

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO:09-61840-CIV-SEITZ/O'SULLIVAN

FEDERAL TRADE COMMISSION,

Plaintiff,

vs.

1st GUARANTY MORTGAGE CORP.,

Defendants.
_____ /ORDER

THIS CAUSE is before the Court *sua sponte*. On September 24, 2010, the undersigned received the attached correspondence from defendant Michael Petroski.

Local Rule 7.7 states in pertinent part:

Unless invited or directed by the presiding judge, attorneys and any party represented by an attorney shall not: (a) address or present to the Court in the form of a letter or the like any application requesting relief in any form, citing authorities, or presenting arguments; or (b) furnish the Court with copies of correspondence between or among counsel, or any party represented by an attorney, except when necessary as an exhibit when seeking relief from the Court. . . .

S.D. Fla. L.R. 7.7 (2010). Local Rule 5.1(C) states as follows:

Counsel shall not deliver extra courtesy copies to a Judge's Chambers except when requested by a Judge's office.

S.D. Fla. L.R. 5.1 (C) (2010). The term "counsel" includes pro se litigants. See S.D. Fla. L.R. 1.1(F) (2010) ("[w]hen used in these Local Rules, the word "counsel" shall be construed to apply to a party if that party is proceeding pro se.").

The correspondence mailed to the undersigned by Mr. Petroski consists of a cover letter and two motions. See Attachment. Accordingly, it is

ORDERED AND ADJUDGED that in this instance, the Clerk of the Court shall upload Mr. Petroski's motions on the Court's CM/ECF system. It is further

ORDERED AND ADJUDGED that in accordance with Local Rules 5.1(C) and 7.7, the parties shall not mail any further motions or documents to the undersigned's Chambers. If the parties wish to file any documents, they shall mail them directly to the United States District Court Clerk's Office, 400 North Miami Avenue, 8th floor, Miami, FL 33128.

DONE AND ORDERED in Chambers at Miami, Florida, this **24th** day of September, 2010.



JOHN J. O'SULLIVAN
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:
U.S. District Judge O'Sullivan
All Counsel of Record

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 09-CV-61846

THE HONORABLE JUDGE O'SULLIVAN

Federal Trade Commission

Plaintiff

v

Michael Petroski

Defendant

Civil Case

yes

Jury Trial Requested

NO

ATTACHED IS TWO MOTIONS

1 - Motion For Extension of Final Summary Judgment

2 - Motion For Court Appointed Attorney

UNITED STATES District Court

FEDERAL TRADE COMMISSION

PLAINTIFF

Southern District of Florida

v

Michael R Petroski

Defendant

CASE NO - 09 - CV - 6184C

Honorable Judge O'Sullivan

MOTION FOR COURT APPOINTED ATTORNEY

Comes Now Michael R Petroski, Defendant in the above case numbered case, acting in Pro Se form and pursuant to the Florida Constitution, moves the Honorable court to grant a Court Appointed Attorney based on the following grounds)

1 - Appointment of counsel is a privilege

that is justified only by exceptional circumstances such as where the facts and legal issues are so novel and complex as to require the assistance of a trained professional *Toole, 819 F.2d at 1029*

By examining the plaintiffs documents Defendant acknowledges that the amount of damages being sought is excessive & absurd. Plaintiffs claims of seeking over \$500,000 when Defendant was not an officer, partner, owner, director, or principal of any entity or corporation is grounds for a separate hearing or trial, and grounds for a Court Appointed Attorney

2 - The fact that Defendant was not

employed by 1st Guaranty and never received or took payments for loan modifications draws a complex and novel situation to the above case number. Furthermore Defendant accepted

payments for services rendered under the Authority of his boss STEPHEN LABOUR for Credit Restoration and Credit reports, the funds that were collected for loan modifications, was handled by Willie Hollins who was an employee of 1st Guaranty. Therefore a complex issue arises as to the amount of monies that Defendant is responsible for.

3. Defendant acted as an employee for Scorekeeper and Crossland for eight ^{ten} months and was not a corporate holder to the assets collected by Mr Labour. For the term of his employment Defendant acted out services with approx. twenty other employees that collect funds for Mr Labour. Defendant maintains that these funds were for Mr Labour's Company, and therefore draws a complex issue on the judgement that the Plaintiff is seeking. Therefore Defendant prays that this Honorable Court grant him a Court Appointed Attorney.

Certificate of Service

I Herby certify THAT A True and Correct Copy of The Forgoing Motion has been sent to the Plaintiff and to the Clerk of the Courts on Sept 22/2010

Michael R Petrozzi
Defendant POSE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Case No. 09-cv-61840
Judge O'Sullivan

FEDERAL TRADE COMMISSION
PLAINTIFF
v

Michael R Petroski
DEFENDANT

MOTION FOR EXTENSION OF FILING SUMMARY
JUDGMENT

Comes Now, Michael Petroski, the DEFENDANT in the ABOVE-
STYLED AND NUMBERED CAUSE, ACTING IN PRO SE FORM AND PURSUANT TO THE
FLORIDA CONSTITUTION, NOW MOVES THE HONORABLE COURT TO GRANT AN EXTEN-
SION OF FINAL SUMMARY JUDGMENT BASED ON THE FOLLOWING GROUNDS

A) - DEFENDANT IS INCARCERATED AND DID
NOT RECEIVE PLAINTIFFS DOCUMENTS IN A TIMELY FASHION. PLEASE NOTE
THAT FEDX ATTEMPTED TO DELIVER DOCUMENTS TO RESIDENCE APPROX TWO
MONTHS AGO AND DOCUMENTS WERE SENT BACK FOR UNKNOWN REASONS. DEFENDANT
DID NOT RECEIVE PLAINTIFFS DOCUMENTS AT THE COUNTY JAIL UNTIL SEPT 19/
2010.

B) - DEFENDANT HAS ACCESS TO THE
LAW LIBRARY THROUGH REQUEST FORMS ONLY, AND THIS
PROCESS TAKES TWO WEEKS BEFORE LEGAL FORMS AND
MOTIONS CAN BE RECEIVED. BEING THAT DEFENDANT IS
ONLY ALLOWED FOUR DOCUMENTS (MOTIONS, FORMS, &
LEGAL PAPERS) AT A TIME, THIS CAUSES A GREAT BURDEN
AND THEREFORE IS TIME CONSUMING.

#3 DEFENDANT has not had ample time to react and muster his defense, and requests this honorable court to grant a ninety Day extension

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE FOREGOING MOTION HAS BEEN SENT TO THE PLAINTIFF AND TO THE CLERK OF COURTS ON SEPT 22 / 2010

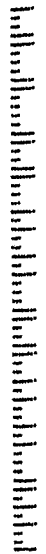
Michael R Petroski
Defendant pro se

Michael Petroski 15106612K
Joseph V. Conne 2-B
PO Box 407016
Atlanta 33340

USMS INSPECTED

United States District Court
Southern District of Florida
John T. Sullivan
300 NE 1 Ave.
Miami, Florida 33132

3313232135



1000



33132

U.S. POSTAGE
PAID
FORT LAUDERDALE, FL
33339
SEP 23, 10
AMOUNT
\$0.44
00075452-20