

Appendix

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IN THE COUNTY COURT
FOR THE 13TH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

No. 21-CC-007465

JPMORGAN CHASE BANK, N.A.,

Plaintiff,

v.

ANGELA W DEBOSE,

Defendant.

Filed: September 26, 2022

Before: Joseph Tompkins, County Judge

**ORDER ACCEPTING STIPULATION AND DISMISSING
PRINCIPAL CASE**

The court, having reviewed the Stipulation for Settlement and being otherwise duly advised in the premises, hereby orders and adjudges:

1. The Stipulation for Settlement is accepted.
2. Plaintiff's claim against Defendant and Defendant's counterclaim against Plaintiff are hereby dismissed.
3. Defendant's separate claim against Main Street Debt Solutions stemming out of this litigation is NOT dismissed.
4. The court shall retain jurisdiction of the litigation between this Plaintiff and this Defendant for the sole purpose of enforcing the terms of the Stipulation for Settlement in the event of a default.
5. Defendant's claim against Main Street Debt Solutions shall remain active.

Joseph Tompkins, Judge

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IN THE COUNTY COURT
FOR THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

No. 21-CC-007465

JPMORGAN CHASE BANK, N.A.,
Plaintiff,

v.

ANGELA W DEBOSE,
Defendant,

ANGELA W. DEBOSE,
Third-Party Plaintiff,

v.

MAIN STREET DEBT SOLUTION,
Third-Party Defendant.

TRANSCRIPT OF PROCEEDINGS TUESDAY,
DECEMBER 13, 2022
TAMPA, FLORIDA

Pursuant to the Notice of Hearing, held before the
Honorable Judge Joseph Tompkins, at 800 East Twiggs
Street, Courtroom 300, Tampa, Florida, at 10:00 a.m.,
Tuesday, December 13, 2022.

1 APPEARANCES:

2
3 PRO SE DEFENDANT:

4 MS. ANGELA DeBOSE

5 1107 West Kirby Street

6 Tampa, Florida 33604

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PROCEEDINGS

DEPUTY HENDERSON: All rise. Come to
order. Court is now in session, the Honorable Judge
Joseph Tompkins presiding.

THE COURT: Okay. Please be seated.

Okay. Case Number 21-CC-7465, JPMorgan
Chase Bank versus Angela DeBose. And we have Ms.
DeBose present. We do not have anyone present for
JPMorgan Chase Bank because that matter was
resolved, and there was an order today extent.

We are here on a Motion For Civil Contempt
which was filed by Ms. DeBose against Main Street
Debt Solutions, a third party, nonparty third party
here. She's seeking to get some documents.

Okay. Ms. DeBose, I read your motion. And my
concern in regards to the motion was --you know, first,
it looked like the subpoena was properly issued, it
looks like the Notice of Intent was sent out properly,
that the rules were complied with, just a cursory
glance, I'd have to go back and look at it more closely,
but my only concern is that this was issued to a
nonparty and then the underlying case that it

1 was sent out in was resolved. So my initial thought
2 is that the subpoena is moot. The requirement to
3 comply with that subpoena is
4 moot, ma'am.

5 MS. DeBOSE: Your Honor, may I speak?

6 THE COURT: Yes, ma'am.

7 MS. DeBOSE: I would disagree. This
8 subpoena was issued on May 28, 2021. The
9 matter to enforce the subpoena was brought
10 before this Court in a Motion to Compel the
11 Plaintiff to produce documents pursuant to
12 discovery and a Motion to Enforce the Subpoena
13 issued to nonparty Main Street Debt Solutions.

14 THE COURT: That's what we're here for --

15 MS. DeBOSE: Right.

16 THE COURT: -- on the Main Street Debt
17 Solutions.

18 MS. DeBOSE: Yes, I understand that. And with
19 regard to that subpoena, the Court -- the
20 Court stated, which I believe was error, that
21 it could not do anything to enforce a nonparty
22 to comply with a court-issued subpoena. I
23 filed an objection following that hearing --

24 THE COURT: Let me just correct the
25 record.

1 MS. DeBOSE: -- as well as a statement of the
2 evidence.

3 THE COURT: Hold on. Ms. DeBose, wait just a
4 second. Let me correct the record. I don't know what
5 you're speaking about in regards to a prior Court
6 statement. There is no prior depositions or any prior
7 statements made up by this Court on the record. This
8 is the first time I've ever heard this motion, the Motion
9 for Civil Contempt hearing, and so I don't know what
10 you're referring to.
11

12 I'd ask that you argue the motion, and I asked
13 you a question in regards to this motion, and my
14 question was is it moot.

15 MS. DeBOSE: And my answer would be no
16 because --

17 THE COURT: Okay.

18 MS. DeBOSE: -- the record clearly discloses -- I don't
19 know if you're able to bring it up on your screen -- that
20 there was a Motion to Compel JPMorgan Chase to
21 produce documents, and in that same motion there
22 was a Motion For Miscellaneous Relief to also require
23 nonparty -- nonparty Main Street Debt Solution to --
24 Debt Solutions to comply with the
25

1 Court-issued subpoena.

2 THE COURT: Okay. So --

3 MS. DeBOSE: And I followed that proceeding --

4 THE COURT: Wait a second. Just so I'm clear, just
5 so I'm clear, what you're saying is that -- what you're
6 saying is that the subpoena that was issued to Main Street
7 Debt Solutions was not complied with --

8 MS. DeBOSE: Yes, it was not complied
9 with.

10 THE COURT: -- correct?

11 MS. DeBOSE: And it was issued on May 28,
12 2021.

13 THE COURT: May 28th --

14 MS. DeBOSE: 2021.

15 THE COURT: -- 2021. Got it. Okay.

16 All right. And so we're here to enforce
17 that subpoena?

18 MS. DeBOSE: Yes, because during all
19 relevant times they did not comply with the
20 subpoena. And while the issue with JPMorgan
21 Chase was resolved, the debt settlement company
22 had -- has possession of documents pursuant to other --
23 another court matter that's in civil
24
25

1 court. And I filed a -- I filed a third-party complaint
2 against Main Street Debt Solutions.

3 THE COURT: Yes, I saw that.

4 MS. DeBOSE: And I have filed several
5 times to have that transferred to circuit civil
6 so -- for consolidation with the other case.

7 That was not done. And the Clerk of the Court
8 here said that the Court would have to act and
9 declined to accept my filing fee which I sought
10 to pay at the window on at least two occasions.

11 THE COURT: Well, they declined to accept
12 it because there is an order by Judge Polo
13 declaring you to be basically a vexatious
14 litigant and that if you're going to file
15 anything in circuit court, you need an attorney
16 to send out -- you're not -- you're not
17 precluded from filing anything, you need to get
18 an attorney to file your third party -- your
19 complaint against Main Street Debt Solutions in
20 the circuit civil court.

21 MS. DeBOSE: With regard to my filing in
22 this Court, as you know, under the rules, that that
23 injunction does not apply to this type of
24 case. It does not apply--

25 THE COURT: If you were under 30,000 or

1 soon to be under 50,000, then your case could
2 proceed in county. The order by Judge Polo
3 doesn't preclude you from filing here in the
4 county court, okay? So you're still allowed to
5 proceed in county court for now, but you would
6 have to make sure that your claim is going to
7 be within the jurisdictional threshold of the
8 Hillsborough County Court.

9 MS. DeBOSE: Additionally, this type of
10 small-claims-related matters and cross-claims
11 related to small claims, there is case law that
12 indicates that whatever Judge Polo filed, the
13 order she issued, does not apply to those type
14 of cases.

15 And, secondly, Judge Polo's order is being
16 appealed. Judge Polo never had any proceeding
17 with regard to her injunctive relief and there
18 were several errors committed that are --

19 THE COURT: And I understand it's on
20 appeal. And who knows, you may be -- you may
21 have a meritorious argument. I don't know.
22 I wasn't there. I wasn't part of the proceedings in
23 circuit civil. I'm just letting you know
24 that for now the case is not going to be
25 transferred to a circuit civil and be an active

1 case on the circuit civil docket unless you
2 have an attorney. You had an attorney
3 previously.

4 MS. DeBOSE: I have my attorney still.
5 They represent me in the other matter.

6 THE COURT: Wait. So there is an attorney
7 here for this case that represents you in this
8 case here?

9 MS. DeBOSE: No.

10 THE COURT: Okay.

11 MS. DeBOSE: This case I represent myself.

12 THE COURT: You're representing yourself.

13 MS. DeBOSE: I am representing myself with
14 regard to this third-party complaint. And they do
15 represent me against the other party and
16 they also have a Motion to Compel to get
17 documents from -- from the party.

18 THE COURT: Understood. All right.

19 MS. DeBOSE: So my request --

20 THE COURT: But what about here?

21 MS. DeBOSE: My request --

22 THE COURT: What about here today?

23 MS. DeBOSE: My request still applies
24 regardless of whether I get the third-party
25 complaint transferred or not. This nonparty

1 failed to comply with a court-issued subpoena.
2 All of Florida law indicates this Court has
3 authority to issue -- issue contempt against
4 them or have a finding of contempt against them
5 and to enforce the subpoena of this Court.

6 I am interested in and would like to
7 receive documents. I have evidence to show
8 that the documents exist. And, as I presented
9 to this Court before at the prior hearing where
10 I filed my objections and I issued -- I made a
11 statement of evidence that because,
12 unfortunately, my court reporter was blocked
13 from -- from attendance.

14 THE COURT: There was no court reporter
15 that was blocked from attendance at our last
16 hearing. There was no court reporter noticed.
17 I remember you stating that -- that you wished
18 there would have been a court reporter present,
19 but there was no court reporter listed, there
20 was no court reporter brought, and there was no
21 effort by the Court and no action taken by the
22 Court to block any court reporter from
23 appearing for that hearing. So I just want to
24 make sure the record is clear on that.

25 MS. DeBOSE: Okay. Well, the --

1 THE COURT: Now, I am going to ask you
2 again, and I need argument as to why, as to why
3 it's not moot, why the subpoena isn't moot when
4 it was issued to a nonparty, and the case in
5 which it was issued under has now resolved?

6 If you want to seek discovery against this
7 third party which you're now suing, wouldn't
8 you seek the discovery in that case?

9 MS. DeBOSE: Well, the -- first of all,
10 the -- the documents originally applied to the
11 Plaintiff in this action as well as the
12 Plaintiff in the other action.

13 Second, that's stated in the motions that
14 have been filed for -- for civil contempt and I
15 have produced evidence to show that this
16 noncompliance has been willful and the Court --
17 as I have stated and cited in my -- in my
18 motion, the Court has authority under Florida
19 law to enforce its subpoenas.

20 And so there is nothing that states if --
21 if a -- if -- under the law, that -- no case on
22 point for that, that if a case settles with
23 regard to one party, that a third-party
24 complaint ends, terminates, ceases to exist.
25 It does not.

1 THE COURT: No. I agree. My order as
2 well stated that the claim against Main Street
3 Debt Solutions would still be active. However,
4 the -- however, this subpoena was not issued as
5 a result of that cross-claim that you brought.
6 This subpoena was issued coming out of and
7 arising out of the underlying case with
8 JPMorgan which was resolved.

9 MS. DeBOSE: Well, and it was -- it was
10 resolved, as you know. I had a great position
11 at the -- at Summary Judgment. I produced
12 evidence, documents, checks, payments, that I
13 did -- that the matter, and the way it was
14 resolved, I did not have to resolve it that
15 way.

16 I could have much more easily prevailed in
17 that matter had it not been for the willful
18 withholding of documents by Main Street Debt
19 Solutions. They did not provide those
20 documents. I brought evidence to Court today
21 that I'm happy to share with you that shows the
22 documents exist, they're aware of the subpoena,
23 they were served notice of this hearing, and
24 they are not present, and they are showing a
25 willful disregard to the authority of this

1 tribunal and so...

2 THE COURT: If you are correct, then I
3 will be -- then I most likely will be issuing
4 an order to show cause to Main Street Debt
5 Solutions as to it, as required. Because, as
6 you stated in your motion, you stated it
7 succinctly, and I appreciated that, and clearly
8 that it's been over a year since the subpoena
9 was served.

10 And so my concern is only one of being a
11 legal concern being whether or not it's moot.
12 So here's what I'm going to do. I'm going to
13 reserve ruling on your Motion to Compel [sic
14 If I -- I'm going to go back and do some
15 further research as to whether or not the issue
16 is moot, the subpoena is moot, if there's still
17 a requirement to comply with it in light of the
18 resolution of the underlying case.

19 And if it's not moot, then the Court will
20 most likely be issuing an Order to Show Cause
21 to Main Street Debt Solutions as to why it
22 failed to comply with the subpoena that was
23 issued back in May of 2021, okay?

24 MS. DeBOSE: May I?

25 THE COURT: That being said, that's my

1 ruling for today. I do have to get to my next
2 one. And I appreciate it.

3 MS. DeBOSE: May I just make one
4 statement, Your Honor. You mentioned a Motion
5 to Compel and I just want to have the record
6 clearly reflect this is a Motion for Contempt.

7 THE COURT: Motion for Civil Contempt.

8 MS. DeBOSE: Yes.

9 THE COURT: I apologize. I misspoke.

10 MS. DeBOSE: And then, secondly, I --

11 THE COURT: I will issue the Order to Show
12 Cause if it's not already moot or there isn't
13 some other defect --

14 MS. DeBOSE: That's the second thing --

15 THE COURT: -- that would preclude
16 enforcement.

17 MS. DeBOSE: That's the second thing I
18 wanted to ask, if you would give me leave to
19 also file supplemental authority along those
20 lines should I discover it as well.

21 THE COURT: I will not -- I will not
22 preclude you from filing supplemental
23 authority. I would appreciate the extra case
24 law on the matter, so thank you, Ms. DeBose.
25 (Adjourned at 10:21 a.m.)

REPORTER'S CERTIFICATE

I, Kathy Savich, the undersigned RPR, CLR, Realtime Systems Administrator, do hereby certify the proceedings set forth in the foregoing pages was reported by me in stenotype and transcribed under my personal direction and supervision and is a true and correct transcript.

I further certify that I am not of counsel, not related to counsel or the parties hereto, and not in any way interested in the outcome of this matter.

SUBSCRIBED AND SWORN TO under my hand.

Kathy Savich, RPR, CLR

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IN THE COUNTY COURT
FOR THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

No. 21-CC-007465

JPMORGAN CHASE BANK, N.A.,
Plaintiff,

v.

ANGELA W DEBOSE,
Defendant,

ANGELA W. DEBOSE,
Third-Party Plaintiff,

v.

MAIN STREET DEBT SOLUTION,
Third-Party Defendant.

Filed: January 23, 2023

Before: Joseph Tompkins, County Judge

**ORDER DENYING MOTION FOR CIVIL
CONTEMPT AND QUASHING SUBPOENA
DUCES TECUM**

THIS MATTER is before the Court on Defendant/ Third-Party Plaintiff Angela W. DeBose's Motion for Civil Contempt filed on September 7, 2022. In her motion, Ms. DeBose seeks the Court to (1) hold Third-Party Defendant Main Street Solutions in civil contempt for its purported failure to comply with this Court's subpoena duces tecum issued on May 28, 2021, and served on its Records Custodian on June 2, 2021; and (2) require Main Street to pay her a coercive civil contempt sanction of \$100 per day, starting on May 29, 2021, and totaling approximately \$46,700 as of the date of filing this motion. Upon considering Ms. DeBose's motions, her oral argument, and the applicable law, this Court finds that the Motion for Civil Contempt is **DENIED** and the subpoena duces tecum issued to Main Street is **QUASHED**. In reaching this decision, the Court finds as follows:

1. The decision whether "to hold a party in contempt is within the discretion of the trial court, and a court is not obligated to find a party in contempt even where there is a factual basis for such relief." *Preudhomme v. Bailey*, 257 So. 3d 1032, 1034 (Fla. 4th DCA 2018); *see also* Fla. R. Civ. P. 1.410(f) ("Failure by any person without adequate excuse to obey a subpoena served on that person *may* be deemed a contempt of the court from which the subpoena issued." (emphasis added)).

2. "Under Florida law, there is nothing that requires a trial court to hold a person in contempt . . . and a trial court does not abuse its discretion simply by

declining to do so.” *Brooks v. Brooks*, 164 So. 3d 162, 163 (Fla. 2d DCA 2015) (internal alterations and quotations omitted)(quoting *Milton v. Milton*, 113 So. 3d 1040, 1040 (Fla. 1st DCA 2013)). Indeed, the *Brooks* court emphasized that “even without a valid reason to deny a contempt motion, there is no authority mandating that a trial court hold a party in contempt even based upon the movant’s factually correct motion.” *Id.* (affirming the trial court’s denial of a factually correct motion for civil contempt because the trial court was attempting to discourage further vexatious and vindictive litigation).

3. Here, on September 19, 2022, Ms. DeBose and JPMorgan Chase Bank entered a stipulation to voluntarily dismiss with prejudice the underlying suit from which the subpoena duces tecum to Main Street was issued. (See Doc. 68, Stipulation for Settlement; Doc. 77, Notice of Voluntary Dismissal with Prejudice). Thus, because the requirement to produce documents in furtherance of that suit is no longer necessary, the subpoena duces tecum has become essentially moot. Also, since the third-party suit is still ongoing, Ms. DeBose has a more fitting alternative to obtain the documents she wishes to receive from Main Street—namely, Ms. DeBose may serve a request to produce under the provisions of Rule 1.350, Florida Rules of Civil Procedure.

4. Finally, the Court notes that Ms. Debose is effectively seeking a criminal contempt sanction as opposed to a coercive civil contempt sanction. This is because she is seeking a “flat, unconditional fine”—\$46,700.00—that does not afford Main Street the opportunity to purge its alleged contempt through compliance. See *Parsi v. Broward Cty.*, 769 So. 2d 350, 364-65 (Fla. 2000); *International Union, United Mine Workers v. Bagwell*, 512 U.S. 821, 827–28, 831

(1994). As such, even if the Court were inclined to grant the Motion for Contempt—which it is not—the Court would not impose the requested sanction because said sanction is improper.

5. Therefore, keeping in mind the Second District's admonition that "the trial court can exercise its contempt powers if and when it deems it necessary to address any future violations" that may arise in context of the third-party suit, *Brooks*, 164 So. 3d at 163, Ms. DeBose's Motion for Civil Contempt is **DENIED** and the subpoena duces tecum served on Main Street is **QUASHED**.

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**IN THE CIRCUIT COURT OF
THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CIRCUIT CIVIL DIVISION**

Nos.:
**15-CA-5663
17-CA-1652
19-CA-4473**

ANGELA DEBOSE,

Petitioner/Plaintiff,

v.

UNIVERSITY OF SOUTH
FLORIDA BOARD OF TRUSTEES,
GREENBERG TRAURIG, P.A., et al.,

Respondents/Defendants.

Filed: July 25, 2022

Before: Melissa Polo, Circuit Court Judge

INJUNCTIVE SANCTION ORDER
AND DIRECTIONS TO THE CLERK

THIS MATTER is before the Court on its May 19, 2022 Order to Show Cause (Doc. 417)¹, which directed Petitioner/Plaintiff, ANGELA DEBOSE, (hereinafter “DeBose”) to show cause why she should not be found to have engaged in frivolous litigation, or found to be subject to sanctions under Section 57.105, Florida Statutes, or found to be subject to sanctions under the Court’s inherent authority to limit DeBose’s *pro se* access to the courts. On June 5, 2022, DeBose filed her *Response to Order to Show Cause* (Doc. 427). Having considered DeBose’s Response and the court files, the Court finds that DeBose has and continues to engage in frivolous litigation, and that sanctions are warranted under the Court’s inherent authority.

FINDINGS OF FACT

Case Number 15-CA-5663

On January 17, 2020, this Court entered a final, dispositive order denying DeBose’s *Second Amended Petition for Writ of Mandamus*, and directed the Clerk to close the case file (Doc. 264). DeBose filed an appeal of this order on February 16, 2020 (Doc. 268). The appeal was docketed as case number 2D20-0594 in the Second District Court of Appeal (Doc. 272). While the appeal was pending, DeBose filed on May 18, 2020 a motion for relief from [the January 17, 2020] judgment (Doc. 301). The motion was denied with prejudice June 4, 2020 (Doc. 309). The same day, June 4, 2020, DeBose filed a motion to vacate (Doc. 310) the order denying her motion to vacate (Doc. 309). This motion to vacate (Doc. 310) was denied June 5, 2020 (Doc. 311). As evinced by

¹ This Doc. number is from the file for case number 15-CA-5663.

an order of the District Court of Appeal (Doc. 312), DeBose unsuccessfully attempted to appeal, under the auspices of appellate case number 2D20-0594, the June 4, 2020 order denying motion to vacate. On June 20, 2020, DeBose filed a *second* motion for relief from judgment (Doc. 320).² On April 23, 2021, she sought a “time sensitive” hearing on the motion (Doc. 356). Then, on May 2, 2021, DeBose filed a self-styled motion (*Motion to Set Aside Protective Order, Recuse Presiding Judge Hinson Due to Resignation or Disability, Recuse Judge James Barton for Reasons Stated Herein, Vacate/Void All Prior Orders and Judgments, and Grant a New Trial*) seeking omnibus relief (Doc. 361). That motion (Doc. 361) was denied on May 7, 2021 (Doc. 362).³ That same day, the presiding judge also issued an *Order to Show Cause* directing DeBose to show cause why she should not be barred from filing future *pro se* motions or pleadings based on her filing of spurious motions and appellate proceedings in cases 15-CA-5663, 17-CA-2114, and 19-CA-11407 that have delayed the administration of justice (Doc. 363).

On May 10, 2021, the District Court issued its mandate affirming the January 17, 2020 final judgment (Doc. 368). DeBose then attempted to seek review in the Florida Supreme Court (SC21- 701); the Supreme Court dismissed it May 13, 2021 (Doc. 373). DeBose filed another motion to vacate or modify on June 1, 2021 (Doc. 372), reiterating the same issues she previously argued and that were previously

² Although Rule 1.540 motions are considered collateral, the circuit court lacked authority to entertain a motion for relief from judgment when the judgment from which DeBose sought relief was under review in the District Court of Appeal and where DeBose did not ask the appellate court to relinquish jurisdiction. *Glatstein v. Miami*, 391 So. 2d 297 (Fla. 3d DCA 1980).

³ The order denies all pending motions to vacate not previously ruled upon including the one entitled “*Second Motion to Vacate*.” (Doc. 362, ¶ 4).

denied. The court file reflects that DeBose simultaneously attempted to seek relief from the Chief Judge of the Circuit (Doc. 389).⁴

On July 17, 2021, DeBose filed a motion seeking sanctions against Respondent (Doc. 392). On July 29, 2021, Respondent filed a response to DeBose's motion for sanctions and filed a counter-motion for sanctions (Doc. 400). On October 20, 2021, this Court entered a comprehensive order granting Respondent's motion for sanctions and denying, *with prejudice*, DeBose's motion for modification or vacation of orders (Doc. 408). All pending or arguably pending motions filed by DeBose were disposed of by the October 20, 2021 Order and it advised DeBose that no further judicial labor would be provided in the case.

Thereafter, on April 20, 2022, DeBose filed a motion to vacate all orders for lack of jurisdiction and "new claim for independent action" (Doc. 410). On April 25, 2022, the motion was stricken and the clerk was again ordered to close the case file (Doc. 413). Moreover, the Order advised DeBose that should she violate this Court's directive by filing additional paper in this case, the Court would issue a show cause order or impose sanctions. A mere five days later, DeBose filed a motion to reopen the case (Doc. 414). The subject *Order to Show Cause* was issued on May 19, 2022 (Doc. 417).

⁴The court file reflects a June 24, 2021 letter from Assistant General Counsel Christopher Nauman which acknowledges receipt by Chief Judge Ronald Ficarrotta of a document entitled "Supplemental Brief and New Evidence to Support Motion for Modification and Vacation of Orders; Motion to Assign a New Judge; And Motion for New Trial." The letter advises that, as previously explained to DeBose in a May 18, 2021 letter, the chief judge does not possess investigative powers and cannot provide relief in an individual case; that such relief must be requested through a motion filed in the case. The letter further advised DeBose that cases assigned to Circuit Civil Divisions are not assigned to any one specific judge.

Case Numbers 17-CA-1652 and 19-CA-4473⁵

In case 17-CA-1652, on July 13, 2020, the Court entered an order denying with prejudice DeBose's *Motion to Strike Affirmative Defenses and for Other Relief and Denying Plaintiff's Motion to File Second Amended Complaint with Prejudice* (Doc. 114). A final judgment against DeBose was entered on July 22, 2020 (Doc. 120). DeBose sought appellate review in case number 2D20-2455 (Doc. 128). While the appeal was pending, DeBose filed her first of many post-judgment motions, a motion for relief from the July 22, 2020 judgment, on August 22, 2020 (Doc. 133). On June 1, 2021, she filed a *Motion for Modification or Vacation of Orders* (Doc. 149). A *Supplemental Brief and New Evidence to Support Motion for Modification and Vacation of Orders; Motion to Assign a New Judge; and Motion for New Trial* was filed June 19, 2021 (Doc. 153). On May 21, 2021, the appellate court affirmed, with the Mandate issuing August 6, 2021 (Doc. 157).

After that, DeBose filed on September 12, 2021 a *Motion to Set Hearing Date on Plaintiff's Motion for Modification or Vacation of Orders and Motion for New Trial* (Doc. 158) and then on December 2, 2021, a *Motion to Set Case for Jury Trial* (Doc. 162). She continued to seek discovery from Defendants, filing a *Fourth Request for Production of Documents* (Doc. 164) on January 1, 2022, a *Second Motion to Compel the Production of Documents From Defendant University of South Florida Board of Trustees* (Doc. 169) filed February 1, 2022, and a *Request for Production of Documents from Defendant Greenberg Traurig, P.A.* (Doc. 170) filed February 6, 2022. Again, DeBose sought relief outside the case as reflected by the

⁵ The relevant procedural history for cases 17-CA-1652 and 19-CA-4473 is presented together because of its overlap.

December 12, 2021 letter from her addressed to Judge Rex Barbas (Doc. 166).

In case 19-CA-4473, on July 13, 2020, the Court entered its *Order Granting Defendants' Motions to Dismiss Amended Complaint with Prejudice* (Doc. 121). A final judgment against Plaintiff was entered on July 21, 2020 (Doc. 127). Before the Court even entered the final judgment, DeBose filed a motion to vacate (Doc. 122). DeBose sought appellate review in case number 2D20-2532 (Doc. 137). On May 21, 2021, the appellate court affirmed, with the Mandate issuing August 6, 2021 (Doc. 158). Before the Mandate issued (but after the appellate court per curiam affirmed the order on appeal), DeBose filed a *Motion for Modification or Vacation of Orders* on May 31, 2021 (Doc. 149). On June 19, 2021, she then filed a *Supplemental Brief and New Evidence to Support Motion for Modification and Vacation of Orders; Motion to Assign a New Judge; and Motion for New Trial* (Doc. 154). After the Mandate issued, DeBose filed a *Motion to Set Hearing Date on Plaintiff's Motion for Modification or Vacation of Orders and Motion for New Trial* on September 12, 2021 (Doc. 159) and a *Motion to Set Case for Jury Trial* on December 2, 2021 (Doc. 163).

In both cases 17-CA-1652 and 19-CA-4473, on April 1, 2022, the Court issued an *Order Denying All Pending Post-Judgment Motions and Directing Clerk of Court to Close Case File* (Doc. 177; Doc. 169).⁶ In that Order, the Court explained that all of DeBose's claims in these two cases were dismissed with prejudice and the Second District Court of Appeal had affirmed those dismissals. The Court found that DeBose's numerous post-judgment motions sought successive review

⁶ Where two Doc. numbers are provided, the first is from the 17-CA-1652 case and the second is from the 19- CA-4473 case.

and/or failed to state facially sufficient bases for relief.⁷ The Court denied all pending motions and directed DeBose not to file any further papers in these cases. Ten days later, DeBose filed another successive motion to vacate (Doc. 178; Doc. 170). On April 20, 2022, the Court denied that motion, directed the Clerk to close the two case files, and again directed DeBose to file no further papers in these two cases (Doc. 179). The Court further warned DeBose that if she again violated the Court's directive, the Court would issue an order to show cause.

DeBose then filed multiple different papers in her cases. A motion to disqualify the undersigned was filed on May 1, 2022, but only in case number 17-CA-1652 (Doc. 183).⁸ That

⁷ Among her many post-judgment motions, the premier argument DeBose advanced was that multiple judges presided over her pending cases which she claimed resulted in a lack of due process. Owing to unfortunate circumstances, multiple authorized and qualified judges presided over DeBose's cases. DeBose argued that those judges lacked *jurisdiction* to enter orders in her cases during the period of incapacity of the judge assigned to the division. DeBose is mistaken. All judges of a circuit court are authorized to exercise a circuit court's jurisdiction. See *In re: Guardianship of Bentley*, 342 So.2d 1045, 1046 (Fla. 4th DCA 1977). But "for efficiency in administration, the Circuit Court is frequently divided into divisions, with each division handling certain types of cases." *Id.* at 1046–47; see also *Allen v. Bridge*, 427 So. 2d 249, 250 (Fla. 4th DCA 1983). Put another way, it is the *court*, not the particular judges of the court, which has jurisdiction over a case. *Allen*, 427 So. 2d at 250. Litigants have no right to have, or not have, any particular judge of a court hear their cause. *Id.* There is no due process right to be heard before any assignment or reassignment of a case to a particular judge. *Id.* at 251. The assignment of and coverage by judges of divisions other than their own is a matter of internal court policy and judicial administration. A litigant does not have standing to enforce internal court policy. *Id.* at 251. This was explained to DeBose both orally at hearings and in writing.

⁸ For reasons unknown, DeBose filed the actual motion to disqualify only in case 17-CA-1652. Yet, in cases 15-CA-5663 and 19-CA-4473, she filed a *Notice to the Clerk of Plaintiff Filing Motion to Recuse Presiding Judge*, not the actual motion to disqualify (Doc. 416; Doc. 174).

motion was denied on May 19, 2022 (Doc. 190). In the 19-CA-4473 case, on May 1, 2022, DeBose filed a *Motion for an Emergency Temporary Injunction or Temporary Injunction and Motion to Transfer the Case* (Doc. 173). Shortly after filing her motion to disqualify, on May 6, 2022, in case 17-CA-1652, DeBose also filed a motion to reopen and transfer the case (Doc. 185). Because DeBose filed new papers in violation of the Court's prior directives, the Court issued the May 19, 2022 Order to Show Cause in all three cases. Subsequent to the Court issuing its Order to Show Cause, DeBose filed a *Notice of Interlocutory Appeal* (Doc. 187; Doc. 176) on May 21, 2022 in the Second District Court of Appeal, which was docketed as case number 2D22-1666. On May 28, 2022, DeBose filed in this Court a *Motion for a Stay Pending Appeal* (Doc. 200; Doc. 184), which was denied on June 14, 2022 (Doc. 202; Doc. 186).

On June 5, 2022, DeBose filed her *Response to Order to Show Cause*. On June 22, 2022, the Second District Court of Appeal granted Appellee, University of South Florida's motion to dismiss and dismissed the appeal as from a nonfinal, nonappealable order (Doc. 204; Doc. 187).⁹ That same day, DeBose filed in this Court, but only in case 17-CA-1652, a *Motion for Leave to File Third Amended Complaint* (Doc. 203). Thereafter, the appellate court in case 2D22-1666 then denied DeBose's motion for sanctions on July 1, 2022 (Doc. 205; Doc. 188), as well as denied her motion for reconsideration on July 15, 2022 (Doc. 206; Doc. 189). In appellate case number 2D20-2532 (the appeal from

⁹ In that order, the Second District Court of Appeal also cautioned DeBose that further filing of frivolous appeals or petitions may result in the issuance of an order to show cause why DeBose should not be sanctioned.

the final judgment in 19-CA-4473), on July 20, 2022, the Second District Court of Appeal also issued an order striking as unauthorized DeBose's motion for reconsideration (Doc. 190).

CONCLUSIONS OF LAW

"It is well-settled that courts have the inherent authority and duty to limit abuses of judicial process by pro se litigants." *Ardis v. Ardis*, 130 So. 3d 791, 792 (Fla. 1st DCA 2014) (quoting *Golden v. Buss*, 60 So. 3d 461, 462 (Fla. 1st DCA 2011)); *see also Sibley v. Fla. Judicial Qualifications Comm'n*, 973 So. 2d 425 (Fla. 2006). A litigant abuses the right to self-represented access to the court by filing repetitious and frivolous pleadings, thereby diminishing the courts' ability to devote their finite resources to the consideration of legitimate claims. *Ardis*, 130 So. 3d at 793, (citing *Rivera v. State*, 728 So. 2d 1165, 1165 (Fla. 1998); *Attwood v. Singletary*, 661 So. 2d 1216, 1216 (Fla. 1995)). Such abuse of process is evinced by a pattern of filing baseless pleadings. *Id.* When the court has identified a pattern of abuse of the judicial system, it has the inherent authority to sanction the abusive litigant in the interest of fair and just allocation of judicial resources and to protect the rights of others' access to timely review of legitimate controversies. *Sibley*, 973 So. 2d at 426; *Golden v. Buss*, 60 So. 3d 461, 462 (Fla. 1st DCA 2011).

The Court first finds that it has provided DeBose ample notice and an opportunity to respond. *See Bolton v. SE Prop. Holdings, LLC*, 127 So. 3d 746 (Fla. 1st DCA 2013). As the Thirteenth Judicial Circuit Court Administrative Order S-2017-038 aptly points out, "[c]ourts have the inherent authority to prohibit the deliberate and continual filing of frivolous actions that demonstrate an egregious abuse of the judicial process and ultimately interfere with the timely

administration of justice.” *See id.*; *see also Delgado v. Hearn*, 805 So. 2d 1017 (Fla. 2d DCA 2001); *see State v. Spencer*, 751 So. 2d 47 (Fla. 1999). Upon careful consideration, the Court finds that DeBose has egregiously abused the judicial process by filing voluminous and frivolous documents in these three cases, and by repeatedly attempting to improperly seek relief through administrative channels.

DeBose’s pattern of filing, as outlined in detail herein, shows that she will continue to file a high volume of repetitious pleadings if not curtailed. DeBose has exhausted all available trial and appellate court proceedings on the substantive matters in these three cases. She has had her day in court and has been afforded the due process to which she is entitled. Subsequent to the entry of final judgments, DeBose has filed many motions and documents in an apparent effort to prolong the finality of these cases. DeBose’s arguments seek successive review and/or fail to state facially sufficient bases for relief. She has been advised, multiple times, that her allegations lack merit and that they are not properly raised. She has been warned to stop filing papers in these closed cases. Yet, she persists. DeBose’s filings have placed an unreasonable burden on this Court. Her filings and violation of court orders impede the fair and just allocation of judicial resources and impair the rights of other litigants to timely review of their legitimate filings. Additionally, DeBose strains other court resources by attempting to seek relief outside the confines of the cases. Her letters to the Chief Judge and Administrative Judge distract from their duties and caseloads. Although one explanation is understandable, DeBose was informed many times that judges have no authority over their fellow constitutional officers and that she must seek relief by motion filed in a case. The result of DeBose’s prolific and meritless filings is an extreme waste of time and judicial resources at both the trial and appellate levels. This Court has now spent an

unreasonable amount of time and effort on matters involving DeBose. Not only does this greatly prejudice the opposing parties who must expend countless hours and dollars to defend against her frivolous claims and repeated filings, it also unfairly distracts this Court's attention away from other cases and litigants who deserve their fair day in court. DeBose's actions have placed an unfair burden on this Court that reduces the time that should be spent on meritorious motions and cases.

These matters have been fully adjudicated and these cases must be closed. Yet, evidenced by her continued filings, if not curtailed, it appears DeBose will not stop engaging in frivolous and abusive litigation. Pro se litigants are held to the same standards as a reasonable attorney. DeBose does not hold herself to those standards. In order for this Court to do so, which will allow these matters to finally end, the Court finds that sanctions must be imposed. The Court finds that prohibiting DeBose from appearing pro se, and requiring any future papers be signed by a licensed attorney is not an unreasonable restraint on her access to the courts. *See Platel v. Maguire, Voorhis & Wells, P.A.*, 436 So. 2d 303, 304 (Fla. 5th DCA 1983) (explaining that "when one person, by his activities, upsets the normal procedure of the court so as to interfere with the causes of other litigants, it is necessary to exercise restraint upon that person" and finding that requirement that pleadings be accompanied by an attorney's signature does not amount to a complete denial of access).

Accordingly, it is hereby **ORDERED** and **ADJUDGED**:

1. ANGELA DEBOSE is hereby **PROHIBITED** from appearing before this Court as a plaintiff, defendant, petitioner, respondent, appellant or appellee, unless

represented by a member in good standing of The Florida Bar.

2. ANGELA DEBOSE is **ENJOINED** from filing further documents with this Court or with the Clerk unless the document is signed by a member in good standing of The Florida Bar.
3. In accordance with Administrative Order S-2017-038, the Clerk of Court may (A) place any submissions received by ANGELA DEBOSE after entry of this injunctive sanction order into an inactive file; and (B) accept from ANGELA DEBOSE, file, and submit to the appellate court a notice of appeal. *See also G.W. v. Rushing*, 22 So. 3d 819 (Fla. 2d DCA 2009).
4. This Order shall apply to all of ANGELA DEBOSE's cases in this Court's Division C, as well as to any new action subsequently filed by ANGELA DEBOSE, regardless of what division of the Circuit Civil Division that new case would be assigned.
5. The Clerk of Court is **DIRECTED** to place a copy of this Order in case numbers 17-CA-1652 and 19-CA-4473 and then to **CLOSE** these three case files.

DONE AND ORDERED and effective as of the date imprinted below with the Judge's signature.

MELISSA M. POLO,
Circuit Court Judge

Electronic Copy to:
Chief Judge Ronald Ficarrotta
Clerk of the Court
Circuit Civil Judges

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**IN THE DISTRICT COURT OF APPEAL
OF THE STATE OF FLORIDA
SECOND DISTRICT**

No.: 2D23-0277

ANGELA DEBOSE,

Petitioner/Plaintiff,

v.

JP MORGAN CHASE BANK, N. A., ET AL.,

Respondents/Defendants.

**Appeal from the Thirteenth Judicial Circuit Court
Joseph M. Tompkins, County Judge
21-CC-7465**

Filed: May 3, 2023

**Before: Patricia J. Kelly, Daniel H. Sleet,
and Suzanne Labrit, Florida District Court Judges**

BY ORDER OF THE COURT:

Respondent's motion to dismiss is granted.

The petition for writ of certiorari is dismissed for lack of jurisdiction. *See Parkway Bank v. Fort Myers Armature Works, Inc.*, 658 So. 2d 646, 648-49 (Fla. 2d DCA 1995).

KELLY, SLEET, and LABRIT, JJ., Concur.

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

Mary Elizabeth Kunzel
Clerk

Served:

CHRISTOPHER J. DUNN, ESQ.
DREW LINEN, ESQ.
MICHAEL WESTON, ESQ.
ANGELA DE BOSE
CAYLA MC CREA PAGE, ESQ.
MICHAEL CONNELLY, ESQ.
RICHARD C. MC CREA, JR., ESQ.
CINDY STUART, CLERK

a55

**IN THE DISTRICT COURT OF APPEAL
OF THE STATE OF FLORIDA
SECOND DISTRICT**

No.: 2D23-0277

ANGELA DEBOSE,

Petitioner/Plaintiff,

v.

JP MORGAN CHASE BANK, N. A., ET AL.,

Respondents/Defendants.

**Appeal from the Thirteenth Judicial Circuit Court
Joseph M. Tompkins, County Judge
21-CC-7465**

Filed: June 28, 2023

**Before: Patricia J. Kelly, Daniel H. Sleet,
and Suzanne Labrit, Florida District Court Judges**

BY ORDER OF THE COURT:

Petitioner's motion for rehearing, rehearing en banc, written opinion, and certification is denied.

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

Mary Elizabeth Kunzel
Clerk

Served:

CHRISTOPHER J. DUNN, ESQ.
DREW LINEN, ESQ.
MICHAEL WESTON, ESQ.
ANGELA DE BOSE
CAYLA MC CREA PAGE, ESQ.
MICHAEL CONNELLY, ESQ.
RICHARD C. MC CREA, JR., ESQ.
CINDY STUART, CLERK

a57

SUPREME COURT OF FLORIDA

No.: SC2023-0461

ANGELA DEBOSE,

Petitioner/Plaintiff,

v.

University of South Florida,
Board of Trustees, et al.,

Respondents/Defendants.

Appeal from the Second District Court of Appeals
2D23-0277,
2D22-2779, 2D22-1666, 2D20-2532, 2D20-2455;
292015CA005663A001HC,
292017CA001652A001HC,
292019CA004473A001HC

Filed: May 19, 2023

Before: Charles T. Canady, Jorge Labarga, John D. Couriel,
Jamie R. Grosshans, and Renatha Francis,
Florida Supreme Court Justices

To the extent Petitioner seeks a writ of mandamus directed toward the Second District Court of Appeal, the petition is denied for failure to establish a clear legal right to any of the requested relief. *See Huffman v. State*, 813 So. 2d 10, 11 (Fla. 2000). To the extent Petitioner seeks a writ of prohibition directed toward the circuit court, the petition is denied without prejudice to Petitioner seeking relief in the appropriate district court. No rehearing will be entertained by this Court.

CANADY, LABARGA, COURIEL, GROSSHANS, and
FRANCIS, JJ., concur.

A True Copy
Test:

John A. Tomasino
Clerk, Supreme Court

Served:

Marie A. Borland
Angela W. DeBose
Hon. Mary Beth Kuenzel
Richard C. McCrea, Jr.
Cayla M. Page
Hon. Melissa M. Polo
Hon. Cindy Stuart
Joshua C. Webb

SUPREME COURT OF FLORIDA

No.: SC2023-0461

ANGELA DEBOSE,

Petitioner/Plaintiff,

v.

University of South Florida,
Board of Trustees, et al.,

Respondents/Defendants.

Appeal from the Second District Court of Appeals
2D23-0277,
2D22-2779, 2D22-1666, 2D20-2532, 2D20-2455;
292015CA005663A001HC,
292017CA001652A001HC,
292019CA004473A001HC

Filed: June 26, 2023

Before: Charles T. Canady, Jorge Labarga, John D. Couriel,
Jamie R. Grosshans, and Renatha Francis,
Florida Supreme Court Justices

Petitioner's "Motion for Certification of Decision as Final and Appealable" has been treated as a motion for rehearing, and pursuant to this Court's order dated May 19, 2023, said motion is hereby stricken as unauthorized.

A True Copy

Test:

John A. Tomasino
Clerk, Supreme Court

Served:

Marie A. Borland
Angela W. DeBose
Hon. Mary Beth Kuenzel
Richard C. McCrea, Jr.
Cayla M. Page
Hon. Melissa M. Polo
Hon. Cindy Stuart
Joshua C. Webb