

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
CIVIL DIVISION**

CHRISTOPHER GLEASON,

Plaintiff,

vs.

Case No.: 24-003717-CI

JULIE MARCUS, in her official capacity
as Pinellas County Supervisor of Elections;
et. al.,

Defendants.

**ORDER DENYING TEMPORARY INJUNCTION WITHOUT NOTICE AND
CERTIFYING PUBLIC RECORDS ACT CLAIM FOR ACCELERATED HEARING**

THIS MATTER is before the Court on Plaintiff’s Verified Complaint for Emergency Injunctive Relief to Enforce Florida’s Public Records Act, for Declaratory Judgment to Cease Election Fraud, and Request for Immediate Hearing (“Complaint”). Having considered the Complaint, the case file, the applicable law, and being otherwise fully advised in the premises, the Court hereby **FINDS AND ORDERS**:

1. Plaintiff filed his Complaint on August 20, 2024, seeking declaratory and injunctive relief for matters of election law. The Complaint also alleges a Public Records Act violation and seeks a temporary injunction without notice to the adverse parties.
2. “A temporary injunction without notice is an extraordinary remedy and should be granted sparingly.” *State v. Beeler*, 530 So. 2d 932, 933 (Fla. 1988).
3. Florida Rule of Civil Procedure 1.610(a)(1) allows a temporary injunction to be granted without written or oral notice to the adverse party in limited circumstances. This process “may only be utilized if the facts shown in an affidavit or verified pleading reflect that immediate

and irreparable injury, loss or damage would result before the adverse party could be heard in opposition.” *Seminole Cty. Sch. Bd. v. Downey*, 59 So. 3d 1156, 1159 (Fla. 5th DCA 2011).

4. “The requirement that a document be verified means that the document must be signed or executed by a person and that the person must state under oath or affirm that the facts or matters stated or recited in the document are true, or words of that import or effect.” § 92.525(4)(c), Fla. Stat. (2023).

5. Although Plaintiff signed the Complaint, the Complaint otherwise fails to affirm that the facts or matters asserted within the Complaint are true. Accordingly, the Complaint has not been verified.

6. Additionally, none of the third party affidavits attached to the Complaint establish that Plaintiff will suffer immediate and irreparable injury, loss or damage before the adverse party could be heard in opposition.

7. Accordingly, Plaintiff has failed to abide by the procedure prescribed by Rule 1.610(a) necessary to obtain a temporary injunction.

8. On a separate note, the Complaint avers that Defendants violated the Public Records Act. Claims made under the Public Records Act are entitled to an accelerated hearing. *See* § 119.11(1), Fla. Stat. (2023) (“Whenever an action is filed to enforce the provisions of this chapter, the court shall set an immediate hearing, giving the case priority over other pending cases”).

Accordingly, it is

ORDERED and ADJUDGED:

1. Plaintiff’s request for a temporary injunction without hearing is **DENIED**.

2. The Complaint does not qualify as an emergency filing and will not be treated as such.

3. Plaintiff's Public Records Act claim is subject to an accelerated hearing and will be given priority over other pending cases. A hearing on this cause of action will be scheduled as soon as practicable.

DONE and ORDERED in Chambers, in St. Petersburg, Pinellas County, Florida this ___ day of August, 2024.

Electronically Conformed 8/22/2024

Judge Crane

For **Honorable Peter Ramsberger**
Circuit Civil Judge

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