

Case No. 99-19746 CA 34
CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FL
Judge Mary Barzee

ROBERT SEITZ

vs.

**JOSSEY BAREILLE, NORTHERN TRUST BANK OF FLORIDA, N.A.,
as Personal Representative of the Estate of LUCILLE DAUGHTRY,
and/or the Estate of LUCILLE DAUGHTRY, and GOVERNMENT
EMPLOYEE'S INSURANCE COMPANY, a foreign corporation,**

**MOTION TO RECUSE PURSUANT TO Judicial Canon 3B (4), (5) and Judicial
Rule 2.160 AND FOR CAUSE**

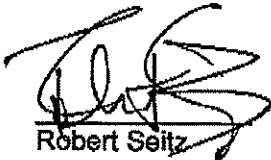
Comes now the defendant, pro se, and moves this court to recuse itself under
Judicial Canon 3B (4), (5) and Judicial Rule 2.160, for cause, and states as
follows:

1. The Court, by and through its refusal to provide a "level playing field" and a fair and impartial forum has, in the opinion of the plaintiff, biased these proceedings, From the first day that the Court heard this matter on April 11th, 2007, recorded by Court Reporter Alan Levine, began its introduction to the parties with the statement "*Well, has this case been up to the Supreme Court and back....*" In reviewing Judicial Canon 3B(4), the plaintiff finds a clear lack of dignified and courteous manner presented to the plaintiff by this Court. The Plaintiff is the victim of multiple car accidents that resulted in three life threatening surgeries which were, in the subjective opinion of the plaintiff, dangerous; and this Court's verbal position is not only an affront, and a clear and apparent bias to the plaintiff's case, but it was also personally offensive and demeaning.
2. The perceived bias can further be articulated through this Court's position to continue to permit discovery, over its own prior order setting a date certain for closure, that ALL discovery, not just for plaintiff, but the defendant as well should terminate; has permitted a violation with reckless abandon.
3. The Court, too, has a previous history with the plaintiff that, initially, dates back to 1983 when both the plaintiff and the court were students at the University of Miami. The Court was first "introduced" to the plaintiff when the plaintiff was out running with a classmate past the School of Music while on his way to his dormitory room at Rosborough tower when he accidentally bumped into, then, Mary Barzee. Before the plaintiff could apologize, then Miss Barzee stated, "Hey asshole, watch where you're going." The plaintiff was preempted, by this statement, before he could profusely apologize for his clumsiness.

4. The Plaintiff, again, met Miss Barzee at a fraternity party hosted by an off campus fraternity located on San Amaro Drive. Then, Miss Barzee was more than a little inebriated and began a conversation with the Plaintiff during which the plaintiff, then only a freshman, began to apologize, again, for running into the court. During this time, Miss Barzee, while intoxicated, dismissed the apology and chalked her response up to "that time of the month" and then led the defendant to a more secluded room that was not as heavily trafficked as the rest of the house, and began what later resulted in fellatio and resulted in the plaintiff screaming so loud that he was later told that he may have set off an alarm in a parked car outside; this activity, however, was interrupted by party goers with both of the parties returning to the party where contact was lost, and the plaintiff went back to his dorm room later that night.
5. Attempts to follow up this liaison later that week after the initial "contact" were rebuffed by the court through responses of "denial" by then Mary Barzee.


The Plaintiff, on 11 April 2007, stated on the record, that it was "nice to see you again Judge," which was memorialized by Court Stenographer Alan Levine – should the court wish to order a transcript. The plaintiff believes in giving many an opportunity to prove themselves, and only until the demonstrated actions of the court – in violation of its' own order and contrary to the Judicial Canon's previously stated above, does this motion come forward detailing these actual, and not perceived transgressions.

It is for the preceding reasons that the plaintiff has grave concerns over the Court's bias and propriety in this matter, and moves to immediately recuse the bench.


Robert Seitz

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed to THOMAS J. MORGAN, SR., ESQ. MORGAN & MORGAN, P.A. 3100 SOUTH DIXIE HWY, SUITE 310 COCONUT GROVE, FL 33133, MARK M. CARROLL, ESQ. SUITE 1000 8201 PETERS ROAD PLANTATION, FL 33324, STEVEN M. BARNARD, ESQ. 4601 SHERIDAN STREET SUITE 505 HOLLYWOOD, FL 33130 this 27th day of September 2007.


Robert Seitz
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