

**IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT
IN AND FOR VOLUSIA COUNTY, FLORIDA**

CASE NO: 2012-13199-CIDL

L. L.,

Plaintiff,

vs.

**VOLUSIA COUNTY, FLORIDA, and MONICA
WILLARD, as Personal Representative of the
Estate of CARL "PETE" WILLARD, Deceased,**

Defendants.

PLAINTIFF'S MOTION TO RECUSE

COMES NOW the Plaintiff, L.L., by and through her undersigned counsel, and pursuant to Fla.R.Jud.Admin. 2.330(c), respectfully files this Motion for Recusal of Judge Raul A. Zambrano and as grounds therefore states

1. On September 23, 2013, counsel appeared before the Honorable Raul A. Zambrano, in Volusia County, Florida for a hearing on Defendants Motion to Dismiss
2. During the hearing, Judge Zambrano disclosed he had worked closely with the Defendant, Deputy Carl "Pete" Willard, while Judge Zambrano was a prosecutor
3. In light of this new information, Plaintiff fears she will not receive a fair trial, because of Judge Zambrano's prior professional relationship with Defendant, which creates or appears to create the hint of impropriety or favoritism toward the Defendant.

WHEREFORE, Plaintiff respectfully moves this Court for an entry of an order disqualifying Judge Zambrano as presiding judge in this matter and for entry of an order appointing an alternate judge to preside over this case to conclusion.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail to Nancye J. Jones, Esq., njones@volusia.org; mfird@volusia.org, Daniel Wallace, Esq., DSWLawyer@aol.com on this 25th day of September, 2013.

/s/ JOHN W. DILL

JOHN W. DILL, ESQUIRE

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/s/ FRANK T. ALLEN

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IN THE CIRCUIT COURT, SEVENTH JUDICIAL
CIRCUIT IN AND FOR VOLUSIA COUNTY,
FLORIDA

CASE NO. 2012-13199-CIDL
DIVISION. 01 Judge Raul Zambrano

L.L.,

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VOLUSIA COUNTY, FLORIDA, ET AL.

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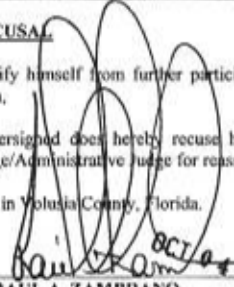
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CLERK OF THE COURT
VOLUSIA COUNTY, FLORIDA

ORDER OF RECUSAL

This court having determined that he should disqualify himself from further participation in this cause pursuant to Rule 2.330, Florida Rules of Judicial Administration,

IT IS ORDERED and ADJUDGED that the undersigned does hereby recuse himself from further participation in this cause and refers this cause to the Chief Judge/Administrative Judge for reassignment.

DONE and ORDERED this ___ day October 2013 in Volusia County, Florida.


RAUL A. ZAMBRANO
CIRCUIT JUDGE

ORDER OF REASSIGNMENT

The judge to whom the above styled cause was assigned, having disqualified himself, therefore,

I, Terence R. Perkins, Chief Judge of the Seventh Judicial Circuit of Florida, hereby reassign said cause to Division 02 (Judge Robert K. Rouse, Jr.), to determine said cause and dispose of all matters considered by him/her therein.

DONE and ORDERED this 10 day of October, 2013, in Volusia County, Florida.


CHIEF JUDGE

Copies to:
Newly Assigned Judge
Court Administrator

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