

IN THE UNITED STATES DISTRICT COURT  
OF THE SOUTHERN DISTRICT OF FLORIDA

CASE NO. 08-21922-CIV-JORDAN/MCALILEY

JOHN B. THOMPSON,

Plaintiff,

v.

THE FLORIDA BAR,

Defendant.

**MOTION TO DISQUALIFY THIS AND ANY FLORIDA BAR MEMBER JUDGE**

COMES NOW plaintiff John B. Thompson (Thompson) and moves this court for its disqualification from this case, pursuant to 28 USC 455, stating:

Former Chief Judge of the Southern District of Florida, the Honorable William J. Zloch, correctly decided a number of months ago that a Florida Bar member who is a federal judge should not, in certain circumstances, preside over a case in which The Florida Bar is a party. This is one of those circumstances which even more patently cries out for recusal than did the Florida Clients Compensation Fund/Robles case brought by Thomas Tew which was assigned to Judge Huck. What an irony that Tom Tew is now largely responsible for this Florida Bar case before this court. What is good for the goose should be good for the gander.

Plaintiff herein has brought a number of actions against The Florida Bar in this District prior to the filing of this case today because no federal judge in this District has ever given him an evidentiary hearing. The most recent prior case was dismissed by a federal judge who was not even assigned to the case, before it was even served upon one

of the defendants, and before any responsive pleadings to the complaint were filed. It was dismissed with prejudice. Plaintiff anticipates that his next case will be dismissed before it is filed.

When plaintiff showed up at the federal courthouse today to file the complaint in the eighth floor Clerk's Office, he was met by federal Deputy Marshals who, without even checking a list, knew who Thompson was and informed him that he could not enter the building alone because "Mr. Thompson, you have been disbarred." It is not April 1.

When Thompson pointed out to the Deputy Marshals that that disbarment was news to Thompson and would certainly be news (good news at that) also to The Bar, Deputy Marshal (or whatever his title might be) Mr. Willie Bell told Thompson that he would be escorted to the clerk's office for security reasons by him.

Mr. Bell then proceeded to berate Thompson with words that Thompson will not hereat share in order not to embarrass further Mr. Bell, but in doing so Mr. Bell made it clear that his job was not just to escort Thompson to the Clerk's Office. His job was to harass Thompson and make the filing of this complaint just about as difficult as it could be for a human being. Mr. Bell's designated task was to bait Thompson, and Thompson, as he never does, did not take the bait. At one point Mr. Bell committed an actionable tort that will not hereat be described, but if it happens again, a legal response will be made.

The combination of the misconduct of the judge who recently improperly dismissed Thompson's suit with prejudice, before it was even served and who was not even the judge assigned to the case, and the incredible rudeness and extra-legal assigned duties of the US Marshal's Mr. Bell makes it clear that some communications of some

kind have emanated downward from the Chief Judge to the US Marshal and apparently to others, which has “poisoned the well” of this entire federal district court. It is not paranoia to assert such a thing. It would be insane not to assert it.

Maybe this began when Thompson objected to Judge Huck’s outlandish ridicule of Thompson’s person and his mental status, thereby parroting The Florida Bar in doing so, or maybe it began when Thompson moved Judge Huck to disqualify himself because his own actions disqualified him.

What is certain, using Judge Zloch’s logic which no one has yet rebutted, is that clearly no federal judge who is a Florida Bar member can possibly preside over this case or apparently any other case in which Jack Thompson is the plaintiff and The Florida Bar is a defendant. Mr. Willie Bell’s actions, which were rehearsed and were taken without even a moment’s checking of any watch list, today indicate that *somebody* who is in charge of this federal district court wants to mess with Jack Thompson and more importantly with his rights.

There clearly beats within many human hearts the impulse, which grace is always able to resist, to shoot the messenger, punish the whistleblower, ridicule the bearer of bad tidings, just because it is far easier to do that than abide inconvenient truths. The inconvenient truth that Thompson has been uttering is that judges and Bar Governors and even lawyers are not infallible, which is why we have a Constitution to minimize the harm of our fallen natures which is magnified when our imperfections are wedded to frightful power.

Judge Zloch’s logic has today been made manifest. Maybe Thompson’s June 17 FOIA request to Attorney General Mukasey about this harassment has something to do

with it. It is just like government to deal with allegations of harassment by coming up with more harassment. That is what George III did; that is what government through time invariably does.

Frankly, Thompson doesn't know where this is coming from, and up to a point he doesn't care.

Whatever is going on here, whoever is convinced that Jack Thompson threatens the very existence of western civilization so clearly that we must dismiss suits before they are even served, we must hassle him if he shows up to file something in the Clerk's Office, we must send people to his home from the US Marshal's Office, and we must surveil and monitor him because this District Court is *afraid* of him, then this childish paranoia alone is sufficient for Judge Jordan and every other Florida Bar member District Court Judge to recuse and disqualify himself/herself from this case on the basis of the incredible conduct coming out of this District at the expense of Thompson's legal and constitutional rights. If this particular Judge, Judge Jordan, thinks he can be fair to Thompson, and even if he can, that is fantastic. That is greatly appreciated. But the antics of this court's security detail today makes that hoped-for fairness by Judge Jordan pretty much irrelevant. The fact is, there is too much water under this Southern District bridge, and it achieved flood stage today. No lawyer or litigant in his right mind would think that he could get a fair trial from any Florida member who presides over this case. Judge Zloch's analysis that a non-Florida judge must preside carries the day.

WHEREFORE, plaintiff Thompson respectfully moves this court to recuse itself. Disqualification is not just an option. It is a requirement. Willie Bell made sure of that.

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