BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION
STATE OF FLORIDA

FILED
THOMAS D. HALL
OCT 26 2000
CLERK, SUPREME COURT
BY_____

INQUIRY CONCERNING A JUDGE,
MATTHEW E. MCMILLAN
CASE NOS. 99-10 & 00-17

SC CASE NO.:95,886
00-703

JUDICIAL QUALIFICATIONS COMMISSION'S
CONSOLIDATED AMENDED EXHIBIT LIST

1. McMillan Campaign Literature, "A Fellow Police Officer Speaks Out: Good Ole Boy Politics Hurts the Street Officers."
2. Correspondence from Matthew McMillan to Earl Moreland dated July 31, 1998.
3. McMillan Campaign Literature, "New Hope for Law Abiding Citizens."
4. McMillan Campaign Literature, "It's Time We Have a Full-Time Judge!"
5. Matthew McMillan Submission to Editorial Board of Bradenton Herald Tribune.
6. McMillan Campaign Literature, "16-Year Incumbent Judge George Brown Gives Criminals a Good Deal."
7. McMillan Campaign Literature, "Please Help Me Make Our Courts Work Better."
8. McMillan Campaign Literature, "We Need a Tough New Judge Who Will Stop the Revolving Door in Our Courts."
9. Candidate Rebuttal by Matthew McMillan in *Bradenton Herald* Tribune dated August 28, 1998.

10. Correspondence from Matthew McMillan to Sheriff Charles Wells dated July 21, 1998.

11. Correspondence from Matthew McMillan to Blake Medical Center Good Government dated August 17, 1998.

12. 1996 Calendar of Honorable George Brown.

13. 1997 Calendar of Honorable George Brown.

14. McMillan Campaign Literature, "Frustrated By The System?" **[To be provided]**.

15. Transcript of Channel 62 Town Hall Meeting on July 20, 1998.

16. Videotape of Channel 62 Town Hall Meeting on July 20, 1998.

17. Correspondence from Terry Turner to Matt McMillan dated June 15, 1998.

18. Correspondence from Terry Turner to Matt McMillan dated June 19, 1998.

19. Transcript of Proceedings from Rule 6(B) Hearing.

20. List of 1997 First Appearance (Advisories) conducted by Honorable George Brown.

21. Flowchart of First Offense Domestic Battery Violation of Probation Cases.

22. Judge George Brown's 1997 Trial Statistics.

23. Composite exhibit of court proceedings conducted by Honorable George Brown during 1997 (*e.g.* courtroom deputy clerk notes, docket soundings, preliminary hearing dockets, juvenile proceedings, etc.).

24. Handwritten Note regarding 1997 vacation days of Honorable George Brown.

25. Memorandum from Shirley Ennis to Clerk of Court dated August 17, 1998.

26. Correspondence from Domestic Abuse Intervention Project to George Moran dated August 17, 1998.

27. Correspondence from Family Violence Treatment Program to Paul Andor dated December 12, 1996.

28. Correspondence from Domestic Violence Intervention Project dated February 21, 1997.

29. Correspondence from Family Violence Treatment Program to Carrie Ann Green dated June 19, 1997.

30. Correspondence from Domestic Violence Intervention Project to Manatee County Probation Department dated May 8, 1997.

31. Correspondence from Saints Peter and Paul to Nancy Lancaster dated November 11, 1996.

32. Correspondence from Family Violence Treatment Program dated August 5, 1996.

33. Correspondence from Family Violence Treatment Program dated October 15, 1996.

34. Correspondence re: Batterer's Intervention Program/Monthly Status Report dated September 2, 1997.

35. Correspondence from Domestic Violence Intervention Program to Manatee County Probation Department dated January 16, 1998.

36. Correspondence re: Batterer's Intervention Program -Bi/Monthly Status Report dated August 6, 1997.

37. Correspondence from Family Violence Treatment Program dated July 1, 1997.

38. Affidavit re: Violation of Probation - Vincent Born.

39. Arrest Warrant for Vincent Born.

40. Probation Department File for Vincent Born **[Subpoenaed for production at trial]**.

41. Official Court File for Vincent Born **[Subpoenaed for production at trial]**.

42. Days in Jail Calculation for Prostitution Cases Handled By George Brown.

43. WITHDRAWN

44. WITHDRAWN

45. Days in Jail Calculations - Domestic Battery Violation of Probation Sentences **[To be provided]**.

46. Domestic Battery - Violation of Probation (Sentences) Summary **[To be provided]**.

47. Official Court files for all Domestic Battery - Violation of Probation cases for Judge George Brown included in McMillan handout to *Bradenton Herald* Editorial Board (hereinafter "Domestic Battery VOP Handout") **[Subpoenaed for production at trial]**.

48. Probation Department Files for all cases listed in Domestic Battery VOP Handout **[Subpoenaed for production at trial]**.

49. CJIS Printout for all cases listed in Domestic Battery VOP Handout.

50. WITHDRAWN

51. Transcripts of plea hearings for cases listed in Domestic Battery VOP Handout.

52. Videotape of Freedom Village Candidate Forum dated August 27, 1998.

53. Matthew E. McMillan Witness Interview Statement dated January 30, 2000.

54. Guadalupe Occura First Appearance Statement dated January 31, 2000.

55. Manatee County Detention Facility Advisory List dated January 31, 2000.

56. Administrative Order Regarding Standard Bonds for Criminal Proceedings dated May 30, 1997.

57. Affidavit of Robert Farrance dated March 23, 2000.

58. Affidavit of Valerie Rosas dated March 22, 2000.

59. Transcript of Proceedings for First Appearance Hearing for Guadalupe Occura dated January 31, 2000.

60. Videotape of Proceedings for First Appearance Hearing of Guadalupe Ocura dated January 31, 2000.

61. Videotape of Proceedings for First Appearance Hearing of Guadalupe Ocura on February 1, 2000.

62. Transcription of Proceedings for First Appearance Hearing of Guadalupe Ocura on February 1, 2000 **[To be provided]**.

63. Plaintiff's Motion to Disqualify Judge in *Lohrey v. Eastman* dated February 8, 2000.

64. Order to Disqualify Judge in *Lohrey v. Eastman* dated February 9, 2000.

65. Order Re-Assigning Case in *Lohrey v. Eastman* dated February 10, 2000.

66. Motion for Default by Carl Lohrey and Default dated February 10, 2000.

67. Final Judgment for Possession in *Lohrey v. Eastman* dated February 10, 2000.

68. Motion to Stay Writ of Possession in *Lohrey v. Eastman* dated February 11, 2000.

69. Order Granting Stay of Writ of Possession in *Lohrey v. Eastman* dated February 11, 2000.

70. Notice of Final Hearing for Eviction in *Lohrey v. Eastman* dated February 11, 2000.

71. Final Judgment in *Lohrey v. Eastman* dated February 15, 2000.

72. Order Vacating Order to Disqualify Judge in *Lohrey v. Eastman* on February 15, 2000.

73. Docket Sheet in *Lohrey in Eastman*.

74. Complete court files in *State of Florida v. Thompson,* Case Nos. 99-575M and 99-2916M **[Subpoenaed for production at trial]**.

75. Order of Disqualification in *State of Florida v. Thompson*, Case No. 99-575m dated July 7, 1999.

76. Order Reassigning Case in *State of Florida v. Thompson*, Case No. 99-575M dated July 16, 1999.

77. Order Transferring Case Division in *State of Florida v. Thompson*, Case No. 99-575M dated August 27, 1999.

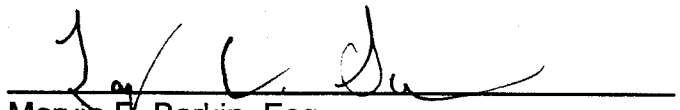
78. Motion to Recuse and Disqualify in *State of Florida v. Thompson*, Case Nos., 99-575M and 99-2916M dated September 16, 1999.

79. Memorandum from Judge McMillan to Chief Judge Gallen dated November 12, 1999 **[To be provided]**.

80. Videotape of campaign commercials used by McMillan Campaign.

81. Memorandum from S.A. Ennis to Judge Brown dated 10/20/98.

82. All exhibits on Respondent's Exhibit List.



Marvin E. Barkin, Esq.
Florida Bar No. 003564
Lansing C. Scriven, Esq.
Florida Bar No. 729353
Michael K. Green
Florida Bar No. 763047
Special Counsel
Post Office Box 1102
Tampa, FL 33601-1102
813/223-7474

and

Thomas C. MacDonald, Jr., Esq.
General Counsel
Florida Judicial Qualifications Commission
100 North Tampa St., Suite 2100
Tampa, FL 33602
813/221-2500

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **JUDICIAL QUALIFICATIONS COMMISSION'S CONSOLIDATED AMENDED EXHIBIT LIST** has been furnished by U.S. Mail to **BROOKE S. KENNERLY,** Executive Director, Judicial Qualifications Commission, 400 S. Monroe, The Historic Capitol, Room 102, Tallahassee, FL 32399-6000; **THOMAS C. MacDONALD, JR., ESQ.**, General Counsel, 100 N. Tampa Street, Suite 2100, Tampa, FL 33602; **THE HONORABLE JAMES R. JORGENSON**, Third District Court of Appeal, 2001 SW 117th Avenue, Miami, FL 33175-1716; **JOHN R. BERANEK, ESQ.,** Counsel, Hearing Panel, Ausley & McMullen, 227 South Calhoun St., P.O. Box 391, Tallahassee, FL 32301; **MATTHEW E. MCMILLAN**, 3311 46th Plaza East, Bradenton, FL 34203; **ARNOLD D. LEVINE, ESQ.**, Levine, Hirsch, Segall & Brennan, P.A., 100 S. Ashley Dr., Suite 1600, Tampa, FL 33602; and **SCOTT K. TOZIAN, ESQ.**, Smith and Tozian, P.A., 109 N. Brush St., Suite 150, Tampa, FL 33602, this 23rd day of October, 2000.

Attorney