

**REDACTED**

**APPLICATION FOR NOMINATION**

**TO THE**

**CIRCUIT COURT**

**SEVENTH JUDICIAL CIRCUIT**

**SUZANNE WORRALL GREEN**

**NOVEMBER 2018**



**SUZANNE WORRALL GREEN**

**APPLICATION FOR NOMINATION TO THE CIRCUIT COURT**

Date: November 15, 2018

**GENERAL:**

1. Name: **Suzanne Worrall Green** Florida Bar No: **642398**  
Social Security No: [REDACTED]  
Email: **Suzannegreenpa@gmail.com**

Date Admitted to Practice in Florida: **April 1, 1987**  
Date Admitted to Practice in other States: **None**

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

**President/Owner Suzanne Worrall Green, PA, law firm**  
**Attorney-President, Chairman, St. Augustine-St. Johns County Airport Authority**

3. Business address: **Suzanne Worrall Green, P.A.**  
**105 B Solana Road**  
**Ponte Vedra Beach, Florida 32082**  
**(904) 280-8770**

4. Residential address:

[REDACTED]  
[REDACTED]  
**Since: March, 1990**

5. Place of birth: **Los Angeles, California**  
Date of birth: **February 9, 1960**  
Age: **58**

6a. Length of residence in State of Florida: **Since August, 1970**

6b. Are you a registered voter? **Yes**  
If so, in what county are you registered? **St. Johns County**

7. Marital status: **Married**  
Spouse's name: **Raymond Michael Green**  
Date of marriage: **November 28, 1987**  
Spouse's occupation: **Financial consultant**

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

**N/A**

8. Children - **yes, three**
- | Name(s)                       | Age(s)    | Occupation(s)             | Residential address(es)                                  |
|-------------------------------|-----------|---------------------------|--|
| <b>Kayla Lindsay Green</b>    | <b>27</b> | <b>Music Promotions</b>   | <b>Brooklyn, New York</b>                                |
| <b>Raines Lafayette Green</b> | <b>24</b> | <b>Student/Tennis Pro</b> | <b>735 Fairway Oaks Court<br/>Ponte Vedra Beach, FL</b>  |
| <b>Eliza Barrett Green</b>    | <b>22</b> | <b>Student/Tennis Pro</b> | <b>7350 Fairway Oaks Court<br/>Ponte Vedra Beach, FL</b> |
9. Military Service (including Reserves)      **N/A**
- Service                      Branch      Highest Rank                      Dates
- Rank at time of discharge: \_\_\_\_\_ Type of Discharge \_\_\_\_\_
- Award 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:

**No, excellent health**

- 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?

**NO**

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.

- 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?

- \* Experiencing periods of no sleep for 2 or 3 nights
- \* Experiencing periods of hyperactivity
- \* Spending money profusely with extremely poor judgment
- \* Suffered from extreme loss of appetite

- \* Issuing checks without sufficient funds
- \* Defaulting on a loan
- \* Experiencing frequent mood swings
- \* Uncontrollable tiredness
- \* Falling asleep without warning in the middle of an activity

Yes \_\_\_\_\_ No NO

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 \_\_\_\_\_ No NO

- 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 \_\_\_\_\_ No N/A

Describe such problem and any treatment or program of monitoring or counseling.

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? **NO** 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. **N/A**

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.

Schools	Class Standing	Dates of Attendance	Degree
<b>Dunedin Sr. High School</b>	<b>15/1141</b>	<b>1974 - 1978</b>	<b>H.S diploma</b>
<b>Auburn University</b>	<b>Unknown</b>	<b>9/78 - 12/81</b>	<b>B.S. Public Admin. (w/highest honors)</b>
<b>Georgetown University</b>	<b>Unknown</b>	<b>6/81 -8/81</b>	<b>Completed studies in Comparative Political and Economic Systems</b>
<b>Northern Illinois University</b>	<b>Unknown</b>	<b>9/83 - 5/84</b>	<b>1st year law school</b>
<b>Florida State University</b>	<b>Unknown</b>	<b>9/84 - 12/85</b>	<b>Juris Doctorate (w/honors)</b>

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

**High School Honor Society and Honor Graduate**  
**Kiwanis Scholarship**  
**High School Arts and Sciences Award**  
**America's Junior Miss**  
**Collegiate Deans' List**  
**Recipient Auburn University Athletic Scholarship (Tennis)**  
**Pi Sigma Alpha - Political Science Honorary**  
**Academic Scholarship Georgetown University: Charles Edison Foundation**  
**Academic Scholarship**  
**Numerous Junior, Collegiate and Professional Tennis Championships**

**NON-LEGAL EMPLOYMENT:**

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

<u>Date</u>	<u>Position</u>	<u>Employer</u>	<u>Address</u>
1/82 - 4/82	personal secretary	U.S. House of Representatives Longworth House Office Building Washington D.C.	

**Personal secretary for Congressman David Dreier from California. Handled all correspondence for the Congressman, as well as personal and some legislative matters.**

4/82 - 12/82	legislative correspondent	U.S. House of Representatives Cannon House Office Building Washington D.C.	
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**Legislative correspondent for Congressman Duncan Hunter from California. Responsible for correspondence to constituents in the legislative areas of Immigration, Energy and Commerce, House Administration and Government Operations. Also drafted position papers and research for proposed bills.**

1/83 - 9/83	legislative assistant/ director	U.S. House of Representatives Cannon House Office Building Washington D.C.	
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**Legislative Assistant/Director for Congressman Michael Bilirakis of Florida. Duties included legislative and committee work in the areas of Small Business, Veteran's Affairs, Science and Technology and Education and Labor. Eventually responsible for coordinating all areas of the legislative office and committee work in Small**

**Business and Veteran's Affairs.**

**4/82 - 9/83 waitress/bartender**

**Bullfeathers Restaurant  
1st and D Street, S.E.  
Washington D.C.**

**Waited tables and bartended at Bullfeathers Restaurant in Washington D.C. full time while holding above-referenced full time positions in order to obtain funding for law school.**

**Also, played professional tennis tournaments on the Virginia Slims Tour.**

**PROFESSIONAL ADMISSIONS:**

20. List all courts (including state bar admissions) and administrative bodies having special admission requirements to which you are presently admitted to practice, giving the dates of admission.

Court or Administrative Body

**The Florida Bar  
U.S. District, Middle District of Florida  
Certified Family Law Mediator**

Date of Admission

**April 1, 1987  
June 26, 1987  
October 11, 1996**

**LAW PRACTICE:** (If you are a sitting judge, answer this series of 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:

Position	Name of Firm	Address	Dates
<b>Law Clerk</b>	<b>Akerman, Senterfitt &amp; Eidson</b>	<b>Tallahassee, FL</b>	<b>10/84 - 4/85</b>
<b>Law Clerk</b>	<b>Dunbar, Kimpton &amp; Burke</b>	<b>Dunedin, FL</b>	<b>5/84 - 8/84</b>
<b>Intern and Asst. St. Atty</b>	<b>Office of the State Atty 6th Judicial Circuit</b>	<b>14250 49<sup>th</sup> St. North Clearwater, FL 33762</b>	<b>6/85 - 7/87</b>
<b>Asst. St. Atty</b>	<b>Office of the State Attorney 4th Judicial Circuit</b>	<b>311 W. Monroe St. Jacksonville, FL 32202</b>	<b>7/87 - 2/89</b>



<b>Attorney</b>	<b>Commander Legler Werber Dawes Sadler &amp; Howell (now Foley Lardner)</b>	<b>200 Laura Street Jacksonville, FL 32202</b>	<b>2/89 - 6/90</b>
<b>Attorney/ Sr Partner</b>	<b>Patterson &amp; Green, P.A. (law firm dissolved)</b>	<b>3010 S. 3rd St. Jacksonville Beach, FL 32250</b>	<b>1/90 -8/97</b>
<b>Attorney/ President</b>	<b>Suzanne Worrall Green, P.A.</b>	<b>105 B Solana Road Ponte Vedra Beach, FL 32082</b>	<b>1997 to present</b>

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.

**Presently, I head a small law practice working in the areas of civil contracts, estate planning, business litigation, and family law. I employ an associate and a Florida Registered Paralegal who specialize in the areas of civil litigation and family law. Additionally, I employ other attorneys who work on a contract basis in the areas of probate law, wills and trusts, and civil contract cases. I am a State Certified Family Law Mediator and am often appointed in St. Johns and Duval Counties to conduct Social Investigations for the Circuit courts. I specialize more in the areas of family law, wills and trusts, and construction/commercial litigation. Although not a primary area of my practice, I did receive great personal rewards from handling private, intermediary adoptions from surrogacy to post birth. I also assisted the Statewide Prosecutors Office in helping to redraft the mechanics lien law, Florida Statute 713.**

**My clients are primarily individuals, small business clients, building contractors and developers. I have represented the City of Atlantic Beach as the Code Enforcement Officer to prosecute cases brought before the Code Enforcement Board for violations of the city ordinances. I have also represented Our Lady Star of the Sea and the St. Augustine Diocese for the purchase of property and development of their parochial school in St. Johns County. Most of my clients live in northern St. Johns County, St. Augustine and Duval County.**

**Additionally, I have represented numerous developers and homeowner's associations in various gated communities in and around St. Johns County. The associations seek my assistance in the areas of construction contracts, zoning, building and dealing with the local governments. I also oversaw the domestic, criminal and litigation areas of my prior firm where I was the Senior Partner for Litigation. With the addition of our associate and contract attorneys, we have expanded our practice to include many clients in the wills and trusts area.**

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

<b>Court</b>		<b>Area of Practice</b>	
<b>Federal Appellate</b>	_____ %	<b>Civil</b>	<u>10</u> %
<b>Federal Trial</b>	_____ %	<b>Criminal</b>	_____ %
<b>Federal Other</b>	_____ %	<b>Family</b>	<u>75</u> %
<b>State Appellate</b>	_____ %	<b>Probate</b>	<u>10</u> %
<b>State Trial</b>	<u>75</u> %	<b>Other</b>	<u>5</u> %
<b>State Administrative</b>	_____ %		
<b>State Other</b>	<u>25</u> %		
<b>TOTAL</b>	<u>100</u> %	<b>TOTAL</b>	<u>100</u> %

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

<b>Jury?</b>	<u>100+</u>	<b>Non-Jury?</b>	<u>200+</u>
<b>Arbitration?</b>	<u>3</u>	<b>Administrative Bodies</b>	<u>25</u>

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

**None.**

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

**None**

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

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

**Packo vs Packo, DR10-0017, Div. 57, St. Johns County, Elliot Zisser (opposing counsel) (904) 353-3222, Sean Sheppard, (opposing counsel) (866) 230-2206, and James Stephen Alexander (904) 824-9788.**

**Forster vs Forster, DR05-0137, Div. 57, and DR06-952, Div. 57, St. Johns County, Sung Lee (opposing counsel) (904) 829-3035**

**Brown vs Brown, DR18-0921, Div. 57, St. Johns County, Carol Caldwell (opposing counsel) (904) 819-1974. This was a relocation case.**

Tyson vs. Tyson, DR 08-1323, Div 57, St. Johns County, Todd Sager (opposing counsel) (904) 230-3200 and Matt Hunt (904) 444-4444.

Kendra Elmore on behalf of Ethan S. Elmore (a minor child) vs. Kirk Elmore, 2013-DR-1474-DVAX FM-V and Kirk Elmore v. Kendra Elmore, 2010-DR-6887 FM-B, Duval County, (opposing counsels) Maria Aguila (904) 385-9377, Priscilla Justiniano and Randy Reep (904) 830-4444.

Stephens vs. Stephens, DR16-1079, Div. 57, St. Johns County, Linda Sasser (opposing counsel in DOM) (904) 819-6577. DR16-929, Div. 57, St Johns County, Heather Quick, Julie Rountree, Anna Durstein, Banda Nadeau, and Susanna Quesenberry (opposing counsels in DV case)

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).

Marc and Regina Premil vs Custom Homes of St. Augustine, Inc. and the Laney Company General Contractor Corp. CA17-1340 Div. 55, Co-counsel with Ryan Williams (904) 930-4100, opposing counsels, Jeremiah Mulligan (904) 810-1025 and Prashanth Chanbrasegaran, (904) 990-8400

Terrill vs Leonard, 16-2015-DR-6887-FM-C, Corrine Bylund (opposing counsel), (904) 728-4644, Kathryn Robbie (opposing counsel), (904) 348-5504

Reyes vs Reyes, DR18-692, Div 58, Diana S. Farhat (opposing counsel). (904) 385-0540

D'Aquila vs D'Aquila, DR18-1458, Div. 58, Laura A. Giovannetti, (opposing counsel) (904) 268-7300

Triola vs Triola, DR17-779, Div. 57, Brian G. Roberts (opposing counsel), (904) 353-7305

Graham vs Gramatikos, 2018-DR-7062-FM-D, Mina Bustamante (opposing counsel), (904) 288-4414

27c. During the last five years, how frequently have you appeared at administrative hearings? 1 (Not including St. Augustine Airport Authority Board) average times per month.

27d. During the last five years, how frequently have you appeared in Court? 20 + average times per month

27e. During the last five years, if your practice was substantially personal injury, what percentage of your work was in representation of plaintiffs? \_\_\_\_\_%  
Defendants? \_\_\_\_\_% 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.

**From 1987-1990 I was with the State Attorney's Office in Pinellas and Duval counties and appeared in court daily. I was lead counsel and ended with my position in the homicide division. As an intern in 1986, I second chaired over 25 jury trials and during the 4 years as an assistant state attorney, I chaired over 100 jury trials.**

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

**I tried numerous Code Enforcement cases off and on since 1993. I was the sole code enforcement counsel for the City of Atlantic Beach. I have been sole counsel for three separate homeowners before the Construction Trades Qualifying Board representing them in actions against contractors. Finally, I have tried two cases to conclusion before the American Arbitration Association, both dealing with construction law.**

**Additionally, with regard to cases in courts of record, I have served as chief or sole counsel in approximately 90 - 95% of the cases I have tried. Below, I have listed some reported cases and cases in courts of record.**

**Higgins vs. Higgins, Case No: DR 03-758, Division 57, St. Johns County. Sole counsel at the trial level and all administrative hearings. Complicated domestic post dissolution matters.**

**Booker v. Florida Network, LLC d/b/a Prudential Network Realty, Lloyd McCoy and Diane McCoy, Case No: 16-2004 CA 350, CV-H. Multi defendant suit against property management company for alleged breach of contract for failing to properly manage real property.**

**Michael and Linda Gaeta vs. Windsor Pointe of Jacksonville Inc., The Arbitration Tribunals of the American Arbitration Association, Case No. 33 115 00338 99 (2000). Sole counsel in arbitration case argued before the American Arbitration Association. I represented the prospective homeowners who alleged the Respondent developer breached their purchase agreement by failing to deliver the property after being paid in full. The issues concerned breach of contract, motions for protection of the property and a simultaneous circuit court case with a filed Lis Pendens to curtail the Respondent developer from transferring or encumbering any interest in the property.**

**Melissa Nelson vs. McClure, Construction Trades Qualifying Board, License No: RG0007820, Certificate No: DG-56 (1997). Chief and sole counsel for the homeowner before the Jacksonville Construction Trades Qualifying Board. Homeowner sought restitution against a builder who allowed his unlicensed son to use his license to remodel homes. The Board ruled in favor of the homeowner and she made a claim to the Victim's Recovery Fund. The Contractor appealed to the State Board. The homeowner prevailed several years later and was awarded the maximum allowable funds from the Victim's Recovery Board in Tallahassee, Florida.**

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.

1. **State vs. George F. Bentzel**: Circuit Court, Fourth Judicial Circuit, Duval County, Florida Case No: 87-4536, Division CR-D. Judge John D. Southwood presiding. I was chief counsel representing the State of Florida. The Defendant was convicted of sexual assault with a deadly weapon and armed kidnaping. He was sentenced to two consecutive life sentences. This case was significant in that it was the first DNA case in Jacksonville and the second in the State of Florida. The crime had been committed numerous years prior to arresting the defendant and we were unsure as to the availability and reliability of the samples initially taken from the victim.

**Circumstances:** On May 10, 1987, at approximately 1:00 a.m., the defendant, Mr. Bentzel spotted the victim, a mother of three, walking home along the road her children travel daily from school. Mr. Bentzel followed the victim down the road and parked his car in the nearby elementary school parking lot. He proceeded on foot and then attacked the victim at knife, dragging her from the roadside into dense woods. The victim was stripped of her clothes and sexually assaulted at knife point. Ultimately, the victim ran from Mr. Bentzel and flagged down a passing car. A warrant was issued for Mr. Bentzel's arrest based upon his automobile tag and description. He was found two years later in North Carolina and tried in 1989.

**Defense Counsel:** Teri Sopp  
24 N. Market Street  
#400  
Jacksonville, Florida 32202  
(904) 350-0677

**Co-counsel:** Thomas Kimbrel  
Assistant State Attorney  
330 East Bay Street  
Jacksonville, Florida 32202  
(904) 630-2400

\* See pertinent newspaper articles following Tab #1

2. **Marie M. Trickel vs. Lonnie Ray Phillips** Case No.: 98-34505, FMCI, Volusia County, Judge Richard Graham, trial judge. Sole counsel at trial level for the mother and co-counsel at appellate level. The case involved a simple issue of a

parenting plan and child support in a paternity case. Complications arose when the mother's father (an attorney) represented her at the trial level. The trial court awarded the mother all her attorney's fees against her father the attorney based on the factors in Rosen and Diaz. The mother and her attorney father appealed the decision. The trial disposition date was January 19, 1999 and was later upheld per curiam on appeal (5<sup>th</sup> DCA 5D03-2125) in 2004.

**Counsel for the Mother:**  
Ronald Nour

**Appellate attorneys:** Michael J. Korn for Appellee, William S. Graessle for Appellant

3. Quets vs. Needham, 101 So. 3rd 843 (Fla. App. 2012), Case No: 16-2005 DR-006640 Division FM-A. Circuit Court, Fourth Judicial Circuit, Duval County, Florida. Initial trial Judge E. McRae Mathis presiding. I appeared with co-counsel, Norm Levin from Orlando, Florida to represent Ms. Allison Quets in a contested adoption matter involving Ms. Quets giving birth to twins and subsequently filing a Petition to Set Aside the adoption due to undue influence and other allegations. The matter was originally filed as IN RE: BABAY TWIN HOLLY ANN, a female twin, and BABY TYLER LEE, a male twin, ...The Matter of the Termination of Parental Rights for the Proposed Adoption of Minor Children.

The case was widely contested with law firms joining the matter who had handled the adoption, a court reporter was represented, as well as counsel for the adopting parents. The "sealed courtroom trial" lasted approximately one week with the presiding Judge ultimately upholding the adoption. However, the trial court awarded Ms. Quets visitation rights pending her appeal. At issue were the allegations of undue influence from medical complications from the birth, pressure from Ms. Quets boyfriend to place the children in his family and other matters concerning the methods used in obtaining of the consents for adoption.

The case gained national attention and was shown on the Dr. Phil Show. Also, Ms. Quets did exercise her visitation time, but took the children to Canada and did not return them. She was placed in custody and has been appealing her rights since. The last appeal of record was denied in 2012. My involvement was at the trial court level and assisting with the early appeals.

**Co-Counsel for Petitioner Birthmother:**  
Norm Levin, Longwood, Florida

**Counsels for Respondents:**

David Garfinkel, Jacksonville, FL  
Patrick Kilbane, Jacksonville Beach, FL

Mark Mahon, Jacksonville, FL  
Barry Zisser, Jacksonville, FL

4. **Forster vs. Forster**: Circuit Court, Seventh Judicial Circuit, St. John's County, Case No.: DR05-137 and DR06-952 Division 57. Judge John Alexander presiding. See also, 11 So. 3d 972, District Court of Appeal of Florida, Fifth District, May 1, 2009.

I individually represented Ms. Barbara Forster in an initial dissolution of marriage action. During the first trial, a judgment for the dissolution of the marriage was entered. Ms. Forster was awarded alimony for the 14 year marriage. Subsequently, the parties remarried approximately three months later. In the second trial, Ms. Forster claimed that she was induced by fraud to remarry because Dr. Forster wanted to avoid the original alimony award from the first divorce. The trial judge found fraud and elected to treat both marriages as one continuous marriage, which was within his discretion given the facts of the case. The appellate court cited Cox v. Cox, 659 So. 2d 1051, 1055 n. 5 (Fla 1995). The appellate court affirmed with a remand to recalculate the alimony award to consider each party's current need and ability to pay. The significance of this appellate decision (and the two trials) opened doors as to linking the two marriages as one continuous marriage for purposes of awarding alimony.

Counsel for Husband for second trial  
Sung Lee, St. Augustine, Florida

Appellate Counsels:

Steven J. Guardiano, Daytona Beach for Appellant (Former Husband)

Lisa March and Sarah Webber, Jacksonville Beach, for Appellee (Former Wife)

5. **Hetsler vs. Hetsler, v. HK Storage, LLC (a Florida Limited Liability Company) ET AL**, Case No.: 16-2017-DR-009222, Div. FM A, Circuit Court, Fourth Judicial Circuit, Duval County, Florida. The Honorable Jack Schemer presiding judge. This case commenced as a standard Dissolution of Marriage matter when Ms. Hetsler first came to our office. Prior to the filing of the Petition for Dissolution, Mr. Hetsler suffered severe burns and injuries when his Ford Mustang exploded while he was seated in the car at 3:00am. A Petition for Separate Maintenance was then filed to determine which direction Ms. Hetsler would proceed, depending on the medical condition of Mr. Hetsler. I am lead counsel on this matter with my associate assisting in discovery matters. During the pendency of the Separate Maintenance matter, it was discovered that Mr. Hetsler owned over 26 different entities which needed to be added to the Petition. It was also learned that Mr. Hetsler had been allegedly conducting "Fraudulent 1031 Exchanges" and a significant number of his clients were looking for their money. Our case was then modified into a Petition for Dissolution of Marriage with a plethora of pleadings to find child support and

spousal support for the family before any criminal or civil cases were filed. The case is ongoing, some child support was awarded from a discovered bank account. We now have numerous 1031 claimants and civil lawsuits involved in trying to attach the assets of Mr. Hetsler. Consequently, equitable distribution remains a key factor. It now remains to see if the Court will entertain a dissipation of marital assets argument for Ms. Hetsler to award her what "clean" assets remain after the civil actions are settled. The intertwining of the civil and family issues make this case extremely complicated.

**Counsel for Husband**

**James T. Keenan, Jacksonville, FL**  
**Richard R. Thames, Jacksonville, FL**  
**Bradley R. Markey, Jacksonville, FL**

6. **Bellantoni vs. Bellantoni**, Case No.: DR15-1862, Div. 58, Circuit Court, Seventh Judicial Circuit, St. Johns County, Florida. The Honorable Howard O. McGillin, JR. and The Honorable Michael Traynor, presiding judges. This case involved the issues of a dissolution of marriage with a business, incapacity (2015-MH-114) and guardianship (2015-GA-56, Div. 56). A guardianship was initially filed for the Wife due to substance abuse. A guardian and an attorney for the guardian were appointed and thereafter a determination of incapacity was found by the Court. A dissolution of marriage was then filed by the Husband in November 2015. A complex array of issues was presented in these cases questioning the actions of the guardian, the ability to be divorced (to contract), the interplay of the incapacity and the sale of a business. The Wife was eventually returned to capacity.

**Counsel for Husband**

**Diane L. Paull, Jacksonville Beach, FL**

**Various other counsels:**

**Tance E. Roberts, St. Augustine, Florida**  
**Dale Dixon, Jacksonville, Florida**  
**Beverly H. Furtick, Ponte Vedra Beach, Florida**  
**Lara Mason, Ponte Vedra Beach, Florida**  
**D. Grant Leggett, Jacksonville, Florida**

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



**\*Please refer to Tabs #2-4 which contains separate examples of writings in different legal areas.**

**The first legal writing example is a Motion to Suppress and Memorandum of Law in support of the Motion in the case of State of Florida vs. Edward Pough, 630 So.2d 184 (Fla. 1st DCA 1993). I was solely responsible for the writing of both documents. We prevailed at the Circuit Court Level and the State appealed. The First DCA heard oral argument and held per curiam in favor of Mr. Pough.**

**\* Please refer to Tab #2**

**The second legal writing example is the response and Order to the Former Husband's Supplemental Petition for Modification of Final Judgment of Dissolution of Marriage which was filed by opposing counsel. I responded by writing the Former Wife's Motion to Dismiss Former Husband's Supplemental Petition for Modification of Final Judgment of Dissolution of Marriage and the Order Partially Granting and Partially Denying Former Wife's Motion to Dismiss Former Husband's Supplemental Petition for Modification of Final Judgment of Dissolution of Marriage in Leonard vs. Leonard, 16-2015-006887-FM-C.**

**\* Please refer to Tab #3**

**The third legal writing example is Wife's Verified Petition for Separate Maintenance and Wife's Amended Verified Petition for Dissolution of Marriage in Hetsler vs. Hetsler and HK Storage, LLC, 16-2017-DR-009222-FMXX-MA, FM-A. This case is pending and involves various civil actions. See answer to #30 (5).**

**\* Please refer to Tab #4**

**PRIOR JUDICIAL EXPERIENCE OR PUBLIC OFFICE:**

32a. Have you ever held judicial office or been a candidate for judicial office? If so, state the courts involved and the dates of service or dates of candidacy. **Yes.**

**- Application to Nomination to the County Court of the Seventh Judicial Circuit, May 2000.**

**- Application to Nomination to the Circuit Court of the Seventh Judicial Circuit, June 2005.**

32b. List any prior quasi-judicial service: **None**

Dates

Name of Agency

Position Held

Types of issues heard:

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

**St. Augustine-St. Johns County Airport Authority Board**

- **February 2002: gubernatorial appointment (The Honorable Jeb Bush)**
- **August 2004: re-elected (unopposed) & elected Chairman of the Board**
- **November 2014: elected (opposed) & elected Chairman of the Board**
- **August 2018: re-elected (unopposed) & elected Chairman of the Board**

32d. If you have had prior judicial or quasi-judicial experience, **N/A**

- (i) List the names, phone numbers and addresses of six attorneys who appeared before you on matters of substance.
- (ii) Describe the approximate number and nature of the cases you have handled during your judicial or quasi-judicial tenure.
- (iii) List citation of any opinions which have been published.
- (iv) List citations or styles and describe the five most significant cases you have tried or heard. Identify the parties, describe the cases and tell why you believe them to be significant. Give dates tried and names of attorneys involved.
- (v) Has a complaint about you ever been made to the Judicial Qualifications Commission? If so, give date, describe complaint, whether or not there was a finding of probable cause, whether or not you have appeared before the Commission, and its resolution.
- (vi) Have you ever held an attorney in contempt? If so, for each instance state name of attorney, approximate date and circumstances.
- (vii) If you are a quasi-judicial officer (ALJ, Magistrate, General Master), have you ever been disciplined or reprimanded by a sitting judge? If so, describe.

**BUSINESS INVOLVEMENT:**

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

**The only current business enterprise where I am an officer or am otherwise engaged in the management, is my law firm of which I am a shareholder, director and officer. Yes, I would resign from the aforementioned position immediately upon appointment.**

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

No

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

None

#### POSSIBLE BIAS OR PREJUDICE:

34. The Commission is interested in knowing if there are certain types of cases, groups of entities, or extended relationships or associations which would limit the cases for which you could sit as the presiding judge. Please list all types or classifications or cases or litigants for which you as a general proposition believe it would be difficult for you to set 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.

**I am not aware of any types of cases, group of entities or extended relationships or associations which would limit the cases for which I could sit as the presiding judge with the exception of matters I handled, participated in, or had knowledge of at my law firm. In order to avoid any conflict, I would recuse myself from those particular cases (which number would dwindle over time) and notify all sides in matters where my firm had represented a party in the past to determine if a recusal would be in order to avoid the appearance of any impropriety on my part.**

#### MISCELLANEOUS:

35a. Have you ever been convicted of a felony or a first degree misdemeanor?  
Yes \_\_\_\_\_ No  X  If "Yes", what charges? \_\_\_\_\_

35b. Have you pled nolo contendere or pled guilty to a crime which is a felony or a first degree misdemeanor?  
Yes \_\_\_\_\_ No  X  If "Yes", what charges? \_\_\_\_\_  
Where convicted? \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

35c. Have you ever had the adjudication of guilt withheld for a crime which is a felony or a first degree misdemeanor?  
Yes \_\_\_\_\_ No  X  If "Yes", what charges? \_\_\_\_\_  
Where convicted? \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

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

**No, but the prior firm Patterson and Green, P.A. was named in a case purely as an escrow agent holding funds for others named in the suit. The party bringing the suit was not a client, but someone who had funds the firm was holding in escrow. The allegations concerned a misrepresentation of stock prices to investors. The firm was purely an escrow agent holding funds. There were no allegations of mismanagement of the escrow account. The suit was filed in 1993. Lillian Portnov v. Robert Mons, Jr., Tony Forstman, National Registry, Inc. and Patterson and Green, P.A., Case No: unavailable. The case was settled on behalf of Patterson and Green, P.A. with a mutual release signed by the Plaintiff and Patterson and Green, P.A. The disposition of the remaining defendants is unknown, except that the parties settled before trial.**

- 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, except as mentioned in 36a.**

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

**No**

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

**No**

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

**I was the Plaintiff in a suit entitled Raymond Green and Suzanne Green v. AmSouth Bank, et al., Case No: CA 95-638, Division 55, St. Johns County. The case involved a wrongful disbursement of construction funds to a builder who ultimately used the**

funds for purposes other than construction. A Summary Final Judgment was entered against the Plaintiffs, but settled before the Appeal was filed. The builder was arrested and charged with Grand Theft.

My firm was also a Defendant in a suit filed by a former client's ex-wife, Gina Langley v. Suzanne W. Green, P.A., Case No.: 1D11-2642 L.T. Case No.: 2010-CA-3932. Duval County.

My firm represented the Husband, Barney Langley, in a dissolution of marriage case. At trial, the Court awarded my client the marital home and custody of the three children. Mr. Langley was running out of funds so he allowed our firm to place a charging lien on the home he was living in for us to go forward with the trial. Ms. Langley had already moved from the home and purchased her own homesteaded property. Ms. Langley filed suit alleging the judge and our firm had a bias against her during the trial. The case was dismissed several times, then appealed and dismissed again. Our firm is now collecting on the charging lien for the fees owed by Mr. Langley.

See also 36(a) involving Patterson and Green, P.A.

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   X   No \_\_\_\_\_ If no, explain.

43b. Have you ever paid a tax penalty?

Yes \_\_\_\_\_ No   X   If yes, explain what and why. However, the firm was assessed a late fee for 941 payroll taxes one time.

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

No

#### HONORS AND PUBLICATION:

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

No

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

**Numerous awards and scholarships in college and high school for academic and athletic performance. Professional wins on the Virginia Slims Tennis Tour.**

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

**I speak on a regular basis for real estate agencies, brokers and contractors in the area of mechanics lien and construction law. I have also spoken before the Catholic Diocese in St. Augustine in the area of family law, taught at the police academy when employed as an Assistant State Attorney and have been a guest lecturer at Jones College.**

**I lectured at a Florida Bar Criminal Law/Nursing Home Litigation Seminar in May 2000 and have spoken numerous times as Chairman of the St. Augustine-St. Johns County Airport Authority Board before many organizations in the St. Johns County area from 2000-2018.**

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

**I believe I did at one point, but unsure at this time.**

**PROFESSIONAL AND OTHER ACTIVITIES:**

- 48a. List all bar association 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.

**American Bar Association (no longer a member)**  
**Jacksonville Bar Association (no longer a member)**  
**Jacksonville Beach Bar Association (President 1993 - 1994)**  
**St. Johns County Bar Association**  
**St. Johns County Women's Bar Association**  
**The Florida Bar Association (Member of the Family Law Division)**  
**United States Tennis Association, Life Member**  
**Florida Tennis Association**  
**Florida Association of Criminal Defense Lawyers (no longer a member)**  
**Catholic Lawyers Guild**  
**Florida Academy of Trial Lawyers (inactive)**  
**Delta Gamma Sorority, Social Chairman (1981)**

- 48b. List, in a fully identifiable fashion, all organizations, other than those identified in response to question No. 48a., 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.

**Marsh Landing Country Club, 25655 Marsh Landing Parkway, Ponte Vedra Beach, FL (904) 285-6514**  
**Member: 1989 – 2017**

**The Lodge and Bath Club at Ponte Vedra, 608 Ponte Vedra Blvd., Ponte Vedra Beach, FL (904) 273-9600**  
**Founder's Member 1987 - present**

**The Jacksonville Area Auburn Club, P. O. Box 695, Jacksonville, FL 32201**  
**Member**

**St. Augustine-St. Johns County Airport Authority Board, February 2002-present**

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

**my children, tennis, circuit training, running**

- 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.

**To my knowledge, all organizations to which I have belonged, including social or athletic clubs and those listed in 48a. and 48b. are in compliance with Section 760.60, Florida Statutes.**

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

**I have coordinated and participated in the Jacksonville Beaches Law Day where we provide free legal advice for an entire day at various churches and schools in needy areas. I have volunteered to provide legal assistance to pregnant women in the area of adoption. I also volunteer on a regular basis for the St. Johns County Legal Aid Office in their pro bono and pro se clinics and have represented pro bono clients from that office.**

#### **SUPPLEMENTAL INFORMATION:**

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

**2000-2005**

**Family Law Seminar**

**2000, 2001, 2003, 2005-2018**

**Matrimonial and Family Law Certification Exam Review Course**

**2000**

**Nursing Home Litigation Seminar**

**2000**

**Family Law Accounting, Financial Analysis and Cross Examining the Experts**

**2002, 2003, 2004-2018**

**Numerous CME and CLE hours for mediation recertification in the areas of Domestic Violence, Family Law and Ethics**

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

**I have taught criminal law at the police academy in areas of courtroom demeanor, search and seizure, and business law at Jones College. I lectured at a Continuing Legal Education Seminar for Criminal Law/Nursing Home Litigation on May 26, 2000.**

**Recently, I prepared presentation for a CLE seminar involving Family Law and Incapacitated Parties in 2018.**



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

**As an Assistant State Attorney, a criminal defense attorney and a civil litigator, I have tried over the last thirty years almost every conceivable type of case brought before our courts (with the exception of workers compensation and personal injury). In doing so, I have gained invaluable experience in evaluating a case, weighing its application to the law and drafting pleadings in accordance with the Florida Rules of Procedure. I believe the combined criminal and civil experience provides me an excellent foundation to handle the complex matters which come before a Circuit Judge.**

**Additionally, I have acted as the presiding judge for the National Organization of Big Brothers and Big Sisters in mock trials concerning proper screening of Big Brothers and Sisters and potential liability by the organization. In February 2002, I was appointed to the St. Augustine-St. Johns County Airport Authority Board which deals with the business matters and concerned public as they pertain to the Airport. I was elected Chairman by our board members in 2003 and remain chairman as of 2018.**

**Finally, I have managed a private legal business which, I believe, endears me to understanding private attorneys' needs when seeking attorney's fees and scheduling hearings or trials. Decisions made on the bench impact the lives of those involved as well as those in the community and the attorneys. I feel my experience at managing a private practice, as well as working for the State of Florida, only enhances my ability to attempt an objective view of the facts and circumstances which would be brought before the Court.**

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

**I believe my selection would bring the contribution of a determined and dedicated individual, along with the maturity and demeanor necessary to maintain the integrity of the Court. I have supported myself and worked my way through college and law schools without any outside assistance. I have a continued commitment to the community as evidenced by my past service in Washington, DC, my employment at the State Attorney's Office, my appointment to complex criminal court cases, my appointment to the St. Augustine-St. Johns County Airport Authority and my current representation of individuals in private practice. I seek to continue my contribution to the community through the judiciary and hopefully enhance the public's perception of the bench.**

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.

**Judicial Nominating Commission, Seventh Judicial Circuit, County Court position,  
May 2000**

**Judicial Nominating Commission, Seventh Judicial Circuit, Circuit Court position,  
June 2005**

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

**I am an honest and hard-working individual who is by nature an open minded person, listening to all sides of a controversy, and carefully drawing conclusions. I believe having three children aids in my ability to be patient, objective and calm when solving disputes. While working in Congressional offices for several years in Washington, DC, I was provided the opportunity to observe that a public officer can (and should) have a human side - despite the politics. I often deal with the general public as Chairman of the St. Augustine-St. Johns County Airport Authority Board and when necessary, I make rulings during the meetings. Additionally, I deal with litigants in civil matters as a Certified Family Law Court Mediator and Social Investigator. I desire to incorporate that feeling into my service as a judge.**

**No one in my family has ever served in the judiciary or been a lawyer. It has been my own desire to pursue this career tract since a young age. I lived an exciting and nurturing childhood. My family traveled around the world with competitive junior and professional tennis, exposing me to various aspects of culture and life. My parents dedicated themselves to my sister and I by instilling a sense of fairness, competition and knowledge. From this background, my attitudes and philosophies were shaped at an early age. Primarily among them is never to be afraid to do what is right. I believe I have learned from my accomplishments as well as my mistakes. I intend to continue to live by those beliefs, and do all I can to be fair and uphold the integrity of the court.**

**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.

**The Honorable John M. Alexander- Circuit Court Judge, Family Law Administrator, Seventh Judicial Circuit**  
4010 Lewis Speedway  
Suite 365  
St. Augustine, Florida  
(904) 827-5603

**The Honorable Howard O. McGillin, Jr.-Circuit Court Judge**  
4010 Lewis Speedway  
Suite 347  
St. Augustine, Florida  
(904) 827-5647

**Cyndi Stevenson-Florida State Representative District 17**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Kelley Barrera- St. Johns County School Board**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Bruce Maguire-Former St. Johns County Commissioner, currently on St. Augustine/St. Johns County Airport Authority**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Ronald "Doc" Renuart-DO, Former State Representative, currently a physician**  
520 A1A N, Suite 101  
Ponte Vedra Beach, FL 32082  
(904) 334-4997

**Mr. Ed Wuellner-Executive Director St. Augustine-St. Johns County Airport**  
4796 U.S. 1 North  
St. Augustine, Florida 32095  
(904) 290-0090  
(904) 814-6609

**Mrs. Janet Westling**- President of the Ponte Vedra Federated Republican Women's Club

[REDACTED]

**Mr. John Arbizzani**- Businessman, St. Augustine  
44 Avenida Mendez  
St. Augustine, Florida 32084  
(904) 829-5578  
(611) 669-3535

**Mr. Ernest P. Bono, Sr.**-Retired Executive for Prudential Insurance

[REDACTED]

**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 15 day of November, 2018.

Suzanne W. Green

Printed Name

Suzanne W. Green

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	[REDACTED]		
	2015	2016	2017
List Last 3 years	[REDACTED]	[REDACTED]	[REDACTED]

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.

Current year to date	[REDACTED]		
	2015	2016	2017
List Last 3 years	[REDACTED]	[REDACTED]	[REDACTED]

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	[REDACTED]		
	2015	2016	2017
List Last 3 years	[REDACTED]	[REDACTED]	[REDACTED]

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	[REDACTED]		
	2015	2016	2017
	[REDACTED]	[REDACTED]	[REDACTED]
List Last 3 years	[REDACTED]	[REDACTED]	[REDACTED]

**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 11/15, 20 18 was \$ [REDACTED]

**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 [REDACTED]

**ASSETS INDIVIDUALLY VALUED AT OVER \$1,000:**

DESCRIPTION OF ASSET (specific description is required - see Instructions p. 3)

VALUE OF ASSET

DESCRIPTION OF ASSET (specific description is required - see Instructions p. 3)	VALUE OF ASSET
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

**PART C - LIABILITIES**

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

NAME AND ADDRESS OF CREDITOR

AMOUNT OF LIABILITY

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:

NAME AND ADDRESS OF CREDITOR

AMOUNT OF LIABILITY

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY

**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
Suzanne W. Green, P.A. (Gross income from business)	105 B Solana Road, #105	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

**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

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

	BUSINESS ENTITY #1	BUSINESS ENTITY #2	BUSINESS ENTITY #3
NAME OF BUSINESS ENTITTY	Suzanne W. Green, P.A.		
ADDRESS OF BUSINESS ENTITY	105 B Solana Road		
PRINCIPAL BUSINESS ACTIVITY	law firm		
POSITION HELD WITH ENTITY	President		
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS	Yes		
NATURE OF MY OWNERSHIP INTEREST	President		

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

<p align="center"><b>OATH</b></p> <p>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.</p>	<p align="center"><b>STATE OF FLORIDA</b></p> <p><b>COUNTY OF</b> <u>St Johns</u></p> <p>Sworn to (or affirmed) and subscribed before me this <u>15<sup>th</sup></u> day of <u>Nov</u>, 20<u>18</u> by <u>Suzanne W. Green</u></p> <p><u>[Signature]</u>                  (Signature of Notary Public—State of Florida)</p> <p>(Print, Type, or Stamp Commissioned Name of Notary Public)</p> <p>Personally Known <input checked="" type="checkbox"/> OR Produced Identification _____</p> <p>Type of Identification Produced _____</p>
<p><u>[Signature]</u>                  SIGNATURE</p>	



## 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: 11-15-18

JNC Submitting To: Seventh Circuit Judicial Application

Name (please print): Suzanne W. Green

Current Occupation: Attorney

Telephone Number: (904) 280-8770 Attorney No.: 642398

Gender (check one):  Male  Female

Ethnic Origin (check one):  White, non Hispanic

Hispanic

Black

American Indian/Alaskan Native

Asian/Pacific Islander

County of Residence: St. Johns

*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:

Suzanne W. Green

Signature of Applicant:

Suzanne W. Green

Date: 11-15-18

# Challenge to DNA testing may affect area criminal cases

By Michael Nyenhuis

Science writer

The genetic testing techniques that have provided important evidence in several Jacksonville rape and murder cases — and dozens more across the country — are under fire in a New York courtroom.

And the challenge could lead to a call to reopen criminal cases that have relied on the technique known as DNA "fingerprinting," which has taken the judicial system by storm since it first was used in an Orlando rape case in 1987.

Defense attorneys in a Bronx murder trial, backed by both their own expert witnesses and those of the prosecution, have called into question the procedures of DNA testing performed by a private New York laboratory called Lifecodes Corp.

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*A judge will allow genetic testimony in a murder trial. Story, Page B-5.*

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Lifecodes has administered about eight DNA tests for cases in Jacksonville, a local prosecutor said, and is considered the leading laboratory in the nation for such tests.

DNA, or deoxyribonucleic acid, is present in virtually all body cells and contains each person's genetic codes. DNA can be isolated in samples of blood, semen, skin and hair found at crime scenes and used for identification, much like a fingerprint.

Though the technique has been used in criminal cases for only two years, DNA tests have been considered so conclusive that

(See DNA, Page A-8)

# DNA testing challenge could lead to call to reopen criminal cases

(From Page A-1)

many defendants who have felt trapped by the evidence have simply pleaded guilty.

But criticism in the Bronx case of Lifecodes techniques has prompted a defense attorney's organization to form a panel to determine whether every case the lab has been involved in should be reopened.

"In fact there is a judicial ruling that this evidence is not reliable or not accepted by the scientific community," we have an lawyer, to make sure people are not convicted based on that evidence," said Scott Wallace, a spokesman for the National Association of Criminal Defense Lawyers in Washington.

"It's particularly significant because the technology in the minds of prosecutors, cops and the public has caught on like wildfire and assumed an aura of absolute infallibility," he said.

Even the defense attorney in the Bronx case, Barry Schreck and Peter Neufeld, have not dismissed DNA fingerprinting as an important crime-solving tool. Rather, they said yesterday, the technique is not ready for widespread use because additional controls are needed to ensure its validity.

"Our concern is that this extraordinarily powerful technology, which will undoubtedly revolutionize the way cases are tried, has to be done correctly," Schreck said. "It is our

position that at this point, certainly, there is no consensus in the scientific community on what the proper set of controls should be in doing this type of DNA typing."

The Bronx case involves the murder of a mother and her 2-year-old daughter. A neighbor, Joseph Castro, 38, has been charged with the crime. Scientists from Lifecodes have testified in pretrial hearings that DNA from a bloodstain found on Castro's wristwatch matches the mother's DNA type.

But the findings have been criticized on several computerized technical grounds involving the way the company matches DNA samples and its use of statistical practices when placing 100 million-to-1 odds

against a DNA match being a coincidence.

In a highly unusual move, two expert witnesses for the prosecution joined two defense experts in a pre-trial hearing that said "the statistical data in this case are not scientifically reliable enough to support the assertion" that the victim's blood was present on Castro's watch.

The hearing was expected to end today. A ruling is expected in June. None of the four scientists could be reached for comment yesterday.

But James Pollock, an expert on the use of DNA in forensics for the Florida Department of Law Enforcement in Jacksonville, said both the science of DNA typing and the

procedures used are sound.

Pollock said he was not familiar with the details of the Bronx case, but said Lifecodes has a good reputation. "If you have an honest mistake, one error, and I think that is a very low probability, that wouldn't affect all the other excellent work that has been done by this corporation," he said.

Lifecodes spokesman Karen Weaver said the company has weathered criticism from defense attorneys before, but added, "We have been to court with our test results over 65 times and they have always been accepted."

Several blood samples from ongoing Jacksonville criminal cases

are still in the hands of Lifecodes but for the past month all local blood samples have been sent to the FBI laboratory for analysis, said John Jolly, head of the District County State Attorney's Office special sexual division.

Jolly said all but one of about eight defendants in Jacksonville cases involving DNA fingerprinting have been found guilty, effectively giving up their right to an appeal.

Still, Chief Assistant Public Defender Bill White said those cases could be appealed if the DNA tests are found to be faulty and attorneys failed to challenge DNA results.

Staff writer John Tanner contributed to this report.

29(1)5 29(1)6 29(1)7 29(1)8

# The Florida Times-Union

JACKSONVILLE, FLORIDA, FRIDAY, JANUARY 13, 1989

## Genetic 'fingerprint' method leads to Duval rape conviction

By Derek L. Kinnor

A sophisticated new method of comparing genetic "fingerprints" has claimed its first victory in a Duval County trial.

A Circuit Court jury convicted a Jacksonville man of rape yesterday after jurors were told the man discarded his initial alibi when DNA comparison testing proved he had had sex with the victim.

When first questioned about the 1987 rape, George F. Benzzel, 37, told police he was out of town at the time the victim said she was attacked.

But when DNA trails in bodily fluids taken from the victim matched Benzzel's genetic traits, he changed his story and told police he, in fact, had sex with her.

"At the trial, we could show that he lied to

police when he was apprehended," Assistant State Attorney John July said.

The comparison of DNA, or deoxyribonucleic acid, increasingly is being used in criminal proceedings. The testing has been used in several Jacksonville cases, but Benzzel's was the first to go to trial.

Police and prosecutors say the process, called DNA typing, is one of the strongest tests available for matching a suspect with biological evidence such as blood, semen, skin or hair. Like fingerprints, characteristics of DNA — genetic coding found in every cell in the body — are unique to individuals.

Assistant State Attorney Suzanne Worral said most defendants have pleaded guilty after DNA typing proved their involvement.

(See RAPE, Page A-5)

## Rape conviction tied to DNA 'fingerprints'

(From Page A-1)

In Benzzel's case, his attorneys did not dispute that their client had sexual intercourse with the woman. Instead, they tried to convince jurors that the sex was consensual, not forced.

Benzzel was convicted of the count of sexual assault with a threat by a woman, Duval County Circuit Judge Keith D. Swafford could sentence Benzzel, who has three prior sexual battery convictions, to three consecutive prison terms.

Swafford set sentencing for Jan. 27.

Jurors found that Benzzel raped the victim, a mother of three, after spending her walking alone a road near The Night Owl, a Maxxport lounge, at 1 a.m. on May 10, 1987.

Records show that Benzzel had been out of prison for 30 days when the rape occurred, having served a two-year sentence for sexual battery. Jurors, however, were not told of his prior convictions because a person's past record is not admissible as evidence at trial.

Ms. Worral told jurors that bodily fluids taken from the victim after the rape were sent to Loretta's Inc., a genetic testing company in New York, to determine whether the DNA trails matched Benzzel's. They did.

The DNA tests showed that the odds of the fluids being from someone other than Benzzel were 65 million-to-1.

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

CASE NO: 91-11056-CF  
DIVISION: CR-C

STATE OF FLORIDA,

Plaintiff,

v.

WARD POUGH,

Defendant.

MEMORANDUM OF LAW IN SUPPORT  
OF DEFENDANT'S MOTION TO SUPPRESS

PART I

THE STOP WAS PRETEXTUAL

In Kehoe v. State, 521 So.2d 1094 (Fla. 1988) the Florida Supreme Court altered the test for determining whether a traffic stop is an invalid pretext for an arrest or a search. Prior to Kehoe the test applied in most appellate courts in Florida, and elsewhere, was that so long as the police officer could lawfully stop or arrest the driver for traffic infractions, however minor, the fact that the officer entertained an "ulterior motive" in effectuating the stop was irrelevant. Thus, the so-called "could have" test reigned supreme.

Kehoe, however, changed that. In an unanimous decision the Supreme Court observed that there are:

[S]ituations where the traffic violation is too minor to warrant detention absent some other motivation.

Allowing the police to make unlimited stops based upon the faintest suspicion would open the door to serious constitutional violations. 521 So.2d at 1097.

Thus, subsequent to Kehoe, the appropriate analysis is whether a reasonable police officer would have stopped the vehicle absent an additional invalid purpose. The existence of a fourth amendment violation turns in an objective assessment of the officer's actions in light of the facts and circumstances confronting him at the time.

Situations wherein Florida Courts have applied the Kehoe decision in finding a stop to be pretextual include the following: the stop of a vehicle for a bent license tag and the subsequent search of the vehicle which produced marijuana; the observation by a police officer of a bald tire on the defendant's vehicle and a stop which subsequently resulted in a seizure of narcotics, Monroe v. State, 543 So.2d 298 (Fla. 5th DCA 1989); a police officer observing an automobile "accelerate suddenly from a known drug trafficking area causing gravel to fly over the road," Brooks v. State, 524 So.2d 1102 (Fla. 3rd DCA 1988); the stopping of a vehicle by a deputy involved in drug investigations for "following other traffic too closely" on Interstate 95, Porcher v. State, 538 So.2d 1278 (Fla. 5th DCA 1989); a police officer's observance of a piece of duct tape partially obscuring one letter of a license tag and thereafter stopping the individual for the infraction and subsequently locating narcotics in the vehicle, C.V.H. v. State, 556 So.2d 1235 (Fla. 3d DCA 1990); the stopping of a vehicle by a police officer for failure to use a right turn signal, Whitfield v. State, 559 So.2d 84 (Fla. 3d DCA 1990).

Applying the above stated case law to the facts in this case, it is clear that Officer Lewis' stop of the Defendant's vehicle was ~~clearly~~ pretextual. To believe that a police officer trained in ~~the~~ narcotics/crime prevention unit, patrolling the interstate ~~could~~ stop a vehicle for going an inconsequential miles per hour ~~over~~ the speed limit absent the additional invalid purpose of ~~conducting~~ a narcotics investigation is to be incredibly gullible ~~or~~ simply blind.

THE DETENTION OF THE DEFENDANTS WAS NOT  
PREDICATED UPON A REASONABLE SUSPICION THAT CRIMINAL  
CONDUCT WAS AFOOT AND THEREFORE EVIDENCE SEIZED AS  
A RESULT OF SAID DETENTION MUST BE SUPPRESSED

Assuming arguendo that the initial stop of the Defendant's ~~vehicle~~ was not a pretextual stop the questions then becomes ~~whether~~ the continued and extended detention of the defendants and ~~interrogation~~ thereof was unreasonable and violative of the Fourth ~~Amendment~~ to the United States Constitution.

At the outset, it should be abundantly clear that the ~~detention~~ of the individuals went well beyond that which would have ~~been~~ required to issue a valid warning citation or traffic ~~citation~~. It is equally clear that the continued detention and ~~interrogation~~ of the defendants was not predicated upon a ~~reasonable~~ suspicion that criminal conduct was afoot, Dunbar v. State, 17 FLW D377 (Fla. 2 DCA January 1992); Joseph v. State, 16 FLW D2642 (Fla. 2 DCA October 1991); Cresswell v. State, 564 So.2d 481 (Fla. 1990); Blue v. State, 17 FLW D433 (Fla. 2 DCA February, 1992).



The standards of procedure for arrests and detentions are derived from the Fourth Amendment and its common law antecedents, New York, 45 U.S. 291 (1973), and they are partially under Florida Statute 901.15.

The stop of an automobile and detention of its occupants is necessarily analyzed in terms of arrest, probable cause for warrants based on probable cause. If the detention is not by probable cause but by an officer's suspicion that criminal activity be present, then the legality of the detention is governed by the Fourth Amendment's general prescription against unreasonable searches and seizures. Terry v. Ohio, 392 U.S. 1 (1968); U.S. v. Brignoni-Ponce, 422 U.S. 893 (1975). The reasonableness of the officer's conduct is in turn determined by balancing the violation of the individual's privacy rights against the public's interest in preventing crime. At a suppression hearing an officer should be able to point to specific articulable facts which, taken together with rational inferences from those facts reasonably warrant that criminal activity is afoot. Terry v. Ohio, supra.; Chermak v. State, 427 So.2d 1113 (Fla. 3rd DCA 1983); Carter v. State, 454 So.2d 739 (Fla. 2nd DCA 1984).

The facts and circumstances which will justify an investigatory detention must reasonably indicate that the individual is engaged in criminal activity or the stop is illegal. Staley v. State, 349 So.2d 840 (Fla. 2nd DCA 1977); State v. [redacted], 334 So.2d 671 (Fla. 4th DCA 1976); Carter v. State, supra. While a temporary investigatory detention is less intrusive upon an

individual's rights than a formal arrest, both are serious intrusions of personal privacy and should not be lightly undertaken. State v. Ramos, 378 So.2d 1294 (Fla. 3rd DCA 1979). For an officer to make a valid investigatory stop of an automobile it is not essential that the officer have probable cause to believe that occupants have committed or are committing a crime, however, it is required that the officer have a "founded" or reasonable suspicion of criminal activity which merits further investigation. Terry v. Ohio, supra.; State v. Payton, supra.; Kayes v. State, 409 So.2d 1075 (Fla. 2nd DCA 1981); §901.15, Florida Statutes (1981).

In Codie v. State, 406 So.2d 1117 (Fla. 2nd DCA 1981), although the Court determined that the officer therein had a well-founded suspicion to stop Mr. Codie while he was in a parked car, it was determined that the stop and frisk law, §901.151(2) (1979) applied to vehicle stops and the Court has held that to stop and briefly detain a vehicle, an officer must have a well-founded suspicion that its occupants might be involved in illegal activity. The officer's suspicion must be based on observed facts interpreted in light of the officer's knowledge and experience. State v. W.O.R., 382 So.2d 763 (Fla. 2nd DCA 1980); Williams v. State, 454 So.2d 737 (Fla. 2nd DCA 1984). The legality of each stop or detention is dependent on the facts within the detaining officer's knowledge. The standard does not require that there be a high probability of guilt, however, a mere suspicion or hunch is never enough. State v. Hager, 445 So.2d 1114 (Fla. 2nd DCA 1984); R.B. v. State, 429 So.2d 815 (Fla. 2nd DCA 1983); Wilson v. State, 433

Fla. 2nd DCA 1983); State v. Spuling, 385 So.2d 672  
1-1 DCA 1980); Mullins v. State, So.2d 1162 (Fla. 1978).

In the case at bar, the following facts should be undisputed  
per the depositions of Officer Lewis.

Officer Lewis is a trained drug detection and  
investigation officer, assigned a K-9.

The Defendant, Edward Pough, was never arrested for any  
charge, no criminal activity was observed and all  
defendants were free to leave. Despite this, Officer Lewis  
attempted to detain and interrogate the Defendants even though they  
had no reasonable grounds to believe that the individuals were  
engaged in any criminal activity or conduct.

Officer Lewis' extended detention of these individuals  
was predicated upon mere suspicion and a hunch that he had some  
feeling from talking to the individuals that they were probably  
involved in criminal activity or something along those lines.

The extended and continuous detention of the defendants absent  
a well-founded suspicion that criminal conduct was afoot was  
unlawful and any evidence seized as a result thereof should be  
suppressed.

### PART III

#### THE DEFENDANT'S CONDUCT SUBSEQUENT TO THE UNLAWFUL STOP AND DETENTION DOES NOT SAVE THE SUBSEQUENT SEARCH OF THE VEHICLE

Where the initial stop or the continued contention of  
individuals is without reasonable suspicion nothing that occurs  
hereafter can legitimize the stop or justify a search incident

~~stop~~. Thus, even the alleged consent to search the interior of ~~the~~ vehicle by Defendant Pough and the other occupants of the ~~vehicle~~ could not save an otherwise invalid stop and unlawful ~~detention~~. Rios v. United States, 80 S.Ct. 1431 (1960). The ~~unlawful~~ stop or subsequent detention of a vehicle or individual ~~constitutes~~ a primary illegality which taints and poisons the fruits ~~derived~~ from that unlawful stop. State v. Neri, 500 So.2d 290 Fla. 2nd DCA 1974); Bostick v. State, 14 FLW 586 (December 1, 1988).

In the case at hand since the initial stop was of pretextual ~~nature~~ and the continued detention unlawful, Defendant Pough's ~~alleged~~ consent cannot save the search.

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

CASE NO: 91-11056-CF  
DIVISION: CR-C

STATE OF FLORIDA,  
Plaintiff,

v.

EDWARD POUGH,  
Defendant.

MOTION TO SUPPRESS

COMES NOW the Defendant, Edward Pough, by and through his undersigned attorney, and moves this Honorable Court to enter an Order suppressing evidence due pursuant to a warrantless search of the Defendant's vehicle and in support hereof would assert the following:

1. Officer A. C. Lewis has been employed as a Deputy Sheriff with the Jacksonville Sheriff's Office for the past eight years.
2. For the past four years, Officer Lewis has been assigned to the K-9 unit and has worked specifically with a K-9 trained in drug detection and intervention. Officer Lewis works with a squad and sometimes patrols Interstate I-95 during their shift hours.
3. According to Officer Lewis, while working the I-95 corridor near 295, he observed a vehicle driven by Defendant, Albert Hickson, proceeding in a southerly direction.
4. Officer Lewis testified in deposition that he believed the individual exceeded the speed limit by doing 63 miles per hour in a 55 mile per hour zone, approximately 8 miles over the supposed speed limit.

5. After [redacted]

[redacted] Officer Lewis obtained the driver's license from the [redacted] of the vehicle, registration from the owner of the vehicle, [redacted] began to question the driver as to what he was doing, where he [redacted] going and who owned the vehicle. Officer Lewis stated the following on page 10 of his deposition taken on April 30, 1992:

A. I went to the vehicle to get a registration for that vehicle.

Q. Did he go with you?

A. No.

Q. Where in the vehicle specifically were you going to for the registration?

A. I was standing outside of the passenger window asking for the registration.

Q. You were asking for the registration from one of the passengers?

A. Yes.

Q. Which passenger?

A. I'm assuming it would have been Singleton that was sitting in the front.

Q. Your first request of him, or your first conversation with him was to request the registration?

A. Yes.

Q. Was there a particular reason why you were asking him for the registration?

A. Well, he was in the front near the glove compartment.

Q. But the other person didn't indicate that he was the owner of the vehicle?

A. Yes.

Q. He did indicate that to you?

A. Yes.

Q. Now, to this point, had you called in any other information into the radio other than the fact that you were about to make a stop?

A. No.

Q. And was he able to provide you with a registration?

A. Yes.

Q. And this was before or after you wrote the tickets?

A. Before.

Q. Was there anything else that was done or any other conversation had between receiving the registration and writing the tickets?

A. Conversations?

Q. Yes, with any of the people involved.

A. Yes.

Q. With whom?

A. With the owner.

Q. What was the substance of that conversation?

A. About the vehicle, and he had advised that his -- where he was headed to.

Q. And what did he tell you?

A. Said they were headed to Belle Glade to see an uncle.

Q. Was there any further conversation other than --

A. No.

Q. So what did you do next?

A. Went back and checked the driver's license, completed the citation, and issued it to the driver.

A. Issued the citation.

6. Officer Lewis indicated that he detained the Defendant ~~and~~ after he was provided with a driver's license and had no ~~further~~ reason to believe that any specific criminal conduct was occurring.

7. In this regard, he continued an investigation based exclusively upon a hunch and upon mere suspicion.

8. The following exchange, taken from Officer Lewis' deposition on April 30, 1992, page 17, line 13 through page 13, line 4, is indicative of Officer Lewis' state of mind at the time of this unlawful encounter:

Q. I mean after you issued the citation, anything else?

A. Got consent to search the vehicle and searched it.

Q. Who did you get consent from?

A. All three passengers.

Q. And can I ask you what it was that you asked them, or I mean did you give them any reason for why you wished to search or anything like that?

A. Asked them if they were carrying any illegal guns or firearms or narcotics.

Q. And their response was --

A. No. Asked them if I could search the entire vehicle and the contents, and they responded yes to the consent.

Q. And did you?

A. Yes, I did.



7 CRIMINAL COURT  
Individuals in the vehicle and proceeded to interrogate the driver  
and the passengers of the vehicle.

10. Despite any evidence of a criminal activity being  
present, Officer Lewis requested of the Defendants their permission  
to search the vehicle. Officer Lewis testified that he searched  
the inside of the vehicle, passengers compartment, the trunk and  
under the hood where he discovered a brown pouch wrapped in a blue  
paper containing currency.

11. Despite the fact that no narcotics were found in the  
vehicle and no criminal activity was apparent, Detective Lewis  
placed all the passengers in his patrol car and called for a  
drug/narcotics detective to come to the scene. Officer Lewis  
testified the following on page 17, lines 9 through 19, of his  
deposition taken on April 30, 1992:

Q. What I'm saying is since you'd already  
had the alert and you'd already found the  
money, you said you didn't place them under  
arrest, so I don't know whether you were  
waiting for like your sergeant to come or --

A. Yes, Detective Reddish.  
MR. GREGORY: Which Detective Reddish?  
THE WITNESS: A.T.

BY MS. PRESCOD:

Q. Now, A.T. wouldn't be somebody that's  
normally assigned to your traffic squad.

A. Right.

12. That it is apparent that from the foregoing facts,  
Officer Lewis continued his unlawful detention of these individuals

in hopes of satisfying a hunch that criminal conduct was occurring in some manner.

13. It is abundantly clear by anyone who chooses to look at this case realistically that these officers had done this on numerous occasions and were in fact conducting a planned patterned activity designed to illegally stop, detain and search individuals on Florida's interstate system without having any specific articulable fact which would support a traffic stop or probable cause to support a search.

14. It should be clear that the initial stop of this vehicle was nothing more than a pretextual traffic stop.

15. Further, the continued detention of the Defendants after the driver had produced identification for the mere purpose of investigating some unknown or supposed or suspected criminal activity was unlawful.

16. Accordingly, all evidence seized as a result of the officers unlawful stop and all statements made as a result of the stop, detention and search of the vehicle must be suppressed.

PATTERSON & GREEN

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Attorneys for Defendant  
Edward Pough

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to Denise M. Prescod, Charles Gillette, Rodney G. Gregory, and Jay Taylor, Assistant State Attorney, by hand delivery this 30th day of July, 1992.

Shirley W. Wonnall Green  
Attorney

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IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

In re: The former marriage of:

CASE NO.: 16-2015-DR-6887  
DIVISION: FM-C

**NATHAN SCOTT TERRILL, Former Husband,  
and ALISSA SUE LEONARD, Former Wife.**

**SUPPLEMENTAL PETITION FOR MODIFICATION OF FINAL JUDGMENT OF  
DISSOLUTION OF MARRIAGE**

The Former Husband, NATHAN SCOTT TERRILL, by his undersigned attorney, brings this, his Supplemental Petition for Modification of Final Judgment of Dissolution of Marriage and would show the Court as follows:

1. The parties were granted a final judgment of dissolution of marriage by this Court on January 26, 2016 [Docket #20].
2. There are two minor children: Quinn Catherine Sue Terrill, born on December 13, 2012 and Remi Elizabeth Lynn Terrill, born on April 4, 2014.
3. Paragraphs 2, 3 and 4 of the final judgment describe the present parental parenting plan provisions and timesharing schedule. There is also an Order on Former Husband's Motion for Contempt/Enforcement and Former Wife's Motion for Contempt/Enforcement dated September 9, 2016 [Docket #37] which adds to and clarifies parenting plan provisions.
4. Since the final judgment and the subsequent order have been entered, there have been substantial, permanent, material, unanticipated, changes in circumstances requiring a modification of the parenting plan provisions and timesharing schedule.

5. The parenting plan and timesharing schedule should be modified as follows:

a. The children should spend the majority of time in the household of the Father. Child support was calculated based on equal timesharing but the Former Wife refuses to let the Former Husband peaceably exercise the minimum time awarded in the final judgment and has not honored reasonable requests for additional timesharing. Since the entry of the final judgment, the Former Wife takes steps to attempt to block and take away timesharing that has been awarded to the Former Husband. She has repeatedly misquoted the final judgment in an attempt to manipulate the Former Husband into agreeing to give up time. Further, she has recently asserted she is taking her uninterrupted summer timesharing when she is not leaving town and has given no notice. This recent effort by the Former Wife was in retaliation to the Former Husband's actions in taking the minor children to Sea World with his fiancé and her five (5) and seven (7) year old sons.

b. The Former Wife should be awarded timesharing in accordance with the Fourth Judicial Circuit Guidelines, so long as the children will spend evenings with the Father when the Mother is working at her night time job.

c. The Mother should be restricted from breastfeeding the youngest child, who is more than three years old. The child is uncomfortable and knows she is too old for breastfeeding and resists being fed from her mother's breast. The Father has expressed to the Mother his disapproval of her continuing with breastfeeding and the Mother refuses to stop, despite the child's age and developmental stage. The Order dated September 9, 2016, contemplated that the Former Wife would wean the minor child from breastfeeding at that time. The Former Wife refuses to stop and given the age of the minor child, the

Mother's insistence should be the basis for a mental health evaluation to determine whether she is capable of coparenting the minor children and/or putting the needs of the minor children before her own.

d. The Mother should be specifically restricted from disparaging the Father's fiancé and her children as it makes the children uncomfortable and is not in their best interests. The Mother frequently makes inappropriate comments to the minor children and in the presence of the minor children regarding the Father's fiancé and her children who are soon going to be a step-mother and step-brothers.

e. The Mother should be required to give notice of her intent to move the residence of the minor children. There is currently no notice requirement and the Former Wife has moved two times since the final judgment has been entered. Recently she has withheld the new address of the minor children, after she completed the move and after she was asked for the address for the children.

f. The Mother should be restrained from harassing the Father's mother and any other third party caregiver for the minor children during the Father's timesharing or exchanges of the minor children. The Mother has threatened to call the police and has harassed the paternal grandmother of the minor children when she has cared for them. The Mother contacts the Father's mother at least two times per day to "check on" the minor children. The Mother's enmeshment with the minor children is unhealthy and if it is allowed to continue, it will damage the minor children psychologically.

g. Christmas Vacation should be modified so the parties share the holiday equally, with the Father having Christmas Eve and Christmas Day in even years. The current schedule is lopsided and has deprived the minor children of meaningful Christmas

time with their Father.

h. The Father should be awarded Halloween (overnight) in even numbered years. The current final judgment does not provide for Halloween timesharing and Halloween is a holiday that is important to the minor children.

i. Summer Vacation should be modified so that the uninterrupted vacation provision requires notice. The Former Wife is using the lack of clarity in the current provision to withhold the minor children from the Father, with no intent to leave town with the children.

j. Independence Day/4th of July should be clarified as to time and place of exchange of the minor children. This past holiday the Former Wife withheld the children from their father and kept them with their maternal grandparents when she was not present.

k. The time and place for exchanges of the minor children should be clearly defined, especially holiday timesharing, as the Mother refuses to follow the schedule in the court order, the police have been involved and the Mother continues to manipulate exchanges and the police, who sometimes decline to enforce the order or get involved in domestic civil disputes.

l. The cost of third party daycare during the summer should be the responsibility of the parent exercising timesharing on each respective week. There are many summer care options which do not require matriculation for the entire summer and the Mother refuses to pursue those options because she sees the Father's obligation toward daycare expenses as a way to punish him financially.

m. The order dated September 9, 2016, requires the parties to communicate three times per day through Our Family Wizard. This should be modified so the parties are not required to communicate daily but they should be required to communicate regarding the minor children on a semi-weekly basis on Sunday and Wednesday, unless there is an emergency. The Former Wife uses Our Family Wizard to harass the Former Husband and contacts him sometimes several times per day. She should be restricted from contacting the Former Husband more than one time on Sunday and Wednesday unless there is a specific issue which needs to be addressed. She should further be restricted from sending text messages outside of Our Family Wizard unless there is an emergency.

n. The order dated September 9, 2016, requires the parties to participate in Facetime nightly with the minor children. Nightly Facetime is disruptive to the timesharing of the person who has the children and is not in the best interest of the children. Facetime for the parent who does not have the children on any given week should be limited to Tuesday and Thursday from 7:15 p.m. to 7:30 p.m.

o. The parties should not be required to pay for any extra curricular activity for which they have not agreed in writing. The Mother has unilaterally signed up the children for extra curricular activities and then demanded payment from the Father.

p. The Mother should be prohibited from making appointments for the minor children during the Father's timesharing or pulling the children out of school or daycare during the Father's timesharing. The Father is capable of making doctor and dentist appointments during his timesharing and the parties can work out who will take the children to said appointments through Our Family Wizard.



q. The Parenting Plan should state that it can be enforced by the police. The police have been called and have refused to enforce the court order because it does not state it is enforceable by police as to timesharing exchanges.

6. Modification is in the best interest of the minor children because the Mother has failed to effectively co-parent in a way that puts the needs of the minor children above her perceived need to punish the Father. The Father is in a position to provide a healthy, stable and loving environment for the minor children where they will be free of the stresses that are placed on them in the home of the Mother.

7. The Former Husband requests that child support and percentage obligations be modified in accordance with the modification of timesharing.

8. If necessary, a Child Support Guidelines Worksheet will be filed after discovery is completed.

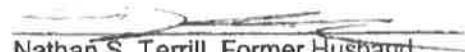
9. A completed Family Law Financial Affidavit will be filed.

10. A completed UCCJEA Affidavit will be filed separately.

WHEREFORE, the Former Husband, NATHAN SCOTT TERRILL, respectfully requests that this Court modify the final judgment of dissolution of marriage and subsequent order regarding timesharing as requested herein and grant such other relief as this Court deems equitable and just.

**I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this petition and that the punishment for knowingly making a false statement includes fines and/or imprisonment.**

Dated: 7-28-17

  
Nathan S. Terrill, Former Husband  
Affiant

Sworn to or affirmed and signed before me on this 28 day of July, 2017, by the above-signed Affiant.

(Stamp)



Michelle K. Schlueter  
Notary Public - STATE OF FLORIDA

Personally known  
 Produced identification: \_\_\_\_\_

**BYLUND LAW, PLLC**

Corrine A. Bylund  
**CORRINE A. BYLUND, ESQUIRE**  
Florida Bar No.: 14964  
841 Prudential Dr., 12<sup>th</sup> Floor  
Jacksonville, FL 32207  
Phone: (904) 728-4644  
Email: [Corrine@BylundLaw.com](mailto:Corrine@BylundLaw.com)  
Secondary Email: [Christina@BylundLaw.com](mailto:Christina@BylundLaw.com)  
Attorney for the Former Husband

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

Case No.: 16-2015-DR-006887  
Division: FM-C

IN RE THE MARRIAGE OF:

**NATHAN SCOTT TERRILL,**  
Former Husband,  
and

**ALISSA SUE LEONARD,**  
Former Wife.

FORMER WIFE'S MOTION TO DISMISS FORMER HUSBAND'S SUPPLEMENTAL  
PETITION FOR MODIFICATION OF FINAL JUDGMENT OF DISSOLUTION OF  
MARRIAGE

COMES NOW, the Former Wife, **ALISSA SUE LEONARD**, by and through the undersigned attorney and files this Former Wife's Motion to Dismiss Former Husband's Supplemental Petition for Modification of Final Judgment of Dissolution of Marriage pursuant to Rules 12.420(b) of the Florida Family Law Rules of Procedure and 1.420(b) of the Florida Rules of Civil Procedure and states in support thereof:

1. The Former Husband has failed to properly allege that there has been a substantial, permanent, material unanticipated change in circumstances requiring a modification of the Parenting Plan provisions and time sharing schedule.
2. On or about August 2, 2017 the Former Husband filed his Supplemental Petition to Modify the Final Judgment of Dissolution of Marriage (docket #55). Immediately thereafter, the Former Husband filed his Motion for Contempt/Enforcement on August 14, 2017 (docket #61) alleging substantially, if not all, the same allegations contained in the Supplemental Petition for Modification of Final Judgment of Dissolution of Marriage.

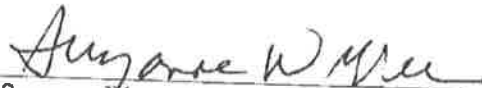
3. The allegations contained in the Former Husband's Supplemental Petition for Modification of Final Judgment of Dissolution of Marriage clearly are duplicitous of the allegations contained in the Former Husband's Motion for Contempt/ Enforcement, and arise to an enforcement action only. The allegations contained in the Former Husband's Supplemental Petition for Modification of Final Judgment of Dissolution of Marriage deal with lack of communication between the Parties and differing parenting styles.
4. The Former Husband's Supplemental Petition for Modification of Final Judgment of Dissolution of Marriage puts for the issues to clarify and "clean up" the parenting plan as the Former Husband and Former Wife do not seem able to co-parent without strict guidance with the parenting schedule.
5. Fla. Stat. § 61.13(3) (2008) provides that, "a determination of parental responsibility, a parenting plan, or a time-sharing schedule may not be modified without a showing of substantial, material, and unanticipated change in circumstances and a determination that the modification is in the best interests of the child." The allegations in the Former Husband's Supplemental Petition for Modification of Final Judgment of Dissolution of Marriage do not rise to the level of substantial and material change in circumstances to warrant a change in timesharing. "The inability of parents to communicate does not amount to a substantial change of circumstances that would justify a custody modification." Oglivie v. Oglivie, 954 So. 2d 698 (1<sup>st</sup> District, April 19, 2007).
6. The Former Husband's Supplemental Petition for Modification of Final Judgment of Dissolution of Marriage fails to state a cause of action, as there are no substantial, material, and unanticipated changes in circumstances warranting a modification.
7. As a result of this action, the Former Wife was required to retain the undersigned counsel to represent her in this matter and he is obligated to pay the undersigned a reasonable

attorney's fee. The Former Wife requests the Court award her attorney fees and costs.

**WHEREFORE**, the Former Wife, **ALISSA SUE LEONARD**, respectfully requests this Honorable Court to dismiss the Former Husband's Supplemental Petition for Modification of Final Judgment of Dissolution of Marriage, award the Former Wife the fees and cost incurred as a result of filing this Motion to Dismiss, and award any other relief the Court deems necessary and proper.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy has been forwarded to Corrine A. Bylund, Esquire, attorney for the Former Husband, 841 Prudential Dr., 12<sup>th</sup> Floor, Jacksonville, FL 3220, Corrine@BylundLaw.com, this ~~27~~<sup>28</sup> day of August 2017.



Suzanne Worrall Green, Esquire  
Florida Bar No.: 642398  
105-B Solana Rd.  
Ponte Vedra Beach, FL 32082-5229  
Phone: 904 280-8770  
Email: service.suzannewgreenpa@gmail.com  
Attorney for Former Wife

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA.

CASE NO.: 16-2015-006887  
DIVISION: FM-C

IN RE THE MARRIAGE OF:

**NATHAN SCOTT TERRILL,**  
Former Husband,

and

**ALISSA SUE LEONARD,**  
Former Wife.

**ORDER PARTIALLY GRANTING AND PARTIALLY DENYING FORMER WIFE'S  
MOTION TO DISMISS FORMER HUSBAND'S SUPPLEMENTAL PETITION FOR  
MODIFICATION OF FINAL JUDGMENT OF DISSOLUTION OF MARRIAGE**

**THIS CAUSE** came on to be heard on November 27, 2017, upon the Former Wife's Motion for Clarification (DKT #52), the Former Wife's Motion to Dismiss (DKT #64), and the Former Wife's Motion for Parenting Coordinator (DKT # 65). The Court having received evidence and testimony herein, and being otherwise fully advised in the premises thereupon, makes the following finding of facts:

- A. The Court has jurisdiction of the parties to and subject matter of this action.
- B. There are two minor children: Q.C.S.T., born in 2012 and R.E.L.T., born in 2014.
- C. On or about August 2, 2017, the Former Husband filed his Supplemental Petition for Modification of Final Judgment of Dissolution of Marriage (Supplemental Petition) (DKT #55).
- D. On or about August 24, 2017, the Former Wife filed her Motion to Dismiss Former Husband's Supplemental Petition for Modification of Final Judgment of Dissolution of Marriage (Motion to Dismiss) (DKT #64).
- E. The Former Husband's Supplemental Petition lists numerous allegations that could be construed as enforcement actions and other allegations which could be construed as potential material and substantial unanticipated changes in circumstances requiring a modification of the Parenting Plan.

Therefore as to the Motion to Dismiss, it is hereby **ORDERED**:

1. Paragraphs B, C, E, G, H, I, L, M, O, and P of the Former Husband's Supplemental Petition are **DISMISSED**, and these paragraphs as they relate to the Former Wife's Motion to Dismiss are **GRANTED**.
2. Paragraphs A, D, F, J, K, N, and Q of the Former Husband's Supplemental Petition shall remain and therefore the dismissal of those paragraphs as they relate to the Former Wife's Motion to Dismiss is **DENIED**.
3. By Agreement of the Parties the Former Wife's Motion for Parenting Coordinator is **GRANTED** and will be addressed in a separate Order.
4. The Court specifically reserves on the issue of an award of attorney's fees associated with Former Wife's Motion for Clarification (DKT# 52), Former Husband's Motion for Contempt and Enforcement (DKT#61), Former Husband's Motion to Abate Child Support (DKT#63), Former Wife's Motion to Dismiss (DKT#64), and Former Wife's Motion for Parenting Coordinator (DKT#65).
5. **RESERVATION OF JURISDICTION**: This Court reserves jurisdiction to enforce, and where appropriate, to modify the terms hereof upon application by either party for enforcement or modification of any provision of the Order herein. Notice of such application may be served in accordance with the applicable rules of Florida Family Rules of Procedure. In addition, should either party seek to amend or modify any of the provisions contained in this Order, jurisdiction shall be retained by this Court in Duval County, Florida.

**DONE AND ORDERED** in Chambers at Jacksonville, Duval County, Florida, this 20<sup>nd</sup> day of Dec., 2017.

  
CIRCUIT JUDGE

Copies to:

Suzanne Green, Esquire  
Email: service.suzannewgreenpa@gmail.com

Corrine A. Bylund, Esquire  
Email: Corrine@bylundlaw.com

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

CASE NO.:  
DIVISION:

IN RE: The Marriage of:  
ORIANA P. HETSLER

Wife,

and

ROBERT G. HETSLER, JR.,  
Husband,

and

HK STORAGE, LLC, (a Florida Limited Liability Company),  
HK OUTDOOR, LLC, (a Florida Limited Liability Company),  
RURAL STORAGE, LLC, (a Foreign Limited Liability Company),  
RC CAPITAL INVESTMENTS, LLC, (a Foreign Limited Liability Company),  
C.H. HOUSE COMPANY, LLC, (a Florida Limited Liability Company),  
HETSLER MEDIATION AND VALUATION, LLC, (a Florida Limited Liability Company),  
ORIANA VENDING ENTERPRISES, INC., (a Florida Profit Corporation),  
MY OPTIMIZATION EXPERTS, INC., (a Foreign Profit Corporation),  
C.H.F. DEVELOPMENT, LLC, (a Florida Limited Liability Company),  
RIVERTOWN BUILDERS, LLC, (a Florida Limited Liability Company),  
HK TRAILORS, LLC, (a Florida Limited Liability Company),  
SEBASTIAN'S PLAYGROUNDS, LLC, (a Florida Limited Liability Company),  
MEDIATORS ON CALL, LLC, (a Florida Limited Liability Company),  
HK AUGUSTA STORAGE, LLC, (a Florida Limited Liability Company),  
HK OASIS CARWASH, LLC, (a Florida Limited Liability Company),  
HK PARKWAY CARWASH, LLC, (a Florida Limited Liability Company),  
HK NAHUNTA STORAGE & CARWASH, LLC, (a Florida Limited Liability Company),  
SOUTHERN FIREWORKS, LLC, (a Florida Limited Liability Company),  
MACCLENNEY STORAGE, LLC, (a Florida Limited Liability Company),  
SOUTHWIND HUNTING ADVENTURES, LLC, (a Florida Limited Liability Company),  
LIVEOAK STORAGE GROUP, LLC, (a Florida Limited Liability Company),  
BREAKTHROUGH, INC., (a Florida Profit Corporation),  
ORIVISION, INC., (a Florida Profit Corporation),  
REAL ESTATE TAX SPECIALIST, INC., (A Florida Profit Corporation),  
HETON CORPORATION, (a Florida Profit Corporation),  
RENTAL HOLDINGS, LLC, (a Florida Limited Liability Company),  
Husband/Wife/Third-Party Businesses.

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**COUNT I**

**WIFE'S VERIFIED PETITION FOR SEPARATE MAINTENANCE**



COMES NOW, the Wife, ORIANA P. HETSLER, by and through her undersigned counsel, and files this, her Verified Petition for Separate Maintenance, and states in support thereof:

1. **NATURE OF ACTION:** This is an action for Separate Maintenance.
2. **RESIDENCY:** The parties are both residents of the State of Florida and have been for more than six (6) months prior to the filing of this petition. The parties last lived as Husband and Wife in Duval County, Florida.
3. **MARRIAGE:** The parties were married to each other on March 16, 2001.
4. **CHILDREN:** There are two children born of this marriage, to wit: S.A.H. born July 17, 2007 and V.B.H. born July 8, 2010. No other children are expected of the marriage.
5. **PARENTAL RESPONSIBILITY/TIMESHARING:** It is in the best interests of the minor children for the Wife have sole Parental Responsibility, and that the Wife be awarded 100% time sharing with the parties' minor children. In its determination of time sharing, the Wife requests that the Court take into consideration the Husband's instability and substance abuse issues. The Husband regularly demonstrates drastic mood swings and erratic behavior and the Wife believes that until his instability and addiction issues are addressed, limiting his time sharing is in the best interests of the minor children.
6. **CHILD SUPPORT:** The Wife requests that the Court establish the Husband's child support obligation commensurate with the Florida Statutes relating to child support.
7. **ALIMONY:** The Wife requests temporary, bridge-the-gap, durational, lump sum and rehabilitative alimony. The Husband is a self-employed business owner and earns substantially more income than the Wife. She is and has been financially dependent on the Husband for her support throughout the marriage and separation. The Wife is unemployed and

has been the primary caretaker of the home and minor children. The Wife has the need for the above-mentioned alimony on a temporary and permanent basis and the Husband has the ability to pay.

8. **MEDICAL AND DENTAL INSURANCE:** The Wife and minor children are currently covered by the Husband's medical insurance. The Husband should be required to maintain medical insurance for the benefit of the minor children as it is reasonably available to him. Regarding dental/vision insurance, the Husband currently covers the Wife and minor children. The Husband should continue to cover the minor children. The Husband should make available any COBRA insurance coverage for the Wife.

9. **LIFE INSURANCE:** The Husband should secure his obligation for alimony and child support by obtaining/maintaining a life insurance policy or obtain a bond or otherwise secure such alimony and child support award with any other assets which may be suitable for that purpose on his life designating the Wife as the irrevocable, sole beneficiary pursuant to Florida Statutes 61.08(j)(3).

10. **EQUITABLE DISTRIBUTION:**

a. **Assets:** The parties have acquired certain assets during the course of the marriage, which should be equitably divided between the parties, pursuant to Section 61.075, Florida Statutes.

(i) **Businesses:**

(1) **HK Storage, LLC:** The parties own HK Storage, LLC, a Florida Limited Liability Company created in 2006 in which both parties are managers. This business owns two (2) properties in Duval County, Florida, provided herein.

(2) **HK Outdoor, LLC**: The Husband owns HK Outdoor, LLC, a Florida Limited Liability Company created in 2006. The Husband appears to own this business with a third party.

(3) **Rural Storage, LLC**: The Husband solely owns Rural Storage, LLC, a Foreign Limited Liability Company created in 2016. This business owns four (4) properties in Duval County, Florida, provided herein.

(4) **RC Capital Investments, LLC**: The Husband owns RC Capital Investments, LLC, a Foreign Limited Liability Company created in 2017. The Husband appears to own this business with a third party.

(5) **C.H. House Company, LLC**: The Husband owns C.H. House Company, LLC, a Florida Limited Liability Company created in 2005. The Husband appears to own this business with a third party and the Wife is listed as Registered Agent.

(6) **Hetsler Mediation and Valuation, LLC**: The parties own Hetsler Mediation and Valuation, LLC, a Florida Limited Liability Company created in 2003 in which the Husband is President and the Wife is Vice President.

(7) **Oriana Vending Enterprises, Inc.**: The parties own Oriana Vending Enterprises, Inc., a Florida Profit Corporation created in 2004 in which the Wife is President/CEO and the Husband is Vice President/CFO.

(8) **My Optimization Experts, Inc.:** The parties own My Optimization Experts, Inc., a Foreign Profit Corporation created in 2010. This business appears to be owned with a third party.

(9) **C.H.F. Development, LLC:** The Husband owns C.H.F. Development, LLC, a Florida Limited Liability Company created in 2005. The Husband appears to own this business with third parties.

(10) **Rivertown Builders, LLC:** The Husband owns Rivertown Builders, LLC, a Florida Limited Liability Company created in 2006. The Husband appears to own this business with third parties.

(11) **HK Trailers, LLC:** The parties own HK Trailers, LLC, a Florida Limited Liability Company created in 2008 in which both parties are managers. This business owns one (1) property in Duval County, Florida, provided herein.

(12) **Sebastian's Playgrounds, LLC:** The parties own Sebastian's Playgrounds, LLC, a Florida Limited Liability Company created in 2008 in which both parties are managers.

(13) **Mediators on Call, LLC:** The Husband owns Mediators On Call, LLC, a Florida Limited Liability Company created in 2009. The Husband appears to own this business with a third party.

(14) **HK Augusta Storage, LLC:** The parties own HK Augusta Storage, LLC, a Florida Limited Liability Company created in 2010 in which both parties are managers.

(15) HK Oasis Carwash, LLC: The parties own HK Oasis Carwash, LLC, a Florida Limited Liability Company created in 2010 in which both parties are managers.

(16) HK Parkway Carwash, LLC: The parties own HK Parkway Carwash, LLC, a Florida Limited Liability Company created in 2010 in which both parties are managers.

(17) HK NAHUNTA STORAGE & CARWASH, LLC: The parties own HK Nahunta Storage & Carwash, LLC, a Florida Limited Liability Company created in 2010 in which both parties are managers.

(18) Southern Fireworks, LLC: The Husband owns Southern Fireworks, LLC, a Florida Limited Liability Company created in 2013. The Husband appears to own this business with a third party.

(19) MacClenney Storage, LLC: The Husband solely owns MacClenney Storage, LLC, a Florida Limited Liability Company created in 2015.

(20) Southwind Hunting Adventures, LLC: The Husband owns Southwind Hunting Adventures, LLC, a Florida Limited Liability Company created in 2017. The Husband appears to own this business with a third party.

(21) LiveOak Storage Group, LLC: The Husband owns LiveOak Storage Group, LLC, a Florida Limited Liability Company created

in 2017. The Husband appears to own this business with a third party.

(22) **Breakthrough, Inc.:** The parties own Breakthrough, Inc., a Florida Profit Corporation created in 2001. The parties appear to own this business with a third party.

(23) **Orivision, Inc.:** The parties own Orivision, Inc., a Florida Profit Corporation created in 2002 in which the Wife is President/CEO and Registered Agent and the Husband is Vice President/CFO. The parties appear to own this business with a third party.

(24) **Real Estate Tax Specialist, Inc.:** The Husband owns Real Estate Tax Specialist, Inc., a Florida Profit Corporation created in 2015. The Husband appears to own this business with a third party.

(25) **Heton Corporation:** The Husband owns Heton Corporation, a Florida Profit Corporation created in 1997. The Husband appears to own this business with third parties.

(26) **Rental Holdings, LLC:** The Husband owns Rental Holdings, LLC, a Florida Limited Liability Company created in 2011. The Husband appears to own this business with a third party. This business owns five (5) properties in Duval County, Florida, provided herein.

(ii) **College Prepaid:** There are college prepaid accounts for each of the minor children which should be maintained for the benefit of the minor children. The Wife should remain the owner of said plans.

b. **Debts:** The parties have incurred certain debts and obligations during the course of the marriage which should be equitably divided among the parties. The Court needs to identify and set aside each party's non-marital assets and liabilities. The Husband should be responsible for debt unilaterally incurred by him and any assets he has dissipated, including but not limited to his expenses on his nephew's education.

c. **Real Property:**

(i) **Marital Home:** The Parties jointly own the marital residence ("Marital Home") located at 4529 San Lorenzo Blvd., Jacksonville, Florida 32224.

This real property is more specifically known as:

LOT 27, VILLINI AT GLEN KERNAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 57, PAGES 86, 86A, 86B AND 86C, IN THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

The Wife requests exclusive use, possession and ownership of the Marital Home as and for a portion of equitable distribution.

(ii) **Second Home:** The Husband owns real property ("Second Home") located at 4971 Scenic Marsh Court, Jacksonville, Florida 32226. This real property is more specifically known as:

LOT 2, TIMUCUANA BLUFF PHASE ONE, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 52, PAGE(S) 33, 33A AND 33B, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

The Husband formerly resided in the Second Home until on or about September 2017 when he left the second home and moved into a rented condo. The Wife believes the Husband's cousin, cousin's son and that son's mother currently live in the Second Home at the expense of the Husband.

The Wife requests her marital interest in the Second Home.

(iii) **HK Storage, LLC Properties:** HK Storage, LLC owns two

(2) properties, more specifically described in:

(1) **HK Property #1:** Plat Book 18, Page(s) 69 AND 69A, of the Public Records of Duval County, Florida.

(2) **HK Property #2:** Plat Book 55, Page(s) 92, 92A, 92B AND 92C, of the Public Records of Duval County, Florida.

(iv) **Rural Storage, LLC Properties:** Rural Storage, LLC owns four (4) properties, more specifically described in:

(1) **Rural Property #1:** Deed Book 684, Page 43, of the Public Records of Duval County, Florida.

(2) **Rural Property #2:** Plat Book 1, Page 50, of the Public Records of Duval County, Florida.

(3) **Rural Property #3:** Deed Book 720, Page 439, of the Public Records of Duval County, Florida.

(4) **Rural Property #4:** O.R. Book 5985, Page 1867; O.R. Book 8424, Page 888, of the Public Records of Duval County, Florida.

(v) **HK Trailers, LLC Property:** HK Trailers, LLC owns one (1) property, more specifically described in Plat Book 34, Page 11, of the Public Records of Duval County, Florida.



(vi) **Rental Holdings, LLC Properties:** Rental Holdings, LLC

owns five (5) properties, more specifically described in:

- (1) **Holdings Property #1:** O.R. Book 12831, Page 1506, of the Public Records of Duval County, Florida.
- (2) **Holdings Property #2:** O.R. Book 5544, Page 510 and re-recorded in Book 5546, Page 2070, of the Public Records of Duval County, Florida.
- (3) **Holdings Property #3:** O.R. Book 5477, Page 822; amended in O.R. Book 5830, Page 1084; O.R. Book 6157, Page 645; O.R. Book 7066, Page 435 and O.R. Book 7066, Page 437, of the Public Records of Duval County, Florida.
- (4) **Holdings Property #4:** O.R. Book 12831, Page 1506 (Unit No. 2025), of the Public Records of Duval County, Florida.
- (5) **Holdings Property #5:** O.R. Book 12831, Page 1506 (Unit No. 2214), of the Public Records of Duval County, Florida.

The Wife requests her marital interest in the above properties (iii-vi) as and for a portion of equitable distribution.

The Wife respectfully requests this Court grant the Wife leave to amend this Verified Petition for Separate Maintenance upon discovery of further corporations, businesses or properties owned by the Husband and if said entities need to be made as parties to this action.

11. **FURNITURE/FURNISHINGS:** The parties have accumulated certain furniture and furnishings and other items of personal property, which should be equitably divided. The parties should retain possession of their own non-marital or pre-marital property.

12. **MOTOR VEHICLES:** The parties have multiple motor vehicles which should be equitably distributed.

13. **RETIREMENT/401K/IRA:** The parties each have a retirement, 401K, IRA, and/or investment accounts, which should be equitably distributed. The parties shall not unnecessarily encumber these assets until an equitable distribution.

14. **MILITARY STATUS:** Both parties are over the age of eighteen (18) years old and neither is, nor has been within a period of thirty (30) days immediately prior to this date, a person in the military service of the United States as defined by the Amended Soldiers and Sailors' Civil Relief Act of 1940.

15. **ATTORNEY'S FEES/COSTS:** The Wife has retained the undersigned attorney to represent her in this matter and has agreed to pay said attorney reasonable fees and costs. The Husband is financially able to contribute to the Wife's attorney's fees and costs on a temporary and final basis without impairing his economic status. The Wife financially needs said fees and costs awarded on an interim and final basis.

## **COUNT II**

### **COMPLAINT FOR PARTITION OF REAL PROPERTY**

COMES NOW the Wife, ORIANA P. HETSLER, by and through her undersigned counsel, and files this, her Complaint for Partition of Real Property and in support thereof states:

16. This is an action for partition of real property located in Duval County, Florida.

17. The above-mentioned property consists of a house and property located at 4971 Scenic Marsh Court, Jacksonville, Florida 32226. This real property is more specifically known as:

LOT 2, TIMUCUANA BLUFF PHASE ONE, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 52, PAGE(S) 33, 33A AND 33B, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

Said property is indivisible and not subject to physical partition without prejudice to the owners.

18. Said property is titled to ROBERT G. HETSLER, JR., residing at 4971 Scenic Marsh Court, Jacksonville, Florida 32226, and was purchased during the marriage with marital funds. The Husband has resided in this property.

19. The Wife is informed and believes that the above-described interests comprise the total ownership of said property sought to be partitioned and that the property is subject to no other claim.

20. The Wife has a right to partition the above-described property.

21. The Wife is obligated to pay the undersigned a reasonable fee to bring this action for partition. The Wife is entitled to recover a share of reasonable attorney's fees incurred herein by the Wife in proportion the Husband's interests in the partitioned property, in that this partition is sought for the common benefit of the parties to preserve and secure to each of the parties his or her respective interests and rights in the property.

**WHEREFORE**, it is respectfully requested that this Honorable Court would enter a Final Judgment of Separate Maintenance that would:

- A. Establish the Wife's sole parental responsibility of the parties' minor children and award the Wife 100% time sharing, taking into consideration the Husband's instability and substance abuse issues.
- B. Establish the Husband's child support obligation commensurate with the Florida Statutes.

- C. Equitably distribute any of the parties' marital assets and debts, including but not limited to the businesses and real property, and identify and set aside each party's non-marital assets and liabilities.
- D. Grant the Wife leave to amend this Verified Petition for Separate Maintenance upon discovery of further corporations, businesses or property owned by the Husband.
- E. Require the Husband to be responsible for any debts unilaterally incurred by him, and any assets he has dissipated, including but not limited to any debt incurred for the benefit of the Husband's cousin and cousin's son.
- F. Award the Wife exclusive use, possession and ownership of the Marital Home and award her marital interest in the Second Home.
- G. Require the Husband to maintain/obtain a life insurance policy or obtain another form of security to cover his alimony and child support obligations, naming the Wife as the sole beneficiary.
- H. Equitably divide the parties' motor vehicles.
- I. Equitably distribute the parties' furniture and other items of personal property.
- J. Equitably distribute the Parties' retirement, 401K, IRA, and investment accounts.
- K. Award the Wife alimony: temporary, lump sum, durational, bridge-the-gap and rehabilitative.
- L. Require the Husband to maintain or make available a health insurance policy and dental/vision insurance for the parties' minor children.
- M. Partition the Second Home located at 4971 Scenic Marsh Court, Jacksonville, Florida 32226.

- N. Require the Husband to pay or contribute to the Wife's attorney's fees and costs on a temporary and permanent basis.
- O. Award any and such further relief as this Court deems just and proper.


AFFIDAVIT

I HEREBY swear and affirm under penalty of oath and law that the above statements are made in good faith and are true and correct to the best of my knowledge.

  
ORIANA P. HETSLER

Sworn to and subscribed before me this  
24 day of December, 2017.

ST. JOHNS COUNTY  
FLORIDA

  
Notary Public, State of Florida  
My Commission Expires:

I personally know the Affiant  
 The Affiant has produced the following  
for purposes of identification: FL DL

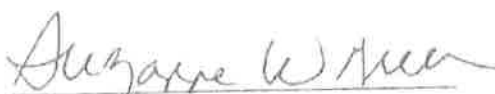


Suzanne W. Green  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG060362  
Expires 1/19/2021

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to Robert G. Hetsler, Jr. via process server.

SUZANNE WORRALL GREEN P.A.

  
Suzanne W. Green, Esquire  
Florida Bar No.: 642398  
105-B Solana Road  
Ponte Vedra Beach, FL 32082  
(904) 280 8770  
service.suzannewgreenpa@gmail.com  
Attorney for the Wife

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

CASE NO.: 16-2017-DR-009222-FMXX-MA  
DIVISION: FM-A

IN RE: The Marriage of:

ORIANA P. HETSLER  
Wife,

and

ROBERT G. HETSLER, JR.,  
Husband,

and

HK STORAGE, LLC, (a Florida Limited Liability Company), ET AL.

**COUNT I**

**WIFE'S AMENDED VERIFIED PETITION FOR DISSOLUTION OF MARRIAGE**

**COMES NOW**, the Wife, ORIANA P. HETSLER, by and through her undersigned counsel, and files this, her Amended Verified Petition for Dissolution of Marriage, and states in support thereof:

1. **NATURE OF ACTION:** The Wife filed a Verified Petition for Separate Maintenance on November 29, 2017 (DKT #2). The Wife now amends her Verified Petition for Separate Maintenance to become a Petition for Dissolution of Marriage.
2. **RESIDENCY:** The parties are both residents of the State of Florida and have been for more than six (6) months prior to the filing of this petition. The parties last lived as Husband and Wife in Duval County, Florida.
3. **MARRIAGE:** The parties were married to each other on March 16, 2001.
4. **CHILDREN:** There are two children born of this marriage, to wit: S.A.H. born July 17, 2007 and V.B.H. born July 8, 2010. No other children are expected of the marriage.

5. **PARENTAL RESPONSIBILITY/TIMESHARING:** It is in the best interests of the minor children for the Wife have sole Parental Responsibility, and that the Wife be awarded 100% time sharing with the parties' minor children. The Husband is currently in a medical facility and is incapable of caring for the children on a time sharing basis. The Wife routinely brings the children to visit with the Husband.

6. **CHILD SUPPORT:** The Wife requests that the Court establish the Husband's child support obligation commensurate with the Florida Statutes relating to child support.

7. **ALIMONY:** The Wife requests temporary, permanent periodic, bridge-the-gap, durational, lump sum and rehabilitative alimony. The Husband is a self-employed business owner with multiple income producing assets and earns substantially more income than the Wife. She is and has been financially dependent on the Husband for her support throughout the marriage and separation. The Wife is unemployed and has been the primary caretaker of the home and minor children. The Wife has the need for the above-mentioned alimony on a temporary and permanent basis and the Husband has the ability to pay.

8. **MEDICAL AND DENTAL INSURANCE:** The Wife, Husband and minor children are currently not covered by medical insurance. The Husband should be required to maintain medical insurance for the benefit of the minor children as he has during the marriage. The Husband should make available any COBRA insurance coverage for the Wife.

9. **LIFE INSURANCE:** The Husband should secure his obligation for alimony and child support by obtaining/maintaining a life insurance policy or obtain a bond or otherwise secure such alimony and child support award with any other assets which may



be suitable for that purpose on his life designating the Wife as the irrevocable, sole beneficiary pursuant to Florida Statutes 61.08(j)(3).

10. **EQUITABLE DISTRIBUTION:** The Husband is currently hospitalized for an indefinite period of time and cannot gain employment in the foreseeable future.

Therefore, the Husband should be required to satisfy his support obligations through an unequal distribution of the following assets:

**a. Assets:** The parties have acquired certain assets during the course of the marriage, which should be disproportionately divided between the parties, pursuant to Section 61.075, Florida Statutes.

**(i) Businesses:**

(1) **HK Storage, LLC:** The parties own HK Storage, LLC, a Florida Limited Liability Company created in 2006 in which both parties are managers. This business owns two (2) properties in Duval County, Florida, provided herein.

(2) **HK Outdoor, LLC:** The Husband owns HK Outdoor, LLC, a Florida Limited Liability Company created in 2006. The Husband appears to own this business with a third party.

(3) **Rural Storage, LLC:** The Husband solely owns Rural Storage, LLC, a Foreign Limited Liability Company created in 2016. This business owns four (4) properties in Duval County, Florida, provided herein.

(4) **RC Capital Investments, LLC:** The Husband owns RC Capital Investments, LLC, a Foreign Limited Liability Company

created in 2017. The Husband appears to own this business with a third party.

(5) **C.H. House Company, LLC:** The Husband owns C.H. House Company, LLC, a Florida Limited Liability Company created in 2005. The Husband appears to own this business with a third party and the Wife is listed as Registered Agent.

(6) **Hetsler Mediation and Valuation, LLC:** The parties own Hetsler Mediation and Valuation, LLC, a Florida Limited Liability Company created in 2003 in which the Husband is President and the Wife is Vice President.

(7) **Oriana Vending Enterprises, Inc.:** The parties own Oriana Vending Enterprises, Inc., a Florida Profit Corporation created in 2004 in which the Wife is President/CEO and the Husband is Vice President/CFO.

(8) **My Optimization Experts, Inc.:** The parties own My Optimization Experts, Inc., a Foreign Profit Corporation created in 2010. This business appears to be owned with a third party.

(9) **C.H.F. Development, LLC:** The Husband owns C.H.F. Development, LLC, a Florida Limited Liability Company created in 2005. The Husband appears to own this business with third parties.

(10) **Rivertown Builders, LLC:** The Husband owns Rivertown Builders, LLC, a Florida Limited Liability Company created in 2006. The Husband appears to own this business with third parties.

(11) **HK Trailers, LLC:** The parties own HK Trailers, LLC, a Florida Limited Liability Company created in 2008 in which both parties are managers. This business owns one (1) property in Duval County, Florida, provided herein.

(12) **Sebastian's Playgrounds, LLC:** The parties own Sebastian's Playgrounds, LLC, a Florida Limited Liability Company created in 2008 in which both parties are managers.

(13) **Mediators on Call, LLC:** The Husband owns Mediators On Call, LLC, a Florida Limited Liability Company created in 2009. The Husband appears to own this business with a third party.

(14) **HK Augusta Storage, LLC:** The parties own HK Augusta Storage, LLC, a Florida Limited Liability Company created in 2010 in which both parties are managers.

(15) **HK Oasis Carwash, LLC:** The parties own HK Oasis Carwash, LLC, a Florida Limited Liability Company created in 2010 in which both parties are managers.

(16) **HK Parkway Carwash, LLC:** The parties own HK Parkway Carwash, LLC, a Florida Limited Liability Company created in 2010 in which both parties are managers.

(17) **HK NAHUNTA STORAGE & CARWASH, LLC:** The parties own HK Nahunta Storage & Carwash, LLC, a Florida Limited Liability Company created in 2010 in which both parties are managers.

(18) **Southern Fireworks, LLC:** The Husband owns Southern Fireworks, LLC, a Florida Limited Liability Company created in 2013. The Husband appears to own this business with a third party.

(19) **MacClenney Storage, LLC:** The Husband solely owns MacClenney Storage, LLC, a Florida Limited Liability Company created in 2015.

(20) **Southwind Hunting Adventures, LLC:** The Husband owns Southwind Hunting Adventures, LLC, a Florida Limited Liability Company created in 2017. The Husband appears to own this business with a third party.

(21) **LiveOak Storage Group, LLC:** The Husband owns LiveOak Storage Group, LLC, a Florida Limited Liability Company created in 2017. The Husband appears to own this business with a third party.

(22) **Breakthrough, Inc.:** The parties own Breakthrough, Inc., a Florida Profit Corporation created in 2001. The parties appear to own this business with a third party.

(23) **Orivision, Inc.:** The parties own Orivision, Inc., a Florida Profit Corporation created in 2002 in which the Wife is

President/CEO and Registered Agent and the Husband is Vice President/CFO. The parties appear to own this business with a third party.

(24) **Real Estate Tax Specialist, Inc.**: The Husband owns Real Estate Tax Specialist, Inc., a Florida Profit Corporation created in 2015. The Husband appears to own this business with a third party.

(25) **Heton Corporation**: The Husband owns Heton Corporation, a Florida Profit Corporation created in 1997. The Husband appears to own this business with third parties.

(26) **Rental Holdings, LLC**: The Husband owns Rental Holdings, LLC, a Florida Limited Liability Company created in 2011. The Husband appears to own this business with a third party. This business owns five (5) properties in Duval County, Florida, provided herein.

(ii) **College Prepaid**: There are college prepaid accounts for each of the minor children which should be maintained for the benefit of the minor children. The Wife should remain the owner of said plans.

**b. Debts**: The parties have incurred certain debts and obligations during the course of the marriage which should be equitably divided among the parties. The Court needs to identify and set aside each party's non-marital assets and liabilities. The Husband should be responsible for debt unilaterally incurred by him and any assets he has dissipated, including but not limited to his expenses on

his nephew's education, costs related to his hospitalization and any debts accruing from his business operations.

c. **Real Property:**

(i) **Marital Home:** The Parties jointly own the marital residence ("Marital Home") located at 4529 San Lorenzo Blvd., Jacksonville, Florida 32224.

This real property is more specifically known as:

LOT 27, VILLINI AT GLEN KERNAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 57, PAGES 86, 86A, 86B AND 86C, IN THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

The Wife requests exclusive use, possession and ownership of the Marital Home as and for a portion of equitable distribution.

(ii) **Second Home:** The Husband owns real property ("Second Home") located at 4971 Scenic Marsh Court, Jacksonville, Florida 32226. This real property is more specifically known as:

LOT 2, TIMUCUANA BLUFF PHASE ONE, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 52, PAGE(S) 33, 33A AND 33B, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

The Husband formerly resided in the Second Home until on or about September 2017 when he left the Second Home and moved into a rented condo, wherein he resided until his car accident on or about November 16, 2017.

The Wife requests her marital interest in the Second Home.

(iii) **HK Storage, LLC Properties:** HK Storage, LLC owns two (2) properties, more specifically described in:

(1) **HK Property #1**: Plat Book 18, Page(s) 69 AND 69A, of the Public Records of Duval County, Florida.

(2) **HK Property #2**: Plat Book 55, Page(s) 92, 92A, 92B AND 92C, of the Public Records of Duval County, Florida.

(iv) **Rural Storage, LLC Properties**: Rural Storage, LLC owns four (4) properties, more specifically described in:

(1) **Rural Property #1**: Deed Book 684, Page 43, of the Public Records of Duval County, Florida.

(2) **Rural Property #2**: Plat Book 1, Page 50, of the Public Records of Duval County, Florida.

(3) **Rural Property #3**: Deed Book 720, Page 439, of the Public Records of Duval County, Florida.

(4) **Rural Property #4**: O.R. Book 5985, Page 1867; O.R. Book 8424, Page 888, of the Public Records of Duval County, Florida.

(v) **HK Trailers, LLC Property**: HK Trailers, LLC owns one (1) property, more specifically described in Plat Book 34, Page 11, of the Public Records of Duval County, Florida.

(vi) **Rental Holdings, LLC Properties**: Rental Holdings, LLC owns five (5) properties, more specifically described in:

(1) **Holdings Property #1**: O.R. Book 12831, Page 1506, of the Public Records of Duval County, Florida.

(2) **Holdings Property #2**: O.R. Book 5544, Page 510 and re-recorded in Book 5546, Page 2070, of the Public Records of Duval County, Florida.

(3) **Holdings Property #3**: O.R. Book 5477, Page 822; amended in O.R. Book 5830, Page 1084; O.R. Book 6157, Page 645; O.R. Book 7066, Page 435 and O.R. Book 7066, Page 437, of the Public Records of Duval County, Florida.

(4) **Holdings Property #4:** O.R. Book 12831, Page 1506 (Unit No. 2025), of the Public Records of Duval County, Florida.

(5) **Holdings Property #5:** O.R. Book 12831, Page 1506 (Unit No. 2214), of the Public Records of Duval County, Florida.

The Wife requests her marital interest in the above properties (iii-vi) as and for a portion of equitable distribution.

The Wife respectfully requests this Court grant the Wife leave to amend this Amended Verified Petition for Dissolution of Marriage upon discovery of further corporations, businesses or properties owned by the Husband and if said entities need to be made as parties to this action.

11. **FURNITURE/FURNISHINGS:** The parties have accumulated certain furniture and furnishings and other items of personal property, which should be equitably divided. The parties should retain possession of their own non-marital or pre-marital property.
12. **MOTOR VEHICLES:** The Wife should keep her motor vehicle and the Husband does not currently have a motor vehicle.
13. **RETIREMENT/401K/IRA:** The parties may have retirement, 401K, IRA, and/or investment accounts, which should be equitably distributed. The parties shall not unnecessarily encumber these assets until an equitable distribution.
14. **MILITARY STATUS:** Both parties are over the age of eighteen (18) years old and neither is, nor has been within a period of thirty (30) days immediately prior to this date, a person in the military service of the United States as defined by the Amended Soldiers and Sailors' Civil Relief Act of 1940.



15. ATTORNEY'S FEES/COSTS: The Wife has retained the undersigned attorney to represent her in this matter and has agreed to pay said attorney reasonable fees and costs. The Husband is financially able to contribute to the Wife's attorney's fees and costs on a temporary and final basis without impairing his economic status. The Wife financially needs said fees and costs awarded on an interim and final basis.

## COUNT II

### COMPLAINT FOR PARTITION OF REAL PROPERTY

COMES NOW the Wife, ORIANA P. HETSLER, by and through her undersigned counsel, and files this, her Complaint for Partition of Real Property and in support thereof states:

16. This is an action for partition of real property located in Duval County, Florida.

17. The above-mentioned property consists of a house and property located at 4971 Scenic Marsh Court, Jacksonville, Florida 32226. This real property is more specifically known as:

LOT 2, TIMUCUANA BLUFF PHASE ONE, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 52, PAGE(S) 33, 33A AND 33B, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

Said property is indivisible and not subject to physical partition without prejudice to the owners.

18. Said property is titled to ROBERT G. HETSLER, JR., residing at 4971 Scenic Marsh Court, Jacksonville, Florida 32226, and was purchased during the marriage with marital funds. The Husband has resided in this property.

19. The Wife is informed and believes that the above-described interests comprise the total ownership of said property sought to be partitioned and that the property is subject to no other claim.

20. The Wife has a right to partition the above-described property.

21. The Wife is obligated to pay the undersigned a reasonable fee to bring this action for partition. The Wife is entitled to recover a share of reasonable attorney's fees incurred herein by the Wife in proportion the Husband's interests in the partitioned property, in that this partition is sought for the common benefit of the parties to preserve and secure to each of the parties his or her respective interests and rights in the property.

**WHEREFORE**, it is respectfully requested that this Honorable Court would enter a Final Judgment of Dissolution of Marriage that would:

- A. Dissolve the marriage of the parties.
- B. Establish the Wife's sole parental responsibility of the parties' minor children and award the Wife 100% time sharing.
- C. Establish the Husband's child support obligation commensurate with the Florida Statutes.
- D. Equitably distribute the parties' marital assets and debts, including but not limited to the businesses and real property, and identify and set aside each party's non-marital assets and liabilities.
- E. Disproportionately distribute the parties' assets to satisfy the Husband's support obligations.
- F. Grant the Wife leave to amend this Amended Verified Petition for Dissolution of Marriage upon discovery of further corporations, businesses or property owned by the Husband.

- G. Require the Husband to be responsible for any debts unilaterally incurred by him, and any assets he has dissipated, including but not limited to any debt incurred for the benefit of the Husband's cousin and cousin's son, from his hospitalization or from any debts accruing from the Husband's operations of the businesses.
- H. Award the Wife exclusive use, possession and ownership of the Marital Home and award her marital interest in the Second Home.
- I. Require the Husband to maintain/obtain a life insurance policy or obtain another form of security to cover his alimony and child support obligations, naming the Wife as the sole beneficiary.
- J. Award the Wife her motor vehicle.
- K. Equitably distribute the parties' furniture and other items of personal property.
- L. Equitably distribute the Parties' retirement, 401K, IRA, and investment accounts.
- M. Award the Wife alimony: temporary, permanent periodic, lump sum, durational, bridge-the-gap and rehabilitative.
- N. Require the Husband to maintain or make available a health insurance policy and dental/vision insurance for the parties' minor children.
- O. Partition the Second Home located at 4971 Scenic Marsh Court, Jacksonville, Florida 32226.
- P. Require the Husband to pay or contribute to the Wife's attorney's fees and costs on a temporary and permanent basis.
- Q. Award any and such further relief as this Court deems just and proper.

**AFFIDAVIT**

I HEREBY swear and affirm under penalty of oath and law that the above statements are made in good faith and are true and correct to the best of my knowledge.

*Oriana P. Hetsler*  
ORIANA P. HETSLER

Sworn to and subscribed before me this  
3<sup>rd</sup> day of April, 2018.

ST. JOHNS COUNTY  
FLORIDA

*[Signature]*

Notary Public, State of Florida  
My Commission Expires:



- I personally know the Affiant
- The Affiant has produced the following

for purposes of identification: *Florida Drivers License*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished to Robert G. Hetsler, Jr. ~~via process server.~~  
*via US Mail and hand delivery.*

SUZANNE WORRALL GREEN P.A.

*Suzanne W. Green*

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