents of this questionnaire and other information received from or concerning me, and all interviews and proceedings of the commission, except for deliberations by the commission, shall be open to the public.

Further, I stipulate I have read, and understand the requirements of the Florida Code of Judicial Conduct.

Dated this 28<sup>th</sup> day of September, 2015.

Susan Roux Keith.

Printed Name



Signature

*(Pursuant to Section 119.071(4)(d)(1), F.S.), . . . The home addresses and telephone numbers of justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges; the home addresses, telephone numbers, and places of employment of the spouses and children of justices and judges; and the names and locations of schools and day care facilities attended by the children of justices and judges are exempt from the provisions of subsection (1), dealing with public records.*

## FINANCIAL HISTORY

1. State the amount of gross income you have earned, or losses you have incurred (before deducting expenses and taxes) from the practice of law for the preceding three-year period. This income figure should be stated on a year to year basis and include year to date information, and salary, if the nature of your employment is in a legal field.

	2015 to date:		
	\$65,862.99: as		
	General		
	Magistrate per pay		
Current year to date	statement)		
	2014: \$81,700	2013: \$80,560	
	(as General	(as General	2012: \$80,357 (as
	Magistrate per	Magistrate per	General Magistrate
List Last 3 years	W-2	W-2)	per W-2)

2. State the amount of net income you have earned, or losses you have incurred (after deducting expenses but not taxes) from the practice of law for the preceding three-year period. This income figure should be stated on a year to year basis and include year to date information, and salary, if the nature of your employment is in a legal field.

	2015 to date:		
	\$65,862.99 as		
	General		
	Magistrate per pay		
Current year to date	statement)		
		2013:	
		\$80,560	
		(as	
	2014: \$81,700	General	
	(as General	Magistrate	2012: \$80,357 (as
	Magistrate per	per	General Magistrate
List Last 3 years	W-2	W-2)	per W-2)

3. State the gross amount of income or losses incurred (before deducting expenses or taxes) you have earned in the preceding three years on a year by year basis from all sources other than the practice of law, and generally describe the source of such income or losses.

Current year to date	<u>Less than \$1.00</u>	2013: \$1,161.00	
		(Interest, dividends, and capital gains accrued jointly with Husband)	2012: \$1,838.00 (Interest, dividends and capital gains accrued jointly with Husband)
List Last 3 years	<u>2014: Less than \$10.00</u>	<u>2013: \$1,161.00</u>	<u>2012: \$1,838.00</u>

4. State the amount of net income you have earned or losses incurred (after deducting expenses) from all sources other than the practice of law for the preceding three-year period on a year by year basis, and generally describe the sources of such income or losses.

Current year to date	<u>Less than \$1.00</u>	2013: \$1,161.00	
		(Interest, dividends, and capital gains accrued jointly with Husband)	2012: \$1,838.00 (Interest, dividends and capital gains accrued jointly with Husband)
List Last 3 years	<u>2014: Less than \$10.00</u>	<u>2013: \$1,161.00</u>	<u>2012: \$1,838.00</u>

**FORM 6  
FULL AND PUBLIC  
DISCLOSURE OF  
FINANCIAL INTEREST**

**PART A – NET WORTH**

Please enter the value of your net worth as of December 31 or a more current date. [Note: Net worth is not calculated by subtracting your *reported* liabilities from your *reported* assets, so please see the instructions on page 3.]

My net worth as of June, 2015 was \$636,674.23.

**PART B - ASSETS**

**HOUSEHOLD GOODS AND PERSONAL EFFECTS:**

Household goods and personal effects may be reported in a lump sum if their aggregate value exceeds \$1,000. This category includes any of the following, if not held for investment purposes; jewelry; collections of stamps, guns, and numismatic items; art objects; household equipment and furnishings; clothing; other household items; and vehicles for personal use.

The aggregate value of my household goods and personal effects (described above) is \$ 40,225.00

**ASSETS INDIVIDUALLY VALUED AT OVER \$1,000:**

DESCRIPTION OF ASSET (specific description is required – see instructions p. 3)

VALUE OF ASSET

DESCRIPTION OF ASSET (specific description is required – see instructions p. 3)	VALUE OF ASSET
See Attached	\$596,449.23

**PART C - LIABILITIES**

LIABILITIES IN EXCESS OF \$1,000 (See instructions on page 4):

NAME AND ADDRESS OF CREDITOR

AMOUNT OF LIABILITY

None	0

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:

NAME AND ADDRESS OF CREDITOR

AMOUNT OF LIABILITY

	0



**FORM 6**  
**FULL AND PUBLIC DISCLOSURE OF FINANCIAL INTEREST**  
**PART B – ASSETS**

**As of June 30, 2015**

<b>ASSETS INDIVIDUALL VALUED AT OVER \$1,000</b>	<b>VALUE OF ASSET</b>
Real Estate: 115 NE 31 <sup>st</sup> Avenue, Ocala, Florida (Jointly owned with Husband)	<b>\$84,285.00</b>
Real Estate: 50 East Street South, Sopchoppy, Florida (Jointly owned with Husband)	<b>\$95,549.00</b>
Real Estate: 1503 Bluff Road, Apalachicola, Florida (Jointly owned with Husband)	<b>\$86,493.00</b>
IRA (Moors & Cabot-Cash)	<b>\$54,015.00</b>
Moors & Cabot Cash Account (Jointly owned with Husband)	<b>\$5,244.00</b>
Bank Account-Wells Fargo (Jointly with Husband)	<b>\$3,100.00</b>
Bank Account-Bank of America (Jointly with Husband)	<b>\$1,432.00</b>
Bank Account-Centennial Bank (Jointly with Husband)	<b>\$71,198.84</b>
State of Florida-Deferred Compensation-Nationwide (Stock Okmark Intl 1 \$403.12) (Stock-JPM MdCap Val Sel \$553.83) (Stock-NeuBer Genesis Tr \$392.63) (Stock-AmCent Equ Inc Inv \$613.47) (Stock-Invsco Gr Inc A \$1,035.60) (Bond-DodgeCox Inc \$6,060.69) (NW Bank Liquid Savings-\$17,623.93) (NRS Florida Fixed Fund \$76,519.55) (NW Inv Dest Mod Conserv Svc \$291.11) (NW Inv Dest Mod Svc \$222.07)	<b>\$103,716.00</b>
State of Florida Deferred Compensation-VALIC (Fixed Interest Option \$72,895.41) (Franklin US Gov Sec A \$18,520.98)	<b>\$91,416.39</b>
<b>TOTAL</b>	<b>\$596,449.23</b>

**PART D - INCOME**

You may ***EITHER*** (1) file a complete copy of your latest federal income tax return, *including all W2's, schedules, and attachments*, ***OR*** (2) file a sworn statement identifying each separate source and amount of income which exceeds \$1,000 including secondary sources of income, by completing the remainder of Part D, below.

I elect to file a copy of my latest federal income tax return and all W2's, schedules, and attachments.  
 (if you check this box and attach a copy of your latest tax return, you need not complete the remainder of Part D.)

**PRIMARY SOURCE OF INCOME (See instructions on page 5):**

NAME OF SOURCE OF INCOME EXCEEDING \$1,000	ADDRESS OF SOURCE OF INCOME	AMOUNT

**SECONDARY SOURCES OF INCOME** [Major customers, clients, etc., of businesses owned by reporting person—see instructions on page 6]

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSIENSS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE

**PART E – INTERESTS IN SPECIFIC BUSINESS [Instructions on page 7]**

	BUSINESS ENTITY #1	BUSINESS ENTITY #2	BUSINESS ENTITY #3
NAME OF BUSINESS ENTITTY	None		
ADDRESS OF BUSINESS ENTITY			
PRINCIPAL BUSINESS ACTIVITY			
POSITION HELD WITH ENTITY			
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS			
NATURE OF MY OWNERSHIP INTEREST			

**IF ANY OF PARTS A THROUGH E ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE**

**OATH**

I, the person whose name appears at the beginning of this form, do depose on oath or affirmation and say that the information disclosed on this form and any attachments hereto is true, accurate, and complete.

*Sharon Kay King*

SIGNATURE

**STATE OF FLORIDA**

**COUNTY OF Marion**

Sworn to (or affirmed) and subscribed before me this 28<sup>th</sup> day of **September**, 2015 by \_\_\_\_\_

*Janice B. Collins*

(Signature of Notary Public—State of Florida)  
**JANICE B. COLLINGS**  
 Commission # **EE 189689**  
 Expires August 16, 2016  
 (Print, Type, or Stamp Commissioned Name of Notary Public)  
Bonded Thru Troy Fain Insurance 800-385-7018

Personally Known  OR Produced Identification \_\_\_\_\_

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

Form

**1040EZ**

**Income Tax Return for Single and Joint Filers With No Dependents (99)**

**2014**

OMB No. 1545-0074

Your first name and initial Susan R		Last name Keith	Your social security number [REDACTED]
If a joint return, spouse's first name and initial Charles W		Last name Keith	Spouse's social security number [REDACTED]
Home address (number and street). If you have a P.O. box, see instructions. 115 N.E. 31st Avenue		Apt. no.	▲ Make sure the SSN(s) above are correct.
City, town or post office, state, and ZIP code. If you have a foreign address, also complete spaces below (see instructions). Ocala FL 34470			
Foreign country name		Foreign province/state/county	Foreign postal code

**Income**

<b>1</b>	Wages, salaries, and tips. This should be shown in box 1 of your Form(s) W-2. Attach your Form(s) W-2.	<b>1</b>	119,106.
<b>2</b>	Taxable interest. If the total is over \$1,500, you cannot use Form 1040EZ.	<b>2</b>	
<b>3</b>	Unemployment compensation and Alaska Permanent Fund dividends (see instructions).	<b>3</b>	
<b>4</b>	Add lines 1, 2, and 3. This is your <b>adjusted gross income</b> .	<b>4</b>	119,106.
<b>5</b>	If someone can claim you (or your spouse if a joint return) as a dependent, check the applicable box(es) below and enter the amount from the worksheet on back. <input type="checkbox"/> You <input type="checkbox"/> Spouse If no one can claim you (or your spouse if a joint return), enter \$10,150 if <b>single</b> ; \$20,300 if <b>married filing jointly</b> . See back for explanation.	<b>5</b>	20,300.
<b>6</b>	Subtract line 5 from line 4. If line 5 is larger than line 4, enter -0-. This is your <b>taxable income</b> .	<b>6</b>	98,806.

**Payments, Credits, and Tax**

<b>7</b>	Federal income tax withheld from Form(s) W-2 and 1099.	<b>7</b>	21,004.
<b>8a</b>	Earned income credit (EIC) (see instructions)	<b>8a</b>	
<b>b</b>	Nontaxable combat pay election. <b>8b</b>		
<b>9</b>	Add lines 7 and 8a. These are your <b>total payments and credits</b> .	<b>9</b>	21,004.
<b>10</b>	<b>Tax</b> . Use the amount on <b>line 6</b> above to find your tax in the tax table in the instructions. Then, enter the tax from the table on this line.	<b>10</b>	16,419.
<b>11</b>	Health care: individual responsibility (see instructions) Full-year coverage <input checked="" type="checkbox"/>	<b>11</b>	
<b>12</b>	Add lines 10 and 11. This is your <b>total tax</b> .	<b>12</b>	16,419.

**Refund**

<b>13a</b>	If line 9 is larger than line 12, subtract line 12 from line 9. This is your <b>refund</b> . If Form 8888 is attached, check here <input type="checkbox"/>	<b>13a</b>	4,585.
------------	--	------------	--------

Have it directly deposited! See instructions and fill in 13b, 13c, and 13d, or Form 8888.

▶ **b** Routing number  ▶ **c** Type:  Checking  Savings

▶ **d** Account number

**Amount You Owe**

<b>14</b>	If line 12 is larger than line 9, subtract line 9 from line 12. This is the <b>amount you owe</b> . For details on how to pay, see instructions.	<b>14</b>	
-----------	--	-----------	--

**Third Party Designee**

Do you want to allow another person to discuss this return with the IRS (see instructions)?  Yes. Complete below.  No

Designee's name ▶ Phone no. ▶ Personal identification number (PIN) ▶

**Sign Here**

Under penalties of perjury, I declare that I have examined this return and, to the best of my knowledge and belief, it is true, correct, and accurately lists all amounts and sources of income I received during the tax year. Declaration of preparer (other than the taxpayer) is based on all information of which the preparer has any knowledge.

Your signature	Date	Your occupation Attorney	Daytime phone number (352) 694-7080
Spouse's signature. If a joint return, <b>both</b> must sign.	Date	Spouse's occupation Retired	If the IRS sent you an Identity Protection PIN, enter it here (see Inst.) <input type="text"/>

**Paid Preparer Use Only**

Print/Type preparer's name	Preparer's signature	Date	Check <input type="checkbox"/> if self-employed	PTIN
Firm's name ▶ Self-Prepared	Firm's EIN ▶			
Firm's address ▶	Phone no.			

b Employer identification number 59-6001874		22-20-05-00-123		000000000	
c Employer's name, address, and ZIP code State of Florida Jeff Atwater, Chief Financial Officer 200 E Gaines Street Tallahassee, Florida 32399-0356		1 Wages, tips, other compensation 71,175.28	2 Federal income tax withheld 13,687.57		
		3 Social security wages 81,700.01	4 Social security tax withheld 5,065.40		
		5 Medicare wages and tips 81,700.01	6 Medicare tax withheld 1,184.65		
		7 Social security tips	10 Dependent care benefits		
d Control number 014899 01/07		11 Nonqualified plans		12a See instructions for box 12 G 7,992.00	
e Employee's first name, mi, and last name  SUSAN R KEITH 115 NE 31ST AVE OCALA, FL 34470-1210		13 Statutory employee <input type="checkbox"/>	Retirement plan <input checked="" type="checkbox"/>	Third-Party sick pay <input type="checkbox"/>	12b DD 17,664.56
		14 Other 125 3,325.68		12c	
				12d	
				12e	
f Employee's address and ZIP code		15 State Employer's state ID number	16 State wages, tips, etc.	17 State income tax	18 Local wages, tips, etc.
					19 Local income tax
					20 Locality name

**FORM W-2 WAGE AND TAX STATEMENT**

**2014**

OMB No. 1545-0008

Copy C - For EMPLOYEE'S RECORDS  
AA427W Rev. 01/21/2014

Department of the Treasury - Internal Revenue Service  
This information is being furnished to the Internal Revenue Service. If you are required to file a tax return, a negligence penalty or other sanction may be imposed on you if this income is taxable and you fail to report it.

Department of the Treasury - Internal Revenue Service					
d Control number 00069388		1 Wages, tips, other compensation 47930.91	2 Federal income tax withheld 7315.85		
OMB. NO. 1545-0008		3 Social security wages 65430.91	4 Social security tax withheld 4056.72		
		5 Medicare wages and tips 65430.91	6 Medicare tax withheld 948.75		
c Employer's name, address, and ZIP code EMBARQ FLORIDA, INC. 100 CenturyLink Drive Monroe LA 71203					
7 Social security tips		8 Allocated tips	9		
10 Dependent care benefits		11 Nonqualified plans		12a See instructions for box C 55.38	
12b D 17500.00		12c		12d	
b Employer identification number (EIN) 59-0248365			a Employee's social security number		
13 Statutory employee <input checked="" type="checkbox"/>		Retirement plan <input type="checkbox"/>	Third-Party sick pay <input type="checkbox"/>	14 Other	
e Employee's name, address, and ZIP code CHARLES KEITH 115 NE 31ST AVENUE OCALA FL 34470-1210					
2014		15 State Employer's state ID No.	16 State wages, tips, etc.		
W-2 Wage and Tax Statement		17 State income tax		18 Local wages, tips, etc.	
Copy C - For EMPLOYEE'S RECORDS (See Notice to Employee on back of Copy B)		19 Local income tax		20 Locality name	

d Control number 00069388		1 Wages, tips, other compensation 47930.91	2 Federal income tax withheld 7315		
OMB.No.1545-0008		3 Social security wages 65430.91	4 Social security tax withheld 4056		
		5 Medicare wages and tips 65430.91	6 Medicare tax withheld 948		
c Employer's name, address, and ZIP code EMBARQ FLORIDA, INC. 100 CenturyLink Drive Monroe LA 71203					
7 Social security tips		8 Allocated tips	9		
10 Dependent care benefits		11 Nonqualified plans		12a See instructions for box C 55.3	
12b D 17500.00		12c		12d	
b Employer identification number (EIN) 59-0248365			a Employee's social security number		
13 Statutory employee <input checked="" type="checkbox"/>		Retirement plan <input type="checkbox"/>	Third-Party sick pay <input type="checkbox"/>	14 Other	
e Employee's name, address, and ZIP code CHARLES KEITH 115 NE 31ST AVENUE OCALA FL 34470-1210					
2014		15 State Employer's state ID No.	16 State wages, tips, etc.		
W-2 Wage and Tax Statement		17 State income tax		18 Local wages, tips, etc.	
Copy B - To be Filed With Employee's FEDERAL Tax Return		19 Local income tax		20 Locality name	

FLORIDA DEPARTMENT OF LAW ENFORCEMENT

DISCLOSURE PURSUANT TO THE  
FAIR CREDIT REPORTING ACT (FCRA)

The Florida Department of Law Enforcement (FDLE) may obtain one or more consumer reports, including but not limited to credit reports, about you, for employment purposes as defined by the Fair Credit Reporting Act, including for determinations related to initial employment, reassignment, promotion, or other employment-related actions.

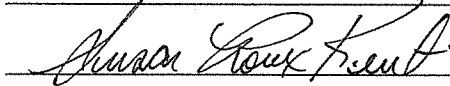
CONSUMER'S AUTHORIZATION FOR FDLE  
TO OBTAIN CONSUMER REPORT(S)

I have read and understand the above Disclosure. I authorize the Florida Department of Law Enforcement (FDLE) to obtain one or more consumer reports on me, for employment purposes, as described in the above Disclosure.

Printed Name of  
Applicant:

Susan Roux Keith

Signature of Applicant:



Date: September 28, 2015