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No. 22-_____

U.S. MAIL

IN THE
SUPREME COURT OF THE UNITED STATES

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OFFICE OF THE CLERK
SUPREME COURT, U.S.

MIZELL CAMPBELL JR.,

Petitioner,

v.

THE FLORIDA BAR,

Respondent.

**ON PETITION FOR A WRIT OF CERTIORARI
TO THE FLORIDA SUPREME COURT**

Petition for a Writ of Certiorari

MIZELL CAMPBELL JR., J.D.
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QUESTIONS PRESENTED FOR REVIEW

- Whether The Florida Supreme Court deprived an African-American lawyer of Due Process and a Fair and Impartial Tribunal under the 14th Amendment of the U.S. Constitution as interpreted by this court in Marshall v. Jerrico, 446 U.S. 238 (1980), when it denied a Motion For Review Due to Manifest Injustice, and upheld a permanent disbarment, when the White-American Judge assigned as the Referee, interjected at the Bar Trial during The Florida Bar's presentation of its case in chief, with a racially charged narrative, that was based on religious principles, and expounded to a witness upon his 40 years of experience as a lawyer and compared the African-American lawyer's conduct to that of himself, the Judge's colleagues and other members of The Florida Bar and apologized to the witness and asked for forgiveness for the "transgressions" of the African-American lawyer and suggested that said lawyer was unfit to practice?
- Whether The Florida Supreme Court deprived a lawyer of Due Process and a Neutral Judiciary under the 14th Amendment of the U.S. Constitution as interpreted by this court in Tumey v. Ohio, 273 U.S. 510 (1927), when it denied a Motion For Review Due to Manifest Injustice, when the Judge assigned as the Referee was also the presiding Judge for an ongoing foreclosure case for one of the witnesses and the lawyer facing disciplinary proceedings was the defense lawyer for that witness in the ongoing foreclosure case, and one of the issues at Bar Trial was the amount of attorney's fees that were due and owing the attorney from the witness for a series of cases that he had represented her and her family in?

- Whether The Florida Supreme Court deprived a lawyer of Due Process under the 14th Amendment of the U.S. Constitution when the Judge assigned as the Referee failed to submit the required Certificate of Referee, which The Florida Supreme Court has set forth as a requirement before a Judge can be qualified to be a Referee?

LIST OF PARTIES

**The caption contains the names of all of the parties to the proceedings and they
are also listed below:**

- 1) MIZELL CAMPBELL JR., Petitioner;
- 2) THE FLORIDA BAR, Respondent.

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PETITION FOR A WRIT OF CERTIORARI**OPINIONS BELOW**

Florida Supreme Court Order denying Respondent's Motion For Review Due to Manifest Injustice issued on January 13, 2022. This Order was not published and is **Appendix A** in the Appendix.

JURISDICTION

This Petition is timely as pursuant to Supreme Court Rule 13, Review On Certiorari: Time For Petitioning, the time to file a Petition For a Writ of Certiorari runs from the date of entry of the judgment or order sought to be reviewed.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

This case involves the 14th Amendment of the U.S. Constitution.

STATEMENT OF THE CASE

1. An appellate court has the power to reconsider and correct an erroneous ruling that has become the law of the case where a prior ruling would result in a "manifest injustice". Strazzulla v. Hendrick, 177 So.2d 1, 3 (Fla.1965)
2. In the case of Parks v. State, 319 So. 3d 102 (3d DCA 2021), it was set forth:

The term "manifest injustice" eludes judicial consensus or precise definition. Nonetheless, this "exceptionally narrow concept" envisions "more than just a

clear and certain prejudice to the moving party, but also a result that is fundamentally unfair in light of governing law." *Slate v. ABC*, 12 F. Supp. 3d 30, 35-36 (D.C. Cir. 2013). Accordingly, in defining the term, "several courts have applied the Black's Law Dictionary definition, which states that 'manifest injustice' is an 'error in the trial court that is direct, obvious, and observable, such as a defendant's guilty plea that is involuntary or that is based on a plea agreement that the prosecution rescinds.'" *In re Roemmele*, 466 B.R. 706, 712 (Bankr. E.D. Pa. 2012) (quoting *Manifest Injustice*, *Black's Law Dictionary* (7th ed. 1999)). Others have determined the error must be "apparent to the point of being indisputable." *Id.* at 712 (citation omitted). These principles guide our analysis today.

3. The Motion For Review Due to Manifest Injustice was filed pursuant to that principle and based on case law that has been issued since the Bar Trial, that is of relevance to the issues.
4. Pursuant to an Order dated October 12, 2017, The Honorable Chief Justice Jorge Labarga designated The Honorable Krista Marx ("Judge Marx"), Chief Judge of the Fifteenth Judicial Circuit Court of Florida to appoint a referee for the Court in the above matter.
5. On October 13, 2017, Judge Marx issued an order which appointed The Honorable Judge David French ("Judge French" or the "Referee") as the Referee.
6. Pursuant to The Florida Bar's Referee Manual, "The Supreme Court of Florida's rules, effective February 1, 2010, created new requirements for referees. Before a

judge may be appointed as a referee, the judge must have previously served as a judicial referee or reviewed referee training materials approved by the Supreme Court of Florida and certified to the chief judge that the training materials have been reviewed.”

7. At no point in time has the Certificate of Referee ever been filed and it is thus unknown if Judge French met the requirements for being a Referee prior to his appointment as the Referee in the Bar Trial. Those requirements should have been certified as being met.
8. Pursuant to an Order from The Florida Supreme Court, the Report and Recommendation of Judge French was adopted and Mr. Campbell was permanently disbarred.
9. The Order did not mention any of the issues that the Petitioner had raised and instead was just a one paragraph statement adopting the Report and Recommendation of Judge French.
10. On day two of the Bar Trial, The Florida Bar (the “Bar”) called as a witness, Jillian Vincent (“Ms. Vincent”). The Referee engaged in the following conversation with the witness (TR: 224):
11. **THE COURT: Madam, we have over 100,000 attorneys in the state of Florida. I've been doing this for over 40 years. And I'm proud of what I've done, and I'm proud of my colleagues that work with me every day. I can assure you, by far the vast majority of all attorneys respect their fiduciary duties, and they do the best they can for their clients, and they**

provide an absolutely valuable service, not only to our democracy, but to the people in this community on a daily basis. Please forgive any transgressions that have occurred, and may this – single episode, all right?

12. THE WITNESS: Okay.

13. THE COURT: You have a great day.

14. THE WITNESS: Thank you. You as well.

15. The Bar never disputed that this took place, but instead argued in their Response to the Initial Brief that this was permissible, as the witness was upset.

16. This exchange has been well documented in the official court reporter transcript of the Bar Trial, which was filed with The Florida Supreme Court.

17. This exchange took place around 10:00 A.M. on day two of the Bar Trial and by approximately 1:00 P.M., the Bar Trial had concluded and Judge French had orally pronounced from the Bench that Petitioner would be permanently disbarred.

18. Starting in the Fall of 2015 and continuing until October of 2017, Petitioner was working with Novelette Fay Hanse (“Ms. Hanse”) in ongoing efforts to save multiple properties that she had acquired under her name and under the name of other family members.

19. Unbeknownst to Petitioner, while he was actively working to save those properties from foreclosure Ms. Hanse was actively working with the Bar to substantiate allegations related to her nephew Calvin Ivey (“Mr. Ivey”).
20. Mr. Ivey is alleged in Count VI of the Bar’s Petition in this matter to have not received funds that he was due and owing, and that said funds were provided to Mr. Ivey from the Petitioner, by way of being paid to Ms. Hanse.
21. Attached to the Petition are e-mails between Petitioner and Ms. Hanse and in those e-mails, Ms. Hanse’ e-mail address is equalhomes@gmail.com.
22. On or about December 6, 2016, Ms. Hanse using the e-mail address equalhomes@gmail.com sent Petitioner an e-mail setting forth that on a property located at 1205 Longlea Terrace, “She wants to pay the HOA to stop this. Look into this and put in a motion. Call me after you review. I think something has to be filed today because on Monday they want to enter a default”.
23. “She” turned out to be Kären Christian (“Ms. Christian”), the daughter-in-law of Ms. Hanse, and that case turned out to be Meadow Wood Homeowners’ Association, Inc. v. Kären Christian, Palm Beach County Case Number 50-2016-CA-010140-XXXX-MB (the “Meadow Wood Case”).
24. The Summons for the case shows that service was to be on Ms. Christian at the address of 1205 Longlea Terrace.
25. This case was at all times relevant assigned to Judge French, who remained on the case, even after being assigned as the Referee in this matter and hearing the

Motion For Dissolution of Petition on October 19, 2017, in the same court room that he heard matters related to the Meadow Wood Case.

26. At all times, Petitioner never had any contact with Ms. Christian and instead, as was the pattern in his dealings with Ms. Hanse, all communications were through Ms. Hanse, as the properties were usually in other people's names or corporations' names, however in reality the properties were under the custody or control of Ms. Hanse, who often rented them to tenants.
27. Ms. Hanse testified against Petitioner during the Bar Trial on January 8, 2018 and during cross examination, the Meadow Wood Case came up, as the allegation of the Bar and Ms. Hanse is that monies were due and owing to Ms. Hanse from Petitioner's representation of Mr. Ivey, however on cross examination, Petitioner pointed out that in fact Ms. Hanse owed Respondent money from his representation of her daughter-in-law Ms. Christian in the Meadow Wood Case.
28. This presented a case where Judge French was both the Referee at the Bar Trial in this matter and hearing testimony regarding a case, the Meadow Wood Case, in which he was also the assigned Judge and which he was actively making rulings on, including rulings which benefited the witness Ms. Hanse.
29. The Referee demonstrated bias and prejudice in favor of Ms. Hanse, when he refused to allow the Petitioner to cross examine her regarding a criminal conviction for mortgage fraud. (TR: 131- 132). When Respondent asked Ms. Hanse about the criminal conviction for mortgage fraud, the Referee shouted, "Sir, that's inappropriate . . ." without any objection having been raised by the Bar.

30. The Referee also demonstrated bias and prejudice in favor of Ms. Hanse, when he stated to the witness, Ms. Hanse during her testimony and before the Respondent could cross examine her (TR: 110):

31. THE COURT: Excuse me for a minute. What was Mr. Ivey's relationship to you?

32. THE WITNESS: It's my nephew.

33. THE COURT: Oh, it's your nephew. So it's a family member that you were helping out.

34. THE WITNESS: It's a family member that I was trying to help. Because I have the knowledge, you know, so basically he relied on me to take care of it.

35. THE COURT: I'm sorry. Go ahead. (TR: 110)

36. This exchange has been well documented in the official court reporter transcript of the Bar Trial, which was filed with The Florida Supreme Court.

37. In reality, Ms. Hanse had taken advantage of her nephew Mr. Ivey and used him as a straw buyer and the property that Petitioner represented Mr. Ivey on, was one that Mr. Ivey himself had never lived in or managed. Instead Ms. Hanse had used it as a rental property and collected the rent from the tenants. If Mr. Campbell had been allowed to continue his cross-examination, he would have likely elicited this information.

38. On January 10, 2018, the day after he had sat as a Referee in the Bar Trial in this matter, Judge French entered an Order in favor of Ms. Christian, which canceled

the Association sale on her property and that Order had Respondent listed in the Service List.

39. Petitioner would like to point out that at all times relevant, he practiced law in Broward county and based on information and belief, the Court appointed a Referee from Palm Beach county, to avoid a situation where the Referee was a Judge with cases that the Petitioner was the attorney for and certainly to avoid a situation where the Referee was the Judge for one of the witnesses.

40. Petitioner has reviewed multiple Bar matters and noticed that it is routine for Referees to be selected from a geographic region/judicial circuit that is different from where the attorney involved practices or where the allegations arose, so it appears that there has historically been some efforts to avoid the exact type of conflict of interest situation involved in this matter.

41. Petitioner's Respondent's Motion For Review Due to Manifest Injustice was denied as an impermissible Motion For Rehearing and the Order from the Florida Supreme Court failed to address any of the merits of the motion.

42. This marks the second time that The Florida Supreme Court has been presented with these serious Due Process arguments and failed to write any decision acknowledging or addressing them.

REASONS FOR GRANTING THE PETITION

1. The issue of what a Judge can and cannot say to a litigant, during a Bar Trial is of paramount importance, and there are no U.S. Supreme Court cases on this subject and The Florida Supreme Court's refusal to acknowledge the egregious and intrusive nature of the Judge's comments, is not in keeping with decisions from the U.S. Supreme Court, The Florida Supreme Court and other Courts.
2. The issue of what type of situations present a conflict of interest that warrants a Judge's recusal is important, as it relates to the general public having confidence in the judiciary and there are no recent U.S. Supreme Court cases on this subject.
3. The issue of what qualifications a Judge must have before they can have jurisdiction over a litigant was reviewed by the Florida Supreme Court, when they cited writings from the U.S. Supreme Court Justice Antonin Scalia, in denying the appointment to the Florida Supreme Court, of a Black female Circuit Court Judge, who would have become only the second Black female Florida Supreme Court Justice, by setting forth that she had not been a member of the Florida Bar for a long enough time, when the Governor of the State of Florida appointed her.

However, even though she would have become qualified in time to take her seat on the Florida Supreme Court by the time of her swearing in, she was not allowed to do so, yet the White male Circuit Court Judge that was the Referee in the Petitioner's Bar Trial never completed the prerequisites to be appointed as a Referee and the Florida Supreme Court still allowed him to preside over the Petitioner's Bar Trial.

**I. THE PETITIONER WAS DEPRIVED OF HIS FOURTEENTH AMENDMENT
RIGHT OF DUE PROCESS, BY THE INTERJECTION OF THE JUDGE,
WHILE THE BAR TRIAL WAS ONGOING**

In the case of J.F. v. State, 718 So. 2d 251 (4th DCA 1998), it was set forth, "We concluded that when a judge becomes a participant in judicial proceedings, a shadow is cast upon judicial neutrality...."

In the U.S. Supreme Court case of Marshall v. Jerrico, Inc., 446 U.S. 128 (1980) the U.S. Supreme Court held that conduct from a judge that deprives a litigant of a fair and impartial tribunal is fundamental error that may be raised for the first time on appeal.

Recently, Petitioner has become aware of two cases, which clearly support the argument that the comments of the Referee amount to a manifest injustice.

In the case of Marwan v. Sahmoud, 305 So. 3d 248 (3d DCA 2020), it was set forth that a trial judge should have granted a motion for disqualification, when he crossed the line from being a neutral trier of fact and became an active participant.

This case clearly sets forth that this type of conduct is not only improper, but also sets forth that such conduct gives rise to a disqualification.

Petitioner is African-American and believed that the statements of the Referee as to, "I can assure you, by far the vast majority of all attorneys respect their fiduciary duties, and they do the best they can for their clients, and they provide an absolutely valuable service, not only to our democracy, but to the people in this community on a

daily basis " was a statement as to African-American lawyers not being trustworthy, as clearly the vast majority of the members of the Florida Bar are non-African-American and the Referee was non-African-American.

Clearly, the Referee with his comments, did the following: 1) Compared his history as an attorney with that of the Petitioner, 2) Set forth by his use of the word, "transgression" that the Petitioner had engaged in wrongdoing and was guilty and 3) Demonstrated that he had already pre-judged the case, even though the comments were made before the Bar had even rested its case.

The word phrase "please forgive any transgression" also harkens to traditional principles of Christianity, and principles from the "Lord's Prayer" and confessions to priest for forgiveness, and raises the question of if the Referee was applying Christian/religious principles and bias to pre-judge the Petitioner, during his interjection and subsequent sentencing.

In the case of U.S. v. Bakker, 925 F. 2d 728 (4th Cir. 1991), it was set forth:

During sentencing, the judge stated of Bakker: "He had no thought whatever about his victims and *those of us who do have a religion are ridiculed as being saps from money-grubbing preachers or priests.*" Bakker contends that these comments reveal that the trial judge abused his discretion and violated due process by factoring his own sense of religiosity and victimization into the sentence he imposed on Bakker.

In contrast, the government argues that the phrase "those of us" reflects the judge speaking not for himself but for society as a whole. The government also contends that the trial court was simply considering the impact of Bakker's crimes on society and was well within its discretion in doing so. We recognize that a sentencing court can consider the impact a defendant's crimes have had on a community and can vindicate that community's interests in justice. *See, e.g., United States v. Torres*, 901 F.2d 205, 246-47 (2d Cir.1990). To a considerable extent a sentencing judge is the embodiment of public condemnation and social outrage. *See, e.g., United States v. Madison*, 689 F.2d 1300, 1314-15 (7th Cir.1982). As the community's spokesperson, a judge can lecture a defendant as a lesson to that defendant and as a deterrent to others.¹⁴ If that were all that occurred here, the court would have been properly exercising its discretion, and we would be loathe to disturb what surely is an integral part of the sentencing process.

Sentencing discretion, however, must be exercised within the boundaries of due process. *See, e.g., Gardner v. Florida*, 430 U.S. 349, 358, 97 S.Ct. 1197, 1204, 51 L.Ed.2d 393 (1977) (plurality opinion); *United States v. Safirstein*, 827 F.2d 1380, 1384-87 (9th Cir.1987). In this case, the trial judge exceeded those boundaries. Courts have held that sentences imposed on the basis of impermissible considerations, such as a defendant's race or national origin, violate due process. *See, e.g., United States v. Borrero-Isaza*, 887 F.2d 1349, 1352-57 (9th Cir.1989); *United States v. Gomez*, 797 F.2d 417, 419 (7th

Cir.1986) (sentencing more harshly based on nationality or alienage "obviously would be unconstitutional.") While these cases focused on a defendant's characteristics, we believe that similar principles apply when a judge impermissibly takes his own religious characteristics into account in sentencing.

The Referee permanently disbarred the Petitioner, less than 4 hours after he made the comments. Petitioner was to later learn that Judge French was himself the subject of an ongoing ethics investigation regarding his award of guardian fees to the wife of a fellow Judge, when he was close friends with both that fellow Judge and his wife.

In the case of Waddell v. State, 85 Md. App. 54 (Court of Special Appeals of Maryland, 1990), the Court reversed a guilty verdict, based on an interjection by the Judge which implied guilt of the Defendant and said the following:

We have carefully considered all of those interruptions, questions, and interjections by the trial judge that appellant has noted in his brief. Although the trial judge sometimes inappropriately asked questions and interjected comments, we do not believe that individually or cumulatively they warrant reversal *save* for the sole comment on which we have decided to reverse. That comment occurred in the following context: The Precision Concrete supervisor, Robert Kline, testified that appellant continued to carry a gun to work even after he had ordered appellant not to do so. On direct examination, the trial

judge expressed her disbelief by repeatedly asking questions such as "And you just let him do it?" On cross-examination, defense counsel asked the supervisor why he permitted appellant to come to work if he knew that appellant was armed. The supervisor responded that he was familiar with the area in which appellant lived and understood why appellant might feel the need for protection. Here, the trial judge — in full hearing of the jury — said, *"You know different now."*

As appellant notes in his brief, the meaning of this comment is crystal clear. The judge meant by her remark that Kline now knew that appellant carried the gun for reasons other than just protection, the "indisputable implication" being that appellant had shot and killed Carlton Robinson. We find no other possible construction of the judge's remark except for this one, which presupposes appellant's guilt.

In the case of McCreary County, Kentucky, et al. v. American Civil Liberties Union of Kentucky, et al., 545 U.S. 844 (2005), the U.S. Supreme Court held that a display of the Ten Commandments in public schools and courthouses violated the Establishment Clause of the 1st Amendment of the U.S. Constitution.

The following are quotes from the case of In the Matter Concerning Judge Matthew J. Gary, 2020 Cal. Comm. Jud. Perform, LEXIS 5 (State of California Commission on Judicial Performance 2020), where a Judge crossed the line from being a neutral trier of the facts and made interjections in a family law matter.

Embroilment is the process by which the judge surrenders the role of impartial factfinder/decision-maker, and joins the fray. Prejudgment can occur when a judge drifts from professional distance and objectivity. Judges are required to respect and comply with the law and to act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary (Cal. Code Jud. Ethics, canon 2A). Judges are also required to perform judicial duties without bias or prejudice (Cal. Code Jud. Ethics, canon 3B(5))."

Judge Gary initiated a discussion with Nichols over the purpose of religion, referenced the Bible (John 3:16), and discussed the promise of everlasting life. Judge Gary's comments at the *Battilanatrial* improperly injected religion into court proceedings, and created an appearance of lack of impartiality contrary to canon 2A (requiring judges to conduct themselves at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary) and canon 3B(5) (requiring judges to perform judicial duties without bias or prejudice and to refrain from engaging in speech, gestures or other conduct that would reasonably be perceived as bias or prejudice, including but not limited to bias based upon religion).

The bench is not a pulpit nor soapbox for self-expression. A litigant is entitled to assume that a judge's attention will be focused entirely upon the relevant facts of his or her case, and that his or her cause will be judged dispassionately—without consideration of anyone's religion. ...”

This exchange has been well documented in the official court reporter transcript of the Bar Trial, which was filed with The Florida Supreme Court. The comments of the Referee in this matter warrant a reversal, as those comments were outside of the framework of what a Judge can say during a trial, and still guarantee a litigant such as the Petitioner Due Process. The comments were made during the Bar's case in chief, to the Bar's witness, and before the Bar had rested its case and before the Petitioner had even had a chance to present any witnesses of his own or present any defense of his own. The Referee permanently disbarred the Petitioner, less than 4 hours after he made the comments.

II. THE PETITIONER WAS DEPRIVED OF HIS FOURTEENTH AMENDMENT RIGHT TO A NEUTRAL JUDICIARY WHEN THE JUDGE ASSIGNED AS THE REFEREE IN THE BAR TRIAL HAD AN IMPERMISSIBLE CONFLICT OF INTEREST

The Order from The Florida Supreme Court is in complete violation of Tumey v. Ohio, 273 U.S. 510 (1927) and its holding that a litigant is entitled under the 14th Amendment to a Due Process Right to a Neutral Judiciary.

The issue of a Neutral Judiciary was again examined by the United States Supreme Court in the case of Caperton v. A.T. Massey Coal Co., Inc., 129 S. Ct. 2252 (2009), where citing to Tumey, this Court wrote that in examining impartiality and propriety, "the question is whether, 'under a realistic appraisal of psychological tendencies and human weakness,' the interest 'poses such a risk of actual bias or pre-judgment that the practice must be forbidden if the guarantee of due process is to be adequately implemented'."

The situation of Judge French as outlined above, presented a situation where, again quoting language from Caperton, *supra*, "the probability of actual bias on the part of the judge or decisionmaker is too high to be constitutionally tolerable."

Judge French should have been recused from being the Referee in the Petitioner's Bar Trial.

III. THE PETITIONER WAS DEPRIVED OF HIS FOURTEENTH AMENDMENT RIGHT TO DUE PROCESS WHEN THE JUDGE ASSIGNED AS THE REFEREE IN THE BAR TRIAL WAS NOT PROPERLY QUALIFIED, PRIOR TO BEING APPOINTED AS THE REFEREE

In the case of Thompson v. Desantis, 301 So. 3d 180 (Florida 2020), the Florida Supreme Court held that when a Judge is appointed to a position, they must be eligible under the constitution and/or rules when they are appointed. This case was cited in the Respondent's Motion For Review Due to Manifest Injustice.

This decision rejected the appointment of a highly respected and skilled Black female Circuit Court Judge, who was appointed to a vacant Florida Supreme Court seat by the

Governor of Florida and who would have been only the second Black, female Florida Supreme Court Justice.¹

In their decision, the Florida Supreme Court set forth that she had not been a member of the Florida Bar for a long enough time, when the Governor of the State of Florida appointed her to the position, even though she would have met that requirement, by the time she took her seat on the Florida Supreme Court. The decision has led to the Florida Supreme Court currently having no Black Justices.

In their decision, the Florida Supreme Court cited writings from the U.S. Supreme Court Justice Antonin Scalia, and set forth, “This implausible reading of the relevant constitutional provisions conflicts with the ‘presumption against ineffectiveness’ canon, which ‘ensures that a text’s manifest purpose is furthered, not hindered.’” Antonin Scalia & Bryan A. Garner, *Reading Law: The Interpretation of Legal Texts* 63 (2012)

Yet, the Florida Supreme Court had no issues with refusing to apply this same standard to the failure of Judge French, a White male Circuit Court Judge, when he clearly did not meet the qualifications to be appointed as a Referee.

Pursuant to The Florida Bar’s Referee Manual, “The Supreme Court of Florida’s rules, effective February 1, 2010, created new requirements for referees. Before a judge may be appointed as a referee, the judge must have previously served as a judicial referee or reviewed referee training materials approved by the Supreme Court of Florida and certified

¹ It should be noted that Mr. Campbell’s permanent disbarment was dissented from by two of the Florida Supreme Court Justices, one being Justice Peggy Quince, the first Black female Florida Supreme Court Justice, who has since that time retired.

to the chief judge that the training materials have been reviewed."

At no point in time has the Certificate of Referee ever been filed and it is thus unknown if Judge French met the requirements for being a Referee prior to his appointment as the Referee in the Bar Trial. Those requirements should have been certified as being met and it is the position of the Petitioner that until the Certificate of Referee was filed, the Bar Trial should have been stayed until it was known whether Judge French met the requirements.

CONCLUSION

The petition for writ of certiorari should be granted for the foregoing reasons.

DATED this 13th day of April, 2022.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mizell Campbell Jr." followed by "J.D." under a horizontal line.

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