IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

JOHN B. THOMPSON,

Plaintiff,

v. Case No. 07-21256 (Judge Adalberto Jordan)

THE FLORIDA BAR and
DAVA J. TUNIS,

Defendants.

NOTICE TO COURT OF FILING OF FLORIDA SUPREME COURT DOCKET

COMES NOW plaintiff, John B. Thompson, hereinafter Thompson, as an attorney on his own behalf, and provides notice to this court of the filing of attached official document:

1. Soon after Miami-Dade Circuit Court Judge Dava J. Tunis, a defendant herein, was appointed by the Eleventh Judicial Circuit's Chief Judge Joseph Farina to preside as referee over *Bar v. Thompson*, Ms. Tunis referred, on the record and from the bench, to Thompson's defensive pleadings as mere "propaganda."

2. Thompson moved for her recusal. Any litigant failing to do so would have been as impaired as The Bar alleges Thompson to be. She refused not only to withdraw but also refused, improperly, to answer Thompson's repeated requests to elucidate what was the "facial insufficiency" of the motion to recuse. Judge Farina has, in writing, refused even to address the issue.

3. As the attached copy of the Florida Supreme Court's on-line docket in Thompson's writ of mandamus action, *Bar v. Thompson*, indicates, the Florida Supreme Court has instructed Thompson that all issues, even the issue of Judge Tunis' recusal is to

be addressed by the High Court only after the "trial" is completed. The docket specifically states that Judge Tunis is to handle the appeal of her own recusal denial!

4. This is absurd and patently so. Not only would any judge in any other judicial proceeding have to recuse himself/herself upon calling defensive pleadings "propaganda," but any Florida District Court would entertain on immediate appeal, as a writ of prohibition, an appeal by the party on the receiving end of that judicial slur *prior* to further proceedings at the trial level. Florida state court cases are legion with opinions dealing with recusal rendered by its appellate courts *prior* a final adjudication by the trial court.

5. Yet here is the Florida Supreme Court telling Thompson that he can only address the recusal issue *after* this biased judge has presided over a trial in a case in which she had denied Thompson due process so thoroughly that he cannot possibly have a fair trial and for obvious reasons—Thompson is nothing but a "propagandist" entitled to far less due process than a real propagandist, Joseph Goebbels, got at Nuremberg.

6. The Florida Bar and Dava Tunis, both defendants herein, have told this court in their various pleadings that Thompson "has an adequate review remedy before the Florida Supreme Court when the disciplinary proceedings are completed." The fact, demonstrated by the attached Supreme Court docket, proves how utterly fallacious and disingenuous that lawyerly assertion is. The Supreme Court, as its own docket sheet indicates, repeatedly has informed Thompson that he is to take up the recusal issue only with the trial court and not to bother it further with the issue. Fairness along the way is no concern. This is the same High Court not the least bit troubled by the fact that its

"designated reviewer" in this disciplinary proceeding certified "fair" by him is the recipient of a DOJ "target letter" indicating he is on the take from the Medellin cartel.

7. The posturing of the Florida Supreme Court on this recusal issue alone reveals to this federal court just how closed, how contrived, and how devoid of fairness The Florida Bar's disciplinary scheme is: Get a judge who right out of the starting blocks brands a respondent's defense 'propaganda," and he has no relief and no timely review of the relief denied by a judge who authored that judicially self-inflicted wound.

8. This is not due process. This is precisely the kind of embarrassing judicial venturism that the U.S. Supreme Court's *Pulliam v. Allen* authorizes the federal judiciary to address and correct. The Florida Supreme Court had to be taken to the woodshed by the U.S. Supreme Court in *Bush v. Gore*; it apparently will have to be taken there again in *Thompson v. Bar*. The attached Supreme Court docket sheet proves why.

9. Thompson poses no danger to The Florida Bar's regulatory scheme, but it and the Florida Supreme Court surely do.

I HEREBY CERTIFY that this has been served upon record counsel this 18th day of August, 2007, electronically.

/s/ JOHN B. THOMPSON, Plaintiff
Attorney, Florida Bar #231665
1172 South Dixie Hwy., Suite 111
Coral Gables, Florida 33146
Phone: 305-666-4366
amendmentone@comcast.net