

8. Children

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

9. Military Service (including Reserves)

Service *Branch* *Highest Rank* *Dates*

n/a

Rank at time of discharge _____ Type of discharge _____

Awards or citations _____

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>
Seattle University School of Law	unknown	8/1999-12/2002	JD
UCLA	unknown	6/1989-12/1992	BA Economics
Nagoya International School	unknown	8/1979-6/1986	HS Diploma

18b. List and describe academic scholarships earned, honor societies or other awards.

Cum Laude - Juris Doctorate

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>
6/1989- 6/1990	Sales/Cashier	UCLA Bookstore	Los Angeles, CA
6/1989- 12/1992	Tour Guide	Japan Travel Bureau	Los Angeles, CA
1/1993- 6/1994	U.S. Trade Liason	Koh Co. Ltd.	Seattle, WA
6/1994- 12/2002	International Trade Consultant	Apex Co. Ltd.	Seattle, WA

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 Bar 12/14/2003

Washington State Bar 6/12/2003

Federal Middle District Court - Orlando, Florida 2010

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>
Partner	Henderson Legal Group	5419 Village Drive, Viera, FL 32955	6/2010- present
Assistant Public Defender	Public Defenders Office, 18 th Judicial Circuit	2725 Judge Fran Jamieson Way, Viera, Florida 32940	12/2003- 6/2010

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.

Criminal defense, delinquency, dependency, family, federal, appellate, and civil. During the time I was an assistant public defender I practiced criminal defense exclusively. Currently, I do not have a specific type of clients, as I represent clients from all walks of life and in several different areas of law.

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	_____ %	Civil	_____ 15 %
Federal Trial	_____ 5 %	Criminal	_____ 60 %
Federal Other	_____ %	Family	_____ 10 %
State Appellate	_____ 5 %	Probate	_____ %
State Trial	_____ 85 %	Other	_____ 15 %
State Administrative	_____ 5 %		
State Other	_____ %		
	_____ %		
TOTAL	_____ 100 %	TOTAL	_____ 100 %

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

Jury? 50+ Non-jury? 100+
 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).

*Please see attached addendum.

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).

*Please see attached addendum.

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?
15 to 20 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? _____% 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.

Although I currently appear in court almost daily, my time as an assistant public defender (12/2003 - 6/2010) required me to be in court daily. In private practice, I have continued defending criminal defendants, but have also represented clients as the petitioner/plaintiff and respondent/defendant. I have handled thousands of cases, while the majority of these cases were resolved without a trial, I have participated in numerous trials. Due to being in practice for nearly 15 years, I do not recall every jury trial and non-jury trial I have done. My best estimate is that I have done at least 50 jury trials and over 100 non-jury trials. In the vast majority of my trials I handled them exclusively, but have done numerous trials with co-counsel as well.

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.

n/a

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.

*Please see attached addendum.

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.

Stand your ground motion. Written exclusively by myself.

Appellate brief. Written exclusively by myself.

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.

Yes. Judicial candidate for the 18th Judicial Circuit, Circuit Court, February 2016 - November 2016.

32b. List any prior quasi-judicial service:

<i>Dates</i>	<i>Name of Agency</i>	<i>Position Held</i>
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Types of issues heard:

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.
- (ii) Describe the approximate number and nature of the cases you have handled during your judicial or quasi-judicial tenure.
- (iii) List citations of any opinions which have been published.
- (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.
- (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.
- (vi) Have you ever held an attorney in contempt? If so, for each instance state name of attorney, approximate date and circumstances.

- (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.

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.

Henderson Legal Group - legal services - Partner - will resign if appointed.

- 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.

None

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 No 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 No 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 No 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?

Yes

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.

Los Angeles, California June 1991. Automobile accident. Plaintiff. Awarded damages.

Brevard County- SMS v. American Pacific Exporters, et al. 2006-CA-6958 Domesticated foreign judgment. co-defendant. 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).

None

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. _____

- 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.

n/a

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

JD with Honors 12/2003

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

1) Gave numerous speeches to various groups regarding my candidacy for judicial office. Audiences ranged from 5 to 100+.

2) Eastern Florida State College - 4th Amendment speech to law enforcement.

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- Member

Seminole County Bar Association - Member

Florida Bar Association - Member

Washington State Bar Association - Member

Florida Association of Criminal Defense Lawyers - Member

- 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.

Advisory Committee Member – EEL Program Recreation and Education Advisory Committee. Appointed on recommendation of Commissioner John Tobia for the years 2017 and 2018.

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

Fishing, reading, traveling, and boating,

- 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.

Ongoing since 2010 to present. Pro bono legal assistance primarily to law enforcement officers and their family members. In addition, I routinely represent clients who are unable to afford private representation.

SUPPLEMENTAL INFORMATION:

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

Yes. Family law and Criminal Law.

- 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?

Yes. 4th Amendment issues for law enforcement officers at Eastern.

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

*Please refer to attached mini-biography.

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

My extensive experience in court; broad range of experience in multiple areas of law; great temperament; efficient in handling a high case load or docket; hard working; an understanding and respect for all parties and attorneys that appear in court; appreciation and understanding of other cultures; high intellect; not afraid to admit when I may need to research an issue; capable of being firm when required.

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.

n/a

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

your application.

I think it is important to note that this particular circuit court vacancy is up for re-election in 2020. Therefore, the candidate that is appointed to this vacancy will have to announce their candidacy and pay the filing fee in May 2020. It is possible that the candidate who is appointed may have to run a campaign in 2020 should they receive opposition. I have a distinct advantage since I ran a circuit court campaign in 2016 that encompassed two counties. I also believe that having run a solid campaign and doing fairly well discourages opposition. In addition, most judicial races are won by name recognition and having already run recently I have that advantage as well.

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.

Honorable Jack Griesbaum /

Honorable George Maxwell /

Honorable Thomas Brown /

Honorable Morgan Laur Reinman /

Honorable Charlie Crawford /

Honorable Nancy Maloney /

John Edward Jones, Esq. /

Lila & Keith Beuscher /

William Tolley /

Joe Downs /

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 13 day of September, 2018.



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.

Addendum

Stephen Henderson - JNC Application – September 13, 2018.

Question:

27a.

- 1) State v. Eric Johnson – 2016-CF-038200-AXXX-XX. ASA George Gaspard and ASA Kerri Fowler for State. 321-617-7510
- 2) State v. Quentin Woodruff – 2015-CF-033428-AXXX-XX. ASA Kari Kies and ASA Susan Stewart for the State. 321-617-7510
- 3) State v. Rosa Morgan – 2013-CF-051595-AXXX-XX. ASA Naomi Nichols for State. 321-617-7510
- 4) State v. Clifford Bentley – 2012-CF-34228-AXXX-XX. ASA Andrew Joy for the State. 321-617-7510.
- 5) State v. Carl Graves – 2007-CF-48527-AXXX-XX. ASA Julia Lynch for the State. 321-617-7510.
- 6) State v. Michael Smith – 2009-CF-46711-BXXX-XX. ASA Donald Loughran. 321-617-7510.

27b.

- 1) State v. Michele Russell - 2017-CF-53032 – Negotiated plea and sentence on September 13, 2018. ASA George Gaspard 321-617-7510.
- 2) State v. Z.C. – 2018-CJ-1542; 2018-CJ-1502; 2018-CJ-1542; 2017-CJ-2609 – Negotiated plea on September 12, 2018. ASA Clarissa Harrell 321-617-7510.
- 3) State v. Marquis Mizell – 2017-CF-49835 – Negotiated plea and sentence on September 4, 2018. ASA Jonathan Skinner 321-617-7510.
- 4) State v. Barry Kinard – 2018-CT-19755 – Negotiated plea and sentence on August 30, 2018. ASA Chelsea Buckholtz 321-617-7510.
- 5) State v. Mary Martini – 2017-CT-39744 – Case dismissed by State on August 20, 2018. ASA Mark Campbell 321-617-7510.
- 6) State v. Reginald Clark – 2017-CF-56466. Negotiated plea and sentence on August 6, 2018. ASA Mike Doyle 321-617-7510.

30.

1) Brevard County Circuit Court / Second Degree Murder / State v. Kunta Grant / 2008-CF-072955-AXXX-XX / Honorable George Maxwell / Opposing counsel ASA Susan Stewart, Esq.

Mr. Grant was physically attacked in his own home by an individual he had an injunction against. Mr. Grant defended himself with a knife, resulting in the death of his assailant. Mr. Grant was subsequently charged with Second Degree Murder. I filed a motion to dismiss for immunity based on Florida's Stand Your Ground law. The Honorable George Maxwell granted said motion after an evidentiary hearing. I believe this case to be significant as Florida's Stand Your Ground law worked as it was intended to and to date it is the only known murder case dismissed in Brevard County under Florida's Stand Your Ground law. In addition, the granting of

the motion allowed Mr. Grant to avoid the risk of a jury trial where a loss could have resulted in life in prison. It also immunized him from any civil liability.

2) Citrus County Circuit Court / Circuit Civil Real Property >\$250,000 / 2014-CA-234 / Honorable Patricia Thomas / Optima DHM Corp. v. Suntacc and Company, Inc. and Flovicc and Company, Inc. / Opposing counsel Robert Olsen, Esq.

I represented the Defendant in this circuit civil suit. The Defendant owns and operates several golf resorts near Homosassa, Florida. The parent company of the Defendant is located in Japan. The lawsuit that was filed against my client sought to enforce the sale of the properties under specific enforcement. The primary issue in this case was whether there was a signed contract for the sale of the property that comports with the Statute of Frauds. There was a voluminous amount of correspondence, emails, proposals, and quasi-agreements between the parties. The plaintiff was represented by the large law firm of Fowler White, P.A. in Tampa, Florida. I answered the complaint with a Motion to Dismiss, based on Statute of Frauds/Lack of Contract; Failure to State a Cause of Action; and Ambiguity. I also sent Plaintiff's counsel a 57.105 letter with an attached Motion for Sanctions. Just prior to the expiration of the 21 days, Plaintiff dismissed its complaint with prejudice. This case was significant as it saved my client several million dollars, as the suit sought to enforce the sale of the properties at an extremely deflated valuation. I was able to utilize not only my legal skills, but my understanding of Japanese culture and business dealings. At least for me, this was a "David vs. Goliath" type of case and indicative of how law, when properly applied, can result in a just outcome.

3) Brevard County Circuit Court / Second Degree Murder / State v. Willie Grant / 2007-CF-048425 / Honorable George Maxwell and Honorable David Silverman / Opposing counsel was ASA Donald Loughran, Esq.

This was a case I handled when I was an assistant public defender. Public defenders do not get to choose the cases or clients they represent. Often, I was required to represent defendants that had committed heinous crimes. I was, however, required to zealously advocate for these defendants. Willie Grant was one such case. Mr. Grant, who was in his 60's, discharged a shotgun in his residence toward his wife striking her in the head and killing her. During the decedent's autopsy it was discovered that she had a projectile (bullet) lodged in her neck area. The projectile had been in her neck for many years. It turned out Mr. Grant had shot his wife before, but it was never reported. There was little doubt about Mr. Grants guilt and the evidence against him was overwhelming. This was a very emotionally charged case, as the adult children of the Grants understandably despised their father for what he had done. Mr. Grant refused all plea offers. Therefore, the case ultimately went to a jury trial. It was a particularly difficult case to try, as I had to zealously advocate for my client, while the media and the Grant's adult children sat through the entire trial. The victim's family watched and heard all of the evidence, including testimony of their mother's autopsy in great detail. They also watched and heard me zealously cross examine the State's witnesses. What was significant to me about this particular case is that it was clear to me the assistant state attorney, the judge, and myself all recognized we each had a separate and distinct job or role in the trial and because of that, the trial was conducted professionally and Mr. Grant received a very fair trial. Additionally, I saw first hand how devastating a criminal act can be on a victim or survivors of a

crime. In fact, since going into private practice I have represented numerous victims of crimes and have advocated for them in court.

4) Brevard County Circuit Court / Private dependency action / 2017-DP-872 / In the interest of S.L. and Z.L. / Honorable Charlie Crawford.

This was a private dependency case where I represented the biological father. My client was the father of two young children. The marriage to the children's mother subsequently ended in a highly contested divorce. My client lived out of state and was granted long distance timesharing. The mother was awarded the majority of the timesharing and sole parental responsibility. In January 2017, he attempted to contact the children, but no one was answering. He continued to call with no results. He then started contacting other relatives in Brevard and learned that his children's mother had suddenly died from an aneurysm. He immediately came to Brevard to check on his children and to begin his children's transition to his home. However, upon his arrival, the maternal grandparents refused to allow him to see or have access to his children. He contacted me and my initial advice was to contact local law enforcement. However, law enforcement would not get involved as they considered it a civil matter. I filed a motion for an *ex parte* pick up order with the family law judge that presided over the dissolution of marriage case. After taking testimony from my client, the Court granted the pick up order. BCSO executed the pick up order and returned the children to their father. It took my client nearly a week to get his own children. Almost immediately after the pick up order was executed, the maternal grandparents, through an attorney, filed a private dependency action pursuant to Chapter 39 claiming my client had abused, neglected, or abandoned the children. There was zero evidence to support these allegations. After numerous pre-trial hearings and motions that lasted nearly a year, my client had essentially run out of money to litigate. However, I stayed on the case, as I found the Petitioner's actions egregious, meritless, and an attempt to run him out of money so he could no longer afford representation. The case eventually proceeded to trial. At the close of the Petitioner's case I moved for a directed verdict, which the Court granted. The Court also granted sanctions pursuant to 57.105 and awarded attorneys fees. This case was significant to me on several different levels. While I understood the grief of the maternal grandparents, they had no legal right to my client's own children. In my opinion, this was one of the worst abuses of the judicial system I have ever seen. They filed numerous misleading pleadings and motions that were factually inaccurate, but had to be dealt with. They even took steps to have my client and his children's passports suspended, which I had to fight against. They hired a private investigator to follow the children, even at their schools, to the point the children were actually frightened. Personally, I had a very hard time understanding why a fellow member of the Bar would condone and proceed in this litigation. In the end, justice did prevail, but my client will never be the same nor will his children.

5) Brevard County Court / HUD Eviction / 2017-CC-030112 / Asbury Arms vs. Rita Lynar / Honorable Kenneth Friedland / Opposing counsel Nick Vidoni, Esq.

This is an eviction case where I represent the Plaintiff. The Plaintiff operates numerous large faith based, HUD subsidized housing for the elderly throughout Florida. What is significant about this case is the conflict that exists between Florida's Chapter 83 (Landlord and

Tenant) and Federal Law under HUD, specifically Chapter 8 Termination. The conflict is due to the fact that Chapter 8 of the HUD Regulations includes language that State and Local laws apply. This language makes it particularly challenging to evict a HUD tenant when Chapter 83 and HUD Chapter 8 have completely different requirements. For instance, Chapter 83 generally requires a 7-day notice to terminate a tenancy for violations of the lease, whereas HUD Chapter 8 requires a 30-day notice and the notice must be pled with great specificity. In fact, a large Orlando law firm attempted to evict this same tenant in case number 2013-CA-39015, but the case was ultimately dismissed in favor of the Defendant/Tenant as the Court found the notice defective under HUD Regulations. Basically, that eviction attempt followed Chapter 83, but the Court held HUD Chapter 8 must also be followed in regard to specificity in the notice.

I was retained to attempt an eviction of this same tenant based on numerous new violations of the lease agreement. Of course, we followed the HUD Regulations, gave the tenant 30-day notice and pled same with specificity as to each and every violation. When the tenant failed to vacate at the end of the notice period the complaint was filed.

Under HUD Chapter 8 there is no language that prohibits the landlord from collecting rent during the 30-day notice period, which seems logical since the tenant is allowed to remain in the unit for a month. However, under Chapter 83, a landlord is prohibited from collecting rent during the 3-day or 7-day notice period. The Defendant/Tenant subsequently filed a motion for summary judgment, arguing in part that the landlord collected rent during the 30-day notice period. After hearing argument of counsel, the Court held that Chapter 83 applies and the landlord was prohibited from collecting any rent during the 30-day notice period and dismissed the complaint.

Basically, my eviction attempt followed HUD Chapter 8. So, there have been two eviction attempts where the first complaint was dismissed for not following HUD Chapter 8 and the second complaint was dismissed for not following Chapter 83. In addition, under Chapter 83 the failure of the landlord to notice the Defendant/Tenant of a violation within 30 days of the violation results in the landlord being unable to argue that violation as a basis to terminate the tenancy. Whereas Chapter 8 of the HUD regulations has no such language that prohibits the landlord from arguing repeated minor violations of the lease agreement, even if those violations are over 30 days.

As it stands, landlords of HUD subsidized housing are in a catch-22 situation when attempting to evict a tenant based on repeated violations of the lease agreement. Particularly, if they are prohibited by Chapter 83 from arguing any violations that are 30 days or older. Unfortunately, there is not much case law out there that addresses these issues. We have appealed this Court's ruling and hopefully this will create some case law to assist HUD landlords in terminating a tenancy.

6) Brevard County Circuit Court / Trafficking in Illegal Drugs / State v. Terry Suggs / 2011-CF-23084 / Honorable Morgan Laur Reinman / Opposing counsel ASA Samantha Barrett, Esq.

Mr. Suggs was arrested for several serious drug offenses pursuant to a search warrant that was signed by a judge. Mr. Suggs lived in a multiple unit apartment complex. The affidavit in support of the search warrant detailed that a controlled buy had taken place at the apartment complex but failed to list the actual apartment or a description of which unit within

the apartment complex the buy was alleged to have occurred. The search warrant itself detailed the apartment and gave instructions on how the apartment could be accessed.

I filed a motion to suppress based on the fact that the affidavit was insufficient for a search warrant to be issued upon. A hearing was held and the Court granted the motion to suppress, thereby suppressing the evidence that had been found. What was significant about this case is that it is a prime example of the Court applying the law and following the law. Despite the fact that it was clear Mr. Suggs was the intended target of the search warrant and the control buy, there were constitutional safeguards in effect that protected Mr. Sugg's Fourth Amendment rights. It is important to remember that sometimes judges must make rulings that are unfavorable but they must follow the law, uphold the constitution, and not legislate from the bench.

Stephen Henderson Mini-Biography

Steve grew up in Cocoa Beach, Florida and attended Freedom 7 Elementary School. Steve's dad, George, was an Army veteran with the 82nd Airborne and a highly respected engineer for McDonnell Douglas (Boeing). Steve's dad was one of only three engineers selected to assist Japan in a joint United States/Japan space program. Steve spent eight years in Nagoya, Japan and received his high school diploma from Nagoya International School. Steve's time overseas gave him an invaluable perspective on other cultures, but also taught him that our Constitution, freedom, and judicial system are what make America the best country in the world. Upon Steve's return to the United States, Steve attended the University of California, Los Angeles (UCLA), where he earned his Bachelor's degree in Economics. While at UCLA, Steve was in Army ROTC and attended Camp Challenge at Fort Knox, Kentucky. Steve also worked three jobs, including working as a tour guide using his bilingual skills. Upon graduation from UCLA, Steve moved to Seattle, Washington taking a job in international trade. Steve's unique skill set allowed him to effectively introduce numerous American products and services into the foreign market place. While working full time and raising a family, Steve attended law school at Seattle University School of Law where he received his law degree with honors. While in law school, Steve was involved in several pro bono legal clinics, including assisting victims of domestic violence. Upon graduation from law school in December 2002, Steve sat for and passed the February 2003 Washington State Bar Exam and then sat for and passed the July 2003 Florida Bar Exam. Passing two separate state bar exams within a 5-month period is a tribute to his hard work and intellect.

Steve passed up financially lucrative jobs to return to his hometown of Brevard County and accepted a position with the public defender's office of the 18th Judicial Circuit in Brevard and Seminole County. Steve worked as a public defender for the 18th Judicial Circuit for over 6 years, where he represented thousands of Brevard County residents.

Steve has always maintained an extremely hard work ethic, putting himself through college and law school. In 2010, Steve started his own law practice on a shoe string, where his first desk was the cardboard box from his office computer. Steve built a thriving law practice from the ground up and two years later, Steve's wife Maria, who is also an attorney, joined him at his firm. Steve has represented clients in nearly all circuit court matters, including dependency, delinquency, criminal, family, and civil. Steve also expanded his practice into federal court. While his legal career has been gratifying, Steve's greatest joy is his family and the time spent with them. Steve lives in Viera with his wife, Maria. Together they have five children; Michael (21), Kayla (19), Karsten (18), Ryan (12), Mckenzie

(9), and a chocolate lab, Kito. Steve and his wife Maria volunteer extensive time representing law enforcement officers and their families in court. Steve's mom, Stephanie, still lives in Cocoa Beach and even at the young age of 82 is an active real estate agent. Steve lost his dad in 2002, after a courageous battle with cancer. Knowing that life is precious and unpredictable, Steve appreciates everyday he spends with his family.

What sets Steve apart is not only his extensive trial and courtroom experience, but his life experiences. Those experiences allow Steve to better understand and relate to the citizens that may appear before him if he is appointed. Steve is passionate about public service.