



PALM BEACH COUNTY COMMISSION ON ETHICS
 300 North Dixie Highway, Suite 450, West Palm Beach, Florida 33401
 Hotline: 877-766-5920 or 561-355-1915

COMPLAINT FORM

1. Complainant (Person bringing Complaint) Add pages, if necessary.

Please list all information where you would like to be contacted. Our preference is email.

Name: Jeffrey Wasserman Mail: INSSKI@GMAIL.COM
 Address: 6527 VIA REBINA
 City: Boca Raton Zip: 33433
 Home #: _____ Work #: _____ Cell #: 561 251 6503

2. Respondent (Person against whom complaint is made) Add pages, if necessary.

Please provide as much information as possible.

Name: Judge Martin Golw E-Mail: _____
 Address: 200 W. ATLANTIC AVE
 City: DELRAY BEACH Zip: 33444
 Home #: _____ Work #: _____ Cell #: _____
 Title/Office Held or Sought: JUDGE AT SOUTH COUNTY

3. IF KNOWN, CHECK THE BOX OR BOXES THAT APPLY

Allegation is against person in County/Municipal Government Allegation is about County: Whistleblower Retaliation

4. STATEMENT OF FACTS BASED ON YOUR PERSONAL KNOWLEDGE

In a separate attachment, please describe in detail the facts and actions that are the basis of your complaint, including the dates when the actions occurred. Also attach any relevant documents as well as names and contact information of persons who may be witnesses to the actions. If known, indicate the section of the ordinance you believe is being violated. For further instructions, see page 2 of this form.

5. OATH

I, the person bringing this complaint, do depose on oath or affirmation and say that the facts set forth in the foregoing complaint and attachments are true and correct, to the best of my knowledge and belief.

Jeffrey Wasserman
 Signature of Person Making Complaint

STATE OF FLORIDA

COUNTY OF Palm Beach

Sworn to (or affirmed) and subscribed before me this 26th day of November, 2014, by

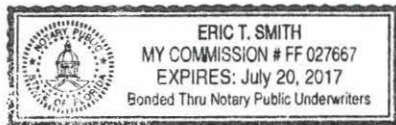
Jeffrey Wasserman
 (Name of Person Making Statement)

who is personally known to me or produced identification . Type of identification

produced: Florida Drivers License

[Signature]
 (Signature of Notary Public, State of Florida)

Eric T. Smith
 (Print, Type, or Stamp Commissioned Name of Notary Public)



IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT IN AND FOR PALM BEACH COUNTY FLORIDA

IN REF; MARRIAGE OF

BARBARA A WINTER,
PETITIONER/former Wife
AND
JEFFREY R WASSERMAN
RESPONDENT-former HUSBAND

CASE NO. 50 2009 DR 014284XXXXSB

DIV ; ~~FA~~

**RESPONDENT/FORMER HUSBANDS SWORN MOTION FOR
DISQUALIFICATION AND RECUSAL OF JUDGE COLIN**

Respondent/former husband, Jeffrey Wasserman, and pursuant to 38.10 of the Florida Statutes and Rule 2.330 of the florida rules of judicial administration, hereby files his sworn motion for disqualification and recusal of judge Colin, and good faith certificate of Respondent, and as grounds, therefore states as follows:

1. Respondent/former husband, jeffrey r Wassermann, fears that he will not receive fair and impartial hearings before a neutral trier of fact because the court, during a during a closed hearing DE 429by Rose Scher, on April 10th, 2014 entertained Barbara Winter, YET Judge Collin totally ignored my motion to change Venue ---DE457---back to main where its been for several years and very well presided over by

Judge Barkdull and Magistrate Weaver. JD Colin did this yet ruled on his friend Jonathan Roots motion immediately when presented.

2. Despite a second motion---DE459--- of approx 26 page double sided that I filed directed at Judge Colin, it was never acted upon and obviously never read. Notice of unavailability on file DE458 , DE435 and not being respected by judge ruling on other motions. 3.judge Colin has a very well known history of friendship through any google search substantiating legal cases. PROOF BELOW

4. **Mackenzie v. Super kids bargain Store, inc., 565 So. 2d 1332,1334 (Fla. 1990)**
5. **Fischer v Knuck, 497 So. 2d 240 (Fla. 1986)**
6. **Hayes v State, 686 So. 2d 694, 695 (Fla.4th DCA 1996)**
7. **Code of Judicial conduct Canon 3(E)(1)(d) and Florida rule of judicial administration 2.330(d) also J&J towing , inc v. Stokes 789 So. 2d 1196 (Fla. 4th DCA 2001)**
8. **This exhibits personal emotion and bias by the judge.**
9. **Fundamental due process guarantees a non-prejudiced and fair hearing and that every litigant shall receive nothing less than the cold neutrality of an impartial judge. HAYSLIP V. DOUGLAS, 400 So.2d 533 (Fla. 4th DCA 1981). This court departed from the position of neutrality when it entertained former wife to assist her in causing damages against former husband. This signaled a predisposition towards the former wife against the former husband.**
10. **When faced with a Motion to Disqualify, a hearing judge must determine only whether the alleged facts would create a reasonably prudent person a well founded fear of not receiving a fair and impartial hearing. Zuchel v. State 824 So2d 1044, (Fla 4th DCA 2002). A judge confronted with a motion to disqualify may only determine whether the motion is legally significant, and is not allowed to pass on the truth of the allegations. When a party moves to disqualify a judge for prejudice, the judge against whom the motion is directed shall determine only the legal sufficiency of the motion. The judge has no direction to pass upon the truth of the facts alleged, as the Rule 2.330(f) of the Florida Rules of Judicial Administration must be strictly**

complied with.

11. The test to determine whether a motion is legally sufficient is whether the facts alleged would place a reasonably prudent person in fear of not receiving a fair and impartial trial. The question focuses on those matters from which a litigant may reasonably question a judge's impartiality, rather than the judge's perception of his ability to act fairly and impartially.

12. The key issue is not how the judge feels, but what feeling resides in the movant's mind and the basis for such feeling. A litigant is only required to show a well grounded fear that he will not receive a fair trial before the judge.

13. Statements that signal that the trial court has prejudged a case require disqualification of the judge. *Williams v. Balch*, 897 So2d 498 (Fla 4th DCA 2005) and *Wargo v. Wargo*, 669 So 2d 1123 (Fla 4th DCA 1996).

14. The courts actions as stated, clearly show that this court favors Jonathan Root as such, this court has no other option other than to enter an order of Disqualification and Recusal.

15. A court's order entered prior to recusal may be vacated of the matters forming the basis for such recusal existed at the time of the orders were entered. Any orders entered after prejudice attached is fatally tainted and must be vacated or reversed. *Weiner v. Weiner*, 416 So2d 1260 (Fla 4th DCA 1982). the court may move this case to Judge Barkdull or Martin County to avoid further prejudice by 4 separate Palm Beach Judges and Judge Colin due to relationship with ex's attorney.

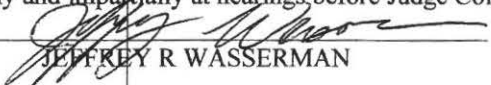
WHEREFORE, Respondent/former husband Jeffrey R Wasserman, respectfully prays that this honorable court immediately enter an ORDER GRANTING HIS SWORN MOTION FOR DISQUALIFICATION

AND RECUSAL OF THE JUDGE, vacating the courts order granting ftransfer of case from main courthouse ~~_____~~ and direct clerk to assign the court to a new judge.

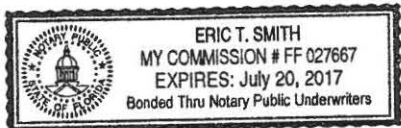
STATE OF FLORIDA)
COUNTY OF PALM BEACH)

BEFORE ME, the undersigned authority personally appeared, JEFFREY R WASSERMAN, who after being duly sworn avers and says:

- 1. I am the Respondent/former husband in the above styled cause.
- 2 My notice of unavailability is not being respected and family judges in south county make their own rules. I have a genuine fear that I will not be treated fairly and impartially at hearings before Judge Colin,



JEFFREY R WASSERMAN

Sworn to and subscribed before me on this 26th day of November, 2014, by JEFFREY R WASSERMAN, who is personally known to me or who produced a Florida Drivers License as identification.





Notary Public

I, Jeffrey R Wasserman, pro se, hereby certify that bthe foregoing Sworn Motion for Disqualification and Recusal of Judge Colin has been prepared and filed in good faith.


JEFFREY R WASSERMAN

Certificate of service

I HEREBY CERTIFY that a true and correct copy nof the foregoing has been furnished via US Mail to Jonathan root 2000 glades #412, Boca raton fl 33431 this 26th day of November, 2014

 BY: JEFFREY R WASSERMAN, pro se
6527 via Regina, Boca raton fl 33433
561-251-6503

COPIES to : Chief Justice Colbath,
Palm Beach Ethics Commission
Judicial Qualifications Commission
Governor of Florida office

IN RE: THE MARRIAGE OF

BARBARA A. WINTER,

Former Wife

and

JEFFREY R. WASSERMAN,

Former Husband.

CASE NO.: 50 2009 DR 014284 SB FX

**ORDER SUSTAINING FORMER WIFE'S PEREMPTORY OBJECTION TO
REFERRAL TO GENERAL MAGISTRATE**

THIS CAUSE came on to be reviewed by the Court on the Former Wife's OBJECTION TO REFERRAL TO GENERAL MAGISTRATE. Pursuant to *Young v Young*, 816 So2d 1267 (Fla 3rd DCA 2002) no ORDER OF REFERRAL TO GENERAL MAGISTRATE ever issued on this matter. Former Wife's Objection is facially sufficient on its face; the Objection was timely filed; and that the subject matter of the Order of Referral to General Magistrate is not in the nature of child support. As such, pursuant to Rule 12.490, Fla. Fam. L.R.P., Former Wife's Objection to Referral to General Magistrate must be sustained.

It is thereupon

ORDERED that the Former Wife's peremptory Objection to Referral to General Magistrate is hereby SUSTAINED. Former Wife's Motion for Contempt and Sanctions must be set for hearing before the Honorable Martin Colin, Circuit Judge.

DONE AND ORDERED in Delray Beach, Palm Beach County, Florida on _____.

JUDGE MARTIN COLIN
Circuit Judge

Copies furnished to:

Jonathan S. Root, Esquire, Jonathan S. Root, P.A., 2000 Glades Road, Suite 412, Boca Raton, Florida 33431

Jeffrey Wasserman, 7040 West Palmetto Park Road, Building 4, FMB 464, Boca Raton, FL 33433

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT IN AND FOR PALM
BEACH COUNTY, FLORIDA

IN RE: THE MARRIAGE OF

BARBARA A. WINTER,

Former Wife

and

JEFFREY R. WASSERMAN,

Former Husband.

CASE NO.: 50 2009 DR 014284 SB FX

ORDER OF REFERRAL TO MAGISTRATE

THIS CASE IS REFERRED TO THE MAGISTRATE, upon motion of **the Former Wife** on the following issues:

FORMER WIFE'S MOTION FOR CONTEMPT AND SANCTIONS

(Filed on November 4, 2014)

AND ANY OTHER MATTER RELATED THERETO.

IT IS FURTHER ORDERED that the above motion(s) and responses are referred to Magistrate MAXINE WILLIAMS for further proceedings, pursuant to rule 12.490 of the Florida Family Law Rules of Procedures and current administrative orders of the court. Financial affidavits (Family Law Form 12.901(d) or (e)) shall be filed in accordance with rule 12.285, Fla. Fam. Law R. P. The Magistrate is authorized to administer oaths and conduct hearings which may include taking of evidence and shall file a report and recommendations that contain findings of fact, conclusions of law, and the name of the court reporter, if any.

The Magistrate shall assign a time for the proceedings as soon as reasonably possible after this referral is made and give notice to each of the parties either directly or by directing counsel to file and serve a notice of hearing.

Counties within the State of Florida may have different rules. Please consult the Clerk of Court or Pro Se Coordinator relating to this procedure.

A REFERRAL TO A MAGISTRATE REQUIRES THE CONSENT OF ALL PARTIES. YOU ARE ENTITLED TO HAVE THIS MATTER HEARD BY A JUDGE. IF YOU DO NOT WANT TO HAVE THIS MATTER HEARD BY THE MAGISTRATE, YOU MUST FILE A WRITTEN OBJECTION TO THE REFERRAL WITHIN 10 DAYS OF THE TIME OF SERVICE OF THIS ORDER. IF THE TIME SET FOR THE HEARING IS LESS THAN 10 DAYS AFTER SERVICE OF THIS ORDER, THE OBJECTION

MUST BE MADE BEFORE THE HEARING. IF THIS ORDER IS SERVED WITHIN THE FIRST 20 DAYS AFTER SERVICE OF PROCESS, THE TIME TO FILE AN OBJECTION IS EXTENDED TO THE TIME WITHIN WHICH A RESPONSIVE PLEADING IS DUE. FAILURE TO FILE A WRITTEN OBJECTION WITHIN THE APPLICABLE TIME PERIOD IS DEEMED TO BE A CONSENT TO THE REFERRAL.

If either party files a timely objection, this matter shall be returned to the undersigned judge with a notice stating the amount of time needed for hearing.

REVIEW OF THE REPORT AND RECOMMENDATIONS MADE BY THE MAGISTRATE SHALL BE BY EXCEPTIONS AS PROVIDED IN RULE 12.490(f), FLA. FAM. L. R.P. A RECORD, WHICH INCLUDES A TRANSCRIPT, MAY BE REQUIRED TO SUPPORT EXCEPTIONS.

YOU ARE ADVISED THAT IN THIS CIRCUIT ELECTRONIC RECORDING IS PROVIDED BY THE COURT. A PARTY MAY PROVIDE A COURT REPORTER AT THAT PARTY'S EXPENSE.

SHOULD YOU WISH TO SEEK REVIEW OF THE REPORT AND RECOMMENDATION MADE BY THE MAGISTRATE, YOU MUST FILE EXCEPTIONS IN ACCORDANCE WITH RULE 12.490(f), FLORIDA FAMILY LAW RULES OF PROCEDURE. YOU WILL BE REQUIRED TO PROVIDE THE COURT WITH A RECORD SUFFICIENT TO SUPPORT YOUR EXCEPTIONS OR YOUR EXCEPTIONS WILL BE DENIED. A RECORD ORDINARILY INCLUDES A WRITTEN TRANSCRIPT OF ALL RELEVANT PROCEEDINGS. THE PERSON SEEKING REVIEW MUST HAVE THE TRANSCRIPT PREPARED, IF NECESSARY, FOR THE COURT'S REVIEW.

DONE AND ORDERED in Delray Beach, Palm Beach County, Florida on this ___ day of
November, 2014.

MARTIN H. COLIN, Circuit Judge

copies to:

Jonathan S. Root, Esquire, Jonathan S. Root, P.A., 2000 Glades Road, Suite 412, Boca Raton, Florida 33431
Jeffrey Wasserman, 7040 West Palmetto Park Road, Building 4, FMB 464, Boca Raton, FL 33433
Magistrate Maxine Williams(via interoffice mail)

MEMORANDUM OF INQUIRY

To: Steven P. Cullen, Executive Director
From: Christie E. Kelley, Staff Counsel
Re: C14-015 – Martin Colin, Circuit Court Judge

- **Background**

On December 3, 2014, Complainant, Jeffrey Wasserman, a private citizen, filed the above-referenced sworn complaint alleging possible ethics violations involving Martin Colin (Respondent), a Circuit Court Judge in and for the 15th Judicial Circuit of Palm Beach County Florida.

- **Applicable Law and Analysis**

Section 2-254 of the Palm Beach County Commission on Ethics Ordinance states in relevant part, "The jurisdiction of the Commission on Ethics shall extend to any person required to comply with the countywide code of ethics, the county lobbyist registration ordinance, and the county post-employment ordinance"

The Commission on Ethics (COE) has jurisdiction over all county and municipal officials, employees and advisory board members individually. A Judge in and for the 15th Judicial Circuit of Palm Beach County Florida is a State official. The COE does not have jurisdiction over state officials.

- **Legal Sufficiency**

Legal sufficiency exists where there is an allegation of a violation within the jurisdiction of the Commission on Ethics, purportedly committed by an individual within the authority of the Commission on Ethics.

- **Conclusion**

Because the allegations contained in the complaint involve actions pertaining to a respondent who is not under the the jurisdiction of the Code of Ethics Ordinance, the Commission on Ethics is without jurisdiction to investigate; therefore complaint C14-015 against Respondent, Martin Colin, is NOT LEGALLY SUFFICIENT and should be dismissed.

Submitted by:



Christie E. Kelley, Staff Counsel
PB County Commission on Ethics

12-4-14

Date

Reviewed by:



(Initials)

12/4/2014

Date

PALM BEACH COUNTY COMMISSION ON ETHICS

MEMORANDUM OF NO LEGAL SUFFICIENCY

To: Palm Beach County Commission on Ethics
From: Steven P. Cullen, Executive Director
Date: December 4, 2014
Re: C14-015 – Martin Colin, Circuit Court Judge

- Recommendation

As Executive Director of the Commission on Ethics, I recommend a **DISMISSAL** of complaint number C14-015 pursuant to Art. V, §2-260(b) and Rule of Procedure 4.2 due to **NO LEGAL SUFFICIENCY**.

Legal sufficiency exists where there is an allegation of a violation of an ordinance within the jurisdiction of the Ethics Commission, purportedly committed by an individual within the authority of the Ethics Commission, based substantially on the personal knowledge of the Complainant, relating to an alleged violation occurring after the effective date of the code, and filed with the Ethics Commission within two years of the alleged violation.

- Background

This matter came to the attention of the COE staff via a sworn complaint filed by Jeffrey Wasserman, a private citizen. The Complaint was signed and properly notarized on November 26, 2014, and was received by staff on December 3, 2014. The Complaint alleges instances where Complainant believes that Respondent acted, or failed to act, in violation of the Palm Beach County Code of Ethics.


- Analysis

Section 2-254 of the Palm Beach County Commission on Ethics Code states in relevant part, "The jurisdiction of the commission on ethics shall extend to any person required to comply with the county code of ethics." Officials and employees of Palm Beach County and enumerated municipalities are within the jurisdiction of the Code of Ethics; state officials are not within its jurisdiction. Therefore, the Commission on Ethics does not have *personal jurisdiction* over the Respondent.

- Conclusion

Because of a lack of *personal jurisdiction* over the complaint based on the reasons listed above, there is **NO LEGAL SUFFICIENCY** for an investigation to be conducted into this Complaint.

BY:



Steven P. Cullen, Executive Director
Florida Bar No. 362204
PBC Commission on Ethics

12/4/2014
Date