

at; 'UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA'  
'TAMPA DIVISION' - U.S.A.  
i; a man claim; all herein be true;

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

[' Plaintiff']

-v-

'Start Connecting SAS; [Hamlet Garcia II]. et al.

['a real party in interest']

[Civil] Action  
'No. 8:24-cv-01626-KKM-AAS'

[Judge] Kathryn K. Mizzle  
Hon. Amanda A. Sansone

(verified)

1. **NOTICE OF RECORD OF MISCLASSIFICATION**  
2. **AND NOTICE OF MANDATORY DOCKET CORRECTION**  
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4. *Interested Party*, Hamlet Garcia II, submits this Notice of Record  
6. Misclassification to formally document the erroneous reclassification of procedural  
7. Notices as Motions, specifically concerning Dkt. Nos. 148 and 149. Despite being  
8. filed as Notices, these entries were improperly docketed as Motions, materially  
9. altering their procedural effect, obstructing due process, and prejudicing the  
10. integrity of the record. [Cf. Florida Rule of Judicial Administration 2.520(d)].

11. **I. MISCLASSIFICATION IDENTIFIED**

12. ● **Docket Entry 148:** NOTICE of Judicial Contradiction and MOTION  
13. for Clarification re Orders [126], [138], and [139].  
14. ● **Docket Entry 149:** NOTICE of Jurisdictional Challenge and MOTION  
15. for Miscellaneous Relief. [Cf. Florida Statutes § 120.68(7)(e)(3)]

- **Docket Entry 136:** NOTICE to the Courts to take judicial notice regarding Orders 126 and 127, which was stricken per Order [138].

## II. IMPACT OF MISCLASSIFICATION

The Clerk's reclassification prevents the Notices from being properly recognized as mandatory filings rather than motions, which are subject to judicial discretion. This error could result in procedural dismissal of substantive arguments, depriving *Hamlet* of their due process rights.

## III. LEGAL BASIS FOR RECORD CORRECTION

1. **Clerical Errors Require Correction** – Pursuant to Fed. R. Civ. P. 60(a), courts must correct "clerical mistakes" in judgments, orders, or other parts of the record that arise from oversight or omission.
2. **Judicial Notice of Misclassification** – Under Fed. R. Evid. 201(c)(2), this Court "must take judicial notice" of facts that are not subject to reasonable dispute, including its own docket misclassification.
3. **Due Process Violations** – The misclassification materially alters procedural rights. Due process under the Fifth Amendment prohibits courts from recharacterizing notices as motions subject to discretionary rulings.<sup>1</sup>

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<sup>1</sup> After contacting the Clerk regarding the misclassification, I was told it "didn't matter" and that the judge would address any issues. When I attempted to escalate, I was denied the opportunity to speak with a supervisor, further hindering my ability to resolve the issue. Later, an ENDORSED ORDER was issued, disparaging my inquiries and portraying them as disruptive. This pattern of clerk misconduct, under Fla. Stat. § 28.12, obstructs justice and violates my due process rights, preventing fair and transparent procedural conduct.

#### IV. FACTUAL BASIS FOR RECORD MISCLASSIFICATION

On February 27, 2025, *Hamlet* filed two Notices: "NOTICE OF JUDICIAL CONTRADICTION AND DEMAND FOR CLARIFICATION" and "NOTICE OF JURISDICTIONAL CHALLENGE & DEMAND FOR LEGAL RECOGNITION," both properly styled as Notices. However, the Clerk misclassified these filings as motions, specifically as:

- **Docket Entry 148:** "NOTICE of Judicial Contradiction and MOTION for Clarification re [126] Order on Motion to Intervene, Order on Motion for Miscellaneous Relief, [138] Order, [139] Order." Listed on PACER as 'Motion For Reconsideration / Clarification' <sup>2</sup>
- **Docket Entry 150:** "NOTICE of Jurisdictional Challenge and MOTION for Miscellaneous Relief, specifically for Legal Recognition. PACER reflects as "Motion for Miscellaneous Relief. <sup>3</sup>

<sup>2</sup> Docket Entry 148 was improperly filed as a "Motion for Reconsideration/Clarification" instead of a Notice, causing confusion and implying duplicity with Docket Entry 150, which correctly reflects the true motion. This misclassification undermines clarity, creating an erroneous appearance of redundancy where distinct, supportive filings exist.

<sup>3</sup> The Clerk's rewording of Docket Entry 136 as "Notice to Take Judicial Notice" misrepresents the filing's intent, creating undue prejudice by framing it as a demand rather than a request, in violation of Florida Statutes. Similarly, Docket Entry 149 was improperly labeled as a "Motion for Miscellaneous Relief," diluting its true nature as a Notice and undermining procedural integrity. These errors threaten the fairness of the proceedings.

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3 This misclassification distorts the legal effect of the filings by transforming  
4 them from **mandatory Notices** into discretionary motions, which are subject to  
5 judicial discretion rather than mandatory recognition.

6 Further compounding this issue, Docket Entry 136, in which *Hamlet* filed a  
7 REQUEST FOR JUDICIAL NOTICE, was erroneously altered and docketed as a  
8 ‘Notice to take judicial notice,’ altering its intended purpose and effect in the record.

9 Such unauthorized modifications severely prejudice procedural integrity of  
10 case, potentially leading to improper rulings or dismissals based on misclassified  
11 filings. *Hamlet’s* filings should be treated as the mandatory Notices they were  
12 intended to be, not as discretionary motions subject to judicial interpretation.<sup>4</sup>

## 13 **VI. PRESERVATION FOR APPELLATE REVIEW**

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15 Should the Court fail to correct the record, *Hamlet* reserves right to seek  
16 appellate review under 28 U.S.C. § 1291 and on constitutional due process grounds.

## 17 **DEMAND FOR CORRECTION & RELIEF REQUIRED**

18 Wherefore, *Hamlet* [respectfully] *demand* that this Court:

- 19  
20
1. Direct the Clerk of Court to amend the docket entries to reflect the originally submitted titles of the filings. [*Ref.* 28 U.S.C. § 453 (Oath)].

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<sup>4</sup> 28 U.S.C. § 955 – *Clerks May Not Exercise Judicial Functions*

2. Acknowledge the mandatory nature of the Notices and ensure they are not subject to judicial discretion as motions.
3. Issue an official docket correction notice confirming the rectification of the record to preserve the procedural integrity of the case.
4. Confirm that the corrections are made promptly and issue official notice of the docket adjustments.
5. Ensure the original filings are recognized for their intended procedural purpose, without further delay or discretionary treatment.

Wherefore, *Hamlet* [respectfully] *compel* this ‘Court’ [to]:

1. Order the Clerk to correct the docket entries to reflect the correct titles of the Notices. F.R.C.P § 60(a) – *Correction of Clerical Errors*
2. Confirm that such corrections are made promptly and provide official notice of the docket adjustments. *Cf.* Florida Statutes § 28.222(1)(a)-(d).
3. Ensure that the original filings are recognized for their intended procedural purpose without further delay or discretionary treatment.

## VII. FLORIDA STATUTE REFERENCE <sup>5</sup>

Pursuant to Fla. Stat. § 47.081, the filing of notices and motions should be handled with the utmost accuracy, ensuring that no filing is misclassified in such a way that deprives a party of its legal rights or procedural integrity.

<sup>5</sup> Florida Rule of Civil Procedure 1.540(a) – *Relief from Clerical Mistakes*

Filed and Entered into the Record, Irrevocable and Absolute;

/s/ Hamlet Garcia II  
a real party in interest



EXECUTED on this 28th  
day of February, 2025.

[Re]presentative for [wo]man-kind



Hamlet Garcia II  
natural | man-made



**VERIFICATION OF SERVICE**<sup>6</sup>

i: hereby *verify* that on February 28, 2025 a true and correct copy of the foregoing NOTICE OF RECORD OF MISCLASSIFICATION AND **NOTICE** OF MANDATORY DOCKET CORRECTION was filed via CM/ECF ('E-Portal'), which *purportedly* effectuates automatic service upon all counsel of record.

Entered Unchallenged;

/s/ Hamlet Garcia II

i: [a] man



Hamlet Garcia II

**Executed:** February 28<sup>th</sup>, 2025

<sup>6</sup> Per Fed. R. Civ. P. 5(d)(1) and M.D. Fla. Local Rule 1.08.