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In the  
**SUPREME COURT OF THE UNITED STATES**

\_\_\_\_\_  
ANNE GEORGES TELASCO,  
*Petitioner,*

v.

THE FLORIDA BAR,  
*Respondent.*

\_\_\_\_\_  
**On Petition for a Writ of Certiorari to  
The Florida Supreme Court**

\_\_\_\_\_  
**APPENDIX**

\_\_\_\_\_  
ANNE GEORGES TELASCO, *PRO SE*  
Petitioner

Rochester, New York 14611

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## QUESTIONS PRESENTED

I. Whether Petitioner's action for corrective relief from The Florida Bar's unconstitutional orders of suspension and disbarment should be treated like a habeas action which is not subject to time bars where Petitioner *only seeks* relief from the collateral consequences which flow directly from said unconstitutional orders, Petitioner's injuries can only be redressed by a favorable judgment for corrective relief from this court, and Petitioner's actual ongoing injuries from the unconstitutional orders meet the case-or-controversy requirement under Article III, §2 of the United States Constitution?

II. When Petitioner has no adequate remedy from The Florida Bar's unconstitutional suspension and disbarment orders except through a judgment from this court by this petition, is this court's acceptance of Petitioner's action for *corrective relief* in accord with the mandate of the United States Constitution and this court's fundamental tradition that no citizen should be left remediless and defenseless against substantial civil disabilities and collateral

consequences which flow from unconstitutional judgments?

III. Whether The Florida Bar's actions of not giving Petitioner notice or opportunity to defend prior to disbarment and its deliberate misrepresentation and concealment of material facts to secure the suspension and disbarment orders against Petitioner deprive Petitioner of procedural due process and violate the equal protection clause of the fourteenth amendment of the United States Constitution?

IV. Whether The Florida Bar's actions of intercepting all material documents Petitioner filed with the court in case number SC01-1198, manipulating the dating and filing of documents, creating five frivolous, sham cases against Petitioner, publishing and placing in the public records the sham cases and unconstitutional orders to Petitioner's detriment violate Petitioner's rights under the fifth and fourteenth amendment of the United States Constitution?

V. Whether the Florida Bar violated Petitioner's rights under the fifth and fourteenth

amendment of the United States Constitution and acted out of the bounds of legal authority when it ignored all well established substantive and procedural constitutional safeguards as it arbitrarily and without cause investigated Petitioner for over 28 months, permanently disbarred Petitioner from the legal profession by misrepresenting and concealing material facts and not giving Petitioner notice of the sham cases it brought against?

VI. Whether The Referee, Justice Robert N. Scola, Jr.'s actions of deliberately misrepresenting and concealing material facts in his report, aiding The Bar intercept, backdate and manipulate the filing of material documents Petitioner filed with the court in case number SC01-1198, entering orders and submitting reports that are grounded in partisan interests and contravene well established rules of procedure to Petitioner's detriment, violated his duty as the minister of justice and severely compromise the integrity of the judiciary and our legal system?

VII. Whether The Florida Bar, by and through its attorneys and the Referee, Justice Robert N.

Scola Jr., were deviant in their responsibilities of promoting and preserving the integrity of the legal profession, protecting rights and pursuing justice when *they allowed* Jonathan D. Wald, The Bar's favored member, to use The Bar, the courts and the judicial system to disparage, humiliate and cause serious injuries to Petitioner?

**PARTIES TO THE PROCEEDING**

Pursuant to Rule 14.1(b), the following list identifies all of the parties.

The Petitioner appearing *pro se* is Anne Georges Telasco.

The Respondent is the Florida Bar.

There are no corporate parties.

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## OPINION BELOW

1. On November 13, 2001, The Florida Bar obtained a suspension order from The Florida Supreme Court against Petitioner (Pet. App. 1-2) after Petitioner refused to sign the boilerplate resignation (Pet. App. 3-7) and affidavit it prepared for her. Pet. App. 8-9.

2. On July 11, 2002, The Florida Bar obtained a permanent disbarment order for misappropriation of funds from The Supreme Court of Florida against Petitioner (Pet. App. 10) pursuant to the amended report of The Referee (Pet. App. 11-20).

## JURISDICTION

This petition is for *corrective relief* from the invalid orders that violate the due process and equal protection clause of the fourteenth amendment of the United States Constitution that “*No State...shall deprive any person of life, liberty, or property, without due process of law.*” *Kelley v. Johnson*, 425 U.S. 238, 244 (1976); and the Fifth Amendment “liberty” and “property” concepts which guarantees the right to follow a chosen profession free from unreasonable government interference. *Dent v. West Virginia*, 129 U.S. 114, 121-122 (1889).

The lifelong social and psychological stigma, limited employment possibilities, and other civil disabilities that flow in consequence of the invalid orders have severely impaired Petitioner’s life and the lives of her dependent children. The substantial civil disabilities and penalties are sufficient to ensure that Petitioner

has a substantial stake in a judgment for corrective relief from this court. *Carafas v. LaVallee*, 391 U.S. 234, 237-238 (1968) (quoting *Fiswick v. United States*, 329 U.S. 211, 222 (1946)). Petitioner's injuries can only be redressed by a favorable judicial decision from this court thus representing a case and controversy under Article III, §2 of the United States Constitution. *Lewis v. Continental Bank Corp.*, 494 U.S. 472, 477-478 (1990).

In *Dailey v. Vought Aircraft Company*, 141 F.3d 224, 228-229 (5<sup>th</sup> Cir. 1998), the court held that the collateral consequences of disbarment are not "abstract, feigned, or hypothetical" and thus justify jurisdiction by the court because the court is capable of preventing such harm. Citing *Sibron v. New York*, , 392 U.S. 40, 52-55 (1968).

There is no mechanism for Petitioner to seek corrective relief from the orders in the state court. The court's acceptance of this Petition is consistent with its underlying policies to zealously protect individual rights and to make good the wrong caused to individual rights by unconstitutional judgments. *Kauffman v. Secretary of the Air Force*, 415 F.2d 991, 995 (D.C. Cir. 1969).

Petitioner was disbarred for misappropriation of clients' funds. The brand of dishonesty did not vanish after the Bar secured its orders and closed the cases. The continuous serious injuries which flow from the orders to Petitioner and her children constitute collateral consequences which have kept the controversy

between the Florida Bar and Petitioner alive making the controversy *not subject to time bars*. *Dailey*, 141 F.3d at 228; *Kirkland v. National Mortgage Network, Inc.*, 884 F.2d 1367, 1370 (11<sup>th</sup> Cir. 1989); *Kaiser v. The Secretary of Navy*, 525 F.Supp. 1226, 1228 (D. Colo. 1981),

28 U.S.C. §1361, the mandamus statute, gives jurisdiction to this court to “correct” unconstitutional orders of government officials which cause grievous injuries and imposes lifelong disability upon individuals like Petitioner.

### **CONSTITUTION, STATUTES AND RULES INVOLVED**

Article III, Section 2, The Fifth Amendment, and The Fourteenth Amendment, Section 1 of The United States Constitution. Pet. App. 523.

2. 28 U.S.C. §1361. Pet. App. 508.

3. §48.161 of the Florida Statute. Pet. App. 508.

4. Florida Rules of Civil Procedure 1.090 and 1.070. Pet. App. 522-523.

### **RULES REGULATING THE FLORIDA BAR (February 8, 2001)**

1. Rule 3-5.1(j). Pet. App. 508.

2. Rule 3-7.4(a). Pet. App. 508.

3. Rule 3-7.4(l). Pet. App. 508.

4. Rule 3-5.1(f). Pet. App. 509.

5. Rule 3-7.1(b). Pet. App. 509.

6. Rule 4-8.4. Pet. App. 509.

### **CODE OF JUDICIAL CONDUCT OF THE STATE OF FLORIDA**

Canon 1. Pet. App. 510.

Canon 2. Pet. App. 510.

Canon 3. Pet. App. 511.

### STATEMENT OF THE CASE

1. **Preliminary Facts:** Petitioner, ANNE GEORGES TELASCO, is 46 years old. She was born in Port-au-Prince, Haiti on July 27, 1962. She moved to the United States at age 13 and became a naturalized American citizen on February 11, 1987. She received her Bachelor's degree from Barry University in 1988 and her Juris Doctor's degree from the University of Miami School of Law in 1991. She became a member of The Florida Bar in 1992. On January 23, 1993 she started her private practice. She was a member of the American Bar, and The Academy of Florida Trial Lawyers. She was admitted to practice in The Southern District Court and The Southern District Court of Appeal. She also worked as an Adjunct Law Professor at The University of Miami School of Law. Pet. App. 514-518.

A) On June 5, 1998, Petitioner received a certificate of appreciation from the Southern District Court in recognition of the outstanding service and dedication to the Court's Volunteer Lawyers' Project Pro Bono Program. Pet. App. 36. In 2001, she was one of forty attorneys worldwide invited to participate in the Oxford University Round Table Forum on civil rights. Pet. App. 37-39.

B) During Petitioner's years of practicing law, she **never** had any problems with her clients, was **never** reprimanded or disciplined by the Florida

Bar or the Federal Bar and had **never** been the subject of a criminal investigation or proceedings.

**2. Undisputed Material Facts:** In 1993, Petitioner was retained by eight Haitian clients to represent them in a racial discrimination case against ITT Sheraton who was represented by Holland and Knight. In 1998 and 1999, four of the cases went to trials. The jury returned two verdicts for Plaintiff and two verdict for Defendant. The dissolved ITT Sheraton settled with the eight clients for \$300,000.00 to be paid in 6 monthly installments of \$50,000.00. Pet. App. 40-51.

A) Petitioner paid all costs and expenses in the cases that were well over \$130,000.00. The clients, with the exception of client Fontaine Baptiste, contributed a *total* of \$700.00 towards the costs. Pet. App. 40-51, 93. They agreed to share all settlement funds equally because the case was one case which the court severed into eight cases. Pet. App. 106-107.

B) Petitioner gave a credit of \$31,552.30 from her costs to the clients so that each client may receive \$10,000.00. Pet. App. 44, 52-57. The Bar's auditor confirmed this credit. Pet. App. 286. Between 1996 to 1999, Petitioner had given over \$15,480.79 in credits to her clients. Pet. App. 59-79. Parts of the credits were given to a) help an inmate client who was about to be release from jail start a new life; and b) help an elderly client in need of funeral funds to bury her adult daughter. This was a common practice of Petitioner's firm to forego some or all of her fees

and costs based on the circumstances and clients' need. Pet. App. 58-79.

C) Before full payment was received, Mr. Baptiste called Petitioner and informed her that the people who lost should not be paid (Pet. App. 80-84) and he is entitled to a referral fee for bringing the cases to her. Pet. App. 87, 89, 105. Petitioner refused.

D) On July 1, 1999, after Petitioner received the last payment, she called and sent a letter to the clients scheduling July 19, 1999 as the date of distribution. Pet. App. 119-120. On the advice of Jonathan D. Wald, Esq., a personal injury attorney (Pet. App. 124-126), they did not come. Pet. App. 287. Instead, Mr. Wald called Petitioner and informed her that he was retained by Mr. Baptiste to review the expenses itemized in the settlement statement (Pet. App. 135-138), he advised the clients that Petitioner's itemized expenses were not real (Pet. App. 139-143, 148-150), the credit Petitioner gave them was suspect (Pet. App. 153) and he will assist the clients in getting monetary compensation from the State of Florida Compensation Fund because they were Petitioner's victims. Pet. App. 129-130. Mr. Wald also memorialized the above statements by letter dated November 24, 1999. Pet. App. 165-167.

E) Mr. Wald demanded that Petitioner releases all original invoices and cancelled checks since 1993 to validate the expenses. Pet. App. 135-139. Petitioner refused and he threatened to take her to The Bar. Pet. App. 209. Petitioner was not concerned because she *believed* in the

integrity of The Bar. Please Note: *Mr. Baptiste attempted to retain Mr. Wald in 1993 and he declined.* Pet. App. 127-128.

**3. Mr. Wald's complaint letter:** Mr. Wald prepared an undated complaint letter for Mr. Baptiste. Pet. App. 157-159. The Bar adopted the *unsigned* letter as Mr. Baptiste's complaint against Petitioner. Within a few weeks, Mr. Wald had **six** of the clients sign the letter. Pet. App. 162-164. The Bar had the **seven** clients sign its blank complaint form, attached the forms to the letter (Pet. App. 160-161) and used the letter as the complaint of the **eight** clients to launched an over *28 months* investigation against Petitioner.

A) On November 24, 1999, Mr. Wald wrote another letter demanding that The Bar begin formal investigation against Petitioner. Pet. App. 165-167.

B) On *December 9, 1999*, The Bar sent the letter to Petitioner requesting a response. Pet. App. 168-169. *Before Petitioner filed her response that was due on December 28, 1999 (Pet. App. 58-79), on December 13, 1999*, The Bar sent all eight cases to the grievance committee (Pet. App. 170-173) and assigned Joseph Ganguzza, Esq., as the investigator on the cases. Pet. App. 172-173. Mr. Ganguzza was *also the chairman of the grievance committee* who found probable cause in the cases against Petitioner. Pet. App. 201, 218-219.

C) On December 28, 1999, Petitioner filed her response. Pet. App. 58-79.

D) On April 13, 2000 Petitioner sent a letter to The Bar objecting to her treatment. Pet. App. 174-183.

E) On August 14, 2000 Mr. Wald sent a letter to Petitioner requesting the name of her malpractice insurance carrier. Pet. App. 309-310.

4. **The investigation:** The Bar assigned *auditor*, Carlos Ruga, issued a *report* on July 14, 2000 confirming *all* of Petitioner's expenditures. Pet. App. 186-189. He testified that he stands behind his report. Pet. App. 257-279.

A) Petitioner struggled with The Bar to obtain a copy of the report. On September 27, 2000 (Pet. App. 184-185), 75 days after the report had been completed, The Bar mailed a copy to Petitioner *after* it received Petitioner's September 26, 2000 letter. Pet. App. 204-211.

Mr. Ganguzza issued a report on February 7, 2000 negating *all* of the allegations in Mr. Wald's complaint letter. Pet. App. 191-197, 230-242.

5. **Petitioner was not given notice of the grievance committee hearing** (Pet. App. 199) contrary to Bar Rule 3-7.4(a). Pet. App. 508.

A) The auditor's report was not included in the committee's package (Pet. App. 203) contrary to Bar Rule 3-7.4(l) (Pet. App. 508-509) and norm. Pet. App. 229-230.

B) The Bar requested that the clients be deposed simultaneously. Petitioner refused. Pet. App. 374-381. On August 24, 2001, Petitioner attempted to understand The Bar's inappropriate



behavior through her request for documents. Pet. App. 212-214.

C) Realizing that The Referee was an extension of The Bar, Petitioner began to communicate with The Referee and The Bar by registered mail in order to have proof of delivery and hopefully deter the destruction of her documents. Pet. App. 174, 204, 300, 397, 403, 482, 484.

**6. On May 29, 2001 The Bar filed its first case (number SC01-1198) against Petitioner for failure to keep clients informed and engaging in conduct involving dishonesty, fraud, deceit or misrepresentation.** Pet. App. 302-308).

A) On July 26, 2001 Petitioner filed her answer and affirmative defenses. Pet. App. 40-51).

B) Petitioner conducted discovery to include but not limited to the taking of depositions of the clients (Pet. App. 80-118), Mr. Wald (Pet. App. 121-156), Mr. Ganguzza (Pet. App. 215-256), and Mr. Ruga (Pet. App. 257-279) via subpoenas. Pet. App. 358-373, 477-485.

**7. Client, Exanise Marcellus testified that she signed Mr. Wald's complaint letter without knowing its content.** She did not read the complaint letter and no one read or explained it to her. She was just told to sign it and if all eight clients sign it then... [they would make more money]. Pet. App. 112-116.

8. **Ms. Marcellus and client Marie Darcelin testified that Petitioner *always* scheduled regular meetings with all eight clients simultaneously** to discuss the case, the proceedings, the trial and hiring of outside counsel. Petitioner communicated with them in Creole and they understood her. They were aware of the expenses. Petitioner wrote the expenses in a paper when she met with them after each trial. Pet. App. 88-92, 94, 102-105, 109.

A) As a result of Mr. Wald's poisonous influence, the clients did not believe Petitioner's itemized expenses were real. Pet. App. 91, 97.

9. **Petitioner hired Hodelin Rene, a professional Creole interpreter to assist her in keeping the clients abreast of the trial proceedings and settlement negotiations.** Pet. App. 337-340.

10. **Mr. Wald testified that his opinion as to the validity of Petitioner's expenditures were irrelevant because he is not an expert witness** (Pet. App. 146) and he never tried a discrimination case. Pet. App. 152.

A) Mr. Wald did not inform the clients of the results of Mr. Ruga (Pet. App. 145-147) or Mr. Ganguzza's report. Pet. App. 143-147, 150-152.

11. **Mr. Ganguzza testified that he never spoke to any of the clients during his investigation.** He only spoke to Mr. Wald and he did not send a copy of his report to the clients. Pet. App. 224-228.

A) He further testified that Petitioner's expenses were customary charges that his firm collects. Pet. App. 228-255.

**12. Petitioner consulted with Attorney Bill Ullman during the week of October 15, 2001 to represent her in the trial phase of the disciplinary proceeding.** On October 23, 2001, she paid Mr. Ullman's retainer and he filed his notice of appearance in the matter. Pet. App. 311.

A) On October 29, 2001 Mr. Ullman presented Petitioner with a boilerplate petition for disciplinary resignation and an affidavit prepared by the Bar on October 26, 2001 for her signature. The Bar's ID, fax and date are affixed on the documents. Pet. App. 3-9. Mr. Ullman informed Petitioner that signing the documents will make her troubles disappear and The Bar will give her a *paralegal certificate so she may work*. If she does not sign the documents, The Bar will begin a new investigation into her trust account and it will get the state attorney to file criminal charges against her. "Think of your daughter."

B) Petitioner refused to sign the documents. Paragraph 4 of the resignation petition classifies Mr. Wald's complaint letter against Petitioner to be of a *criminal nature*. Pet. App. 3-4. Paragraph 5 reflects The Bar's intent to permanently exclude Petitioner from the practice of law. Pet. App. 4-5. The resignation petition is also contrary to the oral proposal the committee tendered to Petitioner through Mr. Ruga during the week of August 8, 2000 (Pet. App. 206-207), i.e., Petitioner should pay an extra \$3,000.00 to

each client and write a letter admitting to minor misconduct. Pet. App. 3-7.

C) That same day (October 29, 2001), Mr. Ullman prepared a notice of resignation (Pet. App. 312-314) for Petitioner. The Bar refused to accept it and gave Petitioner the night to think about its so called “resignation offer.”

D) Petitioner worked all night preparing her *letter of permanent and immediate resignation* (Pet. App. 317-334), attached the original deposition transcripts, (Pet. App. 335-336), the interpreter’s affidavit (Pet. App. 337-340) and on the morning of October 30, 2001, she hand-delivered them to The Referee with copy to The Bar. Pet. App. 341. Mr. Ullman prepared a motion to dismiss to accompany the package and faxed it to The Bar. Pet. App. 315-316. Rule 3-5.1(j). Pet. App. 508.

E) *Petitioner had hoped that the package would alert The Florida Supreme Court and remove her out of harm’s way.*

F) On November 6, 2008 the day Petitioner shut down her office and all operating and trust accounts, she hand-delivered (Pet. App. 28) the settlement funds due and owing to the clients via a cashier’s check (Pet. App. 24) with a notice of filing (Pet. App. 22-23) and a cover letter to Judge Scola (Pet. App. 25-27). The Bar and The Referee *did not file* the disbursement of funds package.

G) On November 9, 2001, Petitioner edited her letter of resignation, placed it on her website (*www.allpeopleslaw.com*) and mailed a

copy to the Bar and The Florida Supreme Court. The website is still active. Pet. App. 342-357.

**13. On or after November 6, 2001, The Bar filed a motion to abate, backdate it to October 31, 2001** (Pet. App. 290-292) and attached an *undated* copy of a Petition for Emergency Suspension to said motion as exhibit "A." Pet. App. 293-298.

A) The records of The Florida Supreme Court reveal that the Petition that is attached to the motion to abate was filed on November 6, 2001 (Pet. App. 280-285) and docketed on November 7, 2001 under new case number SC01-2423 (Pet. App. 299) when Petitioner was no longer practicing law and had submitted all funds due and owing to The Referee. Pet. App. 22-28, 317-334.

**14. On July 16, 2002, The Bar filed its notice of voluntarily dismissal of the over 38 month case (SC01-1198)** (Pet. App. 387-389) *without filing any* of the pertinent and material documents Petitioner filed, *to include but not limited to* Petitioner's answer and affirmative defenses, affidavit, letter of resignation, depositions, reports, and the notice of filing settlement funds package. Pet. App. 390-394. The docket of case SC01-1198 reflects just two letters that Petitioner carbon copied to the court (Pet. App. 391, 524-527) after she received the acknowledgement of new case SC01-1198 from the Florida Supreme Court. The letters reflect that The Bar never served Petitioner with this new

case even though it claimed to have served her via certified mail.

**15. On or after November 6, 2001, The Bar created a second case, number SC01-2423,** against Petitioner by filing the Petition for Emergency Suspension (Pet. App. 280-285) with a *back dated* affidavit from its auditor (Pet. App. 286-289) alleging that Petitioner was practicing law and had misappropriated and failed to distribute clients' funds she hand delivered to The Referee on November 6, 2001. Pet. App. 22-28. On November 13, 2001, *four working days* after The Florida Supreme Court received and grant The Bar's Petition (Pet. App. 1), The Bar closed the case. Pet. App. 299.

**16) The Bar with the aid of The Referee, intercepted Petitioner's resignation package filed on October 30, 2001 in case SC01-1198, separated all material documents attached thereto and held it hostage.** Pet. App. 390-394.

A) On *November 13, 2001*, The Bar filed a motion opposing Bill Ullman's motion to dismiss disciplinary action with The Referee (Pet. App. 382-384) without filing Mr. Ullman's motion or Petitioner's resignation package with the Florida Supreme Court. *One day later, November 14, 2001*, The Referee entered an ex parte order granting The Bar's motion (Pet. App. 385) contrary to well established law and Florida Rules of Civil Procedure 1.090. Pet. App. 522.

B) On December 6, 2001, *thirty seven (37) days after Petitioner filed her resignation package, without Petitioner's knowledge or consent*

(Pet. App. 386), The Bar filed the *distorted* resignation package with The Florida Supreme Court under new case number SC01-2893, thereby creating a third case against Petitioner.

C) On February 14, 2002, The Florida Supreme Court, sent a letter to Mr. Ullman (Pet. App. 399-400) to inform him that the format of the resignation filed was improper. Mr. Ullman did not respond. On April 26, 2002, the court sent a second notice. Pet. App. 401. On June 18, 2002, The Court dismissed the case. Pet. App. 402.

**17. Petitioner asked Mr. Ullman to withdraw as her counsel on or about November 7, 2001.** On November 8, 2001 Mr. Ullman filed his motion to withdraw as Petitioner's counsel. Pet. 395-396. That same day, Petitioner sent a letter to Mr. Ullman (Pet. App. 397-398) and The Referee (Pet. App. 300-301) voicing her concerns about actions that were being taken in her case without her knowledge or approval.

**18. Mr. Ganguzza testified that The Bar has no procedural safeguards against bias or abuse by its agents toward its members.** Pet. App. 219-223.

A) Alone, desperate, ill and frightened, on Monday, November 12, 2001 Petitioner sent a letter to The Florida Supreme Court begging for help to no avail. Pet. App. 403-406.

**19. On January 7, 2002, The Bar filed a complaint, request for admissions and a backdated auditor's affidavit to create its**

fourth case number SC02-44 (Pet. App. 407-418, 286-289) against Petitioner for misappropriation of clients' funds. Funds which The Bar *knew* were in the possession and control of The Referee (Pet. App. 22-28) for more than 61 days before it filed its case.

A) The Bar *did not serve Petitioner with the documents it filed with the court.*

B) On **February 28, 2002**, The Bar filed a motion for *order deeming matters* in its request for admissions *admitted*. Pet. App. 419-424. Attached to said motion is an **alleged copy** of a return receipt card with a signature that is similar to Petitioner's and a postal seal stamp reflecting the date of January 14, 2002 affixed upon it. Pet. App. 424. The original card was not filed with the court contrary to well-established law, Florida Statute §48.161 and Florida Rules of Civil Procedure 1.070. On **March 4, 2002**, *two working days from the date of the motion*, The Referee grants The Bar's order ex parte via a default. Pet. App. 425.

C) It is customary in the state of Florida that postal seals are placed on the **certified mail receipt** to show proof of mailing. It is *not the norm* to place it on the *green return receipt card* to show date of delivery. The *handwritten* signature of the receiver is usually accompanied by a *handwritten* date on the return receipt card to prove receipt of notice and date of receipt.

D) Petitioner, an experienced and trained advocate, ***always*** fills in date of delivery when receiving certified mail because she is well



aware that the date of delivery will trigger a time limitation and/or obligation that usually have legal ramifications.

E) Petitioner's address where The Bar claimed to have served her was vacant since December 2001. Petitioner moved to New York on March 19, 2002 and remained there until February 2003. Thus, Petitioner was out of Miami, Florida during the proceedings of this case as evidenced by her paycheck stubs from her employment as a legal secretary in New York. Pet. App. 426-427.

**20. The Bar's investigation and the filing of case number SC01-1198 which lasted over 37 month were frivolous, and a gross abuse of power.**

A) In case number SC02-44, paragraphs 4 and 5 of The Bar's complaint (Pet. App. 408), paragraphs G, H, I and L of its request for admissions dated January 7, 2002 (Pet. App. 413) and The Referee's amended report (Pet. App. 13), The Bar and The Referee *adopted Petitioner's averments as to the amount of the settlement, the agreement among the clients, the \$10,000.00 distribution in her Answer and Affirmative defenses*, (Pet. App. 40-51), *and her settlement statement dated July 19, 1999* (Pet. App. 52-57) *in case number SC01-1198.*

B) Paragraphs 4 and 5 of its auditor's affidavit (backdated to October 30, 2001) reflect that *Petitioner gave a credit of \$31,552.30 to the clients so that they would each receive \$10,000.00 from the settlement funds.* And Petitioner

attempted to distribute the funds on July 19, 1999, but the clients refused to accept the \$10,000.00 [pursuant to Mr. Wald's directives]. Pet. App. 286-287.

C) The auditor's affidavit further reflects that The Bar had "outstanding subpoenas" for the rest of Petitioner's bank records to complete its alleged "*new/second*" audit after Petitioner had submitted all clients funds to the court, resigned, and closed her office. Pet. App. 288.

**21. The client's complaint forms**

A) Like case SC01-1198 where the *clients made no notation on The Bar's complaint forms* as to Petitioner's ethical violation to require The Bar's intervention (Pet. App. 160-161), the complaint forms which supposedly triggered the filing of case SC02-44 are blank (Pet. App. 432-447) except one complaint that has the notation "**Anne Telasco Hold Out Settlement Money.**" Pet. App. 434-435. The *settlement money* Petitioner delivered to the court on November 6, 2001. Pet. App. 22-28. The complaint forms were signed 74 days after The Bar filed case SC02-44, more specifically, the clients signed the complaints between March 17 to 21, 2002. Pet. App. 432-447. The complaints were delivered to The Bar on March 22 and 27, 2002, 80 days after The Bar filed case SC02-44. These complaints were inadvertently mailed to Petitioner pursuant to her request for certified copies. Pet. App. 429, 449.

**22. The Referee deliberately concealed and fraudulently misrepresented facts in his amended report** (Pet. App. 11-20) and violated Canon 1, 2 and 3 of the Code of Judicial Conduct. Pet. App. 510-511. On April 19, 2002, the day of the final hearing (Pet. App. 21) which resulted in The Referee's report and amended report, The Bar noticed its "motion to reissue Washington Mutual Bank's official check (Petitioner's cashier's check dated November 6, 2001) to The Clerk of the County and Circuit Court, Eleventh Circuit." Pet. App. 29-33. The Referee heard and granted the motion that same day. Pet. App. 34-35.

A) The report fraudulently reflects that all of the documents Petitioner filed in case SC01-1198 were generated in case SC02-44 by The Bar. Pet. App. 11-12. The depositions conducted by Petitioner via subpoenas in case SC01-1198 (Pet. App. 19, 335-336, 358-373) were conducted by The Bar in case number SC02-44. Said depositions *only* cover the issues of communication and validation of costs and expenses in case SC01-1198 (Pet. App. 80-118, 121-156, 215-279) not the newly created issue of misappropriation of clients' funds.

B) The report also awarded The Bar costs it incurred for conducting depositions, court reporter attendance at a hearing, staff investigator, interpreters and expert witness fees (Pet. App. 19) to give the false impression that The Bar accommodated truth and justice in its ex parte summary disposition of Petitioner's life.

C) The expert witness fee in the report is for Susan Eileen Trench, Esq. whom the Bar named as a witness in case SC01-1198. She was to ‘testify as to legitimacy/appropriateness of legal fees and costs in underlying federal litigation.’ Pet. App. 475. Petitioner subpoenaed Ms. Trench for deposition (Pet. App. 366-367) and the Bar failed to produce her, attend the deposition and did not call Petitioner to cancel. Pet. App. 503-506.

D) The fee for the court reporter’s attendance at the hearing on March 7, 2002 (Pet. App. 19) was for a status conference in case SC02-44 (Pet. App. 469-470) it was not a hearing where actual expert opinion and testimony were given to The Referee on the merits of case SC02-44.

E) To support The Bar’s claim of non-responsiveness by Petitioner and the barren docket of case SC01-1198 (Pet. App. 390-394), the report deliberately refers to case SC01-1198 and claims that Petitioner was not responsive in said case. Pet. App. 15-16.

F) The report recommended permanent disbarment “*Given the Respondent’s failure to participate in the proceedings or indicate the slightest interest in continuing to practice law,..*” (Pet. App. 16) and “*her uncooperative attitude toward these proceedings indicated by her failure to respond and non-appearance at the final hearing,..*” (Pet. App. 18).

G) Case SC02-44 as filed and recorded gives the false impression that Petitioner **never** paid the funds.

**23. The Bar with the aid of The Referee, intercepted and kept Petitioner's documents from case number SC01-1198 and deliberately filed them in an obscure manner in case SC02-44 to mislead the public, potential employers and colleagues of Petitioner.**

A) The Bar filed the documents Petitioner filed in case SC01-1198 (Pet. App. 390-394) on May 3, 2002, over ten (10) months after Petitioner filed them and *after* The Bar secured its permanent disbarment order, in the unrelated SC02-44 case. Pet. App. 417-418. The Bar filed the documents in case SC02-44 as a group of documents without identifying any of them.

B) The strategic notation on the docket of case number SC02-44 identifies this group of documents as "RECORD/TRANSCRIPT – 7 VOLUMES." Pet. App. 418. This notation gives the false impression that The Bar conducted extensive discovery and generated seven volumes of documents/files in case SC02-44 when in actuality, **case SC02-44, only consists of** the documents that are named on docket SC02-44, more specifically, ***The Bar's complaint, notice of admissions, Motion and order on Matters deemed admitted and the referee's report.*** Pet. App. 417-418. Rule 3-5.1(f). Pet. App. 509.

**24. The Bar fabricated a fifth case, number 2002-11-CA-01/State, in the Circuit Court against Petitioner.** Pet. App. 493-497.

*The docket of this case reflects the following activities:*

- 1) On January 2, 2002 The Bar filed a *complaint **and** a final judgment* against Petitioner. Petitioner was not served.
- 2) On April 24, 2002, *five days after the final hearing in case SC02-44*, Petitioner deposited the settlement funds into the court registry *instead of the actual date of November 6, 2001*. Pet. App. 22-28.
- 3) Numerous Petitions and orders appointing inventory attorneys and reports of inventory attorneys are noted.
- 4) On September 25, 2002, The Referee executed numerous orders directing the Clerk of Court to take custody of Petitioner's files and to transfer the files.
- 5) Numerous notices of hearings for the alleged stolen funds were conducted with *Petitioner's name written in all capital letters under every single one* giving the impression that Petitioner participated in the hearings.
- 6) On April 23, 2003, *170 days* after Petitioner submitted the alleged stolen funds, a petition to disburse funds was filed with *Petitioner's name written in all capital letters under said notation*.
- 7) A settlement fund check was issued to Mr. Wald and his firm on **November 19, 2003**, **over two years** from the date *Petitioner submitted the check for disbursement to the clients*. Pet. App. 22-28.
- 8) **More than 30 people have viewed this docket**. Pet. App. 493.
- 9) For the past seven years, Petitioner vigorously looked for work without success because of The

Bar's unconstitutional orders and fabricated records. Unable to find work in any other industry, Petitioner had to accept part time work as a paralegal with the firm of a colleague from law school while in Miami, Florida.

**25. All of Petitioner's legal and financial documents were filed in case SC01-1198 where a thorough audit by The Bar's auditor was conducted before he issued his report on July 14, 2000.** Pet. App. 186-190. **There were no new files, information, or documents that needed to be inventoried.** On April 24, 2002, *170 days* after Petitioner submitted the alleged stolen funds, The Bar released the funds for distribution by Mr. Wald with a cover letter stating "*Ms. Telasco remitted these funds to the court which were due and owing to your clients as a result of her representation against Sheraton.*" Pet. App. 488-489.

Petitioner did not participate and was not aware of this sham proceeding since she was not served with the complaint or any of the documents in said proceeding.

The sham cases created against Petitioner explicitly show that Petitioner was an attorney who totally disregarded the rules of professional conduct, her actions bordered on contempt for the legal system and she was a parasite upon those whom she served. In effect, Petitioner's law degree and license were institutional errors that the orders corrected. Thus, Petitioner should be nothing more than a paralegal.

**26. Petitioner's public file with The Bar supports the April 24, 2002 and the May 23, 2003 notation on the docket of case 2002-11-CA-01 in that The Bar placed Mr. Brombacher's letter dated April 24, 2002 (Pet. App. 488-489) and Mr. Wald's renewed petition to disburse funds dated May 20, 2003 (Pet. App. 490-492) in said file.**

A) Mr. Wald's petition states that there was a *criminal investigation* against Petitioner for misappropriation of funds. This investigation was conducted in ***9 working days*** since Mr. Wald's motion states that Judge Scola instructed him to contact the state attorney's office and attempt to ascertain the origin of the funds on **May 6, 2003**, when he appeared before him, and on **May 20, 2003**, the date of his petition, he reported the state attorney told him that "the funds Petitioner submitted to the court were not traceable." Petitioner is not named in the certificate of service of Mr. Wald's petition. Pet. App. 490-492.

B) On or about late February early March 2003, while Petitioner was in the supermarket, she was followed by a Haitian man who stood next to her and uttered the words "some people refuse to work instead they rather steal people's money." (paraphrasing). Petitioner did not respond and continued with her purchase. It is now that Petitioner realized that Mr. Wald distributed the funds to the clients over two years after she submitted the funds. It is reasonable to conclude that Mr. Wald with the aid of The Bar and The Referee led the clients to believe that he



obtained relief for them from the State of Florida Compensation Fund. Pet. App. 129-130. This is further evident by the complaint of client Venicia Soupart signed on March 18, 2002. Pet. App. 434-435.

**27. The Bar has the power to alter the Circuit Court's database to cover its abuse.**

A) When Petitioner first viewed the docket of case 2002-11-CA-0 during the week of November 20, 2008, it was titled "FLORIDA BAR (THE) vs. *ANNE GEORGES TELASCO*." Pet. App. 493-497. After Petitioner's colleague in Miami requested a copy of the file, this individual was informed that the file had to be ordered. On November 28, 2008, this colleague was informed that the file had been destroyed and no documents were kept contrary to well established rules. That same day, Petitioner went to *view and print the docket*, the title changed to "FLORIDA BAR (THE) vs. *PETITION FOR INVENTORY ATTORNEY*." Pet. App. 498-502.

**28. In eight months, The Bar fabricated five damaging cases against Petitioner and memorialized them in her perfect disciplinary history and record.** Pet. App. 464-466. The Bar also published case SC01-2423 and SC2-44 since January 2001 and September 2002 to the present on its website named **Goliath**. The cases are also published in two other independent websites. Pet. App. 519-520.

**29. The Bar through its Executive Director, John F. Harkness, Jr., continues to misrepresent facts.**

A) In preparation of this petition, Petitioner requested a certified copy of her disciplinary history and complete records from the Florida Bar. Pet. App. 429. In response thereto, she received her disciplinary history (Pet. App. 430-431) and a copy of the “*alleged* complaint” of the *eight* clients that supposedly triggered case SC02-44 (Pet. App. 432-447) without a cover letter or certification.

B) On September 9, 2008, Petitioner renewed her request. Pet. App. 449-450. On September 22, 2008, Mr. Harkness sent a second copy of her disciplinary history to her reiterating that The Bar purged Petitioner’s file *after one year* and the documents provided are the *only* documents remaining (Pet. App. 464-466) contrary to rule Rule 3-7.1(b). Pet. App. 509.

C) Please note that in February 2007, Petitioner’s colleague in Miami went to view Petitioner’s file and copied some of the documents in the file. Mr. Brombacker’s letter dated April 24, 2002 (Pet. App. 488-489) and Mr. Wald’s petition dated November 19, 2003 (Pet. App. 490-492) were part of those documents copied. This colleague has agreed to provide the court with an affidavit if the court requires it.

**30. A) Health:** During the prolonged investigation and pendency of case SC01-1198, Petitioner had to take prescription Xanax to help calm her nerves, help her sleep and control the anxiety attacks. Petitioner’s fear that she will become dependent, the uncertainty of her minor children’s future, the fact that truth and justice

had evaded the proceedings against her heightened the stress she was engulfed in. She aged, lost most of her hair and was sickly thin.

B) **Finances:** Petitioner's practice was catered to indigent clients making it necessary for her to cover all expenses in most of her pending cases. When she stopped accepting new cases and returned all those pending, she descended into financial chaos. She had no income and lost thousands of dollars in monies she had paid to cover the expenses in her pending cases.

By August 2001, her finances had dried up. She survived by continuously applying for and receiving equity line of credit on her properties. Petitioner's home in Miami is scheduled for foreclosure in February 2, 2009. Pet. App. 512-513.

**31. After Petitioner resigned** and on the verge of a nervous breakdown, she and her children moved in with her mother in December 2001. On March 19, 2002 she left her minor children with her mother, went to New York City, rented a basement apartment and worked as she tried to figure out what path to take. Pet. App. 426-427. Petitioner's absence had a terrible impact on her children. On February 2003 she returned to Miami and on July 2003 she returned to New York City with her son and daughter. While in New York, she enrolled, attended and completed New York Film Academy's 8 weeks screenwriting and 5-week digital filmmaking programs.

A) On July 2004, Petitioner and her children returned to Miami. On or about August 2004, Petitioner applied for an equity loan and discovered that The Bar had permanently disbarred her for misappropriation of funds while in New York and had obtained a \$5,028.55 cost judgment against her. Pet. App. 10. On October 7, 2004, when the funds from the loan were released, Petitioner paid the judgment (Pet. App. 486-487) without any objection because 1) if she did not satisfy the judgment, the lender would not have given her the loan she badly needed; and 2) Petitioner's priorities were to totally regain her balance and make sure that her unfortunate situation did not distort her children's views of life and people.

B) In an effort to clear her name and expose The Bar, on March 2005, Petitioner wrote, produced and directed a dramatic autobiographical short script, "In God's Shadow" about her dilemma with The Bar. The film won best directorial debut in Los Angeles and Las Vegas and Best Score in New York in 2005 in the New York International Film and Video Festival ([www.nyfilmvideo.com](http://www.nyfilmvideo.com)). Since 2005, Petitioner has completed a total of four short films. Petitioner is presently fine tuning her filmmaking skills as she waits for the proceeds from the sale of her office building to launch *God Shadow*, her publishing and production company.

**32. Petitioner moved to Rochester, New York on June 19, 2007 because of its inexpensive real estate and close proximity**

**to New York City. Rochester is conducive to the success of Petitioner's company in that studio space and access to talented artists are feasible.**

A) With dependent children and other responsibilities, Petitioner has to work until her filmmaking career takes off. Petitioner attempted to enroll with several employment agencies in Rochester. Like the agencies in Miami, she was advised that the orders made her a liability. Her best option is to remove the last fifteen years of her life which include her three years in law school, her almost 10 years experience and accomplishment as an advocate so she may find employment as a paralegal.

B) Petitioner was hired as a paralegal by a law firm in Rochester where she worked from January 28 until June 25, 2008. When her employer discovered The Bar's orders, in spite of Petitioner's explanation, Petitioner was treated like a *common thief, a leper, as she was asked for the keys to the office, and escorted out.* Pet. App. 507.

C) Petitioner *wanted* to take The Bar and apply for her license in New York not to practice law but in hopes of clearing her name. Petitioner was advised by counsel that based on her status with The Florida Bar, she will not pass the Character and Fitness Review. Petitioner has decided to forgo her application to the New York Bar and seeks relief from this court, *her last hope*, to clear her name, record and the return of her Florida Bar license.

**REASONS FOR GRANTING THE PETITION**  
**I. PETITIONER'S ONLY AVENUE**  
**FOR CORRECTIVE RELIEF FROM**  
**THE UNCONSTITUTIONAL ORDERS**  
**IS BY THIS PETITION FOR A WRIT**  
**OF CERTIORARI TO THIS COURT.**

The Bar acted outside the bounds of legal authority and contravene the mandate of the due process and equal protection clause of the fifth and fourteenth amendment of the United States Constitution when it arbitrarily destroyed Petitioner's career, reputation, livelihood and future prospects. *Dent*, 129 U.S. at 121-122; *Kelley*, 425 U.S. at 244.

The unconstitutional orders have permanently carved the crime of moral turpitude on Petitioner's record and are prima facie evidence of her character. She will never be in good moral standing or eligible to become a member of any reputable organization. To allow the natural consequences of the orders to continue to have their devastating effect on Petitioner's life would result in grave injustice.

In *In re Jacobs*, 44 F.3d 84, 88 (2d Cir. 1994) the court held that it would be contrary to fundamental notions of fairness to close off all avenues of review to an attorney who has been disciplined on impermissible or arbitrary standards. Said attorney must be afforded "some suitable appellate remedy." Citing *Selling v. Radford*, 243 U.S. 46, 51-52, (1917), the *Jacobs* court reiterated the conditions enunciated by this court that may negate the effect of a state court

judgment of suspension or disbarment as follow: 1) the attorney was not afforded notice or opportunity to be heard; 2) there was an infirmity of proof as to facts which led to the order; and 3) to allow the natural consequences of the judgment to have their effect would result in grave injustice.

The Bar's invalid orders and fabricated records have been published and are open to perusal by judges, attorneys, prospective employers and potential business associates of Petitioner. The devastating civil disabilities and collateral consequences the orders have imposed upon Petitioner have created a continuing actual controversy between Petitioner and The Florida Bar. *Dailey*, 141 F.3d at 228-229. The court's acceptance of Petitioner's request for corrective relief is consistent with its tradition of keeping open avenues of judicial review for deprivations of constitutional rights. *United States v. Morgan*, 346 U.S. 502 at 512-513 (1954).

The court's acceptance of this action will not be prejudicial to The Florida Bar.

**II. COURTS HAVE TREATED CORRECTIVE ACTIONS LIKE HABEAS PETITIONS BECAUSE A PETITIONER WHO SEEKS CORRECTIVE RELIEF, ONLY SEEKS EQUITABLE RELIEF FROM COLLATERAL CONSEQUENCES, AND INVOKES THE AID OF THE COURT TO PROTECT AGAINST FURTHER INFRINGEMENT UPON HER LIBERTY.**

*Kaiser*, 525 F.Supp. at 1228-1229.

Petitioner was not aware of the *totality* of The Florida Bar's constitutional violation of her rights until August 2008. During the course of eight months, The Bar filed five cases against Petitioner. Petitioner was not served with the five cases and was fully aware of only one of the cases (SC01-1198). Pet. App. 524-527.

*Petitioner could not and has not been able to find an attorney to represent her against The Bar. She was not mentally, emotionally or spiritually balanced to represent herself, for the past seven years, until now.*

In *Kaiser*, the appellant brought an action challenging the constitutionality of a twenty years old court-martial conviction and sought to vacate the conviction and upgrade his dishonorable discharge. Citing *Baxter v. Claytor*, No. 77-1984, Slip Op., (D.C.Cir., December 19, 1978) vacated on other grounds by 652 F.2d 181 (D.C. Cir. 1981), the court held that the statute of limitations and the doctrine of laches were not applicable to appellant's claim for equitable relief. The court treated "corrective actions" like habeas actions, rather than like monetary relief actions, for the purposes of applying time bars. The court noted that while "an invalid court-martial conviction are grievous injuries," a dishonorable military discharge "imposes a lifelong disability of greater consequences, citing *Homcy v. Resor*, 455 F.2d 1345,1349 (C.A.D.C. 1971). Among the serious collateral consequences of a court-martial conviction are the lifelong social and psychological



stigma and greatly limited employment opportunities.” Citing *Bland v. Connally*, 293 F. 2d 852, 858 n. 10 (D.C. Cir. 1962), *Stapp v. Resor*, 314 F. Supp. 475, 478 (S.D.N. Y 1970). *Jones, the Gravity of Administrative Discharges: A Legal and Empirical Evaluation*, 59 Mil.L.Rev. 1 (1973). The court continues, “*it is the desire to permit parties to avoid the most pernicious deprivations resulting from the collateral consequences which most strongly justifies exempting habeas actions from time bars. Corrective actions share this rationale with habeas actions and should be treated in the same manner.*” In a corrective action, “relief is accorded only because the continuation of the conviction’s collateral consequences can no longer be justified in constitutional terms. He [Plaintiff] invokes the values of our constitutional heritage which accord greater weight to the individual’s liberty than to the state’s interest in repeated or continuing punishment.” *Kaiser*, 525 F.Supp. at 1228-1229. In Petitioner’s case, The Florida Bar imposes two punitive orders and fabricated five cases against her *without cause*. *Stapp*, 314 F. Supp. at 478. No state interest was or is being served or protected by The Bar’s unconstitutional acts.

In *Kauffman*, the court held that an individual’s right to her liberty, livelihood and right to practice her chosen profession are important. To deny a plaintiff the right to seek to remedy the constitutional violation of these rights which has caused and continues to cause pernicious damages to these rights by a writ of

habeas corpus, *the only means available to her, "would be to deny the possibility of review by a constitutional court and ultimately by the Supreme Court, of the constitutional claims of servicemen [individuals] like plaintiff."* 415 F.2d at 995.

### **III. THE FLORIDA BAR'S DEPRIVATION OF PETITIONER'S CONSTITUTIONAL RIGHTS OCCURRED AT *ZERO LEVEL OF VISIBILITY* BECAUSE THE BAR IS ENTRUSTED WITH PROTECTING RIGHTS, PURSUING JUSTICE AND PROMOTING PROFESSIONALISM IN THE LEGAL PROFESSION.**

The Florida Supreme Court's faith in The Bar's integrity has *totally* insulate The Bar from reproach, review and accountability as it controls *every* aspect of disciplinary proceedings.

It is *inconceivable* to legal and civilized minds that The Bar through its attorneys, Randolph Max Brombacher and John Anthony Boggs, its executive director, John F. Harkness, Jr., with the aid of The Referee, Justice Robert N. Scola, Jr., would unduly delay disciplinary proceedings, knowingly submit false documents, improperly withholds material information, concealed evidence, intercept, backdate and improperly keep documents, file documents months after Petitioner filed them in order to block her access to justice, file and bury material documents in an unrelated case in order to delete truth, create five frivolously and sham actions against Petitioner and publish devastating

information about Petitioner in order to accomplish the ill goals of The Bar's preferred member(s), Jonathan D. Wald, Esq., his firm, Goldfarb, Gold, Gonzalez & Wald, P.A., et. al... Rule 4-8.4. Pet. App. 509-510.

*The Florida Bar is a danger to the public and the integrity of the legal profession because it is **infected with favoritism and indifference**.* The Bar's action of implementing the ill will of its favored members to the detriment of Petitioner constitute a perversion of jurisprudence contrary to the interest of justice. Its indifference to undue hardships it imposes on Petitioner and her children as it strips her of her livelihood and future is a brutal assault on the administration of justice, The United States Constitution, Petitioner and her children.

The Bar has devised a system whereby when its favored members arbitrarily deem an attorney to be an undesirable member, it will discard all rules and constitutional safeguards with ease as it destroys that attorney's livelihood, reputation and future. *Florida Rule of Civil Procedure 1.090(d)*; *Crepage v. City of Lauderhill*, 774 So.2d 61, 64-65 (Fla. 4<sup>th</sup> DCA 2001); *Walker v. Segro*, 848 So.2d 464 (Fla 4<sup>th</sup> DCA 2003); *Borden v. Guardianship of Elsa Borden-Moore*, 818 So.2d 604 (Fla. 5<sup>th</sup> DCA 2002). Petitioner used to believe that attorneys who made the above statements were paranoid. She is now traveling on the road of those whom she used to believe were paranoid.

In *Sibron* this court acknowledged that many constitutional violations by legal entities are not noticed because they occur “...at a level of low visibility ... We do not believe that the constitution contemplated that people deprived of constitutional rights at this level should be *left utterly remediless and defenseless against repetitions of unconstitutional conduct.*” 392 U.S. at 52-54. In Petitioner’s case, *justice was torn from within at zero visibility.* To allow Petitioner to remain defenseless and remediless from The Bar’s unconstitutional deprivations would contravene the clear constitutional mandate that disciplinary proceedings *must* be conducted in a manner that is consistent with fairness, justice and truth. The five disciplinary proceedings against Petitioner were conducted like sacrificial rituals whereby Petitioner was the victim.

**IV. DISBARMENT CARRIES SERIOUS ADVERSE COLLATERAL CONSEQUENCES THAT ARE DETRIMENTAL TO AN ATTORNEY’S PROFESSIONAL REPUTATION, CAREER, WELL-BEING, AND SUCCESS; THUS, NOTICE AND OPPORTUNITY TO DEFEND *MUST* BE ACCORDED PRIOR TO DISBARMENT.**

*Dailey*, 141 F.3d at 228-229.

In Petitioner’s case, The Bar failed to follow well established rules *and* the mandate of §48.161 of the Florida Statutes which provides that *failure* to file a return receipt of registered or certified

mail with the court is fatal to valid service of process. *Bejar v. Garcia*, 354 So.2d 964 (Fla. 3d DCA 1978); *Leviten v. Gaunt*, 347 So.2d 452 (Fla. 3d DCA 1977); *Zarcone v. Lesser*, 190 So.2d 805 (Fla. 3d DCA 1966). Due process values require strict compliance with this statutory requirement. *Smith v. Leaman*, 826 So.2d 1077, 1078 (Fla.2d DCA 2002); *Chapman v. Sheffield*, 750 So.2d 140, 142 (Fla. 1<sup>st</sup> DCA 2000). In Petitioner's case, The Referee entered an order ending Petitioner's career and reputation on a **forged, non-conforming copy** of a return receipt card. Florida Rules of Civil Procedure 1.070. Pet. App. 521-522. *Monaco v. Nealon*, 810 So.2d 1084, 1085 (Fla. 4<sup>th</sup> DCA 2002); *Valliappan v. Cruz*, 871 So.2d 1035, 1036 (Fla. 4<sup>th</sup> DCA 2004); *Wyatt v. Haese*, 649 So.2d 905, 907 (Fla. 4<sup>th</sup> DCA 1995).

In *Dailey*, the court held that since the attorney was not given notice or the opportunity to explain and defend prior to disbarment, she was deprived of procedural process. 141 F.3d at 229-230. The orders must be voided because of the absence of prior notice or opportunity to be heard. *Burkett v. Chandler*, 505 F.2d 217, 222 (10<sup>th</sup> Cir. 1974), cert denied, 423 U.S. 876 (1975) *In re: Ruffalo*, 390 U.S. 544, 546-552 (1968). Notice and opportunity to be heard "at a meaningful time and in a meaningful manner" are essential to the security of all private rights. *Armstrong v. Manzo*, 380 U.S. 545, 552 (1965); *Cleveland Board of Education v. Loudermill*, 470 U.S. 532, 542 (1985).

## V. WHILE IT RESTS EXCLUSIVELY

**WITH THE COURT TO DETERMINE WHO IS QUALIFIED TO BECOME AN ATTORNEY AND THE REASON SHE MAY BE DISBARRED, “THE POWER IS NOT ARBITRARY AND DESPOTIC TO BE EXERCISED AT THE PLEASURE OF THE COURT, OR FROM PASSION, PREJUDICE, OR PERSONAL HOSTILITY.”**

*Ex parte Garland*, 71 U.S. 333, 347-348 (1866).

Petitioner’s right as an attorney is vested and her right to practice law is property. She can only be deprived of it after a judicial proceeding that is constitutionally sound. 71 U.S. at 347-348. The *Garland* court continued “to wrongfully deprive him [Garland] of it, or unjustly withhold it, is an injury which the law can redress in as ample a manner as any other wrong. Any conflicting claims to exercise this must be decided in the same manner as other claims involving any other right,…” 71 U.S. at 346-347. The practice of law is not a matter of grace, but of right for one who is qualified by his learning and his moral character. *Schwartz v. Board of Bar Examiners*, 353 U.S. 232, 238-239 (1957).

### **CONCLUSION**

Petitioner prays that this court enters an order vacating the invalid orders and direct The Florida Bar to correct Petitioner’s disciplinary record, remove the five sham cases it created against Petitioner from the courts’ data base, remove all false and detrimental documents it has

placed in Petitioner's record, remove all information it published in its *website, Goliath and any other website which it has submitted said information to*, return Petitioner's Florida Bar license, reimbursement of the payment for costs which Petitioner made to satisfy the invalid cost judgment in case SC02-44, the costs incurred in bringing this action and any other relief which this court deems just and proper.

Respectfully Submitted,

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Anne Georges Telasco, *Pro Se*  
Petitioner

#### OATH

Under penalties of perjury, I, Anne Georges Telasco, have prepared the foregoing Petition truthfully and accurately. The contents thereof are true of my own knowledge, except if stated to be made upon information and belief, and as to such information, I believe them to be true.

#### NOTARIZATION

STATE OF NEW YORK  
COUNTY OF MONROE

Anne Georges Telasco who produced her New York drivers' license as identification appeared before me on \_\_\_\_\_ and

executed this document after being put under oath and advised of the penalties of perjury.

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Notary Public, State of New York

ANNE GEORGES TELASCO, *PRO SE*  
Petitioner

Rochester, New York 14611

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