PROFUNDA INIDONEITAS AD IUDICANDUM - **DIANA TENNIS, 9TH , FL**
Pridie Idūs Augustās, Anno Domini MMXXIV
Excerptum Ex Actis Publicis Cum Redactionibus Ad Tollendas Personas Non Implicatas. Citatio Ex Actis Appellationis Facta Est Sine Redactione Nominum..

FINAL MOTION FOR RECONSIDERATION OF RECUSAL OF JUDGE DIANA TENNIS WITH ADDITIONAL SUPPORTING DOCUMENTATION ADDRESSING THE "LEGAL INSUFFICIENCY" OF PREVIOUS MOTIONS, INCLUDING MOTION FOR RECUSAL DUE TO CANON 7 VIOLATIONS

INTRODUCTION ADDENDUM

This motion for reconsideration supplements the previous motions for recusal submitted in this case. The additional evidence and arguments presented are intended to reinforce and expand upon the substantial concerns previously raised, rather than to stand alone. This motion builds upon the primary documents submitted, addressing issues of bias, procedural errors, and conflicts of interest that, when considered cumulatively, strongly warrant Judge Tennis's recusal from this case.

PURPOSE OF THE MOTION

This motion is filed due to the denial of previous recusal motions, which were deemed "legally insufficient." The purpose is to provide additional context and documentation to substantiate the claim of bias and other concerns about Judge Tennis's ability to preside fairly over the case.

BACKGROUND

This section provides the background of the case, outlining the petitioner's reasons for seeking the recusal of **JUDGE DIANA M. TENNIS**. It also clarifies the relationship (or lack thereof) between the petitioner and Judge Tennis, emphasizing that the concerns raised are rooted in publicly available records and judicial decisions. The analysis presented here is not intended as a personal attack but as a legitimate and well-founded concern about the fairness and impartiality of the proceedings in this matter. The petitioner seeks to ensure that the trial is

conducted in a manner that upholds the principles of justice and impartiality, free from any potential bias or conflict of interest.

PATHWAY TO BECOMING A DIVORCE JUDGE IN FLORIDA

Background

In Florida, most circuit court judges, including those handling family law and divorce cases, are elected by voters in nonpartisan elections. Judges serve six-year terms and must run for re-election if they wish to continue serving. When a vacancy occurs between elections due to retirement, resignation, or other reasons, the governor can appoint a judge to fill the vacancy until the next election. The appointee may also run in the next election to retain the seat.

The *Judicial Nominating Commission* (JNC) plays a crucial role in this process, vetting candidates and forwarding a shortlist to the governor for appointment. While this process ensures that candidates meet certain qualifications, it does not always guarantee that the broader electorate will be familiar with the appointed judge.

Moreover, Orlando's population has seen explosive growth since the mid-1980s, attracting many new residents who may not have long-term familiarity with local candidates. This demographic shift can result in voters making decisions without a deep understanding of the judicial candidates, further complicating the election of judges who hold significant authority in family and civil matters. As newer residents become a larger portion of the electorate, the influence of long-time residents—who may have deeper insights into the candidates—is diluted, leading to less informed voting decisions and decisions based on political endorsements.

While Florida's system aims to balance merit-based selection with democratic accountability, these factors can lead to situations where judges, like Judge Tennis, hold significant power without broad public endorsement or recognition. This context is critical when considering the specific concerns raised about Judge Tennis’s conduct and decision-making in this case.

Judges in the 9th Judicial Circuit Divorce Division:

Appointed Judges (by Governors):

- [redacted]
- [redacted]
- [redacted]

Elected Judges:

- Diana M. Tennis - Elected
- [redacted]
- [redacted]

Comparing to Other States:

In many other states, judges are elected in nonpartisan or partisan elections similar to Florida's process. However, some states use a merit-based selection system where a judicial nominating commission vets candidates, and the governor appoints a judge from the commission's recommendations. Judges may then face retention elections where voters decide whether to keep the judge in office.

The **Missouri Plan** is widely regarded as one of the most merit-based judicial selection systems. It focuses on selecting judges based on qualifications, experience, and ability rather than political affiliations or popular vote. Judges must undergo retention elections, where voters decide if they should continue serving, but these elections do not involve running against another candidate.

In contrast, Texas's system of partisan elections for judges is often criticized for being the least merit-based. Judges are elected based on their political party affiliation, and campaigns often involve significant fundraising, raising concerns about the influence of money and politics in judicial decisions. Judges must campaign and be re-elected, potentially pressuring them to align decisions with political supporters rather than purely legal merits.

2014 ELECTION RESULTS AND FINANCING

Judge Diana M. Tennis won her primary election on August 26, 2014 (Circuit 9 Group 32) with the following vote counts and percentages:

Vote Counts

- Diana Tennis: Orange County: 51,722 + Osceola County: 8,973 = 60,695 (43.91%)
- [redacted]: Orange County: 47,418 + Osceola County: 10,360 = 57,778 (41.81%)
- "Nobody" (Undervotes): Orange County: 17,652 + Osceola County: 2,058 = 19,710 (14.27%); *people who voted did not know who to pick and left blank*

Total Registered Voters for 2014:

- Orange County: 715,403
- Osceola County: 164,241
- Total: 879,644

Actual Representation Percentages:

- Diana Tennis: 6.90%
- [redacted] 6.57%
- No Selection (Undervotes): 2.24%; *people who voted did not know who to pick and left blank*

Judge Diana M. Tennis won her primary election on August 26, 2014, with support from 6.9% of the registered voter population in Orange County. Both candidates received approximately 60,000 votes in a low turn out primary and "Nobody" was a close third. This allowed her to assume significant authority over deeply personal and critical decisions affecting the lives and families of Orange County citizens—an authority that often surpasses even that of law enforcement. This level of authority is particularly striking when compared to the overwhelming support Sheriff [redacted] received in his 2020 election, where he garnered 95% of the vote.

It is essential to recognize that, as an elected judge, Judge Tennis has been granted legitimate legal authority by the electoral process. The comparison with Sheriff [redacted]'s broader support is not intended to undermine her position or the legal system, but rather to highlight the importance of public trust and support when wielding such extensive judicial power.

This contrast becomes even more significant considering that the same governmental arm responsible for enforcing laws and issuing DUIs—*such as the one Judge Tennis received*—now operates under her judicial authority. While the legal system rightfully grants her the power to make decisions that can fundamentally alter the lives of those in her jurisdiction, particularly in matters of family and household, *it is crucial to ensure that this power is exercised with broad public trust and accountability*.

Campaign Contributions:

- [redacted] raised $267,758.69 (Self-Funding: $226,600) with 51 unique contributors.
- Diana Tennis raised $190,271.41 (Self-Funding: $76,000) with 206 unique contributors. Origines pecuniarum non comprobatae

Salary Information:

- Both Diana Tennis and [redacted] have a current salary of $196,898.04. Governor Rick Scott appointed [redacted] to the court on March 25, 2015, due to a retirement shortly after Diana Tennis started on January 5, 2015. Despite the significant time and money invested in campaigning, the efforts were ultimately unnecessary, as both candidates ended up on the bench. The Governor's appointment of the second candidate after the election *demonstrated his implicit endorsement*. Furthermore, the high costs of the campaigns were disproportionate to the annual salaries of the positions, raising questions about the value and necessity of the expenditure given the eventual outcome.

Endorsements:

- Diana Tennis's campaign included 296 endorsements (0.034% of the total registered voters) with the vast majority from attorneys in family law within her legal circle, but none from the general population.

JUDICIAL ANALYTICS

Caseload and Case Length

- Active Cases: Judge Tennis currently manages 1,370 active cases, which is 35.24% more than the average judge in her county. This significantly higher workload suggests that she is handling a large volume of cases at any given time, potentially leading to strain on her decision-making processes.
- Average Case Length: The average case in Judge Tennis's court remains pending for 746 days, which is 48.61% longer than the county average of 502 days. The extended case duration indicates possible inefficiencies or complexities in managing cases, potentially leading to frustrations among litigants and contributing to procedural errors.

Motion Grant Rates and Judicial Tendencies

Overall Grant Rate

Judge Tennis's overall motion grant rate is 59.65%, which is 8.61% higher than the county average of 54.92%. This suggests that she is slightly more inclined to grant motions compared to her peers, reflecting a judicial philosophy that may prioritize resolving issues through motions.

Detailed Motion Grant Rates

Motion for Reconsideration or Rehearing:

Grant Rate for All Cases: 17.5%

Comparison to County Average: 1.5% higher than the county's average grant rate of 16%.

Grant Rate for Plaintiffs (Petitioners): 10%

***Grant Rate for Defendants (Respondents):* 15.86%**

Difference: *The grant rate for Plaintiffs (Petitioners) is* **36.95%** *lower than for Defendants (Respondents), suggesting potential bias or stricter scrutiny towards plaintiffs.*

Motion for Temporary Restraining Order:

Grant Rate for All Cases: 82.86%

Comparison to County Average: 28.21% higher than the county's average grant rate of 64.63%.

Motion to Approve or Confirm Settlement:

Grant Rate for All Cases: 90%

Comparison to County Average: Equal to the county's average grant rate of 90%.

Motion to Be Relieved or Withdraw as Counsel:

Grant Rate for All Cases: 89.27%

Comparison to County Average: 0.52% higher than the county's average grant rate of 88.81%.

Motion to Dismiss:

Grant Rate for All Cases: 85.43%

Comparison to County Average: 21.11% higher than the county's average grant rate of 70.54%.

Motion to Strike Initial Pleading:

Grant Rate for All Cases: 63.64%

Comparison to County Average: 30.12% higher than the county's average grant rate of 48.91%.

Request for Judgment:

Grant Rate for All Cases: 89.34%

Comparison to County Average: 1.22% higher than the county's average grant rate of 88.26%.

Summary

- Plaintiff vs. Defendant Bias: The most significant discrepancy is in the Motion for Reconsideration or Rehearing, *where the grant rate for Plaintiffs (Petitioners) is 36.95% lower than for Defendants (Respondents).* This suggests a potential bias or stricter scrutiny towards plaintiffs.
- Overall Trends: Judge Tennis tends to have higher-than-average grant rates across most motion types, indicating a propensity to grant motions more often than her peers. *However, motions filed by plaintiffs generally appear to face more challenges compared to those filed by defendants, particularly in reconsideration and rehearing motions.*

APPELLATE RECORD AND REVERSALS

This section provides a non-exhaustive list of appellate cases (5th and 6th DCA) involving Judge Diana Tennis, highlighting patterns of judicial misconduct, bias, and procedural errors. The cases are categorized by their severity:

Citatio ex actis appellationis facta est sine redactione nominum.

Most Egregious Cases:

Case: 5D18-2501 (Cynthia Torres v. Juan O. Gomez)
Outcome: Writ of Prohibition Granted
Date: September 14, 2018
Prevailing Attorney: Kyle D. Macomber
Summary: Judge Tennis was disqualified from the case due to perceived bias, undermining her role as an impartial arbiter. *The writ was granted because the court found that the facts alleged were legally sufficient to cause a reasonable fear of not receiving a fair trial.*

Case: 5D18-3354 (Erika Schwarz Wright v. John R. Wright)
Outcome: Writ of Prohibition Granted
Date: December 6, 2018
Prevailing Attorney: Shannon McLin Carlyle (The Carlyle Appellate Law Firm)
Summary: The DCA granted the writ after Judge Tennis made comments suggesting strategic advice to one party, *raising concerns about bias*. This led to serious questions about her impartiality in the case.

Case: 5D20-1667 (Juliette Nieves v. Christopher Guthrie)
Outcome: Writ of Prohibition Granted
Date: August 28, 2020
Prevailing Attorney: Scott E. Siverson
Summary: *Judge Tennis was removed from the case due to a well-founded fear of bias*. The DCA found that the petitioner's concern about not receiving a fair trial under Judge Tennis was legally sufficient to justify disqualification.

Case: 6D23-2180 (Timothy Temple v. Cheri Melchione)
Outcome: Writ of Prohibition Granted
Date: July 28, 2023
Prevailing Attorney: Hal Roen
Summary: The DCA found that Judge Tennis overstepped her jurisdiction, preventing her from taking further action on the child support claim. *This decision highlighted significant judicial overreach on her part*.

Case: 5D20-2350 (Jonathan Hernandez Velez v. Gloritza Lafontaine)
Outcome: Reversed and Remanded
Date: December 18, 2020
Prevailing Attorney: Christie L. Mitchell
Summary: The DCA reversed Judge Tennis's ruling due to significant procedural issues, *particularly concerning the father's due process rights*. The case was remanded for further proceedings to correct these issues.

Moderately Egregious Cases:

Case: 5D16-4270 (Harvey Lovejoy v. Delilah Dee Poole)
Outcome: Reversed and Remanded
Date: August 25, 2017
Prevailing Attorney: Matthew T. Wilson
Summary: The DCA reversed Judge Tennis's denial of a motion to enforce child support arrearages without a hearing, citing a significant procedural error. The case was remanded for further proceedings.

Case: 5D19-2354 (Bradley T. Pace v. Sharese M. Pace)
Outcome: Affirmed in Part, Reversed in Part
Date: January 24, 2020
Prevailing Attorney: Gary S. Israel
Summary: The DCA reversed contempt orders related to financial matters, finding that *Judge Tennis improperly handled the appellant's financial situation*. The case was sent back for reconsideration in light of the correct financial evidence.

Case: 5D19-2218 (Heidi Ziegler v. Hartmut Ziegler)
Outcome: Affirmed in Part, Reversed in Part
Date: January 3, 2020
Prevailing Attorney: Kyle D. Macomber
Summary: The DCA reversed the award of attorney's fees due to improper justification under the statutory provision, *reflecting concerns about the fairness of the financial burden imposed by Judge Tennis*.

Case: 5D18-609 (Kevin Carter v. Deborah Hart)
Outcome: Affirmed in Part, Reversed in Part
Date: September 21, 2018
Prevailing Attorney: Erin E. Morse
Summary: The DCA reversed the purge amount set for civil contempt, finding that *Judge Tennis relied on incorrect evidence. The case was remanded to reassess the financial obligations based on accurate information.*

Case: 5D21-1774 (Arnold Gene Graham v. Alexandra Jean Graham and Joshua Denny)
Outcome: Reversed with instructions to vacate the lower court's orders and reinstate the March 2, 2020, final order of dismissal.
Date: February 4, 2022
Prevailing Attorney: Scott E. Siverson
Summary: The appellate court found that Judge Tennis acted without jurisdiction by entering orders after the case had been dismissed in its entirety. The court ruled that once the case was dismissed, it constituted a final judgment, and without a timely motion for rehearing, the trial court lost its jurisdiction. This led to the reversal of Judge Tennis's orders, further highlighting a significant procedural error.

Case: 5D20-536 (Rajeev Gupta v. Shaily Gupta)
Outcome: Affirmed in part, Reversed in part, Dismissed in part, and Remanded with instructions.
Date: October 1, 2021
Prevailing Attorney: Richard P. Spence
Summary: The appellate court found several errors in Judge Tennis's rulings regarding the distribution of assets and the calculation of the Former Husband's income. Specifically, the court reversed the imputation of in-kind income due to a lack of competent, substantial evidence and identified errors in the valuation of certain assets and liabilities. The case was remanded for further proceedings to correct these issues, underscoring significant procedural and evidentiary oversights.

Case: 6D23-1141/6D23-1146 (Syed Imran Ali v. Salsabeel A. Khan)
Outcome: Affirmed in part; Reversed and Remanded in part.
Date: September 1, 2023
Prevailing Attorney: John N. Bogdanoff (for the appellant)
Summary: The appellate court affirmed Judge Tennis's decisions on denying supplemental petitions for modification of alimony, child support, and timesharing, finding them supported by substantial evidence. However, the court reversed her ruling on awarding attorney's fees to Khan, stating that Judge Tennis failed to properly consider the financial resources of both parties as required

under Florida law. The case was remanded for reconsideration of the attorney's fees, highlighting a significant oversight in her judicial process.

Less Severe Cases:

5D17-1709 (David D. Holloway v. Johna Holloway)
Outcome: Affirmed in Part, Reversed in Part
Date: October 27, 2017
Prevailing Attorney: Kevin M. Wells
Summary: *The DCA reversed the award of attorney's fees due to the financial positions of both parties being similar*, indicating that the award was unjustified. The case was remanded for further proceedings consistent with this finding.

5D17-1717 (Bryant Woelk v. Vickie Woelk)
Outcome: Affirmed in Part, Reversed in Part, and Remanded
Date: September 29, 2017
Prevailing Attorney: Dennis J. Wall
Summary: The DCA required clearer findings on alimony and child support, reversing part of the financial rulings due to lack of clarity. The case was remanded for additional fact-finding and proper documentation.

6D23-1415 (Louis Roman Orosco v. Miguel A. Rodriguez and Brittany Nicole Diehl)
Outcome: Reversed
Date: April 14, 2023
Prevailing Attorney: Andrew T. Windle
Summary: The DCA reversed Judge Tennis's ruling, *determining that a non-biological father did not have standing to challenge the presumption of legitimacy*. This case primarily involved a legal interpretation rather than procedural or bias issues.

SPECIFIC CONCERNS

Impact of High Caseload and Lengthy Case Durations

- Judicial Performance Under Strain: The significant volume of cases and extended case durations on Judge Tennis's docket appear to correlate with an increased incidence of procedural shortcuts and errors. As evidenced by multiple appellate reversals, the strain of managing a high caseload may contribute to decisions that lack the necessary thoroughness or fairness. *This strain likely exacerbates the already evident issues with bias and procedural mishandling, further undermining confidence in her rulings.*

- Potential Bias and Fairness: The observed low grant rate for motions, particularly those filed by petitioners reflects a potential bias or a tendency to scrutinize plaintiff filings more strictly. This issue is compounded by the complexity of her docket, where overburdening could lead to rushed judgments and a perceived lack of impartiality. Specifically, [redacted] grant rate of 0.0% starkly illustrates this concern, raising serious questions about the fairness of the proceedings under Judge Tennis.

DOING ATTORNEY WORK WHILE SERVING AS A JUDGE

Case Background: The document titled "Release and Satisfaction of Attorney's Charging Lien" was filed by Diana M. Tennis on February 22, 2021. This document shows that Judge Tennis, while serving as a judge, was finalizing a financial matter related to a case from her time in private practice.

Filing as a Judge: Despite having withdrawn from the case years earlier, Diana Tennis filed the satisfaction of the lien in 2021 while serving as a judge in the same court where the original case was handled.

Potential Conflict of Interest: The fact that Judge Tennis was involved in finalizing financial matters related to a case from her time as an attorney while serving as a judge in the same jurisdiction could raise concerns about potential conflicts of interest or ethical issues. This is particularly relevant if she had any ongoing involvement in cases with similar parties or legal issues.

CONCERNS ABOUT FINANCIAL MANAGEMENT AND ETHICAL INTEGRITY

Does Not Pay Bills - College

May 1, 1990: Arrest date for a worthless check (<$150) in Gainesville.
October 5, 1990: Charges filed for the worthless check.
October 26, 1990: Booked in jail on the worthless check charge.
November 15, 1991: Nolle Prosequi on the bad check; leaves school shortly after.

Does Not Pay Bills - Private Practice

Tax Liens Issued Against Law Office of Diana M. Tennis:
Lien #1: August 27, 2002; $195.00; February 3, 2003; Lien Number: 02-53876
Lien #2: December 14, 2002; $241.21; February 24, 2003; Lien Number: 02-97557
Lien #3: January 9, 2003; $216.24; February 24, 2003; Lien Number: 02-97557
Lien #4: February 8, 2003; $241.21; February 24, 2003; Lien Number: 02-97557

Bad Debt in Business

Case: R.H. Donnelley Publishing & Advertising Inc. v. Diana M. Tennis
Date: July 16, 2004
Issue: Settlement agreement requiring Diana Tennis to pay $15,466.63 for unpaid advertising debt.

Case: Reed Elsevier Inc. d/b/a Martindale-Hubbell v. Law Office of Diana M. Tennis P.A.
Date: April 25, 2005
Issue: A stipulation for payments was reached for an outstanding debt of $6,709.88 owed to Martindale-Hubbell. The agreement required monthly payments until the debt was fully satisfied.

These financial obligations and legal issues from her time in private practice reflect potential financial mismanagement, relevant to assessing her current judicial conduct.

Financial Mismanagement and Decision-Making

Judge Tennis's documented history of financial mismanagement, including unpaid debts, tax liens, and aggressive collection tactics against her former clients, raises significant concerns about her ability to impartially and effectively manage financial bifurcation in divorce cases. Given her own struggles with managing personal and professional finances, *it is questionable whether she is equipped to fairly and competently decide how others should allocate their financial resources during a divorce*. This issue is especially troubling in cases where financial decisions have long-lasting impacts on the parties involved.

DUI Incident Legal Proceedings and Exploitation of Legal Strategies

Incident Details:
Date: December 2, 2001 (Arrest); January 14, 2003 (Writ Denial); March 2004 (Case Dismissal)
Issue: Arrested for DUI with a breath alcohol content of .185 and .182. Despite the strong evidence against her, Judge Tennis successfully had the DUI charges dismissed in March 2004 *on a technicality related to breathalyzer equipment and procedural errors*.

Exploitation of DUI Appeal Strategy for Personal Gain:
Judge Tennis has since leveraged this legal victory by applying similar strategies to defend others in her circle, *focusing on exploiting procedural technicalities rather than addressing the substantive justice of each case*. This pattern raises significant concerns about her broader judicial philosophy, suggesting a preference for procedural maneuvering over the fair and equitable application of the law. Such an approach, when employed by a judge, could undermine public confidence in her ability to deliver impartial and just decisions, particularly in cases where the stakes are high and the outcomes deeply impact the lives of those involved.

Pattern of Traffic Violations and Legal Infractions

Judge Tennis has a documented history of multiple traffic violations, including a ticket as recently as 2020. This ongoing pattern of legal infractions raises significant concerns about her respect for the rule of law, which is particularly troubling for someone in a judicial role responsible for upholding these very standards. Such repeated offenses suggest a casual attitude toward legal compliance, which could reflect poorly on her ability to impartially enforce the law and maintain the high ethical standards expected of a judge.

Disguised Political Contributions and Transparency Concerns

According to online election campaign documents, Judge Tennis's net worth as of December 31, 2019, was reported to be $2,661,200. Notably, [redacted] (210 discrete donations) to ActBlue or similar, a platform known for supporting Democratic causes. The judge herself made 31 contributions ($1450 total) and here is the detailed list with the exact name she used: Gravitas delicti eius consulto attenuata est (N = 914; $ = 30K →)

1. Summary of Contributions by Diana Tennis
    Number of Contributions: 31 (28 of them have the word “State of Florida/ Judge”
    Date Range: August 9, 2020 - November 16, 2020
    Total Contributed: $4,421
    Organizations:
        ActBlue: 8 contributions, Biden for President: 12 contributions
        DCCC: 3 contributions, Ditch Fund: 8 contributions
        Emily’s List: 3 contributions, Let America Vote PAC: 5 contributions
        The Democratic Coalition: 1 contribution

2. Summary of Contributions by [redacted]

Number of Contributions: 210
Date Range: April 5, 2020 - November 15, 2020
Total Contributed: $7,871
Organizations:
ActBlue: 128 contributions, Biden for President: 48 contributions
DNC Services Corp/Democratic National Committee: 14 contributions
DCCC: 5 contributions, Let America Vote PAC: 11 contributions
Emily's List: 5 contributions, Biden Victory Fund: 2 contributions
Jaime Harrison for US Senate: 3 contributions,
Amy McGrath for Senate: 1 contribution

Per Canon 7 of the Florida Code of Judicial Conduct, Judge Diana Tennis has engaged in multiple violations by making 31 contributions to partisan political campaigns, primarily through ActBlue, while listing her judicial title as "DIANA TENNIS (STATE OF FLORIDA/JUDGE)." This is particularly concerning given the recent precedent set in the 2019 case of Judge Ernest Kollra, where the Florida Supreme Court issued a public reprimand for similar violations.

These actions, coupled with the significant volume of contributions made by [redacted] raise serious concerns about the impartiality and integrity of the judicial process. This motion, supported by the detailed analysis of contributions, is being submitted to ensure the preservation of an unbiased judicial system. Additionally, this matter is being referred to the Florida Judicial Qualifications Commission (JQC) for further investigation.

Canon 7: A Judge or Candidate for Judicial Office Shall Refrain From Inappropriate Political Activity

A. All Judges and Candidates
(1) Except as authorized in Sections 7B(2), 7C(2), and 7C(3), a judge or a candidate for election or appointment to judicial office shall not:
(a) act as a leader or hold an office in a political organization;
(b) publicly endorse or publicly oppose another candidate for public office;

(c) make speeches on behalf of a political organization;
(d) attend political party functions; or
(e) solicit funds for, pay an assessment to, ***or make a contribution to a political organization or candidate***, or purchase tickets for political party dinners or other functions.

Aggressive Collection Tactics in Private Practice

Judge Tennis has demonstrated a history of aggressively pursuing payments from clients during her time in private practice, often resorting to filing liens and forcing property sales to recover unpaid fees. These tactics highlight a pattern of behavior that raises ethical concerns, particularly in light of her current role as a judge, where fairness and impartiality are paramount.

Case: [redacted]

Details: Judge Tennis represented [redacted] in a domestic violence case in March 1995. When [redacted] was unable to pay the legal fees, Judge Tennis filed a lien on his property. This aggressive collection tactic ultimately led to the forced sale of [redacted]'s property in 1999, allowing her to collect $39,315.55.

Case: [redacted]

Details: Judge Tennis represented [redacted] in a family law matter. When [redacted] was unable to pay the legal fees, Judge Tennis similarly filed a lien against [redacted]'s property. The persistent collection efforts that followed placed significant financial strain on [redacted], who was eventually forced to sell her property to satisfy the debt.

These examples illustrate a pattern of behavior in which Judge Tennis prioritized aggressive financial recovery over the well-being of her clients. This conduct raises questions about her judgment and approach to justice, particularly in her current capacity as a judge overseeing cases that involve financial disputes and vulnerable parties.

Financial Struggles and the Pursuit of Judicial Stability

In a recent interview, Judge Tennis candidly acknowledged that her private legal practice faced significant challenges, ultimately failing due to financial pressures and her lack of business acumen. ***This financial struggle played a key role in her decision to pursue a judicial role, seeking the stability that comes with a government position.*** While seeking a stable career is understandable, this context raises questions about her motivations and whether her financial difficulties may influence her decisions on the bench, particularly in cases involving complex financial matters.

Ambition for Media Exposure and Potential Conflicts with Judicial Duties

Media Ambitions:
In Episode 46 of the "Open Ninth" podcast, Judge Tennis openly expressed her interest in becoming a television judge, drawing a comparison to the widely recognized ***Judge Judy***. This ambition for a high-profile media role suggests that her focus may be influenced by opportunities for public exposure, potentially conflicting with her responsibilities to remain an impartial and objective judicial officer.

High-Profile Case Commentary:
Judge Tennis has actively sought media attention through her commentary on several high-profile legal cases, including the globally followed Casey Anthony trial, the Zimmerman case, and other Orlando-based legal dramas. These cases garnered substantial public and media interest, and Judge Tennis used these platforms to elevate her public profile. While such media engagements might be seen as enhancing public understanding of legal issues, they also raise concerns about whether her judicial decisions might be swayed by a desire for further media exposure.

Debate and Resume Highlight:
During her debate with another judicial candidate, Judge Tennis prominently highlighted her media appearances and commentary on these high-profile cases as a significant credential in her resume. She positioned her involvement in these televised trials as a key qualification for her judicial ambitions, further

underscoring her desire for public recognition. This emphasis on media presence raises questions about whether her role as a judge is influenced more by the pursuit of public and media opportunities than by a steadfast commitment to impartial justice.

RECAP OF JUDICIAL CONCERNS

Judge Diana M. Tennis's track record presents significant concerns regarding her ability to serve as an impartial and fair judge in this case. The documented evidence reveals multiple instances of appellate reversals, perceived bias, procedural errors, and questionable financial management, both during her tenure in private practice and in her current judicial role.

The most egregious cases, where writs of prohibition were granted, highlight a troubling pattern of behavior that calls her impartiality into question. The moderately egregious cases reflect consistent procedural errors, particularly in financial matters, which suggest a lack of thoroughness in her judicial approach. Even the less severe cases demonstrate a concerning trend of reversals, indicating ongoing issues with legal interpretation and application.

Further concerns arise from Judge Tennis's high caseload and lengthy case durations, which may contribute to rushed decisions and procedural shortcuts, ultimately leading to unfair outcomes. The low grant rate for motions filed by petitioners, particularly for reconsideration or rehearing, suggests potential bias or an unequal standard of scrutiny applied to different parties.

Additionally, Judge Tennis's history of financial mismanagement, including unpaid debts and aggressive collection tactics against her clients, raises serious questions about her character and integrity. Her involvement in attorney work while serving as a judge presents potential conflicts of interest, especially when finalizing matters related to her private practice while on the bench. Her legal strategy to fight DUI charges, which she has since employed to defend others, further demonstrates a focus on technicalities rather than substantive justice, undermining confidence in her judicial philosophy.

Finally, Judge Tennis's ambition for media exposure and expressed interest in becoming a television judge suggest a desire for public attention that may conflict with her duties as an impartial and serious judicial officer. This pursuit of media prominence could distract from her primary role as a fair and unbiased adjudicator.

Given this substantial body of evidence, there is a well-founded concern that Judge Tennis cannot provide the fair and impartial trial that every litigant deserves.