

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

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
SECOND DISTRICT

LARAE OWENS, )  
 )  
Appellant, )  
 )  
v. ) Case No. 2D18-3309  
 )  
TAMESHA SADDLERS, and )  
DEPARTMENT OF REVENUE, )  
 )  
Appellees. )  
 )

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Opinion filed May 24, 2019.

Appeal from the Circuit Court for Polk  
County; Michael P. McDaniel, Judge.

Larael Owens, pro se.

Ashley Moody, Attorney General,  
Tallahassee, and Toni C. Bernstein  
Senior Assistant Attorney General,  
Tallahassee, for Appellee Department of  
Revenue.

No appearance for Appellee Tamesha  
Saddlers.

PER CURIAM.

Affirmed.

KELLY, SLEET, and LUCAS, JJ., concur.

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

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
SECOND DISTRICT

LARAE OWENS, )  
Appellant, )  
v. ) Case No. 2D18-2935  
TAMESHA SADDLERS, and )  
DEPARTMENT OF REVENUE, )  
Appellees. )

Opinion filed May 24, 2019.

**Appeal from the Circuit Court for Polk  
County; Michael P. McDaniel, Judge.**

Larael Owens, pro se.

Ashley Moody, Attorney General,  
Tallahassee, and Toni C. Bernstein  
Senior Assistant Attorney General,  
Tallahassee, for Appellee Department of  
Revenue.

No appearance for Appellee Tamesha Saddlers.

PER CURIAM.

Affirmed.

KELLY, SLEET, and LUCAS, JJ., concur.

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

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
SECOND DISTRICT

LARAELOWENS, )  
Appellant, )  
v. ) Case No. 2D18-2592  
TAMESHA SADDLERS, and )  
DEPARTMENT OF REVENUE, )  
Appellees. )

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Opinion filed May 24, 2019.

Appeal from the Circuit Court for Polk  
County; Michael P. McDaniel, Judge.

Larael Owens, pro se.

Ashley Moody, Attorney General,  
Tallahassee, and Toni C. Bernstein  
Senior Assistant Attorney General,  
Tallahassee, for Appellee Department of  
Revenue.

No appearance for Appellee Tamesha  
Saddlers.

PER CURIAM.

Affirmed.

KELLY, SLEET, and LUCAS, JJ., concur.

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
SECOND DISTRICT, POST OFFICE BOX 327, LAKELAND, FL 33802-0327

September 14, 2018

CONSOLIDATED FOR  
RECORD PURPOSES ONLY

**CASE NO.: 2D18-2592,  
2D18-2935,  
2D18-3309**

L.T. No.: 14-DR-9279, 2014DR-  
9279, 2014DR-009279-  
0000-00

LARAELOWENS

v. TAMESHA SADDLERS, ET AL

Appellant / Petitioner(s),

Appellee / Respondent(s).

**BY ORDER OF THE COURT:**

The appellant's motions to resolve payment filed in each of the three above-captioned appeals are denied without prejudice to the appellant to arrange with the clerk of the circuit court to set up a payment plan. See § 57.082(6), Fla. Stat. (2018).

By its own motion the court consolidates the three above-captioned appeals for record purposes only.

I HEREBY CERTIFY that the foregoing is a true copy of the original court order.

Served:

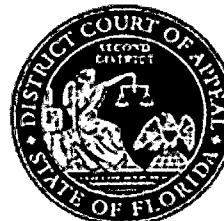
Toni C. Bernstein, S.A.A.G.  
Leann P. Parker, Esq.

Department Of Revenue  
Stacy Butterfield, Clerk

Larael Owens

ds

Mary Elizabeth Kuenzel  
Mary Elizabeth Kuenzel  
Clerk



IN THE CIRCUIT COURT  
OF THE TENTH JUDICIAL CIRCUIT  
IN AND FOR POLK COUNTY, FLORIDA

Case No.: 2014DR-009279  
Section: 80

IN RE: THE MATTER OF:

LARAELOWENS,  
Petitioner,

v.

TAMESHA SADDLERS and THE  
FLORIDA DEPARTMENT OF REVENUE,  
Respondents.

**ORDER PROHIBITING FURTHER FILINGS WITHOUT THE REPRESENTATION  
OF LICENSED FLORIDA ATTORNEY FOR ABUSE OF JUDICIAL RESOURCES**

THIS CAUSE came before this Court upon its own motion following the July 17, 2018 filing of Petitioner Owens' *Motion for Recusal* and "Notice", copies of which are attached hereto and incorporated by reference herein. The Court, having conducted a review of the pleadings, the court file and being otherwise fully apprised of the facts and law in this matter, makes the following findings of fact:

- a) On July 16, 2015, a *Final Order on Intervenors' Petition for Child Support* was filed establishing the child support obligation of Petitioner Owens (the "Father") for the child, LA'RIAH ZANAY OWENS, born 04/30/2014. The obligation was established in the Mediated Agreement entered into by the Parties, their counsel and counsel for the Florida Department of Revenue. In the Agreement, Respondent Saddlers ("Mother") agreed to "provide documentation from Arbor that that organization will no longer subsidize child care for the minor child and the reason for such."
- b) On November 13, 2015, a *Final Judgment of Dissolution of Marriage* was filed, ratifying and approving the Parties' Mediated Agreement.
- c) On December 17, 2015, the Father immediately requested a modification of child support with a *Supplemental Petition for Modification of Child Support* ("Child Support Petition"). He asserted that he had not received requested information about the child's "tuition" and daily expenses and sought to modify time-sharing to reduce his child support obligation.
- d) Without awaiting resolution of the Child Support Petition, the Father filed a *Supplemental Petition to Modify Parental Responsibility, Visitation or Parenting Plan/Time-Sharing Schedule and Other Relief* on June 7, 2016 ("Time-Sharing Petition") seeking to modify

time-sharing so that his child support may be terminated and alleging “perjury under oath.” He also filed a *Motion Removing Child Support Arrears* (“Arrears Motion”) that day alleging that the Mother “gave false information to gain more money for child support.”

- e) On June 9, 2016, the Father filed a “*Notice of Filing*” with several random documents attached, asserting that “[t]his is proof that ex-wife committed (sic) perjury under oath...”
- f) On September 8, 2016, the Father again filed a “*Notice of Filing*” with miscellaneous documents, including text messages and correspondence from the Social Security Administration containing hand-written allegations.
- g) Following a September 13, 2016 hearing, the Court denied the Father’s June 7, 2016 Arrears Motion and Time-Sharing Petition and the December 17, 2015 Child Support Petition in an Order filed October 28, 2016.
- h) Thereafter, the Father filed a *Motion to Vacate/Rehearing* on November 4, 2016 asserting that he “obtain the missing paperwork from the Department of Child Support office.” He sought a rehearing on joint custody and child support modification. The Court denied this Motion on November 10, 2016.
- i) The Father again filed a *Supplemental Petition for Modification of Child Support* and *Supplemental Petition to Modify Parental Responsibility, Visitation or Parenting Plan/Time-Sharing Schedule and Other Relief* on February 15, 2017 indicating that he is looking for employment out of the state but requesting equal time-sharing with the Mother.
- j) On June 12, 2017, the Father filed a letter requesting that a “new judge be assigned to my case due to an unfair hearing that was previously held” because he felt “like it was unfair and disrespectful that [he] did not get a rehearing.” This request was denied as legally insufficient by the Court in a filing on June 23, 2017.
- k) On September 25, 2017, the Court filed an *Order Denying Supplemental Petition to Modify Parental Responsibility, Visitation or Parenting Plan/Time-Sharing and Other Relief and Supplemental Petition for Modification of Child Support* regarding the Father’s February 15, 2017 motions following an August 22, 2017 hearing.
- l) Before the Court could file that order, the Father filed a *Supplemental Petition for Modification of Child Support* on September 21, 2017 again asserting “child support fraud – perjury (sic) under oath” and “withholding materials, facts, deprivation of rights under the color of law violation of 14th and 19th constitution (sic) amendment.” He sought to have his child support terminated and arrears dismissed.
- m) On November 3, 2017, the Father filed a *Motion for Civil Contempt/Enforcement* seeking to have the Mother “produce daycare paperwork from Arobor (sic) and others (sic) daycares from 2014-2017.” He requested that a new parenting plan be entered and all child support and arrears be dismissed. He also filed a statement containing various assertions that he has been denied due process and equal protection and that the Court must protect against “any stealthy encroachment upon these inalienable rights and will immediately dismiss and discharge this matter and will aid in the full restoration of property and vindication of rights deprived,” among other things.

n) On December 6, 2017, the Father again filed another *Motion for Civil Contempt/Enforcement* containing virtually identical allegations to the one filed on November 3, 2017. That same day, he also filed a *Motion to Dismiss Case 14DR9279 and Full Finding of Fact and Conclusions of Law*, which seeks to have the case dismissed "for failure to present a cause of action or crime." He also filed another *Motion to Dismiss Case* asserting "lack of jurisdiction, fraud, withholding material facts violation of Omnibus Budget reconciliation (sic) Act, deprivation of rights, conspiracy against right..." He also filed four other documents that day containing various legal definitions and purported legal arguments, as well as an additional, similar document on December 15, 2017 entitled "Common Law Judicial Notice Constitutional Rights/Objections."

o) The Court subsequently denied the two *Motions to Dismiss* filed on December 6, 2017 on December 15, 2017.

p) The Father filed another letter with the Court on December 21, 2017 following an unfavorable ruling he received in a hearing earlier that day regarding a bank levy and suspension of his driver license for failure to pay child support. The letter seeks to have the addressee of the letter "overturn this matter" as ruled on by the child support hearing officer. He attached 34 pages of documents that had already been filed in the Court file.

q) On January 8, 2018, the Father filed a document entitled "*Judicial Notice; In the Nature of Writ of Caram Non Judice & A Demand for Dismissal for Lack of Jurisdiction Pursuant to FRCP Rule 60 Void Judgment/Bank Levy/Driver License Objection.*" This document contains various references to Federal Rules and Statutes and case summaries and purported legal arguments with references to the U.S. Constitution. He also filed a document alleging that the Mother, as well as his attorney, committed fraud to encourage him to execute the Mediated Agreement that the Parties entered into in the beginning of the dissolution proceeding. He also filed a document requesting that the undersigned "excuse himself from hearing my case because of conflict of interest." Again, the document contains various references to federal laws. This request for the undersigned to "excuse" himself was denied as legally insufficient on January 19, 2018.

r) The Court filed orders denying the Father's objection to the levy of his bank account and suspension of his driver's license for failure to pay child support on January 10, 2018 following a hearing on December 21, 2017 conducted by the child support hearing officer.

s) This Court filed an *Order Denying Motion for Civil Contempt/Enforcement and Order Setting Hearing on Supplemental Petition for Modification of Child Support* on March 20, 2018 ("March 2018 Order") following a hearing on February 15, 2018 on the *Motions for Civil Contempt/Enforcement* filed November 3, 2017 and December 6, 2017. In the hearing, as documented in the March 2018 Order, the Court admonished the Father that the filing of an additional repetitive, frivolous pleading will result in a hearing being set for him to explain the legal basis of the pleading. If he files another frivolous pleading after that, the Court warned him that an *Order to Show Cause* will be issued and he may be prohibited from filing anything further without representation by a licensed attorney.

The Court also set a final hearing on the Father's *Supplemental Petition for Modification of Child Support* filed September 21, 2017.

- t) The Father failed to appear for that final hearing on April 24, 2018, leading to the entry of the Court's *Order Dismissing with Prejudice Supplemental Petition for Modification of Child Support* filed June 11, 2018.
- u) Thereafter, despite the Court's prior admonishment and the Father's failure to appear at the previously scheduled final hearing, the Father filed an *Emergency Motion to Dismiss Case 14DR9279 Under R. Civ. P. 1.140(1)(2) Jurisdiction & Rule 12.540 of the Family Law Rules of Procedure & Rule 1.540 of the Florida Rule (sic) of Civil Procedure and to Disestablish Paternity and Motion to Vacate Every Judgment* on June 11, 2018. The Father continued to assert many allegations that have been previously addressed by the Court.
- v) This Motion was denied on June 12, 2018 for failure to state an emergency and noting that the *Supplemental Petition for Modification of Child Support* at issue has already been dismissed with prejudice.
- w) Subsequently, the Father filed a *Motion Contesting Wage Garnishment/Bank Levy/Motion to Have Final Judgment of Dissolution Set Aside* on June 20, 2018 and another letter seeking the recusal of the undersigned. These two pleadings seek relief previously requested and ruled upon several times by this Court. Therefore, on July 9, 2018, the Court entered its *Order Summarily Denying Former Husband's "Motion Contesting Wage Garnishment/Bank Levy/Motion to Have Final Judgment of Dissolution Set Aside"* as well as its *"Order Denying Former Husband's Motion to Disqualify."*
- x) On July 5, 2018, the Father filed an *"Emergency Motion Notice of Liability and Demand to Dismiss Case"* asserting "fraudulent financial gain" and "a corrupt system of judicial misconduct" involving the judges of the Tenth Circuit perpetrating "an unconscionable scheme to criminally defraud the United State (sic) Government and willfully deprive citizens of their Constitutional rights for the sole intent of unlawful financial gain." This emergency motion was considered and denied by the Court in an order entered July 9, 2018.
- y) The Father again filed a *Motion for Recusal* on July 17, 2018 asserting that the undersigned will not provide him with a fair hearing as a result of "bias" "prejudice" and "a financial interest" in the Father's case related to the fact that the undersigned is employed by the State government.
- z) The Court issued an *Order Setting Hearing* on July 17, 2018 scheduling a hearing on August 30, 2018 for the Father to explain the legal basis of his new pleadings, as the Court described it would do in its March 2018 Order.
- aa) However, the Father has now informed the Court of his intention not to attend the August 30th hearing in correspondence filed July 17, 2018.

In the Court's March 2018 Order, the Court warned the Father that repetitive, frivolous filings would result in a hearing being set for him to explain the legal basis of the pleading. Further, he was admonished that if he continued to file frivolous pleadings after that step, an *Order to Show*

*Cause* would be issued and he may be held in contempt and potentially barred from filing anything further without the representation of an attorney licensed to practice law in the State of Florida.

The Court intended to provide the Father with the opportunity to explain any new legal basis for the filings he has continued to file in June and July of 2018, although they appear to reiterate allegations and arguments previously heard and ruled upon by the Court on several occasions. However, after the Court scheduled a hearing for that purpose, the Father expressed his refusal to participate in such a hearing by filing a "Notice" stating he would not appear. A copy of that July 17, 2018 "Notice" is attached hereto. There is no reason for the Court to wait to restrict the Father's abuse of the process by futilely holding a hearing which the Father has stated he will not attend.

The Court cannot continue to expend its limited resources on the Father's repetitive, frivolous pleadings, many of which he improperly entitles "Emergency." Further, the Court cannot permit further harassment of the other parties by the Father's abuse of the judicial process. Therefore, to preserve judicial resources and to prevent the Father from abusing, annoying and harassing the other parties in this cause, at this time the Court prohibits the Father from filing further repetitive, frivolous pleadings. Any further pleadings from the Father shall require the signature of a licensed Florida attorney representing the Father.

It is **ORDERED** and **ADJUDGED** that, until further order of the Court, the Father is barred from filing any pleading in this cause unless signed by a licensed Florida attorney who is representing the Father in the matter. The Clerk of Court is directed not to accept any pleading or paper filed by the Father that does not meet this condition.

**DONE AND ORDERED** at Bartow, Polk County, Florida on this 25th day of July, 2018.

*/s/* Michael P. McDaniel

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**MICHAEL P. MCDANIEL**, Circuit Judge

cc:

Larael Owens, 500 S. McArthur, Apt A4, Camilla, GA 31730  
Tamesha Saddlers, 6017 Hilltop Lane E., Lakeland, FL 33809  
DOR/CSE-SAO (NP16-000456)

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT IN AND  
FOR POLK COUNTY, FLORIDA

LARAELO OWENS,

Plaintiffs

vs.

POLK COUNTY DEPARTMENT OF REVENUE,

TAMESHA SADDLERS

Case: 14DR9279.

FILED  
18 JUL 17 PM 3:57  
JULY 17 2017  
CLERK OF THE CIRCUIT COURT  
POLK COUNTY, FLORIDA

MOTION FOR RECUSAL

Michael P McDaniel is very prejudice against me every hearing that I had with him I get mistreated and embarrassed by Michael P McDaniel legal terminology Michael P McDaniel has a financial interest on my case he's a judge that sits in IV-D contractor hearings everything that the court deals with has a Time limit so I have to put in motions to try and get my voice heard Michael P McDaniel doesn't like the fact that I am standing up for my constitutional rights and trying to get Justice on my case on my behalf

I do not get a fair hearing because Michael P McDaniel is

- Bias
- And Prejudice against me
- He has a financial interest in my case

IV-D also known as child support

Proof of financial interest

Exh. 7-19,4

Florida State delegates its IV-D disbursement function to local governments, it must reward the most efficient local agencies with a share of federal incentive payments. 42 U. S. C. § 654(22). This leads to corruption

(22) in order for the State to be eligible to receive any incentive payments under section 658a of this title, provide that, if one or more political subdivisions of the State participate in the costs of carrying out activities under the State plan during any period, each such subdivision shall be entitled to receive an appropriate share (as determined by the State) of any such incentive payments made to the State for such period, taking into account the efficiency and effectiveness of the activities carried out under the State plan by such political subdivision;

Every title IV-D agency case reimburse the court and it also put money into the State Treasury That Pays judges pensions and salaries

WEHUNT V. LEDBETTER

"ELEVENTH CIRCUIT HELD THAT TITLE IV-D DOES NOT CREATE ENFORCEABLE RIGHTS ON BEHALF OF NEEDY FAMILIES WITH CHILDREN BECAUSE THEY ARE NOT THE INTENDED BENEFICIARIES OF THE STATUTE. "WHICH MEANS IT ONLY BENEFITS THE STATES PROFITS. "THE COURT REASONED THAT THE PRIMARY PURPOSE OF TITLE IV-D WAS TO RECOUP THE STATE'S WELFARE EXPENDITURES ON BEHALF OF NEEDY FAMILIES BY COLLECTING CHILD SUPPORT FROM ABSENT PARENTS"

In the State of Florida pays Michael P McDaniel salary and pension

—it is a due process violation for a judge to decide a case in which the judge has a financial interest.

Moro v. State, 2014

Michael P McDaniel requested that a hearing be set for August 30<sup>th</sup> 2018 based on a previous attempt of court hearing he is issuing a rehearing so that he can find Larael Owens in attempt of court for filing motions to the court there is no laws that say that I cannot file motions on my behalf to get Justice Michael P McDaniel is not above the law and cannot make or change laws this is just flat out bias

Larael Owens fears that he will not receive a fair trial or hearing because of specifically described prejudice in bias of the judge Michael P McDaniel

This motion should not be denied for "legally insufficient." If so I will put in for a writ of mandamus for the higher Court to review the decision

I pray for the recusal of Michael B McDaniel

Signature and date

 7-11-18