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**IN THE DISTRICT COURT OF APPEAL
STATE OF FLORIDA
FIRST DISTRICT**

MICHELLE WILSON,

Appellant,

v.

Case No.: 1D2024-0476

L.T.No.: 2023-CA-1569

FLORIDA COMMISSION ON
HUMAN RELATIONS and
CHEYANNE COSTILLA,
in her official capacity, and
individually,

Appellees.

_____/

MOTION FOR WRITTEN OPINION

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MOTION FOR WRITTEN OPINION

Appellant respectfully moves, pursuant to *Fla.R.App.P.* 9.330(a), for a written opinion to provide a basis for seeking Supreme Court review. Such an opinion on these unaddressed issues would provide a basis for such review on several questions including the following:

- Separation of powers violations arise from the Florida Commission on Human Relations (FCHR) arrogating to itself the legislative power to change the words of a statute to excuse itself from the legislative mandate to investigate and issue a determination in every whistleblower case and arrogating to itself the judicial power to make final disposition of a case involving a right to a jury trial and a possibility of unliquidated damages;

- ▶ Federal and state due process violations arise from FCHR's breach of the long-standing constitutional principle that, "No man is allowed to be a judge in his own cause," *Caperton v. A.T. Massey Coal Co., Inc.*, 556 U.S. 868, 876 (2009), when FCHR undertook review of its own conduct in a firing it had performed, despite Appellant's objection to that conflict of interest.

- Further due process violations arise from the fact that FCHR's refusal to obey its statutory mandate to investigate and make a determination on every case is capricious and without any rules, policies, or standards at all. Whatever moves the agency at the moment or reduces its workload is the practice.

- Right-to-trial-by-jury violations arise from FCHR's final and dispositive determination administratively of a cause of action on which Appellant has a right to trial by jury.

- Federal and state access-to-court violations arise from FCHR imposing insuperable burdens on a person seeking to work through the statutory pre-requisites to litigation, such that access to any remedy is extinguished with no grant of an alternate remedy.

Respectfully submitted,

/s/ Richard E. Johnson

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing motion was served to all counsel of record this 18th day of February, 2025, through the Court's e-service system.

/s/ Richard E. Johnson
Richard E. Johnson

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