

**APPLICATION FOR NOMINATION TO THE CIRCUIT COURT**

(Please attach additional pages as needed to respond fully to questions.)

**DATE:** September 14, 2018 Florida Bar No.: 0128820

**GENERAL:** Social Security No.: ~~67-53-9553~~

1. Name Samuel Bookhardt III E-mail: sam@sambookhardt.com

Date Admitted to Practice in Florida: November 20, 1997

Date Admitted to Practice in other States: Not Applicable

2. State current employer and title, including professional position and any public or judicial office.

Owner, Samuel Bookhardt III, P.A.

3. Business address: 959 North Cocoa Boulevard, Suite 3

City Cocoa County Brevard State FL ZIP 32922

Telephone (321) 433-0464 FAX (321) 978-0328

4. Residential address: ~~326 Cypress Oaks Street~~

City ~~Titusville~~ County ~~Brevard~~ State ~~FL~~ ZIP ~~32780~~

Since January 2001 Telephone \_\_\_\_\_

5. Place of birth: Titusville, Florida

Date of birth: ~~July 11, 1962~~ Age: 56

6a. Length of residence in State of Florida: Lifelong Resident

6b. Are you a registered voter?  Yes  No

If so, in what county are you registered? Brevard

7. Marital status: Married

If married: Spouse's name \_\_\_\_\_

Date of marriage \_\_\_\_\_

Spouse's occupation \_\_\_\_\_

If ever divorced give for each marriage name(s) of spouse(s), current address for each former spouse, date and place of divorce, court and case number for each divorce.

Not Applicable

8. Children

Name(s) Age(s) Occupation(s) Residential address(es)



9. Military Service (including Reserves)

Service Branch Highest Rank Dates

Active United States Army E-4 1980 - 1983

Rank at time of discharge E-4 Type of discharge Honorable

Awards or citations Army Service Ribbon, Overseas Service Ribbon, Good Conduct Medal, and Parachute Badge

Service Branch Highest Rank Dates

Rank at time of discharge Type of discharge

Awards or citations

HEALTH:

10.

11a.



11b.

12a.

12b.

13.

14.

15.

16.

17.

**EDUCATION:**

18a. Secondary schools, colleges and law schools attended.

<i>Schools</i>	<i>Class Standing</i>	<i>Dates of Attendance</i>	<i>Degree</i>
Stetson University College of Law	120/159	1995 - 1997	Juris Doctor
University of Central Florida		1993 - 1994	Bachelor of Science in Business Administration, Major in Economics
Brevard Community College		1986 - 1993	Associate of Arts

- 18b. List and describe academic scholarships earned, honor societies or other awards.  
Honor Roll, Dean List

**NON-LEGAL EMPLOYMENT:**

19. List all previous full-time non-legal jobs or positions held since 21 in chronological order and briefly describe them.

<i>Date</i>	<i>Position</i>	<i>Employer</i>	<i>Address</i>
1986-1993	Vice President - estimated project costs for governmental and residential projects	Bookhardt Roofing & Construction Co., Inc.	313 Wilson Avenue, Titusville, FL 32780
1985-1986	Assembly Line Worker - assembled rockets and missiles	McDonnell Douglas	Columbia Boulevard, Titusville, FL 32780

**PROFESSIONAL ADMISSIONS:**

20. List all courts (including state bar admissions) and administrative bodies having special admission requirements to which you have ever been admitted to practice, giving the dates of admission, and if applicable, state whether you have been suspended or resigned.

Florida State Courts	November 20, 1997
United States District Court, Middle District of Florida	March 19, 2003

**LAW PRACTICE:** (If you are a sitting judge, answer questions 21 through 26 with reference to the years before you became a judge.)

21. State the names, dates and addresses for all firms with which you have been associated in practice, governmental agencies or private business organizations by which you have been employed, periods you have practiced as a sole practitioner, law clerkships and other prior employment:

<i>Position</i>	<i>Name of Firm</i>	<i>Address</i>	<i>Dates</i>
Owner	Samuel Bookhardt III, P.A.	959 North Cocoa Boulevard, Suite 3, Cocoa, FL 32922	2015 - present
Partner	Vance, Lotane & Bookhardt, P.A.	1980 Michigan Avenue, Cocoa, FL 32922	2001 - 2015
Assistant State	Office of the State	2725 Judge Fran	1997 - 2001

Attorney

Attorney, 18<sup>th</sup> Judicial  
Circuit

Jamieson Way,  
Building D, Viera,  
FL 32940

Legal Intern -  
Prosecution Clinic

Office of the State  
Attorney, 12<sup>th</sup> Judicial  
Circuit

2071 Rinling  
Boulevard, Suite  
400, Sarasota, FL  
34237

1/97 - 5/97

22. Describe the general nature of your current practice including any certifications which you possess; additionally, if your practice is substantially different from your prior practice or if you are not now practicing law, give details of prior practice. Describe your typical clients or former clients and the problems for which they sought your services.

I practice both civil and criminal law. I have represented insurance companies and their insureds. A typical case was when an insurance company after a thorough investigation paid money to an insured for his/her property damage and/or personal injuries sustained from an automobile accident caused by the negligence of another. On behalf of the insurance company and insured, I would file suit against the tortfeasor to recover the money the insurance company paid to the insured under the property damage and/or uninsured motorist claim and the deductible the insured paid pursuant to the policy. I have tried many of these types of cases and have been very successful in achieving favorable verdicts for my clients.

I have also represented local hospitals. A typical case was when a hospital incurred expenses for medical treatment rendered to a patient who then failed to pay his/her medical bill. On behalf of the hospital, I would file suit against the patient to recover the amount of the unpaid medical bill. I would also file suit against certain insurance companies who paid money to a third party over my client's hospital lien.

I have represented local financial institutions. A typical case was when a borrower defaulted on a loan. On behalf of the financial institution, I would file suit against the borrower to recover the balance of the loan. I have tried many of these types of cases and have been very successful in achieving favorable verdicts for my clients.

I have represented local contractors. A typical case is when a homeowner breaches a contract with the contractor. On behalf of the contractor, I would file suit against the homeowner to recover the balance due under the contract. In the complaint, I would normally allege claims under the mechanic's lien law and breach of contract.

I also represent individuals who are charged with simple misdemeanors and serious felonies. These individuals are minors and adults of different ethnicities and socioeconomic levels. I conduct thorough investigations into the allegations made against my clients so that I can provide competent legal advice for them to make informed decisions on how to resolve difficult situations.

23. What percentage of your appearance in courts in the last five years or last five years of practice (include the dates) was in:

Court		Area of Practice	
Federal Appellate	0 %	Civil	35 %
Federal Trial	0 %	Criminal	65 %
Federal Other	0 %	Family	0 %
State Appellate	0 %	Probate	0 %
State Trial	95 %	Other	0 %
State Administrative	5 %		
State Other	0 %		
	%		
TOTAL	100 %	TOTAL	100 %

24. In your lifetime, how many (number) of the cases you have tried to verdict or judgment were:

Jury?	80	Non-jury?	75
Arbitration?	0	Administrative Bodies?	25

25. Within the last ten years, have you ever been formally reprimanded, sanctioned, demoted, disciplined, placed on probation, suspended or terminated by an employer or tribunal before which you have appeared? If so, please state the circumstances under which such action was taken, the date(s) such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

No

26. In the last ten years, have you failed to meet any deadline imposed by court order or received notice that you have not complied with substantive requirements of any business or contractual arrangement? If so, please explain in full.

No

**(Questions 27 through 30 are optional for sitting judges who have served 5 years or more.)**

27a. For your last 6 cases, which were tried to verdict before a jury or arbitration panel or tried to judgment before a judge, list the names and telephone numbers of trial counsel on all sides and court case numbers (include appellate cases).

Cheryl Lynne Stephan vs. Wayne Ivey, in his Official Capacity as Sheriff of Brevard County, Florida, Case Number 05-2012-CA-066682-XXXX-XX. Thomas W. Poulton, Esquire, DeBevoise & Poulton, P.A., Attorneys for Defendant, Lakeview Office Park, Suite 1010, 1035 South Semoran Boulevard, Winter Park, FL 32792, Phone Number 407-673-5000. I represented the Plaintiff.

State of Florida vs. Willie James Steadman, Case Number 05-2015-CF-068760-AXXX-XX. Sean M. Sendra, Esquire, Office of the State Attorney, 400 South Street, Suite D, Titusville, FL 32780, Phone Number 321-264-6933. I represented the Defendant.

State of Florida vs. Dwayne A. Mitchell, Case Number 05-2012-CF-029029-AXXX-XX. Russell K. Bausch, Esquire, Office of the State Attorney, 2725 Judge Fran Jamieson Way, Building D, Viera, FL 32940, Phone Number 321-617-7510. My co-counsel was Michael A. Hill, Esquire, who is now working at the Office of the State Attorney, 2725 Judge Fran Jamieson Way, Building D, Viera, FL 32940, Phone Number 321-617-7510.

State of Florida vs. Brandon Neil Cattie, Case Number 05-2013-CT-056260-AXXX-XX. Nicholas Lecakes, Esquire, Office of the State Attorney, 2725 Judge Fran Jamieson Way, Building D, Viera, FL 32940, Phone Number 321-617-7510. I represented the Defendant.

State of Florida vs. Everton A. Whitaker, Case Number 05-2013-MM-067571-AXXX-XX. Kellen Simmons, Esquire, Office of the State Attorney, 2725 Judge Fran Jamieson Way, Building D, Viera, FL 32940, Phone Number 321-617-7510. I represented the Defendant.

State of Florida vs. Dean Tarzia, Case Number 05-2010-CF-053711-AXXX-XX. Heather Harris, Esquire, represented the State and now she is in private practice located at 650 South Courtenay Parkway, Suite 101, Merritt Island, FL 32952, Phone Number 321-452-7055. I represented the Defendant.



- 27b. For your last 6 cases, which were settled in mediation or settled without mediation or trial, list the names and telephone numbers of trial counsel on all sides and court case numbers (include appellate cases).

Willie C. Haynes vs. Ella M. Brown, Willie C. Brown and PNC Bank, N.A., Case Number 05-2012-CA-063350-XXXX-XX. Vencil W. Moore, Esquire, Vencil W. Moore, P.A., Attorneys for Plaintiff, 2210 West King Street, Cocoa, FL 32926, Phone Number 321-735-9677. William E. Pruitt, Esquire, Pruitt & Pruitt, P.A., Attorneys for Defendant PNC Bank, Suite 5, 3030 South Dixie Highway, West Palm Beach, FL 33405, Phone Number 561-655-8080. I represented Ella M. Brown and Willie C. Brown.

Granada Insurance Company vs. Ocean Sands Condominium Association, Brian Brown, II, and Steven McCarthy, Case Number 05-2013-CA-023716-XXXX-XX. Nickolas C. Berry, Esquire, Hinshaw & Culberton, LLP, Attorneys for Plaintiff, 2525 Ponce de Leon Boulevard, 4th Floor, Coral Gables, FL 33134, Phone Number 305-358-7747. Michael J. Damaso, II, Esquire, Wooten Kimbrough, P.A., Attorneys for Brian Brown, II, P.O. Box 568188, Orlando, FL 32856-8188, Phone Number 407-843-7060. Charles R. Steinberg, Esquire, Charles R. Steinberg, P.A., Attorneys for Brian Brown, II, P.O. Box 988, Cocoa, FL 32393-0988, Phone Number 321-637-1990. Louis B. Vocelle, Jr., Esquire, Vocelle & Berg, LLP, Attorneys for Ocean Sands Condominium Association, 3333 20th Street, Vero Beach, FL 32960-2469, Phone Number 772-562-8111. I represented Steven McCarthy.

L.C. Wade, Jr., and Tracy O. Wade vs. City of Cocoa, George Menedez and Chris Morris, Case Number 05-2012-CA-061028-XXXX-XX. Jeffrey S. Weiss, Esquire, Brown, Garganese, Weiss & D'Agresta, P.A., Attorneys for Defendants, 111 North Orange Avenue, Suite 2000, Orlando, FL 32801, Phone Number 407-425-9566. I represented the Plaintiffs.

Lauren Alexis Miranda vs. Osceola County School Board, Case Number 2011-CA-3450-ON. Gary M. Glassman, Esquire, Brown, Garganese, Weiss, & D'Agresta, P.A., Attorneys for Defendant, 111 North Orange Avenue, Suite 2000, Orlando, FL 32802-2873, Phone Number 407-425-9566. I represented the Plaintiff.

Stacie R. Rice, Individually and as Legal Guardian of Michaela A. Rice, a minor vs. School Board of Brevard County, Case Number 05-2010-CA-045366-XXXX-XX. Michael H. Bowling, Esquire, Bell & Roper, P.A., Attorneys for Defendant, 2707 East Jefferson Street, Orlando, FL 32803, Phone Number 407-897-5150. I represented the Plaintiff.

William H. Burkhardt vs. Lee Bryan, Case Number 05-2012-CA-061688-XXXX-XX. David J. Volk, Esquire, Volk Law Offices, P.A., Attorney for Plaintiff, 1901 South Harbor City Boulevard, Melbourne, FL 32901, Phone Number 321-726-8338. I represented the Defendant.

- 27c. During the last five years, how frequently have you appeared at administrative hearings?  
1 average times per month
- 27d. During the last five years, how frequently have you appeared in Court?  
25 average times per month

27e. During the last five years, if your practice was substantially personal injury, what percentage of your work was in representation of plaintiffs? Not Applicable%  
Defendants? \_\_\_\_\_%

28. If during any prior period you have appeared in court with greater frequency than during the last five years, indicate the period during which this was so and give for such prior periods a succinct statement of the part you played in the litigation, numbers of cases and whether jury or non-jury.

When I was an assistant state attorney from 1997 through 2001, I appeared in court much more frequently than I do now. During that period of time I represented the State of Florida and prosecuted individuals who were charged with simple misdemeanors to serious felonies. I handled hundreds of criminal cases, argued numerous motions and tried numerous jury trials.

29. For the cases you have tried to award in arbitration, during each of the past five years, indicate whether you were sole, associate or chief counsel. Give citations of any reported cases.

Not Applicable

30. List and describe the six most significant cases which you personally litigated giving case style, number and citation to reported decisions, if any. Identify your client and describe the nature of your participation in the case and the reason you believe it to be significant. Give the name of the court and judge, the date tried and names of other attorneys involved.

North Brevard County Hospital District d/b/a Parrish Medical Center vs. Brevard County Board of County Commissioners, Brevard County Case Number 05-2001-CA-006422-XXXX-XX, cited as 899 So.2d 1200 (Fla. 5th DCA 2005), I represented the Plaintiff, North Brevard County Hospital d/b/a Parrish Medical Center. I was chief counsel, I prepared the pleadings, appellate brief and argued all motions filed in this case. I believe this case is significant because it allows a hospital to hold a county liable for the reasonable medical expenses incurred for the medical treatment rendered to a furloughed prisoner who is in constructive custody of the sheriff. A hearing on each party's motion for summary judgment was heard on or about May 27, 2004, in front of former Brevard County Circuit Judge Bruce W. Jacobus and opposing counsel was Clifford R. Repperger, Jr., Esquire, 1795 West Nasa Boulevard, Melbourne, Florida 32901, Phone Number 321-727-8100. The judge granted the Defendant's Motion for Summary Judgment and I appealed to the Fifth District Court of Appeal who vacated the judgment and remanded the case to the trial judge for further proceedings.

Richard Gregg vs. Pro Marine Transport, Inc., and James Mennen, Brevard County Case Number 05-2005-CA-014339-XXXX-XX. I represented the Defendants, Pro Marine Transport, Inc., and James Mennen. In this case the Plaintiff filed a malicious prosecution claim against my clients after a circuit judge dismissed a criminal case against the Plaintiff who was charged with Grand Theft for taking property that belonged to my clients without their permission. The jury trial in this case commenced on July 23, 2007, and after approximately five days of hearing testimony and arguments the jury rendered a verdict on July 27, 2007, in favor of my clients. I was sole counsel who tried this case, which was heard in front of former Brevard County Circuit Judge Robert A. Wohn, Jr., and opposing counsel was the late Henry J. Martocci, Esquire.

State of Florida vs. Bill Smith, Brevard County Case Number 05-2008-CF-044347-XXXX-XX. In this case I represented the Defendant, Bill Smith, who was charged with Burglary of a Dwelling with an Assault or Battery, Attempted Sexual Battery with Great Force and Resisting an Officer without Violence. The jury trial in this case commenced on February 16, 2009 and, after approximately four days of hearing testimony and arguments, the jury on February 16, 2009, found my client not guilty of Burglary of a Dwelling with an Assault or battery, not guilty of Attempted Sexual Battery with Great Force, however, the jury found my client guilty of Resisting an Officer without Violence. I was sole counsel who tried this case in front of Brevard County Circuit Judge James H. Earp and opposing counsel was Assistant State Attorney Kari D. MacKay, 2725 Judge Fran Jamieson Way, Building D, Viera, Florida 32940, Phone Number 321-671-7510.

State Farm Florida Insurance Company a/s/o Dennis C. Mangold vs. Ashraf H. Riad and

Riham Mansour, Orange County Case Number 04-CA-10179. I represented the Plaintiff, State Farm Florida Insurance Company a/s/o Dennis C. Mangold. In this case I filed a civil action against the Defendants to recover the money my client paid to its insured, Dennis C. Mangold, to repair his rental property that was damaged by fire while in the care and custody of the Defendants. After the jury trial was commenced, the jury heard the evidence and arguments of counsel and rendered a verdict on November 20, 2007, in favor of my client. I tried this case in front of Orange County Circuit Judge Reginald K. Whitehead and opposing counsel was Thomas H. Yardley, Esquire, 1970 Michigan Avenue, Building D, Cocoa, Florida 32922, Phone Number 321-633-0400.

Anthony Jones vs. City of Cocoa and Michael Badarack, United States District Court of the Middle District of Florida, Case Number 6:03-cv-1544-Orl-28DAB. I represented the Plaintiff, Anthony Jones. In this case I filed a 1983 Claim against the Defendants for violating my client's constitutional rights for using excessive force in effecting the arrest of my client. I was chief counsel in this case and I prepared all the pleadings and argued all motions filed in this case. This case was in front of United States District Court Judge John Antoon, II, and opposing counsel were Michael H. Bowling, Esquire, Post Office Box 3669, Orlando, Florida 32802, and John L. Marrow, Esquire, Two South Orange Avenue, Suite 300, Orlando, Florida 32801. We settled this case a few days before the jury trial was scheduled to commence.

Derrick Antonio Lee vs. City of Rockledge, Robert Owens and Matthew Leverich, Brevard County Case Number 05-2010-CA-065557-XXXX-XX. I represented the Plaintiff, Derrick Antonio Lee. In this case I sued the Defendants for the unlawful arrest of my client, who was arrested for Possession of less than 20 Grams of Cannabis. The alleged cannabis was smaller than a seed and was found on the driver's side floorboard of the vehicle my client was driving. My client, who never used nor possessed cannabis, was suspended from his job then reinstated after the criminal charge was dismissed. We settled this case in mediation. Opposing counsel was G. Clay Morris, Esquire, P.O. Box 2928, Orlando, Florida 32802-2928, Phone Number 407-422-4310.

31. Attach at least one example of legal writing which you personally wrote. If you have not personally written any legal documents recently, you may attach writing for which you had substantial responsibility. Please describe your degree of involvement in preparing the writing you attached.

I am the sole author of the attached writing samples.

**PRIOR JUDICIAL EXPERIENCE OR PUBLIC OFFICE:**

- 32a. Have you ever held judicial office or been a candidate for judicial office? If so, state the court(s) involved and the dates of service or dates of candidacy.

On September 5, 2006 and August 26, 2014, I was on the ballot in Brevard and Seminole Counties as a candidate for circuit judge for the Eighteenth Judicial Circuit, Groups 20 and 13, respectively.

32b. List any prior quasi-judicial service:

*Dates*

*Name of Agency*

*Position Held*

Not Applicable

Types of issues heard: Not Applicable

32c. Have you ever held or been a candidate for any other public office? If so, state the office, location and dates of service or candidacy.

No

32d. If you have had prior judicial or quasi-judicial experience,

(i) List the names, phone numbers and addresses of six attorneys who appeared before you on matters of substance.

Not Applicable

(ii) Describe the approximate number and nature of the cases you have handled during your judicial or quasi-judicial tenure.

Not Applicable

(iii) List citations of any opinions which have been published.

Not Applicable

(iv) List citations or styles and describe the five most significant cases you have tried or heard. Identify the parties, describe the cases and tell why you believe them to be significant. Give dates tried and names of attorneys involved.

Not Applicable

(v) Has a complaint about you ever been made to the Judicial Qualifications Commission? If so, give date, describe complaint, whether or not there was a finding of probable cause, whether or not you have appeared before the Commission, and its resolution.

Not Applicable

(vi) Have you ever held an attorney in contempt? If so, for each instance state name of attorney, approximate date and circumstances.

Not Applicable

(vii) If you are a quasi-judicial officer (ALJ, Magistrate, General Master), have you ever been disciplined or reprimanded by a sitting judge? If so, describe.

Not Applicable

**BUSINESS INVOLVEMENT:**

33a. If you are now an officer, director or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such position immediately upon your appointment or election to judicial office.

I am the owner/president of Samuel Bookhardt III, P.A., and I intend to resign and close my practice immediately if I am appointed to judicial office.

33b. Since being admitted to the Bar, have you ever been engaged in any occupation, business or profession other than the practice of law? If so, give details, including dates.

No

33c. State whether during the past five years you have received any fees or compensation of any kind, other than for legal services rendered, from any business enterprise, institution, organization, or association of any kind. If so, identify the source of such compensation, the nature of the business enterprise, institution, organization or association involved and the dates such compensation was paid and the amounts.

No

**POSSIBLE BIAS OR PREJUDICE:**

34. The Commission is interested in knowing if there are certain types of cases, groups of entities, or extended relationships or associations which would limit the cases for which you could sit as the presiding judge. Please list all types or classifications of cases or litigants for which you as a general proposition believe it would be difficult for you to sit as the presiding judge. Indicate the reason for each situation as to why you believe you might be in conflict. If you have prior judicial experience, describe the types of cases from which you have recused yourself.

None

**MISCELLANEOUS:**

35a. Have you ever been convicted of a felony or a first degree misdemeanor?

Yes \_\_\_\_\_ No  X  If "Yes" what charges? \_\_\_\_\_

Where convicted? \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

35b. Have you pled nolo contendere or pled guilty to a crime which is a felony or a first degree misdemeanor?

Yes \_\_\_\_\_ No  X  If "Yes" what charges? \_\_\_\_\_

Where convicted? \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

35c. Have you ever had the adjudication of guilt withheld for a crime which is a felony or a first degree misdemeanor?

Yes \_\_\_\_\_ No  X  If "Yes" what charges? \_\_\_\_\_

Where convicted? \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

36a. Have you ever been sued by a client? If so, give particulars including name of client, date suit filed, court, case number and disposition.

No

36b. Has any lawsuit to your knowledge been filed alleging malpractice as a result of action or inaction on your part?

No

36c. Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? If so, give particulars, including the amounts involved.

No

37a. Have you ever filed a personal petition in bankruptcy or has a petition in bankruptcy been filed against you?

No

37b. Have you ever owned more than 25% of the issued and outstanding shares or acted as an officer or director of any corporation by which or against which a petition in bankruptcy has been filed? If so, give name of corporation, your relationship to it and date and caption of petition.

No

38. Have you ever been a party to a lawsuit either as a plaintiff or as a defendant? If so, please supply the jurisdiction/county in which the lawsuit was filed, style, case number, nature of the lawsuit, whether you were Plaintiff or Defendant and its disposition.

Yes.

Atlantic Building Materials vs. Samuel Bookhardt III, Brevard County Case Number 05-1989-SC-002237-XXXX-XX, contract regarding materials purchased by Bookhardt Roofing, I was a defendant in this case. Plaintiff voluntarily dismissed the case.

Sun Bank vs. Demetrius Penn and Samuel Bookhardt III, Brevard County Case Number 05-1989-CA-018007-XXXX-XX. I co-signed a car loan for Mr. Penn who defaulted on the loan. When I co-signed the loan, Mr. Penn was dating my sister, Jacqueline Bookhardt. I was a defendant in the case. I satisfied/paid the judgment.

Brevard Lumber vs. Samuel Bookhardt III as the last known member of the Board of Directors of Bookhardt Roofing Company, Inc., and Samuel Bookhardt III, Brevard County Case Number 05-1994-SC-005399-XXXX-XX, contract regarding materials purchased by Bookhardt Roofing. I was a defendant in this case. I satisfied /paid the judgment.

Summit Consulting vs. Bookhardt Roofing and Construction Company, Inc., and Samuel Bookhardt III, Polk County Case Number GCG-94-503, contract regarding payment of insurance for Bookhardt Roofing and Construction Company, Inc. I was a defendant in this case. I satisfied/paid the judgment.

State of Florida, Department of Revenue on Behalf of Gail McJones vs. Samuel Bookhardt, Brevard County Case Number 05-1992-DR-014243-FD, child support. I was the respondent in the case. This case is closed and the child is now over the age of 18.

Samuel Bookhardt III vs. Aldon Bookhardt, Brevard County Case Number 05-2000-CC-018514-XXXX-XX. I filed suit to remove a family member from rental property I once owned. I was the plaintiff in this case and the case was dismissed.

39. Has there ever been a finding of probable cause or other citation issued against you or are you presently under investigation for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group. If so, give the particulars.

No

40. To your knowledge within the last ten years, have any of your current or former co-workers, subordinates, supervisors, customers or clients ever filed a formal complaint or formal accusation of misconduct against you with any regulatory or investigatory agency, or with your employer? If so, please state the date(s) of such formal complaint or formal accusation(s), the specific formal complaint or formal accusation(s) made, and the background and resolution of such action(s). (Any complaint filed with JQC, refer to 32d(v).

No

41. Are you currently the subject of an investigation which could result in civil, administrative or criminal action against you? If yes, please state the nature of the investigation, the agency conducting the investigation and the expected completion date of the investigation.

No

42. In the past ten years, have you been subject to or threatened with eviction proceedings? If yes, please explain.

No

- 43a. Have you filed all past tax returns as required by federal, state, local and other government authorities?

Yes  No  If no, please explain. \_\_\_\_\_

- 43b. Have you ever paid a tax penalty?

Yes  No  If yes, please explain what and why.

When I was late paying my taxes

- 43c. Has a tax lien ever been filed against you? If so, by whom, when, where and why?

No

#### HONORS AND PUBLICATIONS:

44. If you have published any books or articles, list them, giving citations and dates.

Not Applicable

45. List any honors, prizes or awards you have received. Give dates.

April 1999 - Employee of the Month at the State Attorney's Office

April 2003 - Professionalism Award



October 2004 - Community Service Award

Certificate of Appreciation in Recognition for Outstanding Volunteer Work at Titusville High School, 2002-2003 and 2004-2005

Certificate of Appreciation in recognition for my service as Chairperson of the Law Library Committee, 2004-2005

46. List and describe any speeches or lectures you have given.

I have given numerous speeches to students at Titusville High School. I talked about how the State Attorney's Office decides to prosecute certain cases. I explained the different stages of a trial and the role of the judge, defense attorney, prosecutor and jury. I talked about criminal and civil cases I have tried.

Years ago during Law Week, attorney Douglas Beam and I talked to approximately 800 students at Melbourne High School. We talked about the jury system, the role of the jury and how important juries are in our legal system. Mr. Beam is located at 25 West New Haven Avenue, Suite C, Melbourne, FL 32901 and his phone number is 321-723-6591.

47. Do you have a Martindale-Hubbell rating? Yes  If so, what is it? \_\_\_ No

#### PROFESSIONAL AND OTHER ACTIVITIES:

- 48a. List all bar associations and professional societies of which you are a member and give the titles and dates of any office which you may have held in such groups and committees to which you belonged.

Brevard County Bar Association, President (2010 - 2011)

Brevard County Bar Association, Board of Directors (2003 - 2011)

A. Max Brewer Memorial Law Library, Chairman (2004 - 2010)

Brevard County Legal Aid, Inc., Board of Directors (2017 - present) (2003 - 2010)

- 48b. List, in a fully identifiable fashion, all organizations, other than those identified in response to question No. 48(a), of which you have been a member since graduating from law school, including the titles and dates of any offices which you have held in each such organization.

Greater Titusville Renaissance, Board of Directors (2015 - 2017)

Children's Advocacy Center of Brevard, Board of Directors (2011 - 2012)

Titusville YMCA, Board of Directors (2011 - 2012)

Crosswinds Youth Services, Board of Directors (2007 - 2010)

Titusville Police Athletic League, Board of Directors (2001 - 2003)

- 48c. List your hobbies or other vocational interests.

Cooking, sports

48d. Do you now or have you ever belonged to any club or organization that in practice or policy restricts (or restricted during the time of your membership) its membership on the basis of race, religion, national origin or sex? If so, detail the name and nature of the club(s) or organization(s), relevant policies and practices and whether you intend to continue as a member if you are selected to serve on the bench.

No

48e. Describe any pro bono legal work you have done. Give dates.

In 2007, I represented Matthew Wayne Almand, pro bono in Brevard County Case Number 05-2005-CF-063292-AXXX-XX, in State of Florida vs. Matthew Wayne Almond. I was co-counsel in this case with attorney Sam Baxter Bardwell, 503 South Palm Avenue, Titusville, Florida 32796. This case was in front of Circuit Judge George W. Maxwell III and opposing counsel was Assistant State Attorney Gary D. Beatty, 2725 Judge Fran Jamieson Way, Building D, Viera, Florida 32940. In this case our client was charged with two (2) counts of Premeditated Murder. I prepared and argued numerous motions. On or about August 31, 2007, our client pled as charged and the judge sentenced him to two (2) consecutive life sentences as agreed by the parties after we successfully persuaded the State to waive the death penalty.

#### **SUPPLEMENTAL INFORMATION:**

49a. Have you attended any continuing legal education programs during the past five years? If so, in what substantive areas?

Defender Summer School 2018

Calculating Economic Damages, Personal Injury

Jury Selection Portion of Superstars in Mock Trial

Superstars in Trial

Blood, Breath, Tears XXIII

LTCL and Chronic Illness Insurance Planning Solution

49b. Have you taught any courses on law or lectured at bar association conferences, law school forums, or continuing legal education programs? If so, in what substantive areas?

No

50. Describe any additional education or other experience you have which could assist you in holding judicial office.

In 1989, I passed the contractor exam to become a state certified building contractor. I also passed the real estate exam and worked part time as a salesperson for ERA Space Coast Real Estate, Inc., in Titusville, Florida from 1988 through 1989.

51. Explain the particular potential contribution you believe your selection would bring to this position.

During my career as an assistant state attorney I treated everyone with respect, including the defendants I prosecuted. In every case I prosecuted I took the necessary time to fully understand the facts of the case to determine the appropriate punishment for the defendant based on the law, input from the victim and the defendant's

background, including prior convictions. This was very important because my goal was to seek the appropriate punishment for the defendant, victim and our community. Therefore, based on my experience as an assistant state attorney I believe the contributions that I would bring to this position are as follows: 1) knowledge of the law, 2) fairness, 3) commitment, 4) respect, 5) confidence and 6) patience.

My experience as a private attorney has given me the opportunity to expand my practice and knowledge of the law since I practice both civil and criminal law. Therefore, I have the ability, knowledge and confidence to preside over criminal and civil cases.

52. If you have previously submitted a questionnaire or application to this or any other judicial nominating commission, please give the name of the commission and the approximate date of submission.

18th Circuit Judicial Nominating Commission on September 28, 2005; February 17, 2006; October 13, 2006; October 1, 2009; and November 30, 2015.

53. Give any other information you feel would be helpful to the Commission in evaluating your application.

I was born and raised in Titusville, Brevard County, by two of the greatest parents in the world. My father is a retired roofer and my mother worked only inside our home. My parents taught my 10 siblings and I numerous life lessons, which I use every day, for instance: to work hard, treat everyone with respect, do your best, if you fail to achieve a goal just get back in there and try again, never give up, stand up for what is right, confront all necessary issues, avoid trouble and be a responsible and productive citizen, who gives back to the community.

#### REFERENCES:

54. List the names, addresses and telephone numbers of ten persons who are in a position to comment on your qualifications for judicial position and of whom inquiry may be made by the Commission.

State Attorney Phil Archer, 2725 Judge Fran Jamieson Way, Building D, Viera, FL 32940, Phone Number 321-617-7510

Kendall Moore, Esquire, ~~897 Barton Boulevard, Suite B, Rockledge, FL 32955, Phone Number 321-636-2221~~

Suzanne A. Sparling, ~~4599 Squires Drive, Titusville, FL 32780, Phone Number 321-537-8986~~

Annetha Jones, ~~6856 Swannery Court, Cocoa, FL 32927, Phone Number 321-631-2249~~

Tyler Sirois, ~~2725 Judge Fran Jamieson Way, Building D, Viera, FL 32940, Phone Number 321-617-7510~~

Moses Harvin, ~~1924 Jacques Drive, Viera, FL 32940, Phone Number 321-223-3525~~

Alberta Wilson, ~~3712 McLean Avenue, Rockledge, FL 32955, Phone Number 321-632-6392~~

Troy R. Lotane, Esquire, ~~1839 Michigan Avenue, Cocoa, FL 32922, Phone Number 321-616-1124~~

Brevard County Sheriff Wayne Ivey, ~~701 South Park Avenue, Titusville, FL 32780~~

~~Phone Number 321 264 5201~~

Dana Blickley, ~~400 South Street, Titusville, FL 32780, Phone Number 321 264-~~  
~~6700.~~

**CERTIFICATE**

I have read the foregoing questions carefully and have answered them truthfully, fully and completely. I hereby waive notice by and authorize The Florida Bar or any of its committees, educational and other institutions, the Judicial Qualifications Commission, the Florida Board of Bar Examiners or any judicial or professional disciplinary or supervisory body or commission, any references furnished by me, employers, business and professional associates, all governmental agencies and instrumentalities and all consumer and credit reporting agencies to release to the respective Judicial Nominating Commission and Office of the Governor any information, files, records or credit reports requested by the commission in connection with any consideration of me as possible nominee for appointment to judicial office. Information relating to any Florida Bar disciplinary proceedings is to be made available in accordance with Rule 3-7.1(l), Rules Regulating The Florida Bar. I recognize and agree that, pursuant to the Florida Constitution and the Uniform Rules of this commission, the contents of this questionnaire and other information received from or concerning me, and all interviews and proceedings of the commission, except for deliberations by the commission, shall be open to the public.

Further, I stipulate I have read, and understand the requirements of the Florida Code of Judicial Conduct.

Dated this 14 day of September, 2018.

SRMOEL BOOKHAROT

Printed Name



Signature

*(Pursuant to Section 119.071(4)(d)(1), F.S.), . . . The home addresses and telephone numbers of justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges; the home addresses, telephone numbers, and places of employment of the spouses and children of justices and judges; and the names and locations of schools and day care facilities attended by the children of justices and judges are exempt from the provisions of subsection (1), dealing with public records.*