

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

ADMINISTRATIVE ORDER NO. A-2023-19

**ADMINISTRATIVE ORDER REGARDING FUTURE FILINGS
FROM VEXATIOUS LITIGANT SCOTT HARTMAN**

WHEREAS, Pursuant to Article V, Section 2(d) of the Florida Constitution, and Section 43.26, Florida Statutes, the Chief Judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice; and

WHEREAS, the allocation of limited judicial resources within the Circuit must be maintained, and not abused, to ensure that cases throughout the circuit receive due attention; and

WHEREAS, Florida Vexatious Litigant Law, Section 68.093, Florida Statutes, provides a framework for the declaration of a person as a Vexatious Litigant; and

WHEREAS, Section 68.093(4), Florida Statutes allows for the entry of a prefiling order prohibiting a vexatious litigant from commencing, *pro se*, any new action in the courts of the that circuit without first obtaining leave of the administrative judge of the circuit; and

WHEREAS, it has been brought to the attention of the undersigned Chief Judge of the Fifth Judicial Circuit, which includes Citrus, Hernando, Lake, Marion, and Sumter Counties, that there has been a multitude of frivolous filings and litigation by one SCOTT HARTMAN; and

WHEREAS, Scott Hartman has exhibited an intent to continue to file petitions, cases, and motions solely for vexatious purposes, and has repeatedly abused the use of limited judicial

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and clerk resources by filing redundant, immaterial, impertinent, or scandalous matters; and

WHEREAS, this Court makes the following findings of fact and conclusions of law:

1. SCOTT HARTMAN has filed no fewer than sixteen *pro se* civil cases since 2020.
2. SCOTT HARTMAN has filed at least four appellate cases in District Court of Appeals appealing circuit court rulings that have been stricken, denied, or dismissed since 2020.
3. In an opinion issued in case number 5D19-2024, dated March 13, 2020, SCOTT HARTMAN has been barred from further *pro se* filings in case number 2005-CF-0072 by the Fifth District Court of Appeals.
3. Through an order issued June 5, 2023, SCOTT HARTMAN has been barred from further *pro se* filings in case number 2023-CA-0204 by the Honorable Pamela Vergara, Circuit Judge for the Fifth Judicial Circuit of Florida.
4. SCOTT HARTMAN has had more than five of his *pro se* civil cases finally and adversely determined within the past five years, a partial list is as follows:
 - i. On October 22, 2020, Scott Hartman filed *pro se* his Petition For Writ of Mandamus, which was assigned case number **2020-CA-0865**. The Honorable Pamela S. Vergara denied the Petition as moot on December 16, 2020. The Order on Petition for Writ of Mandamus was not appealed, and no subsequent filings were made, thereby finally and adversely determining the case.
 - ii. On January 15, 2021, Scott Hartman filed *pro se* his Petition For Writ of Mandamus, which was assigned case number **2021-CA-0035**. The Honorable Pamela S.

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Vergara dismissed the Petition as non-ministerial on March 22, 2021. The Order Dismissing Petition For Writ Of Mandamus was appealed to the Fifth DCA and dismissed in October 2022, thereby finally and adversely determining the case.

iii. On June 14, 2021, Scott Hartman filed *pro se* a Petition For Writ Of Mandamus, which was assigned case number **2021-CA-0469**. The Honorable Stephen E. Toner dismissed the Petition on August 16, 2021, which was appealed to the Fifth DCA which dismissed the appeal on October 14, 2022, thereby finally and adversely determining the case.

iv. On November 10, 2021, Scott Hartman filed *pro se* a Petition for Writ of Mandamus, which was assigned cased number **2021-CA-0905**. The Honorable Pamela S. Vergara dismissed the Petition on February 15, 2022, which was appealed to the Fifth DCA. The DCA affirmed the dismissal *per curiam* January 31, 2023, and denied rehearing February 23, 2023, thereby finally and adversely determining the case.

v. Also on November 10, 2021, Scott Hartman filed a *pro se* Petition for Writ of Mandamus, which was assigned case number **2021-CA-0906**. The Honorable Pamela S. Vergara dismissed the Petition on March 29, 2023, and cautioned Mr. Hartman that abusive, repetitive, untimely, or frivolous filings may result in sanction such as a bar on *pro se* filings. The Order Dismissing Petition for Writ of Mandamus was appealed to the Fifth DCA and treat as a Petition For Writ of Certiorari by that court, which was dismissed May 3, 2023, thereby finally and adversely determining the case.

vi. On December 30, 2021, Scott Hartman filed *pro se* an Emergent Petition For Writ of Habeas Corpus, which was assigned case number **2022-CA-0001**. The

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Honorable Pamela S. Vergara dismissed the Petition on March 29, 2022. The Order Dismissing Petition was not appealed, thereby finally and adversely determining the case.

vii. On March 28, 2022, Scott Hartman filed *pro se* a Petition For Writ of Certiorari, which was assigned case number **2022-CA-0297**. The Honorable Pamela S. Vergara dismissed the Petition on May 23, 2022, and cautioned Mr. Hartman a second time that further *pro se* filings may be barred. The Order Dismissing Petition was not appealed, thereby finally and adversely determining the case.

WHEREAS, the filing of multiple frivolous litigation monopolizes the Court's resources to the detriment of other pending court matters, wasting judicial time, labor, and 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. 3rd DCA 1993); *Gladstone v. Smith*, 729 So. 2d 1002 (Fla. 4th DCA 1999)(holding that the Court must hold *pro se* litigants to the same standards as a reasonably competent attorney because applying a lesser standard would only encourage continued frivolous litigation); and

WHEREAS, "[r]equiring representation by counsel in future cases does not equate to the complete denial of access to courts." *Sapp v State*, 238 So. 3d 875, 878 (Fla. 5th DCA 2018) (citing *Platel v. Maguire, Voorhis & Wells, P.A.*, 436 So. 2d 303, 304 (Fla. 5th DCA 1983);

IT IS THEREFORE,

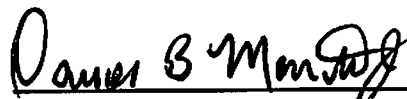
ORDERED and **ADJUDGED** administratively as follows:

1. SCOTT HARTMAN, is hereby declared a Vexatious Litigant pursuant to 68.093, Florida Statutes.

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2. SCOTT HARTMAN is prohibited from commencing, *pro se*, new action in the courts of the Fifth Judicial Circuit without first obtaining leave of the Chief Judge of the Fifth Judicial Circuit.
3. The respective Clerks of the Court in the Fifth Judicial Circuit shall not accept and file any new action by this vexatious litigant, SCOTT HARTMAN, *pro se*, unless said litigant has obtained an order from the Chief Judge permitting such filing.
4. SCOTT HARTMAN shall have a member in good standing of the Florida Bar file, on his behalf, any and all further documents, pleadings or causes of action in any court in the Fifth Judicial Circuit of Florida.
5. On behalf of the Clerks of Court for the various counties comprising the Fifth Judicial Circuit, the Trial Court Administrator shall provide copies of this pre-filing order to the Clerk of the Florida Supreme Court, who maintains a registry of all vexatious litigants for placement thereon.

DONE AND ORDERED in chambers in Brooksville, Hernando County, Florida, this 28th day of June 2023.



DANIEL B. MERRITT, JR
CHIEF JUDGE
FIFTH JUDICIAL CIRCUIT