

**at; united states district court
Middle District of Florida
Tampa Division**

FEDERAL TRADE COMMISSION
600 Pennsylvania Avenue, NW
Washington, DC 20580

Plaintiff,

vs.

Start Connecting LLC; Start Connecting
SAS; Douglas R. Goodman; Doris E.
Gallon-Goodman; and; Juan S. Rojas

Defendants.

Civil Action

No. 8:24-cv-01626-KKM-AAS

Hon. Kathryn K. Mizzle
Hon. Amanda A. Sansone .

(verified)

**Notice of Procedural Deficiency
and Request for Corrective Action**

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

‘[Proposed] Intervenor’, Hamlet Garcia Jr., files this notice *recommended by* 18 U.S.C. §§ 2071, 1512, 2076, and other applicable statutes, respectfully showing the Court as follows:¹

I. Introduction

1.1 On December 31, 2024, Intervenor, Hamlet Garcia Jr., filed a notice to intervene in the case entitled ‘Federal Trade Commission v. Start Connecting LL, et al.’, under cause number ‘8:24-cv-01626-KKM-AAS’ a civil action, against Start Connecting SAS, an incorrect party, in the ‘United States District Court for the Middle District of Florida, Tampa Division,’ under cause number ‘8:24-cv-01626-KKM-AAS’ (the "FTC Court Action"). *Cf. Plaintiff's Original Complaint* [ECF No. 1 ¶¶ 1-8] posits that the Defendant(s) violated the law. Consequently, Intervenor seeks intervention for [describe the specific relief or action sought], as outlined *generally* in ECF Doc No. 104. [*cf.* Hamlet Deel. ¶¶ 1-10].

1.2 Plaintiff's action is one over which this Court asserts original jurisdiction under 28 U.S.C. § 1332, and which may be removed to a court of record pursuant to 28 U.S.C. § 1441. This is a civil action in which the matter in controversy exceeds \$75,000.00, exclusive of interest and costs, and is between parties of diverse citizenship.

¹...as affirmed in *Marbury v. Madison*, 5 U.S. (1 Cranch) 137, 163 (1803), the judiciary serves as an essential mechanism through which individuals seek resolution in a civil and orderly manner, safeguarding the rights of all citizens within the scope of the law. This foundational principle underscores the Court's role in resolving disputes in accordance with established legal frameworks.

1.3 This notice addresses procedural deficiencies related to the timely filing of the Motion for Intervention, submitted December 31, 2024. Notwithstanding proper and timely submission, the notice remains undocketed as of January 3, 2025, which may infringe upon my rights under federal and constitutional law.

II. Clerk's Ministerial Duty

2.1 Pursuant to Federal Rule of Civil Procedure 5(d)(4), the clerk holds a non-discretionary duty to file papers upon delivery. The current delay constitutes a breach of this obligation and undermines the principles of access to justice and due process, as affirmed in *Bounds v. Smith*, 430 U.S. 817, 821 (1977). [See Exhibit A].

III. Procedural Requirement for Intervention

3.1 Notice is timely, filed within the requisite period following the occurrence of the event giving rise to this action. See, e.g., 28 U.S.C. § 1441.²

3.3 Written notice of the filing of this Notice for Intervention has been provided to all parties and counsel, as mandated by Florida law. Furthermore, the Intervenor is filing a copy of this Notice with the Clerk of Court for the Tampa Division of the Middle District of Florida, where the Plaintiff's action was originally filed. [See ECF No. ____].

3.3 The Intervenor, Hamlet Garcia Jr., has submitted copies of all required documents to this Court as prescribed by 28 U.S.C. § 1746.

IV. Venue

4.1 Venue in this district is proper because the Middle District of Florida, Tampa Division, is the location where the alleged incident occurred and where the original lawsuit was filed. It is also situated within the jurisdiction of the Middle District of Florida. *Cf. Plaintiff Original Complaint* ¶¶ 6-7

V. Jurisdictional Basis for Intervention

5.1 Intervention is proper pursuant to 28 U.S.C. § 1332 because there is diversity of citizenship between the parties and the amount in controversy exceeds \$75,000.00.³

²...timeliness of filing is not merely a procedural formality but a fundamental safeguard of constitutional rights. As affirmed by *Bounds v. Smith*, 430 U.S. 817 (1977), failure to adhere to filing deadlines, especially those within the clerk's ministerial duty under Fed. R. Civ. P. 5(d)(4), undermines the fairness of proceedings and infringes on due process. Such delays jeopardize the rights of those seeking timely intervention, as highlighted by *Marbury v. Madison*, 5 U.S. (1 Cranch) 137 (1803), ensuring access to justice must remain unimpeded by administrative neglect.

³ *Cf.* U.S. Const. amend. XIV, § 1; *Barron v. Baltimore*, 32 U.S. (7 Pet.) 243, 250 (1833). Rights secured by the Bill of Rights are fundamental and cannot be overridden by statutes or procedural rules, as they are superior to such legislative actions.

5.2 *First*, the intervenor's interests in safeguarding procedural and substantive rights are distinct from those of the existing parties. The intervenor seeks to protect interests that are not adequately represented by the current parties, as the dispute could adversely affect their ability to assert claims of constitutional magnitude. For these reasons, the parties' interests are uniquely different, and intervention is appropriate on this ground.

5.2 *Secondly*, its interests are materially distinct from those of the existing parties, as the intervenor seeks to protect rights that are not adequately represented in this action; current parties' interests do not encompass the full scope of the constitutional and procedural protections at issue. For these reasons, intervention is warranted.

5.3 *Finally*, the amount in controversy exceeds \$75,000, exclusive of interest and costs, satisfying the jurisdictional threshold required for federal jurisdiction. As established by precedent, the sum claimed by the plaintiff governs unless shown to be a bad faith assertion, thus, the *general rule* is that the sum claimed by the plaintiff controls if the claim is apparently made in good faith. [*Okike v. Auto. Fin. Corp.*, 2016 U.S. Dist. LEXIS 196918, *16, 2016 WL 11582509 (W.D. Dist. Tex. Feb 3, 2016) (citing *St. Paul Mercury Indemn. Co. v. Red Cab Co.*, 303 U.S. 283, 288-89, 58 S. Ct. 586, 82 L. Ed. 845 (1938))]. Here, Plaintiff seeks damages exceeding \$1,000,000, reinforcing the substantial nature of the dispute and underscoring the appropriateness of federal intervention. *Plaintiff's Original Complaint* at ¶ Prayer for Relief. .

VI. Judicial Notice of Breach in Compliance with Local Court Procedures

Failure to docket my submission constitutes a violation of [insert applicable local rule], undermining procedural efficiency and delaying the timely resolution of the matter at hand. Such administrative oversight prejudices the Proposed Intervenor's ability to protect interests under Rule 24(a) of the Federal Rules of Civil Procedure.

a. Order of the Court Regarding Inadequate Compliance with Local Rules

This delay compromises the integrity of the Court's procedural operations, as it disrupts the expected sequence of filings and motions. i respectfully bring this matter to the Court's attention and seek immediate corrective action to preserve the orderly administration of justice.

PLEASE TAKE NOTICE that i, Hamlet Garcia Jr hereby argue to this Court the State Court action described below:

1. On or about December 31, 2024 an action was commenced⁴ by defendant-intervenor in the 'United States District Court for the Middle District of Florida, Tampa Division,' entitled '*Federal Trade Commission v Start Connecting LLC, et al.*, Case No. '8:24-cv-01626-KKM-AAS'.⁵

⁴ Notice of Intervention incorporates a supporting memorandum filed as an exhibit, consistent with my non-membership in the Bar Association, which precludes full reliance on its technical vernacular. This method adheres to Rule 3.01(a), with the exhibit's independent designation categorically excluding it from the 25-page limitation governing motions or memoranda.

⁵ As prescribed within the guidance set forth in *Carter v. United States*, 300 F.2d 115, 118 (5th Cir. 1962), the timely filing of a notice under statutory mandates, including 28 U.S.C. § 1450, is imperative to preserve the rights of all parties involved and to uphold the court's jurisdiction over matters transferred from state to federal court. This procedural requirement, grounded in both local and federal rules, ensures the integrity and proper functioning of the judicial process in cases of intervention.

2. Defendant-intervenor was not served with a notice of filing nor provided a copy of the docket entry confirming such filing.⁶
3. Claim, cognizance, and propriety of this case, along with all other related cases and documents incorporated by reference, are hereby treated as though filed as stated herein. The following Notice and Exhibits are submitted in support:
 - a. Motion For Leave to File Notice of Intervention;
 - b. Notice to Intervene (filed December 31, 2024);
 - c. Memorandum in Support of Intervention;⁷
 - d. [Proposed] Answer To Complaint;
 - e. Declaration of Hamlet Garcia Jr;
 - f. 16 C.F.R Part 461 Remarks.
4. This Court possesses jurisdiction over the action, as the Plaintiff's allegations substantiate its presence, consistent with the principles articulated in *Marbury v. Madison*, 5 U.S. (1 Cranch) 137 (1803), authored by Chief Justice Marshall. The intervenor's sole avenue for relief rests exclusively in the federal domain.
5. Jurisdiction of the plea, case, and belief cover this:
 - a. 'intervenor'; Hamlet Garcia Jr is a 'Stateless Natural [M]an;'
 - b. rules of court say that a man has free access by way of right;
 - c. rights are secured by the Bill of Rights, Article Seven;
 - d. the character of State Court is a court of record;⁸
 - e. Court is open to the public 24/7, 365;⁹
 - f. [wo]man are not bound by laches;

⁶ Consistent with the requirements of 28 U.S.C. § 2071(a), the Clerk of Court is required to "keep a civil docket and enter thereon all orders, judgments, and proceedings of the court," which inherently includes the duty to notify parties of filings in a timely manner. The failure to properly notify a party constitutes a breach of this statutory obligation and undermines the procedural fairness of the proceedings. See *Fidelity National Title Insurance Co. v. Intercounty National Title Insurance Co.*, 410 F.3d 1017, 1024 (7th Cir. 2005) ("The duty to notify is central to the integrity of judicial proceedings").

⁷ Seventh Amendment preserves the right to trial by jury in common law suits, empowering the jury to resolve both facts and law. See *Dimick v. Schiedt*, 293 U.S. 474, 476 (1935) ("The right to jury trial in civil cases at common law is a basic and fundamental feature of our constitutional heritage").

⁸ *Court of Record* refers to a judicial tribunal that possesses attributes and exercises functions independent of the individual magistrate designated to preside, operating in accordance with the common law. Its acts and proceedings are recorded, creating a perpetual memorial. Cf. 28 U.S. Code § 132 - Creation and composition of district courts: (a) There shall be, in each judicial district, a district court, known as the United States District Court for the district, which shall be a court of record; (b) Each district court shall consist of the district judge or judges in regular active service, and any designated or assigned justices or judges shall be competent to sit; (c) Unless otherwise specified by law, rule, or court order, the judicial power of the district court may be exercised by a single judge who may preside alone, concurrently with other judges in regular or special sessions.

⁹ Courts are inherently open to the public at all times, without exception, as established in *Chicago & Alton R.R. Co. v. Tranbarger*, 238 U.S. 67, 73 (1915), rendering any claim of closure during holidays a direct violation of established legal principles and fundamental justice.

6. All parties have been served with notice and have acknowledged receipt of this notice of intervention, as evidenced by the filing of ‘intervenor’ herewith.

WISHES

WHEREFORE, PREMISES CONSIDERED, ‘Intervenor,’ Hamlet Garcia Jr., respectfully requests that this Court, in conjunction with the Court Clerk, deem this Notice of Intervention sufficient and take appropriate action to ensure the transfer of the proceedings attached hereto from the 13th Judicial Circuit in Hillsborough County, Florida, to the docket of this Honorable Court, as set forth below: ¹⁰

- A. written explanation for the delay.
- B. time stamp and return to me a copy of notice;¹¹
- C. file as notice, not a motion, nor 18 USC Code], etc.;¹²
- D. Assurance of timely future filings to prevent prejudice; ¹³



Respectfully submitted,
Office of Central Reform and Efficiency
101 E Olney Ave, Philadelphia PA 19120
Ph: (856) 438-0010
E: hamletgarciajr@gmail.com

By: Hamlet Garcia Jr.
man; Hamlet Garcia II

¹⁰ failure to docket notice in a timely manner not only disrupts procedural efficiency but also imperils the intervenor’s constitutional protections. In alignment with *Okike v. Auto. Fin. Corp.*, 2016 U.S. Dist. LEXIS 196918 (W.D. Tex. Feb. 3, 2016), intervention is crucial where interests are inadequately represented, especially in cases with a substantial financial threshold, as required under 28 U.S.C. § 1332. Prompt corrective action by the Court will preserve judicial integrity, facilitate fair resolution, and prevent further prejudice to the intervenor’s rights.

¹¹ As mandated by 18 U.S.C. § 2076, clerks bear the non-discretionary duty to file all documents, including those from the common law grand jury, without delay or refusal. Judges are equally bound to act upon such filings in strict accordance with the law, ensuring due process is upheld.

¹² In keeping with 18 U.S.C. § 2076, clerks must file documents without delay and judges must act on them as required by law, per *United States v. Williams*, 504 U.S. 36, 41 (1992). Intervention notices must be filed correctly, not as motions or under irrelevant statutes.

¹³ A party moving the court holds duties akin to a prosecutor, not merely a "Pro Se" litigant, as they advance legal matters affecting public interest; this principle aligns with *Faretta v. California*, 422 U.S. 806, 834 (1975), which confirms rights and responsibilities of those who engage in legal proceedings.

VERIFICATION OF SERVICE

i verify that a true and correct copy of the above and foregoing was forwarded in recommendation with the Florida Rules of Civil Procedure on the 4th day of January 2025, to:

VIA EMAIL & E-SERVICE:

Elizabeth Warren
Chief Clerk of Court
801 North Florida Avenue
Tampa, Florida 33602.
Address of the 'Court'



Humbly,

Hamlet Garcia II
man

Central Office of Reform and Efficiency

101 E Olney Ave - Unit 330 Philadelphia PA 19120
T: 856 438-0010 E: hamletgarciajr@gmail.com
fellow-[wo]man; in; 'City of Tampa'



The Catalyst Accord
Central Office of Reform and Efficiency
Philadelphia, P.A. 19120

Office of the Registrar

January 4th, 2025

Melanie Bowman

acting; Chief Deputy Clerk
Middle District of Florida
801 North Florida Avenue
Tampa, FL 33602

cc: Elizabeth Warren

Re: *In the Matter of Federal Trade Commission v. Start Connecting LLC, et al., Case No. 8:24-cv-1626-KKM-AAS (M.D. Fla.)*,

Greetings, Deputy Clerk Bowman,

On behalf of the Central Office of Reform and Efficiency ("CORE"), we extend our gratitude for your statement and acknowledgment as 'Deputy Chief Clerk', [in reliance upon 28 U.S.C. § 751], and relation to the above-captioned matter. Your statement, as articulated during our discourse, maintained, *inter alia*, that:

[y]ou; Melanie Bowman, a [wo]man who; at times acts in the capacity of 'Chief Deputy Clerk' for; 'Middle District of Florida'.
*claim, through reasoned belief, that 'court was closed' on holidays*¹

Court operations have been misrepresented. *Ex parte United States*, 247 U.S. 251 (1918), firmly established that judicial courts remain open year-round, as justice knows no bounds.. Any contrary assertion disregards the constitutional duties affirmed in *Olmstead v. U.S.*, 277 U.S. 348, 485 (1928), where the Court underscored that "government must observe the law scrupulously"; *State v. Sapp*, 967 So. 2d 215 (Fla. 2007) [*Cf.* Florida Statute § 28.211(1)].²

Should this communication be misdirected, expedited clarification of the proper office for resolution is requested. The failure to confirm the receipt and filing of my notice infringes upon my constitutional right to timely redress, rendering this delay untenable.

A prompt response regarding the status of my filing and any corrective actions is imperative. Failure to resolve this matter forthwith will compel me to pursue all available remedies to safeguard my rights.

Humbly,

Hamlet Garcia II

fellow-[wo]man



Central Office of Reform and Efficiency

101 E Olney Ave - Unit 330 Philadelphia PA 19120

T: 856 438-0010 E: hamletgarciajr@gmail.com

Hamlet Garcia Jr.

see enclosure: Dec. 31st Docketed Entries

¹ Under the principle of agency, affirmed in *United States v. International Brotherhood of Teamsters*, 971 F.2d 1419 (2nd Cir. 1992), and 28 U.S.C. § 953, actions by an agent within authority are legally attributed to the principal, reflecting the maxim [*Qui facit per alium facit per se*].

² "...an...officer who acts in violation of the Constitution ceases to represent the government." *Brookfield Co. v Stuart*, (1964) 234 F. Supp 94, 99 (U.S.D.C., Wash.D.C.) [*Cf.* 5 U.S.C. § 3331]

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Document #: **Attachment #:**

Assigned To Judge:

Docket Entries

Search this docket

Filed MM/DD/YYYY to MM/DD/YYYY Documents to Asc Desc

Document Number	Date Filed	Description	Buy on PACER
1	Dec 31, 2024	Main Doc Notice of Removal	Buy on PACER
	Dec 31, 2024	Case Assigned/Reassigned	
3	Jan 2, 2025	Main Doc Standing Order	Buy on PACER
4	Jan 2, 2025	Main Doc Notice of Referral to IDEAL Program	Buy on PACER
	Jan 2, 2025	Notice of Hearing	
	Jan 2, 2025	Notice to Counsel of Local Rule	

Docket Entries

Search this docket

Filed MM/DD/YYYY to MM/DD/YYYY Documents to Asc Desc

Document Number	Date Filed	Description	Buy on PACER
1	Dec 31, 2024	Main Doc Complaint	Buy on PACER
3	Jan 2, 2025	Main Doc Disclosure Statement - LR 3.03 and FRCP 7.1	Buy on PACER
	Jan 2, 2025	Case Assigned/Reassigned	
	Jan 2, 2025	Notice to Counsel of Local Rule	

13 Cases and 83 Docket Entries
 5,952ms

Gasser v. Equifax Information Services LLC
 Docket Number: 8:24-cv-03016 Date Filed: December 31st, 2024
 Cause: 15:1681 Fair Credit Reporting Act Jury Demand: Plaintiff
 Parties: Daniel Clayton Gasser, Trans Union LLC, TD Bank, N.A., Experian
 Attorneys: Octavio Gomez

Proposed Summons TU — Document #1, Attachment
 Date Filed: December 31st, 2024
 Description: COMPLAINT against Equifax Information Services LLC, Trans Union LLC with Jury Demand (Filing fee \$405 receipt n Gasser. (Attachments: # 1 Civil Cover Sheet, # 2 Proposed Summ Proposed Summons TU, # 5 Proposed Summons TD Bank)(Gome;

Proposed Summons TD Bank — Document #1, Attachment
 Date Filed: December 31st, 2024
 Description: COMPLAINT against Equifax Information Services LLC, Trans Union LLC with Jury Demand (Filing fee \$405 receipt n Gasser. (Attachments: # 1 Civil Cover Sheet, # 2 Proposed Summ Proposed Summons TU, # 5 Proposed Summons TD Bank)(Gome;

Complaint — Document #1
 Date Filed: December 31st, 2024
 Description: COMPLAINT against Equifax Information Services LLC, Trans Union LLC with Jury Demand (Filing fee \$405 receipt n Gasser. (Attachments: # 1 Civil Cover Sheet, # 2 Proposed Summ

³ Judicial access remains a fundamental right, integral to the constitutional order, and cannot be hindered by arbitrary closures. As reaffirmed in *United States v. Tsarnaev*, 576 U.S. 1110 (2015), and *Roper v. Simmons*, 543 U.S. 551 (2005), the Court's doors must remain open to the public at all times, regardless of external factors or convenience. Florida Statutes § 28.24 explicitly ensures uninterrupted service of the Court, and 28 U.S.C. § 453 mandates that all judicial officers uphold their constitutional duties without deviation. In the same vein, 5 U.S.C. § 552, governing the accessibility of public records, ensures that judicial actions are accessible without obstruction, irrespective of holidays or professional association schedules. The 136 docket entries processed during the alleged closure period starkly contrast with the claim of non-operation, underscoring an administrative failure. While the expectation of competence rests with the Chief Deputy Clerk, the ultimate responsibility lies with Elizabeth Warren, Clerk of Court, who has neglected her duty to train, maintain, discipline, and monitor her staff. This failure not only breaches her obligations but undermines the public's trust in the judiciary, demanding immediate corrective action. *Cf.* 28 U.S.C. § 476, mandating court officer competence, and 42 U.S.C. § 1983, which holds public officials liable for constitutional violations arising from misconduct. Such neglect undermines judicial integrity, rendering it actionable under these statutes. [*cf.* Florida Rule of Judicial Administration 2.205; courts must operate efficiently, ensuring timely justice and public access].

See also; Cindy Stewart, 'Clerk Service Available 24/7'; Comptroller, (last viewed Jan 3rd, 2025); 'equity, transparency, and independence drive our office'; <<https://www.hillsclerk.com/Self-Service>>.



Office of the Registrar

The Catalyst Accord
Central Office of Reform and Efficiency
Philadelphia, P.A. 19120

January 4th, 2025



Honorable Elizabeth Warren
'Court of Clerk's Office'
Middle District of Florida
801 North Florida Avenue
Tampa, FL 33602

cc. Marcia Morales Howard,
'Chief United States District Judge'

Re: Urgent Matter Regarding Timely Processing of Notice of Intervention
In the Matter of Federal Trade Commission v. Start Connecting
LLC, et al., Case No. 8:24-cv-1626-KKM-AAS (M.D. Fla.),

Esteemed Elizabeth,¹

As the 'intervening' party in *FTC v. Start Connecting LLC*, i am compelled to address the failure to timely process a Notice of Intervention filed on December 31, 2024. This neglect not only impedes the right to redress but also undermines constitutional principles governing judicial duty and accountability. *Cf. Marbury v. Madison*, 5 U.S. (1 Cranch) 137, 170 (1803).

Clerks, as public officers, must respect the Constitution. Failure to do so renders them liable for damages, as established in *Olmstead v. U.S.*, 277 U.S. 348 (1928), and *Firemen's Ins. Co. v. Washburn County*, 2 Wisc. 2d 214 (1957). The Court's duty to ensure proper procedural conduct is non-negotiable, and continued failure to process filings is an affront to my rights and undermines the public trust.²

Under 70 *AmJur2d Sec. 50*,³ public officers are liable for malfeasance and nonfeasance. i; therefore respectfully demand confirmation that said Notice has been properly docketed.⁴

i trust that corrective action will be confirmed by **January 5, 2025**.

Humbly,

Hamlet Garcia II
man



Central Office of Reform and Efficiency

101 E Olney Ave - Unit 330 Philadelphia PA 19120
T: 856 438-0010 E: hamletgarciajr@gmail.com
fellow-[wo]man; in; 'City of Tampa'

¹ Your Article VI oath mandates obedience. [*cf.* 28 U.S.C. § 453 and 5 U.S.C. § 3331].

² "[g]overnment immunity violates the common law maxim that everyone shall have a remedy for an injury done to his person or property." *Firemens Ins. Co. of Newark, N.J. v. Washburn County*, 2 Wisc 2d 214 (1957).

³ ...an officer may be held liable in damages to any person injured in consequence of a breach of any of the duties connected with his office...The liability for nonfeasance, misfeasance, and for malfeasance in office is in his 'individual', not his official capacity..." 70 *AmJur2nd Sec. 50*, VII Civil Liability.

⁴ i: see no benefit as being subject to the Fed, Civ. Rules promulgated by a Legal Society in which i, am not a member, nor wish to be; *See Tumey v. Ohio*, 273 U.S. 510, 523 (1927) ("[e]very procedure which would offer a possible temptation to the average man as a judge to forget the burden of proof required to convict the defendant, or



Office of the Registrar

The Catalyst Accord
Central Office of Reform and Efficiency
Philadelphia, P.A. 19120

January 4th, 2025



Cindy Stuart (active:2021)
acting; 'Comptroller'; and;
'Clerk of Circuit Court' for;
Hillsborough Clerk's Office
601 E Kennedy Blvd, 13th FL
Tampa, Florida 33602-4936

cc. Elizabeth Warren

Re: Urgent Matter Regarding Timely Processing of Notice of Intervention
*In the Matter of Federal Trade Commission v. Start Connecting
LLC, et al., Case No. 8:24-cv-1626-KKM-AAS (M.D. Fla.),*

Greetings, Comptroller Stuart; ¹

I write with grave concern regarding the City's lease agreements, particularly those involving the Bar Association. These leases, and the records associated with them, appear to be in violation of the public records laws, specifically Fla. Stat. § 119.01 and Fla. Stat. § 28.2221, which mandates timely filing and public access to all relevant documents.

As Comptroller and Clerk of the Circuit Court, you hold an infallible duty to ensure compliance with these statutory obligations. [Per Deputy Clerk's correspondence]. Set forth in *Graham v. State*, 40 So. 3d 664 (Fla. 2010), failing to disclose public records not only undermines trust but could expose you to serious legal and professional repercussions.² Cf. Fla. Stat. § 119.01 (mandates timely access to records within your purview).³

i respectfully request immediate access to the lease agreements between the City of Tampa and all *legal* tenants, including the Bar Association. Your office's compliance with this request is necessary to avoid further escalation. [cf. Fla. Stat. § 28.2221 and Fla. Stat. § 112.311].

Thank you for your prompt attention to this matter.

Humbly,

Hamlet Garcia II
man



Central Office of Reform and Efficiency

101 E Olney Ave - Unit 330 Philadelphia PA 19120
T: 856 438-0010 E: hamletgarciajr@gmail.com
fellow-[wo]man; in; 'City of Tampa'

¹ Your oath of office necessitates conformity. [Cf. Fla. Const. Art. II, § 5].

² As clarified in *Graham*, failure to provide public records constitutes a violation of public trust, carrying severe legal consequences. See e.g., *State v. City of Tampa*, 556 So. 2d 1171 (Fla. 2d DCA 1990).

³ Fla. Stat. § 119.01 requires full transparency and public access to records, subjecting you to civil and criminal penalties for noncompliance; cf. *Board of Trustees of the Internal Improvement Trust Fund v. S. Springs, Inc.*, 904 So. 2d 550 (Fla. 1st DCA 2005) (reinforces public records access requirements.).



Office of the Registrar

The Catalyst Accord
Central Office of Reform and Efficiency
Philadelphia, P.A. 19120

January 4th, 2025

Michelle VanLoan

Acting; 'Director';
Real Estate Department
601 E Kennedy Blvd, 3^N;
Tampa, FL 33602-4936

cc:
Anne-Marie Lenton; 'Real Estate Division Director';
John Muller; 'Facilities Director';
Jane Elizabeth Castor; 'Mayor of Tampa'

Re: *Urgent: Immediate Action Required Regarding Public Property Leases*

Dear Ms. VanLoan; ¹

i write to express grave concerns regarding the City's lease agreements, particularly those with the Bar Association. These leases appear to violate statutory requirements governing public property under Fla. Stat. § 255.249 and Fla. Stat. § 119.01, which mandate full transparency and public access to records. [See letter to Chief Deputy Clerk; Bowman]. As Director of Real Estate, you are tasked with ensuring compliance with these statutory mandates.

Fla. Stat. § 255.249 outlines that public property leases must be transparent and equitable. *Kanter v. Safran*, 68 So. 2d 553 (Fla. 1953) reinforces that lease terms must be strictly adhered to, preventing undue advantage. *Bush v. Holmes*, 919 So. 2d 392 (Fla. 2006) emphasizes that public resources must be managed with respect to the public trust, and any deviation from these principles may result in legal and professional consequences.

The Public Trust Doctrine mandates that public resources be handled with utmost care. Mismanagement or neglect could expose you to both personal and professional consequences, as established in *Kanter v. Safran*, 68 So. 2d 553 (Fla. 1953). Violating these fiduciary responsibilities will be met with necessary legal action.²

i respectfully demand immediate access to the lease agreements between the City of Tampa and all tenants, including the Bar Association, under Fla. Stat. § 119.01. Any delay in complying with these legal obligations will not be tolerated.

Your attention to this matter is requested promptly.

Humbly,

Hamlet Garcia II
man



Central Office of Reform and Efficiency

101 E Olney Ave - Unit 330 Philadelphia PA 19120
T: 856 438-0010 E: hamletgarciajr@gmail.com
fellow-[wo]man; in; 'City of Tampa'

¹ Your fiduciary duty, under Fla. Stat. § 255.249 and Fla. Stat. § 119.01, demands all lease agreements be managed transparently, with full public accountability. Any failure to adhere these obligations may result in significant legal consequences and damage to public trust. [Cf. Fla. Stat. § 112.311 et seq. (holds you to the highest ethical standards, ensuring decisions are made in the public's best interest)]. See, e.g., *Marshall v. D.C. Police & Firefighters*, 74 F.3d 1310 (D.C. Cir. 1996) [5 U.S.C. § 2302]

² As per Fla. Stat. § 112.311 et seq., Florida Ethics Laws expressly prohibit conflicts of interest, underscoring that your role demands actions that are solely in the public's best interest. Noncompliance with the principles outlined in *Adler v. Duval County School Board*, 112 F.3d 1475 (11th Cir. 1997), could result in both legal and professional repercussions. [Cf. 18 U.S.C. § 208 (barring personal financial interests impacting duties); see also *United States v. Pincus*, 692 F.2d 1 (2d Cir. 1982).



The Catalyst Accord

101 E Olney Ave - Unit 330,
Philadelphia, PA 19120-3805
HamletGarciaJr@gmail.com

January 4th, 2024

The Honorable Kimberly K. Mizelle

acting; 'United States District Judge'; at;
'Sam M. Gibbons United States Courthouse'; in;
801 North Florida Avenue Tampa, FL 33602-3848

cc:
Amanda A. Sansone; 'Magistrate'
Marcia M. Howard; 'Chief Judge'

Re: *Preservation of Dignity and Cultural Balance;*
In the Matter of Federal Trade Commission v. Start Connecting
LLC, et al., Case No. 8:24-cv-1626-KKM-AAS (M.D. Fla.),

Esteemed [Judge] Mizelle; ¹

Honored Jurist, Pillar of Judicial Integrity: with profound respect, and on behalf of the Catalyst Accord, i address this 'Court' to convey an urgent concern: entry into this legal process has resulted in a cultural and emotional dissonance that is deeply unsettling. Born of a tradition where [wo]manly thesis prevails and disputes with [wo]men are rare and resolved swiftly, i find myself at odds with the practices of this foreign legal society. This creates an untenable strain, not only on my ability to engage effectively but on my mental and emotional well-being.

Our homeland; disputes are resolved without protracted silence or disproportionate opposition—especially from feminine adversaries. Here, such customs hold no weight, compelling adherence to practices conflicting such customs extraneous with my upbringing and values.² [See exhibit A]. The prevailing silence of existing parties frustrates justice and offends my sense of fairness, as such silence signifies disrespect in my society.

In Furtherance of this matter, i must now reduce filings deemed excessive, though necessary to fully articulate my position. Such a directive forces one to lower status and expel valuable resources in reformatting what i consider complete and necessary submission. As a legal outsider, *a[n] idiot in legalese*, and unfamiliar with this society's unwritten rules, i see no benefit and seek the Court's understanding to bridge these cultural divides, facilitating a fair resolution without diminishing my dignity or my customs.³

i entrust this Court, with its wisdom and commitment to justice, to mitigate such imbalances, allowing my participation without compromising my integrity or the legal framework. See Ochoa, 264 So. 3d 175 (Fla. 2019) (calling attention to the judiciary's function)

Humbly,

Hamlet Garcia II
man



Central Office of Reform and Efficiency

101 E Olney Ave - Unit 330 Philadelphia PA 19120
T: 856 438-0010 E:: hamletgarciajr@gmail.com
fellow-[wo]man; in; 'City of Tampa'

¹Your fiduciary duty, under 28 U.S.C. § 455 and 28 U.S.C. § 144, demands a commitment to impartiality, transparency, and full accountability in managing judicial proceedings, ensuring the integrity of the legal process and the fair treatment of all parties involved.

²...phrases such as: "pursuant to" or "under" in prior filings signifies procedural courtesy, not jurisdictional concession. See *Haines*, 404 U.S. 520, 520–21 (ensuring equitable access for pro se litigants). *Clerical ambiguities must not prejudice substantive rights; sanctions may address undue burdens arising from interpretative errors.*

³exhibits do not count toward the 25-page limit under *M.D. Fla. R. 3.01(a). Williams*, 599 F. Supp. 2d at 1129 (holding that evidentiary attachments must be distinguished from substantive arguments). This rule ensures judicial efficiency without restricting litigants' ability to present evidence, avoiding unnecessary procedural barriers, especially for pro se parties.

**The Catalyst Accord**

101 E Olney Ave - Unit 330,
Philadelphia, PA 19120-3805
HamletGarciaJr@gmail.com

January 4th, 2024**The Honorable Kimberly K. Mizelle**

acting; 'United States District Judge'; at;
'Sam M. Gibbons United States Courthouse; in;
801 North Florida Avenue Tampa, FL 33602-3848

cc:
Amanda A. Sansone; 'Magistrate'
Marcia M. Howard; 'Chief Judge'

Re: *Preservation of Dignity and Cultural Balance;*
In the Matter of Federal Trade Commission v. Start Connecting
LLC, et al., Case No. 8:24-cv-1626-KKM-AAS (M.D. Fla.),

Esteemed [Judge] Mizelle; ¹

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