

IN THE CIRCUIT COURT FOR THE
FIFTH JUDICIAL CIRCUIT
STATE OF FLORIDA

ADMINISTRATIVE ORDER NUMBER: A2004-17

IN RE: FUTURE FILINGS FROM
BRENDA C. ARMSTEAD, *PRO SE*,
A VEXATIOUS LITIGANT.

WHEREAS it has been brought to the attention of the undersigned, as Chief Judge in and for the Fifth Judicial Circuit, which includes Marion, Hernando, Lake, Citrus and Sumter Counties, that there has been a multitude of frivolous filings and litigation in many of the counties in this Circuit by one BRENDA C. ARMSTEAD, and that BRENDA C. ARMSTEAD has been precluded by Order of the Court from future *pro se* filings in Lake County, this Court makes the following findings of fact and conclusions of law:

1. BRENDA C. ARMSTEAD has filed no fewer than one hundred and seventeen (117) separate *pro se* petitions and motions in Lake County, Florida.
2. BRENDA C. ARMSTEAD has wholly failed to comply with the pleading requirements of Rule 1.110(B), Florida Rule of Civil Procedure in that all filed claims failed to state a legally cognizable cause of action.
3. On December 8, 2000, the Circuit Court in and for Lake County, Florida issued an Order precluding further *pro se* filings by BRENDA C. ARMSTEAD. The Clerk of the Court was directed to decline any claim or other document filed by the aforementioned unless said claim or document was

signed by an attorney who is a member on good standing with the Florida Bar.

4. BRENDA C. ARMSTEAD has filed no fewer than fourteen (14) *pro se* actions in the Florida Supreme Court which have all been dismissed for various procedural defects.
5. BRENDA C. ARMSTEAD has filed no fewer than ten (10) *pro se* actions in Leon County, Florida which have all been dismissed for various procedural defects.
6. BRENDA C. ARMSTEAD has filed no fewer than four (4) *pro se* actions in Collier County, Florida which have all been dismissed for various procedural defects.
7. Like Lake County, on May 11, 2004, the Circuit Court in and for Collier County, Florida issued an Order precluding further *pro se* filings by BRENDA C. ARMSTEAD. The Clerk of the Court was directed to decline any claim or other document filed by the aforementioned unless said claim or document was signed by an attorney who is a member on good standing with the Florida Bar.
8. On June 1, 2004, BRENDA C. ARMSTEAD attempted to file frivolous documents in the Circuit Court in and for Citrus County, Florida. Said document requested a hearing in the Circuit Court with the, "Clerk of the Court, Deputy Clerks, Sheriffs, Mayors, Supervisors of Elections, Property Appraisers, City Counsel, Superintendent of Schools, Public Defenders, State Attorneys, and Judges." Such document was returned to BRENDA C. ARMSTEAD for failure to pay the required filing fees.

9. Under Florida Statute 68.093, Florida Vexatious Litigant Law, a “vexatious litigant is one who,
 1. In the immediately preceding five year period has commenced, prosecuted, or maintained, *pro se*, five or more civil actions in any court in this State...which have been finally and adversely determined against such persons; or
 2. Any person previously found to be a vexatious litigant. BRENDA C. ARMSTEAD is such a litigant.
10. Under Florida Statute 68.093, Florida Vexatious Litigant Law, this Court on its own motion, enter a pre-filing order prohibiting a vexatious litigant from commencing, *pro se*, any new action in the courts of the circuit without first obtaining leave of the administrative judge of that circuit.
11. The filing of multiple, frivolous litigation monopolizes the Court’s resources to the detriment of other pending court matters and wastes, not only judicial labor and time but also taxpayer dollars. See, e.g. Martin v. State, 747 So.2d 386 (Fla 2000); Battle v. Roscoe, 689 So.2d 301 (Fla. 5th DCA 1997); Rodriguez-Diaz v. Abate, 613 So.2d 515 (Fla. 3dDCA 1993); Gladstone v. Smith, 729 So.2d 1002 (Fla. 4th DCA 1999)(holding that the Court must hold *pro se* litigants to the same standard as a reasonably competent attorney because applying a lesser standard would only encourage continued frivolous litigation).

It is thereupon:

ORDERED AND ADJUDGED that BRENDA C. ARMSTEAD is hereby declared a Vexatious Litigant pursuant to Florida Statute 68.093. It is

FURTHER ORDERED that BRENDA C. ARMSTEAD is prohibited, as vexatious litigant, from commencing, *pro se*, any new action in the courts of the Fifth Judicial Circuit without first obtaining leave of the Administrative Judge of this circuit. It is


FURTHER ORDERED that the respective Clerks of the Court in the Fifth Judicial Circuit which include Marion, Hernando, Lake, Citrus, and Sumter Counties shall not accept and file any new action by this vexatious litigant, BRENDA C. ARMSTEAD, *pro se*, unless said litigant has obtained an order from the Administrative Judge of this circuit permitting such filing. It is

FURTHER ORDERED that BRENDA C. ARMSTEAD, shall have a member in good standing of the Florida Bar file, on her behalf, any and all further documents, pleadings or causes of action in any court in the Fifth Judicial Circuit of Florida. It is

FURTHER ORDERED that the Clerk of the Court or Court Administrator of the Fifth Judicial Circuit shall provide copies of this pre-filing Order to the Clerk of the Florida Supreme Court, who maintains a registry of all vexatious litigants.

IT IS SO DONE AND ORDERED in Chambers at Ocala, Marion County, Florida, on this

11 day of JUNE, 2004.



VICTOR J. MUSLEH
CHIEF JUDGE
FIFTH JUDICIAL CIRCUIT