

**THE CRIMINAL ENTERPRISE & BNY MELLON’S SCHEME DEPRIVING TAVARES UNDER COLOR OF LAW OF HIS HOMESTEAD PROPERTY ON CASE 2010-26864-CA-30 TO FURTHER AN UNDERLYING SCHEME DEPRIVING & EXTORTING TAVARES OF ALL PROPERTIES AND RIGHTS**

**COUNTS      APROX. DATE                                      VIOLATIONS                                      PERPETRATORS**

| <b>COUNTS</b> | <b>APROX. DATE</b>       | <b>VIOLATIONS</b>                        | <b>PERPETRATORS</b>            |
|---------------|--------------------------|--|--------------------------------|
| 1             | <b>September 1, 2006</b> | <b><u>U. S. CODE TITLE 18</u></b>        | Marco E. Rojas                 |
| 2             |                          | § 371 Conspiracy to Defraud the USA<br>& | Robert M. Haber                |
| 3             |                          | § 241 Conspiracy Against Rights<br>&     | Nicholas Stanham               |
| 4             |                          | § 1346 Scheme/Artifice to Defraud<br>&   | Frances Ortiz                  |
| 5             |                          | § 1961 <i>et seq.</i> – RICO<br>&        | FBHR&S                         |
|               |                          | <b>FLORIDA BAR RULES OF CONDUCT</b>      | Joseph Horn                    |
|               |                          | Misconduct – Rule 4-8.4 (a)(b)(c)(d)     | Ricardo Eichenwald             |
|               |                          |  | Nelson Slosbergas              |
|               |                          |  | Bridgeloan Investors, Inc.     |
|               |                          |  | Jeffrey B. Flick               |
|               |                          |  | Sandra Flick                   |
|               |                          |  | Francisco Ruiz                 |
|               |                          |  | Flick Mortgage Investors, Inc. |

On September 1, 2006, as part of an underlying schemes by a Criminal Enterprise<sup>1</sup>, the unsuspecting client Charles Tavares (“Tavares”) is entrapped by his own attorneys at Freeman Haber Rojas & Stanham, LLP (“FHR&S”), into a home mortgage for his property at 218 S.E. 14 Street, Penthouse 1, Miami, Florida 33131, Folio #01-4139-095-1390 (“PH-1”), with lender Flick Mortgage (Loan #06-06-0432-3), an Associate of the Criminal Enterprise, founded and controlled, by among others, Jeff Flick, Sandra, Freeman, Ruiz, Horn, and Eichenwald at BRIDGELoAN. See Miami-Dade County Clerk Public Records at [CFN 2006R0997394](#), or at Book 24917 at pages 2764 – 2787, Recorded on 09/18/2006. On the mortgage, Tavares is personally represented by his attorneys Rojas and Haber at FBH&S, with paralegal Frances Ortiz (“Ortiz”) serving as a witness and a Notary Public for the loan documents. As part of the scheme, Tavares’s attorneys never disclose that they are associated with Flick Mortgage, and that Flick Mortgage is also controlled by BRIDGELoAN’s principals, Horn and Eichenwald, which have entrapped Tavares into a 2005 underlying commercial loan scheme together with The Bank of New York Mellon (“BNY Mellon”), and BANIF Securities, Inc. (“BANIF”), for Tavares’s Properties, the Brickell buildings owned by Tavares’s Companies Brickell Village One, LLC, and 2147 S.W. 8 Street, LLC, and the 9 acres Riverfront Miami River Park Marina, Inc.’s Property (“Tavares’s Companies’ Properties”).

<sup>1</sup> The Criminal Enterprise is comprised of reckless attorneys using their Florida Bar licenses as guise to structure and commit major criminal rackets, together with bad actors in the real estate and financial markets, including among others, Nelson Slosbergas (“Slosbergas”) (Florida Bar No. 378.887), Robert Michael Haber (“Haber”) (Florida Bar No. 131.614), Marco Emilio Rojas (“Rojas”) (Florida Bar No. 940.453), Nicholas Stanham (“Stanham”) (Florida Bar No. 38.822), and Joseph Horn (“Horn”), Ricardo Eichenwald (“Eichenwald”), at Bridgeloan Investors, Inc., a Florida corporation (Tax ID. #65-0665516), Bridgeloan Partners Corp., a Florida corporation n.k.a. H2A Capital Corp., a Florida corporation (Tax Id. #86-3280908) (collectively “BRIDGELoAN”), and Jeffrey B. Flick (“Jeff Flick”), Sandra Flick (“Sandra”), and Francisco Ruiz (“Ruiz”) at Flick Mortgage Investors, Inc., a Florida corporation (“Flick Mortgage”) (Tax Id. #59-2936881). Some of their long ongoing running criminal rackets include, intercontinental money laundering of hundreds of millions of dollars of illicit funds through the United States of America, tax frauds, portfolio tax-free bond frauds, mortgage and bank fraud, systematic deprivation and extortion of citizens and U.S. companies, and the subversion and corruption of the judicial and political machinery in Florida, and elsewhere they operate, to further underlying criminal schemes with absolute impunity. See [Tavares’s Affidavit 11/27/2022](#).

## COUNTS

**Count 1** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America by using dishonesty, fraud, and deceit to impair, obstruct, and defeat the lawful functions of the judicial machinery in a court of law in the United States of America in order to further major criminal schemes against the United States of America, in violation of 18 U.S.C. §371.

**Count 2** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud, extort, injure, oppress, threaten, and intimidate Tavares and others in the free exercise and enjoyment of a right and a privilege secured to them by the Constitution and laws of the United States – – that is, among other things, the right to an uncorrupted and not subverted judicial machinery, due process of law, the right to be free from intimidation, harassment, and abuse in a court of law, and rights to property, in violation of, among other things, 18 U.S.C. §241. *See, e.g.*, U.S. Const., Amend. XIV.

**Count 3** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America, the State of Florida, and citizens, of the right to honest services upon courts of law in the United States, by among other things, corrupting and subverting the judicial machinery to further criminal schemes upon, and by the subverted courts of law, in violation of 18 U.S.C. §1346.

**Count 4** - At all times relevant, the Perpetrators, as well as other unnamed implicated Associates, unlawfully conspired and endeavored to conduct and participate in a criminal enterprise in Miami-Dade County, Florida, and elsewhere. The Perpetrators, and others, known and unknown, constituted a criminal organization whose members and associates, as part of the conspiracy, that each criminal associate agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise, and engaged in various related criminal activities, including but not limited to false statements and writings, forgery, filing false documents, influencing witnesses, acts involving theft, perjury, mail and wire frauds, bank frauds, crimes against the United States, money laundering of illicit funds, extortion, and systematic violation of rights, contrary to 18 U.S.C. §1961 *et seq.* *See, e.g.*, the Record filed in this matter, and [Tavares Sworn Affidavit](#).

**Count 5** – Rojas, Haber, Stanham Slosbergas, and other implicated officers of the courts, knowingly and intentionally use their Florida Bar license as guise to commit crimes, willfully participating in the brazen and known criminal scheme, to further the systematic subversion of the courts by the Associates implicated, repeatedly making patently false statements in writing to mislead the Miami Court to falsely incriminate, steal, extort, and deprive, under color of law, Tavares of constitutionally guaranteed rights, and his properties, further depriving the United States and the State of Florida of honest services upon a court of law, in violation of, among other laws, §837.06, F.S., Title 18 U.S.C. §371, Title 18 U.S.C. §241, Title 18 U.S.C. §242, Title 18 U.S.C. §1346, Title 18 U.S.C. §1349, Title 18 U.S.C. §1341, Title 18 U.S.C. §1343, Abuse of Process - Florida Common Law, and in further violation of Florida Bar [Oath](#), and Rules of Professional Conduct, Rule 4-8.4 MISCONDUCT. *See* [The Florida Bar Rules of Professional Conduct](#), Rule 4-8.4, at [www.floridabar.org](http://www.floridabar.org).

**THE BNY MELLON SCHEME TO EXTORT AND DEPRIVE TAVARES UNDER COLOR OF LAW TO FURTHER THE CRIMINAL ENTERPRISE'S UNDERLYING SCHEME TO EXTORT TAVARES OF ALL HIS PROPERTIES**

In 1992, as Tavares was working with real estate developer Eduardo Avila ("Avila") in the Saint Louis Condominium Project on Brickell Key, Miami, Florida, Avila introduces his attorneys at Freeman Haber, *et al.* ("FHR&S"), Freeman, Haber, Slosbergas, Rojas, Fine, and Nicholas Stanham ("Stanham") (Florida Bar No. 38.822), so Tavares can work with them on Tavares's Real Estate Projects and Funds.

Unbeknownst to Tavares, FHR&S's attorneys are criminals, knowingly and intentionally, in reckless disregard for the law, using their Florida Bar licenses as guise to commit crimes, among other things, tax frauds, tax-free portfolio bond frauds, corporate frauds and schemes, intercontinental money laundering of illicit funds through the United States of America, and elsewhere. On May 16, 1996, FHR&S's, together with clients, Brazilian businessmen Joseph Horn ("Horn"), and Ricardo Eichenwald ("Eichenwald"), incorporate Bridgeloan Investors, Inc., a Florida corporation ("BRIDGELoAN") (Tax Id. #65-0665516) (SUNBIZ Document #P96000042015), to be an instrument to their underlying criminal schemes, and loan extortion,<sup>2</sup> by secretly entrapping the unsuspecting<sup>3</sup> clients to be deprived of their assets and rights. Tavares, through very hard work, ingenuity, and vision, developed very successful real estate investment, development, and management businesses, with hundreds of close wealthy investors from Brazil. As Tavares did dozens of very successful projects and deals, and owned many prized and valued real estate assets,<sup>4</sup> Tavares became a high value target, and, unsuspecting, continued using FHR&S's attorneys, which in turn, as part of their underlying scheme to extort, referred Tavares to other implicated attorneys Associates of the Criminal Enterprise, for example, Thomas Ralph Lehman ("Lehman") (Florida Bar No. 351.318), an Associate specialized in extorting unsuspecting clients in bankruptcy proceedings, after the other Associates cause the clients' business to fail. Then, around 2005, Tavares's attorneys Freeman, Haber, Rojas, Stanham, and others implicated, started a secret and systematic scheme of torts against Tavares's Companies, interfering on Tavares's deals to sell Tavares's Properties, directly interfering with Tavares's investors and partners on all companies, to sabotage Tavares's businesses and relationships with Tavares's investors, and then, launching the extortion of properties and rights, under color of law, by leading the criminals to file the first<sup>5</sup> bogus BRIDGELoAN suit, followed by the BNY Suit, and a barrage of bogus suits to destroy and silence Tavares. *See Record.*

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<sup>2</sup> The criminals at FHR&S, split into different law firms, to disguise their association and extortion, *e.g.*, Slosbergas and Fine, open separate law firms, but continue, *de facto*, their Criminal Enterprise association. *See Record.*

<sup>3</sup> The implicated attorneys, using their Bar licenses as guise to commit crimes against unsuspecting clients looking for real estate purchase and development financing, referring clients to alleged "third-party" lenders, *e.g.*, BRIDGELoAN, Flick Mortgage, and BANIF, to start the scheme upon the unsuspecting clients/victims. Then, they start torts, by interfering on the victims' deals and businesses, spreading false rumors, devaluing properties with bogus offers, causing financial duress, exchanging confidential information about the client/victim, eventually causing the businesses to fail, and moving to extortion under color of law, upon subverted Miami Courts, presided by judges associated with the Criminal Enterprise, successfully "legalizing" their criminal schemes. *See Record.*

<sup>4</sup> Among other prized and valuable real estate assets owned by Tavares and Tavares's Companies, the Brickell Village Buildings' Property, the 9 Acres riverfront Miami River Park Marina's Property, the Brickell Commerce Plaza & Car Wash's Property, and the 29 Acres 139 TH Avenue S.W. 8 TH Street's Property, with a combined adjusted value, for the land value only of \$300 million, are successfully extorted and stolen by the criminals. *See Record.*

<sup>5</sup> *See, the Bridgeloan Investors, Inc. vs. Charles Tavares; Miami River Park Marina, Inc., Brickell Village One, LLC, 2147 S.W. 8 Street, LLC, BNY Mellon ("BRIDGELoAN" Case No. 2009-93058-CA-30). See [Tavares Sworn Affidavit](#).*

### **THE NINE RELATED CASES BY THE SAME CRIMINAL ENTERPRISE DEPRIVING & EXTORTING TAVARES**

The Criminal Enterprise, after secretly entrapping Tavares and Tavares's Companies in the underlying scheme with torts and businesses interference, and surrounding Tavares by Associates, launch the scheme to deprive and extort Tavares, under color of law, of all of Tavares's Properties and Rights in Nine (09) Related Cases, upon subverted courts, presided by the same Associates of the Criminal Enterprise, *e.g.*, corrupt judge Allen Lester Langer ("Judge Langer") (Florida Bar No. 137.828), that, knowingly and intentionally, in reckless disregard to the truth and the law, systematically, to further the criminal scheme, deprives and extorts Tavares of properties and rights, see the BRIDGELOAN Case No. 2009-93058- CA-30; BNY Mellon Suit Case No. 2010-26864-CA-30; Brickell Commerce/ Car Wash Case No. 2011-29624-CA-30; and, Deutsche Bank Case No. 2012-20197-CA-30, followed by corrupt Judge Norma S. Lindsey, on same Related Cases ("Judge Lindsey") (Florida Bar No. 994.812). See Record.

### THE 2009 BRIDGELOAN INVESTORS SHAM CASE v. TAVARES AND TAVARES'S COMPANIES

The sham case, *Bridgeloan Investors, Inc., a Florida corporation* ("BRIDGELOAN") (Tax Id. 65-0665516) v. Charles Tavares ("Tavares"), *Brickell Village One, LLC, a Florida L.L.C.* ("Brickell Village One") (Tax Id. # 58-2674804), *2147 S.W. 8TH Street, LLC, a Florida L.L.C.* ("2147") (Tax Id. # 59- 3768934), and *Miami River Park Marina, Inc., a Florida corp.* ("MRPM") (Tax Id. # 20-3168472), v. *MUNB Loan Holdings, LLC* ("BNY Mellon") ("**BRIDGELOAN**" case), filed on December 24, 2009, predicated on an underlying scheme by Tavares's attorneys, in conflicted lending, tortious interference, sabotaging deals, spreading false information and making bogus offers to devalue Tavares's properties by Jeff Flick, *et al.*, to defraud and extort Tavares - unbeknownst and undisclosed at the time, Associates of a Criminal Enterprise, *e.g.*, Marco Rojas ("Rojas") (Florida Bar No.940.453), Thomas Lehman ("Lehman") (Florida Bar No.351.318), Alan S. Fine ("Fine") (Florida Bar No. 385.824), Nicholas Stanham ("Stanham") (Florida Bar No.38.822), Stephen A. Freeman ("Freeman") (Florida Bar No. 146.795), Robert M. Haber ("Haber") (Florida Bar No. 131.614), and Nelson Slosbergas ("Slosbergas") (Florida Bar No.378.887), extorting more than \$50 million dollars of properties and rights upon subverted courts, using false and fraudulent Affidavits by BRIDGELOAN's principal Joseph Horn ("Horn"), fabricating fraudulent secret power of attorneys ("POAs") for Tavares's Companies by Lehman and Associates Olten Ayres de Abreu Jr. ("Abreu Jr.) (Brazil OAB-SP 75.820) at FBT Avocats SA ("FBT Avocats") in Switzerland, and Ramon Anzola-Robles ("Anzola-Robles") and Thays Herrera de Salas ("de Salas") at Anzola Robles & Asociados and Global Corporate Consultants in the Republic of Panama, secretly fabricated and used without Tavares' knowledge or consent, as the sole authority for Tavares's Companies, in a sham mediation of March 29, 2011, by, Lehman, Larry A. Stumpf ("Stumpf") (Florida Bar No. 280.526) at Black Srebnick Kornspan & Stumpf, P.A. ("Black Srebnick"), Matthew P. Leto ("Leto") (Florida Bar No. 14.504) at Hall, Hall & Leto, P.A. Upon Tavares' uncovering the fraudulent settlement for Tavares' Brickell Village One, 2147, and MRPM, predicated on bogus POAs' authority, Tavares is threatened, coerced, and extorted on April 7, 2011, by his own attorneys Lehman and Stumpf, under color of law. Next day, the Perpetrators quickly hold a sham unnoticed and invalid "trial", on April 8, 2011, to "legalize" the fraudulent settlement, further shown on a spurious Notice of Trial after the sham trial. Following the frauds upon the courts, Lehman, after being fired by Tavares, stays for 16 months in a fraudulent representation of Tavares's Companies to cover up. Then, Tavares's new attorneys at Buchanan Ingersoll & Rooney, P.C. ("Buchanan Ingersoll") after filing motions exposing the frauds upon the court, are successfully threatened and extorted by criminal Leto, and others implicated, and ordered by the criminals to stop representing Tavares. The Criminal Enterprise uses, among others, Associates BNY Mellon, and BANIF Securities ("BANIF"), to launder the illicit proceeds, across state lines, quickly transferring the properties, stealing all proceeds, and demolishing Brickell Village's Buildings to cover up. See Record, and [Tavares Sworn Affidavit](#).

THE 2010 SHAM CASE THE BANK OF NEW YORK MELLON – FLICK MORTGAGE INVESTORS v. TAVARES

On September 1, 2006, as part of an underlying scheme by a Criminal Enterprise comprised of reckless attorneys, among others, Marco E. Rojas (“Rojas”) (Florida Bar No.940.453), Thomas R. Lehman (“Lehman”) (Florida Bar No.351.318), Alan S. Fine (“Fine”) (Florida Bar No. 385.824), Nicholas Stanham (“Stanham”) (Florida Bar No.38.822), Stephen A. Freeman (“Freeman”) (Florida Bar No. 146.795), Robert M. Haber (“Haber”) (Florida Bar No. 131.614), and Nelson Slosbergas (“Slosbergas”) (Florida Bar No.378.887), and Joseph Horn (“Horn”), Ralph Horn (“Ralph”), Ricardo Eichenwald (“Eichenwald”), at Bridgeloan Investors, Inc., a Florida corporation (Tax Id. #65-0665516) a.k.a. H2A Capital Corp. and Bridgeinvest, LLC, a Florida L.L.C. (Tax Id. #45-3188071) (collectively, “BRIDGELoAN”), and Jeffrey B. Flick (“Jeff Flick”), Sandra Flick (“Sandra”), and Francisco Ruiz (Ruiz”) at Flick Mortgage Investors, Inc., a Florida corporation (“Flick Mortgage”) (Tax Id. #59-2936881), Associates of the Criminal Enterprise, to further an underlying scheme to deprive, steal, and extort Charles Tavares (“Tavares”), and Tavares’s Companies of all properties and rights, entrap Tavares into a home loan with their company Flick Mortgage in order to secretly interfere with Tavares’s businesses and cause a default. Unbeknownst and undisclosed at the time, Tavares’s attorneys Rojas, Haber, Stanham, and Freeman, at Freeman Haber Rojas & Stanham, LLP (“FHR&S”) representing Tavares personally in the loan closing with Flick Mortgage, are all Associates of the Criminal Enterprise, and together with Associates at BRIDGELoAN, systematically use financial institutions to further deprive, steal, and extort their unsuspecting clients of all properties and rights. After years of successful tortious interference with a business relationship by Tavares’s attorneys at FHR&S, and Associates Flick Mortgage and BRIDGELoAN, among other things, sabotaging deals, depreciating Tavares’s Companies assets with bogus offers, spreading false rumors, coercing and extorting Tavares’s investors, the Criminal Enterprise successfully causes Tavares’s loans into default, so they can deploy their underlying scheme to deprive, steal, and extort, under color of law, Tavares of all properties and rights, upon subverted courts in the Eleventh Judicial Circuit in Miami-Dade County, Florida (“Miami Courts”). *The Bank of New York Mellon v. Charles Tavares*, and Flick Mortgage Investors, Inc. (“**BNY Mellon**” suit), Case No. 2010-26864-CA-30, is intentionally assigned by the subverted Miami Courts to same corrupt Judge Allan Lester Langer (“Judge Langer”) (Florida Bar No. 137.828), already presiding the sham BRIDGELoAN case, intentionally and knowingly, committing systematic violations of law, procedural rules, the constitution, and Tavares’s rights, to further the successful criminal racket. Following corrupt Judge Langer’s retirement in December 2012, the Criminal Enterprise directs the subverted Miami Courts to assign all of Tavares’s sham Related Cases to Judge Norma Shepard Lindsey (“Judge Lindsey”) (Florida Bar No. 994.812), an Associate of the Criminal Enterprise, and wife to implicated Associate Harold Eugene Lindsey III (“Lindsey III”) (Florida Bar No. 130.338), an attorney for The Bank of New York Mellon (“BNY Mellon”) at Katz Barron. To further the criminal racket upon the subverted Miami Courts, corrupt Judge Lindsey, knowingly and intentionally, commit major violations of law, the constitution, and Tavares’s rights, systematically depriving and extorting Tavares of properties and rights, under color of law. In the BNY Mellon sham case, corrupt Judge Lindsey, in reckless disregard for the law, the constitution, Tavares’s rights, and Florida Code of Judicial Conduct, Canons 1, 2, and 3, among other violations, stays presiding the sham BNY Mellon case in a willful conflict of interest for fourteen (14) months, only recusing after making sure, through willful systematic violations of law and rights, under color of law, to further the scheme, that Tavares loses his homestead property, appraised at the time for more than \$2.1 million, in lieu of a mortgage of about \$1.2 million, intentionally caused into default by the Criminal Enterprise’s scheme, to her husband’s client BNY Mellon. See Record Case No. 2010-26864-30 at Miami Courts, and [Tavares Sworn Affidavit](#).



## THE 2011 BCP & CAR WASH v. TAVARES SHAM CASE TO EXTORT TAVARES OF ALL PROPERTIES & RIGHTS

On September 15, 2011, as part of an ongoing and continue underlying scheme by a Global Criminal Enterprise\* (“Criminal Enterprise”), systematically depriving, stealing, and extorting, under color of law, Charles Tavares (“Tavares”) of all properties and rights upon subverted proceedings in the Eleventh Judicial Circuit in and for Miami-Dade County, Florida (“Miami Courts”), criminals Peter F. Valori (“Peter”) (Florida Bar No. 43.516), Russell Marc Landy (“Landy”) (Florida Bar No. 44.417), and Gabriela Machado Guimaraes (“Guimaraes”) (D.O.B. 08/17/1965, in Brazil), file, with unclean hands,\*\* after hijacking Tavares’s Companies Brickell Commerce Plaza, Inc., a Florida corp. (“BCP”) and The Car Wash Concept, Inc., a Florida corp. (“Car Wash”), a sham and fraudulent suit to improperly remove Tavares from Tavares’s Companies BCP and Car Wash, in the, *Brickell Commerce Plaza, Inc., a Florida corporation and The Car Wash Concept, Inc., a Florida corporation v. Charles Tavares (“BCP/Car Wash”)*, Case No. 2011-29624-CA-30. The Criminal Enterprise directs the subverted Miami Courts to assign BCP/Car Wash’s sham case to corrupt Judge Allan Lester Langer (“Judge Langer”) (Florida Bar No. 137.828), already concurrently extorting Tavares in Related Cases, to continue systematically, knowingly and intentionally, depriving and extorting Tavares of properties and rights, allowing the criminals to hijack Tavares’s Companies with false, invalid, fraudulent, and contradictory pleadings and evidence, falsely claiming authority of Tavares’s Companies BCP and Car Wash, issuing fraudulent sham Orders upon sham hearings, unilaterally set by the criminals when they all knew Tavares is out of the Country to deprive Tavares of due process and rights, and allowing criminals Peter, Rojas, and Guimaraes to secretly and fraudulently sell and transfer to Walgreens Co., for \$6.7 million, across state lines, Tavares’s Companies’ properties at 250 S.W. 7 Street, Miami, Florida, 33131, on February 20, 2014, valued at the time, more than \$15 million dollars, stealing all ill-gotten proceeds. After corrupt Judge Langer retires in December 2012, the Criminal Enterprise causes corrupt Judge Norma S. Lindsey (“Judge Lindsey”) (Florida Bar No.994.812) to preside all Tavares’ Related Cases, to continue the successful continued extortion, and to obstruct justice, to silence Tavares, under color of law. See [Tavares Sworn Affidavit](#).

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\* The Criminal Enterprise is created in the early 1990’s by reckless attorneys Stephen A. Freman (“Freeman”) (Florida Bar No. 146.795), Nelson Slosbergas (“Slosbergas”) (Florida Bar No. 378.887), Robert M. Haber (“Haber”) (Florida Bar No. 131.614), Marco E. Rojas (“Rojas”) (Florida Bar No. 940.453), Nicholas Stanham (“Stanham”) (Florida Bar No. 38.822), joining together by criminals Joseph Horn (“Horn”) and Ricardo Eichenwald (“Eichenwald”) at Bridgeloan Investors, Inc., a Florida corporation, at the time, primarily focused on intercontinental money laundering of billions of dollars of illicit-sourced funds through the United States of America, tax evasion and frauds, portfolio tax-free bond frauds, and major bank and mortgage frauds. As the Criminal Enterprise’s businesses exponentially grows, they are joined by other bad actors, domestic and foreign, e.g., Thomas R. Lehman (Lehman”) (Florida Bar No. 351.318), Peter at Damian & Valori, LLP (“Valori”), and BANIF Bank’s Hugo Barreto Del Priore (“Del Priore”) and Sergio Capela (“Capela”), Edward Decaso (“Decaso”), and Marco Antonio de Souza (“De Souza”) – that jointly, swindled more than \$800 million of dollars of assets from BANIF, causing BANIF to fail in 2015, and also joined by ODEBRECHT Construction’s offshoots, and Rubens Menin Teixeira de Souza (“Rubens Menin”), Joao Vitor Nazareth Menin Teixerira de Souza (Joao Vitor Menin”), and Ernesto Pereira Lopes (“Lopes”), at AHS Residential, LLC n.k.a. RESIA, LLC, a.k.a. MRV Engenharia e Participações S.A. (“RESIA” or “MRV”), now, creating a global criminal syndicate to corrupt and subvert the judicial, political, and law enforcement machinery in the United States of America, and elsewhere they operate. See Record.

\*\* To further the scheme, the criminals, among others, Guimaraes, Rojas, Slosbergas, and Peter, have reckless attorney Stewart L. Kasner (“Kasner”) (Florida Bar No.119.131), at Baker & McKenzie, to, knowingly and intentionally, fabricate numerous bogus corporate documents for Tavares’s BCP and Car Wash, among others, false, invalid, and fraudulent corporate resolutions of authority, of June 28 and 29, 2011, purportedly from BCP’s “Sole Shareholder”, falsely removing Tavares as BCP and Car Wash’s sole president, manager, and director. Kasner, and the criminals implicated, all know, in truth, and in fact, and corporate records shows, that, Tavares, at all relevant times, is one of two (02)shareholders of BCP, and Tavares is the only sole legal authority to speak and/or act on behalf of BCP and Car Wash, and Tavares never authorized reckless attorney Kasner, or anyone else, to fabricate, among others, the false, invalid, and fraudulent resolutions of June 28 and 29, 2011. See Record.

THE FEBRUARY 2012 FABRICATED FRAGA I DOMESTIC REPEAT VIOLENCE SHAM CASE v. TAVARES

The Criminal Enterprise, showing reckless disregard for the law, and its evil powers to freely and systematically subvert courts of law in the United States to further criminal rackets against, *e.g.*, the United States, the State of Florida, and U.S. citizens, following the Criminal Enterprise's Associate Peter F. Valori's ("Peter") (Florida Bar No. 43.516), Damian & Valori, LLP a.k.a. Damian Valori | Culmo ("Valori") threats of November 10, 2011 at 5:04 p.m. against Charles Tavares ("Tavares"), the Criminal Enterprise causes Geania A. Fraga ("Fraga"), a Manager/Agent of BRIDGELoAN/BANIF, to file, with unclean hands, on February 13, 2012, a first false and fabricated sham case of Domestic Repeat Violence against Charles Tavares ("Tavares"), *Geania A. Fraga v. Charles Tavares ("FRAGA I")*, Case No. 2012-03753-FC-04, supported by absurd fabricated false claims, and supported by three (03) false witnesses – including, among others, criminal Gabriela Maranhao Machado Guimaraes ("Guimaraes"), Martiza C. Calix ("Calix"), and Dunia Irene Pacheco ("Pacheco"), assisted by criminal Russell Marc Landy ("Landy") (Florida Bar No. 44.417), at Valori, represented by implicated attorney Silvia Perez ("Perez") (Florida Bar No. 505.374). As part of the scheme, the Criminal Enterprise causes the subverted Miami Courts to assign the sham Fraga I case to be presided by corrupt Judge Joesph I. Davis Jr. ("Judge Davis Jr.") (Florida Bar No. 155.299), a former partner and president, from 1980 through 2010, of Markowitz Davis Ringel & Trusty P.A. n.k.a. Markowitz Ringel Trusty & Hartog, P.A.\* ("Markowitz Trustee"), to extort and deprive, under color of law, Tavares' rights and properties. The fabricated sham FRAGA I suit is filed, to, among other things, simultaneously falsely incriminate, coerce, intimidate, and extort Tavares into stopping fighting and exposing the Criminal Enterprise, depriving, stealing, and extorting Tavares of all properties and rights, among others, of more than \$50 million dollars in the *Bridgeloan Investors, Inc., a Florida corporation ("BRIDGELoAN") v. Charles Tavares ("Tavares"), Brickell Village One, LLC, a Florida L.L.C. ("Brickell Village One"), 2147 S.W. 8TH Street, LLC, a Florida L.L.C. ("2147")*, and *Miami River Park Marina, Inc., a Florida corporation ("MRPM") v. MUNB Loan Holdings, LLC ("BNY Mellon")* (the "BRIDGELoAN" case); and, in *The Bank of New York Mellon v. Charles Tavares, and, Flick Mortgage Investors, Inc. ("BNY Mellon" suit)*, Case No. 2010-26864-CA-30, to cause Tavares to lose his homestead property and about \$1 million in excess equity; and, in the sham *Brickell Commerce Plaza, Inc. and The Car Wash Concept, Inc. vs. Charles Tavares ("BCP/Car Wash" suit)*, filed, with fabricated false, and fraudulent authority of Tavares's Companies BCP and Car Wash, against Tavares, by the Criminal Enterprise's Associates Peter and Landy at Valori, and Guimaraes to deprive, steal, and extort Tavares of millions of dollars, all presided by the same implicated corrupt Judges, Allan Lester Langer ("Judge Langer") (Florida Bar No. 137.828), and Norma S. Lindsey ("Judge Lindsey") (Florida Bar No. 994.812) , to further the criminal racket upon subverted proceedings. See [Tavares Sworn Affidavit](#).

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\* In July 2005, as part of an elaborate artifice in the underlying scheme by Associates of the Criminal Enterprise, among others, criminals Thomas R. Lehman ("Lehman") (Florida Bar No. 351.318), and Marco E. Rojas ("Rojas") (Florida Bar No. 940.453), both representing unsuspecting client Tavares upon the United States Bankruptcy for the Southern District of Florida ("Bankruptcy Court"), in a case presided by Judge Robert A. Mark ("Judge Mark") (Florida Bar No.260.886), where Tavares is buying a certain 9 acres Miami River Property at 2051 N.W. 11 Street, Miami, Florida 33125 ("Marina Property") – one of two Properties later extorted from Tavares in the BRIDGELoAN Case, from Consolidated Yacht Corporation ("Consolidated") (Tax Id. #65-0242347), having Alan L. Goldberg ("Trustee Goldberg"), and Ross Robert Hartog ("Hartog") (Florida Bar No. 272.360) at Markowitz Trustee, as Consolidated's Registered Agent, see [www.sunbiz.org](http://www.sunbiz.org), at Document #S28046, filed on May 16, 2005, Tavares deposits five hundred thousand dollars (\$500,000) into Markowitz Trustee's Account. On June 6, 2012, Hartog, and criminals at BRIDGELoAN, and Matthew P. Leto ("Leto") (Florida Bar No. 14.504), file, with unclean hands, as part of the scheme, a sham Related suit, *Markowitz, Ringel, Trusty & Hartog, P.A., Escrow Agent v. BRIXRIV, LLC, and Miami River Park Marina, Inc.*, Case No.2012-21795-CA-22, successfully extorting, under color of law, the trust account's moneys. See Record.

## THE 2012 DEUTSCHE BANK v. TAVARES CASE UPON SUBVERTED MIAMI COURTS EXTORTING TAVARES

As part of an underlying scheme by the Criminal Enterprise, to deprive, steal, and extort Charles Tavares ("Tavares") of all properties and rights, upon subverted court proceedings in the Eleventh Judicial Circuit in and for Miami-Dade County, Florida ("Miami Courts"), during years, surreptitiously entraps Tavares into secret businesses interests, conflicted real estate and loan transactions by Associates using their Florida Bar Licenses as guise to extort client Tavares. On June 23, 2006, Tavares purchases a condo unit at the Brickell Key Condominium, at 520 Brickell Key Drive, Unit 1511, Miami, Florida ("BK-1511"), with two loans provided by Impac Funding Corporation ("Impac"), with a combined loan amount of \$302,150. Tavares, is represented in the loans and closing, by his attorney Marco Emilio Rojas ("Rojas") (Florida Bar No. 940.453), and Rojas' assistant Frances G. Ortiz ("Ortiz"), at Freeman Haber Rojas & Stanham, LLP ("FHR&S"). Unknown at the time, by unsuspecting client Tavares, Tavares's attorneys at FHR&S are longtime serial criminals, systematically perpetrating, among other things, intercontinental money laundering of corruption and drug moneys,\* tax evasion and tax frauds, portfolio tax-free bond frauds, mortgage and bank frauds,\*\* tortious business interference with a business relationship, extortion of their own clients, and the subversion of the judicial machinery in Florida to further schemes, under color of law, and having the subverted courts to legalize the ill-gotten proceeds by successfully money laundering the moneys. See [Tavares Sworn Affidavit](#). The Impac loans are eventually bought by a Certain Certificate Holders of ISAC 2006-3, Mortgage Pass-Through Certificates, Series 2006-3, having Deutsche Bank National Trust Company as its Trustee. Then, the Criminal Enterprise, through the subverted Miami Courts, together with corrupt Judges, among others, Allan Lester Langer ("Judge Langer") (Florida Bar No. 137.828), and Norma S. Lindsey ("Judge Lindsey") (Florida Bar No. 994.812), systematically deprives and extorts Tavares, under color of law, in *Deutsche Bank Trust Company v. Charles Tavares* ("**Deutsche Bank**"), Case No. 2012-20197-CA-30. See Record.

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\* FHR&S's criminals Stephen A. Freeman ("Freeman") (Florida Bar No. 146.795), Robert M. Haber ("Haber") (Florida Bar No. 131.614), Neslon Slosbergas ("Slosbergas") (Florida Bar No. 378.887), Nicholas Stanham ("Stanham") (Florida Bar No. 38.822), and Rojas, in 2006, had already laundered billions of dollars of illicit sourced moneys, among others, more than \$461 million dollars of drug moneys for their Associate and drug Kingpin Fernando Zevallos Gonzales ("Zevallos Gonzales"), through FHR&S's Trust Accounts, and FHR&S's bank accounts at Banco Espirito Santo ("BES"), and, around 2006, because investigations on an upcoming indictment by the Federal Government of Zevallos Gonzales, criminal Freeman flees to Israel to hide from the law, while their schemes continue, returning years later to Florida, as their rackets grows as a Global Enterprise. See Record.

\*\* On October 12, 1994, criminals Freeman and Slosbergas at FHR&S a.k.a. Freeman, Newman & Butterman, as part of a scheme to defraud the United States of America, of, among other things, taxable income, perpetrate, among other things, a sham mortgage scheme, having Stephen A. Freeman and Nelson Slosbergas, as Trustees, and lenders of a \$2 million dollars sham loan ("\$2 million loan") to Joseph Horn ("Horn") and his wife, Lori Simon Horn a.k.a. Lory Y. Horn ("Lori"), for Horn & Lori's property at 330 Arvida Parkway, Coral Gables, Florida 33146, Folio No. 03-5105-002-0130 ("Horn's Gables Estate Property"), predicted on an artifice disguising the sham \$2 million loan, that in truth, and in fact, is Horn's own money, passing through Freeman and Slosbergas's Trust Account as an artifice to perpetrate the fraudulent loan charging interest on their own moneys in order to, among other things, to obtain improper deductible interest. The Horn's Gables Estate Property was previously purchased, on June 10, 1992, by Horn's H-Four Corp., a Florida corporation ("H-Four") (Tax Id. #65-0339924), for \$2,115,000, see CFN 1992R230242, and transferred, on October 12, 1994, from H-Four to Horn and Lori, for \$3,000,000, see CFN 1994R483674, with the sham \$2 million loan having Freeman and Slosbergas acting as lenders and attorneys for the transactions. On June 24, 2021, Horn and Lori, having attorney Michael J. Freeman ("Michael Freeman") (Florida No. 155.834), see, CFN 20210481091, or Book 32601 Pages 1989 – 1990. This scheme shows the Genesys of the global Criminal Enterprise and its *Omertà Code*, by FHR&S's criminals and Horn, which is related to one of Brazil's largest real estate builders, Cyrela Brazil Realty ("Cyrela"), later joined by BANIF Mortgage Corp USA, and BANIF Securities, Inc., Cayman Islands ("BANIF"), together with offsprings of ODEBRECHT Construction USA, and AHS Residential, LLC a.k.a. RESIA Residential, LLC ("RESIA"). See Record.



THE 2012 MARKOWITZ v. TAVARES'S MRPM v. BRIDGELOAN-BANIF SHAM CASE TO EXTORT TAVARES

As part of an underlying scheme by the Criminal Enterprise to deprive, steal, and extort Charles Tavares ("Tavares") of all properties and rights, under color of law, upon subverted court proceedings in the Eleventh Judicial Circuit in and for Miami-Dade County, Florida ("Miami Courts"), on June 6, 2012, file, with unclean hands, a sham suit, *Markowitz Ringel Trusty & Hartog, P.A.* (Tax Id. #59-2325782), *Escrow Agent v. Miami River Park Marina, Inc., a Florida corp.* (Tax Id. #20-3168472), v. *BRIXRIV, LLC, a Florida L.L.C.* (No Tax Id.) ("**Markowitz**" case), Case No. 2012-20197-CA-22, causing Associates Ross R. Hartog ("Hartog") (Florida Bar No. 272.360), at Markowitz Davis Ringel & Trusty P.A. n.k.a. Markowitz Ringel Trusty & Hartog, P.A. ("Markowitz Trustee"), Bridgeloan Investors, Inc., a Florida corp. ("BRIDGELOAN") (Tax Id. # 65.0665516), BANIF Securities, Inc., ("BANIF"), and Matthew P. Leto ("Leto") (Florida Bar No. 14.504), to, knowingly and intentionally, systematically deprive, steal, and extort, under color of law, upon subverted proceedings before the Eleventh Judicial Circuit in and for Miami-Dade County, Florida ("Miami Courts"), Tavares, and Tavares's Company Miami River Park Marina, Inc., a Florida corporation ("Miami River Park Marina"). The Associates of the Criminal Enterprise, following the same *modus operandi* in the Related Cases, among others, in the, *Bridgeloan Investors, Inc. v. Charles Tavares, et al., v. BNY Mellon*, Case No. 2009-93058-CA-30; *Brickell Commerce Plaza, Inc. and The Car Wash Concept, Inc. v. Charles Tavares*, Case No. 2011-29624-CA-30; in *Geania A. Fraga v. Charles Tavares*, Case No. 2012-03573-FC-04; and, in *Geania A. Fraga v. Charles Tavares*, the double-jeopardy Case No. 2012-24483-FC-04, file false and contradictory pleadings, supported by false and fraudulent evidence, and false witnesses, upon subverted court proceedings, presided by corrupt judges Associates of the Criminal Enterprise systematically violating the law, Florida Rules of Civil Procedure, the constitution, and Tavares's rights to deprive, steal, and extort Tavares, under color of law. See [Tavares Sworn Affidavit](#). Hartog, on behalf of Markowitz Trustee, as Plaintiff, and Leto on behalf of BRIXRIV, a Defendant non-party to the matter, systematically deprive Tavares of due process and rights, intentionally and knowingly not serving the complaint, pleadings, and notices of hearing upon Tavares, the sole legal authority for his company Defendant Miami River Park Marina, in order to extort and steal Tavares's Miami River Park Marina's Escrow Moneys that Tavares deposited with Markowitz Trustee in July 2005, while Markowitz Trustee's former partner and president, corrupt Judge Joseph I. Davis, Jr. ("Judge Davis Jr."), is concurrently and systematically extorting Tavares by presiding the two (02) fabricated sham Fraga cases. In December 2012, predicated on the systematic violation of laws, rules, the constitution, and Tavares's rights, the Criminal Enterprise successfully extorts & steals Tavares's Miami River Park Marina's Escrow Moneys,\* held by Associates at Markowitz Trustee. See Record.

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\* In July 2005, as part of an elaborate artifice in the scheme by the Criminal Enterprise's Associates, among others, criminals Thomas Ralph Lehman ("Lehman") (Florida Bar No. 351.318), and Marco Emilio Rojas ("Rojas") (Florida Bar No. 940.453), both representing unsuspecting client Tavares upon the United States Bankruptcy for the Southern District of Florida ("Bankruptcy Court"), in a case presided by Judge Robert A. Mark ("Judge Mark") (Florida Bar No.260.886), where Tavares is buying a certain 9 acres Miami River Property at 2051 N.W. 11 Street, Miami, Florida 33125 ("Marina Property") – one of two Properties later extorted from Tavares in the BRIDGELOAN Case, from Consolidated Yacht Corporation ("Consolidated") (Tax Id. #65-0242347), having Alan L. Goldberg ("Trustee Goldberg"), and Ross Robert Hartog ("Hartog") (Florida Bar No. 272.360) at Markowitz Trustee, as Consolidated's Registered Agent, see [www.sunbiz.org](http://www.sunbiz.org) ("SUNBIZ"), at Document #S28046, filed on May 16, 2005, Tavares deposits five hundred thousand dollars (\$500,000) into Markowitz Trustee's Account. On June 6, 2012, Hartog, and criminals at BRIDGELOAN, and Matthew P. Leto ("Leto") (Florida Bar No. 14.504), file, with unclean hands, as part of the scheme, a sham suit, *Markowitz, Ringel, Trusty & Hartog, P.A., Escrow Agent v. BRIXRIV, LLC, and Miami River Park Marina, Inc.*, Case No.2012-21795-CA-22, successfully extorting & stealing , under color of law, the trust account's moneys. See Record.

THE OCTOBER 2012 FABRICATED FRAGA II DOMESTIC REPEAT VIOLENCE SHAM CASE v. TAVARES

On October 3, 2012, the Criminal Enterprise, following the dismissal, on July 11, 2012, of the previous fabricated sham FRAGA I case, see Case No. 2012-03753-FC-04, upon the subverted Eleventh Judicial Circuit in and for Miami-Dade County, Florida (“Miami Courts”), showing an absolute disregard for the law, the constitution, and Tavares’s rights, file, with unclean hands, a second fabricated sham Domestic Repeat Violence Case against Charles Tavares (“Tavares”), the *Geania A. Fraga v. Charles Tavares* (the Double-Jeopardy “**FRAGA II**” case), Case No. 2012-24483-FC-04. The Fraga II sham case is filed through the same bad actor, Geania A. Fraga (“Fraga”), a Manager/Agent of BRIDGELoAN/ BANIF, by criminals Peter F. Valori’s (“Peter”) (Florida Bar No. 43.516), and Russell Marc Landy (“Landy”) (Florida Bar No. 44.417), Damian & Valori, LLP a.k.a. Damian Valori | Culmo (“Valori”), Gabriela Maranhao Machado Guimaraes (“Guimaraes”), and supported by false witnesses Martiza C. Calix (“Calix”), and Dunia Irene Pacheco (“Pacheco”), represented by implicated attorney Marcia Del Rey Garcia n.k.a. Judge Marcia Del Rey (“Judge Del Rey”) (Florida Bar No. 17.780). The subverted sham proceedings, is presided, again, by the same shameless corrupt Judge Joseph I. Davis Jr. (“Judge Davis Jr.”), a former partner and president (from 1980 through 2010) of Markowitz, Davis, Ringel & Trusty P.A. n.k.a. Markowitz Ringel Trusty & Hartog, P.A. (“Markowitz Trustee”), that systematically subverts the court proceedings to deprive and extort Tavares, under color of law, to further the criminal extortion of Tavares. See Case No. 2012-024483-FC-04, see also, [Tavares Sworn Affidavit](#). The Criminal Enterprise, with total contempt for the law, the constitution, and Tavares’s rights, systematically and repeatedly, subverts a court of law in the United States of America to further ongoing and continued racketeering schemes against, among others, the United States of America, the State of Florida, and citizen Tavares. The criminals, on the FRAGA II – the Double-Jeopardy sham fabricated case against Tavares, make the same bogus fabricated allegations shown on FRAGA I, and now, claiming for the first time, desperately trying to incriminate and stop Tavares from exposing and fighting the Criminal Enterprise, that, among other things, Tavares, in March 2006, kidnaped Fraga, and drove around pointing a gun to Fraga, and threatening to kill Fraga. See Fraga II Double-Jeopardy Case, Initial Petition at page 2 ¶¶ b, c, and d. After, among other things, the record shows five (05) law firms representing Tavares are intimidated, coerced, and extorted by the Criminal Enterprise, and Tavares is forced to unduly spend more than \$100,000 in legal fees, and costs for the fabricated sham Domestic Repeat Violence Cases, causing Tavares and Tavares’s family to be deeply traumatized and harmed by the extortion in the fabricated sham FRAGA II case, showing that no law-abiding U.S. citizen is safe from the Criminal Enterprise’s subversion of the judicial and political machinery where they operate. On November 5, 2012, corrupt Judge David Jr. dismisses the legal farce *without prejudice*, leaving the doors of the subverted courts open to the Criminal Enterprise’s schemes extorting Tavares under color of law. Concurrently, the Criminal Enterprise continues their systematic ongoing\* criminal scheme depriving, stealing, extorting, and silencing, under color of law, Tavares of all properties and rights, so the Criminal Enterprise can continue their ongoing criminal rackets, freely and systematically depriving, stealing, and extorting the United States of America, the State of Florida, citizens, and companies, with absolute impunity. See Record.

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\* While corrupt Judge David Jr. is, knowingly and intentionally, depriving and extorting Tavares of rights in the two (02) fabricated sham legal farces, the Fraga I, and the Double-Jeopardy Fraga II cases, the Criminal Enterprise is, concurrently, and systematically, extorting and stealing all of Tavares’s properties and rights upon subverted proceedings in Related Cases in the Miami Courts. See [Tavares Sworn Affidavit](#).

THE 2013 TAVARES v. LEHMAN & LKLS+G CASE DEPRIVING AND EXTORTING TAVARES

On April 5, 2013, Charles Tavares (“Tavares”), after years of continued extortion, under color of law, of Tavares’s properties and rights, upon subverted proceedings in the Eleventh Judicial Circuit in and for Miami-Dade County, Florida (“Miami Courts”), predicated on a sophisticated and systematic scheme\* by Associates of a Criminal Enterprise, among others, Tavares’s former attorneys, Thomas R. Lehman (“Lehman”) (Florida Bar No. 351.318), and Patrick J. Rengstl (“Rengstl”) (Florida Bar No. 581.631), at Levine Kellogg Lehman Schneider + Grossman, LLP (“LKLS+G”), Marco E. Rojas (“Rojas”) (Florida Bar No. 940.453), at R&S International Law Group, LLP (“R&S”), and Tavares’s reckless attorneys Larry A. Stumpf (“Stumpf”) (Florida Bar No. 280.526), and Jared M. Lopez (“Lopez”) (Florida Bar No. 103.616), at Black Srebnick Kornspan & Stumpf, P.A. (“Black Srebnick”), Tavares, files, Pro Se,\*\* a Legal Malpractice suit against Lehman & LKLS+G, the *Charles Tavares v. Thomas R. Lehman, Thomas R. Lehman, P.A. and Levine Kellogg Lehman Schneider + Grossman, LLP* (“**Lehman & LKLS+G**” suit), Case No. 2013-012223-CA-40, showing Legal Malpractice, Breach of Fiduciary Duty, and Fraud by Lehman and LKLS+G. On May 15, 2013, Tavares’s attorneys, Dale F. Webner (“Webner”) (Florida Bar No. 265.241), and Jamie Leigh Webner n.k.a. Jamie Leigh Katz (“Jamie”) (Florida Bar No. 105.634), file a notice of appearance, and Tavares’s Amended Complaint, followed by other pleadings. In September 2013, Lehman, LKLS+G, and their attorneys, among others, Robert M. Klein (“Klein”) (Florida Bar No. 230.022), and Richard M. Jones (“Jones”) (Florida Bar No. 059.097), at Klein Park & Lowe, P.A. (“Klein Park & Lowe”), after filing several sham pleadings containing hundreds of false and fraudulent statements to the Miami Courts that they know to be false and untrue, provides some limited discovery materials to Tavares, giving a glimpse of the massive fraud perpetrated by Lehman, LKLS+G, and Associates of the Criminal Enterprise in the BRIDGELoAN sham case, extorting \$50 million dollars from Tavares’s Companies. Shortly thereafter, Webner is extorted by Lehman, *et al.*, to coerce Tavares into accepting a sham \$5 million dollars settlement from Lehman & LKLS+G’s insurance company, requiring Tavares to sign a known false Affidavit. Tavares does not accept, and fires Webner. On April 15, 2014, Tavares’s attorney Richard J. Diaz (“Diaz”) (Florida Bar No. 767.697) files a notice of appearance, and shortly thereafter, is also successfully coerced by the Criminal Enterprise to resign, on September 2, 2014. See Record.

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\* The Criminal Enterprise’s scheme consists of, among other things, surrounding, for years, real estate investor, developer, and entrepreneur Tavares, by attorneys Associates of the Criminal Enterprise, to, knowingly and intentionally, systematically entrap the unsuspecting client Tavares, in, among other things, conflicted sham transactions and loans with other Associates of the Criminal Enterprise, Flick Mortgage Investors, Inc. (“Flick Mortgage”), and Bridgeloan Investors, Inc. (“BRIDGELoAN”), while secretly undermining Tavares’s businesses and deals with buyers and sellers, spreading false and malicious business information about Tavares and Tavares’s businesses to Tavares’s investors, partners, and the market, and fabricating multiple low bogus offers for Tavares’s properties in order to fraudulently undermine Tavares’s Properties’ value, and coercing and extorting Tavares’s investors and partners from any funding of the existing deals, fraudulently causing undue duress on Tavares’s businesses, until they cause a default, setting up the Criminal Enterprise’s ultimate scheme to deprive, steal, and extort Tavares of all properties and rights, under color of law, upon court proceedings subverted by the Criminal Enterprise, and having the subverted courts to money launder the ill-gotten proceeds from the extortion. See [Tavares Sworn Affidavit](#).

\*\* Tavares, since the Criminal Enterprise starts depriving and extorting Tavares, under color of law, with fabricated sham lawsuits predicated on, among other things, fraudulent evidence and false witnesses, upon subverted proceedings in the Miami Courts, Tavares goes through more than ten (10) law firms, spending over five hundred thousand dollars (\$500,000) in legal fees and costs, only to see Tavares’s attorneys being successfully intimidated, coerced, and extorted by the Criminal Enterprise, and unable to properly represent the client Tavares, and after several complaints to, *e.g.*, The Florida Bar, Florida’s Attorney General, the Florida Department of Law Enforcement, and to the Chief Judge of the Miami Courts, Tavares, without any training in law, is forced to file by himself the meritorious complaint against criminals Lehman & LKLS+G. See Record.

THE 2018 SHAM CASE 139TH AVENUE S.W. 8 STREET LLC v. TAVARES DEPRIVING & EXTORTING TAVARES

On August 30, 2018, after years of systematic tortious business interference with an advantageous business relationship, coercion, and extortion by Charles Tavares's ("Tavares") attorneys, among others, criminals\* Marco E. Rojas ("Rojas") (Florida Bar No. 940.453), Nicholas Stanham ("Stanham") (Florida Bar No. 38.822), Robert M. Haber ("Haber") (Florida Bar No. 131.614), Nelson Slosbergas ("Slosbergas") (Florida Bar No. 378.887), Garry Nelson ("Nelson") (Florida Bar No. 717.266), and other Associates of the Criminal Enterprise,\*\* as part of a sophisticated underlying scheme systematically depriving, stealing, and extorting the unsuspecting client Tavares of all properties and rights, under color of law, upon subverted proceedings in the Eleventh Judicial Circuit in and for Miami-Dade County, Florida ("Miami Courts"), the criminals, file, with unclean hands, a sham suit predicated on fabricated \* \* \* fraudulent corporate authority for Tavares's Company 139TH Avenue S.W. 8 Street, LLC, a Florida LLC, ("139 TH") (Tax Id. #65-1202407), purported on behalf of the majority of 139 TH's shareholders, which they all know is false and fraudulent since Tavares, at all relevant times, is the sole legal authority of 139 TH, and Tavares also has a controlling fifty two percent (52%) interest\*\*\*\* on 139 TH, and Tavares did not authorize, nor authorized anyone to fabricate the false corporate resolutions on behalf of 139 TH. On a sham hearing, improperly noticed by Peter and Fernandez at Valori, in a date they all knew Tavares could not attend, reckless Judge Bronwyn C. Miller\*\*\*\*\* ("Judge Miller") (Florida Bar No. 119.441), enters an invalid order depriving and extorting, under color of law, Tavares of properties and rights. In January 2019, to further the scheme, corrupt Judge Carlos M. Guzman ("Judge Guzman") (Florida Bar No. 115.990) is assigned to the case, systematically violating the law, constitution, rules of procedure, and Tavares's rights. On May 29, 2019, corrupt Judge Guzman enters an invalid final order, contradicting the truth, the facts, the evidence, and the law, legalizing the extortion of Tavares, so the criminals secretly sell, on May 3, 2022, Tavares's 139 TH 29 acres property for \$15,125,000. See Record.

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\* The criminals, among others, Rojas, Gabriela Maranhao Machado Guimaraes ("Guimaraes") (D.O.B. 08/17/1965, in Brazil), Peter F. Valori ("Peter") (Florida Bar No. 43.516), and Amanda Lara Fernandez ("Fernandez") (Florida Bar No. 106.931), at Damian & Valori, LLP a.k.a. Damian Valori | Culmo Law ("Valori"), and Steven C. Cronig ("Cronig") (Florida Bar No. 307.068 & New York Bar No. 4.977.419), at Hinshaw & Culbertson, LLP ("Hinshaw"), for years, systematically sabotage deals with buyers, e.g., Lowe's Home Companies, Inc., ("Lowe's Home Improvement"), concurrently coercing and extorting Tavares, and Tavares's partners in 139 TH, spreading false rumors about Tavares and 139 TH's properties, and fabricating bogus offers from, e.g., AHS Residential, LLC n.k.a. RESIA, LLC, a.k.a. MRV Engenharia e Participações S.A. ("RESIA" or "MRV") to undermine and devalue the properties, so they can extort and steal Tavares's Company and properties. See [Tavares Sworn Affidavit](#) at ¶¶ 43 – 89.

\*\* The Criminal Enterprise uses, among other Associates implicated, Rojas, Stanham, Slosbergas, Haber, Nelson, Peter at Valori, Cronig at Hinshaw, Hugo Barreto Del Priore ("Del Priore") and Marco Antonio de Souza (De Souza") at BANIF Securities ("BANIF"), Francisco Ruiz ("Ruiz"), Ernesto Pereira Lopes ("Lopes"), Rubens Menin Teixeira de Souza ("Rubens Menin"), Joao Vitor Nazareth Menin Teixerira de Souza (Joao Vitor Menin") at RESIA/MRV, and Wolters Kluwer a.k.a. CT Corporation System ("Wolters Kluwer"), and attorneys Michael Cosculluela ("Cosculluela") (Florida Bar No. 189.480), and Daniel J. Marzano (Marzano") (Florida Bar No. 189.804), at Cosculluela & Marzano, P.A, together with bad actors in the Republic of Panama. *Id.*

\*\*\* The Criminal Enterprise uses the same *modus operandi*, e.g., having criminals Slosbergas, Rojas, Peter at Valori, and Guimaraes, fabricating fraudulent corporate resolutions of March 16 and 18, 2018, for Tavares's Company 139 TH, purportedly signed by a person in the Republic of Panama that did not – and could not have any authority of 139 TH, as Tavares is the sole authority, using fraudulent resolutions as a predicate to falsely remove Tavares from Tavares's Company 139 TH, furthering the extortion upon the subverted Miami Courts, already depriving and extorting Tavares of all properties, under color of law. *Id.*

\*\*\*\* Since August 18, 2013, Tavares became the sole controlling majority shareholder with a 52% interest. *Id.* at ¶ 44.

\*\*\*\*\* Reckless Judge Miller, like corrupt Judge Norma S. Lindsey ("Judge Lindsey") (Florida Bar No. 994.812), shortly after the sham order, showing the *Omertà Code*, is nominated to the Third District Court of Appeal by Florida Governor Rick Scott. *Id.*

| <u>COUNTS</u> | <u>APROX. DATE</u>          | <u>VIOLATIONS</u>  | <u>PERPETRATORS</u>   |
|---------------|-----------------------------|--|---|
| 6             | <b>From<br/>May 6, 2010</b> | <b>U. S. CODE TITLE 18</b><br>§ 371 Conspiracy to Defraud<br>the United States of America<br>& | THE BANK OF NEW YORK MELLON<br>GERALD L. HASSELL<br>ALVIN A. NARIN<br>MARSHALL C. WATSON, P.A.<br>MICHAEL GELETY<br>YANIQUE JOHNSON<br>THE CRIMINAL ENTERPRISE<br>ALLAN LESTER LANGER |
| 7             |                             | § 241 Conspiracy Against Rights<br>&   |   |
| 8             |                             | § 1346 Scheme/Artifice to Defraud<br>Honest Services<br>&                                      |   |
| 9             |                             | § 1961 <i>et seq.</i> – RICO<br>&  |   |
| 10            |                             | <b>FLORIDA BAR RULES OF CONDUCT</b><br>Misconduct – Rule 4-8.4 (a)(b)(c)(d)                    |   |

From May 6, 2010, as part of an underlying scheme by the Criminal Enterprise, together with associate The Bank of New York Mellon (“BNY Mellon”), depriving, stealing, and extorting Tavares, and Tavares’s Companies of all properties and rights, under color of law, upon subverted courts in the Eleventh Judicial Circuit in and for Miami-Dade County, Florida (“Miami Courts”), BNY Mellon’s attorneys Michael Gelety (“Gelety”) (Florida Bar No. 52.125) and Yanique Johnson (“Johnson”) (Florida Bar No. 63.939), at Law Offices of Marshall C. Watson, P.A. (“Marshall Watson”), file a suit to foreclose on Charles Tavares’s (“Tavares”) homestead property at 218 S.E. 14 Street, Penthouse 1, Miami, Florida 33131, Folio #01-4139-095-1390 (“PH-1”), *The Bank of New York Mellon FKA The Bank of New York, as Trustee for the Certificate Holders CWALT, Inc., Alternative Loan Trust 2006-OA21, Mortgage Pass-Through Certificates Series 2006-OA21 vs. Charles Tavares; Mortgage Electronic Registration Systems, Inc. as Nominee for Flick Mortgage Investors, Inc.; The Emerald at Brickell Condominium Association, Inc.; Unknown Spouse of Charles Tavares; Unknown Tenant (s) in Possession of the Subject Property*, Case No. 2010-26864-CA-30 (“BNY Suit”). See [Tavares Sworn Affidavit](#). Concurrently, as part of the scheme, the BNY Suit is intentionally assigned to, and is willfully accepted by implicated judge Allan Lester Langer a.k.a. Lester Langer<sup>6</sup> (“Judge Langer”) (Florida Bar No. 137.828), already presiding the underlying criminal scheme’s sham *Bridgeloan Investors, Inc. vs. Charles Tavares, et al., vs. BNY Mellon* (“BRIDGELoAN” case),<sup>7</sup> Case No. 2009-93058-CA-30, extorting Tavares and Tavares’s Companies of more than \$50 million, and further committing bank fraud, in violation of, Title 18, United States Code, Section 1344. See Record. The record shows that the Criminal Enterprise, BNY Mellon, and others implicated, use the same *modus operandi, inter alia*, of conflicted representations, intentional deprivation of rights and due process upon the sham proceedings, coercion and extortion of Tavares and others pursuing justice. See Record.

<sup>6</sup> Corrupt Judge Langer, as part of the criminal scheme extorting, under color of law, Tavares upon the Miami Courts, is intentionally assigned, and accepts, to preside all of Tavares’s four (04) civil cases in conflict, in order to fully coordinate the scheme upon the proceedings, and having the Associates of Criminal Enterprise to coerce, corrupt, and extort Tavares’s attorneys in all cases so the sham proceedings allow the absolute extortion, under color of law, of Tavares’s Properties and rights, “legalizing” the stealing of all proceeds, and money laundering the ill-gotten proceeds. See [Tavares Sworn Affidavit](#).

<sup>7</sup> In addition to BNY Mellon, BRIDGELoAN is also using its Associate BANIF Securities, Inc. (“BANIF”) in the scheme extorting Tavares of more than \$50 million, in order to successfully money launder and tax evade. See Record.



1 - On or about May 10, 2010, The Bank of New York Mellon (“BNY Mellon”), in furtherance of the known underlying scheme by the Criminal Enterprise, to deprive and extort, under color of law, Tavares and Tavares’s Companies of all properties and rights, files the BNY foreclosure suit for Tavares’s homestead property at 218 S.E. 14 Street, Penthouse 1, Miami, Florida 33131 (“PH-1”). Tavares purchased his PH-1 in 2006, and was represented by his attorneys Rojas and Haber at FBHS&S, with two loans provided by Flick Mortgage Investors, Inc., a Florida Corporation (“Flick Mortgage”) (Tax Id. #59-2936881) (SUNBIZ Document No. K70965), which unknown, and never disclosed to Tavares, is owned and controlled by, among others, Jeffrey B. Flick (“Flick”), Sandra Flick (“Sandra”), Joseph Horn (“Horn”), Ricardo Eichenwald (“Eichenwald”), Nelson Slosbergas (“Slosbergas”), and Francisco Ruiz (“Ruiz”). See Record. As part of the scheme, Flick Mortgage sells the mortgage, and associate BNY Mellon<sup>8</sup> buys the mortgage, to launch the scheme upon the subverted courts to extort Tavares under color of law. *Id.*

2- As part of the scheme, the BNY Suit is intentionally assigned to implicated Judge Langer, and he willfully accepts to preside to further the underlying scheme, already presiding the sham<sup>9</sup> BRIDGELoAN Case which also has implicated BNY Mellon as Intervenor in the case. See Case No.2009-93058-CA-30.

3- In December 2012, after brazen and systematic violations of law and rights, for years, to further the underlying criminal scheme, by implicated presiding Judge Langer, intentionally and knowingly, depriving and extorting Tavares, under color of law, on all of Tavares’ civil cases, all intentionally assigned to him, including the BRIDGELoAN Case, the BCP/Car Wash Case, and the BNY Suit, causing great harm and damages to Tavares, retires, with impunity for his reckless brazen violations to further the criminal scheme, into a mediation job, now at Salmon & Dulberg Dispute Resolutions. See Record.

4- Upon corrupt Judge Langer’s retirement on December 31, 2012, the Criminal Enterprise directs the subverted Miami Courts to assign Judge Lindsey,<sup>10</sup> that willfully, to further the scheme, accepts, in violation of Fla. Jud. Code of Conduct, to preside all Tavares’s civil cases, for example, the BRIDGELoAN Case; the BNY Suit; BCP/Car Wash Case; and, the Deutsche Bank Case, all in known fatal conflict of interest as wife to BNY Mellon’s attorney Harold Eugene Lindsey III (“Lindsey III”), implicated in major frauds, extortion, and violations of Tavares’ rights in the sham BRIDGELoAN case. See Record.

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<sup>8</sup> At the time, Horn’s family in Brazil is one of the largest real estate developers in Brazil, see Cyrela Brazil Realty (“CYRELA”), stock “CYRBY” at OTCMKTS, and is also one of the largest institutional clients of BNY Mellon in Brazil, which also is later exposed in a massive fraud and corruption case in Brazil, sending BNY Mellon’s Brazil’s president Jose Carlos Lopex Xavier de Oliveira (“Oliveira”) to prison. See BNY [Mellon’s President is Arrested](#).

<sup>9</sup> Following years of systematic tortious businesses interference with an advantageous business relationship against Tavares and his investors by Tavares’s own attorneys Freeman, Haber, Rojas, Stanham, Alan Samuel Fine (“Fine”) and Lehman, and other Associates implicated, including but not limited to, Horn, Eichenwald, Slosbergas at BRIDGELoAN, and Flick, Ruiz, Hugo Barreto Del Priore (“Del Priore”), Gabriela Maranhao Machado Guimaraes (“Guimaraes”), and Paulo Henrique Tavares de Melo (“Tavares de Melo”), BRIDGELoAN files, on December 24, 2009, a sham suit against Tavares and Tavares’s Companies, intentionally supported by a false and fraudulent sworn financial Affidavit of Horn, showing their “*Omertà Code*” for Associates. See [Tavares Sworn Affidavit](#).

<sup>10</sup> Judge Lindsey, as per her judge’s application, states that, she “is one of three founders in 1991 of the University of Miami student chapter of the Federalist Society, and served as president”, and listing her qualifications, *e.g.*, as having “a firm commitment to the Constitution, the rule of law, and a keen understanding of the limited role of the judiciary”, clearly contradicted by her reckless actions systematically knowingly violating the Constitution, rule of law, and U.S. Citizens’ rights upon her courtrooms to further criminal rackets. See [Tavares Sworn Affidavit](#).

## COUNTS

**Count 6** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America by using dishonesty, fraud, and deceit to impair, obstruct, and defeat the lawful functions of the judicial machinery in a court of law in the United States of America in order to further major criminal schemes against the United States of America, in violation of 18 U.S.C. §371.

**Count 7** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud, extort, injure, oppress, threaten, and intimidate Tavares and others in the free exercise and enjoyment of a right and a privilege secured to them by the Constitution and laws of the United States -- that is, among other things, the right to an uncorrupted and not subverted judicial machinery, due process of law, the right to be free from intimidation, harassment, and abuse in a court of law, and rights to property, in violation of, among other things, 18 U.S.C. §241. *See, e.g.*, U.S. Const., Amend. XIV.

**Count 8** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America, the State of Florida, and citizens, of the right to honest services upon courts of law in the United States, by among other things, corrupting and subverting the judicial machinery to further criminal schemes upon, and by the subverted courts of law, in violation of 18 U.S.C. §1346.

**Count 9** - At all times relevant, the Perpetrators, as well as other unnamed implicated Associates, unlawfully conspired and endeavored to conduct and participate in a criminal enterprise in Miami-Dade County, Florida, and elsewhere. The Perpetrators, and others, known and unknown, constituted a criminal organization whose members and associates, as part of the conspiracy, that each criminal associate agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise, and engaged in various related criminal activities, including but not limited to false statements and writings, forgery, filing false documents, influencing witnesses, acts involving theft, perjury, mail and wire frauds, bank frauds, crimes against the United States, money laundering of illicit funds, extortion, and systematic violation of rights, contrary to 18 U.S.C. §1961 *et seq.* *See, e.g.*, the Record filed in this matter, and [Tavares Sworn Affidavit](#).

**Count 10** – BNY Mellon’s attorneys, and other officers of the courts implicated, knowingly and intentionally use their Florida Bar license as guise to commit crimes, willfully participating in the brazen and known criminal scheme, to further the systematic subversion of the courts by the Associates implicated, repeatedly making patently false statements in writing to mislead the Miami Court to falsely incriminate, steal, extort, and deprive, under color of law, Tavares of constitutionally guaranteed rights, and his properties, further depriving the United States and the State of Florida of honest services upon a court of law, in violation of, among other laws, §837.06, F.S., Title 18 U.S.C. §371, Title 18 U.S.C. §241, Title 18 U.S.C. §242, Title 18 U.S.C. §1346, Title 18 U.S.C. §1349, Title 18 U.S.C. §1341, Title 18 U.S.C. §1343, Abuse of Process - Florida Common Law, and in further violation of Florida Bar [Oath](#), and Rules of Professional Conduct, Rule 4-8.4 MISCONDUCT. *See* [The Florida Bar Rules of Professional Conduct](#), Rule 4-8.4, at [www.floridabar.org](http://www.floridabar.org).

**COUNTS      APROX. DATE                      VIOLATIONS                                      PERPETRATORS**

|    |                         |  |  |
|----|-------------------------|--|--|
| 11 | <b>December 3, 2013</b> | <b><u>U. S. CODE TITLE 18</u></b>  | NORMA SHEPARD LINDSEY<br>JENNIFER D. BAILEY<br>BERTILA ANA SOTO<br>THE CRIMINAL ENTERPRISE |
| 12 |                         | § 371 Conspiracy to Defraud the USA<br>&   |  |
| 13 |                         | § 241 Conspiracy Against Rights<br>&   |  |
| 14 |                         | §242 Deprivation of Rights<br>Under Color of Law<br>&  |  |
| 15 |                         | § 1346 Scheme/Artifice to Defraud<br>&   |  |
| 16 |                         | § 1961 <i>et seq.</i> – RICO<br>&<br><b>FLORIDA CODE OF JUDICIAL CONDUCT</b><br>Canons 1; 2; and 3 |  |

On or about December 3, 2013, Charles Tavares (“Tavares”), after being systematically denied due process of law and rights upon the foreclosure styled case for Tavares’s homestead property at 218 S.E. 14 Street, Penthouse 1, Miami, Florida 33131 (“PH-1”), *The Bank of New York Mellon vs. Charles Tavares* (“BNY Suit”), Case No. 2010-26864-CA-30, in Miami-Dade County, Florida (“Miami Courts”), and upon researching the presiding judge Norma Shepard Lindsey’s (“Judge Lindsey”) background, Tavares uncovers some of the ulterior motives for Judge Lindsey’s reckless brazen disregard for the rule of law, the constitution, and Tavares’ rights upon the sham proceedings presided by her in the BNY Suit, and in other three (03) Related Cases, the *Bridgeloan Investors, Inc., vs. Charles Tavares; Miami River Park Marina, Inc.; Brickell Village One, LLC; 2147 S.W. 8 Street, LLC; and, Intervenor MUNB Loan Holdings, Inc. a/k/a/ The Bank of New York Mellon*, Case No. 2009-93058-CA-30; and, *Brickell Commerce Plaza, Inc. and The Car Wash Concept, Inc. vs. Charles Tavares*, Case No. 2011-29624-CA-30; and, *Deutsche Bank vs. Charles Tavares* Case No. 2011-20197-CA-30. The manifested motive, among others, is that Judge Lindsey is married to BNY Mellon’s attorney Harold Eugene Lindsey III (“Lindsey III”) (Florida Bar No. 130.338), at Katz Barron Faust Squiteto (“Katz Barron”), an attorney directly implicated in the deprivation and extortion, under color of law, of more than \$50 million of Tavares’s Properties and rights in the Related BRIDGELoAN sham Case, intentionally and knowingly, assigned to, and willfully accepted to, presiding all of Tavares’s civil four (04) civil cases upon Miami Courts, in fatal known conflict of interest, in order to, following corrupt judge Allan Lester Langer’s (“Judge Langer”) (Florida Bar No. 137.828) retirement in December 2012, to continue depriving and extorting Tavares of all properties and rights, under color of law, upon the subverted proceedings. Upon uncovering these facts, Tavares files motions in all civil cases, supported by evidence showing, among other things, the reason Judge Lindsey is acting in reckless disregard for the law, the constitution, and Tavares’s rights, is because Judge Lindsey is in fatal conflict of interest against Tavares as wife to BNY Mellon’s attorney Lindsey III, intentionally and knowingly, depriving and extorting Tavares, under color of law, to further the underlying scheme by the Criminal Enterprise, obstructing justice to cover up. At all relevant times, Administrative judge Jennifer D. Bailey (“Judge Bailey”) (Florida Bar No. 386.758), Chief judge Bertila Ana Soto (“Judge Soto”) (Florida Bar No. 822.752), and other responsible parties, knew of the schemes depriving, stealing, and extorting, under color of law, Tavares of his properties and rights, willfully failing to stop the schemes, for ulterior motives to be uncovered. See [Tavares Affidavit of 11/27/2022](#).

**1** – On or about December 3, 2013, Judge Lindsey, after Tavares’s motion for Judge Lindsey’s recusal, for knowingly and intentionally, presiding Tavares’ case *Bridgeloan Investors, Inc. vs. Charles Tavares; Miami River Park Marina, Inc.; Brickell Village One, LLC; 2147 S.W. 8 Street, LLC; and Intervenor MUNB Loan Holdings, LLC a.k.a The Bank of New York Mellon* Case No.2009-93058-CA-30, and three (03) other related cases, in fatal conflict of interest, and perpetrating numerous brazen violations of law, the constitution, Tavares’ rights, and Florida’s Code of Judicial Conduct, Canons 1, 2, and 3, signs a recusal order, after causing irreparable harm and damages to Tavares’ cause, and fatally tainting the case with bias, prejudice, and powerful judicial interference to deprive Tavares of rights. On December 5, 2013, Administrative Judge Jennifer D. Bailey (“Judge Baley”) (Florida Bar No. 386.758), signs a Transfer Order on Recusal. See Record.

**3** - On or about December 5, 2013, Judge Lindsey, after Tavares’s motion for Judge Lindsey’s recusal, for knowingly and intentionally, presiding Tavares’ case *Deutsche Bank vs. Charles Tavares* Case No. 2012-20197-CA-30, and three (03) other related cases, in fatal conflict of interest, and perpetrating numerous brazen violations of law, the constitution, Tavares’ rights, and Florida’s Code of Judicial Conduct, Canons 1, 2, and 3, signs a recusal order, after causing irreparable harm and damages to Tavares’ cause, and tainting the case with bias, prejudice, and powerful judicial interference to deprive Tavares of rights. On December 5, 2013, Judge Bailey signs a Transfer Order on Recusal. See Record.

**4** - On or about December 10, 2013, Judge Lindsey, after Tavares’s motion for Judge Lindsey’s recusal, for knowingly and intentionally, presiding Tavares’ case *Brickell Commerce Plaza, Inc. and The Car Wash Concept, Inc. vs. Charles Tavares* No.2011-29624-CA-30, and three (03) other related cases, in fatal conflict of interest, and perpetrating numerous brazen violations of law, the constitution, Tavares’ rights, and Florida’s Code of Judicial Conduct, Canons 1, 2, and 3, signs a recusal order, after causing irreparable harm and damages to Tavares’ cause, and fatally tainting the case with bias, prejudice, and powerful judicial interference to deprive Tavares of properties and rights. On December 11, 2013, Judge Bailey signs a Transfer Order on Recusal. See Record.

**5** - On or about February 25, 2014, Judge Lindsey, months after Tavares’s motion of December 3, 2012, for Judge Lindsey’s recusal, for knowingly and intentionally, presiding Tavares’ case *BNY Mellon vs. Charles Tavares* No.2010-26864-CA-30, and three (03) other Related Cases, in fatal conflict of interest, and knowingly and intentionally perpetrating systematic brazen violations of law, the constitution, Tavares’ rights, and Florida’s Code of Judicial Conduct, Canons 1, 2, and 3, signs a recusal order, after causing irreparable harm and damages to Tavares’ cause, and fatally tainting the case with bias, prejudice, and powerful judicial interference to deprive Tavares of rights. On February 27, 2014, Judge Bailey<sup>11</sup> signs, months after motions for recusal of Judge Lindsey, and knowingly Judge Lindsey’s misdeeds furthering the criminal racket in violation of the law, Tavares’s constitutional rights, and Florida’s Code of Judicial Conduct, Canons 1, 2, and 3, a Transfer Order on Recusal, Then, to further the scheme, Judge Bailey willfully presides the case after judge Lindsey is recused, to make sure Tavares is successfully deprived and extorted of his homestead property and constitutional rights. See Record.

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<sup>11</sup> Administrative judge Bailey, and Chief judge Soto, at all relevant times, knew of the criminal schemes by officers of the courts, systematically and repeatedly depriving and extorting Tavares, under color of law, of properties and rights upon the subverted Miami Courts, showing, among other things, brazen dereliction of their sworn duties as officers responsible for the Miami Courts. See Record.

**JUDGE LINDSEY'S UNTIMELY ORDER OF OCTOBR 21, 2013 DENYING TAVARES' MOTION JULY 6, 2010**

"IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL  
CIRCUIT OF MIAMI-DADE COUNTY, FLORIDA

CASE # 2010-26864-CA-01  
CIRCUIT CIVIL DIVISION

BANK OF NEW YORK MELLON

Plaintiff,

vs.

CHARLES TAVARES

Defendant(s).

**FILED FOR RECORD 2013 OCT 28 PM 3:58**

**ORDER DENYING MOTION TO DISMISS**

THIS CAUSE was reviewed by the Court and it is noted that the Motion has been pending since July 6, 2010. The Court, having considered the Motion together with the duration of time this Motion has been pending, deems the Motion abandoned. In accordance with the provisions of Administrative Memorandum 12-E. It is hereby:

ORDERED AND ADJUDGED THAT said Motion is:

DENIED, Defendant, movant shall file an answer by November 5, 2013. Further, plaintiff shall submit a current service list together with postage pre-addressed envelopes within three (3) business days of entry of this order to the 9<sup>th</sup> floor of the Dade-County Courthouse, 73 West Flagler Street, Miami, FL 33130.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, this 21 day of October, 2013.

/s/ Norma Shepard Lindsey

Presiding Judge". See Order Signed October 21, 2013.\*

\* The Order is filed seven (7) days after it is dated.



**JUDGE LINDSEY'S RECUSAL AFTER A YEAR OF INTENTIONAL CONFLICT OF INTEREST SHOWING BIAS, PREJUDICE AND VIOLATIONS DEPRIVING AND EXTORTING TAVARES UNDER COLOR OF LAW TO FURTHER A SCHEME BY THE CRIMINAL ENTERPRISE**

"IN THE COUNTY[\*] COURT IN AND FOR MIAMI-DADE COUNTY, FLORIDA  
CIVIL DIVISION CASE NO. 09-93058 CA-01 (30)

Bridgeloan Investors, Inc., a Florida Corp.,  
Plaintiff(s),

**FILED FOR RECORD 2013 DEC-4 PM 2:25**

vs.

Miami River Park Marina, Inc., a Florida Corp., Brickell Village One, LLC,  
a Florida Corporation, 2147 S.W. 8<sup>th</sup> Street, LLC, a Florida Corp.,  
Charles Tavares, individually,  
David Plummer and Associates, Inc., a Florida Corp., and the City of Miami,

Defendant(s)

vs.

MUNB Loan Holdings, LLC, a Delaware Limited Liability Company,  
Intervenor.

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**ORDER OF RECUSAL**

The undersigned Judge hereby recuses herself from any further proceedings in the above-styled case, as the law firm of Katz Barron Squitero & Faust is counsel of record.

The Clerk of the Court is ordered to transfer this matter to the appropriate Administrative Judge for re-assignment.

DONE AND ORDERED in Miami-Dade County, Florida this 3 day of December, 2013.

/s/ Norma S. Lindsey

Norma S. Lindsey – Circuit Court Judge

*Reassigned by Blind*

*Filing Section 32*

*Per Order Adm. Judge*

*This Date of Dec 4 2013*

*ORIGINAL*

*JUDGE NORMA S. LINDSEY*

Copies furnished to all parties:

All Parties." See Record Case No. 2009-93058-CA-30, Miami-Dade County, Florida.

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\* Judge Lindsey erroneously uses the "County Court" form instead of the proper "11<sup>th</sup> Judicial Circuit Court", as the case is upon the Circuit Court, and not the County Court, and willfully omits the fact that the reason of her recusal is that her husband, attorney Harold Eugene Lindsey III ("Lindsey III") (Florida Bar No. 130.338) at Katz Barron Faust Squitero ("Katz Barron"), represents The Bank of New York Mellon ("BNY Mellon"), and he is implicated in the deprivation and extortion of \$50 million of Tavares and Tavares's Companies, under color of law, in the *Bridgeloan Investors, Inc. v. Charles Tavares, et. al., v. BNY Mellon*, Case No. 2009-93058-CA-30. See Record.

**TRANSFER ORDER ON RECUSAL OF JUDGE LINDSEY AFTER A YEAR OF INTENTIONAL CONFLICT OF INTEREST SHOWING BIAS, PREJUDICE AND VIOLATIONS DEPRIVING AND EXTORTING TAVARES UNDER COLOR OF LAW TO FURTHER A SCHEME BY THE CRIMINAL ENTERPRISE**

“In the General Jurisdiction Division Case No. 09-93058-CA-01  
In the 11<sup>th</sup> Judicial Circuit, In and for Miami-Dade County, Florida

Bridgeloan Investors, Inc.,  
v.  
Miami River Park Marina, Inc., [\*]

**TRANSFER ORDER ON RECUSAL**

This matter came before the undersigned administrative judge upon the recusal of Division 30. The case has been blind-filed by the Clerk of the Court to Division 32, and all further proceedings shall be had before that judge.

Done and Ordered at Miami-Dade County, Florida this 5 day of December 2013.

/s/ Jennifer D. Bailey

Jennifer D. Bailey – Administrative Judge  
General Jurisdiction Division

*Reassigned by Blind  
Filing Section 32  
Per Order Adm. Judge  
This Date of Dec 4 2013*

*ORIGINAL  
JUDGE JENNIFER D. BAILEY*

CC:  
counsel of record”. See Record Case No. 2009-93058-CA-30, Miami-Dade County, Florida.

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\* Judge Jennifer Drechsel Bailey (“Judge Bailey”) (Florida Bar No. 386.758), willfully omits the true and correct styled-action, *Bridgeloan Investors, Inc. v. Charles Tavares, Brickell Village One, LLC, 2147 S.W. 8 Street, LLC, and Miami River Park Marina, Inc. v. MUNB Loan Holdings, LLC* a.k.a. The Bank of New York Mellon. See Record Case No. 2009-93058-CA-30.

**JUDGE LINDSEY'S RECUSAL AFTER A YEAR OF CONFLICT OF INTENTIONAL INTEREST SHOWING BIAS, PREJUDICE AND VIOLATIONS DEPRIVING AND EXTORTING TAVARES UNDER COLOR OF LAW TO FURTHER A SCHEME BY THE CRIMINAL ENTERPRISE**

"IN THE COUNTY[\*] COURT IN AND FOR MIAMI-DADE COUNTY, FLORIDA  
CIVIL DIVISION CASE NO. 09-93058 CA-01 (30)

Deutsche Bank National Trust Co.,  
Plaintiff(s),

**FILED FOR RECORD**

vs.

Charles Tavares,

Defendant(s)

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**ORDER OF RECUSAL**

The undersigned Judge hereby recuses herself from any further proceedings in the above-styled case.

The Clerk of the Court is ordered to transfer this matter to the appropriate Administrative Judge for re-assignment.

DONE AND ORDERED in Miami-Dade County, Florida this 5 day of December, 2013.

/s/ Norma S. Lindsey

Norma S. Lindsey – Circuit Court Judge

Copies furnished to all parties:

All Parties". See Record Case No. 2012-20197-CA-30, Miami-Dade County, Florida.

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\* Judge Lindsey uses the "County Court" form instead of the proper "11<sup>th</sup> Judicial Circuit Court", as the case is upon the Circuit Court and not the County Court. See Record.

**TRANSFER ORDER ON RECUSAL OF JUDGE LINDSEY AFTER A YEAR OF INTENTIONAL CONFLICT OF INTEREST SHOWING BIAS, PREJUDICE AND VIOLATIONS DEPRIVING AND EXTORTING TAVARES UNDER COLOR OF LAW TO FURTHER A SCHEME BY THE CRIMINAL ENTERPRISE**

“In the General Jurisdiction Division Case No. 12-20197-CA-01  
In the 11<sup>th</sup> Judicial Circuit, In and for Miami-Dade County, Florida

Deutsche Bank Nat’l Trust Co.,  
v.  
Charles Tavares

**TRANSFER ORDER ON RECUSAL**

This matter came before the undersigned administrative judge upon the recusal of Division 30. The case has been blind-filed by the Clerk of the Court to Division 42, and all further proceedings shall be had before that judge.

Done and Ordered at Miami-Dade County, Florida this 5 day of December 2013.

*/s/ Jennifer D. Bailey*

Jennifer D. Bailey – Administrative Judge  
General Jurisdiction Division

*ORIGINAL  
JUDGE JENNIFER D. BAILEY*

CC:  
counsel of record.” See Record Case No. 2012-20197-CA-30, Miami-Dade County, Florida.

**JUDGE LINDSEY'S RECUSAL AFTER A YEAR OF CONFLICT OF INTENTIONAL INTEREST SHOWING BIAS, PREJUDICE AND VIOLATIONS DEPRIVING AND EXTORTING TAVARES UNDER COLOR OF LAW TO FURTHER A SCHEME BY THE CRIMINAL ENTERPRISE**

"IN THE COUNTY[\*] COURT IN AND FOR MIAMI-DADE COUNTY, FLORIDA  
CIVIL DIVISION CASE NO. 09-93058 CA-01 (30)

Brickell Commerce Plaza, Inc.,  
Plaintiff(s),

**FILED FOR RECORD 2013 DEC-10 PM 2:58**

vs.

Charles Tavares, an individual,  
Defendant(s)

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**ORDER OF RECUSAL**

The undersigned Judge hereby recuses herself from any further proceedings in the above-styled case.

The Clerk of the Court is ordered to transfer this matter to the appropriate Administrative Judge for re-assignment.

DONE AND ORDERED in Miami-Dade County, Florida this 10 day of December, 2013.

*/s/ Norma S. Lindsey*

Norma S. Lindsey – Circuit Court Judge

*Reassigned by Blind*

*Filing Section 31*

*Per Order Adm. Judge*

*This Date of Dec 10 2013*

*PHYLLIS PROCTOR*

*ORIGINAL*

*JUDGE NORMA S. LINDSEY*

Copies furnished to all parties:

All Parties." See Record Case No. 2011-29624-CA-30, Miami-Dade County, Florida.

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\* Judge Lindsey uses the "County Court" form instead of the proper "11<sup>th</sup> Judicial Circuit Court", as the case is upon the Circuit Court and not the County Court. See Record.



**TRANSFER ORDER ON RECUSAL OF JUDGE LINDSEY AFTER A YEAR OF INTENTIONAL CONFLICT OF INTEREST SHOWING BIAS, PREJUDICE AND VIOLATIONS DEPRIVING AND EXTORTING TAVARES UNDER COLOR OF LAW TO FURTHER A SCHEME BY THE CRIMINAL ENTERPRISE**

“In the General Jurisdiction Division Case No. 11-29624-CA-01  
In the 11<sup>th</sup> Judicial Circuit, In and for Miami-Dade County, Florida

Brickell Commerce Plaza, Inc.,

**FILED FOR RECORD 2013 DEC 12 PM 12:40**

v.

Charles Tavares

**TRANSFER ORDER ON RECUSAL**

This matter came before the undersigned administrative judge upon the recusal of Division 30. The case has been blind-filed by the Clerk of the Court to Division 31, and all further proceedings shall be had before that judge.

Done and Ordered at Miami-Dade County, Florida this 11<sup>th</sup> day of December 2013.

*/s/ Jennifer D. Bailey*

Jennifer D. Bailey – Administrative Judge  
General Jurisdiction Division

*ORIGINAL*

*JUDGE JENNIFER D. BAILEY*

CC:

counsel of record

Russell Landy, Esq. – rlandy@dvllp.com

Richard A. Morgan, Esq. – Richard.Morgan@BIPC.com

Charles Tavares – ctavares@bellsouth.net”

See Record Case No. 2012-20197-CA-30, Miami-Dade County, Florida.

BNY-24

## COUNTS

**Count 11** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America by using dishonesty, fraud, and deceit to impair, obstruct, and defeat the lawful functions of the judicial machinery in a court of law in the United States of America in order to further major criminal schemes against the United States of America, in violation of 18 U.S.C. §371.

**Count 12** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud, extort, injure, oppress, threaten, and intimidate Tavares and others in the free exercise and enjoyment of a right and a privilege secured to them by the Constitution and laws of the United States – – that is, among other things, the right to an uncorrupted and not subverted judicial machinery, due process of law, the right to be free from intimidation, harassment, and abuse in a court of law, and rights to property, in violation of, among other things, 18 U.S.C. §241. *See, e.g.*, U.S. Const., Amend. XIV.

**Count 13** - Judges Langer, Lindsey, Bailey, and other Perpetrators implicated, as officers of the courts, did knowingly and intentionally systematically deprived and extorted Tavares, upon subverted court proceedings, of his properties and constitutionally guaranteed rights, under color of law, in violation of, 18 U.S.C. §242.

**Count 14** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America, the State of Florida, and citizens, of the right to honest services upon courts of law in the United States, by among other things, corrupting and subverting the judicial machinery to further criminal schemes upon, and by the subverted courts of law, in violation of 18 U.S.C. §1346.

**Count 15** - At all times relevant, the Perpetrators, as well as other unnamed implicated Associates, unlawfully conspired and endeavored to conduct and participate in a criminal enterprise in Miami-Dade County, Florida, and elsewhere. The Perpetrators, and others, known and unknown, constituted a criminal organization whose members and associates, as part of the conspiracy, that each criminal associate agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise, and engaged in various related criminal activities, including but not limited to false statements and writings, forgery, filing false documents, influencing witnesses, acts involving theft, perjury, mail and wire frauds, bank frauds, crimes against the United States, money laundering of illicit funds, extortion, and systematic violation of rights, contrary to 18 U.S.C. §1961 *et seq.* *See, e.g.*, the Record filed in this matter, and [Tavares Sworn Affidavit](#).

**Count 16** – Judge Lindsey and Administrative Judge Bailey, and other officers of the court implicated, did knowingly and intentionally, use their judicial powers as guise to commit crimes, willfully participating in the brazen and known criminal scheme, to further the systematic subversion of the courts by the Associates implicated, systematically depriving, extorting, and violating Tavares’ rights, of constitutionally guaranteed rights, due process, to further a known brazen scheme depriving and extorting Tavares of his properties, further depriving the United States and the State of Florida of honest services upon a court of law, in violation of, among other laws, §837.06, F.S., Title 18 U.S.C. §371, Title 18 U.S.C. §241, Title 18 U.S.C. §242, Title 18 U.S.C. §1346, Title 18 U.S.C. §1349, Title 18 U.S.C. §1341, Title 18 U.S.C. §1343, in violation of, Florida Judicial Code of Conduct, Canons 1, 2, & 3. *See Fla. Code Jud. Conduct.*

**COUNTS      APROX. DATE                      VIOLATIONS                                      PERPETRATORS**

| <u>COUNTS</u> | <u>APROX. DATE</u>      | <u>VIOLATIONS</u>   | <u>PERPETRATORS</u>   |
|---------------|-------------------------|---|---|
| 17            | <b>February 5, 2014</b> | <b><u>U. S. CODE TITLE 18</u></b><br>§ 371 Conspiracy to Defraud the USA<br>& | NORMA SHEPARD LINDSEY<br>JENNIFER D. BAILEY<br>BNY MELLON<br>GAVIN WILLIAM MACMILLAN<br>MCGLINCHEY STAFFORD, P.A.<br>CARLY R. WEITZMAN<br>MCCALLA RAYMER, LLC |
| 18            |                         | § 241 Conspiracy Against Rights<br>&  |   |
| 19            |                         | §242 Deprivation of Rights<br>Under Color of Law<br>&                         |   |
| 20            |                         | § 1346 Scheme/Artifice to Defraud<br>&  |   |
| 21            |                         | § 1961 <i>et seq.</i> – RICO<br>&   |   |
| 22            |                         | <b><u>FLORIDA CODE OF JUDICIAL CONDUCT</u></b><br>Canons 1; 2; and 3          |   |

On February 5, 2014, BNY Mellon’s attorneys at Mcglinchey Stafford (“Mcglinchey”), upon learning,<sup>12</sup> on February 5, 2014, that Charles Tavares (“Tavares”) had to unexpectedly to travel to Brazil on January 31, 2014, due to Tavares’s mother passing away, BNY Mellon’s attorneys state on an E-mail to Tavares’ attorney Levine, that they will ask for a Trial date – likely, *ex-parte* as there is no filed record, and immediately thereafter, implicated Judge Norma Shepard Lindsey (“Judge Lindsey”) (Florida Bar No. 994.812), issues and signs, on February 5, 2014, an Order - despite the record showing Tavares’s motion for a jury trial, a right guaranteed by the constitution, setting a Non-Jury Trial for March 18, 2014, after more than fourteen (14) months, knowingly and intentionally, presiding Tavares’s four (04) Related Cases before the courts in Miami-Dade, Florida (“Miami Courts”), in fatal conflict of interest, with reckless bias and prejudice against Tavares, to willfully further the known ongoing scheme depriving and extorting Tavares, under color of law, upon the subverted proceedings in all cases, including for Tavares’s homestead property at 218 S.E. 14 Street, Penthouse 1, Miami, Florida 33131 (“PH-1”), *The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the Certificate Holders CWALT, Inc., Alternative Loan Trust 2006-OA21, Mortgage Pass-Through Certificates, Series 2006-OA21, vs. Charles Tavares, Mortgage Electronic Systems, Incorporated as Nominee for Flick Mortgage Investors, Inc.; The Emerald at Brickell Condominium Association, Inc.; Unknown Spouse of Charles Tavares; Unknown Tenant (s); in Possession of the Subject Property* (“BNY Suit”), Case No. 2010-26864-CA-30, upon Miami Courts. See Order, filed on February 6, 2014. Judge Lindsey on a reckless mission to further the racket depriving and extorting Tavares under color of law of properties and rights, is allowed by Administrative Judge Jennifer D. Bailey (“Judge Bailey”) (Florida Bar No. 386.758) to stay in the known impermissible position presiding the BNY Suit, allowing violations of law, the constitution, and Tavares’ rights, and successfully depriving and extorting Tavares of properties and rights, under color of law. See Record.

<sup>12</sup> See Tavares’s attorney David C. Levine (“Levine”) (Florida Bar No. 47.733) E-mail of February 5, 2014 at 11:51 a.m., stating to Mcglinchey, *et al*, “Hello Everyone, I received an e-mail from Mr. Tavares that his Mother passed away, and that he had to fly to Brazil to assist with making funeral arrangements and to take care of family matters. Mr. Tavares has requested that we postpone the mediation until he is back. Unfortunately, Mr. Tavares does not know yet when he’ll be back. I’ll continue to keep you posted. Regards, David C. Levine. See BNY Mellon’s Plaintiff’s Response to Defendant’s Motion to Vacate Final Judgment of Foreclosure, at Exhibit E, at E-Filing #12440820, on 04/13/2014 at 03:24 p.m. The funeral for Tavares’s Mother took place in Sao Paulo, Brazil, on February 2, 2014. On February 5, 2014 at 5:32 p.m., BNY Mellon’ attorneys, knowingly and intentionally, to deprive Tavares’s rights, also sets mediation without consulting Tavares, for March 4, 2014. See E-Filing #9956427.

## COUNTS

**Count 17** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America by using dishonesty, fraud, and deceit to impair, obstruct, and defeat the lawful functions of the judicial machinery in a court of law in the United States of America in order to further major criminal schemes against the United States of America, in violation of 18 U.S.C. §371.

**Count 18** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud, extort, injure, oppress, threaten, and intimidate Tavares and others in the free exercise and enjoyment of a right and a privilege secured to them by the Constitution and laws of the United States -- that is, among other things, the right to an uncorrupted and not subverted judicial machinery, due process of law, the right to be free from intimidation, harassment, and abuse in a court of law, and rights to property, in violation of, among other things, 18 U.S.C. §241. *See, e.g.*, U.S. Const., Amend. XIV.

**Count 19** - Judges Langer, Lindsey, Bailey, and other Perpetrators implicated, as officers of the courts, did knowingly and intentionally systematically deprived and extorted Tavares, upon subverted court proceedings, of his properties and constitutionally guaranteed rights, under color of law, in violation of, 18 U.S.C. §242.

**Count 20** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America, the State of Florida, and citizens, of the right to honest services upon courts of law in the United States, by among other things, corrupting and subverting the judicial machinery to further criminal schemes upon, and by the subverted courts of law, in violation of 18 U.S.C. §1346.

**Count 21** - At all times relevant, the Perpetrators, as well as other unnamed implicated Associates, unlawfully conspired and endeavored to conduct and participate in a criminal enterprise in Miami-Dade County, Florida, and elsewhere. The Perpetrators, and others, known and unknown, constituted a criminal organization whose members and associates, as part of the conspiracy, that each criminal associate agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise, and engaged in various related criminal activities, including but not limited to false statements and writings, forgery, filing false documents, influencing witnesses, acts involving theft, perjury, mail and wire frauds, bank frauds, crimes against the United States, money laundering of illicit funds, extortion, and systematic violation of rights, contrary to 18 U.S.C. §1961 *et seq.* *See, e.g.*, the Record filed in this matter, and [Tavares Sworn Affidavit](#).

**Count 22** – Judges Lindsey and Bailey, and other officers of the court implicated, did knowingly and intentionally, use their judicial powers as guise to commit crimes, willfully participating in the brazen and known criminal scheme, to further the systematic subversion of the courts by the Associates implicated, systematically depriving, extorting, and violating Tavares’ rights, of constitutionally guaranteed rights, due process, to further a known brazen scheme depriving and extorting Tavares of his properties, further depriving the United States and the State of Florida of honest services upon a court of law, in violation of, among other laws, §837.06, F.S., Title 18 U.S.C. §371, Title 18 U.S.C. §241, Title 18 U.S.C. §242, Title 18 U.S.C. §1346, Title 18 U.S.C. §1349, Title 18 U.S.C. §1341, Title 18 U.S.C. §1343, in violation of, Florida Judicial Code of Conduct, Canons 1, 2, & 3. *See Fla. Code Jud. Conduct.*

| <u>COUNTS</u> | <u>APROX. DATE</u>   | <u>VIOLATIONS</u>  | <u>PERPETRATORS</u>   |
|---------------|--|--|---|
| 23            | <b>On February 14, 2014<br/>Through<br/>March 17, 2014</b> | <b>U. S. CODE TITLE 18</b>   | DAVID C. LEVINE<br>BNY MELLON<br>NORMA S. LINDSEY<br>JENNIFER D. BAILEY |
| 24            |  | § 371 Conspiracy to Defraud the USA<br>&   |   |
| 25            |  | § 241 Conspiracy Against Rights<br>&   |   |
| 26            |  | §242 Deprivation of Rights<br>Under Color of Law<br>&  |   |
| 27            |  | § 1346 Scheme/Artifice to Defraud<br>&   |   |
| 28            |  | § 1961 <i>et seq.</i> – RICO<br>&<br><b>FLORIDA BAR RULES OF CONDUCT</b><br>Misconduct – Rule 4-8.4 (a)(b)(c)(d) |   |

On or about February 14, 2014, client Charles Tavares (“Tavares”) demands his attorney David C. Levine (“Levine”) (Florida Bar No. 47.733) to withdraw from representation, after realizing he is corrupted into the scheme by repeatedly failing to properly advocate on behalf of Tavares, *inter alia*, knowingly and intentionally, allowing Judge Norma S. Lindsey (“Judge Lindsey”) (Florida Bar No. 994.812) to preside the case for fourteen months in an impermissible conflict of interest, showing violations of law and rights, with bias and prejudice, failing to guarantee Tavares’s right to a Jury Trial, depriving and extorting Tavares under color of law. Levine files a Motion to Withdraw from Tavares’s representation on the BNY Suit, Case No. 2010-26864-CA-30, see E-Filing #10290527, concurrently with a Notice of Hearing to be held on February 25, 2014, see Filing #10290527. As Tavares realizes Levine is delaying his immediate demanded withdraw, Tavares files, concurrently, on February 21, 2014,<sup>13</sup> a Notice of Appearance Pro Se, and a Defendant’s Motion for Dismissal Without Prejudice of this Case Due to Judge Norma S. Lindsey’s Continued Failure to Recuse Herself from the Case with Fatal Conflicts of Interest in Having Husband Harold Eugene Lindsey III, Esq., Employed by Plaintiff The Bank of New York Mellon in Adversarial Case to Defendant Charles Tavares. *See Record.* As Judge Lindsey, and Administrative Judge Bailey, continue allowing the scheme depriving and extorting Tavares of rights and properties, under color of law, Tavares files, on February 25, 2014, another Defendant’s Motion for Dismissal Without Prejudice of this Case Due to Judge Norma S. Lindsey’s Continued Failure to Recuse Herself from the Case with Fatal Conflicts of Interest in Having Husband Harold Eugene Lindsey III, Esq., Employed by Plaintiff The Bank of New York Mellon in Adversarial Case to Defendant Charles Tavares. *See Record.* On or about February 25, 2014,<sup>14</sup> Levine, as part of the scheme depriving and extorting Tavares, recklessly re-sets the Notice of Hearing on his withdraw to a hearing on March 6, 2014, see E-filing # 10664360. On or about March 17, 2014, Levine, as part of the scheme depriving and extorting Tavares, recklessly re-sets, again, the Notice of Hearing on his withdraw to a hearing on March 17, 2014 at 9:15 a.m., see Filing #10896810, or about 24 hours<sup>15</sup> before the bogus non-jury trial is set, to willfully deprive and extort Tavares of his homestead property, and constitutional rights. *See Record.*

<sup>13</sup> The Docket of the BNY Suit incorrectly shows Notice filed on February 20, 2014, instead of February 21, 2014.

<sup>14</sup> On February 25, 2014 at 10:00 a.m., in a set hearing, to hear Tavares’s attorney’s motion to withdraw, Judge Lindsey fails to rule on the motion, and instead, signs a recusal order after 14 months of violations. *See Record.*

<sup>15</sup> On February 5, 2014, implicated Judge Lindsey, upon learning, *ex-parte*, that Tavares is in Brazil for his Mother’s funeral, immediately, to further the scheme, Orders a Non-Jury Trial on March 18, 2018, to successfully deprive Tavares. *See Record.*

**TAVARES'S ATTORNEY DAVID C. LEVINE'S MOTION TO WITHDRAW AND ATTACHED EXHIBIT LETTER OF TAVARES'S REQUEST FOR HIS WITHDRAW FILED ON 02/14/2014**

" Filing # 10290527 Electronically Filed 02/14/2014 11:25:25 AM

IN THE CIRCUIT COURT OF THE 11<sup>TH</sup> JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA  
CIVIL DIVISION CASE NO. 10-26864 CA-30

The Bank of New York Mellon  
F/k/a The Bank of New York, as Trustee  
for the Certificate holders CWALT,  
Inc., Alternative Loan Trust 2006-OA21,  
Mortgage Pass-Through Certificates,  
Series 2006-OA21

Plaintiff(s),

vs.

Charles Tavares; et. al.,

Defendants

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**DEFENSE COUNSEL MOTION TO WITHDRAW**

DAVID C. LEVINE, P.A. ("Law Firm") hereby moves this Honorable Court for the entry of an Order granting it leave to withdraw as counsel for the Defendant CHARLES TAVARES. In support thereof, states as follows:

1. Irreconcilable differences have arisen between Law Firm and the Defendants.
2. Those differences are such as to preclude the Law Firm from being able to continue representing the Defendants in this case.
3. The Defendant has requested that this law firm withdraw from representing him in the underlying foreclosure case. (See attached)

WHEREFORE, David C. Levine, P.A., respectfully requests that this Court grant the Law Firm leave to withdraw as counsel for the Defendant, CHARLES TAVARES.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was send, via E-mail, this 14th day of February 2014 to the Law Offices of McClinchey Stafford 10407 Centurion Parkway North, Suite 200 Jacksonville, FL 32256 at e-mail address: gmacmillan@mcglinchey.com; vcaldwell@mcglinchey Sent Via Regular & Certified Mail Receipt No. 7011 2000 0002 6548 6068 Charles Tavares 218 SE 14th Street, PH-1, Miami, FL 33131

*/s/ David C. Levine*

David C. Levine - Florida Bar No. 0047733  
215 North Federal Highway, Dania Beach Florida 33004  
T. (954) 636-1415 Fax: (954)636-6015 E-Mail:  
E-mail: dlevine@attorneyadvocate.net". See Record.

**EXHIBIT LETTER ON TAVARES'S ATTORNEY DAVID C. LEVINE'S MOTION TO WITHDRAW FILED ON  
02/14/2014 – Filing # 10290527 Electronically Filed 02/14/2014 11:25:25 AM**

“Withdraw Request

I, Charles Tavares, have requested that the Law Firm of David C. Levine, P.A., withdraw from representing me in the foreclosure lawsuit filed by the Plaintiff, THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWALT, INC., ALTERNATIVE LOAN TRUST 2006-OA21, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-OA21, in association Miami-Dade County Case No.: 10-26864 CA 30. Additionally, I Charles Tavares, request that all future Pleadings filed in the above referenced case be mailed to me personally at the address provided below until such time as I hire, new counsel to represent me in this matter.

CHARLES TAVARES  
444 Brickell Avenue, #720  
Miami, Florida 33131

/s/ Charles Tavares

Charles Tavares                      Date: 2/14/14  
444 Brickell Avenue, #720  
Miami, Florida 33131”. See Filing# 10290527 on 02/14/2014.



**TAVARES'S ATTORNEY FIRST NOTICE OF HEARING ON MOTION TO WITHDRAW FILED ON  
02/14/2014 FOR A HEARING ON FEBRUARY 25, 2014 AT 10:00 AM**

" Filing # 10290527 Electronically Filed 02/14/2014 11:25:25 AM

IN THE CIRCUIT COURT OF THE 11<sup>TH</sup> JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA  
CIVIL DIVISION                      CASE NO. 10-26864 CA-30

The Bank of New York Mellon  
F/k/a The Bank of New York, as Trustee  
for the Certificate holders CWALT,  
Inc., Alternative Loan Trust 2006-OA21,  
Mortgage Pass-Through Certificates,  
Series 2006-OA21

Plaintiff(s),

vs.

Charles Tavares; et. al.,  
Defendants

---

**NOTICE OF HEARING**

PLEASE TAKE NOTICE, that the Defendants, by and through their undersigned counsel, will call up for hearing the Defense Counsel's Motion to Withdraw, on:

DATE: Tuesday, February 25, 2014

TIME: 10:00 A.M.

JUDGE: The Honorable Norma S. Lindsey

PLACE: 73 W. Flagler Street, Room 804, Miami, Florida 33130

SPECIFIC MATTER TO BE HEARD:

1.) Defense Counsel's Motion to Withdraw,

Please be governed accordingly.

In accordance with the American Disabilities Act of 1990n (ADA), disabled persons who, because of their disabilities, need special accommodation to participate in this proceeding should contact the ADA Coordinator not later than five (5) business days prior to the proceeding at the indicated address. (Dade County: (305) 375-2006; Broward County: (954) 831-7721 or TDD (954) 831-7017; Palm Beach: (407) 355-2431.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was send, via E-mail, this 14th day of February 2014 to the Law Offices of McClinchey Stafford 10407 Centurion Parkway North, Suite 200 Jacksonville, FL 32256 at e-mail address: gmacmillan@mcglinchey.com; vcaldwell@mcglinchey.com Sent Via Regular & Certified Mail Receipt No. 7011 2000 0002 6548 6068 Charles Tavares 218 SE 14th Street, PH-1, Miami, FL 33131

/s/ David C. Levine

David C. Levine - Florida Bar No. 0047733

215 North Federal Highway, Dania Beach Florida 33004

T. (954) 636-1415 Fax: (954)636-6015 E-Mail:

E-mail: dlevine@attorneyadvocate.net". See Record.

## COUNTS

**Count 23** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America by using dishonesty, fraud, and deceit to impair, obstruct, and defeat the lawful functions of the judicial machinery in a court of law in the United States of America in order to further major criminal schemes against the United States of America, in violation of 18 U.S.C. §371.

**Count 24** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud, extort, injure, oppress, threaten, and intimidate Tavares and others in the free exercise and enjoyment of a right and a privilege secured to them by the Constitution and laws of the United States -- that is, among other things, the right to an uncorrupted and not subverted judicial machinery, due process of law, the right to be free from intimidation, harassment, and abuse in a court of law, and rights to property, in violation of, among other things, 18 U.S.C. §241. *See, e.g.*, U.S. Const., Amend. XIV.

**Count 25** - Judges Lindsey and Bailey, and other Perpetrators implicated, as officers of the courts, did knowingly and intentionally systematically deprived and extorted Tavares, upon subverted court proceedings, of his properties and constitutionally guaranteed rights, under color of law, in violation of, 18 U.S.C. §242.

**Count 26** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America, the State of Florida, and citizens, of the right to honest services upon courts of law in the United States, by among other things, corrupting and subverting the judicial machinery to further criminal schemes upon, and by the subverted courts of law, in violation of 18 U.S.C. §1346.

**Count 27** - At all times relevant, the Perpetrators, as well as other unnamed implicated Associates, unlawfully conspired and endeavored to conduct and participate in a criminal enterprise in Miami-Dade County, Florida, and elsewhere. The Perpetrators, and others, known and unknown, constituted a criminal organization whose members and associates, as part of the conspiracy, that each criminal associate agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise, and engaged in various related criminal activities, including but not limited to false statements and writings, forgery, filing false documents, influencing witnesses, acts involving theft, perjury, mail and wire frauds, bank frauds, crimes against the United States, money laundering of illicit funds, extortion, and systematic violation of rights, contrary to 18 U.S.C. §1961 *et seq.* *See, e.g.*, the Record filed in this matter, and [Tavares Sworn Affidavit](#).

**Count 28** – Levine, and other officers of the court implicated, knowingly and intentionally use his Florida Bar licenses as guise to commit crimes, willfully participating in the brazen and known criminal scheme, to further the systematic subversion of the courts by the Associates implicated, repeatedly making patently false statements in writing to mislead the Miami Court to falsely incriminate, steal, extort, and deprive, under color of law, Tavares of constitutionally guaranteed rights, and his properties, further depriving the United States and the State of Florida of honest services upon a court of law, in violation of, among other laws, §837.06, F.S., Title 18 U.S.C. §371, Title 18 U.S.C. §241, Title 18 U.S.C. §242, Title 18 U.S.C. §1346, Title 18 U.S.C. §1349, Title 18 U.S.C. §1341, Title 18 U.S.C. §1343, Abuse of Process - Florida Common Law, and in further violation of Florida Bar [Oath](#), and Rules of Professional Conduct, Rule 4-8.4 MISCONDUCT.



**JUDGE LINDSEY'S WILLFULL FAILURE TO GRANT TAVARES'S ATTORNEY MOTION TO WITHDRAW IN A DULY SET HEARING OF FEBRUARY 25, 2014, INSTEAD ISSUING A RECUSAL ORDER AFTER FOURTEEN MONTHS OF CONFLICT OF INTEREST SHOWING BIAS, PREJUDICE AND VIOLATIONS DEPRIVING AND EXTORTING TAVARES UNDER COLOR OF LAW TO FURTHER A SCHEME BY THE CRIMINAL ENTERPRISE**

"IN THE COUNTY[\*] COURT IN AND FOR MIAMI-DADE COUNTY, FLORIDA  
CIVIL DIVISION CASE NO. 10-26864 CA-01 (30)

The Bank of New York Mellon  
F/k/a The Bank of New York, as Trustee  
for the Certificate holders CWALT,  
Inc., Alternative Loan Trust 2006-OA21,  
Mortgage Pass-Through Certificates,  
Series 2006-OA21

**FILED FOR RECORD 2014 FEB 25 PM 2:51**

Plaintiff(s),

vs.

Charles Tavares, an individual,  
Defendant(s)

**ORDER OF RECUSAL**

The undersigned Judge hereby recuses herself from any further proceedings in the above-styled case.

The Clerk of the Court is ordered to transfer this matter to the appropriate Administrative Judge for re-assignment.

DONE AND ORDERED in Miami-Dade County, Florida this 25 day of February, 2014.

/s/ Norma S. Lindsey

Norma S. Lindsey – Circuit Court Judge

*Reassigned by Blind Filing Section 03*

*Per Order Adm. Judge This Date of 2-25-14 Wanda -----, Deputy Clerk*

*ORIGINAL JUDGE NORMA S. LINDSEY*

Copies furnished to all parties:

All Parties." See Record Case No. 2010-26864-CA-30, Miami-Dade County, Florida.

\* Judge Lindsey uses the "County Court" form instead of the proper "11<sup>th</sup> Judicial Circuit Court", as the case is upon the Circuit Court and not the County Court, after more than fourteen (14) months on a known and intentional conflict of interest, in violation of, *inter alia*, Fla. Code Jud. Conduct, Canons 1, 2, and 3, and Rights, despite Tavares's numerous motions to recuse her, and after she recuses on three (03) other Related Cases, upon being first exposed on December 3, 2013, intentionally presiding Tavares's four (04) cases in fatal conflict to further an underlying brazen criminal scheme depriving and extorting Tavares of all properties and rights, under color of law, and viciously and recklessly, staying in the BNY Suit to make sure Tavares and his family is deprived and extorted of their home, to her husband, Harold Eugene Lindsey III ("Lindsey III") (Florida Bar No. 130.338), an attorney for BNY Mellon, all implicated in the underlying brazen scheme extorting Tavares. See Record.

## COUNTS

**Count 29** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America by using dishonesty, fraud, and deceit to impair, obstruct, and defeat the lawful functions of the judicial machinery in a court of law in the United States of America in order to further major criminal schemes against the United States of America, in violation of 18 U.S.C. §371.

**Count 30** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud, extort, injure, oppress, threaten, and intimidate Tavares and others in the free exercise and enjoyment of a right and a privilege secured to them by the Constitution and laws of the United States – – that is, among other things, the right to an uncorrupted and not subverted judicial machinery, due process of law, the right to be free from intimidation, harassment, and abuse in a court of law, and rights to property, in violation of, among other things, 18 U.S.C. §241. *See, e.g.*, U.S. Const., Amend. XIV.

**Count 31** - Judge Lindsey, and other Perpetrators implicated, as officers of the courts, did knowingly and intentionally systematically deprived and extorted Tavares, upon subverted court proceedings, of his properties and constitutionally guaranteed rights, under color of law, in violation of, 18 U.S.C. §242.

**Count 32** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America, the State of Florida, and citizens, of the right to honest services upon courts of law in the United States, by among other things, corrupting and subverting the judicial machinery to further criminal schemes upon, and by the subverted courts of law, in violation of 18 U.S.C. §1346.

**Count 33** - At all times relevant, the Perpetrators, as well as other unnamed implicated Associates, unlawfully conspired and endeavored to conduct and participate in a criminal enterprise in Miami-Dade County, Florida, and elsewhere. The Perpetrators, and others, known and unknown, constituted a criminal organization whose members and associates, as part of the conspiracy, that each criminal associate agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise, and engaged in various related criminal activities, including but not limited to false statements and writings, forgery, filing false documents, influencing witnesses, acts involving theft, perjury, mail and wire frauds, bank frauds, crimes against the United States, money laundering of illicit funds, extortion, and systematic violation of rights, contrary to 18 U.S.C. §1961 *et seq.* *See, e.g.*, the Record filed in this matter, and [Tavares Sworn Affidavit](#).

**Count 34** – Judge Lindsey, and other officers of the courts implicated, knowingly and intentionally, use their judicial powers as guise to commit crimes, willfully participating in the brazen and known criminal scheme, to further the systematic subversion of the courts by the Associates implicated, systematically depriving, extorting, and violating Tavares’ rights, of constitutionally guaranteed rights, and due process, to further a known brazen scheme depriving and extorting Tavares of his properties, further depriving the United States and the State of Florida of honest services upon a court of law, in violation of, among other laws, §837.06, F.S., Title 18 U.S.C. §371, Title 18 U.S.C. §241, Title 18 U.S.C. §242, Title 18 U.S.C. §1346, Title 18 U.S.C. §1349, Title 18 U.S.C. §1341, Title 18 U.S.C. §1343, in violation of, Florida Judicial Code of Conduct, Canons 1, 2, & 3. *See Fla. Code Jud. Conduct.*

**COUNTS      APROX. DATE                      VIOLATIONS                                      PERPETRATORS**

|                                  |                   |  |  |
|----------------------------------|-------------------|--|--|
| 35<br>36<br>37<br>38<br>39<br>40 | February 25, 2014 | <p align="center"><b><u>U. S. CODE TITLE 18</u></b></p> <p align="center">§ 371 Conspiracy to Defraud the USA<br/>&amp;<br/>§ 241 Conspiracy Against Rights<br/>&amp;<br/>§242 Deprivation of Rights<br/>Under Color of Law<br/>&amp;<br/>§ 1346 Scheme/Artifice to Defraud<br/>&amp;<br/>§ 1341 Mail Fraud<br/>&amp;<br/>§ 1961 <i>et seq.</i> – RICO</p> | <p>DAVID C. LEVINE<br/>THE BANK OF NEW YORK MELLON<br/>GAVIN WILLIAN MACMILLAN<br/>MCGLINCHEY STAFFORD, P.A.<br/>CARLY R. WEITZMAN<br/>MCCALLA RAYMER, LLC<br/>THE CRIMINAL ENTERPRISE</p> |
|----------------------------------|-------------------|--|--|

On or about February 25, 2014, attorney David C. Levine (“Levine”) (Florida Bar No. 47.733), files, to further the ongoing scheme by the Criminal Enterprise, depriving and extorting Charles Tavares (“Tavares”) of his properties and rights under color of law, upon subverted Miami Courts, a “Second” Notice of Hearing for March 6, 2014, on Levine’s Motion to Withdraw from Tavares’s representation in *The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the Certificate Holders CWALT, Inc., Alternative Loan Trust 2006-OA21, Mortgage Pass-Through Certificates, Series 2006-OA21, vs. Charles Tavares, Mortgage Electronic Systems, Incorporated as Nominee for Flick Mortgage Investors, Inc.; The Emerald at Brickell Condominium Association, Inc.; Unknown Spouse of Charles Tavares; Unknown Tenant (s); in Possession of the Subject Property* (“BNY Suit”), Case No. 2010-26864-CA-30, in Miami-Dade County, Florida (“Miami Courts”). See E-Filing #10664360 Filed on 02/25/2014 02:27:39 PM. The aforesaid Notice of Hearing of March 6, 2014 by Levine, is actually issued after the Hearing on the Motion to Withdraw of February 25, 2014 at 10:00 a.m. before corrupt Judge Norma S. Lindsey (“Judge Lindsey”) (Florida Bar No. 994.812), see First Notice of Hearing on Motion to Withdraw at E-Filing #10290527 Filed on 02/14/2014 at 11:25:25 a.m. The scheme upon the Miami Courts, by among others, judge Lindsey, Levine, BNY Mellon, and BNY Mellon’s attorneys, intentionally and knowingly deprives Tavares of due process and rights, in order to successfully prevent Tavares’s defenses and ultimately, to deprive and extort Tavares of his homestead property and rights, under color of law. To further the scheme depriving Tavares of properties and rights, Levine, submits and transmits via U.S. Postal Mail, certifying that the aforesaid Notice of Hearing for March 6, 2014 at 10:00 a.m., is “Sent Via Regular Mail Receipt No.: 7011 2000 0002 6548 6075 on February 25, 2014”. See Record.

**TAVARES'S ATTORNEY'S "SECOND" NOTICE OF HEARING ON MOTION TO WITHDRAW FILED ON 02/25/2014 FOR A HEARING ON March 6, 2014 AT 10:00 AM**

" Filing # 10664360 Electronically Filed 02/25/2014 02:27:39 PM

IN THE CIRCUIT COURT OF THE 11<sup>TH</sup> JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA  
CIVIL DIVISION                      CASE NO. 10-26864 CA-30

The Bank of New York Mellon  
F/k/a The Bank of New York, as Trustee  
for the Certificate holders CWALT,  
Inc., Alternative Loan Trust 2006-OA21,  
Mortgage Pass-Through Certificates,  
Series 2006-OA21

Plaintiff(s),

vs.

Charles Tavares; et. al.,  
Defendants

---

**NOTICE OF HEARING**

PLEASE TAKE NOTICE, that the Defendants, by and through their undersigned counsel, will call up for hearing the Defense Counsel's Motion to Withdraw, on:

DATE: Tuesday, March 6, 2014

TIME: 10:00 A.M.

JUDGE: The Honorable Norma S. Lindsey

PLACE: 73 W. Flagler Street, Room 804, Miami, Florida 33130

SPECIFIC MATTER TO BE HEARD:

1.) Defense Counsel's Motion to Withdraw,

Please be governed accordingly.

In accordance with the American Disabilities Act of 1990n (ADA), disabled persons who, because of their disabilities, need special accommodation to participate in this proceeding should contact the ADA Coordinator not later than five (5) business days prior to the proceeding at the indicated address. (Dade County: (305) 375-2006; Broward County: (954) 831-7721 or TDD (954) 831-7017; Palm Beach: (407) 355-2431.

I hereby certify that I have made a good faith attempt to resolve this matter prior to my noticing this matter for hearing.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was send, via E-mail, this 25th day of February 2014 to the Law Offices of McClinchey Stafford 10407 Centurion Parkway North, Suite 200 Jacksonville, FL 32256 at e-mail address: gmacmillan@mcglinchey.com; vcaldwell@mcglinchey.com Sent Via Regular & Certified Mail Receipt No. 7011 2000 0002 6548 6075 Charles Tavares 218 SE 14th Street, PH-1, Miami, FL 33131

/s/ David C. Levine

David C. Levine - Florida Bar No. 0047733

215 North Federal Highway, Dania Beach Florida 33004

T. (954) 636-1415 Fax: (954)636-6015 E-Mail:

E-mail: dlevine@attorneyadvocate.net". See Record.



## COUNTS

**Count 35** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America by using dishonesty, fraud, and deceit to impair, obstruct, and defeat the lawful functions of the judicial machinery in a court of law in the United States of America in order to further major criminal schemes against the United States of America, in violation of 18 U.S.C. §371.

**Count 36** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud, extort, injure, oppress, threaten, and intimidate Tavares and others in the free exercise and enjoyment of a right and a privilege secured to them by the Constitution and laws of the United States – – that is, among other things, the right to an uncorrupted and not subverted judicial machinery, due process of law, the right to be free from intimidation, harassment, and abuse in a court of law, and rights to property, in violation of, among other things, 18 U.S.C. §241. *See, e.g.*, U.S. Const., Amend. XIV.

**Count 37** - Levine, and other Perpetrators implicated, as officers of the courts, did knowingly and intentionally systematically deprived and extorted Tavares, upon subverted court proceedings, of his properties and constitutionally guaranteed rights, under color of law, in violation of, 18 U.S.C. §242.

**Count 38** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America, the State of Florida, and citizens, of the right to honest services upon courts of law in the United States, by among other things, corrupting and subverting the judicial machinery to further criminal schemes upon, and by the subverted courts of law, in violation of 18 U.S.C. §1346.

**Count 39** – Levine, and other Perpetrators implicated, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to use, submit and transmit sham pleadings to further the known criminal scheme depriving and extorting, under color of law, via U.S. Postal Mail, in violation of, 18, U.S.C., § 1341.

**Count 40** - At all times relevant, the Perpetrators, as well as other unnamed implicated Associates, unlawfully conspired and endeavored to conduct and participate in a criminal enterprise in Miami-Dade County, Florida, and elsewhere. The Perpetrators, and others, known and unknown, constituted a criminal organization whose members and associates, as part of the conspiracy, that each criminal associate agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise, and engaged in various related criminal activities, including but not limited to false statements and writings, forgery, filing false documents, influencing witnesses, acts involving theft, perjury, mail and wire frauds, bank frauds, crimes against the United States, money laundering of illicit funds, extortion, and systematic violation of rights, contrary to 18 U.S.C. §1961 *et seq.* *See, e.g.*, the Record filed in this matter, and [Tavares Sworn Affidavit](#).

**COUNTS      APROX. DATE                      VIOLATIONS                                      PERPETRATORS**

|    |                          |  |  |
|----|--------------------------|--|--|
| 41 | <b>February 27, 2014</b> | <b><u>U. S. CODE TITLE 18</u></b>  | JENNIFER DRECHSEL BAILEY<br>THE BANK OF NEW YORK MELLON<br>THE CRIMINAL ENTERPRISE |
| 42 |                          | § 371 Conspiracy to Defraud the USA<br>&   |  |
| 43 |                          | § 241 Conspiracy Against Rights<br>&   |  |
| 44 |                          | §242 Deprivation of Rights<br>Under Color of Law<br>&  |  |
| 45 |                          | § 1346 Scheme/Artifice to Defraud<br>&   |  |
| 46 |                          | § 1961 <i>et seq.</i> – RICO<br>&<br><b>FLORIDA CODE OF JUDICIAL CONDUCT</b><br>Canons 1; 2; and 3 |  |

On or about February 27, 2014, Administrative judge Jennifer D. Bailey, issues a Transfer Order to her Division, after fourteen (14) months, knowingly and intentionally, allowing corrupt judge Norma S. Lindsey (“Judge Lindsey”) (Florida Bar No. 994.812) to preside all Charles Tavares’s (“Tavares”) four (04) civil cases before the courts in Miami-Dade, Florida (“Miami Courts”), in fatal conflict of interest, with bias and prejudice against Tavares, to further the scheme depriving and extorting Tavares, under color of law, upon the subverted proceedings, after fatally compromised and harmed his cause, after systematically denying due process of law and rights in the foreclosure styled case for Tavares’s homestead property at 218 S.E. 14 Street, Penthouse 1, Miami, Florida 33131 (“PH-1”), *The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the Certificate Holders CWALT, Inc., Alternative Loan Trust 2006-OA21, Mortgage Pass-Through Certificates, Series 2006-OA21, vs. Charles Tavares, Mortgage Electronic Systems, Incorporated as Nominee for Flick Mortgage Investors, Inc.; The Emerald at Brickell Condominium Association, Inc.; Unknown Spouse of Charles Tavares; Unknown Tenant (s); in Possession of the Subject Property* (“BNY Suit”), Case No. 2010-26864-CA-30, in Miami-Dade County, Florida (“Miami Courts”). See [Tavares Affidavit of 11/27/2022](#). Judge Bailey, to make sure that the scheme depriving and extorting Tavares, under color of law, is successful, decides to preside the BNY Suit to make sure BNY Mellon succeeds in the scheme depriving and extorting Tavares of his homestead property upon the subverted proceedings. See Record.

Judge Bailey, and other implicated officers of the courts, by knowingly and intentionally, allowing the brazen criminal schemes to be freely perpetrated under their supervision, aiding and abetting the perpetrators, willfully furthering the known criminal rackets upon the subverted Miami Courts, depriving, stealing, and extorting, under color of law, among others, Tavares, the state of Florida, and the United States of America, violate, among other laws, Title 18, United States Code, Sections, 371, 241, 242, 1346, 1961, et seq., and their Oath and Florida Code of Judicial Conduct, Canons, 1, 2, and 3. See Record.

**TRANSFER ORDER ON RECUSAL OF JUDGE LINDSEY AFTER FOURTEEN MONTHS OF CONFLICT OF INTEREST SHOWING BIAS, PREJUDICE AND SCHEME BY THE CRIMINAL ENTERPRISE**

“In the General Jurisdiction Division Case No. 10-26864-CA-01  
In the 11<sup>th</sup> Judicial Circuit, In and for Miami-Dade County, Florida

Bank of NY Mellon,  
v.  
Charles Tavares

**FILED FOR RECORD 2014 FEB 27 PM 1:33**

**TRANSFER ORDER ON RECUSAL**

This matter came before the undersigned administrative judge upon the recusal of Division 25. [sic\*]. The case has been blind-filed by the Clerk of the Court to Division 03, and all further proceedings shall be had before that judge.

Done and Ordered at Miami-Dade County, Florida this 27 day of February 2014.

/s/ Jennifer D. Bailey

Jennifer D. Bailey – Administrative Judge  
General Jurisdiction Division

*ORIGINAL*  
*JUDGE JENNIFER D. BAILEY*

CC:

counsel of record” See Record Case No. 2010-26864-CA-30, Miami-Dade County, Florida.

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\* The correct Division is 30, and Administrative Judge Jennifer D. Bailey, knew at all relevant times that, Judge Lindsey is presiding all of Tavares’ civil cases before the Miami Courts in an intentional impermissible fatal conflict of interest, with bias and prejudice against Tavares, as wife to The Bank of New York Mellon’s (“BNY Mellon”) attorney Eugene Harold Lindsey III (“Lindsey III”) (Florida Bar No. 130.338), at Katz Barron Faust & Squitiero (“Katz Barron”), implicated in the underlying schemes extorting Tavares, and in reckless disregard for the law, the constitution, to the truth, to her duties as Administrative duties, and to Tavares’s repeated motions to disqualify Judge Lindsey for her brazen systematic violations of law, the constitution, and Tavares’ rights, knowingly and intentionally, fails to stop the systematic known deprivation and extortion under color of law, ongoing for years, in violation of Florida’s Code of Judicial Conduct, Canons 1, 2, and 3. See Record.

## COUNTS

**Count 41** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America by using dishonesty, fraud, and deceit to impair, obstruct, and defeat the lawful functions of the judicial machinery in a court of law in the United States of America in order to further major criminal schemes against the United States of America, in violation of 18 U.S.C. §371.

**Count 42-** The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud, extort, injure, oppress, threaten, and intimidate Tavares and others in the free exercise and enjoyment of a right and a privilege secured to them by the Constitution and laws of the United States – – that is, among other things, the right to an uncorrupted and not subverted judicial machinery, due process of law, the right to be free from intimidation, harassment, and abuse in a court of law, and rights to property, in violation of, among other things, 18 U.S.C. §241. *See, e.g.*, U.S. Const., Amend. XIV.

**Count 43-** Judge Bailey, and other Perpetrators implicated, as officers of the courts, did knowingly and intentionally systematically deprived and extorted Tavares, upon subverted court proceedings, of his properties and constitutionally guaranteed rights, under color of law, in violation of, 18 U.S.C. §242.

**Count 44** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America, the State of Florida, and citizens, of the right to honest services upon courts of law in the United States, by among other things, corrupting and subverting the judicial machinery to further criminal schemes upon, and by the subverted courts of law, in violation of 18 U.S.C. §1346.

**Count 45** - At all times relevant, the Perpetrators, as well as other unnamed implicated Associates, unlawfully conspired and endeavored to conduct and participate in a criminal enterprise in Miami-Dade County, Florida, and elsewhere. The Perpetrators, and others, known and unknown, constituted a criminal organization whose members and associates, as part of the conspiracy, that each criminal associate agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise, and engaged in various related criminal activities, including but not limited to false statements and writings, forgery, filing false documents, influencing witnesses, acts involving theft, perjury, mail and wire frauds, bank frauds, crimes against the United States, money laundering of illicit funds, extortion, and systematic violation of rights, contrary to 18 U.S.C. §1961 *et seq.* *See, e.g.*, the Record filed in this matter, and [Tavares Sworn Affidavit](#).

**Count 46** – Judge Bailey, and other officers of the court implicated, did knowingly and intentionally, use their judicial powers as guise to commit crimes, willfully participating in the brazen and known criminal scheme, to further the systematic subversion of the courts by the Associates implicated, systematically depriving, extorting, and violating Tavares’ rights, of constitutionally guaranteed rights, due process, to further a known brazen scheme depriving and extorting Tavares of his properties, further depriving the United States and the State of Florida of honest services upon a court of law, in violation of, among other laws, §837.06, F.S., Title 18 U.S.C. §371, Title 18 U.S.C. §241, Title 18 U.S.C. §242, Title 18 U.S.C. §1346, Title 18 U.S.C. §1349, Title 18 U.S.C. §1341, Title 18 U.S.C. §1343, in violation of, Florida Judicial Code of Conduct, Canons 1, 2, & 3. *See Fla. Code Jud. Conduct.*

**COUNTS      APROX. DATE                      VIOLATIONS                                      PERPETRATORS**

|    |                      |  |   |
|----|----------------------|--|---|
| 47 | <b>March 3, 2014</b> | <b><u>U. S. CODE TITLE 18</u></b>                      | DAVID C. LEVINE<br>THE BANK OF NEW YORK MELLON<br>JENNIFER D. BAILEY<br>THE CRIMINAL ENTERPRISE |
| 48 |                      | § 371 Conspiracy to Defraud the USA<br>&               |   |
| 49 |                      | § 241 Conspiracy Against Rights<br>&                   |   |
| 50 |                      | §242 Deprivation of Rights<br>Under Color of Law<br>&  |   |
| 51 |                      | § 1346 Scheme/Artifice to Defraud<br>&                 |   |
| 52 |                      | § 1341 Mail Fraud<br>&<br>§ 1961 <i>et seq.</i> – RICO |   |

On or about March 3, 2014, attorney David C. Levine (“Levine”) (Florida Bar No. 47.733), files, as part of the ongoing scheme by the Criminal Enterprise, depriving and extorting Charles Tavares (“Tavares”) of his properties and rights under color of law, upon subverted Miami Courts, a “Third” Second Notice of Hearing for March 17, 2014 at 9:15 a.m., on Levine’s Motion to Withdraw from Tavares’s representation in *The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the Certificate Holders CWALT, Inc., Alternative Loan Trust 2006-OA21, Mortgage Pass-Through Certificates, Series 2006-OA21, vs. Charles Tavares, Mortgage Electronic Systems, Incorporated as Nominee for Flick Mortgage Investors, Inc.; The Emerald at Brickell Condominium Association, Inc.; Unknown Spouse of Charles Tavares; Unknown Tenant (s); in Possession of the Subject Property* (“BNY Suit”), Case No. 2010-26864-CA-30, in Miami-Dade County, Florida (“Miami Courts”). See E-Filing #10896810 Filed on 03/03/2014 05:33:21 PM. The aforesaid Notice of Hearing of March 17, 2014 by Levine, is actually issued after two (2) previous Notices of Hearing – “First” Notice of Hearing for February 25, 2014 at 10:00 a.m., filed on February 14, 2014, see Filing #10290527 Filed on 02/14/2014 at 11:25:25 AM, and the “Second” Notice of Hearing of March 6, 2014 at 10:00 a.m., see Filing #10664360 Filed on 02/25/2014 at 02:27:39 PM.

The scheme upon the Miami Courts, by among others, judge Lindsey, Levine, BNY Mellon, and BNY Mellon’s attorneys, intentionally and knowingly deprives Tavares of due process and rights, in order to successfully prevent Tavares’s defenses and ultimately, to deprive and extort Tavares of his homestead property and rights, under color of law. To further the scheme depriving Tavares of properties and rights, Levine certifies that the aforesaid Notice of Hearing for March 17, 2014 at 10:00 a.m., is “Sent Via Regular Mail Receipt No.: 7011 2000 0002 6548 6082 on March 3, 2014”. See Record. The sham proceedings, now, intentionally presided by implicated Administrative Judge Jennifer D. Bailey (“Judge Bailey”) (Florida Bar No. 386.758), to deprive and extort Tavares, under color of law, following the recusal of implicated judge Norma S. Lindsey (“Judge Lindsey”) (Florida Bar No. 994.812) successfully deprives Tavares of due process and his constitutional rights. See Record.

**TAVARES'S ATTORNEY'S "THIRD" SECOND NOTICE OF HEARING ON MOTION TO WITHDRAW FILED ON 03/03/2014 FOR A HEARING ON March 6, 2014 AT 10:00 AM**

" Filing # 10896810 Electronically Filed 03/03/2014 05:33:21 PM

IN THE CIRCUIT COURT OF THE 11<sup>TH</sup> JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA  
CIVIL DIVISION                      CASE NO. 10-26864 CA-30

The Bank of New York Mellon  
F/k/a The Bank of New York, as Trustee  
for the Certificate holders CWALT,  
Inc., Alternative Loan Trust 2006-OA21,  
Mortgage Pass-Through Certificates,  
Series 2006-OA21

Plaintiff(s),

vs.

Charles Tavares; et. al.,

Defendants

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**NOTICE OF HEARING**

PLEASE TAKE NOTICE, that the Defendants, by and through their undersigned counsel, will call up for hearing the Defense Counsel's Motion to Withdraw, on:

DATE: Tuesday, March 17, 2014

TIME: 9:15 A.M.

JUDGE: The Honorable Jennifer D. Bailey

PLACE: 73 W. Flagler Street, Room 635, Miami, Florida 33130

SPECIFIC MATTER TO BE HEARD:

1.) Defense Counsel's Motion to Withdraw,

Please be governed accordingly.

In accordance with the American Disabilities Act of 1990n (ADA), disabled persons who, because of their disabilities, need special accommodation to participate in this proceeding should contact the ADA Coordinator not later than five (5) business days prior to the proceeding at the indicated address. (Dade County: (305) 375-2006; Broward County: (954) 831-7721 or TDD (954) 831-7017; Palm Beach: (407) 355-2431.

I hereby certify that I have made a good faith attempt to resolve this matter prior to my noticing this matter for hearing.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was send, via E-mail, this 3rd day of March 2014 to the Law Offices of McClinchey Stafford 10407 Centurion Parkway North, Suite 200 Jacksonville, FL 32256 at e-mail address: gmacmillan@mcglinchey.com; vcaldwell@mcglinchey.com Sent Via Regular & Certified Mail Receipt No. 7011 2000 0002 6548 6082 Charles Tavares 218 SE 14th Street, PH-1, Miami, FL 33131

/s/ David C. Levine

David C. Levine - Florida Bar No. 0047733

215 North Federal Highway, Dania Beach Florida 33004

T. (954) 636-1415 Fax: (954)636-6015 E-Mail:

E-mail: dlevine@attorneyadvocate.net". See Record.

## COUNTS

**Count 47** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America by using dishonesty, fraud, and deceit to impair, obstruct, and defeat the lawful functions of the judicial machinery in a court of law in the United States of America in order to further major criminal schemes against the United States of America, in violation of 18 U.S.C. §371.

**Count 48** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud, extort, injure, oppress, threaten, and intimidate Tavares and others in the free exercise and enjoyment of a right and a privilege secured to them by the Constitution and laws of the United States – – that is, among other things, the right to an uncorrupted and not subverted judicial machinery, due process of law, the right to be free from intimidation, harassment, and abuse in a court of law, and rights to property, in violation of, among other things, 18 U.S.C. §241. *See, e.g.*, U.S. Const., Amend. XIV.

**Count 49** - Judge Bailey, and other Perpetrators implicated, as officers of the courts, did knowingly and intentionally systematically deprived and extorted Tavares, upon subverted court proceedings, of his properties and constitutionally guaranteed rights, under color of law, in violation of, 18 U.S.C. §242.

**Count 50** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America, the State of Florida, and citizens, of the right to honest services upon courts of law in the United States, by among other things, corrupting and subverting the judicial machinery to further criminal schemes upon, and by the subverted courts of law, in violation of 18 U.S.C. §1346.

**Count 51** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to use, submit and transmit sham pleadings to further the known criminal scheme depriving and extorting, under color of law, via U.S. Postal Mail, in violation of, 18, U.S.C., § 1341.

**Count 52** - At all times relevant, Levine, and other Perpetrators implicated, as well as other unnamed implicated Associates, unlawfully conspired and endeavored to conduct and participate in a criminal enterprise in Miami-Dade County, Florida, and elsewhere. The Perpetrators, and others, known and unknown, constituted a criminal organization whose members and associates, as part of the conspiracy, that each criminal associate agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise, and engaged in various related criminal activities, including but not limited to false statements and writings, forgery, filing false documents, influencing witnesses, acts involving theft, perjury, mail and wire frauds, bank frauds, crimes against the United States, money laundering of illicit funds, extortion, and systematic violation of rights, contrary to 18 U.S.C. §1961 *et seq.* *See, e.g.*, the Record filed in this matter, and [Tavares Sworn Affidavit](#).



**COUNTS      APROX. DATE                      VIOLATIONS                      PERPETRATORS**

|    |  |   |  |  |
|----|--|---|--|--|
| 53 | <p style="text-align: center;"><b>From<br/>February 26, 2014<br/>To<br/>March 19, 2014</b></p> | <p style="text-align: center;"><b>U. S. CODE TITLE 18</b></p> <p>§ 371 Conspiracy to Defraud the USA<br/>&amp;<br/>§ 241 Conspiracy Against Rights<br/>&amp;<br/>§242 Deprivation of Rights<br/>Under Color of Law<br/>&amp;<br/>§ 1346 Scheme/Artifice to Defraud<br/>&amp;<br/>§ 1961 <i>et seq.</i> – RICO<br/>&amp;</p> <p style="text-align: center;"><b>FLORIDA CODE OF JUDICIAL CONDUCT</b><br/>Canons 1; 2; and 3</p> | <p>JENNIFER DRECHSEL BAILEY<br/>NORMA SHEPARD LINDSEY<br/>BERTILA ANA SOTO<br/>THE BANK OF NEW YORK MELLON<br/>GAVIN W. MACMILLAN<br/>MCGLINCHEY STAFFORD<br/>CARLY R. WEITZMAN<br/>MCCALLA RAYMER, LLC<br/>DAVID C. LEVINE<br/>DAVID LEVINE, P.A.<br/>THE CRIMINAL ENTERPRISE</p> |  |
| 54 |  |   |  |  |
| 55 |  |   |  |  |
| 56 |  |   |  |  |
| 57 |  |   |  |  |
| 58 |  |   |  |  |

On or about February 26, 2014, Charles Tavares (“Tavares”), files, after exposing the scheme in the foreclosure styled case for Tavares’s homestead property at 218 S.E. 14 Street, Penthouse 1, Miami, Florida 33131 (“PH-1”), *The Bank of New York Mellon vs. Charles Tavares* (“BNY Suit”), Case No. 2010-26864-CA-30, in Miami-Dade County, Florida (“Miami Courts”), by implicated Judge Norma S. Lindsey (“Judge Lindsey”) (Florida Bar No. 994.812), together with Tavares’ attorney David C. Levine (“Levine”) (Florida Bar No. 47.733), The Bank of New York Mellon (“BNY Mellon”) and its attorneys,<sup>17</sup> depriving and extorting Tavares of his properties and rights, under color of law, to further an underlying criminal scheme, Pro Se, after dismissing Levine, on February 14, 2014, for being clearly corrupted into the scheme, a correspondence letter to Administrative Judge Jennifer D. Bailey (“Judge Bailey”) (Florida Bar No. 386.758), restating Tavares’s previous requests for the recusal of Judge Lindsey, for systematic violations of Tavares’ rights, showing bias and prejudice against Tavares, and irreparably tainting the BNY Suit, to further the underlying criminal scheme, by among others, Judge Lindsey’s husband, Harold Eugene Lindsey III (“Lindsey III”), (Florida Bar No. 130.338) extorting and depriving Tavares of more than \$50 million of Tavares’s properties and rights, under color of law, in the Related BRIDGELOAN sham Case. See Record, and Certified U.S. Postal Mail to Judge Bailey #7012 2210 0002 1646 6914.

On or about February 28, 2014, Tavares, in his pursuit of justice and in order to try to stop the brazen criminal scheme extorting Tavares upon the sham proceedings, files, and submits to the Chief Judge Bertila Ana Soto (“Chief Judge Soto”) (Florida Bar No. 822.752), for the Eleventh Judicial Circuit for Miami-Dade County, Florida (“Miami Courts”), a correspondence letter, with supporting evidence, demonstrating the brazen scheme extorting Tavares of properties and rights, by officers of the Miami Courts, and demanding that Chief Judge Soto “take proper and immediate action to restore our Constitutional, Civil and Legal Rights in the Miami Courts”. See Record, and Certified U.S. Postal Mail to Chief Judge Soto #7012 2210 0002 1646 6914.

On or about March 4, 2014, Tavares files Defendant’s Motion for Dismissal Without Prejudice of this Case Due to Prior Presiding Judge Norma S. Lindsey’s Failure to Recuse Herself from the Case with Fatal Conflicts of Interest in Having Husband Harold Eugene Lindsey III, Esq., Employed by Plaintiff The Bank of New York Mellon in Adversarial Case to the Defendant Charles Tavares, with pleadings and evidence showing that, among other things, Judge Lindsey, knowingly and intentionally, presiding Tavares’s BNY Suit, for fourteen (14) months, in known conflict of interest as wife to BNY Mellon’s attorney Lindsey III, and even after being recused on three (03) other related Tavares’ cases, on December 3, 2013, systematically depriving Tavares of due process of law, intimidating and corrupting Tavares’s attorney

David C. Levine (“Levine”) (Florida Bar No. 47.733), into the scheme, unilaterally setting, on February 5, 2014 – and filed on February 6, 2014, a non-jury Trial of March 18, 2014, upon being informed that Tavares is in Brazil attending his Mother’s funeral, denying Tavares a jury Trial, and preventing Tavares from discovery and proper preparations for the sham non-jury Trial by refusing to immediately hold a hearing on Tavares’s attorney Levine Motion of February 14, 2014 to Withdraw so Tavares could engage an uncorrupted attorney to properly advocate Tavares’s meritorious cause, and again, on February 25, 2014, setting up the hearing on the Motion to Withdraw for March 6, 2014, only to have it re-set for March 17, 2014, less than 24 hours before the sham non-jury Trial of March 18, 2014, in order to intentionally and successfully obstruct justice, to deprive and extort, under color of law, Tavares of properties and rights. Judge Lindsey, and other implicated officers of the courts’ actions upon the sham proceedings, shock the conscious, by systematically subverting a court of law in the United States of America to, knowingly and intentionally, deprive and extort a U.S. citizen of his properties and constitutionally guaranteed rights, under color of law, further violating, among other things, their Oath, the law, the Constitution, and Florida Code of Judicial Conduct, Canons 1, 2, and 3. See Record.

On March 7, 2014, eleven days before the sham non-jury trial, to further the scheme extorting Tavares’s properties and rights, under color of law, BNY Mellon’s attorney Gavin W. MacMillan (“MacMillan”) (Florida Bar No.37.641), at McGlinchey Stafford, files a bogus Plaintiff’s Initial Witness List and Exhibit List for March 18, 2014 Trial, willfully not serving Tavares, showing the farce. See Filing #11100841.

On March 17, 2014, the subverted Miami Courts, together with BNY Mellon, and corrupted attorney Levine continuing obstructing the proceedings to knowingly and intentionally, deny Tavares due process of law, and an uncorrupted tribunal, Tavares files Defendant’s Motion to Cancel Trial on March 18, 2014 Due to Fatal Conflicts of Interest, Bias and Discriminatory Actions by former corrupt Judge Lindsey, intentionally, as part of the scheme, presiding Tavares’ BNY Suit in fatal conflict of interest to willfully deprive and extort Tavares of properties and rights, under color of law. See Record.

On March 17, 2014, Judge Bailey issues an Agreed Order on Defense Counsel’s Motion to Withdraw from Tavares’ representation, and denying Tavares a standard time of “20 days to retain new counsel”, see Order at ¶ 2, and ordering that “Trial shall proceed unless ordered otherwise on 3/18/14”, see *Id.* at ¶ 3, intentionally depriving Tavares of properties and rights, under color of law. See Record.

On March 17, 2014, Judge Bailey issues an Order Denying Defendant’s Motion for Continuance of Trial, intentionally continuing to deprive Tavares of properties and rights, under color of law. See Record.

On March 18, 2014, the Miami Court, predicated on the violations of Tavares’s rights to due process, and to an uncorrupted tribunal, following, among other things, implicated Judge Lindsey presiding, as part of a scheme, the BNY Suit for fourteen months in fatal conflict, with Orders to deny Tavares’ due process of law, issues a Final Judgment of Foreclosure for Tavares’s homestead PH-1, in the total amount of \$1,220,925.31, with the property valued in excess of \$2.1 Million. See Record.

On March 19, 2014, at 10:43 a.m., corrupt Judge Bailey, after denying Tavares due process, issues a late “First” Order denying Tavares’s Motion for Continuance of Trial on March 18, 2014 on “new grounds”, in order to further the racket upon the Miami Courts extorting Tavares. See Record.

On March 19, 2014 at 10:53 a.m., corrupt Judge Bailey, after willfully allowing Judge Lindsey to preside Tavares’s BNY Suit for fourteen (14) months in fatal conflict to deprive and extort Tavares of rights and properties, under color of law, and herself denying Tavares due process in irreconcilable rulings, issues, in reckless disregard for the truth and facts, a “Second” Order denying Tavares’ Motion for Continuance of Trial on March 18, 2014, stating, “The Motion is Denied Based on: The issues: re: Judge Lindsey are resolved through recusal. Not grounds for continuance”, clearly showing she is corrupted. See Record.

BNY MELLON'S ATTORNEYS AT MCGLINCHEY STAFFORD'S MARCH 7, 2014'S PLAINTIFF'S INITIAL WITNESS LIST AND EXHIBIT LIST FOR A SHAM NON-JURY TRIAL ON MARCH 18, 2014

" Filing # 11100841 Electronically Filed 03/07/2014 03:46:39 PM

IN THE CIRCUIT COURT OF THE 11<sup>TH</sup> JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA  
CIVIL DIVISION                      CASE NO. 2010 CA-026864 (30)[\*]

The Bank of New York Mellon  
F/k/a The Bank of New York, as Trustee  
for the Certificate holders CWALT,  
Inc., Alternative Loan Trust 2006-OA21,  
Mortgage Pass-Through Certificates,  
Series 2006-OA21

Plaintiff,

v.

Charles Tavares; ET. AL.,  
Defendants.

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**PLAINTIFF'S INITIAL WITNESS LIST AND EXHIBIT LIST**

**(March 18, 2014 Trial)**

Plaintiff, by and through the undersigned counsel, hereby files its initial list of witnesses and exhibits for use at Trial set for March 18, 2014, pursuant to the Order Setting the Cause for Trial by the Court dated January 5, 2014, as follows:

The Court's Order Setting the Non-Jury Trial provides, in relevant part, that the Plaintiff must identify witnesses it expects, in good faith, to call as a witness at trial. The Plaintiff intends to call a representative of Select Portfolio Servicing ("SPS") as a witness at trial. As of today's date, the undersigned is uncertain as to the specific representative(s) who will be called as a witness at Trial, but in a abundance of caution, is providing the following list of representatives from whom the undersigned in good faith, expects the trial witness(es) will be selected. The Plaintiff intends to supplement its witness list immediately upon identifying its specific trial witness(es).

The Plaintiff may call one, or more, of the following witnesses at the time of trial:

Document #1047234.1

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\* BNY Mellon's attorneys, among others, Gavin W. MacMillan ("MacMillan") (Florida Bar No. 37.641), willfully file the pleadings before Division 30, presided by implicated Judge Norma S. Lindsey ("Judge Lindsey") (Florida Bar No. 994.812), and wife of BNY Mellon's attorney Harold Eugene Lindsey III ("Lindsey III") in the Related BRIDGELoan Case, implicated in the underlying scheme by, among others, the Criminal Enterprise and BNY Mellon, even after the record shows she is recused on February 25, 2014, because of her fatal conflict and reckless actions and orders violating the law, the constitution and Tavares's rights, by willfully presiding the BNY Suit against Tavares for fourteen (14) months. BNY Mellon's attorneys further willfully deprive Tavares's of due process of rights by failing to serve their pleadings upon Tavares as per request on filing of February 14, 2014, after Tavares fired his attorney David C. Levine ("Levine") (Florida Bar No. 47.733), and eleven (11) calendar days before the sham Non-Jury Trial of March 18, 2014, set by corrupt Judge Lindsey. See Record.

- A. Andrew Benefield
- B. Chase Gorishek
- C. David Coleman
- D. David Recksiek
- E. Deborah Schroeder
- F. Diane Weinberger
- G. Gary Cloward
- H. Linda Kuerzi
- I. Mark Syphus
- J. Melissa Smith
- K. Michelle Simon
- L. Patrick Pittman
- M. Scott Middle
- N. Sioux Johnstone
- O. Zane Barton
- P. Adam Wardel
- Q. Bret Cline
- R. Richard Clissold
- S. Susan Lowry
- T. Rebecca Adelman
- U. Coty Evans
- V. KaJay Williams
- W. James Burphy
- X. Cynthia Stevens

Each of the above-referenced individuals are employed by Select Portfolio Servicing, Inc., servicer for the Plaintiff and can be contacted through the undersigned. Select Portfolio Servicing, Inc., is located at 3815 South West Temple, Salt Lake City, Utah, 84115.

- Y. Any or all of the named Defendants.
  - Z. All witnesses listed by any other party.
  - AA. All witnesses necessary for impeachment or rebuttal.
2. The Plaintiff may submit the following documents as Exhibits at the time of trial:
- A. The original, and any copies, of the Note and Mortgage.
  - B. The original, and any copies, of the Assignment of Mortgage(s).
  - C. Any applicable Pooling and Servicing Agreement.
  - D. Any applicable servicing and/or subservicing agreements related to the subject mortgage loan.
  - E. MERS Milestones.
  - F. Mortgage Loan Scheduled related to the applicable Pooling and Servicing Agreement.
  - G. Bailee Letter(s).
  - H. Power of Attorney of Select Portfolio Servicing, Inc.
  - I. All Notices sent to the Defendants pursuant to the Note and Mortgage, including the Default Notice.

- J. Payment History.
- K. Pay 3 and Pay 4 Screens.
- L. "Hello Letter" from Select Portfolio Servicing, Inc.
- M. Any and all correspondences between the parties.
- N. The Contact History Report.
- O. The Origination file for the subject Mortgage loan.
- P. All pleadings and discovery in this matter.
- Q. All documents necessary for impeachment or rebuttal.
- R. Without waving any objections thereto, any and all exhibits listed by Defendants.
- S. The Plaintiff reserves the right to amend this list as needed.

Respectfully submitted,

McGlinchey Stafford

/s/ Gavin W. MacMillan

Gavin W. MacMillan, Esq. Florida Bar No. 37461

McGlinchey Stafford

One East Broward Boulevard, Suite 1400 – Fort Lauderdale, FL 33301

T. (954) 356-2501 FAX (954) 333-3687

E-Mail: gmacmillan@mcglinchey.com Secondary Email: filingsfl1@mcglinchey.com

**Co-Counsel for Plaintiff**

CERTIFICATE OF SERVICE [\*]

I HEREBY CERTIFY that a true and correct copy of the above foregoing has been furnished, via the following manner, this 7th day of March 2014 to the following:

VIA ELECTRONIC MAIL

Carly R. Weitzman, Esq.  
 McCalla Raymer, LLC  
 22 East Robinson Street, Suite 600, Orlando, FL 32801  
 Orlando, FL  
 Email: MRservice@mccallararaymer.com  
 Co-Counsel for Plaintiff

David C. Levine, Esq.  
 215 North Federal Highway  
 Dania Beach, FL 33004  
 Email: dlevine@attorneyadvocate.net  
 Counsel for Defendant, Charles Tavares

Steven J. Lachterman, P.A.  
 2655 LeJeune Road, Penthouse 1-D - Coral Gables, FL 33134  
 Email: steven@lachterman.com  
 Counsel for Defendant, Emerald at Brickel Condo. Assn., Inc.

VIA U.S. MAIL

Mortgage Electric Registration Systems, Inc.,  
 as Nominee for Flick Mortgage Investors, Inc.  
 3300 SW 34<sup>th</sup> Avenue, Suite 101 - Vero Beach, FL 32962

Flick Mortgage Investments, Inc.  
 145 Anchor Drive  
 Vero Beach, FL 32963

/s/ Gavin W. MacMillan

Document #1047234.1

Gavin W. MacMillan". See Record, Filing #11100841.

\* BNY Mellon's attorneys, in furtherance of the scheme depriving and extorting Tavares under color of law, willfully fail to serve Tavares on the motion to deprive Tavares of due process. See Record.

**TAVARES'S MOTION OF MARCH 17, 2014 TO CANCEL TRIAL DUE TO VIOLATIONS OF DUE PROCESS**

“IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT COURT IN AND FOR MIAMI-DADE COUNTY, FLORIDA

THE BANK OF NEW YORK MELLON,  
Plaintiff,

CASE NO. 10-26864-CA-30  
Honorable Judge Jennifer D. Bailey

v.

Charles Tavares,  
Defendant.

**FILED FOR RECORD 2014 MAR 17 AM 9:11**

**DEFENDANT'S MOTION TO CANCEL TRIAL ON MARCH 18, 2014 DUE TO FATAL CONFLICTS OF INTEREST, BIAS AND DISCRIMINATORY ACTIONS BY FORMER JUDGE NORMA S. LINDSEY**

COMES NOW the Defendant, Charles Tavares, represented Pro Se, and hereby files this Defendant's Motion to Move this Honorable Court Cancel March 18, 2014 Trial and in support states as follows;

1. I represent myself Pro Se in the above-referenced matter. I write regarding the Plaintiff's unilaterally set Mediation of March 4<sup>th</sup>, 2014, and the Plaintiff's unilaterally set Non-Jury Trial scheduled for March 18<sup>th</sup>, 2014. Both unilateral actions by the Plaintiff were taken on February 5<sup>th</sup>, 2014, coincidentally when the Defendant Charles Tavares gave notice that Defendant was in Brazil attending my beloved mother's funeral and post funeral arrangements.
2. Defendant Tavares, upon notified by my former attorney David C. Levine of Plaintiff's unilateral actions, Defendant vehemently protested, as the time was not only suspicious but also, most inappropriate time to take such unilateral actions against Defendant Tavares.
3. Following previous issues with attorney David C. Levine, including his failure to present Plaintiff The Bank of New York Mellon, refinance package for Defendant's homestead, the Making Home Affordable Program's "Request for Mortgage Assistance" (EMA), which Defendant had submitted on January 10<sup>th</sup>, 2014, a full package, attorney Levine, and failure to diligently pursue discoveries, file an Amended Counter Claim as requested by Tavares and other preparations for a future Jury Trial, Tavares dismissed attorney David C. Levine on February 14<sup>th</sup>, 2014, and expressly and repeatedly ordered attorney Levine not to take any action on behalf of the Defendant Tavares other than withdraw from the case.
4. On or about February 21<sup>st</sup>, 2014, Defendant Tavares filed a Notice of Appearance of Charles Tavares Pro Se.
5. Because of fatal conflicts of interest recently removed from this Case, Judge Norma S. Lindsey, and actions against the Defendant appear to be biased and discriminatory, including repeated failure of Judge Lindsey to sign Defendant's former attorney Motion to Withdraw and signing unilaterally set Mediation on March 4<sup>th</sup>, 2014. Defendant's Case has been irreparably been damaged, compromised and the appearance based on the factual evidence on this Case shows that Defendant cannot and will not be able to receive a fair trial, therefore Defendant Tavares respectfully requests this Honorable Court to dismiss the Case without Prejudice so Defendant can receive equitable and fair treatment by the Court, without fatal conflicts by a Presiding Judge on the Case.
6. Furthermore, even after been expressly dismissed on February 14<sup>th</sup>, 2014, and prohibited from taking any action on behalf of Defendant, Tavares' former attorney Levine, deliberately and without any legal authority, participated in the unilaterally set Mediation on March 4<sup>th</sup>, 2014, which Tavares did not attend and which not only Mr. Levine was not authorized to participate on behalf of Defendant Tavares,

but he knew he should not participate as he was no longer authorized to represent in any way, form or shape Tavares, and as emails prior to mediation and Plaintiff's The Bank of New York Mellon, paying for the Mediation, the only concern Mr. Levine had was "how Am I going to get paid on mediation when I do not represent my former client?", which shows not only improper conduct by The Bank of New York Mellon, to be paying somebody knowingly without any legal authority from Defendant and as a matter of fact, expressly and repeated prohibited from Defendant Tavares, represented Pro Se, to take any actions other than withdraw from the Case, which again, has prevented Defendant from proper defenses.

Wherefore, Defendant Tavares respectfully moves this Honorable Court to Dismiss this Case without Prejudice, supported by the abundance of allegations of fatal conflicts, bias and discriminatory actions against Defendant by the former Presiding Judge, which has undeniably prevented Defendant from having a fair and just legal process and has caused irreparable legal damages to Defendant's defenses and Case, which this Honorable Court should cure, by dismissing the Case Without Prejudice, Cancelling the March 18<sup>th</sup>, 2014 Non-Jury Trial and any other legal remedies that this Honorable Court deems appropriate and just.

Respectfully submitted by : /s/ Charles Tavares

Charles Tavares, Pro Se

444 Brickell Avenue, Suite 720 – Miami, Florida 33131

T (305) 778-0707 E-Mail: ctavares@bellsouth.net

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent via hand delivery and U.S. Postal Mail on this 17<sup>th</sup> day of March, 2014 to: The Bank of New York Mellon at the Law Offices of McClinchey Stafford 10407 Centurion Parkway North, Suite 200, Jacksonville, Florida 32256; and a courtesy copy to Honorable Judge Jennifer D. Bailey, at Dade-County Courthouse, 73 West Flagler Street, Room 635, Miami, Florida 33130.

/s/ Charles Tavares

Charles Tavares

444 Brickell Avenue, Suite 720 – Miami, Florida 33131

T (305) 778-0707 E-Mail: ctavares@bellsouth.net

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<sup>17</sup> Among other attorneys implicated and/or with direct knowledge working for The Bank of New York Mellon's ("BNY Mellon's"), Harold Eugene Lindsey III ("Lindsey III") (Florida Bar No. 130.338), Gavin William MacMillan ("MacMillan") (Florida Bar No. 37.641), Carly R. Weitzman n/k/a Carly R. Moore ("Weitzman") (Florida Bar No. 89.862), Karin L. Posser n/k/a Karin L. Oko ("Posser") (Florida Bar No. 747.041), Michael Gelety ("Gelety") (Florida Bar No. 52.125), and Yanique Johnson ("Johnson") (Florida Bar No. 63.939), at the law firms, Mcglinchey Stafford ("Mcglinchey"), and at The Law Offices of Marshall C. Watson, P.A. ("Marshall Watson"). See Record.



**JUDGE BAILEY’S SPURIOUS ORDER DENYING TAVARES’ MOTION FOR CONTINUANCE OF TRIAL**

“IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FL

BANK OF NEW YORKK MELLON (THE)  
Plaintiff,

GENERAL JURISDICTION – DIVISION 03  
CASE NO. 10-26864-CA-30

v.

TAVARES, CHARLES,  
Defendant.

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**ORDER DENYING DEFENDANT’S MOTION FOR CONTINUANCE OF TRIAL**

The Court hereby ORDERS AND ADJUDGES as follows:

This motion to continue came before the undersigned on Foreclosure Motion Calendar 3/13/14. The matter set was attorney Levine’s Motion to Withdraw. Mr. Tavares and attorney Levine both attended live, as did Plaintiff’s counsel. At the hearing, Mr. Tavares handed up a Motion to Cancel Trial filed today, 3/17/14. The trial set tomorrow.

The Court granted the motion to withdraw after receiving confirmation from Mr. Tavares that he wanted to terminate Attorney Levine. The court explained to Mr. Tavares that firing his lawyer was unlikely to delay the trial in this three + year old case. Attorney Levine confirmed that he had provided Mr. Tavares with the trial order and critical pleadings.

Mr. Tavares is concerned about the prior judge in the case, Judge Lindsey, who recused herself upon becoming aware of his request. Judge Lindsey made no substantive rulings in this case. She entered an order denying motion to dismiss from 2010 which was moot because Defendant Tavares answered and amended complaint in 7/2012. She ordered the case to mediation, which Mr. Tavares could not appear at because he was in Brazil attending personal matters. It is clear to the court that there is no active loss mitigation proceeding currently.

The Court denies the motion to continue. Judge Lindsay’s [sic] handling of this matter is above reproach, but further, the case was set for trial in the Foreclosure Trial Project on the Foreclosure Trial Calendar. The case shall proceed to trial before a retired senior judge tomorrow. Mr. Tavares may present whatever defenses he wishes to present under the pleadings. There is no evidence of attempts at discovery which were timely prosecuted or thwarted by the Plaintiff.

Motion to Continue Denied, appear for trial per Court order.

DONE and ORDERED in Chambers at Miami-Dade County, Florida, this 17 day of March 2014.

/s/ Jennifer D. Bailey

Jennifer D. Bailey – Circuit Court Judge

Copies to :

Charles Tavares, Pro Se – ctavares@bellsouth.net

McCalla Raymer, LLC - MRService@mccallaraymer.com”. See Record.

1. Judge Lindsey, at all relevant times, and since the time she is intentionally assigned to preside Tavares's cases before Miami Courts, knows, and had to know, that she could not possibly preside any of Tavares's four (04) related cases that she willfully accepts to preside in fatal conflict of interest as wife to implicated attorney Lindsey III working for BNY Mellon in the related BRIDGELoan sham case where BNY Mellon is a party, to further a brazen known scheme depriving and extorting Tavares, under color of law, of more than \$50 million, [Charles Tavares's Sworn Affidavit of 11/27/2022](#), in direct violation of law, the constitution, Tavares's rights, and Fla. Code Jud. Conduct, Canons 1, 2, 3.

2. Judge Lindsey, even after Tavares uncovers and exposes to the Miami Courts, on December 3, 2013, the ulterior motives for her reckless<sup>18</sup> disregard for the law, the constitution and Tavares' rights, stays on the BNY Suit until February 25, 2014, after she has intentionally caused irreparable harm and damages to Tavares's cause with reckless rulings, bias and prejudice against Tavares. See Record.

3. Judge Bailey's Order of March 17, 2014, denying Tavares's motions to continue trial predicated on the brazen violations of due process and rights to extort Tavares of properties, directly contradicts the truth, the facts, and the law, by among other things, stating that:

a. "The Court granted the motion to withdraw [on March 17, 2014, see Order of Withdraw] *after receiving confirmation from Mr. Tavares that he wanted to terminate Attorney Levine.*" See Order ¶ 2. Judge Bailey's reckless statement is false and untrue, as the record displayed shows that since February 14, 2014, the Court knows that Tavares' has demanded – and attorney Levine has filed the motion to withdraw with Tavares' signed demand for his withdraw as an attachment Exhibit , or about one month before Judge Bailey falsely states that the Court received confirmation from Mr. Tavares, see E-Filing # 102905527, on 02/14/2014, concurrently with a Notice of Hearing on the Motion to Withdraw for February 25, 2014 at 10:00 a.m. before Judge Lindsey. See Record.

b. "*Mr. Tavares is concerned about the prior judge in the case, Judge Lindsey, who recused herself upon becoming aware of his request.*" See Order ¶ 3.

Judge Bailey's statements here, directly contradicts the truth and facts demonstrated in the record, showing that, since, at least December 3, 2013, Judge Lindsey knew, and had to know, she could not preside any of Tavares' cases before her, and she intentionally, despite recusing on the other three (3) related cases on December 2013, stayed in the BNY Suit until February 25, 2014. See Record.

c. "*Judge Lindsey made no substantive rulings in this case.*" See Order ¶ 3.

The false statement contradicts the truth, e.g., showing Judge Lindsey's non-jury trial order of February 5, 2014 to deprive Tavares of rights, and her failure to hold a hearing on Levine Withdraw. See Record.

d. "*Judge Lindsay's [sic] handling on this matter is above reproach*"; See Order ¶ 4.

Judge Bailey, in reckless disregard to the truth, facts, and law, falsely state that, Judge Lindsey's brazen violations of law, the constitution, rights, and Florida Code Judicial Conduct, Canons 1, 2, and 3, is above reproach, further damaging the appearance of justice and fairness by Florida courts. See Record.

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<sup>18</sup> Judge Lindsey, systematically deprives and extorts Tavares of rights and due process in all four cases she presides in known fatal conflict against Tavares for one year, tainting the cases, and, by, e.g., on the *BRIDGELoan vs. Tavares, et al., vs. BNY Mellon* Case No. 2009-93058-CA-30, blocks Tavares' motions to reopen the case due to frauds; On the *BNY Mellon vs. Tavares* Case No. 2010-26864-CA-30, in the very same day, February 5, 2014, upon learning Tavares is in Brazil for his Mother's funeral orders a non-jury Trial, after refusing to recuse since she is exposed on December 3, 2013, and intentionally failing to hold a hearing on Tavares' attorney Levine's withdraw in order to extort Tavares of rights and a proper defense in the case; On the *Brickell Commerce / Car Wash vs. Tavares* Case No. 2011-29624-CA-30, she coerces Tavares's attorneys at Buchanan Ingersoll, and issues contradictory orders to stall Tavares cause, e.g., ordering mediation while the case is stayed on Appeal in the 3DCA for an Arbitration issue; And, on *Deutsche Bank vs. Tavares*, Case No. 2012-20197-CA-30, ordering a non-jury trial even before Tavares is served the complaint, all, in order to further Tavares's deprivation and extortion in the underlying scheme, under color of law, in reckless disregard for the law, the constitution, Tavares' rights, and Fla. Code Jud. Conduct. See Record.

## COUNTS

**Count 53** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America by using dishonesty, fraud, and deceit to impair, obstruct, and defeat the lawful functions of the judicial machinery in a court of law in the United States of America in order to further major criminal schemes against the United States of America, in violation of 18 U.S.C. §371.

**Count 54** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud, extort, injure, oppress, threaten, and intimidate Tavares and others in the free exercise and enjoyment of a right and a privilege secured to them by the Constitution and laws of the United States – – that is, among other things, the right to an uncorrupted and not subverted judicial machinery, due process of law, the right to be free from intimidation, harassment, and abuse in a court of law, and rights to property, in violation of, among other things, 18 U.S.C. §241. *See, e.g.,* U.S. Const., Amend. XIV.

**Count 55** - Judges Lindsey and Bailey, and other Perpetrators implicated, as officers of the courts, did knowingly and intentionally systematically deprived and extorted Tavares, upon subverted court proceedings, of his properties and constitutionally guaranteed rights, under color of law, in violation of, 18 U.S.C. §242.

**Count 56** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America, the State of Florida, and citizens, of the right to honest services upon courts of law in the United States, by among other things, corrupting and subverting the judicial machinery to further criminal schemes upon, and by the subverted courts of law, in violation of 18 U.S.C. §1346.

**Count 57** - At all times relevant, the Perpetrators, as well as other unnamed implicated Associates, unlawfully conspired and endeavored to conduct and participate in a criminal enterprise in Miami-Dade County, Florida, and elsewhere. The Perpetrators, and others, known and unknown, constituted a criminal organization whose members and associates, as part of the conspiracy, that each criminal associate agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise, and engaged in various related criminal activities, including but not limited to false statements and writings, forgery, filing false documents, influencing witnesses, acts involving theft, perjury, mail and wire frauds, bank frauds, crimes against the United States, money laundering of illicit funds, extortion, and systematic violation of rights, contrary to 18 U.S.C. §1961 *et seq.* *See, e.g.,* the Record filed in this matter, and [Tavares Sworn Affidavit](#).

**Count 58** – Judges Lindsey and Bailey, and other officers of the court implicated, did knowingly and intentionally, use their judicial powers as guise to commit crimes, willfully participating in the brazen and known criminal scheme, to further the systematic subversion of the courts by the Associates implicated, systematically depriving, extorting, and violating Tavares’ rights, of constitutionally guaranteed rights, due process, to further a known brazen scheme depriving and extorting Tavares of his properties, further depriving the United States and the State of Florida of honest services upon a court of law, in violation of, among other laws, §837.06, F.S., Title 18 U.S.C. §371, Title 18 U.S.C. §241, Title 18 U.S.C. §242, Title 18 U.S.C. §1346, Title 18 U.S.C. §1349, Title 18 U.S.C. §1341, Title 18 U.S.C. §1343, in violation of, Florida Judicial Code of Conduct, Canons 1, 2, & 3. *See Fla. Code Jud. Conduct.*

Among, some of the displayed overt acts to further the criminal scheme upon the subverted Miami Courts, Judge Bailey, intentionally and knowingly, commits violations of;

**Count 59(a)** - Perjury in Official Proceeding by Judge Bailey, to further the scheme by knowingly and intentionally, falsely stating in her sham Order of March 17, 2014 Denying Defendant's Motion for Continuance of Trial , as an officer of the courts, that, "The Court granted the motion to withdraw [on March 17, 2014, see Order of Withdraw] *after receiving confirmation from Mr. Tavares that he wanted to terminate Attorney Levine*" in violation of, §837.02, F.S. (Perjury in Official Proceeding). See Order ¶12. Judge Bailey's false statement contradicts the record displayed and truth, showing that, among other things, Judge Lindsey, knew she was in conflict of interest against Tavares since at least December 3, 2013, when she is first exposed by Tavares, and recuses herself – and Judge Bailey ordering the transfer, in three (03) related cases, but, intentionally stays on the BNY Suit to cause Tavares' cause irreparable harm and damages, and causing Tavares to lose his homestead to her husband's Lindsey III's employer and Plaintiff, BNY Mellon. See Record.

**Count 59(b)** - Perjury in Official Proceeding by Judge Bailey, to further the scheme by knowingly and intentionally, falsely stating in her sham Order of March 17, 2014 Denying Defendant's Motion for Continuance of Trial , as an officer of the courts, that, "*Mr. Tavares is concerned about the prior judge in the case, Judge Lindsey, who recused herself upon becoming aware of his request,*" in violation of, §837.02, F.S. (Perjury in Official Proceeding). See Order ¶ 3. Judge Bailey's false statement contradicts the record displayed and truth, showing that, among other things, Judge Lindsey, knew she was in conflict of interest against Tavares since she is assigned to Tavares's cases in January 2013, and again, when recused on December 3, 2013. See Record.

**Count 59(c)** - Perjury in Official Proceeding by Judge Bailey, to further the scheme by knowingly and intentionally, falsely stating in her sham Order of March 17, 2014 Denying Defendant's Motion for Continuance of Trial , as an officer of the courts, that, "*Judge Lindsey made no substantive rulings in this case,*" in violation of, §837.02, F.S. (Perjury in Official Proceeding). See Order ¶ 3. The record displayed shows that Judge Lindsey, knowingly and intentionally, issued rulings violating, e.g., Tavares' rights to due process, by, among other things, issuing an Order for Non-Jury Trial, denying Tavares's rights to a jury trial, and issuing a recusal order only on February 25, 214, or about fourteen (14) months after she knowingly accepts to preside in conflict to cause irreparable harm. See Record.

**Count 59(d)** - Perjury in Official Proceeding by Judge Bailey, to further the scheme by knowingly and intentionally, falsely stating in her sham Order of March 17, 2014 Denying Defendant's Motion for Continuance of Trial , as an officer of the courts, that, "*Judge Lindsay's [sic] handling on this matter is above reproach,*" in violation of, §837.02, F.S. (Perjury in Official Proceeding). See Order ¶ 4. Judge Bailey's false statement clearly directly contradicts the law, the constitution and Tavares' rights, in clear violation of Florida Code of Judicial Conduct, Canons 1, 2, and 3, requiring Judges not to preside cases whereas a spouse is an attorney of a party – here, Judge Lindsey intentionally chose to stay in fatal conflict in four (04) cases to further a brazen known criminal scheme depriving and extorting Tavares, under color of law, of properties and rights upon a court of law, issuing contradictory rulings, and further damaging the appearance of justice and fairness upon courts of law, undermining our democracy, violating the due process clause under the Fourteenth Amendment, U.S. Constitution, and Tavares' rights, contrary to, Title 18, U.S.C., §§ 371, 241, 242, 1346, and 1961, *et seq.* See Record.

**COUNTS      APROX. DATE                      VIOLATIONS                      PERPETRATORS**

| <u>COUNTS</u> | <u>APROX. DATE</u>    | <u>VIOLATIONS</u>   | <u>PERPETRATORS</u>                               |
|---------------|-----------------------|---|---|
| 60            | <b>April 13, 2014</b> | <b><u>U. S. CODE TITLE 18</u></b><br>§ 371 Conspiracy to Defraud the USA<br>& | THE BANK OF NEW YORK MELLON<br>GAVIN W. MACMILLAN |
| 61            |                       | § 241 Conspiracy Against Rights<br>&  | MCGLINCHEY STAFFORD<br>CARLY R. WEITZMAN          |
| 62            |                       | §242 Deprivation Rights Under Color of Law<br>&                               | MCCALLA RAYMER, LLC<br>ALLAN LESTER LANGER        |
| 63            |                       | § 1346 Scheme/Artifice to Defraud<br>&  | NORMA SHEPARD LINDSEY<br>JENNIFER DRECSHEL BAILEY |
| 64            |                       | § 1341 Mail Fraud<br>&  | BERTILA ANA SOTO<br>THE CRIMINAL ENTERPRISE       |
| 65            |                       | § 1344 Bank Fraud<br>&  |   |
| 66            |                       | § 1961 <i>et seq.</i> – RICO  |   |

On or about April 13, 2014, BNY Mellon’s attorney Gavin W. MacMillan (“MacMillan”) (Florida Bar No. 37.641) at McGlinchey Stafford (“McGlinchey Stafford”), in furtherance of the scheme successfully depriving and extorting Charles Tavares (“Tavares”), under color of law, of properties and rights upon subverted Miami Courts, see Record on *BNY Mellon v. Charles Tavares, et. al.* (“BNY Suit”), Case No.:2010-26864-CA-30 , files a sham Plaintiff’s Response to Defendant’s Motion to Vacate Final Judgment of Foreclosure, see McGlinchey Stafford Document #1050061.1, at Filing #12440820 Filed on 04/13/2014 at 03:24 PM, following a sham non-jury Trial on March 18, 2014, predicated on systematic violations of law, the constitution, and rights, by corrupt presiding judges, Allan Lester Langer (“Judge Langer”) (Florida Bar No. 137.828); Norma Shepard Lindsey (“Judge Lindsey”)(Florida Bar No.994.812); Jennifer Drechsel Bailey (“Judge Bailey”) (Florida Bar No. 386.758); and by Chief Judge Bertina Ana Soto (“Judge Soto”) (Florida Bar No. 822.752) willful failure to stop the known schemes after numerous notifications and complaint by Tavares. BNY Mellon’s attorneys, in their extensive pleading with eleven-pages, plus a 30-page exhibit, knowingly and intentionally omits the truth and facts shown on the record, demonstrating among other things, as part of the scheme, that Judge Lindsey willfully presided the sham proceedings for fourteen (14) months in a known fatal conflict of interest, as wife to BNY Mellon’s attorney Harold Eugene Lindsey III (“Lindsey III”) (Florida Bar No. 130.338), implicated in the underlying scheme extorting Tavares, showing systematic bias and prejudice against Tavares on her irreconcilable rulings in violation of law, the constitution, and Tavares’s rights, in order to deprive and extort Tavares of his homestead property and rights upon the shameful proceedings. *See Record.* On its filings, BNY Mellon’s attorneys cite, in “Relevant Procedural History”, without addressing the record and Tavares’s pleadings to vacate, among other things, Judge Lindsey’s reckless disregard for the law, the constitution, and Tavares’s rights, and BNY Mellon’s underlying schemes depriving and extorting Tavares in the Related Case *Bridgeloan Investors, Inc. vs. Charles Tavares, et. al., vs. BNY Mellon*, case No. 2009-93058-CA-30. *See, for example,* Tavares’s Defendant’s Motion to Vacate Final Judgment, filed on April 3, 2014, Tavares’s Defendant’s Motion for Dismissal Without Prejudice of this Case Due to Judge Norma S. Lindsey’s Continued Failure to Recuse Herself from the Case with Fatal Conflicts of Interest Having Husband Harold Eugene Lindsey III, Esq. Employed by Plaintiff The Bank of New York Mellon in Adversarial Case to the Defendant Charles Tavares, Filed on February 21, 2014, and Tavares’s Defendant’s Motion to Continue Trial, filed on March 17, 2014. *See Record.* At all relevant times, BNY Mellon, a national financial institution, knew of the schemes depriving and extorting, and willfully allow the brazen scheme to continue, in violation of, Title 18, U.S.C., Section 1344. *See Record.*

## COUNTS

**Count 60** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America by using dishonesty, fraud, and deceit to impair, obstruct, and defeat the lawful functions of the judicial machinery in a court of law in the United States of America in order to further major criminal schemes against the United States of America, in violation of 18 U.S.C. §371.

**Count 61** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud, extort, injure, oppress, threaten, and intimidate Tavares and others in the free exercise and enjoyment of a right and a privilege secured to them by the Constitution and laws of the United States – – that is, among other things, the right to an uncorrupted and not subverted judicial machinery, due process of law, the right to be free from intimidation, harassment, and abuse in a court of law, and rights to property, in violation of, among other things, 18 U.S.C. §241. *See, e.g.*, U.S. Const., Amend. XIV.

**Count 62** - Judges Langer, Lindsey, Bailey, and Soto, and other Perpetrators implicated, as officers of the courts, did knowingly and intentionally systematically deprived and extorted Tavares, upon subverted court proceedings, of his properties and constitutionally guaranteed rights, under color of law, in violation of, 18 U.S.C. §242.

**Count 63** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America, the State of Florida, and citizens, of the right to honest services upon courts of law in the United States, by among other things, corrupting and subverting the judicial machinery to further criminal schemes upon, and by the subverted courts of law, in violation of 18 U.S.C. §1346.

**Count 64** - The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to use, submit and transmit sham pleadings to further the known criminal scheme depriving and extorting, under color of law, via U.S. Postal Mail, in violation of, 18, U.S.C., § 1341.

**Count 65** – The Bank of New York Mellon, and other Perpetrators implicated, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to commit bank fraud by knowingly and intentionally defrauding the bank to further the known criminal scheme, in violation of, 18, U.S.C., § 1344.

**Count 66** - At all times relevant, the Perpetrators, as well as other unnamed implicated Associates, unlawfully conspired and endeavored to conduct and participate in a criminal enterprise in Miami-Dade County, Florida, and elsewhere. The Perpetrators, and others, known and unknown, constituted a criminal organization whose members and associates, as part of the conspiracy, that each criminal associate agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise, and engaged in various related criminal activities, including but not limited to false statements and writings, forgery, filing false documents, influencing witnesses, acts involving theft, perjury, mail and wire frauds, bank frauds, crimes against the United States, money laundering of illicit funds, extortion, and systematic violation of rights, contrary to 18 U.S.C. §1961 *et seq.* *See, e.g.*, the Record filed in this matter, and [Tavares Sworn Affidavit](#).



by, among others, its Chief Judge Bertila A. Soto (Florida Bar No. 822.752), and Administrative Judge Jennifer D. Bailey (Florida Bar No. 386.758), knowingly and intentionally, fail to stop the continued schemes. Despite Tavares repeated complaints, supported by Sworn Affidavits and uncontroversial hard evidence showing the ongoing scheme, the Miami Courts continue allowing the extortion under color of law, showing the Miami Courts are implicated. See Record, and [Tavares Sworn Affidavit](#).

### COUNTS

**Count 67** - The Miami Courts, and its implicated Members, as officers of the courts, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America by using dishonesty, fraud, and deceit to impair, obstruct, and defeat the lawful functions of the judicial machinery in a court of law in the United States of America in order to further major criminal schemes against the United States of America, in violation of 18 U.S.C. §371.

**Count 68** - The Miami Courts, and its implicated Members, as officers of the courts, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, allowed its known Members implicated in a Criminal Enterprise, to systematically defraud, extort, injure, oppress, threaten, and intimidate Tavares and others in the free exercise and enjoyment of a right and a privilege secured to them by the Constitution and laws of the United States -- that is, among other things, the right to an uncorrupted and not subverted judicial machinery, due process of law, the right to be free from intimidation, harassment, and abuse in a court of law, and rights to property, in violation of, among other things, 18 U.S.C. §241. See, U.S. Const., Amend. XIV.

**Count 69**- Miami Courts, and its implicated Members, as officers of the courts, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to, knowingly and intentionally, allow the systematically deprivation, under color of law, of Tavares rights and properties upon known sham court proceedings to falsely incriminate, deprive and extort Tavares, in violation of, 18 U.S.C. § 242.

**Count 70** - The Miami Courts, and its implicated Members, as officers of the courts, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America, the State of Florida, and citizens, of the right to honest services upon courts of law in the United States, by among other things, knowingly and intentionally, allowing the systematic corruption and subversion of the judicial machinery by known Florida Bar licensed Members, to further known brazen criminal schemes upon courts of law in the United States of America, in violation of 18 U.S.C. §1346.

**Count 71** - The Miami Courts, and its implicated judges, did knowingly and intentionally, use their judicial powers as guise to commit crimes, willfully participating in the brazen and known criminal scheme, to further the systematic subversion of the courts by the Associates implicated, systematically depriving, extorting, and violating Tavares' rights, of constitutionally guaranteed rights, due process, to further a known brazen scheme depriving and extorting Tavares of his properties, further depriving the United States and the State of Florida of honest services upon a court of law, in violation of, among other laws, §837.06, F.S., Title 18 U.S.C. §371, Title 18 U.S.C. §241, Title 18 U.S.C. §242, Title 18 U.S.C. §1346, Title 18 U.S.C. §1349, Title 18 U.S.C. §1341, Title 18 U.S.C. §1343, in violation of, Florida Judicial Code of Conduct, Canons 1, 2, & 3. See Fla. Code Jud. Conduct.





## **THE FLORIDA BAR – BACKGROUND**

The Florida Bar (“Florida Bar”) is the integrated<sup>20</sup> bar association for the State of Florida. The Florida Bar currently shows more than 122,000 members, and it is led by a President, a President-Elect, an Executive Director, and a 52-member Board of Governors.

Article V, Section 15 of the Constitution of the State of Florida gives the Supreme Court of Florida exclusive and ultimate authority to regulate the admission of persons to the practice of law and the discipline of those persons who are admitted to practice. The Court performs those official functions through two separate arms: the Florida Board of Bar Examiners, which screens, tests and certifies candidates for admission to the practice, and The Florida Bar, the investigative and prosecutorial authority in the lawyer regulatory process. Neither of these two agencies, nor any of their functions, is supported by state tax<sup>21</sup> dollars.

It’s public mission statement is *“Regulate the practice of law in Florida; ensure the highest standards of legal professionalism in Florida; and protect the public by prosecuting unethical attorneys and preventing the unlicensed practice of law.”* See [www.floridabar.org](http://www.floridabar.org) Mission Statement on October 14, 2023; and;

***“The Florida Bar Regulates the Practice of Law in Florida The Florida Bar is charged by the Florida Supreme Court with lawyer regulation as its core function to protect the public and the integrity of the judicial system.”* Id.**

All Members of the Bar must take an Oath, and swear, as following:

“I do solemnly swear:

I will support the Constitution of the United States and the Constitution of the State of Florida; I will maintain the respect due to courts of justice and judicial officers; I will not counsel or maintain any suit or proceedings which shall appear to me to be unjust, nor any defense except such as I believe to be honestly debatable under the law of the land; I will employ for the purpose of maintaining the causes confided to me such means only as are consistent with truth and honor, and will never seek to mislead the judge or jury by any artifice or false statement of fact or law; I will maintain the confidence and preserve inviolate the secrets of my clients, and will accept no compensation in connection with their business except from them or with their knowledge and approval; To opposing parties and their counsel, I pledge fairness, integrity, and civility, not only in court, but also in all written and oral communications; I will abstain from all offensive personality and advance no fact prejudicial to the honor or reputation of a party or witness, unless required by the justice of the cause with which I am charged; I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay anyone’s cause for lucre or malice. So help me God.”

The Record displayed on Charles Tavares’s Nine (09) Related Cases before the Miami Courts, shows, to any reasonable person, that, for more than ten (10) years, the Florida Bar, knowingly and intentionally, recklessly and systematically chose not to enforce its mandate, by willfully allowing and enabling reckless members of the Florida Bar, known Associates of a Criminal Enterprise, to continuously, and systematically perpetrate, among other things, violations of law, the constitution, rights, Florida Rules of Civil Procedure, and the Rules of Professional Conduct, to further rackets against, *e.g.*, Charles Tavares, the United States of America, the State of Florida, Florida courts, and the Florida Bar, showing the Florida Bar’s reckless disregards for the law, the public, and its own rules and mandate. See Record.

<sup>20</sup> See, [The 1949 Decision by the Supreme Court of Florida](#).

<sup>21</sup> The Florida Bar although not supported by “State Tax Dollars”, is a beneficiary of a Tax Exemption to pay Federal Tax Dollars under its claimed federal taxpayer status. At this time, Tavares has not found Federal or State Tax Records, but only for its Affiliated entity, The Florida Bar Foundation, Inc, a Not For Profit Corporation (“Bar Foundation”), Tax Id. #59-1004604, see [www.sunbiz.org](http://www.sunbiz.org) at Document #702751.

## COUNTS

**Count 67** - The Florida Bar, and its implicated Members, as officers of the courts, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America by using dishonesty, fraud, and deceit to impair, obstruct, and defeat the lawful functions of the judicial machinery in a court of law in the United States of America in order to further major criminal schemes against the United States of America, in violation of 18 U.S.C. §371.

**Count 68** - The Florida Bar, and its implicated Members, as officers of the courts, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, allowed its known Members implicated in a Criminal Enterprise, to systematically defraud, extort, injure, oppress, threaten, and intimidate Tavares and others in the free exercise and enjoyment of a right and a privilege secured to them by the Constitution and laws of the United States – – that is, among other things, the right to an uncorrupted and not subverted judicial machinery, due process of law, the right to be free from intimidation, harassment, and abuse in a court of law, and rights to property, in violation of, among other things, 18 U.S.C. §241. *See*, U.S. Const., Amend. XIV.

**Count 69** - The Florida Bar, and its implicated Members, as officers of the courts, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to, knowingly and intentionally, allow the systematic deprivation, under color of law, of Tavares rights and properties upon known sham court proceedings to falsely incriminate, deprive and extort Tavares, in violation of, 18 U.S.C. § 242.

**Count 70** - The Florida Bar, and its implicated Members, as officers of the courts, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to systematically defraud the United States of America, the State of Florida, and citizens, of the right to honest services upon courts of law in the United States, by among other things, knowingly and intentionally, allowing the systematic corruption and subversion of the judicial machinery by known Florida Bar licensed Members, to further known brazen criminal schemes upon courts of law in the United States of America, in violation of 18 U.S.C. §1346.

**Count 71** - Craft, and other Members of the Florida Bar implicated, to further their criminal scheme subverting Florida courts to steal, deprive, and extort Tavares of rights and properties, knowingly and intentionally, uses, in 2014, U.S. Mail for the purpose of executing their scheme, in violation of 18 U.S.C. §1341.

**Count 72** - Craft, and other Members of the Florida Bar implicated, knowingly and intentionally use their Florida Bar licenses as guise to commit crimes, willfully failing their duties to stop the known brazen criminal scheme, by systematically failing to properly investigate and stop the known violations of law by Hartog, Markowitz Trustee, and other Florida Bar licensees implicated, and by further making false statements in writing in 2014, in order to cover up the scheme, depriving, under color of law, Tavares of constitutionally guaranteed rights, and his properties, further depriving the United States and the State of Florida of honest services upon a court of law, in violation of, among other laws, §837.02, F.S., Title 18 U.S.C. §371, Title 18 U.S.C. §241, Title 18 U.S.C. §242, Title 18 U.S.C. §1346, Title 18 U.S.C. §1349, Title 18 U.S.C. §1341, Title 18 U.S.C. §1343, Abuse of Process - Florida Common Law, and in further violation of Florida Bar [Oath](#), and Rules of Professional Conduct, Rule 4-8.4 MISCONDUCT. *See* The Florida Bar Rules of Conduct, Rule 4-8.4.

## CONCLUSION

The record displayed here, clearly shows that, the Criminal Enterprise has successfully subverted the judicial machinery in Florida, and elsewhere they operate, in order to further criminal schemes, depriving and extorting citizens and companies of properties and rights and then, “legalizing” these crimes, under color of law, and defrauding the United States of America of honest services in courts of law in the United States of America, undermining the rule of law and our democracy.

Only because Tavares is able to fight back the criminal schemes successfully depriving, stealing, and extorting Tavares of all his properties and rights, under color of law, for almost fifteen (15) years – and continuing to this date, that, we now can see how the Criminal Enterprise operates, corrupting major companies, bankers, officers of the courts, politicians, and willing partners, into criminal schemes, benefacting them all with the ill-gotten gains, causing irreparable damages to citizens, companies, the community, to the justice system, to the State of Florida, and to the United States of America, undermining the rule of law, and our democracy.

As such, we cannot allow these brazen known schemes and injustice to continue to erode the fabric of our society, subverting and corrupting all pillars of justice and democracy, by stopping this impunity now, and sending a clear and direct message to society that justice and the rule of law matters, before we become a total lawlessness “*Banana Republic*” society, where citizens do not believe or follow rules and laws because they see the injustice and impunity in the judicial machinery, the ultimate “*bastion*” of justice for citizens, and the systematic failure of responsible law enforcement to enforce the rule of law, protecting citizens, property, and rights from this known Criminal Enterprise, clearly presenting a danger to our society. See [Tavares Affidavit of 11/27/2022](#).

And, ultimately, the Criminal Enterprise, with its powerful domestic and foreign bad actors, did it because they could. Simple artifices, for example, using fake officers and directors, signing fake documents, suing sham cases to deprive and extort, under color of law, before shameless corrupt judges and officers of the courts, and free from fear of prosecution by responsible law enforcement because they have corrupted the system.

Not surprisingly, we see other Criminal Enterprises, with domestic and foreign bad actors, including officers of the courts, corrupting and subverting all national institutions in the United States of America, by using fake electors attempting to even elect the President of the United States of America, and spreading hate and discord in order to divide our good people so the foreign bad actors can destroy our democracy and benefit from our fall.

## VERIFICATION

Under penalties of perjury, I declare that I have read the foregoing and that the facts contained therein are true, except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe them to be true.

Dated: January 25, 2024

FURTHER AFFIANT SAYETH NAUGHT

/s/ Charles A. Tavares

Charles A. Tavares, Individually