IN THE SUPREME COURT
OF THE STATE OF FLORIDA

Bruce Chambers, pro se,

Appellant

vs.

CITY OF PORT ST LUCIE, Municipal Corporation of the State of Florida,

Appellee

CASE NO: 89,448

Reply Brief

and **Answer to Motion to Strike**

Let the record of this prayerful appeal show this matter to be an appeal from the entry of the October 28, 1996, final judgment in the case style of City of Port St. Lucie, vs., State of Florida, et al, and others having affected tangible interest, 19th Circuit case no. 96-911-CA-02, and that procedure by which such final determination was reached, and that notwithstanding Appellees' polished arguendo that Appellee has erroneously appealed the wrong court proceedings is for all intensive purposes meritless hogwash. To which extent the Appellee has unilaterally and categorically failed to identify or show, indeed cannot identify, uphold or show that Appellant has mis-filed this appeal or filed this matter in connection with any October 28, 1996. circuit court proceeding other than

case no. 96-911-CA-02. Whereupon such lack of cause Appellant respectfully moves this Supreme Court to dismiss the Appellee's obfuscating sham allegation that Appellant has mistakenly filed pleadings in this case not related to the October 28, 1996, outcome of the foresaid case no. 96-911-CA-02.

Let the record show that the Appellee, City of Port St. Lucie, in its Answer has not answered, indeed cannot lawfully refute, contest, or deny the accusations leveled in the Appellants' Initial Brief that the Appellee City through its city attorney Roger G. Orr, failed to comply with an order of the Circuit Court rendered by the Honorable Judge Scott Kenney on the morning of October 23, 1996, and having so failed to obey such order of the court Appellee then later proceeded in an evidentiary hearing to flagrantly lie to another Judge of the same Circuit Court, on October 28, 1996, about having falsely and allegedly obeyed the said prior directive of the October 23rd order.

Let the record show the existence of collateral inconsistencies in and throughout the testimony of an alleged expert witness, city manager Donald B. Cooper, as recorded under examination during the bond validation case heard on October 28, 1996.

In answer to the Appellees' motion to strike, the Appellee states in item #6 of said motion that "Since the exhibits included in Chambers appendix were never introduced at either the bond validation trial or the evidentiary hearing, they should be stricken and not considered by this Court in this appeal." Hence let the record show that the Appellee in its Answer to this appeal has clearly and absolutely controverted its own aforesaid claim, and has likewise further proven the self evident truth that documents and information contained in the appendix since filed by the Appellant were in fact made part of the lower Court record as filed prior to both the validation and related evidentiary hearings, and let

the record further show that Appellant had relevant evidentiary proof and documents available and accessibly 'in hand' at the evidentiary hearing which took place on October 28, 1996, and which evidence the presiding Judge Thomas O'Connell refused to allow the Appellant to submit to the Court as evidence.

This Court should not continue to permit the Appellee or its legal counsel to intentionally cast arbitrary and capricious falsehoods and lies to misrepresent the facts and mislead the Honorable Judges of this Supreme Court in the repetitious fashion seen by relevant records of these outstanding proceedings.

The City of Port St. Lucie, Appellee, has no reasonable position or standing to argue that Rules of Civil Procedure must be upheld against the pro se Appellant, when in fact this appeal is in part substantially based upon the both knowledgeable and trained Appellee Citys' own repeated failures to comply with such governing rules throughout the bond validation case no. 96-911-CA-02, which case is hereby appealed.

During the discovery stage of the appealed case 96-911-CA-02, the Appellee City took Appellants' deposition on oral examination on October 23, 1996. the Appellant did not waive the right to review said statement once transcribed. The Appellee indicated at that time that such sworn statement would be reduced to writing by October 28, 1996, however as of Wednesday, December 31, 1996, the Appellee, City, had not furnished such transcript to the Appellant for review in accordance with the governing rules of civil procedure and is on record as having further delayed the Appellant that his deposition of testimony related to the since finalized circuit court proceedings would not be available until sometime on or after Monday, January 6, 1997. Moreover, the Appellee has in such typical disregard and contempt for the rules of court procedure manipulated this sworn

testimony in attempt to conceal it or otherwise render it unavailable in time for this appea because it showably reflects and contains substantial and incontrovertible testimony of public wrongdoing by one or more city officials, and only upon measures of extraordinary insistence was the said statement even first made available to the Appellant no earlier than Thursday, January 2, 1997, some 2 months and 10 days after such deposition was taken, which under the rules of civil procedure is/was entirely unreasonable.

The Appellee has argued that Appellee has violated rules of appellate procedure by filing portions of the record in excess of an appendix thereof, however the Appellee has acted likewise by filing portions of the record in excess of any mere appendix though Appellant is unaware of nor understands any restriction which prohibits the filing of such matters in keeping with the expedited nature of bond validation proceedings, including any copies of court records or record transcripts as a courtesy to the court to help outline or facilitate an understanding of the appealed issues, and for the present or future benefi of anyone whosoever might desire to research the elements of this case to have all such information readily available and within easily accessible reach.

1. Appellant shows this Supreme Court that previous efforts were in fact undertaken by Appellant to intervene in the bond process of the District 1 Phase 1 assessment area described by the Appellee, City of Port St. Lucie, but that Appellant herein who resides in the District 1 Phase 2 assessment area was not then recognized as having standing or required property interest to intervene at that time and therefore none of the issues thus raised and presented by the Appellant at that time were addressed in those proceedings.

2. The proclaimed evidentiary hearing as scheduled, noticed and conducted on October 28, 1996, in relation to the bond validation complaint filed by the City in the 19th Judicial Circuit Court, case no. 96-911 CA02, was outwardly presented as being the appropriate forthcoming opportunity to present and enter evidence and testimony to the Court for just and equitable consideration towards subsequent conclusion of the said bond validation complaint at the circuit court level. However, exceeding the Appellees' vacated senses and filed answer that Appellant has ignorantly appealed the final outcome of some other court proceeding other than that of October 28, 1996, City vs. State, circuit case no. 96-911-CA-02, is the infinitely outweighing burdens of the court, the city, state and peoples attorney, to act only in the interest of the law and of the rights of affected persons, Be it hereby moved to contradict Appellee's allusions, that pro se intervenors, including this Appellant, should not have been fundamentally misled and in fact misinvited by the court to rise and appear and present their cases, to the full extent the court bailiff 'sounded the hall ' for the presence of an intervenor not apparently present so as to have preserved the extension of opportunity to all named intervenors to present their cases and be heard etc during the evidentiary stage. If as the Appellee City claims the said purely incidental evidentiary hearing was not the proper forum for introduction of evidence and testimony regarding some otherwise existant bond validation, it is not unreasonable to appeal to this Highest Court that ordinary pro se intervenors should not have encouraged by the lower Circuit Court to appear and present their case and evidence or for the Circuit Court to have stripped or stricken any intervening party of standing for non-appearance at the Appellee's claimed unrelated evidentiary hearing or have enumeratively dismissed any and all appearing intervenors during the proceeding of the intended evidentiary hearing.

Hence all of the hearing(s) of the appealed Circuit case no. 96-911-CA-02, were equally conducive and equivalently imperative to the final outcome, and are/were so inseparably interrelated and intertwined as to be properly considered within the appealed scope of the said case 96-911-CA-02. Any upheld division or separation of the October 28, 1996, bond validation hearing(s) would alternately and simultuously disclose an untimely and clearly advance dismissal of the standing of one or more qualified intervenors prior to the final bond validation proceeding. Thereby introducing yet another actual, apparent, or potential court defect of arguable structured nature the Appellee has no grounds to refute or dismiss.

3. The Appellant shows this Supreme Court that notwithstanding exceptional efforts by the City to intentionally mislead the public at large, including persons having standing to intervene, as demonstrated by the City's published advertisement (Exhibit B1, part of the original lower court record) that citizens of the City of Port St. Lucie affected by the legal proceedings then underway were not being named as parties to any actual or apparent lawsuit, but that the Appellant herein appeared anyway, and filed for, and upon precise stipulation, direction and recognition of showing of application to the Court was thereby granted all due standing to move to intervene.

4. The Appellee has failed to establish any withstanding evidence that Appellant lacks standing to intervene or to have brought this appeal.

5. The Appellee has failed to show, indeed cannot show, that the Appellant was not

disrepudiated and shunned by the Court because of the level of Appellants' education.

6. The Appellee has failed to show, indeed cannot show, that it complied with the rules o procedure and order of the court in answering a written interrogatory filed by Appellant.

7. The Appellee has failed to establish, indeed cannot establish, that city attorney Roger Orr did not lie to the Court on October 28, 1996, regarding Appellee's failure to obey the rules of civil procedure and directed order of the court to answer a written interrogatory filed by this Appellant.

8. In its Answer Brief, the City has failed to show that the Appellant was not challenged and attacked by the Court on the basis of personal education without any reasonable or justifiable basis in law or fact to validify such line of judicial ambush from the bench and, the Appellee has likewise failed to show or establish that it obeyed and complied with a prior October 23, 1996, Order of the Circuit Court to answer a written interrogatory filed by the Appellant, by the following Friday, October 25, 1996, as stated by the Appellee at the evidentiary hearing held on October 28, 1996, through its city attorney Roger G. Orr, who admitted to the Court that its earlier objection to such interrogatory had indeed been overruled then proceeded to misrepresent to the Court that such interrogatory had been answered, in writing, under oath and served on all parties in complete accordance with the prescribed rules governing such method of discovery.

9. The City has failed to show that the evidentiary hearing, conducted by Judge Thomas

O'Connell, on October 28, 1996, was held and conducted purposefully and properly, or that material issues of fact, subsequent to the mishandling of such evidentiary hearing and testimony and evidence identified, produced, presented, discussed and attempted to be submitted to the Court at such evidentiary hearing, were all properly considered in the total absence of certain material information as a result of Judge O'Connells' refusal to allow intervenors, including this Appellant, to testify and enter documents and records proving what Judge O'Connell otherwise clearly inferred to be serious indictable criminal misconduct on the part of city officials who evidence shows blatantly violated the public records law sand rights or affected citizens in the course of carrying out official functions and obligations of legal conditions first precedent to bringing the subject bond validation complaint now on appeal.

10. The City has clearly contradicted itself in filing its motion to strike documents filed by the Appellant in this appeal, to the extent that the City has filed like documents with its Answer, which the Appellee City shows to be and have been made part of the record on appeal, conversely the City otherwise simultaneously claims in its motion to strike, that such documents listed therein were not filed with the Court, and therefore do not exist as any portion of the appealed record. The Appellee's Answer to this appeal disembodies and unequivocally disproves its motion to strike, which Appellant respectfully moves this Court to deny and prays will be dismissed.

11. The City has undertaken to furnish this Supreme Court with documentation of the appealed validation process, which shows;

a. that records identified by the Appellee in its Answer and in its motion to strike, now before this Court, wherein which records the Appellee presently claims were never made portions of the record proper, are in fact shown by the Appellees' Answer, Exhibit items A-5, A-6, A-7, A-8, and A-18 (pages 44 line 18 through page 48 in particular), that such documents identified in the Appellees' motion to strike, and which Appellee claims were never made part of the court record on appeal, were in absolute fact made a part c the said court record and subsequent matter on appeal as appears within the records of the October 28, 1996, civil proceedings as subject of the Appellees' line of questioning and court examination of its own alleged expert witness, city manager Donald B. Cooper, whose presentation of stray testimony was blatantly inconsistent, latently untruthful and unlawfully incriminating and self contradicting.

b. that the court transcript of the October 28, 1996 hearing, Exhibit item A-18, filec by the Appellee together with, and in claimed support of its Answer Brief, clearly shows on page 47 line 24, that the Appellees' expert witness, city manager Donald B. Cooper, contradicted himself as an expert witness and testified concerning his knowledge of the status of interim financing as of October 25, 1993, which was not consistent with public records of his actual knowledge of the status of such financing as of that date and of the intended nature and purpose of an ordinance 93-63 which was the vehicle used by the Appellee City to unlawfully move in vested violation of its chartered home rule authority tc authorize funds in arrears as shown in and by portions of the Appellees' Exhibit item A-5, more particularly shown as an uncontested verbatim transcript of the October 25th, 1993 city council discussion regarding the unlawful indebtedness for which the city manager Donald B. Cooper, and one or more city officials could be held personally responsible,

and the ensuing discussion thereof concerning the enactment of the interim financing ordinance 93-63 as quickly as possible in and through a forum not open for public input.

c. that the court transcript of the October 28, 1996 hearing shows from pages 68 through 71 that presiding Judge Thomas O'Connell paid so little attention to the course and conduct of such bond validation proceedings that he failed even to notice the names of the few individuals granted standing and erroneously invited at least two (2) persons tc speak who did not have legitimate standing to intervene and allowed one such person to testify and to examine a witness despite the foregone fact that Judge Thomas O'Connell refused to grant or allow all intervenors, including this Appellant, the same or like similar opportunity to enter evidence, testimony, or to examine or cross examine any witnesses at or during the evidentiary stage, irregardless of the prior naming of intended witnesses in accordance with the governing Omnibus Procedural Order.

d. the transcripts of the bond validation case 96-911-CA 02, consistently show the Appellee as arguing that bond validation cases are a matter of law and as such are limited in scope to concern only issues of legal concern and cannot serve as a forum to generally address any political aspects or other points regarding fundamental feasibility, tangible propriety or simple dissatisfaction of claimed necessity, projected costs, rates or proposed engineering design of the project for which the subject bonds were sought.

e. the court transcript of the October 28, 1996, bond validation hearing furnished by the Appellee with its Answer, Exhibit item A-19, beginning with page 20, repeatedly shows the Appellee, City, questioning its alleged expert witness, Donald Bruce Cooper, regarding matters of claimed necessity, costs and proposed engineering design, which are issues the Appellee has argued and maintains are not meritorious issues properly

before the Court in such bond validation proceedings, and which therefore constitute matters that intervenors, including Appellant, were directed by the Court to reserve unto themselves and were instructively disciplined by the Court could not be duly raised or even remotely entertained.

The same aforesaid transcript of the October 28, 1996, hearing, as Appellees' Answer Exhibit item A-19 from page 33 on, shows the Appellee, City was permitted by the court to enter one or more of several records and documents into the court record as evidence in a manner clearly representing an evidentiary privilege that was not extended to, and was denied to the qualified intervenors including Appellant, during the evidentiary stage of the October 28, 1996 hearings in the appealed circuit court case of the City vs. the State and people, no. 96-911-CA-02.

City officials, including elected city council members, and municipally employed city managers, city attorneys, clerks, et al, etcetera are not arbitrarily immune from the laws of this state, as such both Port St. Lucie city manager Donald B. Cooper, and city attorney Roger G. Orr, should be sternly disciplined as public officials and sanctioned by this court for uttering contemptuously false and misleading testimony before the Circuit Court and for continuing to utter and perpetuate the same frivolous and vile fraud before this Supreme Court.

The Appellee has shown that issues raised by the Appellant, including matters of Resolution 93-R58 / Ordinance 93-63 as it/they pertained to interim financing have been recognized as bonafide legal matters of condition precedent to seeking this validation of Series 1994 B Bonds, and has shown this via re-introduction of the same along the lines

of concerned inquiries and particular court examination of the alleged expert witness, city manager Donald B. Cooper, by the city attorney for the Appellee, Plaintiff City, at the set and scheduled bond validation hearing, case no. 96-911-CA-02, held October 28, 1996.

Whereas the Appellee carried questions of valid legal issues and concern as far back as mid 1993, pre-interim financing, originally intended to have been proportionally repayed from the presently sought bonds, THIS INHERENT FACT ALONE ENLARGED THE SCOPE OF LEGAL ISSUES, AND OPENED THE WAY TO SCRUTINIZE AND CHALLENGE THE UNLAWFUL ENACTMENT OF ORDINANCE 94-29, which set forth the claimed authority and purpose for which the sought after series 1994B bonds were to be applied. The Appellee's introduction of contradictory testimony by its' alleged expert witness, city manager Donald B. Cooper, regarding matters relating to an interim funding Resolution / Ordinance 93-63 as validating evidence, directly brought such issues within the narrow scope of the appealed legal proceedings, and hence this appeal.

II. Inadequate Representation

1. The State Attorney in and for the Nineteenth Judicial Circuit, Bruce Colton, is charged by law with a duty to represent the State of Florida et al, and rights of all citizens therein, to ensure that all applicable laws, requirements and conditions precedent have been met and complied with by the Appellee, Plaintiff City, bringing the bond validation complaint.

2. The above referenced State Attorney assigned the subject bond validation case to an assistant state attorney, Ms. Linda Craft, which in no way relieved Attorney Bruce Colton from fulfilling his obligation to adequately respond on behalf of the affected citizens and

3. At no time is it apparent to this Appellant that the designated or assigned attorney for the State of Florida et al, Mr. Bruce Colton or Ms. Linda Craft, ever initiated or engaged ii any procedural discovery, scrutinized or examined court documents or records filed by this Appellant, elicited or presented any testimony or other evidence or named or called called or examined or cross examined any witnesses regarding these matters despite the overwhelming preponderance of evidence on filed record, and contradictory statements ultimately made in open court by the Appellees' alleged own employed expert witness, city manager Donald B. Cooper, and city attorney Roger G. Orr, on October 28, 1996.

4. At no time on October 28, 1996, did Attorney Bruce Colton or Ms. Linda Craft enter any objection whatsoever to the ensuing sham proceedings in which the Judge of such Circuit Court trampled the civil, statutory and constitutional rights of rights of, insulted, and publicly humiliated, and systematically assassinated the educational backgrounds and characters of concerned citizens and intervenors, including this Appellant, and then without any justification or warrant stripped such parties to the validation action of their dignity, standing and meaningful legal rights, as evidenced by the conspicuous lack of any named intervenors in the heading style of the appealed final judgment.

5. The only substantial participation on behalf of the people by the assigned assistant state attorney, Ms. Linda Craft, arose on page 53 line 7, of the same October 28, 1996 submitted transcript, Appellees" Answer Exhibit A-19, whereupon hence query by the

Court for any questions by the peoples state, assistant state attorney Ms. Linda Craft then replied with an extraordinarily accommodating singular however notwithstanding elementary question counterpoised as a directed statement to the Plaintiff City's one and only called witness.

6. Court records of the October 28, 1996, bond validation furnished by the Appellee, as Exhibit item A-19, further reveal that not only did the presiding Judge Thomas O'Connell fail to duly notice who did and did not have standing to intervene and to ostensibly elicit or present any evidence or testimony, as further evidenced by the record neither did the peoples attorney, assistant state attorney Ms. Linda Craft, pay sufficient attention to the proceedings underway to duly forerecognize who were deemed to be eligible parties and who were not. It is clearly seen by the court records of October 28, 1996, that subjects were allowed to be raised and presented by the city which the records show neither the presiding Judge O'Connell or peoples attorney were previously knowledgeable or aware of before the instant of such raising or presentation. Moreover, comments contained in the court records of the October 28, 1996, proceedings in the appealed case of 96-911-CA-02, reflect that neither the presiding Judge O'Connell nor the peoples attorney could have earnestly reviewed the extensive court file within the time frame suggested by such remarks as having just received such information as of the same morning of October 28.

7. In accordance with the Omnibus Procedural Order, entered by the Honorable Judge Scott Kenney of the Circuit Court, arrangements were to be made among the parties, during the discovery stage, so that witnesses sought to be deposed would only have to

be summoned to testify and give their statement once. Such arrangements were set by another party to take the depositions of city officials, accordingly in compliance with the Omnibus Order, Appellant intended to participate in such events as permitted by the governing rules of civil procedure. Immediately prior to the taking of such statements of city officials for the Appellee, the party who was to have engaged such events and taken such depositions failed to follow through and all such expected depositions were at once canceled after it was already far too late for any other party to establish, set, notice, and schedule such matters. Thus, in conjunction with the state attorneys' failure to conduct or initiate any reasonable process of discovery, the Appellant was essentially denied and deprived of this vital opportunity for extenuating reasons above and beyond his control. It is therefore projected that the state attorney should have exercised more diligence in carrying out the important function of discovering the factual truth and not ignored such matters to be left to untrained citizens to attempt to struggle to perform.

The State Attorney assigned to represent the people in the case of City of Port St. Lucie versus the State of Florida et al, 19th Judicial Circuit case no. 96-911-CA02, failed to provide adequate or diligent representation and thusly failed to protect the rights of the general public affected by the actions of the bond issuers, rather Appellee in this case.

The Appellee, in its Answer, has attempted to misdirect the truth and attention of these serious matters by exerting efforts to substantiate its claimed authority to issue the subject bonds through the presentation of and reliance upon various Ordinances other than 94-29, and the Appellee has further failed to show or establish in its Answer that its alleged subsequent authority to pursue the appealed bonds did not originate from any

ordinance 93-63 and later enlarged by said Ordinance 94-29 which if had been properly enacted as required was intended to have enabled the Appellee to move forward with such legislation as the aforesaid ordinances presented by the Appellee in conjunction with its Answer to this appeal as the necessary authority upon which to proceed with the now appealed bond validation complaint.

The Appellees' statement of the case in its Answer, Point 1, is incomplete and misleading. Further it is understood, by this Appellant, that incomplete answers to issues may be taken as a failure to answer. It is the belief of this Appellant that known failure to divulge the truth, the whole truth and nothing but the truth is an offense sanctionable by the Court, in fact the date of October 28, 1996, the Honorable Judge Thomas O'Connell specially made note of and stipulated that the giving or conveyance of false information was an offense that would allegedly not be tolerated by the Court, even despite the fact that he essentially freely permitted the Appellee, City of Port St. Lucie, through its acting officials attorney Roger G. Orr and city manager, Donald B. Cooper to wantonly engage in such shoddy, warrantless and unjustifiable conduct in manners wholly and completely unbecoming of the integrity and honor of this Judiciary.

The Appellee argues in its Point 2 that Appellee has raised arguments for the first time and as such should be stricken from and not taken into consideration with this pro-se appeal, however, the Appellee has failed to contrarily admit that elements of these arguments raised in this appeal have been previously raised by this Appellant from time to time for more than three (3) years and were in fact raised in the Phase 1 proceeding

but were dismissed on the grounds, that Appellant lacked standing to intervene in that instance because Appellant did not own any real property situated in or affected by the Phase 1 special assessment area, such arguments were again raised by the Appellant, in the bond validation process for the current Phase 2 assessment area where Appellant does own real property and reside. The resultant outcome of Appellant's latter attempts to intervene and subsequently again raise defensive issues has since given rise to this justified appeal.

The Appellee has declared, in its motion to strike Appellants' initial filings, that the Appellant never entered such documents into evidence, however to such extent the City cannot state with any specificity what evidence the court record of the October 28, 1996, hearing shows the Appellant had in his possession at that time, which evidence Judge O'Connell clearly suggested would be evidence of criminal wrongdoing by city officials if it were to be entered, yet refused to accept into evidence or even consider. Appellee so notes in its Point 2, that Judge O'Connell sat through the Appellants attempt to introduce and to elicit sworn testimony at the evidentiary hearing of a bond case no. 96-911 CA02 on October 28, 1996, but that Judge O'Connell, having already attacked the Appellants' intelligence, education, and declared that Appellants having a GED was disqualification to submit or present apparent evidence of indictable criminal wrongdoing by city officials in connection with the matters concerned nor consider the same to have been serious enough to warrant any further waste of the Courts' time. Whereupon the record of such incident shows that when Judge O'Connell dismissed the Appellants' charges and hence directed the Appellant, Bruce Chambers, to step down under penalty of contempt and be

seated, after which attempt to present testimony and other documentable evidence and records was denied by the court, the Appellant fully complied with the Courts' direction to step down, wherefore this appeal follows.

It is clear from the records of the October 28, 1996, hearing that Intervenors were attacked by the presiding Judge O'Connell on the basis of their educations, and for their attempting to rise and be heard on any more than one occasion, and those who did put forth effort to continue to exert fruitless attempts to be heard were frequently denigrated and insulted by the court. It is clear from the court records that substantive issues were wholly overlooked and disregarded by the presiding Judge whose conduct and behavior was unequivocally rude. Judge Thomas O'Connells' horrendous attitude towards the constitutional, civil and statutory rights of citizens who would endeavor to seek to expose governmental wrongdoing was a stupefying display of rule that should not be accepted or tolerated or even remotely approved of by this Supreme Court.

As a physically impaired and disabled individual, I, the undersigned Appellant, do hereby reject the notion raised by the Appellee, that individuals of and alike my class and ability are not entitled to equal justice and consideration under the law because I/we may not have been fortunate enough, physiologically, financially, or otherwise equipped to become an attorney or attorneys at law. I have undertaken to present to the Courts rare evidence of violatory and repugnant governmental misconduct and apparent criminal wrongdoing by city officials, by, for and on behalf of the Appellee, such that validation of the subject bonds for the purpose set forth and claimed by the same officials of the City

of Port St. Lucie should not have occurred or been approved and should be overturned.

Whereupon the Appellant maintains that the validation of the subject bonds was improperand should be reversed and the entire matter remanded back to the Circuit Court for proper hearings and dissolution in accordance with the applicable laws, and overwhelming body and preponderance of evidence revealing failures by the Appellee City to comply with the law in connection with the concerned multi-hundred million dollar water and sewer utility project, and with its complaint for validation of funds occurring through the appealed Circuit Court case no. 96-911-CA-02, and further upon neglect of the peoples state attorney and failure of the lower Court to uphold and preserve the law and rights of all affected. Appellant respecfully moves this Court to reverse the appealed final judgment.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of Appellants' Reply has been furnished to the parties named in the service list, for this appeal no. 89,448, via U. S. Mail on this **15th** day of January, 1997.

Respectfully submitted,

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IN THE SUPREME COURT
OF THE STATE OF FLORIDA

SERVICE LIST

Case No. 89,448

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