

**Human Rights Council**  
**Complaint Procedure Form**

- You are kindly requested to submit your complaint in writing in one of the six official UN languages (Arabic, Chinese, English, French, Russian and Spanish) and to use these languages in any future correspondence;
- Anonymous complaints are not admissible;
- It is recommended that your complaint does not exceed eight pages, excluding enclosures.
- You are kindly requested not to use abusive or insulting language.

**I. Information concerning the author (s) of the communication or the alleged victim (s) if other than the author**

Individual \* Yes      Group of individuals       NGO       Other

Last name: ..... Huminski

First name(s): .....Scott

Nationality: ..... USA

Address for correspondence on this complaint: .....24544 Kingfish Street, Bonita Springs, Florida 34134 USA

Tel and fax: (please indicate country and area code) .....001 239 300 6656

E-mail: .....s\_huminski@Live.com

Website: .....none

Submitting the complaint:

On the author's own behalf: X yes

On behalf of other persons:  (Please specify: .....)

**II. Information on the State concerned**

Name of the State concerned and, as applicable, name of public authorities responsible for the alleged violation(s): State of Florida, USA, Florida Supreme Court, State's Attorney Stephen B. Russell, Assistant State's Attorney Anthony Kunasek, Judge James Adams

**III. Facts of the complaint and nature of the alleged violation(s)**

**The complaint procedure addresses consistent patterns of gross and reliably attested violations of all human rights and all fundamental freedoms occurring in any part of the world and under any circumstances.**

Please detail, in chronological order, the facts and circumstances of the alleged violations including dates, places and alleged perpetrators and how you consider that the facts and circumstances described violate your rights or that of the concerned person(s).

Scott Huminski is banished for life from communicating with the only police agency in his area of residence by judicial order in violation of his free expression rights and his right to access to public safety (police) services.

Upon the urging of a government prosecutor, Anthony Kunasek, Judge James Adams forbade Huminski's contact with the sole law enforcement agency with jurisdiction in Huminski's town of residence, Bonita Springs, FL. This occurred on 3/16/2018 and specifically forbids contact or communication with the Lee County Sheriff's Department (LCSO) and the State of Florida (plaintiff, criminal case)

See order prohibiting contact/communications at,

<https://web.archive.org/web/20181029154756/https://judgeelizabethvkrierleecountyflcorruption.files.wordpress.com/2017/06/order-no-contact-probation.pdf>

"No communication with the parties in the civil or criminal case." Judicial order 3/16/2018.

Docket from civil case detailing the parties to whom speech is silenced by judicial order including the LCSO and the local sheriff,

<https://web.archive.org/web/20181029160313/https://judgeelizabethvkrierleecountyflcorruption.files.wordpress.com/2017/06/civil-docket-421-page-one.pdf>

Huminski further took action in the Florida Second District Court of Appeal and the Florida Supreme Court and he was prohibited from service of process upon the State of Florida per the 3/16/2018 order because the State of Florida was the plaintiff in the criminal case.

Here are papers attempting to enjoin or stay the illegal order that was violating Huminski's Due Process and free expression rights to serve his adversary, the State of Florida, with papers requiring service in the two aforementioned higher courts. See below with attention to the certificates of service.

FLORIDA SUPREME COURT:

[https://efactssc-public.flcourts.org/casedocuments/2018/1282/2018-1282\\_motion\\_117168\\_motion2dstay2028proceedings20below29.pdf](https://efactssc-public.flcourts.org/casedocuments/2018/1282/2018-1282_motion_117168_motion2dstay2028proceedings20below29.pdf)

[https://efactssc-public.flcourts.org/casedocuments/2018/1282/2018-1282\\_motion\\_117214\\_motion2dothet20substantive.pdf](https://efactssc-public.flcourts.org/casedocuments/2018/1282/2018-1282_motion_117214_motion2dothet20substantive.pdf)

[https://efactssc-public.flcourts.org/casedocuments/2018/1282/2018-1282\\_motion\\_117400\\_motion2dothet20substantive.pdf](https://efactssc-public.flcourts.org/casedocuments/2018/1282/2018-1282_motion_117400_motion2dothet20substantive.pdf)

[https://efactssc-public.flcourts.org/casedocuments/2018/1282/2018-1282\\_petition\\_70730\\_petition2damendment2fsupplement.pdf](https://efactssc-public.flcourts.org/casedocuments/2018/1282/2018-1282_petition_70730_petition2damendment2fsupplement.pdf)

[https://efactssc-public.flcourts.org/casedocuments/2018/1282/2018-1282\\_motion\\_117407\\_motion2dstay2028proceedings20below29.pdf](https://efactssc-public.flcourts.org/casedocuments/2018/1282/2018-1282_motion_117407_motion2dstay2028proceedings20below29.pdf)

[https://efactssc-public.flcourts.org/casedocuments/2018/1282/2018-1282\\_notice\\_84889\\_notice.pdf](https://efactssc-public.flcourts.org/casedocuments/2018/1282/2018-1282_notice_84889_notice.pdf)

[https://efactssc-public.flcourts.org/casedocuments/2018/1282/2018-1282\\_motion\\_117587\\_motion2dothet20substantive.pdf](https://efactssc-public.flcourts.org/casedocuments/2018/1282/2018-1282_motion_117587_motion2dothet20substantive.pdf)

DCA

[https://edca.2dca.org/DCADocs/2018/1512/181512\\_381\\_04192018\\_12515998\\_e.pdf](https://edca.2dca.org/DCADocs/2018/1512/181512_381_04192018_12515998_e.pdf)

[https://edca.2dca.org/DCADocs/2018/3856/183856\\_381\\_10022018\\_12102111\\_e.pdf](https://edca.2dca.org/DCADocs/2018/3856/183856_381_10022018_12102111_e.pdf)

[https://edca.2dca.org/DCADocs/2018/3856/183856\\_381\\_10032018\\_10281347\\_e.pdf](https://edca.2dca.org/DCADocs/2018/3856/183856_381_10032018_10281347_e.pdf)

Full court dockets are at::

<http://onlinedocketssc.flcourts.org/DocketResults/CaseByYear?CaseNumber=1282&CaseYear=2018>

<https://edca.2dca.org/Docket.aspx?CaseID=110207>

<https://edca.2dca.org/Docket.aspx?CaseID=107796>

All relief was denied in the Florida Supreme Court and the 2<sup>nd</sup> District Court of Appeal.

#### **IV. Exhaustion of domestic remedies**

**1-** Steps taken by or on behalf of the alleged victim(s) to exhaust domestic remedies– please provide details on the procedures which have been pursued, including recourse to the courts

and other public authorities as well as national human rights institutions\*, the claims made, at which times, and what the outcome was:

See above court papers. All redress was denied. No right of appeal from a decision of the Florida Supreme Court exists. No national human right institution has authority or jurisdiction to over-rule the Florida Supreme Court.

2- If domestic remedies have not been exhausted on grounds that their application would be ineffective or unreasonably prolonged, please explain the reasons in detail:

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**V. Submission of communication to other human rights bodies**

1- Have you already submitted the same matter to a special procedure, a treaty body or other United Nations or similar regional complaint procedures in the field of human rights?

no

2- If so, detail which procedure has been, or is being pursued, which claims have been made, at which times, and the current status of the complaint before this body:

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**VI. Request for confidentiality**

In case the communication complies with the admissibility criteria set forth in Council resolution 5/1, kindly note that it will be transmitted to the State concerned so as to obtain the views of the latter on the allegations of violations.

Please state whether you would like your identity or any specific information contained in the complaint to be kept confidential.

Request for confidentiality (*Please tick as appropriate*):    No confidentiality requested

Please indicate which information you would like to be kept confidential

Date: 10/29/2018

Signature: -/s/- Scott Huminski

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\* National human rights institutions, established and operating under the Principles Relating to the Status of National Institutions (the Paris Principles), in particular in regard to quasi-judicial competence, may serve as effective means of addressing individual human rights violations.

N.B. The blanks under the various sections of this form indicate where your responses are required. You should take as much space as you need to set out your responses. Your complaint should not exceed eight pages.

### **VII. Checklist of supporting documents**

Please provide copies (not original) of supporting documents (kindly note that these documents will not be returned) in one of the six UN official languages.

- Decisions of domestic courts and authorities on the claim made (a copy of the relevant national legislation is also helpful):
- Complaints sent to any other procedure mentioned in section V (and any decisions taken under that procedure):
- Any other evidence or supporting documents deemed necessary:

### **VIII. Where to send your communications?**

Office of the United Nations High Commissioner for Human Rights  
Human Rights Council Branch-Complaint Procedure Unit  
OHCHR- Palais Wilson  
United Nations Office at Geneva  
CH-1211 Geneva 10, Switzerland  
Fax: (+41 22) 917 90 11  
E-mail: [CP@ohchr.org](mailto:CP@ohchr.org)  
Website: <http://www.ohchr.org/EN/HRBodies/HRC/Pages/HRCIndex.aspx>