

In the

# FLORIDA SUPREME COURT

Scott Huminski,	)	
Petitioner,	)	Case Number: 2025-0176
v.	)	
State of Florida,	)	Original Jurisdiction
Respondent.	)	

## MOTION TO TAKE JUDICIAL NOTICE

NOW COMES, Petitioner Scott Huminski (“Huminski”) and moves that the Court take judicial notice of excerpts from hearings in *State v. Huminski*, 17-MM-815, Lee County Court as follows:

### **Hearing Lee County Court, 17-MM-815, State v. Huminski, 12/21/2017,**

Record on Appeal 2D19-1914, pages 2309-2310, attached hereto as Exhibit “A”.

Huminski discusses the impact of no-contact orders issued by the 20<sup>th</sup> Circuit Court in *Huminski v. Town of Gilbert, AZ*, 17-CA-421 prohibiting contact with courthouse personnel impacting Huminski’s attendance and participation at County Court hearings. The presiding County judge Hon. James Adams (ret.) responds that the Circuit Court has “**divested themselves**” of jurisdiction and that County Court orders have over-ruled Circuit Court no contact orders concerning courthouse

staff. No such divesting of jurisdiction is documented on the record in the Circuit or County courts.

The County Judge further explains that Circuit Court orders “**have sort of been dissolved into this case.**”. The rules of judicial administration, criminal procedure or civil procedure don’t “**sort of**” specify or allow the **dissolving** of civil Circuit Court orders into a County Court misdemeanor case especially when the Circuit Court continued to rule on the no-contact orders in 2018. See Exhibit “A”.

**Hearing Lee County Court, 17-MM-815, State v. Huminski, 1/8/2018,**

Record on Appeal 2D19-1914, pages 2326-2327, attached hereto as Exhibit “B”.

Huminski discusses the dubious modification of a 6/5/2017 Circuit Court show cause order in *Huminski v. Town of Gilbert, AZ*, 17-CA-421, by unknown courthouse staff weeks later on 6/30/2017 and the re-filing of the modified order in the Lee County Court, *State v. Huminski*, 17-MM-815, on 6/30/2017 as an original charging document constituting official fraud. The identity of the person or entity that modified the 6/5/2017 Circuit order and filed it in *State v. Huminski* is unknown. A modified order from a Circuit Court is not capable of initiating a County Court criminal misdemeanor prosecution. The State of Florida is required to bring criminal prosecutions via the executive branch. The migration of modified Circuit Court orders to a County Court misdemeanor case does not initiate a criminal prosecution and does not comply with Due Process. See Exhibit “B”.

**Hearing Lee County Court, 17-MM-815, State v. Huminski, 1/8/2018,**

Record on Appeal 2D19-1914, pages 2328, attached hereto as Exhibit “C”.

At hearing, Huminski points out that as of 9/22/2017 in the County docket, there was no recusal of Judge Krier (the Circuit Court judge presiding over the Circuit Court contempt claim). Shortly afterwards, a recusal order then appeared on the County Court docket back-dated to 8/14/2017 with double “COPY” stamps. Three versions of the recusal order exist between the County and Circuit cases with one original judicial signature with each containing different content and containing differently positioned “COPY” stamps and different distribution lists. Two of the judicial signatures were cut and pasted by anonymous courthouse staff onto two modified versions of the original order and filed. Attempting to achieve and perfect the transfer of contempt from Circuit to County court caused chaos and spawned illegal behavior by courthouse staff. See Exhibit “C”.

**Hearing Lee County Court, 17-MM-815, State v. Huminski, 2/13/2018,**

Record on Appeal 2D19-1914, pages 2333, attached hereto as Exhibit “D”.

The County Judge, a court of inferior and limited jurisdiction, states that he has modified the intent and purpose of Circuit Court orders issued by Judge Krier. The County Judge further asserts that the Circuit Court contempt has been **assigned** to him and his orders **supersede** the orders of the Circuit Court. No assignment/transfer order exists transferring the contempt allegations in *Huminski v. Town of Gilbert, AZ*, 17-CA-421, 20<sup>th</sup> Circuit Court to *State v. Huminski*, 17-MM-815, Lee County Court. The docket and captioning of the *State v. Huminski* clearly

indicate that County Judge James Adams (ret.) was acting in the capacity of a County Court judge. Misdemeanor cases, a designation mistakenly applied to the instant alleged *sui generis* common law Circuit Court contempt jurisdictionally exist in the County Courts. In 2018, the Chief Circuit Judge also ruled on the Circuit Court no contact orders adding to the confusion of a *pro se* criminal defendant related to the chaos created by a County Court siezing jurisdiction over Circuit *sui generis* common law contempt. See Exhibit “D”.

WHEREFORE, the Court should take judicial notice.

Dated March 6, 2025.

Respectfully Submitted,

-/s/- Scott Huminski

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Certificate of Service

True and correct copies of the above document and any attachment was served upon the State of Florida via the Florida e-filing portal on March 6, 2025.

-/s/- Scott Huminski

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Scott Huminski

Exhibit “A”

10 THE DEFENDANT: -- my attorney. The other day  
11 I pressed him to answer a question saying what  
12 should we do here? Should I obey the circuit  
13 order of Judge Krier --

14 THE COURT: Okay.

15 THE DEFENDANT: -- and not attend, because it  
16 prohibits my attendance at this proceeding.

17 THE COURT: Not really. Not really. That's  
18 been taken care of by subsequent order.

19 THE DEFENDANT: Not in the circuit court.

20 THE COURT: Okay.

21 THE DEFENDANT: The circuit court order --

22 THE COURT: Well, they've divested themselves  
23 of jurisdiction at this point, so the orders that  
24 I signed relative to your case are the warrants  
25 that you should be attending to.

1           THE DEFENDANT: I don't think they overrule  
2 the circuit court orders of Judge Krier.

3           THE COURT: Sir, the circuit orders -- the  
4 circuit court orders of Judge Krier have sort of  
5 been dissolved into this case. So, any  
6 subsequent orders addressing similar issues that  
7 I've issued are the ones that you should be  
8 concerned about.

9           THE DEFENDANT: That's not evident on the  
10 record in the circuit court case --

11          THE COURT: Okay. Well --

12          THE DEFENDANT: -- that those records are  
13 ineffective --

14          THE COURT: Okay.

15          THE DEFENDANT: -- at this point. So --

16          THE COURT: Okay. Continue --

17          THE DEFENDANT: -- basically --

18          THE COURT: -- continue to talk -- Mr.

# Exhibit “B”

13 THE COURT: Are you ready for trial, Mr.  
14 Huminski?

15 THE DEFENDANT: I just want to explain this  
16 to you just to -- for two minutes. The order of  
17 6/5 of Judge Krier was printed out on 6/30 by  
18 somebody, I don't know who.

19 THE COURT: Okay.

20 THE DEFENDANT: And on that order it was  
21 modified and written in with the docket number  
22 for this court and then filed in this as an  
23 original and you cannot modify court orders and  
24 then refile them with no knowledge of the judge.  
25 And, so, there is no charging information in this



1 case. The only charging information would be  
2 that motion to show cause, which the one filed in  
3 this case is pure fraud.

4 THE COURT: Okay.

5 THE DEFENDANT: Because they took the 6/5  
6 ruling with Judge Krier's signature, printed it  
7 out, somebody hand wrote a docket number on it,  
8 making it seem like, oh, this is a ruling in this  
9 case, which it never was, and this is what I'm  
10 getting prosecuted on. It's pure fraud.

11 THE COURT: Okay. Are you -- are you ready  
12 for trial?

13 THE DEFENDANT: Well, no. I would like an  
14 attorney appointed.

15 THE COURT: Okay. I'm not gonna appoint an  
16 attorney to represent you.

17 THE DEFENDANT: Okay. Well, I'm not ready  
18 for trial.

# Exhibit “C”

2           THE DEFENDANT: Yes, there is an extreme  
3 amount of docket manipulation in this case.

4           THE COURT: Not on my docket.

5           THE DEFENDANT: What?

6           THE COURT: Not here.

7           THE DEFENDANT: Well, on September 22<sup>nd</sup> there  
8 was a recusal of Judge Krier filed, after I  
9 notified you of the problem with the -- that  
10 there was no recusal filed. Then --

11          THE COURT: Okay. February 13<sup>th</sup>. That's your  
12 next court date. That's your trial date, sir.

13          THE DEFENDANT: And can I just say one more  
14 thing?

15          THE COURT: February 13<sup>th</sup>.

16          THE DEFENDANT: Okay. Thank you.

17          THE COURT: You're welcome. That was one  
18 more thing.

# Exhibit “D”

3 THE DEFENDANT: And I have one other issue.  
4 I was asked by a deputy sheriff outside my name  
5 and if I was represented.

6 THE COURT: Yes, sir.

7 THE DEFENDANT: And I had to tell them under  
8 Judge Krier's orders --

9 THE COURT: Okay.

10 THE DEFENDANT: -- I could not answer their  
11 questions.

12 THE COURT: Okay. That's -- that's been  
13 modified to allow you to identify yourself for  
14 court related purposes.

15 THE DEFENDANT: Not by Judge Krier or not by  
16 the circuit court.

17 THE COURT: She's no longer on this case.  
18 The case has been assigned to me, so the order  
19 that I signed supersedes the prior no contact  
20 provisions as it relates to law enforcement.