

By Senator Braynon

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1                                   A bill to be entitled  
2       An act for the relief of Brian Pitts; directing the  
3       Division of Administrative Hearings to appoint an  
4       administrative law judge or special master to  
5       determine a basis for equitable relief for the purpose  
6       of compensating Mr. Pitts for the wrongful acts or  
7       omissions of the State of Florida or officials  
8       thereof; requiring a report to the Legislature;  
9       authorizing compensation to Mr. Pitts upon a  
10      determination by an administrative law judge;  
11      providing an appropriation to compensate Mr. Pitts for  
12      injuries and damages sustained; providing a limitation  
13      on attorney fees and costs; directing that certain  
14      court orders and judgments be declared null and void;  
15      directing that the clerk of the court for the Supreme  
16      Court and for the Sixth Judicial Circuit remove access  
17      to specified cases; directing the Department of Law  
18      Enforcement to remove access to criminal records  
19      related to Mr. Pitts and to ensure the compliance,  
20      execution, and enforcement of specified provisions;  
21      specifying the limited circumstances under which Mr.  
22      Pitts may represent himself or others in judicial or  
23      administrative proceedings; directing the Department  
24      of Law Enforcement to investigate certain illegal acts  
25      committed by certain persons; authorizing the  
26      Governor, the President of the Senate, or the Speaker  
27      of the House of Representatives to sever portions of  
28      this act under certain circumstances; providing an  
29      effective date.

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31 WHEREAS, this state has clearly recognized the practice of  
32 law by lay persons since at least 1980 as declared in *The*  
33 *Florida Bar v. Moses*, 380 So. 2d 412, 416-418 (Fla. 1980), and  
34 in *The Florida Bar re Advisory Opinion on Nonlawyer*  
35 *Representation in Securities Arbitration*, 696 So. 2d 1178, 1180-  
36 1181, 1183-1184 (Fla. 1997), the Legislature and judiciary  
37 having concurrent jurisdiction to regulate such, and

38 WHEREAS, Brian Pitts has exercised this privilege since  
39 2001 in Pinellas County, and his practice was later enjoined by  
40 the Florida Supreme Court in case number SC02-247, in a final  
41 order dated November 6, 2003. As stated in the order,  
42 "respondent Brian Pitts is enjoined from engaging in the  
43 practice of law in the State of Florida as specified in the  
44 referee's report. Specifically, respondent is hereby enjoined  
45 from engaging in any of the following activities: (1) appearing  
46 in any Florida court as a representative of a party, giving  
47 legal advice in a Florida case, or otherwise participating in  
48 any Florida litigation on behalf of any party unless otherwise  
49 authorized by Florida Statutes, court rule, case law,  
50 administrative rule, or the Rules Regulating The Florida Bar . .  
51 . ." See *The Florida Bar v. Pitts*, 861 So. 2d 432 (Fla.  
52 2003) (No. SC02-247, November 6, 2003),  
53 [www.floridasupremecourt.org](http://www.floridasupremecourt.org), and

54 WHEREAS, Mr. Pitts contends that, since the inception of  
55 Mr. Pitts' practice, the Second District Court of Appeal, the  
56 Sixth Judicial Circuit of Florida serving Pasco and Pinellas  
57 Counties, the State Attorney's Office for the Sixth Judicial  
58 Circuit of Florida, and The Florida Bar have, without cause,

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59 continued to deprive Mr. Pitts of the privilege of practicing  
60 law as prescribed by the Legislature and Florida Supreme Court,  
61 subjecting him to civil and criminal proceedings and penalties  
62 on an ongoing basis, and

63 WHEREAS, Mr. Pitts opines that the Florida Supreme Court,  
64 in its 2003 final order in case number SC02-247, has subjected  
65 him to entrapment and needlessly and unjustly avoided and failed  
66 to exercise its constitutional duty upon his many requests to  
67 clarify or amend the final order or to promulgate court rules  
68 through The Florida Bar following original proceedings brought  
69 or suggested by Mr. Pitts to correct the matter, and

70 WHEREAS, Mr. Pitts believes that from 2001 to 2012 the  
71 courts, The Florida Bar, and the State Attorney's Office for the  
72 Sixth Judicial Circuit of Florida engaged in a course of  
73 misconduct and colluded against Mr. Pitts in case numbers SC02-  
74 247, SC06-1279, CRCAB-65835CFANO, CRCAB-90407CFANO, CRC07-  
75 12964CFANO, CTC07-03965MMANO, CTC03-01885MMANO, CTC03-  
76 01887MMANO, and CTC03-09855MMANO and that such misconduct  
77 resulted in his wrongful and unlawful incarceration in the  
78 Pinellas County Jail for a total of nearly 1 year, and

79 WHEREAS, the purpose of this course of misconduct was, in  
80 Mr. Pitts' opinion, to retaliate against him for not being a  
81 member of The Florida Bar despite being otherwise lawfully  
82 authorized to represent certain individuals whom he assisted in  
83 legitimate legal matters and, by way of his detainment, to  
84 thwart his pending pro se actions for relief from the collusion  
85 by civil, appellate, or original proceedings directed to or from  
86 the above criminal cases, and

87 WHEREAS, appearing pro se in many of his cases, Mr. Pitts

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88 was complimented by several judges of the Sixth Judicial Circuit  
89 for an exceptional degree of technical and performance  
90 competence that would be expected of any trained and experienced  
91 member of The Florida Bar, yet he was informed by express or  
92 implied communication that he would not receive the relief  
93 requested in any such proceeding unless represented by a member  
94 of The Florida Bar, as a matter of camaraderie, and

95 WHEREAS, although Mr. Pitts appeared pro se in these cases  
96 and other actions seeking relief from such collusion, he was at  
97 times represented by appointed counsel; however, such  
98 proceedings proved to be futile because, Mr. Pitts contends, the  
99 proceedings were staged by the courts and the State Attorney's  
100 Office for the Sixth Judicial Circuit of Florida to be illusory,  
101 and

102 WHEREAS, Mr. Pitts contends that the courts failed to abide  
103 by binding precedent and stare decisis, where applicable, as  
104 well as Florida Rules of Court, as evidenced by the series of  
105 filings in each case by Mr. Pitts, or his court-appointed  
106 counsel, hence depriving Mr. Pitts of procedural due process and  
107 substantive due process, equal protection of the law, self-  
108 representation, and representation by counsel under the United  
109 States Constitution, and

110 WHEREAS, the Second District Court of Appeal declared in  
111 *Denson v. State*, 711 So. 2d 1225, 1230 (Fla. 2d DCA 1998), that  
112 "appellate judges take an oath to uphold the law and the  
113 constitution of this state. The citizens of this state properly  
114 expect these judges to protect their rights. When reviewing an  
115 appeal with a preserved issue, if we discover that a person has  
116 been subjected to a patently illegal sentence to which no

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117 objection was lodged in the trial court, neither the  
118 constitution nor our own consciences will allow us to remain  
119 silent and hope that the prisoner, untrained in the law, will  
120 somehow discover the error and request its correction. If three  
121 appellate judges, like a statue of the 'see no evil, hear no  
122 evil, speak no evil' monkeys, declined to consider such serious,  
123 patent errors, we would jeopardize the public's trust and  
124 confidence in the institution of courts of law." Compare *Bedford*  
125 *v. State*, 633 So. 2d 13, 14 (Fla. 1994), and

126 WHEREAS, Mr. Pitts contends that the judges who presided in  
127 his cases have deliberately and intentionally, in concert with  
128 the Florida Supreme Court justices, failed to abide by these  
129 rules of law as to Mr. Pitts' cases on appeal or by original  
130 proceedings brought and maintained by him or his counsel, and

131 WHEREAS, it has become evident, in Mr. Pitts' opinion, that  
132 The Florida Bar, the State Attorney's Office for the Sixth  
133 Judicial Circuit of Florida, and the judges and justices  
134 involved at each level of Mr. Pitts' cases all have a personal  
135 and private, rather than public, interest at issue in deterring  
136 Mr. Pitts from engaging in the authorized practice of law as  
137 prescribed in this state, and

138 WHEREAS, Mr. Pitts believes that such determent is due to a  
139 matter of camaraderie among those of the legal profession and an  
140 interest in protecting it by any means from lawful competition,  
141 where applicable, and

142 WHEREAS, this determent demonstrates a lack of neutrality,  
143 proper motives, and discretion which deprives Mr. Pitts of the  
144 required process and means of justice or resolution as normally  
145 expected of esteemed persons in their official capacities, and

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146 WHEREAS, Mr. Pitts believes that the Pinellas County  
147 Sheriff's Office further participated in the concerted effort of  
148 the courts, The Florida Bar, and the State Attorney's Office for  
149 the Sixth Judicial Circuit of Florida by illegally incarcerating  
150 him in the Pinellas County Jail during the periods of January  
151 2003 through April 2004 and March 12, 2010, through July 4,  
152 2010, refusing him administrative alternative sentencing without  
153 cause, and subjecting him to living conditions and circumstances  
154 in violation of Florida Model Jail Standards (2.15)(c); (4.12);  
155 (4.13); (4.15); (5.08)(a), (c)(1)-(8), and (j); (6.02);  
156 (9.06)(b); (9.08); (9.10); (10.01); (11.12); (11.16);  
157 (12.03)(d)-(g) and (i); (12.06); and Appendix A; and ss. 951.03  
158 and 951.033(3), Florida Statutes, and

159 WHEREAS, Mr. Pitts also contends that the Pinellas County  
160 Sheriff's Office further participated in the concerted effort of  
161 the courts, The Florida Bar, and the State Attorney's Office for  
162 the Sixth Judicial Circuit of Florida by extending his sentence  
163 by an additional 50 days of detention in violation of Inmate  
164 Handbook XI. A., Florida Model Jail Standard (4.16), and ss.  
165 951.21(1) and 921.16(1), Florida Statutes, which subjected him  
166 to cruel and unusual punishment, false imprisonment, and a  
167 denial of due process and equal protection of the law. See  
168 *Miller v. Carson*, 599 F.2d 742 (5th Cir. 1979); *Miller v.*  
169 *Carson*, 563 F.2d 757 (5th Cir. 1977); *Miller v. Carson*, 563 F.2d  
170 741 (5th Cir. 1977); *Miller v. Carson*, 401 F. Supp. 835 (M.D.  
171 Fla. 1975); *Miller v. Carson*, 392 F. Supp. 515 (M.D. Fla. 1975);  
172 *Solomos v. Jenne*, 776 So. 2d 953 (Fla. 4th DCA 2000); *Douthit v.*  
173 *Jones*, 619 F.2d 527 (5th Cir. 1980), and

174 WHEREAS, such conditions and circumstances of the jail are

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175 reflected in a *St. Petersburg Times* article dated July 5, 2010,  
176 appearing under the headline "Thousands of Pinellas jail inmates  
177 released without a judge ever setting bail," which is  
178 complemented by a series of articles released by the *Orlando*  
179 *Sentinel*, including "Florida's suspect jails: The state's hands-  
180 off approach to inspecting jails leaves them vulnerable," dated  
181 April 8, 2010; "Jail-standards chief defends system of checks,"  
182 dated May 15, 2010; "If all Central Florida jails rate an A, is  
183 it deserved?" dated May 15, 2010; and "Beef up jail oversight:  
184 Florida jails need tough oversight, not coddling," dated May 18,  
185 2010; and other articles, and

186 WHEREAS, Mr. Pitts contends that such conduct was a clear  
187 abuse of judicial, executive, and administrative authority as to  
188 the state court system and local government, including the State  
189 Attorney's Office for the Sixth Judicial Circuit of Florida and  
190 the Pinellas County Sheriff's Office, which resulted in a public  
191 embarrassment to this state because such authorities knew that  
192 there was not any basis in fact or law for their unlawful acts  
193 against him, and

194 WHEREAS, Mr. Pitts believes that his good name and  
195 reputation have been damaged; he has been deprived of due  
196 process, the ability to conduct a lawful business, freedom of  
197 speech, property, liberty, and equal protection of the law; he  
198 has not benefited from constitutional protections against  
199 unlawful trusts by public officers and employees under oath of  
200 office and double jeopardy protections as to criminal  
201 proceedings and sanctions; and he has suffered mental anguish  
202 and emotional distress as the result of the intentional  
203 misconduct and gross negligence of the courts, the State

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204 Attorney's Office for the Sixth Judicial Circuit of Florida, The  
205 Florida Bar, and the Pinellas County Sheriff's Office relating  
206 to his practice of law as a nonlawyer in this state, and,  
207 further, that there is no state-action exception to federal  
208 antitrust laws, which were violated in the subject cases, and

209 WHEREAS, Mr. Pitts has suffered, and continues to suffer,  
210 significant monetary damage by virtue of lost income, lost  
211 property, lost time, and expenses, fees, fines, costs, and  
212 required restitution resulting from the civil and criminal  
213 proceedings relating to his alleged unauthorized or unlicensed  
214 practice of law, and

215 WHEREAS, Mr. Pitts frequently appears before the  
216 Legislature to instruct, advise, inform, and advocate for or  
217 against proposed legislation covering a broad spectrum of topics  
218 and subject matter in fact and law with an exceptional degree of  
219 technical competence that would be expected of any trained and  
220 experienced member of The Florida Bar, and

221 WHEREAS, the Legislature recognizes that no system of  
222 justice is impervious to human error, and

223 WHEREAS, the Legislature acknowledges that any system of  
224 justice may sometimes yield imperfect results that may have  
225 tragic consequences, and

226 WHEREAS, this claim is based on a moral and legal  
227 obligation of the Legislature to acknowledge its actions and act  
228 on its authority to correct a wrong when those actions have  
229 resulted in a manifest injustice or disregard for the law, and

230 WHEREAS, the filing of this claim bill is in accord with  
231 the holdings of the Florida Supreme Court regarding legislative  
232 claim bills. See *Circuit Court of Twelfth Judicial Circuit v.*



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233 *Dep't of Natural Res.*, 339 So. 2d 1113, 1116-1117 (Fla.  
234 1976) ("Absent legislation waiving the state's sovereign immunity  
235 . . . this Court cannot authorize relief through the judicial  
236 process"); *Gerard v. Dep't of Transp.*, 472 So. 2d 1170, 1172  
237 (Fla. 1985) ("[W]e agree with the Department of Transportation's  
238 assertion that a judgment in this case was not a prerequisite to  
239 Gerard's filing a claims bill in the legislature."), and

240 WHEREAS, the First District Court of Appeal in *Jetton v.*  
241 *Jacksonville Electric Authority*, 399 So. 2d 396, 397 (Fla. 1st  
242 DCA 1981), stated that although the Legislature has placed  
243 limits on recovery, "claimants remain free to seek legislative  
244 relief bills, as they did during days of complete sovereign  
245 immunity," and

246 WHEREAS, the Florida Supreme Court in *Dickinson v. Bradley*,  
247 298 So. 2d 352, 354 (Fla. 1974), held that "any claim bill is  
248 restricted to less than the general public and its purpose is to  
249 discharge the state's moral obligation to any individual or  
250 other entity whom or which the legislature recognizes as being  
251 entitled to such. . . . The legislature may enact a claim bill  
252 for what would be a tort if a private party was involved just as  
253 effectively as for what would constitute a contractual debt,"  
254 and

255 WHEREAS, the Legislature intends that any compensation made  
256 pursuant to this act be the sole compensation provided by the  
257 state for any and all present and future claims arising out of  
258 the facts presented in this act, NOW, THEREFORE,

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260 Be It Enacted by the Legislature of the State of Florida:

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262           Section 1. The facts stated in the preamble to this act are  
263 found and declared to be true, and all judicial and  
264 administrative remedies were exhausted as of September 9, 2003-  
265 April 30, 2004; September 30, 2005; May 21, 2007; September 7,  
266 2007; December 12, 2008; September 14, 2009; February 22, 2010;  
267 March 11-July 4, 2010; and March 30, 2012, respectively.

268           Section 2. The Division of Administrative Hearings shall  
269 appoint an administrative law judge, or a special master shall  
270 be appointed, to conduct a hearing to determine a basis for  
271 equitable relief for the purpose of compensating Brian Pitts for  
272 any wrongful act or omission of the State of Florida, the State  
273 Attorney's Office for the Sixth Judicial Circuit of Florida, and  
274 the Pinellas County Sheriff's Office regarding investigations  
275 involving Mr. Pitts, the civil and criminal proceedings relating  
276 to Mr. Pitts' alleged unauthorized or unlicensed practice of  
277 law, and his incarcerations totaling nearly 12 months from 2001  
278 to 2012, if not longer.

279           Section 3. (1) The administrative law judge or special  
280 master shall determine by a preponderance of the evidence  
281 whether the State of Florida, the State Attorney's Office for  
282 the Sixth Judicial Circuit of Florida, or the Pinellas County  
283 Sheriff's Office committed a wrongful act or omission and  
284 whether a basis for equitable relief exists, and if it so finds,  
285 the administrative law judge or special master shall award Mr.  
286 Pitts an amount of up to \$7 million, but not less than \$1  
287 million, to be paid proportionately by the parties that wronged  
288 him and to be paid in a lump sum or in payments over a period of  
289 no more than 10 years.

290           (2) The administrative law judge or special master shall

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291 report his or her determination to the President of the Senate  
292 and the Speaker of the House of Representatives by July 1, 2018.  
293 The Chief Financial Officer is directed to draw a warrant in  
294 satisfaction of the relief awarded by the administrative law  
295 judge, special master, or Legislature, as provided in this act,  
296 and to pay the warrant out of the Administrative Trust Fund or  
297 State Courts Revenue Trust Fund within the state courts system  
298 and the State Attorneys Revenue Trust Fund to Brian Pitts.  
299 Pinellas County shall pay the warrant out of its general revenue  
300 fund or by other means it has provided to pay valid claims  
301 against it relating to the Pinellas County Sheriff's Office and  
302 as to its share of the total award to Mr. Pitts.

303 (3) This award is intended to provide the sole compensation  
304 for all present and future claims arising out of the factual  
305 situation described in this act which resulted in unlawful or  
306 unconstitutional acts committed against Mr. Pitts in connection  
307 with allegations, judgments, and convictions of the unauthorized  
308 or unlicensed practice of law and his incarcerations totaling  
309 nearly 12 months, if not longer, from 2001 through 2012. The  
310 total amount paid for attorney fees, lobbying fees, costs, and  
311 other similar expenses relating to this claim may not exceed 25  
312 percent of the amount awarded under this act.

313 (4) All final orders, judgments, decrees, and convictions,  
314 and orders or liens pertaining to fees, fines, costs, and  
315 restitution, rendered in cases SC06-1279, SC09-195 and SC09-  
316 2243, CRCAB-90407CFANO, CRCAB-65835CFANO, CRC07-12964CFANO,  
317 CTC07-03965MMANO, CTC03-09855MMANO, CTC03-01885MMANO, and CTC03-  
318 01887MMANO in which Mr. Pitts is the respondent or defendant are  
319 null and void by this act by virtue of the doctrine of

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320 separation of powers because the courts failed to recognize the  
321 Legislature's lawful and valid enactments, in addition to the  
322 courts' own lawful and valid case precedent, rules, and orders,  
323 authorizing lay representation as expressed in *The Florida Bar*  
324 *v. Moses*, 380 So. 2d 412, 416-418 (Fla. 1980); by virtue of  
325 inherent authority of this Legislature as expressed in *Florida*  
326 *House of Representatives v. Crist*, 999 So. 2d 601, 611 (Fla.  
327 2008) and *Trianon Park Condominium Ass'n v. City of Hialeah*, 468  
328 So. 2d 912, 918, 919 (Fla. 1985); by virtue of checks and  
329 balances exercised by this Legislature as expressed in *State Ex*  
330 *Rel. Young v. Duval County*, 79 So. 692, 697 (Fla. 1918), in  
331 which the court found, "[a] clear violation of the  
332 constitutional provisions dividing the powers of government into  
333 departments should be checked and remedied." As the court found  
334 in *State v. City of Stuart*, 120 So. 335, 346 (Fla. 1929), "[t]he  
335 general rule is that the Legislature is supreme in the  
336 legislative field, which is the most powerful branch of  
337 government, so long as it does not violate any of the provisions  
338 of the organic law. There is to our minds no justifiable  
339 exception of any class of legislation from this all-pervasive  
340 and fundamental principle." Finally, by virtue of the cases  
341 involving Mr. Pitts, the courts failed to comply with the  
342 mandates of s. 20.02(1), Florida Statutes, which states that  
343 "[t]he judicial branch has the purpose of determining the  
344 constitutional propriety of the policies and programs and of  
345 adjudicating any conflicts arising from the interpretation or  
346 application of the laws."

347 (5) The clerk of the court for the Florida Supreme Court,  
348 as to cases SC06-1279, SC09-195, and SC09-2243, and the clerk of

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349 the court for the Sixth Judicial Circuit, as to cases CRCAB-  
350 90407CFANO, CRCAB-65835CFANO, CRC07-12964CFANO, CTC07-  
351 03965MMANO, CTC03-09855MMANO, CTC03-01885MMANO, and CTC03-  
352 01887MMANO, all pertaining to Mr. Pitts, are hereby directed to  
353 remove from public and private access all dockets, records,  
354 documents, and recorded orders or liens related to those cases  
355 and transmit them to the Department of Law Enforcement to  
356 fulfill the duties required under section 6 of this act. The  
357 Department of Law Enforcement is hereby directed to remove from  
358 public and private access all record history and information of  
359 a criminal nature concerning Mr. Pitts. This record history and  
360 information include, but are not limited to, fingerprints, felon  
361 registration, and all other matters concerning the case numbers  
362 cited in this subsection. These records, information, or  
363 documents may not be used by or accessed for any purpose by  
364 anyone unless access to those records is required by federal  
365 authorities or for investigations conducted under section 6 of  
366 this act.

367 (6) The Department of Law Enforcement is directed to ensure  
368 the compliance, execution, and enforcement of subsections (4)  
369 and (5) of this section and section 6, and shall provide  
370 protective services to Mr. Pitts ensuring his rights,  
371 privileges, and safety under sections 4, 5, and 6 of this act.

372 Section 4. In accordance with the Florida Supreme Court's  
373 final order in case number SC02-247 and the exception contained  
374 in clause (1) of that order, unless otherwise authorized by  
375 Florida Statutes, court rule, case law, administrative rule, or  
376 the rules regulating The Florida Bar, thereby authorizing Mr.  
377 Pitts to practice law in this state, the Legislature authorizes

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378 Mr. Pitts to practice law in this state under the following  
379 designations, titles, rules, decisions, or acts in the capacity  
380 as a lay counselor or lay representative:

381 (1) Chapter 120, Florida Statutes, relating to a qualified  
382 representative.

383 (2) Chapter 44, Florida Statutes, relating to a designated  
384 representative.

385 (3) Chapter 709, Florida Statutes, relating to an attorney-  
386 in-fact under a durable power of attorney, when coupled with an  
387 interest in any personal or property claim, election, right, or  
388 interest.

389 (4) Decisions or rules of the Florida Supreme Court  
390 relating to representation in real property management.

391 (5) Decisions or rules of the Florida Supreme Court  
392 relating to a nonlawyer using approved forms.

393 (6) Decisions or rules of the Florida Supreme Court  
394 relating to representation in county or small claims civil  
395 proceedings.

396 (7) Decisions or rules of the Florida Supreme Court  
397 relating to third-party standing representation.

398 (8) Rule 5-15, Rules of the Supreme Court Relating to  
399 Admission to the Bar.

400 (9) Judicial discretion under the inherent authority  
401 doctrine.

402 (10) Federal law, state law, local rule, statute, local  
403 law, or any other court or administrative decision or order  
404 issued under federal, state, or local law and authority.

405 Section 5. Any appearance or public testimony given by Mr.  
406 Pitts on bills or matters before the Legislature, wherever held

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407 or convened throughout this state, does not constitute the  
408 practice of law. In all circumstances Mr. Pitts retains the  
409 right to represent himself at any time he has valid standing  
410 supported by law. If Mr. Pitts is the subject of civil,  
411 administrative, or criminal proceedings, he retains the right to  
412 represent himself without a lawyer in court and in  
413 administrative actions or cases.

414 Section 6. Due to the ongoing conduct from 2001 to 2012  
415 against Mr. Pitts as described in the preamble of this act, the  
416 Legislature directs the Department of Law Enforcement, assisted  
417 by Mr. Pitts, to investigate these acts committed by:

418 (1) The Florida Supreme Court justices involved for  
419 violations of s. 914.22(2)(f) or (4)(f), Florida Statutes, and  
420 18 U.S.C. 1512, relating to their final ruling rendered on  
421 February 22, 2010, in case number SC06-1279, which resulted in  
422 the incarceration of Mr. Pitts on the eve of the 2010  
423 Legislative Session while proceedings on SB 58 were pending, and  
424 in Mr. Pitts' cases relating to motions, reviews, and original  
425 proceedings for violations of ss. 542.21(2), 775.15(12)(b),  
426 777.04(2) and (3), 836.05, 838.015, 838.016, 838.022, 839.13(1),  
427 839.24, 843.03, 843.0855(2) and (3), 876.10, 895.03, and 918.13,  
428 Florida Statutes; 15 U.S.C. 1, 2, and 3; and 18 U.S.C. 201, 241,  
429 242, 1951, and 1962.

430 (2) The Second District Court of Appeal judges assigned to  
431 Mr. Pitts' cases on motions, reviews, and original proceedings;  
432 the Sixth Judicial Circuit judges; and the state attorneys  
433 involved in violations of ss. 542.21(2), 775.15(12)(b),  
434 777.04(2) and (3), 836.05, 838.015, 838.016, 838.022, 839.13(1),  
435 839.24, 843.03, 843.0855(2) and (3), 876.10, 895.03, and 918.13,

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436 Florida Statutes; 15 U.S.C. 1, 2, and 3; and 18 U.S.C. 201, 241,  
437 242, 1951, and 1962.

438 (3) The Florida Bar and its representatives who pursued  
439 charges of unlicensed practice of law against Mr. Pitts for  
440 their violations of ss. 542.21(2), 777.04(2) and (3), 836.05,  
441 838.015, 838.016, 839.13(1), 895.03, and 918.13, Florida  
442 Statutes; 15 U.S.C. 1, 2, and 3; and 18 U.S.C. 201, 241, 242,  
443 1951, and 1962.

444 (4) The Pinellas County Sheriff's Office for violations of  
445 ss. 775.15(12) (b), 839.13(1), 843.03, 843.0855(2) and (3),  
446 876.10, 950.09, and 951.14, Florida Statutes, and 18 U.S.C. 201,  
447 241, or 242.

448  
449 The Department of Law Enforcement shall exercise all authority  
450 granted to it under general law to investigate criminal  
451 violations under this act and shall refer any evidence of such  
452 crimes to the appropriate state attorney for prosecution.  
453 Failure of the Department to Law Enforcement to investigate  
454 these criminal violations and refer any evidence of such  
455 violations to the appropriate officials is a misdemeanor of the  
456 first degree under s. 775.15(12) (b), Florida Statutes. Charges  
457 arising out of the criminal investigation shall be brought  
458 before a grand jury impaneled in Leon County within 1 year after  
459 passage of this act.

460 Section 7. The Governor, the President of the Senate, or  
461 the Speaker of the House of Representatives may sever in whole  
462 or in part any section of this act, excluding this section,  
463 which remaining parts shall be in full force and effect upon  
464 becoming law. Notwithstanding severance, Brian Pitts shall



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465 retain the right or privilege during future legislative sessions  
466 to request the relief severed in whole or in part by virtue of  
467 this section until fully remedied.

468 Section 8. This act shall take effect upon becoming a law.