IN THE CIRCUIT COURT OF THE 12TH JUDICIAL CIRCUIT IN AND FOR SARASOTA COUNTY, FLORIDA

STATE OF FLORIDA

CF 007559 NC
e Padar

DEFENDANTS MOTION TO DISQUALIFY JUDGE PADAR

Judge Padar attacking Joe Gilberti P.E., Defendants Civil Rights of Defendant during Complex title litigation involving expert Civil Engineering for Region under Title 18 US Code 241 & 242

COMES NOW, Defendant, Joseph D. Gilberti, Jr., P.E., moves to disqualify Judge Donna Marie Padar from the above entitled matter, pursuant to Rule 2.160, Fla R. Gen Prac. and Jud Admin Rule 2.330, Fla Civil Procedure; this is a request for this court and its administration to Disqualify Judge Donna Marie Padar. Therefore, and as grounds presented in good faith, the Defendant would state as follows:

- 1. I am a person named in this case with land and mineral rights, also operating as engineer of Record for a permitting Regional drinking Water supply involving this land deeded to Defendant in 2013.
- 2. Judge Padar has ignored an Emergency Motion for Discovery and Stay Trial (Dkt No. 288) to force and expedite a frivilous case to damage Defendants ability in the Civil Quiet Title and Racketeering cases involving Sarasota County Parks department and Commissioners who help steal and switch out 2000acres with the entire Circuit 12 system, clerks and 2ndDCA with the help of Trump, Desantis, Biden, Congress and this horrific gang of Politicians attacking a US Resource with the DOJ and dirty cops, lawyers and lies.

- 3. Judge Padar with the 2ndDCA has assisted Circuit 12 and Luis Rivera Bankruptcy Trustee in Title and Federal court Fraud with Judge Delano of Tampa Middle District, Judge Kyle Dudek and Judge Polister on October 5, 2020 fraud sale (72 Partners LLC/BFSL Holdings LLC vs Cecil Daughtrey -Sarasota Case 2011 CA 04209 NC) to hide a US Resource and ignores our Emergency Motions to stay a Civil Lein fraud case until all complex title litigation is completed that her friend Judge Walker did to America with corrupt Ed Brodsky helping a local gang of Old criminals tied to Donnie Clark, Rob Godwibn, Lee Pallardy, Thomas Howze, Kenny Harrison (Peace River Water Board); to hide a US Resouce of deep underground spring water/ river to the Taps from Tampa to South Florida, Palm Beach, Broward and Miami as permitted at the FDOT for some time and in local FDEP and Sarasota, Manatee, Desoto, Charlotte, Lee and Collier Counties.
- Judge Padar is assisting Seminole Gulf Railway and CSX treason with Congressman
 Byron Donalds in Naples. See Video here
- 5. Judge Padar is assisting the City of Naples and Village of Estero with Lee County Commissioner and Metro Politian Organization (MPO) to hide the regional water supply Resource to help Rick Scott and Obama fill cancer centers with kids for years.
- 6. Judge Padar and Tom Widen with Chris Hallet are all working on cases together in Sarasota where now Chris Hallet is no longer a State Attorney but a Defense attorney, showing a pool of kick backs and relationships in courtroom in a small town of Sarasota to attack Americans with George Bush gangs tied to 9-11 where a meeting was held on the same in City Hall of New York with Mayor Eric Adams, NYDEP staff on attempt to crush aqua ducts 1 & 2 during 9-11 that would have ended all New York and the USA financial center of the World, with no water or power if the aquaducts failed. An explaination of the issues are in this link to City of Naples and more.

- 7. Judge Padar attacked Defendant with many evaluations to force her friend attorney James Emoracora to be the attorney on his case who is working with Lee County to attack the Defendant.
- 8. Once Defendant passed the rediculous evaluations, with Doctors admitting, "Judge Padar is crazy" on video in front of witnesses for Gilberti vs FBI, et al. cases abroad, she IMMEDIATELY expedited Trial docketing knowing this will affect the outcome and damage the complex title litigation caused by Judge Walker and the entire 2ndDCA in fraud with Ryan Snyder and the region of criminal lawyers, Judges and Politicians.
- 9. A letter was sent to a new Utility Engineer in Manatee County who is now the Assistant County Manager and Professional Engineer in New York and Florida, Evan Pilochowski, P.E., who Defendant, Joe Gilberti PE and professional witnesses just had a conversation on the resource and his Feb 20, 2023 letter, he claims was blocked from him, and is now being expedited. This letter was blocked by a gang of County and State attorneys, lawyers in the Peace River Manasota Water Supply area where large tracts of land, such as Lakewood Ranch, Palmer Ranch with thousands of homes on Peace River Polluted site sourcing vs this secret hidden underground river saved for the 9-11 Sarsasota Connection to Bush Family who steals aquifers from Nations, such as Paraquay with Tampa Central Command and US Southern Command to create Wars, Hunger and more across Earth, while Judge Padar attacks Defendant with the entire State Attorneys office.
- 10. This State Attorneys office in Circuit 12 just appointed another Judge Felix as Chief Judge, who also knew of the Terrorism timed, with subduing Engineer and is also part of the Fraud Transfer and delays to our Emergency Motion in complex title litigation.
- 11. Judge Padar has attacked Defendant of almost 3 years to stop Clean Water to Sarasota and Manatee, and Manatee Ports, in an effort to help crooked developers like Neil

Benderson, Pat Neil, Culverhouse and Lennar sell dirty homes and fill cancer centers and build a new Hospital off Laural Road and I-75.

- 12. Judge Padar and her assistant Lori have both attacked the region and defendants civil rights to attack Regional Water Supply.
- 13. Judge Padar works with Luis Rivera Trustee through 72 Partners LLC, and Sarasota County staff and commissioners to hide and assist in the Fraud Transfer aided and abedded by the entire 2ndDCA and Ron Desantis who just recently got a Manatee Park named after him, where her friend Tom Widen, the State Attorney who railroaded Defendant for past 3 years with Chris Hallet and Judge Krugg from Notre Dame Alumni who is friends with Lee Pallardy of Notre Dame, with this massive Catholic Church and Israel Zion spoiled rich kid crowd in Sarasota and Tampa with George Bush, Jeb Bush, Vern Buchanon and dirty Ron Desantis.
- 14. Judge Padar ignored the Emergency Motion for over 20 days now with the Chief Judges and Ed Brodskys entire staff under investigation by 50 States.
- 15. It is likely that Judge Padar will be a material witness in <u>Gilberti vs FBI</u>, et al, in Palm Beach County; and <u>Gilberti vs Carmine Marceno</u>, et al in Lee County and related State and Federal racketeering cases, where she has aided the opposing party in a title fraud and foreclosure fraud operation in an effort to hide clean spring water to the tap, assisting in a eugenics operation ongoing with defendants above. A new Federal False Claims Act on multiple Circuits of Judges, Clerks, Sarasota County Commissiners and Florida Congress on a massive Eugenics operation using Smith Mundt Acts, which intern caused a breach in Title 18 US Code, 241 & 242 this Judge and many Judges of this Circuit and Florida in both Federal and State courts are facing and under serious investigation by many agencies and crowds of consultants.
- 16. Judge Padar and Judge Walker with Sarasota County staff and commissioners have conspired against Defendants rights for 2yrs with the PENTAGON and Bush Family ties to Vern

Buchanon and local Manatee and Sarasota groups such as but not limited to, Tiger Bay Club, Audobun Group, Sierra Group, Manasota 88, Sarasota Hospital Boards and Israel Chemical LTD/Mosaic Company, EPA, FDEP, Desantis and Florida Congress with some cross claim defendants in related cases herein after named as the ("Eugenics operation Party") have worked together to attack Defendant's land, regional water supply project, clients, family and civil rights.

- 17. For example, as shown on Tax rolls where 360 acres of Defendants property since 2013 was suddenly reduced from approx \$2million for 360 acres to \$50,000.00 to Lee Pallardy, of LPI Real Estate and Development, as part of the land fraud sale on October 5, 2020 on Cecil Daughtrey, Judge Padar, Judge Ruhl, Judge Stroker, Judge Williams, Judge Roberts, Judge Bonner, Judge Hall, Judge Walker, Judge Donnelan, Judge Walker and Eugenics operation Party these Judges and local groups worked with Ryan Snyder and 72 Partners LLC (Thomas Howze of C1 Bank, Lee Pallary of Tampa Notre Dame Rough Riders, Judge Conrad, Judge Dominquez, Judge Mark Wolfe, Judge Delano, Judge Goudie worked to hold Defendant hidden in Jails while they FRUADED TAX BASE, fraudulently inserted a 95acre legal description (1 parcel – the Daughtrey Homestead and well), for a 7 parcel 2380 acre legal that illegally included Defendants landed deeded to him over a year prior to any Trustee Quit Claim deed, in 2014. which this case shows, that Judge Walker railroaded while Defendant is illegally incarcerated on fighting a civil case, by Sarasota Sheriff, who fell on his face with a meritless arrest to subdue Defendant, while Judge Walker attacks the regional water supply project and Defendant with Defendants and more, as shown on transcripts being produced with disk video at the January 18, hearing, when questioned by Honorable Judge Lyann Goudie.
- 18. On July 12, 2023, Judge Padar vendictively attacked the Defendants rights again when was served the day before on July 11, 2023, through Judge Roberts, via *Gilberti vs FBI, et al*, and was not supposed to say anything and be REMOVED FROM THE CASE, since US Terrorism

acts are involved and she is harboring them with Judge Krugg of Notre Dame for a massive Corrupt Catholic Church gang who grew up here in the area, and have attacked the Defendant with timed FRADULENT charges since they FRAUDED THE PUBLIC with Ryan Snyder on October 5, 2020 sale, where a Request to Prosecute is still being ignored and harbored for Eugenics by Padar and Circuit 12 as a whole for over 12 years now!

- 19. Judge Padar is aware of the attack on Defendants son's school all retroactive with the FRAUD by Judge Walker who issued a Motion to Dismiss in favor of 72 Partners LLC vs Gilberti, et al still ongoing and open for Case 2019 CA 04532 NC, which affects directly to this case and its appeals pending to this case, who is no longer on this property (now LPI Realestate and Development, LLC) since March 2021, which ties him back to ignoring Defendants motions, evidentiary hearing request to bond a title fraud case, via case 72 Partners LLC vs Cecil Daughtrey Case 2011 CA 04209 NC, where he again helped 'Eugenics operation Party' steal property, that is now shown on a recent evidentiary hearing held in another Circuit on Defendants, on January 18, 2022.
- 20. Defendant has prepared and is filing a JQS report on Judges named above as well as, Tampa Middle District, Attorney General Moody, Miami Southern District for conspiring against Defendant pursuant to Title 18 US Code 241 and 242, and especially on an October 5, 2020 land sale, while rotating in retired Judges on every trial, who are collectively, with Sarasota County staff and commission in a newly filed Racketeering case, Gilberti vs CDC, et al, involving Defendants civil rights, water supply eugenics, court and title fraud, and more, under FBI and Federal investigation.
- 21. Judge Padar will be deposed shortly in an Evidentiary hearing for Gilberti v FBI, et al in Palm Beach County and Washington DC for harboring Terrorism and a fraud transfer on Cecil Daughtrey property.

- 22. Judge Padar is holding up millions of Jobs by attacking Defendant for three years.
- 23. Defendant fears that he will not receive a fair trial or hearing because of specifically described prejudice or bias of the Judge Padar and potentially any Sarasota Judge, where Defendant was denied a Motion to Change Venue by over 10 Judges, including Judge Padar, Judge Krugg, Judge Williams, Judge Walker and Judge Ruhl, as over 45 lawfirms in the region declined to help due to Politics and the hidden resource, corruption over 8-11yrs on other cases, etc., leaving the Defendant helpless and forced to file Pro Se for years. Each attorney retained, in the past, approximately 7 years ago for years took his money then they ran off due to politics across Florida, on this resource and related cases to this case, such as but not limited to, Sarasota Case 72 Partners LLC vs Cecil Daughtrey Case 2011 CA 04209 NC, Joseph Gilberti vs 72 Partners LLC Case 2015 CA 006544 NC, 72 Partners LLC vs Joseph Gilberti Case 2016 CA 000205 NC, 72 Partners LLC vs Joseph Gilberti PE Case 2021 CA 01009 NC, State vs Gilberti Case 2021 CF 007559 NC, ALL of which involved this land FRAUD BY DEFENDANTS. Now a New Case served to Depose Judge Padar and Tom Widen on the Fraud transfer by Sarasota County via Oct 5, 2020 sale shown on her dockets and objections to the 2ndDCA who is also recieving the same with JQC complaints and FCA complaints in Federal courts today.
- 24. Judge Padar is part of a racketeering operation and land grab for a hidden underground Spring Water Resource permitting to the Regional taps by Defendant and his Motion to Dismiss was to destroy the project and attack the region with water supply eugenics with 'Eugenics operation Party', where Sarasota commission, has spent hundreds of millions in tax dollars to build dangerous reserviors (RV Griffin Reservior at Peace River WTP in Desoto county) and hide this resource with environmenal sensative land payments to the neighbors, including Buster Longino (ex Sarasota county Commissioner), Carlton Family (Lisa and Kimberly Carlton Bonner chief Judge in Sarasota), now this property in May 2021, taking \$5.5 million in Sarasota

Capital improvement budgets, with Commission Maio and Kenny Harrison who sits on the Peace River manasota Water Supply board, Babcock Ranch board, and friends with Judge Hall and Parker on the Arcadia Rodeo Board who stole my plans and are in a Fraud Transfer in Desoto with Commissioners Langford and Judge Hall, buying lands with Tax base off each other in 2010, while attacking Defendant with this gang, Dave Wienstein and Greenberg Traurig doing mining compacts in the regions to pay \$100millions in deal timed with election in a 35year loafing game on a Swing State, to run a water supply Eugenics operation that is now a Terrorist operation by the DOJ, Legislative and Executive branches of Florida and USA.

- 25. Judge Padar is aware of all issues as explained in the multiple motions, and continues to attack Defendants project and rights knowing of the Tax fraud by Sarasota Judges and Commissioner and 72 Partners the so called Victims on this case without any experts, but defendants survey experts testified, and she continues the Treachury, stating she is doing her job by Law? Eveyone can see that is NOT THE CASE except her, which may require a Mental Test.
- 26. Judge Padar is in the papers each week, sentencing Men to life in prison, with issues on discovery and witness, said she had COVID a few weeks ago, during this case and process, and also was teaching a seminar on Laws and procedures, and in the defendants and other opinion needs to be evaluated MENTALLY or Detained for US Treason if she realizes what she is actually doing to the Region and assisting in a Fraud and Eugenics attack by Desantis, Florida and US Congress and this area of Peace River Manasota Water supply she is fully aware of pumping dirty rivers vs Alkaline spring water! She must be removed for THE PUBLIC to benifit and disbarred!
- 27. Attached herewith (**Exibit A**) is the obvious title fraud on Defendant's lands which were illegally sold with the help of Judge Walker and other Judges with the 'Eugenics operation Party' doing business in the region and or the surrounding court circuits attacking Defendant. Judge Walker lied with 72 Partners on title fraud on the foreclosure sale, while staying the related case

Gilberti vs 72 Partners LLC, Case 2019 CA 04532 NC, and issuing in favor of the theives, at the October 5, 2020 foreclosure sale, via 72 Partners vs Cecil Daughtrey, 2011 CA 04209 NC, and helped in the fraud on all objections and avoided all evidentiary hearing to assist in the land fraud with other Judges of this Circuit and the Second DCA who helped affirm it to avoid the Florida Supreme court appeal process. "Defendant can prove Judge Walker and Padar lied and 'Eugenics operation Party' have lied in this case and the Daughtrey foreclosure sale, with Sarasota Clerk of court, and shown on upcoming transcripts from the stated January 18, 2022 evidentiary hearing, indicates a bias against the party." *Brown v. St. George Island, Ltd*, 561 So. 2d 253, 257 (Fla. 1990).

- 28. Judge Padar is part of the 'Eugenics operation Party' who committed the fraud with Defendants and Judges in Circuit 12 with Judge Walker, without permitting Defendant's experts to testify in an evidentiary hearing, Accord, *Peterson v. Asklipious*, 833 So. 2d 262 (Fla. 4th DCA 2002)(disqualifying trial judge in a contempt action where the trial court's comments indicated that the judge was not going to believe any statements by the Defendant concerning his water supply project, rights and abilities to proceed and attacks Defendants rights to email or process the case and coordination with clerks per her order in breach of law; *Deauville Realty Co. v. Towbin*, 120 So. 2d 198 (Fla. 3d DCA 1960).
- 29. Witnesses and Defendant can show that Judge Padar was biased toward 72 Partners, LLC and 'Eugenics operation Party' in recent actions and has railroaded all cases to help Sarasota county obtain an easement for \$3.5million on said lands, another recent \$2mil on Defendants 360acre parcel where Sarasota staff agrees this Judge Padar is helping Commissioners and Vern Buchanon tied to 9-11 Blue Gold Bush family, where the land was only purchased for \$185,000.00 dollars, as 72 Partners LLC and their members have reborrowed and paid off locals under investigation and the defendants, as done over the past years, using tax dollars as their income and title fraud, where the County slides in a 95acre parcel of land at the sale, but advertizes 2380

acres (7 parcels worth \$20million), then 72 Partners Certifies it with Judge Walker, and Judge Walker avoids all evidentiary hearings and bond requests by Defendant on this case and cases listed above.

- 30. Judge Padar ignored all Defendant's professional land surveyors and witness affidavits on the title fraud and land sale game and Acts of War initiated on USA and Defendants rights via H.R. 5736 Smith Mundt Act Mod of 2012 retroactive with initial find and exposure to SWFWMD in May 2012 by Defendant with Daughtrey and staff. Just as a trial court's expression of bias or prejudice directed toward a litigant or the litigant's attorney will support and compel disqualification, the judge's bias or prejudice directed toward a party's witness also is grounds for disqualification. See *Fogun v. Fogun*, 706 So. 2d 382 (Fla. 4th DCA 1998); *Fogelman v. State*, 648 So. 2d 214, 219-20 (Fla. 4th DCA 1994)(court's comments relating to credibility of movant's witness was one ground to support disqualification).
- 31. Judge Padar has put People in prison since this case while under Title 18 USC 241-242 and all cases she is working are going into the new FBI cases to expedite her arrest with those lawyers and many that are working to understand why so many Judges would attack America to hide this Global Resource. This region of Judges are all under investigation for Crimes against Humanity and hence why the Cheif Judge are rotation out as Terrorist Ron Desantis and his fake Cancer Wife attack and assign more Ed Brodsky clowns like the new Judge Felix was inaugerated last Friday, and Defendant was blocked with the Public to disclose input in the Sarasota commission chambers on December 15, 2023 about 4:15pm with officers as witnesses.
- 32. Judge Padar with Village of Estero and Naples have attacked America with Sarasota and Ron Desantis. See public record video at Village of Estero https://youtu.be/vQGrIz_Y2Xk?list=PL9cPeJRA7Ms3c7gjjlA4AtftCxCMHGzNt

- 33. City of Naples presentation by Defendant shows Naples to Sarasota and Tampa Judges all attack Americans and harbors 9-11 Terrorism with Judge Padar and Trump-Byron Donalds, Biden, Obama, Bush gangs of Sarasota with Judge Padar See Video https://youtu.be/aDVmJefgcpk?list=PL9cPeJRA7Ms3c7gjjlA4AtftCxCMHGzNt
- 34. See Village of Estero offer for free Water bills where Mayor attacked who sits on the Lee County MPO to hide it with this same Sarasota to Miami gang of criminal lawyers and attorney Politicians tied to FSU, UM, FGCU, USF and Sarasota colleges. https://youtu.be/len5q28_JgM?list=PL9cPeJRA7Ms3c7gjjlA4AtftCxCMHGzNt
- 35. Judge Padar and all of Circuit 12 Judges work with Judge Don T. Hall, City of Naples, US Congressman Byron Donalds and Israel Chemical LTD/Mosaic Phosphate to force POOR SITE SOURCING in water supply to create a cancer cluster on kids at the Tap. Ignoring and attacking our project and civil rights to finish permitting also tied to Tampa stealing over \$57,000.00 dollars out of Defendants banks See Gilberti vs Scott Freyre et al in Tampa filed.
- 36. Judge Padar and City of Naples hide this regional project with Sarasota Commission and FGCU Trustee Board where Luis Rivera is placed by Henderson Franklin lawyers attacking in Fort Myers since 2010. see project video hidden during Hurricane Ian that would bring insurance coverage to millions of residents but Judge Padar attacks. Plays stupid and files evaluations? See video. https://youtu.be/btsrz8iwv4k?list=PL9cPeJRA7Ms3c7gjjlA4AtftCxCMHGzNt
- 37. Meeting at City Hall New York on failing Aquaducts Judge Padar and 2ndDCA is hiding with FBI criminals to attack all Americans https://youtu.be/l1jyRiC6FQY?list=PL9cPeJRA7Ms3c7gjjlA4AtftCxCMHGzNt
- Judge Padar has demeaned Defendant to the point of demonstrating prejudice. See,
 e.g., <u>Olszewska v. Ferro</u>, 590 So. 2d 11 (Fla. 3d DCA 1991).

39. Based on the totality of the above factors and illegal actions by Judge Padar to approve issues orders to take rights, harboring the October 5, 2020 Transfer using Sarasota Sheriff, Detectives, Commissioner and local groups tied to Judges, like Tiger Bay Club, etc.;

40. I have a reasonable and well founded fear that I cannot receive a fair and impartial hearing or trial while Judge Padar presides in or on my case(s). See <u>Department of Agriculture and Consumer Services v. Broward County</u>, 810 So. 2d 1056, 1058 (Fla. 1st DCA 2002) (emphasis added). I feel the objective factors stated above give rise to a reasonable doubt as to the fairness of Judge Walker and there appears to be signs of impropriety based on the above factors as well.

41. I swear and affirm the forgoing is True and Correct to the best of my knowledge.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via on E-file system this 18th day of December 2023 to:

<u>IsIJoe Gilberti</u>

Joseph D. Gilberti PE
Defendant
385 Donora Blvd
Ft Myers Beach, FL 33931
813-470-6000
gilbertiwater@gmail.com
www.Gilbertibluegold.com

EXHIBIT A

IN THE CIRCUIT COURT OF THE 12TH JUDICIAL CIRCUIT IN AND FOR SARASOTA COUNTY, FLORIDA

STATE OF FLORIDA

Plaintiff, v.	Case No.: 2021 CF 007559 NC Judge Donna Marie Padar
Joseph D. Gilberti, P.E., a licensed Professional Engineer	
Defendant.	

DEFENDANT'S EMERGENCY MOTION FOR DISCOVERY AND TO STAY TRIAL UNTIL TANGIBLE ONGOING LAND TITLE, FRAUD AND LIEN CASES ARE FINAL

See Gilberti v Pentagon-FBI, et al, in multiple State and Federal Courts
FRAUD BY SARASOTA COURTS, JUDGE WALKER AND SARASOTA CLERK AND COMPTROLLER
WITH MULTIPLE COUNTY SHERIFFS, STATE ATTORNEYS AND POLITICIANS

COMES NOW, Joseph D. Gilberti, P.E., pursuant to applicable Florida Rules of Criminal Procedure, hereby files MOTION FOR DISCOVERY WITH A REQUEST TO STAY TRIAL until tangible fraud and title cases are final, some of which were years before this case.

This frivolous Civil Lien Fraud case by the State Attorneys office, with rotating staff, via Tom Widen and Chris Hallet, with attempts at rights with bogus Competency tests, when nobody in Sarasota or America is bringing more to the World or USA table today than the defendant with this secret underground resource and new geological knowledge hidden by NASA and USGS.

This court, the victims and their lawyers has been affecting our civil cases with Undue Influence by major politicians, developers and bankers and breaking the law, as stated in the Judge Goudie hearings almost 2years ago for this charge. This case and charge was timed in the middle of Defendants long time Quiet Title, Fraud and Mineral Right cases, his service to the *Gilberti v Pentagon-CDC* case docketed at the US Supreme Court case 23-5414, and tied to local Regional Water Supply plans from a unique resource under Defendants client Cecil Daughtrey and his land, that has been permitting since 2012 with both Federal and State agencies; and hidden due to Politics from stolen Tax funds within Sarasota and the four county Peace River region.

The project is designed by the Defendant a licensed Professional Engineer in Florida,, PE#56079 to bring endless antioxidant Spring water to the Tap of Sarasota and west Florida vs a Treated heavily Polluted Peace River Source with much higher Water bills and Cancer, Virus and

disease Risks.

FACTS

- 1. Defendants was charged with Civil Lien Fraud in the middle of a pending Quiet Title cases and land fraud cases involving Sarasota County, Circuit 12, the so called victims, Thomas Howze, Lee Pallardy, Kenny Harrison, Laurence Hall of 72 Partners LLC, a local syndicated group of hard money loan shark bankers known for decades in the region via C1 Bank (fka Community Bank of Manatee) who sold and went public to now Ozark Bank, utilizing the futures of this underground resource and its future control of multiple facets of economics and regional development in the area for water supply, medicine and more.
- 2. The Plaintiff's civil rights are being attacked by lawyers and Courts within the Sarasota to Tampa region in an attempt to silence him in his defense to bring millions of homes spring water, prove his lien rights in over a 10yr attack with timed Terrorism and bond hikes with State Attorney Mark Ober, Andrew Warren and now Ed Browski's offices. A copy of the January hearing held in Tampa with Honorable Judge Lyann Goudie, shows FRAUD by Sarasota Police, Commissioners, 72 Partners at the October 5, 2020 online bid where tax paid employees and cops with this court and its officers helped them attempt to pull it off, is shown on the stand by Det Mike Wyche, Thomas Howze and his lawyer Edwardo Morrell, under oath on January 18, 2022. See link https://drive.google.com/file/d/18Ni8ffvpTDwVmBsWgcwIvX97Q1LDZbMZ/view?usp=drive_web. This video zoom hearing is public record at Hillsborough County Clerk of Court to the public if link is not available for case 16-CF-10976-A, where Judge Mark Wolfe, Public Defender Chris Shaw, and State Attorneys April Johnson, Andrew Warrens office and more fabricated emails with Pam Bondi and Mark Ober to subdue Defendant illegally timed with lien cases, just like this case has done.
- 3. This entire case was resolved almost two years ago by Judge Goudie, with over 4hours of Trial, and the State and Court refuse to review the court provided video, that dismisses this case, for two years, in an effort to assist recent closings of tax base by the State of Florida, Federal matching funds and Sarasota County commission, who are now in Fraud as well as members of 72 Partners LLC who are the victims in this case tied to complex title litigation pending for a decade.
 - 4. Kenny Harrison of 72 Partners, LLC sat on Peace River Manasota Water Board at

Southwest Florida Water Management District and has been a neighbor to Cecil Daughtrey, the land owner(s) with the Defendant for this case in dispute regarding lien fraud and the tangible case that discovery affects both, as well as the trial outcome of this case, to our civil cases. Essential an illegal attack by the State Attorneys office with a State law never used in Sarasota before as stated in the trial by the Witnesses for the Sheriffs office two years ago.

- Kenny Harrison owns Harrison Cattle, LLC and leases from Southwest Florida Water
 Management (Water Matters) at the RV Griffin State Parcel, in Desoto County where the 4-County
 Peace River Regional Water Supply pump station exists since 1974.
- 6. Kenny Harrison is good friends with Judge Parker and Judge Don T. Hall in Desoto County and Circuit 12 where Defendant worked and provided professional Mosaic Phosphate Rodeo plans, now built in Desoto County at the Turner Center in 2010-2012.
- 7. Mosaic Phosphate is partnered with Israel Chemical LTD/Mosaic Fertilizer Company, and purchased land and mineral rights of over 22,000 acres in Desoto and Manatee County next door to this project, retroactive in 2012/2013 with Defendant's unique water supply and geological find under this land the State Attorney has assisted the Victims in their civil cases with the Defendant with this case, and its title and land right disputes to hide the 'Secret Underground Primary Water River' with Sarasota County and Peace River Manasota Water Supply, owned by four County Commissioners in Sarasota, Charlotte, Manatee, Desoto County. Showing Undue influence by large land developers, banks, agencies, EPA Politics in the local DOJ, Media, County Purchasing Department, County & State Attorneys office and engineering/platting department. Who would hide such a wonderful resource from THE PEOPLE and do it stealing over \$5mil in our local tax base in Sarasota county.
- 8. There are pending Quiet Title Cases in Sarasota County via 2019 CA 04532 NC, <u>Gilberti vs 72 Partners, LLC</u>, involving Fraud by Victims, Judge Walker, attorney Ryan Snyder and Sarasota County that has been submitted as a Request to Prosecute, that was ignored in Sarasota, due to undue influence but is being processed in an undisclosed court and other courts, such as Florida Middle District, via <u>Gilberti vs FBI, et al.</u>, Case 2:23-609-spc-kcd and more. Other cases of fraud regarding this case bleed into <u>Gilberti vs Carmine Marceno, et al.</u> case in Lee County and other past title and deed cases, tied to this case, that are re-opened such as but not limited to, <u>Gilberti vs FBI</u>,

<u>et al</u> in Sarasota case 2023 CA 04821 NC and <u>72 Partners vs Cecil Daughtrey</u>, Case 2011 CA 04209 NC, due to the Fraud Sale on October 5, 2020.

- 9. Fraud on the court and THE PEOPLE of the United States has no deadline. Especially if its tied to timed Terrorism to subdue the Engineer of Record with Deeds on potentially the No.1 Resource on Earth for Water supply location, capacity and drinking quality, as verified by Global consultants in the field for over 50 years, who came to the site more than once.
- This court is aware of the October 5, 2020 land fraud sale, by Victims per Case 2011
 CA 04209 NC.
- 11. This frivolous land fraud case shows conspiracy by the State Attorneys office, local Politicians and Global investors such as Blackrock Investments, CSX, Vanguard, Seminole Gulf Railway, Israel Chemical LTD/Mosaic Phosphate, Coke, Nestle, Pepsi and more to Stop a region of US Citizens and west Florida homes, schools, hospitals and businesses to get a much HIGHER LEVEL OF SERVICE in Drinking Water supply. Therefore, as shown at the health department and correspondence with Engineering agencies for the Resource being permitted by Defendant, and affected by this case, shows this court, local Leaders at Peace River Manasota/FDEP/EPA and large rich Benderson/Culverhouse/Debartolo/Pat Neil/Turner high profit greedy developers are all CAUGHT selling homes with chemicals vs antioxidant spring water in the region. These past 10yrs of developer home and office/medical/school/commercial space sales and the recent Hospital installation at I-75 in Sarasota ignoring this resource on record with Sarasota Memorial and Lee Health/HCA of America are all showing tangible evidence to the death of thousands of locals by imposing Cancer rates and Amoeba deaths in the Peace River Manasota Water Supply system.

These locals are purposely for payoffs and profits, are ignoring and/or stealing this unique US drinking water resource and instead, with extreme EVIL, utilizing raw polluted ground water with Carlton, Bradenton River, Peace River and Shell Creek rivers. Just like Tampa Bay Water Authority which created a massive Moffit Cancer Center for decades. Who is also tied to this case with Circuit 13 Judges in the same pattern as 2011 to 2019 with many Lawyers on the take.

12. This resource was hidden and caused deaths, using courts, lawyers, cops, victims Undue Influence as bankers in the area, based on its endless flow and readings.

REQUEST TO TAKE DEPOSITIONS OF VICTIMS AND WITNESSES

- 11. Prior to issuance of Stay, Defendant, pursuant to Rule 3.220(h)(1)(D), Fla. R. Crim. P., and respectfully moves the Court for an order permitting the deposition of witnesses, who are the witnesses designated by the State as witnesses, Ryan Snyder who did fraud transfer on October 5, 2020 for victims and in support thereof, states as follows:
 - a. Defendant has a bonafide need for discovery depositions.
 - b. The undersigned certifies this motion is filed in good faith.
 - c. Based upon review of the Arrest and Booking Report, past State Attorneys, local Judges and Clerks in Circuits 12 and 13 named on Gilberti vs FBI, et al, for a Fraud Transfer of land and subduing of Defendant over 25 times---timed with this land and the unique resource permitting and find.
 - d. Said witnesses, are relied upon by the State to support the charges in this case. As eye witnesses, pursuant to Rule 3.220(b)(1)(A)(I), Fla. R. Crim. P., and have been listed by the State as Category witnesses, as shown in the VOP hearing with Judge Goudie over 20months ago, where Defendants was released, the case dropped with Judge statements of scrutiny to the State Attorneys office for attacking Defendant shown on video, provided to Tom Widen, the State Attorney and the court.
 - e. Defendants are permitted to take the depositions of witnesses without leave of court, as to any felony charges. Rule 3.220(h)(1)(A), Fla. R. Crim. P. and defendants was already illegally incarcerated for 4months by the same group attacking for the past 10years since the World medicine resource was verified.
 - f. The taking of depositions, where the sworn testimony of the witness can be obtained in a neutral environment, is a proper vehicle to insure the independence of the criminal justice system.
 - g. This deposition will not only permit the defendant fair discovery, and protect the defendant's rights to Due Process and under the Confrontation Clause, but will afford the State an opportunity to better and more closely evaluate this case and determine if a trial is necessary, thereby promoting judicial economy.
 - h. Moreover, an accurate understanding of the testimony of the witness will enable the FBI, State, and the Court, to determine if the conduct alleged truly constitutes a violation of the statute alleged, and/or if the basis for the arrest was sufficient. Or if this case is actually crime against Humanity by the Court and the State, with the obvious \$5million in tax base recently spent to payoff the so called victims as Sarasota County purchased Defendants land, Sec 1 & 2, owned and paying taxes for years by Defendants, while this courts witnesses attacked, knowing a Fraud Transfer sale, where Ryan Snyder switched out 2000acres on the legal description took place.

- i. An out-of-court deposition of these witnesses may eliminate the need to further proceedings in this case, as its frivolous and basically assisting the Fraud Transfer to hide the drinking Water supply from the region, regarding issues identified above, and may eliminate the need for a tedious suppression hearing and/or trial.
- 12. Due to this case, and its obvious timed attack on Defendant used to assist 72 Partners, LLC, the Victims October 5, 2020 Fraudulent Transfer, using multiple Sarasota, Lee and Tampa Judges and Sheriffs, by timing bogus arrests since 2012 (when resource was submitted for permit to FDEP and EPA), attacking defendant civil rights in ONGOING complex Land title litigation showing regional County closings on CSX right-of-way where Project is proposed for transmission alignment to Naples from the Resource.
- 13. High power Wall Street groups and other local City Leaders, such as Miami, Naples and Village of Estero tax paid employees, lawyers and Councilmen who are now under investigation, such as but not limited to, Blackrock, Vanguard, Seminole Gulf, Ron Desantis, Trump, Biden and both State and Federal Congressional liaisons using local lawyers such as Greenberg Traurig Law, Henderson Franklin, Williams Parker, Snyder Law, local developers like Pat Neil, Benderson, Culverhouse who fund and place Judges who helped rule and sabotage Defendants rights; the pending civil lien and title cases, this case is affecting now for over 2 years, with a syndicated group of lawyers and cops under Federal Investigation and more.
- 14. This same syndicated group is under investigation for multiple attacks on his Children by a network of Cops, School and Hospital boards, Lawyers like Dave Weinstein in Tampa of Greenberg Traurig Law working as Attorneys in the local Tampa Middle District courts with compacts with Commissioners with Mosaic Phosphate.
- 15. The Defendants is working on submitting REQUEST TO PROSECUTE in 50 States, due to the Global impacts being held up by this case, and will update the court accordingly as other Attorney Generals and investigative agencies such as the Bar Association, Judicial Qualifications and more are finalized on this courts actions to subdue the Defendant timed with an online Fraudulent Transfer on October 5, 2020 for 72 Partners LLC vs Cecil Daughtrey Case 2011 CA 04209 NC, that Defendants has vested interest and mineral/land rights too.

CONCLUSION

16. Therefore, in the interest of due process, fairness and judicial economy, it is respectfully submitted that "good cause" exists to support the request to take the depositions of Witnesses, that are included in this case, who have for years now affected the permitting, funding on this Regional Water Supply, the spread of its Global Knowledge, by defrauding the name of the Defendant.

WHEREFORE, Defendant requests this Court enter an order finding the existence of good cause and grant this Motion for Leave to Take Depositions of Witnesses and Stay all Trial and additional proceeding until the Civil Title and Fraud cases in both Federal and State Courts.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent to the State Tom Widen as well as others on Service list and related cases below who are part of related cases was furnished via E-File system email this 30th day of November, 2023 to:

<u>|s|Joe Gilberti</u>

Joseph D. Gilberti, Jr., PE
Defendant
385 Donora Blvd
Ft Myers Beach, FL 33931
813-470-6000
Gilberiwater@gmail.com
www.gilbertibluegold.com

IN THE CIRCUIT COURT OF THE 12TH JUDICIAL CIRCUIT IN AND FOR SARASOTA COUNTY, FLORIDA

STATE OF FLORIDA

Plaintiff	Case No.:	2021 CF 00007559 NC
v.		
Joseph D. Gilberti, P.E., a licensed Professional Engineer		
Defendant		
/		

SWORN REQUEST TO PROSECUTE

JUDGE PADAR, TOM WIDEN, CHRIS HALLET AND MULTIPLE CIRCUIT 12 JUDGES, SARASOTA COUNTY COMMISSION, STAFF AND ENGINEERS FOR US TREASON TO 50 STATES HIDING PRIMARY WATER ACCESS AND NEW MEDICINE RESOURCE FOR 10YRS

NOTICE IS GIVEN that Joseph D. Gilberti, Jr., P.E., Defendant/Petitioner, files SWORN REQUEST TO PROSECUTE CIRCUIT 12 JUDGES AS A WHOLE in Sarasota-Desoto-Manatee Counties for US TREASON AND TITLE 18 USC 241-241 conspiring against Defendants Civil Rights to attack all Americans by hiding this Secret underground Medicine Resource and Water Supply knowledge for 10yrs from Humanity. With timed Terrorism acts to subdue the Defendants an Engineer of Record on the said property with the secret underground river hidden by 9-11 Sarasota Bush Family and EPA hiding PRIMARY WATER to Taps.

This group stems from Tampa to Miami and up and across America, hence files to 50 States with Notice of Intent to sue due to DOJ hiding Primary Water with a bunch of spoiled CLOWNS in the DOJ who lie, cheat and steal or kill Children on file for 10yrs with School Boards, FDLE and more in Federal Courts, see Gilberti vs Padar, et al, etc; where this long time corrupt mob or gang of lawyers and criminals from Pinellas County Florida where Desantis's home town has been attacking Defendant since Scott Freyre and Wells Fargo stole our \$57,000.00 in 2012 just before the Mitt Romney Tampa RNC and we found the resource. See *Gilberti vs Wells Fargo, et al*, filed in

Hillsborough County on same. Two Federal FTC complaints are filed on Judge Padar and other Judges, Sarasota county, etc., one of which is in Fort Myers Middle District *Gilberti vs Padar, et al,* Case 2:23-cv-609-SPC-KCD where another Judge tied to 72 Partners LLC, Luis Rivera Trustee and Henderson Franklin was caught lying on IFP determination timed with US Pentagon case docketing games by DC clerks we just cleared up, all in an effort to hide PRIMARY WATER ACCESS to Regions of Florida.

We are awaiting discovery information from Public Records in Court Administration that has recently been mailed out for transcripts from Sarasota County records of this case and timed cases this court used to assist Sarasota County and the Republican Party of Sarasota over the past 2 years to Fraud the system and steal over \$5million in State and US Tax base to attack Defendant with Lee Pallardy, Ron Desantis and a gang of other Judges in the 2ndDCA and mroe under investigation by multiple States and Florida municipalities due to not just a permitting pipeline to the tap but Global medicine production hidden by Pentagon. Confirmed copies of Order and Writ of Prohibition with letters to US Congress apprised of the Judge Padar LIED in COURT to harboring Terrorism via Smith Mundt Act HR 5736 on Petitioner an Engineer of Record for a new Regional Alkaline spring Water Supply under Israel Mosaic Phosphate and DOJ attack to kill Americans with Eugenics in Water Supply, are attached hereto. Essentially hiding Primary Water Access with timed events and LIES in court with witnesses.

See attached **EXHIBIT A** for SWORN REQUEST TO PROSECUTE. A presentation to Miami-Dade offering the Minority (WHITE PEOPLE) and Cops free Primary Water Bills if they arrest all Sarasota County Commission, Judges, Staff, Trump, Biden, Desantis, Rubio, Vern Buchanon, Rick Scott and Byron Donalds within 30days of the offer being presented next week.

Another offer to Sarasota and Manatee County Cops and Black People if Lockhead Martin CEO and all Commissioners, Staff and Judges in Circuit 12 arrested for US Treason via Title 18 US Code 241-242.

Village of Estero has an opportunity up this week to get the same for all 37,000 residents. Evenutally, all Tampa to Miami residents get free Water bills and Primary Spring Water NOT Treated Cancer and Arsenic water like the past 50yrs this Global knowledge was hidden by Tampa Central command and all EPA, USGS and local swfwmd, sfwmd, and St. John WMD.

This court can also take Judicial of <u>Gilberti vs Pentagon-CDC et al</u>, US Supreme Court Case 23-5414 showing more related issues to this secret underground river under Sarasota and Tampa to Miami attack since 2006, when Defendant was hired by Sarasota County Dr William Sydney King, PhD, of Sarasota Heart Association and works for decades at Sarasota Hospital, hiding a unique mixture of Magnesium Sulfate that helps regulate heart rates in the medical field. This is just one issue.

Village of Estero is reviewing the crimes against Humanity by Sarasota County and Ron Desantis, Trump, Biden, US Candidates as a whole, with others for recent public presentations and offers for free water bills from our source. **This case may affect the US Election date now per Pentagon and State officials investigating all Lawyers here!** Next offer is free water bills to Blacks and Cops in Sarasota if all Judges involved with this attack over 10yrs and Lockhead Martin CEO and Ed Brodsky's and other State Attorney and Public Defenders offices are detained for Title 18 USC 241-242 with a barrage of Developers like Mosaic, Benderson, Palmer Ranch, Lennar, Lakewood Ranch, Debartolo, Minto and Seminole Hard Rock Casino owners involved.

This DOJ internally setup case has drastically affected our ongoing complex Title litigation cases, see *Gilberti vs 72 Partners, et al*, Case 2019 CA 04532 NC with Judge Walker, who is ignoring filings and has been Assigned to the *Gilberti vs Tom Widen, et al*, case in Sarasota, showing the IN YOUR FACE conflicts, with a massive Eugenics game in Regional Water supply while attacking my family, kids, and civil rights with Sarasota Circuit 12 Judges, Sheriff, Clerks and Commission with Sarasota Parks and ESLAP Staff, swfwmd and FDEP as a Whole, with the Sarasota Republican Party, Tiger Bay Club, Audobon Club, Arcadia Rodeo.

A Federal Injuction and Stay is being processed OUT OF STATE due to the UNDUE

INFLUENCE in the region by a gang of Judges and Sheriffs attacking US Resources with foreign

corporations and Terrorism using HR 5736, Biden, Trump and all Media who continues to play

Stupid on such a critical issue. As stated by members of Village of Estero and now more municipal

areas, such as 38 Cities in Broward and soon all Boca Raton, Royal Palm Beach, Naples and

Longboat Key.

This Fraud by the court and Sarasota county was submitted for a Request to Prosecute but is

in CONFLICT OF INTEREST as the State attorneys office and Circuit 12 as a whole are all involved

with Sarasota County staff and much more we have disclosed in Federal courts and local municiple

permits in petition and more.

This case has created confusion in the region in an effort to kill US Families and Children

and hide the Global knowledge from US States and other Nations. All Lawyers and Judges have

fallen in Title 18 US Code against Humanity and the People of the Unites States of America.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via email to

State Attorney and others councils listed thru the online E-file system this 26th day of September

2023 to:

<u>IsIJoe Gilberti</u>

Joseph D. Gilberti PE Defendant/Petitioner

385 Donora Blvd

Ft Myers Beach, FL 33931

813-470-6000

gilbertiwater@gmail.com

www.Gilbertibluegold.com

4

SWORN REQUEST FOR PROSECUTION BY COMPLAINTANT

TO ATTORNEY GENERALS, 63 FLORIDA COUNTY SHERIFFS, JQC, BAR, FBI, PENTAGON, VARIOUS FEDERAL AND STATE AGENCIES ON

'HIDDEN ENDLESS MEDICINE CHANGING RESOURCE FOR AMERICA'

"I desire prosecution in this case and request the State Attorneys' Offices throughout Florida, Attorney Generals in 50 States, Attorney generals in Florida & each of the 50 States, Attorney Generals for the United States of America to review it for prosecution. I and many witnesses will be present for any required court dates should this case be prosecuted."

COMPLAINANT INFORMATION:

COMPLAINANT'S NAME: JOSEPH D. GILBERTI, P.E.

ADDRESS: 385 DONORA BLVD, FORT MYERS BEACH, FLORIDA 33931

CELL PHONE: <u>813-470-6000</u> HOME PHONE: <u>N/A</u>

EMAIL ADDRESS: <u>gilbertiwater@gmail.com</u>

EMPLOYER: LANDTECH DESIGN GROUP, INC. WORK PHONE: 813-470-6000

SUSPECT INFORMATION:

SUSPECT'S NAME (1): RYAN SNYDER
RACE: WHITE SEX: MALE DATE OF BIRTH (IF KNOWN): APPROXIMATELY 40YRS OF AGE
Address (If Known):

RELATIONSHIP TO COMPLAINANT: NONE

LENGTH OF TIME KNOWN SUSPECT: Known of Mr. Snyder as attorney for 72 Partners LLC which includes suspects as well who are members, Lee Pallardy, Thomas Howze, Kenny Harrison, Laurence Hall and Matt Harrison

ADDITIONAL SUSPECTS (IF ANY):

Suspect's Name (2): <u>Circuit 12 Sarasota-Desoto-Manatee Judges as a whole – Judge Padar, Judge Walker, Judge Ruhl, Judge Bonner, Judge Krug, Judge Hall, Judge Roberts, Judge William, Judge Dunnellon, Judge Parker, Judge Carroll, Judge Brewer, Judge Moss, Judge Bruning all with knowledge of the timed Terrorism w HR 5736 breaching Title 18 USC 241-242.</u>

Race: white Sex: male Date of Birth (If Known): approximately 35-85 yrs of age

Address (If Known): Sarasota Circuit 12, Florida

Relationship to Complainant: <u>none</u>

Length of Time Known Suspect: <u>approximately 10yrs from litigations and civil right attacks to hide this US Resource for water supply and medicine.</u>

Suspect's Name (3): Thomas Widen, State Attorney Sarasota-Manatee County

Race: white Sex: male Date of Birth (If Known): approximately 33yrs of age

Address (If Known): Sarasota, Florida

Relationship to Complainant: <u>none</u>

Length of Time Known Suspect: approximately 2yrs from litigations

Suspect's Name (3): <u>James Ermacora</u>, <u>Attorney Fort Myers-Sarasota-Manatee County</u>

Race: white Sex: male Date of Birth (If Known): approximately 60yrs of age

Address (If Known): Sarasota, Florida

Relationship to Complainant: <u>none</u>

Length of Time Known Suspect: approximately 2yrs from litigations

Suspect's Name (4): Chris Hallet, State Attorney for Sarasota County

Race: white Sex: male Date of Birth (If Known): approximately 30yrs of age

Address (If Known): Sarasota, Florida

Relationship to Complainant: <u>none</u>

Length of Time Known Suspect: approximately 2yrs from litigations

Suspect's Name (5): Thomas Howze, partner of 72 Partners llc

Race: white Sex: male Date of Birth (If Known): approximately 85yrs of age

Address (If Known): Myakka City, Florida

Relationship to Complainant: <u>none</u>

Length of Time Known Suspect: approximately 10yrs from litigations

Suspect's Name (6): Lee Pallardy, partner of 72 Partners llc

Race: white Sex: male Date of Birth (If Known): approximately 80yrs of age

Address (If Known): Myakka City, Florida

Relationship to Complainant: <u>none</u>

Length of Time Known Suspect: approximately 10yrs from litigations

Suspect's Name (7): Sarasota County Board of County Commissioners

Race: <u>varies</u> Sex: <u>varies</u> Date of Birth (If Known): <u>varies</u>

Address (If Known): Sarasota State Attorney Ed Brodsky

Relationship to Complainant: <u>none</u>

Length of Time Known Suspect: <u>approximately 10yrs from Water supply presentations and file RICO cases</u>, water supply infrastructure permits submitted, etc and his attacks with his staff and <u>other regional State Attorneys such as Mark Ober</u>, Pam Bondi, and Andrew Warren.

Suspect's Name (7): Sarasota County Board of County Commissioners

Race: <u>varies</u> Sex: <u>varies</u> Date of Birth (If Known): <u>varies</u>

Address (If Known): Sarasota County Commission Chambers and abroad

Relationship to Complainant: <u>none</u>

Length of Time Known Suspect: <u>approximately 10yrs from Water supply presentations and file RICO cases</u>, water supply infrastructure permits submitted, etc.

POLICE REPORT INFORMATION:

DID COMPLAINANT CALL LAW ENFORCEMENT? YES

What agency responded - PHONE CALLS TO SARASOTA COUNTY, LEE
COUNTY, CAPITOL POLICE AND FBI - also Cecil and Patty Daughtrey filed in
November 2021 with Sam Esber PLS a professional land surveyor. It was filed on
cattleman Branch in Sarasota County.

Who was the reporting officer? not sure, but these witnesses are available

☐ If complainant did not contact law enforcement, please explain why: n/a

Police Report (CCR) Number: No copies were provided but witnesses who filed are available.

Date of Incident (Or date range): October 5, 2020

Location of Incident: Online foreclosure sale in Sarasota – 72 Partners vs Cecil Daughtrey Case 2011 CA 04209 NC

Crime Noted on Police Report:

- 1. 817.29 Cheating
- 817.535 Unlawful filing of false documents or records against real or personal property.
- 3. 817.545 Mortgage fraud

- 4. 817.540 Obtaining of mortgage, mortgage note, promissory note, etc., by false representation
- 5. Title 18 US Code 241 242 conspiring against Defendants

CRIME INFORMATION:

Was the Suspect Using Alcohol or Drugs? Unknown

Was the Complainant Using Alcohol or Drugs? No

Please list all witnesses who observed any part of the criminal offense, including their phone number, home address, and email address (if known):

- Cecil Daughtrey 9438 Daughtrey Road, Sarasota Florida 34266. 863-244-8972 Buckdaughtrey58@gmail.com
- Patricia Daughtrey 9438 Daughtrey Road, Sarasota Florida 34266 863-441-3387
 Mrs.pattyd@yahoo.com
- Robert Flint 2442 Northwest Flint Road, Arcadia, Florida 34266 863-990-0932 Flintfarms5277@yahoo.com
- 4. Sam Esber, P.LS. 5914 Palmer Blvd., Sarasota FL 34232 941-379-8831 Asepls4349@gmail.com
- Professional Engineers and Citizens available as witnesses of timed Terrorism and this World Resource under DOJ and Political attack for 10yrs

Was there property damage? Yes

What property was damaged? Years of damage blocking use of the property with RICO
gang of locals tied to multiple racketeering cases, including Gilberti vs Pentagon, et al.
What is the approximate value of the damaged property? Over \$50million
Do you have documentation of the property loss? (Receipts, repair estimates,
repair bills? Available upon request.

Do you have any other photographs or materials related to the incident (Ex.: text messages, emails, voicemails, surveillance video, etc.)? Please describe or attach any relevant documentation:

See Attached documentation with more detail available upon request.

- THE CRIMES -

Please give a brief recitation of the facts. (attach an additional page, if necessary):

Ryan Snyder and suspects set a foreclosure sale through advertisement for over 2300 acres and 6 separate parcels of land late August 2020 and SWITCHED OUT THE LEGAL DESCRIPTION, per the Clerk, the DAY OF THE SALE on OCTOBER 5, 2020.

Ryan Snyder and suspects replaced the legal with a 96acre homestead parcel where Daughtrey was reserved in Bankruptcy Court, so it only bid to \$185,001.00 dollars for a massive advertisement of over 2300 acres and six parcels. They prevented the whole World from bidding the property to attack all Americans and Humanity.

Sarasota Commissioners, Judges, Clerks, State Attorneys and Environmental Staff with FDEP conspired and are stole \$5mil tax dollars in Environmental easement funds, buying a 1000acre easement in the process when they simple could have PURCHASED THE WHOLE PROPERTY for \$185,002.00 dollars? Demonstrating the RACKETEERING with Tallahassee Water Supply funding and easements being played to pump polluted rivers from Desoto INTO Sarasota Taps for another 20yrs knowing this underground river existed showing WHITE COLLAR CRIMES involving Commissioners, Cops and Judges in region.

A copy of the LIES and they suspects on the stand in Hillsborough County in front of Judge Lynne Goudie on January 28, 2022 is shown below in link and is Public record for Hillsborough Case, State vs Gilberti – Case 16-CF-10976-A.

THIS VIDEO IS FULL PROOF OF SUSPECTS TESTIFYING TO THE FRAUD ON STAND BLAMING EACH OTHER AND THE COUNTY STATE ATTORNEYS OFFICE IN SARASOTA!! ED BRODSKI AND CHRIS HALLET WITH MARK ADAMS, ESQ.

https://drive.google.com/file/d/18Ni8ffvpTDwVmBsWgcwIvX97Q1LDZbMZ/view?usp=drive_web.

This video zoom hearing is public record at Hillsborough County Clerk of Court to the public if link is not available for case 16-CF-10976-A, where Judge Mark Wolfe, Public Defender Chris Shaw, and State Attorneys April Johnson, Andrew Warrens office and more fabricated emails with Pam Bondi and Mark Ober to subdue Defendant illegally timed with lien cases, record terrorism acts based on emails or engineering submittals to FDEP, as shown in Gilberti vs Desantis, et. al, docketing at the US Supreme Court with Sarasota county commissioners, just like this many Sarasota related RICO cases have shown.

This was the only online sale for Sarasota that day with the Sheriff and County comptroller and online auction system.

This sale was from a Sarasota foreclosure in dispute, that involves a unique hidden US Resource for Water Supply, a gang of FDEP and EPA agencies and local developers have been hiding, giving him a Motive to do so, so they attacked to hide the Global underground knowledge.

What is your desired outcome for the case? To have suspects arrested for crimes and land returned to the proper owners and to move all their cows off the property immediately that could

be damaging a critical US Water Supply resource with their actions and crimes against Humanity documented as related to hiding and doing this Land Grab with Sheriff Hoffman and Det Wyche of Sarasota County. Take all pensions, licensure and detail immediately so Americans can study the resource hidden by 9-11 Sarasota Bush connection as agreed in City Hall with Mayor Eric Adams staff on February 2, 2023.

FEDERAL CRIMES OF GENOCIDE AND EUGENICS

bv

SARASOTA-TAMPA-LEE-BROWARD-WASHINGTON DC-GEORGIA-VIRGINIA FEDERAL AND STATE JUDGES, CLERKS AND SUSPECTS WITH TRUMP, BIDEN, DESANTIS AND ALL FLORIDA CONGRESS-SENATE WITH SARASOTA TIGER BAY CLUBS, FDLE

Having considered the declaration made by the General Assembly of the United Nations in its resolution 96 (I) dated 11 December 1946 that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world, Recognizing that at all periods of history genocide has inflicted great losses on humanity, and being convinced that, in order to liberate mankind from such an odious scourge, international cooperation is required, Hereby agree as hereinafter provided:

Article I

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

Article II

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

Article III

The following acts shall be punishable:

- (a) Genocide;
- (b) Conspiracy to commit genocide;
- (c) Direct and public incitement to commit genocide;
- (d) Attempt to commit genocide;
- (e) Complicity in genocide.

THE ENGINEER BRINGS THIS ACTION AGAINST DEFENDANTS FOR A VIOLATION OF RICO, 18 U.S.C. § 1961-1968, ET SEQ (A), (B), (C) AND (D).

I swear and affirm the information on this form is true and correct.

Complainant's Signature Joe Gilberti, PE

Date: September 26, 2023 Joseph Gilberti, P.E.

FLORIDA LAWS RELATED TO COMPLAINT AND CRIMES BY SUSPECTS

817.29 Cheating.—Whoever is convicted of any gross fraud or cheat at common law shall be guilty of a felony of the third degree, punishable as provided in s. <u>775.082</u>, s. <u>775.083</u>, or s. <u>775.084</u>.

History.—s. 54, ch. 1637, 1868; RS 2475; GS 3344; RGS 5187; CGL 7290; s. 860, ch. 71-136.

817.535 Unlawful filing of false documents or records against real or personal property.—

- (2)(a)A person who files or directs a filer to file, with the intent to defraud or harass another, any instrument containing a materially false, fictitious, or fraudulent statement or representation that purports to affect an owner's interest in the property described in the instrument commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (b)A person who violates paragraph (a) a second or subsequent time commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

- (3)If a person is convicted of violating subsection (2) and the owner of the property subject to the false instrument is a public officer or employee, the offense shall be reclassified as follows:
- (a)In the case of a felony of the third degree, to a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (b)In the case of a felony of the second degree, to a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (4)(a)If a person is convicted of violating subsection (2) and the person committed the offense while incarcerated in a jail or correctional institution or while participating in a pretrial diversion program under any form of pretrial release or bond, on probation or parole, or under any post release supervision, the offense shall be reclassified as follows:
- 1.In the case of a felony of the third degree, to a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- 2.In the case of a felony of the second degree, to a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (b)If a person's offense has been reclassified pursuant to this subsection, the sentencing court shall issue a written finding that the offense occurred while incarcerated in a jail or correctional institution and direct that a copy of the written finding and judgment of conviction be forwarded to the appropriate state institution or county facility for consideration of disciplinary action and forfeiture of all gain-time or any early release credits accumulated up to the date of the violation.
- (5)If the person is convicted of violating subsection (2) and the owner of the property covered by the false instrument incurs financial loss as a result of the instrument being recorded in the official record, including costs and attorney fees incurred in correcting, sealing, or removing the false instrument from the official record as described herein, the offense shall be reclassified as follows:
- (a)In the case of a felony of the third degree, to a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (b)In the case of a felony of the second degree, to a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (6)A person who fraudulently records a claim of lien in the official records pursuant to part I of chapter 713 is subject to the fraud provisions of s. 713.31 and not this section.
- (7)If a person is convicted of violating this section, the sentencing court shall issue an order declaring the instrument forming the basis of the conviction null and void and may enjoin the person from filing any instrument in an official record absent prior review and approval for filing by a circuit or county court judge. The sentencing court may also order the instrument forming the basis of the conviction sealed from the official record and removed from any applicable electronic database used for recording instruments in the official record.

- (8)(a)Any person adversely affected by an instrument filed in the official record which contains a materially false, fictitious, or fraudulent statement or representation has a civil cause of action under this section without regard to whether criminal charges are pursued under subsection (2). A notice of lis pendens in accord with s. 48.23 shall be filed which specifically describes the instrument under challenge and the real or personal property affected by the instrument.
- (b)Upon a finding that the instrument contains a materially false, fictitious, or fraudulent statement or representation such that the instrument does not establish a legitimate property or lien interest in favor of another person:
- 1. The court shall determine whether the entire instrument or certain parts thereof are null and void ab initio. If the court finds the instrument void in its entirety, it may order the instrument sealed from the official record and removed from any electronic database used for indexing or locating instruments in the official record. The court may also, permanently or for a period of time, enjoin the defendant who filed the instrument or who directed the filer to file the instrument from filing or directing a person to file an instrument in the official records without prior review and approval for filing by a circuit or county court judge, provided that as to third parties who may have given value for an interest described or granted by any instrument filed in violation of the injunction, the instrument shall be deemed validly filed and provides constructive notice, notwithstanding any failure to comply with the terms of the injunction.
- 2.Upon a finding of intent to defraud or harass, the court or jury shall award actual damages and punitive damages, subject to the criteria in s. 768.72, to the person adversely affected by the instrument. The court may also levy a civil penalty of \$2,500 for each instrument determined to be in violation of subsection (2).
- 3. The court may grant such other relief or remedy that the court determines is just and proper within its sound judicial discretion.
 - (c) The prevailing party in such a suit is entitled to recover costs and reasonable attorney fees.
- (d)The custodian of any official record shall, upon payment of appropriate fees, provide a certified copy of the sealed instrument to the party seeking relief under this section for use in subsequent court proceedings; in addressing or correcting adverse effects upon the person's credit or property rights, or reporting the matter for investigation and prosecution; or in response to a subpoena seeking the instrument for criminal investigative or prosecution purposes.
- (e)Upon request, the custodian of any official record shall, upon payment of appropriate fees, provide a certified copy of the sealed instrument to any federal, state, or local law enforcement agency.
- (f)If feasible, the custodian of the official record where the instrument is recorded shall record any court order finding that the instrument is null and void in its entirety or in certain parts thereof.
- (g)An instrument removed from an electronic database used for recording instruments in the public record pursuant to this section shall be maintained in a manner in which the instrument can be reduced to paper form.

- (9)A government agency may provide legal representation to a public officer or employee if the instrument at issue appears to have been filed to defraud or harass the public officer or employee in his or her official capacity. If the public officer or employee is the prevailing party, the award of reasonable attorney fees shall be paid to the government agency that provided the legal representation.
- (10) This section does not apply to the procedures for sealing or expunging criminal history records as provided in chapter 943.

History.—s. 1, ch. 2013-228.

817.54 Obtaining of mortgage, mortgage note, promissory note, etc., by false representation.— Any person who, with intent to defraud, obtains any mortgage, mortgage note, promissory note or other instrument evidencing a debt from any person or obtains the signature of any person to any mortgage, mortgage note, promissory note or other instrument evidencing a debt by color or aid of fraudulent or false representation or pretenses, or obtains the signature of any person to a mortgage, mortgage note, promissory note, or other instrument evidencing a debt, the false making whereof would be punishable as forgery, shall be guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

History.—s. 1, ch. 63-142; s. 880, ch. 71-136.

817.545 Mortgage fraud.—

- (2)A person commits the offense of mortgage fraud if, with the intent to defraud, the person knowingly:
- (a)Makes any material misstatement, misrepresentation, or omission during the mortgage lending process with the intention that the misstatement, misrepresentation, or omission will be relied on by a mortgage lender, borrower, or any other person or entity involved in the mortgage lending process; however, omissions on a loan application regarding employment, income, or assets for a loan which does not require this information are not considered a material omission for purposes of this subsection.
- (b)Uses or facilitates the use of any material misstatement, misrepresentation, or omission during the mortgage lending process with the intention that the material misstatement, misrepresentation, or omission will be relied on by a mortgage lender, borrower, or any other person or entity involved in the mortgage lending process; however, omissions on a loan application regarding employment, income, or assets for a loan which does not require this information are not considered a material omission for purposes of this subsection.
- (c)Receives any proceeds or any other funds in connection with the mortgage lending process that the person knew resulted from a violation of paragraph (a) or paragraph (b).
- (d)Files or causes to be filed with the clerk of the circuit court for any county of this state a document involved in the mortgage lending process which contains a material misstatement, misrepresentation, or omission.
- (3)An offense of mortgage fraud may not be predicated solely upon information lawfully disclosed under federal disclosure laws, regulations, or interpretations related to the mortgage lending process.

- (4)For the purpose of venue under this section, any violation of this section is considered to have been committed:
 - (a)In the county in which the real property is located; or
 - (b)In any county in which a material act was performed in furtherance of the violation.
- (5)(a)Any person who violates subsection (2) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (b)Any person who violates subsection (2), and the loan value stated on documents used in the mortgage lending process exceeds \$100,000, commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

History.—s. 13, ch. 2007-182; s. 2, ch. 2008-80.

EXHIBIT A	

SWORN REQUEST FOR PROSECUTION BY COMPLAINTANT

"I desire prosecution in this case and request the State Attorney's Office and attorney generals in Florida & Attorney General for the United States of America to review it for prosecution. I and many witnesses will be present for any required court dates should this case be prosecuted."

COMPLAINANT INFORMATION:

COMPLAINANT'S NAME: JOSEPH D. GILBERTI, P.E.

ADDRESS: 385 DONORA BLVD, FORT MYERS BEACH, FLORIDA 33931

CELL PHONE: <u>813-470-6000</u> HOME PHONE: <u>N/A</u>

EMAIL ADDRESS: gilbertiwater@gmail.com

EMPLOYER: LANDTECH DESIGN GROUP, INC. WORK PHONE: 813-470-6000

SUSPECT INFORMATION:

SUSPECT'S NAME: RYAN SNYDER

RACE: WHITE SEX: MALE DATE OF BIRTH (IF KNOWN): APPROXIMATELY 40YRS OF AGE

ADDRESS (IF KNOWN): _____

RELATIONSHIP TO COMPLAINANT: NONE

LENGTH OF TIME KNOWN SUSPECT: Known of Mr. Snyder as attorney for 72 Partners LLC which includes suspects as well who are members, Lee Pallardy, Thomas Howze, Kenny

Harrison, Laurence Hall and Matt Harrison

ADDITIONAL SUSPECTS (IF ANY):

Suspect's Name (2): Thomas Howze, partner of 72 Partners llc

Race: white Sex: male Date of Birth (If Known): approximately 85yrs of age

Address (If Known): Myakka City, Florida

Relationship to Complainant: <u>none</u>

Length of Time Known Suspect: approximately 10yrs from litigations

Suspect's Name (3): Lee Pallardy, partner of 72 Partners llc

Race: white Sex: male Date of Birth (If Known): approximately 85yrs of age

Address (If Known): Myakka City, Florida

Relationship to Complainant: <u>none</u>

Length of Time Known Suspect: approximately 10yrs from litigations

Suspect's Name (3): <u>Sarasota County Board of County Commissioners</u>

Race: <u>varies</u> Sex: <u>varies</u> Date of Birth (If Known): <u>varies</u>

Address (If Known): Sarasota County Commission Chambers and abroad

Relationship to Complainant: <u>none</u>

Length of Time Known Suspect: approximately 10yrs from Water supply presentations and file RICO cases, water supply infrastructure permits submitted, etc.

POLICE REPORT INFORMATION:

DID COMPLAINANT CALL LAW ENFORCEMENT? YES

What agency responded - PHONE CALLS TO SARASOTA COUNTY, LEE
COUNTY, CAPITOL POLICE AND FBI - also Cecil and Patty Daughtrey filed in
November 2021 with Sam Esber PLS a professional land surveyor. It was filed on cattleman Branch in Sarasota County.
Who was the reporting officer? not sure, but these witnesses are available

who was the reporting officer? not sure, but these withesses are available

If complainant did not contact law enforcement, please explain why: n/a

Police Report (CCR) Number: No copies were provided but witnesses who filed are available.

Date of Incident (Or date range): October 5, 2020

Location of Incident: Online foreclosure sale in Sarasota – 72 Partners vs Cecil Daughtrey Case 2011 CA 04209 NC

Crime Noted on Police Report:

- 1. 817.29 Cheating
- 2. 817.535 Unlawful filing of false documents or records against real or personal property.
- 3. 817.545 Mortgage fraud
- 4. 817.540 Obtaining of mortgage, mortgage note, promissory note, etc., by false representation

CRIME INFORMATION:

Was the Suspect Using Alcohol or Drugs? <u>Unknown</u>

Was the Complainant Using Alcohol or Drugs? No

Please list all witnesses who observed any part of the criminal offense, including their phone number, home address, and email address (if known):

- Cecil Daughtrey 9438 Daughtrey Road, Sarasota Florida 34266. 863-244-8972 Buckdaughtrey 58@gmail.com
- Patricia Daughtrey 9438 Daughtrey Road, Sarasota Florida 34266 863-441-3387

Mrs.pattyd@yahoo.com

 Robert Flint - 2442 Northwest Flint Road, Arcadia, Florida 34266 863-990-0932

Flintfarms5277@yahoo.com

4. Sam Esber, P.LS. - 5914 Palmer Blvd., Sarasota FL 34232

941-379-8831

Asepls4349@gmail.com

Was there property damage? Yes

- What property was damaged? Years of damage blocking use of the property with RICO gang of locals tied to multiple racketeering cases, including Gilberti vs Pentagon, et al.
- ☐ What is the approximate value of the damaged property? Over \$50million
- Do you have documentation of the property loss? (Receipts, repair estimates, repair bills? <u>Available upon request.</u>

Do you have any other photographs or materials related to the incident (Ex.: text messages, emails, voicemails, surveillance video, etc.)? Please describe or attach any relevant documentation:

See Attached documentation with more detail available upon request.

- THE CRIME -

Please give a brief recitation of the facts. (attach an additional page, if necessary):

Ryan Snyder and suspects set a foreclosure sale through advertisement for over 2300 acres and 6 separate parcels of land late August 2020 and SWITCHED OUT THE LEGAL DESCRIPTION, per the Clerk, the DAY OF THE SALE on OCTOBER 5, 2020.

Ryan Snyder and suspects replaced the legal with a 96acre homestead parcel where Daughtrey was reserved in Bankruptcy Court, so it only bid to \$185,001.00 dollars for a massive advertisement of over 2300 acres and six parcels.

Sarasota Commissioners and Environmental Staff with FDEP coordinated stealing \$3.5mil in Environmental easement funds, buying a 1000acre easement in the process when they simple could have PURCHASED THE WHOLE PROPERTY for \$185,002.00 dollars? Demonstrating the RACKETEERING with Tallahassee Water Supply funding and easements being played to pump polluted rivers from Desoto INTO Sarasota Taps for another 20yrs knowing this underground river existed showing WHITE COLLAR CRIMES involving Commissioners, Cops and Judges in region.

A copy of the LIES and they suspects on the stand in Hillsborough County in front of Judge Lynne Goudie on January 28, 2022 is shown below in link and is Public record for Hillsborough Case, State vs Gilberti – Case 16-CF-10976-A.

THIS VIDEO IS FULL PROOF OF SUSPECTS TESTIFYING TO THE FRAUD ON STAND BLAMING EACH OTHER AND THE COUNTY STATE ATTORNEYS OFFICE IN SARASOTA!! ED BRODSKI AND CHRIS HALLET WITH MARK ADAMS, ESQ.

https://drive.google.com/file/d/18Ni8ffvpTDwVmBsWgcwIvX97Q1LDZbMZ/view?usp=drive_web.

This video zoom hearing is public record at Hillsborough County Clerk of Court to the public if link is not available for case 16-CF-10976-A, where Judge Mark Wolfe, Public Defender Chris Shaw, and State Attorneys April Johnson, Andrew Warrens office and more fabricated emails with Pam Bondi and Mark Ober to subdue Defendant illegally timed with lien cases, record terrorism acts based on emails or engineering submittals to FDEP, as shown in Gilberti vs Desantis, et. al, docketing at the US Supreme Court with Sarasota county commissioners, just like this many Sarasota related RICO cases have shown.

This was the only online sale for Sarasota that day with the Sheriff and County comptroller and online auction system.

This sale was from a Sarasota foreclosure in dispute, that involves a unique hidden US Resource for Water Supply, a gang of FDEP and EPA agencies and local developers have been hiding, giving him a Motive to do so,

What is your desired outcome for the case? To have suspects arrested for crimes and land returned to the proper owners and to move all their cows off the property immediately that could be damaging a critical US Water Supply resource with their actions and crimes against Humanity documented as related to hiding and doing this Land Grab with Sheriff Hoffman and Det Wyche of Sarasota County.

I swear and affirm the information on this form is true and correct.

Complainant's Signature Joe Gilberti, PE

Date: August 9, 2022 Joseph Gilberti, P.E.

FLORIDA LAWS RELATED TO COMPLAINT AND CRIMES BY SUSPECTS

817.29 Cheating.—Whoever is convicted of any gross fraud or cheat at common law shall be guilty of a felony of the third degree, punishable as provided in s. <u>775.082</u>, s. <u>775.083</u>, or s. <u>775.084</u>.

History.—s. 54, ch. 1637, 1868; RS 2475; GS 3344; RGS 5187; CGL 7290; s. 860, ch. 71-136.

817.535 Unlawful filing of false documents or records against real or personal property.—

- (2)(a)A person who files or directs a filer to file, with the intent to defraud or harass another, any instrument containing a materially false, fictitious, or fraudulent statement or representation that purports to affect an owner's interest in the property described in the instrument commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (b)A person who violates paragraph (a) a second or subsequent time commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (3)If a person is convicted of violating subsection (2) and the owner of the property subject to the false instrument is a public officer or employee, the offense shall be reclassified as follows:
- (a)In the case of a felony of the third degree, to a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (b)In the case of a felony of the second degree, to a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (4)(a)If a person is convicted of violating subsection (2) and the person committed the offense while incarcerated in a jail or correctional institution or while participating in a pretrial diversion program under any form of pretrial release or bond, on probation or parole, or under any post release supervision, the offense shall be reclassified as follows:
- 1.In the case of a felony of the third degree, to a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- 2.In the case of a felony of the second degree, to a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (b)If a person's offense has been reclassified pursuant to this subsection, the sentencing court shall issue a written finding that the offense occurred while incarcerated in a jail or correctional institution and direct that a copy of the written finding and judgment of conviction be forwarded to the appropriate state institution or county facility for consideration of disciplinary action and forfeiture of all gain-time or any early release credits accumulated up to the date of the violation.
- (5)If the person is convicted of violating subsection (2) and the owner of the property covered by the false instrument incurs financial loss as a result of the instrument being recorded in the official record, including costs and attorney fees incurred in correcting, sealing, or removing the false instrument from the official record as described herein, the offense shall be reclassified as follows:

- (a)In the case of a felony of the third degree, to a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (b)In the case of a felony of the second degree, to a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (6)A person who fraudulently records a claim of lien in the official records pursuant to part I of chapter 713 is subject to the fraud provisions of s. 713.31 and not this section.
- (7)If a person is convicted of violating this section, the sentencing court shall issue an order declaring the instrument forming the basis of the conviction null and void and may enjoin the person from filing any instrument in an official record absent prior review and approval for filing by a circuit or county court judge. The sentencing court may also order the instrument forming the basis of the conviction sealed from the official record and removed from any applicable electronic database used for recording instruments in the official record.
- (8)(a)Any person adversely affected by an instrument filed in the official record which contains a materially false, fictitious, or fraudulent statement or representation has a civil cause of action under this section without regard to whether criminal charges are pursued under subsection (2). A notice of lis pendens in accord with s. 48.23 shall be filed which specifically describes the instrument under challenge and the real or personal property affected by the instrument.
- (b)Upon a finding that the instrument contains a materially false, fictitious, or fraudulent statement or representation such that the instrument does not establish a legitimate property or lien interest in favor of another person:
- 1. The court shall determine whether the entire instrument or certain parts thereof are null and void ab initio. If the court finds the instrument void in its entirety, it may order the instrument sealed from the official record and removed from any electronic database used for indexing or locating instruments in the official record. The court may also, permanently or for a period of time, enjoin the defendant who filed the instrument or who directed the filer to file the instrument from filing or directing a person to file an instrument in the official records without prior review and approval for filing by a circuit or county court judge, provided that as to third parties who may have given value for an interest described or granted by any instrument filed in violation of the injunction, the instrument shall be deemed validly filed and provides constructive notice, notwithstanding any failure to comply with the terms of the injunction.
- 2.Upon a finding of intent to defraud or harass, the court or jury shall award actual damages and punitive damages, subject to the criteria in s. 768.72, to the person adversely affected by the instrument. The court may also levy a civil penalty of \$2,500 for each instrument determined to be in violation of subsection (2).
- 3. The court may grant such other relief or remedy that the court determines is just and proper within its sound judicial discretion.
 - (c) The prevailing party in such a suit is entitled to recover costs and reasonable attorney fees.

- (d)The custodian of any official record shall, upon payment of appropriate fees, provide a certified copy of the sealed instrument to the party seeking relief under this section for use in subsequent court proceedings; in addressing or correcting adverse effects upon the person's credit or property rights, or reporting the matter for investigation and prosecution; or in response to a subpoena seeking the instrument for criminal investigative or prosecution purposes.
- (e)Upon request, the custodian of any official record shall, upon payment of appropriate fees, provide a certified copy of the sealed instrument to any federal, state, or local law enforcement agency.
- (f)If feasible, the custodian of the official record where the instrument is recorded shall record any court order finding that the instrument is null and void in its entirety or in certain parts thereof.
- (g)An instrument removed from an electronic database used for recording instruments in the public record pursuant to this section shall be maintained in a manner in which the instrument can be reduced to paper form.
- (9)A government agency may provide legal representation to a public officer or employee if the instrument at issue appears to have been filed to defraud or harass the public officer or employee in his or her official capacity. If the public officer or employee is the prevailing party, the award of reasonable attorney fees shall be paid to the government agency that provided the legal representation.
- (10) This section does not apply to the procedures for sealing or expunging criminal history records as provided in chapter 943.

History.—s. 1, ch. 2013-228.

817.54 Obtaining of mortgage, mortgage note, promissory note, etc., by false representation.— Any person who, with intent to defraud, obtains any mortgage, mortgage note, promissory note or other instrument evidencing a debt from any person or obtains the signature of any person to any mortgage, mortgage note, promissory note or other instrument evidencing a debt by color or aid of fraudulent or false representation or pretenses, or obtains the signature of any person to a mortgage, mortgage note, promissory note, or other instrument evidencing a debt, the false making whereof would be punishable as forgery, shall be guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

History.—s. 1, ch. 63-142; s. 880, ch. 71-136.

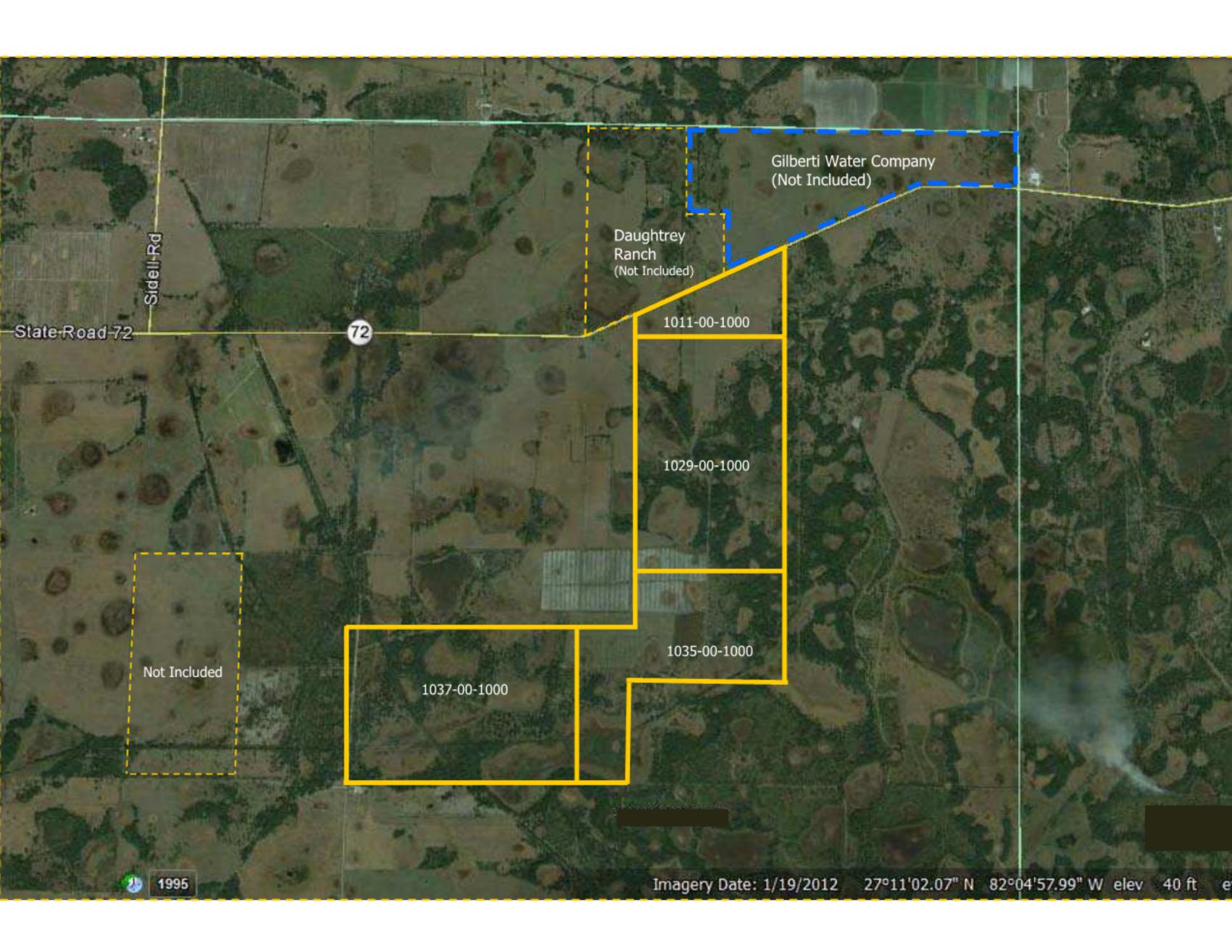
817.545 Mortgage fraud.—

- (2)A person commits the offense of mortgage fraud if, with the intent to defraud, the person knowingly:
- (a)Makes any material misstatement, misrepresentation, or omission during the mortgage lending process with the intention that the misstatement, misrepresentation, or omission will be relied on by a mortgage lender, borrower, or any other person or entity involved in the mortgage lending process; however, omissions on a loan application regarding employment, income, or assets for a loan which does not require this information are not considered a material omission for purposes of this subsection.

- (b)Uses or facilitates the use of any material misstatement, misrepresentation, or omission during the mortgage lending process with the intention that the material misstatement, misrepresentation, or omission will be relied on by a mortgage lender, borrower, or any other person or entity involved in the mortgage lending process; however, omissions on a loan application regarding employment, income, or assets for a loan which does not require this information are not considered a material omission for purposes of this subsection.
- (c)Receives any proceeds or any other funds in connection with the mortgage lending process that the person knew resulted from a violation of paragraph (a) or paragraph (b).
- (d)Files or causes to be filed with the clerk of the circuit court for any county of this state a document involved in the mortgage lending process which contains a material misstatement, misrepresentation, or omission.
- (3)An offense of mortgage fraud may not be predicated solely upon information lawfully disclosed under federal disclosure laws, regulations, or interpretations related to the mortgage lending process.
- (4)For the purpose of venue under this section, any violation of this section is considered to have been committed:
 - (a)In the county in which the real property is located; or
 - (b)In any county in which a material act was performed in furtherance of the violation.
- (5)(a)Any person who violates subsection (2) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (b)Any person who violates subsection (2), and the loan value stated on documents used in the mortgage lending process exceeds \$100,000, commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

History.—s. 13, ch. 2007-182; s. 2, ch. 2008-80.

EXHIBIT A	



Monday October 5, 2020

< < Previous Auction Current Next Auction > >

Pursuant to new legislation effective July 1, 2008, F. S. 45.031(10), and F. S. 197.542 (4)(a),(b) the Clerk may conduct the sale of real or personal property under an order or judgment by electronic means, and tax deed sales in lieu of public outcry.

Running Auctions

There are no cases currently being auctioned.

Auctions Closed or Canceled

page 1 of 1

Auction Sold 10/05/2020 09:08 AM ET

> Amount **\$185,003.00** Sold To

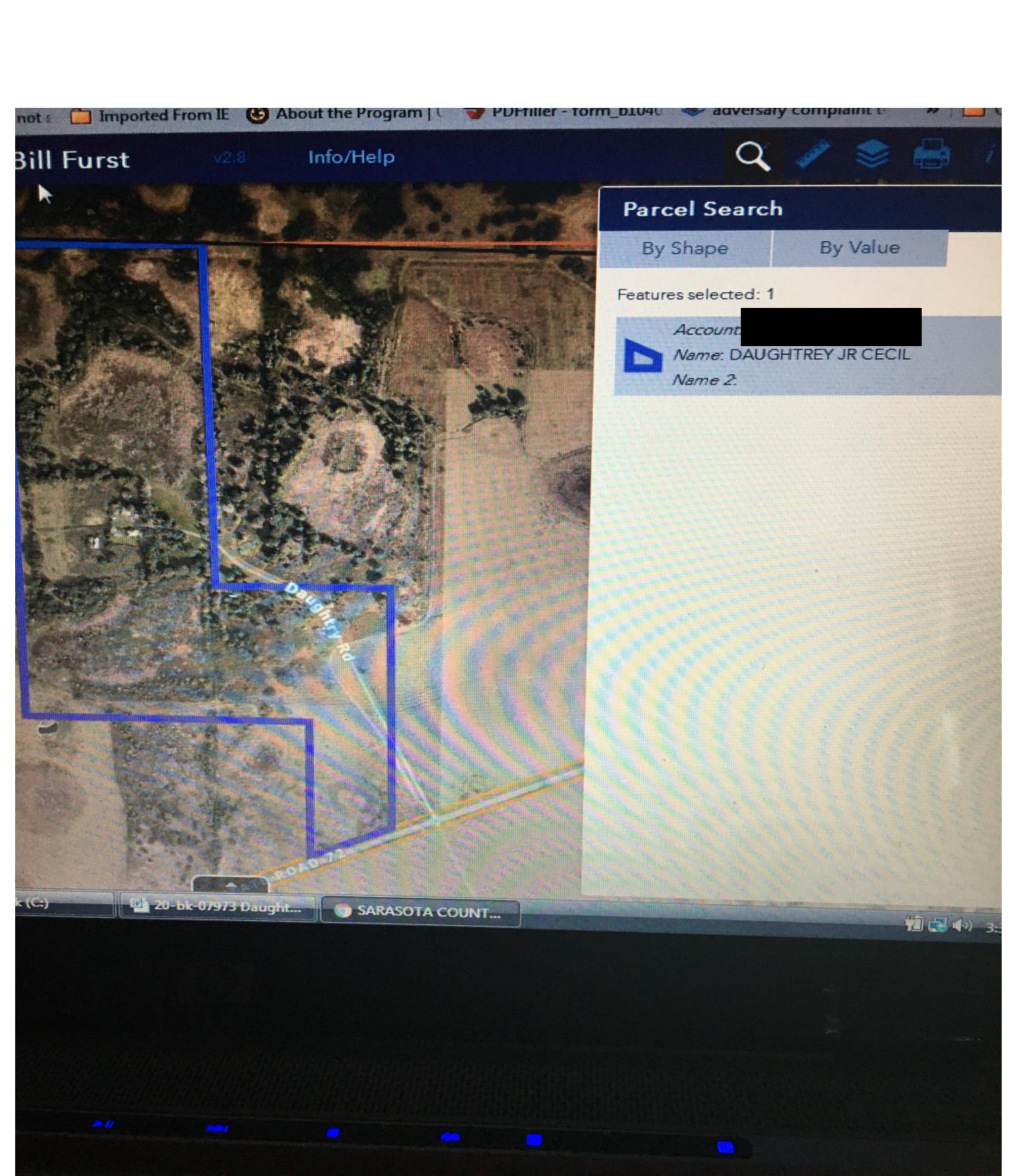
Plaintiff

Auction Type:

Case #: Final Judgment Amount: Parcel ID: Property Address:

Assessed Value: Plaintiff Max Bid: FORECLOSURE
2011 CA 004209 NC
\$8,479,618.47
1011001030
9438 DAUGHTRY RD
SIDELL, 34266
\$87,487.00
Hidden

page 1 of



Sarasota County Receipt of Transaction

Receipt # 2020078211

Karen Rushing Clerk of the Circuit Court and County Comptroller Sarasota County, Florida www.SarasotaClerk.com

Received From:

Ryan Snyder 2025 Lakewood Ranch Blvd. Suite 102 Bradenton, FL 34211

On Behalf Of:

On: 10/5/20 10:57 am By: realauction

1295.70

0.00

1295.70

0.00

Transaction # 101027408

CaseNumber 2011 CA 004209 NC						
Fee Description	Fee	Prior Paid	Waived	Due	Paid	Balance
(SUMCIRE) SUMMONS CIRCUIT EFILED - REQUEST	10.00	10.00	0.00	0.00	0.00	0.00
(CPLFCL3) COMPLAINT FORECLSE >\$250,000	1905.00	1905.00	0.00	0.00	0.00	0.00
(SUMCIRE) SUMMONS CIRCUIT EFILED - REQUEST	10.00	10.00	0.00	0.00	0.00	0.00
(SUMALICIRE) SUMMONS ALIAS CIRCUIT EFILED-RE	10.00	10.00	0.00	0.00	0.00	0.00
(SUMCIRE) SUMMONS CIRCUIT EFILED - REQUEST	10.00	10.00	0.00	0.00	0.00	0.00
(FCLDOCSTP) FORECLOSURE DOCUMENTARY STA	1295.70	0.00	0.00	1295.70	1295.70	0.00
Total:	3240.70	1945.00	0.00	1295.70	1295.70	0.00

3240.70

PAYMENTS

Grand Total:

Payment Type	Reference		Amount	Refund	Overage	Change	Net Amount
Real Auction		ок	1295.70	0.00	0.00	0.00	1295.70
		Payments Total:	1295.70	0.00	0.00	0.00	1295.70

1945.00

Sarasota County Clerk of Courts FORECLOSURE SALE BID LOG

72 PARTNERS LLC A FLORIDA LIMITED LIABILITY COMPANY

Plaintiff Sale Date: 10/05/2020

Case Number: 2011 CA 004209 NC

Vs.

CECIL DAUGHTREY JR; ET AL. Defendant

Presale Bids

Bidder ID	Bidder Name	Bid	Date/Time	IP Address
5787	STEVE BARNHARDT	\$100,000.00	09/24/2020 11:53:58 AM	73.255.145.178
9313	Benjie Sperling	\$69,000.00	10/03/2020 07:47:10 AM	66.176.239.221
30559	AMILCAR JIMENEZ**	\$1.00	10/04/2020 12:55:15 AM	174.48.179.124
28589	Vernon Borntreger	\$10.00	10/05/2020 08:49:42 AM	107.77.216.92
26719	sevim tavlan	\$1,000.00	10/05/2020 08:58:02 AM	47.200.97.166

<u>Auction</u>				
	Auction Open		10/05/2020 09:00:00 AM	
8700	Plaintiff	*\$100,001.00		
9313	Benjie Sperling	* \$100,002.00	10/05/2020 09:01:31 AM	66.176.239.221
8700	Plaintiff	*\$100,003.00		
28589	Vernon Borntreger	* \$105,000.00	10/05/2020 09:01:38 AM	107.77.216.92
8700	Plaintiff	*\$105,001.00		
28589	Vernon Borntreger	* \$110,000.00	10/05/2020 09:01:54 AM	107.77.216.92
8700	Plaintiff	*\$110,001.00		
28589	Vernon Borntreger	* \$115,000.00	10/05/2020 09:02:07 AM	107.77.216.92
8700	Plaintiff	*\$115,001.00		
28589	Vernon Borntreger	* \$120,002.00	10/05/2020 09:02:31 AM	107.77.216.92
8700	Plaintiff	*\$120,003.00		
28589	Vernon Borntreger	* \$122,006.00	10/05/2020 09:03:03 AM	107.77.216.92
8700	Plaintiff	*\$122,007.00		
28589	Vernon Borntreger	* \$128,000.00	10/05/2020 09:03:15 AM	107.77.216.92
8700	Plaintiff	*\$128,001.00		
28589	Vernon Borntreger	* \$135,000.00	10/05/2020 09:03:33 AM	107.77.216.92
8700	Plaintiff	*\$135,001.00		
9313	Benjie Sperling	* \$135,002.00	10/05/2020 09:03:41 AM	66.176.239.221
8700	Plaintiff	*\$135,003.00		

28589	Vernon Borntreger	* \$139,000.00	10/05/2020 09:03:44 AM	107.77.216.92
8700	Plaintiff	*\$139,001.00		
28589	Vernon Borntreger	* \$148,000.00	10/05/2020 09:03:56 AM	107.77.216.92
8700	Plaintiff	*\$148,001.00		
28589	Vernon Borntreger	* \$150,000.00	10/05/2020 09:04:10 AM	107.77.216.92
8700	Plaintiff	*\$150,001.00		
9313	Benjie Sperling	* \$168,900.00	10/05/2020 09:04:19 AM	66.176.239.221
8700	Plaintiff	*\$168,901.00		
9313	Benjie Sperling	* \$168,999.00	10/05/2020 09:04:48 AM	66.176.239.221
8700	Plaintiff	*\$169,000.00		
9313	Benjie Sperling	* \$175,000.00	10/05/2020 09:05:44 AM	66.176.239.221
8700	Plaintiff	*\$175,001.00		
9313	Benjie Sperling	* \$184,999.00	10/05/2020 09:06:18 AM	66.176.239.221
8700	Plaintiff	*\$185,000.00		
9313	Benjie Sperling	* \$185,002.00	10/05/2020 09:06:52 AM	66.176.239.221
8700	Plaintiff	*\$185,003.00		
	Auction Closed		10/05/2020 09:08:00 AM	

The final bid was made by: <u>72 PARTNERS LLC</u>
In the total amount of: <u>\$185,003.00</u>

Final Bid Amount: \$185,003.00

Clerk Fees: \$0.00 **Doc Stamps:** \$1,295.70

Total Due: \$1,295.70

* = Bid via Proxy

** = Not Enough Deposit

Filing # 113228332 E-Filed 09/11/2020 01:24:47 PM

Serial Number 20-01736S



Published Weekly Sarasota, Sarasota County, Florida

COUNTY OF SARASOTA

2011-CA-004209 NC

STATE OF FLORIDA

Before the undersigned authority personally appeared <u>Karen Ovadia</u> who on oath says that he/she is Publisher's Representative of the Business Observer a weekly newspaper published at Sarasota, Sarasota County, Florida; that the attached copy of advertisement,

being a Notice of Sale

in the matter of 72 Partners LLC vs. Cecil Daughtrey Jr et al

in the Circuit Court, was published in said newspaper in the

issues of 9/4/2020, 9/11/2020

Affiant further says that the said Business Observer is a newspaper published at Sarasota, Sarasota County, Florida, and that said newspaper has heretofore been continuously published and has been entered as periodicals matter at the Post Office in Sarasota in said Sarasota County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

*This Notice was placed on the newspaper's website and floridapublicnotices.com on the same day the notice appeared in the newspaper.

Karen Ovadia

Sworn to and subscribed, and personally appeared by physical presence before me,

11th day of September, 2020 A.D.

by Karen Ovadia who is personally known to me.

Notary Public, State of Florida

(SEAL)

Ted Hong Commission # 66311446 Expires: March 13, 2023 Bonded Thru Aeron Notary See Attached

NOTICE OF SALE
IN THE CIRCUIT COURT OF THE
TWELFTH JUDICIAL CIRCUIT
IN AND FOR SARASOTA COUNTY,
FLORIDA

Case No.: 2011-CA-004209 NC 72 PARTNERS, LLC, Plaintiff, v. CECIL DAUGHTREY JR., et. al., Defendants

Notice is hereby given pursuant to the Final Judgment entered in the above noted case, that Karen E. Rushing, Clerk of the Circuit Court, will sell the following property situated in Sarasota County, Florida, described as:

All that part of Section 1, Township 38 South, Range 22 East, lying North of State Road 72, All Section 2. Township 38 South, Range 22 East, LESS right of way for State Road 72, All Section 11, Township 38 South, Range 22 East, The North 1/2 and the West 1/4 of the South 1/2 of Section 14, Township 38 South, Range 22 East, All of Section 15, Township 38 South, Range 22 East, LESS railroad right of way, The West 1/2 of Section 16, Township 38 South, Range 22 East, LESS a parcel of land in Sections 2, 11, 14 and 15, lying within the following described parcel: Begin at the NW corner of said Section 11; thence South 01 degrees 59'53" West, 5340.95 feet to the SW corner of said Section 11, thence North 88 degrees 22'46" West, 5377.94 feet to the NW corner of said Section 15; thence South 02 degrees 00'10" West, 1320 feet; thence South 88 degrees 22'46" East, 6698.08 feet; thence North 01 degrees 59'53" East, 7240.95 feet to the South Right-of-Way line of State Road 72; thence South 66 degrees 13'13" West, 1042.16 feet along said South Right-of-Way of State Road 72; thence along said South Right-of-Way of State Road 72, Southwesterly along a curve to the right 400.45 feet to the West line of said Section 2; thence South 02 degrees 14'29" West, 18.87 feet to the Point of Beginning, LESS Oil and Mineral Right, all lying and being in Sarasota County, Florida LESS AND EXCEPT THE FOL-

LOWING:

A part of Section 1 and Section 2, Township 38 South, Range 22 East, Sarasota County, Florida lying North of the North maintained right-of-way of State Road No. 72 described as follows: Begin at the Northwest corner of said Section 1, for POINT OF BEGINNING thence S 89°24'17" E along the North line of said Section 1, 90.00 feet; thence S 00°43'39" W and parallel to the West line of said Section 1, 640.90 feet; thence N 89°24'17" W and parallel to the North line of said Section 1, 90.00 feet to a point on the East line of said Section 2; thence N 89°24'07" W, 1680.43 feet; thence S 00°43'39" W and parallel to the East line of said Section 2, 2829.88 feet to a point on the North maintained right-of-way of said State Road No. 72; thence along said North maintained right-of-way the following two courses: thence S 64°41'55" W. 8.24 feet; thence S 64°51'18" W, 489.76 feet; thence N 00°43'39" E and parallel to the East line of said Section 2; 916.00 feet; thence N 89°24'07" W, 1527.00 feet; thence N 00°43'39" E and parallel to the East line of said Section 2, 2771.11 feet to a point on the North line of said Section 2; thence S 89°24'07" E along the North line of said Section 2. 3655.50 feet to the POINT OF BEGINNING.

at public sale, to the highest and best bidder for cash, via the internet at www. sarasota.realforeclose.com, at 9:00 a.m. on October 5, 2020. The highest bidder shall immediately post with the Clerk, a deposit equal to 5% of the final bid. The deposit must be cash or cashier's check payable to the Clerk of the Circuit Court. Final payment must be made on or before 4:00 p.m. of the date of the sale by cash or cashier's check.

IF YOU ARE A PERSON CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST
FILE A CLAIM WITH THE CLERK
NO LATER THAN 60 DAYS AFTER
THE SALE. IF YOU FAIL TO FILE A
CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS.
AFTER 60 DAYS, ONLY THE OWNER OF RECORD AS OF THE DATE
OF THE LIS PENDENS MAY CLAIM
THE SURPLUS.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Sarasota County Jury Office, P.O. Box 3079, Sarasota, Florida 34230-3079, (941)861-7400, at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711. Personal Representative:

/s/ Ryan L. Snyder Ryan L. Snyder Florida Bar No. 0010849 Attorney for Plaintiff SNYDER LAW GROUP, P.A. 2025 Lakewood Ranch Blvd., Suite 102

Bradenton, FL 34211 Telephone: (941) 747-3456 Facsimile: (941) 747-6789

E-mail: ryan@snyderlawgroup.com September 4, 11, 2020 20-01736S

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL	CIRCUIT IN AND FOR SARASOTA COUNTY, FLORIDA			
☐ IN THE COUNTY COURT IN AND FOR SARASOTA CO	UNTY, FLORIDA			
DIVISION:	CASE NUMBER:			
CIVIL	2011 CA 004209 NC			
72 PARTNERS LLC A FLORIDA LIMITED LIABILIT PLAINTIFF(s)	Y COMPANY			
vs.				
CECIL DAUGHTREY JR; ET AL. DEFENDANT(s)				
CERTIFICAT	TE OF SALE			
The undersigned Clerk of the Circuit Court certifies that notice of public sale of the property described in the Order or Final Judgment was published in the Business Observer, a newspaper circulated in Sarasota County, Florida, in the manner shown by the Proof of Publication attached, and on October 05, 2020, the property was offered for public sale to the highest and best bidder for cash. The highest and best bid received for the property in the amount of \$185,003.00 was submitted by: 72 PARTNERS LLC to whom the property was sold. The proceeds of the sale are retained for distribution in accordance with the Order or Final Judgment.				
WITNESS my hand and the seal of said Court on <u>October 05, 2020</u> .				
KAREN E. RUSHING CLERK OF THE CIRCUIT COURT BY: DATE: October 05, 2020 Deputy Clerk				

Filing # 113228332 E-Filed 09/11/2020 01:24:47 PM

Serial Number 20-01736S



Published Weekly Sarasota, Sarasota County, Florida

COUNTY OF SARASOTA

2011-CA-004209 NC

STATE OF FLORIDA

Before the undersigned authority personally appeared <u>Karen Ovadia</u> who on oath says that he/she is Publisher's Representative of the Business Observer a weekly newspaper published at Sarasota, Sarasota County, Florida; that the attached copy of advertisement,

being a Notice of Sale

in the matter of 72 Partners LLC vs. Cecil Daughtrey Jr et al

in the Circuit Court, was published in said newspaper in the

issues of 9/4/2020, 9/11/2020

Affiant further says that the said Business Observer is a newspaper published at Sarasota, Sarasota County, Florida, and that said newspaper has heretofore been continuously published and has been entered as periodicals matter at the Post Office in Sarasota in said Sarasota County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

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Karen Ovadia

Sworn to and subscribed, and personally appeared by physical presence before me,

11th day of September, 2020 A.D.

by Karen Ovadia who is personally known to me.

Notary Public, State of Florida

(SEAL)

Ted Hong Commission # 66311446 Expires: March 13, 2023 Bonded Thru Aeron Notary See Attached

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/s/ Ryan L. Snyder Ryan L. Snyder Florida Bar No. 0010849 Attorney for Plaintiff SNYDER LAW GROUP, P.A. 2025 Lakewood Ranch Blvd., Suite 102

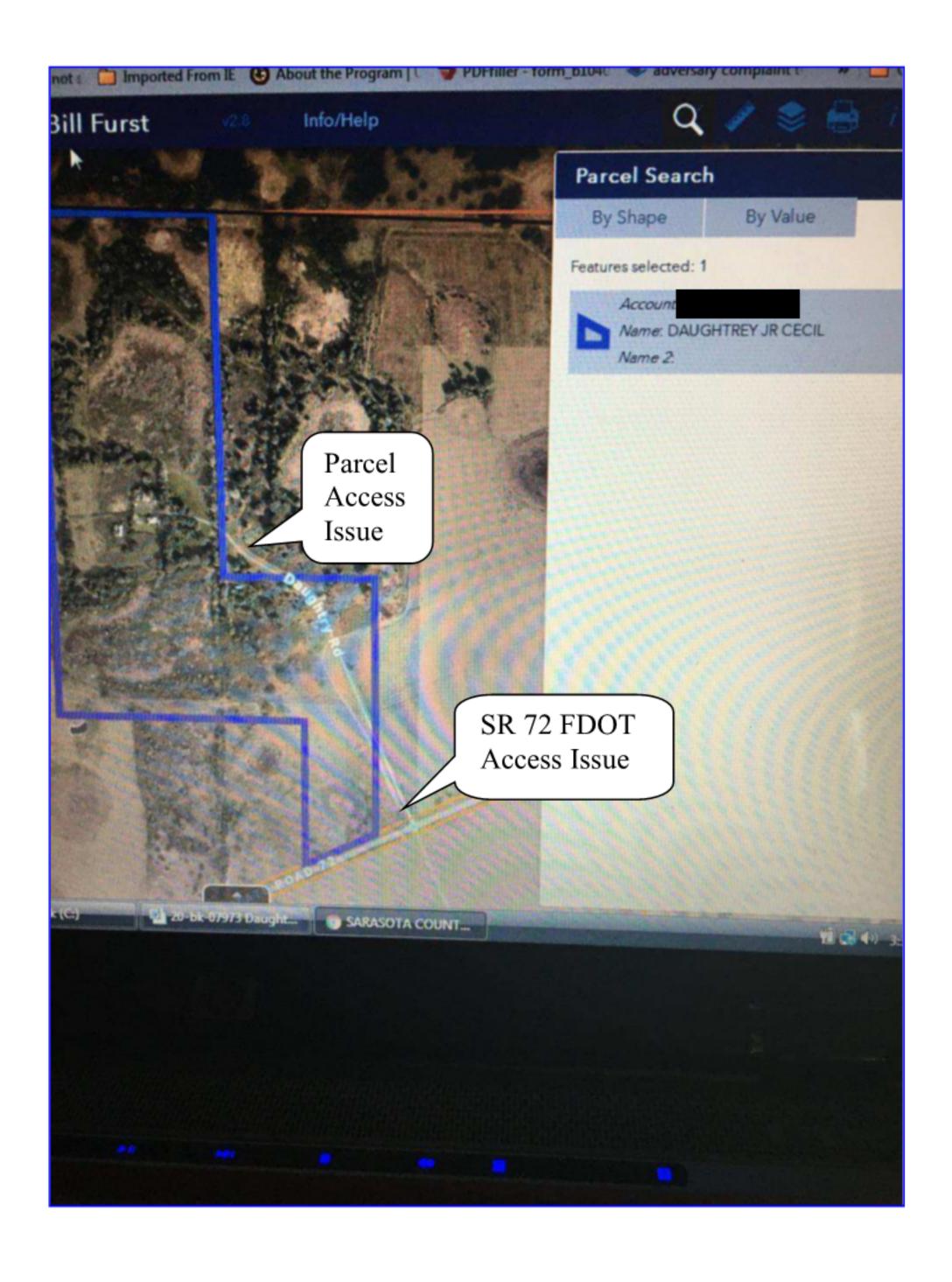
Bradenton, FL 34211 Telephone: (941) 747-3456 Facsimile: (941) 747-6789

E-mail: ryan@snyderlawgroup.com September 4, 11, 2020 20-01736S

EXHIBIT A

Homestead parcel with access issues from S.R. 72 Needs evidentiary hearing with survey expert work as no established FDOT Right of Way at State Recorded

Professional Surveyor Affidavit on Parcels and Bankruptcy deeds.



AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared, ALEX S. ESBER, who was sworn and says, under penalty of perjury that the following allegations are true and correct and made on personal knowledge and that the Affiant is over the age of eighteen (18) and is competent to testify to the matters stated:

- 1. Affiant's name is Alex S. Esber.
- 2. Affiant's address is 3712 75th Drive East, Sarasota Florida 34243.
- Affiant is a Professional Surveyor and Mapper, State of Florida License No. 4349.
- Affiant has been a licensed professional surveyor and mapper in the State of Florida for over 34 years.
- 5. Affiant's responsibilities include preparing, reviewing, tracing, and plotting legal descriptions, also ownerships and property rights in addition to preparing and certifying surveys of the same.
- 6. Affiant was engaged by Cecil Daughtrey, Jr., to review the legal descriptions language attached to the mortgage as Exhibit "A," recorded in the official records of Sarasota County, Instrument # 2010072083, the same legal is also attached to "Subordination, Non-disturbance and Attornment Agreement" recorded in the official records of Sarasota County, Instrument # 2010072085; several legal descriptions attached to or included in Court Case 2011 CA 004209 NC; legal description from Sarasota County Property Appraiser Website, Parcel No. 1011-00-1030, reflecting an acreage of said parcel as 96 acres, relative to the property ownership of Cecil Daughtrey.
- 7. Affiant certifies that he did review the legal description language attached to the mortgage as Exhibit "A," recorded in the official records of Sarasota County, Instrument # 2010072083; said legal also attached to "Subordination, Non-disturbance and Attornment Agreement" recorded in the official records

of Sarasota County, Instrument # 2010072085; several legal descriptions attached to or included in Court Case 2011 CA 004209 NC and, (a) said legal descriptions are defective; (b) said legal descriptions do not definitively describe the property of Cecil Daughtrey, Jr. and Patricia A. Daughtrey; (c) said legal description does not encompass the property of Cecil Daughtrey, Jr. and Patricia A. Daughtrey.

8. Affiant also certifies that he did review the legal description language attached to Sarasota County Property Appraiser Website, Parcel No. 1011-00-1030, reflecting an acreage of said parcel as 96 acres and said legal description attached thereto does not properly describe the 160 acre parcel represented in United States Bankruptcy Court Case 9:13-BK-14831-FMD.

FURTHER AFFIANT SAYETH NAUGHT.

Date: 02/17/202)

Alex S. Ésber, PLS

State of Florida

County of Sarascha

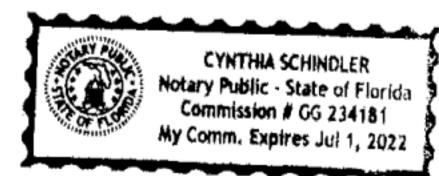
Sworn to and subscribed before me this 17 day of Fearuary 2021, by Alex S. Esber, who did take an oath and who is personally known to me or he/she produced FIDL & 216-017 - for identification.

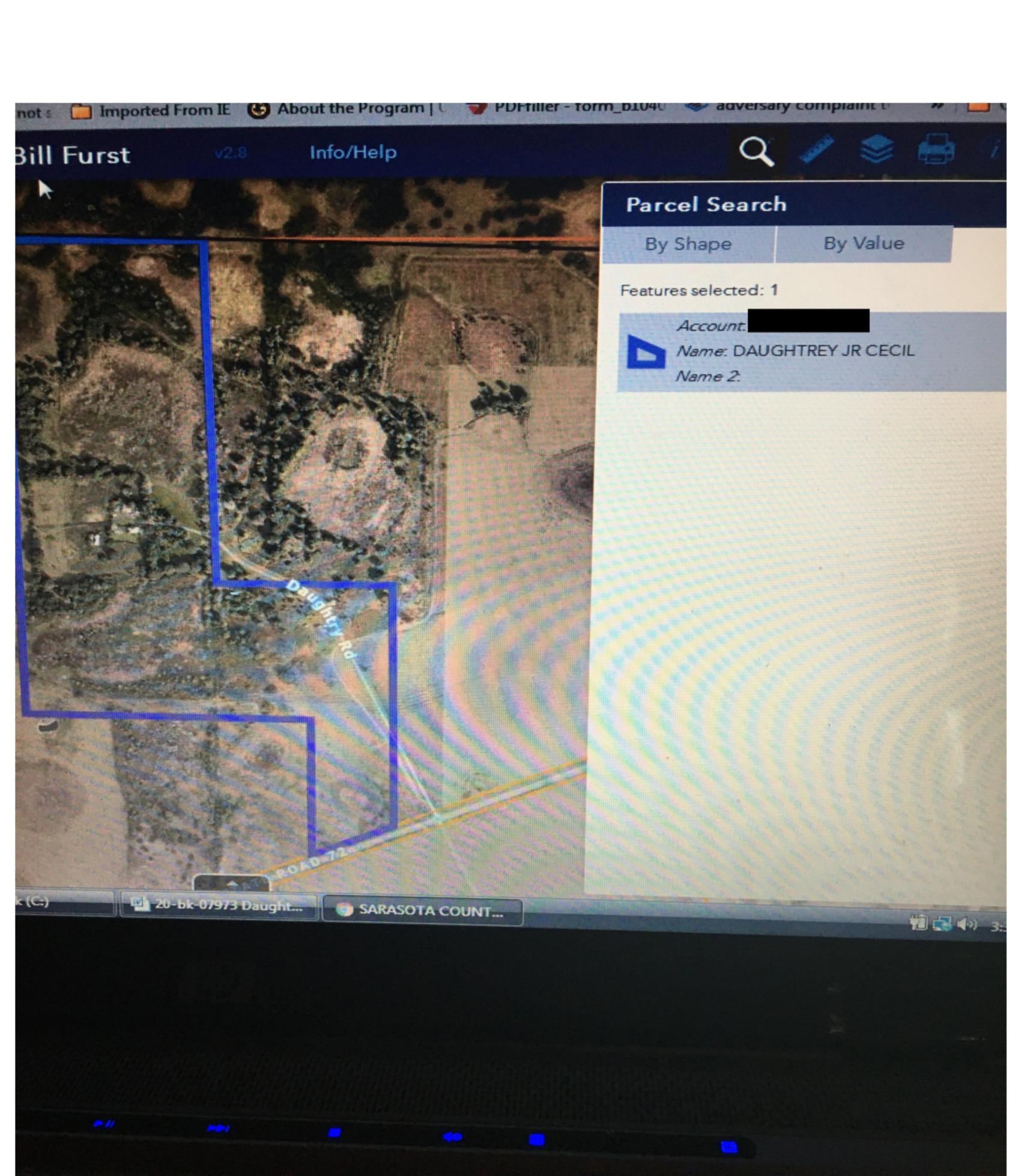
54 -2220

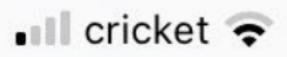
Cunthia 5 Minus Signature of Notary Public

Cunthia Schindle

Print, Type, or stamp Commissioned Name of Notary Public







Done

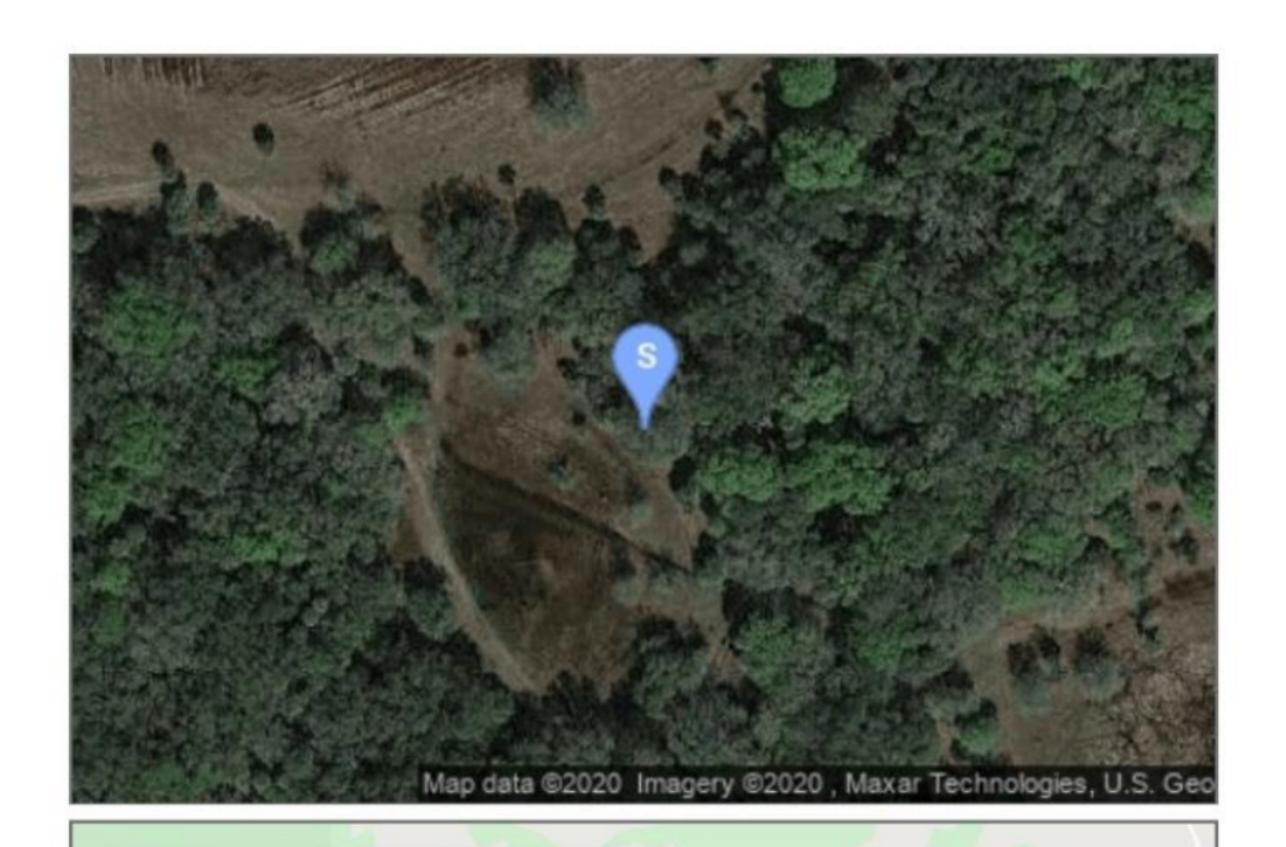
19 of 21

9438 Daughtry Rd Sidell, Arcadia, FL 34266

Auction Date: 06/22/20 ·

Status: Canceled · Land,

4,200,881 sqft of Land



Map

Satellite









November 22, 2021

To Whom it May Concern:

Re: CLOSER TO THE HEART

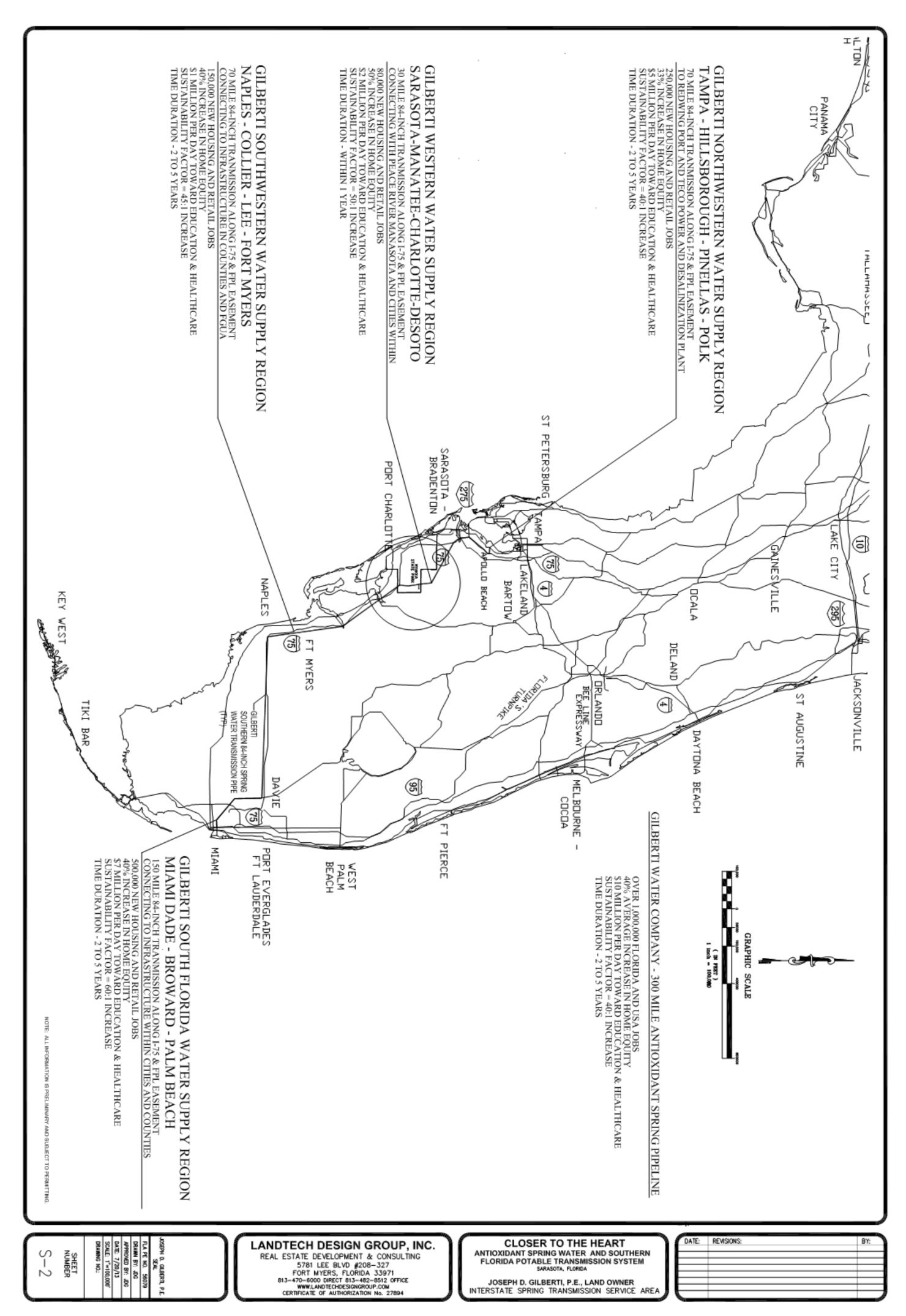
Over the past 13 years I have supervised & used downhole video units and water quality logging trucks in a variety of areas including Closer to the Heart. Based on the results obtained during our pull back zone testing, water quality is extremely good for both the area and depth, the PH values during zone testing ranged from 7.8 to 11

If you have any questions about the above information or if we may be of any further assistance please don't hesitate to call. Thank you.

Sincerely,

Jim Murray

Jim Murray President





THIS INSTRUMENT PREPARED BY

Joseph D. Gilberti, Jr., President
LandTech Design Group, Inc.

3148 Beaver Pond Trail 385 Denika Ave
Valrico, Florida 33596 Ff. Myers, FL 33931
(813) 470-6000 Pi3-482-8512

Property Appraisers Tax Folio Numbers: 1009-00-1000 and 1011-00-1010

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2014067954 3 PG(S)
June 10. 2014 12:11:17 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT



WARRANTY DEED

THIS INDENTURE, made this Ann Daughtrey, day of July, A.D. 2013 between Cecil Daughtrey, Jr. joined by his spouse Patricia Ann Daughtrey, whose address is 9438 Daughtrey Road, Sidell, Florida 34266, grantor*, and Joseph D. Gilberti, Jr. whose address is 3148 Beaver Pond Trail, Valrico, Florida 33596, grantee*

*"Grantor" and "Grantee" are used for singular and plural, as context requires.

WITNESSETH that said grantor, for the consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations to said grantor I hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Sarasota County, Florida, to wit:

All that part of Section 1 lying North of State Road No. 72 and all that part of the East 1675.00 feet of Section 2 lying North of State Road No. 72 and the North 2068.04 feet of the West 924.27 feet of the East 2,599.27 feet of said Section 2, all in Township 38 South, Range 22 East, Sarasota County, Florida.

Subject to reservations, restrictions and easements of record (360 +/- Acres)

TOGETHER WITH: All tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining, with all oil, gas and mineral rights held by grantor and by Predecessors in title.

THE ABOVE-DESCRIBED REAL PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR

And the said grantor of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Signature of first witness to both

CARI MUSSELWhite

Printed name of first witness

Torathan forman Signature of second witness to both

longthan Forman

Printed name of second witness

STATE OF FLORIDA

COUNTY OF DESOTO

The foregoing instrument was acknowledged before me this $26^{\frac{19}{2}}$ day of July, 2013, by Cecil Daughtrey, Jr. joined by his spouse Patricia Ann Daughtrey, husband and wife, who are each [personally known to me or who have each produced [] a Florida driver's license as identification, and who did/did not take an oath.

Notary **Dublic**, State of Florida

Print Notary Name

Patricia Ann Daughtrey

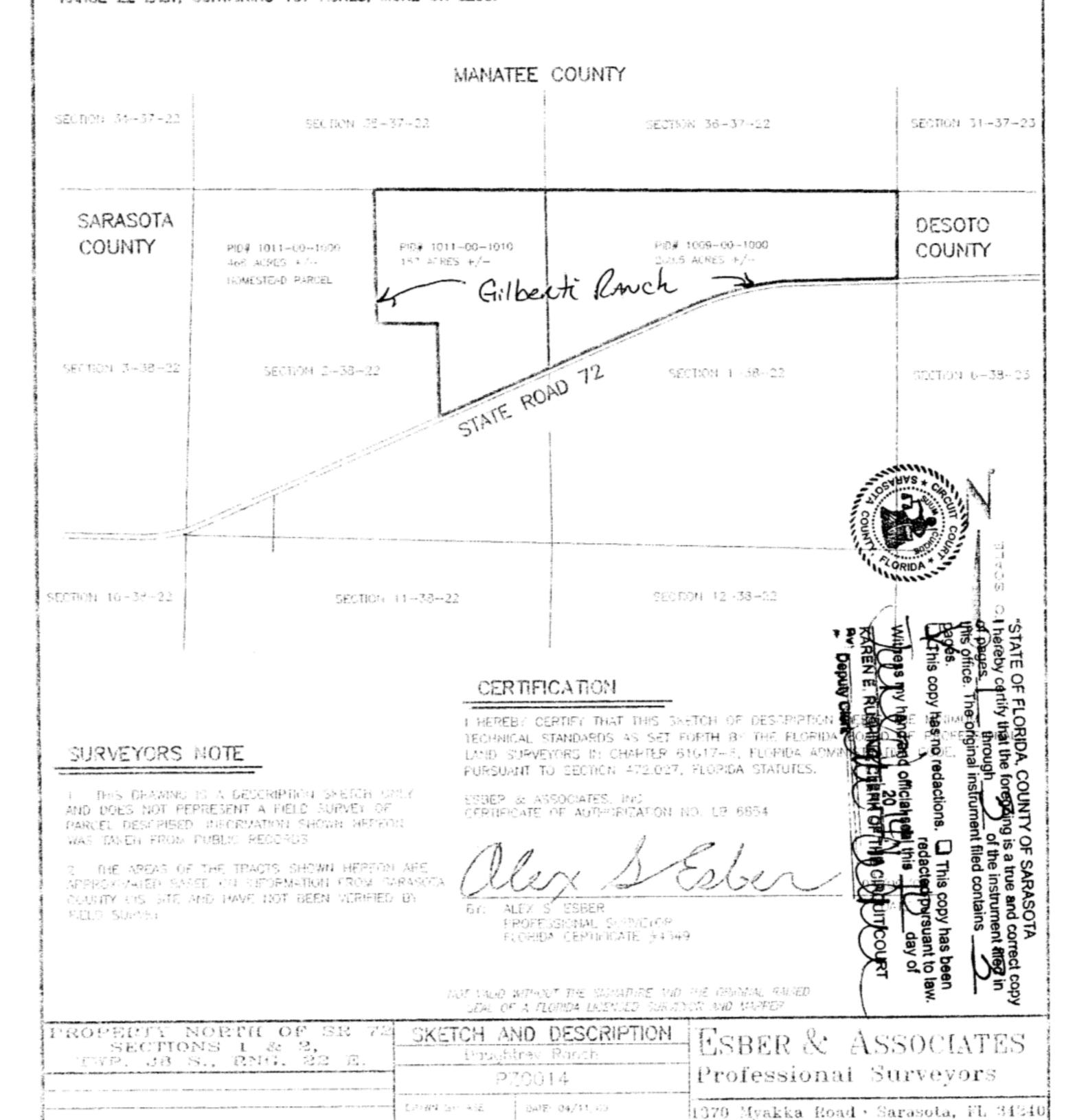
My Commission Expires:

Commission Number

SKETCH AND DESCRIPTION

THAT PART OF SECTION 1, TOWNSHIP 38 SOUTH, RANGE 22 EAST, LYING NORTH OF STATE ROAD 72, CONTAINING 208.5 ACRES,

ALSO THAT PART OF THE EAST 1675 FEET OF SECTION 2, TOWNSHIP 38 SOUTH, RANGE 22 EAST, LYING NORTH OF STATE ROAD 72, AND THE NORTH 2088.04 FEET OF THE WEST 924.27 FEET OF THE EAST 2599.27 FEET OF SAID SECTION 2, TOWNSHIP 38, RANGE 22 EAST, CONTAINING 157 ACRES, MORE OR LESS.

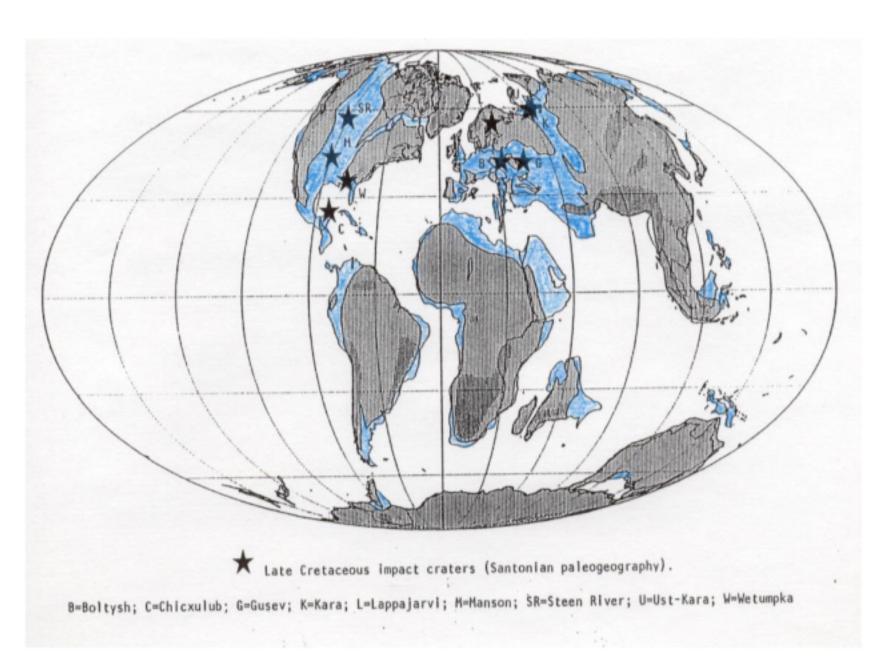


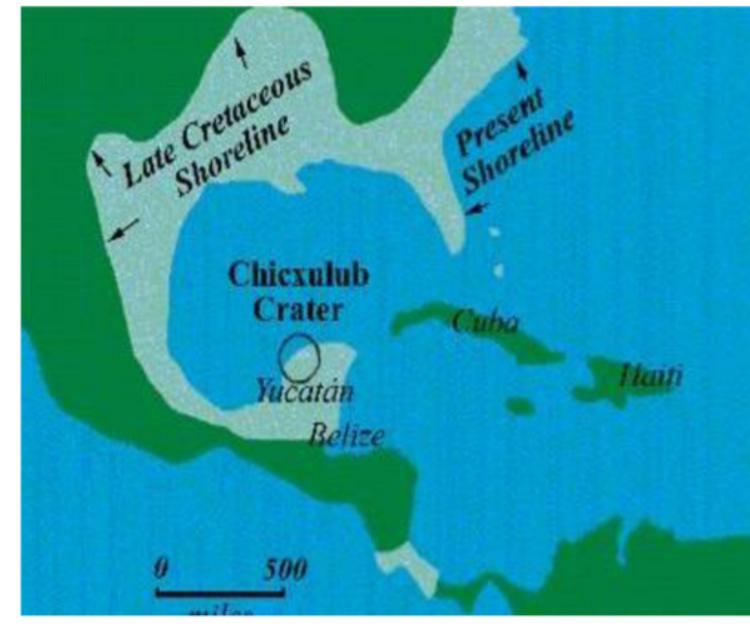
ORIGINAD OF ME

(941)379-8831 - Fax (941)322-9038



Revitalizing the Environment, Economy, & Health

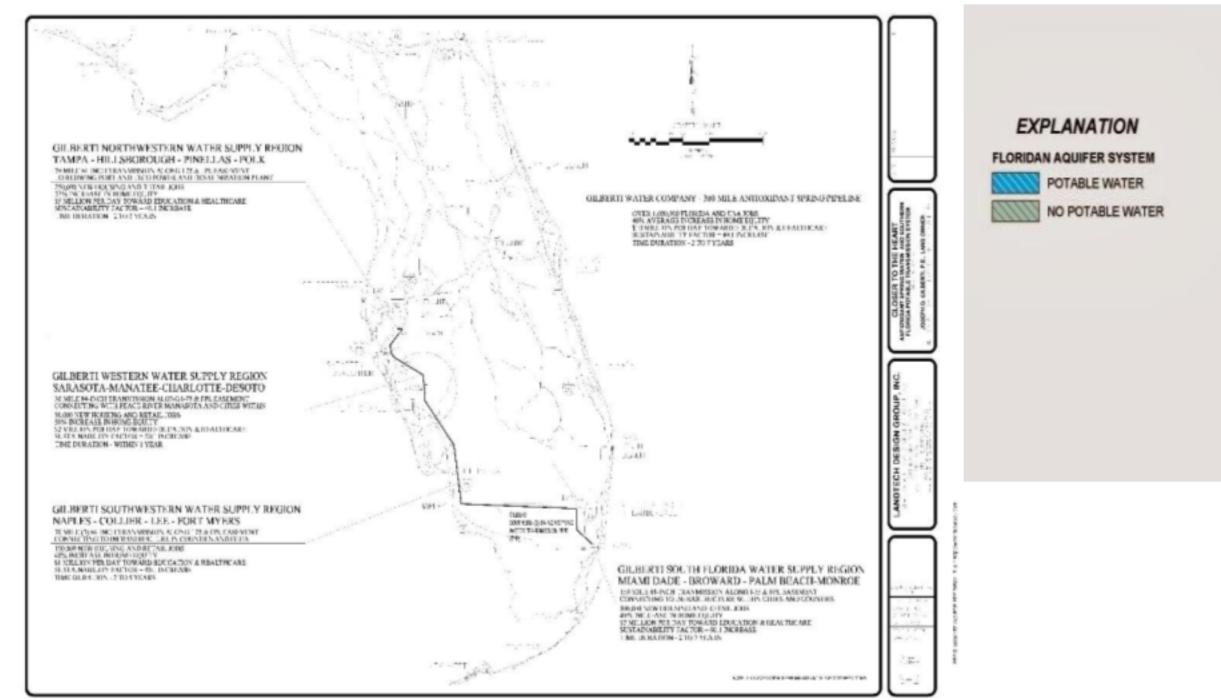


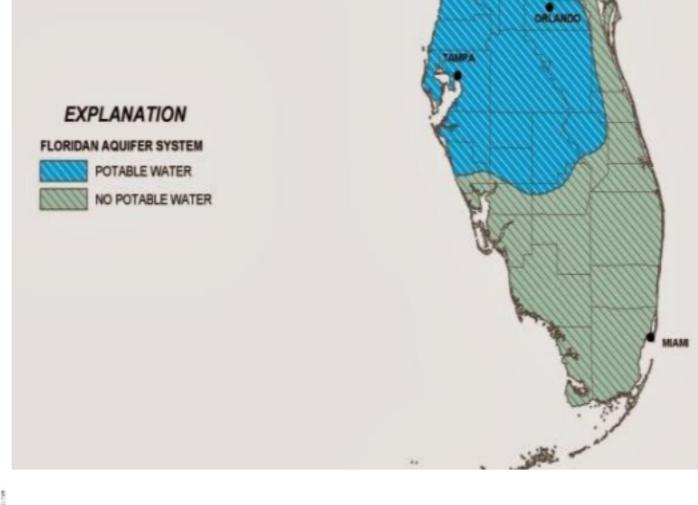


GILBERTI KT HYPOTHESIS - ENDLESS CLEAN WATER, FOOD PROVIDES WORLD PEACE.

KT Event Impact kills Dinosaurs and tilts Florida Platforms giving access to Oceans Beneath the Earth 400miles below, hidden 40yrs for Cancer Profits & Natural Resource Wars.







- Eliminate Sea Water Intrusion on Water Supply replacing Tap with Spring Water
 Pipeline Port Export of Medicine Water pays US Health, Soc Security & Education!
- Reduce Local Withdrawal from Constrained Upper Aquifer & End Florida Water Wars
- Reduce Toxic Waste Disposal in Lower Local Aquifer
- Reduce Carbon Footprint and Mitigate Climate Change & Sea Level Rise
- Make Funds Available for Environmental Conservation, Preservation and Remediation

Environmental Benefits

ETR Environmental Testing & Research Laboratories

Report #: 11712156 Date: 11/7/2012 P.O.Number: 102 Ck

Same as Client

Matrix: Well Water Client: Cecil Daughtrey Jr. Sample 9438 Daughtrey Rd Location Sidell FL 34266

This sample taken by Joe Gilberti, P.E. at 3:00:00 PM

on 10/24/2012. . Point of collection: Well #2

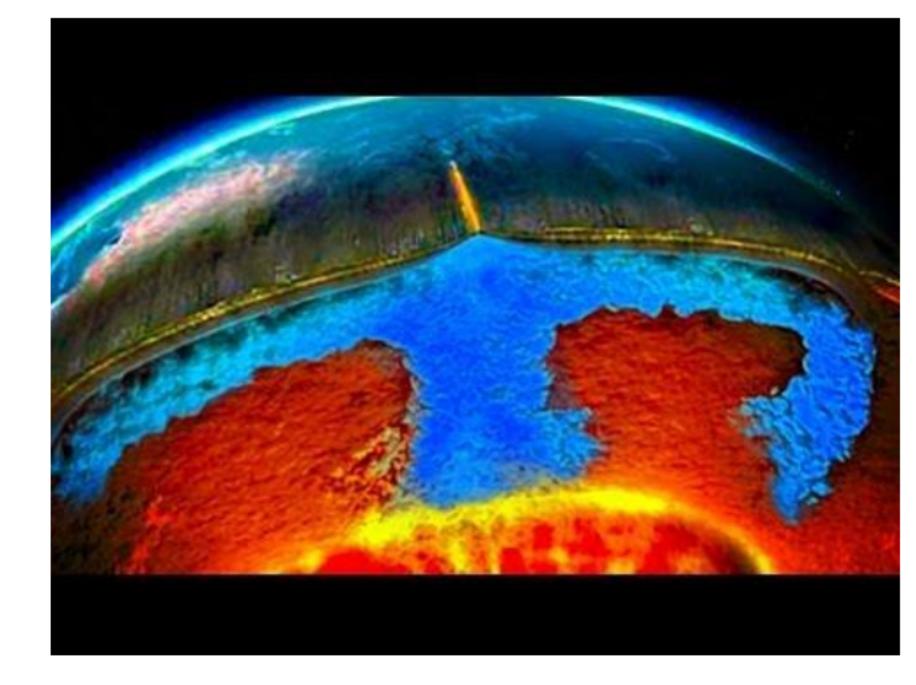
Health Scan Report

	Results		Public Drinking Water EPA Limits
General Bacteria			
Total Coliform	Absent	Animal or Vegetational Bacteria	0
Fecal/E. Coli	Absent	Animal Bacteria	0
MicroAnalysis			
MicroAnalysis	See Attached		
General Chemistry			
Sodium	74.05 mg/L	20.0 mg/L is Mass. DEP Guideline	250.0 mg/L
Potassium	4.11 mg/L	A Component of Salt	No Limit
Copper	Not Detected	Indicates Plumbing Corrosion	1.30 mg/L
Iron	0.64 mg/L	Brown Stains, Bitter Taste	0.30 mg/L
Manganese	Not Detected	May Cause Laundry Staining	0.05 mg/L
Magnesium	71.90 mg/L	A Component of Hardness	No Limit
Calcium	118.20 mg/L	A Component of Hardness	No Limit
Arsenic	Not Detected	A Toxic Metal	0.010 mg/L
Lead	Not Detected	A Taxic Metal	0.015 mg/L
Zinc.	Not Detected	A Toxic Metal	5.0 mg/L
pH	7.49 SU	Acid/Basic Determination	6.5 - 8.5 SU
Turbidity	0.49 N.T.U.	Presence of Particles	No Limit
Color	Not Detected	Clarity (0), Discoloration (15)	15.0 C.U.
Odor	Not Detected	Odor due to Contamination	3.0 T.O.N.
Conductivity	1771.0 umhos	Electrical Resistance (umhos/cm)	No Limit
T.D.S.	1,062.6 mg/L	Total Dissolved Minerals Present	500.0 mg/L
Sediment	Absent	Undissolved Solids	Present
Alkalinity	170.0 mg/L	Ability to Neutralize acid	No Limit
Chlorine	Not Detected	A Disinfectant	4.0 mg/L
Chloride	206.13 mg/L	A component of salt	250.0 mg/L
Hardness	591.2 mg/L	0 - 75 is considered soft	No Limit
Nitrate as Nitrogen	0.29 mg/L	Indicator of Biological Waste	10.0 mg/L
Nitrite as Nitrogen	Not Detected	Indicator of Waste	1.0 mg/L
Ammonia as Nitrogen	0.497 mg/L	Indicator of Waste	No Limit
Sulfate	861.40 mg·L	A Mineral, Can Cause Odor	250.0 mg/L
Radiochemistry			
Radon in Water	Not Detected	Massachusetts D.E.P. Guideline	10,000 pCi/L

The integrity of the sample and results are dependent on the quality of sampling. The results apply only to the actual sample tested. Environmental Testing and Research Laboratories shall be held harmless from any fiability arising out of the use of such results.

60 Elm Hill Ave. Leominster MA 01453-4864 (978) 840-2941 (800) 344-9977

Page 1 of 3 info@etrlabs.com www.etrlabs.com



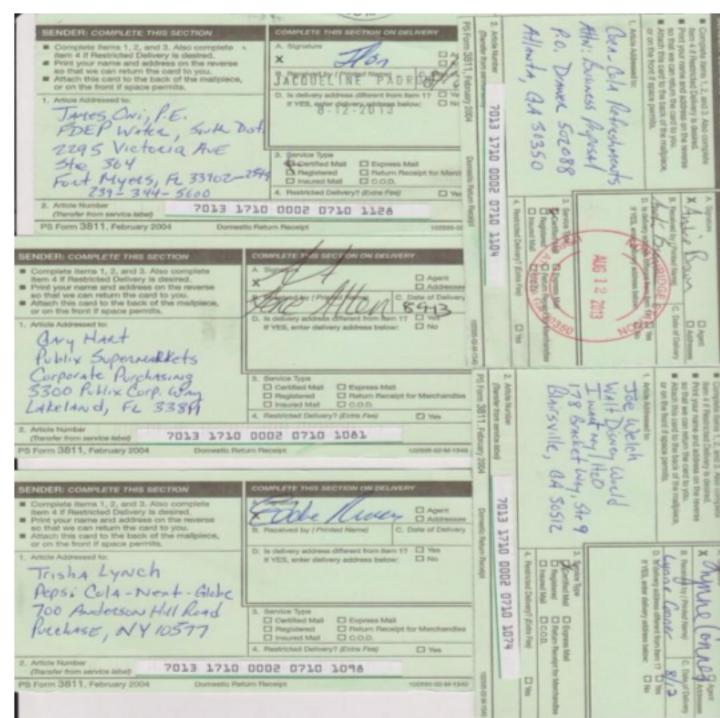
- Reestablish Real Estate Values with Alkaline Cancer preventing homes!
- Permit Increased Production
- Create Housing & Science Jobs
- Reduce Energy & Water Costs
- Reduce Future Capital Costs

Economic Benefits

- Magnesium sulfate helps prevent eclampsia
- Magnesium sulfate decreases maternal mortality.
- Magnesium sulfate has been demonstrated to prevent preterm labors
- High-calcium water is beneficial to bone density
- Calcium & Magnesium improves digestive health
- Calcium & Magnesium reduces gastric, esophageal & ovarian cancer
- Calcium & Magnesium reduce heart disease
- High pH reduces cancer
- "Many renowned scientists have considered hard water as a boon as it has some fantastic health benefits that seem to encourage longer life expectancy and improved health." (Int J Prev Med. Aug 2013; 4(8): 866–875. PMCID: PMC3775162, Potential Health Impacts of Hard Water, Pallav Sengupta)

Health Benefits





Gilberti's Engineer Tech Rob Stampe Doing Business with Gov Scott in 2013.

Rothschild World Bank owns United States Federal Reserve and worth \$500 Trillion is willing to pay down entire FEDERAL DEBT in 1-Day if America allows them to fund BLUE GOLD PIPELINES & help PROTECT Israel and other Nations around the World with Gilberti Blue Gold Science to locate more access points for World Peace!

ROTHSCHILD WORLD BANK HELPS AMERICA GROW



Same as Client

Report #: 11712156

Date: 11/7/2012

P.O.Number: 102 Ck

Matrix: Well Water Client: Cecil Daughtrey Jr.

Sample 9438 Daughtrey Rd Location

Sidell FL 34266

Phone (813) 470-6000

This sample taken by Joe Gilberti, P.E. at 3:00:00 PM

on 10/24/2012. . Point of collection: Well #2

Health Scan Report

	<u>Results</u>		Public Drinking Water EPA Limits
General Bacteria			
Total Coliform	Absent	Animal or Vegetational Bacteria	0
Fecal/E. Coli	Absent	Animal Bacteria	0
MicroAnalysis			
MicroAnalysis	See Attached		
General Chemistry			
Sodium	74.05 mg/L	20.0 mg/L is Mass. DEP Guideline	250.0 mg/L
Potassium	4.11 mg/L	A Component of Salt	No Limit
Copper	Not Detected	Indicates Plumbing Corrosion	1.30 mg/L
Iron	0.64 mg/L	Brown Stains, Bitter Taste	0.30 mg/L
Manganese	Not Detected	May Cause Laundry Staining	0.05 mg/L
Magnesium	71.90 mg/L	A Component of Hardness	No Limit
Calcium	118.20 mg/L	A Component of Hardness	No Limit
Arsenic	Not Detected	A Toxic Metal	0.010 mg/L
Lead	Not Detected	A Toxic Metal	0.015 mg/L
Zinc.	Not Detected	A Toxic Metal	5.0 mg/L
рН	7.49 SU	Acid/Basic Determination	6.5 - 8.5 SU
Turbidity	0.49 N.T.U.	Presence of Particles	No Limit
Color	Not Detected	Clarity (0), Discoloration (15)	15.0 C.U.
Odor	Not Detected	Odor due to Contamination	3.0 T.O.N.
Conductivity	1771.0 umhos	Electrical Resistance (umhos/cm)	No Limit
T.D.S.	1,062.6 mg/L	Total Dissolved Minerals Present	500.0 mg/L
Sediment	Absent	Undissolved Solids	Present
Alkalinity	170.0 mg/L	Ability to Neutralize acid	No Limit
Chlorine	Not Detected	A Disinfectant	4.0 mg/L
Chloride	206.13 mg/L	A component of salt	250.0 mg/L
Hardness	591.2 mg/L	0 - 75 is considered soft	No Limit
Nitrate as Nitrogen	0.29 mg/L	Indicator of Biological Waste	10.0 mg/L
Nitrite as Nitrogen	Not Detected	Indicator of Waste	1.0 mg/L
Ammonia as Nitrogen	0.497 mg/L	Indicator of Waste	No Limit
Sulfate	851.40 mg/L	A Mineral, Can Cause Odor	250.0 mg/L
Radiochemistry			
Radon in Water	Not Detected	Massachusetts D.E.P. Guideline	10,000 pCi/L

The integrity of the sample and results are dependent on the quality of sampling. The results apply only to the actual sample tested. Environmental Testing and Research Laboratories shall be held harmless from any liability arising out of the use of such results.

(800) 344-9977 60 Elm Hill Ave. Leominster MA 01453-4864 (978) 840-2941 Page 1 of 3 info@etrlabs.com www.etrlabs.com



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Health Scan Report

	Results	Public Drinking Water EPA Limits
Organic Analysis		
Benzene	Not Detected	5.0 ug/L
Bromobenzene	Not Detected	No Limit
Bromochloromethane	Not Detected	No Limit
Bromodichloromethane	Not Detected	No Limit
Bromoform	Not Detected	No Limit
Bromomethane	Not Detected	No Limit
n-Butylbenzene	Not Detected	No Limit
sec-Butylbenzene	Not Detected	No Limit
tert-Butylbenzene	Not Detected	No Limit
Carbon-Tetrachloride	Not Detected	5.0 ug/L
Chlorodibromomethane	Not Detected	No Limit
Chloroethane	Not Detected	No Limit
Chloroform	Not Detected	No Limit
Chloromethane	Not Detected	No Limit
1,2-Chlorotoluene	Not Detected	No Limit
1,4-Chlorotoluene	Not Detected	No Limit
1,2-Dibromo-3-chloropropane	Not Detected	No Limit
Dibromomethane	Not Detected	No Limit
1,2-Dibromomethane	Not Detected	No Limit
1,3-Dichlorobenzene	Not Detected	No Limit
1,2-Dichlorobenzene	Not Detected	600.0 ug/L
1,4-Dichlorobenzene	Not Detected	5.0 ug/L
Dichlorodifluoromethane	Not Detected	No Limit
1,1-Dichloroethane	Not Detected	No Limit
1,2-Dichloroethane	Not Detected	5.0 ug/L
1,1-Dichloroethylene	Not Detected	7.0 ug/L
cis-1,2-Dichloroethene	Not Detected	70.0 ug/L
trans-1,2-dichloroethene	Not Detected	100.0 ug/L
1,2-Dichloropropane	Not Detected	5.0 ug/L
1,3-Dichloropropane	Not Detected	No Limit
2,2-Dichloropropane	Not Detected	No Limit
1,1-Dichloropropene	Not Detected	No Limit
1,3-Dichloropropene	Not Detected	No Limit
trans-1,3-Dichloropropene	Not Detected	No Limit
Ethylbenzene	Not Detected	700.0 ug/L
Fluorotrichloromethane	Not Detected	No Limit

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60 Elm Hill Ave. (978) 840-2941 (800) 344-9977 Leominster MA 01453-4864



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Client: Cecil Daughtrey Jr.

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Health Scan Report

	Results		Public Drinking Water EPA Limits
Hexachlorobutadiene	Not Detected		No Limit
Isopropylbenzene	Not Detected		No Limit
Methyl-t-Butyl Ether (MTBE)	Not Detected	Massachusetts DEP Limit	70.0 ug/L
p-Isopropyltoluene	Not Detected		No Limit
Methylene Chloride	Not Detected		5.0 ug/L
Monochlorobenzene	Not Detected		100.0 ug/L
Napthalene	Not Detected		No Limit
n-Propylbenzene	Not Detected		No Limit
Styrene	Not Detected		100.0 ug/L
1,1,1,2-Tetrachloroethane	Not Detected		No Limit
1,1,2,2-Tetrachloroethane	Not Detected		No Limit
Tetrachloroethylene	Not Detected		5.0 ug/L
Toluene	Not Detected		1000.0 ug/L
1,2,3-Trichlorobenzene	Not Detected		No Limit
1,2,4-Trichlorobenzene	Not Detected		70.0 ug/L
1,1,1-Trichloroethane	Not Detected		200.0 ug/L
1,1,2-Trichloroethane	Not Detected		5.0 ug/L
Trichloroethylene	Not Detected		5.0 ug/L
1,2,3-Trichloropropane	Not Detected		No Limit
1,2,4-Trimethylbenzene	Not Detected		No Limit
1,3,5-Trimethylbenzene	Not Detected		No Limit
Vinyl Chloride	Not Detected		2.0 ug/L
o-Xylene	Not Detected		T. Xylenes 10K ug/
m+p Xylenes	Not Detected		T. Xylenes 10K ug/

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