

APPLICATION FOR NOMINATION TO THE VOLUSIA COUNTY COURT

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

DATE: November, 2017 Florida Bar No.: 0180830

GENERAL: Social Security No.: XXXXXX

1. Name Steven N. Gosney E-mail: gosney.steve@pd7.org

Date Admitted to Practice in Florida: September 22, 1999

Date Admitted to Practice in other States: N/a.

2. State current employer and title, including professional position and any public or judicial office.
James S. Purdy, Public Defender, Assistant Public Defender

3. Business address: 444 Seabreeze Blvd.

City Daytona Beach County Volusia State Florida ZIP 32118

Telephone (386) 254 - 3758 FAX (386) 254 - 3943

4. Residential address: XXXXXX

City XXXXXX County Volusia State Florida ZIP 32174

Since 2016 Telephone (386) 615 - 3730

5. Place of birth: Daytona Beach, Florida

Date of birth: XXXXX, 1967 Age: 50

6a. Length of residence in State of Florida: Life

6b. Are you a registered voter? Yes No

If so, in what county are you registered? Volusia

7. Marital status: Married

If married: Spouse's name XXXXXX

Date of marriage XXXXXX

Spouse's occupation XXXXXXXX

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.

N/a

8. Children

<i>Name(s)</i>	<i>Age(s)</i>	<i>Occupation(s)</i>	<i>Residential address(es)</i>
XXXXXX	XX	XX	XXXXXX

XXX

	Rank at time of discharge				Type of discharge	
	Awards or citations					
	<i>Service</i>	<i>Branch</i>		<i>Highest Rank</i>		<i>Dates</i>
	<i>N/a</i>					
	Rank at time of discharge				Type of discharge	
	Awards or citations					
HEALTH:						
10.	Are you currently addicted to or dependent upon the use of narcotics, drugs, or intoxicating beverages? If yes, state the details, including the date(s).					
	No					
11a.	During the last ten years have you been hospitalized or have you consulted a professional or have you received treatment or a diagnosis from a professional for any of the following: Kleptomania, Pathological or Compulsive Gambling, Pedophilia, Exhibitionism or Voyeurism?					
	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>					
	If your answer is yes, please direct each such professional, hospital and other facility to furnish the Chairperson of the Commission any information the Commission may request with respect to any such hospitalization, consultation, treatment or diagnosis. ["Professional" includes a Physician, Psychiatrist, Psychologist, Psychotherapist or Mental Health Counselor.]					
	Please describe such treatment or diagnosis. N/a					

11b.	In the past ten years have any of the following occurred to you which would interfere with your ability to work in a competent and professional manner?	
▪	No	Experiencing periods of no sleep for 2 or 3 nights
▪	No	Experiencing periods of hyperactivity
▪	No	Spending money profusely with extremely poor judgment
▪	No	Suffered from extreme loss of appetite
▪	No	Issuing checks without sufficient funds
see 37a	Y*	Defaulting on a loan
▪	No	Experiencing frequent mood swings
▪	No	Uncontrollable tiredness
▪	No	Falling asleep without warning in the middle of an activity
		Yes <input type="checkbox"/> No X
		If yes, please explain.
12a.	Do you currently have a physical or mental impairment which in any way limits your ability or fitness to properly exercise your duties as a member of the Judiciary in a competent and professional manner?	
	Yes <input type="checkbox"/> No X	
12b.	If your answer to the question above is Yes, are the limitations or impairments caused by your physical or mental health impairment reduced or ameliorated because you receive	

	ongoing treatment (with or without medication) or participate in a monitoring or counseling program?
	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a.
	Describe such problem and any treatment or program of monitoring or counseling.
	N/a
13.	During the last ten years, have you ever been declared legally incompetent or have you or your property been placed under any guardianship, conservatorship or committee? If yes, give full details as to court, date and circumstances.
	No

14.	During the last ten years, have you unlawfully used controlled substances, narcotic drugs or dangerous drugs as defined by Federal or State laws? If your answer is "Yes," explain in detail. (Unlawful use includes the use of one or more drugs and/or the unlawful possession or distribution of drugs. It does not include the use of drugs taken under supervision of a licensed health care professional or other uses authorized by Federal law provisions.)			
	No			
15.	In the past ten years, have you ever been reprimanded, demoted, disciplined, placed on probation, suspended, cautioned or terminated by an employer as result of your alleged consumption of alcohol, prescription drugs or illegal use of drugs? If so, please state the circumstances under which such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.			
	No			
16.	Have you ever refused to submit to a test to determine whether you had consumed and/or were under the influence of alcohol or drugs? If so, please state the date you were requested to submit to such a test, the type of test required, the name of the entity requesting that you submit to the test, the outcome of your refusal and the reason why you refused to submit to such a test.			
	No			
17.	In the past ten years, have you suffered memory loss or impaired judgment for any reason? If so, please explain in full.			
	No			
EDUCATION:				
18a.	Secondary schools, colleges and law schools attended.			
	<i>Schools</i>	<i>Class Standing</i>	<i>Dates of Attendance</i>	<i>Degree</i>
	University of Central Florida	n/a, 3.979 final gpa	Summer 2012 - Spring 2017	MS, Criminal Justice
	Washington and Lee School of Law	n/a, no ranking available	Fall 1997 - May 1999	JD
	Stetson University School of Law	24 of 154	Fall 1996 - Spring 1997	1L only.
	Stetson University	School did not rank.	Fall 1985 - Winter 1990	BA, History
18b.	List and describe academic scholarships earned, honor societies or other awards.			
	Selected presenter at UCF's 2017 graduate research forum; Florida Association of Licensed Investigators (FALI) educational scholarship recipient, 2015; Highest Grade in Criminal Law and Contracts I			

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>
	March 1990 - March 1993	Executive Assistant	Daytona Beach Area Association of Realtors, Inc.	1716 Ridgewood Avenue, Holly Hill Florida 32117
	March 1993 - August 1996	Executive Officer	East Florida Building Industry Association (Now Volusia Building Industry Association)	104 LaCosta Lane, Suite 130 Daytona Beach Florida 32114
	2007 - 2008	Adjunct Professor	Daytona State College	1200 West International Speedway Blvd. Daytona Beach Florida 32114
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.			
	Admitted to practice Florida BAR 1999 (BAR Number 0180830) U.S. District Court, Middle District of Florida 2001 U.S. District Court of Appeals for the 11th Circuit, 2003 (current status unknown) Supreme Court of the United States, 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>
	Asistant Public Defender	Office of the Public Defender	444 Seabreeze Blvd. Daytona Beach Florida 32118	September 2010 to present
	Assistant State	Office of the State	1769 East Moody	November

	Attorney		Attorney	Blvd. Bldg. 1, 3rd Floor, Bunnell Florida 32110	2004 to September 2010
	Associate Attorney		Landis, Graham, French, P.A.	145 East Rich Avenue, Suite C, DeLand, Florida 32724	August 1999 - November 2004
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.				
	<p>The public defender's appellate division in Daytona Beach handles criminal appeals of indigent defendants in the thirteen counties composing the Fifth District. This position requires superior written communications skills, and the capacity to function with minimal guidance in a highly demanding environment. To date, I have handled approximately 260 direct criminal appeals and counting. Further, I mentor and advise new attorney hires to the appellate office, conducting an appellate "boot camp" to get them quickly up to speed on the requirements of appellate work. During my tenure in the appellate division, I developed a file management system that I teach to the new appellate attorneys. I am Board Certified by the Florida BAR in Criminal Trial Law and I assist the trial division with difficult criminal cases, focusing on appellate preservation. Reported cases: Farley v. State, 76 So.3d 1107 (Fla. 5th DCA 2011); Tyler v. State, 90 So.3d 346 (Fla. 5th DCA 2012); Scott v. State, 102 So.3d 676 (Fla. 5th DCA Nov. 2, 2012) cert. denied 116 So.3d 1263; Carlisle v State, 105 So.3d 625 (Fla. 5th DCA 2013); Tales v State, 108 So.3d 721, (Fla. 5th DCA 2013); Fisher v State, 124 So.3d 413, (Fla. 5th DCA 2013); State v Thomas, 133 So.3d 1133, (Fla. 5th DCA 2014) oral argument only; Collins v. State, No. 5D13-637, 2014 WL 2892356 (Fla. 5th DCA June 27, 2014); Corbin v. State, 147 So. 3d 626 (Fla. 5th DCA 2014) Peterson v. State, 150 So.3d 219 (Fla. 5th DCA 2014); Little v. State, 152 So.3d 770 (Fla. 5th DCA 2014); M.B. v State, 159 So. 3d 960 (Fla. 5th DCA 2015); Murphy v. State, 181 So. 3d 574 (Fla. 5th DCA 2015); Poillot v. State, 200 So. 3d 743 (Fla. 2016); Crosby v. State, 175 So. 3d 382 (Fla. 5th DCA 2015); Morris v. State, 5D15-3119, 2016 WL 439398 (Fla. 5th DCA 2016); Basaldua v. State, 199 So. 3d 1129 (Fla. 5th DCA 2016); Oliver v. State, 201 So. 3d 210 (Fla. 5th DCA 2016); Williams v. State, 203 So. 3d 198 (Fla. 5th DCA 2016); Ball v. State, 208 So. 3d 327 (Fla. 5th DCA 2016); J.J.N. v State, 5D16-2404, (Fla. 5th DCA 2017); Bell v. State, 216 So.3d 751 (Fla. 5th DCA 2017). Prior to serving in the appeals division, I served in the Putnam County felony division from September 2010 to March 2011 where I established a reputation as an aggressive advocate for my clients. Responsibilities included client contact and management, drafting of motions and the conduct of felony jury trials when necessary. After reducing the docket load in trial Division 53 as was my mandate from the Public Defender, I was reassigned to the appellate division.</p> <p>I was previously in charge of one half of the felony trial docket in Flagler County, Florida as an Assistant State Attorney from August 2007 to September 2010. This was a large docket, with a caseload ranging in the 350 open file range, approximately 10% of which were major felonies. This position required extensive law enforcement and victim</p>				

contact, as well as managing a large felony caseload. Typical responsibilities included developing case files for trial presentation and negotiations with defense attorneys to obtain justice for the State. During my tenure in this position, I prosecuted fifteen felony jury trials to conclusion in addition to handling one half of the felony division arraignments and pre-trial docket soundings, with a total of 2327 felony cases closed. Additionally, I handled entire juvenile docket for Flagler County during first quarter of 2009 during administrative transition. I was involved in the restructure of docket assignments in Flagler County as well as correcting an imbalance in numbers of juvenile probation officers assigned to Flagler County. Prior to promotion to the felony division, I was responsible for all juvenile prosecution for Flagler County from 2004 to 2007, conducting over thirty bench trials in 2007 alone, with a total number of bench trials conducted exceeding 50 and total number of juvenile cases closed equaling 1602.

My prior civil practice consisted of general litigation support for the firm Landis Graham French, P.A., where I handled small claims and county court litigation for the firm's major clients, as well as firm landlord-tenant cases. This position's primary focus was civil litigation. This mid-sized law firm allowed for a tremendous freedom of action in regards to case management. My duties included all aspects of civil litigation such as conducting initial client interviews, drafting of pleadings and legal briefs, conducting discovery and trial. I was primarily responsible for client management, timekeeping, billing, and training and supervision of my staff assistant. Areas of practice include probate litigation, real estate law including landlord tenant law, quiet title, foreclosure and other real property and probate litigation as well as consumer litigation. During my time at the firm, I was involved with several complex multiparty and multi-firm cases.

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	1	%	Civil	%
Federal Trial		%	Criminal	%
Federal Other		%	Family	%
State Appellate	85	%	Probate	%
State Trial	14	%	Other	%
State Administrative		%		
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?	est. 45+	Non-jury?	est. 50+
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	Arbitration?		Administrative Bodies?	
25.	<p>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.</p>			
	<p>Yes. After following the advice of the Florida BAR ethics hotline, I had to leave my position as Assistant State Attorney. Thankfully, I was hired within a week by the Office of the Public Defender. I can say in hindsight that this experience, while personally and financially traumatic, made me a better lawyer and person.</p>			
26.	<p>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.</p>			
	<p>No.</p>			
	<p>(Questions 27 through 30 are optional for sitting judges who have served 5 years or more.)</p>			
27a.	<p>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).</p>			
	<p>Excluding appellate cases due to number.</p> <p>State v. Michael Trecki Misdemeanor Jury trial 2/15,18/2016 Charge: Domestic Battery. Result: Not guilty. Case number 15-00138-MM Judge Dawn Melissa Moore 386-313-4520 ASA Dominic Piscitello 386-313-4300 Lead counsel: APD Steven N. Gosney Second chair: APD Noble Mac Brunton 386-313-4545</p> <p>State v. JTN Juvenile Felony Bench trial 3/28/2016 Charge: L&L molestation touching at school. Result: guilty, but juvenile sanctions Case number 15-00025-CJJA Judge Dawn Melissa Moore 386-313-4520 ASA Susan Dannelly 904-209-1620 Lead counsel: APD Steven N. Gosney Co-counsel: APD Noble Mac Brunton 386-313-4545</p> <p>State v. Errol Ramikissoo Misdemeanor Jury Trial 6/20, 23/2016 Charge: DUI Result: Guilty Case number 15-01029 Judge Dawn Melissa Moore 386-313-4520 ASA Dominic Piscitello 386-313-4300 Lead counsel: APD Noble Mac Brunton 386-313-4545 Second chair APD Steven N. Gosney</p>			

	<p>State v. ADM Juvenile Felony Bench trial 6/?/2016; Charge: Grand Theft (3F); Result: JOA down to 2nd degree misdemeanor petit theft Case number 2016-10318 CJDL Judge Mary G. Jolley 386-736-5945 ASA Leanne Whitaker 386-337-7214 Lead counsel: APD Allison Hughes 386-822-5770 Second chair APD Steven N. Gosney</p> <p>State v. James Taylor Felony Jury trial 4/17-19/2017 Charge: L&L Molestation. Result: Guilty, life in prison. On appeal. Case number 2014-43-CFFA Judge Dennis Craig 386-313-4510 ASA Joe Le Donne 386-313-4300 Co-counsel: APD Regina Nunnally 386-313-4545 Second chair and appellate counsel: APD Steven N. Gosney</p> <p>State v. Grady Edmondson Felony Jury trial August 2017 Charge: Aggravated Battery with a firearm. Result: Guilty, lesser manslaughter. Case number 2016-100580-CFDL Judge James R. Clayton 386-740-5270 ASA James Russell Disinger 386-243-2226 Lead counsel: APD Betty Wyatt 386-822-5770 Second chair Steven N. Gosney</p>
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).
	N/a.
27c.	During the last five years, how frequently have you appeared at administrative hearings? <u>0</u> average times per month
27d.	During the last five years, how frequently have you appeared in Court? <u>1</u> 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? ___% N/a.
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.
	Most frequent court appearances occurred during the period November 2004 through March 2011. See Question 22, above.

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.
	<p>Farley v. State, 5D11-1206; Reversed on appeal in the Fifth DCA: <i>Farley v. State</i>, 76 So.3d 1107 (Fla. 5th DCA 2011). Served as appellate counsel for the Appellant, Ann Marie Farley. Opposing Counsel: Megan Saillant, Assistant Attorney General. Reason for Significance: After Ms. Farley was charged, convicted after a jury trial, and sentenced, I was able to obtain complete exoneration for my client. Ms. Farley had no prior felonies, but this case made her a convicted felon. As her appellate attorney, I found that the record did not support the conviction, and I orally argued the case before the Fifth DCA. This was my first appellate "win."</p> <p>State v. Sanford Harris Arch No. 10-002007-CFMA; Client was Sanford Arch; Putnam County Circuit Court; Judge Terry Larue; Date: September 23, 2010 to February 8, 2011; Opposing Counsel was ASA Putnam Division Chief Joe Boatwright and ASA C. S. French. Served as Chief Counsel; Reason for significance: This case opened my eyes to the value of the adversarial process. Mr. Arch was charged with two third degree felony counts of interference with custody, and was arrested on that intake warrant on 10/5/2010. The case was based on the allegations from the ex-wife that Mr. Arch had absconded from Texas to Florida with two of their children, in violation of a court order. However, on the face of the Texas custody order, which was not signed by a judge, Mr. Arch was not notified of the custody hearing (having been served constructively) and was only represented at the custody hearing in Texas by an ad litem. Further, the order stated in its body that one child was 18 years old. The State would not agree to a release or a charge reduction, despite client having no prior criminal history and the extreme weakness of the evidence against him. On behalf of Mr. Arch, I filed a demand for an Adversarial Preliminary Hearing, a Motion to Dismiss Count 1, as well as a variety of other motions to gain the release of Mr. Arch. At hearing, the Court granted all of the defense's motions, including the dismissal of the first count and the client's release on his own recognizance after spending 72 days in jail. After my client's release, I negotiated an immediate return of all evidence seized in the case to Mr. Arch. Thereafter, Mr. Arch signed a three (3) month, no cost, no supervision deferred prosecution agreement on one second degree misdemeanor count of failure of child to attend school.</p> <p>State v. Norman Nicholson III 10-00192-CFFA. I was the prosecutor in this case, therefore the client was the State of Florida, which includes assuring that Mr. Nicholson, as a Florida resident, was protected. This young, 21 year old defendant was arrested and jailed on a very serious charge of Home Invasion Robbery and had been charged with Burglary with a Battery, both first degree felonies. The felony intake division filed an</p>

information based on the police reports. Upon review of the file and discussions with supervisors at the police agency, it became apparent that there was insufficient evidence for the arrest. Basically, Mr. Nicholson was located at a residence with two other accused boys, and another resident stated that he left and returned with the others. As the Assistant State Attorney in charge of the case, I immediately initiated a release of Mr. Nicholson, walking through a release order. Working with the defense attorney in the case, I dismissed the charges against the accused after a short proffer of the facts. In the proffer, Mr. Nicholson stated that he was with the other two individuals, but never entered the house or participated in the fight. I believe this case is significant because I was able to swiftly identify an innocent person and have them released from wrongful incarceration, ultimately dropping the case on my own initiative. Further, I brought the case to the attention of the appropriate police agency for follow up and remedial action. Mr. Nicholson was represented by Assistant Public Defender Richard A. Price.

State of Florida v. Brandon Elshawon Washington 08-00355-CFFA, date of trial October 20; 23 and 24, 2008 before Judge Harris. I was the lead and only prosecutor in this case, therefore the client was the State of Florida. The defendant was found guilty of Robbery and of False Imprisonment and received a sentence of 15 years. The defense attorney was Stephen P. Sapienza, Esq., PO Box 635, Bunnell, Florida 32110. Reason for Significance: The defendant was the gang leader of the "Bloods" in Flagler County. The victim was a drug seller who did not want to do business with the Bloods. Defendant felt that he was owed \$400 lost profits from the drug deal. During discussion over "debt" the defendant displayed handle of gun in his waistband. He took car keys and cell phone from the victim and forced him into car with his friends in order for him to go get the money. This was a difficult case because the context of the robbery was criminal, making the victim unsympathetic. A key part of the case was when the defendant took the stand. During his testimony I was able to identify six separate lies he told while on the witness stand. In the closing argument, I focused on these lies. I believe that because of this cross and the closing, the jury convicted. An memorable side note to this trial was that after the closing arguments, the defendant whispered across the tables to me, "Hey Gosney ... Good job." Important background to this case is the fact that the defendant was charged and convicted of RICO and Murder as the leader of the local "blood" gang in Flagler County. This Robbery charge was a predicate offense for the RICO conviction.

State of Florida v. Coty Eldridge 06-00564-CFFA; PCA affirmed on appeal in Fifth DCA case 5D08-1815. The case was tried the week of March 18, 2008 before Senior Judge Richard O. Watson. I was the prosecutor in this case, therefore the client was the State of Florida. The defendant was found guilty of Aggravated Battery after a four day jury trial and was sentenced to 10 years in prison. Defense attorney was Bryan D. Savy, 997 S Wickham Road, West Melbourne Florida 32904 321-728-4911. Reason for Significance: This was a very serious and very complicated four day jury trial that I conducted from beginning to end. A confrontation began with two separate parties exchanging words. One group went over to second group's house to demand an apology. The witnesses testified that defendant wanted to stab somebody before the victim arrived on scene. The victim was a passenger in that vehicle. When victim's vehicle arrived at house, defendant attacked unarmed victim in the middle of a street, stabbing him four times. One strike penetrated the victim's heart, causing severe injury, loss of consciousness and loss of blood. Victim has over \$1 Million in medical bills and

	<p>suffered a stroke as a result of the attack. In the case in chief, I called approximately 15 witnesses, most of whom were lay witnesses. The defense made a big issue out of a dog being taken out of the house during the confrontation between the two groups, but Judge Watson specifically ruled that the use of deadly force was not justifiable in defense of property, and would not allow the defense to argue that to the jury in closing arguments. Another interesting twist was that the defense attorney was the brother to one of the witnesses and the controller of the crime scene. In fact, this defense attorney actually called his brother as a defense witness at trial. I had to file a rather unusual pretrial conflict of interest motion to protect any potential verdict from probable appellate reversal. The victim in this case, Marvin Carlin, was a very sympathetic individual who was permanently injured by the defendant, having a massive stroke caused by blood loss, and actually having to relearn how to read and speak. The case was not being pursued by the previous prosecutor, who had offered 90 days in jail and five years probation. Upon my review of the files left by the previous prosecutor, I flagged this case as extremely serious. When I called Mr. Carlin and his family, he became very emotional because he had felt that the system had abandoned him. I will never forget that call.</p> <p>State v. Tommy Ray Banks 08-00823-CFFA Defendant was charged with Aggravated Battery (Firearm) and four counts of Aggravated Assault (Firearm). After a guilty verdict on all counts, the Defendant received 15 years Department of Corrections as a Prison Release Reoffender (PRR). The defense attorney was Lynn W. Martin. Reason for Significance: The new State Attorney has made a priority of status cases such as PRR offenders, and this case was the first PRR convicted in Flagler County since the new administration took over. The case, tried before Senior Judge Richard O. Watson, involved a drive by shooting on August 1, 2008 at 1:15:57 am. Within 3 minutes of 911 dispatch call a Flagler County deputies had eyes on car. Dep. Erik Pederson conducted the traffic stop on the defendants. His professional observations were key to establishing the principal theory. He noted that Tommy Banks was the driver, Gerrel Smith was in the front passenger seat, and Sahmi Green was the back passenger. Deputy Pederson conducted a demonstrative video at my request, driving the path of the suspect vehicle from 22 Prosperity Lane to the location on Belle Terre Blvd. where Deputy Pederson had eyes on car. This showed a time line of how far the suspect car could travel within the time parameters given. We were also able to place a large map of the area into evidence as a demonstrative aid. This made it clear for the jury just how close the locations were and how perfect the timing was for the stop. The jury found the defendant guilty on the State's main principal theory. There were many memorable lessons from this case, many from the bench, that have stuck by me making this a significant case to me. For example, I had allowed another attorney to second chair the case, almost resulting in a mistrial, but was able to cover the problem with the help of the trial court judge sufficient to prevent appellate reversal. This is still a sore point for my current office neighbor in appeals! Also, Judge Watson verbally sanctioned defense counsel outside the presence of the jury during the trial. The next day, he apologized from the bench to the defense attorney for being too harsh. This humility shown by Judge Watson was notable.</p>
31.	<p>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.</p>

I personally wrote all attached legal writings. Note that the appellate briefs have been changed from last application.

Dana Little v. State, 152 So. 3d 770 (Fla. 5th DCA 2014); Case number 5D14-1781. One point merit brief.

Pam Landry v State, Case number 5D16-3563. Four point merit brief.

James Taylor v. State, Case number 5D17-1912. Three point merit brief.

"Applying the Deterrence Rationale of the Exclusionary Rule to the "Good Faith" Exception: A Way Forward." published in the Spring 2017 issue of The American Journal of Trial Advocacy. A summary of this article selected for the 2017 UCF Graduate Research Forum.

"Florida Constitutional Concealed Carry in a Vehicle: The Second Amendment Protects the Right of an Individual to Carry a Readily Accessible Handgun in a Private Vehicle in Light of Section 776.013 Florida Statutes (Stand Your Ground) and District of Columbia v Heller, 554 U.S. 570 (2008), Rendering Section 790.25(5) Unconstitutional." published December 2016 issue of The Defender magazine.

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.

No.

32b. List any prior quasi-judicial service:

<i>Dates</i>	<i>Name of Agency</i>	<i>Position Held</i>
2003 - 2004	Building Trades Board	Vice Chairman

Types of issues heard: Consumer complaints against licensed contractors.

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.

N/a.

(ii) Describe the approximate number and nature of the cases you have handled

	during your judicial or quasi-judicial tenure.
	While I was vice chairman, the Board handled approximately 3 to 6 cases, involving allegations of shoddy construction on the part of licensed contractors.
(iii)	List citations of any opinions which have been published.
	N/a.
(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.
	N/a.
(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.
	N/a.
(vi)	Have you ever held an attorney in contempt? If so, for each instance state name of attorney, approximate date and circumstances.
	N/a.
(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.
	N/a.
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.
	N/a.
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, other than activities listed herein: adjunct teaching.
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.
	N/a.
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 come to mind. As a judge, I would seek to uphold the Florida Code of Judicial Conduct, including those standards set out specifically in Cannon 3(E). I would review any bias I may have in each case individually. In cases wherein I feel that such a limitation would impact my functioning as a fair and impartial judge, I would disclose that to the parties and in the appropriate circumstance, recuse myself from the case.			
MISCELLANEOUS:				
35a.	Have you ever been convicted of a felony or a first degree misdemeanor?			
	Yes	No	X	If "Yes" what charges?
	Where convicted?		N/a.	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?		N/a.	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?		N/a.	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. Case #12-06645-3F7.			
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.
	No, other than 37a listed above.
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 <input checked="" type="checkbox"/> X No <input type="checkbox"/> If no, please explain.
43b.	Have you ever paid a tax penalty?
	Yes <input type="checkbox"/> No X <input checked="" type="checkbox"/> 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.

	<p>Author of "<i>Basic Trial Techniques for a Florida Prosecutor - A Positive Prescription for Ethical Closing Arguments</i>" (forthcoming work in progress), 2017.</p> <p>Author of "<i>What Chance Does a Criminal Appellant Have? An Analysis of Florida's Fifth District Court of Appeal Decisions to Determine a Criminal Appellant's Chances For "Success" Versus a PCA</i>" accepted for publication in Volume 18, Issue 2 of The Journal of Appellate Practice and Process, published by the William H. Bowen School of Law, University of Arkansas at Little Rock, anticipated publication date: Spring of 2018.</p> <p>Author of "<i>Applying the Deterrence Rationale of the Exclusionary Rule to the "Good Faith" Exception: A Way Forward.</i>" published in the Spring 2017 issue of The American Journal of Trial Advocacy. A summary of this article selected for the 2017 UCF Graduate Research Forum.</p> <p>Author of "<i>Florida Constitutional Concealed Carry in a Vehicle: The Second Amendment Protects the Right of an Individual to Carry a Readily Accessible Handgun in a Private Vehicle in Light of Section 776.013 Florida Statutes (Stand Your Ground) and District of Columbia v Heller, 554 U.S. 570 (2008), Rendering Section 790.25(5) Unconstitutional.</i>" published December 2016 issue of The Defender magazine.</p> <p>Author of semi-fictional short story manuscript "<i>The Summer Friend</i>" 2017. Editor and contributing author of the family history title "<i>Evelyn's Story</i>" 2016. Editor and contributing author of the family history title "<i>Buster's Story</i>" 2015. Editor of "<i>Reflections on Daytona's Museum - The Early History of The Museum of Arts and Sciences, from 1948 to 1973</i>" 2015. Author of "<i>My memories of Derek Brooks to his daughter Anna</i>" 2015. "<i>Marione's Story</i>" with Leila Maude Davis Gosney and Marione Louise Davis Buyser, Gateway Press, 1998.</p> <p>Designed and implemented law firm web site at http://www.landispa.com/ including major rewrite of firm history: "<i>History of the Old Firm.</i>" April 30, 2013 Florida BAR News letter on the burden of proof in standard jury instruction 3.6(n). November 1, 2004 Florida BAR News letter on the utility cutoff statute. July 15, 2004 Florida BAR News letter on the law of the body (real property rights surrounding burial). Substantial writing as Editor of "<i>The Construction Connection</i>" from March 1993 to August 1996 Major editor and contributor of "<i>The Realtor</i>" March 1990 to March 1993. Note that both of the association publications won national awards during my tenure. See question 45 below. Also primary editor of the associated publications with the East Florida Building Industry Association and the Daytona Beach Area Association Of Realtors, Inc..</p>
45.	List any honors, prizes or awards you have received. Give dates.
	<p>Selected presenter at UCF's 2017 graduate research forum. Florida Association of Licensed Investigators (FALI) educational scholarship recipient, 2015</p>

	<p>Highest Grade in Criminal Law and Contracts I</p> <p>East Florida Building Industry Association Recognition Award for Outstanding Accomplishments 1993-1996 (Awarded 1996).</p> <p>National Association of Home Builders 1994 AEA Award, Best Comprehensive Communications.</p> <p>National Association of Home Builders 1993 AEA Award, Best Newsletter Communication.</p> <p>National Association of Home Builders 1993 AEA Award, Best Special Communication.</p> <p>National Association of Realtors Executive Officer's Committee 1993 Award, 11th Annual Publications Contest.</p>
46.	List and describe any speeches or lectures you have given.
	<p>Instructor to the Public Defender's Office appellate attorneys: "How to Write an Anders Brief," November 19, 2015.</p> <p>Adjunct Instructor at Daytona State College. Taught Introduction to Paralegal Studies in the Fall of 2007 and Fall of 2008. Also taught Business Law II during the Summer 2008 Term (100% online).</p> <p>Conducted training seminar for Sheriff Volunteers, Flagler County Sheriff's Office in 2008, 2009, 2010.</p> <p>Conducted training seminar for Flagler Beach Police Department, October 27, 2008.</p> <p>Conducted training in 2007 for School Resource Officers, Flagler County Sheriff's Office.</p> <p>Real Property Council of Volusia County "Transaction Brokerage in Florida." This was a 2004 presentation to real estate transactional lawyers in Volusia County. The focus of the talk was to provide a litigation perspective of the newly created transaction brokerage concept.</p> <p>Frequent speaker at Bob Fritze School of Real Estate, 2003 to 2004, "Top Three Reasons Real Estate Agents Get In Trouble." This was a monthly presentation made to candidates for real estate licensure. The 20 to 25 minute presentation and Q&A presented real world examples and tips on how to avoid frequent mistakes made by Florida real estate agents.</p> <p>Frequent radio talk show guest on WNDB "Volusianaries" one hour live panel discussion of current events, 2001 through 2004.</p>
47.	Do you have a Martindale-Hubbell rating? Yes <input type="checkbox"/> If so, what is it? ___ No <input type="checkbox"/> X
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.
	<p>Florida BAR. The Florida BAR 7th Circuit Unlicensed Practice of Law Committee, 2009 to 2015; Chair 2012-2015. (Florida BAR Board of Governors appointment).</p> <p>The Florida BAR 7th Circuit Grievance Committee B, 2005 to 2009. Vice-Chair 2007; Chair 2008 (Florida BAR Board of Governors appointment).</p> <p>Also member of the Volusia County BAR and FACDL.</p>
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.
	<p>Commissioner, 7th Circuit Judicial Nominating Commission, (Florida BAR Appointment) July 11, 2012 to July 1, 2015.</p> <p>Flagler County Juvenile Justice Council, member 2005 to 2007.</p> <p>Member - 7th Circuit Juvenile Justice Council, State Attorney Representative 2005 to 2007.</p> <p>Volusia County Building Trades Board, County Council appointment, 2000-2004, Secretary 2002; Vice Chair 2003-2004.</p> <p>Cultural Council of Volusia County, County Council appointment, 2001-2004, Vice-Chair 2002; Chair 2003; Chair 2004.</p> <p>Real Property Council of Volusia County, 2002 to 2004; Chairman 2004.</p> <p>Member - Attorney's Title Insurance Fund - Level II (currently inactive).</p> <p>DeLand Mainstreet Association firm representative 1999 to 2002.</p>
48c.	List your hobbies or other vocational interests.
	Family, art, music, philosophy, and history. My areas of historical interest are American Constitutional formation and American military history - especially World War II.
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.
	Not as defined in Canon 2 in the Florida Code of Judicial Conduct, but yes as generally defined as follows: Knights of Columbus, 2 nd Degree. Catholic men's organization. I intend to remain in and continue my activities within the Knights. Also joined Sigma Nu fraternity in college - a men's social fraternity.
48e.	Describe any pro bono legal work you have done. Give dates.
	<p>Most of my pro-bono hours were done through Central Florida Legal Services, who would send me miscellaneous assignments on landlord tenant and consumer law generally between the dates of 2000 to 2004. As a prosecutor in Flagler County, I would assist and support the excellent Teen Court program. As an Assistant Public Defender, I am unable to volunteer for criminal matters outside of the office. Currently, I do not feel comfortable assisting pro-bono clients in non-criminal matters when my area of practice is confined to the criminal law sphere. To meet my own standards of competency in a non-criminal matter would require me to devote significant resources away from my duties assigned to me by the State of Florida, which would be unfair to my employer. Instead, my volunteer activities are confined to my parish, Prince of Peace. I have also volunteered at my son's school: i.e. chaperoning orchestra field trips, presenting at career day, etc. Further, with the continuing support of the elected public defender, I plan on continuing my academic writings which I believe are a contribution to the marketplace of ideas and will hopefully have some lasting positive impact on the profession.</p>
SUPPLEMENTAL INFORMATION:	

49a.	<p>Have you attended any continuing legal education programs during the past five years? If so, in what substantive areas?</p> <p>Yes. Some minor continuing education programs omitted for brevity.</p>																																																																										
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49b.	<p>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?</p>																																																																										
	<p>Yes. Criminal Appellate Law.</p>																																																																										
50.	<p>Describe any additional education or other experience you have which could assist you</p>																																																																										

	in holding judicial office.
	<p>Qualified as NRA Certified Instructor - Pistol Shooting, qualified 2016 (pending payment of fees).</p> <p>Christ Renews His Parish (CRHP) Participant, 2014; Team Leader 2015.</p> <p>Wrote, produced, performed and self-published music CD entitled "Shelley's Challenge" 2005.</p> <p>Frequent panelist for the "Volusiaairies" on WNDB 2000 to 2004.</p> <p>Assisted in Supreme Court brief in Volusia County v. Aberdeen at Ormond Beach, 760 So.2d 126 (Fla. 2000) for firm client School Board of Volusia County [my merit points were addressed in head notes 13, 14 and 16].</p> <p>Studied with Deborah A. DeMott, Reporter for ALI's Restatement of Agency (Third), and surveyed the nationwide changes in agency law as applied to real estate licensees.</p> <p>Coordinated and obtained funding for major school impact fee litigation during tenure at the East Florida Building Industry Association in the case Florida Home Builders Association v County of Volusia No. 93-10992_CIDL, Div. 01 (Fla. 7th Cir. Nov. 21, 1996).</p> <p>Licensed Real Estate Salesman since 1985.</p> <p>Certified PADI Open Water Diver since 1987.</p> <p>Florida Educator's Certificate, Social Science (Grade 6-12) Florida DOE number 682790 (current status unknown)</p>
51.	Explain the particular potential contribution you believe your selection would bring to this position.
	<p>I have extensive expertise and experience in many different subject areas, and a diverse background in many areas of the community, including real estate and the arts as well as a knowledge and focus on both west and east Volusia County. I have knowledge of felony and misdemeanor criminal court, both juvenile and adult; a diverse civil litigation background on complex cases, extensive trial experience on both the defense and prosecution side of the case, as well as extensive experience in appellate law. I have a working knowledge of information systems and workflow procedures and the ability to work with people of all social and political stripes. I have a team oriented enthusiasm and big picture understanding that would aid in a judicial decision making. Further, I believe that my private work experience has forged efficiency and dependability into my professional makeup -- two essential qualities in a County Court judge.</p> <p>My professional experience covers many areas, including many areas of law, and features extensive courtroom and trial experience -- essential for a County Judge. In the position of Assistant Public Defender in Putnam County Florida, I was assigned to the task of reducing the case load in Felony Division 53 by Public Defender Jim Purdy. This assignment lasted six months, at the end of which the caseload had been significantly reduced. This success resulted in my reassignment to the Appeals Division, the position I have held for over seven years.</p> <p>Prior to my tenure at the Office of the Public Defender, I was employed as an Assistant State Attorney. In this position of felony trial attorney in 2007 to 2010, I handled over 2300 felony cases, half of all of the felony cases prosecuted in Flagler County. This number includes numerous jury trials and hearings. During my tenure, I facilitated the transition of the Flagler County prosecutor's office, public defender's office and clerk's</p>

office to a 'defendant last name' based case allocation system. This systematic change resulted in a much quicker response time from felony intake to felony trial attorney in Flagler County. During the first quarter of 2008 in addition to my regular felony duties, I also handled the entire juvenile prosecution docket while the new administration hired a new prosecutor to handle juvenile cases. This required extensive 'clean up' of cases from the previous juvenile prosecutor.

Prior to appointment to the felony position, I was the sole prosecutor in Flagler County handling juvenile issues, I shepherded over 1600 cases from intake to closure. This full case responsibility prepared me for the challenge of maintaining an independent docket as a County Court Judge. Further, my team oriented approach enabled the Flagler County juvenile system to function efficiently and effectively, and led directly to the doubling of the number Juvenile Probation Officers assigned to Flagler County. I am proud that I was able to contribute to the redress of this long-standing inequity in Flagler County. This directly led to a 10% decrease in the juvenile case load at the State Attorney's Office.

During my tenure at Landis Graham French, P.A., my legal emphasis was in the civil docket. I would regularly handle smaller cases for firm clients, and would handle much of the client intake and call-ins at the firm. Many of my clients would be unrepresented were it not for the firm's total service commitment. This has given me added insight into the many pro-se litigants that are common in today's modern courtroom. My employment would often involve negotiation and settlement of creditor claims with individual debtors. During my private practice, I handled a multitude of landlord tenant cases including mobile home park cases, recreational vehicle park cases, commercial leasehold cases including numerous gas station tenant evictions and lease terminations, residential cases, and other leasehold terminations from both the landlord and tenant side of the case. My practice also included substantial research and litigation support for the firm in many major probate, personal injury, contract and real estate cases. Many of these cases were multi-party and multi-jurisdictional, and involved millions of disputed dollars. Because of this experience, I understand that speed and efficiency are a critical part of justice.

My pre-law school career in association management gives me insight into the working world which the law nourishes. I was the Executive Officer (CEO) for the Volusia County-wide non-profit trade association affiliated with the National Association of Homebuilders. During my tenure, the financial stability of organization was reestablished. I obtained and maintained funding for a three year, \$650,000 legal challenge involving school impact fees, representing the board of directors in the settlement negotiations. As editor and coordinator of all Association communications, the Association won three National AEA Awards for publications and communications. Other duties included payroll, budgeting, computer systems, and employee relations. Responsibilities of this position included coordination of the political action committee and the organization's legislative programs as well as events including a greatly expanded Parade of Homes. Also during my tenure, we reviewed and updated all policy and bylaws for the organization. It was an honor to be nominated for the 1995 National Association of Homebuilder's Executive Officer "Rookie of the Year" Award by the Florida Home Builder's Association Executive Officer, Carla Roehl.

	<p>While employed at the Realtor organization, I was primarily responsible for a monthly sixteen page newsletter, a monthly four page brief, and numerous other publications. As editor, I managed the content, layout, and design of legal forms, policy manuals, annual reports, and brochures. During my tenure, the Association won the 1993 National Association of Realtors Excellence Award in Realtor Association Publications. Other responsibilities included oversight of a major interoffice computer conversion. The Rapattoni Corporation, a national software developer, adopted the UNIX file structure that I designed. My job also included coordination of education and training relating to office computers and the Multiple Listing Service.</p> <p>During my careers in association management and law, I have always been able to work with people with different points of view. This ability to work with all political and economic circles is an essential quality in the modern courtroom. I believe that humility, evenhandedness and civility are very important in a judge, and I would strive to serve these ideals if selected for this judgeship. I also believe that my broad and unique background will aid me in the diversity of cases that a county court judge must confront.</p> <p>My private work experience has given me the organizational tools to operate efficiently when confronted with the heavy caseloads that are now before the courts. I understand that speed and efficiency are critical in many cases that would come before this court. My management experience will help me move the cases through the system expeditiously while giving each individualized attention. I also have a high level of comfort in computer aided legal research, allowing me to operate efficiently when dealing with any legal issues confronted by the court.</p> <p>I have the initiative and ability to mentor and train those around me, which I have continually done at each stage of my career. My selection would bring management and "real world" experience to the bench.</p> <p>I have been blessed to have conducted most of my felony trials before the late judge Richard O. Watson, whom I consider to have been one of the finest trial judges in Florida. My extensive trial experience before this great judge, as well as his personal mentoring of me when I practiced before him, have given me insights into what a great judge should and can be. I would pray that if selected for this position, I could attain a similar level of skill and competence as Judge Watson.</p> <p>My background has given me extensive insight and experience specifically suited to fulfill the role of county court judge for Volusia County. I look forward to discussing this application with you.</p>
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.
	County Court 2007, Circuit Court 2009, Circuit Court 2011, Circuit Court 2017, all in the 7th judicial circuit.
53.	Give any other information you feel would be helpful to the Commission in evaluating your application.

Thank you for considering my application for the open County Court judge position. During the last round of questioning at the JNC, Commissioner Sword asked what qualities the JNC should use when evaluating judicial candidates. My answer was that a judge should be fair to all parties before the court, consciously aware of the limitations of judicial action and decrees (or judicially humble), and knowledgeable of the various practice areas that come before the court. While I stand by this answer, I would add that the selection must be well connected to the community and able to defend the appointment from potential challengers. Further, the list should include those whom the Governor would likely appoint. Finally, the list should include those who have a wide range of professional experiences, including trial experience. I believe that my selection would pass these tests.

My roots in Volusia County are numerous and deep. I was born and raised in Ormond Beach, having attended Osceola Elementary, Ormond Beach Middle School, Seabreeze High School and Stetson University -- all in Volusia County, Florida. All through my life and career I have resided, socialized and worked in Volusia County. My working career began at the Daytona Beach Area Association of Realtors, where I developed skills while interacting with members of the real estate industry. These connections were further developed when I led the East Florida Building Industry Association as their executive officer. During my tenure at the builder's association, I was honored to serve with most of the individuals listed in their "Housing Hall of Fame." In recognition of my service to this group, the VBIA specifically endorsed my previous judicial application (just last month) in a resolution passed by their current leadership. In addition, my six years in private law practice consisted primarily of cases within Volusia County. Much of my community involvement during this time covered all parts of Volusia County. I am honored that my support spans beyond the legal profession and into the wider Volusia County community. Many of my friends and supporters have committed to supporting me as I go forward into the process, including assisting in any defense of the the seat should the circumstance require it.

I have been a lifelong Constitutionalist and originalist, having developed my legal philosophy over many years of study. For example, when I was a regular "Volusianary" on the Marc Bernier Show, I was regularly called upon to advocate for the conservative position. During this time, Volusia County was majority Democratic, including a strongly Democratic newspaper that strongly influenced Volusia County politics. While maintaining my conservative positions, I was able to discuss difficult issues respectfully, occasionally forging consensus with many of my Democratic colleagues, many of whom I still count as friends. I can only think that these qualities would be an asset to the judiciary and looked upon favorably by the Governor's appointment office.

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.

*James Purdy, Esq., 251 N Ridgewood Ave. Daytona Beach FL 32114, 386-239-7730

*Nancy Ryan, Esq., 444 Seabreeze Blvd. Daytona Beach FL 32118, 386-254-3758

Dr. Peter Wakeman, 386-852-4635 305 Memorial Medical Pkwy Daytona Beach, Florida 32117-5169

Danny Berenberg, 904-285-9700 or 612-599-1008 danny@giftcounsel.com

Richard A. Price, Esq., PO Box 350906 Palm Coast FL 32135, 386-597-7749

James Dickson Crock, Esq., 444 Seabreeze Blvd. Ste 650 Daytona Beach FL 32118, 386-255-9202

Michael Lambert, Esq., 428 N Halifax Ave. Daytona Beach FL 32118, 386-255-0464

**Bennett R. Ford 386-295-2629 P.O.Box 2692 Daytona Beach, FL 32115-2692

**Norma Wendt, Esq., 4010 Lewis Speedway Ste 1101 Saint Augustine FL 32084, 904-827-5699

**Marianne Dineen, 4 Lost Creek Lane Ormond Beach FL 32174, 386-451-2611

* supervisor

** former supervisor

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 ___ day of _____, 20 17 .

Steven N. Gosney

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.

FINANCIAL HISTORY

1. State the amount of gross income you have earned, or losses you have incurred (before deducting expenses and taxes) from the practice of law for the preceding three-year period. This income figure should be stated on a year to year basis and include year to date information, and salary, if the nature of your employment is in a legal field.

Current year to date	35k as of 8/2017		
List Last 3 years	60,000	57,375	53,750

2. State the amount of net income you have earned, or losses you have incurred (after deducting expenses but not taxes) from the practice of law for the preceding three-year period. This income figure should be stated on a year to year basis and include year to date information, and salary, if the nature of your employment is in a legal field.

27,164.45 of			
Current year to date	8/2017		
List Last 3 years	46,513.95	44,160.01	42,448.55

3. State the gross amount of income or losses incurred (before deducting expenses or taxes) you have earned in the preceding three years on a year by year basis from all sources other than the practice of law, and generally describe the source of such income or losses.

Current year to date	N/a		
List Last 3 years	N/a	N/a	N/a

4. State the amount of net income you have earned or losses incurred (after deducting expenses) from all sources other than the practice of law for the preceding three-year period on a year by year basis, and generally describe the sources of such income or losses.

Current year to date	N/a		
List Last 3 years	N/a	N/a	N/a

**FORM 6
FULL AND PUBLIC
DISCLOSURE OF
FINANCIAL INTEREST**

PART A – NET WORTH

Please enter the value of your net worth as of December 31 or a more current date. [Note: Net worth is not calculated by subtracting your *reported* liabilities from your *reported* assets, so please see the instructions on page 3.]

My net worth as of August 2017 was \$64,005

PART B - ASSETS

HOUSEHOLD GOODS AND PERSONAL EFFECTS:

Household goods and personal effects may be reported in a lump sum if their aggregate value exceeds \$1,000. This category includes any of the following, if not held for investment purposes; jewelry; collections of stamps, guns, and numismatic items; art objects; household equipment and furnishings; clothing; other household items; and vehicles for personal use.

The aggregate value of my household goods and personal effects (described above) is \$ ____

ASSETS INDIVIDUALLY VALUED AT OVER \$1,000:

DESCRIPTION OF ASSET (specific description is required – see instructions p. 3)

VALUE OF ASSET

FRS Ret.	\$50,000
IRA XXXXXXXX	\$17,305
Personal property (approximate value)	\$18,000
XXXXXXXXXXXXX	unknown value
Total	\$85,305

PART C - LIABILITIES

LIABILITIES IN EXCESS OF \$1,000 (See instructions on page 4):

NAME AND ADDRESS OF CREDITOR

AMOUNT OF LIABILITY

Dept. of Education, PO Box 530210 Atlanta GA	19,000
Barclay Card, PO Box 605017 City of Industry CA 91716	2,300
Total	\$21,300

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE: NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY
N/a.	N/a.

PART D - INCOME

You may ***EITHER*** (1) file a complete copy of your latest federal income tax return, *including all W2's, schedules, and attachments*, ***OR*** (2) file a sworn statement identifying each separate source and amount of income which exceeds \$1,000 including secondary sources of income, by completing the remainder of Part D, below.

- I elect to file a copy of my latest federal income tax return and all W2's, schedules, and attachments.
(if you check this box and attach a copy of your latest tax return, you need not complete the remainder of Part D.)

PRIMARY SOURCE OF INCOME (See instructions on page 5):

NAME OF SOURCE OF INCOME EXCEEDING \$1,000	ADDRESS OF SOURCE OF INCOME	AMOUNT
N/a.	N/a.	N/a.

SECONDARY SOURCES OF INCOME [Major customers, clients, etc., of businesses owned by reporting person—see instructions on page 6]

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSIENSS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE
N/a.	N/a.	N/a.	N/a.

PART E – INTERESTS IN SPECIFIC BUSINESS [Instructions on page 7]

	BUSINESS ENTITY #1	BUSINESS ENTITY #2	BUSINESS ENTITY #3
NAME OF BUSINESS ENTITTY	N/a		
ADDRESS OF BUSINESS ENTITY			
PRINCIPAL BUSINESS ACTIVITY			
POSITION HELD WITH ENTITY			
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS			
NATURE OF MY OWNERSHIP INTEREST			

IF ANY OF PARTS A THROUGH E ARE CONTINUED ON A SEPARATE SHEET PLEASE CHECK HERE

OATH

I, the person whose name appears at the beginning of this form, do depose on oath or affirmation and say that the information disclosed on this form and any attachments hereto is true, accurate, and complete.

SIGNATURE

STATE OF FLORIDA

COUNTY OF ____

Sworn to (or affirmed) and subscribed before me this ____ day of __, 20__ by ____

(Signature of Notary Public—State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known ____ OR Produced Identification ____

Type of Identification Produced ____

INSTRUCTIONS FOR COMPLETING FORM 6:

PUBLIC RECORD The form and everything attached to it is a public record. Your Social Security Number is

required and you should redact it from any documents you file. If you are an active or former officer or employee listed in Section 119.071(4)(d), F.S., whose home address is exempt from disclosure, the Commission is required to maintain the confidentiality of your home address **if you submit a written request for confidentiality.**

PART A – NET WORTH

Report your net worth as of December 31 or a more current date, and list that date. This should be the same date used to value your assets and liabilities. In order to determine your net worth, you will need to total the value of all your assets and subtract the amount of all of your liabilities. Simply subtracting the liabilities reported in Part C from the assets reported in Part B will not result in an accurate net worth figure in most cases.

To total the value of your assets, add:

- form;
- (1) The aggregate value of household goods and personal effects, as reported in Part B of this form;
 - (2) The value of all assets worth over \$1,000, as reported in Part B; and
 - (3) The total value of any assets worth less than \$1,000 that were not reported or included in the category of “household goods and personal effects.”

To total the amount of your liabilities, add:

- (1) The total amount of each liability you reported in Part C of this form, except for any amounts listed in the “joint and several liabilities not reported above” portion; and,
- (2) The total amount of unreported liabilities (including those under \$1,000, credit card and retail installment accounts, and taxes owed).

PART B – ASSETS WORTH MORE THAN \$1,000

HOUSEHOLD GOODS AND PERSONAL EFFECTS:

The value of your household goods and personal effects may be aggregated and reported as a lump sum, if their aggregate value exceeds \$1,000. The types of assets that can be reported in this manner are described on the form.

ASSETS INDIVIDUALLY VALUED AT MORE THAN \$1,000:

Provide a description of each asset you had on the reporting date chosen for your net worth (Part A), that was worth more than \$1,000 and that is not included as household goods and personal effects, and list its value. Assets include: interests in real property; tangible and intangible personal property, such as cash, stocks, bonds, certificates of deposit, interests in partnerships, beneficial interest in a trust, promissory notes owed to you, accounts received by you, bank accounts, assets held in IRAs, Deferred Retirement Option Accounts, and Florida Prepaid College Plan accounts. You are not required to disclose assets owned solely by your spouse.

How to Identify or Describe the Asset:

— Real property: Identify by providing the street address of the property. If the property has no street address, identify by describing the property’s location in a manner sufficient to enable a member of the public to ascertain its location without resorting to any other source of information.

— Intangible property: Identify the type of property and the business entity or person to which or to whom it relates. **Do not list simply “stocks and bonds” or “bank accounts.”** For example, list

“Stock (Williams Construction Co.),” “Bonds (Southern Water and Gas),” “Bank accounts (First National Bank),” “Smith family trust,” Promissory note and mortgage (owed by John and Jane Doe).”

How to Value Assets:

- Value each asset by its fair market value on the date used in Part A for your net worth.

- Jointly held assets: If you hold real or personal property jointly with another person, your interest equals your legal percentage of ownership in the property. However, assets that are held as tenants by the entirety or jointly with right of survivorship must be reported at 100% of their value.

- Partnerships: You are deemed to own an interest in a partnership which corresponds to your interest in the equity of that partnership.

- Trusts: You are deemed to own an interest in a trust which corresponds to your percentage interest in the trust corpus.

- Real property may be valued at its market value for tax purposes, unless a more accurate appraisal of its fair market value is available.

- Marketable securities which are widely traded and whose prices are generally available should be valued based upon the closing price on the valuation date.

- Accounts, notes, and loans receivable: Value at fair market value, which generally is the amount you reasonably expect to collect.

- Closely-held businesses: Use any method of valuation which in your judgment most closely approximates fair market value, such as book value, reproduction value, liquidation value, capitalized earnings value, capitalized cash flow value, or value established by “buy-out” agreements. It is suggested that the method of valuation chosen be indicated in a footnote on the form.

- Life insurance: Use cash surrender value less loans against the policy, plus accumulated dividends.

PART C—LIABILITIES

LIABILITIES IN EXCESS OF \$1,000:

List the name and address of each creditor to whom you were indebted on the reporting date chosen for your net worth (Part A) in an amount that exceeded \$1,000 and list the amount of the liability. Liabilities include: accounts payable; notes payable; interest payable; debts or obligations to governmental entities other than taxes (except when the taxes have been reduced to a judgment); and judgments against you. You are not required to disclose liabilities owned *solely* by your spouse.

You do not have to list on the form any of the following: credit card and retail installment accounts, taxes owed unless the taxes have been reduced to a judgment), indebtedness on a life insurance policy owned to the company of issuance, or contingent liabilities. A “contingent liability” is one that will become an actual liability only when one or more future events occur or fail to occur, such as where you are liable only as a partner (without personal liability) for partnership debts, or where you are liable only as a guarantor, surety, or endorser on a promissory note. If you are a “co-maker” on a note and have signed as being jointly liable or jointly and severally liable, then this is not a contingent liability.

How to Determine the Amount of a Liability:

- Generally, the amount of the liability is the face amount of the debt.

— If you are the only person obligated to satisfy a liability, 100% of the liability should be listed.

— If you are jointly and severally liable with another person or entity, which often is the case where more than one person is liable on a promissory note, you should report here only the portion of the liability that corresponds to your percentage of liability. *However*, if you are jointly and severally liable for a debt relating to property you own with one or more others as tenants by the entirety or jointly, with right of survivorship, report 100% of the total amount owed.

— If you are only jointly (not jointly and severally) liable with another person or entity, your share of the liability should be determined in the same way as you determined your share of jointly held assets.

Examples:

— You owe \$10,000 to a bank for student loans, \$5,000 for credit card debts, and \$60,000 with your spouse to a saving and loan for the mortgage on the home you own with your spouse. You must report the name and address of the bank (\$10,000 being the amount of that liability) and the name and address of the savings and loan (\$60,000 being the amount of this liability). The credit cards debts need not be reported.

— You and your 50% business partner have a \$100,000 business loan from a bank and you both are jointly and severally liable. Report the name and address of the bank and \$50,000 as the amount of the liability. If your liability for the loan is only as a partner, without personal liability, then the loan would be a contingent liability.

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:

List in this part of the form the amount of each debt, for which you were jointly and severally liable, that is not reported in the “Liabilities in Excess of \$1,000” part of the form. Example: You and your 50% business partner have a \$100,000 business loan from a bank and you both are jointly and severally liable. Report the name and address of the bank and \$50,000 as the amount of the liability, as you reported the other 50% of the debt earlier.

PART D – INCOME

As noted on the form, you have the option of either filing a copy of your latest federal income tax return, including all schedules, W2’s and attachments, with Form 6, or completing Part D of the form. If you do not attach your tax return, you must complete Part D.

PRIMARY SOURCES OF INCOME:

List the name of each source of income that provided you with more than \$1,000 of income during the year, the address of that source, and the amount of income received from that source. The income of your spouse need not be disclosed; however, if there is a joint income to you and your spouse from property you own jointly (such as interest or dividends from a bank account or stocks), you should include all of that income.

“Income” means the same as “gross income” for federal income tax purposes, even if the income is not actually taxable, such as interest on tax-free bonds. Examples of income include: compensation for services, gross income from business, gains from property dealings, interest, rents, dividends, pensions, IRA distributions, distributive share of partnership gross income, and alimony, but not child support. Where income is derived from a business activity you should report that income to you, as calculated for income tax purposes, rather than the income to the business.

Examples:

— If you owned stock in and were employed by a corporation and received more than \$1,000 of income (salary, commissions, dividends, etc.) from the company, you should list the name of the company, its address, and the total amount of income received from it.

— If you were a partner in a law firm and your distributive share of partnership gross income exceeded \$1,000, you should list the name of the firm, its address, and the amount of your distributive share.

— If you received dividend or interest income from investments in stocks and bonds, list only each individual company from which you received more than \$1,000. Do not aggregate income from all of these investments.

— If more than \$1,000 of income was gained from the sale of property, then you should list as a source of income the name of the purchaser, the purchaser's address, and the amount of gain from the sale. If the purchaser's identity is unknown, such as where securities listed on an exchange are sold through a brokerage firm, the source of income should be listed simply as "sale of (name of company) stock," for example.

— If more than \$1,000 of your income was in the form of interest from one particular financial institution (aggregating interest from all CD's, accounts, etc., at that institution), list the name of the institution, its address, and the amount of income from that institution.

SECONDARY SOURCE OF INCOME:

This part is intended to require the disclosure of major customers, clients, and other sources of income to businesses in which you own an interest. It is not for reporting income from second jobs. That kind of income should be reported as a "Primary Source of Income." You will **not** have anything to report **unless**:

(1) You owned (either directly or indirectly in the form of an equitable or beneficial interest) during the disclosure period, more than 5% of the total assets or capital stock of a business entity (a corporation, partnership, limited partnership, LLC, proprietorship, joint venture, trust, firm, etc., doing business in Florida); and

(2) You received more than \$1,000 in gross income from that business entity during the period.

If your ownership and gross income exceeded the two thresholds listed above, then for that business entity you must list every source of income to the business entity which exceeded 10% of the business entity's gross income (computed on the basis of the business entity's more recently completed fiscal year), the source's address, the source's principal business activity, and the name of the business entity in which you owned an interest. You do not have to list the amount of income the business derived from that major source of income.

Examples:

— You are the sole proprietor of a dry cleaning business, from which you received more than \$1,000 in gross income last year. If only one customer, a uniform rental company, provided more than 10% of your dry cleaning business, you must list the name of your business, the name of the uniform rental company, its address, and its principal business activity (uniform rentals).

— You are a 20% partner in a partnership that owns a shopping mall and your gross partnership income exceeded \$1,000. You should list the name of the partnership, the name of each tenant of the mall that provided more than 10% of the partnership's gross income, the tenant's address and principal business activity.

PART E – INTERESTS IN SPECIFIED BUSINESS

The types of businesses covered in this section include: state and federally chartered banks; state and federal savings and loan associations; cemetery companies; insurance companies; mortgage companies, credit unions; small loan companies; alcoholic beverage licensees; pari-mutuel wagering companies; utility companies; and entities controlled by the Public Service Commission; and entities granted a franchise to operate by either a city or a county government.

You are required to make this disclosure if you own or owned (either directly or indirectly in the form of an equitable or beneficial interest) at any time during the disclosure period, more than 5% of the total assets or capital stock of one of the types of business entities listed above. You also must complete this part of the form for each of these types of business for which you are, or were at any time during the year an officer, director, partner, proprietor, or agent (other than a resident agent solely for service of process).

If you have or held such a position or ownership interest in one of these types of businesses, list: the name of the business, its address and principal business activity, and the position held with the business (if any). Also, if you own(ed) more than a 5% interest in the business, as described above, you must indicate that fact and describe the nature of your interest.

JUDICIAL APPLICATION DATA RECORD

The judicial application shall include a separate page asking applicants to identify their race, ethnicity and gender. Completion of this page shall be optional, and the page shall include an explanation that the information is requested for data collection purposes in order to assess and promote diversity in the judiciary. The chair of the Commission shall forward all such completed pages, along with the names of the nominees to the JNC Coordinator in the Governor’s Office (pursuant to JNC Uniform Rule of Procedure).

(Please Type or Print)

Date: October 27, 2017

JNC Submitting To: 7th Circuit JNC

Name (please print): Steven N. Gosney

Current Occupation: Assistant Public Defender

Telephone Number: 386-254-3758 Attorney No.: 0180830

Gender (check one): Male Female

Male

Female

Ethnic Origin (check one): White, non Hispanic
 Hispanic
 Black
 American Indian/Alaskan Native
 Asian/Pacific Islander

County of Residence: Volusia

FLORIDA DEPARTMENT OF LAW ENFORCEMENT

DISCLOSURE PURSUANT TO THE
FAIR CREDIT REPORTING ACT (FCRA)

The Florida Department of Law Enforcement (FDLE) may obtain one or more consumer reports, including but not limited to credit reports, about you, for employment purposes as defined by the Fair Credit Reporting Act, including for determinations related to initial employment, reassignment, promotion, or other employment-related actions.

CONSUMER'S AUTHORIZATION FOR FDLE
TO OBTAIN CONSUMER REPORT(S)

I have read and understand the above Disclosure. I authorize the Florida Department of Law Enforcement (FDLE) to obtain one or more consumer reports on me, for employment purposes, as described in the above Disclosure.

Printed Name of
Applicant:

Steven N. Gosney

Signature of Applicant:

/s/

Date: October 27, 2017