

Greg Harrell - Re: SERVICE OF COURT DOCUMENT - CASE NUMBER 422016CA000712CAAXXX

From: Greg Harrell
To: neilgillespie@mfi.net
Date: 05/02/2016 04:50 PM
Subject: Re: SERVICE OF COURT DOCUMENT - CASE NUMBER 422016CA000712CAAXXX
Bc: Dovie McCoy; dellspermann@marioncountyclerk.org; Katherine Glynn; Mel...
Attachments: 16.CA.712 Receipts 5.2.16.pdf; M2015-42.pdf

Receipts are not automatically generated by the autodocketing process, only docket lines reflecting receipt of the money in question. That being said, we have the ability to create a receipt that was autodocketed upon request by a customer. So, per your request below, attached are copies of the two amounts received in thus far.

A copy of Fifth Judicial Circuit Administrative Order M-2015-42 , regarding Marion County Circuit Judges' Judicial Assignments for 2016, is attached.

Sealed Filetrack notations are in-house notations made by our office to indicate when particular portions of a file are sent to a judge for his or her review so that we can keep track of whether and when we did so.

Section 28.13 of the Florida Statutes is the legal authority pursuant to which the Clerk's Office accepts case-related filings.

Gregory C. Harrell
General Counsel to David R. Ellspermann, Marion County Clerk of Court & Comptroller
P.O. Box 1030
Ocala, Florida 34478-1030
(352) 671-5603
gharrell@marioncountyclerk.org

DAVID R. ELLSPERMANN
 CLERK OF COURT
 MARION COUNTY, FL
 16 MAY -2 PM 4:54
 CIVIL

>>> "Neil Gillespie" <neilgillespie@mfi.net> 04/30/2016 11:28 PM >>>

Dear Mr. Harrell,

In reply to your response, I believe certain money records (red) at a minimum, are outstanding,

- DOC 002, date 04-15-2016, Judge. Assigned
- DOC 003, date 04-15-2016, Assessment 1 assessed at sum \$410.00
- DOC 004, date 04-15-2016, Payment received \$410.00 Receipt Number XX 102495
- DOC 012, date 04-20-2016, Assessment 2 assessed at sum \$6.00
- DOC 013, date 04-20-2016, Assessment 3 assessed at sum \$9.00
- DOC 014, date 04-20-2016, Payment received \$15.00 Receipt Number XX 103771

especially DOC 004 "Payment received \$410.00 Receipt Number XX 102495", and "DOC 014, date 04-20-2016, Payment received \$15.00 Receipt Number XX 103771". Otherwise what records account for the \$425 received by the Clerk?

Regarding "DOC 002, date 04-15-2016, Judge. Assigned" provide records showing exactly how the judge (The Honorable Edward L. Scott) was assigned to this case. The Orlando Sentinel reports that Judge Scott is a former Ocala police officer and Marion County Sheriff's major crimes detective, and worked as a prosecutor and a defense lawyer.

In response to your contention at 3, "There is no document or image for docket entry #10, which is a sealed "Filetrack" notation made by our office, dated 4/18/2016, indicating that the emergency motion for preliminary injunction was sent to Judge Scott on that date."

What is a "sealed "Filetrack" notation"?

Why did your office make a "sealed "Filetrack" notation"?

The Florida Rules of Civil Procedure RULE 1.610. INJUNCTIONS govern temporary injunctions. I am not aware of any "emergency motion for preliminary injunction" under the Florida rules of court. Under what legal authority did you accept this unverified motion with 2 defective affidavits?

Please take notice that I am part owner of Sumter Electric Cooperative, Inc., by and through my own Capital Credits on my own active account #7010005303, see attached my current SECO bill and payment. Also see attached two affidavits showing my payments for Capital Credits made after September 16, 2009 should go to my active COOP account.

I am providing this email to law enforcement, public safety, and the injunction clerk.

Thank you.

Sincerely,

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

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

From: Greg Harrell

To: neilgillespie@mfi.net

Sent: Friday, April 29, 2016 5:00 PM

Subject: Fwd: SERVICE OF COURT DOCUMENT - CASE NUMBER 422016CA000712CAAXXX

Mr. Gillespie:

In response to your public records request of today in the above-referenced matter:

1. The video referenced in paragraph 11 of the Affidavit of Steve Balius has not yet been filed.

2. The only actual record or image that exists responsive to this request, other than the docket sheet that you already attached to your request, is docket entry #15, which is a one-page letter, a copy of which is available to you for free via the public case search feature on the Clerk's website. A hard copy can be made for you for \$1.00, or a certified copy can be made for \$3.00. The other requested items are automated docket entries for which there is no actual document or image other than the text that appears on the docket sheet. Though Clericus assigns what it calls a "Document #" to each docket entry, there is not necessarily an actual document or image for each one. Rather, for certain events, like the ones specified in these particular docket entries, auto-docketed information that you see on the docket is created automatically by Clericus when it accepts a document that has been e-filed from the E Portal.

3. There is no document or image for docket entry #10, which is a sealed "Filetrack" notation made by our office, dated 4/18/2016, indicating that the emergency motion for preliminary injunction was sent to Judge Scott on that date.

Gregory C. Harrell

General Counsel to David R. Ellspermann, Marion County Clerk of Court & Comptroller

P.O. Box 1030

Ocala, Florida 34478-1030

(352) 671-5603

gharrell@marioncountyclerk.org

David R. Ellspermann
Clerk of the Circuit and County Courts
MARION County Florida

Receipt #: XX 102495 Case #: 16CA000712AX Citation #:
Posting Date: 04/15/2016 Citation #:
Validn Date: 04/15/2016 02:07 PM Workstation: 999-EPORTAL Balance:
Validn Time: 02:07 PM *** DUPLICATE *** Clerk: eportal
Party Name:
Paid By: Kevin M. Stone

Comments: Open Pay Order # 15396101

| <u>Account Description</u> | <u>Detail Amount</u> |
|-------------------------------------|----------------------|
| T0012 ADDITIONAL SERVICE CHARGES-CA | \$10.00 |
| T0035 STATE GEN REV TF (MED) CIR | \$15.00 |
| U0007 GENCIRCIV-STATE CRT REV TF | \$180.00 |
| U0021 LBLTY CIVIL DFS TRUST FUND | \$1.00 |
| U0022 LBLTY CIVIL COCC TRUST FUND | \$4.00 |
| Y0001 FILING FEE-CIRCUIT CIVIL | \$115.00 |
| Y0009 COURT EDUCATION TRUST FUND | \$3.50 |
| Y0056 DOMESTIC FF REVENUE 80.00 | \$80.00 |
| Y0250 CLERK EDUCATION-CIRCUIT CIVIL | \$0.50 |
| Z0018 STATE GEN REV TF (MED) | \$1.00 |

EPORTAL: \$ 410.00

Ref#:

TOTAL TENDERED: \$ 410.00
CASH REFUND : \$ 0.00
TOTAL PAID: \$ 410.00
SERVICE FEE: \$ 0.00

CASE ASSESMENT TOTAL: \$ 425.00
TOTAL DUE:
CURRENT CASE BALANCE: \$ 0.00

16CA000712AX
16CA000712AX

NEIL J GILLESPIE
SUMTER ELECTRIC COOPERATIVE INC

David R. Ellspermann
Clerk of the Circuit and County Courts
MARION County Florida

Receipt #: XX 103771 Case #: 16CA000712AX Citation #:
Posting Date: 04/20/2016 Citation #: Balance:
Validn Date: 04/20/2016 03:54 PM Workstation: 915 Clerk: jessd
Validn Time: 03:54 PM *** DUPLICATE ***
Party Name:
Paid By: STONE & GERKEN PA

Comments:

| <u>Account Description</u> | <u>Detail Amount</u> |
|-------------------------------------|----------------------|
| T0012 ADDITIONAL SERVICE CHARGES-CA | \$1.50 |
| Y0165 COPY FEES-CIRCUIT CIVIL | \$9.00 |
| Y0166 SERVICE FEES-CIRCUIT CIVIL | \$4.50 |

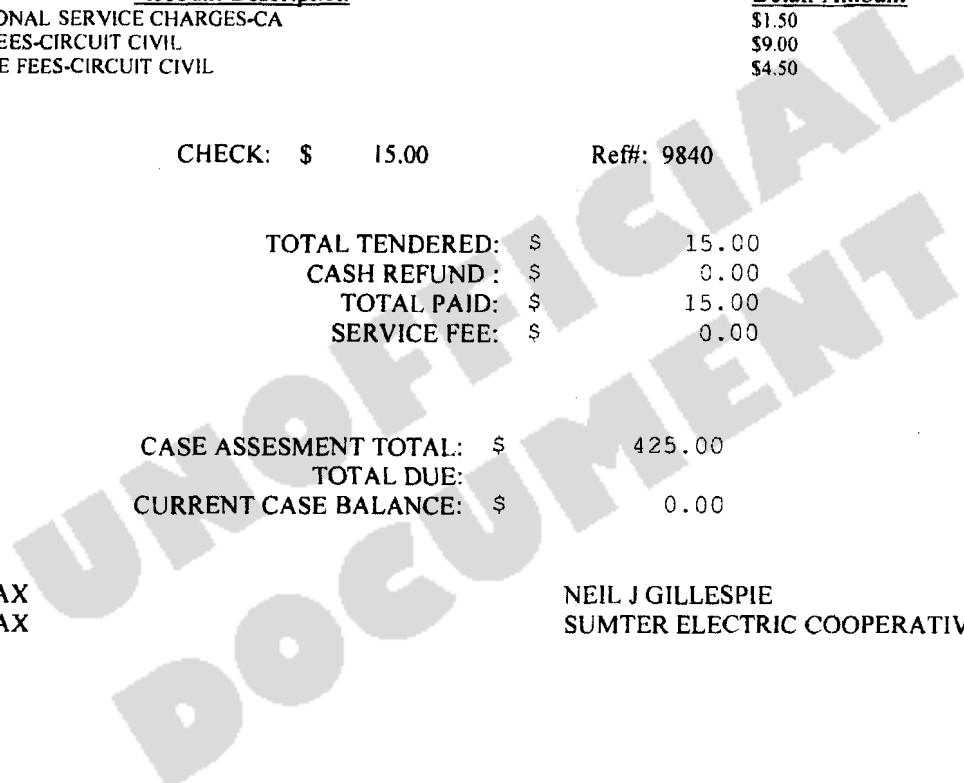
CHECK: \$ 15.00 Ref#: 9840

TOTAL TENDERED: \$ 15.00
CASH REFUND: \$ 0.00
TOTAL PAID: \$ 15.00
SERVICE FEE: \$ 0.00

CASE ASSESMENT TOTAL: \$ 425.00
TOTAL DUE:
CURRENT CASE BALANCE: \$ 0.00

16CA000712AX
16CA000712AX

NEIL J GILLESPIE
SUMTER ELECTRIC COOPERATIVE INC



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

Effective: January 1, 2016

Administrative Order Number: M-2015-42

**In Re: MARION COUNTY CIRCUIT JUDGES JUDICIAL ASSIGNMENTS
FOR THE YEAR 2016**

Judge Ann Melinda Craggs: 1/3 of Domestic Relations cases (Designation FJ); Domestic Violence and Dating Violence DR cases assigned to FJ division; Detention and Shelter hearings (as backup for Judge Eddy and Judge Robbins for the months of January, April, July, October); 1/3 Child Support Enforcement cases (Designation FJ); 1/4 Baker Act and Marchman-Act cases (February, June, October); 1/8 mortgage foreclosure cases with designation of S.

Judge David B. Eddy: Juvenile Delinquency; CINS/FINS; crossover Dependency; all RVI, Stalking and Sexual Violence cases (Designation FV); Juvenile detention hearings; all after hours injunctions; 1/4 Baker Act and Marchman Act cases (January, May, September); 1/8 mortgage foreclosure cases with designation of O; Hearings on excess fee motions in criminal cases in Marion County and Lake County; Hearings on motions to involuntarily administer medication to DOC inmates; Administrative Judge for Marion County.

Judge Lisa Herndon: 1/2 Civil (Designation B), and previous civil cases with designations of C and K; 1/2 Forfeitures; 1/2 Bond Validations and Assessment Liens; 1/2 Eminent Domain; 1/2 Guardianship and Adult Protective Services cases filed beginning January 1, 2016.

Judge Robert W. Hodges: 1/4 Felony (Designation W); 1/3 Jimmy Ryce cases; 1/8 mortgage foreclosure cases with designation of R; Fifth Circuit Appellate Panel.

Judge Jonathan D. Ohlman: 1/4 Felony (Designation Y); Drug Court; Guardianship and Adult Protective Services cases presently pending on this docket; 1/8 mortgage foreclosure cases with designation of N.

Judge Willard Pope: 1/4 Felony (Designation X); 1/3 Jimmy Ryce cases; 1/8 mortgage foreclosure cases with designation of P.

Judge S. Sue Robbins: Juvenile Dependency; crossover Delinquency, Domestic Violence, Domestic Relations; 1/3 Child Support Enforcement cases (Designation FK); Shelter Hearings; Termination of Parental Rights cases; Probate; Fifth Circuit Family Law Administrative Judge.

Judge Steven Rogers: 1/3 of Domestic Relations cases (Designation FG); Domestic Violence and Dating Violence DR cases assigned to FG division; Detention and Shelter hearings (as backup for Judge Eddy and Judge Robbins for the months of February, May, August, November); 1/3 Child Support Enforcement cases (Designation HG); 1/4 Baker Act and Marchman Act cases (March, July and November); 1/8 mortgage foreclosure cases with designation of M.

Judge Edward L. Scott: 1/2 Civil (Designation G) and previous civil cases with designations of A, D and E; 1/2 Forfeitures; 1/2 Bond Validations and Assessment Liens; 1/2 Eminent Domain; 1/2 Guardianship and Adult Protective Services cases filed beginning January 1, 2016.

Judge Anthony M. Tatti: 1/4 Felony (Designation Z); 1/3 Jimmy Ryce Cases; 1/8 mortgage foreclosure cases with designation of Q.

New Judge: 1/3 of Domestic Relations cases (Designation FC); Domestic Violence and Dating Violence DR cases assigned to FC division; Detention and Shelter hearings (as backup for Judge Eddy and Judge Robbins for the months of March, June, September, December); 1/3 Child Support Enforcement cases (Designation HC); 1/4 Baker Act and Marchman Act cases (April, August, December); 1/8 mortgage foreclosure cases with designation of T.

Hearing Officer: Department of Revenue Child Support cases and other duties as assigned.

General Magistrates: Hearings as designated by Administrative Order; Domestic Relations and other duties as assigned.

POST CONVICTION MOTIONS WILL BE HEARD BY THE SENTENCING JUDGE

The Administrative Judge for Marion County will be chosen by the Chief Judge as the Chief Judge deems appropriate. The Administrative Judge for Marion County shall have administrative authority over all divisions.

CIVIL DESIGNATIONS are as follows:

B, and also C and K - Judge Lisa Herndon
G, and also A, D and E - Judge Edward L. Scott

FELONY DESIGNATIONS are as follows:

W - Judge Robert W. Hodges
X - Judge Willard Pope
Y - Judge Jonathan D. Ohlman
Z - Judge Anthony M. Tatti

DOMESTIC RELATIONS DESIGNATIONS are as follows:

FC - New Judge
FG - Judge Steven Rogers
FJ - Judge Ann Melinda Craggs
FK - Judge S. Sue Robbins
FV - Judge David B. Eddy

Shelter hearings will be addressed by the five (5) family-law judges as set forth above. In the absence of such judges, the judge who is assigned to handle weekend and after hours matters will hear the shelter hearings as required to comply with time restraints. In addition, all Marion County Circuit Judges will assist with the shelter hearings when necessary.

In any Domestic Violence and Repeat Violence cases where the parties have a pending domestic relations cases, such domestic/repeat violence case shall be assigned to the judge handling the domestic relations case. In any newly filed domestic relations cases where a Petition for Injunction for Protection has previously been filed, the domestic relations case shall be assigned to whichever judge handled the injunction.

Petitions for injunction and other after-hours requests which require judicial action on weekends, holidays and between the hours of 5:00 p.m. and 8:30 a.m. on weekdays will be reviewed by all judges sitting in Marion County (Circuit Judges and County Judges) on a rotating basis. Such rotation shall be listed in the weekend and holiday duty assignments as set forth by a separate administrative order. In each case where a County Judge has such an assignment, said judge is hereby appointed as an acting Circuit Judge for the duration of such assignment. Likewise, a Circuit Judge is hereby appointed as an acting County Judge in any instance where County Court jurisdiction is required during such assignment.

Prior to noon on each Friday, the judge assigned to handle First Appearances, Shelter Hearings, and Detention Hearings that weekend will be delivered the duty judge telephone and briefcase which he/she will retain until the next Friday at noon, at which time the duty judge telephone and briefcase will be delivered to the next assigned judge. Each judge so assigned (the "Duty Judge") will be responsible for ensuring that a judge is available during usual courthouse business hours (8:30 a.m. to 5:00 p.m. Monday through Friday), except lunch hour, to help to review petitions for injunctions and other matters which require immediate attention. The hearing dates and times required on petitions for injunctions that are filed after hours, on weekends, and on holidays will be provided by Judge Eddy.

David B. Eddy

David B. Eddy, Administrative Judge
Dated: September 24, 2015

UNOFFICIAL
DOCUMENT