

**SUPREME COURT OF FLORIDA**

Office of the Clerk

500 South Duval Street

Tallahassee, Florida 32399-1927

**JOHN A. TOMASINO CLERK**

Phone (850) 488-0125

[www.floridasupremecourt.org](http://www.floridasupremecourt.org)

Mark Clayton Chief Deputy Clerk

Julia Breeding Staff Attorney

November 27, 2018

Richard Charles Lussy

Richard Lussy & Associates

860 Sixth Avenue South

Post Office Box 152

Naples, FL 34106

RE: Notice of Appeal received Nov. 26, 2018

Dear Mr. Lussy:

Your notice of appeal received November 26, 2018, is returned herewith, together with your check number 1447 made payable to the Supreme Court of Florida in the amount of \$300. Please be advised that the United States Supreme Court does not have appeal jurisdiction. You may petition for a writ of certiorari.

Enclosed is a sample packet to assist you in filing your petition in the United States Supreme Court.

Sincerely,  
/s/

John A. Tomasino

JAT/jv  
Enclosure

One Page Only Exhibit A-8564 1 of 1

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**SUPREME COURT OF FLORIDA**

Office of the Clerk  
500 South Duval Street  
Tallahassee, Florida 32399-1927  
JOHN A. TOMASINO CLERK  
Phone (850) 488-0125  
[www.floridasupremecourt.org](http://www.floridasupremecourt.org)  
Mark Clayton Chief Deputy Clerk  
Julia Breeding Staff Attorney

November 16, 2018

Richard Charles Lussy  
Richard Lussy & Associates  
860 Sixth Avenue South  
Post Office Box 152  
Naples, FL 34106

RE: Return of Filing Fee

Dear Mr. Lussy:

On November 14, 2018, we returned your  
pleading you were attempting to file

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as it had not been signed by a member of the Florida Bar, in accordance you're the directive in case number SC01-933. Subsequently, the second District Court of Appeal forwarded to us your filing fee check number 183 in the amount of \$300.00 relative to this same matter. We are returning that check to you herewith.

Sincerely,  
*/s/*

John A. Tomasino

JAT/jv

Cc: Mary Elizabeth Kuenzel, Clerk of  
the Second District Court of Appeal

**Exhibit A-8563 (1 of 2)**

Envelope Stamp → Hasler  
11/16/2018 \$00.47

83

7B12398

John A. Tomasino, Clerk  
SUPREME COURT OF FLORIDA  
500 South Duval Street  
Tallahassee, Florida 32399

RICHARD CHARLES LUSSY  
RICHARD LUSSY & ASSOCIATES  
860 SIXTH AVENUE SOUTH  
P.O. BOX 152  
NAPLES, FL. 34106

34106s0152 B002

Exhibit A-8563 (2 of 2).

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SUPREME COURT OF FLORIDA  
Office of the Clerk  
500 South Duval Street  
Tallahassee, Florida 32399-1927  
JOHN A. TOMASINO CLERK

Phone (850) 488-0125  
[www.floridasupremecourt.org](http://www.floridasupremecourt.org)  
Mark Clayton Chief Deputy Clerk  
Julia Breeding Staff Attorney

November 14, 2018  
Richard Charles Lussy  
Richard Lussy & Associates  
860 Sixth Avenue South  
Post Office Box 152  
Naples, FL 34106

RE: Pleading received November 8,  
2018

Dear Mr. Lussy:  
In accordance with the directive from the  
Court in SC01-849, Rick C. Lussy vs.  
Fourth  
District Court of Appeal, etc., et al. and  
SC01-933, Richard C. Lussy, etc. v.  
John Fenniman, etc., et al, the

enclosed pleading is being returned to you herewith as it is not signed by a member of the Florida Bar.

Sincerely,  
/s/

John A. Tomasino

JAT/jv  
Enclosure

Exhibit A-8562 (1 of 2).

Envelope Stamp → Hasler  
11/14/2018 \$00.68  
XIP 32399  
011E11672564

John A. Tomasino, Clerk  
SUPREME COURT OF FLORIDA  
500 South Duval Street  
Tallahassee, Florida 32399

RICHARD CHARLES LUSSY

RICHARD LUSSY & ASSOCIATES  
860 SIXTH AVENUE SOUTH  
P.O. BOX 152  
NAPLES, FL. 34106

DIGITAL STAMP 34106S0152 B002  
Exhibit A-8562 (2 of 2).

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Envelope Stamp → Tampa FL 335  
11/03/2018PM4L  
Forever Stamp cancelled

Rick Lussy  
860 SIXTH AVE. S.  
P.O. BOX 152  
Naples, FL. 34106

Clerk Mary Beth Kuenzel  
Second District court of appeal  
P.O. Box 327  
Lakeland FL. 33802

NO DIGITAL STAMP

Exhibit A-8561 (2 of 2).

NOT FINAL UNTIL TIME EXPIRES  
TO FILE REHEARING, MOTION AND,  
IF FILED, DETERMINED

IN THE DISTRICT COURT  
OF APPEAL OF FLORIDA  
SECOND DISTRICT

CASE NO.: 2D18-55  
R.C. "RICK" LUSSY, )  
                            )  
                            Appellant )  
v. )  
FLORIDA ELECTIONS )  
COMMISSION and GAYLORD )  
WOOD JR. Appellees )  
                            )  
                            )

Opinion Filed September 12, 2018  
Appeal from the Florida Elections

Commission

R.C. "RICK" LUSSY, pro se.

Amy McKeever Toman, Executive Director, Tallahassee; and Eric M. Lipman, General Counsel, Tallahassee (substituted as counsel of record), for appellee Florida Elections Commission. No appearance for remaining appellee.

PER CURIAM.

Affirmed

LaROSE, C.J., and SILBERMAN and LUCAS, JJ., Concurr

Exhibit A-8560 (1 of 2).

SECOND DISTRICT COURT OF  
APPEAL OF FLORIDA  
P.O. BOX 327  
LAKELAND, FLORIDA 33802-0327  
(863) 499-2290  
November 8, 2018

Re: R.C. "Rick" Lussy  
V.  
Florida Elections Commission et al.  
Appeal No.: 17-357W  
Trial Court Judge:

Florida Supreme Court  
Attn: Clerk's Office

Attached is a certified copy of the notice of appeal to the Supreme Court, pursuant to rule 9.110, Florida rules of appellate Procedure. Attached also is this Court's opinion or decision relevant to this case.

X The filing fee prescribed by Section 25.241(3), Florida Statutes, was received by this court and is attached.

   The filing fee prescribed by Section 25.241(3), Florida Statutes, was not received by this court.

   Petitioner/Appellant has been previously determined insolvent by the circuit court or our court in the

underlying case.

   Petitioner/Appellant has already filed, and this court has granted, petitioner/appellant's motion to proceed without payment of costs in this case.

No filing fee is required because:

   Summary appeal, pursuant to rule 9.141

   From the Unemployment Appeals commission

   A Habeas Corpus Proceeding

   A Juvenile case

   Other

If there are any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,

Mary Elizabeth Kuenzel  
Clerk  
By Joshua Dannelley

MK:jd

cc: Amy McKeever Toman, Esq.  
Eric M. Lipman, Esq.  
Edward A. Tellechea, Esq.  
J. Christopher Woolsey, Esq.  
R.C. "Rick" Lussy

**Exhibit A-8560 (2 of 2).**

**Exhibit A-2888 (1 of 5).**  
**SUPREME COURT OF FLORIDA**  
**THURSDAY, DECEMBER 20, 2001**

RICHARD C. LUSSY, etc., Petitioner        \*\*  
vs.    \*\*  
JOHN FENNIMAN, etc., et al.,        \*\*  
    \*\*  
    Respondents  
    \*\*  
CASE NO. SCO1-933  
LOWER TRIBUNAL  
CASE NO. 4D99-2921

## ORDER

The petitions for writs of mandamus in these consolidated cases are dismissed as facially insufficient and the companion motions in these cases are denied.

In addition to the pleadings and papers filed in these consolidated cases, Lussy has filed similar pleadings in the following related cases: Lussy v. Fourth District Court of Appeal, 791 So. 2d 1099 (Fla. 2001) (review denied); Lussy v. Fourth District Court of Appeal, 773 So. 2d 56 (Fla. 2000) (appeal dismissed);

Lussy v. Fenniman, 770 So. 2d 159 (Fla. 2000) (appeal dismissed); Lussy v. Fenniman, 766 So. 2d 222 (Fla. 2000) (review denied); Lussy v. Buob, 766 So. 2d 222 (Fla. 2000) (prohibition dismissed); Lussy v. Fenniman, 753 So. 2d 503 (Fla. 1999) (appeal dismissed). These cases were dismissed for lack of jurisdiction or because of facial insufficiency. Additionally, he has filed with this Court numerous actions

Exhibit A-2888 (1 of 5).

SC01-849 and SC01-933  
Page 2 OF 5

Unrelated to the present cases, all of which have been dismissed.<sup>44</sup>

<sup>44</sup> Lussy v. Schmock, No. SC01-2224 (Fla. Oct. 22, 2001); Lussy v. Schmock, No. SC01-542 (Fla. Aug. 20, 2001); Lussy v. City of Stuart, 780 So. 2d 914 (Fla. 2001); Lussy v. City of Stuart, 773 So. 2d 56 (Fla. 2000); Lussy v. Schmock, 751 So. 2d 51

Lussy's petitions are full of disjointed, defamatory ramblings, including the following:

Mr. Lussy smells fraud; Mr. Lussy sees fraud and Mr. Lussy believes Chief Judge Martha C. Warner, not an expert recognized by her peers as not noted a specialist with a the Florida Bar, is the control person in this fraud against Mr. Lussy in the name of Mrs. Buob.

\*\*\*

Preface VI, the strength of the pro-lawyer

---

(Fla. 1999); Lussy v. City of Stuart, 744 So. 2d 455 (Fla. 1999); Lussy v. City of Stuart, 732 So. 2d 327 (Fla. 1999); Lussy v. Schmock, 760 So. 2d 947 (Fla. 1999); Lussy v. Schmock, 762 So. 2d 917 (Fla. 1999); Lussy v. City of Stuart, 717 So. 2d 534 (Fla. 1998); Lussy v. City of Stuart, 707 So. 2d 1125 (Fla. 1998); Lussy v. City of Stuart, 705 So. 2d 902 (Fla. 1998); Lussy v. Kaufman, 697 So. 2d 1217 (Fla. 1997); Lussy v. Gorny, 654 So. 2d 131 (Fla. 1995); Lussy v. Gorny, No. 83,540 (Fla. Sept. 13, 1993); Lussy v. Gorny, 624 So. 2d 267 (Fla. 1993).

monopoly government club is intimidating at the surface, but feeble at the human source using their own sabotage surveillance (the ones without business cards) against

Exhibit A-2888 (2 of 5).

them with examples of individual wrongdoing.

SC01-849 and SC01-933

PAGE 3 of 5

\*\*\*

COMES NOW, Mr. Lussy timely petitions for restorative justice Article I Rights, including Right to Work, & Jury Trial Sections 6 & 22 of the Florida State Constitution via this petition for a Writ of Mandamus from the malice aka. attitude, jealousy & envy of each of the motions court Judges Bryan Jr., Kanarek, Hershey & 4<sup>th</sup> District Court Of Appeal

with a known and undisclosed financial interest as "W-2" employees, employed with compensation contingent upon the judgment opinion conclusion favoring themselves, not as 1099 independent contractors paying their own social security taxes and providing for their own retirement pensions.

\*\*\*

1-d (Who) Mr. Lussy as expert property appraiser witness who sells his opinions for a living, requiring the jury to judge his credibility against the named defendants who also sell their opinions for a living determinate of final resolution without the vested interests of the TSSLJ's (a.k.a. Ten Smocked, Scoundrel Lawyer Judges) of MCDOL (a.k.a (sic) Martin County Department of Law) otherwise a 100% jury trial would have been ordered already and certainly before

the Executive, Constitutional Office Universal Primary election of September 5, 2000, held in Martin County.

Ours is not the only judicial system that Lussy has assaulted. In the 1980s, he tormented the courts and parties in the state of Montana. In Lussy v. Davidson, 683 P.2d 915, 915-16 (Mont. 1984), the court found: "Appellant Richard Lussy is no stranger to this Court... In the words of Judge Sullivan, this motion and accompanying brief 'amount to little more than incoherent rambling.'" In Lussy v. Bennett, 692 P.2d 1232, 1234 (Mont. 1984), the same court indicated that it had issued a restraining order against Lussy, "enjoining him from proceeding pro se in any Montana court without requesting a leave to file or proceed, and staying all pending actions brought by him pro se." The court further

commented

Richard C. Lussy, by his various pro se actions, has caused the courts

Exhibit A-2888 (3 of 5).

of Montana some considerable difficulty. He has sued judges, attorneys and others left and right, charging conspiracies, abuse of

SC01-849 and SC01-933  
PAGE 4 of 5

"Justinhoard,) and expounding like theories of law. While his misdirected efforts have caused the courts difficulty, the real tragedy is that he has cost himself a considerable amount of money and wasted time in his vain pursuits. However much we desire to keep the courts open to all persons seeking to

adjust their rights, duties and responsibilities, we must also take into account the effect that his actions bring on other parties to his suits.

*Id.* At 1236.

Lussy's abuse of the judicial system has drawn the ire of the federal courts as well. In *Lussy v. Haswell*, 618 F. Supp. 1360, 1360, (D. Mont. 1985), the court found Lussy to be "a disgruntled litigant who has filed these 13 separate federal cases against the named state and federal judicial officers, each of whom has ruled adversely to him in previous suits." In *Haswell*, the court ordered Lussy to pay his opponents' litigation fees and expenses as a sanction for his abuse of the justice system.

Lussy has abused the processes of

this Court with his constant filings. We have recognized that

[t]his Court has a responsibility to ensure every citizen's access to courts. To further that end, this Court has prevented abusive litigants from continuously filing frivolous petitions, thus enabling the Court to devote its finite resources to those who have not abused the system.

*Rivera v. State*, 728 So. 2d 1165, 1166 (Fla. 1998).

A limitation on Lussy's ability to file would further a constitutional right of access because it would permit this Court to devote its limited resources to the consideration of legitimate claims filed by others. See generally *in re McDonald*, 489 U.S. 180, 184 (1989) (finding that '[e]very

paper filed with the Clerk of this Court, no matter how repetitious or frivolous, requires some portion of the institution's limited resources").

Exhibit A-2888 (4 of 5).

In this case, we are not able to comprehend Lussy's pleadings; this is a

SC01-849 and SC01-933  
PAGE 5 of 5

Waste of this Court's time and resources and is an abuse of the judicial system. Consequently, the Court hereby issues this order to show cause:

TO: RICHARD C. LUSSY, a/k/a RICK C. LUSSY, a/k/a RICHARD CHARLES LUSSY, a/k/a RICK LUSSY, a/k/a RICHARD LUSSY:

It appears to the Court that you have abused the judicial system with an excessive number of frivolous or incomprehensible pleadings in this Court. Therefore, it is hereby ordered that you show cause on or before January 9, 2002, why, as a sanction for abusing the judicial system, we should not direct the Clerk of this Court to reject for filing any of your civil petitions and appeals therefrom unless signed by a member of the Florida Bar.

It is so ordered.  
WELLS, C.J., and ANSTEAD,  
PARIENTE, LEWIS and QUIENCE, JJ.,  
concur.

A True Copy H  
cc: Mr. Richard Lussy  
Mr. John Fenniman  
Mr. Myhron H. Burnstein  
Hon. Marilyn N. Beuttenuller, Clerk

Ms. Jane Kreusler-Walsh  
Mr. Richard Levenstein  
Ms. Linda Lenartowicz Weiksnar  
Mr. Thomas Weiksnar

TEST:

/s/

Thomas D. Hall  
Clerk, Supreme Court

Exhibit A-2888 (5 of 5).

Exhibit A-2849 (1 of 6).

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SUPREME COURT OF FLORIDA

CASE NO. SCO1-849

CASE NO. SCO1-933

RICK C. LUSSY,  
Petitioner

vs.

FOURTH DISTRICT COURT OF  
APPEAL., etc., et al.,  
Respondents.

RICHARD C. LUSSY, etc.,  
Petitioner

vs.

JOHN FENNIMAN, etc., et al.,  
Respondents  
[September 26, 2002]

**PER CURIAM**

In April, 2001, Rick C. Lussy, also known as Richard C. Lussy, petitioned this Court for writs of mandamus against

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the Fourth District Court of appeal and others and John Fenniman and others. We consolidated these related cases and, Exhibit A-2849 (1 of 6).

On December 20, 2001, issued an order to show cause, dismissing the petitions as facially insufficient and requiring Lussy to show cause why he should not be prospectively denied the right to file pro se petitions with this Court.<sup>45</sup>

<sup>45</sup> In addition to the pleadings and papers filed in these consolidated cases, Lussy has filed similar pleadings in the following related cases: Lussy v. Fourth District Court of Appeal, 791 So. 2d 1099 (Fla. 2001) (review denied); Lussy v. Fourth District Court of Appeal, 773 So. 2d 56 (Fla. 2000) appeal dismissed); Lussy v. Fenniman, 770 So. 2d 159 (Fla. 2000) appeal dismissed);

Lussy v. Fenniman, 767 So. 2d 458 (Fla. 2000) appeal dismissed); Lussy v. Fenniman, 766 So. 2d 222 (Fla. 2000) appeal dismissed); Lussy v. Buoh, 766 So. 2d 222 (Fla. 2000) (prohibition dismissed); Lussy v. Fenniman, 753 So. 2d 565 (Fla. 2000)

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appeal dismissed); Lussy v. Fenniman, 749 So. 2d 503 (Fla. 1999) appeal dismissed). These cases were dismissed for lack of jurisdiction or because of facial insufficiency. Additionally, he has filed with this Court numerous actions unrelated to the present cases, all of which have been dismissed, as follows: Lussy v. Schmock, 799 So. 2d 218 (Fla. 2001); Lussy v. Schmock, 794 So. 2d 605 (Fla. 2001); Lussy v. City of Stuart, 780 So. 2d 914 (Fla. 2001); Lussy v. Schmock, 780 So. 2d 914 (Fla. 2001); Lussy v. City of Stuart, 773 So. 2d 56 (Fla. 2000); Lussy v. Schmock, 780 So. 2d 914 (Fla. 2001); Lussy v. City of Stuart, 773 So. 2d 56 (Fla. 2000); Lussy v. Schmock, 751 So. 2d 51 (Fla. 1999); Lussy v. City of Stuart, 732 So. 2d 327 (Fla. 1999); Lussy v. Schmock, 760 So. 2d 947 (Fla. 1999); Lussy v. Schmock, 762 So. 2d 917 (Fla. 1999); Lussy v. City of Stuart, 717 So. 2d 534 (Fla. 1998); Lussy v. City of Stuart, 707 So. 2d 1125 (Fla. 1998); Lussy v. City of Stuart, 705 So. 2d 902 (Fla. 1998); Lussy v. Kaufman, 697 So. 2d 1217 (Fla. 1998); Lussy v. Gorny, 654 So. 2d 131 (Fla. 1995); Lussy v. Gorny, 639 So. 2d 979 (Fla. 1994); Lussy v. Gorny, 624 So. 2d 267 (Fla. 1993). Subsequent to our issuance of the order to show cause, Lussy filed another pro se action with this Court, Lussy v. Damsel, No. SC02-1088 (Fla. petition filed May 8,

2002).

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Exhibit A-2849 (2 of 6).

Abuse of the legal system is a serious matter, one that requires this Court to exercise its inherent authority to prevent. As we held in Rivera v. State, 728 So. 2d 1165, 1166 (Fla. 1998): "This Court has a responsibility to ensure every citizen's access to courts. To further that end, this Court has prevented abusive litigants from continuously filing frivolous petitions, thus enabling the Court to devote its finite resources to those who have not abused the system."

Although rare, we have not hesitated to sanction petitioners who abuse the legal process by requiring them to be represented by counsel in future actions. In Jackson v. Florida Department of Corrections, 790 So. 2d

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398 (Fla. 2001), the sanction of requiring a member of the Florida Bar to sign all of petitioner's filings with this Court and dismissing all other pending cases was imposed on a litigious inmate who repeatedly filed frivolous lawsuits that disrupted the Court's proceedings. In Martin v. State, 747 So. 2d 386, 389 (Fla. 2000), the sanction was imposed against a petitioner who, like Lussy, repeatedly filed lawsuits that included personal attacks on judges, were :"abusive," "malicious," "Insulting," and demeaning to the judiciary. In Attwood v. Sigletary, 661 So. 2d 1216 (Fla. 1995), the petitioner was sanctioned for filing numerous frivolous petitions, including one that was filed shortly after the court's order to show cause was issued.

Like the individual in Attwood, Lussy has abused the processes of this

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Exhibit A-2849 (3 of 6).

with his constant filings. Accordingly, a limitation on Lussy's ability to file would further the constitutional right of access because it would permit this Court to devote its finite resources to the consideration of legitimate claims filed by others. See generally In re McDonald, 489 U.S. 180, 184 (1989) (finding that "[e]very paper filed with the Clerk of this Court, no matter how repetitious or frivolous, requires some portion of the institution's limited resources").

Ours is not the only judicial system that Lussy has assaulted. In the 1980s, he erroneously filed meritless claims in the State of Montana. In Lussy v.

Davidson, 683, 683 P.2d 915, 915-16 (Mont. 1984), the court found: "Appellant Richard Lussy is no stranger to this Court... In the words of Judge Sullivan, this motion and accompanying brief 'amount to little more than incoherent rambling.'" In Lussy v. Bennett, 692 P.2d 1232, 1234 (Mont. 1984), the same court indicated that it had issued a restraining order against Lussy, "enjoining him from proceeding pro se in any Montana court without requesting a leave to file a proceed, and staying all pending actions brought by him pro se." The court further commented:

Richard C. Lussy, by his various pro se actions, has caused the courts of Montana some considerable difficulty. He has sued judges, attorneys and others left and right, charging conspiracies, abuse of

"Justinhoard," and expounding like theories of law. While his misdirected efforts have caused the courts difficulty, the real tragedy is that he has cost himself a considerable amount of money and wasted time in his vain pursuits. However much we desire to keep the courts

-4-

**Exhibit A-2849 (4 of 6).**

Open to all persons seeking to adjust their rights, duties and responsibilities, we must also take into account the effect that his actions bring on other parties to his suites.

*Id.* 12 1236

Lussy's abuse of the judicial system has drawn the ire of at least one

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federal court as well. In Lussy v. Haswell, 618 F. Sup. 1360, 1360 (D. Mont. 1985), the court found Lussy to be "a disgruntled litigant who has filed these 13 separate federal cases against the named state and federal judicial officers, each of whom has ruled adversely to him in previous suites." In Haswell, the court ordered Lussy to pay his opponents' litigation fees and expenses as a sanction for his abuse of the justice system.

As we said in Attwood: "We find that Petitioner's pro se activities before this Court have substantially interfered with the orderly process of judicial administration ..." Therefore, we deny Lussy's motion to strike our show cause order and direct the Clerk of this Court to reject any civil filings from Lussy unless signed by a member of the Florida Bar. Any other cases that may be pending in

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this Court in which Lussy is proceeding pro se will be dismissed unless a notice of appearance signed by a member in good standing of The Florida Bar is filed in each case within thirty days of this opinion becoming final.

It is so ordered.

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Exhibit A-2849 (5 of 6).

ANSTEAD, C.J., SHAW, WELLS,  
PARIENTE, LEWIS, and QUINCE, JJ.,  
and HARDING, Senior Justice, concur.

NOT FINAL UNTIL TIME EXPIRES TO  
FILE REHEARING MOTION, AND IF  
FILED, DETERMINED.

Two Cases Consolidated;  
Two Original Proceedings-Mandamus  
Arthur Brandt, Palm Beach Gardens,  
Florida,

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For Petitioner  
No Appearance for Respondent

-6-

Exhibit A-2849 (6 of 6).

Exhibit A-8497 (1 of 2).

FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street, Collins  
Building, Suite 224

Tallahassee, Florida 32399-1050

Telephone: (850) 922-4539

Fax: (850) 921-0783

November 18, 2016

R.C. "Rick" Lussy  
2840 Shoreview Drive, Suite 2  
Naples, FL 34104  
RE: Case No.: FEC 16-357;  
Respondent: Gaylord A. Wood Jr.  
Amended to correct the date of our  
next meeting)

Dear Mr. Lussy:  
The Florida Elections Commission has

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received your amended complaint, including any additional information you provided, alleging violations of Florida's election laws. I have reviewed your amended complaint and still find it to be legally insufficient.

While almost impossible to discern, the essential allegation of this complaint, as amended, appears to be that Respondent conspired with Property Appraiser Abraham Skinner to manipulate and falsify public records and obstruct justice. This complaint, as amended, fails to state a cognizable claim under Chapter 104 or 106, Florida Statutes. The amended complaint is, therefore, beyond the jurisdiction of the Florida Elections Commission and is legally insufficient. Since this case is now closed, in accordance with Rule 2B-1.0045(1), Florida Administrative Code, enclosed please find a copy of the Motion to Award

Fees and Costs filed on behalf of Respondent in connection with this matter. At its next regularly scheduled meeting (February 28-March 1, 2017), the Commission shall consider this petition. All parties will be notified accordingly.

If you have any questions, please contact us at [fee@myfloridalegal.com](mailto:fee@myfloridalegal.com).

Sincerely,  
/s/

Amy McKeever Toman  
Executive Director

AMT/dam  
Cc: J. "Christopher Woolsey, Attorney  
for Respondent  
Enclosure: Motion to Award Fees &  
Costs

Exhibit A-8497 (2 of 2) Envelope.  
\$00.46  
Zip 32301, #011D11648826

FLORIDA ELECTIONS COMMISSION  
107 W. Gaines Street, Collins Building,  
Suite 224, Tallahassee, Fla. 32399-1050

R.C. "Rick" Lussy  
2840 Shoreview Drive, Suite 2  
Naples, FL. 34104

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Exhibit A-8396/A-8348.

Lussy.2016\_ltr2.pdf ½

WOOD & STUART, P.A.  
Attorneys at Law 304 S.W. 12<sup>th</sup> Street  
\_\_\_\_ Fort Lauderdale Fla.33315  
gaylord.wood@alumni.duke.edu

Gaylord A. Wood Jr.  
S. Jordan Stuart  
J. Christopher Woolsey

\_\_\_\_ P.O. Box1987  
Bunnell, Florida 32110  
(386) 437-9400

Please Reply to Bunnell

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June 9, 2016  
Mr. Richard Charles Lussy  
2840 Shoreview "Drive" #2  
Naples, Florida 34112  
Via email (only) [ricklussy@yahoo.com](mailto:ricklussy@yahoo.com)  
Re: Your communication of May 25,  
2016  
Dear Mr. Lussy:

This firm represents the Collier County Property Appraiser's office. Your letter is requesting answers to questions rather than making a public records act request. Pursuant to Chapter 119 of the Florida statutes, it is the obligation of a public official only to produce records upon a request being received. You have already received all records that exist relating to proper requests you have made.

There is no obligation on the part

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of the Property appraiser's office to answer questions. To quote from the Attorney General's Government in the Sunshine Law Manual page 141:

ll. Is an agency required to answer questions about its public records, create a new record in response to a request for information, or respond to requests for information about costs to obtain records?

The statutory obligation of the custodian of public records is to provide access to, or copies of, public records "at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public records" provided that the required fees are paid. Section 119.07(1) (a) and (4 , F.S. However, a custodian is not required to give out information from the records of his or her office. AGO80-57, The Public Records Act

does not require a town to produce an employee, such as a Financial Officer, to answer questions regarding the financial records of the town. AGO-92-38, Cf. *In re Report of the Supreme Court Workgroup on Public Records*, 825 So. 2d 889, 898 (Fla. 2002) (the custodian of judicial records "is required to provide access to our copies of records but is not required either to provide information from records or to create new records in response to a request").

In other words, Ch. 119,F.S., provides a right of access to inspect and copy an agency's existing public records; it does not mandate that an agency create new records in order to accommodate a request for information from the agency. Thus, the clerk of court is not required to provide an inmate with a list of documents from a case file

which may be responsive to some forthcoming request. Wooton v. Cook, 590 So. 2d 1039 (Fla. 1<sup>st</sup> DCA 1991). See also AGO 08-29.

I am therefore leaving it to you to figure out what agency of Collier County governance owns the building occupied by the Property Appraiser's office and to acquire of that agency as to any "deferred maintenance" or "needed capital improvements." And as to your questions [A] through [U], those are not appropriate public records requests, the Property Appraiser's office has no documents responsive to those requests.

I trust this completely answers your inquiry: kindly direct any further correspondence relative thereto to this office rather than the Property Appraiser's office.

Sincerely,  
/s/

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GAYLORD A. WOOD, JR.  
Gaw/JKF  
cc. Hon. Abe Skinner, CFA  
Record Page 109 of 981  
Exhibit A-8396/A-8348.

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SUPREME COURT OF FLORIDA  
Office of the Clerk  
500 South Duval Street  
Tallahassee, Florida 32399-1927  
Thomas D. Hall Clerk  
Tanya Carroll Chief Deputy Clerk  
Phone Number (850) 488-0125  
[www.floridasupremecourt.org](http://www.floridasupremecourt.org)  
January 4, 2011

Mr. Rick C. Lussy  
2165 Greenback Circle, Suite #5-303  
Naples, Florida 34112

Re: Rick C. Lussy v. Fourth  
District Court of Appeal  
828 So. 2d 1026 (Fla. 2002)

Dear Mr. Lussy:

123

In accordance with the directive from the Court in Lussy v. Fourth District Court of Appeal, 828 So. 2d 1026 (Fla. 2002), the enclosed pleading is being returned to you herewith as it is not signed by a member of The Florida Bar.

Most Cordially,  
\_\_\_\_\_  
(signed)  
Thomas D. Hall

TDH/alb

Enclosures(s) Exhibit A-3005 (1 of 14).

SUPREME COURT OF FLORIDA  
Office of the Clerk  
500 South Duval Street  
Tallahassee, Florida 32399-1927  
Thomas D. Hall Clerk  
Tanya Carroll Chief Deputy Clerk  
Phone Number (850) 488-0125  
[www.floridasupremecourt.org](http://www.floridasupremecourt.org)  
January 11, 2011  
Mr. Rick C. Lussy  
2165 Greenback Circle, Suite #5-303

124

Naples, Florida 34112  
Re: Rick C. Lussy v. Fourth  
District Court of Appeal  
828 So. 2d 1026 (Fla. 2002)

Dear Mr. Lussy:

In accordance with the directive from the Court in Lussy v. Fourth District Court of Appeal, 828 So. 2d 1026 (Fla. 2002), the enclosed pleading is being returned to you herewith as it is not signed by a member of The Florida Bar.

Most Cordially,  
\_\_\_\_\_  
(signed)  
By Chief Deputy Clerk  
Thomas D. Hall

TDH/alb

Enclosures(s) Exhibit A-3006 (1 of 5).

SUPREME COURT OF FLORIDA  
Office of the Clerk  
500 South Duval Street  
Tallahassee, Florida 32399-1927  
Thomas D. Hall Clerk

125

Tanya Carroll Chief Deputy Clerk  
Phone Number (850) 488-0125  
[www.floridasupremecourt.org](http://www.floridasupremecourt.org)  
January 26, 2011

Mr. Rick C. Lussy  
2165 Greenback Circle, Suite #5-303.  
Naples, Florida 34112

Re: Rick C. Lussy v. Fourth  
District Court of Appeal  
828 So. 2d 1026 (Fla. 2002)

Dear Mr. Lussy:

In accordance with the directive  
from the Court in Lussy v. Fourth  
District Court of Appeal, 828 So. 2d  
1026 (Fla. 2002), the enclosed pleading  
is being returned to you herewith as it  
is not signed by a member of The  
Florida Bar.

Most Cordially,  
\_\_\_\_\_  
(signed)  
Thomas D. Hall

TDH/alb

126

Enclosures(s) [RCL→no enclosures  
2/2/2011]

---

IN THE CORRUPT PRO SE  
DEFENDANT FOURTH DISTRICT  
COURT OF APPEAL FOR NINETEENTH  
JUDICIAL CIRCUIT IN & FOR  
FLORIDA STATE P.O. BOX 3315, WEST  
PALM BEACH, FLORIDA 33402  
APPELLATE CASE NO. 4D04-2914  
LOWER CASE NO. 05-954-CA

---

R.C. "RICK" LUSSY MAI, SRA, ESQ.  
Candidate for Property Appraiser (R)  
a/s/o Rick Lussy and Rick Lussy  
Individually Plaintiff(s)/appellant(s)  
v.  
FLORIDA BAR ASSOCIATION in  
Authority of Executive Director JOHN  
F. HARKNESS, JR., Esq. &  
individually as a Florida Bar Member &

127

ROBERT RUSSELL MAKEMSON  
Circuit Court State Judge &  
individually & JOHN G. FLETCHER,  
DAVID M. GERTEN & FRANK  
SHEPHERD Judges of the Third  
District Court of Appeal & Individually  
Defendant(s)/Appellant(s)

/

INITIAL BRIEF VERIFIED  
NON-FINAL INTERLOCATORY, QUI  
TAM, STARE DECISIS, DISMISSAL  
WITHOUT PREJUDICE "...IS  
UNINTELLIGIBLE...VIRTUALLY  
IMPOSSIBLE TO FORMAT AN  
ANSWER OR DEFENSE..." (Transcript  
12/20/05 P11 L20-24) all crony judge  
prejudice. Final/Corrupt Pro Se  
Defendant 4<sup>th</sup> District Court of Appeal  
Refusing Jurisdiction & Final with  
Corrupt Pro Se Defendant Thomas Dale  
Hall Jr. Esq. Clerk of Supreme Florida

128

State Court also Refusing Jurisdiction

APPELLANT-PLAINTIFF PRO SE  
Richard C. Lussy, MAI, SRA, Esquire,  
Expert Witness  
4033 Guava Drive, Naples, FL 34104-  
4468, Phone (239) 263-5413 State  
Certified General Appraiser RZ0001564,  
Licensed SL531638 & International  
Designation 902668  
Esquire by Florida State Supreme Court,  
Exhibit No. A-1386

[Written diagonally in red ink by 4<sup>th</sup>  
DCA "No Open Case -Not filed-"  
Exhibit A-2726 (12 of 22)]

---

IN THE CIRCUIT COURT OF THE  
19<sup>TH</sup> JUDICIAL CIRCUIT MARTIN  
COUNTY, FLORIDA  
CASE NO. 05-954-CA  
HONORABLE R.C. "RICK" LUSSY

129

MAI, SRA, ESQ. , Candidate for  
Property Appraiser (R) a/s/o Rick Lussy  
and Rick Lussy Individually Plaintiff  
v.

FLORIDA BAR ASSOCIATION in  
Authority of Executive Director JOHN  
F. HARKNESS, JR., Esq. &  
individually as a Florida Bar Member &  
ROBERT RUSSELL MAKEMSON  
Circuit Court State Judge &  
individually & JOHN G. FLETCHER,  
DAVID M. GERTEN & FRANK  
SHEPHERD Judges of the Third  
District Court of Appeal & Individually  
Defendants /

Properly referred to as "The  
Florida Bar"

*(consolidated with)*

CASE NO. 05-704-CA  
HONORABLE R.C. "RICK" LUSSY  
MAI, SRA, ESQ. , Candidate for  
Property Appraiser (R) a/s/o Rick Lussy

and Rick Lussy Individually Plaintiff

v.

BARBARA JOAN PARIENTE,ESQ.  
individually and as Chief Justice In  
Authority of Supreme Court of Florida  
& GEORD EDWARD OLLINGER III  
ESQ. Individually Defendants /

ORDER DENYING MOTION  
FOR REHEARING

Exhibit A-2726 (10 of 22).

OR DENYING MOTION FOR  
REHEARING

This cause was before the court in  
Chambers upon Plaintiff's Motion For  
Rehearing The Motion for rehearing in  
hereby DENIED

DONE AND ORDERED in Chamber, at  
Stuart, Martin County, Florida this 4<sup>th</sup>  
day of April 2006.

ORDERED in Martin Country,  
Florida March 2, 2006.

/signed/ROBERT E. BELANGER,

CIRCUIT JUDGE

Copies Furnished to:

Rick C. Lussy  
4033 Guava Drive  
Naples, FL 34104-4468

Jeffrey F. Mahl, Esq.  
Office of the Attorney General  
1515 N. Flagler Dr., Ste 900  
West Palm Beach, FL 33401

David J. Glantz, Esq.  
Office of the Attorney General  
110 SE 6<sup>th</sup> Street, 10<sup>th</sup> Floor  
Ft. Lauderdale, FL 33301

Barry Richard, Esq.  
Bridget K. Sitha, Esq.  
Greenberg Traurig, P.A.  
P.O. Drawer 1838  
Tallahassee, FL 32302

Exhibit A-2726 (11 of 22)

---

FAX TRANSMISSION

---

Office of the Attorney General (Charles  
Crist) 1515 N. Flagler Dr., Ste 900  
West Palm Beach, FL 33401

Telephone 561-837-5000  
Facsimile: 561-837-5102

To: R.C."Rick" Lussy, MAI, SRA  
Date March 1, 2006

FAX # 239-263-5413

Pages 1, including this cover sheet.

From: (signed) Lori Valuntas,  
Administrative Secretary to: Jeffrey F.  
Mahl,  
Senior Assistant Attorney General  
Subject: Lussy v. Pariente, et al.

Case No.: 05-704-CA

Comments: This facsimile will serve to  
confirm our conversation of today's date  
wherein I have I explained to you that I  
have spoken with Judge Belanger's  
Judicial Assistant. She has advised me

that the Uniform Motion Calendar hearing that you had scheduled for tomorrow March 2, 2006 at 8:30 A.M. WILL BE CANCELLED. Instead, your motion entitled:

Motion Leave of Court to Amend Complaint Add Additional Indispensable Persons Bruce Colton State Attorney in Authority of Supervisor Robert E. Belanger Attorney Pursuant with FRCIVP 1.70(h), 1.250(c) & 1.140(b)(7).

Will be heard along with the Defendant's Motions tomorrow, March 2, 2006 at the 2:00 p.m. evidentiary hearing which was scheduled by the Judge. (No court live witness to cross examine)

Should you have any questions or concerns, please contact our office.

---

NOTICE!! This message is intended only for the use of the

individual to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosing under applicable law and, or work product and or privilege of the transmitting party or client thereof. If you have received this communication in error, please notify us by telephone and return these papers to us via first class mail at the address shown above.

Exhibit A-2820 (1 of 1).

IN THE CIRCUIT COURT OF  
THE 20<sup>TH</sup> JUDICIAL CIRCUIT  
COLLIER COUNTY, FLORIDA

CASE NO. 05-1631-CA  
R.C. "RICK" LUSSY, Plaintiff

v.  
RICK LOBER et. al., (Florida  
Department of Law Enforcement,  
Chief Inspector Executive  
Investigations oversees:

\*Protective Operations &  
\*Investigating)

MOTION TO DECLARE PLAINTIFF A  
VEXATIOUS LITIGANT

Pursuant to §68.093, Fla. Stat. (2005) the Florida Vexatious Litigant Law, Defendants RICHARD E. LOBER ("Rick Lober" in complaint) and DAVID RODRIGUEZ (collectively Defendants) move for entry of an order declaring Plaintiff a vexatious litigant, requiring him to pose security, and prohibiting avid Plaintiff from commencing, pro se, any new civil action in the courts of this circuit without first obtaining leave of the administrative judge.

- I. Florida Vexatious Litigant Law
- II. 1. Enacted in 2000, the Florida
- III. Vexatious Litigant Law

defines "vexatious litigant" as one who, in the immediately preceding 5-year

period, has commenced, prosecuted, or maintained, pro se, five or more civil actions in any court in this state, except an action governed by the Florida Small Claims

Page 1 of 8 (Exhibit A-4076)

Skip missing pages 2-3-4-5-6 & 7 of 8.  
Litigants.

Findings of fact.

In the five years immediately preceding this lawsuit, Plaintiff, R.C."Rick" Lussy, also known as Rick Lussy and Richard C. Lussy, has filed, pro se five or more civil actions in the courts in this state, other than actions governed by the Florida Small Claims Rules, which have been finally and adversely determined against him.

Page 1 of 9 Exhibit A-5054 (1 of 9).

A list of these actions and their dispositions is attached to this order and made part hereof by reference.

The court takes notice that the Supreme Court of Florida and the Fourth District Court of Appeal, acting under their inherent authority have prohibited Mr. Lussy from filing pro se civil pleadings, Lussy v. Fourth Dist. Court of appeal, 828 So. 2d 1026, 1027-1028)(Fla. 2002) ("Lussy has abused the processes of this Court with his constant filings. Accordingly, a limitation on Lussy's ability to file would further the constitutional right of access because it would permit this Court to devote its finite resources to the consideration of legitimate claims filed by others...[we] direct the Clerk of this Court to reject say civil filings from Lussy unless signed by a member of the Florida Bar."); Lussy v. Damsel, 890 So. 2d 1184, 1185 (Fla. 4<sup>th</sup> DCA 2004) Lussy's "filing of frivolous judicial pleadings with no basis in law or fact interferes with the judicial process.

(Missing pages)

(5) A direction to the clerk to reject, without accepting for filing, any new prose civil action submitted by Plaintiff unless accompanied by an order of the administrative judge granting leave to file the same.

---

I CERTIFY that on the 1 day of February, 2006, a copy hereof was furnished by mail to Rick C. Lussy, 4033 Guava Drive, NAPLES, Florida 34104-4468.

Respectfully submitted,  
CHARLES J. CRIST, JR.  
FLORIDA ATTORNEY  
GENERAL

(signed) David J. Glantz,  
Assistant Attorney General  
Fla. Bar No. 504238  
Attorney for Defendants  
OFFICE OF ATTORNEY  
GENERAL

---

Civil Litigation Division  
110 SE 6<sup>th</sup> Street, 10<sup>th</sup> Floor  
Ft. Lauderdale FL. 33301-5001  
Telephone (954) 712-4600  
Fax: (954) 712-4700

Page 8 of 8 Exhibit A-4076 (8 of 8)

Date.	Case.	Lussy v. Florida
1/24/2006	Bar Ass. et al	4DCA 04-2914
Nature of Order. Dismissing Appeal.		
Date.	Case.	Lussy v. Roby et al
3/1/2005	04-409CA	19th Judicial Cir
Nature of Order. Dismiss with prejudice.		
Date.	Case.	Lussy v. Damsel 4D04
12/29/2004	2914, District Court of	Appeal 890 So. 2d 1184.
Nature of Order. Summary Judge' affirmed.		
Date.	Case.	Lussy v. Damsel, CL1-7/1/2004 13189 AI, 15 <sup>th</sup> CirPalm Bech.
Nature of Order. Final Sum Judge's Def.		
Date.	Case.	Lussy v. Hanley, 03

11/17/2003 16/03-817CA-AppMartin Cty  
Nature of Order. Order Dismiss Appeal.  
Date. Case. Lussy v. Hanley, 03  
8/28/2003 -005/03-295 CA19<sup>th</sup> App. Cir.  
Nature of Order. Order of Dismissal.  
Date. Case. Lussy v Schmock, 02  
11/7/2002 -8695 AH/15<sup>th</sup>Cir Palm Bech  
Nature of Order. Dismiss with prejudice.

Page 9 of 10 Book2110 Page 761  
Date. Case. Lussy v. 4<sup>th</sup>DCA  
9/26/2002 consolidated SC01-849 &  
SC01-933, Sup. Ct Fla. 828 So. 2d 1026.  
Nature of Order. Order denying petitions  
for writs of mandamus (counts as two  
actions as consolidated & denied).

[FN#1] In this decision the (Florida) supreme court cited five cases which it adjudicated adversely to Plaintiff in 2001; Lussy v. Schmock, 799 So. 2d 218 (Fla. 2001); Lussy v Schmock, 794 So.2d 605 (Fla. 2001); Lussy v. City of Stuart, 780

So.2d 914 Dist. Court of Appeal, 828 So.2d at 1027. When added to those listed above, they bring to thirteen the number of adverse final determinations in the five years immediately preceding this lawsuit.

---

IN THE CIRCUIT COURT OF  
THE 19<sup>TH</sup> JUDICIAL CIRCUIT  
MARTIN COUNTY, FLORIDA

CASE NO. 05-954-CA

R.C. "RICK" LUSSY ET. AL., Plaintiff  
v.  
FLORIDA BAR ASSOCIATION, et. al.,  
Defendants /

ORDER DECLARING  
PLAINTIFF A VEXATIOUS LITIGANT

This cause was before the court on March 2, 2006 for hearing on the motion to Declare Plaintiff a Vexatious Litigant filed by Defendants Robert Russell Makerson, John G. Fletcher, David M. Gersten, and Frank A. Shepherd

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pursuant to the Florida Vexatious Litigant Law, §68.093, Fla. Stat. (2005). The court received evidence and testimony and heard arguments from the parties on the legal and factual issues. On the evidence presented, the court finds as follows.

Findings of fact

In the five years immediately preceding this lawsuit, Plaintiff, R.C. "Rick" Lussy, also known as Rick Lussy and Richard C. Lussy, has filed, pro se five or more civil actions in the courts in this state, other than actions governed by the Florida

Page 1 of 10 Book2110 Page 753

Small Claims Rules, which have been finally and adversely determined against him. A list of these actions and their dispositions is attached to this order and make part hereof by reference.

This court takes notice that two Florida courts, acting under their

143

inherent authority, have prohibited Mr. Lussy from filing pro se civil pleadings. In *Lussy v. Fourth Dist. Court of Appeal*, 828 So. 2d 1026 (Fla 2002), the Supreme Court of Florida found that "Lussy has abused the processes of this Court with his constant filings. Accordingly, a limitation on Lussy's ability to file would further the constitutional right of access because it would permit this Court to devote its finite resources to the consideration of legitimate claims filed by others." *Id.* At 1027. The supreme court directed the clerk "to reject any civil filings from Lussy unless signed by a member of the Florida Bar." *Id.* At 1028.

The Fourth District Court of appeal also prohibited Mr. Lussy from filing pro se legal documents, finding that his "filing of frivolous judicial pleadings with no basis in law or fact interferes with the process of judicial

administration and requires a restriction in this Court." *Lussy v Damsel*, 890 So. 2d 1184, 1185, 1185 (Fla 4<sup>th</sup> DCA 2004).

The court finds that Mr. Lussy continues to assault the courts with vexatious pleadings. Disregarding the Forth District's order in *Lussy v. Damsel*, *supra*, Mr. *Page 2 of 10 Book2110 Page 754* Lussy attempted to appeal, pro se, this court's nonfinal order dismissing his initial complaint without prejudice, entered December 29, 2005 *nuc pro tunc* December 20, 2005. The Forth District's order of dismissal entered January 24, 2006 states as follows:

We hereby strike Appellant Richard Lussy's Notice of Appeal and dismiss the appeal. See *Lussy. Damsel*, 890 So. 2d 1184 (Fla. 4<sup>th</sup> DCA 2004). Appellant is advised that the filing fee shall not be returned in this case and if any more Notices of Appeal are refiled in

violation of Lussy v. Damsel, the court may consider additional sanctions.

Finally, the court finds that Mr. Lussy had fair warning he could face restrictions under the Florida Vexatious Litigant Law. This court's order dismissing Mr. Lussy's initial complaint without prejudice specifically retained jurisdiction to consider imposing restrictions, subject to notice and hearing which have now been provided.

#### Conclusions of law

1. Plaintiff is a vexatious litigant
2. The Florida Vexatious Litigant

Law defines "vexatious litigant" as a person who, in the immediately preceding 5-year period, has commenced, prosecuted, or maintained, pro se, five or more civil actions in any court in this state, except an action governed by the Florida Small Claims Rules, which actions have been finally and adversely

determined against such person or entity.  
§ 68.093(2)(d)1, Fla. Stat. (2005)

Page 3 of 10 Book2110 Page 755

Mr. Lussy meets this definition, as the court has found that he filed at least five civil actions that were determined against him with finality in the last five years. Therefore, the court concludes that Mr. Lussy is a vexatious litigant in the meaning of § 68.093(2)(d)1.

#### II. Security should be denied without prejudice.

Having concluded that Mr. Lussy is a vexatious litigant, the court next considers Defendants' anticipated, reasonable expenses of litigation, including attorney's fees and taxable costs." § 68.093(2)(d) Fla. Stat. (2005).

By separate order, the court will dismissed Mr. Lussy's amended complaint with prejudice as to Defendants Makemson, Fletcher,

Gersten, and Shepherd. This renders moot their need for security at this time. But since Mr. Lussy has a right of appeal, Defendants may incur litigation costs at a future state in this proceeding.

III. Prefiling order will be entered.

The court next considers Defendants' request for a prefiling order restricting

Page 4 of 10 Book2110 Page 756

Mr. Lussy's future access to the courts of this circuit. The authority to do so is contained in § 68.093(4), which provides:

In addition to any other relief provided in this section, the court in any judicial circuit may, on its own motion or on the motion of any party, enter a prefiling order prohibiting a vexatious litigant from commencing, pro se, any new action in the courts of that circuit without first obtaining leave of the administrative judge of that circuit.

Disobedience of such an order may be punished as contempt of court by the administrative judge of that circuit. Leave of court shall be granted by the administrative judge only upon a showing that the proposed action is meritorious and not being filed for the purpose of delay or harassment. The administrative judge may condition the filling of the proposed action upon the furnishing of security as provided in this section.  
§ 68.093(4), Fla. Stat. (2005).

Section 68.093(4) preserves judicial resources for persons with worthy causes who have not abused Florida's courts and citizens with constant, vexatious lawsuits as Mr. Lussy has done. Therefore, prefiling order will be entered which restricts Mr. Lussy's access to the courts of this circuit to the full extent permitted by § 68.093(4).

Mr. Lussy will not be denied all

access to the courts of this circuit. He will be permitted to file, pro se, a meritorious action if he obtains leave of the administrative judge. He will not be restricted from filing a new action which is signed on his behalf by a member of the Florida Bar.

Page 5 of 10 Book2110 Page 757

WHEREFORE, for the foregoing reasons, it is

ADJUDGED:

(1) Defendants' motion to declare Plaintiff a vexatious litigant is granted. The court hereby declares that R.C. "Rick" Lussy, also known as Rick C. Lussy and Richard C. Lussy, is vexatious litigant in the meaning of § 68.093(2)(d)1, Fla. Stat. (2005).

(2) Defendants' motion for security is denied without prejudice.

(3) Defendants' motion for a prefiling order is granted. Pursuant to §

68.093(4) Fla. Stat. (2005), Mr. Lussy is hereby prohibited from commencing, pro se, any new civil action in the courts of the Nineteenth Judicial Circuit without first obtaining leave of the administrative judge of this circuit.

(4) The clerk of this court is ordered to reject, without accepting for filing, any new pro se civil action submitted by Mr. Lussy unless it is accompanied by a certified copy of an order of the administrative judge granting leave to file the new action. If the administrative judge orders Mr. Lussy to post security as a condition of filing a new action, the clerk shall accept the new action for filing only upon proof that Mr. Lussy has posted security as ordered.

(5) Mr. Lussy shall be permitted to submit a motion for leave to file a proposed new action only on the following

conditions: Mr. Lussy must submit to the clerk of

Page 6 of 10 Book2110 Page 758

this court a motion for leave to file a proposed new action. Mr. Lussy must attach to the motion a copy of this order and he must attach the proposed new action. The clerk shall not file the motion and its attachments but instead shall immediately furnish it to the administrative judge who shall decide whether to grant leave to allow the action to be filed. As provided by 68.093(4) Fla. Stat. (2005), leave shall be granted by the administrative judge only upon a showing that the proposed action is meritorious and is not being filed for the purpose of delay or harassment. The administrative judge may condition the filing of the proposed action upon the furnishing of security. If leave to file the new action is denied, the clerk shall return it, unfiled,

to Mr. Lussy. If leave is granted, the clerk shall file the action which will then proceed in the normal manner, provided Mr. Lussy has paid the filing fee.

(6) The clerk is ordered to furnish copies of this order to all deputy clerks who are responsible for accepting new case filings in this circuit, to the administrative judge of the civil division of this circuit, to the chief judge of this circuit, and to all civil judges in this circuit.

(7) Pursuant to 68.093(6) Fla. Stat. (2005), the clerk is ordered to furnish a certified copy of this order to the Clerk of the Supreme Court of Florida for inclusion in the registry of vexatious litigants.

Page 7 of 10 Book2110 Page 759

(8) If Mr. Lussy willfully violates the restrictions imposed by this order he may be subject to contempt of court.

ORDERED in Martin Country,  
Florida March 2, 2006.

/signed/ROBERT E. BELANGER,  
CIRCUIT JUDGE

Copies Furnished:

Rick C. Lussy, 4033 Guava Drive  
Naples, FL 34104-4468

David J. Glantz  
Office of Attorney General,  
110 SE 6<sup>th</sup> Street, 10<sup>th</sup> Floor  
Ft. Lauderdale, FL 33301-5001

Bridget K. Smith  
Greenberg Traurign P.A.  
P.O. Drawer 1823  
Tallahassee, FL 32302

Page 8 of 10 Book2110 Page 760  
Date. Case. Lussy v. Florida  
1/24/2006 Bar Ass. et al4DCA 04-2914  
Nature of Order. Dismissing Appeal.  
Date. Case. Lussy v. Roby et al  
3/1/2005 04-409CA 19th Judicial Cir

Nature of Order. Dismiss with prejudice.  
Date. Case. Lussy v. Damsel 4D04  
12/29/2004 2914, District Court of  
Appeal 890 So. 2d 1184.

Nature of Order. Summary Judgt'affirmed.  
Date. Case. Lussy v. Damsel, CL1-  
7/1/2004 13189 AI, 15<sup>th</sup>CirPalm Bech.

Nature of Order. Final Sum Judgt's Def.  
Date. Case. Lussy v. Hanley, 03  
11/17/2003 16/03-817CA-AppMartin Cty  
Nature of Order. Order Dismiss Appeal.  
Date. Case. Lussy v. Hanley, 03  
8/28/2003 -005/03-295 CA19<sup>th</sup> App. Cir.

Nature of Order. Order of Dismissal.  
Date. Case. Lussy v Schmock, 02  
11/7/2002 -8695 AH/15<sup>th</sup>Cir Palm Bech

Nature of Order. Dismiss with prejudice.

Page 9 of 10 Book2110 Page 761  
Date. Case. Lussy v. 4<sup>th</sup>DCA  
9/26/2002 consolidated SC01-849 &  
SC01-933, Sup. Ct Fla. 828 So. 2d 1026.

Nature of Order. Order denying petitions for writs of mandamus (counts as two actions as consolidated & denied).

[FN#1] In this decision the (Florida) supreme court cited five cases which it adjudicated adversely to Plaintiff in 2001; Lussy v. Schmock, 799 So. 2d 218 (Fla. 2001); Lussy v Schmock, 794 So.2d 605 (Fla. 2001); Lussy v. City of Stuart, 780 So.2d 914 Dist. Court of Appeal, 828 So.2d at 1027. When added to those listed above, they bring to thirteen the number of adverse final determinations in the five years immediately preceding this lawsuit.

Page 10 of 10 Book2110 Page 762

IN THE CIRCUIT COURT OF THE  
20<sup>TH</sup> JUDICIAL CIRCUIT COLLIER  
COUNTY, FLORIDA  
CASE NO. 05-1631-CA  
R.C. "RICK" LUSSY ET. AL., Plaintiff

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v.  
RICK LOBER, et. al.,  
Defendants /

ORDER DECLARING R.C."RICK"  
LUSSY A VEXATIOUS LITIGANT

This cause was before the court on March 24, 2006 for hearing on the motion to Declare Plaintiff a Vexatious Litigant filed by Defendants Richard E. Lober and David Rodriguez pursuant to the Florida Vexatious Litigant Law, §68.093 Fla. Stat. (2005). The court received evidence and testimony and heard arguments from the parties on the legal and factual issues. On the evidence presented, the court finds as follows.

Findings of fact.

In the five years immediately preceding this lawsuit, Plaintiff, R.C."Rick" Lussy, also known as Rick Lussy and Richard C. Lussy, has filed,

pro se five or more civil actions in the courts in this state, other than actions governed by the Florida Small Claims Rules, which have been finally and adversely determined against him.

Page 1 of 9 Exhibit A-5054 (1 of 9).

A list of these actions and their dispositions is attached to this order and made part hereof by reference.

The court takes notice that the Supreme Court of Florida and the Fourth District Court of Appeal, acting under their inherent authority have prohibited Mr. Lussy from filing pro se civil pleadings, Lussy v. Fourth Dist. Court of appeal, 828 So. 2d 1026, 1027-1028)(Fla. 2002) ("Lussy has abused the processes of this Court with his constant filings. Accordingly, a limitation on Lussy's ability to file would further the constitutional right of access because it would permit this Court to devote its

finite resources to the consideration of legitimate claims filed by others...[we] direct the Clerk of this Court to reject any civil filings from Lussy unless signed by a member of the Florida Bar."); Lussy v. Damsel, 890 So. 2d 1184, 1185 (Fla. 4<sup>th</sup> DCA 2004) Lussy's "filing of frivolous judicial pleadings with no basis in law or fact interferes with the process of judicial administration and requires a restriction in this Court.").

The court also takes notice that on March 2, 2006, the circuit court in Collier County entered an order declaring Mr. Lussy a vexatious litigant and entered restrictions under the Florida Vexatious Litigant Law. The order is attached to Defendants' Request for judicial Notice dated March 17, 2006 and is incorporated here by reference.

Page 2 of 9 Exhibit A-5054 (2 of 9).

### Conclusions of Law

#### 1. Plaintiff is a vexatious litigant

The Florida Vexatious Litigant Law defines "vexatious litigant" as a person who, in the immediately preceding 5-year period, has commenced, prosecuted, or maintained, *pro se*, five or more civil actions in any court in this state, except an action governed by the Florida Small Claims rules, which actions have been finally and adversely determined against such person or entity.

§68.093(2)(d)1, Fla. Stat. (2005).

This definition fits Mr. Lussy, as the court ~~like a glove~~, as the court has found that he filed at least five civil actions, other than small claims, actions were determined against him with finality in the last five years. Therefore, the court concludes that Mr. Lussy is a vexatious litigant in the meaning of §68.093(2)(d)1, Fla. Stat. (2005).

In concluding that Mr. Lussy is a vexatious litigant the court has relied upon his litigation history shown in the attached list. While the court has taken notice of the March 2, 2006 Collier County order declaring Mr. Lussy a vexatious litigant, the court has not relied upon that order, *nor does this order modify any ruling in that order!* (TB-Judge Brosseau's hand printing).

#### II. Security should be denied without prejudice

*Having concluded that Mr. Lussy is a vexatious litigant, the court next considers Defendants' motion to require security pursuant to §68.093(3)(a)1, Fla. Stat. (2005). "Security" is defined as "an undertaking by a vexatious litigant to ensure*

Page 3 of 9 **Exhibit A-5054 (3 of 9)**

Page 4 of 9 missing **Exhibit A-5054 (4 of 9)**

Page 5 of 9 missing **Exhibit A-5054 (5 of 9)**

Page 6 of 9 missing **Exhibit A-5054 (6 of 9)**.

(7) Pursuant to §68.093(3)(a)1, Fla. Stat. (2005), the clerk is ordered to furnish a certified copy of this order to the Clerk of the supreme Court of Florida for inclusion in the registry of vexatious litigants.

(8) If Mr. Lussy willfully violates the restrictions imposed by this order he may be subject to contempt of court.

ORDERED in Collier County, Florida on March 24, 2006.

/signed/

Ted H. Brousseau, Circuit Judge.  
Copies furnished:

Rick C. Lussy  
4033 Guava Drive  
Naples, FL 34104-4468

David J. Glantz

Office of Attorney General  
110 SE 6<sup>th</sup> Street, 10<sup>th</sup> Floor  
Ft. Lauderdale FL 33301-5001

Mark Ellis Solomon  
4767 New Broad Street, #1024  
Orlando FL 32814

Curtright C. Truitt  
12711 World Plaza Lane, Building 81  
Fort Myers FL 33907

Richard D. Sparkman  
646 109<sup>th</sup> Ave. N.  
Naples, FL. 34108

Page 7 of 9 **Exhibit A-5054 (7 of 9)**.

Date.	Case.	District Court Appeal
3/9/2006	of Florida, 2 <sup>nd</sup> DCA #2D06-506.	
Nature of Order. Dismissing Appeal.		
Date.	Case.	Lussy v. Fla. Bar Ass.,
1/24/2006	et. al.,	#4D04-2914, 4 <sup>TH</sup> DCA
Nature of Order. Order Dismiss Appeal.		

Date.	Case.	Lussy v. Roby, 4D04
3/1/2005	409 CA 19 <sup>th</sup> Cir. Martin Cty	
Nature of Order Dismissal with prejudice.		
Date.	Case.	Lussy v. Damsel, 4D
12/29/2004	4-2914, 4DCA 890 So2d1184	
Nature of Order Final Sum Judgt's Aff.		
Date.	Case.	Lussy v. Damsel, CL01
7/1/2004	13189AI, 15-Palm Beach Cty	
Nature of Order Order Dismiss Appeal.		
Date.	Case.	Lussy v. Hanley, 03
11/17/2003	-016/03-817 CA19 <sup>th</sup> App. Cir.	
Nature of Order Order of Dismissal.		
Date.	Case.	Lussy v Hanley03-
8/28/2003	005/03-295 CA Martin Cty.	
Nature of Order Order of Dismissal.		
Date.	Case.	Lussy v Schmock, 02-
11/7/2002	8695AH 15-Palm Beach Cty.	
Nature of Order Dismissal w/ prejudice.		
Page 8 of 9		Exhibit A-5054 (8 of 9).
Date.	Case.	Lussy v. 4 <sup>th</sup> DCA
9/26/2002	consolidated	SC01-849 &

SC01-933, Sup. Ct Fla. 828 So. 2d 1026.

**Nature of Order.** Order denying petitions for writs of mandamus (counts as two actions as consolidated & denied).

---

[FN#1] In this decision the (Florida) supreme court cited five cases which it adjudicated adversely to Plaintiff in 2001; Lussy v. Schmock, 799 So. 2d 218 (Fla. 2001); Lussy v Schmock, 794 So.2d 605 (Fla. 2001); Lussy v. City of Stuart, 780 So.2d 914 Dist. Court of Appeal, 828 So.2d at 1027. When added to those listed above, they bring to thirteen the number of adverse final determinations in the five years immediately preceding this lawsuit.

Page 9 of 9 Exhibit A-5054 (9 of 9).

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IN THE CIRCUIT COURT OF THE  
11<sup>TH</sup> JUDICIAL CIRCUIT MIAMI-  
DADE COUNTY, FLORIDA  
CASE NO. 2008-32543-CA (09)

R.C. "RICK" LUSSY Plaintiff

v.

TRACEY T. HANDLEY, et. al.,  
Defendants

ORDER DECLARING PLAINTIFF A  
VEXATIOUS LITIGANT AND  
GRANTING PROTECTIVE ORDER

This cause was heard by the court on July 9, 2009 on the motion by Judges William J., Roby and Larry Schack[FN#1] pursuant to the Florida Vexatious Litigant §68.093 Fla. Stat. (2008), and Fla. R. Civ. P. 1.280(5)(c), to declare Plaintiff a vexatious litigant and grant a protective order prohibiting Plaintiff from seeking discovery from Judges Roby and Shack.

The court heard the arguments of the parties and considered the pertinent portions of the record. Based thereon, it is

ADJUDGED:

1. The motion for protective order is granted on grounds of absolute judicial immunity. All discovery subpoenas and discovery requests which have been served or which may be served in the future by Plaintiff upon Judges Roby and Shack (sp!) are and shall be null and void and of no effect and Judges Roby Shack (sp!) shall not be required to respond.

---

[FN#1] Judge Roby is the Chief Judge for the 19<sup>th</sup> Judicial Circuit for Martin County and Judge Schack is a Circuit Judge in that circuit.

Page 1 of 3 Exhibit A-2909 (1 of 3).

2. The court takes judicial notice that Plaintiff has twice been declared a vexatious litigant under the Florida Vexatious Litigant Law, In *Lussy v. Florida Bar Association, et. al.*, number 05-954-CA in the circuit court of the 19<sup>th</sup>

judicial circuit for Martin County, the court entered an order on March 2, 2006 declaring Plaintiff a vexatious litigant. In *Lussy v. Lober, et.al.*, number 06-1631-CA in the circuit court of the 2th judicial circuit for Collier County, the court entered an order on March 24, 2006 declaring Plaintiff a vexatious litigant. Copies of these orders are attached to the motion filed Judges Roby and Schack and are incorporated as part of this order. Based on those orders and the findings contained in them, the court finds that Plaintiff has filed five or more pro se civil actions in the courts in this state, other than actions governed by the Florida Small Claims Rules, which have been finally and adversely determined against him.

3. Accordingly, this court declares Plaintiff, R.C. "Rick" LUSSY, to be a vexatious litigant under the Florida

Vexatious Litigant Law, §68.093 Fla. Stat. The court imposes the following restrictions which shall be effective immediately.

4. Pursuant to §68.093(4) Fla. Stat. Plaintiff is prohibited from commencing, pro se, any new civil action in the Eleventh Judicial Circuit without first obtaining leave of the administrative judge.

5. The clerk of this court is ordered to reject, without accepting for filing, any new pro se civil action submitted by Plaintiff unless it is accompanied by a certified copy of an order of the administrative judge granting leave to file the new action. If the administrative judge orders Plaintiff to post security as a condition of filing a new action, the clerk shall accept the new action for filing only upon proof that Plaintiff has posted security as ordered.

10. Plaintiff shall be permitted to submit a motion for leave to file a proposed new action on

Page 2 of 3 Exhibit A-2909 (2 of 3).

The following conditions. Plaintiff must attach to the opinion a copy of this order and he must attach the proposed new action. The clerk shall not file the motion and its attachments but instead shall furnish it to the administrative judge who shall decide whether to grant leave to allow the action to be filed. As provided by §68.093(4) Fla. Stat., leave shall be granted by the administrative judge only if it appears that the proposed action is meritorious. The administrative judge may condition the filing of the proposed action upon the furnishing of security. If left to file the new action is denied, the clerk shall return it, unfiled, to Plaintiff. If leave is granted, the clerk shall file the

action which will then proceed as normal if Plaintiff has paid the filing fee.

11. The clerk is ordered to furnish copies of this order to all deputy clerks who are responsible for accepting new case filings in this circuit, to the administrative judge for the civil division of this circuit, and to all civil division judges in this circuit.

12. Pursuant to §68.093(4) Fla. Stat. the clerk is ordered to furnish a certified copy of this order to the Clerk of the Supreme Court of Florida for inclusion in the registry of vexatious litigants.

5. (sic!) If Plaintiff willfully violates the restrictions imposed by this order he will be subject to contempt of court.

ORDERED in Miami-Dade County, Florida on 7/9/09.

/signed/  
THOMAS S. WILSON JR.,  
CIRCUIT JUDGE

Copies:

R.C. "Rick" Lussy  
David J. Glantz  
Administrative Judge Jennifer D. Bailey  
Clerk of Court

Page 3 of 3 **Exhibit A-2909 (3 of 3)**

---

OFFICE OF THE CLERK  
UNITED STATES DISTRICT COURT  
FOR THE District of Montana  
Tyler Gilman Clerk of Court, Beth  
Conley Chief Deputy Clerk,

February 18, 2015

Rick Lussy MAI, SRA  
RICHARD LUSSY & ASSOCIATES  
2165 Greenback Circle, Suite #5-303

Naples, FL 34112

Dear Mr. Lussy,

I regret to inform you that I am unable to supply copies of the documents you requested in Case CV 78-67-BU, as the case file has been

Exhibit A-8478 (1 of 2)

Page 2 of 2

February 18, 2015

destroyed.

I apologize for the inconvenience this has caused.

Sincerely,

/s/

Beth Conley Chief Deputy

Russell E. Smith Courthouse,  
P.O. Box 8537, 201 East Broadway,  
Missoula, MT 59807  
Phone 406-542-7260, FAX 406-542-7272

Exhibit A-8478 (2 of 2).

MANNY GARCIA  
PRESIDENT AND PUBLISHER  
EXECUTIVE EDITOR  
ALLEN BARTLETT  
EDITORIAL PAGE EDITOR  
Collier PROPERTY APPRAISER  
KEEP Skinner for experience  
Naples Daily News Editorial Board  
Collier County Property Appraiser Abe Skinner is the clear choice for re-election to another term. Skinner is one of two republicans running. Our endorsements typically recommend which candidate we believe voters should support. In this case, we take the additional step to specifically urge voters not to cast a ballot for challenger Rick Lussy. Skinner, who has held the office since 1991, has a superior understanding of the public appraiser's duties because of his experience. He remains dedicated to the office and enthusiastic about his work.

He proudly points to an office budget that is only 1.1 percent more than eight years ago and his record of returning some \$1million yearly to local taxing authorities because he doesn't spend all because doesn't spend all he has in his budget. .... "Retirement is an ugly word," .... as experienced in the office in a key role. We cannot even consider Skinner's opponent this time. In September 2002, court records show Lussy was ordered by the Florida Supreme Court to never again file a lawsuit on his own, known as a pro se action, instead requiring he only file suits through a member of The Florida Bar, The high court, labeled Lussy an "abusive" and "malicious" litigant records show. Lussy tells us he considers his disagreement with the justices very much active, 14 years later. He's run for property appraiser in Martin County on Florida's east coast, making some of the

same (2 of 3)  
weak arguments he offers against Skinner, except for noting the incumbent's age. We endorse Skinner as the voters' clear choice. Endorsements

Below is a recap Naples Daily ...  
August 30 ballot.

Exhibit A-8339 (3 of 3).

SID J. WHITE, CLERK  
SUPREME COURT OF FLORIDA  
500 SOUTH DUVAL STREET  
TALLAHASSEE, 32399-1927  
(904) 488-0125  
5/29/97  
filed 5/19/97  
Richard L. Lussy, SRPA, SRA, Esquire  
16 SE 6th Avenue, TO/OPB  
Jensen Beach, Florida 34957-4907

I have this date received the below-listed pleadings or documents:

We are sorry but we can't give you a memo in re: the use of esquire. Esquire is simply a title of courtesy. You are not prohibited from using it. (1 of 2)

Please make reference to the case number in all correspondence and pleadings.

Most cordially,

/s/

Clerk, Supreme Court

ALL PLEADINGS SIGNED BY AN ATTORNEY MUST INCLUDE THE ATTORNEY'S FLORIDA BAR NUMBER.

Sjw/CC: Emphasis Added

Exhibit A-1386 (2 of 2).

[Petitioner edit: Collier Case #10-63-SC]  
Preceding Wrongful Eviction & Electric Turn Off (with written lease) at 4033 Guava Dr. Electric Turn off Case #2D10-

5259; 09-19-AP; 09-1688SC 2/2/11 to 9/26/2002 are 8.36-years.]

---

STATE SEAL

SUPREME COURT OF FLORIDA  
Office of the Clerk  
500 South Duval Street  
TALLAHASSEE, 32399-1927  
PHONE NUMBER: (850) 488-0125  
[www.floridasupremecourt.org](http://www.floridasupremecourt.org)

THOMAS D. HALL  
CLERK  
TANYA CARROLL  
CHIEF DEPUTY CLERK  
GREGORY J. PHILO  
STAFF ATTORNEY

January 26, 2011  
Mr. Rick C. Lussy  
2165 Greenback Circle, Suite #5-303  
Naples, Florida 34112  
Re: Rick C. Lussy v. Fourth District Court of Appeal 828 So. 2d 1026 (Fla. 2002)

Dear Mr. Lussy:

In accordance with the directive from the Court in Lussy v. Fourth District Court of Appeal, 828 So. 2d 1026 (Fla. 2002), the enclosed pleading is being returned to you herewith as it is not signed by a member of The Florida Bar.

Most cordially,

/s/

Thomas D. Hall

TDH/alb Enclosures(s)

[None rec.2/2/2011]

bc HON. S. Rump Esq. Inspector General  
Mgt. Ser. FAX 850-488-5285  
HON Dean Cannon FAX 407-623-5742  
HON Jeffrey Atwater FAX 561-625-5103  
HON Rick Scott FAX 850-922-4292  
Emphasis Added Exhibit A-8480

STATEMENT OF OFFICE  
USE ONLY

CANDIDATE FOR JUDICIAL OFFICE  
(Sec. 105.031(5), F.S.) (Please Type) I,

a judicial candidate have received, read & understand requirements of the Florida Code of Judicial Conduct.

\_\_\_\_\_ (Signature of candidate)

\_\_\_\_\_ (Date)

Each candidate for judicial office, including an incumbent judge, shall file a statement with the qualifying officer, within 10 days after filing the Appointment of Campaign Treasurer and Designation of Campaign Depository.

*[RCL edit. Florida Judicial Canon 3D3 included Courts System Fraud Policy approved Supreme Court (9/25/2012) with Canon 3D3 is fraud. Make definition a fraud in and of itself].*

DS-DE 83 (Rev. 03/08) **Exhibit A-8341.**

FDLE

Florida Department of Law Enforcement  
Gerald M. Bailey Commissioner  
Office of General Counsel, Post Office Box  
1489, Tallahassee, Florida 32302-1489  
(850) 410-7676

www.fdle.state.fl.us

Rick Scott Governor Pam Bondi, Attorney  
General Jeff Atwater, Chief Financial  
Officer

Adam Putnam, Commissioner of  
Agriculture

December 7, 2012

Rick C. Lussey (sp?)  
2165 Greenback Circle, Suite 5-303

Naples, Florida 34112

Pursuant to your request today by  
telephone, I have attached a copy of  
Section 839.13, Florida Statutes.

If I can provide anything further you may  
contact me directly.

Sincerely,

/s/  
James D. Martin  
Assistant General Counsel  
850-410-7679  
Enclosure Exhibit A-8565 (1 of 3).

The 2012 Florida Statutes Chapter 839  
Title XLVI CRIMES OFFENSES BY  
PUBLIC OFFICERS AND EMPLOYEES

839.13 Falsifying records.-

(1) Except as provided in subsection (2), if  
any judge, justice, mayor, alderman,  
clerk, sheriff, coroner, or other public  
officer, or employee or agent of or  
contractor with a public agency, or any  
person whatsoever, shall ...

Exhibit A-8565 (2 of 3).

(2)(d) This section does not prohibit the  
disposing or archiving of records as  
otherwise provided by law. In addition,  
this section does not prohibit any person

from correcting or updating records. (3) In any prosecution under this section, it shall not be necessary to prove the ownership or value of any paper or instrument involved. History.-s. 19, Feb.10 ...Copyright © 1995-2012 The Florida Legislature.

Exhibit A-8565 (3 of 3).

---

**U.S. Constitution (1865) XIII  
"Thirteenth Amendment" Section 1.** Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction. **Section 2.** Congress shall have power to enforce this article by appropriate legislation.

*(Note: A portion of Article IV. Section 2. of the Constitution was*

*superseded by the 13th amendment. 2. No Person held to Service or Labour in one State, under Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of Party to whom such Service or Labour may be due.) (Clause in italics & parentheses is superseded by Amendment 13.)*

**End of Existing XIII United States Amendment (1865).**

---

Begin INTRODUCTION: **Titles of Nobility Amendment (TONA)** aka "Missing 13th Amendment discussion (1819)" not here reduces bulk.

**AMERICAN HISTORY From Revolution to Reconstruction and Beyond**

Source: Internet February 8, 2017.  
The Missing 13th Amendment all 24-  
sections do not follow to reduce bulk.

David M. Dodge: POB 985, Taos,  
New Mexico, 87571  
Also ➔ Interview Nov. 2012, publish  
12/20/2012 internet 57.01 minute  
Video Inquiries allowed:  
FrankKnee@aol.com © 2012

**The Current 13th Amendment in the  
American Constitution:**

Section 1. *Neither slavery nor involuntary  
servitude, except as a punishment for  
crime whereof the party shall have been  
duly convicted, shall exist within the  
United States, or any place subject to  
their jurisdiction.* Passed by Congress  
January 31, 1865. Ratified December 6,  
1865.

By David M. Dodge ➔ © is educational  
purpose, no prior arrangement is to  
protect D.M. Dodge intellectual

**property/effort/analysis as follows.**

"If the evidence is correct and no  
logical errors have been made, a 13th  
Amendment restricting lawyers from  
serving in government was ratified in  
1819 and removed from US Constitution  
during the tumult of the Civil War. Since  
the Amendment was never lawfully  
repealed, it is still the Law today. The  
implications are enormous."

1. [Titles Of Nobility And Honor](#)
2. [Meaning Of The 13th  
Amendment](#)
3. [Historical Context](#)
4. [Don't Bank On It!](#)
5. [Paper Money](#)
6. [Conspiracies](#)
7. [Titles Of Nobility](#)
8. [International Bar Association](#)
9. [Honor](#)
10. [What If?](#)
11. [Paradise Lost, Ratification Found](#)

- 12. The Amendment Disappears
- 13. Significance Of Removal
- 14. Those Who Cannot Recall History...
- 15. More Editions Found
- 16. Arguments
- 17. Pros And Cons
- 18. Yes Virginia, There Is A Ratification
- 19. Rationales
- 20. Insult To Jury
- 21. "Quick Men, To The Archives!"
- 22. Notes
- 23. Dates Of Publications
- 24. Additional Publications

There is good refutation of Dodge's claims published in: Jol. A. Silversmith, "The Missing Thirteenth Amendment": Constitutional Nonsense and Titles of Nobility, In: Southern California

Interdisciplinary Law Journal, [Vol. 8:577 1999]. Also: The Real Titles of Nobility Amendment FAQ by Jol A. Silversmith.

No 24-sections attached to reduce bulk.

This Missing Amendment Evidence ratified publication (Part 23 of 24).<sup>46</sup>

---

<sup>46</sup>**Dates of Publications**. Was it ratified?

There is a lot of evidence that it was. Could all of the following publications have been in error? The following states and/or territories have published the Titles of Nobility amendment in their official publications as a ratified amendment to the Constitution of the United States:

Colorado 1861, 1862, 1864, 1865, 1866, 1867, 1868;  
Connecticut 1821, 1824, 1835, 1839  
Dakota 1862, 1863, 1867  
Florida 1823, 1825, 1838      Georgia 1819,  
1822, 1837, 1846      Illinois 1823, 1825, 1827,  
1833, 1839, dis. 1845      Indiana 1824,  
1831, 1838      Iowa 1839, 1842, 1843

Transcript: March 2, 2006 before  
Honorable Robert E. Belanger, Judge  
Martin County Courthouse, 2:00 pm

---

Kansas 1855, 1861, 1862, 1868; Kentucky 1822  
Louisiana 1825, 1838/1838 [two separate  
publications] Maine 1825, 1831  
Massachusetts 1823 Michigan 1827, 1833  
Mississippi 1823, 1824, 1839 Missouri 1825, 1835,  
1840, 1841, 1845\* Nebraska 1855, 1856, 1857,  
1858, 1859, 1860, 1861, 1862, 1873  
North Carolina 1819, 1828  
Northwestern Territories 1833  
Ohio 1819, 1824, 1831, 1833, 1835, 1848  
Pennsylvania 1818, 1824, 1831  
Rhode Island 1822 Virginia 1819;  
Wyoming 1869, 1876 Totals: 24 States in  
78 separate official government publications.  
"Pimsleur's", a checklist of legal publications, does  
not list many of the above volumes.

\* This volume was published twice in 1845. The  
first published the "Titles of Nobility" amendment,  
the second was published right after Congress set  
the requirements for Missouri's admission as a  
State. The "Titles of Nobility" amendment was  
replaced with a notation that this amendment was  
printed in error in 1835.

CAPTION: R.C. "Rick" Lussy MAI... v  
Fla. Bar Ass'n et al consolidated versus  
Barbara Joan Pariente, et al (Fla. State  
Supreme Court) No. 05-954-CA/05-704-  
CA. (Transcript 55-page) March 2, 2006

**EVIDENCE HEARING Judge  
Belanger with Madame Clerk  
administered Oath on Page 34**

**Lines 17-18.**

MR. LUSSY: ... So the reason for the  
length, Your Honor, is because all of  
these cases, none of them have been  
allowed at jury trial verdict for which I  
can win. Page 10 Lines 19-22.

MR. GLANTZ: With Co-Counsel –  
page 10 L23

*BELANGER COURT: I don't know where  
you are going to appeal, because the  
Fourth DCA says, We're done with you.  
Ibid Page 11 Lines 14-16.*

MR. LUSSY: That's because they

are the pro se defendant in a previous case for which Judge Makemson was previously sued, and included also on this other case where he had denied and permanently declared void the Clerk summons 28 days, allowing after the 27 day default and an additional 20 days for which opposing Counsel, Mr. Mahl (*With Glantz*) waited 77 days to file this Motion for Dismissal. So the timeliness and the accuracy of the rule of Compliance which I am-with due respect, completely respect, subordinate to the honorable institution of rules of the Court, there's –and I requested opposing Counsel Mahl, who's not here – is Mr. Mahl in the courtroom?

Ibid P11-12

*MR. GLANTZ: Your Honor, as I said earlier- Ibid Page 12 Lines 7-8.*

Source: R.C. "Rick" Lussy MAI... v Fla. Bar Ass'n et al consolidated versus Barbara Joan Pariente, et al (Fla. State

Supreme Court) No. 05-954-CA/05-704-CA. (Transcript 55-page) March 2, 2006.

Please skip to page 36:

MR. LUSSY: The presentation here on page seven is to the best of my understanding the cases at issue before this Honorable Court. And I follow through with the answer per-case basis. We do have time. It's only 20 to three.

Ibid P36 L7-12.

*BELANGER COURT: Okay P36 L13.*

MR. LUSSY; The answer to number six on page eight cites the transcript of December 20<sup>th</sup>, page ten lines three and four. Opposing Counsel is also in error, the Florida Statute 90.203. I would like to introduce these and restate them as fact. They are sworn affidavits. As well as my own testimony as being sworn here before this Honorable Court. Starting with case number 1K, it is now

referenced under page seven. It that clear your Honor. Are you with me? P36 L14-24  
*BELANGER COURT: Yes. Ibid P36 L25.*

MR. LUSSY: That's Lussy versus the Florida Bar. This case, it's the same used for Pariente as far as my allegation of a corrupt Pro Se defendant for the Fourth District Court of Appeal as self-consolidated in united consolidarity, and it goes on. So the case is as of this date dismissed with prejudice for which I will make an appeal and, therefore, I do not comply with the Vexatious Litigant Act, 68.093, paragraph 2, which it's not finally and adversely determined. So case K is excluded from opposing Counsel Glantz's (list of) allegation. *Ibid P37 L1-12.*

Case I is the Lussy v Roby case. That was an order of dismissal with prejudice for which had been appealed. There's still Attorney Steven Allen Fox, that lawsuit continues. That case also has

not (emphasis added) been finally and adversely determined. So that is excluded from opposing Counsel Glantz's allegation. *Ibid Page 37 Lines 1-19.*

Moving on to the third case H, which is number three, Lussy versus the City of Naples, order dismissing appeal. ... it's in the Appellate Appeals Court for which documents have been submitted for that case...also fails to comply with the opposing Counsel Glantz's allegations. *Page 37-38 Lines 20-25 & 1-6.*

*BELANGER COURT: So, Mr. Lussy, are you saying that the case of - that you brought against Judge Roby, 04490, (see estate of Mrs. Margaret Alpha Buob where heirs received nothing) is not a Pro Se pleading because Attorney Steve Fox was involved in it? Ibid P38 L7-10.*

MR. LUSSY: I'm saying that that matter was appealed (Roby dismissed) and

Steven Fox (not dismissed) is continuing as defendant. The case has not been finalized, (against Fox) so therefore, it's continuing. *Ibid P38 L11-14.*

*THE BELANGER COURT: I'm looking at the original case file, ... Ibid P38 L15-16. Oh, he's a defendant. So he's not representing you." Ibid P38 L24-25.*

MR. LUSSY: No. *Ibid P39 L1.* It was Judge Silverman in Melbourne, Florida that ruled an Omnibus Order in favor of Judge Roby for which had been appealed. There has been no rulings in regard to Defendant Fox on this order, Your Honor. It's for that reason that the case is not final yet, & adversely we're trying. Therefore to disqualify this case reference from opposing Counsel's wish list. *Ibid P39 L5-13.*

MR. LUSSY: The next case would be case "B", *Lussy v Damsel*, which is number four. There was four appeals on

this matter. And it's ongoing for which the dismissal was the Judge Elizabeth T. Maas refused to allow the credibility of the certified amended Supreme Court order of December 20<sup>th</sup>, 1999, choosing to go with a order with the Judge Mark Poland,...but the chief judge for the Fourth District Court of Appeal He's not a member of the Florida Bar Association. I apologize for clarification. And the issue there of two years is within the statutory requirement of 95.11(4)(a), as the Complaint was filed December 19, 2001, included in the amended certified order from the(Fla.) Supreme Court, December 20, 1999. So that matter is at issue and continuing for which that legal malpractice case is an outgrowth from the previous *Lussy v. Schmock*. It was a personal injury case for which is listed here later on. So we'll take that in the order of sequence. So that matter is

continuing and does not qualify under the statute and the wish list of opposing counsel. Ibid P39 & 40,

The next case is Lussy v Hanley. That's number six, case E, for which Handley defaulted, and she went into bankruptcy court. Adversary proceeding was proceeded and the matter is in the U.S. District Court on Handley (3-billboards' advertiser for election) for her default. Ibid Page 40 L14-19.

The following defendant was Art v. Artis, (sp!) (the Artist) and that matter is in the appeals court with security posted and it's waiting for a district – a Court Appellate Division decision to go to a 100 percent J.T.V., jury trial verdict, which is necessary for the final resolution of this case. So, once again, case number six, case E. Lussy v. Handley does not qualify as not finally and adversely determined.

Also there were a number of

lawyers that were a number of lawyers that were hired in the matter which were itemized as eye watch witnesses, eye watch advocates, and that those were specified within both the Complaint and the pleadings, itemizing one through 12. Ibid Pages39-40-41.

There were a number of lawyers, including Arthur Brandt, that did this recently. So there were lawyers involved in the matter for which Pro Se Litigant cannot be quoted, unquote, accused of under this bogus and stigmatizing defamatory court registered allegation to include this Vexatious Litigant as not applicable and certainly unfair and scandalous. Ibid P41 L11-18.

The second matter, case –number seven, case E, which is another duplicate reference by opposing Counsel for Lussy v Handley. Once again, as a reference to the previous number six, the default

occurred on her behalf via bankruptcy in the U.S. District Court as far as alleging the fact that there are is no sum certain, and it's non-dischargeable debt. And, of course, the same with Art the Atis (spell) (Artist) is a continuing party at issue and present. The Appellate Division adhered to the 19<sup>th</sup> Circuit to verify that he's denied. Apparently opposing Counsel (Glantz) did not care to go one step further for due diligence, which is certainly hurtful (to Glantz retirement pension for fraud, now ongoing).

Case number 8a, which is Lussy v. Smock, which was the underlying case for (my) permanent bodily injury ... Judge Thomas Bartal the third, refused to allow (witness) Douglas Yergen a lawyer, to testify pertinently (voiding) via the Florida Evidence Code, Statute 98.501. (read the statute)... Ibid Page 42 L8-20.

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...via your own experience in the last hearing that you were supervisor for Bruce Colton, State Attorney, for which it's my knowledge that the secret surveillance warrants were issues which are also the fact that my phones are tapped and my personal computer has a word and number text revisions have been made. And with this knowledge of the first two things they can go ahead and wet blanket statement (sic) (is sting) and go from there. So its' a very professional For Profit business fro which is at issue. (International Green Machine). Ibid P44 1-13.

So this matter of Lussy versus the Fourth District Court of Appeal is continuing in as a matter of this course in this hearing this afternoon.

So it's my case in point that of the nine cases cited, itemized in a responsive pleading to opposing Counsel, not one

complies and certainly none—certainly no five could even—would qualify me. So the point specific—case specific documents provided, show, and there's been no reason to consider it otherwise, that there is not one case that would consider myself to be a Vexatious Litigant under the criteria of the minimum of five. So the order must fail.

And we've got time that between now and 3:00 o'clock to finish up the last Motion for Leave of Court to Amend the Complaint to add the additional indispensable party (State Atty Bruce Colton, Belanger's former boss. See FAX in appendix) given my Motion for Reconsideration under standards you've denied them with a dismissal of prejudice, the matter would be appealed, and I'll work within the process as necessary. Does opposing Counsel have any questions for redirect? *Ibid* P45L1-13.

*BELANGER COURT: Do you have any cross-exam of Mr. Lussy? P45L14-15.*

*MR. GLANTZ: the law says that finally in the phrase-as in the phrase finally and adversely denied, the word in final means that there is no more labor for the Court to perform. Adverse means that something's been found against the party. We know what these terms mean in the law. Mr. Lussy doesn't know the meaning of the word final. He doesn't know the meaning of the word adverse. But we're not operating with his definitions. If Mr. Lussy has his way— P45 L20-25,P46L1-5.*

*MR. LUSSY: Objection, Your Honor. Scandalous! *Ibid* page 46 L6-7.*

*BELANGER COURT: I'm going to overrule the objection. *Ibid* P.46 L8-9.*

*MR. LUSSY: Your Honor P46 L10*

*BELANGER COURT: Counsel let you talk for almost 20 minutes without a single interruption. You can extend the*

*same courtesy to him when he's just making argument on the law. There's really nothing to object to. Please proceed.*

*MR. GLANZ: If Mr. Lussy had his way, no lawsuit would ever come to an end. But that's—we're not traveling under his definitions, we're traveling under what the law says. Ibid Page 46 L16-20*

Conclusion: petitioner pro se:  
Evidentiary hearing with 100-percent judgitis [FN#18]. The lawyer culture policy is discrimination-prejudice-bias for self-loathing (Dershowitz) said so). Closed cases are routinely reopened for free in Federal Cases & for fee in Fla. State Cases. Lawyer-officers of court: Belanger/Glantz party respondents' not adequately trained in 3-year law schools: juris doctor diplomas & no doctor experience what-so-ever.

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