

In The  
Eleventh Judicial Circuit Court

SCOTT HUMINSKI,	)	
MICHAEL ESSIX,	)	CASE NUMBER:
PLAINTIFFS	)	
V.	)	
STATE OF FLORIDA,	)	
FLORIDA ATTORNEY GENERAL ASHLEY	)	
MOODY,	)	JURY TRIAL DEMAND
FLORIDA GOVERNOR RON DESANTIS,	)	
DEFENDANTS.	)	

**Motion to Initiate Attorney Disciplinary Proceedings Re: 20<sup>th</sup> Circuit State's Attorney, Amira Fox, Esq., or, in the alternative, to refer the matter to the Supreme Court of Florida**

NOW COMES, Scott Huminski ("Huminski"), and moves as above for the following reasons:

1. Huminski incorporates the Complaint and it's Exhibit with the same force and effect as if more fully set forth herein.
2. The 20<sup>th</sup> Circuit State's Attorney, Amira Fox, has engaging in, facilitated, maintained or been an accessory to felony forgery and felony official misconduct, F.S. §§ 831.01, 838.022, acts of moral turpitude and conduct that is prejudicial to the administration of justice in violation of attorney ethical cannons and she has reaped the sweet benefits of obtaining wrongful convictions and illegal incarcerations against both Plaintiffs as detailed in this matter. See generally Complaint.
3. Amira Fox has initiated, facilitated, maintained and has been an accessory to the prosecution of cases in the absence of **any and all** jurisdiction in the Huminski case or without subject matter jurisdiction as in Mr. Essix's Cases which have resulted in the convictions and incarcerations of both men. (See Generally Complaint) This conduct is also an act of moral turpitude and conduct prejudicial to the administration of justice in violation of ethical cannons.

4, After the Huminski civil case and the contempt show cause order therein were removed to United States District Court (Bankruptcy Unit) for the Middle District of Florida, Amira Fox plowed ahead in State Court not only in the absence of any and all jurisdiction, her conduct was a complete affront to the dignity, powers and authority of the United States Court and the Supremacy Clause to the United States Constitution. (See Generally Complaint)

5. Amira Fox can not be prosecuted through the normal attorney disciplinary procedures. Attached hereto as Exhibit "A" is a letter from the ethical authorities detailing they have no jurisdiction to stop the misconduct of Amira Fox. The conduct must directly be addressed by the Florida Courts to stop the injury and harm to the public pursuant to the jurisdictional limitations of the Florida Bar set forth in Exhibit "A".

### **Relief Requested:**

**WHEREFORE**, Plaintiff requests the Court; (1) initiate disciplinary proceedings, (2) immediately suspend Amira Fox in the interim from the practice of law in Florida and (3) upon hearing – disbar her and forbid her from the practice of law in Florida for life. Amira Fox is responsible for too much human suffering, wrongful convictions, and abuse of the persons residing in the 20<sup>th</sup> Circuit and elsewhere. She is a danger to the public welfare and public policy demands her expedient removal from the practice of law in the Florida courts. Holding of political office should not be a license to use the courts of Florida for unlawful purposes to wit: forgery and official misconduct, both State felonies and criminal civil rights violations of 18 U.S.C.241, 242.

*"The conduct of the prosecutor was antithetical to his responsibilities as an officer of the court. As this Court stated nearly fifty years ago:*

*Under our system of jurisprudence, prosecuting officers are clothed with quasi judicial powers and it is consonant with the oath they take to conduct a fair and impartial trial. The trial of one charged with crime is the last place to parade prejudicial emotions or exhibit punitive or vindictive exhibitions of temperament.*

*Stewart v. State, 51 So.2d 494, 495 (Fla.1951). While prosecutors should be encouraged to prosecute cases with earnestness and vigor, they should not be at liberty to strike "foul blows." See Berger v. United States, 295 U.S. 78, 88, 55 S.Ct. 629, 79 L.Ed. 1314 (1935). As*

*the United States Supreme Court observed over sixty years ago, "It is as much [the prosecutor's] duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one."Id."*

c.f. Gore v. State, 719 So. 2d 1197 - Fla: Supreme Court 1998

Dated in Flagler County, Florida this 1<sup>st</sup> day of August 2021.

-/s/- Scott Huminski

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Scott Huminski, Pro Se  
P.O. Box 353820  
Palm Coast, FL 32137  
(239) 300-6656  
S\_huminski@live.com

Certificate of Service

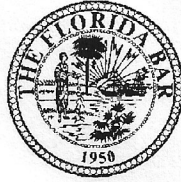
Plaintiff, Scott Huminski, hereby certifies that this paper and attachment(s) have been served upon the parties of record via the e-filing system and via email.

Dated this First day of August, 2021.

-/s/- Scott Huminski

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Scott Huminski

# Exhibit “A”



## The Florida Bar

651 East Jefferson Street  
Tallahassee, FL 32399-2300

Joshua E. Doyle  
Executive Director

850/561-5600  
[www.FLORIDABAR.org](http://www.FLORIDABAR.org)

July 20, 2021

Mr. Scott Huminski  
24544 Kingfish Street  
Bonita Springs, FL 34134

Re: Amira Dajani Fox; RFA No. 22-594

Dear Mr. Huminski:

Your Inquiry/Complaint regarding the above-named attorney has been referred to me for review.

The Florida Supreme Court has held that a person elected to a constitutionally created office who must be a lawyer to hold that position is not answerable to The Florida Bar while the person serves in that capacity. The elected Office of State Attorney a constitutionally created office currently held by this attorney.

Rule 3-7.16 of the Rules Regulating The Florida Bar provides:

**(d) Constitutional Officers.** Inquiries raised or complaints presented by or to The Florida Bar about the conduct of a constitutional officer who is required to be a member in good standing of The Florida Bar shall be commenced within 6 years after the constitutional officer vacates office.

In light of the foregoing, The Florida Bar does not currently have jurisdiction over this matter and the file has been closed effective July 19, 2021. Pursuant to the Bar's records retention schedule, the computer record will be disposed of one year from the date of closure.

Sincerely,

William W. Wilhelm, Bar Counsel  
Attorney Consumer Assistance Program  
ACAP Hotline 866-352-0707

cc: Ms. Amira Dajani Fox (with enclosure)