

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT, IN AND FOR ORANGE COUNTY, FLORIDA

CASE NO.: 2017-DR-016600-O

DIVISION: 31

BRIAN C. BOONE,

Petitioner,

and

SARAH K. BOONE,

Respondent.

_____ /

RESPONDENT'S PRETRIAL STATEMENT

COMES NOW, Pro Se Respondent, SARAH K. BOONE, submits her pretrial memorandum forced by the Petitioner's violation of not coordinating the mandatory Meeting of Attorneys and Unrepresented Parties as ordered by the Court setting the pretrial conference on May 29, 2025.

In partial judgement of Respondent's requested sanctions, and in accordance of included current Agreements and filings for better understanding, reference, application, the Respondent hereby graciously submits her pretrial memorandum as follows to the best of her ability as Pro Se and present circumstances pending, past and present:

UNIFORM ORDER SETTING PRETRIAL CONFERENCE AND FOR NON-JURY TRIAL:

Page 3, A. SUPPLEMENTAL PROCEEDING

Historical Background and Filings:

1) MARITAL SETTLEMENT AGREEMENT

Filed: MAY 3, 2018 by CIRCUIT COURT

Expiration: NONE

2) PARENTING PLAN

Filed: MAY 9, 2018 by CIRCUIT COURT

Expiration: NONE

3) FINAL JUDGEMENT

Filed: June 15, 2018 by CIRCUIT COURT

Expiration: PARTIAL, APRIL 2025

4) SUPPLEMENTAL PETITION FOR MODIFICATION OF FINAL JUDGMENT

Filed: April 12, 2022 by PETITIONER

Expiration: NOT GRANTED OR ACTIVE

5) PETITION TO RELOCATE

Filed: February 14, 2023 by PETITIONER

Expiration: TEMPORARY

6) MOTION FOR CONTEMPT

Filed: April 11, 2023 by RESPONDENT

Expiration: CONTINUED

MARITAL SETTLEMENT AGREEMENT:

Page 2, 2. BEHAVIOR: "Neither party shall annoy, threaten or otherwise interfere with the other party."

- Petitioner has repeatedly and continuously made the active decision to completely exclude the Respondent in her family law case where she is the other party and the Mother of the minor child. Respondent has a pending appeal and is trying to maintain and build a greater future with her son and herself in the meantime of her release.

- He knows she is without resources, family, income and an attorney, where he vindictively continues to add "chaos" to her life and their son's, and after repeated pleadings by the Respondent for Petitioner to stop, include her, communicate, cooperate, simplify.

During the Respondent's incarceration and presently, Petitioner:

- Infrequently answers phone calls and has never responded to tablet messages, including while located at OCCD for five (5) years, regarding her valid concerns and questions needing to be answered about her son, etc.

- Has called the Respondent "murderer" and "killer," says she is "unimportant", "dumb", "so stupid," tells her to "shut-up," laughs at in front of their son when Respondent makes repeated efforts to make necessary communication.

- Refuses after being ordered by the Court in the Pretrial Conference on May 29, 2025 to complete the visitation applications for her son to visit her in person. Respondent began asking upon her arrival at DOC in January 2025 and is repeatedly told by the Petitioner for over seven (7) months, "I did," "I will when I feel like it," "when I get to it," or he doesn't respond at all when she attempts to speak with him

to check status. On a weekly basis in her eagerness to see her son, she contacts the Classification Officer at DOC to see if visitation applications for her son are processing. To date, nothing has been received and Respondent is still trying to see her son.

- Lied repeatedly about "forgetting" to schedule video visits on numerous occasions when Respondent was at OCCD.
- Does not allow any type of inclusion, even a 15 minute call, on holidays, stating, "It's my Christmas," or "We don't have time for you," "We're spending this holiday with my family" (knowing the Respondent's is deceased), adds only enough funds on the phone presently for a sixty (60) second call to wish her son a good day.
- Scrapped the Respondent's vehicle without her lawful permission and could have stored on a lot at no charge she had arranged.
- Auctioned Respondent's storage unit without her lawful permission where he could have passed on to her brother who lives locally containing family heirlooms, jewelry, antiques, baby albums, photographs, furniture, clothing, everything from her multi-generational legacy to be passed on to her son and to utilize futuristically.

Page 2, 3. SUBSEQUENT DIVORCE: C: "This Agreement shall survive the Final Judgement and be binding upon the parties for all times."

- The Respondent's Marriage Settlement Agreement was and is active, in full effect during her incarceration from February 2020 to present.

Page 2, D: "A modification or waiver of any of the provisions of the Agreement shall be effective only if made in writing, signed by both parties and properly witnessed and notarized."

- Respondent has been excluded from any/all possible provisions to avoid trial, has not agreed to any modifications attempting to be made, and which have not been granted or heard in Court to date, with no signature being executed by the Respondent on any paperwork filed by the Petitioner when actually included and received.

FINAL JUDGEMENT:

Page 1, 3. MARITAL SETTLEMENT AGREEMENT AND PARENTING PLAN:

"Accordingly, the Marriage Settlement Agreement and Parenting Plan are approved and incorporated herein by reference and the parties are ordered to so comply with the terms contained therein."

- Both of these Court ordered Agreements were/are active during the Respondent's entire incarceration of five (5) years prior at OCCD from February 2020 to April 2025 and present.
- Petitioner was never permitted by the Court at any time to reduce or stop alimony obligations to Respondent, and was required to encourage the parental relationship in accordance with the existing Parenting Plan, not hinder, obstruct, alienate.

Page 4, B. THE CHILD(REN)

PARENTING PLAN:

- Active without modifications during Respondent's incarceration of 2020 to present.
- Signed by both parents, the Petitioner and Respondent, notarized, witnessed and filed in the Circuit Court.

Page 1, IV. PARENTAL RESPONSIBILITY AND DECISION-MAKING:

1. Shared Parental Responsibility:

a. "It is in the best interests of the child that the parents confer and jointly make all major decisions affecting the child's welfare. Major decisions include, by are not limited to, decisions about the child's education, healthcare, religion and extracurricular activities."

- This Plan does not give right to or stipulate incarceration to exclude and alienate either parent which Petitioner has continued to do to Respondent, the other parent, Mother of the minor child.

- Respondent's incarceration absolutely does not define her as a human being and Mother to her son. Regardless of location, she should be included in the child's life wholly, foremost with the child wanting her inclusion, who knows she encourages, believes in and uplifts him, which no parent or other person should have a right to remove such positive reinforcements and betterment of the minor child, no matter how and where she is able to do so.

b. Respondent motioned the Court for a Guardian ad Litem to be appointed to further prove her efforts and the child's pursuit of wanting, maintaining, building their appropriate and loving relationship which was denied.

c. Respondent is doing everything she has the ability to do and ceaselessly, in her very best attempts to make known her genuine love, significance and care she has for her son who agrees and reciprocates, despite continuous, obvious hindrances by the Petitioner.

d. The minor child is very aware of these ongoing hindrances and speaks about to Respondent, especially his desire to see her in person which he also has been asking Petitioner about almost on a daily basis. The minor child apologizes to the Respondent regularly that Petitioner does not do and prolongs their overdue time together in person.

e. The Petitioner excludes the Respondent and Mother of the minor child in every aspect ongoing from prior incarceration to present. Her vigorous attempts to continue her always important, meaningful role as an abundantly supportive parent and friend, emotionally, spiritually, mentally, and attempting to be physically would the Petitioner bring for visitation, have not ceased nor will, regardless of trials, time and location.

Page 2, V. RECOGNITION OF CHILDREN'S RIGHTS

"The child has a right to:

1. "Have two parents and to love each of them..."

- No matter what or where they are or their circumstances past, present or future.

2. "Develop an independent and meaningful relationship with each parent and to respect the personal differences of each parent and each home."

- Unobstructed, uninfluenced by the other parent and wholeheartedly in every aspect for the child.

3. "Be free from being present during the parent's personal battles."

- When Petitioner verbally abuses and embarrasses the Respondent when contacting him to discuss legitimate, necessary concerns about her son.

4. "Enjoy the Mother's family...."

- Or learn about if deceased which could have happened if her storage unit not lost containing irreplaceable family legacy heirlooms, photographs, and history.

5. "...to see each of the families as different from each other, and not to have these differences referred to as "better" or "worse.""

- Petitioner slanders Respondent's deceased family in them not being country club members, having minimal income, other circumstances, etc. Minor child tells Respondent, "I know everything."

6. "Not to hear parents speak ill of each other, nor to have to hear about the difficulties of the other parent."

- Petitioner calling Respondent, "murderer," "killer," laughing at, lying to, etc. while trying to discuss the child's needs and concerns.

7. "To see his parents being courteous to and respectful of each other."

- Respondent continues to uphold regardless of the undeniable disrespect Petitioner inflicts on and unnecessarily to her in front of their son.

- Both parents completed the court-ordered divorce class stating the aforementioned and their full understanding of to the Judge after completion (certificates included).

Page 3, VI. INFORMATION SHARING:

"...The parents shall cooperate with each other in sharing information related to the health, education, and welfare of the child..."

"...Both parents shall have equal and independent authority....with regard to the child's educational, emotional, and social progress"

Page 3, VII. SCHEDULING:

1. Schedule Changes: "A parent making a request for a schedule change will make the request as soon as possible, but no event, except in cases of emergency, less than forty-eight (48) hours before the change is to occur."

- Petitioner does not advise or communicate in any manner to the Respondent of known plans or changes in the child's life overall, or for vacations, schooling, appointments, etc., even after she has repeatedly requested to be included and updated about her son.

Page 4, VIII. TIME SHARING SCHEDULE:

Time is time regardless of how and where it is spent (on the telephone, video visits, in person, etc.), and there are no stipulations stating upon incarceration, in other forms, it cannot be completed in this Parenting Plan and Agreement of both parties. Both parents are to have time with the minor child.

Petitioner has withheld accordance and inclusion of the Respondent in any "time" on any holiday, and has made their overall allowed time together extremely difficult, uncomfortable, and inconsistent.

After repeated requests from both the Respondent and her son to the Petitioner to stop obstructing their time for over five (5) years, (see responses by Petitioner under BEHAVIOR, Page 1), he intentionally continues to negatively impact and deter.

Page 5, XII COMMUNICATION:

1. "Between Parents: All communications regarding the child shall be between the parents. The parents shall not use the child as a messenger to convey information, ask questions, or set up schedule changes. The parents shall communicate with each other by text, telephone, email on in person."

- Respondent continuously makes every attempt to be included in her son's life with meaningful, intelligent focus and input to make him a greater person, as she did foremost before her incarceration.
- She tries all possible forms of communication (phone calls, tablet messages, handwritten letters, texts from outside resources, etc.) to the Petitioner who does not respond other than telling her she is "worthless," "unimportant," and "makes no difference," if any response at all from avoiding calls, not one response via tablet message for over five (5) years, or any other response requested to know about her son and how she can be included.
- When on the phone with her son, the Respondent has no choice other than to ask him to communicate with the Petitioner her legitimate concerns and questions the minor son has mentioned to her to ask in the first place, and is told, "I'm not talking to her."
- The Respondent's son repeatedly apologizes for Petitioner's response and actions towards her, knowing he does not get an answer directly either of his wants and needs, where he tries to involve her, knowing her advocacy and vigorous attempts to tend to him in every way, past, present, and future.

2. "Between Parent and Child: Both parents shall keep contact information current. Telephone or other electronic communication between the child and other parent shall not be monitored by or interrupted by the other parent. "Electronic communication" includes telephones, electronic mail or e-mails, webcams, video-conferencing equipment and software or other wired or wireless technologies or other means of communication to supplement face-to-face contact. The child may have daily telephone, text, Skype/Face Time and email contact with both parents during reasonable waking hours."

- Respondent has been trying all options to consistently communicate with her son in accordance to date without success, and with ongoing interruptions, unwanted inclusion, delays and withholding of these active options by the Petitioner.

Page 6, XIII. CHANGES OR MODIFICATIONS OF THE PARENTING PLAN:

1. "This Parenting Plan may be modified or varied on a temporary basis when both parents agree in writing. When the parents do not agree, the Parenting Plan remains in effect until further order of the court."

- This Plan is active and has been since the Respondent's incarceration of 2020 to present with no revisions agreed upon, in writing or verbal when attempted by the Respondent to Petitioner, making the Parenting Plan in effect and current, without further order of the Court to be so otherwise.

- Petitioner has willfully continued to violate this active and ordered Parenting Plan in his blatant disregard for the Court's authority, and the parental relationship between the Respondent and her son.

- All of the aforementioned "chaos" in this section are further examples by experience of such, contributed and created by the Petitioner.

2. "Any substantial changes to the Parenting Plan must be sought through the filing of a supplemental petition for modification."

- The Petitioner's petition has not been granted in Court and is awaiting judgement since being filed in 2022.

Page 6, XIV. RELOCATION:

1. Any relocation of the child is subject to and must be sought in compliance with s. 61.13001, Fla. Stat.

- Respondent is agreeing and giving her permission to permanent relocation of Petitioner and minor son.

Page 6, XV. DISPUTES OR CONFLICT RESOLUTION:

1. "Parents shall attempt to cooperatively resolve any disputes which may arise over the Parenting Plan. The parents shall use mediation or other dispute resolution ethics and assistance, such as Parenting Coordinators and Parenting Counselors, before filing a court action."

- Respondent has consistently and patiently cooperated in every manner with the Petitioner and his counsel in hopes of mutually fair resolutions for herself, their son and the Court, instead of their ongoing exclusion, mass confusion, untruths, and obstacles for all.

- She has attempted to request mediation multiple times as stated and presented other resolution methods, including and simply by speaking on the phone with the Petitioner who has and still refused/refuses to do in avoidance of any further filings by either party.

- The Petitioner and his counsel also avoided and ignored the Court's Uniform Order to schedule and participate in the Meeting of Attorney's and Unrepresented Parties, which should have resolved and narrowed many items to be discussed in the now proposed trial. Foremost and priority, the Respondent's continued parental relationship which should have already been unhindered and encouraged by the Petitioner.

2. In the Petitioner's Pretrial Memorandum (Page 4), he denies the Respondent's ability to exercise any "meaningful parental role" due to her incarceration.

- This is an inapplicable assumption without merit, and untruthful along with many of their other attempted slanderous remarks in hopes to avoid the truth of their own faults and violations throughout this case. One obscure moment does not define her as a whole and all that she does mean, has and will to her son, especially after he is aware of her sincere efforts to represent herself against the Petitioner, honestly and definitely.

- The Respondent will always be meaningful and important and significant to her son, no matter where she is and how hard the Petitioner and his counsel try to inappropriately "prove" otherwise.

- Meaningful does not mean money which the Petitioner has an abundance of and is confessing otherwise, after the Respondent was married to him and his family for thirteen (13) years, and has known for over three (3) decades.
- Meaningful means encouraging, acknowledging, understanding, listening to, believing in, making stronger and more beautiful, foremost and above all, meaningful means love which the Respondent ceaselessly and immeasurably will always have to wholeheartedly provide for her son which is priceless, and no circumstance or "Agreement" or "Modification" in any lifetime can change or end.
- The Petitioner himself failed incredibly to provide these necessary attributes to the Respondent during their marriage which contributed immensely to their inevitable divorce. He does not nor will admit this in any of his filings or under oath, and only attempts to mutate her character and integrity he knows is real and true as his former friend, wife and the Mother of their child.
- The Respondent and Mother is avidly striving to and will continue her pursuit to be even more meaningful to her son in her continued hard-fought efforts to see him in person while temporarily located at DOC in the meantime of her appeal, release, and all other positive aspects she and her son have on the horizon.

Page 4, B. THE CHILD(REN)

a. Full names, ages, and dates of birth of the child(ren):

- Lukas M. Boone, minor son

(Please note: this is the correct spelling of his name which is incorrect on the Petitioner's Pretrial Memorandum)

- Fourteen (14) years of age
- October 28, 2010

b. Timesharing: Minor child has been living with Petitioner while Respondent has been incarcerated and working towards her release in her pending appeal.

c. Gross and net income: Petitioner is claiming unemployment for the past three (3) and refuses to submit requested statements which include credit cards, tax returns, bank account, etc. for further review by Respondent and Court to justify his spending habits with no supposed income while supporting a child.

- On multiple occasions when Respondent would attempt to contact Petitioner, he would answer by stating, "I'm working and don't have time for you," "stop calling me while I'm working," "I have a real job."
- Respondent is incarcerated and the position she holds does not pay monetarily.

d. and e. Child support:

- \$100 per month was ordered to be paid to Respondent.
- Payments by Petitioner have been reserved by the appropriate agency where he can utilize towards the minor child since the Respondent became incarcerated, and which she requests to be included in the disbursement of for him when the time comes.

f. Medical/dental/vision: Unknown

- Respondent attempts to provide concerns and questions to the Petitioner regarding her son's health on a regular, consistent basis, where without such concerns would go unnoticed or uncared about by the Petitioner. The minor son has voiced he is glad for the care and reminders by the Respondent, asking her to please continue doing so.

g. Special needs issues including medical, emotional, educational:

- Respondent continues to meaningfully encourage her son's creativity, brilliance, overall wellbeing, and is requesting the reserved support payments be abundantly applied to him for this in every way needed.

h. Proposed contact schedule or reference to a filed Parenting Plan, as long as that Parenting Plan is complete.

- Please see below under RESOLUTION(S).

i. GAL report and any agreements about whether the Court may consider the GAL report and any stipulations to hearsay in the report.

- Respondent requested and filed a Motion for a Guardian ad Litem for this vital evidence she could have used to prove her "meaningful" role, and the continued verbal abuse, lies, hindrances of the Petitioner.
- She also wanted to include her son where she discussed with him prior and asked his permission to proceed in doing so. He wanted to do his own research to make sure he did correctly and which is the reason also for the "delay" Petitioner's counsel accused Respondent of attempting to do for the upcoming trial.
- The Court denied Respondent's motion.

j. For Paternity cases: N/A

k. Reference any stipulations not included above.

- None. Petitioner has implemented proposed stipulations in his modification document in regards to the Respondent's incarceration.

This document has no judgement to date and is ineffective. By taking control of this case without proper proceedings or permission by the Judge, he has made this case unlawful and unequal for the Respondent historically and throughout.

Petitioner continues to violate the active Agreements, including before any expiration they are calculating. This expiration is also based on completion (alimony) which has not been upon the Petitioner's willful violations of ignoring the Court's authority and orders to pay/continue to pay, and abide by the Parenting Plan to encourage, not discourage the Respondent's adamant intentions to remain in her son's life.

The Petitioner's pattern of parental alienation and defamation actively attempting to sever the bond between Respondent and minor child is undeniable and intentional.

CASELAW:

Speck v. Speck, 225 So. 3d 319 (Fla. 3d DCA 2017)

Hunter v. Hunter, 540 So. 2d 235 (Fla. 3d DCA 1989)

Perez v. Perez, 769 So. 2d 389 (Fla. 3d 2000)

Lamb v. Lamb, 418 So. 2d 1113 (Fla. 1st DCA 1982)

Ogilvie v. Ogilvie (FL 2nd DCA 2007)

Logreira (3rd DCA, 2021)

RESOLUTION(S):

Order Petitioner to facilitate:

1. Telephone calls (daily with funds added without interruption)
2. Tablet messages (with credits to fully utilize features)
3. Virtual visits (TBD)
4. In-person visits (1-2 per month) with maximum allowable time afforded by the correctional facility.
5. Include Respondent in all holidays, including schooling and any other time minor child wants to include the Respondent.
6. Compel Petitioner to include Respondent in all major decision-making regarding the minor child.
7. Enforce communication, regular correspondence of Petitioner with Respondent in all available options including phone calls, tablet messages, letters, third-party representatives, any manner necessary she requests or uses at the time of her needed communication.
8. Enforce Petitioner to keep Respondent updated regarding minor child's proposed vacations, appointments, meetings, any/all happenings in his life so she is aware and included.
9. Enforce perpetual cooperation of the Petitioner with the Respondent in order to simplify, relieve, prevent ongoing and future problems for herself and son from his continued, intentional lack of throughout this entire family law case and prior.
10. Order Petitioner to complete co-parenting course and counseling focused on parental alienation and communication strategies to promote compliance.
11. Hold Petitioner in contempt for violating the court-ordered active Parenting Plan explaining to him and his counsel, compliance is not an option and is mandatory unless formally modified by the Court.
12. Impose sanctions to Petitioner for parental alienation, including potential modifications of the custody agreement in the Respondent's favor. The Court has this authority when an obvious, detrimental pattern of parental alienation is demonstrated as with the Petitioner.

- ACTIVE without modifications during Respondent's incarceration of 2020 to present.
- Signed by both parties, Petitioner and Respondent, notarized, witnessed and filed in the Circuit Court.

FINAL JUDGEMENT

- ACTIVE without modifications during Respondent's incarceration of 2020-2025 to present

Page 5, 11. and 3, 8.: Beginning May 1, 2018 and continuing on the first (1st) day of each month thereafter, the Husband shall pay to the Wife the sum of One Thousand Dollars (\$1,000.00) per month."

a. Petitioner:

- Willfully makes the ongoing non-compliant decision to violate existing verbal and filed Court Orders in accordance with active Agreements to pay his obligated alimony to the Respondent, blatantly making his own rules to attempt control over this case, the Court, and the Respondent.
- Denied payments of ordered full alimony payments since Respondent's incarceration to present date, ceasing payments altogether while Respondent was located at OCCD. This action directly violates the standing order(s) issued by the Court and is without legal justification directly placing Petitioner in contempt for nonpayment.
- Was verbally ordered in Court to continue payments, and his Counsel in a separate direct statement made by prior Circuit Judge, Michael Deen, in the Case Management Conference on September 19, 2022 requested by the Respondent from her repeated and still ongoing exclusion, and indigent status from nonpayment of alimony.
- Should have obeyed Court Orders and continued payments up to "expiration date" (base upon completion), if not to the Respondent as directed, but to an escrow account in an attempt to show good faith efforts in obedience and cooperation with the case and Court as a whole for determination and disbursement at the appointed time, and to the appropriate party by the Judge.

b. "Upon the death of either party, the Wife's remarriage or after eighty-four (84) payments have been made, whichever shall first occur, the obligation shall cease, except for any arrears."

- None of the aforementioned criteria has been met at any time by the Respondent, and no stipulation is entered in any Agreements between the parties regarding the ability to cease upon incarceration, to cease completely, and without due process of petitioning the Court for an Order with permission to do so.

c. "The alimony is modifiable upon a showing of a substantial change in circumstances."

- Petitioner has made differing claims as to the reason for the need to modify the existing Final Judgement. In one motion, it states he is unable to pay his obligated alimony due to unemployment. In another, because the Respondent is a ward of the State. She continues to attempt to understand her position of defense, requesting clarity as to the Petitioner's rationale behind the modification motion.
- In 2023, Petitioner relocated with the minor child claiming one of the primary reasons was the necessity to pursue better financial opportunities. For over three (3) years, he remains without work and supposed income, making no meaningful effort to secure such financial opportunities despite

being fully capable. This ongoing pattern suggests not a lack of opportunity, but a calculated attempt to avoid his financial obligations of alimony to the Respondent.

- Petitioner also continues to grow his contempt of Court in his bad faith efforts of being ordered to submit visitation applications during the Pretrial Conference on May 29, 2025 for her son to see her in person after seven (7) months ongoing of her requesting.

d. His counsel even verbally volunteered to submit these applications for Petitioner so no further excuses could be given considering the timeframe of her numerous attempts, and after their embarrassment of being sanctioned for overruling the Court, excluding the Respondent in the Uniform Ordered Meeting of Attorney's and Unrepresented Parties to simplify, possibly avoid trial, and not seeking permission to avoid participation altogether.

e. She believes the primary reason for both still not submitting to date is because he has to enter his employer's information (name, address, phone number) which would perjure his statements of 'unemployment' and prove the Respondent's ongoing truths regarding his income and ability to pay.

- No stipulation is entered in any Agreements between the parties regarding the suspension or termination of the existing Order of alimony upon incarceration, and no documentation has been entered with permission to do so by the Court.

- Petitioner has not been granted by any Judge in this family law case to cease or reduce his alimony obligations to the Respondent.

- Regardless of Respondent's incarceration, she still has basic living expenses within the facility, such as hygiene items, communication (phone calls, tablet messages, video visits), medical copays, weekly facility draws, and other essential costs not covered by the institution.

f. She also faced priority costs such as her son, securing her vehicle, storage unit, thirty (30) year bank account, affording vital evidence in her defense, and a possible attorney to properly represent her in this case. All of which has been lost due to the willful refusal of legally owed alimony payments being made to the Respondent by the Petitioner, and without the Court's permission to discontinue.

j. Suspending or terminating the Respondent's Court-awarded alimony also creates greater vulnerability and hardship to reintegrate into society overall, and with her son foremost to rebuild a life together successfully upon the proactive outcome of her pending appeal and in the meantime of.

k. The Respondent is very simply trying to maintain financial dignity and support while confidently serving and working toward a stronger, more opportunistic future by finally receiving her lawfully ordered, overdue alimony payments she has been unlawfully penalized to rightfully receive by the Petitioner.

CASELAW:

Florida Statute 61.14

Gates v. State, 784 So. 2d 1235, 1237 (Fla. 2001)

Dept. of Revenue v. Jackson, 846 So. 2d 486 (Fla. 2003)

Rosen v. Rosen, 696 So. 2d 697 (Fla. 1997)

Robbins v. Robbins, 528 So. 2d 76 (Fla. 4th DCA 1988)

Bowen v. Bowen, 471 So. 2d 1274 (Fla. 1985)

Zelman v. Zelman, 763 So. 2d 1119 (Fla. 4th DCA 1999)

Grigsby v. Grigsby, 39 So. 3d 453 (Fla. 2d DCA 2010)

Perez v. Fay, 160 So. 3d 459 (Fla. 2d DCA 2015)

Young v. Hector, 740 So. 2d 1153 (Fla. 3d DCA 1999)

RESOLUTION(S):

Respondent maintains that incarceration should not justify ending or reducing her lawful entitlement to alimony under Florida law, and which the Petitioner and his counsel have been using as a means to deny her access to justice.

The Petitioner fails to demonstrate any substantial change in circumstances by refusing to submit requested financial documents to the Respondent and Court to prove otherwise, tax returns foremost, which would identify past employers he is claiming to not have had or any other form(s) of income.

He also has committed perjury to the Court by submitting untrue documents such as his financial affidavit which does not match up to his regular spending habits (alcohol, cigarettes, video games, entertainment, travel, etc.), income from his family (\$50,000.00+ per year), excess of selling the marital home (\$200,000.00+), and more, while supporting a child and being supposedly "unemployed" with no means to comply and pay his alimony obligation to the Respondent as ordered.

Respondent requests the Court to compel Petitioner to:

1. Provide reasons for his underemployment for over three (3) years to present with having the ability to work, and explain to the Court how it is not deliberate.
2. Explain to the Court his livelihood income while "unemployed," and supporting the minor child for over three (3) years ongoing.
3. Present any evidence of permission given by the Court to reduce and terminate his obligation of alimony payments to the Respondent.
4. Specify the single reason for modification and why it was not determined and continued throughout the process of this matter to lawfully allow Respondent to correctly identify and respond to in her rightful defense.

In addition, Respondent respectfully requests:

5. Sanction Petitioner and his counsel for their willful violations of the Court's Orders of alimony payments to the Respondent with active agreements, and undermining its authority of consequences for their ongoing noncompliance.
6. Enforce original alimony obligation, regardless of Respondent's current circumstances, and order Petitioner to pay sixty-two thousand dollars (\$62,000.00) as estimated and calculated (minus appropriate costs deemed just and ordered by the Court):

Sixty-two (62) months x \$1,000.00 ordered payments per month =

- a. Including while located at OCCD without sentence
- b. With open, active court-ordered agreements
- c. No judgement made to any modifications proposed by Petitioner
- d. No permission granted to Petitioner to reduce/terminate payments
- e. No stipulations in any Agreements regarding incarceration

Five (5) years+ duration while located at OCCD to present =

2020 - ten (10) months

2021 - twelve (12) months

2022 - twelve (12) months

2023 - twelve (12) months

2024 - twelve (12) months

2025 - four (4) months: Petitioner is basing on completion of his eighty-four (84) ordered payments per Agreements (April) which is to date and obviously, incomplete.

7. Hold Petitioner accountable for interest accrued on arrears as a matter of equity, law and appropriate authority, calculated as follows per Florida law:

"Florida law imposes interest on unpaid child support and alimony at a statutory rate. As of July 1, 2025, the interest rate for unpaid support is set at 8.90% per year and may vary annually. Interest begins accruing on the overdue balance as soon as a payment is missed and means the longer arrears go unpaid, the higher the balance grows due to compounding interest. In many cases, interest can become a significant part of the arrears balance, so it's important to address unpaid support as soon as possible."

8.9% interest (Florida law) x 62 months (incarceration) = \$5,518.00

\$5,518.00 (interest) + \$62,000.00 (arrears) = TOTAL OWED BY PETITIONER PRE-DEDUCTIONS FROM THE COURT OF \$67,518.00.

9. Respondent is requesting three-hundred dollars (\$300.00) to be deposited by the Petitioner in her DOC inmate account on the first (1st) day of every month until debt is satisfied, or other arrangements have been made at her request pending her appeal.

10. Dollar amounts from her financial affidavit needed for her son such as communication, gifts for holidays, etc. will be billed accordingly from total amount owed, and is separate from monthly payments to her inmate account. Further arrangements can be made (if applicable) upon Order of the Court after formal judgement has been made concluding trial.

In conclusion, Respondent is not requesting a new award of alimony based on her actual need or circumstances, rather graciously asking the Court to enforce the original Order which was/is active during her incarceration, without any stipulation of, or permission to modify any part included. Additionally, Respondent is asking Court to hold Petitioner accountable for the arrears and interest accrued due to actively violating compliance according to Court Orders and Florida law, justifiably upholding the Respondent's constitutional

rights and proper inclusion while seeing her good faith efforts in patiently cooperating in every manner possible, even under the added "chaos" created by the Petitioner through their perpetual, unlawful attempts of advantageous gain and control of this case as a whole.

The Petitioner's bad faith also of automatically assuming their success in overruling the Court and taking advantage of the disadvantaged Respondent by implementing their rules of not paying or cooperating with anyone, should not be rewarded, rather removed and made known to all parties, authority belongs solely to the Court and Orders are given for reasons of justice - formally, legally, and constitutionally.

RESPONDENT'S MOTION FOR CONTEMPT

Florida law mandates compliance with Court Orders unless a modification has been officially granted. Petitioner has continuously failed to pay alimony as ordered by the Court in the Marital Settlement Agreement and Final Judgement without any such granted modifications. His willful violation of deliberately refusing to comply, and without any justification or permission, is contempt.

Petitioner filed a Motion to Continue on Respondent's Motion for Contempt, arguing that pending his Modification Petition constituted a change in circumstances under *Rosenblum v. Rosenblum* (2015). This case states that a party cannot be held in contempt if they lack the ability to pay which Petitioner did/does, but actively chose/chooses not to as ordered while being encouraged by his counsel to continue such contempt, assuming without any family support, resources, money, an attorney, or inclusion, Respondent would surrender to her circumstances and the Petitioner.

However, *Rosenblum* requires a showing of financial incapacity, not merely a change in circumstances of the receiving party, such as incarceration.

The Petitioner fails to present any clear or convincing evidence of financial hardship to prove otherwise in his pursuit to seek relief from his contempt and obligation of alimony other than his unverifiable statement of being "unemployed." His argument is legally and factually deficient without proper proof showing confirmation of such status in their attempts to delay the Petitioner's payments and progress in this matter.

In addition to Court Orders and Florida Law:

- Respondent has made numerous legitimate attempts to contact the Petitioner while located at OCCD to inquire about her Court-ordered alimony payments and concern regarding her son, vehicle, storage unit, bill payments, where the Petitioner would repeatedly verbally abuse and lie to the Respondent about promised payments, then tell her to "call back" or "call tomorrow," "don't worry," with the same answer and outcome each time she would cooperate with him for years.

Both parties were fully aware the Final Judgement was in effect, especially and foremost after the Judge verbally reiterated in Court, ordering both the Petitioner and his counsel to continue payments in the Case Management Conference on September 19, 2022.

The Petitioner still refused to be inconsistent in any amount of payment and the Respondent being indigent with a growing negative account balance, filed her Motion for Contempt to make the Judge aware of his violations and willful disregard for the Agreements and Court Orders. The Respondent's need of essentials were not being met by the facility, and her outside responsibilities were in jeopardy which could, and should have been fulfilled and saved would the Petitioner have been making payments as ordered.

The Petitioner and his counsel unilaterally made the decision to stop her entitled payments completely avoiding the Court, due process, and her active legal right to alimony. Their actions are not only unjust, but undermine the capacity and authority of the Court with its legal protections that are to reinforce and ensure rules, fairness, support.

CASELAW:

Florida Statute 61.14(1)(a)

Bowen v. Bowen, 471 So. 2d 1274 (Fla. 1985)

Lamb v. Lamb, 418 So. 2d 1113 (Fla. 5th DCA 1982)

Florida Rule of Civil Procedure 1.380(b), 1.420, 1.275

Florida Family Law Rules of Procedure 12.615

Martinez v. Martinez, 573 So. 2d 37 (Fla. 1st DCA 1990)

Rosenblum v. Rosenblum, 178 So.3d 49 (Fla. 1st DCA 2015)

Florida Family Law Rule 12.615 & Fla. R. Civ. P. 1.380(b), 1.420, 1.275

RESOLUTION(S):

Respondent respectfully requests the Court to:

1. Grant her Motion for Contempt for lawful reasons stated in this Pretrial Memorandum, denying the Petitioner's Motion for Continuance and termination of alimony, as his argument lacks legal merit and does not justify noncompliance with active Court ordered Agreements and inactive modifications.

This has caused the Respondent unnecessary financial hardship and loss for over five (5) years with his ongoing unlawful withholding of her entitled alimony payments to prosper in her current circumstances, this family law matter, and her life as whole.

2. Enforce the alimony Order in the Final Judgement and underlying Marital Settlement Agreement.
3. Compel Petitioner to produce evidence of permission from the Court to reduce or terminate any alimony payments to the Respondent.
4. Impose appropriate sanctions against Petitioner and his counsel for filing a baseless Motion to Continue, unnecessarily delaying proceedings and the Respondent's lawfully owed, ordered payments to rightfully thrive in her life, needs, and responsibilities, regardless of her status and location.
5. Impose further sanctions to Petitioner for failing to obtain legal modification granting formal permission before reducing/ceasing ordered payments to the Respondent.

Page 5, E. Personal Property:

- Please also refer to Respondent's filed Financial Affidavit.

- a. List of all personal property to be divided.

1) 2011 Kia Sorrento-

VIN: 5XYKT3A10BG102016

2) Personal Storage Unit-

US Storage Centers

7000 Aloma Avenue

Winter Park, FL 32792

b. State the suggested disposition of such property.

- Immediately upon the Respondent's incarceration, Petitioner took possession of her vehicle directly from the Sheriff's Office and secured at the marital home.

- After verifying the placement and safety, he verbally promised the Respondent to manage, and both parties mutually agreed upon him taking full responsibility of her property while her case was in progress.

- Petitioner also proposed and coordinated a storage unit where her belongings from her town home were placed and secured.

- She repeatedly inquired about her personal property from the Petitioner to ensure protection during, including setting up other arrangements at no cost in case the Petitioner refused and discontinued to cooperate in paying his obligated alimony to cover.

- Petitioner would continuously tell Respondent to, "not worry," "I've got it covered," "Nothing is going to happen to them," "It will be taken care of" when she would ask for a status update to make sure he was really doing as promised to save her last ultimate resources and generational legacy to share with her son.

- Respondent felt the Petitioner was being untruthful after not receiving any updates other than the aforementioned for years, and coordinated turnover of her vehicle's keys, lock and keys for storage with information to be given to her brother who lives locally for safekeeping and to provide relief for Petitioner, peace of mind for the Respondent.

- After concerned repeated efforts and no cost solutions by the Respondent to acquire her personal property, keys, etc., Petitioner finally stated, "the keys were lost in the mail."

- Since this last statement made by Petitioner, Respondent utilized her outside resources to locate information for this case and possibly filing an unlawful disposal suit against him, found out her vehicle was scrapped (junk/salvage) and storage unit auctioned off due to abandonment.

- Respondent made every effort to save her personal property, provide answers, multiple solutions and arrangements to the Petitioner for these to be successfully taken care of and protected during her incarceration, after Petitioner promised and continuously assured her would be.

- Petitioner had a legal duty to return or inform Respondent before disposing of or abandoning her property, and should lawfully be liable for total loss and damages of.

c. List the value of each item of personal property.

1. 2011 KIA Sorrento (75,085 mileage):

Website 1. Certificate of Destruction

Website 2. \$8,400.00

Website 3. \$7,993.00

Website 4. \$7,580.00

2. Storage Unit- Based on estimated value of irreplaceable contents including antique jewelry, furniture, unit as a whole: \$10,000.00

CASELAW:

- Florida Statute 772.11, 715 and 83

RESOLUTION(S):

- Respondent is requesting status and/or return of her personal property listed above from the Petitioner immediately.

Page 6, G. Attorney's Fees and Costs:

- Respondent continues to attempt to understand her position of defense against the Petitioner and his request to charge her with his attorney's fees, as in the Supplemental Petition it states due to not signing their Joint Stipulation, and in their Pretrial Memorandum, "resulting from the chaos created by the Respondent's criminal conduct."

1) The Petitioner and his counsel did not ever "attempt to come to a resolution of these issues with the Former Wife, without the necessity of filing a contested Supplemental Petition for Modification" as stated, nor "The Former Wife would not sign the Joint Stipulation, which resulted in the filing of this action."

This Supplemental Petition to Modify was received via summons to the Respondent with no other correspondence or notice of any kind provided prior as suggested to avoid any presumed costs incurred from this filing by the Petitioner. To clarify the untruths for the Court to fully understand their self inflicted costs and confusion, the timeline is as follows:

A. February 18, 2022

Supplemental Petition for Modification of Final Judgement

- Generated by Petitioner's counsel (before Joshua Martell)

- Signed by the Petitioner, Brian C. Boone

B. April 12, 2022

- Summons sent (by Martell) to Process Server for scheduled delivery to Respondent

- Included documents:

a. Notice of Appearance as Counsel (Joshua Martell)

b. Supplemental Petition for Modification (served 2 months after originally signed by Petitioner)

c. Joint Stipulation for Modification

d. Uniform Child Custody Jurisdiction Affidavit

C. April 21, 2022

- Summons received by Process Server to be delivered to Respondent

D. April 22, 2022

- Summons and inclusions (4) delivered to Respondent at OCCD

E. May 1, 2022

- Respondent's answer to summons sent to Petitioner as instructed

F. May 16, 2022

- Respondent's answer filed with the Court by Petitioner

G. July 5, 2022

- Petitioner's correspondence attempt with Respondent "to schedule a mediation for our Petition to Modify as is required under Florida law"

H. July 17, 2022

- Respondent's answer and transparency to correspondence in confirming her want of participation with concerns

I. July 26, 2022

1. Motion to Dispense Mediation

- Filed by Petitioner claiming "the Respondent is refusing to coordinate a mediation at this time"

- No hearing held for this Motion, Respondent not included or able to defend herself against another "refusal" accusation made by the Petitioner and his counsel

The Petitioner is accusing the Respondent of "refusing" to sign their Joint Stipulation which was served on her over two (2) months after it was signed by the Petitioner with a previous attorney and nothing attempted to do with before.

His counsel made false statements in their Supplemental Petition (page 3, 7) and to the Court for the reason the document was generated which was before Martell even became the Petitioner's counsel, and before the Respondent received the physical copy of to read, review, etc.

The Joint Stipulation was sent the same day in the same summons with the Supplemental Petition to Modify and Petitioner's Notice of Appearance of Counsel introducing Martell.

No Joint Stipulation was ever sent to the Respondent before the Petitioner filed their Supplemental Petition to Modify, giving no opportunity for her to "refuse" signing "which resulted in the filing of this action" as libellously claimed.

Because of their untruthful statement also, and improper handling of these documents, the Joint Stipulation foremost not being received by the Respondent prior to their Supplemental Petition to Modify, her right to mediation was forfeited which has been avidly and emphatically sought by her since the beginning of this case.

Would the Joint Stipulation have been received prior by the Respondent for collaboration and review, the Supplemental Petition to Modify would not have been made, causing a ripple effect of violations of her due process and constitutional rights. The Respondent was never given a lawful opportunity to participate appropriately as with many other missed opportunities caused by the Petitioner and his counsel's undeniable wrongdoing against her throughout this case.

2. Regarding the Respondent's accused "chaos," in her incarceration and the time of to present, the only "chaos" generated has been from the Petitioner and his counsel's uncooperative, disruptive attitude which has made this entire process more arduous and worse for herself, their son, and the Court. Both have committed perjury on multiple instances in writing and verbally to the Court, ignored the Judge and Respondent, and continue to be a part of the problem instead of the solution which the Respondent has ceaselessly attempted to generate, to be a part of her case completely.

From her cooperation, attempted solutions, and ongoing answers, resolutions and provisions could have been made in avoidance of trial, all costs included, and continued disruption for all parties. Many items could have also been solved would the Meeting of Attorneys and Unrepresented Parties been scheduled as ordered. This is a further example of the Petitioner and his counsel's added "chaos" and not the Respondent's.

- Respondent has been transparent, properly corresponded when prompted, provided innumerable solutions, vigorously attempted to be included in this case by the Petitioner and his counsel, and cooperated in every manner possible throughout the entire process.
- The Petitioner has and still does not include the Respondent in their filings, correspondence with the Court, in this case as a whole. The Respondent has contacted the Petitioner asking why her exclusion continues, and his counsel via handwritten letters with no response.
- The Judicial Assistant, Henrietta Coffee, previously warned his counsel via email (2-27-23) in another of their attempted filings, stating it will be stopped and not accepted if they continue to not include the other party which is the Respondent.
- She also on more than one occasion has been unfairly ambushed by trial from no inclusion by the Petitioner where she believed she was being transported for case management conferences she would request from constant exclusion and having no status of her case to be properly prepared to defend herself, and attempt to represent herself as Pro Se which Petitioner and his counsel advantageously try to have control over.
- To date, Petitioner and his counsel do not include the Respondent, take advantage of her circumstances, and discredit her truth in her pending appeal that is in process to disprove her charge and bring forth her proposed release. In their intentional exclusion and perjury, she should not be

responsible for any supposed attorney's fees incurred by their attempts to continuously sabotage her lawful attempts to be successful in this case.

- The result of their growing unnecessary costs is due to the Petitioner and his counsel being uncooperative, stating ongoing untruths, false accusations causing innumerable violations of the Respondent's due process and proper, lawful inclusion. Their "actions and failure to act" ethically, lawfully, and truthfully necessitated their own attorney's fees.

All attorney's fees were and are self-inflicted by the Petitioner and his counsel.

CASELAW:

Florida Statute 61.16

Makowski v. Makowski, 613 So. 2d 924 (Fla. 3d DCA 1993)

Patterson v. Patterson, 399 So.2d 73 (Fla. 5th DCA 1981)

Baker v. Green, 732 So.2d 6 (Fla. 4th DCA 1999)

Goldman v. Smargon, 524 So.2d 479 (Fla. 3d DCA 1988)

Diffenderfer v. Diffenderfer, 491 So.2d 265 (Fla. 1986)

Spencer v. Spencer, 305 So.2d 256 (Fla. 3d DCA 1974)

RESOLUTION(S):

1. Respondent requests from the Court to deny the Petitioner's proposed award of any attorney's fees due to their intentional and strategic exclusion of the Respondent in their relentless attempts to control this case, including the Court by overruling and ignoring, committing perjury to so the Respondent is accused uncooperative and defiant. It is the Petitioner and his counsel who are so.
2. Respondent requests an award of attorney's fees due to financial hardship and loss caused by the Petitioner's failure to pay alimony with active Agreements, Court Orders and without modifications for over five (5) years.
3. Respondent requests sanctions to the Petitioner's counsel for his unethical treatment to her as a disadvantaged party in this case, continued exclusion, confusion, defamation so she cannot properly defend herself, encouragement of the Petitioner to remain uncooperative, and blatant defiance to the Court in ignoring Orders undermining its sole authority.

Page 6, H. Trial Exhibits/Witnesses:

H. Witnesses:

a. A witness list giving names and addresses of all individuals who may be called by each party to provide testimony, including impeachment witnesses and expert witnesses.

1. Sarah K. Boone

Respondent, Former Wife, Mother of minor child

Location: Ocala, Florida

2. Brian C. Boone

Petitioner, Former Husband, Father of minor child

Location: Gainesville, Florida

3. Philip Paulsen

Brother of Respondent

Location: Altamonte Springs, Florida

H. Trial Exhibits:

b. A detailed schedule of all photographs, exhibits, and documentary evidence that a party proposes to use, including impeachment and expert witnesses. The schedule should include enough information to identify each specific document, general categories of documents are not permitted. Composite exhibits are permitted if they are specifically identified.

1. Marital Settlement Agreement (signed by both parties) (2018)
2. Parenting Plan (signed by both parties) (2018)
3. Parenting and Divorce Certificate - Brian Boone (2018)
4. Parenting and Divorce Certificate - Sarah Boone (2018)
5. Final Judgement of Dissolution of Marriage (2018)
6. Supplemental Petition for Modification of Final Judgement (Summons) (2022)
7. Respondent's Answer to Supplemental Petition for Modification of Final Judgement (Notice of Filing) (2022)
8. Petitioner's Verified Petition to Relocate (Summons) (2023)
9. Respondent's correspondence to Judge and Motion for Contempt (2023)
10. Respondent's correspondence to Judge regarding Motion for Contempt (2023)
11. Respondent's OCCD commissary records (2-25-20 to 2-1-24)
12. Petitioner's Certificate of Compliance with Additional Updated Mandatory Disclosure (2025)
13. Petitioner's Family Law Financial Affidavit (2022)
14. Petitioner's Family Law Financial Affidavit (2025)
15. Petitioner's Account Statements (4-26-24 to 3-27-25)

16. Respondent's Family Law Financial Affidavit (Handwritten) (2025)
17. Petitioner's mediation correspondence (2022)
18. Respondent's answer to Petitioner's counsel for mediation (2022)
19. Petitioner's Motion to Dispense Mediation (2022)
20. Petitioner's Notice for Trial (2022)
21. Respondent's correspondence to Judge regarding nonpayment of alimony, parental alienation (2022)
22. Respondent's correspondence to Judge regarding nonpayment of alimony, parental alienation and request for Case Management Hearing (2022)
23. Respondent's correspondence to Judge regarding nonpayment of alimony, parental alienation and request for Case Management Conference (2023)
24. Respondent's correspondence to Judge regarding nonpayment of alimony, parental alienation and request for Case Management Conference (2023)
25. Respondent's correspondence to Judge regarding nonpayment of alimony, parental alienation and Motion for Case Management Conference (2023)
26. Respondent's request for Initial Disclosure from Petitioner (2024)
27. Respondent's correspondence to Petitioner's counsel regarding exclusion (2023)
28. Respondent's correspondence to Petitioner's counsel advising appointed contacts for her inclusion (2024)
29. Respondent's correspondence to Petitioner regarding exclusion (2024)
30. Respondent's correspondence to Petitioner regarding visitation with applications (2) (2025)
31. Respondent's witness letters from criminal case (10) (2024)
32. Current interest rates (alimony arrears) - myfloridacfo.com
33. Personal property car estimates (4) - multiple websites
34. Certificate of Destruction (personal property/vehicle) - flhsmv.gov
35. DOC Canteen items with current pricing (fluctuate with vendors)
36. GTL Communication current pricing (phone calls)
37. JPAY Communication features and current pricing (video visits, pictures, messages, stamps, videograms, more)

Exhibits attempted by Respondent to submit:

1. OCCD and DOC recorded telephone calls - Denied
2. OCCD and DOC tablet messages (no responses) - Denied

3. Copies of case documents from Clerk of Court (\$414.00) - Unpaid
4. Petitioner's complete financial documents/records - Denied
5. Motion for Counsel to be Appointed to Respondent – Denied
6. Motion for Guardian ad Litem - Denied
7. Letters to former counsel for irreplaceable case documents to be returned for trial (4) - no response
8. Requests to Classifications Department regarding visitation (8) - not processing to date
9. Letters to Petitioner regarding visitation applications (2) - no response
10. Tablet messages (DOC) to Petitioner regarding visitation (18, ongoing 8 months, after Court Orders to submit) - no response
11. USB drive from Clerk of Courts for trial (waiting for 2 months to view from DOC, 7 requests to Classifications Department)
12. Transcripts from Case Management Hearing (9-19-22) stating Petitioner to continue payments and constitutional rights violations from Judge - unpaid

Respondent graciously requests the Court's understanding and consideration in the crucially limited supply of her exhibits, seeing her good faith efforts to obtain many others but unlawfully withheld financially from nonpayment of Court ordered alimony from the Petitioner, unresponsive parties, and denial from the Court due to her inexperience as an attorney in representing herself Pro Se.

She has ceaselessly remained proactive in her parental and representation attempts in achieving truth, justice, success in her present and undetermined circumstances to the best of her limited abilities.

Page 7, I. Miscellaneous

- a. Request for amendments to pleadings. - None
- b. If this is a modification, filing dates and description of the prior pleadings relevant (Final Judgement, Supplemental Proceeding, etc.).

1) MARITAL SETTLEMENT AGREEMENT

Filed: MAY 3, 2018 by CIRCUIT COURT

Expiration: NONE

2) PARENTING PLAN

Filed: MAY 9, 2018 by CIRCUIT COURT

Expiration: NONE

3) FINAL JUDGEMENT

Filed: June 15, 2018 by CIRCUIT COURT

Expiration: PARTIAL, APRIL 2025

4) MOTION FOR CONTEMPT

Filed: April 11, 2023 by RESPONDENT

Expiration: CONTINUED

c. Any issue the party wants to address at trial that is not addressed above.

1) The Respondent's vehicle and storage unit in the Petitioner's possession during her incarceration of 2020 - present.

The Respondent is requesting the Petitioner:

- Provide communication history under oath and current status of her property and vehicle he willingly and voluntarily took responsibility for immediately upon her incarceration.
- Explain why he lied repeatedly, refused to utilize any of her many no-cost solutions she provided him, did not surrender her vehicle and storage unit to her brother who lives locally and was coordinated to receive and secure, knowing the importance to both of them the contents from their family who is deceased and to be passed on to her son.
- Sign proposed document stating he willingly abandoned Respondent's property he personally placed himself as liaison over during her incarceration and was voluntarily responsible for.
- Return all property in his possession which belongs to the Respondent, and provide information of whereabouts if unable

2) The Respondent's Request to Produce and Interrogatories:

- This request was sent to Petitioner's counsel to further her evidence of ability to pay alimony by the Petitioner to the Respondent after finding information from the limited bank statements she received prior.
- In her itemized research and calculations with Petitioner stating he was "unemployed" with no means of income, knowing from previous verbal statements he made to her he was working (contract), and had been since her incarceration, the spending totals did not suffice the income.
- Petitioner filed an objection citing the timeline to submit their production was improper and the information Respondent was requesting irrelevant.
- A second set of Interrogatories was requested with no response, and now with this case in trial, the Respondent is confused what the point of the Objection still waiting for judgement

is. She has already been restricted access to this vital evidence in the meantime of trial and her preparation for in full application of.

d. Any outstanding motions (All motions should have been heard or abandoned during the Pretrial Conference. The hearing for any motions other than for Attorney's fees during trial request permission from the Court).

- None

e. Request for Judicial Notice.

1) The Respondent respectfully responds to the Petitioner's request for Judicial Notice in their underhanded Pretrial Memorandum regarding notice of the "entire docket" of her criminal case.

She firmly asserts her criminal file is irrelevant to this family law matter, other than the fact she has been incarcerated over a momentary time period and with a pending appeal the Petitioner does not mention with opportunities for her proposed release.

The issues before the Court in this family law case pertain to civil obligations and rights, not "criminal conduct." The Respondent's entitlement to alimony, child contact and parental relationship, and related relief arises from established legal principles in family law which are not negated by incarceration.

Furthermore, introducing criminal records into this proceeding serves no legitimate purpose other than to heavily prejudice the Court, slander the Respondent, and distract from the actual issues such as needs financially and parentally with lawful compliance and inclusion.

In the Petitioner's continuous vexatious and strategic attempts to make their own rules, disadvantage the already disadvantaged Respondent, with the unethical encouragement and direction of his counsel to do so and how, the Respondent respectfully requests the Court to take Judicial Notice of their entire docket of violations, contempt, advantageous exclusion of the Court and Respondent, intentional confusion, while displaying an ongoing flagrant invincibility to any consequences for their continuation of, in the entirety of this family law case and all matters included.

The Court is respectfully urged to focus on and take under serious consideration all of the facts included in this case historically and relevant to the law, and disregard any attempts by the Petitioner and his counsel to use unrelated criminal matters to sway its decisions unfairly or unlawfully.

2) The Respondent also respectfully requests from the Court to take notice of the Petitioner's payments described in their Supplemental Petition for Modification, stated as being "voluntary deposited money into the Former Wife's inmate account so that she may purchase items from the inmate commissary" (page 2, C.).

These "voluntary" deposits made by the Petitioner are not pursuant to any Court Order or alimony obligation. They were willingly made by him after her concerns were made known of her needs not being met by the facility, and should not be deducted or applied in any way towards legitimate alimony payments the Petitioner has yet to make to her since she has become incarcerated from 2020 - present.

These added funds to the Respondent had no agreed upon rules, stipulations or attachments as such, including repayment, other than being simple voluntary contributions made to her by the Petitioner and stated by his counsel in their proposed Petition as.

No Court Ordered alimony payments have been made, or obligations met to date to the Respondent by the Petitioner since her incarceration.

3) Respondent requests Judicial Notice for the overall undeniable misconduct of the Petitioner and his counsel's unethical practices used throughout the entirety of this case and his representation, including advantageous mistreatment of the Respondent in this case as a whole.

Petitioner's counsel's continuous, deliberate misrepresentations and insubordinate actions have undermined the integrity of the Court, its sole authority, and proper proceedings under Florida Law, Constitutional Rights in procedural fairness to all.

As a direct result of these violations, making this case unfair and unequal, the Respondent respectfully requests the Court to deny the Petitioner's Supplemental Petition to Modify as it would be unjust to reward such dishonest behavior and inappropriate example of the law.

Sanctions for both the Petitioner and his counsel should rightfully be applied in the favor of the Respondent for such actions, and which she respectfully requests from the Court in the conclusion of this case and family law matter.

f. Citations or copies of any caselaw to be argued at time of trial.

- Please see each section completed per the Uniform Order with caselaw included for application in and of.

g. Whether there will be a court reporter and/or interpreter(s) and any agreement between the parties concerning the sharing of the cost of same.

- The Respondent requests to have a court reporter present to record, but due to her indigent status, has the inability to pay for.

J. Good Faith Estimate

1. A good faith estimate of the time needed for both parties to try this case before the Court.

- The Respondent simply and very respectfully requests from this Honorable Court to be heard, understood in her explanations and truths, and considered in all aspects as does the Petitioner, to maintain an equal level of the law and due process in her inexperience and uneducated attempt to rightfully represent herself as Pro Se in this family law trial.

- In regards to a timeframe for this to proceed, she is cooperative in any manner necessary for her full inclusion and opportunity in respect of the Court's time and considerations.

K. Financial Affidavits

a. A new updated Financial Affidavit for each party shall be filed no later than seven (7) days before the Pretrial Conference.

- The Respondent's handwritten Financial Affidavit was accepted by the Court in the Pretrial Conference on May 29, 2025.

b. No new financial affidavits will be accepted at or after the Pretrial Conference absent good cause.

END OF UNIFORM ORDER AND

RESPONDENT'S PRETRIAL STATEMENT

SUPPLEMENTAL PETITION FOR MODIFICATION OF FINAL JUDGEMENT

- Inactive during Respondent's incarceration of 2020-present.

Page 1, 3. Substantial Change in Circumstances:

A. Respondent became incarcerated February 2020.

- Petitioner seeking to modify shared parenting, terminate alimony and child support.
- This document was filed over two (2) years after Respondent became incarcerated and has no judgement to date by the Court.
- Final Judgement and Parenting Plan open and active before and after this filing by the Petitioner without any granted modifications.
- Per the Marital Settlement Agreement (Page 2, C) which "shall survive the Final Judgement and be binding upon the parties for all times, (Page 2, D) "A modification or waiver of any of the provisions of this Agreement shall be effective only if made in writing, signed by both parties and properly witnessed and notarized.
- No signature has been executed by the Respondent on or in this inactive document she received via summons (April 22, 2022) while at OCCD after not being included in prior filings to avoid being served and Petitioner accruing unnecessary costs.
- This document has not been heard in Court nor a judgement made, has been self-implemented by the Petitioner and his counsel who willfully violated due process and standing Court Orders for over five (5) years by refusing to acquire Judicial modification and permission through formal proceedings.

Page 2, 4. MODIFICATION OF SHARED PARENTING:

- Discussed and proposed in Section B. The Child(ren) of Respondent's Pretrial Statement according to the Uniform Order.

Page 2, 5. TERMINATION OF ALIMONY:

- Discussed and proposed in Section C. Alimony of Respondent's Pretrial Statement according to the Uniform Order.

Page 3, 6. TERMINATION OF CHILD SUPPORT:

- Both parties have mutually agreed verbally in Court the Respondent is not seeking to collect these payments from the Petitioner. She is asking for the sum to be distributed to their minor son, and for the Respondent to be included in deciding how the funds should be used properly and accordingly.

Page 3, 7. ATTORNEY'S FEES AND COSTS:

- Discussed and proposed in Section G. Attorneys Fees and Costs of Respondent's Pretrial Statement according to the Uniform Order.

In addition and conclusion, the Respondent would like to reiterate to the Court she has been proactive, eager for involvement, proposed numerous solutions, and cooperated in every manner with the Petitioner, his counsel, and the Court since the beginning of this case.

Going to trial is a direct result of their egregious decisions to be non compliant with multiple Court Orders which could have been avoided from opportunities to collaborate, simplify, even conclude this matter prior to save time, money, effort for all parties, the Court foremost.

The Respondent should not be responsible for the Petitioner's perjury, self-confusion, and lack of ability to maintain their manipulative attempts to strategically sabotage her in this family law case and in their poor examples of professionalism, ethical practices, lawful and respectful treatment of the Respondent and the Court.

The Respondent is profusely grateful for the Court's invaluable time, patience, understanding in seeing her ceaseless good faith efforts and determination in achieving rightful success in her son's life, lawful obligations, her appeal, and productively moving forward, regardless of time, location or circumstances.

I HEREBY CERTIFY that a copy of the foregoing has been provided via U.S. Mail to JOSHUA J. MARTELL, ESQ., Attorney for Petitioner, on this 20th day of July, 2025 at the address below:

Joshua J. Martell, Esq.

Martell Family Law Firm

618 East South Street, Suite 110

Orlando, Florida 32801

MOTION FOR CONTEMPT AND TO COMPEL

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT IN AND FOR ORANGE COUNTY, FLORIDA

CASE NO.: 2017-DR-016600-O

DIVISION: 31

BRIAN C. BOONE,

Petitioner,

and

SARAH K. BOONE,

Respondent.

_____ /

RESPONDENT'S MOTION FOR CONTEMPT AND TO COMPEL PETITIONER TO SUBMIT VISITATION APPLICATIONS IMMEDIATELY

COMES NOW, Pro Se Respondent, SARAH K. BOONE, submits her Motion for Contempt and to Compel Petitioner to Submit Visitation Applications Immediately after raising her concerns to the Judge as stated in the Order after Case Management Conference on May 29, 2025.

The Respondent has repeatedly been requesting from the Petitioner to submit the visitation forms since her transfer to DOC in January 2025 without completion to date, and after innumerable reasons/excuses why he has not or cannot for ongoing eight (8) months.

This is the reason Respondent made the emphatic decision to verbally motion the Court in the Conference to make aware his ongoing untruths and difficulties in withholding her son from visiting, and for no valid reason(s).

Petitioner's counsel even volunteered to submit these applications on his client's behalf after being sanctioned for noncompliance of scheduling the required in-person meeting of the parties for the Pretrial Conference, also stated in the Order filed May 30, 2025, where to date, and after the Court giving a two (2) week due date, no applications have been received per the DOC Classifications Department's most recent update to the Respondent on July 12, 2025.

Respondent has sent multiple tablet messages to the Petitioner requesting status, even completed the applications for both and mailed with instructions they only needed to sign and add work information. In her letter, she also explained again to him the importance of her desperately trying to still see her son and during one (1) of his one hundred (100) days of summer before starting school, and after over five (5) years of waiting prior in a simple video visit.

Petitioner has not responded to any of her messages or letter, and upon answering a call from her from no responses, swears and tells her, "he'll check on it," then disconnects. This is the same reason he gave the Court, still with no applications submitted by either.

These false statements made by the Petitioner under oath and his counsel, in addition to their deliberate, continued "chaos" and noncompliance, is Contempt.

WHEREFORE, Pro Se Respondent, SARAH K. BOONE respectfully requests from the Court to:

- 1) Compel Petitioner and/or his counsel to submit the visitation forms immediately for her son and himself, remembering the process takes already a minimum of thirty (30) days to process.
- 2) Sanction both for perjury, ignoring and disrespecting the Court and Respondent, causing emotional distress to the minor child in his continued attempts to see his Mother, and violating the Respondent's parental rights in avidly seeking and growing her parental relationship with her son.
- 3) Order such relief or disciplinary action as this Court deems just and proper.

Respectfully submitted on this 20th day of July, 2025.

SARAH K. BOONE

Pro Se Respondent

I HEREBY CERTIFY that a copy of the foregoing has been provided via U.S. Mail to JOSHUA J. MARTELL, ESQ., Attorney for Petitioner, on this 20th day of July, 2025 at the address below:

Joshua J. Martell, Esq.

Martell Family Law Firm

618 East South Street, Suite 110

Orlando, Florida 32801