

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

BOBBY W. HUDSON, an individual,  
Plaintiff,

Case No.:2014 31325 CICI  
Division: 32

v.

STEVEN W. MILLER, an individual, et al,  
Defendants.

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MOTION TO VACATE JUDGMENT AND FOR JUDGE TO RECUSE HIMSELF

Comes now the Defendant, Steven W. Miller, and moves this Court to vacate the Judgment entered in this Case on August 28, 2014, also asking Judge Parsons to recuse himself and as grounds therefore, says:

1. The real party in interest in this case and the person who would benefit the most is the Defendant's potential opponent in the November general election for Daytona Beach, Florida Zone 3 Commission race.
2. The Court prohibited the Defendant from demanding the Plaintiff to state who was paying her attorney fees, thus denying the Defendant from putting on the record the real beneficiary of this action.
3. The Court's decision was based on what conflicts in testimony to believe, and the Court resolved the matter in favor of the Plaintiff to the benefit of the real beneficiary of the order, Defendant's opponent in the general election.
4. The Judge in his matter failed to reveal that his daughter has a long and continuing friendship and business relationship with the real party in interest, Defendant's opponent in the general elections.
5. The Code of Judicial Conduct For the State of Florida, Canon 2 states "A Judge Shall

Avoid Impropriety and the Appearance of Impropriety in all of the Judge's Activities.” In the instant case, the Judge has the responsibility to, at the very least, inform the Defendant of the relationship between his daughter and the real party in interest.

6. In its order, the Court failed to consider or address that the Defendant’s homestead during the first three months of the qualifying period was the same address that the Court determined could not be the Defendant’s residence, and which formed the basis of determining that the Defendant had not met the residency requirements.

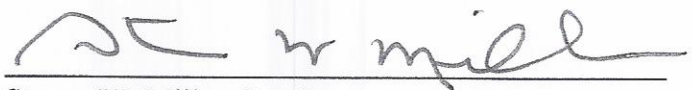
7. In reaching its judgment, that a temporary injunction for an appropriate remedy, the Court discounted the fact that the Plaintiff first complained of the Defendant’s residence in May, 2014, but waited until August, 2014 to bring this action and then argue urgency.

8. By considering this matter in an expedited manner, the court has denied the Defendant his rights to due process, adequate time to prepare and defend, all to the benefit of his opponent in the upcoming election.

9. In order that Americans believe in the political processes, namely fair and open elections, it is imperative that the process be free from taint. A judge should never decide a case that impacts a member of his family, unless the relationship has be disclosed and parties consent.

WHEREFORE, the reasons stated, the Defendant, STEVEN W. MILLER, moves this Court to vacate the above stated order, and that Judge Parsons recuse him self.

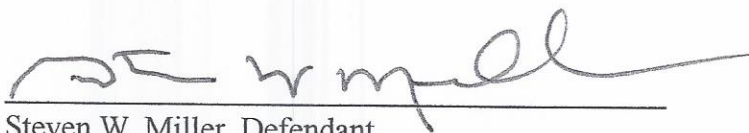
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven W. Miller", written over a horizontal line.

Steven W. Miller, Pro Se

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above was mailed to Attorney Michael Ciocchetti, Esq., Doran, Sims, Wolfe, Kuldig, Ciocchetti & Wagner, 1020 W. International Speedway BL, Suite 100, Daytona Beach, FL 32114, and Ann McFall, Supervisor of Election, Volusia County Courthouse, DeLand, FL 32720, and Jennifer Thomas, City Clerk, City of Daytona Beach, FL 32114, this 2<sup>nd</sup> day of September, 2014.

A handwritten signature in black ink, appearing to read "S W Miller", written over a horizontal line.

Steven W. Miller, Defendant  
839 George Engram Boulevard  
Daytona Beach, FL 32114  
Telephone: 386-547-0990