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October 13, 2007

Kenneth Marvin
The Florida Bar
651 East Jefferson Street
Tallahassee, Florida 32399 Via Mail and Fax to 850-561-5827

Re: Sworn Formal Bar Complaint against Florida Attorney Sheila Tuma

Dear Mr. Marvin:

Here is my formal Bar complaint against the above individual who has violated a number of Bar Rules in her capacity as staff prosecutor in your Orlando office. You have all of the supporting documents in your own Bar files, and I need not therefore submit them.

Ms. Tuma, in violation of her duties as a lawyer and as a Bar prosecutor, has done the following, which may not be an exhaustive listing of all of her unethical wrongdoing:

1. Earlier this year, Ms. Tuma represented in writing that she had “full authority” to negotiate a settlement of all disciplinary matter pending against me and prosecuted by her. My attorney and I had inquired if she indeed had that power going into a formal mediation, in light of the fact that a mediation is supposed to be attended by a representative of each party thereto. Ms. Tuma said she was that representative with that power. Upon my presenting her with a counterproposal, Ms. Tuma stated to me and to the mediator that she had no power to negotiate a settlement and had to fly to Orlando to meet with Mr. Chaykin and other Bar officials who were at yet another Governors’ meeting there. Ms. Tuma had lied to induce me to participate in a mediation that she knew full well going into the mediation would not be a mediation.

I paid for the entire cost of the mediation, with The Bar’s refusing to pay a penny. As a result, I was forced to pay \$800 for a mediation that Ms. Tuma fraudulently represented would be an exercise at which a settlement could at least be attempted. I NEVER WOULD HAVE GONE TO A MEDIATION if I had been told the truth as to The Bar’s intention not to negotiate and its “representative’s” total lack of authority to negotiate.

2. In the aforementioned mediation, Ms. Tuma’s proposal consisted of a demand for a mental health exam to be conducted by the Florida Lawyers Assistance program *after* I pled guilty. This is not only absurd on its face (determining if a person has capacity to contract after he contracts), but it also constitutes a criminal act under federal civil rights

statutes 18 USC 241, 242. Ms. Tuma used the threat of certain disbarment in an attempt to coerce me into agreeing to a mental health exam and in retaliation for my criticism of The Bar as well.

The demand, right out of the box, at this mediation, was completely out of the blue, as this same demand for a psych evaluation had been withdrawn months earlier. Rather than using a mediation to try to resolve the matter, which is the whole idea, Ms. Tuma, in bad faith, used it as an opportunity to make an even greater settlement demand than was on the table going in. This lack of candor and fairness to opposing counsel eclipses anything I have ever seen from any lawyer practicing law, as I have, in a part of the country known for its “sharp” practice.

Further underscoring the baselessness of this demand and thus its illegal, criminal nature, Ms. Tuma circumvented The Bar’s own Rule 3-7.13 which requires the filing of a formal sworn complaint, the assignment of a formal case file number, presentation of evidence to a grievance committee, and the opportunity of a mental health complaint respondent before an actual grievance committee before even such a demand can be made. This is clearly set forth in The Bar’s own Rule 3-7.13 and in a lengthy telephonic conversation with you, the summary of which you have had months to disavow and have not.

3. Ms. Tuma has fraudulently brought a new Bar complaint against me on the basis of a letter I wrote to a prosecutor and a public defender in Ohio offering information that would assist their understanding of the apparent and in fact obvious role of a 13-year-old’s obsessive play of a video game that led to a crime spree which including more than 100 criminal acts.

There is absolutely no rational basis for asserting that I “engaged in the unauthorized practice of law in Ohio,” and in fact I have correspondence from The Bar from an earlier date proving that The Bar’s Rules that require that the foreign jurisdiction in which the alleged unauthorized practice of law occurred is the jurisdiction that must generate a complaint. Ms. Tuma knows this. So she lied about the facts and she lied about the law in bringing such a complaint.

4. Ms. Tuma has done the same thing again, and recently. Earlier this year I journeyed to the Atmore Correctional Facility in Alabama where “cop killer” Devin Moore is on death row. I did so with the permission and attendance of his appellate counsel, the Equal Justice Initiative in Alabama. I met with Moore to corroborate further his obsessive play, sometimes fifteen hours a day, of *Grand Theft Auto: Vice City*, a cop killing murder simulator.

Upon meeting with Moore and hearing his disturbing information, I sent an affidavit to Judge James Moore and Fayette County Clerk clearly indicating thereon that I was doing so as a potential fact witness and not as record counsel in *Strickland v. Sony*. If anyone knows I am not authorized to practice law in Alabama, it is Judge James Moore, who revoked my pro hac vice application!

Ms. Tuma, officially on behalf of The Bar, not on behalf of Blank Rome, has now brought a new bar complaint against me for allegedly practicing law in Alabama by virtue of what I did, recounted above. This is the knowing bringing of a Bar complaint for an improper purpose, whose purpose was revealed in the above noted “mediation,” as Tuma “upped the ante” in her “negotiations” by demanding more punishment as a result of my alleged practicing law in Alabama and Ohio.

Again, Ms. Tuma knows that our Bar Rules mandate that any such alleged unauthorized practice of law in another jurisdiction must originate with that foreign jurisdiction’s bar, not The Florida Bar.

5. Ms. Tuma has been made fully aware that Greenberg Traurig lawyers Ms. Sharpe and Barry Richard have knowingly misrepresented, repeatedly, to U.S. District Court Judge James Jordan, in Case No. 07-21256, Southern District of Florida, that “The Bar has never been the complainant against Jack Thompson but has only processed the complaints of others with these complainants actually the “complainants” on the formal complaints. This is a lie by these two Greenberg Traurig lawyers, as indicated above and as indicated by the fact that The Bar indeed brought its own “triplicative” Bar complaint against Thompson, as the formal originating complainant, in the initial wave of “Alabama” bar complaints.

Ms. Tuma had and has an obligation to alert The Bar to this unethical activity by these two Greenberg Traurig lawyers, per our clear Rules dealing with “the duty to report,” and she has not done so because she is complicit in this unethical conduct by Richard and Sharpe.

6. Ms. Tuma has been repeatedly asked to provide dates that she is or is not available for discovery depositions I have a right to take in the disciplinary proceedings. She refuses, repeatedly, to provide those dates, the consequence of which is that I cannot get the discovery to which I am entitled. This is a delay tactic clearly designed to thwart discovery and is clearly an abuse not only of our Rules but of my constitutional rights. This is one of the worst abuses of the Rules of Civil Procedure I have ever seen, and it is unethical.

7. Similarly, Ms. Tuma refuses to produce documents which have been requested simply because she does not want to produce them. I am a party in these disciplinary matters, and I am entitled to inspect, unrestrictedly, at least some of these documents. Ms. Tuma, however, in collaboration with a Ms. Bateman at The Bar, is demanding \$4000 from me simply for the exercise of my right to see these documents so that The Bar can inspect them and organize them. There is absolutely no provision in the law of which I or anyone else is aware for denying *a party* his right to inspect documents in the possession of another party.

Further, Ms. Tuma refuses to create a Privilege Law as to other documents I want to see and might be able to see after a ruling as to privileges. This is an abuse, clearly, of the

discovery process. She may not have known this initially, since she has never practiced law, but she knows now and has known this for quite sometime.

8. Our own Bar Rules stated that there are even heightened ethical responsibilities required of prosecutors than of lawyers in private practice. Ms. Tuma has unethically shredding those ethical responsibilities. She is supposed to serve justice rather than her client. This is found in the *Brady* line of cases and other case authority.

What has Ms. Tuma, on the other hand done? She has known for two years, for example, that the cornerstone of the entire assault upon me through The Bar pertaining to what transpired in Alabama is an utter fraud. For two years I asked Ms. Tuma “What did I fail to disclose about my disciplinary history in Alabama which led to my phv revocation and these “Alabama” bar complaints. She still refuses to answer. I had to take the deposition of Judge Moore to find out that I actually gave him and the Alabama State Bar “more information than you were required to, Mr. Thompson.” Ms. Tuma knew that for two years, as she had the documents that the Alabama State Bar had.

Upon learning the fraudulent nature of all of this, Ms. Tuma refuses to dismiss even that count of the complaint. This is prosecutorial misconduct of the highest order. She knows that if she admits the lie as to that cornerstone, foundational count, then the entire Alabama disciplinary stunt collapses from the weight of its fraud.

9. I have submitted the formal Forensic Evaluation of the highly-regarding Oren Wunderman, PhD., who is a psychologist recognized by The Bar itself and our court systems as an accomplished and honorable person when it comes to assessing the mental capacity of litigants.

Dr. Wunderman has told this Bar, in a five-page document that I am sane and that my faith enhances my ability to practice law.

Despite this, Ms. Tuma utterly refuses to even discuss withdrawing the demand for a mental health evaluation, which you, in your conversation with me, not knowing who I was, proves the lack of a good faith basis for such a demand. The continuing demand is nothing but prosecutorial spite and does in fact constitute a criminal act under both state and federal law.

10. She has processed as formal Bar complaints those that are not sworn in violation of Bar Rules, which The Bar in writing has acknowledged is improper. Ms. Tuma violates our own Rules for no reason other than the fact that she finds it convenient to do so when it comes to me. This is not the exercise of discretion. It is a violation of the law.

10. Sheila Tuma has refused even to process as if it were a real Bar complaint my client, JR Rosskamp’s complaint, which amounted to a plea for help, regarding Tom Tew’s stalking of her. Ms. Tuma ignored all of our fervent pleas to do something, stating that Tew’s stalking of her could not be billed to a file, so it was of no concern to The Bar.

As a result of Ms. Tuma's negligence and prosecutorial spitefulness, Mr. Rosskamp has had a stroke and is impaired for the rest of her life, as her spike in blood pressure caused by Tew caused a cranial infarction.

If you and Ms. Tuma or anyone else thinks that the failure of someone to do her job, in this instance the knowing malfeasance of Ms. Tuma, has no consequences, then they should look at my client's now crooked smile and her inability to work out at the gym or any gym, since Tom Tew, with Ms. Tuma's knowing protection, stalked her there and induced the stroke.

This unethical conduct by Ms. Tuma in refusing, for improper purposes, to proceed with a real ethics inquiry against Mr. Tew has ruined this woman's life.

Similarly, Ms. Tuma has received evidence, not information, evidence of Norm Kent's admitted use of marijuana without a prescription (he put it right into a court file), his trafficking in "obscenity," per Judge Jordan's description, his lying, in writing to Ray Reiser and me that his first libel action was filed without the knowledge of Beasley Broadcast Group, after which promise we found his email to Joyce Fitch giving her a heads-up that he was about to file the libel suite, and other conduct by Mr. Kent that is not even arguably not appropriately the subject of an ethics inquiry.

Ms. Tuma, then, has used her office to protect the guilty and harass the innocent. This is not an exercise in prosecutorial discretion. This is a knowing abuse of her office and her position as a lawyer for illegal, sometimes criminal, ends.

She has herself brought Bar complaints against me, on her own initiative, for ulterior purposes, knowing full well there is no basis in law or in fact to do so.

The Bar does know enough about our Rules to know precisely which ones of them have been violated if the allegations above are true. If you need me to give you the Bar Rule numbers, let me know. I have them memorized by now.

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So, here's the deal Mr. Marvin. I am tired of Ms. Tuma's being allowed and in fact encouraged by this Bar and by you personally to break our laws.

You are either now going to arrange for a full and fair ethical inquiry and processing of this sworn, formal Bar complaint against Ms. Tuma by someone who is not compromised by his/her affiliation with The Bar, or I am going to get a writ of mandamus to make you arrange for that.

Your unethical prosecutor should be disciplined, and I intend to do what I can to make that happen.

Signed, John B. Thompson, October 13, 2007.