

Geania Alves Fraga v. Charles A. Tavares – The First Fabricated Sham Domestic Violence Case No. 2012-003753-FC-04 (“FRAGA I”) to Falsely Incriminate and Silence Victim Tavares Under Color of Law upon Subverted Circuit Courts in Miami-Dade County, Florida

<u>COUNT</u>	<u>APPROX. DATE</u>	<u>VIOLATIONS</u>	<u>PERPETRATORS</u>
1	February 13, 2012	<u>U. S. CODE TITLE 18</u>	Geania Alves Fraga Gabriela M. Machado Guimaraes Damian & Valori, LLP Peter Francis Valori Russell Marc Landy BRIXRIV, LLC Bridgeloan Investors, Inc. Joseph H. Horn Ralph Horn Ricardo Eichenwald Fernando Braghin BANIF Brickell, LLC Marco Antonio de Souza Pedro Serzedelo Jorge C. Pais Raul Marques Hugo Barreto Del Priore NS Corporate Services, Inc. Nelson Slosbergas Silvia Perez Maritza C. Calix Dunia Irene Pacheco The Continued Criminal Enterprise
2		§ 371 Conspiracy to Defraud the United States of America &	
3		§ 241 Conspiracy Against Rights &	
4		§ 1346 Scheme/Artifice to Defraud Honest Services &	
5		§ 1349 Conspiracy to Commit Mail & Wire Fraud &	
6		§ 1341 Mail Fraud &	
7		§ 1343 Wire Fraud &	
8		§ 1961 <i>et seq.</i> – RICO & <u>FLORIDA STATUTES</u> TITLE XLVI § 837.012 Perjury &	
9		TITLE XLVI § 837.06 False Official Statements &	
10		COMMON LAW - Abuse of Process	

On or about February 13, 2012, the Perpetrators, associates and agents of a Continued Criminal Enterprise (“Criminal Enterprise” or “CCE”), following their ongoing and continuous schemes extorting and defrauding Charles A. Tavares (“Tavares”) of more than US\$ 75 Million dollars in properties and rights under color of law, in violation of U.S. law, Florida Law, and the United States Constitution, *e.g.*, under the U.S. Const., Amends. II & XIV, see the record for Bridgeloan Investors, Inc. (“BRIDGELOAN”), and the Brickell Commerce Plaza / The Car Wash Concept (“Car Wash/BCP” or “Related Cases”) schemes, file a patently fabricated sham Petition for Injunction for Protection Against Repeat Domestic Violence under §784.046(3)(b), Florida Statutes, see Case No.2012-003753-FC-04 (“FRAGA I”), in the Domestic Violence Division in the Circuit Court of the Eleventh Judicial Circuit in Miami-Dade County, Florida (“Miami Court”), by Geania A. Fraga (“Fraga”) against Tavares in order to falsely incriminate and silence the victim Tavares. Fraga, an illegal alien from Brazil, that speaks Portuguese, her native language, and that is completely illiterate in the English language, and has limited understanding of Spanish, files a bogus 5-page deficient Petition in English, containing dozens of statements of facts and law, without a translation, showing that she could not have written and understood the stated facts and the law. Fraga, is also an agent/manager of BRIXRIV, LLC (No Tax Id., www.sunbiz.org at BRIXRIV, LLC document No. L11000065311), a partnership ultimately owned and controlled by Bridgeoalan Investors, Inc. (Tax Id.#65-0665516), with principals Joseph Horn (“Horn”), Ralph Horn (“Ralph”), Ricardo Eichenwald (“Eichenwald”), and Fernando Braghin (“Braghin”), and BANIF Brickell, LLC, with

principals and agents Marco Antonio de Souza (“De Souza”), Pedro Serzedelo (“Serzedelo”), Jorge C. Pais (“Pais”), Raul Marques (“Marques”), Hugo Barreto Del Priore (“Del Priore”) (No Tax Id., see, www.sunbiz.org at document No. L11000064787, and on 03/01/2013 showing merger with RIVBRIX, LLC), and Nelson Slosbergas (Florida Bar No. 378887) at NS Corporate Services, Inc. (tax Id.#65-0620280) A/K/A NS Company Services, LLC (Tax Id. #87-3990956) (Collectively, “Slosbergas”). To implement the FRAGA I criminal scheme upon the Miami Court, the Criminal Enterprise uses, among others, Associates Gabriela Maranhao Machado Guimaraes (“Guimaraes”) (D.O.B. 08/15/1965, in Brazil), Peter Francis Valori¹ (“ Peter Valori”) (Florida Bar No.43516), and Marc Russell Landy (“Landy”) (Florida Bar No. 44417) at Damian & Valori, LLP N/K/A Damian Valori | Culmo Law – (“Valori”) who already are concurrently implicated in the ongoing Related Cases extorting and depriving Tavares of rights and properties, see the Record, to coordinate the FRAGA I scheme upon the Miami Court along with their agent Fraga. Then, the Criminal Enterprise hires attorney Silva Perez (“Perez”) (Florida Bar No. 505374), see Notice of Appearance dated March 2, 2012, to knowingly and willfully represent Fraga in the patently false, fabricated, contradictory, totally unsubstantiated and sham complaint against Tavares, falsely accusing Tavares of repeated violence against Fraga within the previous six months of the filing under Title XLVI -Crimes, §784.046(3)(b), F.S. (“Action by victim of repeat violence, sexual violence, or dating violence for protective injunction; dating violence investigations, notice to victims, and reporting; pretrial release violations; public records exemption.” See Statue), and having three false witnesses, Associate Guimaraes, and hired witnesses Maritza C. Calix (“Calix”) and Dunia Irene Pacheco (“Pacheco”), to provide totally fabricated testimony to falsely corroborate the bogus allegations upon a Miami Court presided by the implicated Judge Joseph I. Davis, Jr. (“Davis Jr.”) (Florida Bar No. 155299). The perpetrators of the FRAGA I scheme, after successfully corrupting and subverting the Miami Courts in the Related Cases, through dishonesty, fraud, deceit and extortion, see Record, emulate the same *modus operandi* in the FRAGA I sham case by, among other things: A) Filing a patently sham and totally fabricated case in the Domestic Division under §784.046(3)(b), F.S. for domestic violence among others, for example, spouses and people in a personal or sexual relationship, which was never claimed by Fraga or anybody else. B) Fraga falsely states on the initial sworn petition of February 13, 2012 (the “Initial Petition”) to the Miami Court, among other things, that; “The petitioner [Fraga] states the respondent [Tavares] is her former boss. Both parties are self-employed.”

“On February 10, 2012, the respondent arrived to an apartment complex where the petitioner showed a property. The petitioner saw the respondent and immediately left. A few minutes later, the petitioner noticed the respondent driving behind her for approximately ten minutes. As the petitioner, made a left turn the respondent continued driving when he realized she entering the police department. A report was filed.”

“The petitioner states that three months ago, as she showed a property to one of her clients, the respondent arrived and began taken pictures and made hand gesture. The petitioner felt uncomfortable. No report was filed.”

“The petitioner states that for the past six months, she has received numerous phone calls and text messages from unidentified numbers.”

“Also, the petitioner states the respondent has made negative comments about her and filed false complaints against her.”

¹ Associate Peter Valori, on November 10, 2011 at 5:05 p.m., following Tavares’ motion showing fraud upon the courts by Valori and other Associates of the Criminal Enterprise, issues a threat to Tavares, stating: “I will take legal action against you.” See E-mail (pvalori@dvllp.com) to Tavares (ctavares@bellsouth.net), on 11/10/2011.

“The petitioner admits to fearing for her safety and its therefore seeking the courts intervention and protection to restrain the respondent from all contact.” See Initial Petition at ¶12.

“Petitioner alleges the following additional information:

a. that the Respondent personally owns, possesses, and/or is known to possess a firearm:
No.” See Initial Petition at ¶13(a).

“Petitioner has known Respondent since (date): 2000.” See Initial Petition at ¶13(f).

“Petitioner genuinely fears violence by the Respondent.” See Initial Petition at ¶15).

Among other requests to the Miami Court by Fraga, she requests:

“Excluding the Respondent from entering onto the current residential premises of Petitioner, living separately from the Respondent, at 2411 NW 24 Avenue, Miami, FL 33142 – or wherever Petitioner may reside in the future in the State of Florida.” See Initial Petition at ¶17(c).

“Ordering Respondent to go to a batterers’ intervention program and/or other treatment.” See Initial Petition at ¶17(h).

“I UNDERSTAND THAT BY FILING THIS PETITION, I AM ASKING THE COURT TO HOLD A HEARING ON THIS PETITION, THAT BOTH THE RESPONDENT AND I WILL BE NOTIFIED OF, THE HEARING, AND THAT I MUST APPEAR AT THE HEARING.

I HAVE READ EVERY STATEMENT MADE IN THIS PETITION AND I DECLARE THAT EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE UNDER PENATLY OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 837.011 FLORIDA STATUTES, AND IF I HAVE MADE A KNOWINGLY FALSE STATEMENT, I MAY BE PROSECUTED.

/ GF /
Petitioner’s Initials

DATED this 13th day of February, 2012.

/s/ Geania Fraga [²]

Petitioner

Name GEANIA FRAGA

Address: 2411 NW 24 AVENUE, MIAMI, FL 33142-

Telephone No. (786) 355-0381

(DO NOT ENTER IF ADDRESS AND PHONE TO BE KEPT CONFIDENTIAL, FOR SAFETY.)”

RVPETIT.RTF 8/22/11.” See Initial Petition at page 5.

² Fraga, the Perpetrators and agents all knew and had to know that in truth and in fact, the allegations are totally false, fabricated and contradictory, and *arguendo*, even assuming, they were true, which they are not, they would not be a cause of action for “domestic repeat violence” under §784.046(b) F.S. Their only intent is to continue subverting the Miami Courts to continue extorting, depriving, and silencing Tavares under color of law, in this, and on the related sham cases. See Record.

COUNTS

Count 1- The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to 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, and to possess and carry lawful purchased guns, in violation of, among other things, 18 U.S.C. §241. *See, e.g.,* U.S. Const., Amends. II; IV (the “Double-Jeopardy” Clause), V, and XIV.

Count 3- The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to 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- The Perpetrators, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to implement their criminal scheme to defraud the United States of America, the State of Florida, and Tavares, by using, *e.g.,* interstate communications and wires to further the criminal scheme, in violation of 18 U.S.C. §1349.

Count 5- The Perpetrators, repeatedly, knowingly and deliberately, transmit and cause to be transmitted U.S. Mail and other means of mail to further their known criminal scheme extorting and defrauding, among others, the United States of America, the State of Florida, and Tavares, in violation of 18 U.S.C. §1341. *See, e.g.,* Initial Petition served to Fraga and Tavares via US Mail on 02/27/2012.

Count 6- The Perpetrators, repeatedly, knowingly and deliberately, transmit and cause to be transmitted wires to further their known criminal scheme extorting and defrauding, among others, the United States of America, the State of Florida, and Tavares, in violation of 18 U.S.C. §1343. *See, e.g.,* the posting and spreading of the sham Petition on the World Wide Web (“WWW”).

Count 7- At all times relevant, the Perpetrators, as well as other unnamed 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 8- Fraga, in furtherance of the criminal scheme, signs, on February 13, 2012, under oath, the Initial Petition, prepared by associates of the Criminal Enterprise, containing bogus and vague allegations that Fraga and Perez both knew in fact and in truth to be false, unsubstantiated, and fabricated by them, to falsely incriminate Tavares in a criminal scheme upon the Miami Courts, in violation of among other laws, §837.012 (Perjury when not in an official proceeding), stating: “(1) Whoever makes a false statement, which he or she does not believe to be true, under oath, not in an official proceeding, in regard to any material matter shall be guilty of a misdemeanor of the first degree, punishable as provided in §. 775.082 or §. 775.083. (2) Knowledge of materiality of the statement is not an element of this crime, and the defendant’s mistaken belief that his or her statement was not material is not a defense.” See §837.012, Florida Statutes.

Count 9- Fraga, in furtherance of the criminal scheme, files with the Clerk of the Miami Courts, Domestic Violence Division, on February 13, 2012, under oath, the Initial Petition, prepared by associates of the Criminal Enterprise, containing bogus and vague allegations that Fraga and the associates knew in fact and in truth to be false, unsubstantiated, and fabricated by them, and others implicated, to mislead the Miami Courts to falsely incriminate Tavares in a criminal scheme, in violation of among other laws, §837.06 (False Official Statements), stating: “Whoever knowingly makes false statements in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in §. 775.082 or §. 775.083.” See §837.06, Florida Statutes.

Count 10- Fraga, and the associates, and other Perpetrators willfully and intentionally made illegal, improper, and perverted use of process against Tavares, by knowingly fabricating a totally unsubstantiated petition, and making false allegations that they all knew in truth and in fact to be false, in order to falsely incriminate Tavares, and further silence Tavares in the related ongoing cases, causing great injury and losses to Tavares, in violation of, among other laws, Abuse of Process. See Florida’s Common Law.

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

The Criminal Enterprise, after secretly entrapping Tavares and Tavares's Companies in an underlying scheme with torts and businesses interference, and surrounding Tavares by Associates, launch schemes to deprive and extort Tavares, under color of law, of all of Tavares's Properties and Rights in nine (09) sham Related Cases, showing fraud upon the courts, in subverted courts, presided by same corrupt judges, *e.g.*, Allan Lester Langer (Florida Bar No. 137.828), Joseph I. Davis, Jr. (Florida Bar No. 155.299), and Norma S. Lindsey (Florida Bar No. 994.812), and implicated officers of the courts, that, willfully and recklessly disregard the truth and the law, to further the schemes extorting and depriving Tavares, see BRIDGELOAN Case No.2009-93058-CA-30; BNY Mellon Case No.2010-26864-CA-30; BCP/ Car Wash Case No. 2011-29624-CA-30; and, Deutsche Bank Case No. 2012-20197-CA-30. See [Tavares Sworn Affidavit](#).

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, presided by corrupt Judges Allan Lester Langer and Norma Shepard Lindsey, 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 fraudulent Affidavits by BRIDGELOAN's principal Joseph Horn ("Horn"), fabricating false and 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") 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"), and 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 massive and systematic 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 withdraw the motion and 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](#).

* 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 Joseph 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](#).

* 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, 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.

* 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 Genesis 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, Plaintiff, and Leto on behalf of BRIXRIV, 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 hearings 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 and steals Tavares's Miami River Park Marina's Escrow Moneys* held by Associates Markowitz Trustee to further the scheme. See Record.

* 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 ("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 Joesph 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.

* 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.*

* 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.

* 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>COUNT</u>	<u>APPROX. DATE</u>	<u>VIOLATIONS</u>	<u>PERPETRATORS</u>
11	February 13, 2012	<u>U. S. CODE TITLE 18</u>	Geania Alves Fraga Silvia Perez The Continued Criminal Enterprise
12		§ 1341 Mail Fraud & § 1343 Wire Fraud &	
13		<u>FLORIDA STATUTES</u> TITLE XLVI § 837.012 Perjury &	
14		TITLE XLVI § 837.06 False Official Statements &	
15		COMMON LAW Abuse of Process &	
16		<u>FLORIDA BAR RULES OF CONDUCT</u> Misconduct –Dishonesty-Fraud-Deceit Rule 4-8.4 (a)(b)(c)(d)	

On or about March 12, 2012 at 10:23 a.m., in furtherance of the criminal scheme upon the Miami Courts, Fraga, through attorney Perez, files a bogus “Petitioner’s Verified Motion to Amend Petition & Amendment to Petition,” under Florida Statutes §784.06, continuing fabricating bogus allegations that they all know in truth and in fact to be bogus in order to mislead the court to issue an injunction against Tavares, in order to falsely incriminate Tavares, deprive Tavares of protected constitutional rights and properties, and silencing Tavares in the Related Cases. Perez, an officer of the court, knowingly and willfully, and without a shred of evidence, falsely states in her motion to Amend the Initial Petition to the Court, that;

“ 2. That the Respondent [Tavares] has been stalking, harassing, and intimidating the Petitioner [Fraga] in this matter, which has been reported to the Police.” See Motion to Amend Petition at ¶ 2.

“ 3. That the allegations on the Petition meet the statutory criteria pursuant to the Florida Statute §784.06.” See Motion to Amend Petition at ¶ 3.

“ 4. That Petitioner is in imminent and present danger of violence or stalking pursuant to Florida Statutes §784.06.” See Motion to Amend Petition at ¶ 4.

“WHEREFORE, Petitioner respectfully requests this Court to enter an ex-parte Temporary Injunction for Protection Against Repeat Violence and set for a final hearing before the Court.” See Amended Petition page 1.

Fraga’s facially deficient Amended Petition – and without certification of translation, since the Amended Petition is prepared and written in English, [Fraga, who speaks Portuguese and at the time is not fluent in Spanish], have her signature notarized by Perez, stating as follows:

“The Respondent is the Petitioner’s former boss.” See Amended Petition at ¶ 1.

“On February 10, 2012, the Petitioner [Petitioner] was with employees at a job when the Respondent showed up on the property and began accusing her – yelling at her and telling her that she had to leave the job site and that she had no business being there. The Respondent does not work there and had no business showing up at her while she was performing the duties of her job. Petitioner became afraid and left immediately. The Respondent followed Petitioner [Petitioner] out of the site and when Petitioner made a U-turn to enter the parking at the Jackson Station, the Respondent left. Petitioner reported the incident to the Police Department.” See Amended Petition at ¶ 2.

“Prior to the February incident, about three months ago, the Petitioner was at one of the properties (at her job) when she saw the Respondent arrive and begun to take pictures of the Petitioner. The Respondent began making hand gestures (which gestures in Portuguese constitutes ‘threats’) for her to watch out ... something is going to happen to you.” See Amended Petition at ¶ 3.

“The Respondent has shown up at the car wash following the Petitioner. Respondent was observed by other following her.” See Amended Petition at ¶ 4.

“For the past six months, the Petitioner receives numerous calls and text messages telling her to watch out. Respondent has also forwarded defamatory and false information regarding the Petitioner to several parties, including colleagues and co-workers.” See Amended Petition at ¶ 5.

“Petitioner fears for her safety and is therefore seeking this Court’s intervention and protection from the continued harassment and stalking by the Respondent.” See Amended Petition at ¶ 6.

The Amended Petition is signed by Geania Fraga, Petitioner and Fraga’s signature on it is notarized by attorney Silvia Perez, showing a Florida Public Notary seal with commission # DD 787686 Expiring on September 11, 2012, and bonded through Notary Public Underwriters. See Amended Petition.

COUNTS

Count 11- The Perpetrators, repeatedly, knowingly and deliberately, transmit and cause to be transmitted U.S. Mail and other means of mail, the bogus Motion to Amend the Petition and the Amended Petition, to further their known criminal scheme extorting and defrauding, among others, the United States of America, the State of Florida, and Tavares, in violation of 18 U.S.C. §1341. See, e.g., Motion to Amend, and Amended Petition served to Fraga and Tavares via US Mail on 03/12/2012.

Count 12- The Perpetrators, repeatedly, knowingly and deliberately, transmit and cause to be transmitted wires the bogus Motion to Amend the Petition and the Amended Petition to further their known criminal scheme extorting and defrauding, among others, the United States of America, the State of Florida, and Tavares, in violation of 18 U.S.C. §1343. See, e.g., the posting and spreading of the sham Motion to Amend and Amended Petition on the World Wide Web (“WWW”). See Record.

Count 13- Fraga, in furtherance of the criminal scheme, signs, on March 12, 2012, under oath, the Amended Petition, prepared and translated by implicated attorney Perez to Fraga, containing bogus and vague allegations that Fraga and Perez both knew in fact and in truth to be false, unsubstantiated, and fabricated by them, and others implicated, to falsely incriminate Tavares in a criminal scheme upon the Miami Courts, in violation of among other laws, §837.012 (Perjury when not in an official proceeding), stating: “(1) Whoever makes a false statement, which he or she does not believe to be true, under oath, not in an official proceeding, in regard to any material matter shall be guilty of a misdemeanor of the first degree, punishable as provided in §. 775.082 or §. 775.083. (2) Knowledge of materiality of the statement is not an element of this crime, and the defendant’s mistaken belief that his or her statement was not material is not a defense.” See §837.012, Florida Statutes.

Count 14- Fraga, in furtherance of the criminal scheme, files with the Clerk of the Miami Courts, Domestic Violence Division, on March 12, 2012, under oath, the Amended Petition, prepared and translated by implicated attorney Perez to Fraga, containing bogus and vague allegations that Fraga and Perez both knew in fact and in truth to be false, unsubstantiated, and fabricated by them, and others implicated, to mislead the Miami Courts to falsely incriminate Tavares in a criminal scheme, in violation of among other laws, §837.06 (False Official Statements), stating: “Whoever knowingly makes false statements in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in §. 775.082 or §. 775.083.” See §837.06, Florida Statutes.

Count 15- The Perpetrators, in furtherance of the criminal scheme, files with the Clerk of the Miami Courts, Domestic Violence Division, on March 12, 2012, under oath, the Amended Petition, prepared and translated by implicated attorney Perez to Fraga, containing bogus and vague allegations that Fraga and Perez both knew in fact and in truth to be false, unsubstantiated, and fabricated by them, and others implicated, to mislead the Miami Courts to falsely incriminate Tavares in a criminal scheme, as a tool to falsely incriminate, harass, deprive Tavares of rights and properties, showing clear Abuse of Process by Perez and Fraga. See Amended Petition.

Count 16- Implicated attorney Perez, following the previous bogus and vague Initial Petition, in reckless disregard for the truth, facts and law, knowingly and intentionally prepares, and files on March 12, 2012, a patently sham “Petitioner’s Verified Motion to Amend Petition & Amendment to Petition” to further the brazen criminal scheme in this and in the Related Cases upon Miami Courts, fabricating false and unsubstantiated vague allegations against Tavares, filing under “Domestic Repeat Violence” statute that does not even support her bogus and vague allegations, in order to mislead the Miami Courts and falsely incriminate Tavares, in violation of, among other things, Rule 4-8.4 (a)(b)(c)(d) – Misconduct – Dishonesty – Fraud – Deceit – Lack of Candor with the Courts. See Florida Bar Rules of Professional Conduct at www.floridabar.org .

COUNT **APPROX. DATE** **VIOLATIONS** **PERPETRATORS**

17	March 19, 2012	<u>U. S. CODE TITLE 18</u> § 371 Conspiracy to Defraud the United States of America & § 241 Conspiracy Against Rights & §242 Deprivation of Rights Under Color of Law & § 1346 Scheme/Artifice to Defraud Honest Services & § 1349 Conspiracy to Commit Mail & Wire Fraud & § 1341 Mail Fraud & § 1343 Mail Fraud & § 1961 <i>et seq.</i> – RICO & FLORIDA BAR RULES OF CONDUCT Misconduct –Dishonesty-Fraud-Deceit Rule 4-8.4 (a)(b)(c)(d) & FLORIDA CODE OF JUDICIAL CONDUCT Violations of Canons 1; 2; and 3	Geania Alves Fraga Silvia Perez Judge Joseph I. Davis, Jr. The Continued Criminal Enterprise
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On or about Marh 19, 2012 at 9:50 a.m., Acting Circuit Court Judge Joseph I. Davis, Jr. (“Judge Davis Jr.”) (Florida Bar No. 155299), presiding a *Kangaroo Court*, in fatal conflict as Tavares’ companies’ former Trustee – and as his former law firm Markowitz, Davis, Ringel & Trusty, P.A. a.k.a. Markowitz Ringel Trusty + Hartog, P.A. (“Markowitz Trustee”), is holding over \$100,000 of Tavares’s Miami River Park Marina, Inc. (“MRPM”), issues against Tavares, predicated on the patently false, fabricated and unsubstantiated Initial Petition, and Amended Petition by Fraga, a Temporary Injunction for Protection Against Repeat Violence (“First Injunction”) from March 19, 2012 through April 13, 2012, depriving Tavares of rights and properties, among others, his guaranteed constitutional right as a law abiding citizen to bear arms, and possession of his properly purchased firearms for personal protection, see First Injunction at ¶12., and rights to move freely, see *Id.* at ¶13. The First Injunction issued by Judge Davis Jr. under §784.046, F.S. for “Repeat, Dating, or Sexual Violence,” clearly contradicts the bogus, vague and unsubstantiated allegations by Fraga and Perez, and even assuming, *arguendo*, that the bogus allegations are true – which they clearly are not, they would not satisfy the legal requirements for cause of action under §784.046, F.S., showing the legal farce by the Criminal Enterprise to falsely incriminate Tavares under color of law, with patently bogus fabricated allegations in a subverted Miami Court. *See Record.*

The First Injunction states, among other things, that;

“Because this Temporary Injunction for Protection Against Repeat Violence has been issued without notice to Respondent [Tavares], Petitioner and Respondent [Fraga] are instructed that they are to appear and testify at a One Hour hearing regarding this matter on April 12, 2012 at 3:00 p.m., when the Court will consider whether the Court should issue a Final Judgment of Injunction for Protection Against Repeat Violence, which shall remain in effect until modified or dissolved by the Court, and whether other things should be ordered. The hearing will be before The Honorable JOSEPH I. DAVID, JR., at Court House Center 175 NW 1st Avenue Miami FL 33128-0000 Room: 21-A...” See First Injunction at page 1.

“ORDERED on this 19th day of March 2012, at 9:50 a.m.

/s/ Joseph I. Davis Jr.

Joseph I. Davis, JR., Acting Circuit Court Judge.” *Id.* at page 7.

On March 19, 2012, Tavares’s attorney Leonardo Simeon Viota-Sesin (“Viota-Sesin”) (Florida Bar No. 634115) makes an appearance on behalf of Tavares. See Docket.

COUNTS

Count 17- Judge Davis Jr., Fraga, Perez, and other Perpetrators implicated, all knew, and had to know in truth and in fact that the sham Initial Petition, the Motion to Amend the Petition, and Amended Petition under Chapter 784 (Repeat, Dating, or Sexual Violence), Florida Statutes, contained false and fabricated vague allegations, unsubstantiated and without any hard evidence supporting, and that the sole purpose of the FRAGA I sham “Repeat Domestic Violence” case against Tavares is to harass, intimidate, extort and deprive Tavares of rights and properties in furtherance of the brazen criminal scheme upon Miami Courts extorting and depriving Tavares of rights and properties in the Related Cases by some of the same Perpetrators. Despite these undisputable facts and truth, they did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to 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 upon the courts, in violation of 18 U.S.C. §371.

Count 18- Judge Davis Jr., Fraga, Perez, and other 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, and to possess and carry lawful purchased guns, in violation of, among other things, 18 U.S.C. §241. See, e.g., U.S. Const., Amends. II; IV (the “Double-Jeopardy” Clause), V, and XIV.

Count 19- Judge Davis Jr., Perez, 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- Judge Davis Jr., Perez, and other Perpetrators implicated, as officers of the court, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to 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- Judge Davis Jr., Perez, and other Perpetrators implicated, as officers of the court, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to implement their criminal scheme to defraud the United States of America, the State of Florida, and Tavares, by using, *e.g.*, interstate communications and wires to further the criminal scheme, in violation of 18 U.S.C. §1349.

Count 22- Judge Davis Jr., Perez, and other Perpetrators implicated, repeatedly, knowingly and deliberately, transmit and cause to be transmitted U.S. Mail and other means of mail to further their known criminal scheme extorting and defrauding, among others, the United States of America, the State of Florida, and Tavares, in violation of 18 U.S.C. §1341.

Count 23- The Perpetrators, repeatedly, knowingly and deliberately, transmit and cause to be transmitted wires to further their known criminal scheme extorting and defrauding, among others, the United States of America, the State of Florida, and Tavares, in violation of 18 U.S.C. §1343. *See, e.g.*, the posting and spreading of the First Injunction predicated on false, fabricated and bogus vague allegations against Tavares, on the World Wide Web (“WWW”).

Count 24- At all relevant times, Judge Davis Jr., Fraga, Perez, and other implicated Perpetrators, as well as other unnamed 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 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, systematic deprivation of rights under color of law, crimes against the United States, money laundering of illicit funds, extortion, and violation of rights, contrary to 18 U.S.C. §1961 *et seq.* *See, e.g.*, the Record, and [Tavares Sworn Affidavit](#).

Count 25 – Perez, an officer of the court, knowingly and intentionally uses her Florida Bar license as guise to commit crimes, willfully participating in the brazen and known criminal scheme, systematically making patently false statements in writing to mislead the Miami Court to falsely incriminate, 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, stating; “A lawyer shall not: **(a)** violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through acts of another;

(b) commit a criminal act that reflects adversely on the lawyer’s honesty, trustworthiness, or fitness as a lawyer in other respects; (c) engage in conduct involving dishonesty, fraud, deceit, or misrepresentation, except that it shall not be professional misconduct for a lawyer for a criminal law enforcement agency or regulatory agency to advise others about or to supervise another in an undercover investigation, unless prohibited by law or rule, and it shall not be professional misconduct for a lawyer employed in a capacity other than as a lawyer by a criminal law enforcement agency or regulatory agency to participate in an undercover investigation, unless prohibited by law; (d) engage in conduct in connection with the practice of law that is prejudicial to the administration of justice, including to knowingly, or through callous indifference, disparage, humiliate, or discriminate against litigants, jurors, witnesses, court personnel, or other lawyers on any basis, including but not limited to, on account of race, ethnicity, gender, religion, national origin, disability, marital status, sexual orientation, age, socioeconomic status, employment, or physical characteristic;” See [The Florida Bar Rules of Professional Conduct](#), Rule 4-8.4 (a)(b)(c)(d) at www.floridabar.org.

Count 26 – Judge Davis Jr. , an officer of the court, knowingly and intentionally uses, as guise to further the criminal scheme upon Miami Courts, his Florida Bar license, and his position of power as a Circuit Judge, willfully and intentionally presides the brazen sham “Domestic Repeat Violence” case by Fraga against Tavares in fatal conflict of interest known to him and others implicated. Judge Davis Jr., knowingly and intentionally, from the onset of the sham proceedings, knew, and had to know that he should not preside the case involving Tavares because of the ongoing Related Cases, choosing to violate his oath, and violate the law by subverting a court of law in the United State of America, and further issuing a bogus Injunction to extort and deprive Tavares of his guaranteed constitutional rights and his properties, in order to further the brazen criminal scheme upon the Miami Courts, in violation of, among other things, Florida’s Code of Judicial Conduct, Canon 1. (“A Judge Shall Uphold the Integrity and Independence of the Judiciary.”); Canon 2. (“A Judge Shall Avoid Impropriety and the Appearance of Impropriety in all of the Judge’s Activities; and, Canon 3. (“A Judge Shall Perform the Duties of Judicial Office Impartially and Diligently.”). As the record displayed uncontroversially shows, Judge Davis Jr. did knowingly and intentionally systematically violate the constitution, see Fla. Const., Article VI, § 3, the law, see Record, and Canons to further the criminal scheme upon the Miami Courts. See Florida’s Code of Judicial Conduct, Canons 1, 2, and 3, at www.supremecourt.flcourts.gov.

COUNT APPROX. DATE VIOLATIONS PERPETRATORS

27	April 12, 2012	<u>U. S. CODE TITLE 18</u>	Geania Alves Fraga Silvia Perez Judge Joseph I. Davis, Jr. Gabriela M. Machado Guimaraes Damian & Valori, LLP Russell Marc Landy Dunia Irene Pacheco Maritza C. Calix
		§ 371 Conspiracy to Defraud the United States of America &	
28		§ 241 Conspiracy Against Rights &	
29		§242 Deprivation of Rights Under Color of Law &	
30		§ 1346 Scheme/Artifice to Defraud Honest Services &	
31		FLORIDA BAR RULES OF CONDUCT	
		Misconduct – Rule 4-8.4 (a)(b)(c)(d) &	
32		FLORIDA CODE OF JUDICIAL CONDUCT	
33		Violations of Canons 1; 2; and 3 &	
		<u>FLORIDA STATUTES</u>	
34	TITLE XLVI § 837.02		
	Perjury in Official Proceeding &		
35	TITLE XLVI § 837.06		
	Perjury by Contradictory Statements		

On or about April 12, 2012 at 3:00 p.m., Circuit Court Judge Joseph I. Davis, Jr. (“Judge Davis Jr.”) (Florida Bar No. 155299), presiding a *Kangaroo Court* in the Domestic Violence Division of the Miami Court, in fatal conflict, holds a bogus hearing on a brazen legal farce (Case No. 12-003753-FC-04) to falsely incriminate Tavares. The sham hearing is attended by, Fraga, Perez, implicated attorney Russell Marc Landy (“Landy”) (Florida Bar No.44417) at Damian & Valori, LLP N/K/A Damian Valori | Culmo Law representing the Criminal Enterprise’s associate Guimaraes, a false witnesses scheduled to appear as a witness to support Fraga’s bogus fabricated claims against Tavares. Fraga hires Luis Carcada [Luis Larcada], an English/Spanish interpreter to translate for Fraga from English to Portuguese, and Shorthand Court Reporter Jennifer A. Quintana at Jeannie Reporting. On Tavares’s side, Tavares, and his attorneys Stephen Zukoff (“Zukoff”) (Florida Bar No. 177061), and Roy D. Wasson (“Wasson”) (Florida Bar No. 332070). In attendance also is Tavares’ wife, Ivana Tavares (“Mrs. Tavares”), and other officers of the court. Fraga and Tavares are sworn under oath, and the proceedings start. Zukoff asks the Court to have a gentleman attending the procedure recognized: MR. LANDY: “Russell Landy, your Honor. I’m here --- I represent Brickell Commerce Plaza and Car Wash Concept, Inc., two entities which one of the witnesses is the manager of may come up, may not, but I’m here representing the entities today. THE COURT: Okay. Is there some objection to counsel being present? MR. ZUKOFF: Yes, your Honor. I’m invoking the rule.

THE COURT: There is some objections? MR. ZUKOFF: Yes, your Honor. THE COURT: Tell me what the objection is. As far as I know, the court is open pretty much to anybody who can come in here. I don't believe counsel is planning in being an witness, are your sir? MR. LANDY: Not today, sir. MR. ZUKOFF: Well, your Honor, your bailiff had recently just said that my client's wife who is not a witness could not be in the courtroom. THE COURT: Well, if your client's wife is not going to be a witness, I have no objection. So my bailiff may have misspoke. I don't know." See Transcript of Hearing on April 12, 2012 at 3:00 p.m. ("Tr. 04/12/2012") Tr. 04/12/2012 at 4 ¶¶ 8 – 25; *Id.* at 5 ¶¶ 1 – 13.

Perez starts direct examination of Fraga:

MS. PEREZ: "Ms. Fraga, are the allegations contained in your amended petition for protection against repeat violence true --- MR. ZUKOFF Objection. Failure to lay a predicate. There's failure even to introduce the witness and say who the witness is and what document. That's too broad of a question: All your allegations correct?" *Id.* at 9 ¶¶ 23 – 25; *Id.* at 10 ¶¶ 1 – 7.

MS. PEREZ: "I'd like to call Geania Fraga, Petitioner. Usually that's part of the colloquy in domestic violence. Ms. Fraga, do you recognize the petition before you? MR. ZUKOFF: May we see the petition, your Honor, that counsel is referring to? THE COURT: This is original filed petition from February 13? MS. PEREZ: The amended petition. THE COURT: The amended petition? MS. PEREZ: Correct. THE COURT: Let's see. If counsel doesn't have a copy, let's show it to him. MR. ZUKOFF: Your Honor, I hate to be – I'm not trying to be obstructive, but this is not the document that's filed in court. The document filed in court has more information on it than this document has, to wit, a witness signature and a notary. THE COURT: Okay. Well, I'm looking at the Petitioner's verified motion to amend petition, amendment to petition filed March 12. It's a two-page document. Is that what we're talking about? MR. ZUKOFF: May I approach, your Honor? THE COURT: Hold on. Let's ask counsel what her document is. MS. PEREZ: Yes, your Honor. I don't have – I provided the Court the last time a copy I had. This is just my outline for the hearing. THE COURT: Sure. It's the amended petition filed. THE COURT: Should we quickly print the amended petition? That's March 12. THE CLERK: No problem, Judge. THE COURT: Hold on one second. We'll print it out. It should be two pages, right? THE CLERK: That's right, Judge. MR. ZUKOFF: Without objection. THE COURT: Okay. Great. Thanks. BY MS. PEREZ: Are the allegations contained in your verified motion to amend the petition and the amendment to petition filed with the court March 12th, 2012. Are these true and correct? MR. ZUKOFF: Same objection, your Honor. THE COURT: What's the objection? MR. ZUKOFF: The objection is it's a broad statement that carries a lot of information in it and she's asking a blanket question and we're entitled to know which allegations she's referring to. Not all allegations in the complaint. It's not a divorce case." THE COURT: I think the question was: Were the allegations in the petition true and correct, the amended petition? Was that the question? MS. PEREZ: Opening colloquy of the allegations for the petition, the judge always asks are they true and correct. THE COURT: I'll overrule the objection. Go ahead. BY MS. PEREZ: Are the allegations in your petition true and correct? THE COURT: Let make sure we're are talking about the amended petition. MS. PEREZ: Correct. FRAGA: Correct. BY MS. PEREZ: Thank you. Since when have you known the Respondent Charles Tavares? MR. ZUKOFF: Objection, your Honor. Leading. THE COURT: Overruled. *Id.* at 10 ¶¶ 11 – 25; *Id.* at 11 ¶¶ 1 – 25; *Id.* at 12 ¶¶ 1 – 25; *Id.* at 13 ¶¶ 1 – 25.

MS. PEREZ: “Since when have you known Mr. Tavares? FRAGA: Since 2000. MS. PEREZ: How do you know Mr. Tavares? FRAGA: Through the employee who was cleaning his home. PEREZ: You state in your allegations that there was an incident on or about February 10th of 2012. Can you just briefly describe to the Court what happened on that date? FRAGA: Yes. PEREZ: Briefly tell the Court what happened. FRAGA: I was at work in Brickell and he came talking to me and taking pictures. I went out and I went into the car and I went away and he was following me. PEREZ: Are you aware he had any business that day in the property? MR. ZUKOFF: Objection. Leading. THE COURT: Overruled. FRAGA: No, he didn’t have. PEREZ: Did you report this incident to the police? FRAGA: Yes, sir. PEREZ: On that day during the incident, did he make threats? FRAGA: That day he was only following me behind. *Id.* at 14 ¶¶ 1 – 25. *Id.* at 15 ¶¶ 1 – 6.

MS. PEREZ: “Was there anyone else with you that day at the property? FRAGA: No.” *Id.* at 15 ¶¶ 13–15.

MS. PEREZ: “Briefly tell the Court when was there an incident before the one on February. MR. ZUKOFF: “Objection. Assumes facts not in evidence.” THE COURT: Overruled. FRAGA: I was working at the Car Wash. MS. PEREZ: And when was that? FRAGA: This was more or less before February 10. MS. PEREZ: And what happened? FRAGA: He came into the property taking me pictures, threatening me with words. Asking me to go out of the property. MR. ZUKOFF: Respectfully, your Honor. We move to strike. That’s not contained within the petition, these allegations. If the Court will examine the petition, you will see these allegations are strangers to what’s written in the petition. THE COURT: We’ll allow the answer and you can cross-examine about.” *Id.* at 16 ¶¶ 2 – 25.

MS. PEREZ: “What threats did the Respondent make? FRAGA: That he was going to deport me. That he has a lot of power to do so. PEREZ: Did he make any threats to harm you? FRAGA: To hurt me by deporting myself and my husband. PEREZ: Was this incident where he made gestures to you? MR. ZUKOFF: Objection. Leading, your Honor.” *Id.* at 18 ¶¶ 3 – 12.

MS. PEREZ: “Who else was there at the car wash with you? FRAGA: Ms. Gabriela Guimaraes who’s outside there. MS. PEREZ: Was anyone else with you that saw any of the incident with Mr. Tavares in addition to Gabriela? FRAGA: Yes, yes, yes. MS. PEREZ: Who else? Duna [Dunia I. Pacheco] and Maritza [Maritza C. Calix]. MS. PEREZ: And they have seen him show up at the properties? FRAGA: Yes. MS. PEREZ: Had either Duna [Dunia] or Maritza seen Mr. Tavares show up at the property? MR. ZUKOFF: Objection as to the form of the question.” *Id.* at 19 ¶¶ 4– 20.

MS. PEREZ: “You state that the Respondent – you have received numerous calls and text messages” FRAGA: Yes, sir. MS. PEREZ: Are they threatening in any way? MR. ZUKOFF: Objection, your Honor. THE COURT: What’s the nature of the objection? MR. ZUKOFF: What messages, when were they given, from who and how they establish who. And where is the proper predicate to establish who gave the messages? Not there, your Honor. THE COURT: There are some allegations in the original petition that are different than those in the amended petition. Ms. Perez, we’re travelling strictly on the amended petition or are we doing a combination? MS. PEREZ: It’s on both. THE COURT: It’s on both? MS. PEREZ: For the past six months Petitioner receives calls and text messages. ZUKOFF: Respectfully, your Honor, we would object to the first petition having incredibility or weight on this honorable court because it has been superseded by the amended. Respectfully, your Honor, I’ve never seen two complaints travel together, the first one and the amended one in any case that I’ve tried.” *Id.* at 20

¶¶ 11– 25; *Id.* at 21 ¶¶ 1– 18.

MS. PEREZ: “The petition states that for the past six months you’ve received calls and text messages from Mr. Tavares.” MR. ZUKOFF: Objection. The petition does not state that. I don’t know what counsel is reading from, but the amended petition that this honorable court had printed out does not have any such verbiage in it and counsel knows this. THE COURT; Hang on. That may be correct. It seems that verbiage is in the original petition, which I think counsel may be correct. If the original petition has been amended by the amended petition, I want to make sure where the allegations come from in the amended. MS. PEREZ: It’s the second paragraph from last. THE COURT: I stand corrected. MR. ZUKOFF: No, it doesn’t say that, your Honor. THE COURT: It says, ‘Receives numerous calls and text messages.’ MR. ZUKOFF: Tell her to watch out but it doesn’t tell us from whom. THE COURT: I’ll overrule the objection. Let’s go ahead, You can cross-examine her on that point. Go ahead ma’am. You may answer the question. FRAGA: I would like you to repeat it. I didn’t understand. MS. PEREZ: Have you received calls and text messages from Mr. Tavares? FRAGA: Yes, sir. MS. PEREZ: And what is the nature of those calls or messages” FRAGA: To go away, to go away from here. MS. PEREZ: Why does he want you to go away? MR. ZUKOFF: Objection, your Honor, to the form. THE COURT: Sustained. MR. ZUKOFF: Move to strike. THE COURT: Granted. MS. Perez: Does the Respondent own any firearms that you are aware of ? FRAGA: Yes. MS. PEREZ: How do you know that? FRAGA: In his office I saw ---. MR. ZUKOFF: Objection, relevance, your Honor. THE COURT: Overruled. THE INTERPRETER: Her last words were ‘a gun.’ MS. PEREZ: Are you afraid of the Respondent? FRAGA: Too much, too much. MS. PEREZ: Does his actions cause you to be in fear? FRAGA: Yes, Trauma and I fell panic.” *Id.* at 22 ¶¶ 8– 25; *Id.* at 23 ¶¶ 1– 25; *Id.* at 24 ¶¶ 1– 21.

MS. PEREZ: “Has he sent you any letters or documents? MR. ZUKOFF: Objection. Outside the scope, your Honor. There’s nothing mentioned in the petition about that. THE COURT: Overruled. FRAGA: Yes. MS. PEREZ: And what is the nature of those letters or mail? FRAGA: Telling me that --. THE INTERPRETER: I need clarification. FRAGA: That I’m committing fraud with the properties where I’m working with. MS. PEREZ: And has he also sent this to other people? MR. ZUKOFF: Objection, your Honor. No predicate has been established. THE COURT: Sustained.” *Id.* at 25 ¶¶ 11– 25; *Id.* at 26 ¶¶ 1– 7.

MR. ZUKOFF: Your Honor, may I request that the witness [Fraga] take the stand? THE COURT: Is it really necessary to move her physically? MR. ZUKOFF: Please, your Honor, if I wouldn’t be intruding on the Court. THE COURT: Okay. We’ll have her take the witness stand.” *Id.* at 26 ¶¶ 10– 17.

MR. ZUKOFF: “Ma’am, you filed the petition – the amended petition for protection against repeat violence; is that correct? FRAGA: Protection, yes. MR. KUKOFF: In your filing, did you notice or did you observe the part that asked if there were any related cases to this? FRAGA: No, I didn’t see that.” *Id.* at 26 ¶¶ 23– 25; *Id.* at 27 ¶¶ 1– 5.

MR. ZUKOFF: “Are you aware of the case where Brickell Commerce Plaza is suing Mr. Tavares? FRAGA: Are they filing? MR. ZUKOFF: Are you aware that there exists a case? FRAGA: I’m aware that I’m asking for a restraining order because I feel threatened.” *Id.* at 27 ¶¶ 21– 25; .” *Id.* at 28 ¶¶ 1– 2.

MR. ZUKOFF: “Okay. Senora, are there any other litigations related to” THE INTERPERETER: Maybe she doesn’t understand the word ‘litigio’ [litigation in Spanish, a language that Fraga is not fluent as she is only fluent in Portuguese]. MR. ZUKOFF: Are there any other court cases going on that concern Brickell Properties and Brickell Village I and Car Wash? FRAGA: I couldn’t say because I have no part of it. “ *Id.* at 28 ¶¶ 12– 21.

MR. ZUKOFF: “Can we mark this as Exhibit A? THE COURT: Yes. Show it to counsel. MR. ZUKOFF: This is the petition that was just printed. THE COURT: Let me remind everybody that we’re half hour into the one-hour hearing. MR. ZUKOFF: If I may approach the witness, your Honor. MR. ZUKOFF: Let me show you this document. Have you ever seen this document before? FRAGA: Oh, yes. It was here, of course. It was myself who came here. MR. ZUKOFF: Okay. And would you read me the document that has your signature on it, please? Please read it out loud? MS. PEREZ: Your Honor, my objection is how this relevant? He can ask her the question. FRAGA: My lawyer – I hired a lawyer. I hired my lawyer. THE COURT: Le’s hear counsel’s objection. MS. PEREZ: I’m saying how is this relevant ? He can ask her questions on the petition, but we’re going to go into another half hour of her reading the allegations. That’s why I’m saying, how is this relevant? THE COURT: These are the allegations from a complaint on another case? What is this document? MR. ZUKOFF: These are the allegations in this complaint that she signed and she swore were correct. And I don’t believe that she is fluent in English that she could have notarized, signed and notarized that being true and correct. THE COURT: Well having her read back what’s -- MR. ZUKOFF: I want to test her ability to understand English. And if she did not understand what she signed, then the notary signature is defective as well as the document. THE COURT: Well, but have her read – MR. ZUKOFF: Just have her do the first paragraph. THE COURT: Hold on a second. I would assume that because we’re using an interpreter, the witness probably cannot read English is what I’m guessing. MR. ZUKOFF: Right. THE COURT: And for her to read this document is probably going to entail the interpreter having to help her read back the document that’s of record. So once we go through that exercise, what we would have accomplished? MR. ZUKOFF: My point exactly is if she swore to a document that she could not have prepared, could not have understood, and if the Court looks at the document, there is no signature by somebody certifying that I am fluent in both Spanish and English and that I read the document to her in English and then translated it into Spanish and I certify that the Respondent has affirmed that those allegations are true. THE COURT: Counsel has a comment. MS. PEREZ: I can swear to that, your Honor. I was one who translated it. MR. ZUKOFF: I object, your Honor. She’s the witness. THE COURT: I didn’t hear what Ms. Perez said. MS. PEREZ: I’m the person who prepared it in English based on her Spanish. I’m fluent in both Spanish and English. I notarized here signature. I’m not sure where we’re going with this. MR. ZUKOFF: it’s highly improper and I move for a dismissal predicated upon the fact that the witness did not read and sign that document that counsel has become a witness in this case which is totally improper. She called herself. We didn’t. And the document should be thrown out. THE COURT: I’ll deny your motion.” *Id.* at 28 ¶¶ 22– 25; *Id.* at 29 ¶¶ 1– 25; *Id.* at 30 ¶¶ 1– 25; *Id.* at 31 ¶¶ 1– 25; *Id.* at 32 ¶¶ 1– 19.

MR. ZUKOFF: "Okay. Now, ma'am, you said you received numerous calls and text messages telling you to watch out. Yes, or no? FRAGA: Yes. MR. ZUKOFF: And in your petition you did not state who sent them to you; is that correct? FRAGA: I don't remember that fact, if I wrote or not. MR. ZUKOFF: Well, let me read what's on your notarized petition to you just one sentence. Petitioner stated under oath for the past six months petitioner received numerous calls and text messages telling her to watch out. FRAGA: 'Nods head.' MR. ZUKOFF: You did not state in your petition who made those numerous calls and text messages; is that correct? FRAGA: Yes. MR. ZUKOFF: You did not? FRAGA: I didn't do the calls. He was the one who did the calls to me. MR. ZUKOFF: Not the question, your Honor." *Id.* at 33 ¶¶ 23–25; *Id.* at 34 ¶¶ 1–25; *Id.* at 34 ¶¶ 1–20.

THE COURT: "Ms. Fraga, in your petition you said you received numerous calls and text messages telling you to watch out during the past six months" FRAGA: Yes, sir. THE COURT: The petition doesn't say from whom you received those calls and text messages. Do you know from whom you received those calls and text messages? FRAGA: Yes, sir. THE COURT: Who? FRAGA: Charles Tavares. Mr. ZUKOFF: Your Honor, respectfully the document is now in evidence and it doesn't say that." *Id.* at 35 ¶¶ 23–25; *Id.* at 36 ¶¶ 1–13.

MR. ZUKOFF: "Do you have any evidence of the text messages? Do you have any evidence with you to shows us that Mr. Tavares texted you? Si or no? FRAGA: The only evidence is a person who heard what he said on the phone and she's there. MR. ZUKOFF: Objection, hearsay. MR. ZUKOFF: That wasn't my question. My question is: Do you have any evidence of the text messages? FRAGA: I have: MR. ZUKOFF: Where is it? FRAGA: Outside there. Maritza. MR. ZUKOFF: No. I'm asking for – I'm not asking for hearsay. THE COURT: Are you asking her to produce her phone" MR. ZUKOFF: Does she have any physical evidence? THE COURT: Do you understand the question, ma'am? FRAGA: I understand. I understood that he wants evidence, and the evidence is there. She heard it. MR. ZUKOFF: Not my question. I don't know how you hear a text message. THE COURT: Apparently, she has not physical evidence." *Id.* at 37 ¶¶ 10–25; *Id.* at 38 ¶¶ 1–12.

MR. ZUKOFF: "And you claim that taking your picture is a threat? FRAGA: No. He was taking pictures and he was talking and he was doing like that with the hand. THE INTERPRETER: And, for the record, she's showing the right hand, pulling it out like a stop position?" *Id.* at 39 ¶¶ 6–13. MR. ZUKOFF: Yes or no, do you consider this gesture that I'm making now a threat? FRAGA: Yes. MR. ZUKOFF: And when a policeman does this to you, is that a threat in America? FRAGA: If a policeman does that to me, yes, that's threatening." *Id.* at 40 ¶¶ 1–8.

MR. ZUKOFF: "So you've never heard that your friend Gabriella [Guimaraes] is engaged in a lawsuit with the Mr. Tavares" FRAGA: I don't know." *Id.* at 42 ¶¶ 4–7.

MR. ZUKOFF: "Do you get paid to be there [BCP / Car Wash] ? FRAGA: I don't have an interest at all. I only go there when the owners tell me to go there to look for it only. MR. ZUKOFF: To look for the car wash, the owners? FRAGA: To see if any person was inside because it is closed. *Id.* at 43 ¶¶ 6–13.

MS. PEREZ: "Ms. Fraga, the gesture that you were making, is that Portuguese gesture to you? FRAGA: Yes, yes. MS. PEREZ: So, in Portuguese, when someone makes that gesture to you, does it mean stop? FRAGA: Yes, because he is also Brazilian." *Id.* at 44 ¶¶ 1–7.

MS. PEREZ: In Portuguese, does that hand gesture mean something else? MR. ZUKOFF: object to the form.” *Id.* at 45 ¶¶ 1– 4.

THE COURT: “Maybe you’re trying to say in the Brazilian culture maybe, because if you are talking about a hand gesture with a language attachment on it, it does not work for me. So wait a minute. So let’s get the question repeated. MS. PEREZ: Does that hand gesture mean something else to you culturally? FRAGA: Yes, sir. MS. PEREZ: And what does it mean? FRAGA: A threat. *Id.* at 45 ¶¶ 8– 20.

MR. ZUKOFF: “What country do you live now? FRAGA: I’m living here in the United States, but the person who did the gesture is from – MR. ZUKOFF: Objection. Unresponsive. I asked her what country she lived in and now I’m getting about the person. So without her answering the question, I know it’s unresponsive.” *Id.* at 46 ¶¶ 8– 16.

MR. ZUKOFF: “Is she aware of the customs of the United States? FRAGA: Yes, but you don’t forget about the custom where you come from. MR. ZUKOFF: Do you have any ability to know that is inside Mr. Tavares’s mind? *Id.* at 47 ¶¶ 1– 4.

THE COURT: “And it appears as though there may be some inclination to try to litigate matters that are not part of this case and I’m trying not to do that. So I really don’t want to spend considerable chunks of time litigating matters that are not before this court. I’ve taken notice of the fact that there’s reference to other pending cases with case numbers that are referenced in the documents. And it’s not my intent to try those cases here in the domestic violence court.” *Id.* at 50 ¶¶ 10– 22.

MR. WASSON: “Two quick points, Judge. We’re getting into other cases for two reasons. First, to show his right to be where he is and doing what he’s doing at the time. And, secondly, to establish a motive for the petitioner -- THE COURT: I didn’t say we weren’t going to hear something about those other cases, but I’m certainly not going to be litigating those cases here. MR. WASSON: Judge, I don’t know what these other witnesses [Guimaraes, Calix, and Pacheco] have, but the Petitioner has failed to demonstrate – we should have a judgment of acquittal because the Petitioner has failed to demonstrate -- THE COURT: The Petitioner has not closed their case yet. So your motion is denied at them [the] moment without prejudice. Okay. *Id.* at 51 ¶¶ 4– 24.

MS. PEREZ: “Direct, I barely have four questions for two of the witnesses. And I may not need the other one. Four questions, but I know it’s going to go into an hour of cross-examination.” *Id.* at 52 ¶¶ 18– 22.

Judge David Jr., schedules another hearing on the patently fabricated bogus case, stating, then:

THE COURT: “I’m going to sign some papers for continuing the temporary injunction to be in force until that date. Mr. Landy, the conversation we had earlier about not discussing with the potential witnesses what happened here today, that stands also. MR. LANDY: Of course, your Honor.” *Id.* at 59 ¶¶ 4– 12.

Judge Davis Jr., in reckless disregard for the truth, facts, and evidence presented – and the lack thereof, willfully, and intentionally participating in the criminal scheme upon the bogus procedures depriving and extorting Tavares of his rights and properties, signs another bogus order extending the bogus injunction against Tavares to further the criminal scheme in this, and on the related cases. *See Record.*

COUNTS

Count 27 - Judge Davis Jr., Fraga, Perez, Guimaraes, Damian & Valori, Landy, BRIDGELOAN, BANIF, and other Perpetrators implicated, all knew, and had to know in truth and in fact that the sham Initial Petition, the Motion to Amend the Petition, and Amended Petition under Chapter 784 (Repeat, Dating, or Sexual Violence), Florida Statutes, contained false and fabricated vague allegations, unsubstantiated and without any hard evidence supporting, and that the sole purpose of the FRAGA I sham “Repeat Domestic Violence” case against Tavares is to harass, intimidate, extort and deprive Tavares of rights and properties in furtherance of the brazen criminal scheme upon Miami Courts extorting and depriving Tavares of rights and properties in the Related Cases by some of the same Perpetrators. Despite these undisputable facts and truth, they did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to continue systematically defrauding 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 upon the courts, in violation of 18 U.S.C. §371.

Count 28- Judge Davis Jr., Fraga, Perez, Guimaraes, Damian & Valori, Landy, BRIDGELOAN, BANIF, and other 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, and to possess and carry lawful purchased guns, in violation of, among other things, 18 U.S.C. §241. *See, e.g.,* U.S. Const., Amends. II; IV (the “Double-Jeopardy” Clause), V, and XIV.

Count 29- Judge Davis Jr., Perez, Damian & Valori, Landy, and other Perpetrators implicated, as officers of the courts, did knowingly and intentionally, continue systematically depriving and extorting Tavares, upon subverted court proceedings, of his properties and constitutionally guaranteed rights, under color of law, in violation of, 18 U.S.C. §242. *See, e.g.,* U.S. Const., Amend. II; and, U.S. Const., Amend. XIV.

Count 30- Judge Davis Jr., Fraga, Perez, Guimaraes, Damian & Valori, Landy, BRIDGELOAN, BANIF, and other Perpetrators implicated, as officers of the court, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to continue systematically defrauding 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 31 – Perez, an officer of the court, knowingly and intentionally, continues to systematically use her Florida Bar license as guise to commit crimes, willfully participating in the brazen and known criminal scheme, systematically making patently false statements under oath to mislead the Miami Court to falsely incriminate, 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, §837.02, F.S., §837.021, F.S., §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 Rules of Professional Conduct, Rule 4-8.4 MISCONDUCT, stating; “A lawyer shall not: **(a)** violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through acts of another; **(b)** commit a criminal act that reflects adversely on the lawyer’s honesty, trustworthiness, or fitness as a lawyer in other respects; **(c)** engage

in conduct involving dishonesty, fraud, deceit, or misrepresentation, except that it shall not be professional misconduct for a lawyer for a criminal law enforcement agency or regulatory agency to advise others about or to supervise another in an undercover investigation, unless prohibited by law or rule, and it shall not be professional misconduct for a lawyer employed in a capacity other than as a lawyer by a criminal law enforcement agency or regulatory agency to participate in an undercover investigation, unless prohibited by law; **(d)** engage in conduct in connection with the practice of law that is prejudicial to the administration of justice, including to knowingly, or through callous indifference, disparage, humiliate, or discriminate against litigants, jurors, witnesses, court personnel, or other lawyers on any basis, including but not limited to , on account of race, ethnicity, gender, religion, national origin, disability, marital status, sexual orientation, age, socioeconomic status, employment, or physical characteristic;” See [The Florida Bar Rules of Professional Conduct](#), Rule 4-8.4 (a)(b)(c)(d) at www.floridabar.org.

Count 32 – Judge Davis Jr. , an officer of the court, knowingly and intentionally, continues to, systematically use, as guise to further the criminal scheme upon Miami Courts, his Florida Bar license, and his position of power as a Circuit Judge, willfully and intentionally presiding the brazen sham “Domestic Repeat Violence” case by Fraga against Tavares in fatal conflict of interest known to him and others implicated. Judge Davis Jr., knowingly and intentionally, from the onset of the sham proceedings, knew, and had to know that he should not preside the case involving Tavares because of the ongoing Related Cases, choosing to violate his oath, and violate the law by subverting a court of law in the United State of America, and further issuing a bogus Injunction to extort and deprive Tavares of his guaranteed constitutional rights and his properties, in order to further the brazen criminal scheme upon the Miami Courts, in violation of, among other things, Florida’s Code of Judicial Conduct, Canon 1. (“A Judge Shall Uphold the Integrity and Independence of the Judiciary.”); Canon 2. (“A Judge Shall Avoid Impropriety and the Appearance of Impropriety in all of the Judge’s Activities; and, Canon 3. (“A Judge Shall Perform the Duties of Judicial Office Impartially and Diligently.”). As the record displayed uncontroversially shows, Judge Davis Jr. did knowingly and intentionally systematically violate the constitution, see Fla. Const., Article VI, § 3, the law, see Record, and Canons to further the criminal scheme upon the Miami Courts. See Florida’s Code of Judicial Conduct, Canons 1, 2, and 3, at www.supremecourt.flcourts.gov.

Count 33(a) : Perjury in Official Proceeding by Fraga, to further the scheme by knowingly and intentionally, falsely stating under oath that the allegations in her petition are true and correct, in violation of, §837.02, F.S. (Perjury in Official Proceeding). See Tr. 04/12/2012 at 13 ¶¶ 12–17.

Count 33(b) : Perjury in Official Proceeding by Fraga, to further the scheme by knowingly and intentionally, falsely stating under oath that, she was at work [159 SW 13th Street, Miami FL 33130], on February 10, 2012, and Tavares came talking to her and taking pictures of her, and then, she drove away and Tavares followed her, in violation of, §837.02, F.S. (Perjury in Official Proceeding). See Tr. 04/12/2012 at 14 ¶¶ 15 – 18.

Count 33(c) : Perjury in Official Proceeding by Fraga, to further the scheme, commits perjury by knowingly and intentionally, falsely stating that, she filed a police report after Tavares was following, in violation of, §837.02, F.S. (Perjury in Official Proceeding). See Tr. 04/12/2012 at 14 ¶ 25; *Id.* 15 ¶¶ 1 – 2. And, Fraga stating; “On February 10, 2012, the respondent arrived to an apartment complex where the petitioner showed a property. The petitioner saw the respondent and immediately left. A few minutes later, the petitioner noticed the respondent driving behind her for approximately ten minutes. As the petitioner, made a left turn the respondent continued driving when he realized she entering the police department. A report was filed.” See Initial Sworn Petition of February 12, 2012 at Page 2 ¶ 12.

Count 33(d) : Perjury in Official Proceeding by Fraga, to further the scheme, commits perjury by knowingly and intentionally, falsely stating that, she wrote and filed on February 13, 2012 the Initial Sworn Petition for Injunction for Protection Against Repeat Violence. Because Fraga did not read, write or speak English, and the Petition is written in English, and there is no notarization or translation from Portuguese to English [Not even from English to Spanish}, patently showing on its face she filed a false, invalid and fraudulent petition, in violation of, among other things, §837.02, F.S.

Count 33(e) : Perjury in Official Proceeding by Perez, to further the scheme, commits perjury by knowingly and intentionally, falsely stating and swearing to the Court that Perez translated from Spanish to English, Fraga's Amended Petition of March 12, 2012, showing no statement of certified translation, and even assuming, "*arguendo*" that was true, Fraga speaks Portuguese and Perez is not versed on Portuguese, nor is she, or could be, qualified to translate an official certified document from Portuguese to English. Perez makes the patently false statement to the Court under oath in order to willfully support the fabricated and false evidence, and to trick the Court to falsely incriminate Tavares with false, fabricated and vague bogus evidence, in violation of, §837.02, F.S. *See Tr.* 04/12/2012 at 31 ¶¶ 11 – 25; *Id.* at 32 ¶¶ 1 – 18.

Count 34 (a): Perjury by Contradictory Statements in an official proceeding by Perez, to further the scheme, commits perjury by knowingly and intentionally, falsely stating that, "The petition states that for the past six month's you've [Fraga] received calls from Mr. Tavares", *see Tr.* 04/12/2012 at 22 ¶¶ 7 – 10, clearly contradicting the alleged facts on the Initial Petition and in the Amended Petition, in violation of §837.021, F.S. (Perjury by Contradictory Statements). *See, e.g.*; "The petitioner states that for the past six months, she has received numerous phone calls and text messages from unidentified numbers." Initial Sworn Petition of February 12, 2012 at Page 2 ¶12; and, "For the past six months, the Petitioner receives numerous calls and text messages telling her to watch out." *See* Amended Petition of 03/12/2012 at 1 ¶ 5.

Count 34 (b): Perjury by Contradictory Statements in an official proceeding by Fraga, to further the scheme, by knowingly and intentionally, falsely stating, under oath at the hearing of April 12, 2012, that, she received calls and text messages from Mr. Tavares, *see Tr.* 04/12/2012 at 23 ¶¶ 18 – 20, clearly contradicting the truth, facts, and her previous sworn statements, *see, e.g.*; "The petitioner states that for the past six months, she has received numerous phone calls and text messages from unidentified numbers." Initial Sworn Petition of February 12, 2012 at Page 2 ¶12; and, "For the past six months, the Petitioner receives numerous calls and text messages telling her to watch out," *see* Amended Petition of 03/12/2012 at 1 ¶ 5, in clear violation of, §837.021, F.S. (Perjury by Contradictory Statements).

Count 34 (c): Perjury by Contradictory Statements in an official proceeding by Fraga, to further the scheme, by knowingly and intentionally, falsely stating, under oath at the hearing of April 12, 2012, that, she knows Tavares owns a gun because she saw Tavares's gun at his office, *see Tr.* 04/12/2012 at 24 ¶¶ 6 – 10, clearly contradicting her previous sworn statements, *see, e.g.*; "Petitioner [Fraga] alleged the following additional information: a. that the Respondent [Tavares] personally owns, possess, and/or is known to possess a firearm: **No.**" *See*, Initial Sworn Petition of February 12, 2012 at Page 2 ¶ 13. Fraga, by contradicting the truth, facts, and her previous sworn statements, in order to further the scheme, violates, §837.021, F.S.

Count 34 (d): Perjury by Contradictory Statements in an official proceeding by Fraga, to further the scheme, by knowingly and intentionally, falsely stating, under oath at the hearing of April 12, 2012, that, Fraga "didn't see" the question in her petition if there are related cases, *see Tr.* 04/12/2012 at 27 ¶¶ 2 – 5, contrary to her Sworn Petition marking that are no related cases, *see* Initial Sworn Petition of February 12, 2012 at Page 2 ¶ 9, in violation of, §837.021, F.S.

Judge Davis Jr., in reckless disregard for the truth, facts, the law, and the record displayed in the matter, and despite Tavares's attorneys' meritorious motions to dismiss, showing among other things, a patently brazen criminal scheme upon the court,³ predicated on clearly fabricated false and unsubstantiated evidence, further shown on contradictory and misleading statements by Fraga and Perez, with the purpose to deprive and extort, under color of law, Tavares of his rights and properties, and further negatively affect Tavares on the Related Cases, showing Judge Davis Jr. is clearly part of the criminal scheme, signs an order continuing the bogus temporary injunction depriving and extorting Tavares of his constitutionally guaranteed rights and properties, and stating on his bogus order, among other things;

"THIS CAUSE was heard on April 12th, 2012, upon the court's own Motion for Continuance of Hearing for Permanent Injunction and Extension of Temporary Injunction, and it appearing that there is good cause shown, it is: ORDERED and ADJUDGED that a continuance be granted and the Temporary Injunction previously entered on February 13th, 2012, and set for hearing on April 12th, 2012, is hereby reissued and extended.

DONE and ORDERED at Dade County, Florida, this 12th day of April 2012.

/s/ Joseph I. Davis, Jr.

Joseph I. Davis, JR. – Acting Circuit Court Judge.

The TEMPORARY INJUNCTION FOR PROTECTION AGAINST REPEAT VIOLENCE ("Extension") is extended until May 18, 2012, by Judge Davis Jr., states, among other things;

"The Petition for Injunction for Protection Against Repeat Violence under section 784.046, Florida Statutes, and other papers filed in this Court have been reviewed. The Court has jurisdiction of the parties and the subject matter under the laws of Florida. The term 'Petitioner' as used in this injunction includes the person on whose behalf this injunction is entered." See Extension at 1 ¶1.

And;

"Unless otherwise provided herein, Respondent shall not go to, in, or within 500 feet of: Petitioner's current residence 2411 NW 14 Avenue, Miami, FL 33142 – or any residence to which Petitioner's may move; Petitioner's current or any subsequent place of employment or place where Petitioner's attends school SELF EMPLOYED, Miami, FL, or the following other places (if requested by Petitioner) where Petitioner or Petitioner's minor child(ren) go often:" See Extension at 3 ¶2.

And;

"Respondent shall not use or possess a firearm or ammunition." *Id.* at 3 ¶3.

And;

"Ordered on this 12th day of April, 2012, at 4:10 p.m.

/s/ Joseph I. Davis, Jr.

Joseph I. Davis, JR. – Acting Circuit Court Judge. *Id.* at 6.

³ Even the Transcript of April 12, 2012's hearing, initially falsely states that the hearing took place on April 3, 2012, in order to blur the record, as to make more confusing to outside observers, showing another criminal pattern by the Criminal Enterprise, as shown on all sham proceedings in Related Cases, often with Court Orders with wrong dates and hearings/trials with contradictory wrong dates. See Initial Transcript of 04/12/2012 by Jennifer A. Quintana ("Quintana") at Jeannie Reporting.

<u>COUNTS</u>	<u>APROX. DATE</u>	<u>VIOLATIONS</u>	<u>PERPETRATORS</u>
37	July 11, 2012	<u>U. S. CODE TITLE 18</u> § 371 Conspiracy to Defraud the United States of America &	Geania Alves Fraga Silvia Perez Judge Joseph I. Davis, Jr. Gabriela M. Machado Guimaraes Damian & Valori, LLP Russell Marc Landy Dunia Irene Pacheco Maritza C. Calix Continued Criminal Enterprise
38		§ 241 Conspiracy Against Rights &	
39		§242 Deprivation of Rights Under Color of Law &	
40		§ 1346 Scheme/Artifice to Defraud Honest Services &	
41		FLORIDA BAR RULES OF CONDUCT Misconduct –Dishonesty-Fraud-Deceit Rule 4-8.4 (a)(b)(c)(d) &	
42		FLORIDA CODE OF JUDICIAL CONDUCT Violations of Canons 1; 2; and 3 &	
43		<u>FLORIDA STATUTES</u> TITLE XLVI § 837.02 Perjury in Official Proceeding &	
44		TITLE XLVI § 837.06 Perjury by Contradictory Statements	

On or about July 11, 2012, from around 2:00 p.m. to 5:00 p.m., corrupt Judge Davis Jr., continuing to further the brazen scheme extorting and depriving Tavares of rights and properties under color of law upon subverted Miami Courts, together with other implicated Perpetrators, known and unknown, presiding a *Kangaroo Court*, holds another sham hearing predicated on totally false, fabricated and unsubstantiated vague allegations of Repeat Domestic Violence under § 784.046, Florida Statutes, by Fraga, an associate of the Continued Criminal Enterprise (“CCE”), against Tavares, in order to, among other things, falsely incriminate Tavares, intimidate, coerce, and extort Tavares of his rights and properties, and negatively affect Tavares on the known Related Cases, BRIDGELOAN, and the BCP/Car Wash, by some of the very same implicated bad actors perpetrating heinous crimes upon a court of law in the United States, showing a clear pattern of racketeering by the Perpetrators. The Criminal Enterprise, to further the scheme, also, on June 6, 2012, through its associates at BRIDGELOAN, together with Judge Davis Jr.’s former longtime law firm (from 1980 through 2010) Markowitz, Davis, Ringel & Trusty, P.A. A/K/A Markowitz Ringel Trusty + Hartog, P.A. (“Markowitz Trustee”), which is holding over \$100,000 of Tavares’s Miami River Park Marina, Inc.’s (“MRPM”) moneys in a trust account at Markowitz Trustee, institute another bogus lawsuit predicated on contradictory and false pleadings, and artifices to deprive and extort, under color of law, Tavares and his companies upon subverted Miami Courts. See Case 2012-21795-CA-01.

Present, at the hearing, among others, presiding Judge Davis Jr., Fraga, Perez, and English/Portuguese /Spanish translator Edna Delinois, and Tavares and his new⁴] attorney Sean L. Collin (“Collin”) (Florida Bar No. 663336). On the previous hearing of April 12, 2012, Perez stated she would be possibly bringing her three witnesses, Guimaraes, Calix, and Pacheco.

Fraga and Tavares are sworn in, and the proceedings begin. See Transcript of Hearing on July 11, 2012 (“Tr. 07/11/2012”) at 3 ¶¶ 3 – 7.

THE COURT: “Okay. We’re on the case of Geania Fraga, that’s you, ma’am? FRAGA: Yes: THE COURT: And Charles Tavares, is that you, sir? TAVARES: Charles A. Tavares, sir. THE COURT: Okay. Counsel for Petitioner, Ms. Perez, you’ve been here before. Can you state your appearance for us, please? MS. PEREZ: Silvia Perez on behalf petitioner. THE COURT: And we have a new counsel for respondent, Mr. Collin, right? MR. COLLIN: Yes, Your Honor. THE COURT: Nice to see you. You’ve just been retained on this case today or -- MR. COLLIN: A couple of days ago, Your Honor. See Tr. 07/11/2012 3 at ¶¶ 22 – 25; *Id.* 4 at ¶¶ 1 – 14.

THE COURT: “Okay. So we’re using a Portuguese interpreter for your client [Fraga], and we need a Spanish interpreter for – [for witness Calix] INTERPRETER: I will do it, Judge. THE COURT: Did I hear you just speak Portuguese? INTERPRETER: I lived ten years in Brazil, Judge, that’s why. THE CLERK: Judge, I don’t know if it’s going to be an issue. She speaks Spanish -- INTERPRETER: No problem. THE CLERK: No, no problem. THE COURT: Let me just ask, housekeeping with the interpreter as we do this. You’re going to be interpreting this witness who is speaking Spanish, and you’re going to translate that to English so those of us can understand from the Portuguese to the English. INTERPRETER: She speaks Spanish. She speaks enough. THE COURT: So, the petitioner speaks Spanish, although she’s been testifying in Portuguese? INTERPRETER: This lady, Maria [Maritza C. Calix] speaks Spanish.” See *Id.* 6 at ¶¶ 18 – 25; *Id.* 7 at ¶¶ 1 – 18.

MS. PEREZ: “Ms. Calix, how do you know Geania Fraga? CALIX: I’ve known her for a long time now, four years. MS. PEREZ: And you’ve been friends with Geania? CALIX: Yes. MS. PEREZ: Do you work with her as well? CALIX: Yes. And how long have you said you’ve known Geania? CALIX: Four, five years. MS. PEREZ: Do you know Mr. Charles Tavares? CALIX: Only on very fast, certain occasions. MS. PEREZ: What do you mean by fast occasions? CALIX: Once he was following her and I went out and --” See *Id.* 8 at ¶¶ 23 – 25; *Id.* 9 at ¶¶ 1 – 13.

MS. PEREZ: “Have you ever – you stated earlier that you saw Mr. Tavares following Geania. CALIX: Yes. MS. PEREZ: Can you just briefly describe what you observed. MR. COLLIN: Objection, Your Honor. Lack of predicate as to time frame. THE COURT: I’ll sustain that. Get a predicate. MS. PEREZ: When is that you saw Mr. Tavares? CALIX: The time that he was following her. That’s the time of the car wash. MS. PEREZ: And how long ago approximately was that? CALIX: Beginning of the year, that was. MS. PEREZ: So, maybe, four or five months ago? CALIX: Yeah, more or less. MS. PEREZ: And what is it that you saw then? CALIX: Well. He was following her. And she was nervous, calling me. MS. PEREZ: And where

⁴ Tavares, realizing that his attorneys were being intimidated, coerced, or extorted by the Criminal Enterprise, changed, again, attorneys in order to not allow time for the Perpetrators to continue their successful pattern of intimidation, coercion, and extortion of his attorneys.

were you? CALIX: I was in the building because, you know, I work with her. MS. PEREZ: And when you came out of the building, did you physically see Mr. Tavares? CALIX: No, I just seen him like this, because I did not know him? MS. PEREZ: Was he in a vehicle? CALIX: Yes. And how was Geania when you saw her? CALIX: Nervous. MR. COLLIN: Objection. Speculation. THE COURT: Overruled. *See Id.* 9 at ¶¶ 20 – 25; *Id.* 10 at ¶¶ 1 – 25; *Id.* 11 at ¶¶ 1 – 16.

MS. PEREZ: “Was there any other time when Geania came seeking your assistance? CALIX: Many times she knocked on my door, nervous, crying that she did not know what to do. MS. PEREZ: Was this more or less around the same time frame? CALIX: More or less. MR. COLLIN: Objection, vague. THE COURT: Clarify some dates. MS. PEREZ: Approximately four or five months ago? CALIX: About a year, a lapse of time of a one-year period.” *See Id.* 11 at ¶¶ 21 – 25; *Id.* 12 at ¶¶ 1 – 8.

MS. PEREZ: “Other than the incident that you stated about four or five months ago, there have been other incidents within the last year? CALIX: A lot of phone calls. MS. PEREZ: Okay. In particular, you just stated something about a phone call. The most recent phone call you remember from Mr. Tavares to Ms. Fraga, how long ago was that? MR. COLLIN: Objection, lack of predicate. How does she know about a phone call? She can’t testify hearsay from the petitioner. THE COURT: Well, she hasn’t talked about a conversation. She’s talking about knowledge of a phone call. So I’ll overrule that for now. MS. PEREZ: When was the last time you recall a conversation when he called Geania? CALIX: After court, he called her about four times. MS. PEREZ: How do you know it was Mr. Tavares on the phone? CALIX: Because we called back, and it comes back, the phone call was from Marriott. That’s the internet connection. MS. PEREZ: At any time, did you -- THE COURT: I’m confused. MS. PEREZ: I’m willing to strike that. I’m going to ask her something else. *See Id.* 12 at ¶¶ 9 – 25; *Id.* 13 at ¶¶ 1 – 13.

MS. PEREZ: “Have you ever heard Mr. Tavares actually on the phone, calling Ms. Fraga? CALIX: Once I heard, he was very aggressive telling her things because I understand a lot of Portuguese, but I cannot speak it. MS. PEREZ: And this phone call, approximately what is the time frame for this phone call? CALIX: About seven months more or less.” *See Id.* 14 at ¶¶ 8 – 16.

MS. PEREZ: “And how do you know it was Mr. Tavares on the phone? CALIX: It was very aggressive tone of voice. MS. PEREZ: But did anyone tell you that it was Mr. Tavares? CALIX: Yes, Fraga. MR. COLLIN: Objection, Your Honor. Hearsay. THE COURT: Sustained.” *See Id.* 14 at ¶¶ 20 – 25; *Id.* 15 at ¶¶ 1 – 3.

MS. PEREZ: “Was he on speakerphone when you heard the phone call? CALIX: He was on speaker. She put it. THE COURT: Okay. MR. PEREZ: And what was the tone? CALIX: He was upset. MR. COLLIN: I will also object, Your Honor, as to the relevance and lack of predicate because her knowledge of Mr. Tavares was based on the petitioner telling her it was Mr. Tavares. She has no independent knowledge who was on the speakerphone. THE COURT: Didn’t she just tell us she heard him on speakerphone? MR. COLLIN: Yeah, but she doesn’t know his voice. She never heard his voice before. The only reason she knew it was him on the phone was because petitioner told her and there’s lack of predicate as to how she had knowledge it was Mr. Tavares on the telephone. THE COURT: I’ll overrule that. Let’s hear what she said about what she heard.” *See Id.* 16 at ¶¶ 10 – 25; *Id.* 17 at ¶¶ 1 – 7.

MS. PEREZ: You stated his tone was angry? CALIX: Upset, mad. MS. PEREZ: Did you understand or do you recall any statements he made to Geania? CALIX: What I recall that he said to her was that she could not work with these people because they could not teach her what he has taught her. MS. PEREZ: And is that the only thing or was there any other conversation? CALIX: No, that's the only thing I recall. See *Id.* 17 at ¶¶ 8 – 18.

MS. PEREZ: "Have you ever received a letter from Mr. Tavares? CALIX: I Have received two, one to my house, and the other one to the post office." See *Id.* 18 at ¶¶ 23 – 25; *Id.* 19 at ¶¶ 1 – 2.

MR. COLLIN: "Ms. Calix, how do you work for Ms. Fraga? What is the nature of your employment? CALIX: I have a company. I work in the company. MR. COLLIN: And she works for the same company, Ms. Fraga? CALIX: She helps me. MR. COLLIN: She helps you? CALIX: Yes. MR. COLLIN: So do you pay her salary, Ms. Fraga's salary? CALIX: Yes. MR. COLLIN: And she's been a good employee of yours? CALIX: Yes. MR. COLLIN: What's the name of the company that you work for? CALIX: Tiempo de la Promesa [Tempo da Promessa, Inc., a Florida corporation, F/K/A Fraga's Services Corporation, a Florida corporation, Tax Id. #04-3620657, see also www.sunbiz.org at Document #P02000016349]. MR. COLLIN: Is that the same as Fraga Services? CALIX: No. MR. COLLIN: That's a different company? CALIX: Yes. Do you work for Fraga Services too? CALIX: No. MR. COLLIN: Do you know if Tiempo de la Promesa was ever Fraga Services in the past? THE COURT: I'm sorry. I didn't hear the question. MR. COLLIN: Was Tiempo de la Promesa ever Fraga Services? CALIX: No, it was not." See *Id.* 21 at ¶¶ 1 – 25; *Id.* 22 at ¶¶ 1 – 7.

MR. COLLIN: "On the incident that you said you saw Mr. Tavares following Ms. Fraga, where were you located that day? CALIX: I was on 159 of 13th Street. MR. COLLIN: And how far away from you, were you from the car wash [250 SW 7 Street, Miami, FL 33130]? CALIX: About six blocks away. MR. COLLIN: You were six blocks away from the car wash? CALIX: He started to follow her from that place. MR. COLLIN: From where? From the car wash? CALIX: From that building [159 SW 13th Street, Miami, FL 33130], the address I gave you. From there to the car wash. MR. COLLIN: From 159? CALIX: And 13th Street. MR. COLLIN: Were you in the building at 159? CALIX: Outside. MR. COLLIN: Out on the street? CALIX: Outside, in the building there, yeah. MR. COLLIN: Standing on the street?" CALIX: Yes. See *Id.* 22 at ¶¶ 8 – 25; *Id.* 23 at ¶¶ 1 – 3.

MR. COLLIN: Okay. And you saw Ms. Fraga's car go by you? CALIX: Yes, because we were in contact, we were doing a job, work there. MR. COLLIN: You were doing work where, at 159? CALIX: Yes. MR. COLLIN: You saw her drive away? CALIX: Yes. MR. COLLIN: And how did you know Mr. Tavares was there? CALIX: Because I saw that she was being followed, and she called me on the phone when that happened. MR. COLLIN: So your knowledge that it was Mr. Tavares following Ms. Fraga was because Ms. Fraga told you it was Mr. Tavares? CALIX: I saw her taking off. And the car was behind hers. And then she called me saying he was following her because I did not know him. MR. COLLIN: You had never seen Mr. Tavares before, correct? CALIX: No." See *Id.* 23 at ¶¶ 4 – 24.

MR. COLLIN: "So the only way you know Mr. Tavares was in that car following Ms. Fraga is because Ms. Fraga told you? CALIX: Yes." See *Id.* 23 at ¶ 25; *Id.* 24 at ¶¶ 1 – 3.

CALIX: “ At times I would see cars going behind hers with dark windows and people dressed in black. MR. COLLIN: Okay. But I’m asking you, prior to that day when you saw Mr. Tavares following Ms. Fraga you’ve never seen Mr. Tavares before, correct? CALIX: I had not seen him directly, but yeah, going by. MR. COLLIN: In cars with dark windows, correct? CALIX: In cars with dark windows, right there. MR. COLLIN: But you could never see inside the cars, correct? CALIX: No, no. MR. COLLIN: So the only reason you know, just so we’re clear, that Mr. Tavares was following Ms. Fraga that day is because Ms. Fraga told you? CALIX: Yes, because I did not know him.” *See Id.* 24 at ¶¶ 6- 22.

MR. COLLIN: “And then the time when you heard him on the speakerphone, or you heard a person talking on the speakerphone, prior to that day, you’ve never heard Mr. Tavares’s voice before, correct? CALIX: No. MR. COLLIN: So the only way you knew it was Mr. Tavares on the phone is if Ms. Fraga told you? CALIX: Yes, I asked her who it was. MR. COLLIN: But you have no – you’re testimony here is solely relied upon what Ms. Fraga has told you ? CALIX: From what I heard on the phone and the letters. MR. COLLIN: Because you have no independent knowledge of him, whatsoever, other than what Ms. Fraga has told you? CALIX: That’s it. That’s the way it is.” *See Id.* 24 at ¶¶ 23- 25; *Id.* 25 at ¶¶ 1 – 13.

THE COURT: “Okay, does petitioner have any other proof or witnesses? MS. PEREZ: No, Your Honor, petitioner rests.” *See Id.* 25 at ¶¶ 20- 23.

MR. COLLIN: “At this time, Your Honor, I’d like to make a motion to deny the petitioner’s claim. They have failed to prove substantial and competent evidence that met their burden, and the petition for repeat domestic violence, Your Honor. I have cases on point that relate to this. THE COURT: Did you give a copy to counsel? MR. COLLIN: And we just heard from Ms. Calix. I mean, I don’t even think I need to address her testimony. She has no independent recollection of any events that took place other than what Ms. Fraga would have told her, so I think her credibility in this case, Your Honor, is completely suspect, and her testimony should not hold any weight to the Court.” *See Id.* 25 at ¶ 25: *Id.* 26 at ¶¶ 1- 17.

THE COURT: “Let me just ask you before you proceed. Since you were not here, I assume you’ve read the transcript or listened to the audio so that you’ve educated yourself. MR. COLLIN: I’ve read the transcript, Your Honor. I am very well versed on that she said on that day. THE COURT: Okay.” *See Id.* 26 at ¶¶ 21- 23; *Id.* 27 at ¶¶ 1- 3.

MR. COLLIN: “She claims in her petition, she starts it with the February 10th , 2012 incident, Your Honor, as the evidence to get the injunction. Her testimony on that day, Your Honor, when Ms. Perez asked her to briefly tell what happened that day was that: I was at work on Brickell and he came talking a lot to me and taking me pictures. I went out and went into the car and went away and he was following me. That was her testimony. The other fact was she asked her did he make any threats – actually the question was: On that day during that incident, did he make threats? Her answer was: He was only following me.” So on February 10th, there was no threats at all regarding anything that was taking place. He was just taking pictures based on her testimony.” *See Id.* 27 at ¶¶ 4 – 23.

MR. COLLIN: “In addition, her question: Was there anyone else with you that day at the property? Her answer: No. So no one else saw what happened that day?” See *Id.* 27 at ¶¶ 24- 25; *Id.* 28 at ¶¶ 1- 2.

MR. COLLIN: “The other incident she talks about, several months ago. Ms. Perez asked her: And what happened that day? She said: He came into the property taking me pictures, threatening me with words, asking me to go out of the property. Ms. Perez also asked her: When you state that respondent made threats to you, what threats did he make? The answer was: To leave the car wash. She asked her again: What threats did the respondent make? She says: That he was going to deport me. That he has a lot power to do so. And she asked her again: Did he make any threats to harm you? Her answer: To hurt me by deporting myself and my husband.” See *Id.* 28 at ¶¶ 3- 20.

MR. COLLIN: “And then she talks about the hand gesture. I don’t know if you remember, Your Honor, she made a hand gesture. I don’t know what the hand gesture was. I’m assuming that it was like a stop gesture that a police officer [officer] would make. THE COURT: That was the Portuguese hand gesture.” MR. COLLIN: Portuguese. Portuguese [!].” See *Id.* 28 at ¶¶ 21- 25; *Id.* 29 at ¶¶ 1- 4.

MR. COLLIN: “The other incident that she talked about were text messages and phone calls. When she talked about the text messages they said to go away, to go away from here. And then on her cross, asked if she had any physical evidence regarding the text messages, she said the [that] Maritza Calix had them. But we didn’t hear any or see any proof of any physical evidence or any text messages that she received. Even if she had received these messages, Your Honor, based on the case law which I’m going to go over very shortly, they don’t manifest themselves in doing either count of stalking or assault. Because we clearly don’t have a battery, so the only two things we have left here are stalking or assault. And the first case I want to point to is the *Gagnard* or *Sticht* case, Your Honor. THE COURT: Which one? MR. COLLIN: *Gagnard v. Sticht*, the first [⁵] one in the packet. THE COURT: Okay.” See *Id.* 29 at ¶¶ 5- 25; *Id.* 30 at ¶¶ 1- 4.

MR. COLLIN: “In this case, Your Honor, based on the evidenced presented so far by the petitioner in this case, without any rebuttal from my client at this time, the facts as they stand right now and as testified by Ms. Fraga did not meet the clear and convincing evidence, the substantial competent evidence that repeat violence happened or assault or stalking took place, and she has not met her burden. Therefore, I believe you should dismiss the temporary injunction deny the petition, Your Honor. THE COURT. Okay. Thank you. Let’s hear from Ms. Perez.” See *Id.* 36 at ¶¶ 13- 25; *Id.* 37 at ¶ 1.

MS. PEREZ: “Your Honor, we believe it does warrant the entering of an injunction and meets it just on the face without the testimony of respondent.” See *Id.* 37 at ¶¶ 2- 5.

⁵ Tavares’s attorney Collin submitted to the Court a packet with four (4) legal precedents setting the standards for the courts in Florida relating to claims filed by Fraga under §784.046, F.S., showing that, even if Fraga’s allegations were true – which the record clearly showed were not, that would not meet her burden under the statute and case law. See, *Gagnard v. Sticht*, 886 So.2d (4th DCA); *Sorin v. Cole*, 929 (4th DCA); *Perez v. Siegel*, 858 So.2d (3rd DCA); and, *Slack v. Kling*. See *Tr.* 07/11/2012 at 30 - 36.

MS. PEREZ: "As stated in the motion to amend and the repeat violence statute, we only required one incident of stalking as previously defined and I don't have it here with me, but it's previously defined by the Third District Court of Appeals. It constitutes a series of acts, but it can be as little as two acts as long as they're not connected. Right now we have the testimony of the petitioner where there's three incidents, followed her, showed up at her job, taken pictures of her, given her hand gestures and despite counsel's comments, they have been in close proximity to her. This constitutes stalking. We have more than one incident. We actually have more than two incidents." See *Id.* 37 at ¶¶ 6- 21.

MR. PEREZ: "In addition to that, Your Honor, we have the phone call that he's made to her, pursuant to her testimony, as well as she has reported this to the police. Ms. Calix observed a car. She wasn't able to identify Mr. Tavares, but at the time, back on February 1st, even before Ms. Fraga filed for injunction." See *Id.* 37 at ¶¶ 22 – 25; *Id.* 38 at ¶¶ 1 – 3.

MS. PEREZ: "Her incident on February 10th, Ms. Fraga had already told someone who saw a car follow her that it was Mr. Tavares. And we believe it does meet the definition under *Slack v. Kling* as well as the *Jones v. Jackson* for stalking and harassment. In addition to that, there are several overt acts and one being the letter that now Mr. Tavares sends to Ms. Calix regarding Ms. Fraga. So I believe that you should not grant their motion to dismiss at this point. THE COURT: Okay. Give me one second. MS. PEREZ: There are two cases, Your Honor referenced [⁶] by the courts on this regarding stalking and domestic violence." See *Id.* 38 at ¶¶ 4 – 18.

THE COURT: "Well, let's do the following. I'm going to reserve on a motion, and I would like to hear from the respondent as to what his version of all these events are. We might be able to determine what the purpose of this conduct was. So I will reserve on the motion without prejudice. And we'll make a ruling later, but I would like to hear from your client." See *Id.* 40 at ¶¶ 19 – 25; *Id.* 41 at ¶¶ 1 –2.

MR. COLLIN: "Mr. Tavares, would you please state your name for the record. TAVARES: Charles A. Tavares. MR. COLLIN: And how are you employed, sir? TAVARES: I have a real estate businesses and financial businesses. MR. COLLIN: And how do you know petitioner, Ms. Fraga? TAVARES: Fraga, no, her husband, Franscisney Fraga used to be a property manager for one of the companies I owned. THE COURT: Her husband used to be a property manager for you? TAVARES: Yes, sir. And that was about ten years ago. Ever since then, I haven't seen them. The properties in question are the properties that I used to own and I'm currently in litigation with it. And they are related to this case because Ms. Fraga works as a property manager for one of the properties that we're in litigation with. MR. COLLIN: What are the two locations that she claims that you were at? Let's take the February 10th, 2012 incident. What location was that at where she claims that you were taking pictures of her? TAVARES: That's the 170 Southwest 12th [2nd] Avenue, and that's called the Brickell Village One which is case number 09 93058 CA 30 *Bridgeloan Investors, Inc. versus Charles Tavares*. MR. COLLIN: The purpose of you being there that day taking pictures, what was the purpose? TAVARES: Because that property, as I said, I was, we were in litigation, there were issues and that property was taken from me. I was taking pictures because they were actually demolishing some of the buildings. Like this picture I have here from the

⁶ Ms. Perez references two cases; *Goosen v. Walker*, and, *Ray v. Flinn* (3rd DCA). See Tr. 07/11/2012 at 38 – 39.

previous thing, they were about to demolish one of the former buildings on that location. So I was driving on Southwest 2nd Avenue, and I saw them, I took a picture while driving. I never stopped or – I just drove by and took the picture as I was monitoring the demolition in process they were trying to do after they took my properties. MR. COLLIN: The fact that Ms. Fraga was there that day, was that material to what you were doing? TAVARES: I was taking pictures of the property and what they were doing with the property, demolishing the buildings and so forth. THE COURT: Was it coincidental that she was there? TAVARES: Yes, actually it was coincidental, Your Honor. I just drive – I live on Brickell, I have several properties on Brickell, and I work on Brickell and those properties were my properties.” See *Id.* 41 at ¶¶ 14 – 25; *Id.* 42 at ¶¶ 1 –25; *Id.* 42 at ¶¶ 1 –21.

MR. COLLIN: “I’m going to show the picture you keep showing to counsel. What is this picture of, marked as Respondent’s A? TAVARES: It’s a building, 1227 Southwest 2nd Avenue and it’s one of the properties I used to own of the Brickell Village One, LLC property, and you got the case there 09-93058 CA 30 *Bridgeloan versus Charles Tavares.*” See *Id.* 44 at ¶¶ 4 – 11.

MR. COLLIN: “The petitioner also made claims in her petition that you have texted messaged her and also telephoned her. Do you know Mrs. Fraga’s telephone number? TAVARES: No. No, the answer is no and we’ve asked repeatedly asked several times the petitioner has failed to provide any evidence or phone records and so forth. There’s no evidence from the petitioner of alleged allegations ox text messages. MR. COLLIN: So have you ever sent her any text messages of, Watch out? TAVARES: No.” See *Id.* 45 at ¶¶ 17 – 25; *Id.* 46 at ¶¶ 1 –3.

MR. COLLIN: “I’m going to show you a Composite Exhibit of four photos marked as Composite Exhibit B. I ask if you can identify those documents. TAVARES: Yes, these photos were taken by me while driving on Southwest 7th Street by my former property, Car Wash Concepts [Concept], located at 250 Southwest 7th Street, Miami, 33130. And I’m in litigation with my partner as well in this property case number 11-29624 CA 30. *The Car Wash Concepts [Concept] and Brickell Commerce Plaza versus Charles Tavares and counterclaiming Tavares.* Basically, what I was doing, I was taking pictures of the property -- MR. COLLIN: What date did you take those pictures? TAVARES: August 24, 2011. MR. COLLIN: What was the purpose of you taking those photos? TAVARES” Because I noticed while driving on 7th Street that people were there with construction materials, and it’s gated, fully gated. I was driving on the street inside the car, and I saw that there were people with material, construction, materials and I took pictures for the purpose of records because I don’t know whether they’re stealing property or doing whatever. So I just took the pictures because this is also in litigation because it’s a former property of mine. I built this property into --” See *Id.* 46 at ¶¶ 4 – 25; *Id.* 47 at ¶¶ 1 –6.

MR. COLLIN: And these photos were taken for the purpose of litigation? TAVARES: Exactly, only for the sole purpose for that and there is a picture also of Gabriela. Gabriela, Gabriela Machado Guimarães, which is now the president officer of that corporation, and if you notice in that picture, ironically, thank God, she’s doing the gesture to me inside – I’m inside the car. I never stopped out of the street. I’m not even close. It’s gated. It’s closed. It’s gated. She’s doing the gestures that the petitioner alleges is a threat. She’s doing this to me. THE COURT: Who was that that’s doing – TAVARES: Gabriela Machado Guimarães. THE COURT: Is an associate of the petitioner? TAVARES: She’s an associate for ten years of

Petitioner. She works together with Geania Fraga on this property of mine Brickell Bridgeloan property in the Brickell area. MR. COLLIN: When you took these pictures you were inside your car. TAVARES: I was inside the car driving by on 7th Street and never stopped, never got out of the car, never gestured or spoke to anyone. Just took the pictures.” *See Id.* 48 at ¶¶ 8 – 25; *Id.* 49 at ¶¶ 1 –11.

MR. COLLIN: “Mr. Tavares, in the petitioner’s amended petition, she states that you are – actually, that the respondent is the petitioner’s former boss. Are you her former boss? TAVARES: No.” *See Id.* 49 at ¶¶ 18 – 23.

MR. COLLIN: “It says also in her petition that she reported an incident that took place on February 10, 2012 to the police department. Did you do any investigation regarding her reporting that to a police department? TAVARES: Yes, not only I went to the police department to find out if there is, you know, alleged statement was true. I went to the police station. And it’s not true.” *See Id.* 49 at ¶¶ 24 – 25; *Id.* 50 at ¶¶ 1 – 7.

THE COURT; Which statement of hers are you talking about? TAVARES: The statement that she was followed on the car and then she stopped by the police station and made a police report – MS. PEREZ: Objection. Hearsay. Did you – I’m sorry. THE COURT: No, no. I just asked him what statement he just made mention of. I wasn’t clear. MS. PEREZ: But is he telling what’s on the police report or is he testifying as to what the police officer told him? THE COURT: I was asking him to clarify what he said was the statement was not true. What statement was he talking about? I didn’t know what he was talking about. MS. PEREZ: Okay. I’m sorry. I got lost there. THE COURT: Okay. TAVARES: Okay, Your Honor, basically I went to the police department to look for a police report that she allegedly filed, that she claimed that I was following her, that Ms. Fraga was followed by me, and then she stopped by the police station, and had a report made. And counsel also just made a comment that the police report was filed by the petitioner. So I went there and the only record [Police Report in 2009 by Ms. Fraga that a car hit the fence wall of her residence] that the police department has for Ms. Fraga, which was filed with this Court, was an incident in 2009 where somebody -- THE COURT: Wait a minute. MS. PEREZ: I haven’t filed anything on a police report on this case, neither has Ms. Fraga. So I’m not sure what – “ *See Id.* 50 at ¶¶ 8 – 25; *Id.* 51 at ¶¶ 1 – 19.

THE COURT: “I’m not sure we need to start talking about a police report from ’09. I think what you’re trying to tell me is you were unable to find an alleged police report that that Ms. Fraga has tried to tell us that she tried to file with the police agency when you allegedly followed her February, 2012.

TAVARES: Your Honor, and the petitioner has failed to show any evidence of that alleged police report.

THE COURT: Okay. Go ahead.” *See Id.* 51 at ¶¶ 19 – 25; *Id.* 52 at ¶¶ 1 – 5.

MS. PEREZ: “Do you carry a gun? TAVARES: I have two registered guns, yes. MS. PEREZ: And you had a permit to carry guns? TAVARES: I have a concealed weapons permit to carry a gun, yes, ma’am.” *See Id.* 53 at ¶¶ 15 – 19.

MS. PEREZ: “What is your address? What is your current address? TAVARES; Home or office? MS.

PEREZ: Office. TAVARES: 444 Brickell Avenue, Miami, Florida 33131.” *See Id.* 55 at ¶¶ 10 – 14.

MS. PEREZ: "Did you send that letter to Maritza Calix? TAVARES: I sent to the company Tiempo De La Promesa which is formerly known as Fraga Services. Yes, that's the business address. MS. PEREZ: For who? TAVARES: For Tiempo De La Promesa F/K/A Fraga Services. That's the company Ms. Fraga uses for employment with the people that came to own my former properties. MS. PEREZ: So why would you address this to Ms. Maritza Calix? TAVARES: Because she's the one on the record for the company and I just make sure that all parties on the record received a notice and it's just a letter to Ms. Fraga with the description of the events that are taking place and that's related litigation ongoing on the other cases." See *Id.* 56 at ¶¶ 3 – 19.

THE COURT: "So this document that Ms. Perez is looking at reflects that she's indicated that you and your company indicating she was employed by you; that's an error? TAVARES: It's an error, sir. It's a request, it's not an employment. It's a request for a certification. So she was never an employee, nor was I ever an employer of hers at any of these companies. So it's just a petition, it's not an employment record." See *Id.* 69 at ¶ 25; *Id.* 70 at ¶¶ 1 – 10.

THE COURT: "Okay. My review of the situation is as follows: Under the statutory definition of the stalking and harassment as set fourth [forth] in 784-048, we know the legislature has told us that a person who willfully, maliciously and repeatedly follows, harasses, cyber talks [stalks] another person commits the offense of stalking. It's pretty clear to me this case before us today does not really include any acts of violence. I think we're down to a stalking situation, if any." See *Id.* 72 at ¶¶ 21 – 25; *Id.* 73 at ¶¶ 1 – 7.

THE COURT: "It's my conclusion from the facts in this case, I don't believe that there has been a showing by the greater weight of evidence that the petitioner by the reasonable person standard has suffered substantial emotional distress from the conduct that's alleged toward the respondent. For that reason, I've concluded that there's not enough evidence before the Court to sustain the temporary injunction that's currently in place or to sustain a permanent injunction that's currently being sought. So we are therefore going to dismiss the case without prejudice. Any questions?" See *Id.* 75 at ¶¶ 5 – 20.

MR. COLLIN: "Your Honor, I'm just not sure, on the dismissal order that you're going to enter, I didn't know if you need to have a separate court order stating that my client can retrieve his guns from the local police department. THE COURT: I don't know that he needs an order or not. CLERK: He did surrender? MR. COLLIN: He surrendered. THE COURT: I think with the dismissal, he's able to. MS. PEREZ: He has to file a motion to release –" See *Id.* 75 at ¶¶ 21 – 25; *Id.* 76 at ¶¶ 1 – 9.

Judge Davis Jr. signs, on July 11, 2012, an Order of Dismissal, Form-20A-/ODIS, for Case No. 12-003753-FC-04 on the Domestic Violence Division of the Miami Court, showing:

"NO JUST CAUSE: upon review, the evidence presented is insufficient under Florida law (section 741.30 or 784.046, Florida Statutes) to allow the Court to issue an injunction for protection against domestic, repeat, dating or sexual violence, it is therefore ORDERED and ADJUDGED that this cause is hereby DISMISSED without prejudice. Signed, on July 11, 2012, by: /s/ Joseph I. Davis Jr.

Joseph I. Davis, JR. – Acting Circuit Court Judge" – See

Court Order of July 11, 2012, pages 1 – 3.

COUNTS

Count 37 - Corrupt Judge Davis Jr., Fraga, Perez, Guimaraes, Damian & Valori, Landy, BRIDGELOAN, BANIF, Calix, and other Perpetrators implicated, all knew, and had to know in truth and in fact that the sham Initial Petition, the Motion to Amend the Petition, and Amended Petition under Chapter 784 (Repeat, Dating, or Sexual Violence), Florida Statutes, contained false and fabricated vague allegations, unsubstantiated and without any hard evidence supporting, and that the sole purpose of the FRAGA I sham "Repeat Domestic Violence" case against Tavares is to harass, intimidate, extort and deprive Tavares of rights and properties in furtherance of the brazen criminal scheme upon Miami Courts extorting and depriving Tavares of rights and properties in the Related Cases by some of the same Perpetrators. Despite these undisputable facts and truth, they did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to continue systematically defrauding 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 upon the courts, in violation of 18 U.S.C. §371.

Count 38- Corrupt Judge Davis Jr., Fraga, Perez, Guimaraes, Damian & Valori, Landy, BRIDGELOAN, BANIF, Calix, and other 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, and to possess and carry lawful purchased guns, in violation of, among other things, 18 U.S.C. §241. *See, e.g.*, U.S. Const., Amends. II; IV (the "Double-Jeopardy" Clause), V, and XIV.

Count 39- Corrupt Judge Davis Jr., Perez, Damian & Valori, Landy, and other Perpetrators implicated, as officers of the courts, did knowingly and intentionally, continue systematically depriving and extorting Tavares, upon subverted court proceedings, of his properties and constitutionally guaranteed rights, under color of law, in violation of, 18 U.S.C. §242. *See, e.g.*, U.S. Const., Amend. II; and, U.S. Const., Amend. XIV.

Count 40- Corrupt Judge Davis Jr., Fraga, Perez, Guimaraes, Damian & Valori, Landy, BRIDGELOAN, BANIF, Calix, and other Perpetrators implicated, as officers of the court, did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to continue systematically defrauding 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 41 – Perez, an officer of the court, knowingly and intentionally, continues to systematically use her Florida Bar license as guise to commit crimes, willfully participating in the brazen and known criminal scheme, systematically making patently false statements under oath to mislead the Miami Court to falsely incriminate, 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, §837.02, F.S., §837.021, F.S.,

§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, stating; “A lawyer shall not: **(a)** violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through acts of another; **(b)** commit a criminal act that reflects adversely on the lawyer’s honesty, trustworthiness, or fitness as a lawyer in other respects; **(c)** engage in conduct involving dishonesty, fraud, deceit, or misrepresentation, except that it shall not be professional misconduct for a lawyer for a criminal law enforcement agency or regulatory agency to advise others about or to supervise another in an undercover investigation, unless prohibited by law or rule, and it shall not be professional misconduct for a lawyer employed in a capacity other than as a lawyer by a criminal law enforcement agency or regulatory agency to participate in an undercover investigation, unless prohibited by law; **(d)** engage in conduct in connection with the practice of law that is prejudicial to the administration of justice, including to knowingly, or through callous indifference, disparage, humiliate, or discriminate against litigants, jurors, witnesses, court personnel, or other lawyers on any basis, including but not limited to , on account of race, ethnicity, gender, religion, national origin, disability, marital status, sexual orientation, age, socioeconomic status, employment, or physical characteristic;” See [The Florida Bar Rules of Professional Conduct](#), Rule 4-8.4 (a)(b)(c)(d) at www.floridabar.org.

Count 42 – Judge Davis Jr. , an officer of the court, knowingly and intentionally, continues to, systematically use, as guise to further the criminal scheme upon Miami Courts, his Florida Bar license, and his position of power as a Circuit Judge, willfully and intentionally presiding the brazen sham “Domestic Repeat Violence” case by Fraga against Tavares in fatal conflict of interest known to him and others implicated. Judge Davis Jr., knowingly and intentionally, from the onset of the sham proceedings, knew, and had to know that he should not preside the case involving Tavares because of the ongoing Related Cases, choosing to violate his oath, and violate the law by subverting a court of law in the United State of America, and further issuing a bogus Injunction to extort and deprive Tavares of his guaranteed constitutional rights and his properties, in order to further the brazen criminal scheme upon the Miami Courts, in violation of, among other things, Florida’s Code of Judicial Conduct, Canon 1. (“A Judge Shall Uphold the Integrity and Independence of the Judiciary.”); Canon 2. (“A Judge Shall Avoid Impropriety and the Appearance of Impropriety in all of the Judge’s Activities; and, Canon 3. (“A Judge Shall Perform the Duties of Judicial Office Impartially and Diligently.”). As the record displayed uncontroversially shows, Judge Davis Jr. did knowingly and intentionally systematically violate the constitution, see Fla. Const., Article VI, § 3, the law, see Record, and Canons to further the criminal scheme upon the Miami Courts. See Florida’s Code of Judicial Conduct, Canons 1, 2, and 3, at www.supremecourt.flcourts.gov.

Count 43(a) : Perjury in Official Proceeding by Calix, to further the scheme by knowingly and intentionally, falsely stating under oath that she swears to tell truth, whole truth, and nothing but the truth when she knows she is a false witness, and is at the hearing to knowingly and intentionally to systematically lie to falsely incriminate Tavares as part of the scheme upon the court, in violation of, §837.02, F.S. (Perjury in Official Proceeding). See Tr. 07/11/2012 at 8 ¶¶ 13 – 19.

Count 43(b) : Perjury in Official Proceeding by Calix, to further the scheme by knowingly and intentionally, falsely stating under oath that she saw Tavares following Fraga, in violation of, §837.02, F.S. (Perjury in Official Proceeding). See Tr. 07/11/2012 at 9 ¶¶ 20 – 22.

Count 43(c) : Perjury in Official Proceeding by Calix, to further the scheme, commits knowingly and intentionally, falsely stating under oath that, she saw Tavares inside a car following Fraga at the time of the car wash alleged incident, contrary to truth and facts, in violation of, §837.02, F.S. (Perjury in Official Proceeding). See Tr. 07/11/2012 at 10 ¶¶ 5 – 7.

Count 43(d) : Perjury in Official Proceeding by Calix, to further the scheme, commits knowingly and intentionally, falsely stating under oath that, Fraga repeatedly knocked on her door to request assistance because of Tavares, contrary to truth and facts, in violation of, §837.02, F.S. (Perjury in Official Proceeding). See Tr. 07/11/2012 at 11 ¶¶ 18 – 24.

Count 43(e) : Perjury in Official Proceeding by Calix, to further the scheme, commits, as part of the scheme, knowingly and intentionally, responding to Perez misleading question after the Court asked for clarification of dates of an alleged incident, asking “Approximately four or five months ago?”, which Calix falsely states under oath, “About a year, a lapse of time of a one-year period,” contrary to truth and facts, in violation of, §837.02, F.S. (Perjury in Official Proceeding). See Tr. 07/11/2012 at 12 ¶¶ 4 – 8.

Count 43(f) : Perjury in Official Proceeding by Calix, to further the scheme, commits, as part of the scheme, knowingly and intentionally, responding to Perez misleading question, PEREZ asking “When was the last time you recall a conversation when he [Tavares] called Geania? CALIX responding, “After court, he called her about four times, “ contrary to truth and facts, in violation of, §837.02, F.S. (Perjury in Official Proceeding). See Tr. 07/11/2012 at 13 ¶¶ 1 – 4. PEREZ, then, asks, “How do you know it was Mr. Tavares on the phone? CALIX: “Because we called back, and it comes back, the phone call was from Marriott. That’s the internet connection.” See Tr. 07/11/2012 at 13 ¶¶ 5 – 9.

Count 43(g) : Perjury in Official Proceeding by Calix, to further the scheme, commits, as part of the scheme, knowingly and intentionally, responding to Perez misleading question, PEREZ asking “Have you ever heard Mr. Tavares actually on the phone, calling Ms. Fraga? CALIX responding, “Once I heard, he was very aggressive telling her things because I understood a lot of Portuguese, but I cannot speak it,” contrary to truth and facts, and in violation of, §837.02, F.S. (Perjury in Official Proceeding). See Tr. 07/11/2012 at 14 ¶¶ 9– 13.

Count 43(h) : Perjury in Official Proceeding by Calix, to further the scheme, commits, as part of the scheme, knowingly and intentionally, responding to Perez misleading question trying to frame Tavares, “Did you understand or do you recall any statements he [Tavares] made to Geania? CALIX responding, “What I recall that he said to her was that she could not work with these people because they could not teach her what he has taught her,” contrary to truth and facts, and in violation of, §837.02, F.S. (Perjury in Official Proceeding). See Tr. 07/11/2012 at 17 ¶¶ 11– 15.

Count 43(i): Perjury in Official Proceeding by Calix, to further the scheme, commits, as part of the scheme, knowingly and intentionally, responding to Tavares’s attorney COLLIN’s repeated questions regarding Calix’s business relationship to Fraga, and their company ‘Tiempo del la Promesa’ F/K/A Fraga’s Services, including, e.g., COLLIN: “What’s the name of the company you work for? CALIX: Tiempo de la Promesa [which shows the brazen farce as she cannot even spell “her company’s correct Portuguese name” Tempo da Promessa]. COLLIN: “Is that the same as Fraga Services? CALIX: No. COLLIN: “That’s a different company? CALIX; Yes.,” contrary to truth and facts, in violation of, §837.02, F.S. (Perjury in Official Proceeding). See Tr. 07/11/2012 at 21 ¶¶ 16– 22. The record shows that Francisney Silva Fraga (“Francisney”) and his wife Geania Alves Fraga (“Fraga”) filed the documents of incorporation of Fraga’s Services Corporation on February 12, 2002, see www.sunbiz.org (“Sunbiz”), document #P02000016349. The record at Sunbiz also shows that, at least from January 12, 2004, the Fraga’s used Breno R. Gomes (“Gomes”) at Tax House Corporation (“Tax House”) (Tax Id. #65-0948781) as Fraga’s Services’ Registered Agent [Tax House is repeatedly used by the Criminal Enterprise in their schemes, for example, for Criminal Enterprise’s Associate and BANIF’s Hugo Del Priore’s Omega

Pebblestone Worldwide Limited, a British Virgin Islands corporation (“Pebblestone B.V.I.”) (Tax Id. #65-1151603) (Sunbiz document # F01000005791), ‘Domesticated’ (no ‘domestication’s forms filed with Sunbiz), Registered in Florida in 11/05/2011 (and revoked for lack of reporting on 09/26/2008), as a Foreign corporation by Sofia Powell-Cosio (“Powell-Cosio”) (Florida Bar No. 867942) and long-time associate Brazilian attorney and Florida Certified Legal Consultant Jose Maria Carneiro da Cunha (“Cunha”) (Florida Bar Consultant No. 32611), and also, Pebblestone Worldwide Limited Corp, a Florida corporation (“Pebblestone USA”) (Tax Id. #65-1151603) (Sunbiz document # P18000031902); and, Rumo Business Ltd., a Cayman Islands company (“RUMO Cayman”) ‘domesticated’ in Florida on 04/12/2018, as Rumo Business Limited Corp. (“RUMO USA”)(Tax Id. #98-0409263) (Sunbiz document # P18000033418), after Tax House’s two (02) rejected attempts on 04/19/2018, to file at Sunbiz under RUMO BUSINESS LTD. (Sunbiz document # W18000033241), and RUMO BUSINESS LTD CORP (Sunbiz document # W18000033486). And, Tax House’s ‘domestication’ in Florida of a British Virgin Islands’s Company Santo Antonio Investing Corp, Tax Id. #81-5478361, Sunbiz Document #P17000016933 used to money launder ill-gotten proceeds, and Tax House also files with Sunbiz, on March 7, 2008, a corporate amendment, signed by Damiao Viana (“Viana”) as president of the Board of Fraga’s Services Corporation changing its name to Tempo da Promessa, Inc., in a Tax House’s company letterhead. On March, 26, 2010, in the 2010 annual corporate report with Sunbiz, signed by Fraga as its president, Francisney is shown as Tempo da Promessa, Inc.’s Vice President and Registered Agent, with Francisney and Fraga showing an address at 2411 NW 24 Avenue, Miami, FL 33442. On February 28, 2011, in the 2011 annual corporate report with Sunbiz, Francisney and Fraga are replaced at Tempo da Promessa, Inc. F/K/A Fraga’s Services Corporation by Maritza C. Calix, signing the report as its president and Registered Agent with an address at 257 SW 7 Street, Miami, FL 33130 [a property co-owned and managed by Gabriela M. Machado Guimaraes and Integra Investments] (“Guimaraes’s Property”). On February 28, 2012, Calix signs the annual report for Tempo da Promessa, Inc. as its President, Secretary, Director and Registered Agent, showing again the address at Guimaraes Property. On April 5, 2013, Calix signs the annual report for Tempo da Promessa, Inc. as its President, Secretary, Director and Registered Agent, showing again the address at Guimaraes Property. On February 27, 2014, Calix signs the annual report for Tempo da Promessa, Inc. as its President, Secretary, Director and Registered Agent, showing again the address at Guimaraes Property. On February 27, 2014, Calix signs the annual report for Tempo da Promessa, Inc. as its President, Secretary, Director and Registered Agent, showing again the address at Guimaraes Property. On April 29, 2015, Calix signs the annual report for Tempo da Promessa, Inc. as its President, Secretary, Director and Registered Agent, replacing the previous business and registered agent’s address from Guimaraes’s Property to Fraga’s 2411 NW 24 Avenue, Miami FL 33142. On September 9, 2019, Sunbiz shows that Tempo da Promessa, Inc. F/K/A Fraga’s Services Corporation is dissolved for their failure to file an annual report in 2016. See Sunbiz. Some of the facts shown here show that the Criminal Enterprise has an extensive network of associates using a the same *modus operandi* and tools to further major frauds against the United States of America, and elsewhere they operate, including but not limited to, intercontinental money laundering of illicit proceeds from corruption, frauds, extortion, deprivation of U.S. citizens’ rights, embezzlement of funds from banks, forgery of corporate documents with fake directors and forged signatures, corruption and subversion of national institutions to further major crimes and assure impunity to its associates and collaborators, demonstrating a major threat to society and democracy, and because Tavares was able to uncover and expose some of their global network, major schemes, and *modus operandi*, they have embarked on a quest to destroy and silence Tavares to cover up the schemes. See Record.

Count 43(j) : Perjury in Official Proceeding by Fraga, to further the scheme by knowingly and intentionally, falsely stating under oath that she swears to tell truth, whole truth, and nothing but the truth when she knows she is a false witness, and is at the hearing to knowingly and intentionally to systematically lie to falsely incriminate Tavares as part of the scheme upon the court, in violation of, §837.02, F.S. (Perjury in Official Proceeding). See Tr. 07/11/2012 at 3 ¶¶ 3 – 6.

Count 44 (a): Perjury by Contradictory Statements in an official proceeding by Calix, to further the scheme by knowingly and intentionally, falsely stating as part of the farce to falsely incriminate Tavares, that she saw Tavares following Fraga by car from six blocks away, in the middle of the Brickell Area, around 159 SW 13 Street to the Car Wash at 250 SW 7 Street, see Tr. 07/11/2012 at 22 ¶¶ 8 – 23, stating she saw Mr. Tavares dressed in black inside a car with dark windows that she also states she could not see anything inside, and that she never had seen Tavares before, see Tr. 07/11/2012 at 24 ¶¶ 4– 22, contradicting previous sworn statements, the truth and the facts as part of the criminal scheme, in violation of, §837.021, F.S. (Perjury by Contradictory Statements).

Judge Davis Jr., at the end of the hearing of July 11, 2012, after presiding this, and other bogus proceedings in fatal conflict of interest against Tavares, and clearly showing him acting in willful reckless disregard for the truth, facts, law, and the constitution, to further a criminal scheme depriving and extorting Tavares under color of law, in yet another fabricated, false, bogus and unsubstantiated action by Fraga and associates of the Criminal Enterprise, states, among other things; THE COURT:

“Ms. Fraga, the case is being dismissed without prejudice. Ms. Perez will explain that to you. That means the courthouse door is still open, if you feel need to consider filing another case if you think it is warranted. I’m hopeful that won’t happen.” Tr. 07/11/2012 at 77 ¶¶23 – 25; Id. at 78 ¶¶ 23 – 25.

The Order of Dismissal on FRAGA I sham case is signed by Judge Davis Jr., stating among other things;

“IN THE CIRCUIT COURT FOR THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR DADE COUNTY, FLORIDA
DOMESTIC REPEAT VIOLENCE DIVISION

Case No. 12-003753-FC-04

ORDER OF DISMISSAL PURSUANT TO SECTION 741.30 OR 784.046 FLORIDA STATUTES

THIS CAUSE came to be heard on this July 11, 2012, and, NO JUST CAUSE: Upon review, the evidence presented is insufficient under Florida law (section 741.30 or 784.046; Florida Statutes) to allow the Court to issue an injunction for protection against domestic, repeat, dating or sexual violence, it is therefore ORDERED and ADJUDGED that this cause is hereby DISMISSED **without prejudice**. [⁷]

DONE and ORDERED at Date County, Florida, this day of July 11, 2012.

/s/ Joseph I. Davis, Jr.

Joseph I. Davis, JR. – Acting Circuit Judge” See Order of 07/11/2012.

⁷ Tavares files, on September 4, 2012, a Motion to Refer Petitioner Fraga to the State Attorney’s Office for Multiple Counts of Patent Perjury in the sham complaint. Despite the clear and abundant indisputable evidence of systematic perjury by Fraga and others implicated, shameless corrupt Judge Joseph I. Davis Jr., presiding the *Kangaroo Court*, showing reckless disregard for the truth, facts, the law, and Tavares’s rights, allowing the shameless criminals to continue unimpeded on their criminal syndicate upon subverted courts of law in the United States of America, denies Tavares’s motion, to protect the Perpetrators and cover up the scheme, enters a sham order denying Tavares’s motion, on September 27, 2012. See Record.

<u>COUNTS</u>	<u>APROX. DATE</u>	<u>VIOLATIONS</u>	<u>PERPETRATORS</u>
45	September 27, 2012	<u>U. S. CODE TITLE 18</u>	Judge Joseph I. Davis, Jr. Continued Criminal Enterprise
46		§ 371 Conspiracy to Defraud the United States of America & § 242 Deprivation of Rights Under Color of Law &	
47		FLORIDA CODE OF JUDICIAL CONDUCT Violations of Canons 1; 2; and 3	

Shameless corrupt Judge Joseph I. Davis Jr. (“Judge Davis Jr.”) (Florida Bar No. 155.299), presiding over a *Kangaroo Court* in the sham FRAGA I proceedings, knowingly and intentionally, systematically failing, despite the undisputable and abundant evidence of numerous brazen counts of perjury by Fraga in furtherance of the known criminal scheme upon the court, to grant Tavares’s motions to forward the matter for repeated counts of perjury before the court by Fraga, to the State Attorney’s Office, and the record showing, among other motions, Tavares’s September 4, 2012’s Motion to Refer Petitioner to State Attorney’s Office for Perjury, and Tavares’s September 17, 2012’s Second Motion to Refer Petitioner to State Attorney’s Office for Perjury, see FRAGA I’s case docket, in order to systematically obstruct justice, deprive Tavares, under color of law, of rights, to further the criminal scheme upon Judge Davis Jr’s subverted court. On September 2012, showing that corrupt Judge Joseph I Davis Jr. is knowingly and intentionally presiding a *Kangaroo Court*, subverting the judicial machinery to further a known criminal scheme by the Continued Criminal Enterprise (“CCE”), against the United States of America, the State of Florida, and Tavares, issues an Order denying Tavares’s meritorious motions to forward the matter to the State Attorney’s Office for an Investigation of the patently repeated counts of perjury, shown on the record displayed, by Fraga.

Count 45- Shameless corrupt Judge Davis Jr., and other Perpetrators implicated, they did knowingly combine, conspire, confederate, and agree among themselves, and others known and unknown implicated bad actors, to 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 upon the courts, in violation of 18 U.S.C. §371.

Count 46- Shameless corrupt Judge Davis Jr., and other officers of the courts implicated, 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 47- Shameless corrupt Judge Davis Jr., repeatedly and systematically violates his sworn oath as judge, and Florida Judicial Canons 1, 2, and 3, by among other things, knowingly and intentionally, participating in a criminal scheme subverting his court to further violations and extortion of Tavares’s rights and properties, under color of law, and systematically breaking the law, undermining the trust of the public in the judicial system and our democracy predicated in the rule of law.

COUNTS **APROX. DATE** **VIOLATIONS** **PERPETRATORS**

48	From 2012 through 2014	<u>U. S. CODE TITLE 18</u> § 371 Conspiracy to Defraud the United States of America &	Miami Courts Chief Judge Administrative Judge Implicated Judges Miami Courts
49		§ 241 Conspiracy Against Rights &	
50		§ 242 Deprivation of Rights Under Color of Law &	
51		§ 1346 Scheme/Artifice to Defraud Honest Services &	
52		FLORIDA BAR RULES OF CONDUCT Misconduct –Dishonesty-Fraud-Deceit Rule 4-8.4 (a)(b)(c)(d)	

From 2009, through 2021, the Eleventh Judicial Circuit in and for Miami-Dade County, Florida (“Miami Courts”), through, and by several of its corrupt Circuit Judges implicated in a brazen scheme, knowingly and intentionally, systematically deprives and extorts Charles Tavares (“Tavares”) of properties and rights, under color of law, upon subverted proceedings, to willfully further an underlying criminal scheme by the Criminal Enterprise, depriving, stealing, and extorting Tavares of all his properties and rights. The record displayed shows, to any reasonable person, that, among other things, from the first Related Case, *Bridgeloan Investors, Inc. v. Charles Tavares, et al., v. BNY Mellon*, Case No. 2009-93058-CA-30; the second case, *BNY Mellon v. Charles Tavares v. Flick Mortgage Investors, Inc.*, Case No. 2010-26864-CA-30; the third case, *Brickell Commerce Plaza, Inc. and The Car Wash Concept, Inc. v. Charles Tavares*, Case No. 29624-CA-30; the fourth case, *Geania A. Fraga v. Charles Tavares*, Case No. 2012-03753-FC-04; the fifth case, *Deutsche National Trust Bank v. Charles Tavares*, Case No. 20197-CA-30; the sixth case, *Markowitz Ringel Trusty & Hartog, Escrow Agent v. BRIXRIV, LLC v. Miami River Park Marina, Inc.* (a Tavares’s Company), Case No. 2012-21795-CA-22; the seventh case, *Geania A. Fraga v. Charles Tavares*, the Double-Jeopardy Case No. 2012-24483-FC-04; the eighth case, *Charles Tavares, et al. v. Thomas R. Lehman and Levine Kellogg Lehman Schneider + Grossman, LLP*, Case No. 2013-12223-CA-40; and to the ninth related case, *139TH Avenue S.W. 8TH Street, LLC v. Charles Tavares*, Case No. 2018-29700, Tavares is systematically deprived and extorted of rights and properties, under color of law, upon the subverted proceedings, willfully assigned, and presided by corrupt judges, Allan Lester Langer (Florida Bar No. 137.828), Joseph I. Davis Jr. (Florida Bar No. 155.299), Norma S. Lindsey (Florida Bar No. 994.812), and Carlos M. Guzman (Florida Bar No. 115990). The corrupt judges, knowingly and intentionally, allow and participate in the sham proceedings, often held without proper notice, to deny Tavares’s rights to due process, and predicated on brazen fabricated evidence and authority by Associates of the Criminal Enterprise, among others, Thomas R. Lehman (Florida Bar No. 351.318), Matthew P. Leto (Florida Bar No. 14.504), Peter F. Valori (Florida Bar No. 43.516), Russell M. Landy (Florida Bar No. 44.417), Marco E. Rojas (Florida Bar No. 940.453) Nelson Slosbergas (“Slosbergas”) (Florida Bar No. 378.887), and, Alan S. Fine (Florida Bar No. 385.824), coercing and extorting Tavares and Tavares’s attorneys, and further, willfully entering invalid and fraudulent final judgments against Tavares, contradicting the truth, the facts, and the law, to deprive and steal Tavares’s properties and rights. Despite the abundance of evidence filed by Tavares, and the record displayed demonstrating the scheme, showing a continued pattern of racketeering for more than ten (10) years, the Miami Courts,

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 48 - 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 49 - 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 50 - 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 51 - 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 52 - The Miami Courts, and other implicated Judges, 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.

<u>COUNTS</u>	<u>APROX. DATE</u>	<u>VIOLATIONS</u>	<u>PERPETRATORS</u>
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53	From 2011 through 2024	<u>U. S. CODE TITLE 18</u>	The Florida Bar Joshua E. Doyle John F. Harkness The Board of Governos Fla. Bar Annemarie C. Craft Arlene Kalish Sankel
54		§ 371 Conspiracy to Defraud the United States of America &	
55		§ 241 Conspiracy Against Rights &	
56		§ 242 Deprivation of Rights Under Color of Law &	
57		§ 1346 Scheme/Artifice to Defraud Honest Services &	
58		§ 1341 Mail Fraud & FLORIDA BAR RULES OF CONDUCT Misconduct –Dishonesty-Fraud-Deceit Rule 4-8.4 (a)(b)(c)(d)	

From 2011 through 2024, The Florida Bar,⁸ Executive Directors, and attorneys, (collectively “Florida Bar”), knowingly and intentionally, in reckless disregard for the law, the Constitution, rights, Fla. R. Civ. P., the Florida Bar’s constitutional mandate and Rules of Professional Conduct, systematically deprived the United States, the State of Florida, Florida courts, the Florida Bar’s 122,000 members, and citizens, of, *inter alia*, honest Services, by, recklessly and systematically choosing not to enforce its rules and mandate, allowing and enabling reckless members of the Florida Bar, known Associates of a Continued Criminal Enterprise (“CCE”), to systematically perpetrate violations of law, the Constitution, rights, Fla. R. Civ. P., and Rules of Professional Conduct, to further rackets against Charles Tavares (“Tavares”), the United States of America, the State of Florida, Florida courts, and the Florida Bar, showing the Florida Bar’s reckless disregard for the law, the public, and its own rules and mandate. Despite Tavares’ served complaints⁹ to the Florida Bar against attorneys from the CCE, using their Florida Bar licenses as guise to systematically commit crimes against Tavares, *et al.*, by, among other things, perpetrating massive frauds upon Florida courts to further schemes, *e.g.*, depriving, stealing and extorting Tavares, and Tavares’s Companies of all properties and rights, under color of law in subverted proceedings, showing spurious artifices, *e.g.*, extortion under color of law, fabrication of fraudulent affidavits and bogus authority of Tavares’s Companies, filing fraudulent pleadings that they all knew to be false and invalid, making false statements under oath, fraudulently selling Tavares’s properties, money laundering the ill-gotten proceeds across state lines, abuse of process, showing criminal misconduct, in violation of, Title 18, U.S.C., §§, 371, 241, 242, 1341, 1343, 1344, 1346, 1349, 1951, 1956, 1957, and, 1961, *et seq.*; XLVI § 817.155, TITLE XLVI § 837.02, F.S.; and, Florida Bar Misconduct – Rule 4-8.4 (a)(b)(c)(d). *See Record.*

⁸ Among some officers of the Florida Bar, recklessly and knowingly allowing and enabling Florida Bar licensees, known Associates of the CCE, Joshua E. Doyle (Florida Bar No. 25.902), John F. Harkness (Florida Bar No. 123.390), Annemarie C. Craft (Florida Bar No. 520.373), and, Arlene Kalish Sankel (Florida Bar No. 272.981). *See Tavares Sworn Affidavit.*

⁹ Among other complaints against licensees Associates of the CCE, see, *e.g.*, Florida Bar Complaints: No.2011-71,18(III); No.2013-70,433(11G); No.2015-70,081(11L); No.2019-12874; No.2019-12875; and, 12877, against criminals Thomas R. Lehman (Florida Bar No. 351.318), Marco E. Rojas (Florida Bar No.940.453), Nelson Slosbergas (Florida Bar No.378.887), and, Peter F. Valori (Florida Bar No.43.516). *See Record.*

THE FLORIDA BAR – BACKGROUND

The Florida Bar (“Florida Bar”) is the integrated¹⁰ 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 tax¹¹ 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 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.

¹⁰ See, [The 1949 Decision by the Supreme Court of Florida.](#)

¹¹ The Florida Bar, although not directly supported by “State or Federal Tax Dollars”, is a beneficiary of, *e.g.*, tax exemptions to pay State and Federal Tax Dollars under its claimed State and Federal tax-exempt status. At this time, Tavares has not found Federal or State Tax Records for The Florida Bar, but only for its affiliated entity, The Florida Bar Foundation, Inc, a Not For Profit Corporation (“Bar Foundation”) (Tax Id. #59-1004604) also, tax-exempt. See www.sunbiz.org at Document #702751.

COUNTS

Count 53 - 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 54 - 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 55 - 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 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 56 - 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 57 - The Florida Bar, 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 58 - The Florida Bar, 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 Criminal Enterprise achieves success on the FRAGA I criminal scheme upon the Miami Courts, by among other things, showing they can extort and deprive upon subverted court proceedings in Florida, predicated on baseless, fabricated, false, vague, and unsubstantiated allegations in a sham complaint, any honest member of the community with an absolute impeccable history. Despite the absolute lack of any evidence, patently false and contradictory fabricated allegations against Tavares, and the record displayed showing same bad actors in Related Cases furthering the FRAGA I sham case, Judge Davis Jr. dismisses the truth, facts, the laws, and the constitution, showing the dangers of this systematic scheme upon Florida courts, presenting a clear and present danger to the judicial and political machines, undermining the rule of law and our democracy.

During six months (06), Tavares is subjected to systematic deprivations and extortion under color of law, of, among other things, his constitutionally guaranteed rights under the II Amend., and the XIV Amend., U.S. Const., has to spend over US \$50,000.00 in legal costs, and causes Tavares to change his personal and businesses routines to avoid further entrapments by the Criminal Enterprise.

At the same time, they show to honest officers of the courts and attorneys, that they should not, and cannot stand up for justice, law, and the constitution in Tavares's Related Cases, and in any other case, as the Criminal Enterprise "holds the keys" to the judicial machinery in Florida, as stated by the Criminal Enterprise's associate Peter Francis Valori to Tavares, showing that there are numerous unsuspecting victims being deprived and extorted under color of law upon Florida courts from this ongoing and continuing racket upon the courts, and by subverted officers of the courts. See Record.

The powers of the Criminal Enterprise upon the judicial machinery and political system in Florida is clearly further shown by their impunity despite numerous complaints with indisputable hard evidence showing their brazen criminals schemes upon Florida courts, depriving and extorting citizens of properties and rights, in reckless disregard for the laws and constitution, showing they believe – and so far, rightly so, to be untouchables by law enforcement or any other regulatory agency, as Tavares has gone to great lengths since 2011, to this date, presenting first-hand sworn testimony and undisputable abundant hard evidence of systematic criminal schemes, under color of law, by officers of the courts in Florida furthering the Criminal Enterprise's rackets, to, among others, the Chief Judges of the Miami Courts, *e.g.*, Judges Jennifer D. Bailey (Florida Bar No. 386758), Bertila Ana Soto (Florida Bar No. 822752), to Miami-Dade County State Attorney Katherine Fernandez-Rundle (Florida Bar No. 240393), to most of the 122,000 bar members of The Florida Bar, its Executive Director Josh E. Doyle (Florida Bar No. 25902), the Florida Judicial Qualifications Commission, the Miami Police Department, to the Executive Office of the Governor of Florida, to the Florida Attorney General, to the Florida Department of Law Enforcement, to the Florida Senate, to the United States Senate, to the United States Department of Justice, to the Federal Bureau of Investigations (thirteen times first-hand testimony in person at the FBI Miami Field Office – and One time to the FBI Washington, D.C. Headquarters), and other responsible agencies.

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, a U.S. Citizen and Victim.