

IN THE CIRCUIT COURT OF THE  
EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR BREVARD COUNTY,  
FLORIDA.

STATE OF FLORIDA,

Plaintiff,

CASE NO. 05-2015-CF-039871-AXXX-XX  
VOP

vs.

DANA LYNN LOYD,

Defendant.  
\_\_\_\_\_ /

**MOTION FOR RECONSIDERATION OF DEFENDANT'S  
MOTION TO DISQUALIFY AND MOTION FOR CLARIFICATION**

COMES NOW, the Defendant, DANA LYNN LOYD, by and through her undersigned attorney, and files this Motion for Reconsideration of Defendant's Motion to Disqualify and Motion for Clarification. For grounds, the Defendant alleges the following:

1. On July 24, 2018, the Court issues an Order Denying Defendant's motion to Disqualify in the above styled cause.
2. In its Order, the Court found that the motion is untimely and legally insufficient. However, in making this finding, the Court failed to consider the cumulative effect of the grounds raised in the Defendant's Motion.
3. The cumulative effect of events occurring within a period of time "can cause a party to have a well-founded fear" that she will not receive a fair and impartial handling of her case. *Chillingworth v. State*, 846 So.2d at 676 (Fla. 4th DCA 2003). Even when an earlier event cannot be used as a timely basis for disqualification, that event may still be relevant. See *R.V. v. State*, 44 So.3d 180, 183 (Fla. 4th DCA 2010). The Court in *Chillingworth* found that it was not an isolated incident that warranted disqualification in the case. *Chillingworth* at 676. Rather, it was a combination of two events that lead the Court to conclude that the trial court erred in denying the motion for disqualification. *Id.* Based on the aforementioned case law, Defendant seeks reconsideration of this Court's ruling.
4. With regard to the general finding of "legal insufficiency," in the July 24, 2018, Order, it is unclear whether timeliness was the only basis for declaring Defendant's Motion

legally insufficient. Defendant maintains a profound fear that she cannot receive fair and impartial treatment by this trial court, the grounds for which were clearly enunciated in the original Motion to Disqualify Trial Judge.

WHEREFORE, the Defendant, DANA LYNN LOYD, respectfully requests this Honorable Court to reconsider and/or clarify its rulings and subsequently issue an Order disqualifying the Court from proceeding any further in the above-styled causes.

I HEREBY CERTIFY that a copy of the foregoing has been furnished through the e-portal to the Office of the State Attorney and by e-mail to Billie Shadron, J.A. to the Hon. Morgan Laur Reinman, on this 31st day of July, 2018.

***s// Michael Bross//***  
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