

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

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FEC #16-357 (WOOD JR) From FEC #16-245 (SKINNER)

2017 AUG 10 A 10:50

RE FLORIDA ELECTIONS COMMISSION VERSES GAYLORD A. WOOD JR., Petitioner(s)

STATE OF FLORIDA  
ELECTIONS COMMISSION

CONCURRENT WITH

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

DOAH NO. 17-1594F (Lawyer Fee)

GAYLORD A. WOOD JR. ESQ. FEC 16-357 (WOOD JR) From FEC 16-245 (SKINNER)\*\* Petitioner(s)

Versus

\*\*

RICHARD CHARLES LUSSY AKA R.C. "Rick" Lussy MAI, SRA Candidate 2016 (R) \*\* Respondent(s)

**MOTION AFFIDAVIT** *Sine Qua Non*:<sup>1</sup> To Eschew Obfuscation<sup>23</sup> From **WOOD JR ESQ: 6-Page: "Respondent's Exception To Recommended Order"** AND: 34-Page, DOAH File #88 Docket: PETITION FOR COURT DEFAULT APPOINT<sup>4</sup> R.C. "Rick" Lussy Collier County Property Appraiser

**OR IN THE ALTERNATIVE**

**RICK LUSSY'S: RECOMMENDED ORDER: REPLY TO 7/21/17 DOAH JUDGE NEWTON II WITH 70-EXCEPTION-FRAUDS: AFFIDAVIT: TO EXISTING LAW (AS ATTACHED)**

STATE OF FLORIDA

COLLIER COUNTY

A formal hearing was held before duly-designated Administrative law Judge ("ALJ") of the Division of Administrative Hearings ("DOAH"): John D. Campbell Newton, II, Florida Bar No. 244538 on May 12, 2017, 9:00 am to 1:00 pm, Tallahassee video conference: Fort Myers (Respondent pro se) & Lauderdale Lakes (Petitioner pro se).

Timely filed in DOAH 7/24/17, as 34-pages attached RE: **WOOD JR ESQ: 6-Page:**

**"Respondent's Exception To Recommended Order"** was U.S. Mail 8/5/17 Not E-Mailed

<sup>1</sup> *Sine qua non*; Latin: refers to an indispensable & essential action, condition, or ingredient. Originally a Latin legal term for "[a condition] without which it could not be," or "but for..." or "without which [there is] nothing". Wikipedia Dictionary 6/26/13.

<sup>2</sup> **Eschew obfuscation**", also stated as "eschew obfuscation, espouse elucidation", is a fumblerule used by English teachers and professors when lecturing about proper writing techniques. Literally, the phrase means "avoid being unclear" or "avoid being unclear, support being clear", but the use of relatively uncommon words causes confusion, making the phrase an example of irony, and more precisely a heterological. Phrase has appeared in print at least as early as 1959, when used as section heading in a NASA document.<sup>[2]</sup> Wikipedia encyclopedia, 11/19/13

<sup>3</sup> **Obfuscation**. *verb*: to make (something) more difficult to understand, transitive verb 1 *a* :DARKEN *b* : to make obscure <obfuscate the issue> 2 : confuse <obfuscate the reader> intransitive verb: to be evasive, unclear, or confusing. Source Merriam Webster Dictionary 11/19/13. Obfuscation (or beclouding) is the hiding of intended meaning in communication, making communication confusing, willfully ambiguous, and harder to interpret. Source. Wikipedia, the free encyclopedia, 11/19/13, Not in Black's Law Dictionary 10<sup>th</sup> Edition (2014).

<sup>4</sup> Florida Statute 104.051 Violations; neglect of duty; corrupt practices. (1) Any official who willfully violates any provisions of this election code shall be excluded from polls. Any election official who is excluded shall be replaced as provided in this code. (2) Any official who willfully refuses or willfully neglects to perform his or her duties ...

August 1, 2017 Per Certificate of Mailing, as mine was DOAH filed as docket #88. This 6-page response by 113-collective years if Law Practice: Florida's Finest Florida Bar Association Lawyers: WOOD JR ESQ. (55-years), WOOLSEY (16-Years), HERRON (42-years). All are working for political opponent SKINNER blocking 24-now 25-years of deferred maintenance in the Collier County Property Appraiser's Office as aiding and abetting-fraud & obstruction against the Florida August 30, 2016 election process.

WITHOUT considering the prior incorrect alternet set of facts Badge of Slavery-wrongful "vextious litigant" **WOOD JR ESQ** claims authority in Florida Statute 120.57(1)(k), however continuing this DOAH 17-1594F/FEC 16-357/FEC 16-245: move to appoint R.C. "Rick" Lussy Collier County Property Appraiser pursuant § 104.051 Fla. Stat. [FN#4] **WOOD JR ESQ** refused to comply with DOAH 5-court orders to U.S. Mail physical copies of all Exhibits before the May 12, 2017 final hearing, as itemized below. Therefore, there is nothing in the record to favorably rule on behalf of WOOD JR ESQ./WOOLSEY ESQ/HERRON ESQ.

- o DOAH Docket #25, April 27, 2017, "\*\*Second Amended Notice Of Hearing By Video Teleconference".
- o DOAH Docket #18, 4/19/17, "\*\*Amended Notice of Hearing By Video Teleconference".
- o DOAH Docket #14, April 3, 2017, "Amended Order of Pre-Hearing Instructions".
- o DOAH Docket #13, March 31, 2017, "Order of Pre-Hearing Instructions";
- o DOAH Docket #12, March 31, 2017, "Notice of Hearing By Video Teleconference".

And WITH considering transcript cost. This subject transcript was never once referenced in any responsive pleading by/of WOOD JR ESQ. (55-years), WOOLSEY ESQ.(16-Years), HERRON ESQ.(42-years) 113-collective total years of practicing law within Florida State.

This Motion-Petition Affidavit is a Restatement for Court Default to Appoint R.C. "Rick" Lussy aka HON RICK ESQ Collier County Property Appraiser By Executive-Legislative-Judicial Authority in Jurisdiction Pursuant Florida Election Statute 104.051 [FN#4] As Contesting the Florida Election Commission's Alternate Set of Facts predicate to the incorrect "vexatious" litigant ruling as contained in the substance DOAH Docket #1 signed by Ms. Amy McKeever Toman #686344 Executive Director Florida Elections Commission.

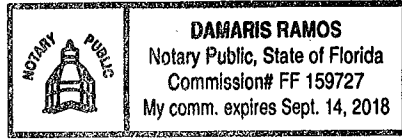
The "vexatious" litigant is in a seperate process for correction. A as any person can correct manipulated and falsified public records pursuant Florida Statute 839.13(2)(d). Stated so to discontinue *repetition of libel per se* also-known-as to indict a "ham sandwich."<sup>5</sup>

RECAP: WOOD JR ESQ. (55-years), WOOLSEY ESQ (16-Years), HERRON ESQ obstruction tools for SKINNER to be fraudulently kept in public office another 4-years: 312-violations, 13-material fact frauds, 3-U.S. Constitution Ant-i-trust policy failures, 43-Impeachments and these attached 70-Exception-Frauds not contested by WOOD JR. ESQ in **Respondent's Exception To Recommended Order.**

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<sup>5</sup> A former chief appellate judge of New York State once famously remarked that a special prosecutor could persuade grand jurors to "indict A ham sandwich." Source: "Grand Jury Says Abuse Stories Were a "Carefully Crafted Hoax, *Omaha World-Herald*, July 25, 1990.

NOTARY PUBLIC VERIFIED, SWORN To & Subscribed before me this Monday of August 7, 2017, by Richard C. Lussy, *Rick Lussy* who ( ) is personally known to me or who (x) have produced his Florida Drivers License as identification: 2840 Shoreview Dr., Suite #2, Naples, Fla. 34112, Ph (239) 263-5413, E-mail: ricklussy@yahoo.com.



By *Damaris Ramos*  
Notary Public, State of Florida  
*Damaris Ramos*  
Print, Type, or Name of Notary Public

CERTIFICATE E-served this Monday August 7, 2017 by *Rick Lussy* Rick Lussy

(1) To: Clerk Ms. Claudia Llado & DOAH Judge John D. Campbell Newton, II, Florida Bar No. 244538, Tallahassee, Florida 32399. **E-file** [www.doah.state.fl.us](http://www.doah.state.fl.us).

✓(2) Ms. Amy McKeever Toman #686344 Executive Director Florida Elections Commission.  
Email: [Amy.Toman@MyFloridaLegal.com](mailto:Amy.Toman@MyFloridaLegal.com) and hard copy U.S. Mail,  
Office of Florida Elections Commission Phone 850-922-4539  
107 W. Gains Street, Suite 224, Tallahassee, FL. 32399-1050

(3) Pro se Gaylord Wood Jr. Esq. Bar Number 89465 P.O. Box 1987, Bunnell, Fla. 32110;  
**E-mail: only:** [pleadings@Woodstuartpa.com](mailto:pleadings@Woodstuartpa.com) ph: 386-437-9400

(4) Pro se John Christopher Woolsey, Esq. Bar Number 537438, for STUART & WOOD P.A. (B. Jordan Stuart 1943-2016) P.O. Box 1987, Bunnell, Fla. 32110; **E-mail: only** [pleadings@Woodstuartpa.com](mailto:pleadings@Woodstuartpa.com) ph: 386-437-9400

DOCKET 788  
18:04  
Clandia  
Wood Jr  
8/2/17

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

GAYLORD A. WOOD JR., Petitioner(s),

vs

Case No. 17-1594F (F-lawyer fee)

R. C. "Rick" LUSSY Respondent(s) (FEC 16-357 (WOOD JR) not waived FEC 16-245 (SKINNER))

**RESPONDENT'S PETITION FOR COURT-EXECUTIVE-LEGISLATIVE GOV'T TO DECLARE  
DEFAULT<sup>[1]</sup> JUDGMENT: TO APPOINT R.C. "Rick" LUSSY PROPERTY APPRAISER POST AUG. 30,  
2016 ELECTION: (FLA. STATUTE 104.051<sup>[2]</sup>) JUDGE J. D. C. NEWTON, II, REFUSES TO ENFORCE  
HIS 5-COURT ORDERS: WOOD JR. ESQ./WOOLSEY ESQ./HERRON ESQ. CONSULTED SKINNER  
THEFT ON RESPONDENT: 3-U.S. Constitution Anti-Trust: Fla. Election Com. Agency Policy Failures.**

- o Florida Elections Commission Paper Over Alternative facts suppressed "vexatious" litigant till now.
- o NO CAUSATION, NO EXHIBITS: DOCKET #12, March 31, 2017 "Notice of hearing by video teleconference... the parties shall provide the Administrative Law Judge with copies of all of the proposed exhibits" Finding No Evidence In Record To Support Pro Se Petitioner Lawyers Fee & Cost.
- o NO DAMAGES NO ACTUAL LOSSES *Sine Qua Non* After Success: Aug. 30, 2016 Election.
- o NOT REASONABLE<sup>[3]</sup> +42% *DE MINIMUS* (-\$25,940<sup>[4]</sup>) VARIANCE<sup>[5]</sup> Malice >10% CHANGE.
- o NOT REASONABLE 43<sup>[6]</sup> Impeachments: Exhibit A-8514 6/15/17, (31-PAGE) RESPONDENT AFFADIVIT.
- o NO PUBLIC EMPLOYEE REASON(S): 312-VIOLATIONS & 13-Material Fact FRAUDS.
- o NOT REASONABLE: No 100% Tax Roll Maintenance for 25-years, Facts Dispute 8-Year+/- Litigation For 4-Year Elected Property Appraiser Term: Gov't Lawyer Dictators Win Again.

OR IN THE ALTERNATIVE

**RESPONDENT'S: RECOMMENDED ORDER: REPLY TO 7/21/17 DOAH JUDGE NEWTON II WITH  
~~70000~~ EXCEPTION-FRAUDS: AFFIDAVIT: TO EXISTING LAW<sup>[7]</sup> AFTER Prop. Appraiser ELECTION.**

<sup>[1]</sup> Defaults & Final Judgments Thereon: Florida Rule Civil Procedure 1.500(b) When a party against whom affirmative relief is sought has failed to plead or otherwise defend as provided by these rules or any applicable statute or any order of court, the court may enter a default against such party; provided that if such party has filed or served any paper in the action, that party shall be served with notice of the application for default.

<sup>[2]</sup> Florida Statute 104.051 Violations; neglect of duty; corrupt practices. (1) Any official who willfully violates any provisions of this election code shall be excluded from polls. Any election official who is excluded shall be replaced as provided in this code. (2) Any official who willfully refuses or willfully neglects to perform his or her duties ...

<sup>[3]</sup> Reasonable Person (1856) 1. Hypothetical person used as a legal standard, esp. to determine whether someone acted with negligence, ... degree of attention, knowledge, intelligence, & judgment that society requires of its members for protection of their own & others' interests. Black's Law Dictionary 10<sup>th</sup> Ed. (2014) page 1457. AND Reasonable ... <a reasonable person would have looked both ways before crossing the street>. *Ibid* page 1456-7.

<sup>[4]</sup> The pro se petitioner lawyer's lawyer fee 42% (-\$25,940) spread is malice & above 10% industry standard. The spread Judge Newton II states are "mathematical" errors (7/21/17 Order paragraph 23) & lawyer ethics need not prove malice (*ibid* paragraph 28). The \$36,802.50 (-\$25,940) lawyer fee overage (5/12/17) part 43 impeachments Exhibit A-8514 divided by Judge Newton II's \$10,862.50 (no distinction) pre-post 5/12/17 hearing.

<sup>[5]</sup> Florida Statutes 120.52(2) & 120.54(7) & 120.542 Variances and waivers. (1) Strict application of uniformly applicable rule requirements can lead to unreasonable, unfair, & unintended results in particular instances. Legislature finds that it is appropriate in such cases to adopt a procedure for agencies to provide relief to persons subject to regulation. *A public employee is not a person subject to regulation under this section for the purpose of petitioning for a variance or waive* to a rule affects that public employee his or her capacity as a public employee.

<sup>[6]</sup> Respondent R.C. "Rick" Lussy aka HON RICK, ESQ'S: Proposed Recommended Order Finds No Evidence In Record To Support Petitioner Lawyer Fee & Costs: Interpretation (FUNCTIONAL LITERACY) Of Statute(s) Set Aside: FEC 16-357/16-245 Pursuant Fla. Stat. 120.68 (7)(9) AFFIDAVIT OR IN THE ALTERENATIVE: ...

A formal hearing was held before duly-designated Administrative law Judge ("ALJ") of the Division of Administrative Hearings ("DOAH"): John D. Campbell Newton, II, Florida Bar No. 244538 on May 12, 2017, 9:00 am to 1:00 pm, Tallahassee video conference: Fort Myers (Respondent pro se) & Lauderdale Lakes (Petitioner pro se). Proposed Recommended Order inside 10-days of Clerk 6/7/17 filed contestable Florida Elections Commission ("FEC") order: *dismissal without hearing* (FEC 16-357 (WOOD JR) Confidential-no Clerk waived confidentiality FEC 16-245 (SKINNER)) before August 30, 2016 election. After this SKINNER-WOOD JR ESQ/WOOLSEY/HERRON lawyer success: FEC versus Gaylord A. Wood Jr. in this Case No. 17-1594F (F-lawyer fee) prima facie is not versus R.C. "Rick" Lussy.

#### APPEARANCES

**For Petitioner pro se:** Gaylord A. Wood Jr. pro se Esq., Bar Number 89465;  
WOOD & STUART P.A. P.O. Box 1987, Bunnell, FL 32110-1987  
E-Mail: [pleadings@Woodstuartpa.com](mailto:pleadings@Woodstuartpa.com), Office: 386-437-9400

**Pro se fact witness testimony:** John Christopher Woolsey, Esq. Bar #537438 (issues review)  
WOOD & STUART P.A., P.O. Box 1987, Bunnell, FL 32110-1987  
E-Mail: [yjwools@hotmail.com](mailto:yjwools@hotmail.com) Office: 386-437-9400

**Expert Testimony:** Mark Herron Esq., Bar Number 199737 (time spend only issue)  
Messer Caparelo P.A.; 2618 Centennial Place, Tallahassee, FL 32308-0572; Office: 850-222-0720; Email: [mherron@lawfla.com](mailto:mherron@lawfla.com)

**For Respondent pro se:** R.C. "Rick" Lussy Esq. MAI (Member Appraisal Institute), SRA (Senior Residential Appraiser), Fla. State Certified General (Property) Appraiser RZ 1564 & License SL 531638 aka HON RICK ESQ: RICHARD LUSSY & ASSOCIATES, 2840 Shoreview Dr. Suite #2, Naples, FL 34112, Ph. (239) 263-5413; E-Mail: [ricklussy@yahoo.com](mailto:ricklussy@yahoo.com)

BACKGROUND: The election & U.S. Constitution are not irrelevant yet by FEC are "*legally insufficient*" by *sine qua non*.<sup>8</sup>

**DOAH QUESTION IS TO REPORT BACK TO FEC:** respondent's constructive notice is *fraud on the court by officers of the court*. Respondent-HON RICK ESQ applies the legal process against government lawyers-judges-justices citing: (1) Repression of "vexatious" litigant alternative set of facts now evident in DOAH Docket #3, date stamp file 12/13/16. (2) Florida Statement of Political Candidate Judges; (3) Fla. Judicial Canon 3D3, (4) Fla. Supreme Court Fraud Definition include 3D3 to discriminate is a variance [FN#5] against U.S. law, Fla. Stat. 120.542; 106.265(1)(2)(D) consubstantial with 120.52(2) subordinate to 120.54(7) Florida Statutes. This Petition adds Executive-Legislative plenary review: Case No. 17-1594F (F-lawyer fee) is compliant with Florida State Constitution Article VII Section 1 Taxation; appropriations; state expenses; state revenue limitation, consubstantial, Article II,

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<sup>8</sup>What is the "rule of law"? Question #12 on U.S. Citizenship & Immigration Services Test beginning October 1, 2008. Answer: Everyone must follow the law. Leaders must obey the law. Gov't must obey the law. No one is above the law.

<sup>9</sup>Sine qua non: Latin: refers to an indispensable and essential action, condition, or ingredient. It was originally a Latin legal term for "[a condition] without which it could not be," or "but for..." or "without which [there is] nothing". Source: Wikipedia Free Internet Dictionary 6/26/13.

Section 3<sup>9</sup> Branches of government. Florida State Constitution Article V Section 19. Judicial officers as conservators of the peace.<sup>10</sup> Note independent judiciary is practicing independence from existing law.

Florida State Constitution Article I, Section 21 Access to courts<sup>11</sup> has been 100% denied to Respondent R.C. "Rick" Lussy aka HON RICK ESQ as wrongfully: *Branded A Slave* to "vexatious" litigant that prohibits access to small claims court jurisdiction to impeach the Florida State Supreme Court. Florida lawyers will not broach-challenge Florida State Supreme Court without out-of-state prime-counsel lawyers that will cost \$500K more as did the government lawyer manipulated and falsified public records that began October 22, 1981 after HON RICK ESQ with his Honorable Father: Saint Henry Francis Lussy were successful in Anaconda-Deer Lodge, Montana legal malpractice lawsuit against pro se Defendant Dahood Esq. DV-80-41/12773, while pursuing \$875K deficiency judgment against pro se Def. Bennett the Banker in a Butte-Silver Bow, Montana securities fraud CV-78-67-BU, ongoing.

**FLORIDA ELECTION COMMISSION ("FEC")** Mandate self-favors all public servant lawyer judge, justices agents ("PSLJJA") paid to investigate:<sup>12</sup> never did investigate FEC 16-357 (WOOD JR ESQ) & FEC 16-245 (SKINNER) as evidenced in limited testimony against SKINNER/WOOD JR ESQ/WOOLSEY ESQ/HERRON ESQ refusing portability of homestead to Henderson<sup>13</sup> and SKINNER'S sex abuse of (deceased) Mrs. Siciliano as an employee of SKINNER in the Collier County Property Appraisers Office: evidenced by her living son Mr. Siciliano. Both examples are independent, objective fact witnesses (2-Subpoena Duces Tecum) not squashed by government employees against government purpose in fraudulent abuse of registered voter taxpayer ("RVT") theft of tax monies. This issue is one-hundred percent certain to go to U.S. Supreme Court Writ of Certiorari.

Case DOAH Case No. 17-1594F (F-lawyer fee) offers a fraudulent alternative set of facts: applying 39 of the 47-pages to "vexatious" Docket #3: "Amended Petition To Award Fees & Costs citing FEC 16-357 (WOOD JR ESQ) by express omission FEC 16-245 (SKINNER) is 100% concealment by insider trading with PSLJJA-FEC. Motive is lawyer patronage/tribute: gov't lawyers helping lawyers.

- o DOAH: Docket #78, June 9, 2017 filing per Judge Newton II's request: "Respondent's Confidential Complaint & Letter-Transcript Defective Exhibits Petitioner Filed." RE→FEC 16-245 (SKINNER).

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<sup>9</sup>Florida State Constitution Article II, Section 3 Branches of government.—The powers of the state government shall be divided into legislative, executive and judicial branches. No person belonging to one branch shall exercise any powers appertaining to either of the other branches unless expressly provided herein.

<sup>10</sup>Florida State Constitution Article V Section 19. Judicial officers as conservators of the peace.—All judicial officers in this state shall be conservators of the peace. History.—S.J.R. 52-D, 1971; adopted 1972.

<sup>11</sup>ARTICLE I, SECTION 21. Access to courts.—The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay.

<sup>12</sup>Florida Election Commission 106.25(2) Fla. Statute shall investigate all violations of this chapter and chapter 104, but only after having received either a sworn complaint or information reported to it under this subsection by Division of Elections...

<sup>13</sup>FEC did not investigate: call to verify primary source Dennis Henderson, Transcript May 12, 2017, Page 93 Lines 18-20.

"MR. LUSSY: Ultimate appeal to the U.S. Supreme Court writ of certiorari, that's C-E-R-T-I-O-R-A-R-I. And then it goes on saying – Transcript May 12, 2017 page 141-2, Lines 25, 1-2.

"MR. LUSSY: Yes. The facts are relevant as stated here, and knowing that the – it was going to be a false legal pleading to acquire money from me from issues that had not been addressed in the record from the FEC confidential, non-published, nonpublic orders that have been complaint about by Mr. Wood, Jr., who worked as attorney/consultant for Mr. Skinner. And that summary is in this one 20-page document for which I'd like to have a number or a reference point, maybe 26? Number 26.

MR. WOOLSEY: Your Honor, I'm going to object.

THE COURT: Hold on. You're talking about your recently filed motion?

MR. LUSSY: Affidavit.

THE COURT: Motion to reconsider the quashing of the subpoenas; is that correct?

MR. LUSSY: Yes, your Honor.

THE COURT: Okay. It was filed May 10 at 4:09?

MR. LUSSY: Yes, sir.

THE COURT: If you all will bear with me, I've misplaced my exhibit list so I need to find my next number. Okay. And you wish to offer all the attachments to this motion as Respondent's 27?

MR. LUSSY: Be Number 25, Ok. (Motion, was marked for Identification.)

THE COURT: Okay. Is there objection to that?

MR. WOOLSEY: Same objection.

THE COURT: Okay. 27, The objection is sustained. Transcript *ibid* page 142-3.

AND

GARY MICHAEL SICILIANO, Transcript *ibid* page 146, Line 7.

BY MR. LUSSY: Q. Sir, would you please identify yourself with your Florida voter registration?

A. I don't have it with me.

Q. Okay. But you do have one, sir?

A. I do.

Q. Okay. And the subpoena was issued in regards to a conversation that had in August 2016 in your office. Would you like to speak to any – to what you said about the employment of your mother when she was employed by Mr. Skinner in his office of Collier county property appraiser? *ibid* pge 146 L 13-25.

MR. WOOLSEY: Objection.

THE COURT: MR. SICILIANO, HOLD UP ON RESPONDSES IF YOU HEAR Mr. Woolsey saying he objects. What are the grounds of your objection?

MR. WOOLSEY: I'm going to make a relevance objection this, in that it is not relevant to the two narrow matters before the court today.

THE COURT: Mr. Lussy, how is this relevant?

MR. LUSSY It's a matter – it's relevant as to the background and foundation to FEC Case 16-245 and FEC 16-357, and necessary for the record on appeal to be presented before the court for the ultimate appeal to the U.S. Supreme Court, or writ of certiorari.

THE COURT: The objection is sustained. Transcript *ibid* page 147. Lines 1 14.

**HON RICK ESQ'S PURPOSE IS LEGALLY SUFFICIENT & ALL INCLUSIVE:** this Case No. 17-

1594F (F-lawyer fee) RE: Florida Elections Commission v. Gaylord A. Wood Jr. FEC 16-357 in Docket

#1 authored by Ms. Amy McKeever Topan Esq. Executive-Director Florida Elections Commission.

Formerly LUSSY versus WOOD JR whereupon WOOD JR did not petition to Clerk of Florida Elections

Commission waive confidentiality to answer & copy R.C. "Rick" Lussy v. Abraham Skinner FEC 16-245. These three conflicts of causation are for personal sovereignty aka personal responsibility of Florida Bar Association lawyers liability. Owners of monopoly government are the registered voter taxpayers ("RVT") and are to be held one hundred percent harmless as Judge Newton II is neither, apoplectic nor, to be mollycoddled. It warrants America's Best Public Servant \$122,007.24<sup>[14]</sup> John D. Campbell Newton, II Administrative Judge be made the Public Poster Judge in the Guinness World Record Book.<sup>[15]</sup>

**RESPONDENT-HON RICK ESQ'S ANSWER: TO JUDGE Newton II's [A] ERRONOUS FEC-DOAH MANDATE, [B] STATEMENT OF THE ISSUE, [C] PRELIMINARY STATEMENT, [D] FINDINGS OF FACT [E] CONCLUSIONS OF LAW AND [F] RECOMMENDATION**

**(A-ERRONOUS FEC-DOAH MANDATE) UNQUESTIONED ENFORCEMENT BY DOAH \$122,007.24<sup>16</sup> JUDGE JOHN D. C. NEWTON II AGENCY ASSIGNMENT FROM FEC:** "Is the Petitioner, Gaylord A. Wood, Jr., entitled to an award of fees and costs from Respondent, R.C. "Rick" Lussy, (aka HON RICK ESQ) UNDER SECTION 106.265(6) (2016) for filing a complaint against Mr. Wood "with Knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations of fact material to a violation of this chapter (Chapter 106) or chapter 104?"

**AND**

August 17, 2016 **[13-days before August 30, 2016 Republican Primary Election]:** Exhibit A-8509 (5-page with envelope) FEC Case No. 16-245 INITIAL RESPONSE TO AMENDED COMPLAINT (against SKINNER) signed by pro se WOOD JR [included with Abraham Skinner #6 Subpoena Duces Tecum quashed in This original sourced document to name pro se WOOD JR ESQ (FEC 16-357 (WOOD JR) Confidential-not Clerk waived confidential to clerk<sup>[17]</sup> as required by FEC rules in FEC 16-245 (SKINNER)) DOAH docket #66]

**AND**

June 9, 2016 **[82-days before August 30, 2016 Republican Primary Election]:** Exhibit "SKINNER NOT A PUBLIC SERVANT (1-page) WOOD & STUART, P.A. letterhead signed by pro se WOOD JR. "This firm represents the Collier County Property Appraiser's office. Your letter is requesting answers to questions rather than making a public records act request, Pursuant to Chapter 119 of the Florida Statutes, it is the obligation of a public official only to produce records upon a request being received. You have already received all records that exist relating to t proper requests you have made.

<sup>[14]</sup> Florida has a Right to Know Holding Gov't Accountable State of Fla. Employee Salaries: www.Salaries.mylflorida.com July 22, 2017. Tracey Orange Blossom Reference librarian, Naples-Collier County.

<sup>[15]</sup> Guinness World Records 189 Marsh Wall, Isle of Dogs, London E14 9SH, UK

<sup>[16]</sup> Florida has a Right to Know Holding Gov't Accountable State of Fla. Employee Salaries: www.Salaries.mylflorida.com July 22, 2017. Tracey Orange Blossom Reference librarian, Naples-Collier County.

<sup>[17]</sup> "When a (Florida Elections Commission) complaint is filed, what are the restrictions concerning the confidentiality of the complaint? Every sworn complaint, every investigative report, and every other paper of the Commission is exempt from the Public Records Laws and every proceeding is exempt from the Open Meetings Law until the Commission determines whether there is probable cause or no probable cause that a violation occurred.

Confidentiality provisions do not bind the person who filed the complaint. However, confidentiality provisions do bind the person named in the complaint, unless he or she files a written waiver with the agency Clerk. See Section 106.25(7), Florida Statutes source Florida Elections Commission Frequently Asked questions... (emphasis)



There is no obligation on the part of the Property Appraiser's office to answer questions. To quote from the Attorney General's Government in the Sunshine law manual, page 141: ... I am therefore leaving it to you to figure out what agency of Collier County government owns the building occupied by the Property Appraiser's office and to inquire of that agency as to any "deferred maintenance" or needed capital improvement." And as to your questions [A] thru [U], those are not appropriate public records requests; the Property Appraiser's office has no documents responsive to those requests.

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

Sincerely, (signed) GAYLORD A. WOOD JR. [included with Abraham Skinner #6 Subpoena Duces Tecum quashed in DOAH docket #66].

AND

May 27, 2016 95-days before August 30, 2016 Republican Primary Election: Exhibit SKINNER OFFICE POLICY 4 OF 4 (1-page) Vickie Downs e-mail " Mr. Lussy, this is the information that you requested that could be answered by the office. The notice of any deferred maintenance and plan for any capital improvements is all handled by the Facilities department of Collier County. I believe you already have the employee counts and the salary ranges. signed by Vickie A. Downs Director of MIS/Records, Representing Abe Skinner, CFA Collier County Property Appraiser, 3950 Radio Road, Naples, FL. 34104-3750, Phone (239) 252-8147 [included with Vickie Downs #12 Subpoena Duces Tecum quashed in DOAH docket #71].

AND

May 17, 2017 DOAH Transcript 260-days (.7-year) after August 30, 2016 Republican Primary Election: THE MINTON II COURT: "Now there is something here I don't see on your list, Mr. Lussy. It's "Florida Attorney General Advisory legal Opinion." (Respondent's Exhibit No 21, Florida Attorney General Advisory Legal Opinion, was Marked for Identification.)

THE COURT: Did you wish to offer that?

MR. LUSSY: Yes, Your Honor. It's --

THE COURT: January 8<sup>th</sup>?

MR. LUSSY: --92-05.

THE COURT: Mr. Woolsey?

MR. WOOLSEY: Same objection, Your Honor. I will expound just a bit. A relevance objection to the matters of the Sunshine Law to this case. Mr. Wood's—the hearing today is over Mr. Wood's entitlement to attorney's fees and costs and the proper rate thereof. This relates to public records matters that are not properly before the court.

THE COURT: Do you have a response, Mr. Lussy?

MR. LUSSY: Yes, the same response. And I'm citing the classification of rebuttable presumptions, Evidence Code Florida Statute 90-302.

THE COURT: Okay. Thank you. The objection is sustained. Transcript WOOD JR v. HON RICK ESQ. May 12, 2017. Page 128 L25, Page 129 Lines 1-24. (emphasis)

(B- ERRONOUS FEC-DOAH MANDATE) "If Mr. Wood is entitled to an award of fees and costs, what is the proper amount of fees and costs to be awarded?"

ANSWER ANALOGY by respondent R.C."Rick" Lussy aka HON RICK ESQ. "As a monopoly American government infrastructure ("MAGI") of bar association lawyer cartel behemoth ("BALCB") lawyer Judge Newton II's public servant lawyer judge-justice-agent ("PSLJJA"): pre to post May 12, 2017 hearing order: \$10,862.50 for lawyer fees and costs. [The Exemption-Frauds start to be numbered].

ANALOGY LESSON: This is likened to Wood Jr. Esq.-Woolsey Esq.-Herron Esq. already paid by

*Abraham Skinner in Docket #1*, FEC 16-245 (SKINNER); now exempting *Wood Jr. Esq.-Woolsey Esq.-Herron Esq.* already paid by *Abraham Skinner* in FEC 16-357 (WOOD JR) re-docketed Case No. 17-1594F (F-lawyer fee): *MAGI* for *BALCB* by *PSLJJA* is likened to a pedophile sex offender's managing the inside of a children's kindergarten.

- o *Clapper v. Amnesty International U.S.* Supreme Court Justice Samuel Alito (2013) Human rights activists and others cannot challenge a law that helps the government intercept international communications because they (WOOD JR-WOOLSEY-HERRON all lawyers for SKINNER) can't show they were injured.
- o Pro se Petitioner-respondent Gaylord Wood Jr. Esq. standing<sup>18</sup> to sue was not actionable.
- o All pro se Petitioners as counsel lacked written lawyer fee contracts to broach the topic.
- o All parties were to provide hard copies of Exhibits or lose by default [FN#1] by 5-Court Orders of John D. C. Newton, II, Esq. Administrative Judge. The pro se petitioner Gaylord A. Wood Jr. Esq. & pro se WOOD & STUART P.A. employee Woolsey refused. The 5-court orders are below listed:
  - o DOAH Docket #25, April 27, 2017;
  - o DOAH Docket #18, April 19, 2017;
  - o DOAH Docket #14, April 3, 2017;
  - o DOAH Docket #13, March 31, 2017;
  - o DOAH Docket #12, March 31, 2017.

**#1-A)-EXEMPTION REMEDY** to July 21, 2017 *STATEMENT OF THE ISSUE* by Judge Newton II, use of express omission, 100% concealment & insider trading of a gov't lawyer favoring lawyers:

Respondent's remedy petition for court declared default [FN#1] Judgment For Relief : To immediately replace Skinner/Wood Jr. Esq./Woolsey Esq./Herron Esq. with appointment of political opponent R.C. "Rick" Lussy as Property Appraiser post August 30, 2016 Naples-Collier County Election pursuant Fla. Stat. 104.051 [FN#2].

- o Evidenced in Docket #82, 31-page Exhibit A-8514 with 43-Impeachments.
- o Ibid RESPONDENT'S: PROPOSED RECOMMENDED ORDER FINDS NO EVIDENCE IN RECORD TO SUPPORT PETITIONER LAWYER FEE & COSTS: INTERPRETATION (FUNCTIONAL LITERACY) OF STATUTE(S), SET ASIDE: FEC 16-357/16-245 PURSUANT F.S. 120.68 (7)(9) AFFIDAVIT OR IN THE ALTERENATIVE: EXTENDED LITIGATION MATERIAL FACT DISPUTED: 312-VIOLATIONS, 13-MATERIAL FACT FRAUDS IN 3-CONSTITUTIONAL ISSUES FOR AN 8-YEAR+/- LITIGATION DELAY (AS 8/30/16 ELECTION PROVIDED A 4-YEAR TERM)

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<sup>18</sup>Rather versus CBS-Viacom: (1) alleged that various misrepresentations, such as promises by CBS to publicly defend his reputation and to conduct an independent investigation into the 2004 broadcast, induced him to remain silent about his role in the broadcast and to remain with CBS, where he was allegedly "warehoused" until the completion of his contract. As a result, he alleged he suffered money and reputation damages and, but for CBS's fraud, he could have had more remunerative employment. The court affirmed dismissal of Rather's fraud claim because he failed to allege pecuniary loss and any evidence of future earnings from an alternative contractual bargain was speculative. (2) Rather was a warehoused employee, because employers do not owe employees a fiduciary duty, notwithstanding Rather's four decade employment with CBS and his services as "the public face of CBS (60-Minutes) News." (3) Rather was warehoused and paid per provision included the prefatory clause "[e]xcept as otherwise specified in this Agreement." Therefore Rather's standing to sue was not actionable. Rather versus CBS a \$70 million dollar lawsuit. Source: New York Supreme Court Appellate Division, First Department. Date Stamp 9/29/2009. 475-475A-475B-475C. INDEX 603121/67.

OR IN THE ALTERNATIVE:

BEFORE AUGUST 1, 2017 PART REMEDY: EXCLUDE WOOD JR/SKINNER FROM POLLS & REPLACE WITH R.C. "RICK" LUSSY SOLE CANDIDATE AS PROVIDED IN 104.051, 104.091, 104.011, 838.022 PREQUISITE 106.25(8) DOCKET #1, FLA ELECTION CODE.

**#2-#3-#4-A)-EXEMPTION-FRAUDS** Florida Elections Commission MANDATE papers over the 100% alternative set of facts suppressed "vexatious" litigant till now. This is government lawyers helping private lawyers tilting all three branches of MAGI toward an "as is" government lawyer dictatorship.

**#2-A) Prohibiting ballot box** (pre 8/30/16 election voter information by SKINNER paying pizzo<sup>[19]</sup> lawyer fees do not benefit the public purpose of this public "elected" property valuation for property tax office. This pizzo [FN#14] patronage-tribute lawyer fee payments are from SKINNER. Payments to organized crime to paper over the 312-violations (one for each month) 13-material fact frauds of deferred maintenance during the 24-prior 6-term Collier County property tax rolls. Pro se petitioners method is to paper-over irregularities in this property tax office by denying all deferred maintenance in all public records as not provided by WOOD JR. ESQ./WOOLSEY ESQ./HERRON ESQ. all organized crime racketeers for SKINNER and against the RVT public purpose of public service as evidenced with FEC dismissal without a hearing: FEC 16-357 (WOOD JR) not waive FEC 16-245 (SKINNER) therefore "legitimizing" Case No. 17-1594F (F-lawyer fee).

**#3-A) Prohibiting jury box** Case No. 17-1594F (F-lawyer fee) ignores FEC 16-357 (WOOD JR) & FEC 16-245 (SKINNER) from the August 30, 2016 Collier County property appraiser (assessor) election. SKINNER directive of HON RICK ESQ'S "vexatious" litigant distraction is repetition of libel per se.<sup>[20]</sup> All government lawyers deny any person to correct of this manipulated & falsified public record pursuant Florida Statute 839.13(2)(d)<sup>[21]</sup> with 86-exemptions<sup>[22]</sup> (Exhibit A-2900). This is within small claims court

<sup>[19]</sup> Pizzo is protection money paid to organized crime often in the form of a forced transfer of money, resulting in extortion. Source Wikipedia the free encyclopedia. i.e. bar association lawyer cartel behemoth: 100% market share, no competition offering no consumer freedom of choice method: 100% express omissions, 100% concealment and insider trading with shells-proxies-kamikaze's with an IQ of 2 by 3<sup>rd</sup> party Champerty (3<sup>rd</sup> party others in association with 3<sup>rd</sup> party others, a factor of three) also term © justinhoard (justice hoarded).

<sup>[20]</sup> Repetition of Libel per se, judge made law, is actionable, even though the libeler explicitly refuses to vouch personally for its verity. Lewis v Evans 406 So. 2d 489, (Fla App Ct.1981). Connotative: You Say It You Prove It.

<sup>[21]</sup> Correction of Falsified Public Records Florida Statute 839.13 Falsifying records (1) Except as providing in subsection (2), if any judge, justice, ...or any person whatsoever to falsify or avoid any record...(2)(d) This section does not prohibit the disposing or achieving of records as otherwise provided by law. In addition, this section does not prohibit any person from correcting or updating records. (emphasis).

<sup>[22]</sup> 86-Exemptions to Impeach "vexatious" litigant lie Authority Fla. Stat. 68.093.

#1: Case "H"	Lussy v City of Naples (Florida Statute 316.650 Traffic citations (9)) etal	9-exemptions
#2: Case "A"	Lussy v Schmock (Florida Statute 316.650 Traffic citations (9)) etal	14-exemptions
#3: Case "B"	Lussy v Damsel Esq. from Lussy v Schmock Fla. Statute 316.650(9) Traffic citations	7-exemptions

jurisdiction (liability only) Fla. Stat. 68.093<sup>23</sup> 12-juror 100% jury trial verdict due process redress.<sup>24</sup>  
Damages will be determined in U.S. Federal court(s): impeachment is pursuant Fla. Stat. Evidence  
90.501<sup>25</sup> [FN#15].

#4-A) Prohibited cartridge box non-violent HON RICK ESQ self-defense petition affidavits as non-  
violent, non-threatening word paper “cartridge boxes” as the ballot box & jury box has not yet been  
allowed since October 22, 1981 “vexatious” stigmatization-besmirchment oppression: 17-subpoenas for  
fact witness testimony, implicating each party as accessories to organized crime pre 8/30/16 racketeering  
with all real-personal property gained to be forfeited to HON RICK ESQ while holding registered voter  
taxpayer (“RVT”) harmless. This as SKINNER/WOOD JR ESQ/WOOLSEY ESQ/HERRON ESQ.  
eliminate key documents in FEC 16-357 (WOOD JR) & FEC 16-245 (SKINNER) noted in Docket #11  
Exhibit A-8486 (1-page) June 9, 2016 WOOD & STUART P.A., with Exhibit A-8347 (5-pages with  
envelope) August 17, 2016, pro se Gaylord A. Wood Jr. Esq. *Initial Response To Amended Complaint  
FEC 16-245*, and Docket #71 Vickie A. Downs Director of MIS/Records Exhibit A-8396 May 27, 2016  
addressing deferred maintenance referring it to facilities management (Property Appraiser is a

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#4: Case “C” Lussy v incompetent 4<sup>th</sup> DCA/Harper/Makemson & Fenniman SC01-849 (F. S. 316.650(9) Traffic  
citation SC01-933 Exploitation Elderly/theft \$50,000+/- & 30+/- Oil paintings (F.S. 825.103) 18-exemption

#5: Case “E” Lussy v Hanley etal (2000 Election pre-paid advertising ROBY(29) written contract said no privity,  
while SCHACK(23) granted >\$10,000 atty fee unwritten contract atty fee/expert witness) 10-exemptions

#6: Case “K” Lussy v Florida Bar Ass’n etal/Lussy v Pariente/Ollinger Esq 19-exemptions

#7: Case “I” Lussy v Roby Esq. & Fox Esq. (F.S. 316.650(9) Traffic citation l/Lussy v police gorny) 9-exemptions

Total 86-exemptions. Need 1-exemption to win 100% Jury Trial Verdict Due Process religiously written & plead  
with non-Fla. Lawyer expert FOER ESQ RULE & Joe NEGRON ESQ. RULE Exhibit A-2900. April 25, 2013

<sup>23</sup>Fla. Statute 68.093 Florida Vexatious Litigant Law. (1) (a) “Action” means a civil action governed by the Florida  
Rules of Civil Procedure proceedings...but does not included actions concerning family law matters governed  
by the Florida Family Law Rules of Procedure or any action in which the Florida Small Claims Rules  
apply...(2)(d) “Vexatious” litigant” means: 1. A person as defined in s. 1.01(3) who, in the immediately preceding  
5-year period, his commenced, prosecuted, or maintained, pro se, five or more civil actions in any court in this state,  
except an action governed by the Florid Small Claims Rules, which actions have been finally and adversely  
determined against such person or entity; or... If an action has been commenced on behalf of a party by an  
attorney licensed to practice law in this state, that action is not deemed to be pro se even if the attorney later  
withdraws. (emphasis).

<sup>24</sup>A 100% jury trial verdict due process is to be located in Naples-Collier County. It is as defined by HON RICK  
ESQ as requiring 2-judges. 1-Naples, Florida State Judge and 1-US District Court Judge jurisdiction in small claims  
court (ONLY jurisdiction for “vexatious” litigant is small claims court). Requires: Rick Lussy’s satisfaction: 2-juror  
sworn oaths. 1-group juror oath & 1-individual juror signature(s) written by Rick Lussy with his jury instructions to  
include actual Florida Statutes, not allowed in Florida State Courts system. No statute editing per custom today.  
FIRST jury is for a finding on liability in small claims court. SECOND jury in US District Court for damages. This is  
to occur with 4-sound and video camera’s paid for by petitioner pro se: 1-camera question asker, 1-camera answer in  
reply, 1-camera 2-judges and 1-camera jury.

<sup>25</sup>Fla. Evidence Code/Statue 90.501 Privileges recognized as provided. Except by this chapter, any other statute,  
or the constitution of the United States or of the State of Florida, no person in a legal proceeding has a privilege to:  
(1) Refuse to be a witness. (2) Refuse to disclose any matter. (3) Refuse to produce any object or writing. (4)  
Prevent another from being a witness, from disclosing ay matter, or from producing any object or writing.

constitutional office 100% separate from facilities management). This obstruction of voter information was before & continues now after August 30, 2016 Collier County property appraiser elections as purchased by racketeer SKINNER/WOOD JR ESQ/WOOLSEY ESQ/HERRON ESQ.

**#5-A)-EXEMPTION-FRAUDS** SKINNER/WOOD JR. ESQ'S etc. et al NO CAUSATION, NO CASE #17-1594F (F-lawyer fee), NO EXHIBITS: **DOCKET #12, March 31, 2017 Judge John D.C. Newton, II Administrative Law Judge: "Notice of hearing by video teleconference... the parties shall provide the Administrative Law Judge with copies of all of proposed exhibits" Finding No Evidence In Record To Support Pro Se Petitioner Lawyers Fee & Cost.**

[A] **THE COURT:** "We have a court reporter" MR WOOLSEY: *I Understand.* Transcript P37, Lines 2 & 3.

[B] **THE COURT:** "...you (HON RICK ESQ) did receive copies of these proposed exhibits, did you not? MR. LUSSY "I did not." Transcript May 12, 2017, P35, Lines 11-13.

Conclusion: HON RICK ESQ filed docket #77, June 9, 2017 to crystallize WOOD JR'S willful default reliant on government lawyers mollycoddling private lawyers.

[C] **THE COURT:** "So you did not provide copies, sir? MR WOOLSEY: "We gave him notice. **THE COURT:** "But my question is -- MR WOOLSEY: "No, we did not give him hard copies , but similar to what your Honor has, because these are --" Transcript P37, Lines 13 to 18.

CONCLUSION: No pro se petitioner supplied hard copy exhibits voided this DOAH 17-1594F/FEC 16-357/FEC 16-245: move to appoint R.C. "Rick" Lussy Collier County Property Appraiser pursuant § 104.051 Fla. Stat. [FN#2] private lawyers under oath to BALCB flaunting zero loyalty oath to Florida State: USA in 5-court orders.

- o DOAH Docket #25, April 27, 2017, "Second Amended Notice Of Hearing By Video Teleconference".
- o DOAH Docket #18, 4/19/17, "Amended Notice of Hearing By Video Teleconference".
- o DOAH Docket #14, April 3, 2017, "Amended Order of Pre-hearing Instructions".
- o DOAH Docket #13, March 31, 2017, "Order of Pre-Hearing Instructins".
- o DOAH Docket #12, March 31, 2017, "Notice of Hearing By Video Teleconference".
- o

**#6-A)-EXEMPTION-FRAUDS** SKINNER/WOOD JR. ESQ'S etc. et al NO DAMAGES NO ACTUAL LOSSES AFTER SUCCESS IN AUGUST 30, 2016 ELECTION. The churning of lawyer fees are not damages, not actual losses after success of SKINNER/WOOD JR. ESQ'S etc. et al election.

**#7-A)-EXEMPTION-FRAUDS** SKINNER/WOOD JR. ESQ'S etc. et al NOT REASONABLE [FN#3] lawyer fees +42% *DE MINIMUS* (-\$25,940 [FN#4]) VARIANCE[FN#5] Malice exceeding 10% CHANGE as the property appraisal industry norm.

**#8-A)-EXEMPTION-FRAUDS** SKINNER/WOOD JR. ESQ'S etc. et al NOT REASONABLE 43 [FN#6] Impeachments: Exhibit A-8514 6/15/17, (31-PAGE) RESPONDENT AFFADIVIT.

**#9-A)-EXEMPTION-FRAUDS** SKINNER/WOOD JR. ESQ'S etc. et al NO PUBLIC

EMPLOYEE REASON(S) for 13-material fact fraud record cites<sup>26</sup> 13-material<sup>27</sup> fact deferred maintenance specific fraud disputes are within these 312-violations<sup>28</sup> 3-U.S. Constitution Article I, policy failures § 8 (power to lay & collect (property) taxes shall be uniform thru U.S.) § 9 (No title of nobility shall be granted & no person holding any office accept any present, emolument, of any kind whatever) & § 10 (No state shall grant letters of marque and reprisal) & (1819) missing 13<sup>th</sup> Amendment & (1948) Universal Human Rights. All 100% Unrelenting Agency Anti-Trust Policy Failures against public service while taking public tax monies as public servants.

**#10-A)-EXEMPTION-FRAUDS** SKINNER/WOOD JR. ESQ'S etc. et al are NOT REASONABLE PERSONS [FN#3] No 100% Tax Roll Maintenance for 25-years, Facts Disputed 8-Years+/- Litigation For A 4-Year Elected Property Appraiser Term: Lawyer Dictators Win Again, Or appoint R.C. "Rick" Lussy Collier County Property Appraiser pursuant § 104.051 Fla. Stat. [FN#2] so to implement existing law.

**#11-A)-EXEMPTION-FRAUDS** SKINNER/WOOD JR. ESQ'S etc. et al are reliant on government lawyers helping private lawyers, by self-administration the ninety-percent control of all three branches of

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<sup>26</sup> The 13-material fact fraud deferred maintenance summary reference Transcript May 12, 2017: (1) Opening Statement Page 25. Line 1-2; (2) page 51 Line 14-15; (3) page 52 Line 24-25; (4) page 63 Line 3-4; (5) page 63 Line 8-9; (6) page 63 Line 17-18; (7) page 97 Line 7-8.

<sup>27</sup> Referenced Exhibit A-8351. (15-page) SCOPE Uniform Standard Professional Appraisal Practices against office holder Abraham Skinner with counsel Gaylor A. Wood Jr. Esq. aide & abettor is organized crime of racketeering concealing from voters 26-years of deferred maintenance: took public salary & did not do the required work for 24, now 26-years (day one+):

- 1<sup>st</sup>) Deferred maintenance 24-year tax rolls (5-year cycle maintenance) violates Fla. Statute 193.023(2);
- 2<sup>nd</sup>) Deferred maintenance of 24-years incumbent to pay & hold harmless Higginbotham back taxes per Fla. Stat. 768 28(9)(a) with Form DR0462 for missing from tax roll 1-house & 2-barns 700 Big Cypress Rd #00370600004.
- 3<sup>rd</sup>) Deferred maintenance for 8.7-years retroactive to January 1, 2008 both refused Form DR-501T "Transfer of Homestead Assessment Difference" Fla. Stat 193.155(8) is 27<sup>th</sup> Florida Constitutional Amendment.
- 4<sup>th</sup>) Deferred maintenance of 24-year old computer assist valuation system is antiquated & ossified;
- 5<sup>th</sup>) Deferred maintenance inadequate staff instruction Portability Homestead Exemption 27<sup>th</sup> Amendment.
- 6<sup>th</sup>) Deferred maintenance of 24-year old web page nomenclature is confusing, unhelpful & anti-business.
- 7<sup>th</sup>) Deferred maintenance to clarity ossified language web page (assessed value is not market value).
- 8<sup>th</sup>) Deferred maintenance of over-assessed, over taxed properties in Collier i.e. Marco Island contribute to World Wide Housing Bubble & Foreclosure Debacle are not attached: SUMMARY EXHIBIT "A" Requires Next year Assessed Values f/Officer Archives (257-pages).
- 9<sup>th</sup>) Deferred maintenance of dishonest Abe's accountability womanizing treatment of monopoly government employee ladies contemptuous, when not compliant & not accepting as he and these ladies were already married. Skinners despicable, legendary, sexual advances source is: Gary Michael Siciliano ( son present), notary public & owner of Green Spire & Associates, Naples, Florida. Located: Suite #105, light industrial park: 5850-5880 Shirley St., Naples, Collier County, Florida. Verified by Rick Lussy MAI, SRA. Aug. 11, 2016 at 3:30 pm.
- 10<sup>th</sup>) Deferred maintenance as a 100% failure in the life of competition, dishonest Abe unwisely used his office power for a personal escape: by use of arbitrary & capricious control called discretion, his sworn oath is a ministerial duty, 100% mandate to apply a uniform, consistent method to benefit all registered taxpayer voters equally.
- 11<sup>th</sup>) Deferred maintenance as boring peer public official (husband to Jennifer Edwards current Supervisor of Elections Collier County Florida) with his unrelenting dirty jokes.
- 12<sup>th</sup>) Deferred maintenance inference of Candidate Rick Lussy MAI, SRA in retrospective to time of Skinner's political appointment in 1991 by Governor Lawton Chiles. Then: 30+/- year office holder property appraiser Sam Colding quit & did not recommend Skinner as a replacement officer-holder as Skinner was capable of only puffing & putting in his time.
- 13<sup>th</sup>) Deferred maintenance over 9-years refused to assist Marco Island constituent make portability of homestead exemption a Florida State law that included amending the Florida State Constitution.

<sup>28</sup> These 312-violations (5/30/1991 to 5/30/2017: 26-years X 12), represent 1-violation per month monopoly gov't pay check.

monopoly government by anti-trust policy failures dating back to pre 1776 Old English-Parliament-Westminster barrister-solicitor tradition that have never been changed in American monopoly government. Concurrent the fermenting 13,053-days, 35.8-years after HON RICK ESQ won a Montana legal malpractice lawsuit

**#12-A)-EXEMPTION-FRAUDS** SKINNER/WOOD JR. ESQ'S etc. et al are reliant on express omission, 100% concealment & insider trading by excluding FEC 16-357/FEC 16-245 from DOAH 17-1594F yet emphasize "vexatious" litigant: 83% of Docket #3, (39-pages of 47-pages) exhibits. "*Amended Petition To Award Fees & Costs*". First this is a SKINNER/WOOD JR ESQ etc et al power grab, further consolidate their Florida State monopoly government power by further manipulation & falsification of public records another 24-years (6-terms) in Collier County.

- o The total value of land in the county in 2016 was \$108.6 billion, a 6.5 percent growth over the year before, topping county's 2007 previous high of \$107 billion. Source Collier PA Office.
- o Only four of Florida 67-counties assessed property values are higher than Collier County, each with population at least three times larger i.e. Dade, Broward, Orange & Palm Beach. Via Brent Batten *Naples Daily News*, Sunday July 30, 2017, page 3A via *Florida Association of Counties*.

Second to further stigmatize-besmireh HON RICK ESQ with a Badge of Slavery: after success in Anaconda, Montana legal malpractice lawsuit against pro se Wade J. Dahood Esq.<sup>29</sup> in DV-80-41/12773 while pursuing a \$875K deficiency judgment in securities fraud (10/22/81) CV-78-67-BU Butte Montana case against pro se defendant Bennett the Banker.

Third to further destabilize Florida Elections with lawyer control of all public records to manipulate & falsify the Ballot Box, the Jury Box and non-violent paper Cartridge Box.

**#13-A)-EXEMPTION-FRAUDS** SKINNER/WOOD JR. ESQ'S etc. et al are reliant on March 16, 2017 the Docket #1 RE Florida Elections Commission v. Gaylord A. Wood Jr. Case No.: FEC 16-357 by Ms. Amy McKeever Toman Executive-Director of Florida Elections Commission. Please note the tactical Florida Elections Commission v. Gaylord A. Wood Jr. never did exist in Case No.: FEC 16-357 R.C. "Rick" Lussy versus Gaylord A. Wood Jr. For FEC to unilaterally change the FEC 16-357 caption is

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<sup>29</sup> Wade J. Dahood is still living & working at 89-years of age. Not quashed DOAM Subpoena Duces Tectum Interrogatory-Deposition in part remedy to pro se: WOOD JR/WOOLSEY/HERRON Florida "vexatious" litigant to R.C. "Rick" Lussy aka HON RICK ESQ after success/Avon a Anaconda Montana Legal malpractice lawsuit **DV-80-41/12773** with pro se Wade J. Dahood that did not include Francis Bennett the Banker in the Butte Montana **CV-78-67-BU** securities fraud lawsuit, both "settled" on October 22, 1981. The **CV-78-67-BU** settlement wrongfully included pro se defendant Francis Bennett the Banker resulting in \$875K deficiency judgment. Banker Bennett was separate from pro se defendant law firm Knight Dahood, McKay & McLean in both **CV-78-67-BU** & **DV-80-41/12773**. Francis Bennett the Banker was not named in legal malpractice settlement **DV-80-41/12773** & was incorrectly included in **CV-78-67-BU**. All **CV-78-67-BU** case records have been destroyed per verification with the United States District Court Missoula Montana Clerk. The **Uniform Commercial Code § 2-721** Remedies for material misrepresentation or fraud include all remedies available under the Article for nonfraudulent breach. Neither rescission or a claim for recession of the contract for sale nor rejection of return of the goods shall bar or be deemed inconsistent with a claim for damages or other remedy in this instant case, consolidated: DOAH 17-1594F from FEC 16-357 & FEC 16-245.

fraud on the DOAH 17-1594F by officers of the FEC. Evidenced by reference to FEC 16-357 (LUSSY v WOOD JR ESQ) AND FEC 16-245 (LUSSY v. SKINNER) to appoint HON RICK ESQ MAI, SRA to Collier County Property Appraiser (Assessor) property valuation for property tax constitutional office pursuant § 104.051 Fla. Stat. [FN#2].

**CONCLUSION** → [A] #1 thru #13 Errors by FEC-DOAH Mandate *STATEMENT OF THE ISSUES*:  
to now appoint HON RICK ESQ aka R.C. "Riek" Lussy Collier County Property Appraiser,

**B)-EXEMPTION-FRAUDS** Judge John D. C. Newton, II Administrative Judge's PRELIMINARY STATEMENT: SKINNER/WOOD JR. ESQ./WOOLSEY ESQ./HERRON ESQ.

**#14-B)-EXEMPTION-FRAUD** to Judge John D. C. Newton, II PRELIMINARY STATEMENT.

"Mr. Lussy filed a "Confidential Complaint Affidavit Form" (Complaint Affidavit) against Mr. Wood with the Florida Elections Commission. By letter (sic) dated October 19, 2016." Provided in Docket 78 6/09/17 after the court's request.

By Judge Newton II: HON RICK ESQ'S FEC 16-357 (WOOD JR) & FEC 16-245 (SKINNER). Were dismissed without a hearing by FEC as "legally insufficient" by alternate use of facts in DOAH Docket #3: "vexatious litigant" therefore *Case No. 17-1594F (F-lawyer fee) 100% ignore* FEC 16-357 (WOOD JR ESQ) as WOOD JR ESQ. did not petition to waive confidentiality to copy HON RICK ESQ in FEC 16-245 (SKINNER) as another inconvenient truth to manipulate & falsify more public records by fraud. The independent judiciary is not independent of existing law.

**15-B)-EXEMPTION-FRAUD REMONSTRATES**<sup>30</sup> "FEC" FRAUD by "vexatious" litigant

By Judge Newton II: HON RICK ESQ'S FEC 16-357 (WOOD JR) & FEC 16-245 (SKINNER). Both were dismissed without a hearing by FEC as "legally insufficient" therefore *Case No. 17-1594F* must go to the U.S. Supreme Court in a Writ of Certiorari as both FEC & DOAH agency rules violate all existing law while requiring personal sovereignty (personal responsibility) of all public servants' holding registered voter taxpayers ("RVT") totally harmless.

**#16-B)-EXEMPTION-FRAUD REMONSTRATES "FEC" FRAUD by "vexatious" DISTRACTION**

**IN THIS LAWYER COVERUP BY BUREAUCRATIC ASSIGNMENT TO DOAH:** Petitioner WOOD JR ESQ-WOOLSEY ESQ-HERRON ESQ on behalf of racketeer SKINNER in organized crime to withhold HON RICK ESQ'S petitioned deferred maintenance 24-years, 6-term Collier County tax roll. It is a racketeering distraction cover-up in this *Case No. 17-1594F (F-lawyer fee)* to papered over FEC 16-

<sup>30</sup>Remonstrate: "to make a forcefully reproachful protest" source Merriam Webster Dictionary internet July 25, 2017.



357 (LUSSY v WOOD JR ESQ) AND FEC 16-245 (LUSSY v. SKINNER) with “vexatious” litigant since Oct. 22, 1981.

*“/I/n filing a complaint against Mr. Wood “with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations of fact material to a violation of this chapter (Chapter 106) or chapter 104?”*

The cover-up is by manipulation and falsified lawyer made public records to the benefit of 26-year, 6-term Abraham Skinner Collier County Property Appraiser salary<sup>[51]</sup> income of \$111,049.48. The scope is contemporaneously a 2016<sup>[52]</sup> Collier County taxable value of \$108.6 billion, clearly beyond the de minimus \$300 limit for a gross felony(ies). Collier County is the wealthiest per-capitol of all 67-Florida Counties with only 4-counties of higher total taxable value.<sup>[53]</sup>

**#17-B)-EXEMPTION-FRAUD Remonstrates “FEC” Fraud by “prima facie” Abuse to DOAH**

Petitioner WOOD JR ESQ/WOOLSEY ESQ/HERRON ESQ on behalf of SKINNER abuse DOAH to cover-up FEC by use of a three hundred sixty degree, alternate set of facts to lie for a living simply by manipulation-falsifying the CAPTION in the case: RE Florida Elections Commission versus Gaylord A. Wood Jr that does not involve HON RICK ESQ, except included FEC 16-357 (LUSSY v WOOD JR ESQ) then excluded FEC 16-245 (LUSSY v. SKINNER) that Gaylord A. Wood Jr. Esq. injected himself into. This by government lawyers helping private lawyers.

**#18-#19-#20-#21B)-EXEMPTION-FRAUD Remonstrate “FEC” Fraud Bureaucratic DOAH Coverup**

*Mr. Lussy was unable to present testimony from Douglas Sinclair (sic) and David J. Glantz (& Wade J. Dahood Esq) because they did not appear. The record does not indicate that they were lawfully served (sic) with a subpoena...The testimony would not have been relevant in this proceeding (sic).” Docket #84 Judge 7/21/17 Order.*

**#18-B)** Clarity of docketed record with functional literacy, not interpretation (cherry picking) & HON RICK ESQ’S affidavit pleadings that started with Docket #1 stated FEC 16-357 (LUSSY v WOOD JR ESQ) is the fraudulent pretext to invent DOAH Case No. 17-1594F (F-lawyer fee) pursuant Docket #1 on March 16, 2017: RE Fla. Election Commission v. Gaylord A. Wood Jr. by malice of forethought invented out of thin air Case FEC 16-357.

- o Government lawyers FEC-DOAH helping private lawyers WOOD JR ESQ etc. et al prosper thereby getting paid/subsidy/welfare on three ends of the deal all with free monopoly government

<sup>[51]</sup>Property Appraiser (assessor) salary Greg Stanley Naples Daily News.

<sup>[52]</sup>Property values set Collier County record in 2016 by Greg Stanley Naples Daily News. The total value of land in the county in 2016 was \$108.6 billion, a 6.5 percent growth, topping county’s previous high of \$107 billion set in 2007.

<sup>[53]</sup>Only four counties have higher total taxable value than Collier, according to figures from Florida Association of Counties. Each of them - Dade, Broward, Orange and Palm Beach-has a population at least three times larger than Collier’s” “Upscale homes in Collier keep tax bills low for rest of county” by Brent Batten, Naples Daily News Sunday, July 30, 2017, 3A & 10A.

tax money mandate: untrained (*elective of moot court securing a 3-year law school juris doctor diploma without any doctor experience*) and unsupervised (no practical 5-year internship as required by the Appraisal Institute's MAI and SRA international designations in property appraisal).

#19-B) Respondent HON RICK ESQ. Fact Witness testimony: 17-Subpoena Duces Tecum process were all legally served: DOAH Docket #64 to #72, 12-quashed by objections of government fighting government for selfish-gain against the public purpose: → pro se WOOD JR/SKINNER, BONDI, FRENCH, TOMAN Executive Director Florida Election Commission; DETZNER Chief Fla. Elections; 5-subpoena Duces Tecum not quashed. Two no appearance-not quashed: Docket #64 David GLANTZ ESQ. (former Asst. Atty Gen: Charlie Crist, Bill McCullum, Pam Bondi) & Docket #65 Interrogatory-Deposition Wade DAHOOD ESQ. [FN#29] Anaconda Montana in both DV-80-41/12773 & CV-78-67-BU securities fraud lawsuit. Not settled in Butte MT.: Banker Bennett. RE: 13-Fact Frauds [FN#26, #27].

- Property owner Higginbottom's home and 2-barns not on tax roll for 25-years the length of SKINNER office holding after political appointment. HON RICK ESQ appraised property on behalf of client: DOUGLAS SINCLAIR, Atlanta GA. did testify transcript 5/12/17 pp 104-5-6.
  - RESPONDENT(S) SUBPOENA DUCES TECUM AKA DEPOSITION-INTERROGATORY SUBPEONA DUCES TECUM OF DOUGLAS SINCLAIR, FACT WITNESS, CONSULTANT, Cell (404) 374-6118262 Avery St. NE, Marietta GA. 30060: Coconut Grove Bank as Guardian For Property of Dwain W. Higginbotham, 2701 S. Bayshore Dr. 2<sup>nd</sup> Fl., Miami, Fla. 33133.
- Judge Newton II incorrectly stated: "*Record does not indicate that they (17) were lawfully served (sic)*"
- Docket 65, May 28, 2017: 18-page, 1<sup>st</sup> page U.S. Post receipt Dahood Esq, Anaconda, MT.;
  - Docket 64, May 28, 2017: 23-page, 1<sup>st</sup> page US Post receipt David J. Glantz Esq, Weston Fla.;
  - Docket 72, 5/28/17: 16-pe, 1<sup>st</sup> page US Post receipt Sinclair, Coconut Grove Bk, Miami Fla.;
  - Docket 36, May 4, 2017: Tallahassee Nolan Process Servers Ms. Toman Exec. Dir. FEC.
    - Docket 64, Tallahassee Nolan Process Servers Pamula Bondi Fla. State Atty General.
    - Docket 66, Tallahassee Nolan Process Servers Ken Detzer Chief of Elections/State.
  - Docket 36, May 1, 2017: Speedy Courier & Process Serving Inc. return of service: DOAH docket
    - Dennis Henderson refuse 2+ times homestead portability exempt (save our homes only);
    - Gary Michael Siciliano Sexual abuse of mother as employed under SKINNER;
    - James French Director Collier County Growth Mgt. bragged agriculture imps are not to be reviewed by code enforcement policy;
    - May 1, 2017, an authorized entity: Patty Hisler as Executive Secretary Human Resources for 8-Collier County property appraiser employees:
      - Jeep Quinby, Director of Appraisal Staff & tax roll certification;
      - Dan Demorett, Director of personal & Tangible Property;
      - Dan Eby, agriculture land & knowledge of improvements;
      - Jenny Blaje improvement inspection & measurements;
      - Vickie A. Downs, Director of MIS Records;
      - Annabel Ybaceta, Director Homestead Exemptions;
      - Donald Berry, CPA deferred maintenance by acc. classification;
      - Abraham Skinner client Wood Jr.-Woolsey-Herron: lawyers.

#20-B) Judge Newton II incorrectly stated: "*The testimony would not have been relevant in this*

proceeding (sic).” Docket #84 Judge 7/21/17 Order as the order also included by self description →

“...with a malicious intent to injure the reputation of the person complained against by filing the complaint, with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations of fact material to a violation of Chapters 104 or 106, Florida Statutes.” Docket #3 Filed Dec. 13, 2016 Amended Petition to award fees and costs by Christopher Woolsey Esq. of pro se STUART & WOOD PA.

ANALYSIS: without the 17-fact witness testimony to demonstrate WOOD JR/SKINNER’S reputation with public recorded allegations in this manufactured Case No. 17-1594F (F-lawyer fee) to demonstrate false allegations, reckless disregard damages and reputation on pretext that FEC 16-357 (WOOD JR) & FEC 16-245 (SKINNER) are legally insufficient.

#21-B) Judge Newton II incorrectly stated malice need not be proved to collect lawyer fees. This is in companion to #20-B above, in reference to upcoming paragraph C#28: that *FEC-DOAH agency judge-made-case-law* does not have to prove malice to collect churned, manipulated & falsified lawyer fees & costs i.e. Brown v. Commission on Ethics, 969 So. 2d 553 (Fla. 1<sup>st</sup> DCA 2007). This case with malice willfully, promptly strikes down Florida Statute 768.28 (9)(a).<sup>54</sup> At issue with Judicial Candidate Statement, 3D3 judicial canon, Fla. State Fraud definition as fraud in & of itself & Florida State Constitution Article V. All is judicial make work to create artificial demand for monopoly government lawyer employment that holds no known oversight by Executive-Legislative branches demonstrated these 132-years, since Florida’s first: 1885 Constitution. The reason for this is that the process is not allowed by lawyers against lawyers, to work against judiciary only bankrupting not-for-profit: churches of faith, Executive-Legislative office holders.

**C)-EXEMPTION-FRAUDS** Judge Newton II’s FINDINGS OF FACT: SKINNER/WOOD JR. etc et al.

**#22-#23-#24-#25-#26-#27-#28-#29-#30-#31-#32-#33-#34C)-EXEMPTION-FRAUD paragraph #1.** Judge Newton II incorrectly voided political law-in-agency during pre-to-post August 30, 2017 Collier County property appraiser election, by stating:

“...Gaylord A. Wood Jr., Esq., Florida [sic] FBN 089465, lawyer for Abraham Skinner Incumbent. ...does not allege that Mr. Wood is an elected official or that he has been candidate for elected office.” (sic) July 21, 2017 Judge Newton II’s “Recommended” Order, page 3.

ANALYSIS-CONCLUSION: Mr. Wood is a lawyer that represents Abraham Skinner as candidate

<sup>54</sup> Fla. Statute 768.28 (9)(a) No officer, employee, or agent of the state or of any of its subdivisions shall be held personally liable in tort or named as a party defendant in any action for any injury or damage suffered as a result of any act, event, or omission of action in the scope of her or his employment or function, unless such officer, employee, or agent acted in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property.

for public office. First 22-C WOOD JR ESQ lied stating he was not a consultant.<sup>35</sup> Second 23-C WOOD JR ESQ self impeaches for Florida Small Claim-Circuit<sup>36</sup> & US District Court<sup>37</sup> by then saying he was a consultant.<sup>38</sup> Third 24-C WOOD JR ESQ boasted to be "as Caesar's Wife".<sup>39</sup> Fourth 25-C WOOD JR ESQ continues to lie and obstruct RVT information pre-to-post August 30, 2016 Republican Primary Election about SKINNER'S sex abuse of Gary Michael Siciliano's mother as is consistent with the boast to be as "Caesar's Wife". Fifth 26-C candidate for public office SKINNER FEC 16-245 (SINNER) was represented by attorney-in-fact WOOD JR ESQ. Sixth 27-C candidate for public office SKINNER FEC 16-245 (SINNER) was represented by attorney-in-fact WOOD JR ESQ. as a classic *corrupt persuader*<sup>40</sup> blocking all deferred maintenance public information within this public owned Collier County Property Appraisal Office. 28-C "Expert" witness lawyer HERRON ESQ ingratiated himself to WOOD JR ESQ by stating unequivocally: "... and I know that he is a big deal in the world of property appraisers." (Transcript 5/12/17 Page 88, Lines 16-17). HERRON ESQ an advocate-caterer-partisan lawyer for a lawyer property appraisal opinion means nothing. HERRON ESQ has no credibility. HERRON ESQ carries no positive weight to keep SKINNER in the Collier County property appraisal office. HERRON ESQ is not known to be or has ever been a property appraiser to purloin a relevant-respectable opinion worthy for a 100% jury trial verdict due process redress pertaining to non-lawyer: RVTs'. 29-C "Expert" witness for property appraiser would ask if SKINNER were ever in his life time a builder of commercial &/or residential improvements on land. No SKINNER was/is not. 30-C "Expert" witness for property would ask if SKINNER were ever in his 86-year life time a licensed broker-sales person to build improvements on land. No SKINNER was/is not. 31-C "Expert" witness for property would ask if SKINNER were ever in his 86-year life time a licensed real estate instructor. No SKINNER was/is not. 32-C "Expert" witness for property would ask if SKINNER were ever in his 86-year life time a licensed general certified &/or residential real estate appraiser. No SKINNER was/is not. 33-C "Expert" witness for property would ask if SKINNER were ever in his 86-year life time a property manager. No SKINNER was/is not. 34-C SKINNER instead of claimed: "most qualified, most experienced, superior customer service, a proven (never effectively challenged) record" Exhibit A-8496 (2 of 6) with approved Court Exhibit #6 transcript P.116 L.1-21; direct comparison SKINNER assessment experience in 1-Florida County, no non-government designations, 1-year of college as

<sup>35</sup> Transcript: WOOD JR. first said he was not a consultant for SKINNER P 68 Lines 20-25 thru P 69. 70 Line 4 & 71 Line 1-7.

<sup>36</sup> Florida Statute 90.608 Who may impeach. Any party including the party calling the witness. may attack the credibility of a witness by: (1) Introducing statements of the witness which are inconsistent with the witness's present testimony. (2) Showing the witness is biased. (3) Attacking the character of the witness in accordance with the provisions of s. 90.609 or s. 90.610. (4) Showing a defect of capacity, ability, or opportunity in the witness to observe, remember, or recount the matters about which the witness testified. (5) Proof by other witnesses that material facts are not as testified to by the witness being impeached.

<sup>37</sup> Federal Rule 607 of Evidence: Who May Impeach a Witness. Any party Including the party that called the witness, may attack the witness's credibility. Printed for the use of The Committee on The Judiciary House of Representatives. Page 11.

<sup>38</sup> Transcript: WOOD JR. first said he was a consultant for SKINNER Page 71 Lines 4-6 and Page 72 Lines 3-5.

<sup>39</sup> "Caesar's Wife" Transcript Page 31 Line 5. ANI Who was Julius Caesar's wife? Caesar actually had multiple wives, so perhaps the better question is, 'Who wasn't Julius Caesar's wife?' In this footnote you'll learn the Roman ruler's 3-marriages: #1-Cornelia (84 BC-69 BC). #2-Pompeia (68 BC-63 BC) & #3-Calpurnia (59 BC-44 BC). Source [Wikipedia](#). free encyclopedia.

<sup>40</sup> Corrupt persuader defined. In legal parlance, lawyer Nancy Temple was called the "corrupt persuader." "Corruptly persuades" means having an improper purpose, which she defined as "an intent to . . . impede the fact-finding ability of an official proceeding." In convicting Andersen, a federal jury in Houston blamed an Andersen lawyer for persuading others to destroy documents related to the investigation of Enron Corp. U.S. v. Arthur Andersen, LLP, No. H-02-121 (S.D. TRx. May 13, 2002), Trial Transcript 1663-1665. [Too Big To Jail](#) "How Prosecutors Compromise With Corporations" by Branadon L. Garrett 2012 p 41.

itemized Flyer Web Exhibit (1 of 5) with HON RICK ESQ'S transcript opening statement.<sup>[41]</sup>

CONCLUSION: HON RICK ESQ was been all these things builder-sales-instructor-commercial property appraiser-extraordinary residential property appraiser.

**#35-C)-EXEMPTION-FRAUD paragraph #2.** Judge Newton II incorrectly as "legally insufficient" stated:

*"...He represented Abraham Skinner in Florida Elections Commission Case No. 16-245 ... successful in that representation (continues obstructing RVT information pre & post August 30, 2016 election). The (FEC) Commission dismissed Mr. Lussy's complaint.*

*ANAYLSIS-CONCLUSION: Tort-criminal reasonable person negligence issue continues in this affidavit pleading.*

**#36-C)-EXEMPTION-FRAUD paragraph #3.** Judge Newton II incorrectly as "legally insufficient" stated:

*"Mr. Lussy is a property appraiser He was (sic-did) going to be an expert witness... where Mr. Wood represented the elected Property Appraiser for Collier County. ... .*

*ANAYLSIS "A-B-C-D" CONCLUSION: (A) WOOD JR ESQ* was one of 6-persons on the Collier County side of the table during the sworn deposition of expert HON RICK ESQ'S deposition table. Gaylord A. Wood Jr. Esq. one of sixteen bit players. WOOD JR ESQ. is a seventeen percent (17%) player of no significance unless he can lie-cheat-steal to prove himself a "bigger" person, to obtain \$36K in legal fees from HON RICK ESQ continuing at issue to the U.S. Supreme Court: Writ of Certiorari.

*(B) Judge Newton II incompletely stated: "Mr. Lussy was going to be an expert witness" is incorrect nomenclature by Judge Newton II as by contemporary American judicial standards of disclosure in any judicial monopoly government hearing.*

*(C) Judge Newton II bias shines forth as first sworn to the bar association lawyer cartel behemoth ("BALCB") and his loyalty resides to the BALCB to discriminate by interpretation-cherry picking the phrase that best helps a peer lawyer, under the pretext government employment does not always last a lifetime & lawyer friends on the outside are fruitful to assist upward mobility in economic-financial gain & financial security.*

*(D) Longstanding HON RICK ESQ MAI, SRA advice to this pro se plaintiff lawyer-property*

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<sup>[41]</sup> Opening Statement May 12, 2017 Transcript: "Please allow me to introduce myself I am a little person, Rick Lussy, MAI, SRA. commercial and industrial property appraiser these 44-years. I don't know any better. I just like appraising property and issues and have fun doing it. Graduate in Finance and real estate. Bachelor of Science in University of Montana. Employed one month out of University of Montana in Anaconda, Deer Lodge County, as a county appraiser for the Department of Revenue. Two and a half years later, I turned down a district supervisor position in Montana. Department of Revenue, to work for the best northwest Commercial appraisal firm. Shorett, Riely and Vance, with offices in Seattle; Anchorage, Alaska; and San Jose, California with 44-years' experience in 13-states and 15-Florida counties. I, as a candidate. I'm a public servant per Florida Statute 838.014(5)(6). Yet by the attorney general government in the Sunshine Manual quoted by Wood, Jr., who quoted page 141 in his June 9<sup>th</sup>, 2016, letter, was to benefit his public servant incumbent Skinner in FEC Florida elections Commission 245 to deny information of deferred maintenance of employment policy information. Defer means to deliberately put off to a later date. This has been -- this deferral of maintenance of employment policy information. Has been 26-years. Skinner and Wood, Jr., policy in FEC 16-245. since 1991 to 2017. the present. I'd like to correct opposing counsel ... . Transcript 5/12/17 P22 Lines 9-25 & P23 Lines 1-15.

trusts (suing Collier County property appraiser SKINNER) was pro se's 90% never win pursuant Seattle, Bainbridge Island & Vashon Island consulting assignments in King County Washington State before the most Honorable Harlie Hoppie King County Assessor. His center of the floor: all glass walled-office was before the hearing room.

**#37-C)-EXEMPTION-FRAUD paragraph #4.** Judge Newton II incorrectly quotes the record stated:

*"Mr. Lussy ... stated that Mr. Wood is a "cartel representative lawyer, ..."*

*ANALYSIS CONCLUSION nomenclature correction is the bar association lawyer cartel behemoth ("BALCB"). BALCB members are sworn to discriminate by express omissions, 100% concealment & insider trading selling pizzo-protection purchased by SKINNER before the August 30, 2016 Collier County Property Appraiser Election Court Admitted Exhibit #4 Transcript page 114-5 Lines 11-25 & 1-9: Respondent Exhibit A-8348 sua sponte.*

Second paragraph WOOD JR: *"...There is no obligation on the part of the Property Appraiser's office to answer questions. ..."*

Seventh paragraph WOOD JR: *"I am therefore leaving it to you to figure out what agency of Collier county government owns the building occupied by the Property Appraiser's office and to inquire of that agency as to any "deferred maintenance" or "needed capital improvement." And as you're your questions (A) thru (U), those are not appropriate public records requests, the Property Appraiser's office has no documents responsive to those requests."*

Hence Mr. Wood Jr Esq/Woolsey Esq/Herron Esq. demonstrate 100% bad faith,<sup>42</sup> unclean hands<sup>43</sup> against the RVT as the Collier County property appraisal office is known to be a public constitutional, a stand-alone, public funded office. Physical county facilities management has no jurisdiction. Facilities management is to testify against WOOD JR etc against this WOOD JR ESQ petitioner from respondent thru FEC machination-manipulation-falsification: RE Florida Elections Commission versus Gaylord A. Wood Jr. Esq. "FEC 16-357.

**#38-C)-EXEMPTION-FRAUD paragraph #5.** Judge Newton II incompletely quotes the record stated:

*"Mr. Lussy filed the complaint against Mr. Wood, he knew that Mr. Wood was not an elected official or candidate for elected office."*

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<sup>42</sup>Bad Faith. The opposite of "good faith," generally implying or involving actual or constructive fraud, or an design to mislead or deceive another, or a neglect or refusal to fulfill some duty or some contractual obligation, not promoted by an honest mistake as to one's rights or duties, but by some interested or sinister motive. Term "bad faith" is not simply bad judgment or negligence, but rather it implies the conscious doing of a wrong because of dishonest purpose or moral obliquity; it is different from the negative idea of negligence in that it contemplates a state of mind affirmatively operating with furtive design or ill will. *Stat v. Williams*, Ind. App. 367 N.E. 2d 1120, 1124. Black's Law Dictionary, Fifth Edition (1979) page 127.

<sup>43</sup>Clean Hands Doctrine. (1914) The principle that a party cannot seek equitable relief or assert an equitable defense if that party has violated an equitable principle such as good faith. \* Such a party is described as having "unclean hands." For example, Section 8 of the Uniform Child Custody Jurisdiction Act contains an unclean-hands provision that forbids a court from exercising jurisdiction in a child-custody suite in certain situations, as when one party has wrongfully removed a child from another state, has improperly retained custody of a child after visitation, or has wrongfully removed a child from the person with custody. The clean-hands doctrine evolved from the discretionary nature of equitable relief in English courts of equity, such as Chancery.-Also termed unclean-hands doctrine. Black's Law Dictionary, 10<sup>th</sup> Edition. (2014) page 306.

*ANALYSIS CONCLUSION* Mr. Wood Jr. Esq. lawyer an "officer of the court" as is: all consultants, vendors and contractors are included in the Florida Courts fraud policy<sup>[4]</sup> definition of fraud. Also the non-published confidential<sup>[5]</sup> Florida Election Commission Complaint was docketed as FEC 16-357 (WOOD JR ESQ) after WOOD JR ESQ copied HON RICK ESQ with Exhibit A-8347 (5-page with envelope) (Petitioner's) "*Initial Response to Amended Complaint*": refused to obtain the required written waiver<sup>[6]</sup> agreement, known in advance to May 12, 2017 FEC Clerk's permission to waive confidentiality. This is a standard provision in any monopoly government proceeding purpose of confidentiality that is likened to seal from public purview. The Fla. Election Commission complaints are 100% confidential pursuant to confidential statute<sup>[7]</sup> FEC 16-357/FEC 16-245 that proving damages 99% impossible before after: May 12, 2017.

#39-C)-EXEMPTION-FRAUD paragraph #6. Judge Newton II incomplete quote in record stated:

*"...The letter states: "while almost impossible to discern, the essential allegation of this complaint, as amended... ."*

*ANALYSIS CONCLUSION* *ibid* by repetition of confidentiality breach of WOOD JR ESQ copied HON RICK ESQ with Exhibit A-8347 (5-page with envelope) by Petitioner's: "*Initial Response to Amended Complaint*": refused to obtain the required written waiver from FREC Clerk.

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<sup>[4]</sup>Florida State Courts System Fraud Policy Approved by Florida Supreme Court on September 25, 2012 **I. Applicability** This policy applies to all officers and employees of the State Courts System (SCS), and to all consultants, vendors and contractors who enter into a business relationship with a State Courts System entity. **II. Policy Statement** The SCS is committed to establishing and maintaining an organizational culture that will ensure fraud prevention and detection are integral parts of all activities, consistent with Standards of Conduct contained in the Code of Judicial Conduct and the Code of Ethics for Public Officers and Employees (Chapter 112, Part III, Florida Statutes). The SCS will not tolerate or condone fraudulent, unethical or dishonest activities. It is the policy of the SCS to identify and promptly investigate suspected fraudulent, unethical or dishonest activities, and, if substantiated, to pursue legal remedies available under the law. **III. Definition of Fraud**, Fraud is a willful or deliberate act or omission by which an individual intends to obtain an unauthorized benefit, service, ... .

<sup>[5]</sup> Confidential, adj. (18c) 1. (Of information) meant to be kept secret; imparted in confidence <confidential settlement terms> 2. (Of a relationship) based on or characterized by trust and a willingness to impart secrets to the other <a confidential relationship between attorney and client.. Black's Law Dictionary, 10<sup>th</sup> Ed. (2014) page 361.

<sup>[6]</sup> No written waiver with Florida Elections Commission ("FEC") Clerk "*When a complaint is filed, what are the restrictions concerning the confidentiality of the complaint? Every sworn complaint, every investigative report, and every other paper of the Commission is exempt from the Public Records Laws and every proceeding is exempt from the Open Meetings Law until the Commission determines whether there is probable cause or no probable cause that a violation occurred.*

*Confidentiality provisions do not bind the person who filed the complaint. However, confidentiality provisions do bind the person named in the complaint, unless he or she files a written waiver with the agency Clerk. See Section 106.25(7).*

*Florida Statutes source Florida Elections Commission Frequently Asked questions.*

*CONCLUSION: Please note no known written waiver was ever filed with Florida Elections Clerk prior to May 12, 2017. Florida Elections Commission by WOOD JR/SKINNER (FEC 16-245 or FEC 16-357) to justify 8/17/16 FEC No. 16-245 Gaylord A. Wood, JR Bar #89465. (SKINNER) "Initial Response To Amended Complaint" Exhibit A-8509 (5-page) Docket #36, as contained within Respondent's 3<sup>rd</sup> Exhibit Supplement filed May 4, 2017.*

<sup>[7]</sup>Confidential statute (1975) A law that seals adoption records and prevents an adopted child from learning the identity of his or her biological parent and prevents the biological parent from learning the identity of the adoptive parents. -Also termed sealed-record statute. Black's Law Dictionary, 10<sup>th</sup> Edition (2014) page 361

**#40-C)-EXEMPTION-FRAUD paragraph #7.** Judge Newton II inarticulately partial quote in record:

*"Mr. Lussy offered no evidence tending to prove the allegations described."*

*ANAYLSIS please see #19-B) HON RICK ESQ. Fact Witness testimony: 17-Subpoena Duces Tecum process all legally served & in the DOAH Docket #64 to #72 as were 12-quashed by objections of government fighting government for selfish-gain against the public purpose willfully malicious to sabotage Florida-Government-In-The-Sunshine-Manual timely petitioned below:*

o August 17, 2016 **13-days before August 30, 2016 Republican Primary Election**: Exhibit A-8509 (5-page with envelope) FEC Case No. 16-245 INITIAL RESPONSE TO AMENDED COMPLAINT (against SKINNER) signed by pro se WOOD JR

o June 9, 2016 **82-days before August 30, 2016 Republican Primary Election**: Exhibit "SKINNER NOT A PUBLIC SERVANT (1-page) WOOD & STUART, P.A. letterhead signed by pro se WOOD JR. "This firm represents the Collier County Property Appraiser's office. Your letter is requesting answers ...DOAH docket #66.

o May 27, 2016 **95-days before August 30, 2016 Republican Primary Election**: Exhibit SKINNER OFFICE POLICY 4 OF 4 (1-page) Vickie Downs e-mail " Mr. Lussy, ... The notice of any deferred maintenance and plan for any capital improvements is all handled by the Facilities department of Collier County. ... #12 Subpoena Duces Tecum quashed in DOAH docket #71.

o May 17, 2017 DOAH Transcript **260-days (.7-year) after August 30, 2016 Republican Primary Election**: THE MINTON II COURT hearing Page 128 L25, Page 129 Lines 1-24. (emphasis)

CONCLUSION: These four HON RICK ESQ documents disprove Judge Newton II's quote as anti-American in refusing 100% transparency, existing black letter law, in the existing record as the independent judiciary is not independent of existing law. <sup>48</sup>

**#41-C)-EXEMPTION-FRAUD paragraph #8.** Judge Newton II incomplete quoted the record: "Mr. Lussy's Complaint Affidavit refers to sections 104.051, 104.011, and 104.091, Florida Statutes."

ANAYLSIS CONCLUSION: Other authorities must include: *any person* is authorized to correct manipulated and falsified public records made by government lawyers controlling 90% of all 3-branches of American government at all levels: "criminal" Florida Statute 839.13(2)(d).<sup>49</sup>

**#42-C)-EXEMPTION-FRAUD paragraph #9.** Judge Newton incomplete penalty quote F.S. 104.051:

<sup>48</sup> What is the "rule of law"? Question #12 on U.S. Citizenship & Immigration Services Test beginning October 1, 2008. Answer: Everyone must follow the law. Leaders must obey the law. Government must obey the law. No one is above the law.

<sup>49</sup> Correction of falsified public records Florida Statute 839.13 ... (2) if any judge, justice, mayor, alderman, clerk, sheriff, coroner, or other public officer, or employee or agent ... shall steal embezzle, alter, corruptly withdraw, falsify or avoid any record, ... or any paper filed in any judicial proceeding in any court of this state, or shall knowingly and willfully ... or falsify any document or instrument recorded, or filed in any court, or any registry, ... or falsify any minutes, documents, books, or any proceedings whatever of or belonging to any public office within this state; ... (d) This section does not prohibit the disposing or archiving of records as otherwise provided by law. In addition, this section does not prohibit any person from correcting or updating records. (emphasis added); In any prosecution under this section, it shall not be necessary to prove the ownership or value of any paper or instrument involved. (emphasis).



*"Section 104.051 imposes penalties upon any official who violates the election code, performs his or her duty fraudulently or corruptly, or attempts to influence or interfere with an elector voting a ballot."*

ANAYLSIS CONCLUSION: The focused F.S. 104.051 denote pertinent penalty not waiting 8+/- years:

*"...replacement in the polls with myself, Rick Lussy, pursuant to Florida Statute 104.051, both in the Florida Elections Commission jurisdiction and purview for which opposing counsel is requesting attorney's fees and costs."* Transcript 5/21/17 P24 L20-25.

The fraudulent office holder: SKINNER is accompanied with the corrupt persuaders-power holders behind the office: WOOD JR./WOOLSEY/HERRON all Florida finest: lawyers with 100% market share, no competition and offer no consumer freedom of choice whose government purpose is to discriminate.

Florida Statute 104.051 Violations; neglect of duty; corrupt practices.—

(1) Any official who willfully violates any of the provisions of this election code shall be excluded from the polls. Any election official who is excluded shall be replaced as provided in this code.

(2) Any official who willfully refuses or willfully neglects to perform his or her duties as prescribed by this election code is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(3) Any official who performs his or her duty as prescribed by this election code fraudulently or corruptly is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) Any supervisor, deputy supervisor, or election employee who attempts to influence or interfere with any elector voting a ballot commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

**#43-C)-EXEMPTION-FRAUD paragraph #10.** Judge Newton incomplete penalty quote F.S. 104.011:

*"Section 104.011 prohibits providing false information in connection with voting or voter registration."*

ANAYLSIS CONCLUSION: Pro se petitioner Gaylord A. Wood Jr. Esq. claims the classic lawyer immunity from his Florida voter registration application oath to support & defend the US Constitution: *"Mr. Wood ... is not subject to chapters 104 and 106 Florida Statutes."* Transcript 5/21/17 P20, L3-4.

The following complete Florida Statute 104.011 is for clarity:

Florida Statute 104.011 False swearing; submission of false voter registration information.—

(1) A person who willfully swears or affirms falsely to any oath or affirmation, or willfully procures another person to swear or affirm falsely to an oath or affirmation, in connection with or arising out of voting or elections commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

**#44-C)-EXEMPTION-FRAUD paragraph #11.** Judge Newton incomplete defined quote F.S. 104.091:

*Section 104.091 makes knowingly aiding, abetting, or advising violation of the election code an offense.*

ANAYLSIS CONCLUSION: The complete Florida Statute 104.011 follows:

Florida Statute 104.091 **Aiding, abetting, advising, or conspiring in violation of the code.—**

(1) Any person who knowingly aids, abets, or advises the violation of this code shall be punished

in like manner as the principal offender. (2) Any person who agrees, conspires, combines, or confederates with another person to commit a violation of this code shall be punished as if he or she had committed the violation. (3) Any person who knows of a felony violation of this code and gives any aid to the offender who has violated this code, with intent that the offender avoid or escape detection, arrest, trial, or punishment, shall be punished as if he or she had committed the violation. This subsection does not prohibit a member of The Florida Bar from giving legal advice to a client.

**#45-C)-EXEMPTION-FRAUD paragraph #12.** Judge Newton II incompletely stated:

*In this proceeding, Mr. Lussy offered no evidence indicating that he has reason to believe that Mr. Wood was an elected official...His Complaint affidavit demonstrates that he knew Mr. Wood served as a lawyer for Mr. Skinner.*

ANAYLSIS CONCLUSION: HON RICK ESQ. supplements this statement from May 12, 2017 transcript. Court approved evidence Exhibit A-8348, June 9, 2016 WOOD JR ESQ "No obligation Property Appraiser to answer questions...as to any "deferred maintenance" or "needed capital improvements transcript P114 L16-25, P115 L1-7; he took no oath as applicant to Florida Voter ibid P62, L 5-10; he as a consultant to SKINNER ibid P70, L 24-25 and represented SKINNER in 2016 election ibid P72, L 9-12 in this confidential non-published Florida Election Complaint ibid P65, L 16-21. Also additional evidence in 17-subpoena Duces Tecum denied by John D. C. Newton II favor the lawyers for SKINNER.

**#46-C)-EXEMPTION-FRAUD paragraph #13.** Judge Newton II incompletely stated: *Mr. Wood is not an "official" as the word is used in Chapter 104.*"

ANAYLSIS: HON RICK ESQ. supplements this narrow incomplete statement as Chapter 104 is tied to Chapter 106 per FEC jurisdiction that is also tied to DOAH jurisdiction Chapter 120.

- o **106 - CAMPAIGN FINANCING 106.25 - Reports of alleged violations to Florida Elections Commission; disposition of findings. Universal Citation: FL Stat § 106.25 (2013)**
- o § 106.25 Reports of alleged violations to Florida Elections Commission; **disposition of findings.**—(1) Jurisdiction to investigate and determine violations of this chapter and chapter 104 is vested in the Florida Elections Commission; however, **nothing in this section limits the jurisdiction of any other officers or agencies of government empowered by law to investigate, act upon, or dispose of alleged violations of this code.**
- o § 106.265 (2)(d) Whether the person, political committee, affiliated party committee, electioneering communications organization, or political party has shown good faith in attempting to comply with the provisions of this chapter or chapter 104.
- o **120 – ADMINISTRATIVE PROCEDURE ACT, § 120.542 Variances and waivers (1)** Strict application of uniformly applicable rule requirements can lead to unreasonable, unfair, & unintended results in particular instances. Legislature finds that it is appropriate in such cases to adopt a procedure for agencies to provide relief to persons subject to regulation. *A public employee is not a person subject to regulation under this section for the purpose of petitioning for a variance or waive to a rule affects that public employee his or her capacity as a public employee.*

CONCLUSION: No government lawyers are above the rule of law[FN# \_\_] in the pre 1776 Old English tradition and little person respondent: HON RICK ESQ is of no consequence to correct SKINNER graft, wasting RVT monies in his past 6-terms in office. As it has never been corrected post 1776, territory

Florida 1821, becoming a Florida State in 1904.

**#47-C)-EXEMPTION-FRAUD paragraph #14.** Judge Newton II incompletely stated:

*"Mr. Lussy offered no evidence to support the allegations of his Complaint Affidavit ... 104.051, 104.011, or 104.091... offered only his bar and (sic) assertions... and Mr. Skinner's maintenance of the property tax rolls."*

ANAYLSIS CONCLUSION: HON RICK ESQ. offers evidence yet Judge Newton II denies it as material fact issues do not pertain to WOOD JR. ESQ'S/WOOLSEY ESQ/HERRON ESQ's as lawyers support lawyer fees predicate on FEC's dismissal without a hearing 3-U.S. Constitution antitrust policy failures.

**#48-C)-EXEMPTION-FRAUD paragraph #15.** Judge Newton II incompletely stated:

*"Mr. Lussy filed his Complaint Affidavit with reckless disregard for whether the complaint contained false allegations of fact. He also filed it with reckless disregard to the absence of allegations of violations of the election code by Mr. Wood. Mr. Lussy acted with ill will or malice."*

ANAYLSIS CONCLUSION: HON RICK ESQ. supplements this incomplete statement with 312-violations. 13-material fact frauds, previous DOAH Docket #79 itemized 43-impeachments "Recommended Order" per non-published, confidential Florida Elections Commission. The underlying alternate facts plead by WOOD JR. ESQ in DOAH Docket #3 is "vexatious" litigant Badge of Slavery, with known 86-exemptions in public record.

**#49-C)-EXEMPTION-FRAUD paragraph #16.** Judge Newton II incompletely stated:

*"the statement of attorney time spent on Mr. Wood's behalf reasonably reports time spent on routine activities such as reviewing orders and drafting motions....The nature of Mr. Lussy's filings and the multiple filings related to Mr. Lussy's misuse of subpoena authority made this proceeding more time consuming than it otherwise would have been."*

ANAYLSIS CONCLUSION: HON RICK ESQ. requests a written order stating there was a misuse of subpoena authority when the fact-expert witness Clerk Claudia Llado statement: e-mail directive was to just print the number of subpoena's necessary. No maximum was specified with a final of #17-subpoena Duces Tecum primary source fact witness material fact in support of both FEC cases. Please note the material fact issue: Fla. Election Commission versus Gaylord Wood Jr. Case 17-1594F DOAH Docket #1 is no mention of R.C. "Rick" Lussy aka HON RICK ESQ.

**#50-C)-EXEMPTION-FRAUD paragraph #17.** Judge Newton II incompletely stated:

*"With the exception of the entries discussed below, the time recorded as expended on the tasks and activities is reasonable... The unrebutted (sic) testimony of Mark Herron, Esquire, accepted as an expert in attorneys' fees in administrative proceedings, establishes the reasonableness of the fees claimed."*

ANAYLSIS CONCLUSION: HON RICK ESQ. supplements this incomplete statement by reference to subsequent paragraph thirty-five (35).

**#51-C)-EXEMPTION-FRAUD paragraph #18.** Judge Newton II incompletely stated:

*"Mr. Herron testified that the .5 hours spent on April 24 to draft and file the witness and exhibit list should be increased to 1.0 hours. ...Second, the statute provides for award of fees incurred. The proposed increase of .5 hours does not represent a fee incurred."*

ANALYSIS CONCLUSION: HON RICK ESQ. supplements this incomplete statement #67D Exemption-Fraud Principles Governing Fee Awards paragraph #34 Judge Newton II's Recommended Order.

**#67-D)-EXEMPTION-FRAUD Principles Governing Fee Awards paragraph #34.**

**#52-C)-EXEMPTION-FRAUD paragraph #19.** Judge Newton II incompletely stated:

*"The hearing in this matter lasted four hours. The time was not included in the itemized statement filed before the hearing for obvious reasons. The time was, however, spent and is a reasonable amount of time for the hearing. Four hours are added to the time used to calculate attorney's fees."*

ANALYSIS CONCLUSION: HON RICK ESQ. supplements this incomplete statement supplements this incomplete statement #67D Exemption-Fraud Principles Governing Fee Awards paragraph #34 Judge Newton II's Recommended Order.

**#53-C)-EXEMPTION-FRAUD paragraph #20.** Judge Newton incompletely stated:

*"Mr. Wood seeks payment for nine hours of Mr. Woolsey's time identified as "drive time." Florida's Statewide Uniform Guidelines for Taxation of Costs in ... the hours for which attorney's fees are awarded."*

ANALYSIS CONCLUSION: HON RICK ESQ. supplements this incomplete statement #67D Exemption-Fraud Principles Governing Fee Awards paragraph #34 Judge Newton II's Recommended Order.

**#54-C)-EXEMPTION-FRAUD paragraph #21.** Judge Newton II incompletely stated:

*"Mr. Lussy offered no evidence about what would be a reasonable number of hours for an attorney to work to represent Mr. Wood in the proceeding before the Commission or the proceeding at the Division. He also offered no evidence about what a reasonable hourly rate for an attorney would be."*

ANALYSIS CONCLUSION: HON RICK ESQ. supplements this incomplete statement #67D Exemption-Fraud Principles Governing Fee Awards paragraph #34 Judge Newton II's Recommended Order.

**#55-C)-EXEMPTION-FRAUD paragraph #22.** Judge Newton II incomplete statement:

*"The reasonable hourly rate in this jurisdiction for proceedings before administrative agencies and the Division ranges between \$250 to \$400.00 per hour... Awarding fees based on a rate of \$250.00 per hour is reasonable in this matter."*

ANALYSIS CONCLUSION: HON RICK ESQ. supplements this incomplete statement in preparation for appeal to impeach 3-pro se petitioning lawyers with elementary school student(s) arithmetic and pronunciation skills versus adult lawyer \$250.00 award-gift from public servant lawyer judge Newton II.

**#56-C)-EXEMPTION-FRAUD paragraph #23.** Judge Newton II incomplete statement:

*"The reasonable time spent on proceedings before the Commission is 8.025 hours...The total number of hours do not reconcile with the totals show in Petitioner's Amended Itemized*

*Statement of Costs and Reasonable Attorney's Fees because the itemized statement contains mathematical errors."*

ANAYLSIS CONCLUSION: HON RICK ESQ. concurrent supplement with #67D Exemption-Fraud Principles Governing Fee Awards paragraph #34 Judge Newton II's Recommended Order. WOOD JR. ESQ./WOOLSEY ESQ. & HERRON ESQ.'S 4-function arithmetic errors are not to be upgraded to mathematical errors.

Mathematic the group of sciences (including arithmetic, geometry, algebra, calculus, etc) dealing with quantities, magnitudes, and forms, and their relationships, attributes, etc., by the use of numbers and symbols. Source Webster's New Universal Unabridged Dictionary, Deluxe Second Edition (1979) page 1110.

Therefore: each of these three pro se petitioner lawyers 4-function arithmetic illiteracy does not use symbols. And each can/will/shall be impeached by elementary grade school children that do not demand \$250 for laughable professionalism in 100% business.

**#57-C)-EXEMPTION-FRAUD paragraph #24.** Judge Newton II incomplete statement:

*"Mr. Wood's Proposed Recommended Order seeks payment of costs in this matter. He, however did not offer evidence of costs at the hearing. He only provided information about costs in a post-hearing statement filed June 16, 2017."*

ANAYLSIS CONCLUSION: HON RICK ESQ. supplements this incomplete statement

**#58-C)-EXEMPTION-FRAUD paragraph #25.** Judge Newton incomplete statement:

*"The amount of reasonable attorney's fees for Mr. Woolsey's representation of Mr. Wood in this proceeding is \$10,862.50."*

ANAYLSIS CONCLUSION: HON RICK ESQ. supplements this conclusion with the lawful guidance as greater than or equal to \$300 is a gross felony that conflicts with prior DOAH Docket #79.

#### [D] CONCLUSIONS OF LAW AND

**#59-D)-EXEMPTION-FRAUD Conclusions Of Law Jurisdiction paragraph #26.** Judge statement:

*"The Division has jurisdiction over the parties to and the subject matter of this matter. §§ 120.569, 120.57(1), and 120.595, Fla. Stat.; Fla. Admin. Code R. 2B-1.0045."*

ANAYLSIS CONCLUSION: HON RICK ESQ. supplements this incomplete statement with F.S. 120.595 challenge to attorney fees by impeaching the 113-years of collective law practice (Wood Jr (55-yr), Woolsey (16-yr) Herron (42-yr) 4-function arithmetic, with English pronunciation communication skill "credibility" with no mollycoddling BALCB member lawyers & no subsidy-gifting lawyer fees & cost(s).

**#60-D)-EXEMPTION-FRAUD Basis for Recovery of Lawyer Fees paragraph #27.** Judge statement:

*"Mr. Wood proceeds under section 106.265(6). It provides for recovery of attorney's fees and costs... and fees."*

ANAYLSIS CONCLUSION: HON RICK ESQ. supplements this incomplete statement in the record for appeal for little people, non-lawyers to remove the government lawyer employees from monopoly

government pursuant (1819) Missing 13<sup>th</sup> Amendment, Title Of Nobility Amendment (“TONA”) as BALCB (transcript P62 L15-21) are public servant lawyer judge justice agents (“PSLJJA”) requiring a Fla. Bar Number before no-brain-excising-law can be enforced to benefit non-lawyer HON RICK ESQ.

**#61-D)-EXEMPTION-FRAUD Basis for Recovery of Lawyer Fees paragraph #28.** Judge statement:

*“The First District Court of Appeal interpreted (cherry picked) the identical language of section 112.317..., Florida Statutes, in Brown v. Commission On Ethics 969 So. 2d 553 (Fla. 1<sup>st</sup> DCA 2007). The opinion holds that the person seeking fees does not have to prove actual malice motivated the complainant.”*

ANAYLSIS CONCLUSION: HON RICK ESQ. supplements this as Florida’s Finest BALCB of public servant lawyer judge justice agents (“PSLJJA”) are not trained (elective of moot court to obtain a 3-year law school *juris doctor* diploma, without doctor experience) not supervised (no 5-year practical internship as required by MAI/SRA Appraisal Institute, that cannot discriminate). The government lawyers discriminate for a living, not serving the public purpose, serving only club-lawyers.

**#62-D)-EXEMPTION-FRAUD Basis for Recovery of Lawyer Fees paragraph #29.** Judge statement:

*“As described in the Findings of Fact, Mr. Lussy filed his Complaint (sic) (FEC 16-357 (WOOD JR ESQ) & FEC 16-245 (SKINNER) Affidavit against Mr. Wood... Ill will or malice motivated him. The requirements of section 106.265(6) are met.”*

ANAYLSIS CONCLUSION: HON RICK ESQ. supplements this invalid statement pre-qualified Judge’s paragraph 28 inferior judge-made-case-law that cannot permanently void Florida Statute Florida Statute 768.28(9)(a) Waiver of sovereign immunity in tort actions:<sup>50</sup> Brown v. Commission on Ethics, 969 So. 2d 553 (Fla. 1<sup>st</sup> DCA 2007). The opinion holds that the person seeking fees does not have to prove actual malice motivated the (pro se lawyer) complainant,” continuing the fraud on RVT by government lawyers subsidizing-gifting lawyers in perpetuity in accord with pre 1776 mores. Lawyers self-administer, self-immunize personal sovereignty (personal responsibility): injecting-creating the sham DOAH 17-1594F.

**#63-D)-EXEMPTION-FRAUD Principles Governing Fee Awards paragraph #30.** Judge statement:

*“Florida Patient’s Compensation Fund v. Rowe, ...requires using a lodestar approach and considering the eight factors articulated in Rule 4-1.5(a) (NOT ADEQUATELY DONE HEREIN) Florida rules of Professional conduct, Sunshine State Inc. Co. v. Davide, ....”*

ANAYLSIS CONCLUSION: HON RICK ESQ. supplements this incomplete statement #67D Exemption-Fraud Principles Governing Fee Awards paragraph #34 Judge Newton II’s Recommended Order.

**#64-D)-EXEMPTION-FRAUD Principles Governing Fee Awards paragraph #31.** Judge stated:

*“The party seeking fees must prove that the fees claimed are reasonable...evidence must be*

<sup>50</sup>Florida Statute 768.28(9)(a) Waiver of sovereign immunity in tort actions...(9)(a) No officer, employee, or agent of the state or of any of its subdivisions shall be held personally liable in tort or named as a party defendant in any action for any injury or damage suffered as a result of any act, event, or omission of action in the scope of her or his employment or function, unless such officer, employee, or agent acted in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property... *ibid.*

sufficient to show ... Useful evidence includes invoices, records, testimony, and other information detailing services provided ... .”

ANALYSIS CONCLUSION: HON RICK ESQ. say fraudulent set up with FEC dismissal without a hearing: *false in one false in all* per churning statement #67D Exemption-Fraud Principles Governing Fee Award: paragraph #34 Judge Newton II's Recommended Order.

**#65-D)-EXEMPTION-FRAUD Principles Governing Fee Awards paragraph #32.** Judge stated:

*“Records should permit a judge to feasibly and expeditiously engage in review....without a description of the subject will not do”*).

ANALYSIS CONCLUSION: HON RICK ESQ. cites due process, US Constitutional protections for sham-set-up by gov't lawyers pizzo-patronage-tribute for this fraudulent lawyer fee gift to WOOD JR. ESQ.

**#66-D)-EXEMPTION-FRAUD Principles Governing Fee Awards paragraph #33.** Judge stated:

*“Petitioner's Amended Itemized Statement of Costs & Reasonable Attorney fees....allow evaluation of the reasonableness of the activities and the time spent performing them.”*

ANALYSIS CONCLUSION: HON RICK ESQ. contests all with 43-impeachments: DOAH Docket #79.

**#67-D)-EXEMPTION-FRAUD Principles Governing Fee Awards paragraph #34.** Judge stated:

*“Application of the standards articulated by Florida Patient's Compensation Fund v. Rowe and expressed in Rule 4-1.5(a), Florida Rules of Professional Conduct, to the findings results in the conclusion that Mr. Woolsey reasonably spent 43.45 hours (sic) ...that \$250 per hour... for Mr. Woolsey's ... of \$10,862.50 defending against (FEC 16-245 SKINNER & FEC 16-357 WOOD JR ESQ) Mr. Lussy's Complaint Affidavit to the Commission.”*

ANALYSIS CONCLUSION: HON RICK ESQ. supplement this incomplete statement in that Fla. Statute 768.28(9)(a) Waiver of sovereign immunity in tort actions<sup>51</sup> 100% trump: all judge-made-case-law, BALCB standards & agency law above. WHEREBY, appeal is necessary for a superior authority. For example Respondent provided elementary school student(s) be allowed to impeach WOOD JR. ESQ (55-years)/WOOLSEY ESQ (16-years) & HERRON ESQ (42-years): a collective 113-years of practicing law expertise are unable in 4-function arithmetic: Hon. Judge Newton II “mathematical” errors per pgh #23.

**i.e. 70-D(i) Exhibit A-8614 (31-page) Docket #82: IMPEACHMENT #40→ Conclusion Of Law Lawyer-Attorney Fee & How Much: Respondent Docket #73 “RESPONDENT(S) WRITTEN ATTORNEY FEE (NO EXISTING WRITTEN CONTRACT IN EXISTING RECORD Universal Commercial Code § 2-201<sup>52,53</sup>).** AT \$350/HR & TRANSCRIPT EXPENSE”. WOOD JR letter dated:

<sup>51</sup>Florida Statute 768.28(9)(a) Waiver of sovereign immunity in tort actions... (9)(a) No officer, employee, or agent of the state or of any of its subdivisions shall be held personally liable in tort or named as a party defendant in any action for any injury or damage suffered as a result of any act, event, or omission of action in the scope of her or his employment or function, unless such officer, employee, or agent acted in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property... *ibid*.

<sup>52</sup>“Why lawsuits happen. how a written contract protects you” *Contracts A Lawyer's View* WAAC Newsletter January 1998 Volume 20 Number 1 by Tom Case “A verbal agreement isn't worth the paper it's written on.” Attributed to Samuel Goldwyn.

<sup>53</sup>Uniform Commercial Code § 2-201 Formal Requirements: Statute of Frauds. (1) Except as otherwise provided in this section a contract for the sale of goods for the price of \$500 or more is not enforceable by way of action or defense unless there is some writing sufficient to indicate that a contract for sale has been made between the parties and signed by the party against whom

May 25, 2017. WOOD JR aka Gaylord A. Wood Jr. (2-page) Exhibit A-8510 is conscious of churning:  
"The more you churn (Docket #73) this file, the higher the fees to be awarded against you will be.  
Sincerely Gaylord A. Wood Jr."

CONCLUSION: Conscious contemptuous churn by WOOD JR is fraud on this DOAH court<sup>54</sup> by lawyer officers (WOOD JR/WOOLSEY/HERRON) of the court deserving the sanction noted below:

Before August 1, 2017 part remedy: excludes WOOD JR/SKINNER from the polls to replace with R.C. "RICK" Lussy sole candidate as provided in 104.051, 104.091, 104.011, 838.022 prerequisite 106.25(8) [FN#53] DOCKET #1<sup>53</sup> DOCKET #2<sup>54</sup> DOCKET #3<sup>57</sup> Florida Election Code Statute.

i.e. 70-D(ii) Exhibit A-8614 (31-page) Docket #82: IMPEACHMENT #41 → Conclusion Of Law Lawyer-Attorney Fee \$200 v \$350 Per Hour: Respondent HON RICK ESQ contests WOOLSEY/HERRON'S \$200 per hour nefarious change to \$350 per hour billing rate. The \$200 per hour (Docket # 4) was to justify & subsequent double bill 9.9 hours, by HERRON to be 10.025 hours (Transcript page 81, Line 10-11). WOOLSEY ESQ for captive HON RICK ESQ change \$200 rate to \$350 per hour as tribute-prize, prerequisite<sup>58</sup> domestic emolument billing for a "private" citizen (with no litigation rights as a "vexatious" litigant, U.S. Montana District Butte Montana destroyed files CV-78-67-

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enforcement is sought or by his authorized agent or broker. A writing is not insufficient because it omits an incorrectly stated a term agreed upon but the contract is not enforceable under this paragraph beyond the quantity of goods show in such writing. (2) Between merchants ... (emphasis)

<sup>54</sup> "Fraud On The Court By An Officer Of The Court & Disqualification of Judges, State & Federal" www.ballew.com/bob, Exhibit A-3751 (3-pages).

<sup>55</sup> Docket #1 DOAH 17-1594F (Fee) Dated March 16, 2017 To Robert S. Cohen, Director & Chief Judge Division of Administrative Hearings...RE: Florida Elections Commission v. Gaylord A. Wood Jr., Case No.: FEC 16-357. Dear Judge Cohen: I am transmitting this case, for the assignment of an administrative law judge, pursuant to Section 106.25(8), Florida Statutes... along with the Petition for Costs and Attorney's Fees. ... Sincerely, Amy McKeever Toman (Bar Number 686344) Executive Director Florida Elections Commission, AND Section 106.25(8), Fla. Stat. Any person who files a complaint pursuant to this section while knowingly that the allegations contained in such complaint are false or without merit commits a misdemeanor of the first degree punishable as provided in s. 775.082 or s. 775.083.

<sup>56</sup> Docket #2 DOAH 17-1594F (Fee) dated February 28, 2017 "... The (Florida Elections) Commission considered the (Docket #3, 17-page) Petition and the related case material. It is hereby ORDERED and adjudged as follows: 1.) The Amended Petition makes a prima facie showing of entitlement to costs and attorney's fees in connection with this matter. 2.) This matter shall be referred to the Division of Administrative Hearings for a hearing involving disputed issues of material fact & for entry of Recommended Order determining whether Petitioner/Respondent is entitled to award of attorney's fees & costs &, if so, what amount is due. DONE AND ORDERED by the Florida Elections Commission on February 28, 2017 by M. Scott Thomas, Chair (Bar No. 994898), Florida Elections Commission. (1-page) Filed March 13, 2017. Source Transmittal letter

<sup>57</sup> Docket #3 "Case No. 17-1594F (Fee) ISSUE: Pro se (sic) Respondent GAYLORD A. WOOD, JR [(SKINNER consolidated Florida Elections Complaints 16-357 (WOOD JR), 16-245 (SKINNER)] PURSUANT TO Section 106.265, Florida Statutes, and Rule 2B-1.0045, FAC (Florida Administrative Code) requests that this Honorable Commission determine that RICHARD "RICK" LUSSY has filed a complaint against Gaylord A. WOOD JR., with a malicious intent to injure the reputation of the person complained against by filing the complaint with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations of fact material to the violation of Chapters 104 or 106, Florida (Election) Statutes, and should the Commission so find, to enter an award for costs and reasonable attorney's fees incurred in the defense of GAYLORD A. WOOD JR., (WOOD JR-SKINNER TEAM) including the costs and reasonable attorney's fees, incurred in proving entitlement to and the amount of costs and fees." Source Amended (pro se Petitioner/Respondent) Petition to Awarded Fees & Costs" (47-pages) filed December 13, 2016.

<sup>58</sup> Prerequisite n : a privilege or profit beyond regular pay. The New Merriam-Webster Dictionary (1989) page 543.



BU<sup>59</sup> securities fraud lawsuit). Private citizen \$350 rate v. \$200 per hour SKINNER rate (Transcript P 76. Line 13-14) is discriminatory.

- o SKINNER (FEC 16-245) the *keeper of the nest that hatched this egg [FN#63]* was always a private citizen, now 86-year old, rigged "election" 28-year, 7-term constitutional officer to be 90-years old brazenly lies for a living. This was his life-long accomplishment.
- o SKINNER (FEC 16-245) hired WOOD JR (FEC 16-357), then hired WOOLSEY ESQ for DOAH 17-1594F for expert witness fee review hired HERRON all *keeper(s) of the nest that hatched this egg.*
- o SKINNER (FEC 16-245)/WOOD JR (FEC 16-357)/WOOLSEY ESQ with HERRON ESQ. (DOAH 17-1594F) are all impeached. SKINNER was always a private citizen in this office.

CONCLUSION: All private citizen action: pre & post August 30, 2016 Collier County property appraiser election qualify SKINNER as a private citizen per official misconduct Florida Statute 838.022(1)(2)(b).<sup>60</sup>

**i.e. 70-D(iii) Exhibit A-8614 (31-page) Docket #82: IMPEACHMENT #42 → Conclusion Of Law Invalidation of All Fees Require Judicial Review:**

~~This petition for Judicial Review is provided for in Florida Statute 120.68(1)(a).~~<sup>61</sup> This petition, this affidavit invalidates all claimed lawyer-attorney-at-law fees as trumped up. WOOLSEY ESQ \$36,802.50 AND HERRON'S 33,582.50 for \$1,400 (\$350 X 4-Hour) Attorney-In-Fact Fee & costs May 12, 2017 transcript \$283.20 expense total \$1,638 fee prevailing party Admin. Procedure Act 120.68 (14) 5.<sup>62</sup>

<sup>59</sup> Office of the Clerk United States District Court for the District of Montana. Tyler Gilman Clerk of Court. Beth Conley Chief Deputy Clerk. February 18, 2015. Rick Lussy MAL. SRA. RICHARD LUSSY & ASSOCIATES: 2165 Greenback Circle, Suite #5-303; Naples, FL 34112; Dear Mr. Lussy. I regret to inform you that I am unable to supply copies of the documents you requested in Case CV 78-67-BU, as the case file has been destroyed. I apologize for the inconvenience this has caused. Sincerely /s/ Beth Conley Chief Deputy Phone 406-542-7260, Russell E. Smith Courthouse, P.O. Box 8537, 201 East Broadway, Missoula, MT. 59807. [www.mtd.uscourts.gov](http://www.mtd.uscourts.gov). FAX 406-542-7272, Exhibit A-8184 with envelope.

<sup>60</sup> Misuse of public office official misconduct Florida Statute 838.022(1)(2)(b). The term "public servant" does not include a candidate who does not otherwise qualify as a public servant.

<sup>61</sup> Administrative Procedure Act 120.68(1)(a) 120.68 Judicial review.--(1)(a) A party who is adversely affected by final agency action is entitled to judicial review. (b) A preliminary, procedural, or intermediate order of the agency or of an administrative law judge of the Division of Administrative Hearings is **immediately reviewable if review of the final agency decision would not provide an adequate remedy.**(2)(a) Judicial review shall be sought in the appellate district where the agency maintains its headquarters or where a party resides or as otherwise provided by law. **All proceedings shall be instituted by filing a notice of appeal or petition for review in accordance with the Florida Rules of Appellate Procedure within 30 days after the rendition of the order being appealed. If the appeal is of an order rendered in a proceeding initiated under s. 120.56, the agency whose rule is being challenged shall transmit a copy of the notice of appeal to the committee.**

<sup>62</sup> Administrative Procedure Act 120.68 (14) 5. TITLE X PUBLIC OFFICERS, EMPLOYEES, AND RECORDS. Chapter 120 Administrative Procedures Act. 120.57 Additional procedures for particular cases.--(1) Additional Procedures Applicable To Hearings INVOLVING DISPUTED ISSUES OF MATERIAL FACT.--(a) Except as provided in ss. 120.80 and 120.81, an administrative law judge assigned by the division shall conduct all hearings ... (c) Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but it shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. (d) Notwithstanding s. 120.569(2)(g), similar fact evidence of other violations, wrongs, or acts is admissible when relevant to prove a material fact in issue, such as proof of motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident, but it is *inadmissible when the evidence is relevant solely to prove bad character or propensity*. ... Notice is not required for evidence of acts or offenses which is used for impeachment or on rebuttal. Title X: PUBLIC OFFICERS, EMPLOYEES, AND RECORDS CHAPTER 120

Administrative Procedure Act 120.80 Exceptions and special requirements; agencies.--(1) DIVISION OF ADMINISTRATIVE HEARINGS. --(a) Division as a party. --Notwithstanding s. 120.57(1)(a), a hearing in which the division is a party may not be conducted by an administrative law judge assigned by the division. An attorney assigned by the Administration Commission shall be the hearing officer. ... (14) DEPARTMENT OF REVENUE.--(a) Assessments.--5. The prevailing party, in a proceeding under ss. 120.569 and 120.57 authorized by s. 72.011(1), may recover all legal costs

i.e. 70-D(iv) Exhibit A-8614 (31-page) Docket #82: IMPEACHMENT#43 → Conclusion Of Law All SKINNER Related Fees Require Due Process:

This petition is for deferential rational basis review of attorney fee as challenged as limitations upon the First Amendment right to freedom of speech and the Fifth Amendment right to due process.<sup>63</sup> The racketeer FEC public servant obligation to investigate shirked, “*dismissal without a hearing*” [FN#10] Transcript P.42 L. 15-16 necessitates individual-personal responsibility as RVT are to be held harmless.

#68-D)-EXEMPTION-FRAUD Principles Governing Fee Awards paragraph #35. Judge stated:

*“On June 16, 2017, Mr. Wood filed Petitioner’s Statement of Post-hearing Costs and Reasonable Attorneys’ Fees. ...no testimony to support a finding that the activities were performed...In addition, Mr. Lussy has not had an opportunity to present evidence contesting the reasonableness of the ... to support them. Consequently, the record does not prove that the 11-hours or costs claims in the post-hearing statement are reasonable.”*

ANAYLSIS CONCLUSION: HON RICK ESQ. self defense following a fraudulent pre-to-post August 30, 2016 Collier County property appraiser election facilitated by fraud on the electorate by officer-lawyers-of-the-court willful, with malice of forethought to best serve, above existing law, this corrupt 6-term, 86-year old political incumbent, constitutional office holder Abraham Skinner. Further action warrant the metaphor (figure of speech) to *scrape the scales off the dragon*<sup>64</sup> racketeering organized crime within Florida State government, self-administered, self-immunized with 90% Florida’s finest Florida Bar Association: BALCB.

[E] RECOMMENDATION

#69-E)-EXEMPTION-FRAUD Recommendation Reply Last paragraph “#36”. Judge

Newton incomplete statement:

*“... It is recommended that the Florida Elections Commission enter an Order awarding Petitioner Gaylord A. Wood, Jr., attorney’s fees in the amount of \$10,862.50 against Respondent, R.C. “Rick” Lussy (aka HON RICK ESQ) DONE & ENTERED this 21<sup>st</sup> day of July 2017, in Tallahassee, Leon County, Florida. John D. C. Newton, II Administrative Law Judge Division of Administrative Hearings The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-6847 [www.doah.state.fl.us](http://www.doah.state.fl.us). ... Filed...21<sup>st</sup> day of July, 2017.*

ANAYLSIS CONCLUSION: Respondent: R.C. “Rick” Lussy aka HON RICK ESQ. supplements this Hon. Judge John D. C. Newton II, Administrative Judge recommended statement that no lawyer fees or costs be assessed. This is opposite his Honorable finding of \$10,862.50, from pre-to-post May 12, 2017

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incurred in such proceeding, including reasonable attorney’s fees, if the losing party fails to raise a justiciable issue of law or fact in its petition or response.

<sup>63</sup> In a landmark 1985, U.S. Supreme Court decision, Walters v. National Association of Radiation Survivors, the U.S. Supreme Court held that statutory restrictions on attorney’s fees are subject only to highly deferential rational basis review when challenged as limitations upon the First Amendment right to freedom of speech and the Fifth Amendment right to due process. Walters v. National Ass’n of Radiation Survivors, 173 U.S. 305 (<https://supreme.justia.com/cases/federal/us/473/305/>) (1985).

<sup>64</sup> *“Instantly, she (Empress) turned Fuizong’s (Emperor) anger into joy. So he let (Chief Remonstrator) Wei Zheng continue to “scrape scales off the dragon” with impunity, this being a Chinese metaphor for directly criticizing the ruler. The Ruler’s Guide “China’s greatest Emperor and his Timeless Secrets of Success” (2017) by Chinghua Tang, page 138-139.*

Final Hearing, as noted on page one herein and not specified otherwise.

**#70(E)-EXEMPTION-FRAUD Respondent's Answer.** Judge Newton II incomplete statement:

"... *It is recommended that the Florida Elections Commission enter an Order awarding Petitioner...* .

The underlying FEC 6-357 (WOOD JR) for which WOOD JR did not petition to waive unpublished-confidentiality FEC 16-245 (SKINNER) in his answer copying R.C. "Rick" Lussy aka HON RICK ESQ continuing to block deferred maintenance 13-material fact frauds amounting to 312-violations of ordinary property appraisal office management by incumbent SKINNER thru WOOD ESQ/WOOLSEY ESQ/HERRON ESQ obstruction of necessary registered voter taxpayer ("RVT") office operations. Know full well the judicial system will take 8+/- years to determine justice for this 4-year term office that began 8/30/16. The pro se petitioner lawyers support of SKINNER motive is racketeering by organized crime subjecting all participants to personal sovereignty<sup>65</sup> aka personal responsibility to forfeit all property earned by this criminal money making scheme, reinforced by still more government lawyer employees.

- o An appeal must be filed for ultimate determination in Writ of Certiorari U.S. Supreme Court.

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<sup>65</sup> Personal sovereignty is holding registered voter taxpayers ("RVT") one-hundred percent harmless for: this is before the August 30, 2016 Collier County property appraiser election (consistent with 1988-92-96-00-04-08-12 unsuccessful property appraiser Florida elections) after all acts of government workers that include claims against DOAH & FEC & pro se petitioner: WOOD JR Esq. & pro se-WOOLSEY Esq. & pro se HERRON Esq. working for political appointee incumbent (24-year-86-year old) SKINNER after (FEC 16-357 (WOOD JR) Confidential-with no FEC Clerk confidentiality waiver FEC 16-245 (SKINNER)) claim of one hundred immunity self-administer judicial canon 3D3 & Florida State Supreme Court Fraud policy (including 3D3) thru ninety percent control of monopoly American government infrastructure ("MAGI") by parent American Bar Association ("ABA") of the foreign British Accredited Registry ("BAR") sibling bar association lawyer cartel behemoth ("BALCB") 100% market share, no competition and no consumer freedom of choice policies of express omissions. 100% concealment as insider-traders before the August 30, 2017 Collier County property appraiser election THEREFORE obstructing public record information vote ballots 312-violations. 13-material fact frauds in 3-U.S. Constitutional Writ of Certiorari Issues attempting to kick the can down the road another 8-years THEREFORE preempting the 4-year August 30, 2016 property appraiser term as moot.

Personal sovereignty is intrinsic authority and power of an individual to determine his or her own direction and destiny. If that sounds suspiciously like free will, it's because personal sovereignty and free will are the same thing. The word "sovereign" means to be in supreme authority over someone or something, and to be extremely effective and powerful. Therefore, it is usually applied to gods, royalty and governments. We speak of kings and queens as sovereign even when they are figureheads). And of the sovereign rights of nations and States. Although sovereignty also means to be powerful and effective, it doesn't necessarily that one have it you can do anything you want. Whether you are a nation or a person, you also have to consider the sovereignty of others. Of course one could try to diminish or destroy the sovereignty of others to get what you want, the way nations and these pro se petitioner: WOOD JR Esq., pro se-WOOLSEY Esq.,-pro se HERRON Esq. have had short term success. Ultimately however, we each have only as much sovereignty as we can demonstrate. Having sovereign rights and being sovereign are not the same thing. If the lawyers provide to the DOAH & FEC & SKINNER compensated service, and that person(s) decide(s) to do the task because you choose to, not because you are ordered to. The point is, you can always choose to your actions and reactions. Beware, though personal sovereignty has a high price. It's called personal responsibility. As one increases their use of free will, one as increases their responsibility for their actions and reactions. Increase it enough and one won't be able to blame one's parents, one's enemies, one's friends, one's lovers or spouse, society, fate, Satan or God for anything having to do with one's personal experience. If a lot of people were to greatly increase their personal responsibility our society would undergo tremendous change. Co-dependent and manipulative relationships would all but disappear; untold numbers of trial lawyers would have to find new businesses; politicians would be held accountable for their decisions; insurance companies would have to change a lot of policies; people of different faiths would be more tolerant of each other, humanity would act more from love than fear... Now what kind of world would that be" source "Personal Sovereignty" Aloha International © (1996) by Serge Kahili King.

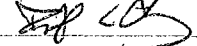
- o As concurrent with: Respondent attorney-in-fact-fees be assessed "RESPONDENT(S) Written Contract Attorney Fee At \$350/Hr & Transcript Expense: Enforce Election Statutes 104.051, 104.011, 104.091; Exclude SKINNER WOOD JR TEAM & Replace With R.C. "Rick" Lussy: August 30, 2016 Election.

This is pursuant DOAH: Docket #73 as recorded herein R. C. "Rick" Lussy MAI, SRA Respondent pro se pray:

RESPONDENT'S PETITION FOR COURT-EXECUTIVE-LEGISLATIVE GOV'T TO DECLARE DEFAULT[FN#1] JUDGMENT: TO APPOINT R.C. "Rick" LUSSY PROPERTY APPRAISER POST AUG. 30, 2016 ELECTION: (FLA. STATUTE 104.051[FN#2]) JUDGE J. D. C. NEWTON, II, REFUSES TO ENFORCE HIS 5-COURT ORDERS: WOOD JR. ESQ./WOOLSEY ESQ./HERRON ESQ. CONSULTED SKINNER THEFT ON RESPONDENT: 3-U.S. Constitution Anti-Trust: Fla. Election Com. Agency Policy Failures.

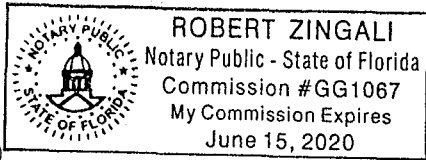
STATE OF FLORIDA

County of COLLIER

The signer  Richard C. Lussy MAI (Member of Appraisal Institute), SRA (Senior Residential Appraiser) aka R.C. "Rick" Lussy aka HON RICK ESQ as a property appraiser, has been duly sworn, hereby deposes and says:

- 1.) I am 67-years old, resident of State of Florida, an internationally designated, certified general and licensed property appraiser. I have personal knowledge of the facts herein, and if called as a witness could testify completely thereto.
- 2.) I suffer no legal disability except: "vexatious" litigant Florida Statute 68.093-small-claim-jurisdiction:
- 3.) *Badge of Slavery*; denied remedy "criminal" Florida Statute 839.13(2)(d) that any person can correct manipulated & falsified lawyer-judge-justice made public records: 1988-92-96-00-04-08-12-2016 unsuccessful Florida property appraiser elections. Malicious motive is repetition-of-libel per se in anti-trust policy failures, gov't lawyers protecting all lawyers: 100% market share, no competition and no consumer freedom of choice after successful Writ of Certiorari in U.S. Supreme Court before Supreme Lawyer Leadership.
- 4.) Seek lawful & constitutional protection from Lawyer Judge Leadership for this non-lawyer not to further mollycoddle this bar-association-lawyer-cartel-behemoth ("BALCB").
- 6.) I declare to best of my knowledge & belief the information herein is true, correct and complete.

NOTARY PUBLIC VERIFIED. SWORN To & Subscribed before me this Friday of August 3, 2017, by Richard C. Lussy, [Signature] who ( ) is personally known to me or who ( ) have produced his Florida Drivers License as identification: 2840 Shoreview Dr., Suite #2, Naples, Fla. 34112, Ph (239) 263-5413, E-mail: ricklussy@yahoo.com.



(SEAL)

By [Signature]  
Notary Public, State of Florida  
Robert J Zingali  
Print, Type, or Name of Notary Public

CERTIFICATE E-served this Friday August 3, 2017 by [Signature] Rick Lussy

(1) To: Clerk Ms. Claudia Llado & DOAH Judge John D. Campbell Newton, II, Florida Bar No. 244538, Tallahassee, Florida 32399. E-file [www.doah.state.fl.us](http://www.doah.state.fl.us).

(2) Pro se Gaylord Wood Jr. Esq. Bar Number 89465 P.O. Box 1987, Bunnell, Fla. 32110; E-mail: [pleadings@Woodstuartpa.com](mailto:pleadings@Woodstuartpa.com) ph: 386-437-9400

(3) Pro se John Christopher Woolsey, Esq. Bar Number 537438, for STUART & WOOD P.A. (B. Jordan Stuart 1943-2016) P.O. Box 1987, Bunnell, Fla. 32110; E-mail: [pleadings@Woodstuartpa.com](mailto:pleadings@Woodstuartpa.com) ph: 386-437-9400

✓ 26 (4) Mc Amy McKeever Tomson Executive Director Florida Elections Commission  
8/7/17 167 W. Gaines Street, Suite 204 Tallahassee FL 32399-1050  
[Signature]

Richard Lussy  
Apt 2  
2840 Shoreview Dr  
Naples, FL 34112

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STATE OF FLORIDA  
ELECTIONS COMMISSION



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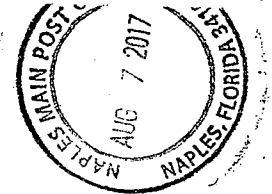


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Ms Amy McKeever Tomon  
Executive Director  
Florida Elections Commission  
107 W. Gaines Street, Suite 214  
Tallahassee, FL 32399-1050



To Ms. Amy Toman Executive Dir. FEC=>Fw: Case DOAM 17-1594F back to FEC-16-357  
(Wood Jr Esq) & FEC 16-245 (Skinner)

Rick Lussy

to:

fec@myfloridalegal.com

08/07/2017 02:21 PM

Hide Details

From: Rick Lussy <ricklussy@yahoo.com>

To: "fec@myfloridalegal.com" <fec@myfloridalegal.com>

Please respond to Rick Lussy <ricklussy@yahoo.com>

History: This message has been replied to and forwarded.

## 2 Attachments



8-6-17 Respondent's Motion-Affidavit-Petition To Appoint Or In Alternative Answer Petitioner.pdf



8-6-17 Respondent's Motion-Affidavit-Petition To Appoint Or In Alternative Answer Petitioner.pdf

On Monday, August 7, 2017 2:01 PM, Rick Lussy <ricklussy@yahoo.com> wrote:

Affidavit-Motion Petition For Court Default Appoint R.C. "Rick" Lussy Collier Property Appraiser, Or In Alternative Rick Lussy's Recommended Order: reply to 7/21/17 DOAH Judge Newton II With 7-Exception-Frauds: Affidavit: To Existing Law (as Attached-also in PDF). As U.S. Mailed 8/7/17.

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

FEC #16-357 (WOOD JR) From FEC #16-245 (SKINNER)

RE FLORIDA ELECTIONS COMMISSION VERSES GAYLORD A. WOOD JR., Petitioner(s),

CONCURRENT WITH

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

DOAH NO. 17-1594F (Lawyer Fee)

GAYLORD A. WOOD JR. ESQ. FEC 16-357 (WOOD JR) From FEC 16-245 (SKINNER)\*\* Petitioner(s)

Versus

\*\*

RICHARD CHARLES LUSSY AKA R.C. "Rick" Lussy MAI, SRA Candidate 2016 (R) \*\* Respondent(s)

**MOTION AFFIDAVIT *Sine Qua Non*<sup>1</sup> To Eschew Obfuscation<sup>2</sup> From *WOOD JR ESQ: 6-Page: "Respondent's Exception To Recommended Order"* AND: 3<sup>1</sup>-Page, DOAH File #88 Docket: PETITION FOR COURT DEFAULT APPOINT<sup>4</sup> R.C. "Rick" Lussy Collier County Property Appraiser**

**OR IN THE ALTERNATIVE**

**RICK LUSSY'S: RECOMMENDED ORDER: REPLY TO 7/21/17 DOAH JUDGE NEWTON II WITH 70-EXCEPTION-FRAUDS: AFFIDAVIT: TO EXISTING LAW (AS ATTACHED)**

STATE OF FLORIDA

COLLIER COUNTY

A formal hearing was held before duly-designated Administrative law Judge ("ALJ") of the Division of Administrative Hearings ("DOAH"): John D. Campbell Newton, II, Florida Bar No. 244538 on May 12, 2017, 9:00 am to 1:00 pm, Tallahassee video conference: Fort Myers (Respondent pro se) & Lauderdale Lakes (Petitioner pro se).

Timely filed in DOAH 7/24/17, as 3<sup>1</sup>-pages attached RE: *WOOD JR ESQ: 6-Page:*

*"Respondent's Exception To Recommended Order"* was U.S. Mail 8/5/17 Not E-Mailed

<sup>1</sup> *Sine qua non*; Latin: refers to an indispensable & essential action, condition, or ingredient. Originally a Latin legal term for "[a condition] without which it could not be," or "but for..." or "without which [there is] nothing". Wikipedia Dictionary 6/26/13.

<sup>2</sup> *Eschew obfuscation*", also stated as "eschew obfuscation, espouse elucidation", is a fumblerule used by English teachers and professors when lecturing about proper writing techniques. Literally, the phrase means "avoid being unclear" or "avoid being unclear, support being clear", but the use of relatively uncommon words causes confusion, making the phrase an example of *irony*, and more precisely a *heterological*. Phrase has appeared in print at least as early as 1959, when used as section heading in a NASA document.<sup>[3]</sup> Wikipedia encyclopedia, 11/19/13

<sup>3</sup> *Obfuscation. verb*: to make (something) more difficult to understand, transitive verb 1 a : *DARKEN* b : to make obscure <obfuscate the issue> 2 : *CONFUSE* <obfuscate the reader> intransitive verb: to be evasive, unclear, or confusing. Source Merriam Webster Dictionary 11/19/13. Obfuscation (or *beclouding*) is the hiding of *intended meaning* in *communication*, making communication *confusing*, willfully *ambiguous*, and harder to *interpret*. Source. Wikipedia, the free encyclopedia, 11/19/13, Not in *Black's Law Dictionary* 10<sup>th</sup> Edition (2014).

<sup>4</sup> *Florida Statute 104.051* Violations; neglect of duty; corrupt practices. (1) Any official who willfully violates any provisions of this election code shall be excluded from polls. Any election official who is excluded shall be replaced as provided in this code. (2) Any official who willfully refuses or willfully neglects to perform his or her duties ...



August 1, 2017 Per Certificate of Mailing, as mine was DOAH filed as docket #88. This 6-page response by 113-collective years of Law Practice: Florida's Finest Florida Bar Association Lawyers: WOOD JR ESQ. (55-years), WOOLSEY (16-Years), HERRON (42-years). All are working for political opponent SKINNER blocking 24-now 25-years of deferred maintenance in the Collier County Property Appraiser's Office as aiding and abetting-fraud & obstruction against the Florida August 30, 2016 election process.

WITHOUT considering the prior incorrect alternet set of facts (Badge of Slavery-wrongful "vextious litigant" **WOOD JR ESQ** claims authority in Florida Statute 120.57(1)(k); however continuing this DOAH 17-1594F/FEC 16-357/FEC 16-245: move to appoint R.C. "Rick" Lussy Collier County Property Appraiser pursuant § 104.051 Fla. Stat. [FN#4] **WOOD JR ESQ** refused to comply with DOAH 5-court orders to U.S. Mail physical copies of all Exhibits before the May 12, 2017 final hearing, as itemized below. Therefore, there is nothing in the record to favorably rule on behalf of WOOD JR ESQ./WOOLSEY ESQ./HERRON ESQ.

- o DOAH Docket #25, April 27, 2017, "\*\*Second Amended Notice Of Hearing By Video Teleconference".
- o DOAH Docket #18, 4/19/17, "\*\*Amended Notice of Hearing By Video Teleconference".
- o DOAH Docket #14, April 3, 2017, "Amended Order of Pre-Hearing Instructions".
- o DOAH Docket #13, March 31, 2017, "Order of Pre-Hearing Instructions";
- o DOAH Docket #12, March 31, 2017, "Notice of Hearing By Video Teleconference".

And WITH considering transcript cost. This subject transcript was never once referenced in any responsive pleading by/of WOOD JR ESQ. (55-years), WOOLSEY ESQ.(16-Years), HERRON ESQ.(42-years) 113-collective total years of practicing law within Florida State.

This Motion-Petition Affidavit is a Restatement for Court Default to Appoint R.C. "Rick" Lussy aka HON RICK ESQ Collier County Property Appraiser By Executive-Legislative-Judicial Authority in Jurisdiction Pursuant Florida Election Statute 104.051 [FN#4] As Contesting the Florida Election Commission's Alternate Set of Facts predicate to the incorrect "vexatious" litigant ruling as contained in the substance DOAH Docket #1 signed by Ms. Amy McKeever Toman #686344 Executive Director Florida Elections Commission.

The "vexatious" litigant is in a seperate process for correction. A as any person can correct manipulated and falsified public records pursuant Florida Statute 839.13(2)(d). Stated so to discontinue *repetition of libel per se* also-known-as to indict a "ham sandwich."<sup>5</sup>

RECAP: WOOD JR ESQ. (55-years), WOOLSEY ESQ (16-Years), HERRON ESQ obstruction tools for SKINNER to be fraudulently kept in public office another 4-years: 312-violations, 13-material fact frauds, 3-U.S. Constitution Ant-i-trust policy failures, 43-Impeachments and these attached 70-Exception-Frauds not contested by WOOD JR. ESQ in *Respondent's Exception To Recommended Order*.

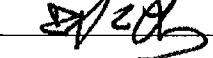
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<sup>5</sup> A former chief appellate judge of New York State once famously remarked that a special prosecutor could persuade grand jurors to "*indict A ham sandwich*." Source: "Grand Jury Says Abuse Stories Were a "Carefully Crafted Hoax, *Omaha World-Herald*, July 25, 1990.

As litigation 8+/- years: Writ of Certiorari to U.S: Supreme Court, a political appointment in August 2017 favoring Rick Lussy is warranted pursuant Fla. Election Statute 104.051[FN#4] as opposing WOOD JR ESQ./WOOLSEY ESQ/HERRON ESQ. Have voluntarily defaulted per the Florida-Rule Civil Procedure: Effect of Failure to Deny within the DOAH Docket #88, 34-page, 70-Exception-Frauds attached.

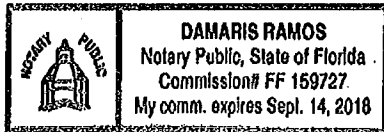
STATE OF FLORIDA

County of COLLIER

The signer  Richard C. Lussy MAI (Member of Appraisal Institute), SRA (Senior Residential Appraiser) aka R.C. "Rick" Lussy aka HON RICK ESQ as a property appraiser, has been duly sworn, hereby deposes and says:

- 1.) I am 67-years old, resident of State of Florida, an internationally designated, certified general and licensed property appraiser. I have personal knowledge of the facts herein, and if called as a witness could testify completely thereto.
- 2.) I suffer no legal disability except: "vexatious" litigant Florida Statute 68.093-small-claim-jurisdiction:
- 3.) *Badge of Slavery*; denied remedy "criminal" Florida Statute 839.13(2)(d) that any person can correct manipulated & falsified lawyer-judge-justice made public records: 1988-92-96-00-04-08-12-2016 unsuccessful Florida property appraiser elections. Malicious motive is repetition-of-libel per se in anti-trust policy failures, gov't lawyers protecting all lawyers: 100% market share, no competition and no consumer freedom of choice after successful Writ of Certiorari in U.S. Supreme Court before Supreme Lawyer Leadership.
- 4.) Seek lawful & constitutional protection from Lawyer Judge Leadership for this non-lawyer not to further mollycoddle this bar-association-lawyer-cartel-behemoth ("BALCB").
- 6.) I declare to best of my knowledge & belief the information herein is true, correct and complete.

NOTARY PUBLIC VERIFIED, SWORN To & Subscribed before me this Monday of August 7, 2017, by Richard C. Lussy, [Signature] who ( ) is personally known to me or who (~~X~~) have produced his Florida Drivers License as identification: 2840 Shoreview Dr., Suite #2, Naples, Fla. 34112, Ph (239) 263-5413, E-mail: ricklussy@yahoo.com.



(SEAL)

By [Signature]  
Notary Public, State of Florida  
Damaris Ramos  
Print, Type, or Name of Notary Public

CERTIFICATE E-served this Monday August 7, 2017 by [Signature] Rick Lussy

- (1) To: Clerk Ms. Claudia Llado & DOAH Judge John D. Campbell Newton, II, Florida Bar No. 244538, Tallahassee, Florida 32399. E-file [www.doah.state.fl.us](http://www.doah.state.fl.us).
- (2) Ms. Amy McKeever Toman #686344 Executive Director Florida Elections Commission.  
Email: [Amy.Toman@MyFloridaLegal.com](mailto:Amy.Toman@MyFloridaLegal.com) and hard copy U.S. Mail,  
Office of Florida Elections Commission Phone 850-922-4539  
107 W. Gains Street, Suite 224, Tallahassee, FL. 32399-1050
- (3) Pro se Gaylord Wood Jr. Esq. Bar Number 89465 P.O. Box 1987, Bunnell, Fla. 32110;  
E-mail: only: [pleadings@Woodstuartpa.com](mailto:pleadings@Woodstuartpa.com) ph: 386-437-9400
- (4) Pro se John Christopher Woolsey, Esq. Bar Number 537438, for STUART & WOOD P.A. (B. Jordan Stuart 1943-2016) P.O. Box 1987, Bunnell, Fla. 32110; E-mail: only [pleadings@Woodstuartpa.com](mailto:pleadings@Woodstuartpa.com) ph: 386-437-9400

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

FEC #16-357 (WOOD JR) From FEC #16-245 (SKINNER)

RE FLORIDA ELECTIONS COMMISSION VERSES GAYLORD A. WOOD JR., Petitioner(s),

CONCURRENT WITH

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

DOAH NO. 17-1594F (Lawyer Fee)

GAYLORD A. WOOD JR. ESQ. FEC 16-357 (WOOD JR) From FEC 16-245 (SKINNER)\*\* Petitioner(s)

Versus

\*\*

RICHARD CHARLES LUSSY AKA R.C. "Rick" Lussy MAI, SRA Candidate 2016 (R) \*\* Respondent(s)

**MOTION AFFIDAVIT *Sine Qua Non*<sup>1</sup> To Eschew Obfuscation<sup>23</sup> From *WOOD JR ESQ: 6-Page: "Respondent's Exception To Recommended Order"* AND: 3<sup>4</sup>-Page, DOAH File #88 Docket: PETITION FOR COURT DEFAULT APPOINT<sup>4</sup> R.C. "Rick" Lussy Collier County Property Appraiser**

**OR IN THE ALTERNATIVE**

**RICK LUSSY'S: RECOMMENDED ORDER: REPLY TO 7/21/17 DOAH JUDGE NEWTON II WITH 70-EXCEPTION-FRAUDS: AFFIDAVIT: TO EXISTING LAW (AS ATTACHED)**

STATE OF FLORIDA

COLLIER COUNTY

A formal hearing was held before duly-designated Administrative law Judge ("ALJ") of the Division of Administrative Hearings ("DOAH"): John D. Campbell Newton, II, Florida Bar No. 244538 on May 12, 2017, 9:00 am to 1:00 pm, Tallahassee video conference: Fort Myers (Respondent pro se) & Lauderdale Lakes (Petitioner pro se).

Timely filed in DOAH 7/24/17, as 3<sup>4</sup>-pages attached RE: *WOOD JR ESQ: 6-Page:*

*"Respondent's Exception To Recommended Order"* was U.S. Mail 8/5/17 Not E-Mailed

<sup>1</sup> *Sine qua non*; Latin: refers to an indispensable & essential action, condition, or ingredient. Originally a Latin legal term for "[a condition] without which it could not be." or "but for..." or "without which [there is] nothing". Wikipedia Dictionary 6/26/13.

<sup>2</sup> *Eschew obfuscation*", also stated as "eschew obfuscation, espouse elucidation", is a fumblerule used by English teachers and professors when lecturing about proper writing techniques. Literally, the phrase means "avoid being unclear" or "avoid being unclear, support being clear", but the use of relatively uncommon words causes confusion, making the phrase an example of irony, and more precisely a heterological. Phrase has appeared in print at least as early as 1959, when used as section heading in a NASA document.<sup>[2]</sup> Wikipedia encyclopedia, 11/19/13

<sup>3</sup> **Obfuscation.** *verb*: to make (something) more difficult to understand, transitive verb 1 *a* : DARKEN *b* : to make obscure <obfuscate the issue> 2 : confuse <obfuscate the reader> intransitive verb: to be evasive, unclear, or confusing. Source Merriam Webster Dictionary 11/19/13. Obfuscation (or beclouding) is the hiding of intended meaning in communication, making communication confusing, willfully ambiguous, and harder to interpret. Source. Wikipedia, the free encyclopedia, 11/19/13, Not in Black's Law Dictionary 10<sup>th</sup> Edition (2014).

<sup>4</sup> Florida Statute 104.051 Violations; neglect of duty; corrupt practices. (1) Any official who willfully violates any provisions of this election code shall be excluded from polls. Any election official who is excluded shall be replaced as provided in this code. (2) Any official who willfully refuses or willfully neglects to perform his or her duties ...

August 1, 2017 Per Certificate of Mailing, as mine was DOAH filed as docket #88. This 6-page response by 113-collective years of Law Practice: Florida's Finest Florida Bar Association Lawyers: WOOD JR ESQ. (55-years), WOOLSEY (16-Years), HERRON (42-years). All are working for political opponent SKINNER blocking 24-now 25-years of deferred maintenance in the Collier County Property Appraiser's Office as aiding and abetting-fraud & obstruction against the Florida August 30, 2016 election process.

WITHOUT considering the prior incorrect alternet set of facts (Badge of Slavery-wrongful "vextious litigant" **WOOD JR ESQ** claims authority in Florida Statute 120.57(1)(k), however continuing this DOAH 17-1594F/FEC 16-357/FEC 16-245: move to appoint R.C. "Rick" Lussy Collier County Property Appraiser pursuant § 104.051 Fla. Stat. [FN#4] **WOOD JR ESQ** refused to comply with DOAH 5-court orders to U.S. Mail physical copies of all Exhibits before the May 12, 2017 final hearing, as itemized below. Therefore, there is nothing in the record to favorably rule on behalf of WOOD JR ESQ./WOOLSEY ESQ./HERRON ESQ.

- o DOAH Docket #25, April 27, 2017, "\*\*Second Amended Notice Of Hearing By Video Teleconference".
- o DOAH Docket #18, 4/19/17, "\*\*Amended Notice of Hearing By Video Teleconference".
- o DOAH Docket #14, April 3, 2017, "Amended Order of Pre-Hearing Instructions".
- o DOAH Docket #13, March 31, 2017, "Order of Pre-Hearing Instructions";
- o DOAH Docket #12, March 31, 2017, "Notice of Hearing By Video Teleconference".

And WITH considering transcript cost. This subject transcript was never once referenced in any responsive pleading by/of WOOD JR ESQ. (55-years), WOOLSEY ESQ.(16-Years), HERRON ESQ.(42-years) 113-collective total years of practicing law within Florida State.

This Motion-Petition Affidavit is a Restatement for Court Default to Appoint R.C. "Rick" Lussy aka HON RICK ESQ Collier County Property Appraiser By Executive-Legislative-Judicial Authority in Jurisdiction Pursuant Florida Election Statute 104.051 [FN#4] As Contesting the Florida Election Commission's Alternate Set of Facts predicate to the incorrect "vexatious" litigant ruling as contained in the substance DOAH Docket #1 signed by Ms. Amy McKeever Toman #686344 Executive Director Florida Elections Commission.

The "vexatious" litigant is in a seperate process for correction. A as any person can correct manipulated and falsified public records pursuant Florida Statute 839.13(2)(d). Stated so to discontinue *repetition of libel per se* also-known-as to indict a "ham sandwich."<sup>5</sup>

RECAP: WOOD JR ESQ. (55-years), WOOLSEY ESQ (16-Years), HERRON ESQ obstruction tools for SKINNER to be fraudulently kept in public office another 4-years: 312-violations, 13-material fact frauds, 3-U.S. Constitution Ant-i-trust policy failures, 43-Impeachments and these attached 70-Exception-Frauds not contested by WOOD JR. ESQ in *Respondent's Exception To Recommended Order*.

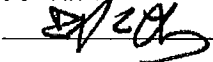
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<sup>5</sup> A former chief appellate judge of New York State once famously remarked that a special prosecutor could persuade grand jurors to "*indict A ham sandwich.*" Source: "Grand Jury Says Abuse Stories Were a "Carefully Crafted Hoax, *Omaha World-Herald*, July 25, 1990.

As litigation 8+/- years: Writ of Certiorari to U.S: Supreme Court, a political appointment in August 2017 favoring Rick Lussy is warranted pursuant Fla. Election Statute 104.051[FN#4] as opposing WOOD JR ESQ./WOOLSEY ESQ/HERRON ESQ. Have voluntarily defaulted per the Florida-Rule Civil Procedure: Effect of Failure to Deny within the DOAH Docket #88, 34-page, 70-Exception-Frauds attached.

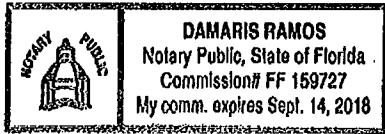
STATE OF FLORIDA

County of COLLIER

The signer  Richard C. Lussy MAI (Member of Appraisal Institute), SRA (Senior Residential Appraiser) aka R.C. "Rick" Lussy aka HON RICK ESQ as a property appraiser, has been duly sworn, hereby deposes and says:

- 1.) I am 67-years old, resident of State of Florida, an internationally designated, certified general and licensed property appraiser. I have personal knowledge of the facts herein, and if called as a witness could testify completely thereto.
- 2.) I suffer no legal disability except: "vexatious" litigant Florida Statute 68.093-small-claim-jurisdiction:
- 3.) *Badge of Slavery*; denied remedy "criminal" Florida Statute 839.13(2)(d) that any person can correct manipulated & falsified lawyer-judge-justice made public records: 1988-92-96-00-04-08-12-2016 unsuccessful Florida property appraiser elections. Malicious motive is repetition-of-libel per se in anti-trust policy failures, gov't lawyers protecting all lawyers: 100% market share, no competition and no consumer freedom of choice after successful Writ of Certiorari in U.S. Supreme Court before Supreme Lawyer Leadership.
- 4.) Seek lawful & constitutional protection from Lawyer Judge Leadership for this non-lawyer not to further mollycoddle this bar-association-lawyer-cartel-behemoth ("BALCB").
- 6.) I declare to best of my knowledge & belief the information herein is true, correct and complete.

NOTARY PUBLIC VERIFIED, SWORN To & Subscribed before me this Monday of August 7, 2017, by Richard C. Lussy, RCL who ( ) is personally known to me or who (x) have produced his Florida Drivers License as identification: 2840 Shoreview Dr., Suite #2, Naples, Fla. 34112, Ph (239) 263-5413, E-mail: ricklussy@yahoo.com.



By Damaris Ramos  
Notary Public, State of Florida  
Damaris Ramos  
Print, Type, or Name of Notary Public

(SEAL)

CERTIFICATE E-served this Monday August 7, 2017 by RCL Rick Lussy

- (1) To: Clerk Ms. Claudia Llado & DOAH Judge John D. Campbell Newton, II, Florida Bar No. 244538, Tallahassee, Florida 32399. E-file [www.doah.state.fl.us](http://www.doah.state.fl.us).
- (2) Ms. Amy McKeever Toman #686344 Executive Director Florida Elections Commission.  
Email: [Amy.Toman@MyFloridaLegal.com](mailto:Amy.Toman@MyFloridaLegal.com) and hard copy U.S. Mail,  
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- (3) Pro se Gaylord Wood Jr. Esq. Bar Number 89465 P.O. Box 1987, Bunnell, Fla. 32110;  
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- (4) Pro se John Christopher Woolsey, Esq. Bar Number 537438, for STUART & WOOD P.A. (B. Jordan Stuart 1943-2016) P.O. Box 1987, Bunnell, Fla. 32110; E-mail: **only pleadings@Woodstuartpa.com** ph: 386-437-9400