

**FIRST DISTRICT COURT OF APPEAL**

**STATE OF FLORIDA**

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**No. 1D20-1661**

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**JUSTIN GREEN**  
**Appellant,**

**v.**

**ALACHUA COUNTY**  
**Appellee**

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**BRIEF *AMICUS CURIAE***

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***BRIEF AMICUS CURIAE***

**TABLE OF AUTHORITIES**

Duty of Care (insurable risk)

Doctrine of Assumption of Risk

Florida Statute §768.81 “Comparative Fault”

Section 1.1 Florida Pandemic Influenza Benchguide

Title II, Americans with Disabilities Act (ADA)

Florida Civil Rights Act (F.S. §760)

Jacobsen v. Massachusetts, 197 U.S. 11 (1905)

Florida Statute §381.004

Florida Statute §252

Patient’s Bill of Rights, F.S. §381.026

21 CFR Part 50.21

Vlandis v. Kline, 412 U.S. 441, 93 S. Ct. 2230, 37 L. Ed. 2D 63 (1973)

21 U.S.C. §360bbb(e)(1)(A)

Appendix

## **INTEREST OF AMICUS CURIAE**

In good faith, I am requesting leave to file this brief out of time and waive any conditions for procedural failures as justice so requires and as no prejudice would result thereby. I am also requesting leave and such waiver based upon a learning and communications disability as determined by the Hillsborough County Schools that substantially limits my ability to engage in one or more major life activities. Additionally I have no formal training in the study and application of law and jurisprudence and no access to the usual resources that a practicing member of the BAR would have. Additionally, I am requesting any fees be waived on the condition that justice shall not be for sale, Florida Constitution, Article I, Section 21.

This case is based upon conflicts of interest and false premises that have and are being used to destroy my community and have adversely affected my family's ability to shop for food, goods, services, other necessities and enjoy the many recreational facilities this state has to offer. This trend ominously appears to be getting worse (regardless of the governor's theatrical events that never changed F.S. 381). I have a personal interest in advising the court thereby and my interests are consistent with thousands if not millions of Floridians who are aware of the facts in this brief.

The Florida court system is on the verge of dissolving itself or being dissolved because it is operating as, or revealing itself, as a private for profit association and has demonstrated over the past year that it has no interest in the administration of justice, and that it has likely been captured by a foreign power. If this trend continues, the people who reside in Florida, who created the court in the first place, will dissolve the charter and form a new judicial power.

Please be advised that this brief is to be published in the official records of the state as it concerns a matter of great public importance, whether or not the court agrees to append or consider it with the pending matter.

## SUMMARY OF ARGUMENT

Since the mid-nineties I have been what you would consider to be an insider and I have observed and investigated the Florida court system along with the banking system and related agendas to which I will allude in this brief. While the court has served the public and its intended purposes in many ways, it has also been used for purposes that, to say the least, are against public policy. For example, the Florida court system has created the “Family Court” and it has been used to destroy families and facilitate human trafficking. Its most recent scheme was to launder counterfeit securities in the form of mortgages for the banking system in a way that allowed “Wall Street” investors to profit from this market by pillaging foreign and domestic pension funds.

My point here is to demonstrate that the personnel of the court are well aware of these schemes and many of them that are serving today were involved in them, and that being involved in these schemes is nothing new for the court. The latest scheme is to participate and facilitate in the perpetuation of the fake pandemic, a live-action-role-playing event used by the Rockefeller Foundation and Johns Hopkins University to collect epidemiological data from illegal clinical trials. “Covid-19” is not a contagious disease, it is now the brand name<sup>1</sup> of a trillion dollar international business enterprise of the World Health Organization and the World Bank Group, partnered as the Global Preparedness Monitoring Board (GPMB).

It is well within the court’s purview to discover that there has been no change in the state’s mortality rate for the years 2017 through 2020<sup>2</sup>, and therefore, there is no pandemic; however, the court continues to participate in this disaster or pandemic fraud in exchange for receiving tens of billions of dollars of public funds.

I am presenting two arguments: 1. There is absolutely no public health emergency upon consideration of official public records and scientific findings, and 2. No new legal duty or authority has been created by any emergency declaration or executive order and no rights have been waived thereby.

These two are separate issues, even a *bona-fide* pandemic does not create new legal authorities or obligations, and certainly executive orders do no such thing. If executive orders

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1 USPTO announces COVID-19 Prioritized Examination Program for certain trademark and service mark applications, June 15, 2020 Press Release No. 20-14

2 standard deviation of zero, symbolized by SD or the [Greek letter](#) sigma  $\sigma$  where  $\sigma = \sqrt{\frac{\sum(x - \bar{x})^2}{N}}$

or emergency declarations created a new legal duty of care for anyone, a public health officer or private business, then it would become a new insurable risk. This is not supported by any actuarial data anywhere, was not part of the record in this proceeding, and the false presumption that there is any new duty of care following such declarations of a public health disaster or emergency is not supported by any new insurance provisions in any industry and was not argued or presented by the appellee. In fact, the long-standing doctrines of assumption of risk or comparative fault further demonstrate that no new legal duties of care are created and no one's medical privacy rights (i.e. informed consent) has been waived.

In this case, *Green v. Alachua County*, the court never considered any of these facts and ignored the pertinent laws (Florida Benchguide, ADA, Florida Civil Rights Act, F.S. §768.81 and the Patient's Bill of Rights, F.S. §381.026).

Additionally, Alachua County includes the court system and the court system has been participating in the fake pandemic with its discriminatory rules "Eighth Circuit COVID-19 Emergency Administrative Orders 11.23 through 11.38" and its "Emergency Operational Plan". These rules are unlawful and unlawfully discriminate against those with disabilities and involve conduct for which the county cannot be insured.

How can the Alachua County Circuit Court, or the District Court of Appeals for this circuit administer a fair and impartial hearing in a case involving the entire Alachua County when both are equally participating in the same unlawful discrimination of those with disabilities and imposing medical interventions without medical licensing, training and in violation of medical privacy rights? How can the Alachua County Circuit Court be perceived as having no bias when a ruling against the appellee would be a ruling against itself and its own unlawful administrative orders?

## **ARGUMENT 1 – NO COMPELLING INTEREST**

### **& POLICIES, CONDUCT VIOLATE DUTY OF CARE AND PUBLIC POLICY**

First, we arrive at the above-captioned matter, *Green v. Alachua County*, in which the appeals court erroneously finds that the right of privacy is overcome by the state's compelling interest to act in the capacity of protecting people from a contagious disease; however, in this case, there were no findings of fact establishing that Green presented any direct threat of any kind to anyone. The court's ruling was purely theoretical or hypothetical and it was at best, erroneous.

The state's very own benchguide, the Florida Pandemic Influenza Benchguide establishes that no one can be subject to quarantine, isolation or other mitigation (health control) measures without a judicial determination, based upon evidence under petition from a public health officer, that he poses a direct threat to himself or others and that he is incompetent. Announcing in the news that there is a contagious virus and claiming that everyone is infected and contagious does not create any new duty of care, give any agency or individual any new authority over others and creates no insurable risk and waives no one's rights to informed consent. Section 381.04(2)(a)(1) of the Florida Statutes defines the state's obligations regarding compelling interest when it pertains to public health matters or emergencies for contagious diseases and even though this section pertains to "HIV", no other statute would be inconsistent regarding any other contagious disease, to wit: "In a health care setting, the person to be tested shall be notified orally or in writing that the test is planned and that he or she has the right to decline the test." and Section 381.04(2)(a)(2), which states: "In a nonhealth care setting, a provider shall obtain the informed consent of the person upon whom the test is to be performed. Informed consent shall be preceded by an explanation of the right to confidential treatment of information identifying the subject of the test and the results of the test as provided by law."

Title 21 of the United States Code, Section 360bbb(e)(1)(A)(ii)(III) also requires informed consent and the advisement that one may accept or refuse such intervention, the consequences of each and alternatives. The court failed to consider any of these facts and the county failed to argue or present any facts that it did in fact comply with any legal duty.

Additionally, Alachua County is a public accommodation and subject to Title II of the Americans with Disabilities Act and the Florida Civil Rights Act. The county's policies unlawfully discriminate against the appellant and others based upon disability or handicap. This conduct violates the appellee's duty of care and public policy.

Alachua County makes the false presumption that the appellant is infected with a contagious disease (the definition of being "regarded as" having a disability) without any evaluation of any kind and then seeks to impose mitigation measures in violation of his rights to informed consent and by discriminating against him based upon disability, namely the disability bestowed upon him by the county itself.

The county, or any public accommodation, cannot impose mitigation measures on anyone, see 28 CFR Part 35.130(e)(1) which states that

"Nothing in this part shall be construed to require an individual with a disability to accept an accommodation, aid, service, opportunity, or benefit provided under the ADA or this part which such individual chooses not to accept."

While the county can implement safety requirements, these are subject to a factual determination of a *bona-fide* and not an hypothetical risk, and the county has the burden of proof for the reason that it regards Green as having a disability, specifically, it regards him as having a contagious disease as expressed in Title II of the Americans with Disabilities Act. See 28 CFR Part 35.130(h) which states that:

"(h) A public entity may impose legitimate safety requirements necessary for the safe operation of its services, programs, or activities. However, the public entity must ensure that its safety requirements are based on actual risks, not on mere speculation, stereotypes, or generalizations about individuals with disabilities."

Florida Civil Rights Act (F.S. §760)

The term "disability" in this brief is used interchangeably with "handicap".

"760.08 Discrimination in places of public accommodation.—All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation, as defined in this chapter, without discrimination or segregation on the ground of race, color, national origin, sex, handicap, familial status, or religion."

Alachua County is a government agency and cannot operate upon a permanent irrebuttable presumption, such as Green being infected with a contagious disease and a

direct threat to others, without an administrative hearing. No such hearing was ever afforded Mr. Green; See *Vlandis v. Kline*, 412 U.S. 441, 93 S. Ct. 2230, 37 L. Ed. 2D 63 (1973).

Alachua County is not a public health officer and Green was never under any court order to submit to any health control measures.

Moreover, the county has no insurable risk or duty of care with regard to its false premise that it is “protecting the public and employees from a contagious disease”, even if such disease had been proven to exist. Chapter 768.81 of the Florida statutes sets forth the criteria for comparative fault and it excludes liability for risks that are widely known to the members of the community. This legal condition existed long before any related statute was adopted. To claim that the county is protecting anyone against a contagious disease is not only a bold-faced lie, but several species of fraud and misuse of public resources along with an abuse of its mandate.

The holding in *Jacobson*<sup>3</sup> seems to be what is relied upon for all of these forced mitigation measures, however that court never considered any facts or evidence that the plaintiff (appellant) was ever a direct threat to the defendant (appellee). This is required in today’s public policy or long-standing jurisprudence for procedural due process.<sup>4</sup> The same short-fall is committed by the court in *Green v. Alachua County*.

Therefore, the court’s claim that it has any compelling interest in the matter is at least erroneous if not patently false.

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<sup>3</sup> *Jacobson v. Massachusetts*, 197 U.S. 11 (1905)

<sup>4</sup> Section 1.1 of the Florida Pandemic Influenza Benchguide



**ARGUMENT 2 – DISASTER FRAUD  
&  
COURT’S CONCEALED CONFLICT OF INTEREST**

Second, a declaration of public health emergency in itself is nothing but a naked claim, a series of words on a piece of paper, especially without supporting facts. The hundreds of declarations made throughout Florida since early 2020 through today are wholly unsupported by any scientific evidence, including but not limited to the following:

1. There is no evidence that viruses are contagious pathogens; in fact, long-standing scientific studies demonstrate that viruses are not spread between people.<sup>5</sup>

2. No evidence from any culture or specimen of the so-called “Covid-19”<sup>6</sup> exists anywhere, not with the Centers for Disease Control and Prevention (CDC) or any other public health officer. In fact, several governments, including Ireland and Lisbon, have recently determined that such a contagious disease does not exist. A group of over 10,000 physicians is suing the CDC for fraud because the CDC has admitted that it cannot produce any evidence of such a contagious disease.

3. The PCR test<sup>7</sup> is not intended for diagnostic purposes and does not test for any contagious pathogen.

4. Official public health records showing the actual and total mortality rates for the years 2017, 2018, 2019 and 2020 demonstrate a downward trend, a standard deviation of zero, the very definition of no pandemic. However, once the so-called “vaccines” began being administered in late 2020 and early 2021, the mortality rates have dramatically increased while publishing these statistics has been heavily censored. It has been subject to so much censorship that in some states, these public records which are normally available without any special requests, could only be obtained by official requests through the Freedom of Information Act and lawsuits that were forced all the way to the supreme courts in several states. Why are these government agencies wasting so much money to conceal public records if not for the reason that they are participating in the disaster fraud?

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5 United States Public Health Service, Hygienic Laboratory – Bulletin No. 123 (February 1921), specifically, “Experiments to Determine Mode of Spread of Influenza”, Milton J. Rosenau, MD, published in the *Journal of the American Medical Association* (1919).

6 Term used interchangeably with “SARS-COV2” and its variations

7 Reverse Transcription Polymerase Chain Reaction (RT-PCR)

5. The claim that there is a “vaccine” is false.

6. There is no science behind the absurd claim that someone can be an “asymptomatic carrier”. This is the content of Hollywood movies, not reality.

7. There are no vaccines available under an emergency use authorization period as any such treatments are purely experimental, 21 CFR Part 50.21 and participation can only be voluntary and not compulsory and requires fully informed consent regarding one’s participation in such an epidemiological experiment. See also

8. All government agencies participating in these false claims have been receiving billions of dollars in disaster relief public funds that were otherwise allocated for legitimate emergencies. This money needs to be returned and the perpetrators need to be indicted for pillaging public funds under the false declarations of a public emergency.

9. There is absolutely no scientific evidence establishing any medical necessity or medical efficacy that wearing masks or staying six feet away from other people or continual hand-washing will prevent the spread of any contagious disease, even if one were ever proven to exist.

10. This court failed to examine any evidence that the appellant was ever infected with any contagious disease, or that any contagious disease even existed.

11. The nation of Ireland and city of Lisbon in Portugal just announced that after a thorough investigation, each has concluded that the so-called “Covid-19 Pandemic” is a complete hoax.

12. Physicians, hospitals and coroners are paid tens of thousands of dollars for each phony diagnosis and death certificate.

13. The world-wide fake pandemic has exceeded a trillion dollar market cap and this was fully intended so that it would be extremely difficult to stop once the truth was discovered. What truth? The truth is that Covid-19 is a world-wide eugenics program for the ignorant, unthinking and credulous (as the supreme court defined the term “public” many years ago). Covid-19 is a suicide death cult where the ignorant eagerly wait in line as if at Disney World and clamor for free injections of poison, completely ignoring the fact that these are being

administered under an emergency use authorization scheme and are purely experimental and where no manufacturer accepts any liability at all.

14. Since 1970, the Occupational Safety and Health Administration (OSHA) has spent hundreds of millions of dollars of public money to research the health benefits and detriments of wearing many types of masks that restrict breathing. Its own scientific findings conclude that wearing surgical masks do not prevent the spread of any disease but in fact create bacterial infections, brain damage, organ failure and even death. Beginning with the announcement of the so-called "Covid-19 Pandemic", OSHA began falsifying and destroying this evidence by labeling its publications with phrases such as "THIS MANUAL IS OUT OF DATE" in red ink across the face of each page of many of its publications so that they could not be used for evidentiary purposes. How can these scientific findings and instructions that contradict the current narrative suddenly become outdated? What new research replaced them? None.

Therefore, this court has a conflict of interest which was never disclosed because it is participating in the fake pandemic (live-action-role-playing event) for monetary gain and other benefits. To date, the State of Florida has received tens of billions of dollars in disaster relief funds, at least under the CARES Act scheme, not including other funds under Chapter 252 of the Florida Statutes.

Once again, how can the Alachua County Circuit Court, or the District Court of Appeals for this circuit administer a fair and impartial hearing in a case involving the entire Alachua County when both are equally participating in the same unlawful discrimination of those with disabilities and imposing medical interventions without medical licensing, training and in violation of medical privacy rights? How can the Alachua County Circuit Court be perceived as having no bias when a ruling against the appellee would be a ruling against itself and its own unlawful administrative orders?

## CONCLUSION

While Green's attorneys made a valiant effort, it was destined to fail because they never addressed the elephant in the room (obvious conflict of interest) and failed to express a cause of action under Title II of the Americans with Disabilities Act. They also failed to provide any analysis of good-old-fashioned premises liability law together with what constitutes an insurable risk, the foundations behind premises liability law. Evidence from the county's insurance carrier would have easily established that the county has no insurable risk, and therefore, no new duty of care, no matter what executive orders were written and no matter what emergency declarations were published, true or false.

Alachua County has no legal right, professional qualifications, insurable interest or risk or compelling interest to impose any medical treatment on anyone, including Green, without an individualized assessment, judicial review and approval and without complying with state and federal laws, including but not limited to the Americans with Disabilities Act, the Florida Civil Rights Act, Florida Statute 381.004 and the Florida Patient's Bill of Rights and the Food, Drug and Cosmetic Act (21 CFR Part 50.21) regarding epidemiological experiments and clinical studies.

There is no evidence of any public health emergency and the county, state and this court has concealed that it has a conflict of interest because it is participating in the live-action -role-playing event known as "Covid-19" for money and for other benefits.

The court needs to revise its holding in the Green v. Alachua County decision accordingly. In fact, the court is inherently prejudiced by having the same business interests in the outcome of the case and therefore its orders on the matter are void. If the court fails to fulfill its obligation, the people who formed the court in the first place will act in its place as the principals ultimately responsible for managing this community. The court should be advised that "When the people gather in the town center, they are the government." and the example of Argentina in response to the World Bank trying to steal its water rights.

DATED this 4<sup>th</sup> day of July 2021.

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John Smith, *Amicus Curiae*

## APPENDIX

Rehearsals for the “Covid-19 Pandemic” Live-action-role-playing event:

The SPARS Pandemic 2025-2028: A Futuristic Scenario to Facilitate Medical Countermeasure Communication (Journal of International Crisis and Risk Communication Research 2020, VOL 3, NO 1,71-102)

Covid-19 Pandemic Tabletop Exercise (January 2020 – today)

[https://www.un.org/sites/un2.un.org/files/coronavirus\\_ttxscenario\\_2020-03-11.pdf](https://www.un.org/sites/un2.un.org/files/coronavirus_ttxscenario_2020-03-11.pdf)

Event 201 (October 2019)

<https://hub.jhu.edu/2019/11/06/event-201-health-security/>

Clade X (May 2018)

<https://homelandprepnews.com/countermeasures/28548-mock-clade-x-pandemic-decimates-human-population-denotes-global-pre-planning-needs/>

Lockstep Scenario, Pg. 18 (2010), Pub. Rockefeller Institute and Johns Hopkins

<http://www.nommeraadio.ee/meedia/pdf/RRS/Rockefeller%20Foundation.pdf>

Atlantic Storm (January 2005)

[https://www.centerforhealthsecurity.org/our-work/events-archive/2005\\_atlantic\\_storm/](https://www.centerforhealthsecurity.org/our-work/events-archive/2005_atlantic_storm/)

Dark Winter (2001)

[https://www.centerforhealthsecurity.org/our-work/events-archive/2001\\_dark-winter/Dark%20Winter%20Script.pdf](https://www.centerforhealthsecurity.org/our-work/events-archive/2001_dark-winter/Dark%20Winter%20Script.pdf)

The court is further advised that this program of genocide is intended to continue. As an insider for nearly 30 years, I have knowledge that the current business model for the fake pandemic is funded at least through March 31, of the year 2025.<sup>8</sup> This scheme is intended to destroy small businesses, irretrievably destroy our food supply, manufacturing and distribution supply chains and force people into sickness, starvation and sterilization, and reduce the world population by 20% so people will be willing to accept any dictates from the same creatures who have already captured our government agencies. There are many objectives within the overall agenda and they have been in the works for nearly a century, but mostly since World War II. The crypto-graphic currency was created to bail out the banking system and impose a world-wide surveillance, taxation and censorship scheme upon everyone through the blockchain technology<sup>9</sup> (taxation will be seamless based upon production of carbon, so that taxation will be imposed not only upon people and their income, but upon everything that produces carbon, your dog, your cat, your swimming pool, your house, your coffee maker, you, etc.). The fake climate change scheme is also part of this agenda, and if we continue to participate and submit to the control measures sought to be imposed upon us now, and do it for the short-term gain or convenience, we are sealing our doom.

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8 The World Bank COVID-19 Strategic Preparedness Response Program (SPRP) Published **April 2, 2020**

9 Technocracy Rising, Patrick M. Wood (2014) and The Age of Surveillance Capitalism, Shoshana Zuboff (2019).

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**CERTIFICATE OF SERVICE**

I John Smith do hereby certify that a true and correct copy of the foregoing was duly served upon the following via first class mail on this 4<sup>th</sup> day of July, 2021.

Alachua County Clerk of Circuit Court; 201 E. University Avenue; Gainesville, FL 32601  
First District Court of Appeals; 2000 Drayton Drive; Tallahassee, Florida 32399  
Seldon J. Childers and J. Eric Hope; 2135-B NW 40<sup>th</sup> Terrace; Gainesville, Florida 32605  
Louis Leo, IV, Joel Medgebow, Melissa Martz, and Cory C. Strolla  
4171 W. Hillsboro BLVD, Suite 9; Coconut Creek, Florida 33073  
Jack M. Ross and Krista L.B. Collins; 4046 W. Newberry Road; Gainesville, Florida 32607  
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Alachua County Attorney, Robert C. Swain; 12 Southeast 1<sup>st</sup> Street; Gainesville, Florida 32601  
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By: \_\_\_\_